

# CITY OF BUCHANAN COMMISSION MINUTES

January 14, 2008

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, January 14th. Mayor Moore called the meeting to order at 7:32 p.m.

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

Commissioners present: Barbara Clark, Jennifer Harrington, Patricia Moore

Commissioners absent: Carla Cole, Dave Hagey

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: Diana Davis, Buchanan Community School Superintendent and 7 visitors including 2 reporter

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

*Roll call vote carried unanimous.*

- Agenda
- Minutes: Regular Meeting December 10, 2007
- Checks 53933 to 54024 in the amount of \$116,576.33 from December 24, 2007
- Checks 54025 to 54143 in the amount of \$327,977.20
- Banner Placement Form from Buchanan Youth Softball Baseball Association (BYSBA) for 2008 Sign-up
- Resolution 2008.01/19, **RESOLUTION 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, 2008 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, 2008, the School District shall certify to the Treasurer the school millage to be levied on property for summer school tax collection in 2008; 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 14<sup>th</sup> day of January 2008.

- 2008 List of Meetings for the City of Buchanan

Buchanan Community Schools Superintendent Diana Davis reported on Hall of Fame Inductees, January School Board recognition month, process of energy audit, and currently updating the schools website. Greetings were shared and Davis distributed cards with statistical information.

Kenton McAndrew, Abonmarche reported on upcoming application filing dates for the State Revolving Fund (SRF) and Drinking Water Revolving Fund (DWRF) Process. He gave further explanation regarding the preliminary meetings being held for water and wastewater upgrades and the upcoming public hearings.

Mullendore explained the Downtown Development Authority (DDA) Bylaw proposed amendment that would increase membership by one (1) and establishes a maximum

## Call to Order

## Pledge/Invocation

## Roll Call

## Consent Calendar

Agenda

December 10, 2007

Minutes

Checks

Banner Placement

Resolution

2008.01/19,

Summer School

Tax Collection

Negotiation

2008 List of

Meetings

## Reports

Buchanan

Community

Schools

## Unfinished

### Business

Update on

Water/Sewer

Upgrades

### New Business

DDA Bylaws

Amendment

amount for the Director to spend without DDA approval. *Harrington moved seconded by Clark to approve the DDA Bylaw Amendment as proposed and presented. Roll call vote carried unanimous.*

Farmers' Market  
Board Bylaw  
Amendment

After brief explanation from Mullendore, *Harrington moved seconded by Clark to approve the Farmers' Market Board Bylaws as amended by Board and favorably recommended by DDA. Roll call vote carried unanimous.*

Farmers' Market  
Board Appoint.,  
Jimmie Grosse

*Harrington moved seconded by Clark to appoint Jimmie Grosse to the Farmers' Market Board as recommended by both the DDA and Market Board. Roll call vote carried unanimous.*

Contribute \$500. to  
Chamber of  
Commerce &  
Increase Garage  
Sale Permit Fee for  
Community Wide  
Garage Sales

Alice Kring explained the Chamber of Commerce written request for the City to partner with the Chamber of Commerce by contributing \$500. towards the Community Wide Garage Sales due to increased costs to produce the garage sale map. She also suggested that the City increase the permit fee from \$3.00 to \$5.00. *Harrington moved seconded by Clark to increase the garage sale permit fee to \$5.00 during the Community Wide Garage Sales and pay the Chamber of Commerce \$500. to compile and produce the map. Roll call vote carried unanimous.*

### Public Comments

Alice Kring asked about old city logo history and urged all residents for any pictures or memorabilia from the 1958 Celebration and thanked the City for paying to sponsor the Chamber banquet in March. She also announced upcoming PERC Breakfast. Tom Fox relayed comments of commendation that he received to the street department for clearing streets.

### City Manager Comments

#### **Mullendore** comments:

- DDA discussing developing a website; thus she was creating bid specs and would like to make a major update to City Website
- DDA preparing for the downtown plantings and would be utilizing city funds for the planter at south Redbud as it is outside their district
- Met with Leader Publication about Marketing the City of Buchanan

### Commissioners' Comments

#### **Moore** comments:

- Congratulated School Board members; appreciate their commitment
- Officially Thank all involved with the holiday festivities
- Happy Birthday to the City of Buchanan and encourage all organizations to get involved with this years Birthday Festivities

### Adjourn

*Harrington moved, seconded by Clark to adjourn the meeting at 8:15 p.m. Voice vote carried unanimous.*

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

New Business continued  
DDA Bylaw Amendment

# CITY OF BUCHANAN COMMISSION MINUTES

January 28, 2008

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, January 28th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge of Allegiance. No invocation was given.

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, Attorney Randy Hyrns, and Clerk Gladys Bybee

Guests/Visitors present: Kim O’Haver, Transportation Management, Inc. Vice President, Charles Tuttle, Worshipful Master from Buchanan Masonic Lodge #68 and 10 visitors including 2 reporters

*Hagey moved seconded by Clark to amend the Agenda under the consent calendar by adding an additional closed session for pending litigation as requested by City Attorney Randy Hyrns. Roll call vote carried unanimous.* Mullendore clarified the annual garage sale resolution as questioned by Commissioner Harrington. *Harrington moved seconded by Hagey to approve the Consent Calendar as amended. Roll call vote carried unanimous.*

Agenda as amended

Minutes: Regular Meeting January 14, 2008

Checks 54144 to 54213 in the amount of \$125,074.97

Acknowledge 2008 List of Meetings for the Friends of McCoy’s Creek Trail

Appoint David Pitts to the Buchanan Area Fine Arts Council as recommended

Resolution establishing Garage Sale fees during Community Wide Garage Sale

**WHEREAS**, the City of Buchanan assists with the collection and issuance of permits pertaining to the Annual Community Wide Garage Sales sponsored by the Chamber of Commerce; and

**WHEREAS**, the City Commission of the City of Buchanan voted on January 14, 2008 to subsidize the costs by providing \$500.00 to the Buchanan Chamber of Commerce and also increase the permit fee to \$5.00; and

**WHEREAS**, the Chamber of Commerce develops a garage sale location map and promotes and advertises for participants whom have obtained a permit.

**NOW THEREFORE BE IT RESOLVED** the City Commission hereby establishes a fee to obtain a Garage Sale Permit during the Annual Community Wide Garage Sales of \$5.00 prior to the deadline and \$10.00 on the day of the sale.

FEES are established as follows:

Prior to sale.....\$ 5.00

On site permit..... \$10.00

**NOW THEREFORE BE IT RESOLVED** that the Buchanan City Commission hereby adopts the aforementioned fees for a Garage Sale Permit when participating in the Annual Community Wide Garage Sales.

**RESOLUTION 2008.01/20 DECLARED ADOPTED** this 28th day of January, 2008.

Masonic Lodge Worshipful Master Charles Tuttle reported the Mason’s being the oldest men’s religious organization and further explained charitable programs by providing grants, mentoring, and assisting/participating in local events.

Attorney Hyrns summarized history of the lease purchase of 101 W. Smith Street with Chris Tapper, Owner of C-Saw (a.k.a. JTEK Engineering, Inc.). He explained the Quit

## Call to Order

## Pledge/Invocation

## Roll Call

## Consent Calendar

Amended Agenda

January 14, 2008

Minutes

Checks

Addendum 1 to

2008 List of

Meetings

Fine Arts Council

Appointment

Resolution

2008.01/20,

Community Wide

Garage Sale Fees

## Reports

Buchanan Masonic  
Lodge #68

## Unfinished

## Business

Quit Claim Deed,  
101 W. Smith St.

Claim Deed and Assignment and Waiver and noted that Tapper had agreed to continue the easement while all reviewed documentation. After brief discussion and recommendation from Hyrns, **Hagey moved seconded by Cole to approve the Quit Claim Deed as presented. Roll call vote carried unanimous. Hagey moved seconded by Clark to approve the Assignment and Waiver as presented. Roll call vote carried unanimous.**

Quit Claim Deed, 101 W. Smith St. Assignment of Waiver

**New Business**

Elgin Crosswind Street Sweeper Purchase

Vander Meulen introduced Wayne Demchinski from Bell Equipment and reported on the proposed purchase of the compressed natural gas (CNG) powered street sweeper at a cost of \$208,117. He explained the 80/20 match (\$169,000/\$39,117) with Congestion Mitigation and Air Quality (CEMAC) grant funding, and calculations of capital reserve funds (\$109,000). Questions and discussion was shared with Commission, Vander Meulen, and Demchinski regarding the fill station, unnecessary radio with cd player, quality, repair and availability of parts, and efficiency of natural gas verses diesel. **Hagey moved seconded by Clark to purchase the Elgin Crosswind Street Sweeper from Bell Equipment as discussed. Roll call vote carried unanimous.**

Resolution 2008.01/21, MDOT Operating Agreement and Authorization for Buchanan Dial-A-Ride

Kim O’Haver (third party administrator) distributed the Service Statistics for 2007 Buchanan Dial-A-Ride and explained while all reviewed. She further explained the MDOT Project Authorization FY 2009 Section 5311 Operating Program and the Local Advisory Council (LAC) made up of city residents and one member of the Chamber of Commerce. O’Haver confirmed the purchase of three new buses with expected arrival in May and recognized helpfulness of staff. **Cole moved seconded by Clark to approve the resolution accepting Operating Agreement and Authorizing the Mayor and Transportation Coordinator to sign the same. Roll call vote carried unanimous.**

**WHEREAS**, pursuant to Act No. 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 2009 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

**WHEREAS**, the performance indicators for this agency have been reviewed and approved by THE APPLICANT; and

**WHEREAS**, THE APPLICANT, has reviewed and approved the proposed balanced (surplus) budget, and funding sources of estimated federal funds \$21,497, estimated state funds \$62,703, estimated local funds \$73,503, estimated fare box \$12,750, estimated other funds \$3,000, with total estimated expenses of \$173,453.

**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 2009.

**RESOLUTION 2008.01/21 DECLARED ADOPTED** this 28th day of January, 2008.

Bobcat Purchase for Cemetery Dept.

Vander Meulen reported that he and Cemetery Supervisor Jon Raines solicited two quotes for the purchase of a new bobcat to clear snow from the sidewalks and excavate gravesites at the cemetery. He explained the replacement of the 1986 bobcat and budget in capital reserve for the purchase. After shared discussion, **Hagey moved seconded by Cole to purchase the bobcat from Hull Lift Truck in the amount of \$23,953.36 as presented and recommended. Roll call vote carried unanimous.**

Kathy Kingery commended and thanked Ms.

**Unfinished Business continued**

O'Haver for her compliments and stated she was proud to live in Buchanan.

**Mullendore** comments:

- Expressed condolences to Willie and John Brown on the loss of their sister
- Gone for the remainder of the week to the City Manager Conference
- Affirmed O'Haver and Kingery's comments that Buchanan is a great place to live

**Harrington** comments:

- Condolences to the Brown family
- Thoughts and prayers to the family of Virginia Reed

**Clark** comments:

- Condolences to the Brown family

**Moore** comments:

- Condolences to both families

**City Manager  
Comments**

**Commissioners'  
Comments**

**Closed Session**

*Harrington moved, seconded by Cole to go into closed session to discuss Personnel: Employee Discipline. Roll call vote carried unanimous. Harrington moved seconded by Clark to go into closed session to discuss pending litigation at 8:20 p.m. Roll call vote carried unanimous.*

The Mayor reconvened the regular meeting at 8:53 p.m. with no decisions made in closed session. *Hagey moved, seconded by Cole to accept legal counsel recommendation regarding the pending litigation. Roll call vote carried unanimous.*

**Adjourn**

*Harrington moved, seconded by Clark to adjourn the meeting at 8:54 p.m. Voice vote carried unanimous.*

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

**Public Comments**

# CITY OF BUCHANAN COMMISSION MINUTES

February 11, 2008

**Mayor Moore called the public hearing to order at 7:30 p.m.** and invited public comments on the proposed application for re-use of Community Development Block Grant Program Funds administered through the Small Cities Grant Program of the State of Michigan to construct an affordable living unit to benefit low to moderate income individuals with a total project estimated cost of \$75,000. to \$90,000. Alan Robandt asked the location where the money would be spent and could the money be used in another location. Mullendore replied that funds were through Housing & Urban Development (HUD) and could only be used for specific purposes. Being no further comments or receipt of written comments, ***Clark moved seconded by Cole to close the public hearing at 7:34p.m. Roll call vote carried unanimous.***

**A regular meeting of the City Commission** was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, February 11th. Mayor Moore called the meeting to order at 7:34 p.m.

All in attendance recited the Pledge of Allegiance. No invocation was given.

Tom Fehlner, Preservation Society President and on behalf of Pears Mill offered support of the proposal from Preservation Practices for the National Register of Historic Place Residential Nomination.

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

Commissioners absent: Jennifer Harrington

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

Guests/Visitors present: Pam O'Connor, Preservation Practices President and 10 visitors including 2 reporters

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

- Agenda
- Minutes: Regular Meeting January 28, 2008
- Checks 54214 to 54330 in the amount of \$128,189.36
- Banner Placement for Buchanan Community Schools/Buchanan School Farm for April 1, 2008 to April 21, 2008 to announce Annual Plow Day
- Appoint Kelly Carlin to the Buchanan Area Fine Arts Council
- Mid-Year Budget Amendment (transfers of line items) within the General Fund

The Mayor announced that the report from Jack McClellan, Buchanan Common Committee would be postponed until next meeting as requested.

Vander Meulen reported on the bid waiver to purchase ECR Registers (water meters) from ETNA Supply Company and explained the meter upgrade. ***Hagey moved seconded by Cole to approve the bid waiver in the amount of \$6,023 to ETNA Supply Company as presented and recommended. Roll call vote carried unanimous.***

## Public Hearing

Re-use of CDBG Funds

## Call to Order

## Pledge/Invocation

## Public Comments

## Roll Call

## Consent Calendar

Agenda

January 28, 2008  
Minutes  
Checks  
Banner Placement  
Fine Arts Council  
Appointment  
Mid-Year Budget  
Amendment

## Reports

## New Business

Bid Waiver, ECR Registers

Pamela O'Connor explained her proposal from Preservation Practices to develop the application for National Register of Historic Place Residential Nomination. She explained the process of the historic district designation, tax benefits, and answers to frequently asked questions in detail. The proposed boundaries were discussed (estimated 200 parcels) with O'Connor recommending informational meetings. She distributed copies of an article from Donovan D. Rypkema "The (Economic) Value of National Register Listing" and discussion was shared. Mullendore recommended the proposal and urged approval. ***Cole moved seconded by Hagey to approve the proposal in the amount of \$35,805 from Preservation Practices with confirmation that funds would be spent from undesignated fund balance. Roll call vote carried unanimous.***

National Register of Historic Places Nomination Application, Preservation Practices Agreement

2008-2009 Budget Process Schedule

***Clark moved seconded by Cole to approve the 2008 Budget Process Schedule as presented.***

**Public Comments**

Alan Robandt offered to have an informational session at his business for the National Register of Historic Place Nomination. The Mayor commended Robandt on his progress with the Union Block Building.

**City Manager Comments**

**Mullendore** comments:

- DDA compiling bid specifications for website along with upgrading the city website
- DDA approved new color chart for the downtown facades, poster presented
- DDA in receipt of 2 infrastructure grants
- Goal Session results at next meeting, response to questions from Carla in packets next week
- Public Awareness Meeting for applying for State Revolving Fund and Drinking Water Revolving Fund for water and sewer upgrades
- Traffic Improvement Program (TIP) Award (MDOT) resurfacing project, Front Street from Redbud to Oak
- Lake Magazine advertisement presented for commissioners preview
- Requested Newsletter information from commissioner(s)
- Upcoming event dates/times

**Commissioners' Comments**

**Hagey** comments:

- Pleased with advertisements in Lake Magazine
- Would like the Farmers' Market to be highly successful and thanked the Board
- Encouraged all to support the Market and downtown businesses

**Cole** comments:

- Food Safety Inspector from the State of Michigan at last Farmers' Market Board meeting and explained strict rules and regulations
- Website for Farmers' Market underway
- Good luck to Barb on surgery tomorrow

**Moore** comments:

- Thanked Alan Robandt, Pam O'Connor, and Preservation Society for hard work on city preservation
- Thanked commissioners for participation at Saturday goal session
- Happy Valentines Day

***Cole moved, seconded by Clark to go into closed***

**New Business continued**

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*session to review minutes from January 28<sup>th</sup> Closed Session to discuss Personnel: Employee Discipline and Pending Litigation at 8:30 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 Clark to approve the Closed Session Minutes from January 28, 2008. Roll call vote carried unanimous.*

**Adjourn**

*Cole moved, seconded by Clark to adjourn the meeting at 8:36 p.m. Voice vote carried unanimous.*

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

# CITY OF BUCHANAN COMMISSION MINUTES

February 25, 2008

**A regular meeting of the City Commission** was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, February 25th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge of Allegiance. Reverend Pat Ramsden, Buchanan First Presbyterian Church gave the Invocation.

Dennis Smedley, on behalf of Masonic Lodge #68 presented monetary grants to Roy Mark President of Redbud Area Ministries in the amount of \$1,500. along with a check in the amount of \$1,500. to Ron Bennett for Friends of Oak Ridge Cemetery. Commissioner Harrington announced that the Fine Arts Council chose a student for a grant of \$600. on behalf of the Masonic Lodge as she was bestowed the honor of presenting it.

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

Commissioners absent: Barbara Clark

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: Kenton McAndrew from Abonmarche, Jack McClellan, Common Committee Chairman and 7 visitors including 1 reporter

***Harrington moved seconded by Hagey to approve the Consent Calendar as presented.***

***Roll call vote carried unanimous.***

Agenda

Minutes: Regular Meeting February 11, 2008 and Annual Planning Meeting February 2, 2008

Checks 54331 to 54405 in the amount of \$193,777.99

Jack McClellan reported that the Common Committee would be continuing the summer concert series, Stop, Lunch, & Listen, and also summer movies. He explained the facility was in good condition but minimal drainage problems on the concrete apron, improvements included adding a flag pole and purchasing extra folding chairs. Greetings were shared between Commission and McClellan.

Gordon Schreiber summarized his written report while all reviewed. He announced the decrease in business tax, upcoming board of review meetings, amnesty program through Berrien County for homestead exemption, finishing up assessment rolls, and getting the reassessment notices out.

