City of Hart, Michigan
CITY COUNCIL AGENDA
May 24, 2022, 7:30 PM
407 State St. – Council Chamber
NOTICE OF PUBLIC MEETING
REGULAR COUNCIL MEETING

1. Call to Order
2. Roll Call – Burillo, Evans, Hodges, Klotz, Rybarz Jr., Trygstad, Platt
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Comments – **Public comment on any matter that is not included on the agenda for a public hearing by the Council. We ask that you please limit your comments to 3 minutes**
    a. Correspondence, Events, Presentations
        i. Presentation – Mayoral Recognition Hart BioPure Employees
        ii. PUBLIC HEARING: Present budget message and proposed fiscal year 2023 budget (first reading of proposed budget)
        iii. Communication from Undersherrif Schiller
6. Consent Agenda:
    a. Approval of Minutes from May 10, 2022 Council meeting.
    b. Bills, Claims, Payroll
    c. Reports of Boards, Commissions, and Committees
    d. Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp.
7. Action Items
8. Discussion Items
9. City Manager Report
10. Communications from the Mayor and Council (Including board and committee updates.)
    a. **Closed Session** – Per Section 8 (c) of the Open Meeting Act: For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
11. Adjournment –

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OCEANA COUNTY SHERIFF'S OFFICE

CRAIG MAST, SHERIFF
216 LINCOLN ST., P.O. BOX 32 • HART, MI 49420 •
RYAN SCHILLER, UNDERSHERIFF
PHONE: (231) 873-2121
FAX: (231) 873-0154

May 20, 2022

RE: Oceana Drive Land

Mr. Rob Splane
City of Hart
407 S. State Street
Hart, MI 49420

Mr. Splane:

I am writing regarding our on-going conversation about a possible land swap for a new Sheriff's Office and Jail facility. We want to keep the City of Hart up to date as to our status and developments.

On May 5th the county board of commissioners unanimously voted to put the millage request to the voters for the August 2, 2022 primary election. With that said, we would like to continue to establish a suitable location for the site to be located should the voters approve this ballot initiative.

If the voters approve this proposed millage, we intend to seek a USDA rural development loan for the project. One of the many stipulations to a USDA loan is a archeological and geological survey be conducted on the property.

This process is said to take a significant amount of time. To reduce that time could significantly help our locked-in interest rate for the life of the loan. We are requesting permission to proceed with these necessary studies ahead of time.

If you and your council do not object to this please let me know.

Thank you,

Ryan L. Schiller

Ryan Schiller
Undersheriff

Cc: Dr. Robert Sobie, Oceana County Administrator

CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
May 10th , 2022
MINUTES – Draft

PRESENT: Mayor Vicki Platt, Councilors: Catalina Burillo, Jim Evans, Amanda Klotz, and Kris Trygstad
ABSENT: Dean Hodges, and Fred Rybarz
OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, Energy Superintendent – Mike Schiller, Police Chief – Juan Salazar, Mort Mahan, and Sharon Hallack

Mayor Platt called the meeting to order; following the roll call, the mayor led the Council in the pledge of allegiance.

APPROVAL OF AGENDA:

- C. Burillo motioned to approve the agenda and was supported by J. Evans
  - Ayes: 5 Nays: 0 Absent: 2

PUBLIC COMMENTS:

- None

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Presentation – Paul Cutter, Review of BioPure

  Operations are currently good. Over the winter months we had a filamentous problem which causes poor settling in the clarifiers. We had no choice but to try and kill off the filamentous bacteria. With the addition of 18% Bleach for roughly 8 weeks we were able to kill off the filamentous. As mentioned, when the solids do not settle due to the filamentous, we must add another chemical called polymer. Adding polymer causes the solids to coagulate together and sink. It appears we have overcome the abundance of filamentous in the aeration basin currently.

  You may recall in my reports over the past few years I made mention that the BioPure Facility was built with growth in mind. The Facility started treating wastewater in November of 2001. Since that time Gray & Company was purchased by Seneca Foods. Following Seneca Foods purchase of Gray & Company, they have acquired 4 competitors. Those purchases, of course, bring more flow and loading to the BioPure Facility. In addition to Seneca's growth, Michigan Freeze Pack was roughly an 8-month operation in 2001 and now runs 11 months of the year.

  In the following charts, it is obvious how the industries growth has taken up the extra capacity (Growth) that was once available. I hope you take the time to study the attachments. I need you to understand the critical importance of the decisions you will be making in the future. Due to the amount of loading we will be facing from this point on operations will be very unforgiving and recovery will be difficult. At this point I feel very challenged, not to stay in compliance with recovery will be difficult. At this point I feel very challenged, not to stay in compliance with E.G.L.E, but to keep control of our process. To better educate yourself on the upcoming decisions that you will be part of making I urge you to come and take a walk through the process.

