

CITY OF BUCHANAN COMMISSION MINUTES

January 13, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, January 13, 2003. The meeting was called to order by Mayor Pro Tem Scanlon at 8:06 p.m. (late due to Work Session)

The Pledge was recited by all in attendance. Reverend Dave Mitchell, Faith Victory Fellowship gave the Invocation.

Commissioners present: Melissa Fisher, Flora King, Susan Lee, Earl Scanlon

Commissioner absent: Dave Hagey

Staff present: City Clerk Gladys Bybee, Treasurer Juli O'Bryant, Fire Chief Warren Weaver, Administrative Secretary Jennifer Harrington

Guests/Visitors present: Don Grady, On-site Manager for Public Services, Jim Oleksak, Community Housing Initiative, Daryl Veldman, Wightman & Associates 7 visitors

Joe Scanlon requested an item be added to the Agenda to discuss utilizing \$6,000. from the Capital Projects Fund to assist with construction of a Skateboard/Ice Skating Park. He explained his ideas of constructing the project at Fireman's Park (corner of Oak/Chicago) with volunteers constructing the equipment (ramps, rails, stairs, etc.), DPW offering to maintain and store equipment, and Fire Department to provide ice. He further explained the Park & Recreation Board gave positive response to his proposal and unofficially endorsed \$5,000. in park funds to be used for the project. Discussion was shared about replacing the Circle City Trailway Project commitment if the \$6,000. were used for the Skateboard project. Recreation Director Wayne Writer spoke briefly and confirmed it would be on their next meeting agenda.

King moved seconded by Fisher to approve the Consent Calendar with an Agenda Amendment to include Capital Project Fund Transfer for Skateboard/Ice Skating Project under new business. Roll call vote unanimous.

- Agenda with inclusion
- December 30, 2002 Rescheduled Regular Meeting Minutes
- Checks in the amount of \$218,903.30 (42330 to 42451)
- 2003 Annual Meeting Dates/Times
- Approval for the Treasurer to negotiate a fee with the schools for summer tax collection

Grady explained briefly of snow removal, completion of salt shed, tree cutting, cleaning up the Third Street vacant lots, approved permit from DEQ for installation of the generator at WWTP, receipt of the DEQ permit application for the Army National Guard to dredge the Mill Race and the completion of Well #3 (Public Services Department: Monthly Status Report for December) while all reviewed the report. There was brief discussion/questions regarding the report from Severn Trent that Area Manager Tom Miller was to forward to Commission.

O'Bryant explained briefly while all reviewed report: collection of winter taxes, issuing of dog licenses, preliminary stages of the 2003-2004 Budget, GASB34 Financial Reporting requirements, Budget Amendment reducing the General Fund, Summer School Tax Collection Fee Negotiation, statistics for Monday evening hours at City Hall, part-time clerk cashier resignation, District Library request to cancel their Agreement for Financial Services from City.

Oleksak explained the status of the Downtown Homeowners (\$167,000) Rehabilitation Program (5 qualified with 4 in progress) and Downtown Rental (\$300,000) Rehabilitation Program (7 applicants with 1 ready, 1 withdrawal, 1 default, 1 in verification process, 3 remaining). He reported working with two local banks for matching funds to begin on the original 14 homeowners that applied for homeowner rehabilitation. Brief discussion was shared.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
Dec. 30 Minutes
Checks
2003 Annual Mtg.
Dates/Times
Negotiate fee
w/Schools to collect
Taxes

Reports

Public Services

Treasurer Dept.

Downtown
Homeowner &
Rental Rehabilitation

Veldman reported that he was in the preliminary stage of engineering the design for the Downtown Streetscape and without the selection of the poles and lamps he could not move forward. Commissioners were concerned about removal of the AEP lighting and a mixture of styles. Discussion/questions were shared. Veldman confirmed that all amenities would be a common theme/design and lighting would be given consideration. He did confirm that other areas of downtown would need additional phases of upgrading. ***Fisher moved seconded by King to authorize Veldman to obtain selected style and fixture as recommended by the DDA. Roll call unanimous.***

Scanlon reported the City had agreed to negotiate sale of the Material Recovery Facility (MRF) with the Landfill in January 2003 and recommended an extension and letter informing the Landfill of an appropriate time. ***Fisher moved seconded by Lee to postpone the MRF sale negotiations until a new City Manager was hired. Roll call vote unanimous.***

Commissioners concurred to table the discussion of selling the packer truck until Clyde Weaver could report his findings of condition and worth.

There was discussion of the process the new Municipal Officers Compensation Commission (MOCC) would need to follow while all reviewed the resumes. The clerk confirmed that she would notify the members and offer her assistance. ***Fisher moved seconded by King to appoint Judy Bellaire, Chris Carlson, Jeff Curry, Richard Gault, and Richard Proud to the Municipal Officers Compensation Commission according to Ordinance as presented. Roll call vote unanimous.***

O'Bryant explained the Budget Amendment in the General Fund (cuts needed in the current budget) due to the Governors executive order reducing revenue sharing by 3.5% and approved by the Senate Appropriations Committee in December 2002. Discussion was shared regarding the decreases. ***King moved seconded by Lee to approve the Budget Amendment in the General Fund in the amount of \$64,743. as presented. Roll call vote unanimous.***

There was brief discussion regarding the activity in the past year for City Hall evening hours. ***Fisher moved seconded by Lee to terminate the evening hours at the end of February 2003. Roll call vote unanimous.***

Lee reported that a dinner would be held for the City Manager Candidate's at 5:30 on Monday and Wednesday and thought the Commissioners should attend. Fisher, Scanlon and Lee confirmed attendance. King confirmed she would check her calendar.

After brief discussion ***Scanlon moved seconded by King to allocate \$6,000. in the Capital Projects Fund from the City Circle Trailway for the Skateboard/Ice Skate Project. Roll call vote unanimous.*** O'Bryant asked if replacement funds should be placed in the 2003-04 budget. There was brief discussion between clerk and Commission regarding the Circle Trailway Grant.

All Commissioners wished good health for Clyde Weaver

Lee commented:

- Good Health for Warren Weaver

Fisher commented:

- Thanks and Congratulations to Miss Buchanan and the DPW for plowing

Scanlon commented:

- Thanks and Congratulations to Miss Buchanan
- Thanks to Warren Weaver for working with him on the Skateboard Project and announced the next Recreation Board Meeting

Fisher moved seconded by Lee to adjourn the meeting at 9:30 p.m.

Gladys M. Bybee, City Clerk

David P. Hagey, Mayor

Old Business

Lamp & Pole Design for Downtown Streetscape

MRF Negotiation Extension

Table Packer Sale

5 Appointments to Municipal Officers Compensation Commission

New Business

Budget Amendment decreasing General Fund

Eliminating Evening Office Hours

Attendance to City Manager Candidate Dinner's

Allocate \$6,000. for Skateboard/Ice Skating Park

Commissioner's Comments

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES

January 27, 2003

Call to Order

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, January 27, 2003. The meeting was called to order by Mayor Hagey at 8:01 p.m.

Pledge/Invocation

The Pledge was recited by all in attendance. Reverend Sheldon Seltzer, Seventh Day Adventist gave the Invocation.

Roll Call

Commissioners present: Melissa Fisher, David Hagey, Susan Lee, Earl Scanlon

Commissioner absent: Flora King

Staff present: Interim City Manager Clyde Weaver, City Clerk Gladys Bybee

Guests/Visitors present: Richard Gault, Representative for the Arts & Historical District Joint Committee
8 visitors

Public Comments

Reverend Seltzer reaffirmed his request for establishing a Committee (under Public Act 390) to discuss a plan for a possible disaster. He was confident that direction would come from the Mayors Office to invite persons to come forward to establish such a plan. He then announced that RAM LOVE would be looking for volunteers.

Consent Calendar

Agenda

Jan. 13 Minutes

Checks

Board of Review

Appointment

Fisher moved seconded by Scanlon to approve the Consent Calendar as amended. Roll call vote unanimous.

- Agenda with inclusion "Interim City Manger Approval for Personnel Issues" & deletion of "Site Study Proposal from Stan Bell, Architect".
- January 13, 2003 Regular Meeting Minutes. January 13 Work Session Summary by deleting "(The Ross-Sanders building has 4,057 square foot and City Hall has 6,730 square foot).
- Checks in the amount of \$237,427.07 (42452 to 42557)
- Appoint Dale Florey, Jim King and Margaret Young to the Board of Review for a two (2) year term

Reports

Arts & Historical

District Joint

Committee

Gault introduced Don Trull and Michelle Klarich-Bradbury from the Historical District Joint Committee (Joint Committee). He reported the Joint Committee was working well by co-promoting the Tin Shop, Pears Mill, and Common by formulating schedules with each other. He presented placemats and brochures that are shared by each group and explained the Committee was working on the 2003 budget for the Commission. Trull announced the 2003 programs scheduled by the Common Committee and Preservation Society (Pears Mill) would be applying for the mini-grant through the Arts Council of Greater Kalamazoo. There was brief discussion.

Clerk & Election
Department

Bybee announced opening's on Board's and urged recruitment. Her report included: a bid waiver needed for Web site and was just waiting for new City Manager input, establishing meeting with Municipal Officers Compensation Commission, Tom Miller at February 10th meeting regarding Severn-Trent Issues, Cemetery Software installed and training to be scheduled, LWCF and MNRTF turned down for Circle Trailway grant remarks received and forwarded to Southwestern Michigan Commission for review. Preservation Society only group to submit mini-grant to Arts Council of Greater Kalamazoo and mock election held for Stark Elementary School with assistance from Buchanan Township Clerk. Questions/discussion was shared.

Old Business

1989 Crane Carrier

Packer Disposal

Weaver reported Dave Jones at the Landfill had posted the sale of the 1989 Crane Carrier Packer (garbage truck) for \$18,000. ***Fisher moved seconded by Scanlon to establish a minimum bid of \$18,000. for the packer truck. Roll call vote unanimous.***

Lee
explained the
Commission motion
that restricted the

Interim City Manager from hiring, firing or increasing wages did not include handling/resolving personnel issues during the transition of finding a new City Manager. **Lee moved seconded by Scanlon to amend the previous motion on October 17 and allow Weaver to handle personnel issues with the exception of hiring and firing.** The motion was clarified to resolve any misunderstanding.

Roll call vote unanimous.

The clerk explained the Municipal Expenditure One-Pager Plus (June 2000) from Michigan Municipal League regarding municipality's power to expend funds for employee Christmas parties, make charitable donations or contributions to public or private social service agencies. The Mayor confirmed the restriction. After brief discussion, Commission concurred that State law be observed.

After brief explanation from the Clerk, **Fisher moved seconded by Scanlon to approve the Discharge of Mortgage at 416 Arctic Street. Roll call vote unanimous.**

The City Manager Agreement for Michael Hughes was reviewed and edited. The clerk submitted written index changes from Attorney Hyrns and verified the new changes as requested by Lee. **Scanlon moved seconded by Lee to approve the Agreement with the amendments as verified (Draft 1), send to the City Attorney and then forward to Hughes. Roll call vote unanimous.**

Weaver commented:

- Confirmed use of Chamber for Tri-County Water Shed Meeting
- Thanks to Commission for allowing opportunity as Interim

Lee commented:

- Thanks to all for assistance during interview process

Scanlon commented:

- Recreation Board Meeting date/time for Skateboard/Ice Rink discussion. Urged attendance.

Hagey commented:

- Thanks to Citizens of St. Joseph, St. Joseph City Commission and Manager Frank Walsh during the City Manager Search

The clerk interjected that she would be obtaining signatures for the Thank you letters to St. Joseph City Commissioner's and sending a note to the Herald Palladium Editor thanking Walsh. Commission agreed to reimbursement for mileage/out of pocket expenses, if any, for Walsh. Brief discussion was shared.

Fisher moved seconded by Lee to adjourn the meeting at 8:55 p.m.

Gladys M. Bybee, City Clerk

David P. Hagey, Mayor

Old Business continued

Personnel Issues,
Interim City
Manager Authority

New Business

Use of Public Funds
for Parties,
Donations,
Contributions

Discharge of
Mortgage, 416
Arctic

City Manager
Agreement, Draft 1

**City Manager
Comments**

**Commissioner's
Comments**

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES

February 10, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, February 10, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Bill Sanders, Buchanan First United Methodist Church gave the Invocation.

Commissioners present: Melissa Fisher, David Hagey, Susan Lee, Earl Scanlon

Commissioner absent: Flora King

Staff present: Interim City Manager Clyde Weaver, City Clerk Gladys Bybee

Guests/Visitors present: City Attorney Randy Hyrns, On-site Manager for Public Services Don

Grady, RAM Love President Glen Carpenter 7 visitors

The Mayor explained that the property requested by the American Legion could not be granted as it was unsure to be city property and calling a public hearing was necessary to consider such a request. *Scanlon moved seconded by Fisher to amend the Agenda by removing the American Legion Request, table it until the 24th when ownership could be established. Roll call vote unanimous. Fisher moved seconded by Scanlon to amend the check register to include check 42681 as requested. Roll call vote unanimous. Fisher moved seconded by Scanlon to approve the Consent Calendar as amended. Roll call vote unanimous.*

- Agenda excluding American Legion Request
- Minutes: Jan. 27 Regular Meeting, Jan. 23 Special Meeting, Jan. 20 & 22 Interview meeting's, Jan 27 & Feb. 3 Work Session Summary's
- Checks numbers 42558 to 42681 in the amount of \$278,666.08 (includes additional check for \$1,070.00)

Grady explained briefly: snow removal, equipment repairs, Mill Race permit, National Pollutant Discharge Elimination Permit (NPDES) application, delay of installing generator at the WWTP and Cross Connection Report submitted (Public Services Department: Monthly Status Report for January) while all reviewed the report.

Carpenter explained the purpose of RAM (Redbud Area Ministries) Love, Inc. and reported the annual (2002) statistics of assistance received and assistance given. Brief discussion was shared between Commission and Carpenter.

Fisher moved seconded by Scanlon to go into Closed Session to discuss Attorney-Client Privileged information at 8:22 p.m. Roll call vote unanimous.

The Mayor reconvened the meeting at 8:55 p.m. with no decisions made in closed session.

Fisher moved seconded by Scanlon to approve the September 9,2002 Closed Session Minutes (Bargaining Unit) as reviewed in closed session. Roll call vote unanimous.

The Mayor reported that Mike Hughes had contacted him and requested relocation costs in the City Manager Agreement. *Fisher moved seconded by Scanlon to allow the City Attorney to include relocation fees not to exceed \$2,000. with receipts under Article IV. Roll call vote unanimous.* Attorney Hyrns confirmed dates to incorporate in the Agreement.

Weaver reported briefly on the Quantum Agreement and requested the Attorney to explain. Hyrns explained the antenna exchange for Internet services and reiterated his recommendation to check with the Auditor for reporting purposes. *Fisher moved seconded by Scanlon to approve the Quantum Agreement as presented contingent on Plante-Moran accounting practices. Roll call vote unanimous.*

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as amended

1-23, 1-27, Minutes
1-20 & 22 Interview
Meeting Minutes
1-27, 2-3 Work
Session Summary

Checks as amended

Reports

Public Services

RAM Love

CLOSED SESSION

9-9-02 Closed
Session Minutes

Old Business

City Manager
Agreement
Amendment

New Business

Quantum Agreement

Barbara Allen,
Buchanan High

School Senior asked about new city manager start date. Shawn Jesse Buchanan High School Senior asked if the new city manager could speak to the High School Government class.

Public Comments

Weaver commented:

- Meeting with prospect for the old nursing home on Redbud Trail
- Meeting with prospect for housing development at Chippewa/Fourth Street
- Unsuccessful meeting with Building Inspector to take measurements for a possible municipal building at Ross Sanders

**City Manager
Comments**

The clerk reported that Frank Walsh had no expenses to turn into the City for his services in assisting to find a City Manager for Buchanan and enjoyed working with the Commission. She asked about inviting Walsh to a meeting to present him a plaque. Commissioners agreed to wait until Mike Hughes arrival to have anymore Work Session's and place the sale of the old library on the next regular agenda.

Fisher commented:

- Requested reports from the Police regarding assistance to outside jurisdictions. Mutual Aid Agreements were discussed between the Attorney and Commission
- Commended RAM Love for their helpfulness in the Community

**Commissioner's
Comments**

Hagey commented:

- Recognition of a copy (letter sent to Weaver) received from James Jesse regarding his opposition of costs for replacing sidewalk in front of his businesses on Redbud Trail. Weaver gave brief explanation.

Fisher moved seconded by Scanlon to adjourn the meeting at 9:19 p.m.

Adjournment

Gladys M. Bybee, City Clerk

David P. Hagey, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

February 24, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, February 24, 2003. The meeting was called to order by Mayor Hagey at 7:58 p.m. Greetings were shared between new City Manager Mike Hughes and Commission.

The Pledge was recited by all in attendance. Reverend Thomas Nowak, St. Paul's Lutheran Church gave the Invocation.

Commissioners present: Melissa Fisher, David Hagey, Flora King, Susan Lee, Earl Scanlon

Commissioner absent: None

Staff present: City Manager Mike Hughes, Interim City Manager Clyde Weaver, City Clerk Gladys Bybee

Guests/Visitors present: City Assessor Gordon Schrieber, District Library Treasurer Mary Lysy 11 visitors

Stacey Lee, Shop-With-A-Cop Coordinator was concerned about loosing the Program with Buchanan due to discontinuance of donation/contribution from the City. She explained the Program and urged employee assistance. Lyle Sumerix, American Legion Commander thanked Clyde Weaver for assistance in locating the owner (LaPorte County Co-Op) of the R/R right-of-way they were seeking to acquire from the City. He explained the forthcoming development. Roma Holmes, Senior Services Chairperson announced receiving 501-3(C) thanked the City for replacing the water heater at the Center and clearing snow from the parking lot. Stella Proud welcomed all and was concerned about the excess snow accumulation by the handicap parking areas on Main and Days Street. Proud was also concerned about not being able to hear other public comments.

Fisher moved seconded by Lee to include Designations Forms from Michigan State Housing Development Authority (MSHDA) and Michigan Economic Development Corporation (MEDC) Authorized Signature forms on the Agenda. Roll call vote unanimous. Fisher moved seconded by Lee to approve the Agenda as amended. Roll call vote unanimous. Fisher moved seconded by Scanlon to approve the Consent Calendar as. Roll call vote unanimous.

- Agenda including MSHDA and MEDC Authorizations
- Minutes: Feb. 10th Regular Meeting & Work Session Summary
- Checks numbers 42682 to 42778 in the amount of \$287,590.30
- State of Michigan Board Resolution, Designating City Manager Mike Hughes as the Authorized Coordinator for the Federal Surplus Property Program
- Resolution 2003.02/1, Designating City Manager Mike Hughes as the Street Administrator for the Michigan Dept. of Transportation as required by Public Act 51
- Resolution 2003.02/2, Authorizing Michael Hughes as a Bank Signatory to endorse City checks

Gordon Schreiber distributed a written report on Assessor Services since last report (9-23). All reviewed report while he explained visiting parcels for assessments (new businesses added and inactivated), review of 46 building permits (2002), December Board of Review, processed two Industrial Facilities Tax Exemptions (IFT), public office hours, finalized 2003 Tax Assessment Role changes, upcoming Board of Review Meetings and commended Board of Review Member's and City Staff for assistance. Discussion was shared regarding 1,695 residentially classed properties and sold properties.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda Addition

Agenda
Feb. 10 Meeting
Minutes & Work
Session Summary
Checks
Federal Surplus
Property Program
Street Administrator
Bank Signatory

Reports

Assessor Department

Mary Lysy,
announced that

Buchanan District Library had increased card holders, computer use and patrons (since move to new building) and explained preliminary work for a Five Year Strategic Plan, assisting with the Stop, Lunch and Listen Program, and sponsoring Chamber After Hours. She announced hiring a full-time person and urged determination from the Commission regarding the option on the second floor for Municipal Services. Discussion was shared regarding the Foods for Fines Program.

