

City of Hart, Michigan
CITY COUNCIL AGENDA
May 26, 2026, 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 May 12, 2026
 - 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. Ordinances
 - a. Second Reading - Ordinance 1242.07, “Moratorium on Data Centers”
Action Requested: Consider adoption of Ordinance No. 1242.07 following the second reading
 - b. Second Reading - Ordinance 1243.28f - Pervious Surfaces, 1243.22 – Native Vegetation, and 1243.22G - Tree Planting, Maintenance, and Removal
Action Requested: Consider adoption of Ordinance No. 1243.22 following the second reading
 - c. Second Reading - Ordinance 1243.04 Limitations on Lot Splits
Action Requested: Consider adoption of Ordinance No. 1243.04 following the second reading
8. Action Items
 - a. Resolution 2026-26 *Authorize Hart Area Fire Department Budget Contribution*
9. Discussion Items
10. City Manager Report
 - a. FY26-27 Budget Review (Priorities, Key Considerations, and Financials by Fund)
11. Communications from the Mayor and Council (Including board and committee updates)
 - a. City Manager Review
 - i. *Motion to enter into Closed Session pursuant to Section 8(a) of the Michigan Open Meetings Act, MCL 15.268(a), to conduct the six-month performance evaluation of the City Manager.*
12. Adjournment –



CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
May 12th, 2026
MINUTES – Draft

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, Utility Biller and Economic & Community Development Coordinator – Lindsay Brown, BioPure Superintendent – Paul Cutter, Hart Police Chief – Juan Salazar, Sharon Hallack, Christine Juska, Chris Klotz, and Troy Maloney

APPROVAL OF AGENDA:

- B. Root motioned to agenda was supported by C. Burillo
 - Ayes: 7 Nays: 0 Absent: 0

PUBLIC COMMENTS:

- City Manager read a letter from Rogelio Miguel-Lopez
We come here tonight to ask for help please. We need a solution, taxes are increasing every year and as a landlord I cannot keep increasing the rent every year. We have many tenants who rely on government assistance and struggle to make ends meet. This April we even have a tenant who was helped by the church to cover the rent. Imagine in 15-20 years, I might have to pay more in taxes than what I make. It's not fair to the tenants who pay so much for an apartment that stays the same size every year. It is necessary for a solution to this problem. I want to personally invite you to see the apartment and put yourself in the tenant's shoes. If no solution is found, can you help us find someone who will? I will repeat myself again lets say in 15-20 years I will be paying more in taxes than what I make.
Esta es la direccion de mis a partamentos
504 s union st hart mi 49420
514 s Dryden st hart mi 49420
Asi como yono hablo ingles pago mis impuestos del candado de oceana

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Hart Area Fire Department Joint Agreement Overview, Troy Maloney, Emergency Manager

CONSENT AGENDA:

- Approval of minutes from April 28th, 2026
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Resolution 2026-13A Correcting the certified street length for Act 51 compliance – no change to the underlying acceptance.
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - B. Root motioned to approve the Consent Agenda, and was supported by K. Thomson
 - Ayes: 7 Nays: 0 Absent: 0

ORDINANCES:

SEE PLANNING COMMISSION MINUTES 05/07/2026 FOR ORDINANCE @ www.cityofhart.org under Services, Forms and Publications.

- First Reading – Ordinance 1242.07, “Moratorium on Data Centers”
- First Reading – Ordinance 1243.28f – Pervious Surfaces, 1243.22 – Native Vegetation, and 1243.22G -Tree Planting, Maintenance, and Removal
- First Reading – Ordinance 1243.04 Limitations on Lot Splits

ACTION ITEMS:

- Resolution 2026-17 Opposing House Bill on Zoning Changes
 WHEREAS, local governments in Michigan are granted authority under state law to plan and regulate land use in a manner that reflects the unique needs, infrastructure, and character of their communities; and
 WHEREAS, local officials are best positioned to balance housing needs with infrastructure capacity, public safety, environmental considerations, and long-term community planning goals; and
 WHEREAS, House Bills 5529-5532 and 5581-5585, currently under consideration in the Michigan Legislature, would impose statewide zoning mandates that preempt local authority on matters including, but not limited to, duplexes, accessory dwelling units (ADU’s), minimum lot sizes, setbacks, and minimum dwelling sizes; and
 WHEREAS, these bills would limit the City’s ability to implement zoning standards tailored to local conditions and infrastructure capacity; and
 WHEREAS, while the City of Hart supports efforts to address housing availability and affordability, effective solutions require collaboration with local governments and recognition of community-specific needs; and
 WHEREAS, one-size fits-all mandates risk undermining thoughtful local planning efforts, infrastructure investments, and community-supported development strategies.

NOW THEREFORE BE IT RESOLVED THAT:

The City of Hart hereby opposes House Bills 5529-5532 and 5581-5585 and any similar legislation that would preempt local zoning authority.

The City of Hart urges the Michigan Legislature to work collaboratively with local governments to develop housing solutions that respect local planning and infrastructure realities.

The City of Hart reaffirms its commitment to supporting housing solutions that are locally driven, Balanced, and responsive to community needs.

The City Clerk is directed to transmit a copy of this resolution to the Governor, State Representative Curt VanderWall, State Senator Jon Bumstead, and the Michigan Municipal League.