  Frank Lloyd will be retiring in September of this year after 23 years of service. The city has recently hired Thomas Stoneman as Frank's replacement. In the department, we also employ Chris Kies who has been with the City a total of 10 years, 4 of those years as parttime. Between Frank and Chris, Thomas has been shadowing the operations lab, irrigation and lift station processes. I feel both Chris and Frank know their jobs very well and Thomas will be ready to takeover for Frank in September.

  This effort is the start of the BioPure Facility let's say retooling. My goal is to make my department a smooth transition to Chris and Thomas. As you are probably aware, the State of Michigan regulates us and determines the classification of the facility. Our classification is a "B". "A" is the highest Classification for any wastewater facility, which I believe someday we will be.

  E.G.L.E does not take their licensing lightly and testing is only available twice per year at different areas of Michigan. To become able to test for your "B" certification you must have tested and passed your D and C

certification exams and have 5 years' experience working in a "B" level facility. Although I plan to stay a few years, I feel it's important that I begin a succession plan.
Another topic I feel is important to share with you is the amount of biosolids we currently have in storage. As you reference the attachment that trends out the loading understand that for every pound of loading we receive ½ pound becomes biosolids. For example, in 2008 we received 2,235,269 lbs. of influent loading. That ends up to 1,177,635 lbs. to be hauled out at a cost.
Not only is it important to remove the biosolids in inventory for operations reasons, but it needs t obe removed for scheduled infrastructure projects.
Bids for the installation of the force main from Griswold's lift station to the BioPure Facility should go out for bid within the next couple of weeks. The next project will start in early fall. This project will consist of reconstruction of same of the holding lagoons. That project will not be completed until early 2023.
Lastly, I want you to be aware. With the number of solids that are in the biosolids basin, and the time frame our biosolids hauler will be able to be onsite, we will have some odor this spring. I spoke with out biosolids hauler last week and he thinks he will be up to start hauling in the first week of June. The challenge with him coming so late is to find enough land (400 acres) that a farmer has not planted to a crop for a year.

- Report of Discharge
  SOS discharged from failed connection sleeve on BioPure facility force main
  EGLE Submission #:HPH-GZH6-0SYEM
  On April 7th a wastewater force main connection sleeve failure resulted in the release on blended sewage onto a wooded area adjacent to Griswold and 300 yards west of Oceana Drive.
  The City of Hart continues to work closely with the State of Michigan (EGLE), and the State of Michigan District #10 Health Department to ensure the publics' safety is not compromised. At this time no action needs to be taken by the community. The City of Hart engineering team and construction support staff are working to perform emergency repairs as soon as the necessary supplies arrive. The emergency construction work is planned for Thursday May 12th,2022 at which time site remediation will be conducted to restore the area to its previous state.
  The site will be closely monitored by the City of Hart staff by direction of Health Department officials to ensure no adverse effects remain.

CONSENT AGENDA:

- Approval of minutes from April 26th, 2022.
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
  - A. Klotz motioned to approve Consent Agenda and supported by K. Trygstad
    - Ayes: 5 Nays: 0 Absent: 2

ACTION ITEMS:

- Ordinance No: 22-03 Amend Automatic Expiration of Marihuana Establishment Ordinance – Second Reading
  At a regular meeting of the Hart City Council held at City Hall on the 1th day of May 2022, at 7:30pm.
  Present: Burillo, Evans, Klotz, Trygstad, and Mayor Platt
  Absent: Hodges and Rybarz
  The following ordinance was offered by _____ and supported by _____:
  THE CITY OF HART, OCEANA, STATE OF MICHIGAN ORDAINS:

  CITY OF HART CODE OF ORDINANCES, CHAPTER 818, PART 8, ZONING ORIDANCE, A TEXT AMENDMENT TO EXTEND THE DATE OF AUTOMATIC EXPIRATION OF ORDINANCE

  Section 1 Text Amendment: 818.08 **Automatic Expiration of Ordinance.** Unless confirmed extended, or revised, on October 19, 2024, the provisions contained in Sections 818.01 through 818.07 shall expire and be of no further force and effect within the City, as if they had never been adopted. No action shall be required for this expiration to be effective.

Section 2 Effective Date: This Ordinance shall become effective ten (10) days after its publication or ten (10) days after publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart

AYES: ____, NAYS: ___, ABSENT: ___.

First reading: April 26th, 2022

Second reading: May 10th, 2022

Ordinance becomes effective May 30th, 2022

- Resolution 2022-17 Approval of Safe Routes to School grant participation and funding confirmation.

WHEREAS, the Safe Routes to School program is a federally funded program administered in Michigan by the Michigan Department of Transportation (MDOT); and

WHEREAS, the City of Hart in partnership with Hart Public Schools, the Pentwater-Hart Trail Committee and the Oceana County Road Commission, is applying for funds through MDOT from the Safe Routes to School Program to construct certain infrastructure projects throughout the City, including multifunctional pedestrian/bicycling pathways and sidewalk, crossing, and signage to enable and encourage children to safely walk and bike to school; and

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL

Authorizes Robert Splane, City Manager and Act 51 Street Administrator, to act as agent on behalf of the City seeking Safe Routes to School Funding, to act as the applicant's agent during project development, and to sign a project agreement upon receipt of a funding award; and

The City attests to the existence of, and commits to, providing in collaboration with the Pentwater-Hart Trail Committee and Oceana County the funds necessary to carry out the project ($25,000 from the City of Hart, $440.,000 in proposed grant funding and $280,000 from the Pentwater-Hart Trail Committee funds), including engineering design and construction, permit fees, administration costs, cost overruns; and

The City commits to owning, operating, funding, and implementing a maintenance program over the design life of the facilities constructed with Safe Routes to School funding.

