

CITY OF BUCHANAN COMMISSION MINUTES

January 8, 2007

The Mayor called the **public hearing** to order at 7:30 p.m. to hear and invite comments regarding an Ordinance **Amending the Boundaries of the City of Buchanan Downtown Development Authority**. The city clerk verified that no written comments were received and the Mayor requested comments. Mullendore introduced Greg Milliken from McKenna & Associates who worked with the DDA. He summarized both Ordinances; Amending the DDA Boundaries and Updating Development and TIF Plans. With the map on display, he explained past and current DDA boundaries. Being no public comments or questions, the Mayor announced the ordinance would be considered for final adoption on January 22nd, 2007 and closed the hearing at 7:35 p.m.

The Mayor called the **public hearing** to order at 7:35 p.m. to hear and invite comments regarding an ordinance **Amending the Development Plan and Tax Increment Financing Plan** for the DDA as explained earlier by Greg Milliken from McKenna & Associates and recommended by the DDA. The city clerk verified that no written comments were received and the Mayor requested comments. Being no public comments or questions, the Mayor announced the ordinance would be considered for final adoption on January 22nd, 2007 and closed the hearing at 7:37 p.m.

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, January 8th and called to order by Mayor Moore at 7:37 p.m.

All in attendance recited the Pledge. No invocation was heard. Mayor Moore bestowed recognition to former commissioner's; Jeanne Arbanas, Lon McGuire, and Joe Scanlon. Scanlon was in attendance and received his plaque. He spoke briefly and congratulated the new members on the Commission. The Mayor was confirmatory about forwarding plaques and best wishes to Arbanas and McGuire whom could not be in attendance.

Commissioners present: Carla Cole, Barbara Clark, David Hagey, Jennifer Harrington,

Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: Southwestern Michigan Community Ambulance Service (SMCAS) Director, Marlene Beach and 26 visitors including 2 reporters

Clark moved, seconded by Cole to approve the Consent Calendar as presented. Roll call vote, motion carried unanimous.

- Agenda
- Minutes: Regular Meeting December 11, 2006
- Checks 51682 to 51831 in the amount of \$299,005.85
- 2007 Meeting Dates and Times

Marlene Beach, on behalf of SMCAS summarized the life saving incident of Cathryn Mace, Teacher's Aide at Buchanan Middle School by Buchanan Police, and SMCAS ambulance personnel. She bestowed Life Saving Pins to Rick Edgerle, Carmen Bovo, Jerry Schley, Steve Nallenweg, Martha Leneway and Josh Kay. All shared greetings.

Public Hearing

Amending the Boundaries of the City of Buchanan Downtown Development Authority

Public Hearing

Amending the Development Plan and Tax Increment Financing Plan

Call to Order

Pledge/Invocation

Recognition Awards

Roll Call

Consent Calendar

Agenda
Dec. 11 Minutes
Checks
2007 Meeting
Dates & Times

Reports

SMCAS Life Saving Awards

Mullendore reported the bid process for cleaning the city hall and police/fire offices. After discussion and clarification, ***Cole moved seconded by Clark to accept the bid from the lowest and most responsive bidder, James Beardsley for three (3) years in the amount of \$23, 940 as recommended. Roll call vote, motion carried unanimous.***

New Business
Cleaning Contract

After review, all tentatively agreed to schedule Saturday February 10th at 8:00 a.m. for Commission Goal Setting Session at Gateway on Days Avenue if available.

Commission Goal
Setting Session

Mullendore reported that a request was received from Reliable to extend the Contract an additional two years pursuant to Section 2.00 of the current contract. She summarized past years of the contract and recommended the extension. After brief questions regarding the bid process, ***Hagey moved seconded by Cole to approve the formally requested two (2) year extension from Reliable Disposal, with a three percent (3%) increase of the current price. YEA: Clark, Moore Cole, Hagey. NAY: Harrington. Roll call vote, motion carried by majority.***

Reliable Disposal
Contract

Stella Proud wished all a happy new year and hoped for all to work together.

Public Comments

Mullendore comments:

- Office changes in City Hall, Clerk moving to front office.
- Working on budget, concern with State deficit and State revenue sharing decreases.
- Working closely with DDA to have smooth transition with new fiscal year. January 17th special meeting with the DDA and Chamber as goal setting, thus urged two Commissioner's on the DDA to attend.
- Upcoming event/meeting dates/times.

**City Manager's
Comments**

Harrington comments:

- Congratulations 2007 Miss Buchanan, Dana Vorrath
- Condolences to former commissioner Scott King on the loss of his mother

**Commissioners'
Comments**

Hagey comments:

- Requested date for weir replacement and asked if DDA would be assisting with costs. Mullendore confirmed spring.
- Honored by the pins presented earlier and grateful for the defibrillators in police cars provided through funding from the Gateway Foundation.

Cole comments:

- Congratulations to former commissioners and person's in receipt of Life Saving Pins

Clark comments:

- Thanks for best wishes due to her family emergency.
- Congratulations to Police Officers and SMCAS Personnel

Moore comments:

- Thanks to all for creating such a great city as evidence this evening with risks of Police, SMCAS, & Fire personnel

Adjourn

Clark moved, seconded by Cole to adjourn the meeting at 8:12 p.m. Voice vote carried unanimous.

CITY OF BUCHANAN COMMISSION MINUTES

January 22, 2007

A regular scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, January 22nd and called to order by Mayor Moore at 7:31 p.m.

All in attendance recited the Pledge. Reverend Tom Fox, Portage Prairie United Methodist Church gave the Invocation.

Commissioner Harrington read the biography of residents Matthew and Jayson Strozewski and Mayor Moore presented the twins with Citizen Appreciation Recognition Awards for their contributions in making Life Better in Buchanan (Hugs for Life).

Commissioners present: Carla Cole, Barbara Clark, David Hagey, Jennifer Harrington,

Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: DDA/TIF Executive Director Michelle Klarich, DDA/TIF Chairwoman Tracy Dippo and 15 visitors including 2 reporters

Harrington moved, seconded by Clark to approve the Consent Calendar as presented. Roll call vote, motion carried unanimously.

- Agenda
- Minutes: Regular Meeting January 8, 2007
- Checks 51832 to 51936 in the amount of \$342,075.79
- Ordinance 2007.01/374, Amending the Boundaries of the City of Buchanan Downtown Development Authority (copy of Ordinance attached and made part of this record)
- Resolution 2007.01/1, Authorizing Treasurer to negotiate the summer school tax collection fee

WHEREAS, the City agrees to collect the total summer school taxes as certified by the School District for the levy on July 1, 2007 for property located within the City; and

WHEREAS, the School District agrees to pay City costs of assessment and collection in the negotiated amount; and

WHEREAS, no later than June 1, 2007, the School District shall certify to the Treasurer the school millage to be levied on property for summer school tax collection in 2007; now, therefore,

BE IT RESOLVED, that the Treasurer is authorized and directed to negotiate with the School District 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. Any such proposed agreement shall be brought before the City Commission for its approval.

ADOPTED this 22nd day of January 2007.

- Reappoint JT Adkerson, Jim King, and Margaret Young to the Board of Review to another two (2) year term through January 2009

Michelle Klarich reported the minor edit necessary to the Development and Tax Increment Financing Plans for the City of Buchanan Downtown Development District, specifically Section 9. She explained the memo from Greg Milliken, McKenna Associates and read the edited section 9 while commission reviewed. *After shared discussion, Hagey moved seconded by Cole to approve the Ordinance Amending the Development and Tax Increment Financing Plans for the City of Buchanan*

Call to Order

Pledge/Invocation

Citizen
Appreciation
Recognition
Awards

Roll Call

Consent Calendar

Agenda
Jan. 8 Minutes
Checks

Ordinance
2007.01/374,
Amending the
DDA Boundaries

Resolution
2007.01/1,
Authorizing
Treasurer to
Negotiate

Board of Review
reappointments

Unfinished Business

Ordinance
2007.01/373,
Amending the
Development and
Tax Increment
Financing Plans

Downtown Development District with the editing to Section 9 and 12 on pages 19 and 20 referencing the sale, lease, conveyance pending legal review and approval. Roll call vote, motion carried unanimous.

Ordinance
2007.01/373

Mullendore presented the magnetized holder with document (File for Life) and explained the grant process for submittal to the Gateway Foundation. ***Cole moved seconded by Clark to approve the submission of the grant to Michigan Gateway Community Foundation for the File of Life. Roll call vote, motion carried unanimous.***

New Business
Gateway
Foundation Grant
for File of Life

2007-08 Budget
Session Schedule

After review and discussion, all concurred to the 2007-2008 Budget Session schedule as presented.

Klarich announced Chamber Annual Dinner at Pennelwood, urged commissioner attendance and invited public. Nomination forms available and encouraged.

Public Comments

Mullendore comments:

- Out to City Manager Conference Tuesday through Friday; Chief Marx acting on her behalf
- Upcoming Goal Setting session
- Last week joint DDA/Chamber meeting good for more effectiveness in community
- Thanks to Lions Club for community commitments and hard work in the community
- Office changes in City Hall complete
- No date set for the weir replacement. CAD drawings developed by Wightman & Associates; available for review. No state permit necessary according to Wightman, will need to be bid out. Project will be taken to next DDA meeting to discuss shared expense.
- Thanks to Wal-Mart for receipt of a \$500. grant for Channel 99 equipment

**City Manager's
Comments**

Clark comments:

- Pleased that Commission presented awards to twins

Cole comments:

- Thanks to workers for clearing crosswalks

Moore comments:

- Congratulations to all the Strozewski family for their community involvement making Buchanan a great community to live in
- Congratulations and best wishes to DDA/TIFA on boundary changes and plan updates
- Thanks to Wal-Mart for grant

**Commissioners'
Comments**

Adjourn

Clark moved, seconded by Cole to adjourn the meeting at 8:05 p.m. Voice vote carried unanimous.

Gladys Bybee,CMC-City Clerk

Dr. Patricia Moore, Mayor

Unfinished Business cont...

CITY OF BUCHANAN COMMISSION MINUTES

February 12, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, February 12th and called to order by Mayor Moore at 7:30 p.m.

Mayor Moore presented a Recognition of Services plaque and Citizen Appreciation Award to Shirley Roti Roti for her years of service on the Fine Arts Council, as Commissioner Hagey read a speech to commemorate her accomplishments for the community. Alice Kring presented a Plaque of Appreciation from the Fine Arts Council, as well as a bag and t-shirt awarded to her on behalf of Chairwoman LeMay.

All in attendance recited the Pledge. No Invocation was given.

Commissioners present: Barbara Clark, Carla Cole, David Hagey, Jennifer Harrington, and Patricia Moore
Commissions absent: none
Staff present: City Manager Meg Mullendore, Chief of Police Bill Marx, and Administrative Secretary Laura Fox
Guests/visitors present: Shirley Roti Roti, Larry Flewelling and wife, Alice Kring, Glen Carpenter, Kimberley O'Haver, Gary Greathouse, Mike Burks and wife, Rick Edgerle, Jim Pastryk, and Jim Howell and 9 visitors, including 3 reporters

Clark moved, seconded by Cole to approve the Consent Calendar as presented. Roll call vote, motion carried unanimously.

- Agenda
- Minutes: Regular Meeting January 22, 2007
- Checks 51937 to 52083 in the amount of \$248,846.42
- Sarah Dickey appointment to Fine Arts Council
- Daleen Granger appointment to Fine Arts Council
- Banner Placement, April 7 through April 22; Buchanan School Farm Annual Plow Day

Glen Carpenter of Redbud Area Ministries (RAM) read the Mission Statement and roster of the Board of Directors for RAM. He then presented the financial report and thanked those who helped support and volunteer for RAM. He informed Commission that the greatest need of the Ministry at the present time is for office staff and back room help.

Chief Bill Marx, Police Department recognized Larry Flewelling and Mike Burks for their years of service with the Reserve Unit of the Police force. He presented Flewelling with a Certificate of Appreciation and a retirement badge for his 16 years of service, and Burks with a plaque and retirement badge for his 26 years of service.

Call to Order

Pledge/Invocation

Citizen
Appreciation
Recognition
Award

Roll Call

Consent Calendar

Agenda
January 22
Minutes
Checks
Appointments to
Fine Arts Council
Banner Placement

Reports

RAM

Police Department

Chief further
reported that the
Police Department

is running very well, and that there are more cases that the department is getting more involved in. He informed Commission that the department has joined the West Michigan Criminal Justice Training Consortium, which allows the department to save money on training, and informed Commission that he plans to continue as a member of the Consortium. He told Commission that he is pleased with the department's efforts and what has been accomplished with Drug Enforcement, and reminded Commission of programs and initiatives such as CAASA that are still active in the community, as well as Junior Achievement and D.A.R.E. Chief informed Commission of new T.E.A.M. Training that has been initiated as a module for schools for fire safety, drug awareness, laws, and good decision-making. The Department is increasing the force from 17 to 22 reserve officers. He then introduced Jim Howell, the newest part-time officer, to the Commission, and presented Jim Pastryk and Rich Edgerle as the Officers of the Year.

Mullendore presented on Wal-Mart's \$500 donation to the Commission and thanked Wal-Mart for their donation and help that the City much appreciates. The donation was used to purchase much-needed equipment for the City's Cable channel 99.

Mullendore presented on the Comcast Upgrade, and informed Commission that the upgrade is to clear the reception of their services as well as to provide high-definition TV, digital telephone services, and high-speed internet and cable. Comcast will be working in the right-of-ways and making additions of boxes to upgrade the system from the current 330 MHz to 830 MHz. Comcast will post hang tags on doors 48 hours prior to the work being done to inform citizens of the work and of the possibility of a slight interruption of services due to the upgrade. An 800 number will be provided on the hang tags for questions.

Kimberley O'Haver, Transportation Management, Inc. was present to discuss Resolution 2007.02/3, Annual MDOT Application for State and Federal Operating Assistance for fiscal year 2008 under act 51 of public acts of 1951 and authorize endorsement. She briefed Commission the purpose of the resolution, and also told Commission that the three new vehicles on order would be arriving soon once the FTA approves the vehicles. She also told Commission of expanding services in Buchanan between 11:30-2:00 each day to better meet the needs of Buchanan's citizens. ***Cole moved, seconded by Hagey to accept Resolution 2007.02/3, Annual MDOT Application for State and Federal Operating Assistance for fiscal year 2008 under act 51 of public acts of 1951 and authorize endorsement. Roll call vote carried unanimously.***

WHEREAS, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the City of Buchanan, (hereby known as THE APPLICANT) established under Act 55, to provide a local transportation program for the state fiscal year of 2008 and, therefore, apply for state financial assistance under provisions of Act 51; and **WHEREAS**, it is necessary for THE APPLICANT, to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and **WHEREAS**, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and (State Operating Assistance Program only)

Unfinished

Business

Wal-Mart
Certificate
of Appreciation

New Business

Comcast Upgrade

Resolution
2007.02/3, Annual
MDOT
Application for
State and Federal
Operating
Assistance for
fiscal year 2008
under act 51 of
public acts of 1951
and authorize
endorsement

WHEREAS, THE APPLICANT, has reviewed and approved the proposed balanced (surplus) budget, and

funding sources of estimated federal funds \$19,432, estimated state funds \$64,940, estimated local funds \$71,828, estimated fare box \$12,000, estimated other funds \$0, with total estimated expenses of \$168,230.

NOW THEREFORE, be it resolved that THE APPLICANT hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

HEREBY, appoints Julianne M. O'Bryant as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for 2008.

RESOLUTION DECLARED ADOPTED this 12th day of February, 2007.

Alice Kring reminded the Commission of the Award Banquet for the Chamber of Commerce on March 1st, and told Commission that the Chamber was still taking Volunteer Recognition Nomination Forms through the end of the week. She further informed Commission that at the Chamber's November Planning Session that the Easter Egg Hunt had been cut from the budget, but that a local law class will put it on this year as part of their community service requirement for the class. She congratulated Mike Burks for his years of outstanding service on the Police force. Commissioner

Harrington

asked if a name had been chosen yet for BuchananFest, and Kring replied that several names were still being decided between for the event. The project for advertising and marketing the event has been given to Andrews University students as a class project.

Mullendore commented:

- There have been a lot of complaints with the winter weather and road tear-ups.
- There were 5 water main breaks in the last week. On Front Street, in front of McDonald's, the road is torn up badly right now due to a water main break, but it is being worked on.
- PERC breakfast this Friday at 7:30 a.m. at Senior Center.
- Goal Session went well and Commission worked well together to continue moving the City forward.
- Staff issues with Public Service Director position vacant.

Hagey commented:

- Thanked Reserve Officers, Water Department and City crews for their hard work; they have been efficient in their work and no one has had to go long without water.

Harrington commented:

- Thanked Shirley Roti Roti, Larry Flewelling, and Mike Burks for their over 60 years of support.
- City crews doing well.

Clark commented:

- City crews doing well; good job.
- Told Kring she plans on attending Chamber Dinner on March 1st.

Cole commented:

- Congratulated officers and Chief Marx for making sure officers are well-trained.

Public Comments

City Manager's Comments

Commissioners' Comments

- Congratulated Shirley Roti Roti for her

artistic efforts and works, quite a trooper.

- Happy Valentine's Day.

Moore commented:

- Thanked staff and fellow Commissioners for being present all day Saturday at Annual Planning Session and for input; helped build great rapport and solved difficult issues.
- Congratulated all those recognized at the meeting.

Closed Session

Clark moved, seconded by Hagey to adjourn for Closed Session at 8:36 p.m to discuss the sale of property. Roll call vote carried unanimous.

The Mayor reconvened the meeting at 8:46 p.m. with no action taken in closed session.
Hagey moved, seconded by Cole to approve the sale of property discussed during closed session and to authorize City Manager to close on property with City attorney. Roll call vote carried unanimous.

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 8:49 p.m. Voice vote carried unanimous.

Laura Fox, Administrative Secretary

Dr. Patricia A. Moore, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

February 26, 2007

A regular scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, February 26th and called to order by Mayor Moore at 7:31 p.m.

All in attendance recited the Pledge. An Invocation was not heard.

Commissioners present: Carla Cole, Barbara Clark, David Hagey, Patricia Moore

Commissioners absent: Jennifer Harrington

Staff present: City Manager Meg Mullendore, Assessor Gordon Schreiber, and Clerk Gladys Bybee

Guests/Visitors present: 14 visitors including 2 reporters

The Mayor asked for public comments regarding any item on the agenda and announced, due to written request that Mr. Elliott would speak during the 2nd half of the meeting about his concern on the proposed dredging and diversion of McCoy's Creek (a.k.a. Mill Race Spillway Reconstruction Project).

Cole moved, seconded by Clark to approve the Consent Calendar as presented. Roll call vote, motion carried unanimous.

- Agenda
- Minutes: Regular Meeting February 12, 2007
- Checks 52084 to 52181 in the amount of \$236,878.72
- Resolution 2007.02/4

RESOLUTION TO APPROVE THE SUMMER SCHOOL TAX COLLECTION FEE IN THE SUM OF \$2,538.68 PER SCHOOL DISTRICT – TOTALING \$7,616.04

WHEREAS, the City agrees to collect the total summer school taxes as certified by the School District for the levy on July 1, 2007 for property located within the City; and

WHEREAS, the School District agrees to pay City costs of assessment and collection in the total amount of \$1.16 per parcel, for all three School District's, totaling \$2,538.68 each; and

WHEREAS, no later than June 1, 2007, the School District shall certify to the Treasurer the school millage to be levied on property for summer school tax collection in 2007; now, therefore,

BE IT RESOLVED, that the Treasurer is authorized and directed to charge Buchanan Community School, Berrien County Intermediate School and Lake Michigan College \$2,538.68 each (\$1.16 per parcel, per school, totaling \$7,616.04), 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.

RESOLUTION DECLARED ADOPTED this 26th day of February 2007.

Schreiber reported that the Assessor Department March Board of Review meetings scheduled, review of building permit applications for changes to tax files, code enforcement review of properties, address change correction to mail out assessment notices, checking on accuracy of measurements, Consumer Price Index (CPI) increased value of Industrial, Residential, and Commercial properties (3.7%). Discussion was shared about what occurs to the property taxes when property is sold with Schreiber explaining that the taxable value generally increased causing higher tax amounts although the value could decrease.

Mullendore summarized the amendment to existing department head classification proposed for the Public Services Director (PSD) to include Assistant City Manager due to the current vacancy of the PSD. She explained her belief of the new job description (Assistant City Manger/Public Services Director) in detail. Questions/discussion shared

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

Feb. 12 Minutes

Checks

Resolution

2007.02/04,

Approving the
summer School

Tax Collection Fee

Reports

Assessor

Department

New Business

Assistant City

Manager/Public

Services Director

with commissioners and Manager. As requested, Mullendore clarified the added responsibilities of the Assistant City Manager included with the proposed new classification. ***Cole moved seconded by Hagey to approve the amendment to the existing Public Services Director to include Assistant City Manager as presented and recommended. Roll call vote, motion carried by majority.***

YEA: Cole, Hagey, Moore. NAY: Clark

Larry Elliott, 313 Terre Coupe expressed concern about the construction that the City put out to bid for the Mill Race. He wanted more details upon arriving at the decision to dredge. (i.e. cost, effect to McCoy's Creek, natural banks and habitat, etc.) The Mayor clarified the spillway reconstruction, not dredging and Hagey explained the development of a weir (dam with moveable gates) to allow more flow to Pears Mill to operate the waterwheel. Elliott explained the differing required permits from the Department of Environmental Quality (DEQ) and Berrien County Drain Commission. He further reported that Mike Lucker at the Drain Commission and Craig Smith, Fisheries Biologist at DEQ could be contacted (numbers given) for support of his concerns. He stated his opposition and the Fisheries Office concern about smothering the spawning beds. Elliott requested suspension of continuing the process of the project until all concerns could be explained and/or resolved. Other discussion with commission and Elliott included installation of a pump, sediment trap, willow chutes, duck pond, etc. Elliott thanked commission for their time & consideration to suspend the project.