Reports continued

Buchanan District Library

Old Business

City Manager Agreement

New Business

Bid Waiver, Plow for tractor

Fisher moved seconded by Scanlon to allow Mayor David Hagey to endorse the Agreement with Michael Hughes as City Manager. Roll call vote unanimous. Greetings were shared.

Discussion was shared between Weaver and Commission regarding the purpose of the plow blade, it being a budgeted item and possible budget amendment. **Scanlon moved seconded by King to approve the Bid Waiver to purchase the plow blade in the amount of \$2,346. contingent on sufficient funds in the DPW current budget. Roll call vote unanimous.**

After brief discussion on the Liquor License Transfer at 116 E. Main Street for J&N Holding Company, Inc. from Olde Village Inn Acquisition Co., the Commission agreed to table a determination until receipt of a memo from the Police Chief review.

Fisher moved seconded by Scanlon to designate Mike Hughes as the authorized signatory for MSHDA. Roll call vote unanimous.

King moved seconded by Scanlon to designate Mike Hughes as the authorized signatory for MEDC. Roll call vote unanimous.

Liquor License Transfer Authorized Signatory for MSHDA Authorized Signatory for MEDC

Stella Proud thanked Commission for support on the Senior Services and requested Hughes to speak to the Seniors. Shawn Jesse requested Hughes to speak at the ACP High School Government Class.

Public Comments**Hughes & Weaver commented:**

- Thanks to Weaver for tours/assistance and appreciative for the City Manager opportunity

City Manager Comments

All Commissioners's welcomed Mike Hughes, thanked Clyde Weaver and Staff, and congratulated Senior Services Board.

Lee commented:

- Pleased with the turn-out for the Skateboard Meeting
- Commended students at Buchanan High for School Play

Commissioner's Comments**Fisher commented:**

- Empty Bowls @High School March 18 for RAM Love
- Urged support for Shop-With-A-Cop Program
- Lights being installed at the Teen Center in March and hopeful to open soon

Scanlon commented:

- Skateboard/Ice Skate Park Committee Meeting March 6 at 7:30 p.m.

Hagey commented:

- Clarification from Stacey regarding past services (none financial) provided by Buchanan for Shop-With-A-Cop Program. Discussion was shared with all Commissioners

- Thanks to Frank Walsh for providing assistance with City Manager Search

After brief discussion of Work Sessions, one was scheduled for Cemetery Development on March 3rd -7:30.

Fisher moved seconded by Scanlon to adjourn the meeting at 9:05 p.m.

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES

March 10, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, March 10, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. No Invocation was given. The Mayor read Resolution 2003.03/03 recognizing Clyde Weaver for his dedication and commitment to the City of Buchanan. He then presented the original Resolution to Weaver.

Commissioners present: Melissa Fisher, David Hagey, Flora King, Earl Scanlon

Commissioner absent: Susan Lee

Staff present: City Manager Mike Hughes, Police Chief Brian Russell, Code Enforcement Officer Clyde Weaver, City Clerk Gladys Bybee

Guests/Visitors present: On-site Manager for Public Services Don Grady 8 visitors

Fisher moved seconded by King to amend the Agenda by including discussion to Call for Public Hearing under new business. Roll call vote unanimous. Fisher moved seconded by Scanlon to approve the Consent Calendar as amended. Roll call vote unanimous.

- Agenda including Call for Public Hearing
- Minutes: Feb. 24 Regular Meeting & March 3 Work Session Summary
- Check numbers 42779 to 42882 in the amount of \$210,023.83

Grady explained briefly: snow removal, equipment repairs, generator, Phase II Storm Water Permit, Partnership between School and City for Storm Water Permit, sludge removal and water system maintenance-analysis (Public Services Department: Monthly Status Report for February) while all reviewed the report. There was brief discussion regarding the condition of the water wells, salt for streets, and application submitted to National Guard.

Chief Russell explained briefly: Mid-winter training program for policies/procedures, Relay for Life Team-American Cancer Society, Calls outside the City limits (statistics), Co-Chairman for 2003 Chamber of Commerce Golf Outing, 2001-2002 Traffic Crash reports data comparison, and quarterly Activity Reports. He reported that Clyde Weaver and Dick Mann were sharing the Code Enforcement responsibility and would return with statistical Report.

King moved seconded by Scanlon to approve Resolution 2003.03/04 approving the request from J&N Holding Company, Inc. to transfer ownership of 2002 Class C licensed business located at 116 Main Street from Olde Village Inn Acquisition Co. as investigated by Chief Russell. Roll call vote unanimous.

Grady explained the process of maintaining and removal of sludge at the Wastewater Treatment Plant. After brief discussion between Grady and Commission ***Scanlon moved seconded by King to approve the Budget Amendment in the Water & Sewer Enterprise Fund to expend funds set aside in the amount of \$11,000. for sludge removal. Roll call vote unanimous.***

Scanlon, Commissioner Representative on Landfill Board reported on the request from Dick Haigh, Landfill Board Chairman to discontinue videotaping of the Landfill Board Meeting's. All shared discussion regarding positive interest from the public to view the meetings, costs absorbed by Buchanan City, thus the Commission felt no reason to act on the request to discontinue.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as amended
2-24 Meeting
Minutes 3-3 Work
Session Summary
Checks

Reports

Public Services

Police Department

Old Business

Liquor License
Transfer

New Business

Budget Amendment,
Water & Sewer
Enterprise Fund

Videotaping Landfill
Meetings

A Public Hearing was called for Monday March 24th, 8:00 p.m. at City Hall to hear comments on the submission of a grant to the Michigan Department of Natural Resource in the amount of \$155,000 requiring a local match of 77,500. for the City of Buchanan Circle Trailway System.

There was brief discussion between Hughes and Commission.

Hughes commented:

- Brief explanation from his Managers Report regarding more State Revenue Sharing cuts
 - Budget Work Shop, Annual Planning Session, Cemetery Work Session dates/times
- The Mayor requested a list of the current loans & grants
- Thanks to the Police Department for the Ride-A-long and commendation to them for their Business Check process

King commented:

- Appreciation for memo from City Manager
- Thanks to Clyde Weaver

Fisher commented:

- Appreciation for memo and anticipates future communications
 - Apologizes for absence at Firefighters Banquet
 - Announced Empty Bowls Fundraiser
- High School student Barbara Allen explained the fundraiser in detail
- Teen Center Opening update forthcoming

Scanlon commented:

- Commendation to Bill Norton, 30+ year firefighter and Chad Baker Firefighter of Year
- Thanks to Clyde Weaver

Hagey commented:

- Thanks to Hughes, hearing good remarks from being very visible

Fisher moved seconded by Scanlon to adjourn the meeting at 8:45 p.m.

Gladys M. Bybee, City Clerk

David P. Hagey, Mayor

New Business
continued
Call for Public
Hearing

City Manager
Comments

Commissioner's
Comments

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES

March 24, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, March 24, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Jill Rasmussen-Baker, First Presbyterian gave the Invocation. The Mayor read Resolution 2003.03/05 recognizing Roma Holmes for her dedication and commitment to Buchanan Senior Services. He then presented the original Resolution to Ms. Holmes. Holmes commended her fellow seniors for the Senior Services successes.

Mary Mitchell requested permission to display yellow ribbons on poles downtown in support of the US Military Troops. Brief discussion was shared. **Lee moved seconded by Fisher to include the request under new business for formal consideration. Roll call vote unanimous.**

Jennifer Harrington announced she was planning an Easter Egg Hunt through the monetary assistance of the United Federal Credit Union and other donations. She explained the egg hunt would be in connection with the Relay for Life Breakfast planned by Police/Fire Department's. She assured the Commission no City funds would be used and encouraged volunteer's. There was brief discussion between Stella Proud, City Manager and Commission regarding the cemetery and roadway behind the library. Jody Haas asked the status of the Skate Park on behalf of himself and several youths in attendance. Scanlon replied that the Recreation Board voted to place the park in Centennial Park (a.k.a. McCoy Creek Park), \$10,000. was committed and noted the Recreation Board would be assisting the Skate Park Committee. Scanlon explained in detail the progress and anticipated involvement/commitment from youths and parents.

Commissioners present: Melissa Fisher, David Hagey, Susan Lee, Earl Scanlon

Commissioner absent: Flora King

Staff present: City Manager Mike Hughes, City Clerk Gladys Bybee

Guests/Visitors present: Joint Sewer/Water Chairman Dick Chubb, BusinessOwner Ella Taylor
30 visitors

Fisher moved seconded by Scanlon to approve Agenda to include formal discussion on the Yellow Ribbon Request under new business. Roll call vote unanimous. Fisher moved seconded by Scanlon to approve Consent Calendar as amended. Roll call vote unanimous.

- Agenda including Yellow Ribbon Request
- Minutes: March 10 Regular Meeting & March 17 Work Session Summary
- Check numbers 42883 to 42981 in the amount of \$113,046.47
- Rear Yard Setback Variance at 217 E. Front Street as recommended by BZA
- Resolution 2003.03/06, Liquor License Transfer for 215 E. Front Street
- Appoint Darla Main-Schneider to a remaining term on the Plan Commission and BZA
- Accepted the Code Enforcement Report for November 2002 through February 2003 as submitted by Police Chief Brian Russell

Ella Taylor, Coordinator of the Redbud Celebration distributed a draft of her Agenda for the two day Celebration in May beginning on Friday night and ending on Sunday. She reported event commitment's obtained and sought, the need of approval for street closure, banner display and the need for joy johns/trash receptacles. Discussion was shared between Commission and Taylor with Hughes confirming to check on Downtown Streetscape construction schedule. Commissioners concurred to concept of the Celebration and for Taylor to continue planning.

Dick Chubb, Chairman for the Joint Sewer and Water Board reported the Advisory Board was established October 1983 with a 30 year Agreement between the City and

Call to Order

Pledge/Invocation

Public Comments

Roll Call

Consent Calendar

Agenda as amended
3-10 Meeting
Minutes 3-17 Work
Session Summary
Checks
217 E. Front St.
Variance
215 E. Front Liquor
License Transfer
Plan Commission &
BZA Appointment
Code Enforcement
Report

Reports

Redbud Celebration

Joint Sewer/Water
Board
Buchanan Township.
He read the purpose
of the Board and

announced several projects the Board worked on with Don Grady for the Wastewater Treatment Department.

Reports continued

The Mayor opened the Public Hearing at 8:35 p.m. to welcome public comments on the submission of the Circle Trailway Grant to the Department of Natural Resources (DNR). Dick Proud spoke in support of the Trailway. He explained in detail his involvement with the project and suggested phasing and expanding the project. Hughes explained the changes to the grant and reported he would be meeting with the DNR prior to submittal on April 1. Brief discussion was shared between Commission and Hughes. Stella Proud asked for verification of the route. The Mayor closed the public hearing at 8:58 p.m. ***Fisher moved seconded by Scanlon to approve the submittal of the Buchanan Trailway Circle System and authorize City Manager Mike Hughes to endorse applicable documents (Resolution 2003.03/07). Roll call vote unanimous.***

Old Business
Public Hearing
Circle Trailway
Grant

Hughes explained the change in the Cemetery fees while all reviewed the Resolution and Schedule of Fees. Stella Proud commented about the costs. ***Fisher moved seconded by Scanlon to approve Resolution 2003.03/08 as submitted. Roll call vote unanimous.***

New Business
Resolution
2003.03/08
Cemetery Fees &
Charges
Resolution
2003.03/09, Dial-A-
Ride Grant

Judy Phillips, Director of Dial-A-Ride briefly explained the Local Public Transportation State Grant Application. ***Fisher moved seconded by Lee to approve submittal of the grant as presented. Roll call vote unanimous. Resolution 2003.03/09 approved.***

Hughes announced the opportunity to submit grant application to Michigan Economic Development Corporation (MEDC) for a program called "Blueprints for Michigan Downtown's 2003". After explaining the 50/50 match, competitive process and the need of a new action plan for economic enhancement for downtown he requested Commission direction. Brief discussion and clarification was shared. ***Scanlon moved seconded by Fisher to develop the grant application to MEDC for submittal. Roll call vote unanimous.***

Blueprints for
Michigan
Downtown's 2003

The Mayor read Resolution 2003.03/10 appreciating and honoring every sacrifice of the United States Armed Forces and their families and pray for their safe return to American soil. ***Lee moved seconded by Scanlon to approve Resolution. Roll call vote unanimous.***

Resolution
2003.03/10
Honoring United
States Military
Personnel

Fisher moved seconded by Scanlon to allow Mary Mitchell to display yellow ribbons downtown and remove when appropriate. Roll call vote unanimous.

There was discussion between Stella Proud and Commission regarding businesses downtown.

Hughes commented:

- Asked for comments regarding the Commissioner Survey for the Annual Planning Meeting
- Working with Department Heads on bringing a 2003-04 balanced budget to the Commission

Public Comments

**City Manager
Comments**

Lee commented:

- Thanks to Ella Taylor and Congratulations to Roma Holmes

**Commissioner's
Comments**

Scanlon commented:

- Congratulations to all Buchanan Sports Teams
- Urged involvement for volunteers to see the Skate Park to fruition

Hagey commented:

- Thanks to Joe for pursuing the Skate Park, all involved with the Easter Egg Hunt and Relay for Life, Craig Sumerix for his summer activities and he encouraged others to get involved

Fisher moved seconded by Scanlon to adjourn the meeting at 9:30 p.m.

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES
April 14, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, April 14, 2003. The meeting was called to order by Mayor Hagey at 8:02 p.m.

The Pledge was recited by all in attendance. No Invocation was given. The Mayor read the Proclamation proclaiming April 10 through April 19 as Buchanan Lions White Cane Week. He then read the Arbor Day Proclamation, proclaiming April 25th as Arbor Day.

Commissioners present: Melissa Fisher, David Hagey, Susan Lee, Earl Scanlon

Commissioner absent: Flora King

Staff present: City Manager Mike Hughes, City Clerk Gladys Bybee

Guests/Visitors present: On-site Manager for Public Services Don Grady, Senior Services President Roma Holmes, American Legion Service Officer Marvin Pruett, Buchanan Lions Past President Mark Tumbleson, DDA/TIF Vice Chairman Craig Sumerix, Redbud Celebration Coordinator Ella Taylor 26 visitors

Sandra Emerick a Days Avenue resident commented about the deplorable condition of Days Avenue and wanted the exact status and start date for the reconstruction. Other Days Avenue Resident's; Jim Pomeroy, Kelly Roscoe, Ron Alan, Robert Virgil, Marve Trapp, and William Carlisle agreed with Emerick and commented about identifying Days as a dead end, tree lawns, outcome of the brick pavers, and sidewalks. All shared discussion/questions and concerns. A paper was passed around for names and addresses with Hughes requesting specific issues to be brought to his attention. The Commission concurred that the reconstruction of Days Avenue would happen this year. Hughes confirmed bid opening on May 5 and bring to Commission on May 12. Melva Killian reminded the Commission of her attendance and request last December regarding the adoption of an ordinance prohibiting the hanging of dead animal carcasses in public view during the state-hunting season. Commission responded that a forthcoming ordinance amendment would be discussed at the next meeting.

Fisher moved seconded by Lee to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: March 24 Regular Meeting, March 31 Work Session Summary, & April 7 Budget Review Summary
- Check numbers 42982 to 43105 in the amount of \$240,306.37
- Bid Award for Abandon Well Plugging to lowest bidder, Peerless Midwest, Inc. in the amount of \$5,244.00
- Bid Award for Electric Panel/Enclosure to lowest bidder, Wolverine Electrical Contracting in the amount of \$3,490.00

Marvin Pruett announced and explained the Legions upcoming events including the Memorial Day Parade in which a Street Closure would be needed.

Mark Tumbleson thanked the Commission for their support of White Cane Week and explained the Lions Club mission, monthly events and projects.

Ella Taylor announced and explained the progress with the Redbud Celebration and would forward an itinerary April 15. Discussion was shared regarding extension of hours for the Beer & Wine Garden and the Code for Tarot Card Reading.

Call to Order

Pledge/Invocation

Proclamations:
White Cane Week
Arbor Day

Roll Call

Public Comments

Consent Calendar

Agenda
3-24 Meeting
Minutes 3-31 Work
Session Summary &
4-7 Budget Review
Checks
Bid Award, Abandon
Well Plugging
Bid Award,
Electrical Panel

Reports

American Legion
Buchanan Lions
Redbud Celebration

a draft flyer for the proposed Downtown Cruise In on June 14 and July 26. He explained in detail and requested endorsement from the City Commission. Commissioner's concurred to the event(s).

Grady explained briefly: Cemetery cleanup, Park cleanup, Street maintenance, Equipment repairs, generator at the Wastewater Treatment Plant, Sludge removal, boiler repairs, copy machine and alarm system (Public Services Department: Monthly Status Report for March) while all reviewed the report.

A Public Hearing was called for Monday April 28th, 8:00 p.m. at City Hall to hear comments on the submission of an Ordinance amending Chapter 22, Perpetual Care. Hughes explained the changes in detail. He suggested that 25% of grave sales be placed in the Perpetual Care Fund that would cause a change in the Ordinance regarding the payment plan deposit.

Roma Holmes explained her letter of request for continuation from the City to fund the facility, utilities and maintenance of the building (131 S. Oak St.) for Senior Services. The Mayor explained funding was proposed in the 2003-04 Budget, which the Commission was reviewing, with no change at the present time (budget final approval the last meeting in May).

Grady explained the need for replacement of the copy machine at the Wastewater Treatment Plant. He announced quotes had been solicited and a internal budget transfer would be needed. There were questions/discussions. ***Fisher moved seconded by Lee to waive the bid and award the purchase to US Business Systems in the amount of \$2,100. plus \$320. for annual maintenance contract. Roll call vote unanimous.***

Grady announced the need for replacement of heat tubes in the Sludge Boiler at the Wastewater Treatment Plant. He explained the workings of the boiler, that quotes had been solicited with one (1) response and cost in the current budget. There were questions/discussions. ***Fisher moved seconded by Lee to waive the bid and award the purchase to Kalamazoo Boiler Company, Inc. in the amount of \$5,478. Roll call vote unanimous.***

Sandra Emerick commented that functions/events needed to be publicized more. Kelly Roscoe commented her interest in becoming involved to know about events/functions.

Hughes commented:

- Thanks to Jennifer Harrington, United Federal Credit Union, Fire and Police Department's for the Easter Egg Hunt (pictures passed around) and the Pancake Breakfast fundraiser
- Treasurer Juli O'Bryant received Municipal Finance Administrator Certification from the United States and Canada Association of Public Treasurers
- Received and invitation from the City of Allegan to participate with a Mayors Exchange. Interest from Commissioner's
- Friends of the Oakridge Cemetery Meeting (announcement distributed)
- Community Housing Initiative received \$5,000 for Buchanan from American Electric Power towards homeowner rehabilitation
- Senior Project to clean McCoy Creek from McCoy Pond Park to Spafford Woods and request to utilize the old library building for two high school students to film a movie
- Closed one-half day for Good Friday

Lee commented:

- Thanks to Days Avenue Resident's, all that coordinated the Breakfast and Easter Egg Hunt, Ella Taylor, Hughes and Bybee
- Congratulations to O'Bryant and Buchanan Lions

Reports continued

DDA-Craig Sumerix

Public Services

Old Business

Introduce Ordinance Amendment, Call for Public Hearing Continuation to fund Senior Services Building

New Business

Bid Waiver, Copier for WWTP

Bid Waiver, Heat Tubes for WWTP

Public Comments

City Manager Comments

Commissioner's Comments

Fisher commented:

- Thanks to all for the Breakfast

and Easter Egg Hunt

Scanlon commented:

- Requested volunteer(s) to supervise concrete work for the Skate Park Project
- Thanks to Days Avenue Visitors, Ella Taylor, Lions, and Roma Holmes

Hagey commented:

- Thanks and Gratitude for all Volunteers doing great things for the City

Fisher moved seconded by Lee to adjourn the meeting at 9:47 p.m.