  - C. Burillo motioned to approve Resolution 2022-17 and supported by J. Evans and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on May 10th, 2022
    - Ayes: 3 Nays: 2 Absent: 2

DISCUSSION ITEMS:

- Approval of Recognition, Proclamation, and Honor Policy

Councilman Evans suggested it would be a good idea to honor employees that go above and beyond the call of duty. So it is always a good idea to have a policy in place on who, what, when a recognition should be presented.

- Open review of Fiscal Year 2023 budget proposal and discuss key issues

FY 2023 Goals and Priorities

Department Goal Estimate Expenditure

Energy- Hill N Dale Circuit $33,000

Energy- Service Truck Budgeted in 2022

Energy- Diesel Plant planning $25,000

Police Dept- Interview Room $4,000

Police Dept- Additional Full Time Officer $75,000

City Hall- Exterior Renovation $30,000

City Hall- Property Maintenance/Code Enforcement/Rental Inspection $35,000

City Hall- Wireless network upgrade, computer replace, and server OS $12,000

City Hall- Digitize and organize physical records- paperless transition $22,000

City Hall- Security Cameras and Security Improvements $42,000

City Hall- AED $1,600

BioPure- Bio Solid Hauling $480,000
BioPure- WW System improvements as previously proposed TBD
Energy/DPW/BioPure- VenTrac compact tractor, angle mower, snow blower, broom $48,000
Energy- Insulate and side Hart Energy Building $45,000
Energy- Security Fence Project around Hart Energy Building $65,000
DPW-Water- SCADA upgrade – UIS $51,000
DPW-Water- Contracted out generator testing $ grant funded
DPW- Rental fund to pay for trucks into a motor pool for purchase $35,000
DPW-Water Well rehab – yearly if needed following inspection $11,500
DPW-Water- Contracted out generator testing $5,800
DPW – Water contractual $18,000
DPW-Water/sewer/street- 4,300 of 8" main along Oceana drive from Hanson to E main $831,000
DPW-Water/sewer/street- 1,100 feet of 12" main on Johnson St to Union St. $ TBD
DPW-Water/sewer/street – 600' of 8" main Church, Union to Griswold $ TBD
DPW- Water/sewer/street- 700' of 8" main Wigton St $ TBD
DPW- Water – Repaint interior / Exterior of Industrial Park tank $ TBD
DPW-Water/Sewer/Street – Polk and Oceana improvements $200,000
DPW Leaf Sucker $90,000
DPW/Water- Cross-connection program $ 8,500
City General – Veterans Memorial Park $583,000
City General – Fire Pit in collaboration with Hart Rotary $15,000
City General – Walkers Site remediation $25,000
City General – Boy Scout Cabin Demo $12,000

CITY MANAGER'S REPORT:

- City Manager R. Splane gave copy of manager's report to City Council
- A public hearing on the budget will take place on May 24th, 2022, with a budget adoption by council on June 14th.
- City Utility Workers and Police Union Contract Negotiations in progress.
- Wigton Street construction nearing completion, a water main issue was found that will require a change order, final details are pending
- City Manager will be out of the office on May 12th and 13th on vacation and attending the Rural Development conference with a group from Oceana County May 16th in the afternoon thru May 18th. (25,000 grant opportunity for Art in Hart is being pitched).
- Donna Brandenburg is running for Michigan Governor. She will be in Hart on Sunday May 15th at Hart Commons from 2pm-4pm to meet the community.
  (Rain location will be Hart Community Center)
- Presentation to council on video the City submitted to the Rural Development Conference on May 16th

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mayor V. Platt thanked Clerk/Treasurer Karla Swihart for completing the MMTA training last month.
  Also, many thanks to everyone that came out to meet Travis Snyder who is Walking around Lake Michigan as part of Mission 22, a veteran's suicide awareness effort.
- J. Evans sent Rob a picture of Artesian market that just opened in Whitehall (sheds that you can rent as a business) council spends a lot of time talking about how we can bring more people to our downtown area I feel that is a very good idea for the Walkers property.
  Also talking with C. Burillo the parking lot across the street from Stella's coffee house, there are a lot of business employees who park in that lot and Parking in the downtown area is always a topic brought up. Maybe the City should offer for the business employees to park at the City owned walkers business to help free up that parking lot across from the businesses.
  I sit on the Planning Commission and Food trucks was brought up which would be a great idea that could possible be a reason for people to visit Hart. I talked to the Ludington as they have food trucks. I stopped at Village township hall up there to gather information to present to the Planning Commission at our next meeting and I am going to recommended we present to the City Council to allow Mobile Food trucks in the City.