Jeannie Arbanas, current owner of Lucy's, 205 E. Front Street (since August 2005), presented Commission with calculations of usage and cost data of water/sewer bills from January 2004 through January 2007 (actual read 1-31-07) along with a compromise for payment. She stated she wished to clarify, for the record why her business is for sale and explained her frustration working with the City due to the cost of the water bill and the bill being estimated for the past 18 months. The City Manager reported several issues while researching with the last being the meter removed and tested (working correctly). Arbanas noted plan on opening in May but still for sale.

Mullendore comments:

- Received notification of grant award from Gateway Foundation for File of Life
- Previous scheduled work shops for budget review cancelled as unnecessary

Cole comments:

- Thanks to staff for bringing forth balanced budget
- Welcome Spring

Clark comments:

- Thanks to Jeannie for bringing issue to Commission attention

Hagey comments:

- Response to issue of Larry Elliott that city has been working on Mill Race issues for several years even health issue of mosquito breeding ground with several meetings between DEQ, Army Core of Engineers, and DNR. Weir being the most natural way to manage the man made waterway and estimate of 7 to 15 years to see any volume of water. Again discussion was shared with Mr. Elliott.

New Business continued

Assistant City Manager/Public Services Director

Public Comments

City Manager's Comments

Commissioners' Comments

Moore comments:

- Well aware of how precious creek is; hopes for collaborative efforts to

resolve the issue as according to the City Charter the Commission has full charge to correcting the issue. Would happily welcome and accept his assistance with work on the project. Hagey recommends a meeting with all interested parties.

- Confirmed that interested persons could contact the City Manager with concerns.

Adjourn

Cole moved, seconded by Clark to adjourn the meeting at 8:34 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

Commissioners'
Comments continued

CITY OF BUCHANAN COMMISSION MINUTES

March 12, 2007

A regular scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, March 12th and called to order by Mayor Moore at 7:30 p.m.

All in attendance recited the Pledge. Reverend Leonard Bailey, Buchanan Church of the Nazarene gave the Invocation.

Commissioners present: Carla Cole, Barbara Clark, David Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Fire Chief & Building Inspector Warren Weaver, Department of Public Works Foreman Willie Brown, Cemetery Supervisor Jon Raines, Wastewater Lab Technician Gary Greathouse, Water Distribution Foreman Mark Bachman, and Clerk Gladys Bybee

Guests/Visitors present: 7 visitors including 3 reporters

The Mayor asked for public comments regarding any item on the agenda. None heard.

Harrington moved, seconded by Cole to rearrange the agenda to hear/consider all of the Declaration of Restrictive Covenants (4) at one time under new business. Roll call vote, motion carried unanimous.

Harrington moved seconded by Clark to approve the Consent Calendar as amended. Roll call vote, motion carried unanimous.

- Agenda as amended
- Minutes: Regular Meeting February 26, 2007
- Checks 52182 to 52280 in the amount of \$97,345.36
- Notice of Public Hearing, March 26th at 7:30 p.m. to invite and hear public comments concerning the sale of public property located at 114 Oak Street

Chief Weaver summarized his written 2006 Fire Report while all reviewed the previous distributed forms. He also summarized on the 2006 Building Department Inspection and Permits as reports were reviewed. There was discussion about carbon monoxide detectors.

Mark Bachman gave a basic summary report for the water department compiled by himself and Bruce Thurston: 7 water main breaks, Rynearson Apartments hooked up to Chamberlain Water extension, pump #4 pulled and rebuilt, repaired residential water services, changed out faulty water meters, fire hydrants repaired, and annual service on three pumps; #4 needs further care. There was discussion regarding pump #4.

Jon Raines gave a summary on statistics, capital improvements, equipment replacement, public relations and financial statement for the Cemetery while all reviewed his written report. He reported the status of the capital outlay expenditure requests from the 2006-2007 budget. Discussion on completion of 2006-2007 projects was shared.

Gary Greathouse summarized his written Wastewater report including maintenance and projects in 2006 while all reviewed. He noted plant upgrade projects incomplete and on hold until bond issue formalized. Chemical storage tanks questioned and discussed.

Willie Brown summarized his written report for 2006 while all reviewed. Cleaning catch basins was questioned and discussed.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda as amended
Feb. 26 Minutes
Checks
Call Public
Hearing, Sale of
114 Oak Street

Reports

Fire Department
Building
Department

Water Department

Cemetery Dept.

Wastewater
Treatment Plant

Dept. Public
Works

Attorney Hyrns
announced that

pending litigation could be discussed in closed session at Commission discretion. After member concurrence the Commission declined to go into closed session whereupon, Hyrns summarized the past appeal with SEMCO pending with Michigan Tax Tribunal. He further explained his meeting with City Manager and Assessor along with consultations with SEMCO Attorney Schneider for a possible stipulation agreement. He reported the County would do tax calculation, recommended resolution and asked permission to settle the suit. After shared discussion with Manager and Attorney, **Hagey moved seconded by Cole to authorize the City Attorney to enter into an agreement with SEMCO and the Michigan Tax Commission for consent judgment for the years 1998, 1999, 2000, and 2002. Roll call vote, motion carried unanimous.**

SEMCO Tax
Tribunal

Mullendore reported receipt of five (5) proposals from the Mill Race Spillway Reconstruction Request for Proposal (RFP). She recommended the lowest most responsive bidder, Selge Construction and project delay until all necessary permits could be obtained. **Hagey moved seconded by Cole to accept the recommendation to award the bid to Selge Construction in the amount of \$57,800 contingent on receipt of all applicable permits. Roll call vote, motion carried unanimous.**

Mill Race Spillway
Reconstruction Bid
Award

Mullendore reported that Reed Mann was in attendance on behalf of the Soap Box Derby request for funds and announced that the DDA approved \$1,000 contribution for the Derby. She recommended cautious consideration on the request as it could set precedence. Mann explained financial details of the Buchanan event with a total cost of \$1,450 and urged favorable consideration for a contribution. Discussion was shared between Commission and Mann regarding the Rally Race income, the legality of the DDA expending funds for the cause, and Hagey and Cole personally donating funds towards the cause. As requested, Attorney Hyrns noted his pessimism about expending DDA/TIF funds outside the district and confirmed that he would speak with DDA Attorney Mike Bell about the legality of such a contribution. **Hagey moved seconded by Cole to contribute \$500. to the Soap Box Derby Association to secure the necessary paperwork to allow the local race in Buchanan. Roll call vote, motion carried unanimous.**

New Business
Soap Box Derby
Funds Request

Attorney Hyrns summarized the previous occurrences with the Third Street Parcel Side Agreement and requested approval for the Second Amendment. He explained his work with Ingersoll Rand, the Department of Environmental Quality (DEQ), and City Environmental Attorney Jim Enright, to carry out the stipulations in the remedial action plan (RAP). After questions/discussion, **Cole moved seconded by Harrington to authorize the Mayor to sign the Amendment which would allow the City Attorney to move forward with the Agreement. Roll call vote, motion carried unanimous.**

Second
Amendment to
Third Street Parcel
Side Agreement

Attorney Hyrns explained the (4) Declaration's of Restrictive Covenant's for the McCoy Creek Industrial Park Property City of Buchanan; North Parcel, Recreational Use Area, Former Golden Farm Candies Property, and Southern Parcel, and all shared discussion on each property. **Hagey moved seconded by Clark to approve the Declaration of Restrictive Covenant for the North Parcel. Roll call vote, motion carried unanimous.**

Declaration of
Restrictive
Covenant for
McCoy Creek
Industrial Park
Property City of
Buchanan-North
Parcel,
Recreational Use
Area

Upon Attorney Hyrns advice, **Hagey moved seconded by Cole to approve the remaining three (3) Restrictive Covenants as presented; Recreational Use Area,**

**Former Golden
Farm Candies
Property and**

Unfinished Business

Southern Parcel. Roll call vote, motion carried unanimous.

Mullendore comments:

- Thanked Warren for Fireman's Award Banquet, Congratulated all volunteers
- Commended Police Chief Marx on award of \$2,235. grant from Michigan Gateway Foundation for Chaplain's conference attendance, Thanks to Gateway
- Congratulated Chamber of Commerce awards recipients

Attorney Hyrns reported that he and Weaver met with Mr. Statzer, 114 S. Redbud Trail regarding correction of the unsafe building (historic carriage house per Mr. Statzer) on his property. Hyrns explained that Statzer was agreeable to personally demolish the building and has shown progress; therefore he is trying to work with the property owner.

Cole comments:

- Welcome back Jennifer

Clark comments:

- Enjoyed Fireman's Award Banquet

Hagey comments:

- Apologized for absence to Fireman's Banquet
- Urged more volunteer participation from public

Harrington comments:

- Enjoyed Fireman's Banquet; Congratulated Fireman of the Year Bill Norton
- Commended all Chamber of Commerce award recipients
- Commended Miss Buchanan
- Happy St. Patrick's Day

Moore comments:

- Enjoyed Fireman's Banquet, thanks to all volunteer firemen
- Thanks to Attorney Hyrns for sponsoring table at the Chamber dinner
- Noted absence from the next meeting

Harrington moved, seconded by Clark to go into Closed Session to review minutes and discuss purchase or lease of real property at 9:25 p.m. Roll call vote carried unanimously. The Mayor reconvened the regular meeting at 9:55 p.m. with no decisions made in closed session. ***Hagey moved, seconded by Harrington to approve February 12, 2007 minutes as reviewed in closed session. Roll call vote carried unanimously.***

Hagey moved seconded by Clark to authorize the City Manager to enter into negotiation for purchase of property discussed in closed session with contingencies also discussed in closed session. Roll call vote, motion carried unanimous.

Clark moved, seconded by Cole to adjourn the meeting at 9:59 p.m. Voice vote carried unanimous.

Former Golden
Farm Candies
Property, Southern
Parcel

**City Manager's
Comments**

**Commissioners'
Comments**

Closed Session

February 12, 2007
Closed Session
Minutes

Purchase of
Property

Adjourn

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

Business continued

CITY OF BUCHANAN COMMISSION MINUTES

March 26, 2007

Due to the absence of Mayor Moore, Mayor Pro Tem Hagey called the public hearing to order at 7:30 p.m. The City Manager verified that no written comments were received and summarized the proposed sale of public property located at 114 Oak Street according to Charter Section 8.7(c). She noted that the public hearing was recommended by City Attorney Randy Hyrns. The Mayor Pro Tem requested public comments regarding the sale. Being no comments, he closed the hearing at 7:31 p.m.

A regular scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, March 26th and called to order by Mayor Pro Tem Hagey at 7:32 p.m.

All in attendance recited the Pledge. Reverend Sean Kidd, Buchanan Christian Church gave the Invocation.

Commissioners present: Carla Cole, Barbara Clark, David Hagey, Jennifer Harrington

Commissioners absent: Patricia Moore

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: District Library Director Judy Smith and Fine Arts Council Secretary Darlene Clevenger along with 16 visitors including 2 reporters

The Mayor asked for public comments regarding any item on the agenda. None heard.

Harrington moved, seconded by Cole to approve the Consent Calendar as presented. Roll call vote, motion carried unanimous.

- Agenda
- Minutes: Regular Meeting March 12, 2007
- Checks 52281 to 52355 in the amount of \$68,305.45
- 2007-2008 FY Budget Presentation to City Commission per Charter Section 9.2; Call Public Hearing, April 9th at 7:30 p.m. to invite and hear public comments according to Charter Section 9.4.
- Call a Public Hearing for Monday April 23, 2007 to consider granting an application for Industrial Facilities Exemption Certificate for C & S Machine Products, Inc., 215 Post Road
- Appoint Joe Scanlon III to the Plan Commission to fulfill a vacant term ending 2008

Judy Smith stated the Library was financially sound with clean audit. She gave a full report on programs and the condition of the Library and also noted that Board member Joellen Bellaire resigned. She announced gratitude for community support.

Darlene Clevenger gave a full report on events and projects at the Tin Shop Theatre for 2006 and announced the scheduled 2007 season.

Bybee reported on election, records management, volunteer boards, website, seasonal hiring, and state mandated license plate replacement.

Mullendore summarized the previous processes and commission approval to sell 114 Oak Street (a.k.a. Teen Center) under Charter Section 8.7. She noted that City Attorney Randy Hyrns recommended that the current commission consider same. ***Cole moved seconded by Clark to approve the sale of 114 Oak Street. Roll call vote, motion carried unanimous.***

PUBLIC HEARING

Sale of 114 Oak St.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

March 12 Minutes

Checks

Call Public

Hearing,

2007-08 Budget

Call Public

Hearing, IFEC

C&S Machine

Products

Plan Commission

Appointment

Reports

Buchanan District

Library

Fine Arts Council

Clerk/Election

Unfinished

Business

Sale of 114 Oak Street

Mullendore explained the sole source bid waiver request and reported the City utilized the bidder in past years with good results. **Clark moved seconded by Cole to approve the bid waiver to chemically clean and redevelop to restore capacity of well #4A from Peerless-Midwest, Inc. in the amount of \$10,758 as an equipment reserve expense. Roll call vote, motion carried unanimous.**

New Business
Friends of
McCoy’s Creek
Trail Request’s

Mullendore prefaced that the request from the Friends of McCoy’s Creek Trail Committee had been before the Plan Commission and given favorable recommendation for approval. Trail President Dick Proud introduced Wayne Writer, Director of Recreation Board, and Trail Members in attendance Sheila Daily, Russ Stephens and Lloyd Miller. Proud explained the donation from the Hassan Family in detail with the unveiling May 19th at 2:00 p.m. He presented the map of location that is on DDA property and DDA approval pending.

Sculpture
Placement

Clark moved seconded by Cole to approve the placement of sculpture to be displayed on public sidewalk at Days Avenue next to the Common (in lieu of the kiosk) as described and recommended. Roll call vote, motion carried unanimous.

Color Variance for
Sidewalk

Proud then explained Phase 2 of the Trail from the Tin Shop Theatre to circle around the ball fields. He presented the map and explained the variance of color requested to install black sidewalk to match the existing/connecting asphalt trail and requested approval of nonconforming color of public sidewalk. **Cole moved seconded by Clark to approve the color variance as requested and recommended. Roll call vote, motion carried unanimous.**

Special Use,
Design Patterns in
Trail

Proud explained in detail the request to mark the trail with painting designs in various locations (maps distributed for commissioners to review) on the sidewalk as considered part of the trail. **Cole moved seconded by Clark to approve the Friends of the Trail special use request to mark the trail with design patterns as presented by map and recommended. Roll call vote, motion carried unanimous.**

BARB Request for
Kathryn Park
Expenditure

Proud then reported favorable discussions with adjacent property owner Rietz, Bosch building the observation deck at Baighton Mill, and future plans to build decks and stairway.

Recreation Member Sheila Daily introduced fellow members Jim Toth and Wayne Writer and reported on the request from the Buchanan Area Recreation Board (BARB) to remove dead and diseased trees along with pruning, stump grinding and filling holes at a cost of \$3,000 from the recreation board capital reserve fund at Kathryn Park. She thanked all who volunteered assistance. **Harrington moved seconded by Clark to approve the \$3,000. expenditure from Recreation Capital Reserve Fund as presented. Roll call vote, motion carried unanimous.**

2007-2008 City
Commission
Priorities Draft

Public Comments

Mullendore reported that the 2007-2008 City Commission Priorities were developed from Commission Goal Session February 10th. After brief discussion on concern of the Splash Park all agreed to deliberate and finalize the Priority List at the next meeting.

Stella Proud announced her concern for lack of assistance at Front and Redbud for honoring a funeral procession from Hovens, microphones in City Hall need to be utilized and/or repaired, repair of noisy drinking fountain and invited all to April 2nd Wednesday pot luck ham dinner.

Mullendore
comments:
• Upcoming
event
dates/times

Unfinished Business continued
Bid Waiver, Well #4A, Peerless Midwest

- Meeting with Gary Wozniak at DEQ Water Department, working with Kalamazoo office on monthly reporting issue due to Public Services Director vacancy
- Downtown clock fixed

Cole comments:

- Life is Better Here, proven by the members of the Tin Shop, Friends of Trail, and Recreation Board. Thanks and congratulations to all

Commissioners' Comments**Clark** comments:

- Reminder of Easter Egg Hunt; thanks to Buchanan High School Senior Katie Dreitzler
- Ditto of Coles remark

Harrington comments:

- Asked about date for Spring Cleanup
- Creek Cleanup May 26th and garlic mustard pull
- Sympathy to the family of Charlie Devall who worked at Neal's Auto Parts

Hagey comments:

none

Closed Session

March 12, 2007
Closed Session
Minutes

Cole moved, seconded by Clark to go into Closed Session to review minutes and discuss purchase of real property at 8:37 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 8:52 p.m. with no decisions made in closed session. *Harrington moved, seconded by Clark to approve March 12, 2007 minutes as reviewed in closed session. Roll call vote carried unanimous.*

Negotiate Purchase
of Property

Harrington moved seconded by Clark to authorize the City Manager to continue negotiation for purchase of property discussed in closed session. Roll call vote, motion carried unanimous.

Adjourn

Clark moved, seconded by Harrington to adjourn the meeting at 8:55 p.m. Voice vote carried unanimous.

Gladys Bybee,CMC-City Clerk

Dr. Patricia Moore, Mayor

City Manager's Comments

CITY OF BUCHANAN COMMISSION MINUTES

April 9, 2007

Mayor Moore called the public hearing to order at 7:30 p.m. and invited public comments on the proposed 2007-2008 Fiscal Year Budget for the City of Buchanan according to Charter Section 9.4. The City Manager verified that no written comments were received and the complete budget was on file with the city clerk. Being no comments, *Harrington moved seconded by Clark to close the public hearing at 7:32p.m. Roll call vote carried unanimous.*

A regular scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, April 9th and called to order by Mayor Moore at 7:33 p.m.

All in attendance recited the Pledge. Reverend Tom Fox, Portage Prairie United Methodist Church gave the Invocation.

The Mayor read the biography of Sunshine Perigan and presented her the Citizen Appreciation Recognition Award. She noted that Sherrie York would be attending a future meeting.

Commissioners present: Carla Cole, Barbara Clark, David Hagey (arrived at 7:40 p.m.), Jennifer Harrington, Patricia Moore

Commissioners absent: None

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: Barb Blumka along with 12 visitors including 2 reporters

The Mayor asked for public comments regarding any item on the agenda. None heard.

Cole moved seconded by Clark to amend the Agenda to include Harrington's resignation from the Zoning Board of Appeals under New Business. Roll call vote, motion carried unanimous.

Clark moved, seconded by Cole to approve the Consent Calendar as amended. Roll call vote, motion carried unanimous.

- Agenda as amended
- Minutes: Regular Meeting March 26, 2007
- Checks 52356 to 52433 in the amount of \$100,482.84
- Street Closure; Front Street and Terre Coupe for Memorial Day Parade
- Street Closure; Oak Street for Soap Box Derby on April 28th & 29th
- Street Closure; Oak Street for Soap Box Derby on May 19th
- Banner Placement Form, Benefit Dinner and Dance

Barb Blumka explained her interest in coordinating a Fall Scarecrow Contest and the support from Senior Services. She requested support from the commission. The Mayor noted the past program provided by Lee's Greenhouse and encouraged Blumka to contact Lee. Discussion was shared between Commission, City Manager and Blumka with the Commission encouraging action of volunteer services and thanked Blumka.

No participation from the American Legion or the Lions Club as invited.

**PUBLIC
HEARING**
2007-2008 FY
Budget

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
March 26 Minutes
Checks
Street Closure's
Banner Placement

Reports

Barb Blumka, Fall
Scarecrow Contest

Mullendore explained that the parcel adjacent to the Teen Center technically had not been included with the Teen Center sale and was recommended by Attorney Hyrns to follow Charter Section 8.7(b). ***Hagey moved seconded by Clark to call a Public Hearing, May 14th at 7:30 p.m. to invite and hear public comments concerning the sale of public property, parcel number 11-58-0340-0038-01-4, located on N. Oak Street (referred to as N. Oak Street-formerly called the Sexton property) according to Charter Section 8.7(b). Roll call vote, motion carried unanimous.***

The Mayor invited comments on the 2007-2008 City Commission Priorities; Draft April 9, 2007. ***Cole moved seconded by Harrington to finalize the 2007-2008 City Commission Priorities, Draft April 9, 2007 as presented. Roll call vote, motion carried unanimous.***

Harrington reported her schedule precluded her to continue on the Zoning Board of Appeals, thus the purpose for her resignation. She explained that Joe Scanlon was willing and available to fulfill her term. ***Clark moved seconded by Cole to accept the resignation as requested. Roll call vote, motion carried unanimous. Harrington moved seconded by Clark to appoint Joe Scanlon to fulfill the term on the Zoning Board of Appeals. Roll call vote, motion carried unanimous.***

Pastor Tom Fox commended the Commission on the Appreciation acknowledgments and urged them to extend the program to include city employees.

Mullendore comments:

- Busy filling out permit applications for the McCoy's Creek Trail and Mill Race Project. Dealing with State and Kalamazoo office. April 26th Mayor hosting forum for comments about weir and coffer dam. 7:00 p.m.

Cole, Harrington, Hagey comments: none

Clark comments:

- Commended Miss Perigan and reiterated Pastor Fox comments

Moore comments:

- Urged public participation to April 26th forum to disseminate correct information for the weir replacement/coffer dam.

Cole moved, seconded by Clark to go into Closed Session to review minutes and discuss purchase of real property at 8:04 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 9:05 p.m. with no decisions made in closed session. ***Cole moved, seconded by Clark to approve March 26, 2007 minutes as reviewed in closed session. Roll call vote carried unanimous.***

Harrington moved, seconded by Clark to adjourn the meeting at 9:06 p.m. Voice vote carried unanimous.

Unfinished

Business

Sale of N. Oak Street parcel (formerly Sexton property)

2007-2008 City Commission Priorities Draft

New Business

Zoning Board of Appeals
Resignation and Appointment

Public Comments

City Manager's Comments

Commissioners' Comments

Closed Session

March 26, 2007
Closed Session Minutes

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

April 23, 2007

Mayor Moore called the public hearing to order at 7:30 p.m. and invited public comments on the proposed application for Industrial Facilities Exemption Certificate for C & S Machine Products, Inc., 215 Post Road. Sharon Tyler, Southwestern Michigan Economic Growth Alliance Director introduced C & S Machine Products Owner Joe Saratore and explained the request. Being no verbal or written comments, ***Cole moved seconded by Hagey to close the public hearing at 7:34p.m. Roll call vote carried unanimous.***

A regular scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, April 23rd and called to order by Mayor Moore at 7:34 p.m.

