

*City of Hart, Michigan*  
CITY COUNCIL AGENDA – 1<sup>st</sup> Amendment  
**December 9, 2025, 7:30 PM**  
**407 State St. – Council Chamber**  
**NOTICE OF PUBLIC MEETING**  
**REGULAR COUNCIL MEETING**

1. Call to Order
2. Roll Call – Burillo, Cunningham, Hodges, Mullen, Root, Thomson, Klotz
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Comments – **Public comment on any matter other than a scheduled public hearing.**  
**We ask that you please limit your comments to 3 minutes.**
  - a. Correspondence, Events, Presentations
6. Consent Agenda:
  - a. Approval of Minutes from November 25, 2025
  - b. Bills, Claims, Payroll
  - c. Reports of Boards, Commissions, and Committees
  - d. Department Reports – Police/BioPure/Public Works/Energy/♥C&E Dvlp./Parks & Rec
7. Action Items
  - a. Mayoral Appointments
    - i. *Confirm the Mayor's appointment of Jim Evans to the Planning Commission as recommended by the Planning Commission Board*
    - ii. *Confirm the Mayor's appointment of Jim Evans to the Power Board as recommended by the Power Board*
  - b. Resolution 2025-59 *Approval of Right of Way Permit*
  - c. Resolution 2025-60 *Adoption of Food Truck Fee Schedule*
  - d. Resolution 2025-61 *Approval of MPPA Power Purchase Commitment Authorization for Planning Year 26/27 (Capacity Sale of up to 3,000 kW at a minimum \$7.50/kW-month)*
  - e. Resolution 2025-62 *Designate 2026 Council Meeting Dates*
  - f. Resolution 2025-63 *Cancel City Council Meeting on December 23, 2025*
8. Discussion Items
  - a. Water Supply and Pressure Concerns for Seneca Foods Fire Suppression System
  - b. Flock Camera Safety Discussion
  - c. Safe Routes to School Cemetery Temporary Easement Signature Request
9. City Manager Report
10. Communications from the Mayor and Council (Including board and committee updates)
11. Adjournment –

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

**REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS  
NOVEMBER 25<sup>th</sup>, 2025  
MINUTES – Draft**

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

**ABSENT:** Dean Hodges

**OTHERS PRESENT:** City Manager – Nichole Kleiner, City Clerk/Treasurer – Karla Swihart, BioPure Superintendent – Paul Cutter, Energy Superintendent – Mike Schiller, Hart Police Chief – Juan Salazar, Christine Juska, Chris Klotz, Claire Marshall, and Scott Ward

**APPROVAL OF AGENDA:**

- J. Cunningham motioned to approve the Agenda and was supported by B. Root
  - Ayes: 6 Nays: 0 Absent: 1

**PUBLIC COMMENTS:**

- None

**CORRESPONDENCE, EVENTS, PRESENTATIONS:**

- West Shore Community College Hart Facility Presentation, By Scott Ward.  
Back in 2019, a similar project was done in Manistee, which met all expectations, and West Shore has been looking to open a similar one in Oceana County. With help from many entities, and with the help of Nichole reaching out about a State grant opportunity for a community center, it was unanimous board approval to apply for the grant. There was \$60 million from the State of Michigan available for community center grants, with \$1 billion in requests from across the State, we received \$1 million for the project. To add the Collage was able to raise \$3.5 million of the \$6.5 million needed to complete the Hart community project, and WSCC will pay \$3 million. The College purchased the Gale's IGA property located at 710 S. State St.

The Community center will have a food service area, a food store & coffee shop along with a drive-thru.

Meeting spaces and 2 classrooms, and Michigan Works. Renovations are underway now and will be open fall of 2026.

**CONSENT AGENDA:**

- Approval of minutes from November 12<sup>th</sup>, 2025
- 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 K. Thomson
    - Ayes: 6 Nays: 0 Absent: 1

**ACTION ITEMS:**

- Resolution 2025-53 Approve Expanded Duties, Title Change, & Compensation Adjustment for the Deputy Clerk & HR Coordinator

WHEREAS, the City Manager has submitted a memorandum dated November 21, 2025 outlining the recommendation for Deputy City Clerk Laci McAuliffe to formally assume Human Resources coordination duties in addition to her existing responsibilities; and

WHEREAS, Deputy Clerk Laci McAuliffe currently manages payroll, accounts payable, and deputy clerk duties with a demonstrated record of accuracy, professionalism, and discretion in handling confidential information; and

WHEREAS, the Personnel and Finance Committee has reviewed the recommendation and supports expanding her responsibilities to include Human Resources coordination to strengthen organizational consistency, compliance, employee support, and recordkeeping; and

WHEREAS, the City Manager has provided a job description identifying the duties of the Deputy Clerk & HR Coordinator position, which includes personnel administration, onboarding, benefits support, training and certification tracking, policy implementation, and ongoing HR processes; and

WHEREAS, expanding the Deputy Clerk's role to include HR coordination is expected to enhance internal processes, support recruitment and retention, improve compliance with federal and state labor laws, and ensure accurate and consistent personnel documentation; and

WHEREAS, to align compensation with the expanded responsibilities and with comparable dual-role positions in Michigan municipalities, the City Manager recommends adjusting the hourly rate for the Deputy Clerk & HR Coordinator from \$24.19 to \$27.00 per hour, contingent upon assuming HR Coordination duties; and

WHEREAS, the City Manager further recommends authorizing a professional development course (approximately \$395) to support the transition into the HR function, along with a one-time \$2,500 bonus upon successful completion; and

WHEREAS, the Personnel and Finance Committee recommends approval of the expanded duties, title change to Deputy Clerk & HR Coordinator, and compensation adjustment as outlined.

NOW THEREFOR BE IT RESOLVED THAT THE HART CITY COUNCIL HEREBY APPROVES:

1. Expanding the duties of the Deputy Clerk to formally include Human Resources coordination;
2. Update the position title to Deputy Clerk & HR Coordinator;
3. Adjusting the hourly rate to \$27.00 per hour contingent upon assuming the expanded duties;
4. Authorizing payment for a professional development course at an estimated cost of \$395; and
5. Approving a one-time \$2,500 bonus upon successful completion of the course.

BE IT FURTHER RESOLVED THAT the City Manager is authorized to implement this change effective immediately

- o B. Root motioned to approve Resolution 2025-53, and was supported by K. Thomson
  - Ayes: 6 Nays: 0 Absent: 1

▪ Resolution 2025-54 Prein & Newhoff State Street Turn Back Preliminary Engineering Agreement

WHEREAS, the City of Hart entered into a Memorandum of Understanding (MOU) with the Michigan Department of Transportation (MDOT), identified as MDOT No. 2025-0473, transferring jurisdictional control of US-31BR/State from Polk Road to Johnson Street to the City; and

WHEREAS, Section III(A)(2) of the MOU provides a lump-sum payment of Two Million Four Hundred Fifty Thousand Two Hundred Fifty Seven Dollars and Twelve Cents (\$2,450,257.12) to the City for the design and construction of improvements to the transferred roadway segment, representing the estimated cost of the required renovation, repair, and/or reconstruction; and

WHEREAS, pursuant to Section III(B)(4) of the MOU, the City is obligated to complete the State Street improvement project within five (5) years of the MOU's effective date, and failure to do so requires repayment of the full \$2,450,257.12 to MDOT; and

WHEREAS, allowable uses of MDOT Turn Back Funding include preliminary engineering, topographic survey, design development, public input, construction engineering, inspection, and testing, consistent with the scope proposed by Prein & Newhof (page 3, Section III (B)(4)); and

WHEREAS, Prein & Newhof submitted a proposal dated November 17, 2025, for State Street Turn Back Preliminary Engineering, including topographic survey, concept plan alternatives, public engagement, cost estimates, and early design coordination, all necessary for compliance with MDOT's required project standards and timeline; and

WHEREAS, Prein & Newhof has provided a Professional Service Agreement dated November 18, 2025 with a not-to-exceed amount of \$65,600 for these preliminary engineering services, funded entirely by the City's MDOT Turn Back allocation; and

WHEREAS, the proposed engineering work directly supports the City's obligation under the MDOT MOU to complete the project using the Turn Back funds, and is allowable and necessary for compliance with State requirements; and

WHEREAS, the City Manager recommends approval of this agreement so that the required preliminary engineering work may begin immediately, ensuring the project remains on schedule for MDOT's mandated completion by May 2030.