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned at 9:05pm upon a motion by C. Burillo and supported by A. Klotz. The next regularly scheduled meeting will be on May 24th, 2022, at 7:30 pm.

Respectfully Submitted

Karla Swihart

Karla Swihart, City Clerk

Payables Date: 05/24/2022	Description	Total	General +	DPW	Energy	BPTF	Water
Adams Heating & Cooling	Thermostat Work	$ 122.00	$ 122.00				
Amsoil	Lab Supplies	$ 113.40				$ 113.40	
Charter	Starting Block	$ 169.97			$ 169.97		
Charter	Hart Commons Internet	$ 114.99	$ 114.99				
Dollar/ATS	Toll Fee - D. Whitney	$ 32.61			$ 32.61		
Etna	schonstedt magnetic locator	$ 950.00					$ 950.00
Freed Mgmt	Pmt 3 - JGP Mgts	$ 3,570.00	$ 3,570.00				
Gracon	Central Intercept Annual Renewal	$ 877.67	$ 292.56	$ 146.28	$ 146.28	$ 146.28	$ 146.27
Green Projects Group	LED Lightbulb Program	$ 600.00			$ 600.00		
Hallack Contracting	#1 Wigton/Hanson St.	$ 192,067.69	$ 192,067.69				
Joint Michigan Apprentice Prog.	Lineman School - K. Schmieding	$ 4,000.00			$ 4,000.00		
Jons to Go	JGP - near playground	$ 455.00	$ 455.00				
Jons to Go	Portable Restrooms	$ 315.00			$ 315.00		
KS State Bnk	2019 Wheel Loader pmt	$ 4,588.71		$ 4,588.71			
Kustom Signals	ACC-GEIIX wired remote	$ 132.00	$ 132.00				
Lawson-Fisher	DSSMR & Annual Impoundment Report	$ 180.23			$ 180.23		
Lawson-Fisher	Ferc Licensing Requirements	$ 437.80			$ 437.80		
Leaf	Police Copier Lease Fee	$ 39.00	$ 39.00				
Malburg's Sanitation	Griswold Lift Station repairs	$ 2,250.00				$ 2,250.00	
Mears Svc Ctr	Blades for Lawn mower	$ 92.07		$ 92.07			
MPPA	Purchased Power	$ 9,519.49			$ 9,519.49		
Office Machines Co.	Police Copier Overage Fee	$ 16.14	$ 16.14				
Power Line Supply	Parts/Supplies	$ 1,312.64			$ 1,312.64		
Power Line Supply	Parts/Supplies	$ 252.00			$ 252.00		
Power Line Supply	Parts/Supplies	$ 180.00			$ 180.00		
Power Line Supply	Parts/Supplies	$ 190.40			$ 190.40		
Power Line Supply	Parts/Supplies	$ 60.00			$ 60.00		
Power Line Supply	Parts/Supplies	$ 421.91			$ 421.91		
Power Line Supply	Parts/Supplies	$ 92.11			$ 92.11		
Pranger Property Mgmt	CH/CC Cleaning Svcs	$ 168.00	$ 168.00				
Quill	Office/Police Supplies	$ 241.46	$ 241.46				
Quill	Ink	$ 117.03		$ 117.03			
Quill	Office Supplies	$ 134.55				$ 134.55	
Quill	Office Supplies	$ 16.77				$ 16.77	
Quill	Office Supplies	$ 29.99				$ 29.99	
Quill	Office Supplies	$ 16.77				$ 16.77	
Spring Brook	Parts/Supplies	$ 143.86				$ 143.86	
Swihart's Septic	Pump out on Griswold - Broken main	$ 1,365.00				$ 1,365.00	
Tru-Green	CH Lawn Service	$ 47.69	$ 47.69				
UIS Scada	Troubleshoot Waste Gate @ Dam	$ 3,341.04			$ 3,341.04		
USA Bluebook	Lab Supplies	$ 88.20				$ 88.20	
VRC	CH Recycling Service	$ 47.60	$ 47.60				
Wells Fargo	Printer lease fee	$ 143.20	$ 143.20				
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
	Subtotal	$ 229,053.99	$ 197,457.33	$ 4,944.09	$ 21,251.48	$ 4,304.82	$ 1,096.27
HAND CHECKS/ACH/EFT							
Alerus - ACH	City Share 401 Retirement	$ 3,197.82	$ 3,197.82				
US Postmaster	Postage	$ -					
Guardian	Insurance Premium	$ -					
Delta Dental	Insurance Premium	$ -					
United Group	Insurance Premium	$ -					
Blue Cross Blue Shield	Insurance Premium	$ 11,918.31	$ 11,918.31				