**Commissioner's
Comments
continued**

Adjournment

Gladys M. Bybee, City Clerk

David P. Hagey, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
April 28, 2003

view. Scanlon explained that if a complaint was received the same process would occur with or

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, April 28, 2003. The meeting was called to order by Mayor Hagey at 8:02 p.m.

The Pledge was recited by all in attendance. Reverend Stan Hullah, Buchanan Church of Christ gave the Invocation. The Mayor read the Proclamation proclaiming April 27 through May 5 Volunteer Week and thanked volunteers for their commitment to the City of Buchanan.

Call to Order

Commissioners present: Melissa Fisher, David Hagey, Susan Lee, Earl Scanlon

Commissioner absent: Flora King

Staff present: City Manager Mike Hughes, City Clerk Gladys Bybee

Guests/Visitors present: 14 visitors

Pledge/Invocation

Proclamation:

Volunteer Week

Stella Proud questioned the status of the filling station (Cole's Heating) at the Front/Terre Coupe corner and stated she heard McCoy Creek originated off of Curran Road. Jill Rassmussen-Baker and Stan Hullah announced the National Day of Prayer sponsored by the Buchanan Area Ministerial Association and thanked the City Commission for use of the Commission Chamber. Jim King encouraged the Commission to allow city residents the opportunity to have the bricks from Days Avenue reconstruction. Hughes explained the bid letting and specifications for the removal. The Mayor replied that plans are to use the bricks for City projects and then offer to residents. Don Trull requested permission for persons to travel over city right-of-way, at the Moccasin Street Water Tower, to remove firewood from his property. After brief discussion, the Mayor requested Hughes to address the request with DPW.

Roll Call

Public Comments

Fisher moved seconded by Lee to approve the Consent Calendar. Roll call vote unanimous.

- Agenda
- Minutes: April 14 Regular Meeting, April 21 Special Meeting & Budget Review Summary
- Check numbers 43106 to 43180 in the amount of \$80,427.12
- Street Closures: Front from Redbud to Oak/Days from Front to Roe/Main from Front to Dewey - June 14 and July 26 – 4:00 to 9:00 p.m.
City North Parking Lot – May 16 – 6:30 p.m. to 1:30 a.m.
Days from Central to Front/City North Parking Lot - May 17 – 6:30 p.m. to 1:30 a.m.
Front from corner of 259 Front to Oak – May 17 – 6:30 a.m. to 11:00 p.m.
Front Street from American Legion to Oakridge Cemetery– May 26 – 9:30 to 11:30 a.m.

Consent Calendar

Agenda

4-14 Meeting

Minutes 4-21 Work
Session Summary &
Budget Review

Checks

Street Closures

The final changes to the 2003-04 Budget was distributed with packets. Hughes presented a brief overview of the Proposed/Balanced 2003-2004 Fiscal Year Budget as prescribed by Charter Section 9.2. He explained the proposal maintained the current 17.10 millage rate and an 8% increase in the water/sewer rates due to an operating deficit in the Water & Sewer Enterprise Fund the past two years. The Mayor announced the Budget was on file for review.

Reports

2003-04 Budget
Presentation

Bybee reported opening's on Boards/Committees, Nominating Petition for Commissioner dates/requirements for the November City Election, Homeowner and Rental Rehabilitation Program status with Community Housing Initiative at the next meeting, Congratulations to the Preservation Society on their Award of \$600.00 from the Arts Council of Greater Kalamazoo for cultural activities at Pears Mill, and site map conclusion to begin "Buchanan City Website".

City Clerk-Election
Department

The Mayor called for Commissioner comments regarding the proposed change to Chapter 38-Nuisances by including language prohibiting hanging or displaying animal carcasses in public

Old Business

Hanging Animal Carcass Ordinance

without an ordinance and hunters only hang their kill for a minimum amount of time. Fisher commented the regulation should have a time limit and would be there if needed. Lee agreed with Scanlon. Hughes was concerned about enforcement and discussion was shared with Commission. Hagey commented that judgement should be the citizen(s) although he approved the other issues presented in the ordinance. Doyle Vergon opposed entertaining thoughts of passing such legislation. He also encouraged the Commission to adhere to the advice of the City Boards/Committees. Bill Martin stated several points of opposition, including violation of personal freedoms. Larry Money opposed the legislation due to the short hanging time. Lene Mollberg opposed the legislation. Ron Bennett opposed the inclusion of the carcass hanging, as it is not a health issue.

The Mayor call the Public Hearing to order at 8:52 p.m. to hear comments on the submission of an Ordinance amending Chapter 22, Perpetual Care. None were heard. The Mayor and Hughes summarized the amendment. The Public Hearing concluded at 8:55 p.m.

Fisher moved seconded by Lee to approve the Ordinance as presented. Roll call vote unanimous. Ordinance 358.04/03 adopted.

Hughes explained the Resolution requiring 25% of grave sales to be placed in the Perpetual Care Fund. ***Fisher moved seconded by Scanlon to approve the Resolution as presented. Roll call vote unanimous. Resolution 2003.04/12 adopted.***

After brief discussion of developing the City Website, adding future features to accept utility payments, and available funds ***Fisher moved seconded by Scanlon to authorize City Manager Mike Hughes to negotiate a contract with Fencl Design to design the city website in the amount of \$4,700. and not to exceed \$5,500. Roll call vote unanimous.***

A Public Hearing was called for Monday May 12th, 8:00 p.m. at City Hall to hear comments regarding the 2003-2004 Fiscal Year Budget for the City with the budget available for review.

Commissioner's confirmed that obligations were met regarding the Development Agreement and Lien and also the Mortgage on 310 Remus Drive. ***Fisher moved seconded by Lee to approve the Discharge of Development Agreement & Lien and Discharge of Mortgage on 310 Remus Drive as fulfilled by Orville Worvey. Roll call vote unanimous.***

Hughes commented:

Attendance to the Friends of the Cemetery meeting and bids let for the Cemetery roadway, Submittal of the "Blueprints for Downtowns 2003" grant with visit on Thursday, Positively about the Arbor Day Celebration, Testing wireless internet connection with Quantum, Wrapping up details with Daryl Veldman from Wightman on Front Street Streetscape, Preparing letter for Days Avenue resident's regarding reconstruction

Commissioner's voiced their sympathy to the Florey Family on the loss of Dale.

Lee commented:

- Enjoyed Arbor Day Celebration

Fisher commented:

- Household Hazardous Waste Collection at the Southeast Berrien County Landfill

Hagey commented:

- Revisiting the funds available for Days Avenue
- Sidewalk cave-in on Days and damaged steps on the north side of Front St. by the clock

Fisher moved seconded by Scanlon to adjourn the meeting at 9:15 p.m.

Gladys M. Bybee,
City Clerk

David P.
Hagey, Mayor

Old Business
continued

Hanging Animal
Carcass Ordinance

Public Hearing,
Ordinance 358.04/03
Perpetual Care

Resolution
2003.04/12, Charge
for Perpetual Care
Fund

Bid Waiver, City
Website

New Business

Call for Public
Hearing, 2003-04
Budget
Discharge of
Mortgage, Discharge
of Development
Agreement & Lien
City Manager
Comments

Commissioner's
Comments

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES
May 12, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, May 12, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Bill Sanders, Buchanan First United Methodist Church gave the Invocation.

Commissioners present: Melissa Fisher, David Hagey, Flora King, Earl Scanlon

Commissioner absent: Susan Lee

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee, Treasurer Juli O'Bryant,

Guests/Visitors present: Public Services Manager Don Grady, Plan Commission Chairman Richard Gault, Fine Arts Council President Karin Falkenstein, Redbud Celebration Coordinator Ella Taylor 4 visitors

Stella Proud announced the Senior Services PotLuck and commended Commissioners and Staff on calming the Community from previous upheaval. Reverend Sanders announced the First United Methodist would be accepting donations to construct a Ten Commandment Monument in their front yard on Oak Street.

King moved seconded by Fisher to approve the Consent Calendar after brief discussion of the Updated Investment Policy. Roll call vote unanimous.

- Agenda
- Minutes: April 28 Regular Meeting, May 7 Special Meeting
- Check numbers 43181 to 43281 in the amount of \$316,796.88
- Resolution 2003.5/13 Approved. Investment Policy, General Agency Agreements for Chemical Bank and Trust's Cash Management Account and the Investments Management Agency, Designation of Sweep Account and transfer surplus funds approval. Authorizes the Treasurer to invest funds of the City of Buchanan pursuant to the Investment Policy. Before executing an order to purchase or trade the funds of the City of Buchanan, Chemical Bank and Trust shall be provided with a copy of the Investment Policy and shall acknowledge receipt of the Policy and agree to comply with the terms of the Policy regarding buying and selling of securities by signing the attached form. The treasurer shall provide annually a written report to the City of Buchanan concerning the investment of the funds. The Treasurer is authorized to rely on the continuing effect of this resolution until and unless it is specifically amended or rescinded by a future resolution of the City of Buchanan. This resolution supersedes all previous resolutions, parts of resolutions, and the City of Buchanan's policy inconsistent with this resolution or with the State Law, and this resolution shall take effect immediately.
- Resolution 2003.5/14 Approved. Directing and Authorizing the Treasurer to charge Buchanan Community School, Berrien County Intermediate School and Lake Michigan College \$3,024.03 each (\$1.36 per parcel), on behalf of the City of Buchanan; for the reasonable expenses for collection of the district's summer property tax levy that the City may bill under MCLA 280.1611 or MCLA 280.1612.

Gault reported the Plan Commission was close to concluding the update on the Zoning Ordinance and Map, platting the new addition of Oakridge Cemetery, and lost/gained a member on the Plan Commission. He announced upcoming rezoning issues and plan reviews and discussion was exchanged with Commission.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
4-28 Meeting
Minutes, 5-7 Special
Meeting Minutes
Checks
Resolution
2003.5/13, Update
Investment Policy

Resolution
2003.5/14, Summer
School Tax Fee

Reports

Plan Commission

Falkenstein
distributed the 2003
Itinerary and letter
for the Tin Shop

Theatre, and commended Simon Frederick and hoped for his return. She explained the programs for the season, described the recent/planned repairs and thanked the Commission for monetary support/repair of the sidewalk.

O'Bryant reported preparation for the summer tax, September Audit and thanks to the Commission for support while gaining the education to receive the Treasurer Certification. She announced as Chamber of Commerce Member the Annual Garage Sales, Redbud Tree Sales and Buchanan Day at Coveleski Stadium.

Grady explained briefly: ongoing equipment repair, Cemetery & Park Clean up (mowing/trimming), Street Sweeping (all), Boiler repairs complete, Copy machine installed, Mill Race request to National Guard (possibly assistance next year), and Days Avenue Sidewalk reviewed during Days reconstruction (Public Services Department: Monthly Status Report for April) while all reviewed the report. Brief discussion was shared about the generator takeover during the two (2) power outages.

Taylor distributed itineraries of the Redbud Celebration and requested permission to use the flat bed trailer in the North Parking Lot on Friday and Saturday for the band. She explained some events (i.e. Fire Fighters water ball competition, children's games, etc.). After brief discussion Hughes confirmed to arrange delivery of the flat bed trailer from the DPW.

The Mayor called the Public Hearing to order at 8:37 p.m. to hear comments regarding the 2003-2004 Annual City Budget. None were heard. Hughes summarized the budget. The Public Hearing concluded at 8:40 p.m. The Mayor announced the budget could be reviewed during business hours with final adoption on May 27th.

Hughes explained the South Days Avenue Reconstruction bid opening on 5-5 and concurred with Wightman & Associates to select the lowest bidder. ***Fisher moved seconded by King to award bid to Kalin Construction in the amount of \$270,292.55 as recommended. Roll call vote unanimous.*** Hughes confirmed to send out pre-construction notices.

O'Bryant explained the Revenue and Expenditure Budget Amendment of \$400,000. in the General Fund that would transfer funds needed for the South Days Avenue Project from 2000 W&S Revenue Bond Fund. ***King moved seconded by Scanlon to approve the Budget Amendment as presented. Roll call vote unanimous.***

Resolution 2003.5/15 Approved. Authorizing the Treasurer to transfer \$400,000. from the W&S Bond Fund #506, back to the General Fund. The City Treasurer may expend "Designated Reserve Fund Balance" and undesignated operating reserves for the South Days Avenue Reconstruction Project in the amount of \$400,000. ***Fisher moved seconded by King to approve the Resolution as presented. Roll call vote unanimous.***

Hughes reported two (2) prospective buyers for the Public Library Building, 117 W. Front Street and requested direction from the Commission. He suggested several alternatives that Commission agreed with. The Mayor noted a call for Public Hearing required.

Hughes commented:

Reminder of the MML Regional Meeting in Dowagiac, change in dates for Mayors Exchange, and MEDC & MSHDA visit concerning the Blueprints for Downtown Grant.

King commented:

- Wishing for nice weather for the Redbud Celebration

Fisher commented:

- Congratulations to Treasurer O'Bryant for receipt of Certification
- Car Seat check at Martin's
- Thanks to City Workers for Spring Clean Up Project
- Urge attendance to Redbud Festival

Reports continued

Fine Arts Council-Tin Shop Theatre

Treasurer
Department

Public Services

Redbud Celebration

Old Business
Public Hearing,
2003-2004 Fiscal
Year Budget

Bid Award, South
Days Ave.
Reconstruction

General Fund
Budget Amendment

Resolution
2003.5/15, Transfer
of Funds for Days
Ave. Reconstruction

Public Library Bldg.,
117 W. Front St.

**City Manager
Comments**

**Commissioner's
Comments**

**Scanlon
commented:**

- Congratulations to Treasurer O'Bryant
- Congratulation to Grady for the

persistence in obtaining the generator

- Urged attendance to Celebration
- Congratulations to two Firefighters on receiving Certification
- Commissioners and City Staff need extra eyes throughout the City of issues needing attention

**Commissioner's
Comments
continued**

Hagey commented:

- Congratulations to Treasurer O'Bryant and thanks to all for efforts preparing Budget without cutting services
- Urged attendance to Celebration and Thank you to all who made it possible
- Receipt of Thank you for support from Esther Florey on the passing of husband Dale

Fisher moved seconded by Scanlon to go into Closed Session to discuss "Purchase of Lease of Real Estate" at 9:04 p.m. Roll call vote unanimous.

The Mayor reconvened the meeting at 9:25 p.m. with no decisions made in closed session.

Fisher moved seconded by King to approve the February 10, 2003 Attorney-Client Privileged Information Closed Session Minutes as reviewed in closed session. Roll call vote unanimous.

CLOSED SESSION

Feb. 10 Closed
Session Minutes

A Work Session was confirmed for 5-19-03/8:00 p.m. *Fisher moved seconded by Scanlon to adjourn the meeting at 9:27 p.m.*

Work Session Call
Adjournment

Gladys M. Bybee, CMC
City Clerk

David P. Hagey, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
May 27, 2003

A regular rescheduled meeting (due to Memorial Holiday) of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday, May 27, 2003. The meeting was called to order by Mayor Pro-Tem Scanlon at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Bill Sanders, Buchanan First United Methodist Church gave the Invocation.

Commissioners present: Flora King, Susan Lee, Earl Scanlon

Commissioner absent: Melissa Fisher, David Hagey,

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee

Guests/Visitors present: Recreation Director Wayne Writer, Common Committee Chairman Don Holmes, Community Housing Initiative (CHI) Director Jim Oleksak, Southwestern Michigan Community Ambulance Services Director Marlene Beach 4 visitors

King moved seconded by Lee to approve the Consent Calendar as submitted. Roll call vote unanimous.

- Agenda
- Minutes: May 12 Regular Meeting, May 19 Work Session Summary
- Check numbers 43282 to 43364 in the amount of \$493,216.36
- Certify delinquent utility bills to the 2003 summer tax roll
- Reappoint James Taylor to the Buchanan Area Recreation (BARB) Board for a three year term

Writer distributed brochures of the BARB 2003 Summer Recreation and Enrichment Opportunities along with a Spring 2003 Report. He explained both in detail and discussion was exchanged with Commission.

Holmes distributed the brochure that contained the 2003 Season Events that were scheduled at the Common. He explained the programs for the season and encouraged attendance for all programs.

Beach did a power point presentation on 2002-2003 Services from SMCAS and explained all in detail. She announced future programs and questions/discussion was shared.

Oleksak distributed a written update reporting the status of the Downtown Homeowner Rehabilitation and Downtown Rental Rehabilitation by addresses. He announced that Bill Peterson, LaSalle Federal Savings had provided \$30,000 Home Savings Program to enhance the Homeowner Rehabilitation Project along with American Electrical Power Foundation providing \$5,000. He confirmed resubmittal to MSHDA with Commission approval. Discussion/questions were shared with public and Commission.

The Mayor Pro-Tem asked for comments regarding the 2003-2004 Annual City Budget. ***King moved seconded by Lee to approve Resolution 2003.05/16. Roll call vote unanimous.***

A RESOLUTION FOR THE CITY OF BUCHANAN, COUNTY OF BERRIEN, MICHIGAN TO ADOPT A BUDGET FOR THE CITY OF BUCHANAN FOR FISCAL YEAR 2003-2004

WHEREAS, in accordance with Chapter 9 of the City Charter of the City of Buchanan governing budget procedure and general finance, and in compliance with the requirements of the Michigan Uniform Accounting and Budgeting Act, a balanced

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda
5-12 Meeting
Minutes, 5-19 Work
Session Summary
Checks
Certify Delinquent
Utilities
Recreation Board
Appt.-James Taylor
Reports
Recreation Board

Common Committee

SMCAS

Community Housing
Initiative

Old Business

Resolution
2003.05/16, 2003-
2004 Fiscal Year
Budget

budget has been set up for the City of Buchanan for the fiscal year of July 1, 2003 through June 30, 2004; and

Old Business**continued**

Public Hearing,
2003-2004 Fiscal
Year Budget
Resolution
2003.05/16

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Buchanan that the following sums are adopted for the 2003-2004 fiscal year for the purposes set forth below:

General Government \$437,124.	City Commission	\$ 37,422.
	City Manager	118,717.
	Elections	17,861.
	Assessor	30,550.
	City Clerk	43,966.
	Treasurer	96,036.
	Building & Grounds	74,272.
	Teen Center	12,050.
	Rental Property	6,250.
Public Safety \$972,426.	Police Department/Code Enforcement	\$ 770,388.
	Crossing Guards	24,550.
	Fire Department	135,531.
	Building Inspector	41,957.
Public Works \$435,058.	DPW/Streets	\$ 435,058.
Recreation/Culture \$172,115.	Parks & Recreation	\$ 40,457.
	Library	0
	Fine Arts	0
	Miscellaneous Costs/Transfers	<u>13,358.</u>
Total General Fund		\$1,998,423.
	Major Streets	\$ 397,029.
	Local Streets	209,802.
	Street Repair & Maintenance	289,580.
	Water & Sewer Enterprise	1,145,939.
	1991-93 Michigan Transportation Bond	80,565.
	Downtown TIF District	22,138.
	Andrews Farm TIF District	115,901.
	Downtown Development	50,375.
	1997A Series W & S Revenue Bond	66,587.
	Solid Waste/Recycling	-0-
	2000 W&S Bond-Liberty Heights	109,025.
	MTB-Liberty Heights	40,474.
	Third Street Brownfield	47,719.
	River Street Brownfield	5,000.
	Smith Street Brownfield	<u>2,000.</u>
Total Other Funds		\$2,582,134.

Total Budget Including General Fund \$4,580,557.

BE IT FURTHER
RESOLVED that
the City

Commission of the City of Buchanan authorizes levy of 17.1000 mills on real and personal property within the City of Buchanan for municipal operating purposes.

BE IT FURTHER RESOLVED that the City Commission of the City of Buchanan hereby authorizes the levy 0.50 mills on real and personal property within the City of Buchanan for Dial-a-Ride.

BE IT FURTHER RESOLVED that the City Commission of the City of Buchanan authorizes the levy of one half of the above stated millage rates on real and personal property on the separate tax rolls under Act 198, Industrial Facilities Tax Districts.

