



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
AUGUST 26th, 2025
MINUTES – Approved**

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

ABSENT: None

OTHERS PRESENT: Interim City Manager Nichole Kleiner, Clerk/Treasurer – Karla Swihart, BioPure Superintendent – Paul Cutter, DPW Superintendent – Brad Whitney, Hart Energy Superintendent – Mike Schiller, Hart Police Chief – Juan Salazar, Cindy Fout, Gayle Harris, Cristina Juska, and Claire Marshall

APPROVAL OF AGENDA:

- C. Burillo motioned to approve the Agenda and was supported by B. Root
 - Ayes: 7 Nays: 0 Absent: 0

PUBLIC COMMENTS:

- None

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- None

CONSENT AGENDA:

- Approval of minutes from August 12th, 2025
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - B. Root motioned to approve Consent Agenda and supported by K. Thomson
 - Ayes: 7 Nays: 0 Absent: 0

ACTION ITEMS:

- Resolution 2025-28 Acquisition of Irrigation Water Well for the City's Wastewater Treatment Plant Headworks building and matters related thereto
WHEREAS, the real property located at 2252 W. Polk Rd, Hart Mi (Parcel No. 64-007-015-300-07) (the "Forner Property") contains an approximately 270' deep irrigation well (the "Well"); and
WHEREAS, the Forner Property is located adjacent to the City's Wastewater Treatment Plant; and
WHEREAS, as part of the City's Wastewater Treatment Plant improvement project, it is necessary for the City to have access to an irrigation well to provide non-potable water to the headworks building; and
WHEREAS, Forner Farms LLC, the owner of the Forner Property, has expressed an interest in selling the Well, including but not limited to the existing pumps, controls and fittings, and related appurtenances, and the right to withdraw water from the Forner Property to the City for use by the City at the Wastewater Treatment plant; and
WHEREAS, it is necessary and in the best interest of the City to acquire the Well on the Forner Property.
NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL HEREBY:
 1. Approves the acquisition of the Well on the Forner Property, including the existing pumps, controls and fittings, and related appurtenances, and the right to withdraw water from the Well for the sum of \$10,000
 2. The Mayor and City Clerk/Treasurer are hereby authorized and directed to enter into, execute, and deliver any and all necessary documents for the acquisition of the Well including, but not limited to,

a purchase agreement for the purchase of the Well in accordance with this resolution and in consultation with and as recommended by the City Attorney.

3. The Mayor and City Clerk/Treasurer are hereby authorized and directed to enter into, execute, and deliver any and all necessary documents, including the acceptance of an easement in favor of the City, as recommended by the City Attorney, to provide the City with access to the Well on the Forner Property.
4. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

- C. Burillo motioned to approve Resolution 2025-28 and supported by A. Mullen

- Ayes: 7 Nays: 0 Absent: 0

- Resolution 2025-29 Resolution to Approve Amended Bylaws for the Hart Tax Increment Finance Authority of the City of Hart

WHEREAS, the City of Hart (the “City”) previously established the Hart Tax increment Finance Authority (the “Authority”) and established the Authority’s development district (the “Development Area”) in accordance with former Act 450 of the Public Acts of Michigan of 1980, as amended (“Act 450”), now part 3 of Act 57 of the Public Acts of Michigan of 2018, as amended (“Act 57”); and

WHEREAS, acting in accordance with Act 450 (now Act 57), the Authority Board and the City Council previously approved Bylaws for the Authority (the “Bylaws”); and

WHEREAS, Act 57 requires that the City Council approve such rules of procedure.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council hereby approves the Amended bylaws in the form on file with the City Clerk
2. All resolutions or portions thereof inconsistent with the provisions of this resolution are hereby rescinded.

- A. Mullen motioned to approve Resolution 2025-29 and supported by K. Thomson

- Ayes: 7 Nays: 0 Absent: 0

- Resolution 2025- 30 Michigan Public Power Agency Commissioner Appointment

WHEREAS, the City of Hart (dba Hart Hydroelectric) is a Charter member of the Michigan Public Power Agency (MPPA, the “Agency”) in Lansing, Michigan that is governed by a Board of Commissioners consisting of one appointee from each member pursuant to MPPA by-laws as follows:

ARTICLE II

BOARD OF COMMISSIONERS

Section 2.1 Board of Commissioners and Alternate Commissioners. The Agency Shall be governed by a Board of Commissioners appointed by the respective governing bodies of

The municipalities which are members of the Agency. The governing body of each member Municipality shall by resolution appoint one commissioner. The governing body of each member Municipality may by resolution appoint an Alternate Commissioner who shall be entitled to vote only in the absence of the Commissioner. If a 2nd Alternate Commissioner is appointed in the resolution of the governing body of the member municipality, the resolution shall designate who shall be the 1st Alternate Commissioner and 2nd Alternate Commissioner. In the event more than one Alternate Commissioner attends a meeting of the Agency, including any of its committees, the Alternate Commissioner with the highest designation shall be recognized and entitled to vote in the absence of the Commissioner.