- B. Root motioned to approve Resolution 2026-17 and was supported by J. Cunningham
 - Ayes: 5 Nays: 2 Absent: 0

- Resolution 2026-23 Deposit of Unclaimed Funds Held by the Police Department
 WHEREAS, the Hart Police Department currently holds certain monies in its property room associated with closed or inactive cases in which the funds were found, and no rightful owner has been identified or has come forward to claim them; and
 WHEREAS, the following case numbers and amounts have been identified for disposition:
 - Case No. 24-0931 - \$5 , Case No. 24-0757 - \$60, Case No. 24-0465 - \$1, Case No 25-1310 - \$60, Case No 25-1088 - \$1, Case No. 24-1030 - \$4, Case No 22-1367 - \$370, for a total of \$501; and
 WHEREAS, an additional amount consisting of approximately 100 pennies is also held in the property room with no associated report or identifiable owner; and
 WHEREAS, reasonable efforts have been made to identify and locate any rightful owners, and no claims have been made; and
 WHEREAS, it is in the best interest of the City to authorize the proper disposition of these unclaimed funds.
 NOW, THEREFORE BE IT RESOLVED THAT the Hart City Council hereby,

Authorizes the Hart Police Department to release and deposit the above-referenced funds, totaling approximately \$502, into the City's General Fund; and

BE IT FURTHER RESOLVED THAT the Chief of Police or his/her designee is authorized to complete any necessary documentation to effectuate this transfer.

- A. Mullen motioned to approve Resolution 2026-23 and was supported by C. Burillo
 - Ayes: 7 Nays: 0 Absent: 0

▪ Resolution 2026-24 Award Timber Harvest Bid for West lever Rd Property

WHEREAS, the City of Hart solicited bids for the harvesting of approximately 479 trees located on the City owned 41-acre parcel off West Lever Road; and

WHEREAS, the City received the following bids:

- Northwest Hardwoods, Inc. - \$31,651.00
- Atwood Timber & Lumber, Inc. - \$27,125.00; and

WHEREAS, Northwest Hardwoods, Inc. submitted the highest responsible bid; and

WHEREAS, the City Council finds it to be in the best interest of the City to authorize the award of the timber harvest bid and deposit the proceeds into the General Fund under "Sale of Property."

NOW THEREFORE BE IT RESOLVED THAT the Hart City Council hereby

Authorizes the City Manager to award the timber harvest bid to Northwest Hardwoods, Inc. in the amount of \$31,651.00 for the harvesting of trees identified on the City-owned property off West Lever Road.

BE IT FURTHER RESOLVED that proceeds from the timber harvest shall be deposited into the City's General Fund under "Sale of Property."

- A. Mullen motioned to approve Resolution 2026-24 and was supported by K. Thomson
 - Ayes: 7 Nays: 0 Absent: 0

▪ Resolution 2026-25 Approve Transfer of Surplus Vehicle to Hart Cemetery

WHEREAS, the City of Hart Department of Public Works currently owns a 2008 Ford F250 XL Super Duty, VIN 1FTNF215X8ED66038, with approximately 67,225 miles; and

WHEREAS, the vehicle is no longer needed for City operations and has been determined to be surplus property; and

WHEREAS, the estimated fair market value of the vehicle is approximately \$3,445 according to Kelley Blue Book, however the vehicle is no considered suitable for regular road driving and will be transferred in as-is condition with no warranties expressed or implied; and

WHEREAS, Councilmember Mullen, who serves on the Hart Cemetery Board, shared that the Hart Cemetery needs a vehicle for maintenance and work on the cemetery property; and

WHEREAS, the City Council finds that transferring the vehicle to the Hart Cemetery Board for continued public use and maintenance purposes serves a valid public purpose and is in the best interest of the community;

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

Declares the following vehicle surplus property:

2008 Ford F250 XL Super Duty

VIN: 1FTNF215X8ED66038

BE IT FURTHER RESOLVED that the Hart City Council approves the transfer of the vehicle to the Hart Cemetery Board for nominal consideration of \$1.00, in as-is condition, with no warranties expressed or implied.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute all documents necessary to complete the transfer of ownership

- C. Burillo motioned to approve Resolution 2026-25 and was supported by A. Mullen
 - Ayes: 7 Nays: 0 Absent: 0

DISCUSSION ITEMS:

- Memo to Council Regarding the Starting Block

The Starting Block was established in 2008 as one of Michigan's first shared-use commercial kitchen incubators intended to support entrepreneurship, food-based business development, and job creation. The City acquired the building at 1535 Industrial Park Drive for approximately \$400,000 using MEDC/CDBG and federal grant funding totaling approximately \$500,000

Under the ordinal lease-management agreement, the Starting Block was expected to maintain operations, fulfill grant obligations, create jobs, maintain and governing board and manage succession planning, and ultimately become self-sustaining. The agreement also contemplated transfer of ownership after 15 years contingent upon fulfillment of obligations and remaining in good standing. The lease expired approximately two years ago and has not been renewed.

