CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
November 26th, 2024
MINUTES – Approved

PRESENT: Mayor Amanda Klotz, Councilors Catalina Burillo, Jim Cunningham, Dean Hodges, Betty Root and Karen Thomson

ABSENT: NONE

OTHERS PRESENT: City Manager – Rob Splane City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, Energy Superintendent – Mike Schiller, Hart Police Chief – Juan Salazar, HEART – Nicole Kleiner, JGP Superintendent – Chris TerHaar, Sharon Hallack, Emily Sigler, and Rolando Salgardo

APPROVAL OF AGENDA:

- B. Root motioned to approve Amended agenda and was supported by K. Thomson
  - Ayes: 7 Nays: 0 Absent: 0

PUBLIC COMMENTS:

- NONE

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Letter from Green Moose Properites reagaring rentals in downtown district.

CONSENT AGENDA:

- Approval of minutes from November 12th, 2024
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
  - J. Cunningham motioned to approve Consent Agenda and supported by C. Burillo
    - Ayes: 7 Nays: 0 Absent: 0

ACTION ITEMS:

- Resolution 2024-34 Approve Dump Truck Purchase

  WHEREAS, the City of Hart operates the Public Works Department and maintains a fleet of trucks and other equipment; and

  WHEREAS, the Department should retire an aged 1998 Ford dump truck that has required year-over-year increasing needs in cost of maintenance and now is in need of significant repair; and

  WHEREAS, the Department has searched used truck dealers in and around the state and recommends the purchase of a 2002 Sterling unit with 86,000 miles or similar; and

  WHEREAS, there are sufficient cash reserves in the General Fund for this replacement unit; and

  WHEREAS, the 1998 unit should be declared obsolete and surplus equipment and sold at the highest return of either prospective bidders in a public auction or as salvage; and

  WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:

  NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL

  Authorizes the purchase of a used dump truck for the not-to-exceed price of $49,500 plus any necessary acquisition costs.

  Authorizes and directs the City Manager to purchase the truck on behalf of the City of Hart

  Declares the 1998 Ford Dump Truck as obsolete and surplus and authorizes the City Manager to seek bids for the unit, including scrap bids, to sell the unit to the highest bidder.

  - A. Mullen motioned to approve Resolution 2024-34 and supported by J. Cunningham
    - Ayes: 7 Nays: 0 Absent: 0

- Resolution 2024-35 Appointment of City Officers following City Elections
  WHEREAS, per the City Charter Chapter VII Section 8.2 Appointments; Qualifications the Council shall within thirty (30) days following the annual City elections, appoint the appointive officers provided in the Charter, each of whom shall hold office until his successor is appointed; and
  WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:
  NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL

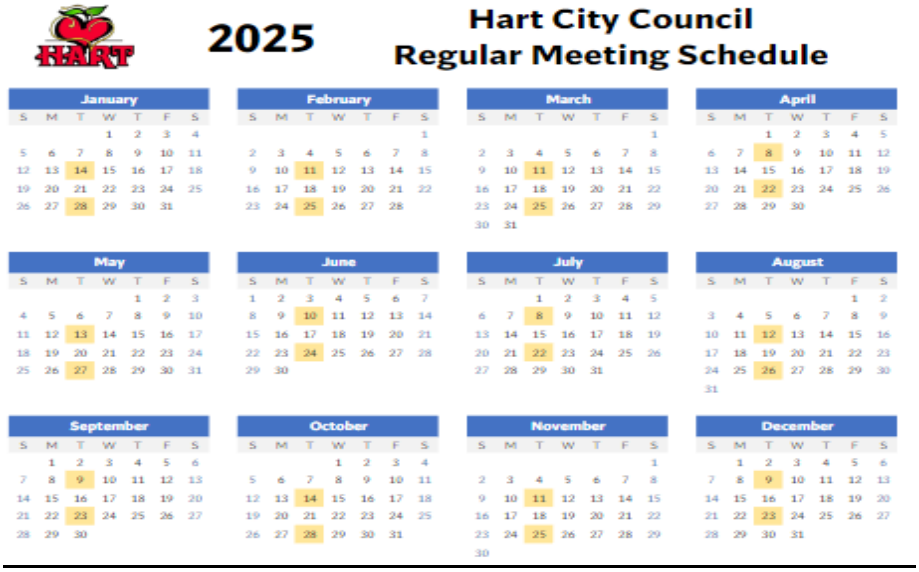
  Appoint as City Officers the following:
  City Manager – Robert Splane
  City Clerk/Treasurer – Karla Swihart
  City Attorney – Mika Meyers Attorneys
  City Assessor – Edward VanderVries (V&V Assessing LLC)
  Chief of Police – Juan Salazar
  - C. Burillo motioned to approve Resolution 2024-35 and supported by B. Root
    - Ayes: 7 Nays: 0 Absent: 0
- Resolution 2024-36 Designate Authorized Bank Signers
  WHEREAS, the majority of City bank accounts require at least two signers for all checks; and
  WHEREAS, the highest elected official, the Mayor pro-tem, City Manager, and City Treasurer are historically accepted individuals as authorized signers; and
  WHEREAS, the banks and financial institutions which the City conducts business with require formal action designating new account signers; and
  WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interest and welfare, the City Council hereby declares;
  NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL
  Designates Mayor Amanda Klotz, Mayor Pro-Tem Jim Cummingham, City Manager Robert Splane, and City Clerk/Treasurer Karla Swihart as authorized signers on all City of Hart banking and investment accounts.
  - C. Burillo motioned to approve Resolution 2024-36 and supported by K. Thomson
    - Ayes: 7 Nays: 0 Absent: 0
- Resolution 2024-37 Approval to proceed with Placemaking Grant design and application – Downtown Streetscape Phase 1 – "Hart Commons Plaza"
  WHEREAS, the City of Hart is responsible for the regular operations and maintenance of City roads, parks, and underground infrastructure; and
  WHEREAS, the Hart Tax Increment Finance Authority (TIFA) captures a portion of tax revenue from properties within the TIFA district and may use those funds to reinvest within that district for economic development, redevelopment, maintenance and other community goals; and
  WHEREAS, TIFA has allocated past, current and future funding to aid in a streetscape project that will promote community gathering, downtown development, and infrastructure repair; and
  WHEREAS, a grant opportunity has become available that would provide up to a $1,000,000, match to support Phase 1 implementation of the streetscape project, which is the area near and around the existing Hart Commons waterfront park; and
  WHEREAS, to complete the grant application, assistance will be necessary from City staff and Prein and Newhof, one of the City's designated engineering firms to contribute design work per the grant application requirements; and
  WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares,
  NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL

Authorizes work to proceed in developing the Michigan Revitalization and Placemaking Grant application per the preliminary conceptual drawings.

- C. Burillo motioned to approve Resolution 2024-37 and supported by J. Cunningham
  - Ayes: 7 Nays: 0 Absent: 0

DISCUSSION ITEMS:

- Appointment of Council members to Boards and Commissions
  Please get communication to Rob so something can be drafted up and presented at the next Council meeting.
- Date and Meeting times of City Council for 2025



- Library Memo of Understanding
  Memorandum of Understanding (MOU)
  Between the City of Hart and Hart Area Public Library
  Introduction
  This Memorandum of Understanding (MOU) is entered into on [DATE], between the City of Hart and the Hart Area Public Library, to outline their collaborative efforts in serving our area communities.
  Background
  WHEREAS, HART aims to provide critical information and communication resource to its residents, HAPL will collaborate with HART to assist in the delivery of services to, charter members, non- charter members, their residents and visitors. The HAPL board and HART have enjoyed a healthy relationship with multiple points of collaboration including sharing expenses and operations with the Hart Community Center located behind City Hall as well as sharing costs related to parking lot maintenance, digital signage, and other resources.
  Scope of MOU
  1. Project Components:
     - Identify potential savings by collaboration on various projects
     - Identify where support or mutual aid is beneficial to both parties
     - Develop appropriate compensation for support where necessary

  Roles and Responsibilities
  1. HART Action Items:
     - Provide municipal services to the City of Hart residents and business owners
  2. HAPL Action Items:
     - Provide library services to the City of Hart, Hart Township, and other negotiated area residents.
  3. Mutual Understanding:
     - Any costs realized by HART and HAPL, including grass cutting, lawn care, snow removal, or any other shared efforts, will be split 50/50 unless discussed and agreed upon before the expense is incurred.
     - HART shall not use enterprise funds (Public Utilities; Hart Energy, Water, Bio Pure) to cover any expenses not related directly to that fund.

- HART will continue to use of the contract-negotiated solid waste dumpster, and HAPL will seek additional waste receptacle through a waste management company and discontinue the regular use of the HART dumpster.
- Ongoing costs involving the Community Center, Community Center Conference Room and the Digital sign will be shared 50/50 between the entities.