After review and brief comments, ***Cole moved seconded by Harrington to approve the list of 2008-2009 City Commission Priorities as presented. Roll call vote carried unanimous.***

## Call to Order

## Pledge/Invocation

Masonic Lodge  
Grant Presentation

## Roll Call

## Consent Calendar

Agenda  
February 11, 2008  
Minutes  
Checks

## Reports

## Unfinished

Business  
2008-2009  
Priorities

Mullendore summarized the process of adopting the Master Plan and explained the assistance to the Plan Commission from the Southwestern Michigan Commission. No commissioner comments were heard. ***Hagey moved seconded by Cole to approve the release of the Master Plan to Public for Review and Comment. Roll call vote carried unanimous.***

Master Plan  
Release

Test Well

Vander Meulen relinquished the floor to McAndrew to explain the results of the possibility of developing a Test Well at McCoy's Creek Park. McAndrew summarized locations and current conditions of wells and announced that dropping a test well and testing was estimated at \$23,000., thus selecting a precise location was significant. He further added that a prior Williams & Works Study (1989) identified the area by Centennial/McCoy's Creek Parks to construct a well and Mullendore interjected that she had a meeting regarding that area at the end of the week. Discussion was shared.

**City Manager  
Comments**

**Mullendore** comments:

- Reminded commissioners of next Monday budget work session
- Chamber dinner kick off for City Birthday; Bell Equipment donated a table
- Forwarded on good news that a business owner called and was pleased with snow removal

**Commissioners'  
Comments**

**Hagey** commented:

- Thanks to the Masons for their presentation
- Continue to encourage people to participate with volunteer organizations

**Cole** commented:

- Thanks to the Masonic Lodge for their dedication to the community
- Thanks to all volunteer groups

**Moore** commented:

- Agree that volunteer organizations make "Life Better Here"
- Thanks to city workers and voters for putting funds aside for road repair; minimal pot holes
- Thanks to City Staff

**Adjourn**

***Harrington moved, seconded by Cole to adjourn the meeting at 8:11 p.m. Voice vote carried unanimous.***

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

**New Business**

# CITY OF BUCHANAN COMMISSION MINUTES

March 10, 2008

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

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

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: Garden Club member Carol McKean and Southwest Michigan Community Ambulance Service (SMCAS) Director Marlene Beach along with 27 visitors including 2 reporters

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

*Roll call vote carried unanimous.*

- Agenda
- Minutes: Regular Meeting February 25, 2008 and 2008-09 Budget Work Session March 3, 2008
- Checks 54406 to 54510 in the amount of \$119,973.93

SMCAS Director Marlene Beach presented a power point on facilities and programs with explanation. Discussion was shared and the Mayor urged the public to participate in the emergency training as offered. Resident Kathy Kingery and Business Owner Jim Bergum commended the ambulance service.

Carol McKean introduced fellow Garden Club member Mary Diethrich and then requested a proclamation for the Arbor Day Celebration. She invited all to participate with the celebration, explained the workings of the Garden Club, and urged involvement from the public. She reported their plans to remove unsightly trees and shrubs and re-landscape the area at the corner of Redbud Trail/Front Street “Welcome to Buchanan” sign from their last meeting. The Mayor congratulated and thanked the Garden Club for their assistance to the city.

Business owner Jeanne Arbanas reported that Max & Lucy’s would be sponsoring a Spring Fling on March 27th with several other businesses offering specials thus the purpose of the Front Street Closure Request (between Days Avenue and Main Street). Arbanas requested that the closure be expanded to Redbud Trail as other businesses have gotten involved. The Mayor recommended that she withdraw her original Street Closure Request due to the multiple changes and work with the Chamber of Commerce. She distributed posters and an informational sheet of the event. Hagey commented that the DDA and Chamber should get involved; the commission supported the downtown businesses but was offended by the presentation of being 1,000 days without a sidewalk incident (retaliation against the City for passing rules and regulations on having tables/chairs on the sidewalk). Arbanas rebutted that the objective is to get the businesses

## Call to Order

## Pledge/Invocation

## Roll Call

## Consent Calendar

Agenda

Minutes

Checks

## Reports

## New Business

Street Closure Request, Front Street

to attract visitor's downtown and safety was the purpose for the request to close the street. Discussion was shared between commissioners and Arbanas regarding the details of the event. Jim Bergum explained his mixed feelings with Arbanas, and supported her with her request for tables and the street closure. Arbanas claimed she was a victim of selective enforcement and agreed to withdraw her street closure request.

2008 Arbor Day  
Proclamation

**Public Comments**

***Cole moved seconded by Hagey to approve the 2008 Arbor Day Proclamation. Roll call vote carried unanimous.*** The Mayor then read the proclamation.

Sarah Bates, 401 Chippewa reported having numerous sewer back-ups and asked if a schedule was in place to jet the sewers. She highly recommended and urged consideration that branches are picked up when seen instead of a particular date. Mullendore explained upgrading the sewer lines and collecting branches after a storm and discussion followed. Jim Bergum, Memories Tavern reported that 22 feet of water runs in the middle of the walkway (Mill Alley) by his business caused by the automatic watering timers for the planters. He asked for repair.

**City Manager  
Comments**

**Mullendore** comments:

- Congratulated Harvey Burnett on receipt of the Florey Volunteer of the Year Award
- Alice Kring and Katie Dreitzler will be hosting the Easter Egg Hunt and are asking for any donations of plastic eggs
- DDA appointed Commissioner Cole to the Infrastructure Loan Grant with four applications for grants in the total amount of \$120,000
- She and the City Attorney met with Mac Elliott and he indicated that an arrangement could be worked out for the city to access the prairie property through his property although he requested that the City sink a test well at the recreation area to determine viability. She confirmed quote from a well digger at the next meeting

**Commissioners'  
Comments**

**Clark** commented:

- Thanks to all for concern of her surgery
- Thank Alice Kring, Chamber of Commerce to the beautiful flower decorations
- Thanks to SMCAS

**Cole** commented:

- Congratulations to all award winners and thanks to Chamber for event
- Thanks to the Garden Club for all they do
- Thanks to Meg and Juli for their hard work on the 2008-2009 budget

**Moore** commented:

- Displayed lapel pins commemorating the 150<sup>th</sup> anniversary
- Thanks to Chamber of Commerce
- In hopes that all take positive outlook away from the meeting

**Adjourn**

***Harrington moved, seconded by Clark to adjourn the meeting at 9:00 p.m. Voice vote carried unanimous.***

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

**New Business continued**

Street Closure Request, Front Street

# CITY OF BUCHANAN COMMISSION MINUTES

March 24, 2008

**A regular meeting of the City Commission** was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, March 24th. Mayor Moore called the meeting to order at 7:32 p.m.

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

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, and Clerk Gladys Bybee

Guests/Visitors present: 7 visitors including 2 reporters

Lorne Kay, 111 W. Third St. asked the location where the test well would be located.

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

***Roll call vote carried unanimous.***

- Agenda
- Minutes: Regular Meeting March 10, 2008
- Checks 54511 to 54602 in the amount of \$116,804.36
- Appoint Michael Terrell to the Recreation Board to fill a vacancy through 2009
- Acknowledge receipt of 2008-09 Budget as presented by City Manager per Charter Sec. 9.2; Call Public Hearing, April 14<sup>th</sup> at 7:30 p.m. to invite and hear public comments according to Charter Section 9.4.

Bybee reported on the current business in the Clerks office with a forthcoming update to the Rental Rehabilitation Guidelines. She further explained the changes to the nominating petition process for individuals interested in being a candidate for a commissioner seat. Announced May 13th, 4:00 p.m. deadline.

Mullendore reported that cost (\$32,500) for drilling and installing a test well was over what was anticipated but she was hopeful that it could be less. She explained that three requests went out with only one returned. Questions shared with commission regarding contamination of flooding. ***Hagey moved seconded by Cole to approve the bid from Peerless Midwest as presented and recommended. Roll call vote carried unanimous.***

Vander Meulen reported on how well switching out water meters with residents', making it necessary to purchase more (all part of the upgrades for bonding) and recommended the purchase of 200 more ECR registers and 300 ECR touch pads. ***Hagey moved seconded by Cole to approve the Bid Waiver to purchase from ETNA Supply Company for \$18,249.31 as presented. Roll call vote carried unanimous.***

Mullendore reported that upon receipt of resignation from Joe Vander Meulen she presents a position for Wastewater Treatment Plant Superintendent. After explanation of updating previous job description and questions, ***Cole moved seconded by Hagey to approve the job description for Wastewater Treatment Plant Superintendent as recommended. Roll call vote carried unanimous.***

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

## Consent Calendar

Agenda

Minutes

Checks

Recreation Board

Appointment

2008-09 Budget

Presentation

## Reports

## Unfinished

### Business

Peerless Midwest  
bid for Test Well

### New Business

Bid Waiver, ECR  
Registers & Touch  
Pads from ETNA  
Supply

WWTP

Superintendent Job  
Description

***Harrington moved seconded by Clark to introduce the proposed ordinance amending Chapter 34, Article II, Odd-Year Elections, by amending Sections 34-29 Filing of Nominating Petitions and call a Public Hearing on Monday April 14 at 7:30 p.m. to invite and hear public comments on the Ordinance. Roll call vote carried unanimous.***

Assessor Contract

**City Manager  
Comments**

Mullendore reported that the Berrien County Equalization Department had prepared the proposed Assessing Contract for Buchanan that expires in June with a proposed increase in the third year of 3.5%. ***Harrington moved seconded by Clark to approve the three year proposed contract as presented. Roll call vote carried unanimous.***

**Mullendore** commented:

- State Legislators approved 4% increase state revenue sharing
- Upcoming two Historical District Designation Informational Meetings
- Offered Willie Brown the position of Director of Public Services; he accepted with a 6 month trial period stipulation
- Thanked Alice Kring and Katie Dreizler for holding the Easter Egg Hunt, approximately 100 kids participated
- DDA advertising for executive director with the probability of the position being under the city auspices. Anticipating late April or early May start date
- Researching to advertise downtown events on the billboard along the US 31 Bypass east side when traveling north
- Sampling McCoy's Creek/Mill Race done today by Wetlands Coastal and about 75% complete. Status of grants and remedial action forthcoming
- Publicly thank Joe Vander Meulen for his tenure with the City

**Commissioners'  
Comments**

**All commissioners commended and thanked Joe Vander Meulen and wished him well.**

**Cole** commented:

- On her participation with the Easter Egg Hunt and then read a note of thanks to all from Alice & Katie

**Hagey** commented:

- Personal apology to Jeanne Arbanas and the citizens of Buchanan for his actions and statements at the last meeting
- That he would not be running for a third term on the commission and urged any interested residents' to run and take position very seriously.

**Harrington** commented:

- Best of Luck to Joe and congratulations to Willie
- Urged persons to run for commission seat.
- Learned a lot from Commissioner Hagey and will miss him

**Adjourn**

**Moore** commented:

- Congratulated and thanked all that helped with the Easter Egg Hunt.
- Care about employees and their level of professionalism

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

# CITY OF BUCHANAN COMMISSION MINUTES

April 14, 2008

The Mayor called the Public Hearing to order at 7:32 and invited public comments on the proposed 2008-2009 FY Budget according to Charter Section 9.4. Being no public or written comments, **Clark moved seconded by Harrington to adjourn at 7:33 p.m. Roll call vote carried unanimous.**

The Mayor called the Public Hearing to order at 7:33 p.m. and invited public comments on an Ordinance Amending Chapter 34, Article II, Odd-Year Elections, by amending Section 34-29 Filing of Nominating Petitions and Section 34-30 Number of signatures for nomination petitions. Being no public or written comments, **Harrington moved seconded by Clerk to adjourn at 7:34. p.m. Roll call vote carried unanimous.**

**A regular meeting of the City Commission** was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, April 14th. Mayor Moore called the meeting to order at 7:35 p.m.

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

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Attorney Randy Hyrns, and Clerk Gladys Bybee

Guests/Visitors present: Berrien County Treasurer Brett Wikowski along with 10 visitors including 2 reporters

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

- Agenda
- Minutes: Regular Meeting March 24, 2008
- Checks 54603 to 54712 in the amount of \$154,826.17

Buchanan Farmers' Market Chairwoman Beth Chubb reported on the monthly themes at the Farmers' Market with opening on May 3, 15 vendors, four tents, and numerous announcements. She explained the summer season in detail and requested assistance from a city worker on Saturday mornings throughout the season to set up tents. Cole reported that the Chair and Market Master had worked together and commended both.

Kurt Strauss and his colleagues presented a short playing of the movie "Whispers" filmed in part in Buchanan by Strueber Production. Straus announced Whispers would be playing May 1<sup>st</sup> at Niles Wonderland Cinema and the start up of their second movie production "Fang". They thanked the commission for support and greetings were shared.

**Public Hearing**  
2008-2009 Budget

**Public Hearing**  
Election Ordinance  
Amendment

**Call to Order**

**Pledge/Invocation**

**Roll Call**

**Consent Calendar**  
Agenda  
Minutes  
Checks

**Reports**  
Farmers' Market  
Board

**Unfinished  
Business**  
Whispers Movie,  
Strueber  
Productions

Attorney Hyrns explained the changes within Michigan State Election law and recommended the Commission to adopt the Ordinance changing the filing dates and the required amount of signatures for nominating petitions as provided by state law. ***Cole moved seconded by Clark to approve the Ordinance Amending Chapter 34, Article II, Odd-Year Elections, by amending Section. 34-29 Filing of Nominating Petitions and Section 34-30 Number of signatures for nomination petitions as submitted and recommended.***

Ordinance  
2008.04/376,  
Chapter 34, Article  
II, Odd-Year  
Elections, by  
amending Section.  
34-29 Filing of  
Nominating  
Petitions and  
Section 34-30.  
Number of  
signatures for  
nomination  
petitions

THE CITY OF BUCHANAN ORDAINS: Chapter 34, Article II, "ODD-YEAR ELECTIONS", of the Buchanan Code of Ordinances is amended as follows:

**ARTICLE II. EVEN-YEAR ELECTIONS**

**Sec. 34-26. Statutory authority.**

This article is enacted pursuant to pursuant to the various provisions of Act No. 239 of the Public Acts of Michigan 1970 (MCL 168.644a et seq.), as amended, and the authority to so ordain therein granted.

**Sec. 34-27. Date of elections established.**

The city having at its regular meeting held January 11, 1971, and within 30 days after December 22, 1970, by resolution duly adopted and filed with the secretary of state, resolved to continue to hold its elections as required by its charter, does now, by its action in passing this article, establish that all regular elections for local offices shall be held on the first Tuesday after the first Monday of November of each even-numbered years notwithstanding the provision of chapter 3, section 3.3, of the Charter.

**Sec. 34-28. Terms.**

The term of office of each elective officer shall commence on and date from the Monday following the Tuesday after the first Monday in November and shall expire as of the beginning of the term of office of a successor.

**Sec. 34-29. Filing of nomination petitions.**

Notwithstanding the provision of chapter 3, section 3.9, of the Charter, and pursuant to the authority of the city commission and pursuant to state statute, nomination petitions shall be filed with the clerk no later than 4:00 p.m. on the twelfth Tuesday before the September primary election.

**Sec. 34-30. Number of signatures for nomination petitions.**

Notwithstanding the provision of chapter 3, section 3.9, of the Charter, and pursuant to the authority of the city commission and pursuant to state statute, the number of signatures of qualified and registered electors necessary for nomination petitions shall be based on the city's population as set forth in MCL 168.544(f).

**Roll call vote, motion carried unanimous.**

**ORDINANCE 2008.04/376 DECLARED ADOPTED this 14th day of April, 2008.**

**New Business**  
Portable Facilities  
Bid Award

Mullendore reported that three quotes were received for portable facilities within the City and recommended the lowest bidder. ***Cole moved seconded by Clark to approve the bid in the amount of \$5,040 to White's Septic as presented and recommended. Roll call vote carried unanimous.***

DDA Director  
under City  
Employment

Mullendore explained the request from the DDA to place the Director position under City employment for benefits in which the DDA would reimburse the City. She recommended a comprehensive benefits program and explained the full-time position benefits to provide insurance and retirement. Attorney Hyrns suggested that the City Insurance carrier be contacted for liability information and costs. She reported that four résumé's received and explained the hiring process approved by the DDA. ***Hagey moved, seconded by Cole to approve the request, so long as there isn't any problem with the Insurance Company or liability to the City. Roll call vote carried unanimous.***

DDA to reimburse  
City

2008 Street Paving  
Program

After explanation from Mullendore and brief discussion, Harrington ***moved seconded by Clark to approve the 2008 Street Paving Program in the amount of \$199,876.25 to Consumer's Asphalt as presented. Roll call vote carried unanimous.*** Mullendore noted a forthcoming budget amendment in Major and Local Street Funds for 2008-09.

Berrien County  
Land Bank  
Program

County Treasurer Brett Witkowski explained the foreclosure and clean-up of the building/parcel at 1207 N. Redbud Trail (4 acres) acquired through the foreclosure

process. He  
explained the Land  
Bank was separate  
from the

**Unfinished Business continued**

Treasurers' Office and the process of the bank would be to purchase the property through foreclosure and prepare for redevelopment/sale. Discussion was shared with commission. Mullendore reported her training with Land Banks as mechanisms to allow the municipality to obtain property to meet the city's goal and community development, costs accrued would be added to the cost of the parcel and she recommended the partnership. Commission was interested in gathering more information prior to any decision.

Berrien County  
Land Bank  
Program

### Public Comments

**Sheila Daly**, Buchanan Area Recreation Board (BARB) member announced that Wal-Mart presented a \$1,000. grant for clean-up and upgrades at Kathryn Park. She urged participation to the clean-up days with BARB, Friends of McCoy's Creek Trail in the Woods, and McCoy Creek clean-up. She handed the check to the City Manager.

**Ann Marie Buchanan-Jones** asked about the curb replacement within the 2008 Street Paving Program. **John Garmire** asked about the delinquency from the Landfill of repaving Chamberlain Road to Mayflower, the status of the required connection to sewer and water created by the 425 Agreement between the Township and City from the FAPCO expansion, and the probability of cost savings to the City to offer early retirement to non union employees.

### City Manager Comments

**Mullendore** commented:

- Her internal interviews for Fire Chief included Lincoln Township Fire Chief and Police Chief Bill Marx
- Two candidates for Building Inspector
- Job offer to candidate for WWTP Superintendent
- Upcoming event dates/times
- DDA approved Welcome Sign landscaping project with Clark axle sculpture (corner of Redbud and Front)

### Commissioners' Comments

**Cole** commented:

- Congratulations and thanks to Sheila Daly on the grant from Wal-Mart

**Moore** commented:

- Congratulations to Strueber Productions
- Thanked and commended the Farmers' Market Board, Sheila Daly and Wal-Mart, and Brett Wikowski

### Closed Session Purchase or lease of real property

**Harrington moved, seconded by Clark to go into Closed Session to discuss the purchase or lease of real property at 9:13 p.m. including the City Attorney and the County Treasurer. Roll call vote carried unanimous.**

The Mayor reconvened the regular meeting at 9:36 p.m. with no decisions made in closed session.