While The Starting Block continues to provide value as one of only a small number of USDA-certified shared use-commercial kitchens in Michigan and currently houses several small businesses, the organization is currently facing several challenges including:

- Inability to replace its director,
- Lack of a long-term operational plan,
- Board frustration regarding organizational needs,

Financial statements provided by the organization indicate approximately \$125,000 cash reserves, which allow operations to continue in the short term. However, the City remains responsible for publicly owned building with ongoing maintenance and capital needs and there is currently no active lease agreement governing expectations between the parties.

Given the City's long-term financial involvement and ownership responsibilities, I am requesting Council direction regarding potential next steps. Discussion options may include:

- Requiring the Starting Block Board to submit a long-term operational sustainability plan within a defined timeframe,
- Evaluating the fair market value and future redevelopment potential of the property,
- Holding a public informational meeting regarding the status and future of The Starting Block,
- Creating a stakeholder or advisory group to explore restructuring or preservation efforts,
- Negotiating a new lease agreement with defined operational expectations,
- Or discussing long-term transition or exit strategies.

At this time, I am seeking Council feedback regarding the City's desired role moving forward and whether continued public support of the current model aligns with Council priorities and community expectations.

CITY MANAGER'S REPORT:

Status of ongoing projects:

I GOT THE WATER TOWER EASEMENT AGREEMENT SIGNED!

Events

- Thrift and Gift Crawl May 15-16 throughout Hart and Pentwater

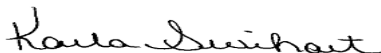
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mayor Klotz reminded council to complete city manager 6 month review forms and return to city hall by 5/19/26

ADJOURN:

- There being no further business to come before the Council, Mayor Klotz adjourned the meeting at 8:54pm. The next regularly scheduled meeting will be on May 26th, 2026, at 7:30 pm.

Respectfully Submitted,



Karla Swihart, City Clerk

Payables Date 05.27.2026	Description	Total	General +	DPW	Energy	BPTF	Water
AAA Sling Industrial Supply	Parts/Supplies	\$ 156.17			\$ 156.17		
Absopure	Water	\$ 41.91			\$ 41.91		
ACE 1 Port-A-Potties	Portable Restroom - Disc Golf Course	\$ 100.00			\$ 100.00		
ACE 1 Port-A-Potties	Portable Restroom - Vets Park	\$ 175.00			\$ 175.00		
ACE 1 Port-A-Potties	Portable Restroom - JGP Boat Launch	\$ 100.00	\$ 100.00				
Blue Cross Blue Shield of MI	Retirees Health Insurance	\$ 3,709.98	\$ 2,061.10		\$ 1,648.88		
Charter	Internet - Hart Commons	\$ 125.00	\$ 125.00				
Chragepoint	EV Charging Stations -3 YR Renewal	\$ 5,290.00			\$ 5,290.00		
Custom Tree Service	Firewood Bundles - JGP	\$ 900.00	\$ 900.00				
Election Source	Equipment Testing Special Election - 5/6	\$ 509.00	\$ 509.00				
Fidelity Language Resources	Interpreter City Council	\$ 140.00	\$ 140.00				
First Net	Dept. Hotspots	\$ 306.18	\$ 43.74		\$ 174.96	\$ 43.74	\$ 43.74
Frontier	Fiber Internet - JGP	\$ 99.99	\$ 99.99				
Gracon	GSI:Data Protect cloud - 1YR	\$ 741.28	\$ 247.09	\$ 123.54	\$ 123.55	\$ 123.55	\$ 123.55
Gracon	1 Block LAN Extra Care Hours	\$ 1,760.00	\$ 586.67	\$ 293.33	\$ 293.34	\$ 293.33	\$ 293.33
Great Lakes Cooperative	Utilities	\$ 73.33				\$ 73.33	
IDEXX	Lab Supplies	\$ 32.90				\$ 32.90	
Keystone Cooperative	Fuel	\$ 689.74				\$ 689.74	
Lawson-Fischer	2026 DAM Licensing Requirements	\$ 2,218.25			\$ 2,218.25		
Mason-Oceana 911	PD Radio Activation Fee	\$ 250.00	\$ 250.00				
Mika Meyers	Legal Services	\$ 172.50	\$ 172.50				
MPPA	Purchased Power - 5/12	\$ 65,187.96			\$ 65,187.96		
MPPA	May 2026 Billing Summary	\$ 103,800.56			\$ 103,800.56		
MPPA	Purchased Power - 5/19	\$ 27,280.48			\$ 27,280.48		
NCL of Wisconsin	Lab Supplies	\$ 1,661.92				\$ 1,661.92	
NYE Uniform Company	Uniforms	\$ 161.36	\$ 161.36				
Oceana County Road Commission	Sand/Salt/Cold Patch & State St Flasher Light	\$ 2,414.40		\$ 2,392.36	\$ 22.04		
Office Machines	Copier Lease Payment - PD	\$ 52.49	\$ 52.49				
Power Line Supply	Uniforms	\$ 350.00			\$ 350.00		
Power Line Supply	Parts/Supplies	\$ 46.61			\$ 46.61		
Power Line Supply	Parts/Supplies	\$ 4,898.25			\$ 4,898.25		
Power Line Supply	Credit Memo	\$ (4,725.00)			\$ (4,725.00)		
Power Line Supply	Parts/Supplies	\$ 475.40			\$ 475.40		
Power Line Supply	Parts/Supplies	\$ 660.00			\$ 660.00		
Power Line Supply	Parts/Supplies	\$ 152.75			\$ 152.75		
Power Line Supply	Parts/Supplies	\$ 97.40			\$ 97.40		
Steve's Auto & Truck	Service/Repairs - 2022 Ford PD	\$ 275.00	\$ 275.00				
Swihart, Karla	Mileage Reimbursement -MMTA Conference	\$ 175.45	\$ 175.45				
T & R Electric	Single Phase Pole Mounts W/O Taps	\$ 5,060.90			\$ 5,060.90		
Verizon	Office Phones	\$ 438.46	\$ 270.66	\$ 29.36	\$ 109.08	\$ 29.36	
Verizon	Dept. Phones	\$ 604.38	\$ (24.82)	\$ 259.12	\$ 96.71	\$ 273.37	
Vital Records/Vital Shred	Shredding/Recycling Services	\$ 119.83	\$ 119.83				
Wells Fargo - RICOH	Copier Lease Payment - CH	\$ 143.20	\$ 143.20				