--OVER--

Payables Date: 05/24/2022	Description	Total	General +	DPW	Energy	BPTF	Water
	TOTAL HAND CHECKS	$ 15,116.13	$ 15,116.13	$ -	$ -	$ -	$ -
	Sub-Total Regular Bills/Hand Checks	*$ 244,170.12*	*$ 212,573.46*	*$ 4,944.09*	*$ 21,251.48*	*$ 4,304.82*	*$ 1,096.27*
Gross Payroll	537						
	Sub-Total	$ -					
	GRAND TOTAL	*$ 244,170.12*	$ 212,573.46	$ 4,944.09	$ 21,251.48	$ 4,304.82	$ 1,096.27

CITY OF HART – ENERGY DEPARTMENT
POWERBOARD @ CITY HALL
407 STATE STREET, HART, MICHIGAN
MONDAY, May 2nd 2022
8:30 am – MINUTES - Draft

Present: Chair, Mike Powers, Members: Steve Bruch, Gayle Forner, Dean Hodges, and Nick Wadel
Absent: NONE
Others present: City Manager – Rob Splane, City Clerk – Karla Swihart, and Energy Superintendent – Mike Schiller
Call to Order: Chair Powers called the meeting to order at 8:30 am.
Agenda/Minutes:

- Mr. Forner motioned to accept the current agenda and supported by Mr. Wadel
- Mr. Forner made a motion to approve the minutes from the March 7th, 2022, meeting, and supported by Mr. Wadel
    - Ayes: 5 Nays: 0 Absent: 0

Public Comment: None
Superintendents Mike Schiller's Report:

- Had our kickoff meeting GRP engineer company we are using for our system study. They are going to start compiling a bunch of information and hopefully when that is completed should have a good idea on where the weaknesses are and where we can do some upgrades.
  Mr. Forner asked about personal to run the system in a case M. Schiller was unable to be around. Which yes, we have a younger crew, but we still have Terry who is one of our senior guys. End goal is to have everyone on the team know the system and able to run the system.
- It's nice to know if a situation occurs where we need to rely on help from our neighbors at Great Lakes Energy is willing to help if needed and with the GIS system will help out a lot if a situation occurs.
- USI and the Dam seems like we are always going changes with water flow and the lake level. If the levels drop or go high a notification is sent right to my phone, but its nice cause the system knows what gates to open and when to close.
- Energy Department has been helping clear the Fills getting some of the dead trees cleaned up out of there.
- Dubois Tree Service is still working around town clearing trees from the powerlines.
- MPPA is looking to retire the Campbell Plant (Coal), MPPA will be coming around sometime in the near future talking about what energy the City would like to buy to replace Campbell.

Action Items:

- NONE

City Manager Report:

- Revenues are up about 5% compared to last year due to the industries going year around.
- Rate Study will give us a better idea for the energy department capital improvement plan
- Union negotiations have started.

Discussion Items:

- Fiscal Year 2023 Projects and Goals
    1. Fence around Hart Energy
    2. System Study
    3. Looking to have Hart Energy Department run more like a business.
    4. Establish a key customer list.
    5. Working on a business continuity plan

Comments from the Power Board: None
Adjournment:

- Mr. Forner motioned to adjourn the meeting at 9:15 am and supported by Mr. Wadel. All Ayes

Next Meeting: June 6th, 2022, at 8:30 am.

Respectfully Submitted,

Karla Swihart

Karla Swihart
City Clerk

City Of Hart

407 S. State St
Hart, Mi 49420
Planning Commission
Thursday, May 5th, 2022
Minutes

MEMBERS PRESENT: Betty Root, Jim Cunningham, Jim Evans, Gale Goldberg, Diane LaPorte, Jack Wittman, and Peggy Wittman
ABSENT:
OTHERS PRESENT: City Manager – Rob Splane, and City Clerk – Karla Swihart

B. Root called the meeting to order at 4:00 pm.

APPROVAL OF AGENDA: J. Cunningham moved to approve the agenda and supported by J. Wittman
Ayes: 7 Nays: 0 Absent: 0

APPROVAL OF MINUTES: D. LaPorte moved to approve minutes from January 6th, 2022, and supported by J. Evans

Ayes: 7 Nays: 0 Absent: 0

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

ACTION ITEMS: Review and Acceptance of Annual Report
Overview:
The Michigan Planning Enabling Act requires the Planning Commission to provide an annual written report to the City Council concerning its operations and the status of planning activities, recommendations, and goals. Please find the following summary information for 2021 and potential goals for 2022

Action Summary Table:

Type	2017	2018	2019	2020	2021
Meetings	11	7	6	7	6
Text Amendments	3	0	5	0	0
Site Plans	2	0	2	1	2
Special Land Uses	1	0	0	1	0
Plats	0	0	0	0	0
Site Condos	0	0	0	0	0
Rezoning	1	3	1	2	1