BE IT FURTHER RESOLVED that the City Commission authorizes the water and sewer rates, effective July 1, 2003, as follows:

(RTS)	Water	Sewer	Ready to Serve
City	\$1.81/1000 gal.	\$3.59/1000 gal.	\$17.16 Bi-monthly
Township	2.13/1000 gal.	4.21/1000 gal	20.42 Bi-monthly

BE IT FURTHER RESOLVED that the total budget for the City of Buchanan for the fiscal year 2003-2004 in the amount of \$4,580,557. as presented by the City Manager is hereby approved and adopted by the City Commission of the City of Buchanan.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to make budgetary transfers within the departments in accordance with the departmental totals established through this budget, and that all transfers within departments may be made only by further action of the City Commission, pursuant to the provisions of the Michigan Uniform Accounting and Budgeting Act.

Hughes explained the bid opening for the development of the road in the Cemetery expansion, payment from the Perpetual Care Fund, and recommended award to the lowest bidder with amount being below bid estimate. **King moved seconded by Lee to award bid to Regal Excavating, Inc. in the amount of \$30,268 as recommended. Roll call vote unanimous.** Hughes explained the proposal for Cemetery Survey Services that Wightman & Associates would stake lots and walkways in the new expansion not to exceed \$5,000 as recommended by the Plan Commission. **King moved seconded by Scanlon to approve the expenditure from the Perpetual Care Fund not to exceed \$5,000 for the Survey. Roll call vote unanimous.** There was brief discussion. **Scanlon moved seconded by Lee to approve the expenditure for software and map duplication for the cemetery from the Perpetual Care Fund. Roll call vote unanimous.**

Scanlon explained the “Blueprints for Michigan Downtowns 2003” grant match, \$15,000, needing a budget amendment in the General Fund. Hughes reported the obligation from the City and the preliminary process. **King moved seconded by Lee to approve the budget amendment in the amount of \$15,000 as recommended. Roll call vote unanimous.**

After brief questions to the SMCAS Director and explanation on the budget, a public hearing was called to hear comments on the distribution of the Fiscal year 2003-2004 SMCAS Special Assessment levy and to consider the proposed SMCAS budget for 2003-2004 which includes the special assessment on Monday June 9th at 8:00 p.m.

Old Business continued

Public Hearing, 2003-2004 Fiscal Year Budget
Resolution 2003.05/16

Perpetual Care Fund
Expenditures
Bid Award,
Cemetery Road
Construction
Cemetery Survey,
Stake lots
Software & Map
duplication

Budget Amendment,
General Fund-Grant
Match

New Business
Call for Public
Hearing-SMCAS
Budget

Hughes explained letter of request from the Buchanan Moose Family Center asking that the building permit fee of \$23.50 be waived. **King moved seconded by**

*Scanlon to waive the building permit fees for the Moose Lodge as a non-profit organization.
Roll call vote unanimous.*

City Manager
Comments

Hughes commented:

Enjoyed the Memorial Day Parade, Region II Meeting itinerary, Plan Commission Public Hearing for comments on the Zoning Ordinance, large water main repair (Selge-\$4,000) on Roe Street scheduled for Thursday-will have water shut off to Senior Center & Tin Shop and paperwork submitted to Conservation Fund for a Kodak American Greenways grant of \$5,000 for the City Circle Trailway.

Commissioner's
Comments

King commented:

- Heard wonderful things about the Memorial Day Parade
- Commended Garden Club for earning \$700 from the Plant Sale and flowers planted around the Gazebo

Lee commented:

- Congratulations to American Legion and City Veterans
- Congratulations to Reverend Sanders on his retirement

Scanlon commented:

- Thanks to Reverend Sanders
- Great Parade and great things happening in Buchanan

Adjournment

Lee moved seconded by King to adjourn the meeting at 9:14 p.m.

Gladys M. Bybee, CMC
City Clerk

David P. Hagey, Mayor

New Business continued

Bldg. Permit Fee Waiver-Moose Lodge

CITY OF BUCHANAN COMMISSION MINUTES
June 9, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, June 9, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Leonard Bailey, Buchanan Church of the Nazarene gave the Invocation.

Commissioners present: Melissa Fisher, David Hagey, Flora King, Earl Scanlon

Commissioner absent: Susan Lee

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee, Police Chief Brian Russell

Guests/Visitors present: Public Services Manager Don Grady, Redbud Celebration Coordinator Ella Taylor, Preservation Society President Tom Fehlner
3 visitors

Fisher moved seconded by King to approve the Consent Calendar as submitted. Roll call vote unanimous.

- Agenda
- Minutes: May 27 Regular Rescheduled Meeting
- Check numbers 43365 to 43452 in the amount of \$89,908.32
- Reappoint Carla Cole and Ralph McDonald to be cross seated to the Downtown Development Authority, Downtown TIF and Andrews Farm TIF for a four year term

Taylor thanked the City for the support of the Redbud Celebration and explained the three-day event. She thanked the businesses that participated and noted anticipation for next year's event.

Fehlner distributed brochures of the Pears Mill. He explained the season's events, improvements needed for the mill and the waterway and the mini-grant through Arts Council of Greater Kalamazoo.

Russell distributed the Code Enforcement Report from January up to date and explained briefly. He explained the police report for March through May while all reviewed and discussion/questions were exchanged. Chief also reported upcoming events and the taser gun purchase for the department.

Grady explained briefly: Cemetery & Park clean up, street sweeping, equipment repairs, tree planting, assistance with the Redbud Celebration, standby generator activated during power outage, well # 2 & 4 plugging complete, Code Enforcement mowing and water valve replacement on Roe St. behind the Common. (Public Services Department: Monthly Status Report for May) while all reviewed the report. Brief discussion was shared about mowing for Code Enforcement.

The Mayor opened the public hearing at 8:27 p.m. to hear comments on the distribution of the fiscal year 2003-2004 Southwestern Michigan Community Ambulance Services (SMCAS) special assessment levy and to consider the proposed SMCAS budget for 2003-2004 which included the special assessment. The Mayor explained the Resolution briefly. No public comments were heard. ***Fisher moved seconded by King to approve Resolution 2003.06/17. Roll call vote unanimous.***

A RESOLUTION OF THE CITY OF BUCHANAN COUNTY OF BERRIEN, STATE OF MICHIGAN APPROVING THE 2003-2004 SOUTHWESTERN MICHIGAN COMMUNITY AMBULANCE SERVICE (SMCAS) BUDGET AND SPECIAL ASSESSMENT.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda
5-27 Meeting
Minutes
Checks
DDA/TIF Reappt.-
Carla Cole & Ralph
McDonald

Reports

Redbud Celebration
Preservation Society
President-Pears Mill

Police Dept. & Code
Enforcement

Public Services
Dept.

Old Business

Public Hearing
Resolution
2003.06/17, 2003-
2004 Fiscal Year
Budget &
Assessment for
SMCAS

BE IT RESOLVED, that the CITY OF BUCHANAN, acting jointly and in conjunction with the City of Niles, the Townships of Niles, Buchanan, Bertrand in Berrien County, and the Township of Howard in Cass County, pursuant to a certain joint assessment district resolution for the support of SMCAS adopted May 14, 2003 and approved by the majority vote of the electorate on August 8, 2000, does hereby take the following action:

The special assessment district, pursuant to such resolution, is hereby established.

The proposed SMCAS financial budget for fiscal year 2003-2004 indicating an assessment of \$10.00 is hereby approved.

The amount of the special assessment is \$10.00 and the assessing officer is directed to spread the assessment as provided in the joint resolution along with the December 2003 tax assessment

to be due and collected as provided in the joint resolution.

As a further clarification of the parcel/units to be assessed, as set out in paragraph 3 of the joint

resolution, the assessing officers are directed to levy the assessment amount of \$10.00 per unit as follows:

Campground – One unit for the campground itself and one unit for each permanent dwelling situated on the campground. Each rental “hook-up” will not be considered as a separate unit.

Mobile Home Park – One unit for each mobile home, the number of mobile homes being determined by the average number of mobile homes located in the mobile home park for the calendar year in which the special assessment is levied.

Hotels and Motels – One unit for each hotel and motel and one unit for each living unit occupied by a permanent resident.

Commercial – One unit for each improved parcel, which shall include all contiguous commercial parcels as one unit and one unit for each dwelling therein.

Residential – One unit for each dwelling that is occupied or is available for occupancy and is permanently affixed.

Where provisions herein are inconsistent with the joint resolution, these provisions herein shall supersede such provisions and be controlling.

AYES: Earl Scanlon, David Hagey, Flora King, Melissa Fisher

NAYES:

ABSTAIN:

ABSENT: Susan Lee

RESOLUTION DECLARED ADOPTED.

Hughes explained the \$25,000 payment to AEP for relocation of transmission lines for Horizon Environmental’s remediation of the Third Street Carbide Pond. He reported that payment had already been received from Horizon Environmental for the Ingersoll Rand clean-up (a.k.a. Clark Equipment). *Fisher moved seconded by King to approve the expenditure as requested. Roll call vote unanimous.*

\$25,000 Expenditure to AEP for Third St. Carbide Pond Remediation

Hughes commented:

- Jay Jesse working as an Intern (3 months) for City Manager (last office off of meeting room)
- Delivered the \$15,000 check to Michigan Economic Development Corporation (MEDIC) in Lansing for Buchanan’s portion of the “Blueprints for Michigan Downtowns 2003” grant. Meeting went well.
- Commended Allegan on hosting us for Mayors Exchange and looking forward to their Buchanan visit Wednesday
- Official presentation of check to Hyatt Palma for the Blueprints grant on July 21st

City Manager Comments

King commented:

Old Business continued

Public Hearing Resolution 2003.06/17, 2003-2004 Fiscal Year Budget & Assessment for SMCAS

- Impressed with the City of Allegan

Fisher commented:

- Urged attendance to the Car Cruise In and the Stop, Lunch & Listen Program

Scanlon commented:

- Great time in Allegan, ideas obtained
- Urge attendance to Buchanan Day at Coveleski Baseball Stadium

Hagey commented:

- Frustrated with the lack of citizen participation with the City Government. Public input urged and welcomed.

Adjournment

Fisher moved seconded by Scanlon to adjourn the meeting at 8:38 p.m.

Gladys M. Bybee, CMC
City Clerk

David P. Hagey, Mayor

Commissioner's Comments

CITY OF BUCHANAN COMMISSION MINUTES

June 23, 2003

CALL TO ORDER

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, June 23, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

PLEDGE/INVOCATION

The Pledge was recited by all in attendance. Reverend Jill Rasmussen-Baker, First Presbyterian gave the Invocation.

ROLL CALL

Commissioners present: Melissa Fisher, David Hagey, Flora King, Earl Scanlon

Commissioners absent: Susan Lee

Staff present: City Manager Mike Hughes, Administrative Secretary Jennifer Harrington

Guests/Visitors present: SMEGA Director Sharon Witt 1 Visitor

PUBLIC COMMENTS

Janis Sexton thanked Mayor Hagey for his open invitation to attend the City Commission meetings, and read some reasons why she personally does not attend the meetings.

CONSENT CALENDAR

Fisher moved seconded by Scanlon to approve agenda to include the consideration for a new motor replacement for Well #4 and the recommendation from the City Manager to purchase property 11-58-0340-0005-03-5 (located in the North City Parking Lot behind B& W and Redbud Insurance) under new business. Roll call vote unanimous. Fisher moved seconded by King to approve the consent calendar as amended. Roll call vote unanimous.

- Agenda
- Minutes: June 9, 2003 Regular Meeting
- Check Numbers 43453 to 43556 in the amount of \$86,969.91
- Reappoint Richard Wonacott to the Plan Commission for a 3-year term
- Reappoint Mike Hughes and Sharon Witt as the Designated Economic Development to the Brownfield Authority for a 3-year term
- Reappoint Jim Desenberg to the Zoning Board of Appeals for a 3-year term
- Reappoint Melissa Fisher and Brian Dinneen to the Joint Water/Sewer Board for a 3-year term

REPORTS

Sharon Witt from the Southwestern Michigan Economic Growth Alliance handed out the SMEGA's 2002 Annual Report and the Connected Community report summary. Witt brief explained each report.

Commission Meeting Minutes June 23, 2003 Page 2

CONSIDER APPRAISAL FOR LIBRARY (117 W. FRONT ST.)

Hughes stated that he contacted 2 different appraisers to appraise the Library. The cost of the appraisal would be \$2,000, and if recommended by the Commission would be done in 60 days (due to a 60 day waiting period). After brief discussion, there was a *motion by Fisher supported by Scanlon to authorize City Manager to have an appraisal (not exceeding \$2,000) done on the Library building at 117 W. Front St. Roll call vote unanimous.*

EMPLOYEE PERSONNEL POLICY HANDBOOK

Hughes informed the Commission that the current employee handbook has not been updated since 1988, and there are new items that need to be implemented. Warner Norcross & Judd LLP will develop a new handbook for \$2,800 (including union contract comparison, and on-site training for Department Heads). After brief discussion, there was a *motion by Fisher supported by King to accept the proposal from Warner Norcross & Judd LLP to develop an Employee Personnel Policy Handbook for the amount of \$2,800. Roll call vote unanimous.*

CEMETERY EXPANSION DESIGN

Hughes presented the expansion design of the cemetery as recommended by the Plan Commission. The Plan Commission recommends that Section I and Section K be the only sections that are opened at this time, the aisle ways be widened for mowing purposes, and sections were numbered differently (now going right/left instead of up/down). After brief discussion, there was a *motion by Fisher supported by Scanlon to accept the Cemetery Expansion Design as purposed by the Plan Commission. Roll call vote unanimous.*

STREET CLOSURE REQUEST – 3RD STREET CARBIDE POND REMEDIATION

Hughes stated that Third Street will be closed from 8-4/11-14. Businesses will be able to access to their sites, but there will be no through traffic. Hughes noted that businesses will be contacted of the closing, along with the media. There was a *motion by Fisher supported by Scanlon to accept the street closure for Third Street from August 4, 2003 November 14, 2003 requested by Horizon Environmental. Roll call vote unanimous.*

DIAL-A-RIDE RESOLUTION 2003.06/18

Hagey briefly explained the resolution. There was a *motion by Fisher supported by King to accept the resolution as presented. Roll call vote unanimous.*

MOTOR REPLACEMENT FOR CITY WATER WELL

Hughes noted that this is a sole source bid waiver request for \$5,600 to replace the motor for City Water Well 4A. There was a *motion by King supported by Fisher to accept the bid waiver request. Roll call vote unanimous.*

Commission Meeting Minutes June 23, 2003 Page 3

AUTHORIZATION TO PURCHASE PROPERTY 11-58-0340-0005-03-5

Hagey noted that the City of Buchanan was contacted by the County Treasurer regarding a piece of property that is for sale in the City parking lot (behind B&W and Redbud Insurance). After brief discussion, there was a *motion by Fisher supported by Scanlon to purchase property 11-58-0340-0005-03-5 located on N. Main Street for \$353.91. Roll call vote unanimous.*

CITY MANAGER COMMENTS

Hughes commented:

- Urged everyone to attend the Community Health and Safety Fair on June 25th at the Common

COMMISSIONER'S COMMENTS

King commented:

- Thanked Hughes for updating the Personnel Handbook
- Question if \$10,000 will be enough for skateboard park
- Commented that the street signs around town are slanted, would like to see them straightened
- Very pleased with the Mayoral Exchange-very proud of Buchanan

Fisher commented:

- Thanks Ms. Sexton for attending the meeting and nice words and comments
- Would like to have Commission meetings viewed on either Wednesday or Thursday instead of Friday and Sunday.
- Urged attendance for Stop, Lunch & Listen on Thursday's at Common
- Kathryn Park offers activities from 10-3
- Heard many good things about Cruise-In-Congrats!!!

Scanlon commented:

- Thanks to Jennifer and everyone that helped with mayor's exchange
- Buchanan night at the Cove-great turn out
- Urged for concrete workers to help with skateboard park

Hagey commented:

- Clock downtown is fixed and working
- Thanks to Jennifer and everyone that helped with mayor's exchange

ADJOURNMENT

Fisher moved seconded by King to adjourn the meeting at 8:56 p.m.

Jennifer Harrington
Administrative Secretary

David P. Hagey, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

July 14, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, July 14, 2003. The meeting was called to order by Mayor Hagey at 8:02 p.m.

The Pledge was recited by all in attendance. Reverend Kelley Hawkins, Faith United Methodist gave the Invocation.

Commissioners present: Melissa Fisher, David Hagey, Earl Scanlon III

Commissioner absent: Flora Ann King, Susan Lee

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee, Building Inspector Warren Weaver, Police Sergeant JT Adkerson, Assessor Gordon Schreiber

Guests/Visitors present: Public Services Manager Don Grady, Southeast Berrien County Landfill (SEBCL) General Manager Dave Jones, SEBCL Board Chairman Dick Haigh, Chamber of Commerce President Mark Nixon, DDA Member Craig Sumerix
8 visitors

Dick Haigh, Preservation Society Member urged the Commission to approve the Building Permit fee waiver for Pears Mill.

Fisher moved seconded by Scanlon to amend the Agenda to include Consider Excusing the Absence of City Commissioner Susan Lee and Consider a Leave of Absence for City Commissioner Susan Lee under New Business. Roll call vote unanimous. Fisher moved seconded by Scanlon to approve the Consent Calendar as submitted. The Clerk clarified two typographical errors in dollar amounts on the Agenda. ***Roll call vote unanimous.***

- Agenda
- Minutes: June 23, 2003 Regular Meeting
- Check numbers 43557 to 43661 in the amount of \$127,025.23

Jones explained educational tours of the Landfill from 148 students from area schools. He further explained the recycling service, out of state waste, new equipment purchases, and construction of a new cell. Discussion was shared with Commissioners and Jones with Jones estimating 15-20 years life expectancy.

Nixon introduced Michelle Klarich-Bradbury as the new Chamber Director while Bradbury distributed 2003-2004 Redbud Directory. He further explained previous events and announced upcoming events

Schreiber explained the Assessor report from March through June while all reviewed his written report and discussion/questions were exchanged. He commended the Board of Review members and announced the July meeting.

Weaver confirmed four (4) new homes in 2002 and asked for any questions regarding his Building Inspection report that had been distributed with the packet.

Grady explained briefly: Parks, street sweeping, curb painting, equipment repairs, North parking lot and walkway maintenance, sprinkler system repair at the Common, sanitary sewer cleaning, softball field, Glaser Street lift Station electrical control panel and alarm system for the WWTP (Public Services Department: Monthly Status Report for June) while all reviewed the report. He distributed a Bid Waiver form to upgrade the alarm system (from telephone system to transmitters & receivers) at the WWTP and explained the cost savings. After discussion, ***Fisher moved seconded by Scanlon to accept the Bid Waiver and approve the purchase from Midwest Security Systems in the amount of \$6,850.*** Hagey confirmed the one-time purchase. ***Roll call vote unanimous.*** Nixon voiced his concern about sidewalks adjacent to City Parks.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
6-23 Meeting
Minutes
Checks

Reports

Southeast Berrien
County Landfill

Chamber of
Commerce

Assessor's
Department

Building Department

Public Services
Dept.

Sumerix reported the
success of the first

“Great Buchanan Cruise In” and expected double the participation for the next event (the reason for his request). *Fisher moved seconded by Scanlon to extend the street closure until 9:30 p.m. Roll call vote unanimous.*

Sumerix further explained his request to close the north half of the Days Avenue Parking lot for the Cruise In. After brief discussion *Fisher moved seconded by Scanlon to approve the request to close the north half of the Days Avenue Parking lot. Roll call vote unanimous.*

The Mayor and Hughes explained the added verbiage to the Common Committee Bylaws. *Fisher moved seconded by Scanlon to approve the Resolution 2003.07/21. Roll call vote unanimous.*

A RESOLUTION OF THE CITY OF BUCHANAN, COUNTY OF BERRIEN, STATE OF MICHIGAN AMENDING THE BYLAWS OF THE COMMON COMMITTEE AS ESTABLISHED IN RESOLUTION 2000.11/31-C-2

The Common Committee is the official citizens’ board charged with programming arts-related events at The Common as well as facility and grounds planning and general maintenance. It is a nine (9) member board appointed by the Mayor and approved by the City Commission. The Downtown Development Authority shall make appointment recommendations to the City Commission for board member vacancies. It is comprised of nine (9) City of Buchanan School District residents, of which five (5) must be from the City. Five (5) members will be designated with duties related to “programming” and four (4) members will be designated with duties related to the “facility and grounds”. Among its own members, it will annually elect a Chairperson, a Secretary-Treasurer, and two representatives to the Joint Committee. Quorum for the Common Committee is five (5) members. In addition, “Facility and Grounds” and “Programming” members will be designated annually. Members’ terms shall be for four (4) years.