	Sub-total	\$ 226,923.03	\$ 6,408.26	\$ 3,097.71	\$ 213,735.20	\$ 3,221.24	\$ 460.62
<u>HAND CHECKS/ACH/EFT</u>							
	Sub-Total Regular Bills/Hand Checks	\$ 226,923.03	\$ 6,408.26	\$ 3,097.71	\$ 213,735.20	\$ 3,221.24	\$ 460.62
Gross Payroll	PR 263	\$ 79,952.22					
Gross Payroll							
Gross Payroll							
	Sub-Total	\$ 79,952.22					
	GRAND TOTAL	\$ 306,875.25	\$ 6,408.26	\$ 3,097.71	\$ 213,735.20	\$ 3,221.24	\$ 460.62



City of Hart Police Department

407 State Street

Ph. (231)873-2488 Fax (231)873-0100

Hart, MI 49420-1259

Juan Salazar, Chief

TO: City of Hart Mayor, City Council, and City Manager
FROM: Juan Salazar, Chief of Police
DATE: May 26th, 2026

RECENT EVENTS

From Thursday, May 7th, 2026, through Wednesday, May 20th, 2026, the Hart Police Department received 76 complaints ranging from Property Damage Crashes, Suspicious Situations, and Well-Being Checks. Assist Other Agencies, Juvenile Complaints, Animal Complaints, Disturbances, Assault & Batteries, Damage to Properties, Trespassing Complaints, Harassment/Threats Complaints, and Medical Assists.

On Thursday, May 7th, 2026, the Hart Police Department was dispatched to the intersection of Polk Road near Griswold Street, referencing a Property Damage Crash. A 19-year-old Hart man failed to stop for a 27-year-old Hart woman traveling westbound on Polk Road. The man was cited for an improper left-hand turn.

On Friday, May 8th, 2026, the Hart Police Department was dispatched to the 300 block of Johnson Street, regarding a 17-year-old boy possibly being under the influence of alcohol. The boy was interviewed by officers and admitted to consuming alcohol in the early morning hours. The boy was cited for Minor, Purchase, Possess, and Consume Alcohol. The boy was turned over to his parents without incident.

On Friday, May 8th, 2026, the Hart Police Department was dispatched to the 300 block of Johnson Street, referencing a missing child. A 6-year-old Hart girl had run away from a building without the knowledge of any adults. The girl was later located in the 100 block of Apple Street after being located by the homeowner in their home. The girl was returned to the staff without incident. The department was assisted by the Oceana County Sheriff's Office, Michigan State Police, and the State of Michigan Department of Natural Resources.

On Saturday, May 9th, 2026, Chief Salazar and Officer Moore assisted with traffic control during the annual Hart Hills Bicycle Race. Oceana County Reserve Deputies, John Gurney Park Superintendent TerHaar, Department of Public Works employee Adams, and the Shelby Police Department also assisted at various hazardous intersections within the City of Hart and throughout Oceana County for the event. This year, the event was well attended, and no major issues were reported to law enforcement.

On Saturday, May 9th, 2026, the Hart Police Department received information of a 42-year-old Muskegon man being in the 100 block of Church Street, who had an active/valid warrant for his arrest out of Muskegon County. The warrant was verified by Mason/Oceana Central Dispatch as being a valid warrant. The man was located, arrested, and lodged at the Oceana County Jail without incident.

On Tuesday, May 12th, 2026, the Hart Police Department was dispatched to the 500 block of Griswold Street, regarding an Assault & Battery. A 37-year-old Hart man alleges to have been struck in the right arm by a 48-year-old Hart man after the man became upset with another resident of the home. No visible injuries were noted by responding officers. A report will be submitted to the Oceana County Prosecutor's Office for his review.

On Thursday, May 14th, 2026, Sgt. Skipski escorted Safety Pup through the campus of Spitler Elementary and Hart Middle School, visiting students during lunch and providing a photo opportunity for staff and students.

On Friday, May 15th, 2026, Sgt. Skipski instructed the American Heart Association CPR/First Aid class to a para-professional at Hart Middle School. The class was instructed per American Heart Association standards.

On Tuesday, May 19th, 2026, the Hart Police Department was dispatched to the 10 block of Lincoln Street, referencing a Retail Fraud that occurred on Friday, May 15th, 2026. Approximately \$127.00 worth of merchandise was reported stolen from a local business. An investigation is ongoing.