All in attendance recited the Pledge. Mrs. Tracy Bowker, Faith Victory Fellowship gave the Invocation.

Tim Neumann, Michigan Rural Water Association introduced himself, read the biography and presented the plaque for Annual Wastewater Operator of the Year to Gary Greathouse, Buchanan Wastewater Treatment Plant Operator.

Commissioners present: Carla Cole, David Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: Barbara Clark

Staff present: City Manager Meg Mullendore, Treasurer Juli O'Bryant, and Clerk Gladys Bybee

Guests/Visitors present: MRWA Executive Director Tim Neumann, SMEGA Director Sharon Tyler along with 11 visitors including 1 reporter

The Mayor asked for public comments regarding any item on the agenda. None heard.

Hagey moved seconded by Cole to amend the Consent Calendar to include a check on the List of Checks; number 52522 in the amount of \$775. to Theodore Jorgensen for the Al Fisher Memorial. Roll call vote, motion carried unanimous.

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

- Agenda
- Minutes: Regular Meeting April 9, 2007
- Checks 52434 to 52522 in the amount of \$105,008.96
- Appoint Mark Soltys to the DDA/TIFA as recommended by the DDA/TIFA for a four year term ending in 2010
- Remove Dennis Dudycha from the Zoning Board of Appeals due to absence and appoint Carla Cole as recommended by the ZBA to fulfill the three year term through June 2007
- Resolution 2007.04/05, Prescribing compensation for the Election Workers for the

City of Buchanan as recommended by the Buchanan Election Commission
A RESOLUTION PRESCRIBING COMPENSATION FOR THE ELECTION WORKERS FOR THE CITY OF BUCHANAN

Whereas, the Election Commission is recommending that the City Commission formally adopt a Resolution prescribing compensation for election workers; and

Whereas, the City Clerk shall be responsible for calculating time worked and presenting the proper paperwork to the Treasurer Department within a reasonable time to allow payment thereof; and

PUBLIC HEARING
2007-2008 FY
Budget

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar
Agenda

April 9 Minutes

Checks as amended

DDA/TIFA
Appointment,
Mark Soltys

ZBA Appointment,
Carla Cole

Resolution
2007.04/05,
Election Worker
Compensation

Whereas, the increased compensation will be comparable to the amount paid by the Buchanan Community School District for similar elections; and

Whereas, the Election Commission has reviewed other communities compensation and is of the opinion that an increase should be allowed and is requesting favorable approval of a compensation increase.

Now, Therefore, Be It Resolved that:

SECTION 1. Election Workers shall be paid \$8.50 per hour

SECTION 2. Chairperson shall be paid \$9.25 per hour

SECTION 3. An hourly rate of \$8.50 shall be paid for attending election training as prescribed by the City Clerk

Charles Johnston distributed a report from the Buchanan Lions Club and reported on all current projects and upcoming events.

Judy Bellaire, Buchanan Garden Club announced the Arbor Day Ceremony and urged attendance. She clarified that a flowering crab tree was planted on Third Street along the McCoy's Creek Trail.

Juli O'Bryant congratulated Gary Greathouse and gave a full report on the Treasurer Department.

Hagey moved seconded by Cole to approve the Resolution as presented.

Resolution 2007.04/__, Consider Application for Industrial Facilities Exemption Certificate for C & S Machine Products, Inc., 215 Post Road for a period of 12 years

WHEREAS, pursuant to Michigan Public Act 198 of 1974, M.C.L. 207.551 et seq. ("Act 198") after duly noticed public hearing held on June 28, 1982, this Buchanan City Commission (the "Commission") by resolution established the Andrews Farm Industrial Park's "Industrial Development District – #58-01-82" located at 215 South Post Road, Buchanan, Michigan; and

WHEREAS, C & S Machine Products, Inc. (the "Applicant") has filed an application for an Industrial Facilities Exemption Certificate (the "Certificate") with respect to personal property at 215 South Post Road facility; and

WHEREAS, before acting on said application the Commission held a public hearing on April 23, 2007 at the Buchanan City Hall, at which hearing the Applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the installation of personal property (the "Project") had not begun earlier than six (6) months before the date of the acceptance of the application for the Certificate; and

WHEREAS, completion of the Project is calculated to and will at the time of issuance of the Certificate have the reasonable likelihood to retain, create, or prevent the loss of employment in Buchanan City (the "City").

NOW, THEREFORE, BE IT RESOLVED by the Commission that:

1. The Commission finds and determines that the granting of the Certificate considered together with the aggregate amount of the certificates currently in force under Act No. 198 shall not have the effect of substantially impeding the operation of the Commission, or impairing the financial soundness of a taxing unit, which levies an ad valorem property taxes in the City.
2. The Letter of Agreement between the Applicant and the City is hereby approved.

The Application for the Certificate is hereby approved and when issued shall remain in force and effect for a period of 12 years after completion.

RESOLUTION 2007.04/6DECLARED ADOPTED this 23rd day of April, 2007.

Roll call vote, motion carried unanimous.

Hagey moved seconded by Cole to approve the Resolution with the correction of the current year 2007 inserted in the 4th Be It Further Resolved.

Resolution 2007.04/__, Adoption of Fiscal Year Budget 2007-2008

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 budget has been set up for the City of Buchanan for the fiscal year of July 1, 2007 through June 30, 2008; and

WHEREAS, a public hearing was held on April 9th, 2007 for public comments and opinions;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Buchanan that the following sums are adopted for the 2006-2007 fiscal year for the purposes set forth below:

Consent Calendar continued

Resolution

2007.04/05,

Election Worker
Compensation

Reports

Lions Club

Garden Club

Treasurer
Department

Unfinished

Business

Resolution

2007.04/6, Industrial
Facilities

Exemption

Certificate for C &
S Machine

Products, Inc., 215

Post Road for a
period of 12 years

Resolution

2007.04/7,

Adoption of Fiscal
Year Budget 2007-
2008

Commission	\$ 42,348.		Resolution
\$372,099.	City Manager	104,352.	2007.04/7,
	Elections	22,058.	Adoption of Fiscal
	Assessor	38,950.	Year Budget 2007-
	City Clerk	51,949.	2008
	Treasurer	112,442.	
Public Safety	Police Department/Code Enforcement	\$ 875,864.	
\$1,100,177.	Crossing Guards	27,563.	
	Fire Department	142,078.	
	Building Inspection	54,672.	
DPW & Cemetery	DPW/Streets	\$ 255,033.	
\$425,650.	Cemetery	170,617.	
Parks & Recreation	Parks & Recreation	\$ 33,568.	
\$33,568.			
Other	Building & Grounds	\$ 70,753.	
\$143,790.	Rental Property	3,135.	
	Misc. Costs/Transfers	69,902.	
Total General Fund		\$2,075,284.	
	Major Streets	\$ 375,414.	
	Local Streets	224,999.	
	Street Repair & Maintenance	320,397.	
	Water & Sewer Enterprise	1,094,818.	
	Brownfield-TIFA Fund	34,810.	
Total Other Funds		\$ 2,050,438.	
	Total Budget Including General Fund	\$ 4,125,722.	

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 of .75 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, 2007, as follows:

	Water	Sewer	Ready to Serve (RTS)
City	\$2.80/1000 gal.	\$4.88/1000 gal.	\$14.79 monthly
Township	3.27/1000 gal.	5.70/1000 gal.	\$17.30 monthly

BE IT FURTHER RESOLVED that the total budget for the City of Buchanan for the fiscal year 2007-2008 in the amount of \$4,125,722. 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.

RESOLUTION 2007.04/7 DECLARED ADOPTED this 23rd day of April, 2007.

Roll call vote, motion carried unanimous.

The Mayor read the Proclamation for Arbor Day honored Friday April 27th with the correction of planting a Flowering crab tree on Third Street near McCoy's Creek Trail. **Cole moved seconded by Hagey to approve the proclamation as corrected. Roll call vote, motion carried unanimous.**

The Mayor read the Proclamation Observing White Cane Week April 23rd to April 28th. **Cole moved seconded by Harrington to approve the Proclamation as presented. Roll call vote, motion carried unanimous.**

Unfinished Business continued

New Business

Arbor Day
Proclamation

Lions White Cane
Week
Proclamation

Mullendore
comments:

- Confirmed receipt of all

three permits needed to begin the Mill Race Spillway Reconstruction Project

- Thanked Buchanan Area Recreation Board and all those that volunteered for work at Kathryn Park
- Upcoming meeting/event dates and times

Harrington comments:

- Urged participation with Spring Clean
- Congratulated Gary Greathouse

Hagey comments:

- Confirmed composting at the Landfill; drop off leaves and pick-up compost

Cole comments:

- Proud to hear all the good things going on

Moore comments:

- Well wishes for speedy recovery to Commissioner Clark
- Congratulations James Norris, Spelling B Champion
- Read the list of Kathryn Park helpers and thanked them

Hagey moved, seconded by Cole to go into Closed Session to review minutes and discuss purchase of real property at 8:10 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 8:31 p.m. with no decisions made in closed session. *Harrington moved, seconded by Hagey to approve April 9, 2007 minutes as reviewed in closed session. Roll call vote carried unanimous.*

Cole moved, seconded by Harrington to adjourn the meeting at 8:31 p.m. Voice vote carried unanimous.

**Commissioners’
Comments**

Closed Session

April 9, 2007
Closed Session
Minutes

Adjourn

Gladys Bybee,CMC-City Clerk

Dr. Patricia Moore, Mayor

**City Manager’s
Comments**

CITY OF BUCHANAN COMMISSION MINUTES

May 14, 2007

Mayor Moore called the public hearing to order at 7:30 p.m. and invited public comments on the proposed sale of public property, parcel number 11-58-0340-0038-01-4, located on N. Oak Street (referred to as N. Oak Street-formerly called the Sexton property) according to Charter Section 8.7(b). The clerk reported a telephone inquiry of proposed use from adjacent property owner Joe Jilek. Being no verbal or written comments, *Cole moved seconded by Clark to close the public hearing at 7:33p.m. Roll call vote carried unanimous.*

PUBLIC HEARING

A regular scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, May 14th and called to order by Mayor Moore at 7:33 p.m.

Call to Order

All in attendance recited the Pledge. Reverend Tom Fox, Portage Prairie United Methodist Church gave the Invocation.

Pledge/Invocation

The Mayor summarized the biography of Sherrie York and due to her absence requested that staff forward her the Citizen Appreciation Recognition Award.

Commissioners present: Barbara Clark, Carla Cole, David Hagey, Jennifer Harrington, Patricia Moore

Roll Call

Commissioners absent: none

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: Lyle Sumerix, American Legion Representative and Friends of Oak Ridge Cemetery Chairman along with 7 visitors including 2 reporters

The Mayor asked for public comments regarding any item on the agenda. None heard.

Public Comments

Cole moved seconded by Hagey to approve the Consent Calendar as presented. Roll call vote, motion carried unanimous.

Consent Calendar Agenda

- Agenda
- Minutes: Regular Meeting April 23, 2007 and Special Meeting April 30, 2007
- Checks 52523 to 52625 in the amount of \$91,157.86
- Street Closure Request; Front Street (east of Redbud Trail), May 17th to install two (2) soil borings
- Reschedule May 28th Meeting to Tuesday May 29th as applicable to Charter Chapter 6, Procedure for Commission
- Resolution 2007.05/08, Authorizing the City Manager to hire an Assistant City Manager/Public Service Director

April 23 Minutes
April 30 Minutes
Checks

Reschedule regular meeting

Resolution
2007.05/08,
Authorization to
hire Assistant City
Manager/Public
Services Director

WHEREAS, the position of Assistant City Manager/Public Services Director was approved by the Buchanan City Commission at a public meeting held on February 26, 2007; and

WHEREAS, the Buchanan City Commission authorized the City Manager to seek qualified candidates to fill the position of Assistant City Manager/Public Service Director at Public meeting held on February 26, 2007.

NOW, THEREFORE, BE IT RESOLVED THAT: The City of Buchanan City Commission does hereby grant consent to the City Manager to hire a Assistant City Manager/Public Services Director as applicable to Section 4.9 of the City Charter; and.

BE IT FURTHER RESOLVED THAT: The City Manager is hereby authorized to offer the position of City Manager/Public Services Director within the salary range of \$40,000 to \$44,000.

RESOLUTION 2007.05/8 DECLARED ADOPTED this 14th day of May 2007.

- Resolution 2007.05/09, An Amendment to Resolution 2007.04/7 for the City of Buchanan, County of Berrien, Michigan to adopt a budget for the City of Buchanan fiscal year 2007-2008

Resolution
2007.05/09,
Amendment to
Resolution
adopting 2007-
2008 Budget

WHEREAS, the Electors of the City of Buchanan approved 1.00 mill on real and personal property for Buchanan Dial-A-Ride Services at the November 2006 Election, and

WHEREAS, the Buchanan Dial-A-Ride Budget reflects the need to collect the full 1.00 mill (One [\$1.00] Dollar) per each One Thousand [\$1,000.00] Dollars) on the taxable property.

NOW THEREFORE, BE IT RESOLVED, that the following language be deleted:

BE IT FURTHER RESOLVED that the City Commission of the City of Buchanan hereby authorizes the levy of .75 mills on real and personal property within the City of Buchanan for Dial-A-Ride.

BE IT FURTHER RESOLVED, that the following language be inserted:

BE IT FURTHER RESOLVED that the City Commission of the City of Buchanan hereby authorizes the levy of 1.00 mill on real and personal property within the City of Buchanan for Dial-A-Ride.

RESOLUTION 2007.05/9 DECLARED ADOPTED this 14th day of May 2007.

2007 Millage
Request Report

- Accept 2007 Tax Rate Request, Millage Request Report to County Board of Commissioners

Reports
American Legion

Lyle Sumerix announced that Larry Money was elected new Legion Commander and explained all current projects and events of Post 51.

Friends of Oak
Ridge Cemetery

Sumerix also reported the Front Street Entrance sign delayed but still hoping to complete this year; funding still being accepted, commencement of work detail at cemetery, volunteer staffing for cemetery office over the Memorial weekend, and his organization is in full support of the proposed construction of columbarium's.

Unfinished
Business
Resolution
2007.05/10, Sale of
N. Oak Street

Hagey moved seconded by Cole to approve the Resolution as presented.

Resolution 2007.05/__, Authorizing the sale of public property, parcel number 11-58-0340-0038-01-4, located on N. Oak Street (formerly called the Sexton property) with Mayor and Clerk to sign any and all documents for closing

WHEREAS, the City Commission of the City of Buchanan, by unanimous vote, approved a purchase agreement with Thomas Jolly, Inc. to sell 114 Oak Street, Buchanan Michigan (commonly known as the "Teen Center"), and parcel number 11-58-0340-0038-01-4, located on N. Oak Street and formerly called the "Sexton property; and

WHEREAS, the City Commission of the City of Buchanan wishes to authorize the Mayor and Clerk to sign the deed for the sale of 114 Oak Street and N. Oak Street; and

WHEREAS, the City Commission of the City of Buchanan wishes to authorize the City Manager, Meg Mullendore, to sign any and all documents to satisfy the closing requirements for the sale of the properties described above;

NOW, THEREFORE, BE IT RESOLVED that the Buchanan City Manager has authority to sign any and all documents for closing, on behalf of Buchanan City, Berrien County.

BE IT FURTHER RESOLVED that the Mayor and City Clerk shall sign the deed transferring said property pursuant to the purchase agreement dated February 26, 2007.

Roll call vote, motion carried unanimous.

RESOLUTION 2007.05/10 DECLARED ADOPTED this 14th day of May 2007.

New Business
City Treasurer
Work Hours

Mullendore summarized prohibited discussion at 4-30 Special Meeting regarding the work hours (changing the working hours for the City Treasurer from 7-4 back to 8-5) and explained that she had done some review of Charter, spoke with employees about the situation and it was her suggestion to evaluate all departments for hour changes. She explained the duties of the treasurer and stated it was her administrative opinion that there is not any adverse impact, thus no changes needed. Clark reported that she has received 10 complaints and stated her position. Harrington reported her position and

reported receipt of
4 complaints. After
all commissioners
shared discussion

Consent Calendar continued

and debate, the Mayor requested and invited citizens to personally contact, within the next 30 days, the City Manager with their complaints about the Treasurer hours.

After brief discussion, *Hagey moved seconded by Cole to approve authorization for the City Manager to sign six (6) Assignment of Mortgages assigning the homeowner rehabilitation mortgages between the six (6) homeowners and the City of Buchanan to Michigan State Housing Development Authority (MSHDA) as requested by MSHDA and reviewed by City Attorney Hyrns providing the City is not held responsible in the future in case of default of the property owner. Roll call vote, motion carried unanimous.*

Assignment of
Mortgages,
Authorization to
Sign

Public Comments

Reverend Fox invited all Commissioners and Staff to 9-11 Ceremony at the Common and announced Buchanan Preservation Society is building a new water wheel.

**City Manager's
Comments**

Mullendore comments:

- Movie filmed in Buchanan by Crime Labs Productions; Possible Film Festival
- Brush pickup only once a month
- Farmers' Market now open
- Upcoming meeting/event dates and times
- \$200,000 EPA grant awarded to the City; just posted today

**Commissioners'
Comments**

Harrington comments:

- Congratulations to Burnett and Miller to school board
- Asked if zoning of Reitz building, corner of Oak and Smith included residential use
- Urged attendance to first play at Tin Shop Theatre
- Hazardous holes on Moccasin & Fifth

Hagey comments:

- Urged attendance to Farmers' Market; missing a few vendors, but more forthcoming
- Status of water bill issue at Lucy's, 205 E. Front
- Congrats to School Board members Burnett and Miller
- Concerns about condition of a stretch on Third between Chippewa and Ottawa

Clark comments:

- Complaints of street condition on the North end
- Best wishes to former commissioner Joe Scanlon
- Congratulations to Burnett and Miller

Cole comments:

- Best wishes to Burnett and Miller
- Cautioned drivers to watch out for kids

Moore comments:

- Thanked staff for assistance during the Weir meeting, still looking for volunteers to develop a collaborate group to set up a meeting for creek and race discussion
- Was privileged to present key to Miss Buchanan; Congratulations on float award
- Farmers' Market Vendor's pleased with market and traffic flow
- Appreciative of everyone's cooperation and proud to be working together

*Cole moved,
seconded by Clark
to go into Closed
Session to review
minutes at 8:24*

New Business continued

City Treasurer Work Hours

p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 8:35 p.m. with no decisions made in closed session. *Cole moved, seconded by Hagey to approve April 23, 2007 and April 30, 2007 closed session minutes as reviewed in closed session. Roll call vote carried unanimous.*

April 30, 2007
Closed Session
Minutes

Adjourn

Clark moved, seconded by Hagey to adjourn the meeting at 8:37 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

May 14, 2007

Mayor Moore called the public hearing to order at 7:30 p.m. and invited public comments on the proposed sale of public property, parcel number 11-58-0340-0038-01-4, located on N. Oak Street (referred to as N. Oak Street-formerly called the Sexton property) according to Charter Section 8.7(b). The clerk reported a telephone inquiry of proposed use from adjacent property owner Joe Jilek. Being no verbal or written comments, *Cole moved seconded by Clark to close the public hearing at 7:33p.m. Roll call vote carried unanimous.*

PUBLIC HEARING

A regular scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, May 14th and called to order by Mayor Moore at 7:33 p.m.

Call to Order

All in attendance recited the Pledge. Reverend Tom Fox, Portage Prairie United Methodist Church gave the Invocation.

Pledge/Invocation

The Mayor summarized the biography of Sherrie York and due to her absence requested that staff forward her the Citizen Appreciation Recognition Award.

Commissioners present: Barbara Clark, Carla Cole, David Hagey, Jennifer Harrington, Patricia Moore

Roll Call

Commissioners absent: none

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: Lyle Sumerix, American Legion Representative and Friends of Oak Ridge Cemetery Chairman along with 7 visitors including 2 reporters

The Mayor asked for public comments regarding any item on the agenda. None heard.

Public Comments

Cole moved seconded by Hagey to approve the Consent Calendar as presented. Roll call vote, motion carried unanimous.

Consent Calendar Agenda

- Agenda
- Minutes: Regular Meeting April 23, 2007 and Special Meeting April 30, 2007
- Checks 52523 to 52625 in the amount of \$91,157.86
- Street Closure Request; Front Street (east of Redbud Trail), May 17th to install two (2) soil borings
- Reschedule May 28th Meeting to Tuesday May 29th as applicable to Charter Chapter 6, Procedure for Commission
- Resolution 2007.05/08, Authorizing the City Manager to hire an Assistant City Manager/Public Service Director

April 23 Minutes
April 30 Minutes
Checks

WHEREAS, the position of Assistant City Manager/Public Services Director was approved by the Buchanan City Commission at a public meeting held on February 26, 2007; and

WHEREAS, the Buchanan City Commission authorized the City Manager to seek qualified candidates to fill the position of Assistant City Manager/Public Service Director at Public meeting held on February 26, 2007.

NOW, THEREFORE, BE IT RESOLVED THAT: The City of Buchanan City Commission does hereby grant consent to the City Manager to hire a Assistant City Manager/Public Services Director as applicable to Section 4.9 of the City Charter; and.

BE IT FURTHER RESOLVED THAT: The City Manager is hereby authorized to offer the position of City Manager/Public Services Director within the salary range of \$40,000 to \$44,000.

RESOLUTION 2007.05/8 DECLARED ADOPTED this 14th day of May 2007.

Resolution
2007.05/08,
Authorization to
hire Assistant City
Manager/Public
Services Director

- Resolution 2007.05/09, AN AMENDMENT TO RESOLUTION 2007.04/7 FOR THE CITY OF BUCHANAN, COUNTY OF BERRIEN, MICHIGAN TO ADOPT A BUDGET FOR THE CITY OF BUCHANAN FISCAL YEAR 2007-2008

WHEREAS, the Electors of the City of Buchanan approved 1.00 mill on real and personal property for Buchanan Dial-A-Ride Services at the November 2006 Election, and

WHEREAS, the Buchanan Dial-A-Ride Budget reflects the need to collect the full 1.00 mill (One [\$1.00] Dollar) per each One Thousand [\$1,000.00] Dollars on the taxable property.

