

CITY OF BUCHANAN COMMISSION MINUTES

January 9, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday January 9, 2012 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Pastor Len Bailey gave the Invocation.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III, Michael Terrell

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Civitan President Phyllis Davis along with 8 visitors including 1 reporter

Moore moved, seconded by Scanlon to amend the consent calendar to add B. Consider Purchase of Bullet Proof Vests under New Business. Roll call vote carried unanimously. Moore moved, seconded by Scanlon to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular rescheduled meeting, December 27, 2011 and Work Session Summary, December 27, 2011
- Checks 62926 to 63012 in the amount of \$144,328.95
- Notice of Meetings in 2012 for City of Buchanan City Boards

Civitan President Phyllis Davis announced their fundraisers (dinner auction, bingo party) and programs (serving cookies and punch at Holiday Lighting, and Easter Egg Hunt). She further reported the summer camp for underprivileged children at Camp Rosenthal. Greetings and discussion was shared.

All reviewed their schedules and agreed to meet Saturday, February 18, 2012 at 8:00 a.m. for the Commission Annual Planning Meeting either at Redbud City Center or City Hall.

Marx reported that a 50% grant was received from the State of Michigan through Federal funding to purchase the bullet proof vests and Moore suggested applying to the Gateway Foundation through the Unity fund to subsidize the City's half. *Moore moved, seconded by Scanlon to approve the purchase of the bullet proof vests from CMP Distributors in the amount of \$6,967.54 as requested with the condition of checking into applying for dollars through the Unity Fund. Roll call vote carried unanimously.*

Marx presented the electric charging station and all shared in conversation. He also presented the two sizes of tubes for "Thrill on the Hill" and explained the event in detail. He announced that Mark Leazenby was hired for the Department of Public Works Equipment Operator.

All commissioners commended Civitan and were excited about the Thrill on the Hill and the car charging station.

Scanlon moved, seconded by Terrell to adjourn the meeting at 7:45 p.m. Voice vote carried unanimously.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as amended

Minutes
Checks

Notice of Meetings
for 2012

Reports
Civitan

New Business
Annual Planning
Meeting

Bullet Proof Vests
for Police
Department

City Manager
Comments

Commissioners
Comments

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

January 23, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday January 23, 2012 and was called to order by Mayor Cole at 7:01 p.m.

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

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III, Michael Terrell

Commissioners absent: none

Staff present: City Manager Bill Marx, Treasurer Juli O'Bryant and Clerk Gladys Bybee

Guests/Visitors present: Buchanan Community Schools Representatives Wayne and Ruth Writer, Mike Young, Tom Gordon and TMI President Kim O'Haver along with 7 visitors including 2 reporters

Hagey moved, seconded by Scanlon to amend the consent calendar to add two checks totaling \$669 and replace the Dial-A-Ride Resolution of Intent (VIII.A.) contained in the packet with the one that was placed at their seats as there was a numerical error. Roll call vote carried unanimously. Hagey moved, seconded by Scanlon to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, January 9, 2012
- Checks 63013 to 63114 in the amount of \$117,718.71 as amended
- Banner request; Thrill on the Hill, 01/16/12 to 01/30/12, City of Buchanan
- Banner request; Baseball/Softball Sign-ups, 02/13/12 to 02/27/12, BYSBA
- Banner request; Baseball/Softball Sign-ups, 02/27/12 to 03/01/12, BYSBA
- Mid Year Budget Amendment; General Fund, FY 2011-12
- Mid Year Budget Amendment; Major Streets, FY 2011-12
- Mid Year Budget Amendment; Local Streets, FY 2011-12
- Mid Year Budget Amendment; Water & Sewer Enterprise Fund, FY 2011-12

Wayne and Ruth Writer along with Mike Young explained the Buchanan Community Schools (BCS) power point presentation on the condition of the schools that were in need of repair. The purpose of the millage proposal that will be on the February Election ballot will be to make improvements to the Middle, Moccasin, Ottawa and High Schools. Comments and questions were shared between the Commission and guests including Tom Gordon, BCS Board President.