On Wednesday, May 20th, 2026, the Hart Police Department was dispatched to the intersection of Hart Street near Church Street, regarding a Personal Injury Crash. An 83-year-old Hart man failed to yield at the intersection and collided with a 79-year-old Hart woman. The woman complained of injuries to her side and head. The man was cited for failing to yield the right of way.



Respectfully,

J. Salazar,
Chief of Police

A large, stylized handwritten signature in black ink, appearing to read 'J. Salazar'.

CITY OF HART

COUNTY OF OCEANA, MICHIGAN

At a regular meeting of the City Council of the City of Hart, held at the City Hall, 407 State Street, within the City, on the ____ day of ____, 2026, at 7:30 p.m., Local Time.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and ordinance was offered by Member _____ and seconded by Member _____.

ORDINANCE NO. 2026-02

AN ORDINANCE TO AMEND CHAPTER 1242 OF TITLE FOUR OF PART TWELVE OF THE CODIFIED ORDINANCES OF THE CITY OF HART, MICHIGAN TO PLACE A TEMPORARY MORATORIUM ON CERTAIN USES AND DEVELOPMENTS, AND TO PROVIDE FOR SEVERABILITY PROVISIONS, REPEAL PROVISIONS, AND AN EFFECTIVE DATE OF THIS ORDINANCE.

THE CITY OF HART ORDAINS:

Section 1. Amendment of Section 1242.07. A new section, Section 1242.07 of Chapter 1242 of Title Four of Part Twelve of the Code of Ordinances of the City of Hart (the “City Code”), is hereby added to the City Code, which shall read in its entirety as follows:

1242.07 TEMPORARY MORATORIUM ON DATA CENTERS AND DIGITAL MINING USES.

A temporary moratorium on City consideration of applications for data centers and/or digital mining uses is hereby adopted under the following terms, conditions and limitations:

- (a) For purposes of this section, data centers are defined as secure buildings filled with computer servers that store, process and transmit data in support of internet functions and other digital services, and which are typically accompanied by networking equipment, water-fueled cooling systems (to prevent overheating), backup power systems and security systems, and which typically have minimal on-site staffing, limited customer visitation, and no retail activity. In addition, digital mining, also commonly known as cryptocurrency mining, is defined as a use involving a building or structure that is primarily occupied by computers used to mine digital currency, such as Bitcoin or cryptocurrency.
- (b) During the temporary moratorium, no City official, employee, agent, contractor, board, agency or commission shall receive, consider, review, approve, deny or hold public hearings on any zoning or building applications for the use of any land, building or structure for a data center and/or digital mining use.
- (c) The temporary moratorium is effective as to all applications for data centers and/or digital mining uses received in the City on or after [REDACTED], 2026.
- (d) The temporary moratorium shall remain in effect for six months and terminate on [REDACTED], 2026, unless previously terminated, extended, or otherwise altered by the City Council. In addition, if the City adopts amendments to the Code of Ordinances of the City of Hart addressing data centers and/or digital mining uses, the moratorium shall automatically terminate upon the effective date of the amending ordinance, unless otherwise extended by the City Council.
- (e) The provisions of this section automatically expire and have no further effect after [REDACTED], 2026, the date of expiration, unless altered by the City Council.

Section 2. Severability. The provisions of this ordinance are hereby declared to be severable. Should any provision, section or part of this ordinance be declared to be invalid by any court of competent jurisdiction, such decision shall affect only that provision, section or part thereof, and shall not affect or invalidate the remainder of the ordinance, which shall nevertheless continue to be in full force and effect.

Section 3. Publication and Effective Date. I, the undersigned, the duly qualified and acting City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the foregoing Ordinance amendments and additions were adopted by City of Hart at a regular City Council meeting properly held on the _____ day of _____, 2026; and that the meeting with held in compliance with notice provisions and all other requirements of Act 267 of the Public Acts of 1976, as amended. I hereby certify that I published the Ordinance amendments and additions in the Oceana Echo on the _____ day of _____, 2026. This Ordinance of a summary of its provisions shall be published within fifteen (15) days of adoption.

Section 4. I hereby certify this to be a true and correct copy of the document on file with the office of the City of Hart Clerk.

AYES: _____

NAYS: _____

ORDINANCE DECLARED ADOPTED.

Karla Swihart, City Clerk
City of Hart

CITY OF HART
ORDINANCE NO. 2026-01

ZONING ORDINANCE AMENDMENT
Green Infrastructure Standards

First Reading: _____ Second Reading & Adoption: _____ Publication: _____

Effective Date (ten days after publication): _____

THE CITY OF HART ORDAINS THAT CHAPTER 1243 OF THE CITY OF HART ZONING ORDINANCE IS HEREBY AMENDED TO ADD THE FOLLOWING SECTIONS:

CHAPTER 1243 GENERAL PROVISIONS

1243.28 PERVIOUS SURFACES.

A. Definitions.

1. *Pervious Durable Surface.* A surface covering the ground that allows the infiltration of water into the ground and provides stormwater treatment and storage without a surface outlet. Also referred to as “permeable” or “porous.”