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL HEREBY APPROVES:

Professional Services Agreement with Prein & Newhof for State Street Turn Back Preliminary Engineering in an amount not to exceed \$65,600, to be funded through the City's MDOT Turn Back allocation of \$2,450,257.12

BE IT FURTHER RESOLVED THAT the City Manager is authorized to execute the agreement on behalf of the City and initiate the preliminary engineering work necessary to meet the requirements of the MDOT MOU

- J. Cunningham motioned to approve Resolution 2025-54, and was supported by B. Root
  - Ayes: 6 Nays: 0 Absent: 1

▪ Resolution 2025-55 Snowblower Quotes

WHEREAS, the BioPure Department is responsible for maintaining clear and safe access to wastewater treatment facilities, lagoons, and operational areas throughout the winter season; and

WHEREAS, current snow-removal operations rely on a plow, which has become increasingly inefficient due to the lack of adequate space on-site to push and store accumulated snow; and

WHEREAS, upgrading to a pull-type snowblower will allow staff to cast snow away from operating areas, improve maneuverability in confined spaces, and reduce labor and equipment strain during winter operations; and

WHEREAS, funds for equipment purchases are budgeted within the Sewer Fund – Motor Operations for FY 2025-2026; and

WHEREAS, the City obtained the following quotes for a 78" pull-type MK Martin Meteor snowblower:

- Gillison's Variety Fabrication - \$6,700
- R.H Wiles Sales Inc. - \$9,014; and

WHEREAS, Gillison's Variety Fabrication submitted the lowest responsible quote; and

WHEREAS, the proposed purchase is consistent with budgeted expenditures and will improve winter operations at the BioPure facility.

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL HEREBY AUTHORIZES:

the purchase of a 78" pull-type MK Martin Meteor snowblower from Gillison's Variety Fabrication in the amount of \$6,700, to be paid from the Sewer Fund – Motor Operations.

- A. Mullen motioned to approve Resolution 2025-55 and was supported by K. Thomson
  - Ayes: 6 Nays: 0 Absent: 1

▪ Resolution 2025-56 Authorize Sale of Dryden Street to Highest Bidder

WHEREAS, the City of Hart published a Public Notice of Sale by Sealed Bid for City-owned vacant land located on Dryden Street, legally described as CITY OF HART STANDARD MAP PLAT D E 148.5 FT OF S 66 FT OF BLK 144 (parcel #020-344-005-00), with bids to be opened November 20, 2025, at 1 P.M. at Hart City Hall; and

WHEREAS, the City received one sealed bid submitted by Jazmin & Saulo Hernandez, of 1024 S State Street, Hart Mi 49420, in the amount of \$12,000, as documented on the required bid form; and

WHEREAS, the bid received exceeds the minimum acceptable bid established by the City; and

WHEREAS, the City reserved the right to accept the highest bid meeting or exceeding the minimum and to convey the property by Quitclaim Deed; and

WHEREAS, the City Manager recommends awarding the sale to the highest – and only – bidder in accordance with the published bid specifications.

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL HEREBY ACCEPTS:

Sealed bid in the amount of \$12,000 from Jazmin and Saulo Hernandez for the sale of City-owned Dryden Street Parcel.

BE IT FURTHER RESOLVED THAT the City Council authorizes the City Manager to complete the sale, receive payment, and execute a Quitclaim Deed on behalf of the City to convey the property to the purchaser.

- C. Burillo motioned to approve Resolution 2025-56 and was supported by A. Mullen
  - Ayes: 6 Nays: 0 Absent: 1

▪ Resolution 2025-57 Award 3-yr Tree Service Contract

WHEREAS, the City of Hart issued a Request for Proposals for Tree Services for a three-year term (December 1, 2025 – November 30, 2028), seeking pricing for Standard Tree Removal, Stump Grinding, Emergency Storm Response, and Power Line Clearing/Trimming in accordance with ANSI A92 requirements for work near energized lines; and

WHEREAS, proposals were received and reviewed in accordance with RFP criteria; and

WHEREAS, for Standard Tree Removal, Custom Tree Service submitted the lowest responsible bid at an hourly rate of \$275 per hour for standard tree removal, hauling, and disposal, and \$2.50 per inch for stump grinding, compared to Dubois Tree & Land Management's rates of \$440 per hour and \$3.50 per inch, respectively; and WHEREAS, for Power Line Clearing/ Trimming requiring ANSI A92 compliance, Dubois Tree & Land Management submitted the lowest responsive and responsible bid meeting ANSI A92 certification requirements, with an hourly rate of \$485 per hour; and

WHEREAS, City staff recommends awarding Standard Tree Removal to Custom Tree Service as the lowest responsible bidder and awarding Power Line Clearing/Trimming to Dubois Tree & Land Management as the lowest responsive and responsible bidder meeting ANSI A92 certification requirements.

NOW THEREFORE BE IT RESOLVED BY THE HART CITY COUNCIL HEREBY:

1. The 3-year Standard Tree Removal contract to Custom Tree Service at a rate of \$275 per hour for standard tree removal, hauling, and disposal, and \$2.50 per inch for stump grinding; and
2. The 3-year Power Line Clearing/Trimming contract to Dubois Tree & Land Management at a rate of \$485 per hour as the lowest responsive and responsible ANSI A92 certified bidder.

BE IT FURTHER RESOLVED THAT the City Manager is authorized to execute the necessary agreements on behalf of the City.

- B. Root motioned to approve Resolution 2025-57 and was supported by K. Thomson
  - Ayes: 6 Nays: 0 Absent: 1

▪ Resolution 2025-58 Award 3-yr Directional Boring Contract to Wadel Stabilization

WHEREAS, the City of Hart issued a Request for Proposal dated October 21, 2025, seeking qualified contractors to provide directional boring services for the Hart Energy Department for the term December 1, 2025, through November 30, 2028; and

WHEREAS, two proposals were received by the November 11, 2025, deadline, one from Hallack Contracting Inc. and one from Wadel Stabilization Inc.; and

WHEREAS, the Hart Energy Department has reviewed all submitted pricing in accordance with the RFP requirements; and

WHEREAS, the bid comparison demonstrates that Wadel Stabilization Inc. is the lowest responsible bidder for the majority of bore types and footage categories included in the RFP; and

WHEREAS, the City of Hart finds it in the best interest of the City and its utility operations to award the three-year directional boring contract to the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL HEREBY:

Awards the 2025-2028 Directional Boring Contract to Wadel Stabilization Inc. and authorizes the City Manager to execute all necessary documents on behalf of the City.