Kim O'Haver (Third Party Administrators for Dial-A-Ride) explained in detail the application for the Annual Michigan Department of Transportation (MDOT) and Federal Funding Assistance for Buchanan Dial-A-Ride. She reported the figures of the proposed budget; both revenues and expenditures. ***Scanlon moved, seconded by Moore to approve the Resolution as presented with the corrected numerical calculations. Roll call vote carried unanimously. Resolution 2012.01/65 declared adopted.*** Copy attached as a part of this record.

Marx's personal comments were heard and he reported the City received a recognition trophy from United Way for increasing worker contributions, the Watershed Project

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda

Minutes

Checks as amended

Banner Requests

Mid Year Budget

Amendments

Reports

Buchanan

Community School

New Business

Resolution

2012.01/65, MDOT

& Federal Funding

Assistance for Dial

A-Ride

City Manager

Comments

received \$25,000 from Laura Jane Muser funds bringing the total to \$48,500 (outstanding grants at \$110,000), letter received from Department of Environmental Quality (DEQ) asking for more information on the permit application regarding six additional items and still hopeful for snow for the “Thrill on the Hill”.

City Manager
Comments
continued

Commissioners commented on the School bond proposal, were excited about the Thrill on the Hill, thanked O’Haver from Dial-A-Ride, will be pleased when the watershed permit (DEQ) is approved, thanked City Staff for their efforts for Thrill on the Hill and thanked the businesses for their support.

Commissioners
Comments

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:14 p.m. Voice vote carried unanimously.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

February 13, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday February 13, 2012 and was called to order by Mayor Cole at 7:00 p.m.

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

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III, Michael Terrell

Commissioners absent: none

Staff present: City Manager Bill Marx, Downtown Development Authority Director Debra Patzer and Clerk Gladys Bybee

Guests/Visitors present: Redbud Area Ministries (RAM) Christi McPherson, along with 6 visitors including 2 reporters

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

- Agenda
- Minutes: Regular scheduled meeting, January 23, 2012
- Checks 63115 to 63247 in the amount of \$216,646.36
- Budget Amendment; General Fund, City Commission, FY 2011-12
- 2012-13 Budget Process Schedule
- Resolution 2012.02/66, Negotiate the 2012 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, 2012 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, 2012, the School District shall certify to the Treasurer the school millage to be levied on property for summer school tax collection in 2012; 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 380.1611. Any such proposed agreement shall be brought before the City Commission for its approval.

McPherson reported on RAM assistance statistics along with information of complete building remodeling, logo contest, and meeting health department guidelines. Commission and McPherson shared discussion.

Marx reported after further review of the electric car charging station he requested that the charging station be installed in a better lit location and activation would occur soon. After brief discussion, ***Scanlon moved, seconded by Moore to approve the permanent placement for installation of the Electric Car Charging Station along the curbside on the south side of Front Street, west of Oak Street near the Police Department (107 W. Front). Roll call vote carried unanimously.***

Scanlon moved, seconded by Moore to approve the "Thrill on the Hill" as an annual City sponsored event. Roll call vote carried unanimously. Marx reported the details of the Thrill on the Hill event and asked if the Commission would select the last weekend in January as the official date for the event. ***Scanlon moved, seconded by Terrell to declare the last weekend in January for the Thrill on the Hill event. Roll call vote carried unanimously.***

Marx reported that replies from Facebook supported the June garage sale date for City Wide Garage Sales. Moore and Cole clarified that resident's could have two other sales and that we would still work with the Chamber of Commerce for the August Garage Sale.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda

Minutes

Checks

Budget

Amendment

2012 -13 Budget

Schedule

Resolution

2012.02.66,

Summer School Tax

Collection Fee

Reports

Redbud Area

Ministries

Unfinished

Business

Electric Car

Charging Station

Thrill on the Hill

Annual Event, Last

Weekend in January

New Business

June City Wide

Garage Sales

Moore moved, seconded by Terrell to approve the City Wide Garage Sales for Friday June 8 and Saturday June 9, 2012 as a City sponsored event. Roll call vote carried unanimously.