B. Intent. The use of pervious surfaces in site and street design is intended to mimic natural groundwater infiltration, decrease post-construction stormwater runoff, and implement Low Impact Development (LID) practices.

C. Permitted Pervious Surface Types. City-approved pervious paving materials include:

1. Grass pavers (for occasional parking; not permitted for high-use areas);
2. Permeable interlocking concrete pavers;
3. Permeable pavement;
4. Permeable clay brick pavers (for pedestrian and vehicular traffic);

5. Other comparable materials as approved by the Department of Public Works Superintendent and the Approving Authority.

D. Benefits. Pervious surfaces provide the following benefits:

1. Reduce or eliminate stormwater runoff;
2. Recharge groundwater;
3. Trap suspended solids and pollutants;
4. Improve winter safety by reducing surface ice;
5. Reduce surface temperatures and heat island effects;
6. Reduce need for retention basins and stormwater infrastructure;
7. Lower long-term lifecycle costs when properly installed.

1243.22(F) NATIVE VEGETATION.

A. Applicability.

The following standards shall apply to all development within the A, A-1, A-2, B-1, and B-2 zoning districts.

B. General Standards.

1. Existing natural features, including wetlands, woodlands, landmark trees, and scenic vistas, shall be preserved and incorporated into development where feasible.
2. Screening shall utilize naturalized forms including landforms, trees, shrubs, grasses, and perennials rather than rigid berms or monoculture plantings.
3. Setbacks and landscape buffers shall function as naturalized green spaces incorporating sustainable stormwater management.
4. A minimum of sixty percent (60%) of landscape materials shall consist of native species appropriate to Lower Michigan, selected for durability, visual interest, and compatibility with rural and suburban conditions.

C. Low Impact Development (LID). Low Impact Development (LID) best practices shall be used in the development of any site or development within the districts listed above. The design of stormwater management systems shall respond to the natural drainage patterns of the area.

D. Natural Features Preservation Plan. A plan shall be submitted identifying existing natural features and site conditions. The plan shall demonstrate how development preserves or enhances these features. Green space enhancements along public road frontages shall be included.

1243.22(G) TREE PLANTING, MAINTENANCE, AND REMOVAL.

Tree Planting

A. Prohibited Species. The following species shall not be planted within public rights-of-way or curblawn areas: *Populus* spp., *Acer negundo*, *Ailanthus altissima*, *Pyrus calleryana*, *Acer saccharinum*, *Catalpa*, *Ulmus* spp., *Juglans* spp., *Robinia pseudoacacia*, *Salix alba*, *Alnus* spp., *Taxus* spp., *Thuja* spp., *Sassafras albidum*, *Elaeagnus angustifolia*, *Morus alba*, *Prunus serotina*, and female *Ginkgo biloba*.

B. Spacing Requirements.

1. Small trees: minimum 20 feet apart;
2. Medium trees: minimum 30 feet apart;
3. Large trees: minimum 40 feet apart; Exceptions may be approved by the Zoning Administrator.

C. Utilities. Only small or medium trees may be planted within 10 lateral feet of overhead primary electric lines.

D. Distance from Infrastructure. Minimum distance from curb or sidewalk:

- Small trees: 2 feet
- Medium trees: 3 feet
- Large trees: 4 feet

E. Exemptions. Trees planted prior to adoption are exempt from spacing requirements.

Tree and Shrub Maintenance

A. City Responsibility.

1. Maintenance of trees in public areas shall be performed by the City unless otherwise approved.
2. Minimum clearance: 8 feet over sidewalks, 15 feet over streets (16 feet on major thoroughfares).

B. Visibility and Clearance.

1. Vegetation shall not obstruct visibility at intersections or along streets.
2. Property owners shall correct violations within 21 days of notice.
3. The City may prune vegetation obstructing public rights-of-way.

C. Protection of Trees. No person shall damage, remove, or attach materials to City trees without authorization.

D. Utility Trimming. Utility companies shall comply with City standards and provide notice prior to non-emergency trimming.

Tree Replacement Requirements

A. Replacement Standard. Trees removed shall be replaced at a ratio of one (1) tree per five (5) removed trees or through a payment in lieu.

B. Replacement Specifications.

1. Deciduous: minimum 3-inch caliper;
2. Coniferous: minimum 10 feet in height;
3. Prohibited species shall not be used;

4. Replacement trees may count toward other landscape requirements.

C. Placement.

Replacement trees shall be shown on the site plan and located to maximize environmental benefit and reduce heat island effects.

D. Payment in Lieu.

A fee of \$300 per tree may be paid to the City in lieu of planting, to be used for tree planting elsewhere within the City.

SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. Should any provision, section or part of this ordinance be declared to be invalid by any court of competent jurisdiction, such decision shall affect only that provision, section or part thereof, and shall not affect or invalidate the remainder of the ordinance, which shall nevertheless continue to be in full force and effect.

PUBLICATION AND EFFECTIVE DATE. I, the undersigned, the duly qualified and acting City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the foregoing Ordinance amendments and additions were adopted by City of Hart at a regular City Council meeting properly held on the _____ day of _____, 2026; and that the meeting with held in compliance with notice provisions and all other requirements of Act 267 of the Public Acts of 1976, as amended. I hereby certify that I published the Ordinance amendments and additions in the Oceana Echo on the _____ day of _____, 2026. This Ordinance of a summary of its provisions shall be published within fifteen (15) days of adoption.