- K. Thomson motioned to approve Resolution 2025-58 and was supported by B. Root
  - Ayes: 6 Nays: 0 Absent: 1

**DISCUSSION ITEMS:**

- Bid Solicitation for Plum Street Road and Right-of-Way Correction
- Temporary Patrol Officer Job Posting
- Starting Block Utilities
- Christmas Parade November 28<sup>th</sup>

### **CITY MANAGER'S REPORT:**

#### **Status of ongoing projects:**

- Hart Plaza Streetscape Project – RFP open to qualified contractors, Prebid meeting Dec. 5<sup>th</sup>, bids due Dec. 16<sup>th</sup>
- Ceres Solution – TIFA bids open with revised submission criteria and scoring outline, due by the end of February 2026, with expanded marketing efforts.
- Budget training kickoff meeting yesterday with the City manager, Treasurer, and consultant

#### **Staffing changes, policy updates, internal improvements**

- New policies are being introduced to staff next week regarding comp-time, tracking City assets, and time off requests. Beginning discussions with Clerk/Treasurer & department heads regarding FY26-27 Budgets.
- Officer is moving to light duty in December for medical reasons. Officer getting deployed in 2026 for 12 months.

#### **What's New:**

- I'm a Grandma again!
- Act 425 Agreement set to expire at the end of this year. 26 parcels will come into the City limits and onto the City's tax roll.
- Scott VanAgmeal case dismissed
- Chief Salazar sold HPD's sedan on MIbid for \$4050
- Getting quotes for mini-splits in HPD office and City manager's office (currently no heat or air)
- May need to develop a permit/application for right-of-way permits. Four requests received in the last week, with no ordinance or policy on how to process.
- City phone menus have been improved for quicker access to City hall staff.

#### **Events:**

- Christmas Parade November 28<sup>th</sup> at 6:30pm
- Small business Saturday, November 29<sup>th</sup> – support your local businesses

### **COMMUNICATIONS FROM THE MAYOR AND COUNCIL:**

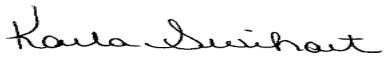
- C. Burillo – November 17<sup>th</sup> was the Hart Cemetery Board Meeting and approved the budget. Also, A. Mullen is now a voting member of the Hart Cemetery Board.
- Mayo Klotz – Happy Birthday to Betty Root on Tuesday, 90 years old. We'd like to thank you for all your dedicated years of service and your wealth of knowledge that you bring to the City.
- A. Mullen – HEART Board allocated funds towards marketing the Ceres Property. Lots of interesting things are coming down the road, which will be fun.

Flock cameras, the more and more I read about them the less and less I like them and I Know we approved as a board to have them installed in our town, throughout the summer and even today there are more and more issues with them and maybe we can have a discussion regarding having them installed in our City and maybe have that resolution rescinded and not move forward.

### **ADJOURN:**

- There being no further business to come before the Council, Mayor Klotz adjourned the meeting at 8:43 pm. The next regularly scheduled meeting will be on December 9<sup>th</sup>, 2025 7:30 pm.