Duration and Timeline

The MOU will commence on the date of signing and remain in place until the MOU is terminated by one of the parties or new terms are agreed upon.

Governance and Decision-Making

Decisions related to future agreements or modification to the MOU will be made jointly by HART City Council members and the HAPL Board. Disputes will be resolved through mutual consultation and agreement.

Communication and Reporting

HART City Council and the HAPL Board shall communicate through regular public meetings with each entity's leadership tasked to adjust strategies as needed.

Termination or Amendment

This MOU may be terminated or amended by mutual written agreement of both parties. Notice of termination or proposed amendments shall be provided in writing with a minimum notice period of [90 days].

- John Gurney Park Rules and Policy Adoption

John Gurney Park Rules and Regulations

CAMPGROUND SEASON: John Gurney Park is open from May 1 through November 1.

Age: No person under 18 (with photo Id) shall be issued a camping permit

CHECKIN TIME IS 1PM, CHECKOUT TIME IS BEFORE NOON: Those not checking out on time ma be changed an additional night's stay. Renewals or late-check out may be approved by park officers.

CAMPSITE: Camping fee pays for ONE camp site. All fees must be paid before use. Not more than one camp occupied by a single family of a group of four unrelated persons, will be permitted on an individual lot. Campsites are back-in only unless specified as a pull-thru site. All parts of your camping unit must be INSIDE your lot. Trailers may NOT be parked diagonally or sideways without SPECIFIC and PRIOR permission from management. Do not park on another lot even if it appears to be empty. No more than 2 vehicles per campsite, additional vehicles towed at owner's expense. No electric vehicle charging allowed. Overflow parking may be available at an additional charge.

OFFICE: The campground office will have posted hours for peak season (Memorial Day Labor-Day) and off-peak season.

REST ROOM: We are proud of our facilities. Do not give out the restroom code to others. Vandalism and/or any intentional defacement of the property will result in immediate eviction. The Rest Room Facility is NOT a Playground for children. Young children should be accompanied by an adult.

SPEED LIMIT: Please observe our 5 MPH speed limit. Drive carefully and watch for children.

OUTDOOR RUGS: Only 1 outdoor RV mat allowed per site. If you are leaving the campground for more than 1 day (24hours), roll or fold back your outdoor carpet for that the grass beneath can breathe. No tents, screen rooms, decks, fences, canopies, or other structures are permitted on camp sites following 11/01/2025.

INTERNET: Basic, Complimentary WI-FI service allows access to email, banking, internet and social media. Access is limited and not guaranteed.

MAIL AND PACKAGE DELIVERY: Per MCL 333.12501a, Section 12501, regarding "Permanent Residency in Campgrounds", no bills, correspondence, packages, or other mail will be accepted at the campground address after 01/01/2025. Campers that require mail delivery should make arrangements through the USPS or other mail handling entity.

COURTESY: Good campers are always considerate of others. Noise levels must be controlled at all times so as not to disturb other campers. They are here to have fun too and may not appreciate you cutting through their lot or your test in friends or music. NO loud music, TV or radios, etc. NO profanity. If your neighbor can hear it, it's to loud. Harassment of City employees, volunteers, visitors, vendors, or other non-employees who conduct business with the City will not be tolerated. Harassment is any unwelcome conduct whether verbal, physical, or visual that creates an intimidating, hostile, or offensive environment.

FISH CLEANING: There shall be NO fish cleaning on the property except in the Cleaning Station.

GARBAGE: Do not leave trash at your campsite or in your fire pit. Use plastic bags and deposit all garbage in the dumpster located near the park entrance. Burning trash is prohibited.