### Adjourn

**Harrington moved, seconded by Clark to adjourn the meeting at 9:37 p.m. Voice vote carried unanimous.**

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

**New Business continued**

# CITY OF BUCHANAN COMMISSION MINUTES

April 28, 2008

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, April 28th. Mayor Moore called the meeting to order at 7:30 p.m.

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

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, Treasurer Juli O'Bryant, and Clerk Gladys Bybee

Guests/Visitors present: 7 visitors including 2 reporters

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

- Agenda
- Minutes: Regular Meeting April 14, 2008 and Public Hearing April 22, 2008
- Checks 54713 to 54792 in the amount of \$112,029.88

O'Bryant reported that tax information sent to County and winter taxes collected, rave reviews on the electronic utility payment service, Life is Better Here t-shirts still available for sale at City Hall, Community Wide Garage Sale permits being sold, and 1993-2003 Industrial Facilities Tax (IFT) State Audit with clean results for entire duration.

Chief Marx summarized his written report as provided in commissioner packets: Officer's years of service, increased foot and bike patrol, sex offender audit report, increased activity in code enforcement, increased hours for reserve officers, stepping up enforcement for nuisance, litter, and vandalism. He announced the Spring Clean-Up Program, bicycle registration on May 1<sup>st</sup> through May 10<sup>th</sup> and will be giving away 2 bicycles (displayed), Police, Fire and Insurance Agent Joe Jilek would be sponsoring a Safety Day at McCoy's Creek Park, 125 students graduating from the DARE Program, and goggles distributed to commissioners that simulate different effects of intoxication. Conversation shared on the building (condemned) at Oak and Chicago that is now for sale.

Mullendore reported the highlights of the 2008-2009 Fiscal Year Budget. *Cole moved seconded by Clark to approve the Resolution as presented.*

A RESOLUTION FOR THE CITY OF BUCHANAN, COUNTY OF BERRIEN, MICHIGAN TO ADOPT A BUDGET FOR THE CITY OF BUCHANAN FOR FISCAL YEAR 2008-2009

**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, 2008 through June 30, 2009; and

**WHEREAS**, a public hearing was held on April 14th, 2008 for public comments and opinions;

## Call to Order

## Pledge/Invocation

## Roll Call

## Consent Calendar

Agenda  
Minutes  
Checks

## Reports

Treasurer Dept.

Police Department  
and Code  
Enforcement

## Unfinished

### Business

Resolution  
2008.04/22, 2008-  
2009 Fiscal Year  
Budget

**NOW, THEREFORE,  
BE IT RESOLVED** by  
the City Commission of  
the City of Buchanan that

the following sums are adopted for the 2008-2009 fiscal year for the purposes set forth below:

<b>General Government</b>	City Commission	\$ 66,348.
\$427,432.	City Manager	115,006.
	Elections	26,548.
	Assessor	40,690.
	City Clerk	59,602.
	Treasurer	119,238.
<b>Public Safety</b>	Police Department/Code Enforcement	\$ 933,953.
\$1,109,755.	Crossing Guards	28,637.
	Fire Department	122,465.
	Building Inspection	24,700.
<b>DPW &amp; Cemetery</b>	DPW/Streets	\$ 243,073.
\$407,676.	Cemetery	164,603.
<b>Parks &amp; Recreation</b>	Parks & Recreation	\$ 31,300.
\$31,300.		
<b>Other</b>	Building & Grounds	\$ 67,436.
\$144,106.	Rental Property	128.
	Misc. Costs/Transfers	<u>76,542.</u>
<b>Total General Fund</b>		<b>\$2,120,269.</b>
	Major Streets	\$ 404,250.
	Local Streets	243,998.
	Street Repair & Maintenance	339,066.
	Water & Sewer Enterprise	1,164,185.
	Brownfield-TIFA Fund	<u>33,338.</u>
<b>Total Other Funds</b>		<b>\$ 2,184,837.</b>

**Total Budget Including General Fund \$4,305,106.**

**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 1.00 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, 2008, as follows:

	Water	Sewer	Ready to Serve (RTS)
City	\$2.88/1000 gal.	\$5.16/1000 gal.	\$15.24 monthly
Township	3.37/1000 gal.	6.04/1000 gal	17.83 monthly

**BE IT FURTHER RESOLVED** that the total budget for the City of Buchanan for the fiscal year 2008-2009 in the amount of \$4,305,106. 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.

**Roll call vote carried unanimous.** Resolution 2008.04/22 declared adopted.

Mullendore commended Treasurer O’Bryant on developing a separate budget for the Downtown Development Tax Increment Finance Authority (DDA/TIFA) and announced that they had reviewed, approved, and recommended final approval from the City Commission. *Cole moved seconded by Clark to approve the DDA/TIFA budget as presented and recommended. Roll call vote carried unanimous.*

**Unfinished Business continued**

Resolution  
2008.04/22, 2008-  
2009 Fiscal Year  
Budget

2008-2009  
Downtown  
Development  
Authority Fiscal  
Year Budget

Mullendore  
announced that  
Chris Cook from  
Abonmarche was  
available for  
questions regarding

the Water System Improvements Project utilizing the Drinking Water Revolving Fund (DWRP). He commented that the project was just shy of 2.5 million on improvements to the water supply. ***Cole moved seconded by Moore to approve the resolution Adopting a Final Project Plan for Water System Improvements and Designating an Authorized Project Representative. Roll call vote carried unanimous.*** Resolution 2008.04/23 declared adopted and attached as a part of these minutes.

Ford Motor Credit  
Lease/Purchase for  
2008 Ford Crown  
Victoria Police  
Sedan

Mullendore explained the new squad car would replace the wrecked vehicle and a check from the Insurance Company (\$6,530) would be received as the car was totaled. After discussion with the Chief regarding the current police fleet, ***Cole moved seconded by Clark to approve the Lease/Purchase Financing through Ford Motor Credit to purchase the 2008 Ford Crown Victoria Police Sedan for a total amount of \$21,132.00 as presented. Roll call vote carried unanimous.***

131 S. Oak Street  
Roof Replacement

Sewer Back-Up  
Policy

After explanation from Mullendore and shared questions/discussion regarding the low bid not providing debris removal, ***Hagey moved seconded by Harrington to approve the roof replacement of the senior center building at 131 S. Oak Street as owned by the City to Bob's Roofing in the amount of \$6,224. Roll call vote carried unanimous.***

City owned  
parking area  
utilized by public  
for  
Communitywide  
Garage Sales

Mullendore reported that staff prepared the Sewer Back-Up Policy with counsel review as required by State Law and determined by the Commission to be a priority. ***Cole moved seconded by Hagey to approve the Sewer Back-Up Policy as presented and recommended. Roll call vote carried unanimous.***

Mullendore announced the letter placed at their seat from Chamber Director Monroe Lemay with interest from Township residents' to participate in the sales during the Annual Communitywide Garage Sales. She explained the City owned parking area across Third Street would be used for such sales (a.k.a. former Golden Farms Candy property). Commission questioned any conflict with parking and Chief Marx interjected that painted barrier lines could be utilized to deter any conflict. ***Cole moved seconded by Clark to approve the request to utilize the parking area during the Communitywide Garage Sales as discussed. Roll call vote carried unanimous.***

**City Manager**  
**Comments**

**Mullendore** commented:

- Conversation with Kurt Struss urging attendance to movie "Whispers"
- Three new buses for Dial-A-Ride arrived
- Saturday Opening Day of Farmers' Market
- Insurance company did not have a problem with adding the DDA Director although DDA would have to have separate retirement plan
- Landscaping work at corner of Front and Redbud underway
- New "Johnson Street" sign up as dedicated
- Reminder that public not put grass clippings in the street as compliance will be enforced
- Encouraged residents' to call and let AEP know when electrical outages occur

- Thanks to Warren Weaver and she introduced Tim Gowen as the new Fire Chief; also with thanks to Fire Chief Burket St. Joe

**Unfinished Business continued**

Resolution 2008.04/23, Water System Improvement Project

**New Business**

Township for assistance with interviews

- Met with Brett Wikowski about the Redbud Trail property estimate of \$300 to \$400,000 dollars to upgrade the building to be structurally sound. County cleaning up and requesting that the City pickup accumulations
- Welcome new SMCAS Executive Director Tim Gray

**Commissioners’  
Comments**

**Hagey** commented:

- Thanks to Warren Weaver
- Remind all of the work weekend in the woods on the Trail and encouraged participation
- Urged attendance to Warren’s Retirement Party

**Clark** commented:

- Congratulations to Warren
- Asked where SMCAS applications accepted
- Nice work to Juli for 2008-2009 budget

**Cole** commented:

- Pleased with bike registration and safety programs
- Thanks to Juli and staff for budget fiscal responsibility
- Congratulations to Tim Gowen
- Going to miss Warren

**Moore** commented;

- Thanks to Garden Club for Arbor Day Celebration
- Congratulations and best wishes to Warren
- Congratulations to Tim Gowen
- Appreciates staff for assisting residents during power outages
- Thanks to staff for preparing balanced budget

**Clark moved, seconded by Cole to go into Closed Session at 8:31 p.m. to review minutes from the April 14<sup>th</sup> closed session for purchase or lease of real property. Roll call vote carried unanimous.**

The Mayor reconvened the regular meeting at 8:38 p.m. with no decisions made in closed session. **Harrington moved seconded by Clark to approve the April 14, 2008 minutes as reviewed in closed session. Roll call vote carried unanimous.**

**Harrington moved, seconded by Clark to adjourn the meeting at 8:42 p.m. Voice vote carried unanimous.**

**Closed Session**

April 14, 2008  
Closed Session  
Minutes

**Adjourn**

\_\_\_\_\_  
Gladys Bybee, CMC-City Clerk

\_\_\_\_\_  
Dr. Patricia Moore, Mayor

**City Manager  
Comments continued**

# CITY OF BUCHANAN COMMISSION MINUTES

May 12, 2008

Prior to the meeting opening, one of three of the new buses for Dial-A-Ride (purchased through grant funding) was available and previewed by those in attendance.

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

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

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Building Inspector Guy Lewis, and Clerk Gladys Bybee

Guests/Visitors present: SMCAS Director Tim Gray, Dial-A-Ride VP-Administration Kim O'Haver, District Library Director Kate Thomas and Fine Arts Council President Daleen Granger along with 10 visitors including 2 reporters

Ann Marie Buchanan Jones owner of WTBC Radio announced a Michiana Gospel Arts Festival at the Common and presented Flyers for the public event.

Gary Campbell introduced himself and announced his republican candidacy for 78<sup>th</sup> District State Representative.

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

- Agenda
- Minutes: Regular Meeting April 28, 2008
- Checks 54793 to 54890 in the amount of \$85,887.04
- Street Closure; Front Street from American Legion to Oak Ridge Cemetery
- Reschedule May 26th Meeting to Tuesday May 27th as applicable to Charter Chapter 6, Procedure for Commission
- Resolution 2008.05/24, Approving the summer School Tax Collection Fee in the sum of \$2,622.39 per school district (see attached)
- Delinquent City Utility and Mowing Billings Certified to the Summer 2008 Tax Roll

Daleen Granger reported on 2007 Tin Shop Theatre productions with almost all showings sold out. She announced 2008 season production dates/times and explained renovations to window shutters, organized and categorized costumes, plans for installing new seating and insulating the building.

Kate Thomas introduced herself as new Library Director. She reported the library was working to increase public programming with children and youth programs. She explained the child, youth, teen, and adult programs currently available for the 2008 year and welcomed volunteers. Discussion was shared.

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

## Consent Calendar

Agenda

Minutes

Checks

Street Closure

Reschedule next meeting

Resolution

2008.05/24

Certify Delinquent

Utility Bills

## Reports

Fine Arts

Council/Tin Shop Theatre

Buchanan District Library

Kim O'Haver,  
Transportation

Management, Inc. (third party administration of Dial-A-Ride) reported that the three new buses, received with federal funds, had arrived. She reported the three old ones' conditions and suggested/recommended going out for bid to dispose of them. She announced her wonderful experience at the Art Center and commended Buchanan. Discussion shared.

Buchanan Dial-A-Ride

Mullendore announced that the DDA had approved SimpleUpdates.com for website development and recommended the same for the City. ***Hagey moved seconded by Cole to award the website development to SimpleUpdates.com in the amount not to exceed \$10,500. Roll call vote carried unanimous.***

**Unfinished Business**

Website Development

Mullendore reported the exorbitant amount it would take to renovate the building at 1207 N. Redbud Trail and explained Berrien County clean-up efforts. ***Cole moved seconded by Harrington to authorize Berrien County to demolish the building at 1207 N. Redbud Trail as recommended. Roll call vote carried unanimous.***

1207 N. Redbud Demolition

Mullendore announced that she provided, for there information, the Land Bank Program from Genesee County. She summarized her discussions with County Treasurer Bret Wikowski about other options for the property available to the City. After questions/discussion ***Hagey moved seconded by Clark to authorize placement of 1207 N. Redbud Trail into the Berrien County Land Bank as recommended. Roll call vote carried unanimous.***

1207 N. Redbud submission to Land Bank

Mullendore introduced new SMCAS Director Tim Gray. He explained the resolution and budget in detail. ***Harrington moved seconded by Clark to approve Resolution 2008.05/25, to place a Southwestern Michigan Community Ambulance Services (SMCAS) district fee renewal on the August 5, 2008 ballot and to approve the special assessment levy for the distribution of the budget for fiscal year 2008-2009. Roll call vote carried unanimous.*** (see attached)

**New Business**

Resolution  
2008.05/25, 2008-2009 SMCAS Budget & Ballot Proposal

Mullendore announced that according to Meadowbrook Insurance, Buchanan is one of four in the State that have paid out more in claims than paid in premiums. She explained the process Meadowbrook was recommending for risk management. ***Cole moved seconded by Hagey to adopt as policy, Risk Management is Good Management as provided through the Michigan Municipal League and as suggested and recommended. Roll call vote carried unanimous.***

Risk Management is Good Management Policy

Commissioner Hagey reported that Midwest Family Radio Station Advertising proposal was introduced and discussed at the DDA meeting and although they couldn't fund the proposal, he suggested that local businesses, social/civic clubs, and/or businesses be asked to participate with the advertising for the City's 150<sup>th</sup> Anniversary. Mullendore summarized the differences in the promotional packages and discussion was shared. The Mayor asked that any interested groups contact the City Manager and all discussed that she review and come back with a report for involvement at the next meeting.

Midwest Family Radio Station Advertising

**Mullendore commented:**

**Reports continued**

- Dave Czarnecki was hired for Wastewater Superintendent but could not be here tonight (wedding anniversary) and introduced Guy Lewis, new Building Inspector. Lewis gave a brief biography and greetings were shared.
- That she secured funds from the Common Committee for three movies but looking for sponsors for two others
- Next Commission meeting on Tuesday due to the holiday.

**City Manager  
Comments****Cole** commented:

- Farmers' Market had over 300 customers (17 vendors) on past Saturday
- Please to see downtown Art Museum windows filled
- Proud of new Dial-A-Ride buses

**Commissioners'  
Comments****Clark** commented:

- Congratulations to Miss Buchanan and Fine Arts Council
- Welcomed Guy Lewis

**Hagey** commented:

- Praised and commended volunteer people on organizations for all they accomplish

**Harrington** commented:

- Welcomed Guy Lewis and congratulated Tim Gray
- Thanked all for Safety Day and Bike Rodeo
- Reminder that Commission Nominating Petitions due tomorrow
- Farmers' Market was wonderful
- Congratulations to Alan Robandt on his Historical Designation
- Reminder of City residents Spring Cleanup
- Commended BYSBA on upgrading the park

**Moore** commented:

- Seconded all other commissioners comment
- Commended all who participated with the Postal Workers Food Drive to raise awareness of hunger within the community

*Harrington moved, seconded by Clark to go into Closed Session at 8:51 p.m. to discuss labor negotiations with the Police. Roll call vote carried unanimous.*

The Mayor reconvened the regular meeting at 9:15 p.m. with no decisions made in closed session.

**Closed Session**  
Labor Negotiations**Adjourn**

*Harrington moved, seconded by Clark to adjourn the meeting at 9:16 p.m. Voice vote carried unanimous.*

# CITY OF BUCHANAN COMMISSION MINUTES

May 27, 2008

A regular rescheduled (due to holiday) meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday, May 27th. Mayor Moore called the meeting to order at 7:30 p.m.

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

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Wastewater Superintendent Dave Czarnecki, and Clerk Gladys Bybee

Guests/Visitors present: Friends of McCoy's Creek Trail Member Sheila Daly along with 5 visitors including 1 reporter

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

- Agenda
- Minutes: Regular Meeting May 12, 2008
- Checks 54891 to 54973 in the amount of \$240,647.92
- Acknowledge Public Hearing on the proposed State Revolving Fund Project
- Permit for Fireworks Display for Old Mill Festival; Authorize Manager to Sign

Sheila Daly reported on participation with the Memorial Day Parade. She explained the upcoming Creek Clean-up, near completion of the staircase in the woods, finalizing the erosion control at Bainton Mill by re-establishing native landscaping, and plans for the Trail Dinner Dance. She publicly thanked all volunteers. Moore reported good comments received during a wedding ceremony she performed at Bainton Mill and she and Commissioner Cole commended Daly and the Trail Committee.

Mullendore announced that she had not received any response from businesses or organizations to participate with the proposed radio advertising, thus the City would have to absorb all the cost. Discussion was shared about funds available and the different plans. *Hagey moved seconded by Harrington to accept the Representative Plan in the amount of \$5,050. with Midwest Family Radio Station Advertising Roll call vote carried unanimous.*

After recommendation from Mullendore, **Hagey moved seconded by Cole to approve the resolution as presented with a clarification that the buses are specifically bid out and sold individually.** Sale of Public Property and Authorization.