Respectfully Submitted



Karla Swihart, City Clerk

| Payables Date 12.10.2025                   | Description                                | Total                | General +           | DPW                 | Energy               | BPTF                | Water               |
|--|--|----------------------|---------------------|---------------------|----------------------|---------------------|---------------------|
| ACE 1 Port-A-Potties                       | Portable Restroom - Hydro Disc Golf        | \$ 100.00            |                     |                     | \$ 100.00            |                     |                     |
| ACE 1 Port-A-Potties                       | Portable Restroom - JGP Boat Launch        | \$ 100.00            |                     |                     | \$ 100.00            |                     |                     |
| ACE 1 Port-A-Potties                       | Portable Restroom - Vet's Park             | \$ 175.00            |                     |                     | \$ 175.00            |                     |                     |
| Amazon                                     | Supplies                                   | \$ 119.76            |                     |                     | \$ 119.76            |                     |                     |
| Charter                                    | Internet                                   | \$ 71.05             |                     |                     | \$ 71.05             |                     |                     |
| Cintas                                     | Bathroom Supplies - Hart Commons 11/11     | \$ 63.17             | \$ 63.17            |                     |                      |                     |                     |
| Cintas                                     | Bathroom Supplies - Hart Commons 11/24     | \$ 51.64             | \$ 51.64            |                     |                      |                     |                     |
| City of Hart                               | Utility Bills                              | \$ 60,352.03         | \$ 2,617.27         | \$ 1,111.19         | \$ 1,910.32          | \$ 48,970.62        | \$ 5,742.63         |
| City Web Central                           | City of Hart Website Annual Renewal        | \$ 3,065.00          | \$ 3,065.00         |                     |                      |                     |                     |
| Dacott Energy Services                     | Power Purchase Report                      | \$ 650.00            |                     |                     | \$ 650.00            |                     |                     |
| Double Haul Solutions LLC                  | Executive Search - City Manager            | \$ 3,873.75          | \$ 3,873.75         |                     |                      |                     |                     |
| DTE Energy                                 | Natural Gas                                | \$ 1,858.69          | \$ 597.55           | \$ 261.78           | \$ 562.55            | \$ 349.41           | \$ 87.40            |
| Gentel, Dean                               | Hart Railroad Map for Historic District    | \$ 45.00             | \$ 45.00            |                     |                      |                     |                     |
| Gracon Services                            | Extra Lan Care Hours                       | \$ 1,760.00          | \$ 586.67           | \$ 293.33           | \$ 293.34            | \$ 293.33           | \$ 293.33           |
| Great Lakes Cleaning Services              | Nov 2025 Cleaning Services- CH/CC          | \$ 1,321.62          | \$ 1,321.62         |                     |                      |                     |                     |
| Hach Company                               | Chemicals                                  | \$ 316.91            |                     |                     |                      | \$ 316.91           |                     |
| Hansen Foods                               | Postage/Shipping                           | \$ 19.16             |                     |                     |                      | \$ 19.16            |                     |
| Hydrocorp LLC                              | Cross Connection Control Program           | \$ 764.00            |                     |                     |                      |                     | \$ 764.00           |
| Kendall Electric                           | Parts/Supplies                             | \$ 428.00            |                     | \$ 428.00           |                      |                     |                     |
| Kennedy Industries Inc                     | Programming Services                       | \$ 1,377.00          |                     |                     |                      | \$ 1,377.00         |                     |
| Klotz Auto Parts                           | Auto Parts/Supplies                        | \$ 343.72            |                     |                     |                      | \$ 44.14            |                     |
| Larson ACE Hardware                        | Parts/Supplies - Nov 2025 Statement        | \$ 2,109.66          | \$ 1,740.86         | \$ 105.00           | \$ 85.35             | \$ 178.45           |                     |
| LEAF                                       | Copier Fee - Past Due                      | \$ 54.57             | \$ 54.57            |                     |                      |                     |                     |
| LEAF                                       | Copier Fee                                 | \$ 49.61             | \$ 49.61            |                     |                      |                     |                     |
| Linde Gas & Equipment Inc                  | Cylinder Rental                            | \$ 87.67             |                     | \$ 87.67            |                      |                     |                     |
| Lineage Logistics                          | MPPA - C&I Program Energy Opt              | \$ 20,000.00         |                     |                     | \$ 20,000.00         |                     |                     |
| Mc Kenna                                   | Planning/Zoning Services                   | \$ 2,943.75          | \$ 2,943.75         |                     |                      |                     |                     |
| Medler Electric                            | Parts/Supplies                             | \$ 90.73             |                     |                     | \$ 90.73             |                     |                     |
| Metalloid                                  | Parts/Supplies                             | \$ 169.86            |                     | \$ 169.86           |                      |                     |                     |
| Michigan Municipal Treasurers Association  | Membership Dues                            | \$ 198.00            | \$ 198.00           |                     |                      |                     |                     |
| Mika Meyers                                | Legal Services                             | \$ 52.00             | \$ 52.00            |                     |                      |                     |                     |
| Mika Meyers                                | Legal Services                             | \$ 345.00            | \$ 345.00           |                     |                      |                     |                     |
| Mika Meyers                                | Legal Services                             | \$ 345.00            | \$ 345.00           |                     |                      |                     |                     |
| Mika Meyers                                | Legal Services                             | \$ 483.00            | \$ 483.00           |                     |                      |                     |                     |
| Mika Meyers                                | Legal Services                             | \$ 241.50            | \$ 241.50           |                     |                      |                     |                     |
| Mika Meyers                                | Legal Services                             | \$ 897.00            | \$ 897.00           |                     |                      |                     |                     |
| Mika Meyers                                | Legal Services                             | \$ 483.00            | \$ 483.00           |                     |                      |                     |                     |
| Misoft Utility Solutions                   | GIS System Support License                 | \$ 2,100.00          |                     |                     | \$ 2,100.00          |                     |                     |
| MMRMA                                      | Annual Policy Contribution                 | \$ 37,096.50         | \$ 12,241.84        |                     | \$ 15,951.50         | \$ 5,935.44         | \$ 2,967.72         |
| MMRMA                                      | Annual Retention Fund Contribution         | \$ 9,000.00          | \$ 2,970.00         |                     | \$ 3,870.00          | \$ 1,440.00         | \$ 720.00           |
| Model Coverall Service                     | Uniforms/Rags/Rugs                         | \$ 104.90            |                     |                     |                      | \$ 104.90           |                     |
| MPPA                                       | Purchased Power - 11/25                    | \$ 36,788.29         |                     |                     | \$ 36,788.29         |                     |                     |
| MPPA                                       | Purchased Power - 12/2                     | \$ 27,744.31         |                     |                     | \$ 27,744.31         |                     |                     |
| MWEA                                       | Annual Membership Dues - City Manager      | \$ 115.00            | \$ 115.00           |                     |                      |                     |                     |
| Napa Auto Parts                            | Auto Parts/Supplies                        | \$ 3.91              |                     |                     |                      | \$ 3.91             |                     |
| NCL of Wisconsin Inc                       | Lab Supplies                               | \$ 254.12            |                     |                     |                      | \$ 254.12           |                     |
| NTH Consultants, Ltd                       | Diesel Plant Consult                       | \$ 7,500.00          |                     |                     | \$ 7,500.00          |                     |                     |
| Office Machines Company                    | Copier Lease - PD                          | \$ 48.60             | \$ 48.60            |                     |                      |                     |                     |
| Power Line Supply                          | Uniforms                                   | \$ 126.00            |                     |                     | \$ 126.00            |                     |                     |
| Power Line Supply                          | Parts/Supplies                             | \$ 42.42             |                     |                     | \$ 42.42             |                     |                     |
| Power Line Supply                          | Credit Memo                                | \$ (382.88)          |                     |                     | \$ (382.88)          |                     |                     |
| Power Line Supply                          | Parts/Supplies                             | \$ 2,568.65          |                     |                     | \$ 2,568.65          |                     |                     |
| Power Line Supply                          | Parts/Supplies                             | \$ 1,414.69          |                     |                     | \$ 1,414.69          |                     |                     |
| Power Line Supply                          | Parts/Supplies                             | \$ 1,274.09          |                     |                     | \$ 1,274.09          |                     |                     |
| Quality Environmental Services             | Asbestos Abatement                         | \$ 8,000.00          | \$ 8,000.00         |                     |                      |                     |                     |
| Quill                                      | Office Supplies                            | \$ 24.99             | \$ 24.99            |                     |                      |                     |                     |
| Republic Services                          | Garbage Services - Bike Trail              | \$ 64.96             | \$ 64.96            |                     |                      |                     |                     |
| Republic Services                          | Garbage Services - Contract                | \$ 18,567.80         |                     | \$ 18,567.80        |                      |                     |                     |
| Republic Services                          | Garbage Services - Overages CH             | \$ 108.80            | \$ 108.80           |                     |                      |                     |                     |
| Republic Services                          | Garbage Services - JGP                     | \$ 676.79            | \$ 676.79           |                     |                      |                     |                     |
| Republic Services                          | Garbage Services - Washington Lot Dumpster | \$ 143.57            |                     | \$ 143.57           |                      |                     |                     |
| Republic Services                          | Garbage Services - Starling Block          | \$ 196.84            |                     |                     | \$ 196.84            |                     |                     |
| Ricoh                                      | Copier Overage Fees - CH                   | \$ 91.83             | \$ 91.83            |                     |                      |                     |                     |
| Schiller, Mike                             | Reimbursement Meals GLE Mutual Aid         | \$ 13.87             |                     |                     | \$ 13.87             |                     |                     |
| State of Michigan - EGLE                   | NPDES Annual Permit Fee - Energy           | \$ 150.00            |                     |                     | \$ 150.00            |                     |                     |
| State of Michigan - EGLE                   | NPDES Annual Permit Fee - WWTP             | \$ 1,950.00          |                     |                     |                      | \$ 1,950.00         |                     |
| Synowave                                   | Internet                                   | \$ 301.71            |                     |                     |                      | \$ 209.96           |                     |
| T & R Electric                             | Single Phase Pad Mounts W/O Taps           | \$ 19,357.83         |                     |                     | \$ 19,357.83         |                     |                     |
| Tanner Plumbing & Heating                  | Parts/Supplies                             | \$ 264.70            |                     |                     |                      | \$ 264.70           |                     |
| Vital Records/Shred                        | Shredding/Recycling                        | \$ 119.83            |                     | \$ 119.83           |                      |                     |                     |
| Wilson Chemical Solutions                  | Chemicals                                  | \$ 11,262.40         |                     |                     |                      | \$ 11,262.40        |                     |
|  | <b>Sub-total</b>                           | <b>\$ 292,500.37</b> | <b>\$ 44,517.60</b> | <b>\$ 21,559.53</b> | <b>\$ 142,873.71</b> | <b>\$ 72,974.45</b> | <b>\$ 10,575.08</b> |
| <b>HAND CHECKS/ACH/EFT</b>                 |  |                      |                     |                     |                      |                     |                     |
| <b>Sub-Total Regular Bills/Hand Checks</b> |  | <b>\$ 292,500.37</b> | <b>\$ 44,517.60</b> | <b>\$ 21,559.53</b> | <b>\$ 142,873.71</b> | <b>\$ 72,974.45</b> | <b>\$ 10,575.08</b> |
| <b>Gross Payroll</b>                       | PR249                                      | <b>\$ 92,800.80</b>  |                     |                     |                      |                     |                     |
| <b>Gross Payroll</b>                       | PR250 LONGEVITY/M. SCHILLER MUTUAL AID     | <b>\$ 39,649.95</b>  |                     |                     |                      |                     |                     |
| <b>Gross Payroll</b>                       |  |                      |                     |                     |                      |                     |                     |
|  | <b>Sub-Total</b>                           | <b>\$ 132,450.75</b> |                     |                     |                      |                     |                     |
|  | <b>GRAND TOTAL</b>                         | <b>\$ 424,951.12</b> | <b>\$ 44,517.60</b> | <b>\$ 21,559.53</b> | <b>\$ 142,873.71</b> | <b>\$ 72,974.45</b> | <b>\$ 10,575.08</b> |



City of Hart  
407 S. State St.  
Hart, MI 49420

**BOARDS – COMMITTEES – COMMISSIONS**

**APPLICATION FOR APPOINTMENT - REAPPOINTMENT TO  
SERVE ON CITY ADVISORY BOARDS – COMMITTEES - COMMISSIONS**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> Power Board      | <input checked="" type="checkbox"/> Planning Commission                |
| <input type="checkbox"/> Water/BioPure Board         | <input type="checkbox"/> City Council                                  |
| <input type="checkbox"/> Hart Lake Improvement Board | <input type="checkbox"/> Zoning Board of Appeals                       |
| <input type="checkbox"/> Housing Board of Review     | <input type="checkbox"/> Neglected Properties Board                    |
| <input type="checkbox"/> Park Committee              | <input type="checkbox"/> TIFA  |
| <input type="checkbox"/> Other _____                 | <input type="checkbox"/> Hart Economic & Redevelopment Team H.E.A.R.T. |

PLEASE CHECK OFF THE BOARDS/COMMITTEES/COMMISSIONS YOU ARE INTERESTED IN SERVING ON.