In order to ease the logistics of co-promotion, the Common Committee will finalize its programming schedule for the summer of a given year by February of that same year, commensurate with the Buchanan Fine Arts Council.

The aim of programming efforts by the Common Committee should be to seek a diverse schedule reflecting a broad base of interests in the community.

“Programming” members’ duties shall include, but not be limited to the following functions: scheduling performers, acts, bands, etc.; marketing and promoting associated programs; coordinating volunteers to staff associated programs; communicating program needs relative to the “Facility” members of the Common Committee; and conducting appropriate fundraising for The Common. Any clarification regarding these programming duties shall be requested in writing to the Downtown Development Authority.

“Facility and Grounds” members’ duties shall include, but not be limited to the following functions: facility and grounds planning, which includes developing a physical improvement plan; maintaining and monitoring an inventory of all assets including stage and sound equipment; ensuring the completion of ongoing maintenance such as sprinkler maintenance; coordinating with the City Manager for appropriate grounds maintenance; facilitating an annual “cleanup day” prior to seasonal programming events; recommending various policies such as storage within the facility and procedures for proper sound equipment use; and coordinating volunteer efforts for completion of physical improvements such as periodic staining of the exterior. Any clarification regarding these facility and grounds duties shall be requested in writing to the Downtown Development Authority.

While The Common Committee is designated into two workgroups, the Committee shall vote on all programming, expenditures, plans, policies and procedures as a whole.

Be it resolved by the City Commission of the City of Buchanan to repeal Section C-2 in Resolution 2000.11/31 and replace the Common Committee Bylaws by approving the language in this Resolution.

Old Business

Street Closure time extension

Closure of north half of Days Ave. Parking Lot

Resolution 2003.07/21, Common Committee Bylaws

AYES:
David Hagey, Melissa Fisher, Earl Scanlon III

ABSENT: Flora Ann King, Susan Lee

MML Delegate

RESOLUTION 2003.07/21 DECLARED ADOPTED THIS 14TH DAY OF JULY, 2003.

Hughes requested interest in attending the MML Conference in Detroit and explained the Delegate Appointment's. After discussion *Hagey moved seconded by Scanlon to appoint the City Manager as the Voting Delegate and City Clerk as Alternate. Roll call vote unanimous.*

Board of Review
Member Appoint.
Introduce DDA
Director

Fisher moved seconded by Scanlon to appoint Billy "JT" Adkerson to the Board of Review to fulfill the term of the late Dale Florey. Roll call vote unanimous.

Gator purchase for
Cemetery

Hughes announced the Downtown TIF hired Michelle Klarich-Bradbury as the DDA Director for 15 hours per week. He introduced Bradbury and all greetings were shared.

Tractor & Mower
purchase for
Cemetery

Grady explained the necessity of purchasing a Gator for the Cemetery to transport caskets to graveside. Discussion was shared. *Fisher moved seconded by Scanlon to approve the purchase of the gator in the amount of \$7,750.36 from Klug Farm Equipment through State Purchase with funds from Perpetual Care. Roll call vote unanimous.*

Bid Waiver to
purchase the
Lowering Device for
the Cemetery

Grady explained the necessity of purchasing a Tractor and mower for the Cemetery. Discussion was shared. *Scanlon moved seconded by Fisher to approve the purchase of the tractor and mower in the amount of \$16,541.58 from Klug Farm Equipment through State Purchase with funds from Perpetual Care. Roll call vote unanimous.*

Bid Waiver to
purchase Lot
markers for the
Cemetery
Purchase of 2003
Dodge ¾ ton pickup
for DPW

Grady explained the need to replace the Lowering Device for the Cemetery. After shared discussion *Scanlon moved seconded by Fisher to approve the bid waiver to purchase the lowering device from Frigid Fluid Co. in the amount of \$4,599.75 out of the Perpetual Care Fund. Roll call vote unanimous.*

Taser Presentation
by Police
Department

Grady explained due to the expansion of the Cemetery; markers for each lot needed to be purchased. After shared discussion *Scanlon moved seconded by Fisher to approve the bid waiver to purchase the markers from Frigid Fluid Co. in the amount of \$2,950.00 out of the Perpetual Care Fund. Roll call vote unanimous.* Hughes confirmed that after all purchases from the Perpetual Care Fund \$300,000. would be ending balance.

Senior Services
Building Rental fee

Grady explained the request to replace the 1988 pick-up with a 2003 Dodge ¾ ton pick-up as submitted in the 2003-2004 Budget. After shared discussion *Scanlon moved seconded by Fisher to approve the purchase of the 2003 Dodge in the amount of \$23,565.78 through the State Purchase Program out of Capital Project Reserve & Street Department Capital Outlay. Roll call vote unanimous.*

Days Avenue pavers

Sergeant Adkerson announced his presentation to demonstrate a taser (one of three) that the Police Department had purchased. He explained the importance of policy/procedure and actually fired the taser during his presentation. Questions/discussion was shared.

Building permit fee
waiver for Pears Mill
Excused absences of
Susan Lee
Medical leave for
Susan Lee

Hughes explained the lack of rentals at the Senior Building, 131 S. Oak Street, the concerns of the rental costs being to high, and the change needed in the Application regarding deposit return. After shared discussion *Fisher moved seconded by Scanlon to approve the new Rental Fee Application as submitted with the \$100. rental fee and \$50. returned upon favorable inspection as recommended. Roll call vote unanimous.*

There was shared discussion about the pavers that would be exhumed from the reconstruction of Days Avenue. Hughes recommended that only good/clean pavers be kept. *Scanlon moved seconded by Fisher to save the good pavers at the DPW property and make available to residents on a first come first serve basis. Roll call vote unanimous.*

Fisher moved seconded by Scanlon to waive the building permit fee for Pears Mill (City owned building) construction as requested by the Preservation Society. Roll call vote unanimous.

Scanlon moved seconded by Fisher to excuse the past 60 day absences of Commissioner Susan Lee. Roll call vote unanimous.

Fisher moved seconded by Scanlon to approve a 60 day medical leave for Commissioner Lee as requested. Roll call vote unanimous.

Warren Weaver
announced repair of
the fire sirens.
Kathy Kingery
voiced her
appreciation for the

Old Business continued

Liberty Heights reconstruction.

**City Manager
Comments**

Hughes commented:

- Information received from Sam Dafazio, Praxis regarding mosquito control and confirmed disbursing information to Commission at future meeting
- July 21st "Blueprints for Michigan Downtowns 2003" check presentation cards sent out.
- Two (2) more showings on Channel 12 of Commission Meetings as requested
- Requested a Work Session on Monday to discuss 2003 Street Paving projects as funding was available due to Days Avenue construction coming in under bid. All agreed to July 21st at 7:30 for the Work Session
- Expecting to send out informational letter to residents regarding Days Avenue construction
- Urged Commissioner attendance to MML Conference in Detroit
- Plan Commission to present updated Zoning Ordinance at next meeting, direction needed for antiquated Comprehensive Plan
- Senior Services Board hired Ann Sidmore as new part-time Director
- Urged attendance to MML ½ day training hosted by Eau Claire
- Meeting with Representative Nitz to discuss several issues
- Clean-up of area around City sign on Niles-Buchanan Road (pictures distributed)
- New lapel pins for the City
- Negotiations with the Landfill for the MRF, would like Committee. All agreed to Scanlon, Hughes and Jim King to be Committee.

**Commissioner's
Comments**

Fisher commented:

- Congratulations to Michelle Klarich-Bradbury
- Kathryn Park summer program
- Congratulations to DDA for the Cruise In success
- Urge attendance to Common Events
- Nominating Petitions available July 16

Scanlon commented:

- Thanks to Hughes for investigating mosquito control
- Congratulations to Michelle Klarich-Bradbury
- Pleased with earlier start date on Days Avenue construction

Hagey commented:

- Thanks and Welcome to Michelle Klarich-Bradbury

CLOSED SESSION

May 12 Closed
Session Minutes

Fisher moved seconded by Scanlon to go into Closed Session to discuss Collective Bargaining and Purchase of Lease of Real Estate at 10:20 p.m. Roll call vote unanimous. The Mayor reconvened the meeting at 11:40 p.m. with no decisions made in closed session. Fisher moved seconded by Scanlon to approve the May 12, 2003 Purchase or Lease of Real Estate Closed Session Minutes as reviewed in closed session. Roll call vote unanimous.

Adjournment

Fisher moved seconded by Scanlon to adjourn the meeting at 11:45 p.m.

Gladys M. Bybee, CMC
City Clerk

David P. Hagey, Mayor

Public Comments

CITY OF BUCHANAN COMMISSION MINUTES

July 28, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, July 28, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Jill Rasmussen-Baker, First Presbyterian gave the Invocation.

Commissioners present: David Hagey, Flora Ann King, Earl Scanlon III

Commissioner absent: Melissa Fisher, Susan Lee

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee, Building Inspector Warren Weaver

Guests/Visitors present: Plan Commission Vice-Chairman Jason Leitz, PCT Consultant Chuck Eckenstahler, Senior Services Board Chairwoman Roma Holmes, DDA Chairman Fran Terry
4 visitors

King moved seconded by Scanlon to amend the Agenda to include Resignation from City Commissioner Melissa Fisher under New Business. Roll call vote unanimous. Scanlon moved seconded by King to add eight checks to the check register as requested and approve the Consent Calendar as amended. Roll call vote unanimous.

- Agenda with inclusion
- Minutes: July 14, 2003 Regular Meeting and July 21, 2003 Special Meeting
- Check numbers 43662 to 43737 in the amount of \$360,796.22

The clerk reported that Sally Klute from Senior Nutrition wished to reschedule to August 11th.

Holmes explained in detail the Senior Services Activities Calendar while the clerk distributed the calendar and Attendance Statistical Report. Discussion was shared regarding the attendance at the Senior Center. Holmes noted the one-year anniversary (8-1-03), two fundraisers per month, and many donations to maintain the Senior Center along with announcing the hiring of a part-time Director, Ann Sidmore.

Terry commended Holmes for her commitment to the Senior Center and thanked the clerk for assistance. She announced the vacancies on the TIF and DDA Boards, explained the several projects undertaken by the DDA (especially Craig Sumerix and Ralph McDonald), hiring of Michelle Klarich-Bradbury as DDA Director and anticipated more activities for downtown. Discussion was shared.

Hughes explained the Extension to the Recycling Service Agreement with the Southeast Berrien County Landfill Authority providing for the Authority's continued operation of the Material Recovery Facility (MRF). ***King moved seconded by Scanlon to approve the Extension Agreement from July 31, 2003 to October 31, 2003 as presented. Roll call vote unanimous.***

The Mayor called the Public Hearing to order at 8:35 p.m. for the first reading and Zoning Ordinance introduction. He reported that a copy of the Ordinance was on file at City Hall. Hughes introduced Leitz and Eckenstahler. A color-coded Zoning Map was displayed for review and smaller ones distributed to Commissioners. Leitz recalled the update process of the Plan Commission, commended Weaver and Eckenstahler and explained the adjustments/changes at length. After brief discussion regarding the manufactured housing and the zoning map, a second Public Hearing was called for August 11. Discussion ended at 8:58.

Hughes reported that preliminary comments about the Trailway Grant were received from Department of Natural Resources (DNR). He explained the comments and recommended modifying the grant and establishing a Trailway Committee. He noted that he spoke with Dick Proud as he has been an advocate for the trail. There was shared discussion regarding the easement/ownership of railroad property. ***Scanlon moved seconded by King to endorse the***

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda
7-14 & 7-21 Meeting
Minutes
Checks

Reports

Senior Services

DDA/TIF's

Old Business

Recycling Service
Agreement
Extension

Zoning Ordinance
Update

Trailway Grant
Modification &
Committee

idea to form a Trailway Committee and allow the City Manager to modify the grant. Roll call vote unanimous.

New Business

Budget Amendment

Hughes announced the need for a budget amendment due to health and liability increases as discussed during budget work sessions. After brief discussion **King moved seconded by Scanlon to approve the budget amendment in General Fund, Major Streets and Water and Sewer M & O Fund as presented. Roll call vote unanimous.**

Change Order for Days Avenue

Hughes explained the request for a change order to the Days Avenue Project to replace damaged curb and gutter on Roe Street, 406 foot west from Days Avenue in the amount of \$10,300.24. **King moved seconded by Scanlon to approve the change order as presented. Roll call vote unanimous.**

Resignation from Melissa Fisher

The Mayor announced receipt of Commissioner Melissa Fisher's resignation. **King moved seconded by Scanlon to regretfully accept the resignation effective immediately.** Commissioner's, Manager and Clerk shared discussion regarding the process for the Commission to appoint a replacement. Commission concurred that the clerk should contact the two residents that filed nominating petitions for the November election and request their attendance to the next meeting along with a notice in the paper. **Roll call vote unanimous.**

City Manager Comments

Hughes commented:

- Thanks to Craig Sumerix for the Cruise-In
 - Construction started on Days Avenue and the Cemetery Road
- Bybee commended Robert Krause for his expertise with Channel 12 and announced his departure to the Police Academy. She welcomed Jacob LaBounty who would be handling Channel 12.

Commissioner's Comments

King commented:

- Requested the Chamber revive Keep Buchanan Beautiful Annual Award Program
- Thanks to Roma Holmes for her efforts

Scanlon commented:

- Thanks to Roma Holmes
- Shocked and sad about Fishers resignation
- Pleased with Days Avenue construction
- Commended the DDA with their downtown activities
- Commended the Plan Commission

Hagey commented:

- Commended the Plan Commission and urged public review of the Zoning Ordinance
- Surprised by resignation and best wishes to Melissa Fisher
- Would not acknowledge received written unsigned complaint serious unless endorsed

CLOSED SESSION

July 14 Closed Session Minutes

King moved seconded by Scanlon to go into Closed Session to discuss Purchase or Lease of Real Estate at 9:40 p.m. Roll call vote unanimous. The Mayor reconvened the meeting at 10:05 p.m. with no decisions made in closed session. **Scanlon moved seconded by Hagey to approve July 14, 2003 Collective Bargaining and Purchase or Lease of Real Estate Closed Session Minutes as reviewed in closed session. Roll call vote unanimous.**

Adjournment

King moved seconded by Scanlon to adjourn the meeting at 10:07 p.m.

Gladys M. Bybee, CMC-City Clerk

David P. Hagey, Mayor

Old Business continued

Trailway Grant

CITY OF BUCHANAN COMMISSION MINUTES

August 11, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, August 11, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Tom Fox, Portage Prairie United Methodist Church gave the Invocation.

Commissioners present: David Hagey, Flora Ann King, Susan Lee, Earl Scanlon III

Commissioner absent: None

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee, Police Chief Brian Russell

Guests/Visitors present: Senior Nutrition Director Sally Klute, On-Site Manager for Severn Trent Don Grady 12 visitors

Roma Holmes introduced Ann Sidmore as the new Director of Senior Services. Chris Siebenmark, District Representative for Ron Jelinek introduced himself and explained briefly the status of the Senate and welcomed concerns/comments.

King moved seconded by Scanlon to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: July 28, 2003 Regular Meeting
- Check numbers 43738 to 43834 in the amount of \$816,163.21

Klute explained the five (5) year report on meals served at the Senior Center, meals delivered to homebound including liquid meals delivered through Senior Nutrition Services. (Copies of Report distributed)

Commission requested that the Moose Lodge be rescheduled.

Grady explained briefly: Parks, street sweeping, equipment repairs, sewer cleaning, storm sewer collapse, generator utilization & failure and blower motor repair (Public Services Department: Monthly Status Report for July) while all reviewed the report. He reported the DPW was short 2 persons.

The Mayor announced that a volunteer form had been received from Marlin Lowery to fulfill the vacancy created by the resignation of Melissa Fisher. Lowery gave a brief bio. ***King moved seconded by Lee to appoint Marlin Lowery to the unexpired term through November 2003. Motion carried by roll call vote.*** Greetings were shared and the Commission requested the clerk to swear Lowery in. He took his seat on the Commission.

Hughes explained in detail the funds available from the designated fund balance. He recommended that only two streets be done from the 2003 Street Paving Program due to unknown possibilities on Days Avenue. ***King moved seconded by Lee to approve the bid award to Consumers Asphalt in the amount of \$50,817 to resurface Chippewa from Front to Remus and Moccasin from Fourth to Main. Roll call vote unanimous.***

Hughes explained the Landfill Board only approved a 30-day extension to the proposed 90-day Recycling Service Agreement for the Authority's continued operation of the Material Recovery Facility (MRF). After brief discussion ***King moved seconded by Scanlon to approve the term of the Extension Agreement as modified to July 31, 2003 to August 30, 2003. Roll call vote unanimous.***

Hughes announced/explained the concern regarding the mosquito's around the Millrace and the proposal/quote from Praxis to control the issue (\$9,560 for the first year). Commission requested attendance of someone from Praxis for further detail. Hughes confirmed to bring back further information.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
July 28 Minutes
Checks

Reports

Senior Nutrition

Public Services

Old Business

Commissioner
appointment to fill
vacancy

2003 Street Paving

Recycling Service
Agreement
Extension

Mosquito Control

Due to a
conflict between
Charter and State

Law the Mayor announced delay of the Public Hearing for the Zoning Ordinance. **King moved seconded by Lee to call a Public Hearing to hear comments about the Zoning Ordinance and Zoning Map on Monday September 8, 2003 at 8:00 p.m. Roll call vote unanimous.**

New Business
Budget Amendment

Hughes announced the need for a budget amendment as the Commission had approved moving expenses in the City Manager Contract. **King moved seconded by Scanlon to approve the budget amendment in General Fund – City Manager in the amount of \$2,000 as presented. Roll call vote unanimous.**

Street Closure-
Fulton Street

The Mayor announced the request for street closure from New Good Hope Church, 112 Fulton Street. After brief discussion **Scanlon moved seconded by King to approve the Street Closure Request for a portion of Fulton Street, 8:00 a.m. to 10:00 p.m. with the Police Chief establishing perimeters, setting barricades. Roll call vote unanimous.**

Patrol Unit Lease

The Mayor confirmed the purchase of the 2004 Crown Victoria Patrol car on a 3-year lease purchase program. Chief Russell explained the lease, rearrangement of patrol units and discussion was shared. **Lee moved seconded by King to accept the bid dated 8-5-03 for the Ford Crown Victoria. Roll call vote unanimous.**

Negotiate sale, 4-
acre parcel on Terre
Coupe

Hughes explained the negotiation of a 4-acre parcel on Terre Coupe next to the Grecco Building. After brief discussion/questions the Commission agreed that further negotiation be held and a proposal brought forward.

Public Comments

Berrien County Drain Commissioner Izzy Dimaggio introduced himself and his department. He stated he was on a courtesy visit and welcomed comments or concerns. Tom Fox requested attention to the lack of water in the Millrace as Pears Mill is having trouble operating. Stella Proud voiced her concern for several issues including those at the Senior Center. She welcomed Lowery and Lee. Marlon “Lon” McGuire introduced himself as Candidate for City Commission.