NOW THEREFORE, BE IT RESOLVED, that the following language be deleted:

BE IT FURTHER RESOLVED that the City Commission of the City of Buchanan hereby authorizes the levy of .75 mills on real and personal property within the City of Buchanan for Dial-A-Ride.

BE IT FURTHER RESOLVED, that the following language be inserted:

BE IT FURTHER RESOLVED that the City Commission of the City of Buchanan hereby authorizes the levy of 1.00 mill on real and personal property within the City of Buchanan for Dial-A-Ride.

RESOLUTION 2007.05/9 DECLARED ADOPTED this 14th day of May 2007.

- Accept 2007 Tax Rate Request, Millage Request Report to County Board of Commissioners

Lyle Sumerix announced that Larry Money was elected new Legion Commander and explained all current projects and events.

Sumerix also reported the Front Street Entrance sign delayed but still hoping to complete this year; funding still being accepted, commencement of work detail at cemetery, volunteer staffing for cemetery office over the Memorial weekend, and his organization is in full support of the proposed construction of columbarium's.

Hagey moved seconded by Cole to approve the Resolution as presented.

Resolution 2007.05/__, Authorizing the sale of public property, parcel number 11-58-0340-0038-01-4, located on N. Oak Street (formerly called the Sexton property) with Mayor and Clerk to sign any and all documents for closing

WHEREAS, the City Commission of the City of Buchanan, by unanimous vote, approved a purchase agreement with Thomas Jolly, Inc. to sell 114 Oak Street, Buchanan Michigan (commonly known as the "Teen Center"), and parcel number 11-58-0340-0038-01-4, located on N. Oak Street and formerly called the "Sexton property; and

WHEREAS, the City Commission of the City of Buchanan wishes to authorize the Mayor and Clerk to sign the deed for the sale of 114 Oak Street and N. Oak Street; and

WHEREAS, the City Commission of the City of Buchanan wishes to authorize the City Manager, Meg Mullendore, to sign any and all documents to satisfy the closing requirements for the sale of the properties described above;

NOW, THEREFORE, BE IT RESOLVED that the Buchanan City Manager has authority to sign any and all documents for closing, on behalf of Buchanan City, Berrien County.

BE IT FURTHER RESOLVED that the Mayor and City Clerk shall sign the deed transferring said property pursuant to the purchase agreement dated February 26, 2007.

Roll call vote, motion carried unanimous.

RESOLUTION 2007.05/10 DECLARED ADOPTED this 14th day of May 2007.

Mullendore summarized prohibited discussion at 4-30 Special Meeting regarding the Treasurers hours (changing the working hours for the City Treasurer from 7-4 back to 8-5) and explained that she had done some review of Charter, spoke with employees about the situation and it was her suggestion to evaluate all departments for hour changes. She explained the duties of the treasurer and stated it was her administrative opinion that there is not any adverse impact, thus no changes needed. Clark reported that she has received 10 complaints and stated her position. Harrington reported her position and

Consent Calendar continued

Resolution 2007.05/09, Amendment to Resolution adopting 2007-2008 Budget

2007 Millage Request Report

Reports

American Legion

Friends of Oak Ridge Cemetery

Unfinished

Business

Resolution 2007.05/10, Sale of N. Oak Street

New Business

City Treasurer Work Hours

reported receipt of 4 complaints. After all commissioners shared discussion and debate, the Mayor requested and invited citizens to personally contact the City Manager with their complaints about the Treasurers hours within the next 30 days.

After brief discussion, *Hagey moved seconded by Cole to approve authorization for the City Manager to sign six (6) Assignment of Mortgages assigning the homeowner rehabilitation mortgages between the six (6) homeowners and the City of Buchanan to Michigan State Housing Development Authority (MSHDA) as requested by MSHDA and reviewed by City Attorney Hyrns providing the City is not held responsible in the future in case of default of the property owner. Roll call vote, motion carried unanimous.*

Fox invited all Commissioners and Staff to 9-1-1 Ceremony at the Common and announced Buchanan Preservation Society is building a new water wheel.

Mullendore comments:

- Movie filmed in Buchanan by Crime Labs Productions; Possible Film Festival
- Brush pickup only once a month
- Farmers' Market now open
- Upcoming meeting/event dates and times
- \$200,000 EPA grant awarded to the City; just posted today

Harrington comments:

- Congratulations to Burnett and Miller to school board
- Asked if zoning of Reitz building, corner of Oak and Smith included residential use
- Urged attendance to first play at Tin Shop Theatre
- Hazardous holes on Moccasin & Fifth

Hagey comments:

- Urged attendance to Farmers' Market; missing a few vendors, but more forthcoming
- Status of water bill issue at Lucy's, 205 E. Front
- Congrats to School Board members Burnett and Miller
- Concerns about condition of a stretch on Third between Chippewa and Ottawa

Clark comments:

- Complaints of street condition on the North end
- Best wishes to former commissioner Joe Scanlon
- Congratulations to Burnett and Miller

Cole comments:

- Best wishes to Burnett and Miller
- Cautioned drivers to watch out for kids

Moore comments:

- Thanked staff for assistance during the Weir meeting, still looking for volunteers to develop a collaborate group to set up a meeting for creek and race
- Was privileged to present key to Miss Buchanan; Congratulations on float award
- Farmers' Market Vendor's pleased with market and traffic flow
- Appreciative of everyone's cooperation and proud to be working together

New Business continued

City Treasurer Work Hours

Assignment of Mortgages, Authorization to Sign

Public Comments

City Manager's Comments

Commissioners' Comments

Cole moved, seconded by Clark to go into Closed

Session to review minutes at 8:24 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 8:35 p.m. with no decisions made in closed session. *Cole moved, seconded by Hagey to approve April 23, 2007 and April 30, 2007 closed session minutes as reviewed in closed session. Roll call vote carried unanimous.*

April 30, 2007
Closed Session
Minutes

Adjourn

Clark moved, seconded by Hagey to adjourn the meeting at 8:37 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

May 29, 2007

A regular rescheduled (due to holiday) meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday, May 29th. The Mayor called for a delay to the meeting due to difficulties with public broadcasting channel 99. Mayor Moore called the meeting to order at 7:45 p.m.

All in attendance recited the Pledge. No Invocation was heard.

Commissioners present: Barbara Clark, Carla Cole, David Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: Alice Hopkins, Senior Center Director, Assistant City Manager /Public Services Director Joe Vander Meulen along with 16 visitors including 2 reporters

The Mayor asked for public comments regarding any item on the agenda. Stella Proud greeted all and announced her 87th birthday.

Cole moved seconded by Clark to amend the agenda to include H. Banner Placement under the consent calendar and B. South Berrien County Democratic request to use City Hall under new business. Roll call vote, motion carried unanimous.

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

- Agenda
- Minutes: Regular Meeting May 14, 2007
- Checks 52626 to 52698 in the amount of \$82,239.94
- Declared Surplus Property List for Public Auction June 9, 2007
- Resolution 2007.05/11, Amending Policy 04-10-0001, Theft of City Property

WHEREAS, the City Manager of the City of Buchanan presented Policy 04-10-0001 for the purpose of Theft of Property to clearly communicate the definition of theft and proper policies and procedures for authorized acquisition by an employee of City property; and

WHEREAS, the City Commission approved the policy, by unanimous vote on October 25, 2004; and

WHEREAS, the City Commission wishes to avoid any appearance of impropriety.

NOW, THEREFORE, BE IT RESOLVED: that employees or immediate family members of employees are prohibited from bidding on city property that is publicly auctioned.

BE IT FURTHER RESOLVED: that Policy 04-10-0001 be amended by excluding verbiage of External Acquisition and not receive any additional access to City property beyond a City resident.

RESOLUTION 2007.05/11 DECLARED ADOPTED this 29th day of May 2007.

- Certified Delinquent City Utility and Mowing Billings to the Summer 2007 Tax Roll
- Street Closure Request - Roe Street between Days Ave. and Oak St. for Yesterfest on July 7
- Banner Placement Form; Citywide Garage Sales sponsored by Chamber of Commerce

Alice Hopkins, Executive Director introduced the Senior Center Board; Mary Ellen Robards, Betty Couchman, Mary Speckine, Gloria Harroff, and Russell Stephens.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

May 14 Minutes
Checks
Surplus Property
for Auction

Resolution
2007.05/11,
Theft of Property
Policy Amendment

Certify Delinquent
Billings to Tax
Role
Street Closure

Banner Placement

Reports

Senior Center

Senior Center

County Board of Commissioners requested that they legally change their name in October 2006 to Buchanan Area Senior Center. She explained hiring more staff including a nurse. Written report distributed to Commission and Hopkins welcomed questions.

Alice Hopkins explained their board letter requesting to purchase the 131 S. Oak St. building and their dismay in a year long search for another location. Questions/discussion shared with Commission, City Manager, and Hopkins regarding other locations, building additions, continued working relationship, commission hesitation because of limited size, and agreement to continue further discussion. Russ Stephens explained a proposed expansion for the center, confirmed that an Architect had not been retained (unless the City seriously considers the sale), and they had exhausted all alternatives.

Due to South Berrien County Democratic Chairwoman Edie Minks was not in attendance, the City Clerk explained that the organization wished to use the city hall chamber for their State Democratic Caucus. After brief discussion/questions the commission recommended that the organization pursue use of the senior building or provide statistics and detailed information for the liabilities of such an event before any further consideration.

Stella Proud requested that all use the microphones as hearing was a problem. The mayor noted that prior reminder to use microphones was always welcome. Mary Ellen Robards asked about timing for the current city hall building to be available. Brief discussion shared.

Mullendore comments:

- Explained formal notification regarding award of the \$200,000 grant and a Cooperative Agreement needed; July workshop in Chicago.
- Introduced Joe Vander Meulen as new Assistant City Manager/Public Services Director and explained the process.
- Upcoming meeting/event dates and times

All commissioners welcomed and greeted Mr. Vander Meulen and gave birthday wishes to Ms. Proud.

Cole comments:

- Proud of the Senior Center accomplishments, Best Wishes

Clark comments:

- Proud of the Trail Buck Statue at the Farmers' Market

Hagey comments:

- Oak Street, tree lawn overgrown, near accident

Harrington comments:

- Congratulated the growing Seniors
- Upcoming Tin Shop Play
- Proud of the buck unveiling
- Pleased with turnout at the Farmers' Market and Memorial Day Parade

Reports continued

New Business

Senior Center
request to purchase
building

Request Use of
City Hall, South
Berrien County
Democratic

Public Comments

**City Manager's
Comments**

**Commissioners'
Comments**

Moore comments:

- Thanks to attendees from Center
 - Memorial Day Service; Kudos to American Legion Post 51
- Pleased with the buck unveiling ceremony

Closed Session

Clark moved, seconded by Hagey to go into Closed Session to discuss collective bargaining at 8:36 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 10:03 p.m. with no decisions made in closed session.

Adjourn

Cole moved, seconded by Clark to adjourn the meeting at 10:04 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

Commissioners'
Comments continued

CITY OF BUCHANAN COMMISSION MINUTES

June 11, 2007

Mayor Moore called the public hearing to order at 7:30 p.m. and invited public comments on the proposed 2007-2008 Fiscal Year Budget for the Southwestern Michigan Community Ambulance Services (SMCAS) Special Assessment Levy and proposed SMCAS budget for fiscal year 2007-2008, which includes the special assessment in the amount of \$20.00 per dwelling. Being no written or public comments, ***Cole moved seconded by Clark to close the public hearing at 7:31p.m. Roll call vote carried unanimous.***

Public Hearing
SMCAS

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, June 11th. Mayor Moore called the meeting to order at 7:32 p.m.

Call to Order

All in attendance recited the Pledge. No Invocation was heard. Commissioner Cole read the biography and the Mayor presented the Citizen Appreciation Recognition Award to Dick Proud. Proud commended the entire Trail Board and thanked the Commission.

Pledge/Invocation

Commissioners present: Barbara Clark, Carla Cole, David Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Assistant City Manager/Public Services Director Joe Vander Meulen, City Attorney Randy Hyrns, Police Chief William Marx, and Clerk Gladys Bybee

Guests/Visitors present: SMCAS Director Marlene Beach and Friends of McCoy's Creek Trail Director Dick Proud along with 21 visitors including 2 reporters

Roll Call

The Mayor asked for public comments regarding any item on the agenda. Long time resident, Dewey Mollberg opposed the restriction of downtown businesses having outside seating.

Public Comments

Cole moved seconded by Harrington to approve the Consent Calendar as presented. Roll call vote, motion carried unanimous.

- Agenda
- Minutes: Regular Rescheduled Meeting May 29, 2007
- Checks 52699 to 52773 in the amount of \$92,568.37
- Budget Amendment-End of Fiscal Year; General Fund 2006-2007
- Banner Placement Request for Lofters, Benefit for Kevin & Terri Latislaw

Consent Calendar

Agenda
May 29 Minutes
Checks
Surplus Property
for Auction

Dick Proud distributed the Summer 2007 Report and announced that Bosch-Rexroth employees are completing the observation deck, \$4,900 check from them to the City of Buchanan for deck materials and handicap accessibility, \$1,000 Sauk Trail grant for sidewalk replacement, and Ingersoll Rand completing the decorative fencing of 600' of the Trail through their property. He noted for the record that he did not want all the conflict that is beginning and all organizations should compromise and work together.

Reports

Friends of
McCoy's Creek
Trail

Cole moved seconded by Hagey to approve the resolution as follows:

Resolution 2007.06/__, Approve Southwestern Michigan Community Ambulance Services (SMCAS) Budget and Special Assessment

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 April 26, 2004 and approved by the majority vote of the electorate on August 3, 2004, does hereby take the following action:

1. The special assessment district, pursuant to such resolution, is hereby established.
2. The proposed SMCAS financial budget for fiscal year 2007-2008 indicating an assessment of \$20.00 is hereby approved.
3. The amount of the special assessment is \$20.00 and the assessing officer is directed to spread the assessment as provided in the joint resolution along with the December 2007 tax assessment to be due and collected as provided in the joint resolution.
4. 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 \$20.00 per unit as follows:
 - a. 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.
 - b. 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.
 - c. Hotels and Motels – One unit for each hotel and motel and one unit for each living unit occupied by a permanent resident.
 - d. Commercial – One unit for each improved parcel, which shall include all contiguous commercial parcels as one unit and one unit for each dwelling therein.
 - e. Residential – One unit for each dwelling that is occupied or is available for occupancy and is permanently affixed.
 - f. Where provisions herein are inconsistent with the joint resolution, these provisions herein shall supersede such provisions and be controlling.
5. The Public Hearing of the City of Buchanan to hear comments to the distribution of the \$20.00 special assessment levy was held at City Hall, 302 N. Redbud Trail, Buchanan, MI 49107 on June 11, 2007 at 7:30 p.m., local time.

Roll call vote, motion carried unanimous.

RESOLUTION 2007.06/12 DECLARED ADOPTED this 11th day of June, 2007.

Mullendore reported that within the 30 day timeline she has not received any negative comments regarding the Treasurer’s hours per the request from City Commission, thus it was her administrative opinion that the issue had been addressed and the treasurer’s hours would remain at the current status.

After brief explanation from the City Manager, ***Hagey moved seconded by Cole to approve the Budget Amendment requested for 2007-2008 Street Paving Project to include Third Street, Ottawa Street and Colonial Gardens from the Major & Local Streets Funds in the amount of \$102,000. Roll call vote, motion carried unanimous.***

Mullendore explained and recommended the inclusion of the extra street work at a \$10,000 cost savings. ***Cole moved seconded by Clark to approve the Proposal from Consumer Asphalt Co. in the amount of \$147,476.40 as presented and recommended. Roll call vote, motion carried unanimous.***

Mullendore recalled the 2006-2007 budgeted retaining wall replacement project. After brief discussion, ***Clark moved seconded by Harrington to approve the Bid Award for Landscape Wall Replacement Project at Oak Ridge Cemetery in the amount of \$15,580 to the lowest and most responsive bidder Selge Construction. Roll call vote, motion carried unanimous.***

Unfinished Business

Resolution
2007.06/12,
SMCAS Budget
and Special
Assessment

Treasurer’s Hours

New Business

Budget
Amendment.
Major & Local
Street Funds

Bid Award, 2007-
2008 Street Paving
Project

Bid Award,
Cemetery
Landscape Wall
Replacement
Project

Mullendore
recalled the
February 2006

Sidewalk ordinance amendment as complaint driven and a complaint received about the tables and chairs at Lucy's, 205 E. Front Street. The City Attorney provided standards from St. Joseph City and was in hopes to address the issue with Mullendore to craft policy to go before the Plan Commission. Both agreed that the City has a liability issue and would be working diligently to look for joint resolution. Mullendore confirmed she will be taking policy to Plan Commission tomorrow evening to reflect mechanisms for downtown merchants.

It was the consensus of the Commission that a cohesive understandable policy be formulated.

Stella Proud personally invited all Commissioners to attend the Senior Services Pot Luck.

Michelle Klarich reported Summer Season downtown and announced the downtown happenings. She thanked the police department and city staff for there hard work.

Joan McGuire asked if the noise ordinance could be enforced by the Convenience Store downtown. Chief Marx urged members of the public to contact (good description, plate number, act as a witness) the police department.

Mullendore comments:

- Met with Alice Hopkins, Director of the Senior Center to discuss their request to purchase the building and will follow up with detailed memo to Commission with copy to Hopkins.
- Will be coming forth with another budget amendment for paving project to include two other issues and possibly incorporating some sidewalk work.
- Buchanan Area Recreation Board public hearing and Ordinance coming forth at the June 25 meeting.
- Reminder of her absence due to vacation
- Congratulations to Water Foreman Mark Bachman on birth of daughter.
- Harrington asked about the website problem; she referred it for Attorney to explain

All commended and thanked Dick Proud for his dedicated services to the City.

Harrington comments:

- Thanks to city manager for taking care of tree on Lake Street
- Memories Tavern looks great

Hagey comments:

- Does not want "us and them" as in the past and in hopes to solve the issues of the creek, enhance the Mill Race, protect the Creek, and he will attend the Thursday meeting to continue working together for the good of the city

Cole comments:

- Farmers' Market growing

Moore comments:

- Performed first marriage ceremony on the observation deck along the trail; Congratulations to Tom & Debbie VerValen
- Hopes all will work together

Downtown
Amenities,
Outdoor Café
Seating in Central
Business District

Public Comments

**City Manager's
Comments**

**Commissioners'
Comments**

New Business continued

*Harrington
moved, seconded
by Clark to go into*

Closed Session to discuss collective bargaining and review of minutes at 8:38 p.m.

Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 8:56 p.m. with no decisions made in closed session. ***Cole moved, seconded by Clark to approve May 29, 2007 Closed Session minutes as reviewed in closed session. Roll call vote carried unanimously.***

Closed Session

Clark moved, seconded by Harrington to adjourn the meeting at 8:57 p.m. Voice vote carried unanimous.

Adjourn

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

June 25, 2007

Mayor Moore called the public hearing to order at 7:30 p.m. and invited public comments on the proposed Ordinance Amendment for Parks and Recreation

ARTICLE II. RECREATION BOARD

SEC. 62-27 MEMBERSHIP

SEC. 62-30 SUBMITTAL OF PROGRAM AND BUDGET

SEC. 62-37 USE OF RECREATIONAL FACILITIES BY BOARD

Being no written or public comments, ***Harrington moved seconded by Cole to close the public hearing at 7:31p.m. Roll call vote carried unanimous.***

Public Hearing

Ordinance
Amendment for
Parks and
Recreation

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, June 25th. Mayor Moore called the meeting to order at 7:32 p.m.

Call to Order

All in attendance recited the Pledge. Reverend Dave Mitchell, Faith Victory Fellowship gave the Invocation.

Pledge/Invocation

Commissioners present: Barbara Clark, Carla Cole, David Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: Assistant City Manager/Public Services Director Joe Vander Meulen and Clerk Gladys Bybee

Guests/Visitors present: Recreation Board Chairman James Toth along with 21 visitors including 2 reporters

Roll Call

The Mayor asked for public comments regarding any item on the agenda. County Democratic Chairman Jess Minks requested the Commission to include on the agenda a request to approve display of American flags, on the fourth of July, in the tree lawn throughout the City by his organization. He explained his request in detail and a flag was passed around. Don Ryman, County Commissioner and resident, stated his position of support for the DEQ Permit Application to be allowed to continue through the approval process to become aware of the findings of the State.

Public Comments

Hagey moved seconded by Cole to amend the Consent Calendar to include E. under New Business to Discuss and Consider Placement of American Flags in the Tree Lawns on the Fourth of July. Roll call vote, motion carried unanimous. Clark moved seconded by Cole to approve the Consent Calendar as amended. Roll call vote, motion carried unanimous.

Consent Calendar

Amended Agenda

- Agenda as amended
- Minutes: Regular Meeting June 11, 2007
- Checks 52774 to 52871 in the amount of \$96,197.90
- Reappoint Ralph McDonald, Bill Norton, and Jason Leitz to the Plan Commission for another three year term ending in 2010
- Reappoint Beth Chubb, Mary Nixon, Judy Bellaire, and Barbara Clark to the Common Committee for another 4 year term ending in 2011
- Reappoint Rebecca Kaltenback and Dianne Ross to the District Library Board for another four year term ending in 2011

June 11 Minutes

Checks

City Board &
Commission
Reappointments

- Reappoint Jim King, Jason Leitz, Carla Cole, Joe Scanlon to the Zoning Board of Appeals for another three year term ending in 2010
- Reappoint Tom Gordon to the Joint Water/Sewer Board for another three year term ending in 2010
- Reappoint Juli O’Bryant to the Brownfield Redevelopment Authority for another three year term ending in 2010
- Reappoint Eugene Gorton, Jim King, and Roger Long to the Construction Board of Appeals for another three year term ending in 2010
- Reappoint Monroe LeMay, Darlene Clevenger, and Janis Sexton to the Fine Arts Council for another four year term ending in 2011

City Board & Commission Reappointments

Reports
Buchanan Area Recreation Board

James Toth, Chairman of the Buchanan Area Recreation Board thanked the volunteers and reported the dedication of Don Renhack Pony Field, dedication of Al Fisher Memorial, and Kathryn Park Summer Activities stopped. He gave a full report on workings and upcoming activities for all the parks.