WHEREAS, the City’s current appointees are as follows: Commissioner – Robert Splane 1st Alternate Commissioner – Mike Powers; and 2nd Alternate Commissioner – Mike Schiller; and

WHEREAS, due to City Manger Splane no longer employed by the City of Hart, the City must appoint a Commissioner; 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

Appoints Interim City Manager designee Nichole Kleiner to the Michigan Public Power Agency Board

of Commissioners as Commissioner effective date of August 26th, 2025

- J. Cunningham motioned to approve Resolution 2025-30 and supported by C. Burillo
 - Ayes: 7 Nays: 0 Absent: 0
- Resolution 2025-31 Designate Interim City Manager Nichole Kleiner as Member Representative to Energy Service Project

WHEREAS, on March 11, 2009, the Michigan Public Power Agency (MPPA) Board of Commissioners by action in open meeting created the Energy Service Project (“Project”); and

WHEREAS, a Member joining the Project, must execute an Emergency Services Agreement (“ESA”); and

WHEREAS, Section 2 of the ESA requires the Member’s Governing Body to designate a Member Authorized Representative (“MAR”); and

WHEREAS, the MAR is delegated the responsibility of binding the member into Power Purchase Commitments with MPPA

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

*Appoints the Interim City Manager as the Member Authorized Representative to the
MPPA Energy Services Project*

 - C. Burillo motioned to approve Resolution 2025-31 and supported by B. Root
 - Ayes: 7 Nays: 0 Absent: 0

DISCUSSION ITEMS:

- Special Events Permit – Veterans Parade on November 8th, 2025 - APPROVED
- Personnel & Finance Proposed Recommendation: City Manager Search/Salary Range

Double Haul Solutions reached out for Salary Range the City would like to offer New City Manager. Double Haul did a wage survey and came up with a range of \$110-\$130. Personnel and Finance Committee met discussed and would like to offer Salary range \$105-\$115. No objections from the City Council so will rely back to Double Haul the City wishes to offer Salary range of \$105-\$115.

INTERIM CITY MANAGER'S REPORT:

Status of ongoing projects

- Hart Plaza Streetscape Project to break ground Spring of 2026
- Revised Industrial Park Covenants – pending signatures from 75% of park owners finalize & record revised covenants
- New location for chalets as stipulated by TIFA are being considered
- Starting Block roof was replaced last week
- Trying to create a City easement to water tower with JSJ Corp (GHSP) in order to execute the AT&T cell tower lease. Does not appear a resolution was presented.
- Veterans Park – coordinating a meeting with Fishbeck to get status update and determine how to move forward (seawall in desperate need of attention)
- Redevelopment Ready Certification pending items:
 - Adopt reinstated Master Plan
 - Show that ordinances have been reviewed to ensure they align with goals of master plan
 - Adopt a green infrastructure ordinance
 - Two additional housing options
 - Provide documentation of all zoning/planning projects
- Deadline for developer submissions Ceres Solutions was Aug 12. Two proposals were submitted to TIFA, one withdrawn at start of meeting. Proposal from S. Hegg Real Estate to purchase for \$30,000 with no contingencies for use as a private parking lot with a vision of duplexes and townhomes failed to pass the TIFA vote. Vote was brought into question – final determination being reviewed by legal.

Staff changes, policy updates, internal improvements.

- Positions to consider; Consider replacement of Andy VanZoren, Diesel Mechanic & Jack of all Trades, Community and Economic Development Director, Consider training staff in Human Resources best practices, Consider replacing TNT Lawn Care with in-house staff.

Financial items to keep on Council's radar:

- Patrol car & radios, DPW dump truck, review updated capital improvement plan & determine 5-year funding sources, Liberty Park playground equipment needs attention.

Looking Ahead:

- Adoption of reinstated Master Plan, Reinstated Parks & Recs Plan, water rate study, encroachment identified at West Shore Community College (IGA) through a license agreement – resolution to be presented at next meeting, City Manager recruitment package in final stages.

Events:

- Final Music on the Commons – Thursday Aug 28th 6-8pm
- MML Community Excellence Awards – September 17-19
- Artwalk – October 4th (call for artist is open)

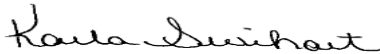
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mayor Klotz – Congratulations to Andy Vanzoren on your retirement. Thank you for your 36 years of service to the City of Hart.
- B. Root – reminder of Planning Commission meeting, they are the 1st Thursday of every month at 4pm, held at City Hall in the Council Chambers.

ADJOURN:

- There being no further business to come before the Council, Mayor Klotz adjourned the meeting at 8:05pm. The next regularly scheduled meeting will be on September 9th, 2025, at 7:30 pm.

Respectfully Submitted



Karla Swihart, City Clerk