2021 Attendance:

Month	Betty Root Chair	Robert Splane Councilor	Diane Laporte Member	Gale Goldberg Member	Peggy Wittman Member	Jim Cunningham Member	Jack Wittman Member
January	X	-	-	X	X	X	X
March	-	X	-	X	X	X	X
April	X	-	X	X	-	X	-
May	X	X	-	X	X	X	X
October	X	X	X	-	X	X	X
December	X	X	X	X	-	X	-
Meetings	5/6	4/6	3/6	5/6	4/6	6/6	4/6

2021 Reviews:

Date	Application	Decision	Vote
1-7-21	Rezoning of 311 East Main St, B-1 Central Business District to A-Residential	Recommendation of Denial	5-0
1-7-21	Auto Zone Site Plan	Approved	5-0
12-2-21	Seneca Foods Site Plan Amendment	Approved	5-0

2021 Discussions:

1. Gale's IGA building future use.
2. Industrial Park covenants and restrictions.
3. Obscene signs.
4. Redevelopment Ready communities.
5. Permanent Makeup Business
6. Maximum lot coverage.

2022 Goals- To Discuss on May 5th, 2022

1. General review of Zoning Ordinance
2. Master Plan 5-Year Review

J. Cunningham moved to recommend approval to City Council and supported by J. Evan
Ayes: 7 Nays: 0 Absent: 0

DISCUSSION ITEMS: Mobile Food Unit planning and direction

Overview:

The topic of mobile food unit regulation has recently arisen. Sometimes know as "food trucks", a mobile food unit is defined as a motor vehicle, such as a van or truck, or a trailer that can be attached to a motor vehicle, which is used for preparation, sales, and service of food and beverages. Food preparation and service occur within the motor vehicle or alongside or inside the trailer.

In general, there are three placement scenarios for mobile food truck sales. Mobile food units can be placed in a single location permanently or seasonally, placed temporarily in a parking lot, or placed temporarily within the public right-of-way. In any of these scenarios, it is important to consider the pros and cons and potential implications.

It should be noted that owners of established restaurants are sometimes resistant to mobile food units as they create competition to serve a limited number of patrons in the market area. Other criticism sometimes relates to property taxes that are not paid by mobile food unit owners. However, mobile food units can serve as an incubator for new businesses and can even supplement the operations of existing restaurant owners.

Regulation:

The three scenarios mentioned earlier in this report should be discussed by the Planning Commission.

1. Mobile food unit as a permanent fixture on a site. In this case, the mobile food unit would essentially be comparable to a principal or accessory building, and all development regulations would remain applicable (lighting, landscaping, signs, utilities, parking, setbacks, etc.).
2. Mobile food unit as an accessory use in a parking lot or yard area. Where mobile food units are an accessory use, typical regulations include the following topics.
    a. Zoning District/location
    b. Timeframe and hours of operation
    c. Number of mobile food units
    d. Corner sight clearance
    e. Maintenance of required parking spaces for principal use
    f. Setbacks
    g. Temporary displays and signs
    h. Maintaining clear areas for pedestrian and vehicle travel
    i. Waste Management

3. Mobile food units in the public right-of-way. In some cities, mobile food units are allowed to park in the public right-of-way, adjacent to sidewalks, for example, this scenario typically accommodates pedestrians in a downtown atmosphere. Since zoning does not regulate the public right-of-way, a separate ordinance would need to address this scenario.

Next Steps:
The Planning Commission should discuss whether mobile food units are a desirable option for food service in the City of Hart.

- City Manager R. Splane, three different entities have brought up wanting to bring Mobile food trucks to the City of Hart. Over the years the City has been somewhat relaxed on food trucks so periodically one would be parked in the old IGA parking lot, across the street from the fair grounds. It came to my attention that the current ordinance the City has there is nothing addressing food trucks in general, so the ordinance being permissive would allow that use, but without having any restraints or language in the ordinance for the City to be able to regulate that use and puts the City at disadvantage. Which is why this is being brought to the Planning Commission either we feel as a group "No" we do not want Mobile food trucks in the City and draft an ordinance to reflect that or Yes we want Mobile food trucks in the City and draft up an ordinance for exactly what the City wants regarding Mobile food trucks.
  There is a gentleman interested in buy a lot on comfort drive across from tractor supply who wants to put his food truck there put a parking lot in along with some infrastructure and maybe even a bathroom, but also with intentions if other people wanted to bring their food trucks there, he would rent a space to them as well. That is the background on why it is being brought to the Planning Commission to discuss.
- J. Wittman stated that would basically a restaurant then as he is buying the lot and will be paying taxes, where just a basic Mobile food truck would not be paying taxes and to me would be taking away business from the local restaurants, Plus the one across from the fair grounds is on City property. Are they paying anything to be there, and do they have to be checked over by the health department? City Manager Splane answered all the food trucks are required to have certification from the Health Department, but as far as how often they are checked I do not know. Also, must present their certification prior to being issued a peddlers permit from the City which is $1.00 a day. However, if the City is going to allow Mobile food trucks maybe entertain a licensing fee of $500 a week or something along those lines.
- B. Root stated that there are limited number of restaurants open for afternoon and evenings and many are not open on Monday's.
- D. LaPorte stated that the M10 spot food trucks in Ludington are opening, and food trucks are not necessary the kind of food you can get at a sit-down restaurant.
- J. Cunningham stated that when he looked over this proposal, he looked at the word Mobile as moving on a day-to-day basis and during the summertime the City could have a Mobile food truck downtown for residents who don't have time for a sit down lunch while at work. I feel it would be a very popular thing.
- G. Goldberg depending on how many have interest the City should have a limit on the number of Mobile food trucks that would be allowed. If on City property would be a liability and should talk to our insurance company to see if it is even allowed.
- P. Wittman wanted clarification from D. LaPorte not sure where in Ludington these food trucks are located, they are located on US 10 down across where KFC, Wesco are at in that little strip mall parking lots.
- J. Evans stated there is no reason the City can't designate an area where the Mobile food trucks can be located.
- J. Cunningham moved that The Planning Commission table this discussion at the present time and conduct future research into the tax status, fee regulations, placement, how many and so on and come back with a full investigation on allowing Mobile food trucks at the next meeting held on June 2nd and J. Evans supported.
  J. Evans would also take it upon himself to go up to Ludington and talk to them on how their ordinance is regarding Mobile food trucks.