Unfinished Business
Withdrawal of DEQ Permit for Mill Race Weir Replacement

Commissioner Hagey announced his requests for the Commission to consider temporarily withdrawing DEQ permit application for replacement of the weir at the Mill Race as he believes a more congenial and less expensive conclusion can be devised to supply water to the Mill while maintaining the integrity of the Creek. He anticipates the State will request more studies at a costly amount and further suggested that all organizations meet to go over concerns, come to a solution to satisfy all of the groups, and then invite the two State agencies in for input. After shared discussion between commissioners, *Harrington moved seconded by Clark to allow the public in attendance to comment on withdrawing the permit. Roll call vote, motion failed. YEA: Harrington, Clark. NAY: Moore, Hagey, Cole.* Commissioner Clark and Harrington spoke favorably to allow the permit to continue through the process and then review and discuss the State results. *Cole moved seconded by Hagey to temporarily withdraw the permit from the DEQ. Roll call vote, motion carried by majority. YEA: Moore, Cole, Hagey. NAY: Clark, Harrington.*

Ordinance 2007.06/375
Parks and Recreation

Hagey moved seconded by Cole to approve the proposed Ordinance as follows:

CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN AN ORDINANCE AMENDING CHAPTER 62, ARTICLE II, RECREATION BOARD, BY AMENDING SECTIONS 62-27 MEMBERSHIP; 62-30 SUBMITTAL OF PROGRAM AND BUDGET; AND 62-37 USE OF RECREATIONAL FACILITIES BY BOARD.

THE CITY OF BUCHANAN ORDAINS: Chapter 62, Article II, "Recreation Board", of the Buchanan Code of Ordinances is amended as follows:

Sec. 62-26. Established.

There is hereby created an area recreation board for the city to have the powers and duties specified in this article.

Sec. 62-27. Membership.

The recreation board shall consist of seven members. In formation of the board, upon implementation of this article, the city commission shall appoint four members total; two members who shall be residents in the city, and two members who shall be residents of a neighboring municipality. The school board shall appoint two members. The city manager, or his/her duly authorized deputy, shall be a member, but may not hold office. The school board, upon initial appointments as listed in this section, shall appoint one member for a term of one year, and one member for a term of two years. The city commission, upon initial appointments as listed in this section, shall appoint one member for a term of one year, one member for a term of two years, and one member for a term of three years, each appointment to terminate on June 30 of the year following the full extent of time of the original appointments. At the expiration of the terms of the members as above provided, the appointing authority for the specific membership shall fill the vacancy by an appointment for a three-year term. Any member may succeed himself.

Sec. 62-28. Compensation.
All members of the recreation board shall

Consent Calendar continued

serve without compensation. No member shall be employed in the recreation system of the city, either during his/her term on the board, or for a period of one year after he ceases to be a member.

Sec. 62-29. Duties.

It shall be the duty of the recreation board to formulate and carry out a recreation program, using facilities and personnel placed at its disposal by agreement between the city, the Buchanan school district, and other neighboring municipalities.

Sec. 62-30. Submittal of program and budget.

Not later than February 1 in each year, the board shall prepare and submit to the city manager a tentative outline of its recreational program for the ensuing fiscal year, together with its budget for such ensuing year, which outline and budget shall serve as a guide in the appropriation of monies by the city. The Buchanan school district has, by written agreement, assumed responsibility for the maintenance and capital improvement of Memorial Field. Financial contributions to area recreation by other municipal authority in the area can be arranged by mutual agreement between the city commission and the municipal authority. If the amount appropriated by the city and other area municipal authority shall be less than the budget requirement, unless the recreation board is able to secure funds from other sources, it shall reduce its budget in accordance with the appropriations.

Sec. 62-31. Full control of recreational program.

The recreation board shall have full control in the conduct of the recreational program through its supervision and direction of the recreation director, and the implementation of recreational policies, including appointment of subsidiary boards and committees, and may cooperate with other boards and committees with like purposes, provided that such board shall have no power to expend monies in excess of those expressly appropriated to, and/or received by it, and shall have no authority to bind or incur any obligations whatever against the city.

Sec. 62-32. Adoption of rules and regulations.

The recreation board shall adopt rules and regulations advisable or necessary to properly and effectively carry out its meetings, duties and programs. These rules and regulations shall have the effect of law on all persons bound thereby in the carrying out of the recreational program.

Sec. 62-33. Officers.

The recreation board shall elect from its membership a chairman to preside at meetings, a vice-chairman, to preside in the absence of the chairman, and a secretary who shall have charge of all board records, and keep accurate and complete minutes of all meetings thereof. The city treasurer shall be treasurer of the board, and shall disburse monies upon presentation of a voucher signed by the board chairman or vice-chairman and countersigned by the secretary. The board may appoint a recording secretary who shall not be a board member.

Sec. 62-34. Fiscal year.

The fiscal year of the recreation board shall be from July 1 of each year to June 30 of the following year.

Sec. 62-35. Meetings.

Regular meetings of the recreation board shall be held at least once each month, on such date as shall be fixed by the rules of the board. Special meetings shall be called and held as provided by rule. A quorum for the transaction of business shall consist of five members, at least one of whom shall be the city manager, or his duly authorized deputy.

Sec. 62-36. Funds for program.

The city may appropriate monies for carrying on a recreation program. The recreation board may raise and receive monies from other lawful sources, by contribution, gifts, bequests, devises or otherwise, for recreational purposes. Not later than 60 days following the close of the fiscal year, the city treasurer shall prepare and cause to be delivered to the city commission a full and concise accounting of all monies received and expended by the area recreation board.

Sec. 62-37. Use of recreational facilities by board.

The recreation board may use properties, buildings and equipment, including property of the city, the Buchanan school district, and other municipal authority within the recreation area, provided the owner thereof shall consent to such use, and provided further that athletic teams sponsored by the school district shall have priority rights to the use of the Memorial Field football field, baseball diamond, softball diamond, tennis courts, soccer fields at the middle school and the practice football field south of McCoy's Creek. For the purpose of this section, such consent on the part of the school district may be given by the superintendent, or his or her duly authorized designee, of schools and, on the part of the city, by the city manager or his or her duly authorized designee. Consent for recreational use of facilities belonging to other neighboring municipalities in the recreation area shall be established by the municipality concerned. Charges incurred in connection with and properties and equipment used for maintenance or upkeep shall be charged against the board and by it paid to the proper body. The board may expend its funds on capital improvement and/or the development of recreational facilities; ownership and development of such facilities being retained under the authority and responsibility of the city commission and any other neighboring municipality within the recreation area.

Secs. 62-38 – 62-60. Reserved.

This ordinance shall become effective fifteen (15) days after enactment and publication pursuant to Chapter 7, Section 7.4 and Section 7.5 of the

Unfinished Business continued

Ordinance 2007.06/375, Parks and Recreation

Charter of the City of Buchanan, Michigan.

Roll call vote, motion carried unanimous.

ORDINANCE 2007.06/375 DECLARED ADOPTED this 25th day of June, 2007.

After shared discussion and concurrence from Wayne Writer and James Toth, **Harrington moved seconded by Clark to approve the donation of arts and crafts supplies from Kathryn Park’s Summer Program to Kid Kamp and/or Stop, Lunch, and Listen. Roll call vote, motion carried unanimous.**

Cemetery Supervisor Jon Raines reported on the three quotes to purchase a mower for the cemetery. **Clark moved seconded by Cole to approve the purchase of the lawn mower from Rigg’s Mowers & More in the amount of \$7,150 as presented and recommended. Roll call vote, motion carried unanimous.**

Harrington moved seconded by Cole to approve the Buchanan Area Recreation Board Bylaws as presented. The Mayor reported that the modification to the Parks and Recreation Board was due to the changes between the City and Buchanan Community Schools. **Roll call vote, motion carried unanimous.**

Harrington moved seconded by Clark to appoint Sheila Daly and Scott Wahlstrom to the Buchanan Area Recreation Board for a one year term ending 2008, Tracey Jaggi for a two year term ending 2009, and Lanny Fisher to a three year term ending 2010. Roll call vote, motion carried unanimous.

Cole moved seconded by Clark to approve flags to be displayed within the tree lawn on public property on the Fourth of July as requested earlier in meeting by Mr. Minks. Vander Muelen replied the sign code exempts flags from any permit. **Roll call vote, motion carried unanimous.**

Wayne Writer thanked the commission for their past years of support and applauded the Recreation Board. Melissa Shea asked the details of the ordinance and bylaw changes and Writer explained. Jess Minks commended the commission to searching for an amicable solution for the water problem at the Mill and Creek.

Vander Meulen comments:

- He commended City staff and reported he was pleased with meeting staff, volunteers and business community. Excited to continue position and learn.

All commended and thanked Wayne Writer for his dedicated services to the Community.

Cole comments:

- Thanks to Minks and staff for display of flags
- Believes the consortium can have great discussion on the Mill and Creek

Clark comments:

- Thanks to Minks for flags

Unfinished Business continued

Ordinance 2007.06/375, Parks and Recreation

New Business

Arts & Crafts
Supplies to Kid
Kamp & Stop,
Lunch, & Listen

Cemetery Lawn
Mower

Buchanan Area
Recreation Board
Bylaws

Parks & Recreation
Board
Appointments

Flag display in
Tree Lawn

Public Comments

**Assistant City
Manager
Comments**

**Commissioners’
Comments**

Hagey comments:

- Supports both creek and race; just willing to work together to all be good stewards

- He met with DNR, City Manager, Scott King, and DEQ and believes amicable resolution can be formulated

Harrington comments:

- Commend Parks & Recreation Chairman Toth and all Board members
- Encouraged Vander Meulen to address sewer issue; Vander Meulen confirmed he spoke with resident
- Sympathy to John, Willie and the Brown family on their loss
- Happy 4th of July

Moore comments:

- Thanks to Park Board and look forward to partnership
- To Commissioners' Clark and Harrington, public has had ample opportunities and not intended to stop flow of communication. Meeting's sponsored by City and State; in no way censoring anyone
- Thanks to Vander Meulen for being here during absence of City Manager

Closed Session

Clark moved, seconded by Harrington to go into Closed Session to review minutes at 8:25 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 8:37 p.m. with no decisions made in closed session. ***Harrington moved, seconded by Clark to approve June 11, 2007 Closed Session minutes as reviewed in closed session. Roll call vote carried unanimously.***

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 8:38 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

Commissioners' Comments continued

CITY OF BUCHANAN COMMISSION MINUTES

July 09, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, July 9th. Mayor Moore called the meeting to order at 7:32 p.m.

All in attendance recited the Pledge. Reverend Tom Fox, Portage Prairie United Methodist Church gave the Invocation.

Commissioners present: Barbara Clark, Carla Cole, Patricia Moore

Commissioners absent: David Hagey, Jennifer Harrington

Staff present: City Manager Meg Mullendore, Assistant City Manager/Public Services Director Joe Vander Meulen, Assessor Gordon Schreiber, and Clerk Gladys Bybee

Guests/Visitors present: Alice Kring, Chamber of Commerce President and Joint Arts & Historical District Chairwoman along with 14 visitors including 2 reporters

The Mayor asked for public comments regarding any item on the agenda. None heard.

Clark moved, seconded by Cole to amend the Agenda to include item B under Unfinished Business to include "Bid Award for Street Repair". Roll call vote unanimous. Cole moved, seconded by Clark to approve the Consent Calendar as amended. Roll call vote unanimous.

- Agenda as amended
- Minutes: Regular Meeting June 25, 2007
- Checks 52872 to 52936 in the amount of \$151,142.63
- Banner Placement to Advertise Old Mill Festival at 103 W. Front Street from July 30th through August 7th, 2007
- Appoint Samantha Blevins to Buchanan Area Fine Arts Council for a Four Year Term Ending in 2011

Alice Kring reported the Arts and Historical Joint Committee sponsored a Yester Fest on 7-7-07 with activities at the Tin Shop Theatre, Pears Mill, and The Common (subsidized through a \$6,880 grant from MCACA). She explained all festivities and announced upcoming events in the Arts & Historical District. The Mayor requested that Ms. Kring take back a request for the Arts & Historical Committee to sponsor Buchanan's 175th Anniversary next year. Kring reported on the plans for the Chamber of Commerce sponsored Old Mill Fest in August and hoped for cooperation from City services.

Assessor Schreiber (contracted from Berrien County Equalization Department) explained his activities in the Buchanan Assessing Department while all reviewed the written report. He commended the Board of Review members and city staff.

Mullendore explained the request for additional fund balance transfer to complete additional street/sidewalk repairs on Fifth Street Alley, Elizabeth and Arctic west of Redbud Trail (\$25,000. Local/\$60,000. Major/\$15,000. Street Repair). She reported receipt of two (2) quotes and recommended the award to the contractor currently

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Amended Agenda

June 25 Minutes

Checks

Banner Placement

Fine Arts Council

Appointment

Reports

Arts & Historical

Joint Committee

Chamber of

Commerce

Assessor

Department

Unfinished

Business

Fund Balance

Transfer

doing other city work, Consumer Asphalt. She further explained the second quote was less expensive however they did not give a detailed breakdown. ***Cole moved seconded by Clark to approve the transfer of \$100,000. for the street and sidewalk repair as presented and recommended. Roll call vote, motion carried unanimous.***

Bid Award, Street Repair Improvements

Cole moved seconded by Clark to award the bid to Consumer Asphalt in the amount of \$70,467. as recommended. Roll call vote, motion carried unanimous.

New Business
Sidewalk Amenities Policy

Mullendore recalled the downtown sidewalk issues causing the streamlined process of the City of Buchanan Sidewalk Amenities Policy and recommended approval. She explained that she worked with the DDA Director and Plan Commission to craft the policy. ***Clark moved seconded by Cole to approve the policy as submitted. Roll call vote, motion carried unanimous.***

Application Permit Fee for Sidewalk Amenities

Mullendore reported that an application process would be necessary for consideration of approving a permit and recommended that the Commission approve the permit fee as applicable in the Sidewalk Amenities Policy. ***Cole moved seconded by Clark to approve the \$25.00 permit application fee as requested. Roll call vote, motion carried unanimous.***

Struber Productions to use Oak Ridge Cemetery for filming

Mullendore reported the request for permission from Struber Productions to use areas of the City for the filming of the movie “Whispers”, introduced Kurt Struss and invited him to explain. Struss announced that the first Buchanan filming production “First Night Out” was placed in consideration for judging, thanked the cities involvement and introduced colleagues Thomas Zuber and Dr. Shawn Long. He thanked the city, Art Center, and Common for the premier on August 24th at Old Mill Fest with party following at the Art Center. Discussion was shared with commission and gentleman. ***Cole moved seconded by Clark to grant permission for filming to occur within the city at Oak Ridge Cemetery and tree lined streets. Roll call vote, motion carried unanimous.***

Public Comments

Alice Kring, as requested by Preservation Society Chairman Tom Fehlner reported that water was scarce to run the waterwheel at Pears Mill.

City Manager Comments

Mullendore comments:

- Congratulations to Friends of McCoy’s Creek Trail on the completion of Phase 1
- Tom Fehlner asked for assistance from the commissioners to volunteer and do a session at the Mill

Commissioners’ Comments

Clark comments:

- Thanks to Struber Productions
- Pleased with the results of the sidewalk issue
- Asked the status of the Committee to work on the McCoy’s Creek weir issue; City Manager confirmed she was working on it

Cole comments:

- Thanked Kring and all who worked on YesterFest
- Congratulated the gentlemen on the movie
- Debris falling off of incinerator behind Tail Gaters

Moore comments:

- Pleased with YesterFest; learned more new things

Unfinished Business continued

Fund Balance Transfer

about Buchanan

- Volunteered to work at the Mill
- Congratulations to the Trail on landmark achievement; completion of Phase 1

Closed Session

Clark moved, seconded by Cole to go into Closed Session to discuss collective bargaining at 8:38 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 9:06 p.m. with no decisions made in closed session.

Adjourn

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

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

Commissioners' Comments continued

CITY OF BUCHANAN COMMISSION MINUTES

July 23, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, July 23rd. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge. Tom Hubbel, Buchanan Christian Church gave the Invocation.

Commissioners present: Barbara Clark, Carla Cole, David Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: 11 visitors including 2 reporters

Stella Proud reported dead trees and noxious weeds. Ruth Metzger, 4550 E. Front Street explained an agreement between herself and the city to mow the weeds on the frontage of her property, the city had not been maintaining the high weeds, and it was now causing a traffic hazard. Discussion was shared.

Harrington moved, seconded by Cole to approve the Consent Calendar as presented.

Roll call vote unanimous.

- Agenda
- Minutes: Regular Meeting July 9, 2007
- Checks 52937 to 53022 in the amount of \$330,225.67
- Street Closure's for Old Mill Festival from the Chamber of Commerce: Oak Street (from Front Street north to Dewey), August 25; Roe Street (between Days Avenue & Oak), August 25; Days Avenue Parking Lot, August 23 to August 26; Days Avenue (to Roe Street), August 24; Days Avenue (to Roe Street), August 25
- Request for use of McCoy's Creek for a private party to have a "Rubber Duck Race"
- Budget Amendment associated with street repair to Fifth Street Alley, Elizabeth, West Arctic, Redbud Trail, and various sidewalks in the total amount of \$100,000

Mullendore explained the request for support of the Old Mill Festival from the Chamber of Commerce. *Cole moved seconded by Clark to accept the proposal as distributed from the Chamber President Alice Kring and approve the Old Mill Festival. Roll call vote carried unanimous.*

Mullendore introduced Jay Miller and reported that he had worked with the DDA to use the Common for a Music Festival Benefit (originally planned for the north parking lot). He distributed a written report to Commission and explained his request for approval of McCoy Creek Music Festival on August 11 from noon until 11:00 p.m. to raise funds for Riley's Children's Hospital. Discussion/questions were shared particularly about alcohol and policing. *Harrington moved seconded by Clark to approve the non-alcoholic Music Festival as presented by Mr. Miller. Roll call vote carried unanimous.*

The Mayor asked for public comments regarding any non agenda item. None heard.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

July 9 Minutes

Checks

Street Closures

McCoy's Creek
Use

Budget
Amendment

Reports

none

Unfinished

Business

Old Mill Festival
Approval

New Business

McCoy Creek
Music Festival
Benefit

Public Comments

none

Mullendore comments:

- Working with PE about tapping into funding sources for the EPA grant
- Sent out RFP for professional engineering services for water/sewer bonding with intent to bring recommendation to the August meeting
- Vander Meulen reviewing SEMAC funding, 80/20 match for electric street sweeper
- Columbarium installed/constructed at Cemetery
- Apologized to the Michiana Cruisers' Association as trees came down blocked an entryway and damage to joy johns during their event at McCoy's Creek Park

Clark comments:

- Commended Mr. Miller for his efforts

Hagey comments:

- Farmers' Market great place; directional signage needed and heard and shared numerous ideas
- Sympathy to Kathy Kingery on her loss

Cole comments:

- Signs needed out towards US 12 directing to Market
- Port-a-johns in dire need of cleanup at Park
- Best wishes to Mr. Miller for the Music Festival

Harrington comments:

- Urged attendance to Willie Wonka at the Tin Shop Theatre
- Sympathy to Kathy Kingery and the Nancy Risener family

Moore comments:

- Congratulations to the Chamber of Commerce on planning of both Festivals
- Congratulations to Fire Department for breakfast at the Car Show

Harrington moved, seconded by Cole to go into Closed Session to review closed session minutes from July 9, 2007 at 8:10 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 8:19 p.m. with no decisions made in closed session. ***Hagey moved seconded by Cole to approve the July 9, 2007 collective bargaining closed session minutes as reviewed. Roll call vote carried unanimous.***

Harrington moved, seconded by Clark to adjourn the meeting at 8:20 p.m. Voice vote carried unanimous.

**City Manager
Comments****Commissioners'
Comments****Closed Session
Review Minutes**

July 9, 2007
Closed Session
Minutes

Adjourn

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

August 13, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, August 13th. Mayor Moore called the meeting to order at 7:31 p.m.

All in attendance recited the Pledge. No Invocation was heard.

Commissioner Clark read the biography of accomplishments Wayne Writer has contributed to the community. Mayor Moore presented the Citizen Appreciation Award to Wayne Writer and greetings were shared.

Commissioners present: Barbara Clark, David Hagey, Patricia Moore

Commissioners absent: Carla Cole, Jennifer Harrington

Staff present: City Manager Meg Mullendore, Assistant City Manager (ACM-PSD) Joe Vander Meulen, and Clerk Gladys Bybee

Guests/Visitors present: 23 visitors including 1 reporter

The Mayor asked for public comments regarding any agenda item.

Kathy Kingery commented positively about Cemetery Sexton Jon Raines and PSD Joe. Vander Meulen.

Stella Proud asked about the condition of the alleyway between Oak Street and Moccasin along with a request of a handicap parking space or loading zone in front of Christian Church of Christ on Third Street.

Donald Trull, 45 year resident adamantly opposed to the idea of filling in the Mill Race and challenged the equality of McCoy's Creek verses Pears Mill, as both are of utmost importance.

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

- Agenda
- Minutes: Regular Meeting July 23, 2007
- Checks 52023 to 53170 in the amount of \$2,084,620.88

Preservation Society President Tom Fehlner distributed paperwork with information about major activities at Pears Mill in the first six months of 2007 and explained the refurbishing of the water wheel. He proclaimed the position of the Buchanan Preservation Society on the Mill Race and its relationship to McCoy's Creek. He explained how the Mill Race was a historic structural feature and his recommendation to bring in Wetland and Coastal Resources, Inc., an environmental company to conduct a resource evaluation. The Mayor said the commission committed to find a solution acceptable to all. The Mayor asked if the Society would provide leadership in the City's Anniversary for next year. Fehlner could not commit the board but confirmed to have discussion with other members.