Name: Jim Evans Home Phone: 231-301-8117

Home Address: 410 S DRYDEN HART MI 49420

Employer Address: RETIRERD

Work Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email Address: JCEVANS490@YAHOO.COM

What special experience, education or interest do you have for serving on each of the board(s), committees(s), commissions(s) you selected?

Former MEMBER OF PLANNING COMMISSION

FORMER CITY COUNCIL MEMBER

What other board(s), committee(s), and commission do you currently serve on or have served on in the past?

CITY COUNCIL - LIBRARY - PLANNING - CEMETERY - HISTORIC DISTRICT

Signature: Jim Evans

Date: 11-8-2025

Please return completed application to:

City of Hart  
Rob Splane, City Manager  
407 S. State St.  
Hart, Michigan 49420  
Fax: 231-873-0100

City use only:

Date of Approval: \_\_\_\_\_

**CITY OF HART**  
Oceana County, Michigan

**Resolution 2025-59**

**APPROVAL OF REVOCABLE RIGHT-OF-WAY PERMIT – FRONTIER  
COMMUNICATIONS**

**(Johnson Street & State Street ROW – Fiber Service Drop)**

WHEREAS, Frontier Communications has requested permission to place a fiber service drop within the public right-of-way to serve the premises at 408 S State Street, Hart, Michigan; and

WHEREAS, the proposed work includes approximately 265 feet of underground boring within the rights-of-way of Johnson Street and State Street at a depth of 48 inches below grade; and

WHEREAS, the City Charter provides clear authority and requirements for the use of public rights-of-way by utilities, including:

- Section 14.5, which authorizes the City Council to grant temporary, revocable permits for public utilities by resolution, provided that such permits are not construed as franchises; and
- Section 14.6, which affirms the City's authority to regulate the use of its streets and public places, requires utilities to indemnify and hold the City harmless from damages arising from such use, and requires non-exclusive rights and joint use where reasonably practicable; and

WHEREAS, the City Council must ensure that all right-of-way approvals comply with these Charter provisions and include, at a minimum, the following conditions:

- Approval by resolution,
- Revocability at the will of the Council,
- Non-exclusive use of the right-of-way, and
- Full indemnification and hold-harmless protection for the City; and

WHEREAS, Frontier's request has been reviewed and is consistent with typical right-of-way utility use, subject to the conditions outlined herein.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hart hereby approves a revocable, non-exclusive right-of-way permit for Frontier Communications to install approximately 265 feet of fiber service drop within the Johnson Street and State Street public rights-of-way by boring to a depth of 48 inches to serve 408 S State Street, Hart, Michigan.

BE IT FURTHER RESOLVED that this permit is expressly conditioned upon:

1. The permit being revocable at any time at the will of the City Council.
2. The permit does not constitute a franchise or amendment to a franchise;
3. Frontier Communications indemnifying, protecting, and holding the City harmless from all damages arising from its use of the right-of-way;
4. The permit is non-exclusive, with the City retaining full authority to require joint use where practicable;
5. Compliance with all City engineering, restoration, inspection, and safety requirements; and
6. Compliance with all applicable state laws governing the utility

Ayes:        Nays:        Absent:

Date: \_\_\_\_\_

---

Karla Swihart, City Clerk

# 123828353 – 408 S STATE ST (SERVICE DROP)

**SCOPE OF WORK-** Crew to place a service drop of approx. total length 265' in the row of Johnson St via boring at depth 48" below the ground to serve the customer at 408 S State St, Hart, MI 49420, USA. Please call CYNTHIA DAVIS-DYKEMA @ 2312062108 prior to arrivals.



## Legend

- Pedestal
- Dig Pit
- Terminal
- Proposed Buried Drop
- Customer Location
- Work Boundary

FRONTIER CONTACT PERSON-  
Candy Taphouse  
(517-266-5755)  
candy.taphouse1@FTR.com

PEARCE CONTACT PERSON  
Dylan Banning  
805.956.3211  
PLEASE SEND APPROVALS  
@drops\_ftr\_permit@pearce-services.com



**CITY OF HART  
Oceana County, Michigan  
RESOLUTION 2025-60**

**Adoption of Food Truck / Transitory Food Service Unit Fee Schedule**

WHEREAS, the City of Hart enacted an ordinance regulating Transitory Food Service Units, requiring operators to obtain a permit prior to preparing, serving, selling, or distributing food within the City; and

WHEREAS, Sections 3 and 5 of the Ordinance expressly require that application and permit fees be set from time to time by resolution of the City Council, and that all fees be paid at the time an application is submitted; and

WHEREAS, City staff prepared a recommended fee structure establishing short-term, monthly, seasonal, and annual permits, together with associated administrative fees, consistent with the requirements of the Ordinance; and

WHEREAS, the Planning Commission reviewed and supported the proposed fee schedule during its regular meeting held November 6, 2025, and forwarded its recommendation to City Council; and

WHEREAS, the City Council finds the proposed fee schedule to be reasonable, consistent with the administrative needs of the ordinance, and necessary for proper implementation of the permitting process.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Hart hereby adopts the Food Truck / Transitory Food Service Unit Fee Schedule attached as Exhibit A, in compliance with the authority granted to the Council under Sections 3 and 5 of the Ordinance. The fee schedule shall take effect December 10, 2026, and shall remain in effect unless amended by future resolution.

Offered by: \_\_\_\_\_, Supported by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSENT: \_\_\_\_\_

I hereby certify this resolution was adopted by the Hart City Council at a regular meeting held on \_\_\_\_\_, 2025.

---

Karla Swihart, Clerk  
City of Hart, Michigan

**CITY OF HART**  
**Oceana County, Michigan**

**Exhibit A**

**Food Truck / Transitory Food Service Unit Fee Schedule**

Effective December 10, 2025

(As adopted by Resolution 2025-60)

**1. Application & Permit Fees**

| <b>Permit Type</b> | <b>Duration</b>           | <b>Fee</b> |
|--------------------|---------------------------|------------|
| Short-Term Permit  | Up to 14 consecutive days | \$50       |
| Monthly Permit     | 30 consecutive days       | \$100      |
| Seasonal Permit    | May 1 – October 31        | \$300      |
| Annual Permit      | January 1 – December 31   | \$450      |

**2. Additional / Optional Fees**

| <b>Fee Type</b>             | <b>Amount</b> |
|-----------------------------|---------------|
| Late Application Fee        | \$25          |
| Site Change / Amendment Fee | \$25          |
| Replacement Permit Fee      | \$10          |

**3. Special Event Exemption**

Food trucks operating as part of a City-sponsored or City-permitted special event are exempt from separate food truck permit fees, provided they meet all health department and insurance requirements.

Permits are non-transferable.

**4. Refunds and Transfers**

All fees are non-refundable once approved and may not be transferred between operators or vehicles.