**WHEREAS**, the City Commission of the City of Buchanan, in the year 2000 with the assistance from Michigan Department of Transportation purchased three replacement buses for Buchanan Dial-A-Ride Public Transportation; and

**WHEREAS**, the City Commission of the City of Buchanan declares that the three buses purchased in 2000, specifically: VIN#1FDXE45FXHC01238, VIN#1FDXE45F8YHC01240, and VIN#1FDXE45F1YHC01239 have met their useful life; and

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

none

## Consent Calendar

Agenda

Minutes

Checks

Acknowledge

Public Hearing

Fireworks Display

Permit

## Reports

Friends of

McCoy's Creek

Trail

## Unfinished

### Business

Midwest Family

Radio Station

Advertising

Resolution

2008.05/26,

Authorization to

sell public property

(Dial-A-Ride

Buses)

**WHEREAS,**

the City

Commission of the City of Buchanan unanimously approve to dispose of said three buses.

**NOW, THEREFORE, BE IT RESOLVED** the City clerk is authorized to obtain release on the Certificate of Title for the three buses from the Michigan Department of Transportation as required; and

**BE IT FURTHER RESOLVED** that the buses be sold through the sealed bid process.

**Roll call vote carried unanimous.** Resolution 2008.05/26 declared adopted.

Norma Ferris said thank you to everyone for making Buchanan look wonderful for the salute to the veterans.

**Mullendore** commented:

- Introduced Dave Czarnecki, Wastewater Superintendent and he spoke briefly
- Reminder of her upcoming vacation with Chief Marx and Willie Brown being the main contact in her absence
- Thanked the Garden Club for their community plantings
- Receipt of positive comments about the Memorial Day Parade
- Thanked Larry Money and the Legion for the remembrance of Veterans and the South Bend Tribune for their coverage of the Memorial Day festivities
- Urged persons to volunteer to work at Pears Mill
- Congratulated Faithfully Used Retail Store grand opening downtown
- Condolences to Sharon Tyler on the loss of her husband Tim

**All Commissioners welcomed Dave Czarnecki, Wastewater Superintendent and noted condolences to Sharon Tyler and the Tyler Family on the death of Tim.**

**Cole** commented:

- Farmers' Market busy and favorable comments
- Thanks to City Employees, Garden Club, Legion and all that participated in the preparation of the parade
- Kudos to the Garden Club for their dedication and hard work on the corner of Redbud/Front

**Clark** commented:

- Same as Commissioner Cole

**Hagey** commented:

- Urges participation from people to get involved in a volunteer group
- Planters and flags look great downtown

**Harrington** commented:

- Congratulations and thanks to Sheila Daly
- Congratulations to the graduating class of 2008
- Good Luck to Girl's Softball League

**Moore** commented:

- Thanks to Meg for driving them around during parade
- Thanks to the Legion for the parade festivities
- Thanks to Friends of Oak Ridge Cemetery
- Thanks to all volunteer groups

### **Unfinished Business continued**

Resolution 2008.05/26, Authorization to sell public property (Dial-A-Ride Buses)

### **Public Comments**

### **City Manager Comments**

### **Commissioners' Comments**

***Harrington  
moved, seconded  
by Clark to go into  
Closed Session at  
8:05 p.m. to  
discuss the  
personnel  
evaluation as  
requested by City  
Manager Meg***

*Mullendore and review the closed session minutes from May 12, 2008.* The Mayor reconvened the regular meeting at 9:25 p.m. with no decisions made in closed session. *Cole moved seconded by Harrington to approve the May 12th closed session minutes regarding labor negotiations with the Police. Roll call vote carried unanimous. Cole moved seconded by Hagey to give Meg Mullendore, City Manager a merit raise of \$14,000. to bring her salary in line with other similar jurisdictions such as Otsego and Wolverine Lake. YEA: Cole, Hagey, Moore. NAY: Clark, Harrington. Roll call vote carried by majority vote.*

5-12-08 Minutes

City Manager Pay  
Increase**Adjourn**

*Harrington moved, seconded by Clark to adjourn the meeting at 9:28 p.m. Voice vote carried unanimous.*

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor**Closed Session**

**CITY OF BUCHANAN COMMISSION MINUTES  
MONDAY, JUNE 9, 2008**

A regular meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday June 9th and called to order by Mayor Moore at: 7:30 p.m.

**Pledge of Allegiance/Invocation**

The Pledge was recited by all in attendance. Roy Mark gave the Invocation.

**ROLL CALL**

Commissioners present: P/A David Hagey, P/A Jennifer Harrington, P/A Patricia Moore, P/A Carla Cole, P/A Barb Clark

Commissioner absent: Harrington

Staff present: City Manager Meg Mullendore,

Guests/Visitors present: 14 including 2 reporter

**Public Comments** (Citizens are allowed up to three (3) minutes for discussions on any non-agenda Item)

None

**Consent Calendar:**

*Mayor Moore motioned to postpone Item 12 until next the meeting, Hagey supported the motion. Roll call vote unanimous.*

*Hagey -- moved, seconded by Clark-- to approve the Consent Calendar as presented.*

*Roll call vote unanimous.*

A. Approve Agenda

\*B. Approve Minutes: Regular rescheduled Meeting May 27, 2008

\*C. Approve Checks 54974 to 55056 in the amount of \$90,556.58

D. Re-appoint Richard Gault, Barbara Clark and Joe Scanlon for a 3 year term expiring in 2011 to the Plan Commission

E. Re-appoint Mary Lysy for a 4 year term expiring in 2012 to the District Library Board

F. Re-appoint Tom Hoetger for a 3 year term expiring in 2011 to the Joint Sewer Water Board

G. Re-appoint Mae Proud for a 4 year term expiring in 2012 to the Common Committee

H. Re-appoint Scott Wahlstrom and Sheila Daly for a 3 year term expiring in 2011 to the Buchanan Area Recreation Board

I. Re-appoint Cherie Cozadd for a 4 year term expiring in 2012 to the Downtown

Development Authority and Tax Increment Finance Authority

**Call to Order**

**Pledge/Invocation**

**Roll Call**

**Public Comment**

**Consent Calendar**

Postpone Item 12 until the next meeting.

**Moore/Hagey**

Roll Call Vote –

Unanimous

Approve the Consent Calendar.

**Hagey/Clark**

Roll Call Vote –

Unanimous.

**Consent Agenda Continued:**

- J. Re-appoint Kathy Kingery, Patrick Ward and Dick Gault for a 4 year term expiring in 2012 to the Fine Arts Council.

4- Harrington - Absent

**Consent Agenda Continued:****Reports by: Departments, Committees, Boards**

- A. **Buchanan Senior Services** – Director Alice Hopkins – Name change to Buchanan Area Senior Center. Announced the millage renewal on the August 5, 2008 Primary Election. City Manager asked the status of the roof replacement. Hopkins replied that it has not been started.
- B. **Buchanan Preservation Society/Pears Mill** – President Tom Fehlner reported on the events, education programs and restoration at the Pears Mill.

**Reports:**

Buchanan Area Senior Center

Buchanan Preservation Society/ Pears Mill.

**Unfinished Business**

- \*A. Authorization to consider DDA Director as a city employee.  
Recommendation to consider the DDA Director as a City employee at management level with full reimbursement by DDA.

*Cole motioned to consider the DDA Director as a City employee at management level with full reimbursement from the DDA, Clark supported the motion.*

*Roll call vote unanimous.*

**Unfinished Business:**

Consider the DDA Director as a City employee  
Cole/Clark  
Roll Call Vote-  
Unanimous.

**New Business**

None

**New Business:**

None

**Public Comments (Citizens** are allowed up to two (2) minutes to discuss any non-agenda Item)

- Marie Buchanan Jones questioned comparable salaries of the City Manager position. Mayor Moore and Hagey answered the questions and offered to disclose the spreadsheet used to make their decision. Hagey went on to say that other job offers were made to the city manager and rather than to pay an agency to seek another city manager, it was the City's best interest to keep the current city manager.
- Nancy Bickard questioned if City Manager's salary increase was budgeted item. Mayor Moore answered questions by offering the evaluation of the budget.
- Stella Proud also questioned salary increase and requested that microphones be used to hear more clearly.

**Public Comment:****City Manager's Comments:**

Press Release: Drugs are not tolerated within the City. Arson case resolved. Treasurer O'Bryant having surgery.

**City Manager's Comments****Commissioners' Comments**

**Commissioners' Comments****Commissioners' Comments Continued:**

5- Moore - Thanks to Meg and Police Chief. Thankful to have a new DDA director. Need someone to help with research. Happy birthday to everyone that is having a birthday this month and fast recovery to O'Bryant.

1-Cole Happy Birthday to Meg, Barbara and Jennifer. 21 vendors at the Farmer's market. Kudos to Senior Center and Pears Mill.

3-Hagey – Volunteers commended. Don't take responsibility of being a City Commissioner lightly. "Volunteer, get involved, this is your City!" Become educated. Found out how things are funded.

2-Clark - Happy Birthday to Meg and Jennifer.

*Clark moved seconded by Cole to adjourn the meeting at 9:00 p.m. Voice vote carried.*

**Commissioners'  
Comments Continued****Adjournment**

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*Linda Casperson  
Recording Secretary*

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*Dr. Patricia Moore, Mayor*

# CITY OF BUCHANAN COMMISSION MINUTES

June 23, 2008

The Mayor called the Public Hearing to order at 7:17 p.m. and invited public comments on the proposed State Revolving Fund Project (\$1,990,000) to fund improvements to the City's municipal waste water system. Abonmarche Group Representative Rick Smigielski introduced and explained the project. An attendance sign-up sheet and hand-out was available for the public in attendance. A Court Stenographer was in attendance as applicable. Commissioner Hagey confirmed that the funding was a loan and not a grant. Smigielski introduced Kelly Bond, Michigan Representative and she explained the process of the loan through the state. Being no public or written comments, **Harrington moved seconded by Cole to adjourn at 7:25 p.m. Roll call vote carried unanimous.**

## Public Hearing

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

## Call to Order

All in attendance recited the Pledge of Allegiance. Reverend Pat Ramsden, Buchanan First Presbyterian Church gave the Invocation.

## Pledge/Invocation

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore, DDA/TIFA Director Debra Patzer, and Clerk Gladys Bybee

Guests/Visitors present: Plan Commission Chairman Richard Wonacott along with 14 visitors including 2 reporters

## Roll Call

**Stella Proud** complained about not being able to hear and announced the clean-up needed on Terre Coupe and Front Street. Conversation was exchanged between her and the City Manager regarding the process of code enforcement. **Bruce Hipshear** introduced himself as candidate for State Representative and gave a brief biography. **Stella Proud** asked a several regarding the wage comparables that were done prior to the salary increase for the city manager. The Mayor explained the spreadsheet was developed by population and state equalized values comparable to Buchanan and the City Manager gave her a copy of such spreadsheet. **Jan Ferris**, Fernwood Director stated that Fernwood was interested in purchasing one of the Dial-A-Ride buses and read the letter of interest (addressed later in the meeting).

## Public Comments

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

- Agenda
- Minutes: Regular scheduled Meeting June 9, 2008
- Checks 55057 to 55129 in the amount of \$78,580.53
- Acknowledge Public Hearing for SMCAS Special Assessment and Budget
- Acknowledge amendment to Organizational Chart; Addition of DDA Director
- Banner Placement Form for Michiana Cruisers 4th Annual Benefit Car Show

## Consent Calendar

Agenda  
Minutes  
Checks  
Acknowledge  
Public Hearing  
Organizational  
Chart Amendment  
Banner Placement

- End of Fiscal Year 2007-

Richard Wonacott, Plan Commission Chairman reported on the revising and updating the Master Plan, although no comments were heard during the Plan Commission Public Hearing. He further reported on other review projects such as design of a downtown building, construction of a church building, and two lot splits.

***Hagey moved seconded by Clark to approve the City of Buchanan, Community Master Plan 2008 as recommended by the Buchanan Plan Commission and Southwest Michigan Planning Commission. Roll call vote carried unanimous.***

Mullendore stated her concern to grant Fernwood's request would violate the resolution that the Commission adopted and staff adhered to as Charter Section 8.7 was followed. ***Hagey moved seconded by Harrington to accept the highest bid from Tim Ulrich for vehicle #3, VIN#1FDXE45FXYHC01238 in the amount of \$1,025.00 and vehicle #11, VIN#1FDXE45F8YHC01240 in the amount of \$1,525.00. and James Scarlett for vehicle #18, VIN#1FDXE45F1YHC01239 in the amount of \$450.00. Also to authorize the city clerk to sign the titles. Roll call vote carried unanimous.*** There was brief discussion with Ms. Ferris from Fernwood.

The Mayor read the resolution adopting a final project plan for wastewater system improvements and designating an authorized project representative. ***Cole moved seconded by Hagey to approve the resolution as read and presented earlier during the public hearing.***

**A RESOLUTION ADOPTING A FINAL PROJECT PLAN FOR WASTEWATER SYSTEM IMPROVEMENTS AND DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

**WHEREAS**, the City of Buchanan, Michigan recognizes the need to make improvements to its existing wastewater treatment and collection system; and

**WHEREAS**, the City of Buchanan, Michigan authorized Abonmarche to prepare a Project Plan, which recommends the construction of Improvements to the existing wastewater treatment facilities, lift stations, and collection system and

**WHEREAS**, said Project Plan was presented at a Public Hearing held on Monday June 23, 2008 and all public comments have been considered and addressed;

**NOW THEREFORE BE IT RESOLVED**, that the City of Buchanan formally adopts said Project Plan and agrees to implement the selected alternative(s) as stated in the plan, and.

**BE IT FURTHER RESOLVED**, that the City Manager, a position currently held by Ms. Meg Mullendore, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a State Revolving Fund loan to assist in the implementation of the selected alternative.

***Roll call vote carried unanimous.*** Resolution 2008.06/27 declared adopted.

**Mullendore commented:**

- Introduced Debra Patzer, the new DDA Director
- Confirmed the Commission meeting July 28<sup>th</sup> would be at the Common
- Urged reservations from Commissioners for MML Conference
- Condolences to the Larry Clymer family
- 168 Garage Sales permits issued
- Received notification from DWRP that Buchanan is number 2 to receive funding from the State Revolving Fund. Thanked Abonmarche.

**Consent Calendar continued**

Budget Amendment

**Reports**

Friends of  
McCoy's Creek  
Trail

**Unfinished**

**Business**

Community Master  
Plan

Sale of Surplus  
Vehicles, Dial-A-  
Ride buses

Resolution  
2008.05/27,  
Adopting a Final  
Project Plan for  
Wastewater  
System  
Improvements and  
Designation an  
Authorized  
Representative

**Public Comments**

none

**City Manager  
Comments**

**All commissioners  
welcomed Debra  
Patzner and gave**

**their condolences to the Larry Clymer family**

**Harrington** commented:

- Congratulated Tiffany Griffin on first runner-up Miss Michigan 2008
- Asked why the new logo was not displayed on the new squad car. Mullendore replied to stay consistent with the other police vehicles.

**Hagey** commented:

- Announced that he had 8 meetings left through his term and 41 projects going over the last 4 years. He commented on the project list.
- Thanked all for their support over the past ten years

**Clark** commented:

- Pleased to see all in attendance
- Will be absent from July 14 meeting in California

**Cole** commented:

- Welcomed Mullendore back from her vacation

**Moore** commented:

- Excited about completing projects from the list
- Impressed that some Garage Sales were held as fundraisers
- Congratulation to newly wed Dennis and Stacey Hoyt
- Welcomed Mullendore back

*Harrington moved, seconded by Clark to go into Closed Session at 8:14 p.m. to review closed session minutes from May 23, 2008. Roll call vote carried unanimous.* The Mayor reconvened the regular meeting at 8:24 p.m. with no decisions made in closed session.

*Cole moved seconded by Hagey to approve the May 23rd closed session minutes regarding Employee Evaluation. Roll call vote carried unanimous.*

*Harrington moved, seconded by Clark to adjourn the meeting at 8:25 p.m. Voice vote carried unanimous.*

**Closed Session**

Employee  
Evaluation Minutes  
5-23-08 Minutes

**Adjourn**

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

**Commissioners'**  
**Comments**

# CITY OF BUCHANAN COMMISSION MINUTES

July 14, 2008

**The regular scheduled meeting of the City Commission** was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, July 14th. Mayor Moore called the meeting to order at 7:30 p.m.

All in attendance recited the Pledge of Allegiance. Cindy Gunn, Buchanan Christian Church gave the Invocation.

Commissioners present: Carla Cole, Dave Hagey, Patricia Moore

Commissioners absent: Barbara Clark, Jennifer Harrington

Staff present: City Clerk Gladys Bybee and Assessor Gordon Schreiber

Guests/Visitors present: Chamber of Commerce President and Joint Arts & Historical Committee member Alice Kring along with 15 visitors including 2 reporters

**Stella Proud** praised the commission, and relayed thanks from Ruth about resolving the high grass issue. She confirmed that Chief Marx called her and confirmed that Code Enforcement would be working on her concerns. **Stephanie Hemminger**, owner of C & S Hemminger, Inc. objected to the appointment of Alan Robandt to the DDA board due to his vocalism. She further explained her dismay with the DDA board rescinding the \$90,000. grant award for the reconstruction of 207 and 209 E. Front Street owned by Tom Hitchcock. There was debate and discussion between Alice Kring who sits on the DDA board and the Infrastructure Advisory Board, Commissioner Hagey and Mayor Moore who also sit on the DDA board, and Hemminger. The Mayor affirmed that the Secretary of Interior guidelines must be met and urged Ms. Hemminger to meet with DDA Director Debra Patzer. **Phyllis Reutz**, Liberty Avenue asked that small trees downtown and in front of Fifth-Third Bank be trimmed due to blocking the view of traffic and weeds needing cleared at the old Electro-Voice building.

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

- Agenda
- Minutes: Regular Meeting June 23, 2008 and Special Meeting June 30, 2008
- Checks 55130 to 55281 in the amount of \$380,151.76
- Revision and Amendment to Organizational Chart; Addition of DDA Director
- Budget Amendment: \$16,655 in General Fund, Police Capital Lease Payments
- Appoint Alan Robandt to the DDA/TIFA as recommended by the DDA/TIFA Board

Alice Kring distributed written report with schedule of Chamber of Commerce sponsored Old Mill Fest and explained in detail (schedule changing daily). She further reported record attendance to Chamber Banquet, office moved to 324 E. Front Street, thanks to City for office space use the prior 5 years, annual golf outing forthcoming, senior planning seminars in October, hoping to host business expo in 2009, and increased membership. Cole thanked Kring.