After Mullendore summarized the content/changes in the SEIU Local 517M Union Contract while all reviewed, ***Clark moved seconded by Hagey to approve the contract as submitted and reviewed. Roll call vote unanimous.***

Call to Order

Pledge/Invocation

Citizen Appreciation

Roll Call

Public Comments

Consent Calendar

Agenda
July 23 Minutes
Checks

Reports

Pears
Mill/Preservation
Society

Unfinished

Business

SEIU Local 517M
Union Contract

After Mullendore summarized the meetings with the Library Board to resolve the issue of the City electrical box encroaching on the Library property, District Library Board Member Liza Moon explained the Libraries request for funds in the amount of \$7,000.00 for their improvements to the area where the electrical box encroaches on their property. Discussion was shared regarding the questionable property lines, delineation of who owns what, DDA involvement, and a formal agreement composed.

Hagey moved to table any action to grant funding until more research and information available, then delineate who owns what to determine where property lines are, the City be deeded the property the electrical box sits on, an agreement be reached for the use of the rear parking lot during Farmers' Market days, the city relinquish the option on the second floor of the library building, and suggested involvement from the DDA as they own the Farmers' Market property. Clark seconded the motion and a roll call vote carried unanimous. Mullendore announced any funds would have to come out of fund balance as this is an unexpected budgeted item.

Mullendore recommended that the Commission authorize her to contact Wetland and Coastal Resources, Inc., an environmental company to conduct a resource evaluation for McCoy's Creek and Mill Race Head Gate in relation to the flow of the Mill Race. Hagey explained the meeting with the Friends of McCoy's Creek, Preservation Society, Friends of the Trail, and members of Fly Fisherman group. Consensus of the commission that whatever was done be in the best interest of the Creek and Race. ***Hagey moved seconded by Clark to have the city manager contact Wetland and Coastal Resources to prepare an evaluation. Roll call vote carried unanimous.***

After brief explanation from the Manager, ***Hagey moved seconded by Clark to approve the Resolution establishing Oak Ridge Cemetery 2007 Schedule of Fees and Charges*** WHEREAS, the City of Buchanan is continually upgrading and developing Oak Ridge Cemetery; and WHEREAS, columbarium's were installed at Oak Ridge Cemetery; and WHEREAS, the fee for a single columbarium shall be \$700. and a double shall be \$1,200. in which includes opening, closing, and a nameplate; and WHEREAS, such schedule of fees shall be amended and posted at the Oak Ridge Cemetery office and a copy on file with the city clerk and city treasurer; and NOW THEREFORE, BE IT RESOLVED, that the Buchanan City Commission does hereby adopt the updated Rate Schedule for Oak Ridge Cemetery pursuant to Chapter 22, Section 22-35 of the Buchanan City Code.

Roll call vote carried unanimous. Resolution 2007.08/13 declared adopted.

After brief explanation from the Manager, ***Clark moved seconded by Hagey to appoint the City Manager as the official representative to vote at the Annual Business Meeting of MML; Conference scheduled for September 18-20, 2007. Roll call vote carried unanimous.***

Stella Proud announced that the Garden Club (GC) would each adopt a downtown planter and asked if the merchants could take care of the planters in front of their businesses as the GC needs help. The Mayor confirmed to bring the issue up at the upcoming DDA Work Session.

Norma Ferris questioned the increased fares by Dial-A-Ride. Mullendore explained the contact with Dial-A-Ride and that fees remain the same for travel one (1) mile outside the city limits along with being free to Harding's on Wednesday. Discussion was shared.

**Unfinished
Business
continued**

District Library
Request for Funds

Contact Wetland
and Coastal
Resources, Inc. to
conduct a resource
evaluation

New Business

Resolution
2007.08/13,
Schedule of Fees
for Oak Ridge
Cemetery

Appoint City
Manager as
Official
Representative for
voting purposes

Public Comments

Jeffrey Antisdell suggested that the City tighten up security on the Website due to the hacker problem and would like to see more information on the website.

**City Manager
Comments**

Mullendore comments:

- Congratulated Wayne Writer
- Announced to honor the verbal agreement with Mrs. Metzger to maintain the frontage on the empty lot next to 4550 E. Front Street
- Recreation board meeting voted in board of directors. Michiana Cruisers in attendance to meeting and announced they want to stay in Buchanan and grow
- Thanked Michelle Klarich as Chamber of Commerce Director and DDA Director and best wishes on her new venture

**Commissioners'
Comments**

All commissioner's thanked and congratulated Wayne Writer

Clark comments:

- Thanked Norma Ferris for bringing up the Dial-A-Ride issue as she was also contacted
- Thanked Mullendore and Vander Meulen for assisting in preparation for the Northside Neighborhood Gathering
- Thanked Mullendore for Union bargaining process
- Thanked Klarich for her tenure as DDA/TIFA Director

Hagey comments:

- Thanked all for participating in Thursday meeting and welcomed organizations to set up meetings similar to
- Suggested the establishment of advisory groups of concerned citizens for research with one commissioner involved with each group
- Would like historic preservation and waterway discussion at next city commission meeting
- Tremendous opportunity for the City and DDA to work together on North Parking lot along with the Farmers' Market Board to work with Library
- Pleased for many in attendance and commended all
- City Website needs attention or source somewhere else

Moore comments:

- Confident to find a solution to Mill Race, Mill, and Trout Stream. Confirmed to work hard to find a solution
- Summarized her attendance to the Michigan Mayors Association Meeting
- Thanked all for participating in Commission meeting

Adjourn

Clark moved, seconded by Hagey to adjourn the meeting at 8:55 p.m. Voice vote carried unanimous.

Gladys Bybee,CMC-City Clerk

Dr. Patricia Moore, Mayor

Public Comments continued

CITY OF BUCHANAN COMMISSION MINUTES

August 27, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, August 27, 2007 and called to order by Mayor Moore at 7:30 p.m.

Pledge of Allegiance/Invocation

The Pledge was recited by all in attendance. Sergeant Harvey Burnett gave the Invocation.

Commissioners present: David Hagey, Jennifer Harrington, Patricia Moore, Carla Cole, and Barbara Clark

Commissioners absent: None

Staff present: City Manager Meg Mullendore, Assistant City Manager Joe Vander Meulen, and City Clerk Gladys Bybee

Guests/Visitors present: 9 visitors, including 1 reporter

The Mayor asked for public comments regarding any agenda item. No comments were made.

Hagey moved, seconded by Clark to amend the Agenda to include a report from Mark Siebenmark under Reports by Departments, Committees, Boards. Roll call vote carried unanimously.

Hagey moved, seconded by Harrington to approve the Consent Calendar as presented. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular meeting August 13, 2007
- Checks 53171 to 53270 in the amount of \$1,950,647.37
- Peddlers or Solicitors License Fee Waiver for Berrien County 4-H Clubs for Sale of Calendars, Cookbooks, and Candy bars
- Resolution 2007.08/14, Accepting Additional Financial Assistance Sections 5311 Dial-A-Ride FY 2006/2007 and Signatory Authorization

WHEREAS, the State of Michigan Department of Transportation (MDOT) has offered the City of Buchanan Dial-A-Ride public transportation system 5311 operating monies equal to 17 percent of audited costs for FY2007; and

WHEREAS, the MDOT Agreement No. 2007-0181/Z1/R1, Project No. 889770 will provide 17 percent of eligible audited operating costs, not to exceed \$20,060.

NOW, THEREFORE BE IT RESOLVED that the City of Buchanan does hereby make its intentions known to accept this MDOT Agreement No. 2007-0181/Z1/R1, Project No. 889770 Section 5311 federal increased operating assistance for FY2007.

BE IT FURTHER RESOLVED that the City of Buchanan authorizes Julianne O'Bryant as Transportation Coordinator, and Patricia A. Moore, Mayor of the City of Buchanan to jointly execute MDOT Agreement No. 2007-0181/Z1/R1, Project No. 889770 for the Commission for 2007 Section 5311 Federal operating assistance.

RESOLUTION DECLARED ADOPTED this 27th day of August, 2007.

- City of Buchanan Organizational Chart

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

August 13 Minutes

Checks

Peddlers License
Fee Waiver

Resolution
2007.08/14,
Accepting
Additional Financial
Assistance Sections
5311 Dial-A-Ride
FY2006/2007 and
Signatory
Authorization

City of Buchanan
Organizational
Chart

Dave Jones was not in attendance and was unable to

provide a report on the Berrien County Landfill.

Landfill

Harvey Burnett gave a report and update to Commissioners on the hostage situation at Harding’s that took place earlier in the day, and assured Commissioners that no one was hurt in the incident and appropriate actions were taken to ensure safety.

Harding’s Situation

Liza Moon was in attendance and specifically explained her calculations of measurement to illustrate how the electrical box encroaches upon Library property. She explained that the Library is not interested in dragging out the issue, and that the Library wants to resolve the issue by being willing to place the fence to where it no way intrudes on the electrical box. Hagey expressed concern with spending \$7,000 of public funds to enhance the value of the library property, but was in favor of trading the second floor for the lease of the box. Moon explained that she will be getting a quote from Kevin Barker for the fence and will draft a letter of intent and price quote to the Commission once lineage is determined. *Hagey moved, seconded by Harrington that the City admits the error of the placement of the electrical box on Library property, that the City would lease the 6’ x 20’ space back from the Library to allow the electrical box to remain, that the City would relinquish claim to the top floor of the Library for the remaining 2 ½ years, and that the City would pay up to \$1,000 for the installation of the fence, contingent upon the Library being responsible for keeping the area open and passable during business hours. Roll call vote carried unanimously.*

Unfinished Business

Discuss alternative proposal from the Library Board regarding deed of the property the electrical box encroaches on, lease of the second floor, and the parking lot issues

Hagey moved, seconded by Harrington that the City would agree to take the generous offer of the Library Board to host a meeting between the City, DDA, Library Board, and property owners to discuss and try to remedy the property line situation. Roll call vote carried unanimously.

New Business

There was a brief discussion among the Commission of the date for Trick-or-Treat, and after discussion, *Clark moved, seconded by Cole to set the Trick-or-Treat date for October 31st. Roll call vote carried unanimously.*

Trick-or-Treat Date

Vander Meulen reported that the International truck is in good condition but that it is in dire need of a dump box, and requested favorable approval of the purchase from Truck & Trailer Specialties, Inc. in the amount of \$8,326. from Commission. *Harrington moved, seconded by Clark, to purchase the dump box from Truck & Trailer Specialties, Inc. in the amount of \$8,326. Roll call vote carried unanimously.*

Purchase of dump box from Truck & Trailer Specialties in the amount of \$8326.

Mullendore explained the Request for Proposal for engineering services for the water and wastewater upgrades was sent to seven firms with five responding. She explained that staff has recommended using Abonmarche for the project, as their proposal included preparation for rural grant applications, pursuit of USDA grants, and a financing study for Rural Development Funds. Kenton McAndrew of Abonmarche explained the State Revolving Funds (SRF) and Drinking Water Revolving Funds (DWRf) to Commission. Hagey requested that a grant application to the Rural Development be included upon acceptance. *Hagey moved, seconded by Cole to approve Abonmarche’s proposal for engineering services for the water and wastewater upgrades in the amount of \$28,650 that included research and preparation of any USDA Rural Grant opportunities. Roll call vote carried unanimously.*

Proposal for engineering services for water and wastewater upgrades from Abonmarche in the amount of \$28,650.

Hagey reported suggestions from citizens, and proposed Small Advisory Groups of

Reports

Berrien County

2-3 persons to do research relative to City concerns with a Commissioner Liaison. He suggested such Small Advisory Groups as for the Mill Race, the Farmers' Market, festivals, advertising, downtown promotion, getting the Tin Shop weatherized, etc., and recommended putting a call out to all citizens who wish to participate. Hagey will be the Commissioner Liaison for the Mill Race and will discuss the issues with Scott King, Harrington will be the Commissioner Liaison for the Tin Shop, and Cole will be the Commissioner Liaison for the Farmers' Market.

research relative to City concerns with Commissioner Liaison

Public Comments

Kathy Kingery reported that she spoke with Dick Young the Bruiser, who said he was very pleased to be in Buchanan for the Old Mill Festival.

Lyle Sumerix of the Friends of Oak Ridge Cemetery presented "Pillars of the Past" and informed Commission of a day work shop and a brochure through the genealogical society on Saturday, September 8th. He told Commission that the next Cemetery Walk will be held on September 29th, with a rain date of September 30th. He reported that the base had been poured for Potter's Field for the plaque, but that the dedication will take place next year. He reported that there would be a press release to raise funds to complete the entrance sign on Front Street.

City Manager's Comments

Mullendore commented:

- Tom Bennett from Wetland and Coastal Resources, Inc. will put a power point together to present at a special meeting for the Millrace issue.
- Pam O'Connor will bring in a gentleman from the State Historic Preservation Office as some of the houses may not qualify, but onsite visits will be done and a proposal sent to the City on the cost to do go for historic status.
- National Night Out was during the Old Mill Festival, and a Community Night Out will occur in conjunction with the Old Mill Festival in the future.
- Thanked merchants for their donations to National Night Out.
- Congratulated Old Mill Festival organizers and all those who helped out.
- Need a Commissioner to do an article for the newsletter.
- City Hall closed next Monday for Labor Day.

Commissioners' Comments

Harrington commented:

- Questioned if Healy's Skating Shoes qualify as skateboards/roller skates
- Expressed her sympathy to Judy Smith's family.
- Congratulations to little Mr. and Miss Buchanan
- Commended Joe and the Departments for their work during the storms
- Tree blocking fireworks from the Beer Garden

Hagey commented:

- Commended City crews for their hard work during the storm before Old Mill Festival
- Grateful for what we have in Buchanan
- Conscientious of spending City dollars
- Commended Chamber, DDA, and Sponsors of the Old Mill Festival

Clark commented:

- Commended Joe and City workers

Cole commented:

- Commended Mayor Moore on

Small Advisory Groups to do

her wardrobe

- Thanks to businesses
- Condolences to family friends, co-workers of Judy Smith
- Commended Police Department on handling crisis today

Moore commented:

- Acknowledged Meg, Joe, Willie, Jon, and Mike for the huge tree on Remus Drive. Will be putting a letter in their file
- Thanked Fire Department for protecting people from downed electric wire on Terre Coupe
- Old Mill Festival was fantastic, congratulations to all
- Sympathy to the Library Board
- Congratulated City Manager on her singing
- Thanked Commission and City staff for their dedication to being involved

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 9:23 p.m. Voice vote carried unanimously.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

August 27, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, August 27th. Mayor Moore called the meeting to order at 7:31 p.m.

All in attendance recited the Pledge. Sergeant Harvey Burnett gave the Invocation.

Commissioners present: Barbara Clark, Carla Cole, David Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Assistant City Manager (ACM-PSD) Joe Vander Meulen, Police Sergeant Harvey Burnett, and Clerk Gladys Bybee

Guests/Visitors present: 9 visitors including 2 reporters

The Mayor asked for public comments regarding any agenda item. Stella Proud on behalf of Ruth Metzger thanked the City for honoring her request and announced the Senior Center would not be having the monthly potluck.

Hagey moved, seconded by Clark to amend the agenda to include a report from Mark Siedenmark from Senator Ron Jelinek's office under Reports by: Departments, Committees, Boards. Roll call vote unanimous.

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

- Agenda as amended
- Minutes: Regular Meeting August 13, 2007
- Checks 53171 to 53270 in the amount of \$1,950,647.37
- Peddlers or Solicitors License Fee Waiver for Berrien County 4-H Clubs for sale of calendars, cookbooks, and candy bars
- Resolution 2007.08/14, Accepting additional financial assistance Sections 5311 Dial-A-Ride FY 2006/2007 and signatory authorization

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BE IT FURTHER RESOLVED, that the City of Buchanan authorizes Julianne O'Bryant as Transportation Coordinator, and Patricia A. Moore, Mayor of the City of Buchanan to jointly execute MDOT Agreement No. 2007-0181/Z1/R1, Project No. 889770 for the Commission for 2007 Section 5311 Federal operating assistance.

- Approve City of Buchanan Organizational Chart

Police Sergeant Harvey Burnett reported on the bomb threat at Harding's Market that occurred earlier in the day. He further explained that it was a perpetrated scam by person(s) out of the Country, FBI responded and still working on, thankful that no one was hurt, store personnel handled very well, and the Berrien County Sheriff gave a press release.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

July 23 Minutes

Checks

Reports

Mark Siedenmark on behalf of Senator Ron Jelinek reported on the State FY Budget (Oct. 1) shortfall and tax reform and explained. Dire straights of the State of Michigan due to partisanship. Questions shared.

Library Board Member Liza Moon announced that she and Mary Lysy will adopt the 2 planters in front of Library. She stated the library would like to divide the motions from the last meeting and offer their assistance to act as hosts for meeting's between them, the Farmers' Market Board, Downtown Development Authority, City commission, and private property owners to resolve the property line issues. She reported on meeting with Vander Muelen and stated that the Library position was that a survey had been completed as brass monuments were installed and marked the property. Joe Vander Meulen replied that it would be beneficial for an easement onto Library property to access the electrical box affixed on the adjacent building. After deliberation, **Hagey moved that the City admit error on placing the electrical box on Library property, thus the city would lease a 6 x 20 portion of said property for \$1.00 a year and that the city would then relinquish their claim to the second floor of the library building for the remaining time. The City would further pay for the fence so long as the library keeps that area open and passable during daytime hours and so long as cost does not exceed \$1,000. Harrington seconded the motion and roll call vote carried unanimous. Hagey moved seconded by Harrington to agree and accept the generous offer to meetings to try and remedy the property issue that surrounds the common. Roll call vote carried unanimous.**

Harrington voiced her concern of the enormous amount of youth that came in from other communities during the last Halloween holiday and other concerns of kids being out on a school night. Discussion was shared about the Parade and Trek-or-Treat needing to be on Saturday. **Clark moved seconded by Cole to schedule the Trick-or-Treat observation on Wednesday October 31st from 6 to 8 pm. Roll call vote carried unanimous.**

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Reports continued

Unfinished Business continued

District Library Request for Funds

New Business

Trick-or-Treat

Public Comments

Mullendore

comments:

- Congratulated Wayne Writer
- Announced to honor the verbal agreement with Mrs. Metzger to maintain the frontage on the empty lot next to 4550 E. Front Street
- Recreation board meeting voted in board of directors. Michiana Cruisers in attendance to meeting and announced they want to stay in Buchanan and grow
- Thanked Michelle Klarich as

Chamber of Commerce Director and DDA Director and best wishes on her new venture

Commissioners' Comments

All commissioner's thanked and congratulated Wayne Writer

Clark comments:

- Thanked Norma Ferris for bringing up the Dial-A-Ride issue as she was also contacted
- Thanked Mullendore and Vander Meulen for assisting in preparation for the Northside Neighborhood Gathering
- Thanked Mullendore for Union bargaining process
- Thanked Klarich for her tenure as DDA/TIFA Director

Hagey comments:

- Thanked all for participating in Thursday meeting and welcomed organizations to set up meetings similar to
- Suggested the establishment of advisory groups of concerned citizens for research with one commissioner involved with each group
- Would like historic preservation and waterway discussion at next city commission meeting
- Tremendous opportunity for the City and DDA to work together on North Parking lot along with the Farmers' Market Board to work with Library
- Pleased for many in attendance and commended all
- City Website needs attention or source somewhere else

Moore comments:

- Confident to find a solution to Mill Race, Mill, and Trout Stream. Confirmed to work hard to find a solution
- Summarized her attendance to the Michigan Mayors Association Meeting
- Thanked all for participating in Commission meeting

Adjourn

Clark moved, seconded by Hagey to adjourn the meeting at 8:55 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

Public Comments continued

City Manager Comments

CITY OF BUCHANAN COMMISSION MINUTES

September 10, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, September 10th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge. Pastor Tom Fox, Portage Prairie United Methodist Church gave the Invocation. He also announced the 9-11 Patriot Day Observation.

Commissioners present: Barbara Clark, Carla Cole, Jennifer Harrington, Patricia Moore

Commissioners absent: Dave Hagey

Staff present: City Manager Meg Mullendore, Assistant City Manager/Public Services Director (ACM-PSD) Joe Vander Meulen, and Clerk Gladys Bybee

Guests/Visitors present: 8 visitors including 2 reporters

The Mayor asked for public comments regarding any agenda item. None heard.

Harrington moved seconded by Cole to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: Regular Meeting August 27, 2007
- Checks 53271 to 53346 in the amount of \$115,756.26
- Street Closure Request: Phelps Street to Smith Street and Smith Street from Phelps Street to Terre Coupe September 22nd for Marching Invitational

Vander Meulen thanked the staff and citizens for welcoming him into his job responsibilities and the community. He reported on the current and planned work of the Cemetery, Streets, Water and Wastewater Departments. He explained the Congestion Mitigation Air Quality (CEMAQ) grant money submittal for a street sweeper in the amount of \$144,000 and a possible grant for a special snow blower for downtown sidewalks through the Southwest Michigan Planning Commission.

A written report was received from Art Center President of the Board Mary Lister.

Vander Meulen explained the proposal for fall leaf pickup for a five-week period in the amount of \$20,640. from Greenscapes Landscape Management Services and introduced Mr. Chris Rose. Vander Meulen confirmed the costs were comparable as overtime costs in 2006 were about \$21,000. and did not include use of equipment. He recommended acceptance of the proposal as it was cost and work efficient. Deliberation included loss of overtime wages to city workers, other neglected street work, equipment changes due to weather, seasonal help advertisements, and guarantee that all leaves would be collected in a timely manner. Rose explained in detail when and how the collection process works and confirmed that they would come in the first week in December to complete job if necessary. ***Cole moved seconded by Moore to accept the Greenscapes proposal for fall leaf pick-up. Motion lost due to tie vote. YEA: Cole, Moore. NAY: Harrington, Clark. Cole moved seconded by Clark to table the issue for further discussion and cost details until the next meeting. Roll call vote carried by majority, 3-1. YEA: Moore, Cole, Clark. NAY: Harrington.***

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
August 27 Minutes
Checks
Street Closure

Reports

New Business

Leaf Pickup
Proposal from
Greenscapes

Vander Meulen reported the bid for re-roofing the DPW building as it had been an issue for the past two years. He explained the three quotes received and proposed that Chenoweth receive the award as their bid was more responsive, had a ten year labor warranty, and was more descriptive in detail. ***Cole moved seconded by Moore to accept the proposal from Chenoweth Roofing in the amount of \$6,146. as submitted and recommended. Roll call vote carried unanimous.***

DPW Building
Roof Bid

Mullendore summarized previous meetings between the City, Berrien County Economic Development Director Dan Fette, and Express-1 Representatives for infrastructure improvements for fiber based services at Andrews Farm Industrial Park. She introduced Express-1 President Jeff Curry and he announced that Express-1 was growing and explained the importance/critical need of the technology. AT&T Communication Specialist Steve VanWey explained the 1½ miles of high capacity technology infrastructure upgrades and discussion was shared. Mullendore stated the position of the Andrews Farm Plan dissolution that was previously adopted and announced that Andrews would be the second Industrial Park in the State with the fiber infrastructure. ***Cole moved seconded by Harrington to approve the telecommunications as a necessary infrastructure by awarding the installation of fiber segment near Buchanan High School to Andrews Farm Industrial Park to AT&T in the amount of \$154,440. Roll call vote carried unanimous.***

Fiber Segment
Installation to
Andrews Farm
Industrial Park

Pastor Tom Fox announced the 9-11 Patriot Day Ceremony at the Common. McCoy's Creek Trail Committee Member Lloyd Miller commended the Commission for making the decision to vote yes for Express-1 and distributed invitations for the Trail Dinner-Dance to each Commissioner. He reported \$29,000 raised with the last two events with money put back in the Trail. Greetings were shared.