**CITY OF HART**  
Oceana County, Michigan

**Resolution 2025-61**  
**MPPA Capacity Sale Authorization for FY 26/27**

The City Council of the City of Hart, Oceana County, Michigan, hereby resolves:

WHEREAS, the City of Hart owns and operates its municipal electric utility and participates in the Michigan Public Power Agency (MPPA) for purposes of power supply and energy market services; and

WHEREAS, MPPA has provided a Power Purchase Commitment Authorization for the sale of surplus capacity from the City of Hart Hydro Electric system for MISO Planning Year 2026/2027; and

WHEREAS, the authorization identifies the City's ability to sell up to 3,000 kW of capacity per month at a minimum authorized sale price of \$7.50 per kW-month, resulting in an estimated revenue of \$270,000 for the planning year; and

WHEREAS, participation in this capacity sale represents a financial benefit to the City and does not compromise the City's required capacity obligations within MISO Zone 7; and

WHEREAS, the Council finds it in the best interest of the City to authorize MPPA to execute the capacity sale transaction on behalf of the City of Hart.

NOW THEREFORE IT BE RESOLVED THAT the City Council of the City of Hart hereby authorizes the City Manager, as the Member Authorized Representative, to execute the Power Purchase Commitment Authorization with MPPA for the PY 26/27 capacity sale as described in the attached documentation.

BE IT FURTHER RESOLVED that the City Manager is authorized to complete any additional documents necessary to facilitate this transaction in accordance with the terms provided by MPPA.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

Date: \_\_\_\_\_

---

Karla Swihart, City Clerk



November 21, 2025

Subject: Power Purchase Commitment Authorization

City of Hart Hydro Electric ("Hart"), through its Member Authorized Representative, hereby authorizes a Capacity Sale, as described below, by Michigan Public Power Agency ("MPPA") on behalf of Hart at the following Quantity, Term, and minimum price levels. The capacity sold through this Authorization will be delivered into the Midcontinent Independent System Operator ("MISO") Local Resource Zone 7.

| Planning Year | Up to Capacity per Month (kW) | Minimum Authorized Sale Price (per kW Month) | Estimated Total \$ Revenue for Planning Year |
|---------------|-------------------------------|--|--|
| PY 26/27      | 3,000                         | \$7.50                                       | \$270,000                                    |

The Capacity Sale outlined above is the for the amount forecasted to be above Hart's MISO capacity requirements in the applicable forward planning year and represents an estimated transaction value of \$270,000.

Member Authorized Representative:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed

\_\_\_\_\_  
Date

**RESOLUTION 2025-62**  
**City Council**  
***City of Hart, Michigan***  
***Oceana County***

***DESIGNATE 2026 CITY COUNCIL MEETING DATES***

WHEREAS, the City is required to review and designate any changes to the regular schedule of City Council meetings prior to the beginning of the calendar year; and

WHEREAS, the Council meets on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month unless there is a holiday, or the Council cancels a meeting; and

WHEREAS, in 2025, there are no conflicts with City Council meetings and designated City holidays;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*The City Council meeting dates for the City of Hart for 2026 will be at 7:30 PM on the Second and Fourth Tuesday of each month as follows:*



**2026**

**Hart City Council**  
**Regular Meeting Schedule**

| January   |    |    |    |    |    |    | February |    |    |    |    |    |    | March    |    |    |    |    |    |    | April    |    |    |    |    |    |    |    |   |  |  |
|-----------|----|----|----|----|----|----|----------|----|----|----|----|----|----|----------|----|----|----|----|----|----|----------|----|----|----|----|----|----|----|---|--|--|
| S         | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  |    |   |  |  |
|           |    |    |    |    |    | 1  | 2        | 3  |    |    |    |    |    | 1        | 2  | 3  | 4  | 5  | 6  | 7  |          |    |    |    |    | 1  | 2  | 3  | 4 |  |  |
| 4         | 5  | 6  | 7  | 8  | 9  | 10 | 1        | 2  | 3  | 4  | 5  | 6  | 7  | 8        | 9  | 10 | 11 | 12 | 13 | 14 | 5        | 6  | 7  | 8  | 9  | 10 | 11 |    |   |  |  |
| 11        | 12 | 13 | 14 | 15 | 16 | 17 | 8        | 9  | 10 | 11 | 12 | 13 | 14 | 15       | 16 | 17 | 18 | 19 | 20 | 21 | 12       | 13 | 14 | 15 | 16 | 17 | 18 |    |   |  |  |
| 18        | 19 | 20 | 21 | 22 | 23 | 24 | 15       | 16 | 17 | 18 | 19 | 20 | 21 | 22       | 23 | 24 | 25 | 26 | 27 | 28 | 19       | 20 | 21 | 22 | 23 | 24 | 25 |    |   |  |  |
| 25        | 26 | 27 | 28 | 29 | 30 | 31 | 22       | 23 | 24 | 25 | 26 | 27 | 28 | 29       | 30 | 31 |    |    |    |    | 26       | 27 | 28 | 29 | 30 |    |    |    |   |  |  |
| May       |    |    |    |    |    |    | June     |    |    |    |    |    |    | July     |    |    |    |    |    |    | August   |    |    |    |    |    |    |    |   |  |  |
| S         | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  |    |   |  |  |
|           |    |    |    |    |    | 1  | 2        |    |    |    |    |    |    | 1        | 2  | 3  | 4  | 5  | 6  | 7  |          |    |    |    |    | 1  |    |    |   |  |  |
| 3         | 4  | 5  | 6  | 7  | 8  | 9  | 7        | 8  | 9  | 10 | 11 | 12 | 13 | 14       | 15 | 16 | 17 | 18 | 19 | 20 | 5        | 6  | 7  | 8  | 9  | 10 | 11 |    |   |  |  |
| 10        | 11 | 12 | 13 | 14 | 15 | 16 | 14       | 15 | 16 | 17 | 18 | 19 | 20 | 21       | 22 | 23 | 24 | 25 | 26 | 27 | 12       | 13 | 14 | 15 | 16 | 17 | 18 |    |   |  |  |
| 17        | 18 | 19 | 20 | 21 | 22 | 23 | 21       | 22 | 23 | 24 | 25 | 26 | 27 | 28       | 29 | 30 |    |    |    |    | 19       | 20 | 21 | 22 | 23 | 24 | 25 |    |   |  |  |
| 24        | 25 | 26 | 27 | 28 | 29 | 30 |          |    |    |    |    |    |    | 28       | 29 | 30 |    |    |    |    | 26       | 27 | 28 | 29 | 30 | 31 |    |    |   |  |  |
| 31        |    |    |    |    |    |    |          |    |    |    |    |    |    |          |    |    |    |    |    |    | 30       |    |    |    |    |    |    |    |   |  |  |
| September |    |    |    |    |    |    | October  |    |    |    |    |    |    | November |    |    |    |    |    |    | December |    |    |    |    |    |    |    |   |  |  |
| S         | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  |    |   |  |  |
|           |    |    |    |    |    | 1  | 2        | 3  | 4  | 5  |    |    |    | 1        | 2  | 3  | 4  | 5  | 6  | 7  |          |    |    |    |    | 1  |    |    |   |  |  |
| 6         | 7  | 8  | 9  | 10 | 11 | 12 | 4        | 5  | 6  | 7  | 8  | 9  | 10 | 11       | 12 | 13 | 14 | 15 | 16 | 17 | 18       | 6  | 7  | 8  | 9  | 10 | 11 | 12 |   |  |  |
| 13        | 14 | 15 | 16 | 17 | 18 | 19 | 11       | 12 | 13 | 14 | 15 | 16 | 17 | 18       | 19 | 20 | 21 | 22 | 23 | 24 | 25       | 13 | 14 | 15 | 16 | 17 | 18 | 19 |   |  |  |
| 20        | 21 | 22 | 23 | 24 | 25 | 26 | 18       | 19 | 20 | 21 | 22 | 23 | 24 | 25       | 26 | 27 | 28 | 29 | 30 | 31 | 22       | 23 | 24 | 25 | 26 | 27 | 28 |    |   |  |  |
| 27        | 28 | 29 | 30 |    |    |    | 25       | 26 | 27 | 28 | 29 | 30 | 31 |          |    |    |    |    |    |    | 27       | 28 | 29 | 30 | 31 |    |    |    |   |  |  |
|           |    |    |    |    |    |    |          |    |    |    |    |    |    | 29       | 30 |    |    |    |    |    |          |    |    |    |    |    |    |    |   |  |  |