P. Wittman would also like local restaurant owners be approached as part of the process.
Roll call vote:
Cunningham, Yes, Evans, Yes, Goldberg, Yes, LaPorte, Yes, Root, Yes, J. Wittman, Yes and P. Wittman, No. Motion carried

City Manager R. Splane, will have some proposed ordinances to present at the next meeting in June.

OTHER BUSINESS AND COMMUNICATIONS FROM THE COMMISSION MEMBERS:

P. Wittman stated there is a meeting tonight at the MSU building on Griswold for proposed 35 million new jail at 7pm Please come and hear how they want to sell it to you.

J. Evans there was some discussion at the City Council meeting concerns over parking on main street, one of the Council members made a comment while sitting in Stella's coffee shop noticed that the parking lot across the street had like 8 employees from State Farm parking there as there is not parking available behind the business, and I was wondering what the thought would be if there was anything the City could do to have them employees park down in the vacant lot the City owns down the street.

J. Cunningham regarding the draft plan sent out there was a minor error on the recreational plan in one place there is a place that states Hart is the only City in Oceana County, which is correct, but further down it states The City of Hart is in Hart Township additional municipalities include Weare Township, the City of Mears, Shelby and Pentwater. Mears, Shelby, and Pentwater are Villages. City Manager Splane will make sure that gets corrected.

D. Laporte reminder Asparagus festival is next month and wanted everyone to know that the Pancake Breakfast at Shelby Airport is back on.

ADJOURN:

- There being no further business to come before the Planning Commission, the meeting adjourned at 4:31 pm upon a motion by P. Wittman and supported by D. LaPorte. The next scheduled meeting will be held on June 2nd,2022

Karla Swihart

Karla Swihart
City Clerk

HART AREA FIRE

ADMINISTRATIVE BOARD

Meeting Minutes- April 28, 2022

The Hart Area Fire Administrative Board Meeting was called to order by Vice Chairman Jay McGhan at 7:11PM. Others present for the meeting were, Jake Whelpley, Clancy Aerts, Mike Powers, Dale Stevenson, Jerry Schaner, Chief Fuehring and undersigned.

Absent from the meeting was Gary Beggs, Larry Doran and Mike Potter.

Motion was made by Aerts and supported by Powers to approve the agenda as presented. Voice Vote, all Yes. Motion carried.

There were no audience for the meeting.

Motion was made by Whelpley and supported by Powers to approve the minutes of the March 17, 2022 meeting as presented. Voice vote. All yes. Motion carried.

Treasurer advised there was $6,529,96 in total expenses for the month. A fund balance was reported at $808,669.21. The bills were listed and questions were answered. Motion was made by Schaner and supported by Whelpley to accept the treasurers report and pay the bills. Roll call vote. All Yes. Motion carried.

Chief Fuehring advised the Jaws units have been ordered. The company is going to bring a combo unit for us to have as a loaner to be on the Dune Truck 181, until we get ours that have been ordered. It might be sometime in July when our units arrive.

The DNR had agreed to pay $13,500.00 for the combo unit. Jay signed the agreement to accept the money from the DNR, which will be kept on the truck 181 out at Silver Lake .

Chief advised he completed a proposal for the county for $50,000 in requested ARPA money to be used for equipment for the Hart Fire Department. The jaws units and Thermal Imaging Cameras are items listed in that bid, he believes it will be a few months before we learn anything from that request.

Chief advised he talked with Blackmer and it looks like the middle of May when they will start to work on the building. Will be meeting with Dan Hallack to get a plan together.

The drawing of the survey completed earlier by Alex Altmaier was passed around. Chief advised Alex will replace one of the markers that had been moved.

Pentwater Fire Department has decided to keep the 4 wheel drive truck they were thinking of getting rid of for awhile.

