CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
NOVEMBER 10th, 2026
MINUTES – Approved

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

ABSENT: None

OTHERS PRESENT: City Manager – Nichole Kleiner, City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, Hart PD Chief – Juan Salazar, Jim Evans Sharon Hallack, Christine Juska, and Tim Kersjes.

APPROVAL OF AGENDA:

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

PUBLIC COMMENTS:

- Sharon Hallack – Wow what a fabulous grand opening Friday for West Shore Community Collage what a great opportunity for the City of Hart.
- Juan Salazar Hart PD Chief – I want to extend my sincere gratitude to all City of Hart voters who came out to support the public safety millage last week. When the YES vote came in, it was more than just a successful election – it was a tremendous show of trust and support for our department, our staff, and the safety of our community. Your investment in our community's safety means everything to us. On behalf of the Hart Police Department, thank you for your confidence and trust in our agency.

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- None

CONSENT AGENDA:

- Approval of Amended minutes from October 27th, 2026
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
  - Andrew Mullen motioned to approve the Consent Agenda, and was supported by J. Cunningham
    - Ayes: 7 Nays: 0 Absent: 0

ORDINANCES:

- **Ordinance Amendment 2026-05 Animal Grooming, Boarding & Kennels, 1st reading**
  An Ordinance to amend the City of Hart Zoning Code to regulate Animal Grooming, Daycare, Boarding and Kennel Facilities
  Section 1. Definitions
  Section 1241.01 of the City of Hart Zoning Code is amended to add or revise the following definitions:
  Animal Grooming Establishment. A commercial establishment primarily engaged in bathing, trimming, grooming, or similar care of domestic animals. An animal grooming establishment does not include overnight boarding unless separately approved as an animal boarding facility.
  Animal Boarding Facility. Pet Daycare. A commercial establishment where K-9, feline, or other domestic animals belonging to persons other than the owner or operator are temporarily cared for, supervised, housed, boarded, or kept for compensation, whether during daytime hours or overnight. This term includes commercial kennels and

per daycare facilities but does not include veterinary hospitals or animal grooming establishments where animals are kept only for the time necessary to provide grooming services.
Kennel. A premises used for the commercial boarding, breeding, training, daycare, or keeping of K-9 or feline for compensation. The keeping of household pets as an accessory residential use shall not constitute a kennel.

Section 2. B-2 General Business District

Section 1250.03, Special Uses, is amended to add:
(f) Animal boarding facilities, pet daycare facilities, and commercial kennels, subject to the requirements of Section 1256.16