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

Karla Swihart, City Clerk

**RESOLUTION 2024-63**  
**City Council**  
***City of Hart, Michigan***  
***Oceana County***

**CANCEL CITY COUNCIL MEETING ON DECEMBER 23, 2025**

WHEREAS, the second December Regular City Council Meeting is scheduled for December 23, 2025; and

WHEREAS, the City Council has historically cancelled this meeting due to its close proximity to the holidays, allowing council members and staff the opportunity to spend time with family and friends; and

WHEREAS, the City Charter provides that a special meeting may be called at any time at the request of the mayor or any two council members, should urgent business or emergencies arise; 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 of the City of Hart cancels the regularly scheduled City Council meeting of December 23, 2025, unless reinstated by request of two council members or the mayor, or if a special meeting is required to conduct city business.

Ayes:      Nays:      Absent:

Date: \_\_\_\_\_

---

Karla Swihart, City Clerk



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Nichole Kleiner, City Manager  
**Date:** December 9, 2025  
**Subject:** **Discussion Item – Water Supply and Pressure Concerns for Seneca Foods Fire Suppression System**

The purpose of this memo is to summarize the City's ongoing discussions with Seneca Foods regarding the insufficient water pressure and volume needed to operate the fire suppression system in their new warehouse. Despite several attempts to improve service to this location, the system continues to fall short of the required 1,000 gpm at 20 psi, leaving the facility without compliant fire protection.

Engineering reviews completed by Prein & Newhof and shared with both parties identified several potential solutions. Two options involved extending the high-pressure system from the west side of the City, but were determined to be cost-prohibitive. Additional options included:

- A dedicated high-pressure service from the east tower serving only Seneca, or
- Installation of a large surge tank on Seneca's property, functioning as a private reservoir to meet pressure and flow requirements.

A central point of discussion remains cost responsibility. The City's position is that a dedicated system benefiting only Seneca would be its financial responsibility to construct and maintain. Seneca maintains that the City is responsible for providing adequate pressure at the point of connection, with Seneca responsible only for internal improvements.

The City Manager and Public Works Superintendent met with Dirk Williams and Rachel, Seneca's internal engineer, on 11/21/25. The City shared its long-standing capital improvement priority—the “North Oceana Loop,” approximately 4,300 feet of 8-inch water main along Oceana Drive. This project would improve system reliability, strengthen the east side, and directly benefit the area near Seneca's connection. While the City continues seeking funding for this project, it cannot presently proceed due to other critical system obligations, including lead service line replacements.

Seneca has expressed interest in contributing to the construction of the portion of the loop necessary to meet their fire suppression needs, contingent upon the City establishing a reimbursement mechanism for any portion that supports the City's broader system rather

than dedicated Seneca service. The city would determine the appropriate cost-recovery structure in compliance with Michigan law and continue pursuing grant opportunities to offset future obligations.

Seneca continues to work with Prein & Newhof to evaluate viable options. Any design, construction, or reimbursement structure will require mutual agreement, clarity on ownership, and defined long-term responsibilities.

Staff will continue exploring reimbursement pathways and funding opportunities and will return to Council as cost estimates, engineering details, and feasible solutions become more defined.

# Security Claims & Facts

**CLAIM**

Flock has inadequate security standards.

**FACT**

Flock is relentlessly focused on data integrity and security, and secures data in accordance with the highest industry requirements. This includes strict encryption standards that use a 256-bit key to convert plain text into cipher – virtually impenetrable to brute-force attacks. Flock adheres to the following security frameworks and certifications, amongst others:

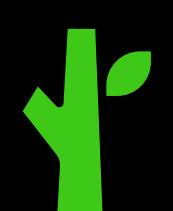
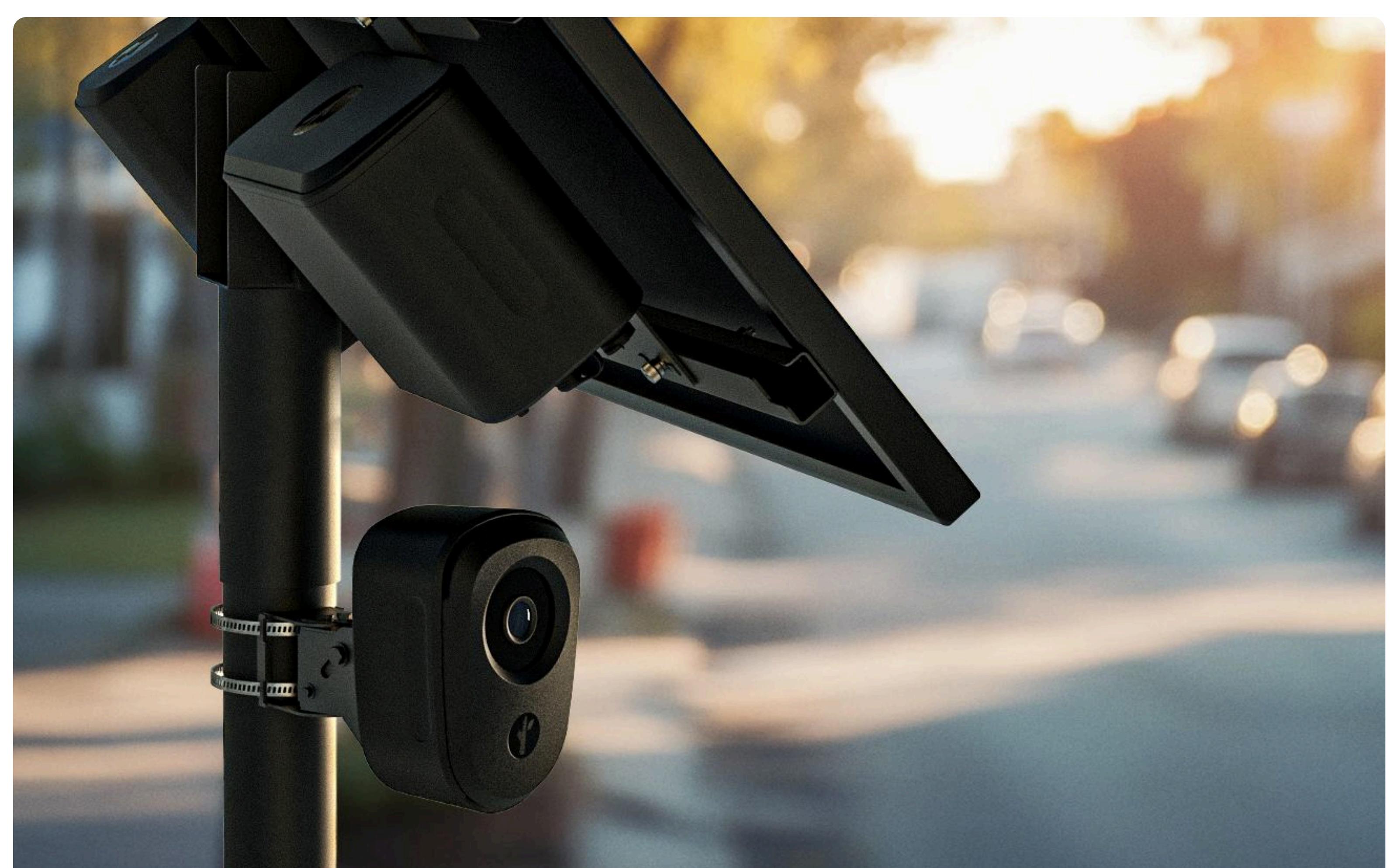
- ISO 27001 compliance certification (an international framework for IT security)
- SOC 2 Type II, assessed by an audit that assesses an organization's controls over its data and system
- NIST 800-53, an information security standard defined by the National Institute of Standards and Technology (NIST)
- Secure By Design principles program authored by the Cybersecurity and Infrastructure Security Agency (CISA)

**CLAIM**

Flock has been hacked.