Meeting adjourned at 7:21PM

City of Hart Police Department

407 State Street Ph. (231)873-2488 Fax (231)873-0100 Hart, MI 49420-1259

Juan Salazar, Chief

TO: City of Hart Mayor, City Council, and City Manager
FROM: Juan Salazar, Chief of Police
DATE: May 24th, 2022

RECENT EVENTS

From Thursday, May 5, 2022, through Wednesday, May 18, 2022, the Hart Police Department received 96 complaints ranging from Assault & Batteries, Extortions, Mental Health Complaints, Assist to Other Agencies, Peacekeeping, Vehicle Violations, Noise Complaints, Suspicious Situations, Medical Assists, Alarms, Fraud Complaints, Minors in Possession of Vape Products, and Well-Being Checks.

On Thursday, May 5, 2022, the Hart Police Department was dispatched to the 600 block of Griswold Street, referencing a Child Abuse Complaint. A 10-year-old child had emailed a teacher at Reeths-Puffer School in Muskegon County for assistance due to continually being assaulted by her mother, a 38-year-old Hart woman. The child's well-being check was completed, and no visible injuries were noted. A joint investigation involving Oceana County Child Protective Services is ongoing.

On Thursday, May 5, 2022, the Hart Police Department was dispatched to the 300 block of Johnson Street regarding an Extortion complaint. An 18-year-old Mears man and a 17-year-old Shelby woman were at one time in a dating relationship. The man and woman have since ended their relationship. The woman has attempted to contact the man, but the man refuses to respond to the woman. During the relationship, the man sent explicit photographs of himself to the woman. The woman has threatened to distribute those photographs to family and friends of the man if the man does not respond to her. An investigation is ongoing.

On Friday, May 6, 2022, the Hart Police Department initiated a traffic stop on Washington Street near Dryden Street about an equipment violation. As a result, a 25-year-old Hart woman was cited for Operating a Motor Vehicle with an Expired License.

On Friday, May 6, 2022, the Hart Police Department was dispatched to the 700 block of East Main Street, referencing a Child Abuse Complaint. A 37-year-old Hart woman and 30-year-old Hart man are alleged to have been physically assaulting their 5-year-old son and 10-year-old daughter. A joint investigation involving Oceana County Child Protective Services is ongoing.

On Wednesday, May 11, 2022, the Hart Police Department was dispatched to the 3000 block of Polk Road regarding a Fraud Complaint. A local business had accepted a fraudulent check on Monday, May 2, 2022, with the check's total amount being over $600.00. Additionally, this same fraudulent check was passed in Mason and Newaygo Counties upon further investigation. An investigation is ongoing.

On Thursday, May 12, 2022, the Hart Police Department received information of a 49-year-old Hart man currently in the 7000 block of Oceana Drive who had a valid/active warrant for his arrest out of the Hart Police Department. Officers located the man, and the man was arrested and lodged at the Oceana County Jail on this outstanding warrant.

On Saturday, May 14, 2022, the Hart Police Department initiated a traffic stop on a vehicle on Dryden Street near Wood Street, referencing a vehicle violation. As a result, a 26-year-old Mears man was arrested and lodged at the Oceana County Jail on an outstanding warrant for his arrest.

On Saturday, May 14, 2022, the Hart Police Department was dispatched to the 500 block of Johnson Street regarding a fight in progress. As officers arrived on the scene, a 27-year-old Shelby man had obvious injuries to his face and knee areas. It should be noted that a 31-year-old Hart man and a 26-year-old Shelby woman are in the process of a divorce, with the Shelby man now being in a dating relationship with the Shelby woman. As the Shelby man arrived at the Hart man's home, the Hart man assaulted the Shelby man by punching the Shelby man in the face area with a closed fist. It was also reported the Hart man was chasing the Shelby man around the front of the home. A report will be submitted to the Oceana County Prosecutor's Office for his review.

On Monday, May 16, 2022, the Hart Police Department participated in an annual ceremony at the Oceana County Courthouse honoring National Police Week. In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls as National Police Week. New Era Police Sgt. Mike Grillo was honored during the ceremony; he died last December due to complications from COVID-19. 609 law enforcement officers died in the line of duty in 2021 in the United States. There have been 102 line-of-duty deaths already in 2022.

On Tuesday, May 17, 2022, the Hart Police Department initiated a traffic stop on a vehicle on State Street near Oceana Drive, referencing a vehicle violation. As a result, a 27-year-old South African man was arrested and lodged at the Oceana County Jail for Operating a Motor Vehicle while Intoxicated.

On Tuesday, May 17, 2022, D/Sgt. Skipski conducted four (4) separate Miranda Classes for Mr. Gilberts Social Studies class. The class was designed and presented to give students a background on Miranda vs. Arizona, how and when Miranda is applied by Law Enforcement, and to explain each right in detail. Additionally, students were allowed to ask scenario-based questions regarding Miranda and its application.

Respectfully,

J. Salazar,
Chief of Police