



**CITY OF HART
407 S. STATE ST.
HART, MI 49420**

**REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
NOVEMBER 12th, 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: City Manager – Nichole Kleiner, Deputy City Clerk/Treasurer – Lindsay Brown, DPW Superintendent – Brad Whitney, Greg Gabriel, Christine Juska, Larena Kramer, Claire Marshall, Steven Slimmen, and Mike Stevens

APPROVAL OF AGENDA:

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

PUBLIC COMMENTS:

- Steven Slimen 5 S. Plum St. – Regarding SRTS that has come through, been told this has been in the works for 7 years, but we just recently heard about this 1 year ago, and now we are being told there is nothing we can do about this. They are going to be covering ½ of my property with this 10ft bike path, which is supposed to be a safe route to school, but yet it goes through the woods, it's not going to be lit, there aren't going to be cameras, and they don't even plow my sidewalk. The City stops at Plum and Main. They don't even plow the next 200 ft. This is going to cut off 1/3 of my front yard and front driveway, not to mention going down the entire other quarter of my property. Why have we not been notified over the last 6 years about this? We heard about this a year ago when they came and offered us \$100 for our right-of-way for half of our property. Now they are going to move Plum Street over to accommodate this on the side road. I don't understand why it's not just as easy to cut across the back of the cemetery and go up 72nd next to the cemetery. I was told speeds are too high there, but yet you have a school zone, so extend the school zone to the corner, that way you don't have to worry. If this is an SRTS is the City going to be plowing this? Or is it not than is it to hide the fact they want to extend the Hart-Montague bike trail to Pentwater? If that is the case, that is wrong, and you should treat your City residents better.

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- None

CONSENT AGENDA:

- Approval of minutes from October 28th, 2025
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - C. Burillo motioned to approve the Consent Agenda, and was supported by K. Thomson
 - Ayes: 7 Nays: 0 Absent: 0
 - A. Mullen motioned to remove item 7 from the agenda, Introduction and Adoption of Ordinances, Public Hearing, and was supported by C. Burillo
 - Ayes: 7 Nays: 0 Absent: 0

ACTION ITEMS:

- Resolution 2025-48 Limited *IT* Services Agreement with Mullen *IT* Services and Council Member Conflict Disclosure
WHEREAS, the City of Hart occasionally requires professional information technology (IT) services for maintenance, troubleshooting, and technical support of City computer and network systems; and

WHEREAS, Council Member Andrew Mullen, owner of Mullen Family Enterprises, LLC, DBA Mullen IT Services, has periodically provided such services to the City on an as-needed basis at reasonable rates; and WHEREAS, Council Member Mullen has submitted a written Conflict of Interest Disclosure Statement in accordance with Michigan Public Act 317 of 1968 (MCL 15.321-15.330), disclosing a pecuniary interest in the provision of IT services to the City; and

WHEREAS, the City Council finds that such services are beneficial, efficient, and in the City's best interest, and that contracting with Mullen IT services is consistent with provisions of Public Act 317 when approved by a two-thirds vote of the remaining members; and

WHEREAS, Council Member Mullen has disclosed his interest and will abstain from any vote, discussion, or decision concerning the agreement, as required by law.

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL:

1. *Acknowledges receipt and filing of Council Member Mullen's Conflict of Interest Disclosure Statement with the City Clerk.*
2. *Approves, by a two-thirds vote of the remaining members, the City's engagement of Mullen IT Services for limited, as-needed IT support.*
3. *Authorizes the Interim City Manager to execute a short-form professional services agreement with Mullen IT Services not to exceed \$3,000 annually, consistent with applicable procurement procedures.*
4. *Affirms that this authorizes complies with the requirements of Michigan Public Act 317 of 1968.*
 - o C. Burillo motioned to approve Resolution 2025-48 and was supported by J. Cunningham, and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on November 12th, 2025
 - Ayes: 6 Nays: 0 Absent: 0 Abstained: 1 (Mullen)

▪ Resolution 2025- 49 Authorizes Mayor to Sign MOU with State Treasury to fund budget training for City staff with Maner Costerisan

WHEREAS, the Michigan Department of Treasury, through its Community Services Division, has approved financial assistance to the City of Hart to support budget analysis and cost allocation services designed to strengthen the City's long-term financial management capacity; and

WHEREAS, Treasury has issued a Memorandum of Understanding (MOU) with the City of Hart identifying the responsibilities of both parties and providing reimbursement to the City for eligible project costs up to \$18,500 for services related to budget analysis and cost allocation; and