**FACT**

Flock's platform has never been hacked. A recent YouTube video claims "80,000 cameras" have been hacked. This is false. The YouTuber in question gained limited access to one older generation camera that had never been connected to our system and had never received a security update, which we push out frequently. Flock cameras are not connected to each other; access to one does not provide access to any others. No access to Flock's cloud environment is possible via a camera. All customer data collected by Flock devices is encrypted at rest, in transit, and while stored in the cloud. Flock's cloud storage has never been compromised.



# Flock Safety

## CLAIM

It is possible to hack into Flock's cloud database from a Flock camera.

## FACT

It is not possible to hack into Flock's cloud database from a Flock camera. Alleged vulnerabilities circulating on the internet have no effect on our cloud platform, where evidence and metadata is stored. Images sent to the cloud are fully encrypted in transit.

## CLAIM

Flock does not update our hardware or mitigate identified vulnerabilities in our hardware system.

## FACT

Flock publicly discloses identified vulnerabilities on a regular basis to the public vulnerability database maintained by MITRE, most recently in May 2025. Vulnerability identification and remediation is an ongoing process.

## CLAIM

Flock does not require Multi-Factor Authentication for customers.

## FACT

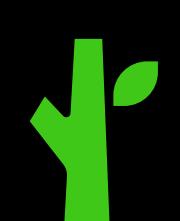
In November 2024, Flock made Multi-Factor Authentication (MFA) the default for all users, supported through common providers including Okta and Google Authenticator. For Single Sign-On (SSO), Flock supports multiple authentication methods including SAML, OIDC, and Azure-specific SSO. Following the decision to make MFA default, Flock proactively conducted outreach to thousands of law enforcement agencies to help them enable MFA, and the vast majority of Flock's law enforcement customers now use either MFA or SSO.

## CLAIM

Foreign adversaries have access to the Flock system.

## FACT

There is zero evidence that foreign actors have or have had any access whatsoever to Flock's system or cloud platform.





## MEMORANDUM

**To:** Honorable Mayor and City Council

**From:** Nichole Kleiner, City Manager

**Date:** December 9, 2025

**Subject:** Cemetery Grading Easement – Request for City and Township Signatures

### Purpose

To provide background and request Council discussion on the execution of a Temporary Grading Easement required for the Safe Routes to School (SRTS) Pathway Project.

### Background

The grading work for the SRTS pathway impacts a portion of the cemetery property located at 513 Water Street. A draft Temporary Grading Easement is included in the packet. Metro Consulting has advised that both the City of Hart and Hart Township should sign the easement, rather than the Cemetery Commission.

This recommendation is based on the historical framework established in the 1978 Cemetery Contract between the City and Township. Under that agreement, the municipalities jointly acquired ownership of the cemetery property and created a five-member Cemetery Commission to administer operations.

While the Commission manages the cemetery, it does not hold ownership of the real property and does not have authority to execute property interests such as easements. The signature page from the 1978 agreement confirms that the City and Township—not the Commission—are the governing authorities over cemetery real estate.

### Easement Summary

The easement grants a temporary 4,918 sq ft grading area to support construction of the SRTS pathway. Restoration of the area, protection of existing trees and landscaping, and expiration terms (project completion or December 31, 2030) are included as standard conditions.

### Discussion Requested

Staff seeks Council direction on whether the City wishes to proceed with executing the easement as drafted and determining who should sign the document, recognizing that:

- The City and Township are the legal property owners;
- The Cemetery Commission does not hold authority to grant easements; and
- The consultant has formatted the document in recordable form, requiring signatures from both municipalities.

Based on Council discussion, staff will coordinate with Hart Township and Metro Consulting on next steps.

**TEMPORARY GRADING EASEMENT**  
**CITY OF HART-SAFE ROUTES TO SCHOOL PATHWAY PROJECT**

**KNOW ALL PEOPLE** by these presents, that the **CITY OF HART**, whose mailing address is P.O. Box 813, 407 State Street, Hart, MI 49420, and the **HART TOWNSHIP**, whose address is 3437 W. Polk Road, Hart, MI 49420, **(Grantors) hereby agree**,

**FOR AND IN CONSIDERATION** of the sum of **Less Than Hundred Dollars (\$100.00)**, on the following parcel: Tax ID# 020-350-002-00, City of Hart, Oceana County, MI, commonly known as at 513 Water Street, Hart, MI 4942,

**DOES HEREBY GRANT** to the **CITY OF HART, (Grantee)** a **4,918-square feet (0.113 Acres)** **Temporary Grading Easement** ( Easement), see EXHIBIT A to the Grantee for the project known as CITY OF HART, SAFE ROUTE TO SCHOOL PROJECT, in cooperation with the Michigan Department of Transportation (MDOT), and the Federal Highway Administration (FHWA), dated June 2024, JOB NO. 213283, CONTROL SECTION NO. TA 64000 (Project),

As part of Project, the Grantee shall:

1. The right to enter the property in the designated area to perform earthwork and grading activities as designed and to restore the impacted surfaces to similar conditions as designed on said Project Plans.
2. Protect the trees adjacent to the Temporary Grading Easement. Said trees shall not be removed. Said trees are identified on the plans STA 122+00+/- through 131+70+/-.
3. Protect the steps and landscaping adjacent to the Easement and the building STA 124+00+/- through STA 125+00+/-.
4. Improvements and restoration are without cost to the landowners and intended to benefit the landowners to smoothly blend together the subject property with the new pathway.
5. Said Temporary Grading Easement shall expire upon completion of the project or upon December 31, 2030, whichever comes first.

**IN WITNESS WHEREOF**, the undersigned has hereunto affixed their signature this  
\_\_\_\_ day of \_\_\_\_\_, 2026.

## **HART TOWNSHIP:**

By:  
Title:

STATE OF MICHIGAN )  
 ) ss  
COUNTY OF OCEANA )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2065, before me, a Notary Public, in and for said County, personally appeared \_\_\_\_\_, on behalf of HART TOWNSHIP executed the within instrument and acknowledged the same to be his/her free act and deed.

County Notary Public

My Commission Expires: \_\_\_\_\_

## Acting in County

**IN WITNESS WHEREOF**, the undersigned has hereunto affixed their signature this  
\_\_\_\_ day of \_\_\_\_\_, 2026.

## **CITY OF HART:**

By:  
Title:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2026, before me, a Notary Public, in and for said County, personally appeared \_\_\_\_\_, on behalf of the CITY OF HART, who executed the within instrument and acknowledged the same to be his/her free act and deed.

County Notary Public

My Commission Expires:

Acting in County

Prepared by, and after recording return to:

Gail Morton  
Metro consulting Associates  
809 Drury Lane  
Portage, MI 49002-4324  
269-350-1574