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

## Consent Calendar

Agenda  
Minutes  
Checks  
Revision &  
Amendment to  
Organizational  
Chart  
Budget  
Amendment  
DDA/TIFA  
Appointment

## Reports

Chamber of  
Commerce

Kring reported that  
the Joint Arts &

Historical Committee determined it to be cost prohibitive to have two festivals a year. The Farmers' Market Board has requested to be part of the Joint Committee and she suggested/recommended that the City Commission amend the resolution developing the Joint Committee to include such. Commission requested that a formal request come from the Joint Committee. Kring noted that the Joint Committee was a big influence for cooperation and scheduling between all of the committees.

Assessor  
Department

Assessor Gordon Schreiber reported that he is in Buchanan on Tuesdays however takes calls at his Berrien County office the other days of the week. He explained the process of March, July and December Board of Review meetings and commended members Jim King, JT Adkerson, and Margaret Young. He summarized the contents of his written report while all reviewed. Questions were shared regarding foreclosures.

**Unfinished  
Business**  
None  
**New Business**  
None

**Kring** thanked the commission for providing the dollars to the Farmers Market and a big thank you to the Farmers' Market Board. **Ann Marie Buchanan Jones** asked what the protocol is for city employees to talk at a public meeting during public comments and can a city employee speak with a resident of Buchanan. The Mayor replied that a city employee is bound to follow chain of command. **Melissa Shea** asked what to do if a city employee never returns calls. The Mayor requested her to contact the City Manager.

**Public Comments**

**City Manager  
Comments**  
None

**Commissioners'  
Comments**

**Cole** commented:

- Thanks to couple that purchased old Zinc Collar Pad building at 101 E. Chicago

**Hagey** commented:

- Congratulations to Emily Ross on the Student Athlete of the Year
- Encouraged by the comments from the Candidate Forum regarding a new fire department and pleased with the annual report of \$500,000 plus for the new municipal complex.
- Annual cash and investment report; earned over 393,000 derived from investments, commended Treasurer Juli O'Bryant and past commissions for fiscal responsibility. Looking back, the first commission he sat on did the right thing by cutting all budgets by 10 percent. Urged candidates to pay close attention to budget.
- Urged participation with city boards/committees as volunteers make this City great
- Apologized to Ms. Hemminger for conversation earlier in the meeting and asked to speak with her after the meeting

**Moore** commented:

- Great City and proud of it; economical success due to employees and past commissions

**Adjourn**

***Cole moved, seconded by Hagey to adjourn the meeting at 9:03 p.m. Voice vote carried unanimous.***

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

**Reports continued**

Joint Arts & Historical Committee

# CITY OF BUCHANAN COMMISSION MINUTES

July 28, 2008

The regular scheduled meeting of the City Commission was held at the Buchanan Common at the corner of Days Avenue and Roe Street, Buchanan, Michigan Monday, July 28th. Mayor Moore called the meeting to order at 7:30 p.m.

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

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore and City Clerk Gladys Bybee

Guests/Visitors present: 15 visitors including 2 reporters

**Stella Proud** corrected her statement from last meeting that issues and problems should be taken to Commissioners and thanked Mullendore for taking care of issues promptly. She noted properties in need of high grass cleanup next to her rental on Redbud Trail and asked when limb pickup was. She and the city manager had conversation regarding the yellow house on Fourth Street having interior mold. **Ann Marie Buchanan-Jones** asked how to know what specific questions to ask about items on the agenda and how would residents' without access to phone, cable, etc. know what is going on with city government. Hagey replied that citizens have a right/obligation to learn about what is going on within the City and persons could view the agenda and/or ask questions on Friday afternoons or during regular business hours on Monday before the meeting.

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

- Agenda
- Minutes: Regular Meeting July 14, 2008
- Checks 55282 to 55353 in the amount of \$456,558.06
- Banner Placement on Front Street for Jack Glarin Veterans Benefit Ride
- Banner Placement on Redbud Trail for Buchanan Chamber of Commerce Old Mill Festival
- Street Closure requests for Old Mill Festival: 1) N. Oak Street from Front to Dewey, 2) Oak Street from Front to Roe, 3) Front Street from Redbud to Terre Coupe, 4) Days from Front to Roe & East Roe from Days to Oak
- Resolution approving Advance Construction Contract 08-5293 with Michigan Department of Transportation and authorizing the City Manager and Clerk to sign the Contracts

**WHEREAS**, pursuant to Federal law, monies have been provided for the performance of certain improvements on public roads; and

**WHEREAS**, the project is being programmed with the Federal Highway Administration, for implementation with the use of Federal Funds under Surface Transportation Program; and

**WHEREAS**, the parties have reached an understanding with each other regarding performance of the project work and have set forth the understanding in the form of a written contract.

**NOW, THEREFORE, BE IT RESOLVED:** that the City of Buchanan authorizes Meg Mullendore, City Manager and Gladys M. Bybee, Clerk of the City of Buchanan, to jointly execute MDOT Contract No. 08-5293. **Resolution 2008.07/29 declared adopted.**

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

## Consent Calendar

Agenda

Minutes

Checks

Banner Placements

Street Closures

Resolution

2008.07/29,

MDOT Contract

for Front Street

Construction

Mullendore

reported that the

City was approved by the State for the Drinking Water Revolving Fund (DWRF) and explained the need for a firm to obtain bond rating. ***Cole moved seconded by Hagey to authorize the City Manager to solicit perspective quotes from appropriate firms to perform bond rating. Roll call vote carried unanimous.***

Authority to Solicit for Bond Rating

Mullendore reported the city is obligated to utilize bond counsel and recommended Miller Canfield (last used) at an estimated cost of \$3,000 to \$7,000 and requested that the commission authorize her to enter into agreement with bond counsel to complete and facilitate the appropriate and required paperwork necessary for obtaining funds through the Drinking Water Revolving Fund (DWRF) from the State of Michigan to begin implementing the necessary upgrades to the city’s water system. ***Cole moved seconded by Moore to authorize the City Manager to enter into an agreement with Miller Canfield as bond counsel to process the proper paperwork for the State Drinking Water Revolving Fund. Roll call vote carried unanimous.***

Authority to Enter Agreement for Bond Counsel

**New Business**

Add Wage Range 7, Classification; Assistant Superintendent/Wastewater Laboratory to Salary Table SEIU Local 586

Mullendore reported that Dave Czarnecki, Wastewater Treatment Plant (WWTP) Superintendent was released and she explained that she spoke with 35 year employee Gary Greathouse who would be interested in being Assistant Superintendent, however he does not want to leave the union so she recommended the addition to Salary Table SEIU Local 586: Wage Range 7, Classification; Assistant Superintendent/Wastewater Laboratory. There were questions regarding the required certifications necessary. ***Clark moved seconded by Hagey to approve the new wage range 7 as presented and recommended. Roll call vote carried unanimous.***

**Public Comments**

**Stella Proud** stated that people should attend all meetings to find out what is going on. **Ann Marie Buchanan-Jones** says she has spoken with residents’ and they are interested in why we don’t have a Rental Inspection Inspector or monitor rental properties. After shared discussion, it was noted that persons with rental problems can go to County or State Housing Office or take issues to the Attorney General.

**City Manager Comments**

**City Manager’s Comments:**

- Publicly announced that Willie Brown has accepted the full-time Public Services Director (PSD) position
- Police Department received a \$1,000 donation to purchase a piece of equipment of their choice
- Summarized that Niles City is going through an IRS audit and cell phones are considered a personal service to employees, thus they must pay taxes on any personal use of the cell phone. Will be coming forth with a policy.
- 127 resumes received for Administrative Secretary
- Movie at Common; 1<sup>st</sup> in a few years. Thanked Alice and Joe Kring, and Russ Stephens for popcorn and Patrick Ward for wiring
- Gary Greathouse promoted to wage 7
- Completion of Seminar and receipt of union wage certification; thus she will be training supervisors

**Commissioners’ Comments**

All commissioners congratulated Gary Greathouse and Willie Brown on their new positions.

**Cole** commented:

- Therapeutic Equestrian Center looking

**Unfinished Business**

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for place to board horses and allow handicap to ride; urged anyone interested to call

**Harrington** commented:

- Personally commend BYSBA Coaches for 1<sup>st</sup> place
- Wish all candidates good luck

**Clark** commented:

- Glad to be back
- Thanks to Russ Stephens and Alice Kring for providing popcorn at meeting

**Hagey** commented:

- Very passionate about the City and takes the job seriously; hopes the new commissioner will take the responsibility and time to find out what is going on to make an informed decision

**Moore** commented:

- Thanked the police and city staff for continuing the efforts to reduce the drug issues within the City of Buchanan
- Thanks to anonymous donor for police donation
- Enjoys and proud of the Farmers' Market
- Thanks to Express One for their appreciation celebration
- Thanks to all involved with the movie
- Sunday program at Pears Mill was great and urged attendance to the Mill
- Michiana Cruise In at McCoy's Creek park
- Congratulations to Meg Mullendore for recruiting Gary Greathouse and Willie Brown to other employment positions
- Thanks to all for their attendance to tonight's meeting

**Adjourn**

*Harrington moved, seconded by Clark to adjourn the meeting at 8:51 p.m. Voice vote carried unanimous.*

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

**Commissioners'**  
**Comments continued**

# CITY OF BUCHANAN COMMISSION MINUTES

August 11, 2008

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, August 11th. Mayor Moore called the meeting to order at 7:30 p.m.

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

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

Commissioners absent: Carla Cole

Staff present: City Manager Meg Mullendore and City Clerk Gladys Bybee

Guests/Visitors present: 15 visitors including 2 reporters

Ann Marie Buchanan Jones asked about agenda VIII.B., regarding the moving of the horse drawn hand pumper fire engine; how much would it cost and why. Moore replied that it was estimated to cost \$500. to MSU for preparation to move and it is an antique piece of equipment, purchased by the City in 1863, part of City culture/history and working to bring it back for the 150<sup>th</sup> birthday celebration. Stella Proud announced she was excited about the new restaurant right outside the City limit.

***Hagey moved seconded by Clark to add 9 checks to the Check Register for summer tax distribution in the amount of \$290,021.91; specifically check numbers 55461 to 55469. Roll call vote carried unanimous. Harrington moved, seconded by Clark to approve the Consent Calendar as amended. Roll call vote carried unanimous.***

- Agenda
- Minutes: Regular Meeting July 28, 2008
- Checks 55354 to 55469 in the amount of \$391,133.34
- Banner Placement on Redbud Trail for Buchanan High School Class of 1983
- Accept resignation of Phil Hempel from the DDA/TIFA Board
- Accept resignation of Alan Robandt from the DDA/TIFA Board
- Appoint Dorothy MottL to the DDA/TIFA for a four year term expiring 2012 as recommended by the DDA/TIFA Board

**Mary Lister**, Board President and Executive Director of the Buchanan Art Center reported the mission of the Center and announced August 25<sup>th</sup> going into 4<sup>th</sup> year with 3 galleries open. She explained artists are within 50 mile radius, 36 classes available for fall, just opened pottery room, over 30 volunteers, again doing scarecrows this year, funded \$40,000 endowment, advertised in Beacher and Lake Magazine. Questions were shared about plans for the Sesquicentennial Exhibit on August 22<sup>nd</sup>. The Mayor commended the Art Center.

Mullendore reported the request to purchase public property, stated it was unbuildable with the opportunity to generate revenue and decrease the City mowing, and recommended consideration to sell. ***Clark moved seconded by Harrington to call a public hearing on September 8, 2008 at 7:30 p.m. to sell public property as specified in City Charter Section 8.7. Roll call vote carried unanimous.***

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

## Consent Calendar

Agenda  
Minutes  
Checks  
Banner Placements  
DDA Resignation,  
Phil Hempel &  
Alan Robandt

DDA  
Appointment,  
Dorothy MottL

## Reports

Buchanan Art  
Center

## New Business

Call Public  
Hearing for Sale of  
Public Property

The Mayor  
reported learning

about the hand pumper fire engine being stored at Michigan State University and proposed that minimal dollars (\$500) be expended to MSU for careful handling. She explained that Express-1 was donating a truck to transport it with City crew assisting in the move. Commissioners shared discussion about costs to move back and forth (\$500. here and \$500 back), costs for Public Services Director along with four seasonal workers to drive there, Attorney fees, and reestablishing the claim to ownership of the fire engine. The Mayor further explained the attempt to acquire the piece of equipment for Buchanan 150<sup>th</sup> birthday celebration as it would add to our cultural heritage as an important part of Buchanan history. Hagey congratulated the Mayor on her search and ***moved to expend the funds as estimated by MSU and get equipment returned to the City. Moore seconded the motion.*** Discussion included location to be displayed, timing, and availability of funds. ***Roll call vote, motion lost. YEA: Moore, Hagey. NAY: Harrington, Clark.***

**New Business**  
Expenditure of funds to MSU to facilitate acquiring the hand pumper fire engine

After brief explanation from the City Clerk, **Harrington moved seconded by Hagey to approve the resolution as presented.**

Resolution  
2008.08/30, Dial-A-Ride Millage Proposal

TO PLACE DIAL-A-RIDE MILLAGE FOR ONE YEAR 2010 UNDER UMTA SECTION 5, FTA ACT OF 1978 UNDER GENERAL TRANSPORTATION FUND PROGRAM, AND ACT 327 OF THE P.A. OF 1972 AS AMENDED

**WHEREAS**, Dial-A-Ride provides a necessary service to the citizens of the City of Buchanan; and  
**WHEREAS**, the City of Buchanan has contracted with Transportation Management, Inc. to operate the City’s Dial-A-Ride program which has been proven successful during the past years; and  
**WHEREAS**, a Dial-A-Ride millage is necessary to meet the local share portion of the annual operating budget.  
**NOW, THEREFORE, BE IT RESOLVED** by the Buchanan City Commission to place a proposition on the November 4, 2008 Election Ballot to read:

Shall the City of Buchanan continue its local support of the “Dial-A-Ride” Bus System, more properly known as the “Dial-A-Ride Transportation System”, under UMTA Section 5, Federal Transportation Act of 1978, the general transportation fund program, and Act 327 of the P.A. of 1972, as amended, of the state of Michigan by levying one mill (One [\$1.00] Dollar per each One Thousand [\$1,000.00] Dollars) on the taxable value of all taxable property in the City of Buchanan to support its local share, for a period of one (1) year, to be levied in 2010? The requested millage rate represents a renewal of a previous millage of 1 mill (One [\$1.00] Dollar per each One Thousand [\$1,000.00] Dollars), on the taxable value of all taxable property in the City of Buchanan. Based on current valuation, it is estimated that the amount of revenue generated from the total millage in 2010 will be approximately Eighty Eight Thousand Five Hundred Ten (\$88,510) Dollars.

YES                       NO

**Roll call vote unanimous. Resolution 2008.08/30 declared adopted on this 11th day of August, 2008.**

Stella Proud thanked Mullendore for taking care of high grass and trash reported at last meeting. Buchanan Jones congratulated candidates who made it through primary and stated that she researched rental inspection with the State of Michigan since the July meeting and found out that jurisdictions can regulate by ordinance. She asked what is keeping Buchanan from developing a rental ordinance. She also asked how much the City contributes to Old Mill Fest. Commissioner Hagey responded to Ms. Jones questions. After questions from Kathy Kingery about Reliable Trash disposal Mullendore confirmed to provide a copy of said contract. Alice Kring offered comments that the City already has regulations for rental properties through the building code and building maintenance through ordinances and suggested information in newsletter to residents. She also thanked the City for support of Old Mill Fest and urged volunteers.

**Public Comments**

**City Manager Comments:**

- Very good turn out for National Night Out, Thanks to all that volunteered
- North parking lot completed. Thanks to DDA
- 140 resumes received for Administrative Secretary and interviews this week
- Urged attendance to Old Mill Festival

### Commissioners' Comments

#### Commissioners' Comments

**Harrington** commented:

- Congratulations to candidates
- Sympathy to the Desenberg family

**Hagey** commented:

- Congratulations to all 6 candidates and 4 successful ones, wish them success
- Disappointing turnout for voting
- Funds to acquire the fire engine well below the limit that City Manager can spend per the Charter and urge her to go forward. He confirmed he would contribute personally.

**Clark** commented:

- Congratulations to successful candidates
- Congratulations to the Art Center
- Will not be at next meeting or festival

**Moore** commented:

- Thanks to all for National Night Out
- Thanks to Express-1 for volunteering to transport the fire engine from MSU
- Thanks to DDA for downtown flowers and north parking lot reconstruction, especially with a lot of care taken to notify businesses
- Sympathy to Desenberg family.
- Congratulations to all candidates, urged participation to November voting

### Adjourn

*Harrington moved, seconded by Clark to adjourn the meeting at 8:40 p.m. Voice vote carried unanimous.*

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

### City Manager Comments

# CITY OF BUCHANAN COMMISSION MINUTES

August 25, 2008

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, August 25th. Mayor Moore called the meeting to order at 7:30 p.m.

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

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

Commissioners absent: Barbara Clark

Staff present: City Manager Meg Mullendore, Public Services Director Willie Brown, Administrative Secretary Cathy Emmel, and City Clerk Gladys Bybee

Guests/Visitors present: 16 visitors including 2 reporters

Chamber of Commerce President Alice Kring thanked the Commission for supporting and assisting the Chamber with Old Mill Festival and distributed gifts for each of the Commissioners (mugs, shirts, and commemorative cd of 1958 parade). Judy Truesdell introduced herself as a 78<sup>th</sup> District candidate and gave a brief summary of her platform.

***Cole moved seconded by Hagey to add 1 check to the Check Register for the DDA Infrastructure Improvement Grant project in the amount of \$30,000.00; specifically check number 55609. Roll call vote carried unanimous. Hagey moved, seconded by Cole to approve the Consent Calendar as amended. Roll call vote carried unanimous.***

- Agenda
- Minutes: Regular Meeting August 11, 2008
- Checks 55470 to 55609 in the total amount of \$3,493,908.92

Mullendore summarized the bid waiver request and introduced Willie Brown who was available to answer questions. Brown explained the overhaul in detail and discussion was shared about the well being down for ten days. ***Hagey moved seconded by Cole to approve the bid waiver for the Water Department in the amount of \$11,200. to overhaul the well pump and motor by Peerless Midwest. Roll call vote carried unanimous.***

After brief explanation from the City Clerk, ***Moore moved seconded by Harrington to appoint Carla Cole as the official representative and Barbara Clark as the alternate voting member at the Annual Business Meeting of MML Conference scheduled for October 1-4, 2008. Roll call vote carried unanimous.***

Maryellen Robards asked if it is common practice for a non-city employee to drive a city vehicle. Mayor Moore replied this was a special circumstance and explained that firefighters requested that recently retired Fire Chief Warren Weaver be allowed to drive the vehicle pulling the wagon with the hand pumper fire engine as he had tried for years to obtain it.