WHEREAS, the City has received a proposal and engagement letter from Maner Costerisan outlining the scope of professional services to be performed, including a comprehensive review of the City's budget structure, cost allocation framework, and related financial practices, at an estimated cost consistent with the Treasury award amount; and

WHEREAS, pursuant to Chapter 210 of the City of Hart Codified Ordinances, the City Council must authorize contracts exceeding \$1,000 for non-routine professional services and approve such agreements by resolution; and

WHEREAS, Maner Costerisan currently serves as the City of Hart's independent audit firm and possesses detailed knowledge of the City's financial structure, chart of accounts, and cost allocation methods; and the City Council finds that the public interest is best served by engaging Maner Costerisan to provide these professional services due to their specialized familiarity and efficiency in evaluation Hart's internal financial systems, rather than soliciting competitive bids for this limited-scope project;

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL:

1. *The City Council of the City of Hart hereby accepts the Michigan Department of Treasury award and approves participation in the budget analysis and cost allocation project as outlined in the MOU.*
2. *The City Council further authorizes the Mayor, Amanda Klotz, and City Clerk, Karla Swihart, to execute the Memorandum of Understanding between the City of Hart and the Michigan Department of Treasury.*

3. *The City Council further finds that engaging Maner Costerisan without formal competitive bidding complies with Chapter 210 of the City of Hart Codified Ordinances, as the work constitutes professional services for which the public interest is better served by using the firm's unique expertise and prior knowledge of City finances.*
4. *The City Council authorizes engagement with Maner Costerisan for the professional services described in the attached proposal, at a cost not to exceed the reimbursable amount of \$18,500, contingent upon compliance with the terms of the Treasury MOU.*
5. *The City Manager is authorized to oversee contract administration, ensure compliance with state and local procurement policies, and submit all required documentation to the Department of Treasury for reimbursement.*
 - B. Root motioned to approve Resolution 2025-49 and was supported by A. Mullen, and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on November 12th, 2025
 - Ayes: 7 Nays: 0 Absent: 0

▪ Resolution 2025-50 Removal of Public Wi-Fi at Hart Commons

WHEREAS, the City of Hart provides public wireless internet service at Hart Commons as a convenience to residents and visitors; and

WHEREAS, in July 2025, the City received written notice from Spectrum Communications indicating that the City's public wireless network was recently used to improperly copy, share, or stream copyrighted content such as music, movies, or software through peer-to-peer or "torrenting" software; and

WHEREAS, at the July 22, 2025, City Council meeting, Council advised the City Manager to pursue installation of cybersecurity protections at Hart Commons to prevent further misuse; and

WHEREAS, following that meeting, the City's IT provider recommends installing a firewall and protective software similar to that used at City Hall; and

WHEREAS, the current fiscal year budget does not include funds to support this cybersecurity investment, and continuing to operate an unprotected public network presents unnecessary risk and potential legal liability to the City; and

WHEREAS, City staff have reviewed alternatives and recommend discontinuing the public wireless network at Hart Commons until sufficient funding is available to implement appropriate cybersecurity measures.

NOW THEREFORE BE IT RESOLVED BY THE HART CITY COUNCIL:

Authorizes the removal or the public wireless internet system at Hart Commons and termination of the associated Spectrum service account.

Directs City staff to coordinate with the City's IT provider and Spectrum to remove the equipment, deactivate the service, and secure any residual network credentials.

States that this action does not preclude future consideration of reinstating public Wi-Fi service at Hart Commons if adequate cybersecurity protections and budgeted funding are available.

- B. Root motioned to approve Resolution 2025-50, and was supported by K. Thomson
 - Ayes: 1 Nays: 6 Absent: 0
- J. Cunningham motioned to table the Resolution 2025-50 and have it presented in December for discussion to come up with a plan to offer safe Wi-Fi to the residents and supported by A. Mullen
 - Ayes: 7 Nays: 0 Absent: 0

- Resolution 2025-51 Update Designated Bank Signers on City Accounts
 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, the City manager, and the City treasurer are historically accepted individuals as authorized signers; and
 WHEREAS, the banks and financial institutions with which the City conducts business 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 interests and welfare, the City Council hereby declares:

NOW THEREFORE BE IT RESOLVED BY THE HART CITY COUNCIL:

Designates Mayor Amanda Klotz, Mayor Pro-Tem Jim Cunningham, City Manager Nichole Kleiner, and City Clerk/Treasurer Karla Swihart as authorized signers on all City of Hart banking and investment accounts.

