



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
MARCH 24th, 2026
MINUTES – APPROVED**

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

ABSENT: Jim Cunningham, and Dean Hodges

OTHERS PRESENT: City Manager – Nichole Kleiner, City Clerk/Treasurer – Karla Swihart, BioPure Superintendent – Paul Cutter, DPW Superintendent – Brad Whitney, Energy Superintendent – Mike Schiller, Hart Police Chief – Juan Salazar, Christine Juska, Claire Marshall, Rolando Salgado and Emily Sigler

APPROVAL OF AGENDA:

- B. Root motioned to approve the agenda and was supported by K. Thomson
 - Ayes: 5 Nays: 0 Absent: 2

PUBLIC COMMENTS:

- None

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Paul Cutter, BioPure Superintendent – Department Quartley Update
Overview on all the work that has happened out at the Wastewater Treatment plant these past 2.5 years
BioPure has three full time employees, Superintendent Paul Cutter, along with Chris Kies and Thomas Stoneman
Top industry users are Michigan Freeze Pakc and Senca Foods.
Septage users are Swihart Septic, Malberg Septic and Ace1
Anyone anytime who would like to come and take a tour of the plant is welcome. Lots of cool behind the scene stuff Paul loves to show off.

CONSENT AGENDA:

- Approval of minutes from March 10th, 2026
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - A. Mullen motioned to approve the Consent Agenda, and was supported by B. Root
 - Ayes: 5 Nays: 0 Absent: 2

ACTION ITEMS:

- None

DISCUSSION ITEMS:

- Plum Street RFP's
Notice to Bidders
Sealed bids will be received by the City of Hart at City Hall, 407 S State Street, Hart Michigan 49420 until **10:00AM on April 15th, 2026**, at which time bids will be publicly opened and read aloud.
Bids must be submitted in a sealed envelope marked **"2026 South Plum Street Road Realignment Bid."**
The City reserves the right to reject any or all bids and waive informalities in the best interest of the City.
Notice to Bidders Issue Date: March 16th, 2026
Bid Opening Date: April 15th, 2026, at 10:00AM
Anticipated Council Award: April 21st, 2026

PROJECT DESCRIPTION

The City of Hart is requesting bids from qualified contractors to realign a portion of South Plum Street within the public right-of-way between Gilmore Street and Beagle Street.

The roadway will be shifted approximately **20 feet east** to align with the future Safe Routes to School (SRTS) trail corridor shown on the attached concept plan.

Project limits extend from **Gilmore Street to approximately 100-feet south to Beagle Street**, totaling approximately **700 feet**.

SCOPE OF WORK

Work includes removal of trees, sod, sand, and portions of the existing roadway; grading; reuse of existing gravel where suitable; construction of a new gravel roadway; drainage grading; and restoration.

*Full bid packet specifications available at cityofhart.org/connect.

- 3 E Main Street Update

March 31st, 2026, TIFA Special meeting Council Chambers, Developer Presentations 5-6 Pm

- Frontier Notice of Violation

NOTICE OF VIOLATION AND DEMAND FOR CORRECTIVE ACTION

Public right-of-way – Communications Infrastructure

Date March 20th, 2026

To: Frontier Communications

Re: Unsafe, Unmarked, and Noncompliant Communications Facilities within City of Hart Right-of-Way
Frontier Communications,

Pursuant to the City of Hart’s authority to regulate and protect the public right-of-way, this letter serves as formal notice of multiple violations associated with communications infrastructure throughout the City.

City staff have completed a field review identifying widespread safety hazards, clearance violations, unmaintained facilities, and improperly abandoned infrastructure. In addition, communication lines throughout the City are not properly identified or labeled by provider, which is unacceptable and creates operational and public safety risks.

As a provider operating within the City’s right-of-way, Frontier is responsible for ensuring its facilities and properly installed, maintained clearly identified, and compliant with all applicable safety standards, including but not limited to the National Electrical Safety Code (NESC) and local ordinances.

REQUIRED ACTIONS (CITY WIDE)

Frontier is hereby directed to complete the following:

1. System Identification
 - Inspect all communication lines within the City of Hart.
 - Clearly mark and label all Frontier-owned facilities (aerial and underground)
 - Provide written confirmation identifying ownership of all facilities listed below.
2. Immediate Hazard Mitigation
 - Correct all downed lines, low-hanging wires, and roadway obstructions immediately.
 - Secure or remove any cut, abandoned, or hanging lines.
3. Repairs and Compliance
 - Bring all facilities into compliance with NESC clearance requirements.
 - Remove abandoned infrastructure and unused attachments.
 - Complete all required pole transfers where infrastructure has not been properly relocated.
4. Restoration and Maintenance
 - Repair any damage to poles, guying, and attachments.
 - Address vegetation conflicts and ensure proper clearances.
5. Reporting Requirements
 - Within 10 business days, provided the City with:
 - A corrective action plan
 - A timeline for completion
 - A designated point of contact

IDENTIFIED VIOLATIONS

The following locations have been identified and must be inspected, marked, and corrected:

1. **Critical Safety Hazards (immediate Attention Required)**
 - 12 Courtland – Broken pole affecting services
 - 22 cable – lines on ground (multiple spans)
 - 215 Lake St. – lines on ground
 - Intersection of Plum & W. Main – Service drops on ground
 - W. Main (intersection area) – Line in roadway
 - 416 Water – Line laying on ground
 - 1201/1261 Parmington – Lines on ground
 - 391 W. Polk – Lines cut and across roadway
 - 2377 72nd Ave – Multiple loose and hanging lines
 - McDonald's area – Broken guy/dead-end pole
2. **Dryden Street Area**
 - 620 Dryden – Cut and hanging communication lines; transfer/removal required
 - Across from 312 Dryden – Hanging wires; abandoned attachment suspected
3. **Lincoln Street Area**
 - 303 Lincoln – Mid-span hanging wire
 - 501 Lincoln – Dead-end pole with cut lines; removal required
 - 403 Lincoln – Hart St Side – Low clearance line near sidewalk
4. **State Street / Johnson St**
 - 314 S State – Cut and hanging lines
 - 510 Johnson – Coiled communications wire on pole
5. **Jefferson Street Area**
 - 409 Jefferson – Improper attachment wire on pole
 - 415 Jefferson – Cut and hanging lines
6. **Wigton Street**
 - 104 Wigton – Hanging or cut lines
7. **Griswold Street Area**
 - Near 304 Griswold (pole #181) – Hanging wire
 - 507 Griswold – Hanging wire
 - 513 Griswold (pole #718) – Hanging wire; additional issue at adjacent pole
 - Griswold yard area – Low wires across private property
8. **Church / Hart Street Area**
 - 522 Church – Coiled/hanging wire
 - 316 Church (Hart St. pole # 754) – Cut and hanging lines
9. **Hart Street**
 - 114 Hart – Low clearance across roadway
 - 412 Hart – Multiple poles with cut/hanging lines
 - 419 Hart – Missing guy wire; vegetation conflict
10. **Additional Systemic Issues**

(Multiple locations requiring full communication transfer to new poles, including but not limited to;)

 - 170 W. Main, Orchard (multiple), Riverside, Gwen, Peach, Lake St., Apple, Plum, Courtland, Water, Jefferson, and N. Oceana Dr.
11. **Additional Systemic Issues**
 - Repeated low or hanging service drops
 - Improperly secured underground drops

- Lines installed below acceptable clearance in yards and roadways
- Widespread lack of facility identifications

DEADLINES

- Immediate (24-72 hours): Address all critical safety hazards
- 10 Business Days: Submit corrective action plan and ownership identification
- 30 Days: Complete repairs, labeling, and compliance work unless otherwise approved

▪ **ENFORCEMENT**

Failure to comply may result in:

- Municipal civil infractions
- Stop-work orders and permit restrictions
- Cost recovery for City-performed corrective actions
- Referral to the City Attorney for further enforcement

The City expects prompt professional action to bring your system into compliance. The current condition of communications infrastructure within the City is unacceptable and must be corrected.

CITY MANAGER'S REPORT:

Status of ongoing projects:

- Hart Plaza Streetscape Project – Rotary brick sales are now live – fundraising to contribute towards the fireplace
- Safe Routes to School Trail – No Change
- Water Tower ATT antenna project – no change – still pursuing signature on easement.
- Ceres Solution Request for Proposals
March 31, 2026, TIFA Special Meeting @ City Council Chambers, Developer Presentations 5-6pm. TIFA on recommendation to Council.
April 14, 2026, Preferred Developer Selection @ Regular Council Meeting

What's New:

- Hart Area Fire Department is requesting the City of Hart, Weare Township, Hart Township, and Golden Township increase their contribution from approx. .9 mil to 1.25 mil to offset the cost of equipment repairs and new blacktop. The City of Hart does not collect a millage for fire, so the increase comes from our general fund.

CITY OF HART CONTRIBUTION TO HFD SUMMARY:

- FY 25/26 Budgeted \$52,000 Actual \$60,000
- FY 26/27 Requested \$90,148
- Impact on general fund: \$38,148

- Dark Water Coffee would like to proceed with purchasing a log in the industrial park
- Starting Block interviews for a new director are ongoing
- Union Negotiations have begun – looking to schedule a meeting with personnel and finance end of next week to review proposals
- City Council budgeting workshop proposed from 6-7:30pm prior to the next two (April) council meetings.
General fund FY 26/27 projections attached for review.

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- A. Mullen – HEART meeting and Hart Heritage Preservation Group. Lots of cool things in the works can't wait to share final vision. Right now working with a building inspector to look over the buildings at the Historic District. Also excited to have new members join the board.
- C. Burillo – It would be cool if the Council would shadow younger kids to help get interest in government as the get older.

ADJOURN:

- There being no further business to come before the Council, Mayor Klotz adjourned the meeting at 8:29 pm. The next regularly scheduled meeting will be on April 14th, 2026, at 7:30 pm.

Respectfully Submitted,

Karla Swihart

Karla Swihart, City Clerk