Section 3. Special Land Use Standards

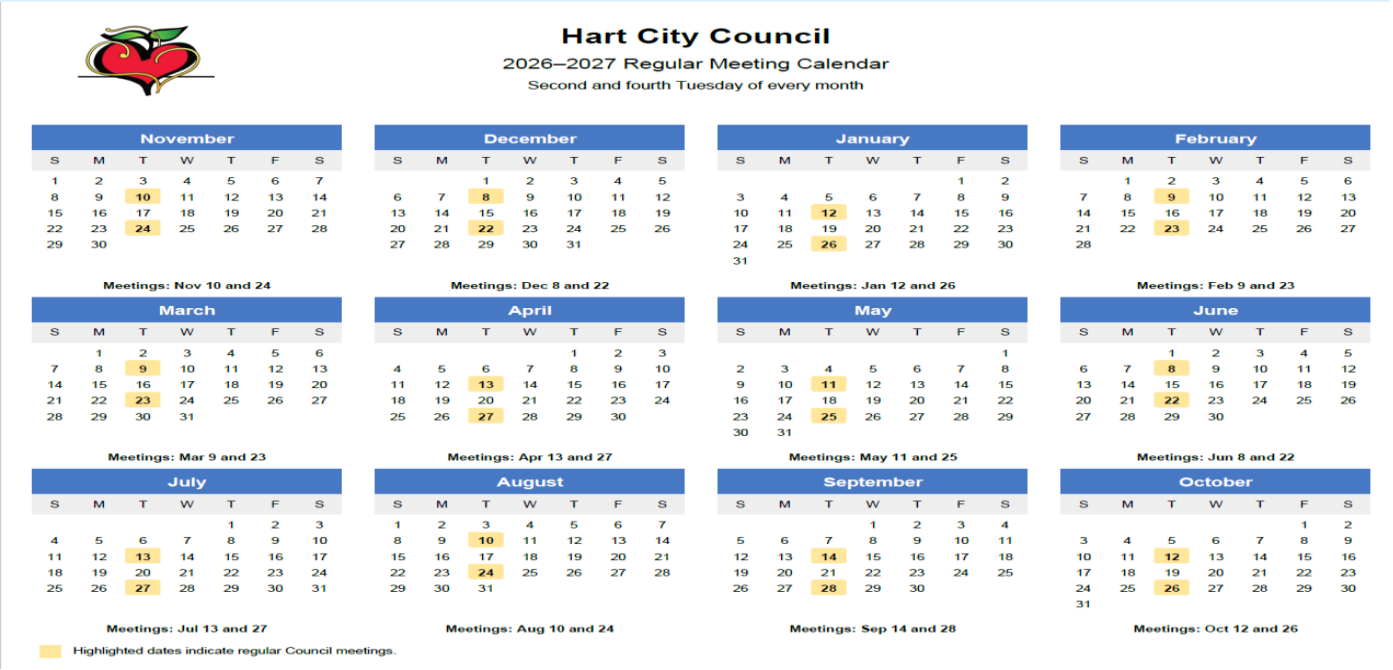
Chapter 1256 is amended to add Section 1256.16, as follows:
1256.16 Animal Boarding Facilities, Pet Daycare Facilities and Commercial Kennels.
Animal boarding facilities, pet daycare facilities, and commercial kennels may be approved as a special land use in districts where specifically authorized, subject to the general special land use standards of this Chapter and the following requirements:
(a) Maximum number of animals,
The Planning Commission shall establish the maximum number of animals permitted on the premises based upon the size of the property and building, proximity to neighboring properties, available outdoor area, parking, sanitation facilities, and potential impacts on surrounding property.
(b) Enclosed building.
Animals kept overnight shall be housed within a completely enclosed building.
(c) Outdoor areas.
Outdoor exercise, relief or play area shall:
Be securely fenced;
Not be located within a required front yard;
Be maintained in a clean and sanitary condition; and
Be designed and operated to minimize noise, odor, drainage, and other impacts on adjoining properties.
(d) Setbacks.
Buildings used for animal boarding shall be located at least twenty-five (25) feet from a residentially used or zoned property. Outdoor animal areas shall be located at least fifty (50) feet from a residentially used or zoned property. The Planning Commission may require a greater setback where necessary to protect adjoining properties.
(e) Overnight outdoor activity.
Animals shall be kept indoors between 9:00p.m. and 7:00 a.m., except for brief supervised relief periods.
(f) Noise.
The facility shall be operated so that barking and other animal noise does not create an unreasonable disturbance to surrounding properties. The Planning Commission may require sound attenuation measures where necessary.
(g) Sanitation and waste.
Animal waste shall be collected regularly and stored and disposed of in a manner that prevents odor, insects, rodents, runoff, or other nuisance conditions.
(h) Drainage.
Outdoor animal areas and indoor wash or kennel areas shall be designed so that animal waste, wash water, or contaminated runoff does not discharge onto adjoining property or into a storm drain expect as lawfully permitted.
(i) Screening.
The Planning Commission may require landscaping, fencing, or other screening where outdoor animal areas are visible from adjoining residential property or public right-of-way.
(j) Parking and circulation.
Adequate off-street parking, customer drop-off and pickup areas, and circulation shall be provided so that vehicles associated with the facility do not create unsafe conditions or routinely obstruct adjoining streets.
(k) Additional conditions.
The Planning Commission may impose reasonable conditions relating to hours of operation, number of animals, outdoor activity, screening, noise control, sanitation, or similar operational characteristics when necessary to ensure compatibility with surrounding properties.

Section 4. Conflict and Severability
All ordinances or portions of ordinances inconsistent with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect. If any provision of this Ordinance is determined by court of competent jurisdiction to be invalid, the remaining provisions shall remain in full force and effect.
Section 5. Effective Date.
This Ordinance shall become effective following adoption and publication as required by law.

- **Authorize Re-Zoning of 301 S State St and Amend the Official Zoning Map 1st Reading**
  Ordinance 2026-07 Amendment to the Official Zoning Map
  Section 1. Zoning Map Amendment
  The Official Zoning Map of the City of Hart is hereby amended to rezone the following property from A – Residential to B-2 – General Business.
  Property Address: 301 S. State Street, Hart Mi 49420
  Parcel Number: 64-020-721-003-50
  Legal Description:
  CITY OF HART CORBIN-WIGTON ADDITIONAL LOTS 3 & 4 EXC 48 FT E & W BY 99.5 N & S IN NW COR OF LOT 3 & ALSO ESMT OF 10 FT FOR DRIVE ALGE & S BDY'S OF EXCEPTION BLK 21
  Section 2. Official Zoning Map
  The Official Map shall be updated to reflect this amendment
  Section 3. Effective Date
  This ordinance shall take effect following adoption and publication as required by law.

ACTION ITEMS:

- Resolution 2026-55 Establish of Regular Council Meeting Minutes
  WHEREAS, Section 3.7 of the City of Hart Charter requires City Council to establish by resolution (at its first meeting following the annual City elections), the day and time for holding regular meetings of the Council;
  NOW, THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL, hereby
  Adopts the regular meeting schedule for November 2026 through October 2027, with meetings held on the second and fourth Tuesday of each month at 7:30pm at Hart City Hall, as outlined in the attached meeting calendar.