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

## Consent Calendar

Agenda  
Minutes  
Checks

## Reports

None

## New Business

Bid Waiver for  
Well Overhaul

MML Conference  
Delegate and  
Alternate

## Public Comments

**City Manager's Comments:**

- Introduced newly hired Administrative Secretary Cathy Emmel
- Publicly thanked the Commission and members of the community for their support during her illness

**Commissioners' Comments:**

All commissioners wished Commissioner Clark a speedy recovery, welcomed Cathy Emmel, and thanked/commended all for their hard work with the 150<sup>th</sup> Birthday Celebration/Old Mill Festival.

Mayor Moore urged participation and explained the circulation of a petition to take all reasonable efforts to secure and return the 1860's Hand Pumper Fire Engine that was loaned to the Chamberlain Memorial Museum of Three Oaks in June, 1925, and currently held by the Michigan State University Museum (currently in City possession for the celebration/festival).

*Harrington moved, seconded by Cole to adjourn the meeting at 7:56 p.m. Voice vote carried unanimous.*

**Commissioners'  
Comments****Adjourn**

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

**City Manager Comments**

# CITY OF BUCHANAN COMMISSION MINUTES

September 8, 2008

The Mayor called the Public Hearing to order at 7:30 p.m. and invited public comments concerning the sale of public property, parcel number 11-58-7300-0052-00-8, located on Moravia Street. Being no public or written comments, **Cole moved seconded by Clark to adjourn at 7:31 p.m. Roll call vote carried unanimous.**

## Public Hearing

**The regular scheduled meeting of the City Commission** was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, September 8th. Mayor Moore called the meeting to order at 7:31 p.m.

## Call to Order

All in attendance recited the Pledge of Allegiance. Reverend Len Bailey, Church of the Nazarene gave the Invocation.

## Pledge/Invocation

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore and City Clerk Gladys Bybee

Guests/Visitors present: Moose Governor Tom West along with 13 visitors including 2 reporters

## Roll Call

***Cole moved, seconded by Hagey to amend the agenda to include a report from the Moose Lodge under Reports. Roll call vote carried unanimous. Hagey moved, seconded by Cole to approve the Consent Calendar as amended. Roll call vote carried unanimous.***

## Consent Calendar

Agenda  
Minutes  
Checks

- Agenda
- Minutes: Regular Meeting August 25, 2008
- Checks 55610 to 55683 in the amount of \$129,287.10

Previous Moose Lodge Governor Joe Scanlon and current Governor Tom West reported on several benefits held for local residents, use of the lodge for several civic organization meetings, several monetary donations, sponsorship of senior services picnic, appreciation dinner for police department, along with numerous other events.

## Reports

Moose Lodge

Mullendore reported on the interest from the Williams family to purchase the Moravia Street property that is directly adjacent to family. She explained the benefit to put the property back on the tax rolls and eliminate city maintenance. ***Cole moved, seconded by Clark to approve the purchase agreement for \$1.00 and costs not to exceed \$1,100. from J.T. Williams for Lot 52, also known as 517 Moravia Street as recommended. Roll call vote carried unanimous.***

## Old Business

Purchase  
Agreement for  
Moravia Street Lot  
52

Mullendore described what a Renaissance Zone was and reported on the recommendation from staff to extend the Renaissance Zone an additional five years through 2016. She further explained that an individual was interested in purchasing property in the zone and the process for the extension. Discussion was shared about the water/sewer availability and what would be necessary before the purchase/development could take place. Commissioner Hagey was familiar with the individual's interest and was concerned about the timing for the development. Mullendore explained there may be need to front end the costs to run the water/sewer if

## New Business

Renaissance Zone  
Five Year Extension

necessary utilizing the Revolving Loan Fund dollars and confirmed her contact with the interested individual. Discussion was shared. ***Hagey moved, seconded by Cole to authorize the Mayor and City Manager to prepare and sign the necessary documents to extend the Renaissance Zone an additional five years, from 2011 to 2016. Roll call vote carried unanimous.***

**Public Comments**

Michelle Klarich, 316 Moccasin was concerned about pedestrian and heavy vehicular traffic on Moccasin because of the elementary school and asked for a change of the detour route caused by the reconstruction on Front Street. Mullendore reported the use of Moccasin was due to wide enough radiuses for trucks to turn onto Fourth from Moccasin and confirmed she would discuss the concern with the Police Chief to review the process for possible increase of crossing guards.

Kathy Kay, 111 W. Third was concerned about a tree that was cut down by City workers last fall on private property at Commissioner Cole's house on Chicago Street and wanted to know if it were true. Mullendore reported that permission had to be sought from the Coles and the tree was removed due to roots causing problems with the sewer lateral and creating sewer back up to adjacent property owners. After discussion, Mullendore suggested that the Kay's obtain the written documentation through the freedom of information act.

**City Manager Comments**

Len Bailey asked when brush pickup would end. Mullendore replied October 6<sup>th</sup>.

**City Manager's Comments:**

- Michigan Dept. of Transportation (MDOT) delay and will be starting Front Street reconstruction on Wednesday and explained phase 1, 2, & 3 in detail (One full shut down day with October 10 deadline).
- 9-11 Remembrance sponsored by BAMA with Commissioner Clark singing
- Halloween calls coming in; possible issue with school football game. As recommended, the Mayor made the executive decision to observe Trick-or-Treat on Saturday, November 1st from 5:00 to 7:30.
- Scarecrows looking wonderful downtown
- City Manager meeting hosted by Buchanan next month
- Welcome back Commissioner Clark
- Thanks Moose for continued support of the community and on a national level

**Commissioners' Comments**

**Commissioners' Comments:**

All commissioners welcomed Commissioner Clark back after her surgery. Commissioner Cole thanked the Art Center for scarecrows, the Moose Lodge and all City volunteers. Commissioner Clark thanked all for support and was glad to be back. She urged attendance to 9-11 remembrance. Mayor Moore also urged attendance to 9-11 remembrance and thanked the Ministerial Association for sponsoring the event. She said the scarecrows are magical.

**Adjourn**

***Harrington moved, seconded by Clark to adjourn the meeting at 8:21 p.m. Voice vote carried unanimous.***

\_\_\_\_\_  
Gladys Bybee, CMC-City Clerk

\_\_\_\_\_  
Dr. Patricia Moore, Mayor

**New Business continued**

Renaissance Zone Five Year Extension

# CITY OF BUCHANAN COMMISSION MINUTES

September 22, 2008

**The regular scheduled meeting of the City Commission** was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, September 22nd. Mayor Moore called the meeting to order at 7:30 p.m.

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

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore, DDA Director Debra Patzer, and City Clerk Gladys Bybee

Guests/Visitors present: Chamber of Commerce President Alice Kring along with 18 visitors including 1 reporter

Kathy Kay, Third Street asked about who was paying for the Post Road paving and questioned the funds for the railroad property purchase. Mullendore explained both.

***Cole made a motion that a performance only evaluation for the City Manager be added to the agenda.*** Moore reported that she would do a personal evaluation from the paperwork/input that other commissioners forwarded to her. ***Motion failed for lack of a second.*** Mullendore interjected that according to Article I, Section 1.1 (d) of the contract, an evaluation was not mandatory. ***Cole moved, seconded by Clark to approve the Consent Calendar as presented. Roll call vote carried unanimously.***

- Agenda
- Minutes: Regular Meeting September 8, 2008
- Checks 55684 to 55795 in the amount of \$306,556.84

Kring requested to give Joint Arts & Historical District report the last meeting in October. She reported in detail on the fifth year Old Mill Festival estimated attendance of 15,000 visitors and 27 vendors participating. She announced volunteer organizations and distributed checks to those in attendance. After urging persons to participate in 2009 Old Mill Festival (8-28/29/30) greetings were shared.

DDA Director Patzer thanked the Commission on behalf of the DDA for Mullendore's assistance and reported that she is establishing contacts at MSHDA and MEDC to take advantage of programs they offer. She explained the Main Street Program, Historic Places Designation, approved two façade grants and 4 infrastructure grants, and hired Pam O'Connor to review future applications. She gave further details about working with joint boards and invited all to attend DDA sponsored "After Hours" this Wednesday.

Mullendore announced the resolution with the District Library regarding the electrical box (supply to the street lights downtown) protruding unto library property. She explained moving and decreasing the size of the box in detail and recommended the release. ***Hagey moved, seconded by Moore to release the Option on the Second Floor of the District Library Building. Roll call vote carried unanimously.***

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

## Consent Calendar

Agenda  
Minutes  
Checks

## Reports

Old Mill Festival

Downtown  
Development  
Authority

## Old Business

Option Release of  
Second Floor  
District Library  
Building

Mullendore  
explained the

Request from the Recreation Board to subsidize the purchase of 1.22 acres of abandoned railroad right-of-way, as recommended by Friends of McCoy's Creek Trail (MCT). She explained the issue and changes to Phase II of the project. Russ Stephens, Treasurer for Friends of MCT explained their funding mechanisms. After confirmation where funds would be taken, ***Cole moved, seconded by Hagey to approve the \$10,000 expense from the recreation board funding to acquire the abandoned rail road right-of-way. Roll call vote carried unanimously.***

Railroad property  
subsidy-\$10,000

Mullendore reported on the resurfacing of Post Road from Bakertown to Terre Coupe and also Terre Coupe to Front Street and explained the dissolution of Andrews Farm TIFA in 2007. She explained the remaining funds are being used for telecommunication infrastructure, loan to DDA, and recommended the resurfacing project. After time frame and business disruption were discussed, ***Harrington moved, seconded by Clark to approve the proposal from Consumer Asphalt for Milling and Resurfacing Post Road in an amount not to exceed \$113, 288 as presented. Roll call vote carried unanimously.***

Post Road milling  
& resurfacing

### Public Comments

Sue Lehrer, Front/Moccasin corner explained her yard plantings and the damage caused by city workers to the trees, shrubs, yard ornaments and furniture. She requested restitution and reparation in the amount of \$5,000. Alice Kring reported that the Tin Shop flooding (water came up through the floor drains) was being taken care of and invited the Commission and public to the last play of the season. Kathy Kay reported that she received information from her FOIA request but it was not proof of the previous tree root problems as reported by the City Manager. After debate, Kay requested the documentation from the city manager claims. The Mayor confirmed that information would be delivered as soon as possible. Lorne Kay requested clarification on the city manager increase and evaluation as mentioned earlier. The Mayor confirmed that Commissioner Cole requested that it be added to the agenda as the contract calls for it to be done in September. He opposes the raise the city manager received.

### City Manager Comments

#### **City Manager's Comments:**

- Sending prayers to Scanlon Family and reported on the condition of Stella Proud
- Retaining wall on Clark and Chicago falling into right-of-way creating a hazard. Said this spring they would take care of it. She gave directive to Police Chief to notice the property owner and work needs to be done by private firm and bill the property owner. Will return with cost for bid authorization.
- Urged members to look at preliminary design of the website and report changes

### Commissioners' Comments

#### **Commissioners' Comments:**

All commissioners sent well wishes for Lisa Scanlon and Stella Proud. Harrington reported on the condition of Lisa Scanlon. Cole and Clark thanked Alice Kring for her hard work and report on the Old Mill Fest.

### Adjourn

***Harrington moved, seconded by Clark to adjourn the meeting at 8:54 p.m. Voice vote carried unanimously.***

\_\_\_\_\_  
Gladys Bybee, CMC-City Clerk

\_\_\_\_\_  
Dr. Patricia Moore, Mayor

### New Business

# CITY OF BUCHANAN COMMISSION MINUTES

October 13, 2008

**The regular scheduled meeting of the City Commission** was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, October 13, 2008. Mayor Moore called the meeting to order at 7:30 p.m.

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

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

Commissioners absent: none

Staff present: City Manager Meg Mullendore, Public Services Director Willie Brown, and City Clerk Gladys Bybee

Guests/Visitors present: 32 visitors including 2 reporters

Larry Elliott, 313 Terre Coupe Road shared his concern that there was a breach of contract as the City Commission promised that interested persons would be made aware/involved with the Mill Race Remediation Study. The Mayor confirmed that all received paperwork on Friday and presentation will occur later in meeting.

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

- Agenda
- Minutes: Regular Meeting September 22, 2008
- Checks 55796 to 55928 in the amount of \$248,971.29
- Rural Transit Assistance Program, Third Party Contract
- Street Closure Request; Oak Street and Front Street from the Senior Center to the American Legion for the Halloween Parade
- Acknowledge resignation from Janis Sexton as Buchanan Township representative from the Buchanan Area Fine Arts Council
- Appoint Lesley Barthel to the Buchanan Area Fine Arts Council to fill an at large, four year vacant position through June 2012

The City Manager presented the Assessment and Improvement Alternatives for McCoy Creek and Mill Race dated August 1, 2008 to the clerk for filing and announced it would be available for viewing during normal office hours. Aaron Snell, Stream Restoration Specialist from Wetland and Coastal Resources presented a power point presentation and explained work plan, project understanding, goals and objectives, established six sampling stations, study design, results/function, results/physical habitat, results/biology, results/stream temperature, results/wetlands, threatening & endangered species, and conclusions. He then announced six different alternatives: do nothing, abandon race, abandoned Mill Race and improve McCoy's Creek, dredge Mill Race, improve Mill Race, or improve Mill Race and McCoy's Creek. He gave their recommendation at an estimated cost of \$65,400. All viewed pictures of the channel restoration, diversion structure, vegetation, and the next steps.

## Call to Order

## Pledge/Invocation

## Roll Call

## Public Comments

## Consent Calendar

Agenda

Minutes

Checks

Rural Transit

Assistance

Program

Street Closure

Fine Arts Council

Resignation

Fine Arts Council

Appointment

## Reports

Assessment and

Improvement

Alternatives for

McCoy Creek and

Mill Race

The city manager gave a brief summary of the

final changes that came from the union negotiation with the Police Officer's Labor Council. **Harrington moved, seconded by Cole to approve the Police Officers Union Contract for 2008-2010 as recommended. Roll call vote carried unanimously.**

**Unfinished****Business**

Police Officers  
Labor Council  
Union Contract

Mullendore reported that she spoke with several business owners downtown and explained the amendment to the permit process of the City of Buchanan Sidewalk Amenities Permit Policy. She explained the amendment in detail; to waive the renewal fee if no alterations to the original permit are made. However, if an alteration is made and a new permit application and \$25.00 fee is not filed with the City Managers officer the applicants existing permit will be revoked and a new permit plus a penalty of \$25.00 will be required prior to any amenities being placed in the public sidewalk and/or right of way. **Cole moved, seconded by Clark to approve the amendment to the City of Buchanan Sidewalk Amenities Permit Policy as recommended. Roll call vote carried unanimously.**

Sidewalk  
Amenities Permit  
Policy Amendment

After brief explanation from the city manager, **Clark moved, seconded by Hagey to approve the DDA By-Law amendment to change the meeting date from the first Wednesday of the month to the second Wednesday of the month at 6:30 p.m. Roll call vote carried unanimously.**

**New Business**

DDA Bylaw  
Amendment

Mullendore and Cole explained their participation in a class they attended at the MML Conference concerning rules of procedures for the city commission. After shared discussion between the commission, city manager, and public, **Cole moved, seconded by Moore to table the revised and amended policy P2008-10-13 of the Rules of Procedure for the City Commission City of Buchanan, Michigan as presented to the next meeting. Roll call vote carried by majority. Yea: Hagey, Cole, Moore. Nay: Harrington, Clark.**

Rules of Procedure  
for the City  
Commission

The city manager explained the street parking regulations had been inadvertently removed from the city code and needed to be readopted as recommended by the Chief of Police. Commissioners and city manager shared comments. **Cole moved, seconded by Harrington to call a public hearing to amend the Buchanan Code of Ordinances Amending Chapter 98, Traffic and Violations Article III – Parking, Stopping and Standing, Division 1. Generally, on October 27, 2008, at 7:30 p.m. Roll call vote carried unanimously.**

Call Public  
Hearing;  
Ordinance for  
Parking, Stopping,  
Standing

Mullendore reported that property was surveyed and split at 500 E. Third Street in the renaissance zone and requested that the commission consider calling a public hearing for sale or lease of public property on October 27, 2008, at 7:45 p.m. **Hagey moved seconded by Harrington to call the public hearing as recommended. Roll call vote carried unanimously.**

Call Public  
Hearing; Sale of  
Public Property

Ann Marie Buchanan Jones, 411 Main Street asked why the meetings were not being shown on channel 17, why taxes would increase when work is done downtown for residents' on Rynearson, and how to respond to unresolved issue's brought before the City Commission. Mullendore, Bybee and Moore responded to the questions. Sue Leher, 202 W. Front Street, stated she received a reply from the City Manager today

**Public Comments**

regarding the city mowing/trimming/clearing her yard and is not satisfied with the response and wants further investigation and wants to be included in that investigation. Mayor Moore requested that she bring forth written correspondence from neighbors whom allegedly witnessed the destruction. Mullendore reported that the issue was reviewed/researched and addressed in said writing. Lorne Kay, 111 W. Third Street announced that his wife received a letter from the city attorney stating that the city does not have any further documentation about the tree that was cut down on the Cole property last year and was concerned that the city does not keep a paper trail or documentation regarding sewer back up complaints/repairs/tree removal. He also stated he was concerned about the decreasing amount of water in the duck pond. Kathy Kay, 111 W. Third Street, stated she was not satisfied with the letter from the attorney and wanted any notes from 2004, 2005, and 2006 of the sewer problems that caused the removal of the tree at the Cole residence. Mullendore replied that work orders are only generated when property owners are going to be billed for work done and this was not the case. Deanna Bromely spoke on behalf of Sue Lehrer and announced that she witnessed 3-4 city workers on the Leher property with hand held tools and other equipment in the past year. Dick Proud announced 310 people at the McCoy's Creek Trail Dinner Dance with an estimated \$24,000. raised and praised Liz and Lloyd Miller for their dedication to the event.

**Public Comments**  
**continued**

**City Manager's Comments:**

- Thanked Dick Proud and the McCoy's Creek Executive Board for the Dinner Dance Fundraiser and confirmed a forthcoming resolution to change "no name creek" to "Proud Creek" as recommended by said board.
- Still accepting seasonal applications through Friday the 17<sup>th</sup> at 3:30 p.m.