**City Manager
Comments**

Hughes commented:

- Days Ave., Cemetery Road, and Third Street Carbide pond excavation going well
- Establishing a Process Committee for the Downtown Blueprints grant
- Trail Committee meeting 8-19-03 with tour, attendance urged
- Thanks to Police, Fire and donors for National Night Out

**Commissioner’s
Comments**

King commented:

- Glad Lee is back, Thanks to Lowery
- Request revisiting City Hall exchange for Third Street property with DDA

Lee commented:

- Glad to be back

Scanlon commented:

- Welcomed Lee and Lowery
- Urged review of new Zoning Ordinance and map
- Torn and tattered flags on Days Avenue, replace and leave up until Labor Day
- Impressed with meals served to Seniors

Lowery commented:

- Thanks to Commission and honored for opportunity

Hagey commented:

- Welcomed Lee and Lowery
- Reminded all to participate in Trail Committee and recalled positive ongoing projects

Adjournment

Scanlon moved seconded by Lee to adjourn the meeting at 9:26 p.m.

Gladys M. Bybee, CMC-City Clerk

David P. Hagey, Mayor

Old Business continued

Zoning Ordinance Set Public Hearing

CITY OF BUCHANAN COMMISSION MINUTES
August 25, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, August 25, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Stan Hullah, Buchanan Church of Christ gave the Invocation.

Commissioners present: David Hagey, Flora Ann King, Susan Lee, Marlin Lowery, Earl Scanlon

Commissioner absent: None

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee, Building Inspector Warren Weaver

Guests/Visitors present: 10
visitors

Marlon McGuire announced his pleasure/participation in the Buchanan Fest Parade and forwarded a citizen concern. Stella Proud as Senior Citizen Board Member gave thanks for the flag pole and noted several concerns regarding the Senior Center building and street signs. Hughes requested that the Senior Director contact him with concerns rather than wait for a meeting.

Scanlon moved seconded by King to approve the Consent Calendar as amended. Roll call vote unanimous.

- Agenda with amount of check register and check numbers
- Minutes: August 11, 2003 Regular Meeting / August 15, 2003 Special Meeting
- Check numbers 43835 to 43943 in the amount of \$2,148,913.49
- Resolution 2003.8/19, Signature Authorization for Marlin Lowery to endorse checks

The clerk reported that the Representatives from the Moose Lodge and Fine Arts Council could not attend but would be rescheduled.

Hughes explained the administrative action needed to approve the Employee Early Retirement Plan and recommended approval of the MERS Resolution. *King moved seconded by Scanlon to approve the Resolution For Changing MERS Benefits to establish a B-2 with the F55/15 window from 7/1/03 – 9/30/03 for the Employee Early Retirement Plan. Roll call vote unanimous.*

Hughes recalled the previous 30 day extension. with the Landfill and announced that he had submitted several questions to the DEQ regarding the Recycling Contract. *Lowery moved seconded by King to approve the 60 day extension of the Recycling Service Agreement. Roll call vote unanimous.*

After brief discussion and explanation regarding the approval of the ballot language for Dial-A Ride *King moved seconded by Scanlon to approve Resolution 2003.08/20 as presented. Roll call vote unanimous.*

A RESOLUTION TO PLACE DIAL-A-RIDE MILLAGE RENEWAL FOR THREE CONSECUTIVE YEARS 2004-2006 UNDER UMTA SECTION 5, FTA ACT OF 1978, UNDER GENERAL TRANSPORTATION FUND PROGRAM, AND ACT 327 OF THE P.A. OF 1972 AS AMENDED

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
August 11 & 15
Minutes
Checks
Resolution
2003.8/19

Reports

Moose Lodge
Fine Arts Council

Old Business

Resolution for
changing MERS
benefits

Recycling Service
Agreement
Extension

New Business

Resolution
2003.08/20, Dial-A-
Ride Millage
Proposal

NOW, THEREFORE, BE IT RESOLVED by the Buchanan City Commission to place a proposition on the November 2003 Election Ballot to read:

Shall the City of Buchanan renew and levy up to seventy-five cents (\$0.75) per thousand dollars (\$1,000.00) [.75 mills] on the taxable value of all real and personal property of the City of Buchanan to support its local share of the "Dial- A-Ride" Bus System, more properly known as the Dial-A-Ride Transportation System, under UMTA Section 5, Federal Transportation Act of 1978, the general transportation fund program, and Act 327 of the P.A. of 1972, as amended, of the State of Michigan, for a period of three (3) consecutive years, to be levied in 2004, 2005, and 2006? The estimated amount of revenue that will be collected in the first calendar year will be approximately \$55,107.00. This millage would not apply against the authorized twenty (20) mill limit for assessed value of real and personal property of the City of Buchanan.

YES NO

AYES: David Hagey, Earl Scanlon, Flora King, Marlin Lowery, Susan Lee

NAYES: None

RESOLUTION DECLARED ADOPTED ON THIS 25TH DAY OF AUGUST 2003.

Weaver explained and recommended approval of the request from Tom & Mary Macigewski, 725 N. Detroit St. to allow a modular trailer for 90-120 days on their property until their home was restored. Jacob Estkowski, Fire Restoration Company explained the project in detail and questions were shared. **King moved seconded by Scanlon to allow the placement of a temporary residence at 725 N. Detroit Street providing said temporary residence is connected to water and sewer for a maximum of four (4) months and completely removed by January 1, 2004 as overseen by the Building Inspector. Roll call vote unanimous.**

Hughes explained the need to appoint a Commission designee to the Blueprints Program Process Committee, the tasks involved and first meeting date. After shared discussion King and Lowery volunteered. **Scanlon moved seconded by Lee to appoint King and Lowery to the Process Committee. Roll call vote unanimous.**

Hughes explained the budgeted funds to upgrade the Equalizer Assessing System Program software for the Assessor Department. **King moved seconded by Scanlon to approve the bid waiver due to sole source vendor to purchase the software for \$4,195.** There was brief discussion regarding the benefit, use of the software and maintenance costs. **Roll call vote unanimous.**

Hughes commented:

- Premier Tool & Die purchased Greco Bldg. (835 Post Rd) with 40 employees
- Positive comments about Buchanan Fest
- 15 participants at the Trail Committee meeting
- Due to lack of information mosquito control will be revisited in the spring
- Moccasin Street paving worked out with the School
- Needed Work Session – Scheduled for 9-15 at 8:00 p.m.

All Commissioners praised Buchanan Fest, coordinated by Don Holmes

King commented:

- Commended Senior Center Luncheon
- Concern about crooked street signs

Lee commented:

- Impressed with Cemetery and Days Avenue Projects

New Business continued

Resolution 2003.08/20, Dial-A-Ride Millage Proposal

Temporary Housing Request (725 N. Detroit St)

Appointment to Blue Prints Program Process Committee

Bid Waiver, Equalizer Assessing Software upgrade

City Manager Comments

Commissioner's Comments

Scanlon commented:

- Cautioned safety for kids in school
- Urged involvement with the

Halloween Parade sponsored by the Legion

- Proud to be Master of Ceremony for the Senior Center King & Queen Contest

Lowery commented:

- Lynn Lear and Addie Adams from the American Legion recruited by Lyle Sumerix to install new flag pole at the Senior Center

Scanlon moved seconded by Lee to go into Closed Session to discuss Purchase or Lease of Real Estate and Employee review (as requested by employee) at 8:51 p.m. Roll call vote unanimous. The Mayor reconvened the meeting at 9:50 p.m. with no decisions made in closed session. *Scanlon moved seconded by Lee to approve July 28, 2003 Purchase or Lease of Real Estate Closed Session Minutes as reviewed in closed session. Roll call vote unanimous.* *Scanlon moved seconded by Lee to authorize the City Manager to negotiate a release agreement with Bobby Quick not to exceed \$5,000. with the condition that the agreement expire in 23 days. Roll call vote unanimous.*

Lowery moved seconded by Scanlon to adjourn the meeting at 9:53 p.m.

Gladys M. Bybee, CMC-City Clerk

David P. Hagey, Mayor

**Commissioner's
Comments
continued**

Closed Session

Closed Session
Minutes, 7-28-03

Release Agreement
with Bobby Quick

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES
September 8, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, September 8, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Len Bailey, Buchanan Church of the Nazarene gave the Invocation.

Commissioners present: David Hagey, Flora Ann King, Susan Lee, Marlin Lowery, Earl Scanlon

Commissioner absent: None

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee, Building Inspector Warren Weaver

Guests/Visitors present: On-Site Manager for Severn Trent Don Grady 13 visitors

Lyle Sumerix, President of Friends of Oakridge Cemetery distributed a report and introduced the members of the committee. As pictures were passed around, Sumerix explained the work on headstones and condition of retaining walls. The Commission commended the committee and there was discussion. Chad Benkert, Eclipse Director announced that he had been out of town with youths all summer and would be opening Sept. 20th. He explained changes to the façade of his building (114 E. Front). Don Ryman, Berrien County Commissioner announced that the US 12 Heritage Trail Route meeting was in Buchanan and members impressed with the City. Lyle Sumerix, American Legion Service Officer announced the 9-11 Community-Wide Service of Remembrance at the Common.

The Mayor presented Melissa Fisher with a plaque recognizing her past service as a City Commissioner.

Scanlon moved seconded by King to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: August 25, 2003 Regular Meeting
- Check numbers 43944 to 44034 in the amount of \$416,900.16
- 3% salary increase for the City Treasurer
- Appoint Reed Mann to be cross-seated on the DDA and TIF's to fulfill the vacant term through 2006 as recommended by the DDA/TIF
- Appoint Beth Chubb to the Common Committee for a four year term through 2007 as recommended by the DDA
- Approve Street Closure Request for Smith St. from the school parking lot to Terre Coupe Road for the Cross Country Invitational

Grady explained briefly: Parks, street sweeping, equipment repairs, sale of trash compactor truck, sewer inlet repairs, Buchanan Fest preparations, street paving meeting, forestry grant forms, inspection of city signs, water taps installed, inspection of city owned buildings and S. Days Avenue reconstruction (Public Services Department: Monthly Status Report for August) while all reviewed the report. Brief discussion was shared.

The Mayor called the Public Hearing to order at 8:34 p.m. to hear comments on the Comprehensive Zoning Ordinance Amendment and Zoning Map. Don Ryman asked if special use for a PUD was still included in the Ordinance. Scanlon explained in detail the review by the Plan Commission. Lowery questioned the heavy industrial zoning in the middle of downtown

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
August 25 Minutes
Checks
DDA/TIF Appt.
Common Committee
Appt.
Street Closure-Terre Coupe

Reports

Public Services

Old Business

Public Hearing
Zoning Ordinance
359.08/03
Zoning Map
(Third St.). The
Mayor and Hughes
explained the

contamination cleanup and stipulations on the property included in the Remedial Action Plan (RAP). The public hearing closed at 9:12 p.m. **King moved seconded by Lee to accept Ordinance Number 359.08/03, Zoning Ordinance Amendment as recommended by the Planning Commission. YEA: Hagey, Scanlon, Lee, King. ABSTAIN: Lowery. Roll call vote carried by majority. Scanlon moved seconded by King to approve the Zoning Map as recommended by the Planning Commission. YEA: Hagey, Scanlon, Lee, King. ABSTAIN: Lowery. Roll call vote carried by majority.** Lowery proclaimed his abstention was due to lack of knowledge with the Zoning Ordinance.

After brief explanation from Hughes, **King moved seconded by Scanlon to approve the Budget Amendment in the General Fund-City Commission to re-budget \$400,000 for the South Days Avenue Reconstruction Project. Roll call vote unanimous.**

Hughes explained the difference with the new Third Street Side Parcel Agreement with Clark Equipment Company allowing them access to cross city property and they would grant an easement through their property along with providing funds to build a walk bridge across McCoy Creek. He noted that Clark official endorsement would still be needed. Discussion was shared with regards to the trail and Amendment. **King moved seconded by Lee to approve the First Amendment to Third Street Parcel Side Agreement as recommended. Roll call vote unanimous.**

Hughes explained in detail the current cell phone agreement with Centennial and the requested proposal from Nextel that would include two-way radios. He introduced Nextel Representative Joe DeCola and both explained further. Discussion/questions shared. **Lowery moved seconded by Scanlon to approve the Nextel proposal. Roll call vote unanimous.**

Hughes commented:

- Revised City Manager Report
- Distributed photo's of the Third Street Carbide Pond that is being cleaned
- Cemetery road complete, minor shoulder grading
- Dates/time of upcoming events
- Next weeks absence to attend MML Conference

All Commissioners wished good luck to retiree's

King commented:

- Hopeful to use Days Ave. pavers on Front St. Streetscape
- Revisit Emergency Plan for tornado
- Will also be attending MML Conference

Lee commented:

- Thanks for repair of tornado siren and inlets and Thanks to Friends of the Cemetery
- Pleased that roadway complete in Cemetery expansion

Scanlon commented:

- Date for Cemetery lot sales in the expansion and thanks to Friends of Cemetery
- Pleased with the grant spreadsheet and Thanks

Lowery commented:

- Ditto all comments
- Wants to be a working partner with Commission and vote abstentions due to unknown background of Zoning Ordinance and Map

Hagey commented:

- Understandable that new members aren't aware of all issues
- Revisiting Third Street RAP at a Work Session for new members sake
- "Cool Community" article could be Buchanan
- Read data from grant spreadsheet and commended staff
- Urged involvement from public

Old Business

continued

Public Hearing
Zoning Ordinance
359.08/03
Zoning Map

Budget Amendment-
General Fund

New Business

Third Street Side
Parcel Agreement
Amendment

Nextel phones &
radios

City Manager

Comments

Commissioner's

Comments

King moved seconded by Scanlon to go into Closed Session to discuss Purchase or Lease of Real Estate at 10:07 p.m. Roll call vote unanimous. The Mayor reconvened the meeting at 10:40 p.m. with no decisions made in closed session. ***Scanlon moved seconded by King to approve August 25, 2003 Purchase or Lease of Real Estate and Employee Review Closed Session Minutes as reviewed in closed session. Roll call vote unanimous.***

Minutes, 8-25-03

Adjournment

Lee moved seconded by Scanlon to adjourn the meeting at 10:41 p.m.

Gladys M. Bybee, CMC-City Clerk

David P. Hagey, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
September 22, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, September 22, 2003. The meeting was called to order by Mayor Pro Tem Scanlon at 8:01 p.m.

Call to Order

The Pledge was recited by all in attendance. Reverend Dave Mitchell, Faith Victory Fellowship gave the Invocation.

Pledge/Invocation

Commissioners present: Flora Ann King, Susan Lee, Marlin Lowery, Earl Scanlon

Commissioner absent: David Hagey

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee

Guests/Visitors present: Mike Hubbard Governor of the Moose Lodge, State Representative Neal Nitz, Richard Proud, McCoy Creek Trail Chairman 32 visitors

Roll Call

Representative Neal Nitz, 78th District announced that he would be conducting "Open Forum Meetings" at Buchanan City Hall one hour prior to the second Commission meeting each month.

Public Comments

King moved seconded by Lee to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: September 8, 2003 Regular Meeting / September 15, 2003 Work Session Summary
- Check numbers 44035 to 44129 in the amount of \$204,417.63

Consent Calendar

Agenda
August 25 Minutes
Checks

Mike Hubbard explained the Moose International and Local sponsored programs for youth and adults. He campaigned for new members and urged participation with the Halloween Parade.

Reports

Moose Lodge

Hughes recalled the submittal of the Trailway Grant earlier this year and reported that he modified, with the assistance of the Trail Committee to be more grant worthy. The Commission invited comments on the submission of the grant, as modified, to request funds from the Michigan Department of Natural Resources in the amount of \$154,050. ***King moved seconded by Lee to approve the Resolution as submitted.*** Twenty-Seven (27) persons were in attendance with interest in the Trail (*Signature Register attached as part of the minutes*). Richard Proud, Trail Committee Chair announced that he and forty (40) members were committed to different aspects of the Trail. He explained in detail the different sub-committees and commended all, including Hughes. Alice Kring voiced her support for the trail as she utilizes Indiana Trails. Melissa Shea expressed her support for the Trail and noted the National Trails Conservancy-Michigan Chapter. Hughes commended Proud and all of the supporters. Brief discussion was shared with public, Commission and Hughes. ***Roll call vote unanimous of those in attendance. Mayor Hagey was absent. Resolution 2003.09/22 declared adopted. Mayor Pro-Tem Scanlon read the Resolution in its entirety.***

Old Business

McCoy Creek Trail

CITY OF BUCHANAN BERRIEN COUNTY, MICHIGAN

WHEREAS, the Buchanan Area Recreation Board and the City Commission, in 2001, approved the Buchanan Parks and Recreation Plan calling for the construction of a Trail in the City of Buchanan in connection to a proposed regional trailways system, and

WHEREAS, the City Commission through its Parks Board has prepared an application for funding assistance offered through the Michigan Department of Natural Resources, and

WHEREAS, the City Commission and the Parks Board have published notice, made the application available for review and held a public hearing on March 24, 2003, where comments were invited from the public concerning the submission of the request for assistance, and

WHEREAS, the Parks Board in consideration of the public comments submitted,

Resolution
2003.09/22

recommended the
City

Commission submit the grant request to the Michigan Department of Natural Resources.

WHEREAS, the City Commission directed the City Manager to modify the trail concept in response to community input and the Preliminary Evaluation from the Michigan Department of Natural Resources.

THEREFORE BE IT RESOLVED, City of Buchanan City Commission does hereby approve the 2003 Michigan Department of Natural Resources Recreation Grant request for the purpose of construction of McCoy Creek Trail in the amount of \$154,050 with the total local match in the amount of \$400,900, with \$361,400 committed from the City's General Fund Reserve and \$19,500 in-kind work to be performed by the City of Buchanan.

The Clerk stated that Judy Phillips would be arriving later in the meeting. *Lowery moved to table the Contract between Buchanan Dial-A-Ride and Transportation Management (TMI) Resolution and Transportation Service Agreement, Operation for Project Zero as he had several questions for Ms. Phillips and was uncomfortable with the documents. Motion died due to lack of a second.* There was brief discussion. Ms. Phillips arrived and brief discussion shared. *Scanlon moved seconded by Lowery to table the issue until the October 13 meeting.* Phillips confirmed her attendance to that meeting. *Roll call vote unanimous.*

Hughes commented:

- Site visit with DNR about Trail(attended with Dick Proud)Grant announcement in December
- Buchanan School State Championship signs to be erected at City entrances
- MML Convention cut short due to DNR site visit, attendance to several programs
- Conducting surveys with businesses for the Blueprints Program(Chamber of Commerce Director assisted)Residents' survey forthcoming. Blueprints Kick-off October 20th
- Dates/time of upcoming events
- Ingersoll-Rand accepted the Third Street Side Agreement committing \$20,000. for footbridge

All Commissioners commended Dick Proud and the Trail Committee

King commented:

- Asked the status of the old Library building.
- Thanks to the City for allowing her to attend MML Convention. Downtown lighting grant information forwarded to Hughes, explained details of the Convention and encouraged Commissioners to attend MML events.
- St. Anthony Fish Fry

Lee commented:

- Thanks to each person for work on the Trail

Lowery commented:

- Commended Hughes for his creativity with the Trail Grant
- Best wishes for Retiree's
- Asked the purpose of the appraisal for the old Library building
- Requested the concern letter from Joe Kring be put on the next agenda

Scanlon commented:

- Commended all the Boards and Committees for their efforts and involvement
- Urged attendance and participation with the Halloween Parade

Lowery moved seconded by Lee to adjourn the meeting at 8:52 p.m.

Old Business

continued

Resolution
2003.09/22
McCoy Creek Trail
Grant

New Business

Dial-A-Ride TMI
Resolution and
Project Zero
Agreement

City Manager

Comments

Commissioner's

Comments

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES
October 13, 2003

A regular meeting of the City Commission of the City of Buchanan was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, October 13, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Tom Fox, Portage Prairie United Methodist Church gave the Invocation.

Commissioners present: David Hagey, Flora Ann King, Marlin Lowery, Earl Scanlon

Commissioner absent: Susan Lee

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee

Guests/Visitors present: On-Site Manager for Severn Trent Don Grady 11 visitors

Scanlon moved seconded by King to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: September 22, 2003 Regular Meeting
- Check numbers 44130 to 44256 in the amount of \$410,646.17
- Friday October 31st from 6:00 to 7:30 p.m. for Trick-or-Treat
- Appoint Joel Arbanas to the Common Committee for a four year term ending 2007
- Close Oak & Front Streets from the Senior Center to the American Legion for the Halloween Parade
- Construction Board of Appeals Resolution 2003.05/01 changing the annual meeting date
- Close several downtown streets for Cystic Fibrosis Fun Run/Walk

Bybee reported opening's on Boards/Committees, accepting absentee applications/ballots for November 4th City Election, Homeowner and Rental Rehabilitation Program status, Stark School Third grade class to visit for a electronic voting process, issue's with Channel 12, cemetery data input and supplement #3 for the Buchanan City Code complete and delivered.