  - B. Root motioned to approve Resolution 2026-55 and was supported by K. Thomson
    - Ayes: 7 Nays: 0 Absent: 0

- Resolution 2026-56 Bio Solid Hauling Contract Renewal
  WHEREAS, the City of Hart contracts with C&D Fuehring Farms for the removal, transportation, land application, and agronomic management of biosolids generated at the BioPure Wastewater Treatment Facility; and
  WHEREAS, recent improvements at BioPure, including the installation of a new clarifier and the Eden Lakes treatment unit, have significantly reduced the volume of biosolids requiring hauling and disposal; and
  WHEREAS, the Eden Lakes PrO2 system is a new part of the facility's wastewater treatment improvements, helping reduce the amount of solids requiring off-site management; and
  WHEREAS, these operational changes have altered the City's biosolids management needs, making historical hauling volumes less representative of future service requirements; and
  WHEREAS, continuing services with the existing contractor for three additional years will allow the City to establish a reliable baseline of biosolids production, hauling frequency, and associated costs before developing updated competitive bid specifications:
  NOW, THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL, hereby
  Authorizes the renewal of its biosolids hauling and land application services agreement with C&D Fuehring Farms for a period of three (3) years, subject to mutually agreed terms and conditions and review by the City Attorney.
  BE IT FURTHER RESOLVED, that the City Manager is authorized to execute the agreement on behalf of the City.
    - A. Mullen motioned to approve Resolution 2026-56 and supported by C. Burillo
      - Ayes: 7 Nays: 0 Absent: 0

SPECIAL EVENTS PERMIT REQUESTS:

- None

DISCUSSION ITEMS:

- Data Center Zoning Ordinance Work Group Memo
  At November 5, 2026, the Planning Commission held a public hearing on proposed zoning ordinance amendments to regulate data centers and digital mining facilities.
  Following public comments and discussion regarding potential impacts on the community, the Planning Commission voted to establish a work group to further research the uses, evaluate community concerns, and review the proposed ordinance language.
  The work group will consider issues such as water and electricity consumption, noise, environmental impacts, and compatibility with surrounding properties. Its goal will be to prepare a revised draft ordinance for the Planning Commission's review and consideration.
  Council members interested in participating in the work group are encouraged to do so. This is an opportunity to contribute to the discussion and help develop regulations that address the community's concerns while providing clear standards for potential future development.
- Contract Proposal for Eden Lakes PrO2 Advanced Oxygenation System to be Presented on November 24th, 2026.
- Starting Block – deadline to respond to lease agreement is Nov 30th,2026
- New Website set to launch at the next City Council meeting Nov 24th, 2026

CITY MANAGER'S REPORT:

- Congrats Mayor Klotz and Council Member Burillo on your re-elections, and welcome Council Members Kersjes & Evans
- 2015 FOIA Policy was updated – The **City's Freedom of Information Act (FOIA) policy** was last updated in 2015. I revised the policy to reflect current statutory requirements, clarify procedures for processing requests, and simplify the language to make it more user-friendly. The revised policy and required public summary is available on the City's website.

- We're developing **updated electric service connection and easement policies** to clarify installation requirements, customer costs, and the City's right to maintain utility infrastructure on private property.
- Human Resource Manager Laci McAuliffe is working on a **new employee handbook** to present to the personnel & finance committee
- Voters approved the City's proposed 2.0 Mil **Public Safety Millage** at November 3 election. This will provide approximately $129,600 annually in dedicated funding for police, fire, and emergency medical services beginning in 2027. We appreciate the community's participation in the election and will work to ensure these funds are used responsibly and transparently.
- Bid awarded to Fleis & VanderBrink **for Parks/Recreation and Historic District Plan development**. Kick off meeting set for the 16th at 10am – any council member interested in attending let me know
- Bid awarded to Versatile for the **diesel plant roof replacement** and to Peerless Midwest for **Well No. 2 Rehabilitation** and Wadel Stabilization for the **Plum Street Realignment**. Work cannot begin until the City receives performance bonds, insurance, executes the agreement and issues a written Notice to Proceed.
- Completed **interviews for John Gurney Park** full-time seasonal manager for the 2027 season. Working with a couple for Indiana who have spent the last 3 years managing a similar-sized municipal campground in Gilbert Minnesota. They increased revenue by $37,000 (15%) over the 3-year and already have 198 reservations for the 2027 season.
- Great turnout for the **grand opening of the West Shore Community College Hart Campus**. Food Club will have a separate ribbon-cutting along with Stella's Coffee House.
- Discussions continue with **Seneca Foods** regarding water infrastructure improvements needed for its **fire suppression system**. The City is evaluating financing options while balancing this project against other critical infrastructure priorities.

COMMUNICATION FROM MAYOR AND COUNCIL:

- A. Mullen – HEART board meeting Thursday 12th @ 1:30pm
- Cemetery Board Meeting Nov 3rd at the township hall
- C. Burillo – asked about lofts on main regarding the zoning map – which will be updated when re-zoning is updated, food club is having a membership drive, and also wanted to know about the street light replacement on the corner of water and main.

ADJOURN:

- There being no further business to come before the Council, Mayor Klotz adjourned the meeting at 7:58pm. The next regularly scheduled meeting, November 24th, 2026, at 7:30 pm.

Respectfully Submitted,

Karla Swihart

Karla Swihart, City Clerk