**City Manager**  
**Comments**

**Commissioner Cole Commented:**

- Thanks to the Trail Committee for all their hard work

**Commissioner Clark Commented:**

- Congratulations to the Trail Committee and enjoyed the dinner dance

**Mayor Commented:**

- Congratulations to Commissioner Harrington
- Thanks to Meg for the Renaissance Zone sale
- Congratulations to McCoy's Creek Trail Committee event even though she missed it

**Commissioners'**  
**Comments**

**Adjourn**

*Harrington moved, seconded by Clark to adjourn the meeting at 9:12 p.m. Voice vote carried unanimously.*

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Gladys Bybee, CMC-City Clerk

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Dr. Patricia Moore, Mayor

October 27, 2008

**The Mayor called the Public Hearing** to order at 7:30 p.m. and invited public comments on the proposed ordinance amendment by adding Sections 98-55 through 98-60. Sections 98-55 through 98-60 provide restrictions for parking on public streets and in public parking lots, and provides for the issuance of parking permits. Alan Robandt, 114 E. Front St. asked the Commission to postpone a decision as there are inconsistencies and cause for future problems. He gave several scenarios. He opposed the ordinance and stated he also has comments from other building owners. Shawn Herrman, 203 E. Front St. spoke on behalf of his tenants and opposed the ordinance and asks for more thorough review. Jeanne Arbanas, 205 E. Front St. asked that adoption be postponed as the ordinance is vague. Tom Gauthier, 217 E. Front St. agreed with others and stated it would hinder rentals. Tom Jolly, 107 E. Front St. opposed the ordinance and agreed with others. Debra Patzer, Downtown Development Authority (DDA) Director did support a parking management system and has received information from DDA members both for and against, but she supports the ordinance. Cherie Cozadd, 108 E. Front St. was opposed to the 2 hour parking limit on Front Street. ***Cole moved seconded by Hagey to adjourn the public hearing at 7:45 p.m. Roll call vote carried unanimously.***

Mayor Patricia Moore presented Commissioner David Hagey a Plaque of Appreciation for his twelve years of service to the City. Greetings were shared.

## CITY OF BUCHANAN COMMISSION MINUTES

October 27, 2008

**The regular scheduled meeting of the City Commission** was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, October 27, 2008. Mayor Moore called the meeting to order at 7:47 p.m.

All in attendance recited the Pledge of Allegiance. Reverend Chris Kruchkow, Faith United Methodist gave the Invocation.

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

Commissioners absent: none

Staff present: Manager Meg Mullendore, Treasurer Juli O'Bryant, Police Chief Bill Marx, DDA Director Debra Patzer, and Clerk Gladys Bybee

Guests/Visitors present: 35 visitors including 1 reporter

Larry Elliott, 313 Terre Coupe Road distributed pictures to the commissioner's of the alleged trespass and damage to the Bakertown FEN done by the City and noted his disappointment. The Mayor asked Mr. Elliott to hold his comments until the public portion at the end of the meeting to speak on anything not on the agenda.

***Cole moved, seconded by Clark to approve the Consent Calendar with the typographical error on the agenda and amendment to the minutes. Roll call vote carried unanimously.***

### Public Hearing

Proposed Ordinance for Parking, Stopping and Standing

### Call to Order

### Pledge/Invocation

### Roll Call

### Public Comments

### Consent Calendar

- Agenda to read VIII. A. 2007-

**2008 Audit Presentation**

- Minutes: Regular Meeting October 13, 2008 to read:  
*Cole moved, seconded by Moore to table the revised and amended policy P2008-10-13 of the Rules of Procedure for the City Commission City of Buchanan, Michigan as presented to the next meeting. Roll call vote carried ~~unanimously~~ by majority. Yea: Hagey, Cole, Moore. Nay: Harrington, Clark.*
- Checks 55929 to 55023 in the amount of \$187,223.52
- Certify Buchanan Township Delinquent Utility Billings to the 2008 Winter Tax Roll

Treasurer Juli O’Bryant reported that summer taxes will roll over to fall if not paid, call if any corrections needed, dog licenses beginning December 1, City Hall honoring local service man or woman and asks for participation, and reminds all of ways to pay utility bills and taxes.

Police Chief William Marx summarized his written report as distributed with the meeting packet. He acknowledged Officer’s Dave Capron and Carmen Bovo on their performance with busting a meth lab. He explained and highlighted areas of his report.

Mullendore reported that the ordinance was initiated by the Chief of Police and she, the Attorney, and DDA Director were working together and her recommendation was to adopt the ordinance; however she was not opposed to review some of the specific issues brought up earlier at the public hearing. Harrington and Cole requested a work session and stated their concern is the plowing downtown streets when vehicles are parked on the street. *Hagey moved seconded by Clark to table the ordinance and forward it to committee, made up of residents and business owners, for further discussion and clarification. Roll call vote carried unanimously.*

Sharon Vargo, Plante-Moran Partner introduced Partner Kenley Penner and On-Site Auditor Kelly Smith. Penner distributed the Board Presentation for Year Ended June 30, 2008 and Smith highlighted information within the report while all reviewed. The complete Financial Report with Supplemental Information June 30, 2008 was distributed for prior review.

After explanation and favorable recommendation from Mullendore, *Cole moved seconded by Hagey to approve the resolution as presented. ADOPTING IDENTITY THEFT PREVENTION PROGRAM*

**WHEREAS**, the Federal Trade Commission (“FTC”) has adopted regulations that require “creditors” holding consumer or other “covered accounts” (which are defined to mean any account where customer payment information is collected in order to bill for services rendered) to develop and implement by November 1, 2008 an identity theft prevention program that complies with those regulations; and

**WHEREAS**, because the City of Buchanan provides retail water and sewer service to its customers, it is a “creditor” under the applicable FTC regulations and must therefore comply with those regulations by adopting and implementing an identity theft prevention program, and

**WHEREAS**, the Buchanan City Commission desires to take action to comply with the applicable FTC regulations by adopting an identity theft prevention program,

**NOW, THEREFORE, IT IS RESOLVED** that the Buchanan City Commission hereby adopts, and directs City staff to implement, the following identity theft prevention program.

**1. Program Goals.** The City of Buchanan’s Identity Theft Prevention Program (the “Program”) shall endeavor to achieve the following goals:

**Consent Calendar continued**

- Agenda
- Minutes as amended

Checks  
Certify Delinquent  
Utility Bills

**Reports**  
Treasurer  
Department

Police Department

**Unfinished  
Business**  
Ordinance for  
Parking, Stopping,  
Standing, Forward  
to Committee

**New Business**  
2007-2008 Audit

Resolution  
2008.10/31,  
Identity Theft  
Program

a. To identify relevant patterns, practices and specific activities (referred to in this Program as “Red Flags”) that signal possible identity theft relating to information maintained in

the City of Buchanan customers' accounts, both those currently existing and those accounts to be established in the future;

- b. To detect Red Flags after the Program has been implemented;
- c. To respond promptly and appropriately to detected Red Flags to prevent or mitigate identity theft relating to City customer account information; and
- d. To ensure the Program is updated periodically to reflect any necessary changes.

## 2. The Program.

a. The City shall assess the security of its current customer account system, with an emphasis on assessing the methods by which it opens and maintains customer accounts and customers' personal information, and on assessing the manner in which it provides access to customer accounts. That assessment shall include an analysis of any prior incidents of identity theft which the City has experienced.

b. The City shall maintain identifying information for each customer so it can authenticate customers, monitor transactions, and verify the validity of customer requests, such as a change of address or service-related requests, including requests to terminate service.

c. The City shall establish a reporting system which allows City staff to discover potential Red Flags as they arise and to thereafter report them to the proper authorities, including law enforcement. This reporting system should specifically focus on the following Red Flags: alerts, notifications, or other warnings received from consumer reporting agencies or service providers; presentation of suspicious documents by a purported customer; presentation of suspicious personal identifying information by a purported customer, such as a specific address change; the unusual use of, or other suspicious activity related to, a customer's account; and notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with the City's customer accounts.

d. The City shall adopt procedures which provide for appropriate responses to any detected Red Flags which are commensurate with the degree of risk posed. In determining an appropriate response, the City shall consider aggravating factors that may heighten the risk of identity theft, such as a data security incident that results in unauthorized access to a customer's account records, or notice that a customer has provided information related to a customer's account to someone fraudulently claiming to represent the City. Appropriate responses include the following: i) monitoring customer accounts for evidence of identity theft, ii) contacting the customer, iii) changing from time to time any passwords, security codes, or other security devices that permit access to customer accounts, iv) reopening a customer account with a new account number, v) not opening a new customer account, vi) closing an existing customer account, vii) notifying law enforcement, and viii) determining that no response is warranted under the particular circumstances. Any Red Flags should be brought to the City Manager's attention to determine the appropriate response(s) to be implemented promptly after detection.

e. The City Manager, or his or her designee, shall implement and administer the Program. The City Manager shall provide periodic reports to the City Commission on the effectiveness of the Program and shall ensure that all necessary City employees are properly trained to implement the Program.

f. The City Manager shall annually review the Program with appropriate City staff to determine if any revisions are needed. That review may include changes in identity theft methods and changes in methods to detect, prevent, and mitigate identity theft. The City Manager is hereby authorized and directed to make any necessary changes in the Program that are found to be necessary; provided that such changes must be reported to the City Commission at the first regular Commission meeting after the change is made.

**Roll call vote carried unanimously. RESOLUTION 2008.10/31 DECLARED ADOPTED** this 27th day of October 2008.

*Cole moved, seconded by Clark to approve the City of Buchanan P2008-10-27, Identity Theft Prevention Program as presented. Roll call vote carried unanimously.*

Susan Lehrer, 202 W. Front Street noted that she came in and talked with the City Manager and was satisfied with the resolution to her issue. Dick Proud, Chairman of the Trail Committee opposed earlier comments made by Larry Elliott and admitted that it was the Trail Committee that was responsible the alleged damaged property and not the City Commission. He explained in detail the partnership between the Nature Conservancy and the Trail Committee to build the boardwalk/trail out to the FEN. Larry Elliott 313 Terre Coupe disagreed and opposed that taxpayer's dollars were used to harm endangered species. Words were exchanged, the gavel was heard, and the Mayor called the meeting back to order. She then replied that the City partners with and supports the Trail Committee.

## New Business continued

Resolution 2008.10/31, Identity Theft Program

P2008-10-27,  
Identity Theft  
Prevention  
Program

## Public Comments

### **City Manager's Comments:**

- Offered a sheet for interested individuals to sign up for work session

on parking ordinance

- Halloween events observed on Saturday November 1<sup>st</sup>
- Thursday, Special Hearing for Sale of property and purchase agreement with property owner
- 83% increase in arrests for the Police Department, Congratulations Officers
- Commended and thanked the Treasurer for her oversight of the city budget
- Praised Commissioner Hagey for his tenure

**Commissioners’  
Comments**

**Commissioners’ congratulated Commissioner Hagey and thanked him for his 12 years of service.**

**Cole commented:**

- Thanks to Treasurer, Mrs. Lehrer for working with the Manager and Mayor, and to Chief Marx and the Police Department

**Harrington commented:**

- Condolences to the family of Lesley Barthel
- Benefit for Lisa Scanlon at the Moose Lodge
- Good Luck to candidates for City Commissioner
- Announced her upcoming marriage and pregnancy

**Hagey commented:**

- His initial commitment ten years ago was the need to focus on issues and not personalities
- Proudly served with 17 different personalities on the City Commission
- Saddened by opposition to the McCoy’s Creek Trail
- Departing message to agree to disagree, be civil to each other, take time to work together and take the city forward

**Adjourn**

***Harrington moved, seconded by Clark to adjourn the meeting at 9:09 p.m. Voice vote carried unanimously.***

\_\_\_\_\_  
Gladys Bybee, CMC-City Clerk

\_\_\_\_\_  
Dr. Patricia Moore, Mayor

**City Manager Comments**

# CITY OF BUCHANAN COMMISSION MINUTES

November 10, 2008

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan, Monday, November 10, 2008. Mayor Moore called the meeting to order at 7:30 p.m.

The Clerk presented the Oath of Office to newly elected official, Warren Weaver.

*Cole moved seconded by Moore to nominate and appoint Dr. Patricia Moore as Mayor. Roll call vote failed by majority. YEA: Moore, Cole. NAY: Clark, Singleton, Weaver. Singleton moved, seconded by Clark to nominate and appoint Barbara Clark as Mayor. Roll call vote carried by majority. YEA: Weaver, Clark, Singleton. NAY: Cole, Moore.*

*Moore moved seconded by Cole to nominate and appoint Carla Cole as Mayor Pro Tem. No other nominations were heard. Roll call vote carried by majority. YEA: Weaver, Cole, Moore. NAY: Singleton, Clark.*

All in attendance recited the Pledge of Allegiance. Faith Victory Fellowship Member Jim Yoder gave the Invocation.

Commissioners present: Barbara Clark, Carla Cole, Patricia Moore, Jennifer Singleton, Warren Weaver

Commissioners absent: none

Staff present: Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: 14 visitors including 2 reporters

*Cole moved seconded by Moore to approve the Consent Calendar with the inclusion of the October 30<sup>th</sup> special meeting minutes and Front Street Closure on the Agenda. Roll call vote unanimous.*

- Agenda to include approval of Special Meeting Minutes as received in packet and Street Closure Request as received this evening
- Minutes: Regular Meeting October 27, 2008 and Special Meeting October 30, 2008
- Checks 55024 to 56143 in the amount of \$424,517.17
- Corporate Authorization Resolution from Chemical Shoreline Bank, Accounts Payable
- Corporate Authorization Resolution from Chemical Shoreline Bank, Payroll Account
- Michigan Mutual Aid Box Alarm System Agreement between Political Subdivisions as Signatories to this Interlocal Agreement
- Street Closure of Front Street between Redbud Trail to Oak Street for short periods of time for production company movie filming

City Clerk Gladys Bybee reported details on the previous General Presidential Election, close-out of rental rehabilitation programs, forthcoming website release, and openings on City Boards.

Zoning Administrator Meg Mullendore reported on the zoning ordinance amendment, recommendation and approval of the Master Plan, lot splits, special land use permits,

## Call to Order

Oath of Office

Mayor  
Mayor Pro-Tem

## Pledge/Invocation

## Roll Call

## Consent Calendar

Agenda as amended  
Minutes: 10-27-08 & 10-30-08  
Checks  
Corporate Bank Resolution, Accounts Payable  
Corporate Bank Resolution, Payroll  
Michigan Mutual Aid Box Alarm System Agreement  
Street Closure

## Reports

City Clerk & Election Dept.  
Planning & Zoning Department

downtown façade plan approvals, Planning Commission public hearings, zoning compliance approvals, and 37 building permits. She explained forthcoming zoning issues and the need to update our Zoning Ordinance due to the Zoning Enabling Act.

**Reports continued**  
Planning & Zoning  
Department

Kathy Kingery asked that Trick-or-Treat time be decreased to a limited time. Discussion was shared about the Halloween Festivities with residents' noting 250 to 1,200 trick-or-treaters, and the need to hold it at the same time as other communities.

**Public Comments**

**City Manager's Comments:**

- Congratulations on appointment of Mayor and new commissioner
- Thanks to all for making the Halloween Festivities a success
- Overheard positive comments about Halloween
- Upcoming Holiday Lighting Ceremony, Scavenger Hunt, Cookie making, Ornament making, and Business and Residential best Holiday Decorations
- Saturday and Sunday special fundraiser at the Tin Shop
- Submitting requests to legislators for support of 2% of Comcast funding for the PEG channels, public educational government
- Miss Buchanan Pageant
- Display available for storm water
- Discussion after the meeting for Mayor and Commissioner representation on committees/boards

**City Manager  
Comments**

**Cole commented:**

- Welcome Warren and Congratulations Barb
- Thanks to Trail Committee for Trek-or-Treat, heard positive comments from visitors
- Thanks to Legion

**Moore commented:**

- Congratulations to Jennifer on her marriage
- Congratulations to Warren and warm welcome to Mayor Clark
- Thanks to the City for allowing her to represent them and her privilege to serve
- Chamber after hours tomorrow

**Singleton commented:**

- Congratulations to Barb as Mayor and welcome Warren

**Weaver commented:**

- Thanks to citizens for support
- Wedding congratulations to Jennifer

**Clark comments:**

- Thanks for support as Mayor
- Congratulations to Warren on election and to Jennifer on wedding
- Thanks to all for the Halloween festivities

**Commissioners'  
Comments**

**Adjourn**

*Singleton moved, seconded by Weaver to adjourn the meeting at 8:16 p.m. Voice vote carried unanimously.*

CITY OF BUCHANAN COMMISSION MINUTES

November 24, 2008

The regular scheduled meeting of the City of Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan, Monday, November 24, 2008. Mayor Clark called the meeting to order at 7:30 p.m.

Call to Order

The Pledge was recited by all in attendance. Reverend Sean Kidd, Buchanan Christian Church gave the Invocation.

Pledge/Invocation

Commissioners present: Barbara Clark, Carla Cole, Patricia Moore, Jennifer Singleton, Warren Weaver

Roll Call

Commissioners absent: none

Staff present: City Manager Meg Mullendore, City Attorney Randy Hyrns, and Clerk Gladys Bybee

Guests/Visitors present: 15 including 1 reporter

*Cole moved, seconded by Moore to change item IV. on the Agenda to read: (Citizens are allowed up to three (3) minutes to discuss any ~~non~~ agenda item). Roll call vote carried unanimously.*

Public Comments

Raymond Kohler, 502 Sylvan was concerned that snow had been dumped, from City plows on his corner and school children had to walk in the street. He explained him and his neighbor's keep the sidewalks cleared for children and had tried to contact staff without success; thus he contacted Commissioner Weaver. Weaver passed around pictures of the snow piles. Kohler also noted storm drains had not been cleaned after leaf collection.