Public Comments

Mullendore comments:

- Art Center request regarding the downtown amenities policy as they will be having a Scarecrow Contest. She would not require them going through the permit process as they will not be impeding or a hazard.
- Moose Lodge asked for Commissioners to volunteer to Judge the Costume Parade
- DVD "First Night Out" copies for Commissioners; will play in Three Oaks Theatre
- Start the process with Abonmarch tomorrow for the USDA grant

City Manager Comments

Harrington comments:

- Asked why the light at Front/Oak flashing early
- Announced Tin Shop Theatre next performance

Clark comments:

- Thanked Express-1 for their generosity for donating table at the Trail Dinner Dance

Cole comments:

- Remind all about Community Alliance against Substance Abuse Dinner

Moore comments:

- Urged attendance to Patriot Day Ceremony
- Thanks to all for participation in meeting.

Commissioners' Comments

Harrington moved, seconded by Clark to adjourn the meeting at 8:47 p.m. Voice vote carried unanimous.

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

September 24, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, September 24th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge. Gordon Fox gave the Invocation.

Commissioners present: Barbara Clark, Carla Cole, Dave Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Assistant City Manager/Public Services Director (ACM-PSD) Joe Vander Meulen, DPW Foreman Willie Brown and Clerk Gladys Bybee

Guests/Visitors present: 44 visitors including 2 reporters

Preservation Society President **Tom Fehlner** recalled the earlier meetings regarding the Mill Race issue and hoped for a reasonable plan to carry through fruition to assist Pears Mill Waterwheel. **Larry Elliott** announced his concern about the consideration of a contract without seeing, reviewing, or not being allowed to participate in the study. **Dick Haigh**, Preservation Society member stated his concern about providing more water flow to the waterwheel. Hagey clarified that this evening's presentation would explain the proposed Study in which the contract is for. **Alice Kring** stated her concern about Leaf Collection and was hopeful that the city check references as she was aware of numerous negative articles published in the newspaper. **Lorne Kay** supports dredging a cleaning the creek along but also opposes farming out leaf collection services. **Tim Johnson** asked the commission to speak with Chief Marx about allowing him to attend classes to be a police officer for the Buchanan Police Department. City should hire city residents. **Kim Gaul**, controller of a staffing firm explained that Greenscapes hire inexperienced temps from a service to provide for leaf collection.

Clark moved seconded by Harrington to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: Regular Meeting September 10, 2007
- Checks 53347 to 53453 in the amount of \$300,661.82
- Street Closure Request; Oak Street, Front Street and Redbud Trail from Senior Center to Moose Lodge for Halloween Parade October 27, 2007

Dave Jones, Southeast Berrien County Landfill Director announced that the leaves are recycled at the SEBCL. He explained that the landfill license was renewed and a new 6½ acre cell being developed and with expansion anticipate 17 to 20 years of landfill life expectancy. He further explained the very popular recycling and hazardous waste collection programs.

Chamber President Alice Kring presented checks to the organizations that participated in Old Mill Festival. She thanked the City for supporting the Chamber of Commerce, volunteer Joe Vander Meulen, and confirmed that no overtime occurred for city workers. She proposed that the City co-host Old Mill Festival next year due to the 150

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Discussion on
Agenda Items

Consent Calendar

Agenda
September 10
Minutes
Checks
Street Closure

Reports

Southeast Berrien
County Landfill

Old Mill Festival
Closing Comments
& Presentation

birthday celebration of the City. She summarized a program from the 1958 celebration and announced meetings forthcoming.

The City Clerk reported on the website, public broadcasting channel 99, Downtown Rental Rehab Grants, vacancies on boards and commissions and upcoming elections.

Tom Bennett, Stream Erosion Specialist presented a power point presentation about their business, Wetland and Coastal Resources, Inc. (WCR) that contained previous projects and what the work plan (surveying both waterways, fishery data samplings, sediment analysis) was for McCoy's Creek Trail and Mill Race. He explained meeting with Department of Natural Resources (DNR) and Department of Environmental Quality (DEQ) to discuss permit applications and alternatives for the improvement. He and Fisheries Biologist Aaron Snell proclaimed to be objective and scientific and would work with engineering firm to carry project through completion while working with all concerned parties. Questions were taken from the audience. There was debate about the trout stream and diverting the water from McCoy's Creek. Bennett stated goal is stable water course that will still allow the Mill to operate. Scientist Tom Fehlner agreed that further information would be beneficial and Engineer Dick Haigh believed \$14,000 was a good price. ***Hagey moved seconded by Cole to enter into the Contract for Professional Services with Wetland and Coastal Resources, Inc. to complete a study on the McCoy's Creek Trail and Mill Race in the amount of \$14,020. Roll call vote unanimous.***

Joe Vander Meulen recalled the previous meeting discussion and stated the ability to collect leaves was compromised due to short staff and costs. He confirmed research was done on both companies; subcontract was an alternative to free up workers to complete other tasks during the five week time. Questions and debate was shared with Vander Meulen, the audience and Commission. Vander Meulen explained the written report while all reviewed. Department of Public Works Foreman Willie Brown answered questions from commissioners and stated he was unaware of neglected work. Clark and Moore reported their inquiries into Streetscapes and Junoll with differing references. ***Clark moved seconded by Harrington not to seek outside contracting for leaf collection services providing receipt of seasonal applicants available by October 5th. If no seasonal applicants received then Greenscapes will be hired. Roll call vote unanimous.***

Kring again thanked Vander Meulen, Art Center for Scarecrows and city for allowing storage of donated seats from Twin City Theatre. She announced help needed for work days at the Tin Shop Theatre. **Proud** thanked Vander Meulen and announced support for Mullendore. **Allan Robant** suggested that city owned property at 314 Arctic Street could be moved due to historical value or donated to Habitat for Humanity. It was confirmed that an Engineer was brought in and assessment made to demolish the house with intent to rebuild for owner occupancy. Art Center Director **Mary Lister** thanked the commission for allowing the many displays of scarecrows downtown.

Mullendore comments:

- Request from Bob Strozewski for his twins, Jayson and Matthew to again do Hugs for Food Drive on the corner of Days Avenue and Front Street in October
- State still has not passed a budget; possible shutdown and services cut. City may lose more state revenue sharing income

Reports continued

Old Mill Festival

City Clerk/Election

Unfinished

Business

Wetland and Coastal Resources, Inc. Presentation for McCoy's Creek Trail/Mill Race Study

Contract for McCoy's Creek Trail/Mill Race Study

Leaf Pickup

Public Comments

City Manager Comments

- Thanked the Art Center for the scarecrows
- Completion of sidewalks and fence installed at Bainton Mill
- Her attendance to MML conference and City of St. Joseph received Region 2 award.
- Request for Qualifications (RFQ) going out for Phase 1, 2, and BEA on the EPA grant
- Upcoming event dates/times
- Garden Club doing Adopt-a-Pot program
- Film crew around the city filming “Whispers”

Comments
continued

All Commissioners praised the scarecrow displays administered by the Art Center

Commissioners’
Comments

Harrington comments:

- Thanked Joe and Willie for repairing downtown street light
- Thanked all in attendance

Hagey comments:

- Commissioner’s here to serve the citizens to find solutions and compromises
- All are committed to do what’s best for the city and not to take away work from employees
- Proud to serve with other members of the commission

Clark comments:

- Ditto of Harrington and Hagey comments
- Pleased with the team work
- Thanked all public in attendance

Cole comments:

- Enjoyed attendance to MML Conference, tour of Brownfield; State hospital in Traverse City refurbished to be commercial, lofts, offices. Encouraged other members to visit

Moore comments:

- Thanked all for attendance and participation with meeting
- 25th year of continued doctoring work in Buchanan, Thanks to patient’s

Hagey moved, seconded by Harrington to go into Closed Session to discuss the City Manager Evaluation as requested by Ms. Mullendore at 10:07 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 10:55 p.m. with no decisions made in closed session. ***The Mayor announced a very good evaluation of City Manager Meg Mullendore. Cole moved, seconded by Clark to approve increase the annual salary to \$64,500., include longevity initiative 5% of pay for five (5) years then 7% thereafter, severance package including \$100,000. penalty if termination is unjust, an additional three (3) vacation days and all other items as requested. Roll call vote carried unanimous.***

Closed Session

City Manager
Evaluation

City Manager
Contract Changes

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 10:56 p.m. Voice vote carried unanimous.

Gladys Bybee,CMC-City Clerk

Dr. Patricia Moore, Mayor

City Manager

CITY OF BUCHANAN COMMISSION MINUTES

October 8, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, October 8th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge. Reverend Tom Fox, Portage Prairie United Methodist Church gave the Invocation.

Commissioner Harrington read the biography of accomplishments Bill Ditz has contributed to the community. Mayor Moore presented the Citizen Appreciation Award to Bill Ditz and greetings were shared.

Commissioners present: Barbara Clark, Carla Cole, Dave Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Assistant City Manager/Public Services Director (ACM-PSD) Joe Vander Meulen, Police Chief Bill Marx, and Clerk Gladys Bybee

Guests/Visitors present: 9 visitors including 2 reporters

No public comments heard.

Cole moved seconded by Clark to approve the Consent Calendar as presented. Roll call vote unanimous.

- Agenda
- Minutes: Regular Meeting September 24, 2007
- Checks 53454 to 53551 in the amount of \$156,044.11

Joint Sewer Water Chairman Tom Gordon gave an updated report on the Joint Sewer and Water Board. He explained that connection procedures were reviewed and correct meter size, Landfill connections, future growth, pretreatment, and old infrastructure was being discussed.

The Mayor reported the DDA/TIFA is diligently working on Façade Improvement and Infrastructure Loan Programs for the district along with reviewing job descriptions for the Director and Programmer positions. She further noted that Phil Hempel and Valerie Phillips was appointed as DDA representatives to the Farmers' Market Board. Mullendore explained the advertisements in Lake Magazine and On the Other Side as approved by the DDA.

Cole moved seconded by Hagey to approve the designation of \$2,500 from public relations within the City Commission budget for advertising and promoting the Buchanan Farmers' Market and the other amenities in the Historic District.

The City Manager reported the intent to use revolving loan fund (RLF) dollars to rehabilitate the property at 314 Arctic Street into an owner occupied home and explained that she received a call from the State and HUD (Housing and Urban Development) wants to recapture the Revolving Loan Fund dollars and she would be working diligently with them to retain the dollars. She noted that the bid process was followed and three bids were received to demolish the house as it is a hazard. ***Clark***

Call to Order

Pledge/Invocation

Citizen
Appreciation
Award

Roll Call

Consent Calendar

Agenda
Sept. 24 Minutes
Checks

Reports

Joint Sewer and
Water Board

New Business

DDA/TIFA
Report/Update

Appropriate \$2,500
to promote
Farmers' Market

Bid Award, 314
Arctic Street
Demolition

moved seconded by Cole to award the bid to Knuth Excavating, Inc. in the amount of \$4,860. to demolish the unsafe structure at 314 Arctic Street paid with funds from fund balance in hopes that the RLF could reimburse fund balance as presented and recommended. Roll call vote carried unanimous.

City Vehicle
Policy
P2007-10-08a

After Mullendore explained the proposed City Vehicle Policy, ***Cole moved seconded by Clark to approve Policy P2007-10-08a as presented and recommended. Roll call vote carried unanimous.***

Nepotism Policy,
P2007-10-08b

Mullendore explained the proposed Nepotism Policy and recommended it for approval. ***Cole moved seconded by Hagey to approve Policy P2007-10-08b as presented and recommended.*** Clark spoke in opposition of the policy. ***Roll call vote, motion carried by majority. YEA: Cole, Hagey, Moore. NAY: Clark, Harrington.***

Public Comments

City Manager Comments

No public comments were heard.

Mullendore comments:

- Congratulations to Bill Ditz
- Commended the McCoy's Creek Trail Committee on their fundraiser (\$17,000)
- Thanked the Art Center for the scarecrows
- Upcoming event dates/times

Commissioners' Comments

Cole comments:

- Thanks to Bill Ditz
- Requested that the City purchase a new flag with the new logo

Clark comments:

- Asked about receipt of applications for leaf rakers

Hagey comments:

- Presented a copy of Lake Magazine and was pleased that the City would be advertising Buchanan's historical district and thanked commission members for their support

Moore comments:

- Apologized for missing Trail dinner; congratulated them for their success
- Thanked Bill Ditz for his dedicated response

Closed Session

Sept. 24, 2007
Minutes

Clark moved, seconded by Cole to go into Closed Session to review minutes from the closed session to evaluate the city manager at 8:17 p.m. Roll call vote carried unanimous. The Mayor reconvened the regular meeting at 8:24 p.m. with no decisions made in closed session. ***Harrington moved seconded by Clark to approve the September 24, 2007 closed session minutes as reviewed in closed session. Roll call vote carried unanimous.***

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 8:26 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

New Business continued

Bid Award, 314 Arctic Street Demolition

CITY OF BUCHANAN COMMISSION MINUTES

October 22, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, October 22nd. Mayor Moore called the meeting to order at 7:32 p.m.

All in attendance recited the Pledge. No Invocation was heard. Commissioner Cole read the biography of accomplishments Dick Gault has contributed to the community. Mayor Moore presented the Citizen Appreciation Recognition Award to Dick Gault and greetings were shared.

Commissioners present: Barbara Clark, Carla Cole, Dave Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Police Chief Bill Marx, and Clerk Gladys Bybee

Guests/Visitors present: 19 visitors including 2 reporters

No public comments heard.

Clark moved seconded by Cole to amend the Consent Calendar by removing the appointment of James Grosse to the Farmers' Market Board due to bylaw regulations and amend the October 8th minutes, New Business DDA/TIFA Report/Update second sentence to read, "She further noted that Phil Hempel WAS APPOINTED AS THE DDA REPRESENTATIVE and Valerie Phillips VOLUNTEERED was appointed as DDA representatives to the Farmers' Market Board. Roll call vote carried unanimous.

- Agenda as amended
- Minutes as amended: Regular Meeting October 8, 2007
- Checks 53552 to 53639 in the amount of \$111,361.14
- Certify Buchanan Township Delinquent Utility Billings to the 2007 Winter Tax Roll

Governor Tom West reported that the Moose Lodge consists of 692 members along with the Ladies of the Moose. He explained that the Moose assists and contributes to many other non-profit organizations such as shop with a cop, golf leagues, Michigan Special Olympics, drug awareness classes, school scholarships, cancer patient benefit dinners, etc. Noted that the Tin Shop will be doing rehearsals and BYSBA holds their meetings there. Moose member Joe Scanlon announced the Halloween Parade festivities sponsored by the Moose.

Chief Bill Marx distributed his report on Police/Code Enforcement Department. He explained changes in personnel, increased Reserve Officers by ten, department training, equipment (18 bullet proof vests) grant from Gateway, enforcement operations and other programs and initiatives. He noted that Reed Mann was hired for part-time Code Enforcement and Police Officer Troup was injured on the job with restitution ordered by the court. Chief Marx thanked the anonymous donor for purchasing 5 vests for the Police Reserve Unit. The Mayor noted that she has seen increased foot and bike patrols.

Call to Order

Pledge/Invocation

Citizen
Appreciation
Award

Roll Call

Public Comments

Consent Calendar

Agenda as
amended
October 8 Minutes
Checks
Certify Delinquent
Buchanan
Township Utility
Bills

Reports

Moose Lodge #449

Police and Code
Enforcement
Department

The City Manager reported that Attorney Hyrns had reviewed the Lease Agreement between City of Buchanan and Buchanan Area Senior Center for the building at 131 S. Oak Street and she is confident with content of the agreement. ***Cole moved seconded by Harrington to approve the Lease Agreement as presented and recommended. Roll call vote carried unanimous.***

After brief explanation of the emergency repair from the City Manager, ***Cole moved seconded by Clark to approve the Emergency Bid Waiver to repair clarifier upper torque tube at the Wastewater Treatment Plant in the amount of \$6,645.25 to Richland Machine. Roll call vote carried unanimous.***

Mullendore summarized the Buchanan Youth Softball Baseball Association (BYSBA) information from the thorough packet while commissioners reviewed. She explained the need for fence repair, purchase of new scoreboard, and the building of a new softball field with the seed funding request from BYBSA with pledged reimbursement from them from any money they received. Russell Stephens, Lions Club Member reported that they had received the grant request from BYBSA. Mullendore explained that the city did not maintain Smith Field in the past year as it was taken on by BYBSA along with constructing a new roof on concession stand. ***Harrington moved seconded by Cole to approve the seed money in the amount of \$12,379 as recommended by the City Manager.*** Questions were shared with commissioners and BYBSA Chairman JT Adkerson. ***Roll call vote carried unanimous.***

Mullendore reported solicitation of quotes for the transmission replacement to the vactor truck and recommended the lowest. ***Harrington moved seconded by Clark to accept the quote from Whiteford Kenworth in the amount of \$6,111. to replace the transmission in the vactor truck as recommended. Roll call vote carried unanimous.***

City Resident James Busby reported that he and several others have issues with Police Officer Carmen Bovo. The City Manager interjected that any discussion of the issues would be a violation of Public Act 267 of 1976 towards Officer Bovo and recommended the Commission not hear Mr. Busby's complaint in the open forum. Mayor Moore confirmed that she would be returning Busby's telephone call as soon as she learned all the facts. Busby alleged numerous unsuccessful contacts with the city manager. The Mayor called Mr. Busby out-of-order and Mr. Busby sat down.

Mullendore comments:

- Thanked the twins for their donations from "Hugs for Food"
- Thanked the Mason's for \$100 donation for Trek or Treat
- File for Life packet distributed with newsletter
- Last week for brush pick-up and leaf collection began today
- Stopped the fire department scheduled burn as a permit had not been obtained and also violations of the CSO and Clean Air Act
- Upcoming event dates/times

Hagey comments:

- Questioned the newest letter from the District Library and requested that common ground be sought to get the issue resolved as neither party needs the legal expense's

New Business

Buchanan Area Senior Center Lease Agreement

Bid Waiver,
WWTP Purchase
Clarifier upper
torque tube

Seed Money for
BYSBA, \$12,379.

Vactor
Transmission
Purchase, \$6,111.

Public Comments

City Manager Comments

Commissioners' Comments

Clark comments:

- Congratulation
s to Gault

- Agrees that we try and resolve the Library issue

Cole comments:

- Pleased that the Masonic Lodge is interested in being involved with youth in town
- Thanked Dick Gault for his dedication

Moore comments:

- Thanked and Congratulated Dick Gault
- Thanked the Fireman for the Pancake/Waffle Breakfast
- Thanked the volunteers for Kathryn Park Cleanup
- Confirmed to work on issue's with the Landfill and return with reports

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 8:37 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

Commissioner's Comments continued

CITY OF BUCHANAN COMMISSION MINUTES

November 12, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, November 12th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge. Reverend Tom Fox gave the Invocation. Commissioner Harrington read the biography of accomplishments Alice Kring has contributed to the community. Mayor Moore presented the Citizen Appreciation Recognition Award to Alice Kring and greetings were shared.

Commissioners present: Barbara Clark, Carla Cole, Dave Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Treasurer Juli O'Bryant, and Clerk Gladys Bybee

Guests/Visitors present: 9 visitors including 1 reporter

No public comments heard.

Harrington moved seconded by Cole to approve the Consent Calendar as submitted.

Roll call vote carried unanimous.

- Agenda
- Minutes: Regular Meeting October 22, 2007
- Checks 53640 to 53773 in the amount of \$174,858.04
- Street Closure Request, Front Street from Liberty to Oak; Rose Street from Days to Oak; Days Avenue from Front to Roe; and Oak Street from Front to Roe on December 7 for the Holiday Lighting Parade and Ceremony
- Resolution 2007.11/15, Endorsement for the Connecting Michigan Statewide Trailways Vision and Action Plan

WHEREAS, there is general recognition statewide of the many benefits of multi-use trailways, not the least of which is improving health, economic benefits, alternative transportation, access to the environment and natural areas, recreational opportunities, tourism and multi-jurisdictional cooperation; and

WHEREAS, the "Connecting Michigan Statewide Trailways Vision and Action Plan" released on May 15, 2007 is a comprehensive set of recommendations for completing a an interconnected statewide system of trailways in Michigan; and

WHEREAS, the plan is the result of the year-long work of over 100 task force members, working on the following 10 topics: Funding for acquisition, construction, maintenance and operation; Developing a statewide GIS trailway database and website; Property issues: easements and titles; Trailways usage: programming and promotions; On-road connections: linking the trailways; Building trailways support: education and advocacy; Overcoming boundaries: gaining cooperation; Coordinating Resources: technical assistance for funding, planning, design; Multi-Use Trails & Design: guidelines and information; and Envisioning a Statewide Trailways Network: opportunities and priorities; and

WHEREAS, the task force members included official participation from the National Park Service, Michigan Departments of Natural Resources, Transportation, Community Health, the Governor's Council on Physical Fitness, Health, and Sports, and Travel Michigan, Michigan Recreation and Park Association, various regional representatives from health, transportation, economic development agencies and regional trail groups and local representatives from county, municipal, and township jurisdictions, as well as individual trail advocates and statewide and local nonprofit groups; and

WHEREAS, the "Connecting Michigan Statewide Trailways Vision and Action Plan" contains 39 goals on the previously identified topics and 109 action steps that will be acted upon over the next several years by a number of involved partners who have agreed to continue to collaborate; and

WHEREAS, the "Connecting Michigan Statewide Trailways Vision and Action Plan" works in conjunction with Governor Granholm's recently released state trails initiative, "Michigan Trails at the Crossroads: A Vision for Connecting Michigan";

Call to Order

Pledge/Invocation

Citizen
Appreciation
Award

Roll Call

Public Comments

Consent Calendar

Agenda
October 22
Minutes
Checks
Street Closure

Resolution
2007.11/15,
Trailways
Endorsement

NOW, THEREFORE BE IT RESOLVED, that we the undersigned, attest to our endorsement of the Connecting Michigan Vision to complete an interconnected statewide trail system, and commit to participating with each other and our many partners in a collaborative effort to carry out the action steps necessary to achieve the Vision.