Grady explained briefly: equipment repairs, new leaf box, sewer inlet repairs, Days Avenue, street paving, forestry grant award, water reports/two position hiring process, certification requirements, Well #1A, cemetery upgrades/forms and Millpond Lift Station (Public Services Department: Monthly Status Report for September) while all reviewed the report. Brief discussion was shared with Commission.

After brief discussion between Dial-A-Ride Director and the Commission ***Lowery moved seconded by Scanlon to approve the Resolution extending the operation and authorization for the city manager to endorse the contract. Roll call vote unanimous.***

RESOLUTION 2003.10/23, CITY OF BUCHANAN BERRIEN COUNTY, MICHIGAN

Whereas, the operations contract for the City of Buchanan Dial-A-Ride system may be extended by mutual agreement of the parties concerned, and

Whereas, the operations contract for the City of Buchanan Dial-A-Ride system will expire on September 30, 2003:

NOW THEREFORE, BE IT RESOLVED: that the operations contract for the Buchanan Dial-A-Ride system between the City of Buchanan and Transportation Management, Inc., a Michigan Corporation, are hereby extended through September 30, 2004; and

BE IT FURTHER RESOLVED, that all terms of the contract shall remain in effect through the period of said contract, and

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda
Sept. 22 Minutes
Checks
Trick-or-Treat
Common Committee
Appointment
Street Closure
CBA Procedure
Amendment
Street Closure

Reports

Clerk-Election

Public Services

Old Business

Dial-A-Ride TMI
Contract
Resolution
2003.10/23

BE IT FURTHER RESOLVED, that the City Manager, Michael Hughes is

hereby authorized to endorse the Operations Contract.

YEAS: Flora King, Marlin Lowery, Earl Scanlon, David Hagey

ABSENT: Susan Lee

RESOLUTION DECLARED ADOPTED.

Gladys M. Bybee, CMC-City Clerk

Resolution
2003.10/23

Project Zero
Operation

King moved seconded by Lowery to approve the Transportation Service Agreement extending Operation for Project Zero. Roll call vote unanimous.

New Business
Hire Larry Darnell to
train foreman &
operator

Hughes reported his recommendation on the arrangement to hire, through Severn Trent, for the term of six months, Larry Darnell for training the new water foreman (employee Mark Bachman

offered the foreman position) and water operator. He gave a detailed explanation of the job description, costs and he reiterated the information from his report. There was debate/discussion regarding the hiring, documentation reporting, and Severn Trent. ***King moved seconded by Scanlon to approve the bid waiver and budget amendment to hire Larry Darnell through Severn Trent for the purpose of training new water foreman and water operator for \$23,500. Roll call vote carried by majority. Yea: Hagey, Scanlon, King. Nay: Lowery***

Upgrades to
Millpond lift station

Grady reported the Millpond lift station repairs and the three quotes received. He explained the pieces of equipment and the benefit of the special pumps. He noted that Millpond and some properties on Claremont utilizing the lift station. ***King moved seconded by Scanlon to approve the bid waiver and budget amendment to purchase two lift pumps to upgrade the Millpond lift station. Roll call vote unanimous.*** Hughes confirmed to research responsibility.

Computers for City
Hall

Hughes reported the bid waiver and purchase authorization request to purchase four new computers for city hall through department capital improvement funds. He explained the need and three quotes obtained. Commission shared discussion with Hughes. ***King moved seconded by Lowery to approve the bid waiver and purchase of four new computers as requested. Roll call vote unanimous.***

Cemetery
reorganization &
Procedures

Hughes thanked the attendance of Friends of the Cemetery. He explained that reorganization of policies and procedures were needed. He requested direction for hiring a Cemetery Sexton (funds budgeted for past few years and not used) and a part-time Cemetery Secretary. Grady explained new forms and policies currently complete with more forthcoming. Discussion was shared with all. Lyle Sumerix, Friends Chairman explained pleasures with the direction of the Cemetery and thanked the Commission for their support.

Website:
cityofbuchanan.com

Hughes had a projector presentation of the City of Buchanan website. He performed and explained several pages of the site. Discussion was shared with public, Commission and Hughes. Hughes confirmed continual upgrades and information.

**City Manager
Comments**

Hughes commented:

- Thanks to Express 1 for sponsoring first movie at the Common
- Documentation of all city owned property including DDA and TIFA owned
- Diana Klug new clerk-cashier as of October 6th.
- New section of the cemetery open
- Reminder of Blueprints Program meeting
- Dates/time of upcoming events
- Comcast increasing cable rates
- Possibility of more State revenue sharing cuts
- Two Buchanan articles in the SMEGA Crossing publication

King commented:

- Commended
City Manager
- Urged
attendance to

Old Business continued

Dial-A-Ride TMI Contract

Blueprints meetings

- Status of Great Lakes Metal Processing

Scanlon commented:

- Pleased about Cemetery expansion opening
- Urged attendance to Halloween Parade
- Commended the website completion

Lowery commented:

- Thanks to staff for their consideration and information
- Asked the policy to declare surplus real property
- Status of expired union contract

Hagey commented:

- Thanks for efforts to develop website and cemetery upgrades and procedures

Adjournment

King moved seconded by Scanlon to adjourn the meeting at 10:18 p.m.

Gladys M. Bybee, CMC-City Clerk

David P. Hagey, Mayor

Commissioner's Comments

CITY OF BUCHANAN COMMISSION MINUTES
October 27, 2003

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, October 27, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Youth Minister Lowell Kosak, Buchanan Church of Christ gave the Invocation.

Commissioners present: David Hagey, Flora Ann King, Susan Lee, Marlin Lowery, Earl Scanlon

Commissioner absent: None

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee

Guests/Visitors present: Lyle Sumerix, Friends of Oak Ridge Cemetery Chairman, Fine Arts Council President Karin Falkenstein 5 visitors

King moved seconded by Lee to amend the Agenda to include Review Citizen Participation Resume for appointment to the Fine Arts Council as E. under New Business. Roll call vote unanimous.

Lee moved seconded by King to approve the Consent Calendar as presented. Noted that Scanlon requested explanation for check to City of Bridgman. Roll call vote unanimous.

- Agenda
- Minutes: October 13, 2003 Regular Meeting and Work Session
October 21, 2003 Special Session
- Check numbers 44257 to 44369 in the amount of \$179,600.60
- Certified Delinquent Township Water & Sewer bills to the 2003 winter tax roll

Sumerix as American Legion Commander announced the Veteran's Day Program with the Navajo Code Talkers and landscaping of the Veteran's Memorial on Redbud Trail.

Marlon McGuire thanked the Commission and Kalin Construction on the completion of Days Avenue and noted the low spots by the curbs.

Sumerix requested that the Friends of Oak Ridge Cemetery be allowed to use the City as a pass through agency for tax exempt purposes until the Committee received their 501(C) 3 status (same as Senior Services) as they had an interested monetary donor. He explained in detail the three (3) year Strategic Plan while all reviewed the plan.

Chief Russell was absent due to illness and would be rescheduled for the Police and Code Enforcement report.

Falkenstein reported utilizing several new Directors for plays at the Tin Shop Theatre, performance attendance, building renovations, and ticket sales. She thanked the Commission for repair of the curb and work on the creek banks.

Hughes explained the Fourth Amendment to the Recycling Agreement with Southeast Berrien County Landfill (SEBCL) that would extend negotiating the sale of the material recovery facility (MRF) until December 31, 2003. ***Lowery moved seconded by Scanlon to accept the Amendment extending through December 31, 2003. Roll call vote unanimous.***

Hughes explained the Negotiating Committee for the sale of the MRF and the terms as outlined in the letter from SEBCL Authority Chairman Dick Haigh. All shared discussion regarding the particulars. Jim King, Landfill Board City Representative presented Hughes with the SEBCL annual Audit and Budget. Commission acknowledged the terms as outlined.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda

Oct. 13 & 21

Minutes

Checks

Delinquent Water & Sewer Bills

Certification

Public Comments

Reports

Friends of Oak Ridge Cemetery

Police

Fine Arts Council

Old Business

MRF Recycling Agreement Extension

Acknowledgement of terms: MRF Sale

After review of the memo from Fine Arts President Karin Falkenstein, **King moved seconded by Lee to amend the Buchanan Fine Arts Committee Resolution and alter the make up of the Buchanan Fine Arts Council members to omit the requirement of one (1) member from Buchanan, Bertrand and Niles Townships and replace the three (3) seats to three (3) at-large positions. Roll call vote unanimous.**

New Business
 Fine Arts Council
 Member
 Requirement

Hughes reported the Purchase Agreement to buy property for \$7,500.00 already endorsed by Phil Sexton. All shared discussion regarding the use of the property (11-58-0340-0038-01-4). Public discussion was shared. **King moved seconded by Scanlon to approve the Purchase Agreement for the property located on North Oak Street adjacent to the Teen Center as recommended. Roll call vote unanimous.**

Purchase Agreement
 for property on N.
 Oak St. adjacent to
 Teen Center

Hughes explained a budget line item needed to be created for the property acquisition, thus a Budget Amendment necessary. **Scanlon moved seconded by Lee to approve the Budget Amendment for the cost of purchasing the property on North Oak Street (11-58-0340-0038-01-4) in the amount of \$7,500.00. Roll call vote unanimous.**

Budget Amendment
 for property
 acquisition

Hughes reported a statutory change that would allow one (1) carrier for telephone service and long distance service. He explained the use of SBC and the memo from Treasurer O'Bryant. After review of paperwork **Lee moved seconded by King to approve the SBC New Plan Contract. Roll call vote unanimous.**

Long Distance
 Service Contract

After brief review of the Citizen Participation Resume for appointment to the Fine Arts Council **Lowery moved seconded by King to appoint Monroe Shirley Lemay to the Fine Arts Council for a term of four(4) years ending 2007. Roll call vote unanimous.**

Fine Arts
 Appointment

Marlon McGuire urged participation at the November 4th Election and wished Lowery and King well.

Public Comments

Hughes commented:

- Request from non-profit organizations for waiver of rental fees for the Senior Center Discussion shared, liability concern.
- Buchanan Community School Groundbreaking for the Gymnasium
- Recognized Roma Holmes for receiving the Senior Merit Award
- Distributed sign up sheet for Commissioners to list their phone numbers on website
- Completion of Days Avenue and Chippewa/Moccasin paving
- Blueprints Community Vision Session well attended. December 9th Session to review findings
- Thanks to all for hard work preparing for Blueprints
- Urged public sign up for E-News on the website
- Thanks to Legion for Halloween Parade and Fireman for Pancake Breakfast
- Dates/times of upcoming events

**City Manager
 Comments**

King commented:

- Look forward to December 9th HyettPalma return
- Pleased with Days Avenue
- Regrets for missing Parade and Pancake Breakfast

**Commissioner's
 Comments**

Lee commented:

- Congratulations to Roma Holmes
- Thanks to Legion for sponsoring Fish Fry for Senior Services
- Regrets for missing Blueprints, Parade and Pancake Breakfast

Scanlon commented:

- Thanks to Granelle Tate and Legion for Parade, great turn out
- Good Fireman's Pancake Breakfast
- Pleased with attendance/participation at Downtown Community Vision Session
- Good Luck to City Commission Candidates

Lowery commented:

- Blueprints Process interesting and anticipates December 9th Plan
- Support of Land Management for the City
- Off street parking needed downtown
- Nice Parade and Pancake Breakfast

Hagey commented:

- Regrets for missing Vision Session, Parade and Pancake Breakfast

Lee moved seconded by Scanlon to go into Closed Session to discuss Collective Bargaining at 10:09 p.m. Roll call vote unanimous. The Mayor reconvened the meeting at 10:10 p.m. with no decisions made in closed session. *King moved seconded by Lee to approve September 8, 2003 Purchase or Lease of Real Estate Minutes as reviewed in closed session. Roll call vote unanimous.*

Lee moved seconded by Scanlon to adjourn the meeting at 10:12 p.m. Voice vote carried unanimous.

Gladys M. Bybee, CMC-City Clerk

David P. Hagey, Mayor

**Commissioner's
Comments
continued**

Closed Session

Sept. 8 Closed
Session Minutes

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES
November 10, 2003

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, November 10, 2003. The meeting was called to order by Mayor Hagey at 8:00 p.m.

The Pledge was recited by all in attendance. Reverend Sheldon Seltzer, Seventh Day Adventist Church gave the Invocation. The City Clerk administered the Oath of Office to newly elected Marlon "Lon" McGuire. All shared greetings.

David Hagey delivered his Mayor Farewell and ***moved that Earl "Joe" Scanlon be appointed as Mayor and Flora King be appointed as Mayor Pro Tem. Susan Lee seconded the motion and roll call vote was unanimous.***

Commissioners present: David Hagey, Flora Ann King, Susan Lee, Marlon McGuire, Earl Scanlon

Commissioner absent: None

Staff present: City Manager Mike Hughes, Treasurer Juli O'Bryant, Clerk Gladys Bybee

Guests/Visitors present: On-Site Manager for Severn Trent Don Grady, Jim Oleksak, Community Housing Initiative (CHI) Executive Director, Sharon Vargo and Kenley Penner, Auditors from Plante & Moran

4 visitors

King moved seconded by Hagey to appoint Earl "Joe" Scanlon to the DDA. Roll call vote unanimous.

Stella Proud invited Commissioners to the Senior Pot Luck and noted trees in need of trimming. Arthur Kotter announced his 2004 candidacy and qualifications for Berrien County Circuit Court Judge.

Lee moved seconded by Hagey to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: October 27, 2003 Regular Meeting and Work Session
- Check numbers 44370 to 44480 in the amount of \$175,645.91
- Resolution 2003.11/24 authorizing Marlon McGuire to endorse accounts payable checks
- Reappoint Shelley Kring to the Fine Arts Council for a four (4) year term ending 2007
- Appoint Marlin Lowery to the Plan Commission to fulfill a vacant term through 2006
- Appoint Keith Kerr and Andrew Bachleda to the Common Committee

Grady explained briefly: equipment repairs, street paving, curb repairs, Days Avenue, cemetery, leaf removal, hydrant flushing, foreman training and Well #1A (Public Services Department: Monthly Status Report for October) while all reviewed the report. Brief discussion was shared with Commission.

The Treasurer reported the status of her department including the hiring of a new clerk-cashier.

After brief discussion and clarification on the verbiage regarding nonprofit organizations receiving rental fee waiver for the senior building ***King moved seconded by Lee to accept the Senior Building Rental Application Amendment to include fee waiver for non profit groups only. Roll call vote unanimous.***

Call to Order

Pledge/Invocation

Oath of Office

Marlon McGuire

Roll Call

Mayor Appointment
Mayor Pro Tem
Appointment

Mayor Appointment
to DDA

Public Comments

Consent Calendar

Agenda
Oct. 27 Minutes
Checks
Res. 2003.11/24
Bank Signatory
Fine Arts Council
Appointment
Plan Commission
Appointment
Common Committee
Appointment

Reports

Public Services

Treasurer

Old Business

Senior Building
Rental Application
Amendment

After brief discussion *Lee moved seconded by King to approve the personal property sale to the highest bidder for the 1987 Chevrolet pickup to Phil Gorbitz in the amount of \$651. and for the 1993 Ford Crown Vic to Bruce Thurston in the amount of \$226.26 as recommended. Roll call vote unanimous.*

C-Saw Corp.

Hughes introduced Chris Tapper, President of C-Saw Corp.-Metal Processing Service. All shared detailed discussion while perusing the proposal as submitted by Tapper for the sale of 101 W. Smith Street. All shared discussion regarding the compromise.

New Business
2002-2003 Audit

Plante & Moran Auditor Kenley Penner thanked the Treasurer Department for all their preparation and explained the Board Presentation with graph comparison regarding the revenues and expenditures for 2000, 2001, 2002 and 2003 while all reviewed. Vargo explained the three page comments and recommendations including the Financial Report with Additional Information ending June 30, 2003. She commended the Commission on their responsible financial management and discussion ensued about the Water/Sewer system loss of revenue.

Public Hearing,
Application to
MSHDA for
\$360,000 for
Homeowner
Rehabilitation
Resolution
2003.11/25,
Authorizing
Resolution

The Mayor called the Public Hearing to order at 9:38 p.m. to recognize/invite public comments regarding the submission of Application to Michigan State Housing Development Authority (MSHDA) in the amount of \$360,000 for a Homeowner Rehabilitation Project. Oleksak explained and discussion was shared. The Mayor closed the public hearing at 9:49 p.m. *Hagey moved seconded by Lee to approve Resolution as presented. Roll call vote unanimous.*

RESOLUTION NO. 2003.11/25, CITY OF BUCHANAN, COUNTY OF BERRIEN, STATE OF MICHIGAN AUTHORIZING RESOLUTION

WHEREAS, the City of Buchanan is committed to continue and strengthen the residential base with housing rehabilitation and housing development; and

WHEREAS, the Homeowner Rehabilitation program seeks to continue the planning to revitalize and develop the housing stock in the City of Buchanan; and

WHEREAS, the Buchanan City Commission authorizes the City in cooperation with Community Housing Initiative to submit an application for a "Homeowners Rehabilitation" program in the amount of \$360,000. to Michigan State Housing Development Authority; and

WHEREAS, no project costs will be incurred prior to a formal grant award, completion of the environmental review procedures and formal written authorization to incur costs is received from Michigan State Housing Development Authority.

NOW, THEREFORE, BE IT RESOLVED THAT: The City Manager, Michael Hughes is hereby authorized to sign all related application forms on behalf of the City of Buchanan.

AYES: Susan Lee, Earl Scanlon, Flora King, David Hagey, Marlon McGuire

NAYES: None **RESOLUTION DECLARED ADOPTED this 10th day of November, 2003**

Public Hearing,
Application to
MSHDA for
\$500,000 for
Downtown Rental
Rehabilitation
Resolution
2003.11/26,
Authorizing
Resolution

The Mayor called the Public Hearing to order at 9:50 p.m. to recognize/invite public comments regarding the submission of Application to Michigan Housing Development Authority (MSHDA) in the amount of \$500,000 for a Rental Rehabilitation Project. Oleksak explained and discussion was shared. The Mayor closed the public hearing at 9:56 p.m. *Hagey moved seconded by Scanlon to approve Resolution as presented. Roll call vote unanimous.*

RESOLUTION NO. 2003.11/26, CITY OF BUCHANAN, COUNTY OF BERRIEN, STATE OF MICHIGAN AUTHORIZING RESOLUTION

WHEREAS, the City of Buchanan is committed to continue revitalization of the downtown; and

WHEREAS, the Rental Rehabilitation program seeks to continue the planning to revitalize the downtown area; and

WHEREAS, the Buchanan City Commission authorizes the City in cooperation with Community Housing Initiative to submit an application for a "Rental Rehabilitation" program in the amount of \$500,000. to Michigan State Housing Development Authority; and

WHEREAS, no project costs will be incurred prior to a formal grant award, completion of the

Old Business continued

Personal Property
Sale

environmental review procedures and formal written authorization to incur costs is received from Michigan State Housing Development Authority.

NOW, THEREFORE, BE IT RESOLVED THAT: The City Manager, Michael Hughes is hereby authorized to sign all related application forms on behalf of the City of Buchanan.