*Singleton moved seconded by Weaver to amend the Agenda to include discussion of the City Manger Memo and the Meeting Rules of Order included with their packet. Singleton moved, seconded by Weaver to approve the Consent Calendar with the amendment to add B. under New Business. Roll call vote carried b majority. YEA: Clark, Moore, Singleton, Weaver. ABSTAIN: Cole.*

Consent Calendar

- Agenda as amended
- Minutes: Regular Meeting November 10, 2008
- Checks 56144 to 56231 in the amount of \$88,110.05
- Call a Public Hearing to Introduce an Ordinance Amendment Revising Section 34-29 to amend September to the correct month of August
- Appoint Dave Hagey to the Buchanan Downtown Development Authority (DDA) to fulfill a vacant seat for term ending in June 2012 as recommended by the DDA
- Appoint Carla Cole to the Buchanan Farmers' Market Board
- Street Closure Request for Holiday Lighting Ceremony Parade

Reports

none

Mullendore reported that the proposed parking ordinance had been tabled after the public hearing and DDA Director Debra Patzer held a work session that Mayor Clark and Commissioner Cole attended. Mullendore noted several clarifications addressed and compromises made in the ordinance and all shared discussion. She did note a specific verbiage change with the clerk clarifying the change. *Cole moved, seconded by Moore to approve the Ordinance as presented with noted change.* AN ORDINANCE AMENDING CHAPTER 98, TRAFFIC AND VIOLATIONS ARTICLE III – PARKING, STOPPING, AND STANDING,

Unfinished Business

Ordinance  
2008.11/377

**DIVISION 1. GENERALLY**

An ordinance amending Chapter 98, Traffic and Violations, Article III, Parking, Stopping and Standing, Division 1. Generally, to provide restrictions for parking on public streets and in public parking lots, and provide for the issuance of parking permits.

**BE IT ORDAINED** by the City Commission of the City of Buchanan, Berrien, County, Michigan, that the City of Buchanan Code of Ordinances is amended as follows:

**CHAPTER 98, ARTICLE III – PARKING, STOPPING AND STANDING, DIVISION 1. GENERALLY****Sec. 98-55 Overnight Parking – Public Streets**

No person shall park any motorized or non-motorized vehicle, trailer, recreational vehicle or implement, or place an object of any type in any public street or alley within the city limits of Buchanan between the hours of 2:30 a. m and 6:00 a.m. The Buchanan City Police Department may issue a temporary parking permit, not to exceed seven (7) days in duration, to any city resident upon receipt of a verbal or written request to the City of Buchanan Police Department.

**Sec. 98-56 Overnight Parking – Public Parking Lots**

No person shall park any motorized or non-motorized vehicle, trailer, recreational vehicle or implement, or place an object of any type, excluding trash receptacles in any public parking lot within the city limits of Buchanan between the hours of 2:30 a. m and 6:00 a.m. without first obtaining a parking permit issued by the Buchanan City Police Department. Roll off construction or waste containers used for any purpose must have a permit approved by the building inspector.

**Sec. 98-57 Public Parking Lots**

No resident of any downtown residence, loft or apartment or person shall place and/or store any recreation vehicle, trailer, boat in any city public parking lot.

**Sec. 98-58 Resident Parking in Public Parking lots**

Only two (2) vehicles per residential and/or rental unit will be allowed to park in a public parking lot in the C-3 Central Business district for overnight parking. Residential and/or rental unit parking will require a parking permit issued by the Buchanan City Police Department. In addition any vehicle issued a permanent parking permit (renewable annually) for the North Parking lot will be assigned a parking space per vehicle. Additional vehicles per residential and/or rental units may park in one of four (4) available overflow lots (Days Avenue, the Nelson Transfer Lot on Oak Street, the Parking lot adjacent, on the west side, to the Common and Farmers Market (also known as the Senior Center Parking Lot) and the municipal lot on N. Redbud Trail at the corner of Dewey and N. Redbud Trail) with a Buchanan City Police Department issued parking permit. Disabled and/or abandoned vehicles that have been issued permits will have the permit revoked and will be ticketed; failure to remove disabled and/or abandoned vehicle will result in the vehicle being towed at the owners expense. Those residents needing additional temporary permits for overnight parking for guests will be issued a maximum of two additional permits not to exceed seven (7) days in duration for the North Parking lot per instance, and a maximum of fourteen (14) days in any of the excess municipal overflow lots per instance; of which dates will be filled out by the Buchanan City Police Department.

**Sec. 98-59 Public Parking in the C-3 Central Business District**

Parking in the C-3 Central Business District on Front Street, Main Street, Days Ave and Oak Street will be limited to three (3) hours between the hours of 9:00 am and 5:00 pm. Monday through Friday. Business owners and employees of businesses, not for profit and for profit, are required to park their vehicles either in the rear of their property or in any of the municipal parking lots. Private contractors or employees of private contractors are required to park in municipal lots; City and/or State Contractors or employees working in the public right of way are exempt from this provision. Boundaries of the C-3 Central Business District are as follows: Redbud Trail North to Third Street, Third Street West to Main Street, Main Street South to Dewey Street, Dewey Street West to Oak Street, Oak Street South to Roe Street, Roe Street East to Days Avenue, and Days Avenue North to Central Court and Central Court East to Redbud Trail.

**Sec. 98-60 Issuance of Parking Permits – Establishment of Fees**

The City Commission shall set the costs and/or fees for the issuance of parking permits issued by the Buchanan City Police Department and roll off construction or waste containers issued by the building inspector. The Police Department shall not issue a parking permit for a period longer than one year for residential and/or rental permits of occupants in the C-3 Central Business District.

**Sec. 98-61 Violations**

Violations of this Ordinance shall be handled by the Traffic Violations Bureau (See Division 2 of Chapter 98, Article III).

Ordinance  
2008.11/377,  
Parking, Stopping  
and Standing

AYES: Barbara Clark, Carla Cole, Patricia Moore, Jennifer Singleton, Warren Weaver

NAYS: none

ABSTAIN: none

ABSENT: none

MADE, PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN, ON THE 24th DAY OF November, 2008, AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD NEWSPAPER.

**Roll call vote carried unanimously. Ordinance 2008.11/377 adopted.** Mullendore confirmed the effect date of January 1 and discussion was shared with Commissioners regarding permit fees, time limits, and registering vehicles. Mullendore noted the fee schedule would be brought forth at the next meeting.

Mullendore recalled the purpose of the creation of the Joint Arts and Historical District Committee, stated that it had fulfilled its purpose and agreed with the memo from DDA Director Debra Patzer to dissolve the Committee. She explained that the intent was for the DDA to recreate a committee solely for communication, coordination, and co-promotion of usage and events in the Arts and Historic District. *Cole moved, seconded by Singleton to dissolve the Joint Arts and Historical District Committee as proposed. Roll call vote carried unanimously.*

Singleton asked for a more descriptive clarification of the changes as suggested by the memo from the City Manager until new Rules of Procedure for commission meetings could be put into place. Attorney Hyrns recommended that an opportunity should be given that the public discuss agenda and non-agenda items. Public in attendance, Ann-Marie Buchanan Jones, Raymond Kohler, and Donna Norton supported participation and supported the current resolution language. Discussion was shared between Commissioner's, public, and City Manager.

*Singleton moved seconded by Weaver to go into closed session at 8:12 p.m. to discuss Attorney-Opinion/Client Privileged Information. Roll call vote carried unanimously.*

The Mayor reconvened the regular meeting at 8:58 p.m. with no decisions made in closed session.

**City Manager Comments:**

- Announced City Hall Holiday closures; Happy Thanksgiving
- Urged attendance to upcoming Holiday Lighting Festivities
- Explained an issue with a water main break causing certain businesses not to drink the water; working diligently to repair
- Movie filming could not occur due to the snow

**All Commissioners wished all a Happy Thanksgiving**

**Moore comments:**

- Thanked Meg for taking care of snow
- Thanked the businesses for putting up reward money for vandals causing graffiti incident at the Democratic Headquarters

**Weaver comments:**

- Heard good comments about snow removal downtown

**Unfinished Business continued**

Ordinance 2008.11/377, Parking, Stopping and Standing

**New Business**

Dissolution of Joint Arts and Historical District Committee

Meeting Rules of Order

**Public Comments**

None

**Closed Session**

**City Manager Comments**

**Commissioners' Comments**

**Clark comments:**

- Sad about the vandalism to the democratic headquarters
- Urged attendance to

Mayor Clark then presented the engraved gavel to former Mayor Moore

**Adjourn**

*Singleton moved, seconded by Cole to adjourn the meeting at 9:07 p.m. Voice vote carried unanimously.*

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Gladys Bybee, CMC-City Clerk

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Barbara J. Clark, Mayor

**Commissioners' Comments continued**

CITY OF BUCHANAN COMMISSION MINUTES

December 8, 2008

**The regular scheduled meeting of the City of Commission** was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan, Monday, December 8, 2008. Mayor Clark called the meeting to order at 7:31 p.m.

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

Commissioners present: Barbara Clark, Carla Cole, Patricia Moore, Jennifer Singleton, Warren Weaver

Commissioners absent: none

Staff present: City Manager Meg Mullendore and Clerk Gladys Bybee

Guests/Visitors present: 7 including 1 reporter

*Cole moved seconded by Singleton to approve the amended Agenda to include X. Closed Session to review the Closed Session Minutes from November 24 after New Business and also to include a report from Friends of Oak Ridge Cemetery under VI. Reports. Roll call vote carried unanimously. Singleton moved, seconded by Cole to amend the minutes to reflect the attendance of Mayor Clark and Commissioner Cole to the DDA Work Session (not Commissioner Moore) under Unfinished Business Ordinance 2008.11/377, Parking, Stopping and Standing. Roll call vote carried unanimously.*

- Agenda as amended
- Minutes as amended: Regular Meeting November 24, 2008
- Checks 56234 to 56309 in the amount of \$96,431.68

Bob Brown, Acting President of Friends of Oak Ridge Cemetery summarized his written report that was distributed to commission prior to the meeting. He reported plan of the dedication ceremony of the Front Street entrance next year, Potters Field sign purchased with grant funds received from Gateway, website running ([www.friendsofoakridge.org](http://www.friendsofoakridge.org)), and 5<sup>th</sup> Annual Cemetery Walk. He reported ongoing concerns: two or three more retaining walls needed and missing slates on the Knights Chapel. He commended Cemetery Supervisor Jon Raines.

Mullendore announced the official naming process for No Name Creek to be changed to Proud Creek that could take up to 9 to 18 months to complete. After brief explanation from Mullendore, **Moore moved, seconded by Cole to approve the resolution as presented.** RESOLUTION

PETITIONING THE COUNTY BOARD OF

COMMISSIONERS TO SUPPORT NAMING WHAT IS FORMALLY RECOGNIZED AS “NO NAME CREEK” TO “PROUD CREEK”, IN THE CITY OF BUCHANAN, COUNTY OF BERRIEN, STATE OF MICHIGAN

**WHEREAS**, the Buchanan City Commission supports its natural waterways, and

**WHEREAS**, the City Commission recognizes that “No Name Creek” is adjacent to and connects with McCoy’s Creek; and

**WHEREAS**, the Buchanan City Commission recognizes the efforts and activities of Richard Proud in developing a local trail system along the City of Buchanan’s natural waterways; and

**WHEREAS**, it is the desire of the City Commission to take action to formally identify and name “No Name Creek” to honor of Richard Proud for all of his support and volunteerism.

**NOW, THEREFORE, BE IT RESOLVED** that the Buchanan City Commission formally petitions the Berrien County Board of Commissioners to support and recommend formally identifying and naming “No Name Creek”.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

none

Consent Calendar

Reports

Friends of Oak Ridge Cemetery

Unfinished Business

None

New Business

Resolution 2008.12/08, Petition the Berrien County Commissioners to support naming Proud Creek

**BE IT FURTHER RESOLVED** that the Buchanan City Commission requests the support of their petition to provide a name to the identified “No Name Creek” to “Proud Creek” by the Berrien County Board of Commissioners.

Resolution  
2008.12/08

**Roll call vote carried unanimously. RESOLUTION 2008/12.08 DECLARED ADOPTED**

**Closed Session**  
Attorney-  
Opinion/Client  
Privileged  
Information  
11-24-08 Closed  
Session Minutes

*Singleton moved, seconded by Moore to go into closed session at 7:45 p.m. to review 11-24-08 Attorney-Opinion/Client Privileged Information Closed Session Minutes. Roll call vote carried unanimously.*

The Mayor reconvened the regular meeting at 7:51 p.m. with no decisions made in closed session. *Cole moved, seconded by Moore to approve the closed session minutes as reviewed. Roll call vote carried unanimously.*

**City Manager**  
**Comments**

**City Manager Comments:**

- Urged members to attend Elected Officials classes from the Michigan Municipal League (MML) week-end training in January & February; information placed at seats
- Recognized and thanked staff and business sponsors for all their contributions and hard work on the holiday festivities
- Congratulated Miss Buchanan Holly Lucas; First Runner-up Ashley Lolmaugh; and Second Runner-up Hillary Faulkner and thanked former Miss Buchanan Brianne Weldy
- Heard positive feedback for cookie decorating and ornament making at City Hall that was facilitated by staff and Mayor

**Commissioners’**  
**Comments**

All Commissioners commended Miss Buchanan Holly Lucas, First Runner-up Ashley Lolmaugh, and Second Runner-up Hillary Faulkner

**Weaver comments:**

- Commended Friends of Oak Ridge Cemetery
- Commended all for Holiday Lighting and Ho Ho Scavenger Hunt

**Moore comments:**

- Congratulated the community for kick off holiday season
- Pleased to be the representative on Friends of Oak Ridge Board
- Congratulated RAM for Christmas Concert; very inspiring
- Asked about canceling the second meeting in December as in previous years

**Cole comments:**

- Congratulated Miss Blossomtime, Kelsie Patrick
- Thanked all for contributions to holiday festivities

**Clark comments:**

- Wonderful holiday Festivities. Thanked helpers, Isabel, Katie, and Abbey
- Enjoyed cookie decorating, commended staff and helpers Anna and Alexis
- Congratulated Audie Mullendore on her award

**Adjourn**

*Singleton moved, seconded by Cole to adjourn the meeting at 8:13 p.m. Voice vote carried unanimously.*

\_\_\_\_\_  
Gladys Bybee, CMC-City Clerk

\_\_\_\_\_  
Barbara J. Clark, Mayor

**New Business continued**

CITY OF BUCHANAN COMMISSION MINUTES

December 22, 2008

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan, Monday, December 22, 2008. Mayor Clark called the meeting to order at 7:35 p.m.

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

Commissioners present: Barbara Clark, Carla Cole, Patricia Moore, Warren Weaver, Jennifer Singleton (arrived 7:47 pm)

Commissioners absent: none

Staff present: City Manager Meg Mullendore, City Attorney Randy Hyrns, and Clerk Gladys Bybee

Guests/Visitors present: 7 including 1 reporter

*Moore moved, seconded by Cole to amend the agenda to include Meeting Time Change under new business. Roll call vote carried unanimously. Cole moved, seconded by Weaver to approve the Consent Calendar as amended. Roll call vote unanimously.*

- Agenda
- Minutes: Regular Meeting December 8, 2008
- Checks 56310 to 56408 in the amount of \$149,109.59
- Discharge of Mortgage from Homeowner Rehabilitation Program for Elizabeth Briggs and Albert & Patricia Scott for 607 S. Redbud Trail
- Discharge of Rental Rehab Deferred Payment Mortgage from Rental Rehabilitation Program for Shayne Tenace for 113/115 E. Front Street

The City Manager summarized the proposed parking permit fee schedule and explained the Police Department and Downtown Development Authority would be distributing promotional information regarding the new parking regulations. The City Manager and Commissioners shared questions regarding the process of assigning parking spaces, etc. Commissioner Singleton arrived. *Moore moved, seconded by Cole to approve the resolution as presented.* RESIDENT PUBLIC PARKING PERMIT FEE SCHEDULE

**WHEREAS**, the City Commission adopted Ordinance No. 377, and  
**WHEREAS**, pursuant to Section 98-60 of said ordinance the City Commission shall set the costs and/or fees for the issuance of parking permits in the C-3 Central Business District, and  
**WHEREAS**, the fees shall be included with the City of Buchanan -- Schedule of Fees and Charges.  
**NOW THEREFORE, BE IT RESOLVED THAT FEES SHALL BE ESTABLISHED AS FOLLOWS:**

ANNUAL	30 DAY
\$30.00	\$10.00

**Roll call vote carried by majority. YEA: Cole, Weaver, Moore. NAY: Clark. ABSTAIN: Singleton. RESOLUTION 2008.12/32 DECLARED ADOPTED.**

The City Manager summarized the proposed Rules of Procedure for City Commission Meetings as authorized by Chapter 6 of the Buchanan City Charter. Discussion was shared between commission, attorney and manager. *Moore moved seconded by Cole to approve the third rendering of Rules of Procedure for City Commission Meetings as proposed by the City Attorney. Roll call vote carried unanimous.*

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as Amended  
Minutes  
Checks  
Discharge of Mortgage  
Discharge of Mortgage

Unfinished Business

Resolution 2008.12/32,  
Resident Public Parking Permit Fee Schedule

Rules of Procedure for City Commission Meetings

The Mayor reported she and the City Manager reviewed every Downtown and Resident Holiday Decoration Display within the City. She announced the winners:

Residential  
Honorable Mention: 315 Liberty  
3rd place: 312 Cecil  
2nd place: 201 Willow  
1st place: 511 Fulton

Business  
Honorable Mention: 201 N. Redbud  
3rd place: Gazebo Park-Garden Club  
2nd place: 107 E. Front  
1st place: 209 E. Front

Noted to award prizes at the first January commission meeting.

**New Business**  
Holiday  
Decoration  
Display Contest

After brief explanation from the City Manager about the discussion from the earlier work session to change the meeting time, ***Cole moved, seconded by Weaver to change the City Commission Meeting time to 7:00 p.m. Roll call vote carried unanimous.***

Meeting Time  
Change

**City Manager** Comments:

- Reminded Commission that she will be gone on vacation 12-26 to 1-5
- Thanked those that participated in holiday decorating event.
- Thanked DPW due to receipt of positive comments regarding snow plowing
- Asked all to keep family in prayers due to severe fire on Marble Street

**City Manager**  
**Comments**

Holiday Greetings were shared by all.

**Commissioners'**  
**Comments**

**Cole** comments:

- Beautiful neighborhood decorations and downtown decor

**Moore** comments:

- Commended staff on coming forward to clean city hall. ***She then made a motion that the Mayor draft a written commendation to place in Meg's personnel file for saving the City dollars by choosing to do cleaning services in house. Cole seconded the motion and roll call vote carried by majority. YEA: Weaver, Cole, Moore, Clark. NAY: Singleton.***

**Weaver** comments:

- Thanked residents and businesses for decorating

**Clark** comments:

- Best wishes to Commissioner Singleton on her nephew and niece's surgeries

***Singleton moved, seconded by Cole to adjourn the meeting at 8:13 p.m. Voice vote carried unanimously.***

**Adjourn**

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Gladys Bybee, CMC-City Clerk

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Barbara J. Clark, Mayor