I hereby certify this to be a true and correct copy of the document on file with the office of the City of Hart Clerk.

Karla Swihart, City Clerk

A motion was made by _____ and supported by _____.

___ ayes ___ nays ___ absent

CITY OF HART
ORDINANCE NO. 2026-03

ZONING ORDINANCE AMENDMENT
Land Division Act Compliance

First Reading: _____ Second Reading & Adoption: _____ Publication: _____

Effective Date (ten days after publication): _____

THE CITY OF HART ORDAINS THAT SECTION 1243.04 OF THE CITY OF HART ZONING ORDINANCE IS HEREBY AMENDED TO READ AS FOLLOWS:

CHAPTER 1243 GENERAL PROVISIONS

CHAPTER 1243 GENERAL PROVISIONS

1243.04 LIMITATIONS ON LOT SPLITS.

a) No lot, yard, parking area or other space shall be so divided, altered or reduced as to make it less than the minimum required under this Zoning Code. If already less than the minimum required, it shall not be further divided or reduced. The Zoning Administrator may waive this provision to avoid legal action where the purpose of the conveyances is to make the property descriptions correspond to the actual occupancy of the property.

b) The City of Hart hereby elects to opt out of Section 108(6) of PA 58 of 2025, amending the Land Division Act (PA 288 of 1967), and shall not authorize land divisions beyond those otherwise permitted under the Act.

SEVERABILITY. If any section of this ordinance is held invalid, such invalidity shall not affect the remaining provisions.

PUBLICATION AND EFFECTIVE DATE. This ordinance shall take effect ten (10) days after publication.

I, the undersigned, the duly qualified and acting City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the foregoing Ordinance amendments and additions were adopted by City of Hart at a regular City Council meeting properly held on the _____ day of _____, 2026; and that the meeting with held in compliance with notice provisions and all other requirements of Act 267 of the Public Acts of 1976, as amended. I hereby certify that I published the Ordinance amendments and additions in the Oceana Echo on the _____ day of _____, 2026.

I hereby certify this to be a true and correct copy of the document on file with the office of the City of Hart Clerk.

Karla Swihart, City Clerk

A motion was made by _____ and supported by _____.

___ ayes ___ nays ___ absent

RESOLUTION 2026-26
City Council
City of Hart, Michigan
Oceana County

AUTHORIZE HART AREA FIRE DEPARTMENT BUDGET CONTRIBUTION

WHEREAS, the City of Hart is a party to the Hart Area Fire Protection Agreement governing the operation and funding of the Hart Area Fire Department; and

WHEREAS, pursuant to the Agreement, the Hart Area Fire Administrative Board submits an annual proposed budget to the participating entities for consideration and adoption; and

WHEREAS, the Hart Area Fire Administrative Board submitted its proposed Fiscal Year 2026-2027 budget request on March 26, 2026, requesting a City of Hart contribution in the amount of \$64,797.00 based on a 1 mill allocation formula;

WHEREAS, the current City of Hart General Fund budget includes \$52,000 budgeted for fire protection services; and

WHEREAS, the City Council has determined it necessary and appropriate to increase the Fire Department budget allocation to fully fund the City's required share under the proposed Hart Area Fire Department budget; and

WHEREAS, the Hart Area Fire Protection Agreement provides that annual budget shares shall be allocated proportionate to taxable value and shall not exceed 2 mills, with any increase not to exceed .25 mills in a budget year;

NOW, THEREFORE, BE IT RESOLVED THAT the Hart City Council hereby approves increasing the Fiscal Year 2026-2027 General Fund Fire Department budget from \$52,000 to \$64,797.00 for purposes of funding the City's contribution to the Hart Area Fire Department budget.

BE IT FURTHER RESOLVED THAT the City Manager and City Clerk/Treasurer are authorized to take all actions necessary to implement this budget adjustment and process payment in accordance with the Hart Area Fire Protection Agreement.

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regular meeting held on _____, 2026

Ayes: _____ Nays: _____ Absent: _____

Karla Swihart, City Clerk



HART AREA FIRE DEPARTMENT

808 S. STATE STREET

P.O. BOX 125

HART, MI 49420

PH. (231) 873-3378

FAX (231) 301-8150

WWW.HARTFIREDEPARTMENT.ORG

TO: City of Hart, Weare Township
Hart Township, Golden Township

FROM: Hart Area Administrative Board

DATE: March 4, 2026

SUBJECTS: Budget for the 2027/2028 year

At the Hart Area Fire Administrative Board meeting held on February 26, 2026 the millage request for the 2027/2028 year was discussed.

In determining the amount to be paid by each of the entities that make up the Hart Area Fire Administrative Board the taxable value for was discussed to be increased by .25% for the 2027/2028 year which will start on July 1, 2027. The rate will be set at 1.25. Some of the items that need to be addressed by in the near future is new SCBA units which need to be replaced at a cost of \$170,000.00. Chief Fuehring is looking at the possibility of replacing some of the equipment, truck 141 has a cracked block, 151 is hard to find replacement parts for it. The front of the department needs new blacktop are just a few of the expenditures that are being looked at.