AYES: Marlon McGuire, Flora King, Earl Scanlon, Susan Lee, David Hagey

NAYES: None

RESOLUTION DECLARED ADOPTED this 10th day of November, 2003

Bybee reviewed the previous visit from Sally Klute from Senior Nutrition and explained the Cooperative Agreement. *Lee moved seconded by McGuire to approve the Cooperative Agreement with Senior Nutrition Services. Roll call vote unanimous.*

Hughes explained the Bid Waiver request for the broken overhead door at the Department of Public Services barn. *Lee moved seconded by Hagey to approve the bid waiver to purchase the door through Overhead Door in the amount of \$2,380. Roll call vote unanimous.*

Senior Nutrition
Cooperative
Agreement
Bid Waiver,
Overhead door at
DPW

City Manager
Comments

Hughes commented:

- Congratulations to Mayor & Mayor Pro Tem
- Distributed for Commission review the Appraisal (\$77,000) for the old library building
- Acknowledged direction for MML "Put Community First Media Blitz" on Monday
- Partnering with Andrews University to create a Documentary on the Revitalization of Downtown Buchanan
- Attendance to Veterans Ceremony at Legion and Chamber Dinner
- Work Session scheduled to discuss Teen Center Roof and Water/Sewer
- FurnitureFind.Com article in Business Direct Weekly

Commissioner's
Comments

Commissioners thanked Kring, Lowery, Kerr and Bachleda for committing their time on a City Board.

King commented:

- Congratulation to Scanlon, Hagey, McGuire
- Asked zoning for the old library building

Lee commented:

- Congratulations to King, Scanlon & McGuire, Thanks to Lowery and Hagey
- Thanks to Legion and Community for Halloween Parade, Reminder of Veterans Ceremony

McGuire commented:

- Enjoyable first meeting
- Congratulations to King and Scanlon

Hagey commented:

- Welcome Marlon, Congratulations Scanlon & King
- Empathy on voter turnout

Scanlon commented:

- Thanks to all for Halloween Parade and Halloween Night
- Thanks to Hagey and Congratulations to King and McGuire
- Reminder of Veterans Day Ceremony at the American Legion

Adjournment

Lee moved to adjourn the meeting at 10:30 p.m. Voice vote carried unanimous.

Gladys M. Bybee, CMC-City Clerk

Earl J. Scanlon, Mayor

New Business continued

Resolution 2003.11/26, Authorizing Resolution

CITY OF BUCHANAN COMMISSION MINUTES
November 24, 2003

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, November 24, 2003. The meeting was called to order by Mayor Scanlon at 8:00 p.m.

Call to Order

The Pledge was recited by all in attendance. Reverend Ralph Hawkins, Faith United Methodist Church gave the Invocation.

Pledge/Invocation

Commissioners present: David Hagey, Flora Ann King, Susan Lee, Marlon McGuire, Earl Scanlon

Roll Call

Commissioner absent: None

Staff present: City Manager Mike Hughes, Police Chief Brian Russell, Clerk Gladys Bybee

Guests/Visitors present: State Representative Neal Nitz 8 visitors

Hagey moved seconded by King to amend the Agenda to include "Consideration for a Temporary Donations Account while the non-profit application is processed for Friends of Oak Ridge Cemetery" under New Business. Roll call vote unanimous.

Consent Calendar

Agenda
Nov. 10 & 19
Minutes
Checks

Lee moved, seconded by Hagey to approve the Consent Calendar as amended. Roll call vote unanimous.

- Agenda with inclusion
- Minutes: November 10, 2003 Regular Meeting and November 19, 2003 Work Session
- Check numbers 44481 to 44568 in the amount of \$213,717.85

Chief Russell explained his report in detail for the Police Department while all reviewed the four and one-half (4 ½) month document. He invited Commission to the Police Awards Dinner. After shared discussion Chief confirmed to forward the Code Enforcement Report.

Reports

Police Department

Hughes distributed copies of the proposed street light design and explained preliminary process for selection of lamps and posts. Ron Saunders, Representative from West Michigan Lighting answered questions about the street lights. After shared discussion Commissioners had no objections to the proposal and concurred to refer it to the DDA for recommendation.

New Business

Downtown Street
Light discussion

After listening to presentation from Marge Collins on behalf of Friends of the Library ***Hagey moved seconded by Lee to approve a banner on the light pole at Front Street and Days Avenue along with posting of several small signs at the same locations as the Redbud signs at the entrances to the City for promotion of the 9th Annual Scholastic Book Fair on December 4, 5, and 6th. Roll call vote unanimous.*** Hughes noted that a form for banner policy would be forthcoming.

Banner & signs for
Friends of the
Library

Chief Russell explained the Mutual Aid Agreements and recommended. After brief discussion ***Lee moved seconded by McGuire to accept the Resolution.***

RESOLUTION NO. 2003.11/27, City of Buchanan, County of Berrien, State of Michigan
WHEREAS, the nearly two dozen law enforcement agencies within the County of Berrien are called upon, from time to time, to provide assistance to adjacent or nearby law enforcement departments; and

Police Mutual
Assistance
Agreement,
Resolution
2003.11/27

WHEREAS, the City of Buchanan Police Department may need to respond to emergency or urgent situations that require coordinated effort or assistance; and

WHEREAS, the City of Buchanan Police Department desires to enter into an agreement with local law enforcement agencies to define and outline the terms, conditions and criteria for provision of reciprocal assistance; and

WHEREAS, the agreement to provide mutual assistance will serve the best interests of the citizens of the City of Buchanan, and shall also promote the public safety and the protection of property located in Berrien County; and

WHEREAS, the proposed Mutual Assistance Agreement has been reviewed and approved by the City of Buchanan legal counsel and Berrien County Corporate Counsel.

NOW THEREFORE BE IT HEREBY RESOLVED that the City of Buchanan Commissioners authorizes the City of Buchanan Police Department to enter into a Mutual Assistance Agreement with other law enforcement agencies located with-in Berrien County.

AYES: Marlon McGuire, Flora King, Earl Scanlon, Susan Lee, David Hagey

NAYES: None

Motion carried by unanimous roll call vote.

Hughes reported that Bill Green and Orville Worvey were requesting to deed private property to the City. After brief discussion, *Hagey moved seconded by Lee to refer the request to the Plan Commission for review and recommendation. Roll call vote unanimous.*

King moved seconded by Lee to accept the resignation as Commissioner Representative from the Plan Commission submitted by Earl Scanlon. Roll call vote unanimous.

After brief discussion, McGuire volunteered to be on the Plan Commission. *Hagey moved seconded by Scanlon to appoint Marlon McGuire, as Commissioner Representative to the Plan Commission. Roll call vote unanimous.*

The Mayor reported that Lyle Sumerix on behalf of the Friends of the Cemetery requested that the City establish an escrow account for donations for their group until they receive their nonprofit status. *Hagey moved seconded by Lee to approve use of a city escrow account for donations given specifically for the Friends of Oak Ridge Cemetery until their non-profit application is complete. Roll call vote unanimous.*

Hughes commented:

- Announced dates/times upcoming events
- Thanked the Garden Club and Employees for holiday decorations
- Will be bringing forward a counter proposal from C-Saw
- Will distribute after meeting: Cool Cities Initiative article from Governor Granholm

King commented:

- Mill Race still in need of dredging
- Pleased with meeting with Senator Jelinek

Lee commented:

- Thanks to the Garden Club and staff for holiday decor

Hagey commented:

- Appreciative to Garden Club and Dave Zelmer at the Feed Mill for holiday decor

McGuire commented:

- Holiday Greetings and compliments of the holiday decor
- Leaf Program ending

Scanlon commented:

- Urge attendance to Parade and Holiday Lighting
- Holiday Greetings

King moved, seconded by McGuire to adjourn the meeting at 9:07 p.m. Voice vote carried unanimous.

Gladys M. Bybee, CMC-City Clerk

Earl J. Scanlon, Mayor

New Business continued

Police Mutual Assistance Agreement, Resolution 2003.11/27

Private Property
Offer, Green &
Worvey

Commission
Representative on
Plan Commission

Friends of Oak
Ridge Cemetery
Escrow Account

**City Manager
Comments**

**Commissioner's
Comments**

Adjournment

CITY OF BUCHANAN COMMISSION MINUTES
December 8, 2003

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, December 8, 2003. The meeting was called to order by Mayor Scanlon at 8:01 p.m.

The Pledge was recited by all in attendance. Reverend Leonard Bailey, Buchanan Church of the Nazarene gave the Invocation.

Commissioners present: David Hagey, Flora Ann King, Susan Lee, Earl Scanlon

Commissioner absent: Marlon McGuire

Staff present: City Manager Mike Hughes, Clerk Gladys Bybee

Guests/Visitors present: On-Site Manager for Severn Trent Don Grady, Jim Oleksak, Community Housing Initiative (CHI) Executive Director, Don Holmes, Common Committee Chairman, Dick Proud, Friends of the Trail Committee Chairman 7 visitors

Lee moved seconded by Hagey to amend the Minutes to read: Hagey moved seconded by Lee to approve use of a city escrow account for donations given specifically for the Friends of OAK RIDGE Cemetery until their non-profit application is complete Roll call vote unanimous.

Lee moved, seconded by Hagey to approve the Consent Calendar with the amended minutes. Roll call vote unanimous.

- Agenda
- Minutes: November 24, 2003 Regular Meeting
- Check numbers 44569 to 44661 in the amount of \$105,867.46
- Resolution 2003.12/28, Amendment to the Social Security Plan and 218 Agreement

The following resolution was offered by Commissioner Lee and seconded by Commissioner Hagey.

WHEREAS, the City of Buchanan is now covered under the social security agreement between the State of Michigan and the Social Security Administration, and

WHEREAS, all services of election workers and election officials were not excluded from coverage in the Plan and Agreement entered into between the State Employees' Retirement Board and the City of Buchanan, and

WHEREAS, pursuant to the provisions of Section 218 [42 U.S.C. 418] (c)(8) of the Social Security Act, it is now our desire to exclude in our social security coverage all services of election workers who are paid less than \$1,200 per calendar year, such exclusion to be effective January 1, 2004 and thereafter;

THEREFORE BE IT RESOLVED, that the Plan and Agreement covering the City of Buchanan be modified to **exclude** the following:

“Services performed by **election workers** for each calendar year starting in 2004, and thereafter, in which the remuneration paid for such services is less than \$1,200.”

AYES: Lee, Scanlon, King, Hagey

NAYES: None

ABSENT: McGuire

Motion carried by unanimous roll call vote.

Don Holmes distributed the 2004 Program for the Common. He explained the 2003 Season events and reported receipt of \$840 in donations.

Dick Proud reported on the status of the four (4) sub-committees for planning the trail. He explained the trail route and developed policies. Hughes noted the displayed portraits by Shirley Roti-Roti, framed by Judy & Chris DenHerder and easel constructed by Reed Mann.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Nov. 24 Minutes as amended
Agenda
Checks

Resolution
2003.12/28 Social Security and 218 Agreement

Reports

Common

Trail

Don Grady
thanked

Commissioner King, her husband and the Garden Club for the holiday decorations at the gazebo and explained briefly: equipment repairs, leaf removal, cemetery supervisor, cemetery forms, Christmas decorations, water reports, site plan approval, water foreman training, water distribution operator, salt truck modifications and v-plow purchase (Public Services Department: Monthly Status Report for November) while all reviewed the report. Brief discussion was shared with Commission.

Contractor Jacob Estkowski explained the delays in completion of fire restoration for 725 N. Detroit Street and his request for a 30 day extension for temporary housing for the Macigewski family. After shared discussion, *Hagey moved seconded by Lee to approve the 30 day extension for the temporary trailer at 725 N. Detroit Street through January 31, 2004. Roll call vote unanimous.*

After brief explanation from Hughes, *Hagey moved seconded by King to introduce and approve first reading of the Cemetery Ordinance and call a public hearing for December 22, 2003 at 8:00 p.m. to hear public comments regarding the Ordinance on file at City Hall. Roll call vote unanimous.*

Jim Oleksak explained his letter of request while all reviewed. *Hagey moved seconded by Lee to approve the Resolution as read.*

RESOLUTION 2003.12/29, CITY OF BUCHANAN, COUNTY OF BERRIEN, MICHIGAN

WHEREAS, the City of Buchanan is very proud to have acquired a few grants through state programs along with being designated a Blueprints Community by the State of Michigan, and

WHEREAS, the City of Buchanan believes partnerships can build a better community by providing financial tools for business recruitment and retention, revitalization of its downtown along with rental and homeowner rehabilitation, and

WHEREAS, the City of Buchanan supports Community Housing Initiative’s (CHI) application to start a Revolving Loan Fund for businesses in the downtown area.

THEREFORE BE IT RESOLVED, the City of Buchanan City Commission hereby requests that the United States Department of Agriculture (USDA) Rural Development grant favorable approval of funding to allow Community Housing Initiative (CHI) to begin a Revolving Loan Fund.

AYES: King, Hagey, Scanlon, Lee

NAYES: None

ABSENT: McGuire

Motion carried by unanimous roll call vote.

Proud explained that the Promotion Committee wished to engage in a Trail Naming Contest with community involvement. After discussion, *Lee moved seconded by King to endorse the Community Contest. Roll call vote unanimous.*

After explanation from Hughes, *Hagey moved seconded by Lee to approve the banner placement form with the inclusion of language that the placement be at the City’s discretion allowing for compliance with MDOT regulations. Roll call vote unanimous.*

Hughes explained that Express-1 wished to sell a small portion (legal description included) of their property to Creative Molding. He explained the needed partial release from the City of the Economic Development Agreement and Mortgage dated February 14, 2001. All shared discussion/questions. *Hagey moved seconded by Lee to request a written opinion from the Attorney on what monetary impact the partial release would have on the City. Roll call vote unanimous.*

Grady explained the conversion of the recycling truck into a salt truck with the cost being in the current budget. *King moved seconded by Hagey to approve the bid waiver to convert the recycling truck into a salt truck in the amount of \$4,326. Roll call vote unanimous.*

Reports continued

Public Services

Old Business

Temporary Housing Extension-725 N. Detroit St.

Amendment to Cemetery Ordinance, Introduce and Call for Public Hearing

New Business

Resolution 2003.12/29, Support to USDA for Community Housing Initiative’s application for Revolving Loan Fund dollars

Trail Naming Contest

Banner Placement Form

Express-1 Request

Bid Waiver to convert recycling truck to salt truck

Grady explained the needed

budget amendment and bid waiver to purchase a V plow for the bobcat for sidewalk plowing. He noted that the funds had been budgeted in previous year but not spent. After shared discussion, **King moved seconded by Lee to approve the budget amendment in the amount of \$3,353. General Fund, DPW Department, Capital Outlay. Roll call vote unanimous. Hagey moved seconded by Lee to approve the "soul source" bid waiver to purchase the V plow. Roll call vote unanimous.**

Hagey moved seconded by Lee to go into Closed Session to discuss Collective Bargaining with the SEIU Local 517M for DPW, Cemetery, Water, Wastewater and Clerical positions at 9:15 p.m. Roll call vote unanimous. The Mayor reconvened the meeting at 11:04 p.m. with no decisions made in closed session. **Lee moved seconded by Hagey to approve October 27, 2003 Collective Bargaining minutes as reviewed in closed session. Roll call vote unanimous. Hagey moved seconded by Lee to accept the contract with the exception of Item 2, COPE and present to the union for ratification. Roll call vote unanimous. Hagey moved seconded by Lee to table, as recommended, the Resolution changing the MERS Benefits until the union contract is ratified. Roll call vote unanimous.**

Hughes commented:

- Referred comments to his City Manager Report
- Reminded all about the Blueprints Presentation Meeting

All Commissioners' commended employees for the Holiday Lighting and décor along with Trail Committee Chairman Dick Proud.

King commented:

- Commended Programs: Shop with a Cop, Legion Breakfast, Pearl Harbor Memorial
- Anticipating HiettPalma Downtowns Blueprint 2003

Lee commented:

- Thanks for Shop with a Cop, Legion Programs and Volunteers for the Trail

Hagey commented:

- Thanks to all Volunteers

Scanlon commented:

- Skateboard meeting in January, urge attendance
- Happy Holidays

Dave moved, seconded by Lee to adjourn the meeting at 11:11 p.m. Voice vote carried unanimous.

Gladys M. Bybee, CMC-City Clerk

Earl J. Scanlon, Mayor

CLOSED SESSION
Collective
Bargaining

Oct. 27 minutes
Accept Contract
with exception

City Manager
Comments

Commissioner's
Comments

Adjournment

New Business continued

Budget Amendment and Sole Source Bid Waiver to purchase V Plow

CITY OF BUCHANAN COMMISSION MINUTES
December 22, 2003

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, December 22, 2003. The meeting was called to order by Mayor Scanlon at 8:01 p.m.

The Pledge was recited by all in attendance. No Invocation was given.

Commissioners present: Flora Ann King, Marlon McGuire, Earl Scanlon
Commissioner absent: David Hagey, Susan Lee
Staff present: City Manager Mike Hughes, Clerk Gladys Bybee
Guests/Visitors present: 3 visitors

King moved, seconded by McGuire to approve the Consent Calendar as submitted. Roll call vote unanimous.

- Agenda
- Minutes: December 8, 2003 Regular Meeting
- Check numbers 44662 to 44761 in the amount of \$138,738.69

Hughes explained the Fifth Amendment to the Recycling Service Agreement with Southeast Berrien County Landfill (SEBCL). ***King moved seconded by McGuire to accept the Fifth Amendment extending the Recycling Service Agreement to December 31, 2004 as recommended. Roll call vote unanimous.***

The Mayor called the Public Hearing to order at 8:04 p.m. to recognize/invite public comments regarding an Ordinance amending Chapter 22, Perpetual Care due to minor language changes and exclusions. None were heard. Hughes summarized the minor changes as reviewed by city attorney. The Mayor closed the public hearing at 8:06 p.m. ***King moved seconded by McGuire to approve Ordinance 360.12/03 as presented. Roll call vote unanimous.***

Hughes explained the request to hire a Landscape Architect through Wightman & Associates, Inc. for the Downtown Streetscape Project (as recommended in the Blueprint for Downtown) while all reviewed the proposal and City Manager Memo. After discussion on the G2 Design Studio proposal, ***King moved seconded by McGuire to approve Task I-Streetscape Design Development Assistance in the amount of \$3,340 from G2 Design Studio through Wightman & Associates as recommended. Roll call vote unanimous.*** Hughes noted where funds would come from and a budget amendment would be forthcoming.

After brief explanation and discussion a Public Hearing was set for January 12, 2004 at 8:00 p.m. to discuss the sale of Lot 4 in Andrews Farm Industrial Park to Premier Tool and Die. Hughes committed to discussion at the Andrews Farm Tax Increment Finance Authority meeting for comments before the City Commission Public Hearing. He confirmed that Dewey & Nancy Bicard be notified.

Hughes noted some confusion with the City Sign Ordinance being in the City Code or Zoning Code. ***McGuire moved seconded by King to refer review and recommendation to the City Plan Commission. Roll call vote unanimous.***

Hughes commented:

- Requested a work session to discuss budget cuts and the old library building. Set for January 6th at 7:30 p.m.
- Application received from Shayne Tenace for Revolving Loan Fund dollars
- Very close to a Lease Agreement with C-Saw
- Employee Potluck, City Hall closed over lunch (11-1)
- Happy Holidays

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda
Dec. 8 Minutes
Checks

Old Business

Recycling Service
Agreement with
SEBCL

Public Hearing,
Ordinance 360.12/03
City Cemetery

New Business

Landscape Architect
for Downtown

Call for Public
Hearing, Sale of
Public Property

Sign Ordinance
referred to Plan
Commission

**City Manager
Comments**

All Commissioners shared and sent Holiday Greetings.

King commented:

- Review of accomplishments in 2003-anticipate 2004

McGuire commented:

- Status of tour at Tenace Apartments
- Disappointed that the Trail didn't receive funding from DNR. Urged Trail funding and interest from private sources
- Thanks to Russ Stephens for his continued interest and attendance

Scanlon commented:

- Pleased that Trail Committee still determined after news from DNR
- Urged attendance to Recreation Board Meeting to discuss Skateboard Park

**Commissioner's
Comments**

Adjournment

King moved, seconded by McGuire to adjourn the meeting at 8:40 p.m. Voice vote carried unanimous.

Gladys M. Bybee, CMC-City Clerk

Earl J. Scanlon, Mayor