The Treasurer reported the completion of the summer tax cycle with winter taxes being prepared to send out December 1st along with the start of Dog License sales on the 1st. She reminded all the convenient way to pay taxes and utility bills.

Plante & Moran Partner Sharon Vargo distributed the Board Presentation for Year Ended June 30, 2007 and reported a clean audit opinion. All reviewed while Vargo explained in detail. She commended the commission and staff for their fiscal accountability. The complete Financial Report with Supplemental Information June 30, 2007 was distributed for prior review.

The clerk summarized the rental rehabilitation program and requirements and reported the request from Tom and Sharon Gauthier, recipients of the forgivable grant through Michigan State Housing Development Authority (MSHDA). The city manager confirmed that City Attorney Hyrns had reviewed the subordination agreement's (two). ***Hagey moved seconded by Cole to approve both agreements for subordination; one mortgage amount of \$49,998.00 and the other in the amount of \$75,000.00 for the five apartments at 217 E. Front Street owned by Tom and Sharon Gauthier. Roll call vote carried unanimous.***

Mullendore summarized the EPA Hazardous Assessment Grant and explained the Request for Qualifications (RFQ) and details of the \$200,000 award. ***Hagey moved seconded by Clark to approve the award for professional environmental services to Soil and Materials Engineers, Inc. (SME) for site assessment grant consulting services with the U.S. EPA Hazardous Assessment Grant Agreement not to exceed \$181,000. as presented and recommended. Roll call vote carried unanimous.***

Alice Kring noted that the Chamber received many complaint calls about trick-or-treat being observed on the actual day because it was during the week. She reported on attending the Festival Conference and recommended that all Halloween events be combined, including trick-or-treat.

Tom Fox announced that his visiting guests' were impressed with the Common facilities.

Mullendore comments:

- Congratulated Alice and thanked her husband Joe
- Reported that she and the Mayor met with Library Board members about the electrical box issue with request from them to recognize that the property is not public and privately owned by the library. She further explained the library representatives were going back to their board with positive discussions. The Mayor reiterated the opinions and thanked Mullendore.
- Asked the commissioners to review dates in February for Goal Setting Session
- Explained her meeting at Fernwood with new Director Carol Line and opportunities for partnerships
- Notice of her vacation from December 19th through 25th

Consent Calendar continued

Reports

Treasurer
Department

New Business

2006-2007 Fiscal
Year Audit

Subordination
Agreement's,
\$49,998.00 and
\$75,000.00

Award
Professional
Environmental
Services to SME
not to exceed
\$181,000.

Public Comments

**City Manager
Comments**

- Notification of another grant application

through DEQ and plans for submittal

- Announced that Alice Kring won a year membership at the State Festival Conference
- Announced upcoming event dates/times

**Commissioners’
Comments**

All commissioners’ congratulated and thanked Alice Kring.

Cole comments:

- Thanked Treasurer and staff for commendable audit
- Pleased that the city manager is getting out and meeting with community
- Glad to hear that rapport is moving forward with the Library

Clark comments:

- Asked about the commissioner pictures on the website. The clerk explained Bethel Apostolic Church did a presentation and would forward the power point via email

Hagey comments:

- Explained his thoughts for changing Trick-or-Treat
- Commended downtown building owners and driving force for the seasonal window displays
- Congratulated Buchanan students with new test scores, they won out over State
- Felt blessed to help trail group with staircase on trail
- Announced the statistics of \$6.1 million dollars in grants and projects in town statistical listing since 1998 because of the underlying sentiment in town that commission doesn’t do things

Harrington comments:

- Congratulated Treasurer and staff on audit
- Urged purchase of Lions Club Candy
- Reminder of PERC Club breakfast
- Happy Thanksgiving

Moore comments:

- Thanked all for the Halloween Festivities
- Pleased with direction the City is going
- Commended City Manager and Staff

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 8:32 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

City Manager’s Comments continued

CITY OF BUCHANAN COMMISSION MINUTES

November 26, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, November 26th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge.

Commissioners present: Barbara Clark, Carla Cole, Dave Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Assistant City Manager/Public Services Director Joe Vander Meulen, Police Chief Bill Marx, and Clerk Gladys Bybee

Guests/Visitors present: Friends of Oak Ridge Cemetery Chairman Lyle Sumerix and 9 visitors including 1 reporter

Stella Proud announced her pleasure to be back in attendance.

Harrington moved seconded by Clark to approve the Consent Calendar as submitted.

Roll call vote carried unanimous.

- Agenda
- Minutes: Regular Meeting November 12, 2007
- Checks 53774 to 53830 in the amount of \$48,848.10
- Three Year Data Processing Contract for Berrien County Information Services
- Three Year Supplemental Agreement for Berrien County Information Systems
- MDOT Project Authorization FY 2008 Section 5311 Operating
 - i. Resolution 2007.11/16, Accepting Operating Agreement and Authorizing the Mayor and Transportation Coordinator to sign the same

WHEREAS, the State of Michigan Department of Transportation (MDOT) has offered the City of Buchanan Dial-A-Ride public transportation system 5311 operating monies equal to 16 percent of audited costs for FY2008; and

WHEREAS, MDOT Agreement No. 2007-0181/Z2, Project No. 101893 will provide 16 percent of eligible audited operating costs, which are \$21,533.

NOW, THEREFORE BE IT RESOLVED that the City of Buchanan does hereby make its intentions known to accept this MDOT Agreement No. 2007-0181/Z2, Project No. 101893 Section 5311 federal operating assistance for FY2008.

BE IT FURTHER RESOLVED that the City of Buchanan authorizes Julianne O'Bryant as Transportation Coordinator, and Dr. Patricia Moore, Mayor of the City of Buchanan to jointly execute MDOT Agreement No. 2007-0181/Z2, Project No. 101893 for the Commission for 2008 Section 5311 Federal operating assistance.

Friends of Oak Ridge Cemetery Chairman Lyle Sumerix and member Ron Bennett presented the plaque naming the deceased buried in Potter's Field. Sumerix reported that public appeal raised \$4,413., expect to launch web page in January (www.friendsofoakridge.org, cemetery walk, needed policy change for graveside decoration, needed policy for extermination of moles, and needed repair to slate on the chapel and roofs on out buildings.

Former Commissioner and Moose Governor Joe Scanlon introduced Moose Governor Tom West, and member's Don Welsh and Dave Johnson. He explained the request to

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

October 22

Minutes

Checks

Street Closure

Resolution

2007.11/15,

Trailways

Endorsement

name the street between Rynearson and E. Front (now known as Rynearson/Front cut-off) Johnson Street in tribute to Dave Johnson for his unselfish dedication with the community. Joe Vander Meulen reported that he spoke with Michigan Department of Transportation for the procedure and supported the request. ***Hagey moved seconded by Cole to name the Rynearson/Front cut-off Johnson Street as requested and recommended. Roll call vote carried unanimous.***

Friends of Oak Ridge Cemetery

New Business
Street Naming,
Johnson Street

Vander Meulen reported the seal leak in the back-hoe and receipt of two quotes. After shared questions/discussion, ***Cole moved seconded by Harrington to approve the repair cost of \$6,548.93 to MacDonald Machinery as presented. Roll call vote carried unanimous.***

Back hoe repair

Moore moved seconded by Clark to amend the resolution by deleting the verbiage authorizing the Mayor and Treasurer to sign checks. Roll call vote carried unanimous. Harrington moved seconded by Cole to approve the resolution as amended.

WHEREAS, the City Commission of the City of Buchanan wishes to cancel the December 26, 2007 meeting due to the holiday season;

NOW, THEREFORE, BE IT RESOLVED that the December 26, 2007 meeting is cancelled.

Roll call vote carried unanimous. Resolution 2007.11/17 declared adopted.

Public Comments

Mullendore comments:

- Congratulated Shirley Roti-Roti on 85th birthday, thanks to her family for endowment to the Art Center
- City and Union reached an extension for an additional two weeks of leaf collection
- Thanks to all who have donated to the Holiday Lighting Ceremony and Holiday Hunt
- Announced upcoming event dates/times

City Manager Comments

Cole comments:

- Thanked the Friends of Oak Ridge Cemetery
- Thanked Dave Johnson for his contributions

Moore comments:

- Congratulated Shirley Roti-Roti & Art Center
- Looking forward to Holiday Festivities
- Announced the inductees to the Buchanan High School Football Hall of Fame

Harrington moved, seconded by Clark to adjourn the meeting at 8:04 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

Consent Calendar continued

Reports

City Manager's Comments continued

Commissioners'
Comments

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

November 26, 2007

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, November 26th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge.

Commissioners present: Barbara Clark, Carla Cole, Dave Hagey, Jennifer Harrington, Patricia Moore

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Assistant City Manager/Public Services Director Joe Vander Meulen, Police Chief Bill Marx, and Clerk Gladys Bybee

Guests/Visitors present: Friends of Oak Ridge Cemetery Chairman Lyle Sumerix and 9 visitors including 1 reporter

Stella Proud announced her pleasure to be back in attendance.

Harrington moved seconded by Clark to approve the Consent Calendar as submitted.

Roll call vote carried unanimous.

- Agenda
- Minutes: Regular Meeting November 12, 2007
- Checks 53774 to 53830 in the amount of \$48,848.10
- Three Year Data Processing Contract for Berrien County Information Services
- Three Year Supplemental Agreement for Berrien County Information Systems
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WHEREAS, MDOT Agreement No. 2007-0181/Z2, Project No. 101893 will provide 16 percent of eligible audited operating costs, which are \$21,533.

NOW, THEREFORE BE IT RESOLVED that the City of Buchanan does hereby make its intentions known to accept this MDOT Agreement No. 2007-0181/Z2, Project No. 101893 Section 5311 federal operating assistance for FY2008.

BE IT FURTHER RESOLVED that the City of Buchanan authorizes Julianne O'Bryant as Transportation Coordinator, and Dr. Patricia Moore, Mayor of the City of Buchanan to jointly execute MDOT Agreement No. 2007-0181/Z2, Project No. 101893 for the Commission for 2008 Section 5311 Federal operating assistance.

Friends of Oak Ridge Cemetery Chairman Lyle Sumerix and member Ron Bennett presented the plaque naming the deceased buried in Potter's Field. Sumerix reported that public appeal raised \$4,413., expect to launch web page in January (www.friendsofoakridge.org), cemetery walk, needed policy change for graveside decoration, needed policy for extermination of moles, and needed repair to slate on the chapel and roofs on out buildings.

Former Commissioner and Moose Governor Joe Scanlon introduced Moose Governor Tom West, and member's Don Welsh and Dave Johnson. He explained the request to

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

November 12

Minutes

Checks

Data Processing

Contract

Supplemental

Agreement

Resolution

2007.11/16,

MDOT Operating

Funds

Reports

Friends of Oak
Ridge Cemetery

New Business

Street Naming,
Johnson Street

name the street between Rynearson and E. Front (now known as Rynearson/Front cut-off) Johnson Street in tribute to Dave Johnson for his unselfish dedication to the community. Joe Vander Meulen reported that he spoke with Michigan Department of Transportation regarding the procedure and supported the request. ***Hagey moved seconded by Cole to name the Rynearson/Front cut-off "Johnson Street" as requested and recommended. Roll call vote carried unanimous.***

Street Naming,
Johnson Street

Back hoe repair

Vander Meulen reported the seal leak in the back-hoe and receipt of two quotes. After review and shared questions/discussion, ***Cole moved seconded by Harrington to approve the repair cost of \$6,548.93 to MacDonald Machinery as presented. Roll call vote carried unanimous.***

Resolution
2007.11/17,
Canceling
December 26, 2007
City Commission
Meeting

Moore moved seconded by Clark to amend the resolution by deleting the verbiage authorizing the Mayor and Treasurer to sign checks; as they already have the authority. Roll call vote carried unanimous. Harrington moved seconded by Cole to approve the resolution canceling the 2nd meeting in December as amended.

WHEREAS, the City Commission of the City of Buchanan wishes to cancel the December 26, 2007 meeting due to the holiday season;

NOW, THEREFORE, BE IT RESOLVED that the December 26, 2007 meeting is cancelled.

Roll call vote carried unanimous. Resolution 2007.11/17 declared adopted.

**City Manager
Comments**

Mullendore comments:

- Congratulated Shirley Roti-Roti on 85th birthday, thanks to her family for endowment to the Art Center
- City and Union reached an extension for an additional two weeks of leaf collection
- Thanks to all who have donated to the Holiday Lighting Ceremony and Holiday Hunt
- Announced upcoming event dates/times

**Commissioners'
Comments**

Cole comments:

- Thanked the Friends of Oak Ridge Cemetery
- Thanked Dave Johnson for his contributions

Moore comments:

- Congratulated Shirley Roti-Roti & Art Center
- Looking forward to Holiday Festivities
- Announced the inductees to the Buchanan High School Football Hall of Fame

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 8:04 p.m. Voice vote carried unanimous.

Gladys Bybee, CMC-City Clerk

Dr. Patricia Moore, Mayor

New Business continued

CITY OF BUCHANAN COMMISSION MINUTES

December 10, 2007

Pledge/Invocation

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan, Monday, December 10, 2007. Mayor Moore called the meeting to order at 7:30 pm.

Presentation
to
Gateway
Foundation

All in attendance recited the *Pledge of Allegiance*. Invocation was done by Reverend Lynn Bailey from the Buchanan Church of the Nazarene.

On behalf of the Buchanan City Police Department Reserve Division, Police Chief Bill Marx presented a photograph depicting the Reserve Division as a thank you to the Gateway Foundation, Unity Hospital Education Fund for a grant in the amount of \$7,800 that the police department received for the reserves which allowed them to purchase 18 brand new bullet-proof vests. The vests are valued at \$437 each. Funds were also received from a private donor which allowed for the purchase of five additional vests, bringing the total of the new vests to 23. Reserve officers must purchase their own equipment, which is very expensive. Marx went on to state that the Department is in the process of securing further funding to purchase two remaining bullet-proof vests.

Roll Call

On behalf of the trustees of the Gateway Foundation, Rob Habicht accepted the photograph and conveyed that the Gateway Foundation is pleased to be able to serve the City it gives them great pleasure to make an investment in what they think is an important issue.

Commissioners present: Carla Cole, Barbara Clark, Patricia Moore, Dave Hagey, and Jennifer Harrington.

Commissioners absent: None.

Staff present: City Manager Meg Mullendore; Police Chief William Marx; and Buchanan Township Clerk Cathy Ganus, taking minutes due to City Clerk Gladys Bybee having a death in the family.

Guests/Visitors present: One visitor and two reporters.

Public Comment

No public comments heard.

Consent Calendar
Agenda as amended
November 26
Minutes
Checks as amended

Cole moved, seconded by Hagey to amend the Consent Calendar by amending calendar item C by adding check # 53933 as well as amending the total to \$127,997.39. Roll call vote carried unanimous.

Harrington moved, seconded by Clark to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular Meeting November 26, 2007
- Checks 53831 to 53933 in the amount of \$127,997.39

Reports

No reports were given.

Call to Order

Center Director Alice Hopkins, City staff feels that the terms are acceptable with one exception. It is recommended that a second opinion be obtained regarding the roof and whether or not it needs to be replaced or simply repaired. **Hagey moved, seconded by Harrington to agree to the terms of the lease for the Buchanan Senior Center with the exception of the roof, that a second opinion be obtained regarding replacement or repair. Roll call vote carried unanimously.**

Buchanan
District
Library
Lease
Parameters

The Library has twelve items it requires as part of its lease agreement with the City for the electrical box located on the Rubicon building that encroaches on their property. Mullendore advised that city attorney Randy Hyrns has had some concerns, specifically with regard to the leasing of air space as well as the City paying all legal fees pertaining to the lease. She stated she doesn't necessarily have issue with respect to downsizing the box and painting it but has issue with the three year time period, which was originally relative to the installation of an elevator, which was not to be installed until the library bond is paid off, which is thought to be in eight to ten years. Mullendore went on to state that the City has no intention of using the second story of the building and already assumes all liability for the box. She does have issue in regards to the complete removal of the box. Commissioner Hagey stated that the City has a golden opportunity to work together with the Library Board. He advised he would have no objection to reducing the size of the box or camouflaging the box but could not agree to expending \$15,000 to \$20,000 of General Fund monies to move a box that has been there for 20 years. Commissioner Cole agreed and expressed concern with using the funds to move the box. **Hagey moved, seconded by Cole to authorize the City Manager to inform the district library board that we accept their terms with the exception of items one, five, and eight Further, that we authorize the City Manager to negotiate the change in the time frame discussed in item one and present the Commission's concerns and request the elimination of items five and eight. Roll call voted carried unanimously.**

New Business
Amendment
Zoning
Ordinance
Article XI
Section 11.04

Two buildings downtown were having work performed on them and it was found that the design standards previously established were not being adhered to. After researching this issue, it was found that the only time design standards have to be adhered to is if façade monies are being applied for. The intent was that the design standards in the downtown district were applicable across the board. This has been through attorney review. This item was discussed at the DDA meeting. It was then taken to the Plan Commission for the formal procedure to amend the ordinance. The Plan Commission had a public hearing on this item and solicited public comment as required. The Plan Commission has recommended this zoning ordinance amendment for approval by the City Commission. **Harrington moved, seconded by Clark to approve the amendment to Zoning Ordinance. Roll call vote carried unanimously.**

Establish Date
For Goal Session

Berrien County Fire
Services Mutual Aid
Assistance
Agreement

February 2, 2008 was set as the date for the Goal Session.

Mullendore advised that since the City Fire Department participates in providing mutual aid assistance to surrounding communities as well as the State of Michigan placing more weight on crossing jurisdictional lines, she would recommend that the Commission approve Resolution 2007.12/18, Berrien County Fire Services Mutual Aid Assistance Agreement.

**Unfinished
Business**

Buchanan Area
Senior Center
Request

Harrington moved, seconded by Clark to approve Resolution 2007.12/18, Berrien County Fire Services Mutual Aid Assistance Agreement. Roll call vote carried unanimously.

WHEREAS, there
27 municipal
departments wit
Berrien Cou

Michigan, with adjoining geographical jurisdictions. Each department has a recognized jurisdictional service area, and to the extent possible, possesses the appropriate response equipment and personnel for its operations with their service areas; and

WHEREAS, there is the potential for emergency or disaster situations occurring that may exceed the response capability of any one particular department to successfully respond to and recover from these incidents. In such situations, that department may require the aid or assistance of other fire departments; and

WHEREAS, the City of Buchanan Fire Department desires to enter into an agreement with local emergency 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.

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

Public Comment

City Manager Comments

No public comments offered.

Mullendore comments:

- Met with the DEQ as well as Abonmarche - rate is 2.5 percent which is good
- Announced that she is leaving Wednesday for Phoenix and will be back after Christmas
- A big thank you to the Gateway Foundation for their grant for the Police Department
- Went to the police range today and qualified with a weapon along with the regular officers
- Thanks to Santa and Mrs. Claus for their attendance to the Christmas lighting ceremonies

Commissioners' Comments

Clark comments:

- Enjoyed the singing during the Christmas lighting ceremonies
- Condolences to City Clerk Gladys Bybee on the death of her brother
- Thank you to Cathy Ganus for filling in for Gladys
- Thank you to the Gateway Foundation for the vests
- Merry Christmas and Happy New Year

Cole comments:

- Recently attended a Farmers Market and her words of advice were promote, promote, promote
- Thanks to everyone who worked on the holiday lighting and holiday hunt
- Thanks to the Gateway Foundation for the vests
- Condolences to City Clerk Gladys Bybee and her family
- Merry Christmas and Happy New Year

New Business continued

Resolution
2007.12/18
Accepting
Berrien
County
Fire
Services
Mutual
Assistance
Agreement

Hagey comments:

- Thank you to the Gateway Foundation
- Thanks to everyone who participated in the City lighting

- Merry Christmas and Happy New Year

- Condolences to City Clerk Gladys Bybee

Harrington comments:

- Thank you to the Gateway Foundation
- Thanks to everyone who worked on the Christmas lighting. Santa and Mrs. Claus looked really good this year.
- Extended congratulations to Brianne Weldy, the 2008 Miss Buchanan
- Extends her sympathy to City Clerk Gladys Bybee
- Wishes everyone a safe and happy holiday season

Moore comments:

- Condolences to City Clerk Gladys Bybee for the loss of her brother
- The City will be celebrating 175 years since the first settlers came to the area and 150 years since Buchanan became a city
- Gateway will be celebrating their 30th birthday
- Thank you to the whole city, the employees, and the businesses who all contributed in such a significant way for the Christmas lighting ceremonies
- Attended Miss Buchanan contest and was impressed by all the contestants
- Congratulations to Brianne Weldy for Miss Buchanan
- Thanks to Miss Buchanan 2007 Dana Vorrath
- Looking forward to awarding the new Miss Buchanan the Key to the City
- Thanks to Santa and Mrs. Claus
- Looking forward to the rededication to the City in 2008

Adjourn

Harrington moved, seconded by Clark to adjourn the meeting at 8:19 pm. Voice vote carried unanimously.

Cathy A. Ganus

Dr. Patricia Moore, Mayor

Commissioners'
Comments
(continued)