Please advise the Hart Area Fire Administrative Board via correspondence, that this amount has been approved by your entity.

Please contact Chairman Gary Beggs if there are any questions.

Sincerely,

Daniel Leimbach

Sec/Treasurer



HART AREA FIRE DEPARTMENT

808 S. STATE STREET
P.O. BOX 125
HART, MI 49420
PH. (231) 873-3378
FAX (231) 301-8150

WWW.HARTFIREDEPARTMENT.ORG

TO: City of Hart, Weare Township
Hart Township, Golden Township

FROM: Hart Area Administrative Board

DATE: March 26, 2026

SUBJECTS: Budget for the 2026/2027 year

At the Hart Area Fire Administrative Board meeting held on March 26, 2026 the Budget request for the 2026/2027 year was discussed.

The requested amount from each of the member entities is at 1 mil. Our total overall budget amount is \$576,896.00 which includes interest income and money from other areas including rescue calls. The amount going into Capital Improvements represent 26.5% of the overall budget and Payroll including payroll expence, Fire and Administrative wages represent 28% of the budget. The department will be looking into expendurties for new SCBA units which our current ones will no longer be able to be used by the fire service. A truck replacement will also be looked into but no plans have been made to make a purchase yet. The following is the mount due for each of the member entities for the ficisal year July 1, 2026 to June 30, 2027

City of Hart	\$64,797.00
Golden Township	\$262,829.00
Hart Township	\$109,336.00
Weare Township	\$68,884.00

Please advise the Hart Area Fire Administrative Board via correspondence, that this amount has been approved by your entity.

Please contact Chairman Gary Beggs at 231-742-1136, if there are any questions.

Sincerely,

Daniel Leimback
Sec/Treasurer

City of Hart
407 State Street
Hart, MI 49420



CITY OF HART

FY 2026–2027 BUDGET MESSAGE

Mayor and City Council:

Pursuant to Chapter IX of the City Charter and the Uniform Budgeting and Accounting Act, the proposed FY 2026–2027 budget is respectfully submitted for Council consideration.

The proposed budget reflects continued focus on maintaining core City services, addressing infrastructure and utility system needs, supporting economic development initiatives, and improving long-term financial sustainability.

FY 2026–2027 Budget Priorities

- Seek a public safety millage for long-term sustainability
- Implement a new city website
- Initiation of water infrastructure improvements and lead service line replacements utilizing recommended bond and loan financing strategies
- Downtown redevelopment and housing initiatives
- Safe Routes to School implementation and Plum Street realignment
- Financial stabilization and deficit reduction planning
- Cyber security efforts, technology, and operational improvements
- Repair deck at Hart Commons
- City Hall improvements (boiler repairs, mini-splits, security improvements)
- Demo boy scout cabin and finish/furnish cabins for rental
- Continued planning and funding efforts necessary to complete MDOT-required State Street Turnback improvements by 2030.

Staffing

- Full-Time Employees: 26
- Part-Time Employees: 4
- Proposed Staffing Changes: succession planning and cross-training efforts to support operational continuity and long-term institutional knowledge transfer for utility and public works functions.

Key Considerations

- Inflationary cost increases with health care increasing significantly, continue to impact operations and capital projects
- Ongoing Headlee rollback impacts on property tax revenue growth.
- Utility infrastructure and equipment replacement remain ongoing priorities.

- Existing lead service line replacement mandates currently exceed the City’s available funding and replacement pace
- The City continues to pursue outside grant funding opportunities to reduce local financial impact.

Financial Overview of FY 2026-27 Budget

Fund	Revenues	Expenses	Balance	Current Fund YTD Balance
General Fund – 101	\$ 2,329,522	\$ 2,213,116	\$ 116,406	\$ (152,569)
Major Streets – 202	\$ 245,000	\$ 1,344,800	\$ (1,099,800)	\$ 3,511,382
Local Streets – 203	\$ 218,200	\$ 211,535	\$ 6,665	\$ 303,521
Street Mileage - 204	\$ 119,000	\$ 50,000	\$ 69,000	\$ 179,175
Park – 208	\$ 323,575	\$ 235,170	\$ 88,405	\$ (239,835)
Cemetery - 209	\$ 32,100	\$ 31,000	\$ 1,100	\$ 10,486
TIFA - 215	\$ 325,000	\$ 698,000	\$ (373,000)	\$ 451,898
Hart Lk Board - 241	\$ 40,500	\$ 10,500	\$ 30,000	\$ 53,737
HEART – 244	\$ 14,000	\$ 12,400	\$ 1,600	\$ 64,412
Historic Dist - 702	\$ -	\$ 40,500	\$ (40,500)	\$ 232,079
Electric/Hydro - 580	\$ 5,573,836	\$ 5,331,189	\$ 242,647	\$ 9,820,204
Sewer – 590	\$ 2,500,382	\$ 1,924,304	\$ 576,078	\$ 8,642,588
Water - 591	\$ 575,011	\$ 253,782	\$ 321,229	\$ 4,069,153
Total	\$12,296,126	\$12,356,296	\$ (60,170)	

The proposed FY 2026–2027 budget is balanced and presented for City Council review and adoption at the June 9, 2026 council meeting after notice of public budget hearing is posted.

Respectfully submitted,

Nichole Kleiner
City Manager