- A. Mullen motioned to approve Resolution 2025-51 and was supported by K. Thomson
- Ayes: 7 Nays: 0 Absent: 0

- Resolution 2025-52 Hiring of City Manager

WHEREAS, former City Manager Rob Splane, resigned from his position on August 1, 2025; and
 WHEREAS, Nichole Kleiner, has been serving as Interim City Manager since August 12, 2025; and
 WHEREAS, the City engaged Mitch Foster of Double Hall Solutions to assist in the hiring of a new City Manager; and

WHEREAS, applications were accepted through September 26, 2025, and several individuals have been interviewed for consideration; and

WHEREAS, upon due consideration by the City Council, the City Council recommends making an offer to Nichole Kleiner to become the new City Manager.

NOW THEREFORE BE IT RESOLVED BY THE HART CITY COUNCIL:

1. *Offers Nichole Kleiner the position of City Manager and authorizes Mayor Klotz to enter into negotiations with Nichole Kleiner to secure an Employment Agreement with Nichole Kleiner.*
2. *This offer of employment is subject to a full and complete background check satisfactory to the City Council. Nichole Kleiner will be required to execute the required documents, waivers and releases to authorize such a background check and other references.*
3. *Any such Employment Agreement will be subject to review, analysis and input and recommendations from the City's legal counsel, Scott Dwyer of Mika Meyers, PLC, and subject to review and final approval by the City Council.*

- A. Mullen motioned to approve Resolution 2025-52 and was supported by J. Cunningham; thereafter adopted by the Hart City Council at a regularly scheduled meeting held on November 12th, 2025
- Ayes: 7 Nays: 0 Absent: 0

DISCUSSION ITEMS:

- Vets Park & Oceana Veterans Coalition Request
- Christmas Parade, November 28th, the City is in the process of getting a trailer and decorating it. Please come join the fun.

CITY MANAGER'S REPORT:

Status of ongoing projects:

- Hart Plaza Streetscape Project – on schedule, bidding to go out this month
- Revised Industrial Park Covenants – No progress
- Vets Park Project – reprioritizing and planning improvements for FY26-27 budget

- Water Tower easement – no progress to report, no response from ATT attorneys regarding acceptance of an easement vs land ownership of the land surrounding the tower.
- Redevelopment Ready Certification pending items:
- Adopt a green infrastructure ordinance, but the City is RECERTIFIED.
- Ceres Solution – TIFA opening bids again with slightly modified submission criteria, due by the end of February 2026
- SRTS – public meeting 11/3/2025 for those affected by the trial, with a number of concerns expressed. Project to go out to bid this winter.

Staffing changes, policy updates, internal improvements

- Proposal presented to personnel and finance committee to review/recommend cross-training our Deputy Clerk in Human Resources.

What's New:

- Site plan for WSCC conditionally approved
- Site plan for new single-family residential home in the Creeks approved
- Site plan for new commercial restaurant on Polk Rd conditionally approved
- Met with Erice from State Treasury 11/10/25
- Starting Block hired a new Director to take operations over as Jane & Jim retire
- WSCC will be presenting at the next council meeting
- Board openings on the TIFA board, Power board, and Planning Commission
- Hart's Charter Review Committee – need to revisit
- City Hall repairs are nearing completion with new flooring and freshly painted walls (huge thank you to Paul Cutter for volunteering his time to paint).

Events:

- Christmas Parade November 28th

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- C. Burillo – Monday, November 17th, there is a Cemetery Board meeting at the Hart Township at 7 pm.
- TIFA board meeting Tuesday, November 18th at 1 pm in the Community Center
- A. Mullen – The HEART board met today and had a really good meeting, allocated some funds for the marketing of the Ceres property.

Also had a HEART Historical District meeting. In case some of you did not know that the Hart Historic District is shut down for the winter months, and in the Spring will be getting some building inspectors out to go through the buildings and see if any improvements need to be done. Also looking for volunteers, so if anyone knows of anyone, please send them my way or to Nichole.

ADJOURN:

- There being no further business to come before the Council, Mayor Klotz adjourned the meeting at 8:18 pm. The next regularly scheduled meeting will be on November 25th, 2025, at 7:30 pm.

Respectfully Submitted

Karla Swihart

Karla Swihart, City Clerk