QUIET TIME: Quiet time is 10:30 pm to 8:00 am. Please keep all noise to a minimum. The playground is closed during quiet time. Children under 16 must be back at their own site by 10:30pm otherwise accompanied by an adult.
SEWAGE: No draining of grey water or sewage onto the ground. Use proper containment and empty at the waste station near the office. This station is available during office hours and is free to our campers.
CAMPFIRES: Fires are allowed in fire pits only. NO burning of items made with nails or staples (pallets, skids, etc). Please extinguish fires before leaving the campsite or retiring for the night. Do NOT burn or leave garbage in the fire pits.
NO FIREWORKS, SPARKLERS, CHINESE LANTERNS, (including those classified legal in Michigan).
PETS: All pets must be licensed and kept on a physical leash at all times. Tie-outs may not extend past campsite lot borders. Pets are not allowed in restrooms, office or playground areas. All pet litter must be cleaned up. Do not leave pets unattended.
GUESTS: The registered camper accepts full responsibility for the conduct of guests. Non-registered guests shall vacate the campground during QUIET TIME. Visitors must park in day parking lot and be escorted entering and exiting the park.
LEAVE YOUR LOT CLEAN: Please remove all trash, cigarette butts, and pet litter and dispose of in the dumpster. If you've moved a picnic table to another lot as part of your group arrangement, please put it back on the ORIGINAL lot. When checking out, all items must be removed, and site must be bare. *Off-season storage of all trailers, vehicles, or structures is prohibited as of 11/01/2025.*
EVICTION: Anyone whom has been warned or is violating City or park rules may be evicted immediately. If Customer doesn't want to go or there is a problem, we are a City park and the City Police officers will come and take care of the problem. With NO REFUND.
TERMINATION: John Gurney Park Campground shall have the right to terminate Seasonal Contracts without causes by giving notice in writing to the renter 72 Hours prior to such termination: provided, that the renter shall be entitled to a prorate refund of the rest of the seasonal rental fees, if any, paid in advance; and further, that no refund shall be made if termination of this permit is due to renter violating any rules and regulations incorporated herein or such other reasonable rules and regulations as John Gurney Park Campground may publish, post and or distribute from time to time. Checking out prior to the scheduled departure date will result in the forfeiture of lot rental.
ALL.,PERSONS.USING.THIS.PARK.SHALL.ABIDE.BY.THE.INSTRUCTIONS.OF.PARK.MANAGERS.OR.ANY.PEACE. OFFICER;THE.INTERPRETATION.OF.RULES.AND.REGULATIONS.SHALL.BE.AT.THE.SOLE.DETERMINATION.OF. PARK.MANGEMENT;FAILURE.TO.COMPLY.WITH.THESE.RULES.WILL.RESULT.IN.EVICTION.FROM.THE. CAMPGROUND.AND.FOREITURE.OF.ALL.FEES.AND.OR.DEPOSITS:

CITY MANAGER'S REPORT:

Updates:

- The Hart BioPure plant has become aware of a failure in the 36-inch aeration header, where underground iron pipes are corroding and leaking air. The repair will likely cost around $500,000, but we await a formal quote to proceed. The funds are available in the City's State Revolving Fund loan and are subject to 50% principal forgiveness through a grant the City was awarded in 2023. The State has indicated that they will authorize this change as it is critical to plant operations.
- Spay and Neuter program continues in the City of Hart to alleviate the issue of feral and homeless cats in town. The Oceana County Animal Friends non-profit organization's volunteers have worked to trap or otherwise pick up cats, transport them to veterinarians for surgery, housed them in recovery, and most often rehome the animals. They have submitted bills to the City for the vet bills, and the City has paid them. The funds allocated for this effort have been $1400 annually. They have requested a lump sum payment to reduce paperwork and office time for efficiency in their volunteer-driven operations.
- The Department of Great Lakes and Energy (EGLE) awarded Hart Energy a $228,000+grant. This will be used to rebuild a long circuit along Lake Road, which was identified as a critical project in a 2024 Hart Energy System Study. Funding previously allocated to this project in the current fiscal year budget will be reassigned to a future project.
- Home for the Holidays – Lighted Christmas parade this Friday at 6:30. Interested Council members are encouraged to participate by handing out candy with City staff. Line up is at Hart Public Schools at 6pm.

Legacy Topics:

- Safe Routes to School trail project

Upcoming Topics:

- Redevelopment Ready Community re-certification in 2025
  Adoption of 5-year Park and Rec Master Plan
  Reaffirmation of the City Master plan
  TIFA By-Laws
  Zoning Drawings – add to ordinances
  Adopt Zoning Board of Appeals By-Laws
  Review proposal to have council members serve as ZBA
- Council review of rental inspection policies, procedures, and implementation.

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mayor Klotz – Thank you to the City Staff and volunteers that decorated for the holiday's the City looks great and have heard lots of compliments.
- C. Burillo – Nov 18th meeting for the Cemetery Board they approved the budget. Also Larry from Fleis and Vanderbrink submitted a FIOA request to the Cemetery and Hart township to provide plat maps and other items for the Safe Routes to school grant. Next Cemetery Board meeting is scheduled for Jan 20th 2025.

ADJOURN:

- There being no further business to come before the Council, Mayor Klotz adjourned the meeting at 9:09pm. The next regularly scheduled meeting will be on December 10th, 2024, at 7:30 pm.

Respectfully Submitted

Karla Swihart

Karla Swihart, City Clerk