Patzer explained the changes in the process of funding for the CDBG Revolving Loan Fund and answered questions from Commissioners. ***Moore moved, seconded by Scanlon to approve the resolution as presented.*** To Endorse Capital Fund Services, Inc., a wholly owned subsidiary of Great Lakes Capital Fund as the entity to administer and manage the Community Development Block Grant (CDBG) Regional Revolving Loan Fund for our Region (Region 6).

WHEREAS, the Michigan Strategic Fund (MSF) has been informed by the U. S. Department of Housing and Urban Development (HUD) of its concern regarding the low utilization rate and non-revolving nature of local business Revolving Loan Funds; and

WHEREAS, the MSF has mandated the regionalization of local revolving loan funds; and

WHEREAS, the MSF believes regional revolving loan funds (RLF) will lead to:

- Stronger loan volume associated with deeper risks;
- Significant Statewide improvement in HUD reporting, guideline compliance, and on-going monitoring compliance;
- Improvement in the quality of project management including stronger collateralization structures more focused cash flow analysis more organized and uniform communication about loan opportunities;
- Closer regional cooperation based upon shared resources; and,
- More stable RLFs with more flexible eligibility criteria: and,

WHEREAS, once the MSF board has designated the Revolving Fund Manager (RFM) for a region all existing revolving loan funds assets in a region will be recalled and the MSF will reissue the recalled assets in the form of a grant to the respective region's designated RFM; and

WHEREAS, the MSF has asked every community with a local revolving loan fund to endorse an entity they believe has the ability to effectively manage and administer a regional revolving loan fund for their region;

THEREFORE BE IT RESOLVED, that the Great Lakes Capital Fund and its subsidiary, Capital Fund Services (a Community Development Financial Institution) have the resource, knowledge, experience and staff necessary to manage a Regional Loan Fund; and

BE IT FURTHER RESOLVED, that the City of Buchanan hereby endorses Capital Fund Services (CFS) as the entity to administer and manage the Regional Revolving Loan Fund for our Region (Region 6).

Roll call vote carried unanimously. Resolution 2012.02/67 declared adopted.

Angela Pasula, District Court Judge announced that she will be running for Circuit Court Judge and announced her biography. Art Cotter, Berrien County Prosecuting Attorney supported Ms. Pasula.

Patzer reported that WNDU was here about the car charging station and would be airing this week and would let them know when.

Marx's personal comments were heard and he reported it was unusual for a community to attain and install an electric charging station, Thrill on the Hill did make \$280, in the process of changing ceiling tile, bulb replacement, and cleaning vents in City Hall, and receipt of letter from DEQ regarding non reporting on the permit for storm water. He explained the letter in detail.

Commissioners commented on "Thrill on the Hill", RAM opportunities for the community, DEQ requirements for storm water, Dog Park, and upcoming Annual Planning Meeting.

Hagey moved, seconded by Terrell to adjourn the meeting at 8:06 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business

June City Wide Garage Sales

Resolution 2012.02/67, CDBG Regional Revolving Loan Fund for our Region (Region 6).

Public Comments

**City Manager
Comments**

**Commissioners
Comments**

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

February 27, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday February 27, 2012 and was called to order by Mayor Cole at 7:00 p.m.

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

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III, Michael Terrell

Commissioners absent: none

Staff present: City Manager Bill Marx, Assessor Gordon Schreiber and Clerk Gladys Bybee

Guests/Visitors present: 3 visitors including 1 reporter

Scanlon moved, seconded by Terrell to approve the Consent Calendar as presented. Voice vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, February 13, 2012
- Checks 63248 to 63334 in the amount of \$313,490.43
- Banner Placement: Buchanan School Farm Plow Days 04/02/12 to 04/22/12
- Resolution 2012.02/68; Approve the Summer 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, 2012 for property located within the City; and

WHEREAS, the School District agrees to pay City costs of assessment and collection in the total amount of \$1.05 per parcel, for all three School District's, totaling \$2,249.23 each; and

WHEREAS, no later than June 1, 2012, the School District shall certify to the Treasurer the school millage to be levied on property for summer school tax collection in 2012; now, therefore,

BE IT RESOLVED, that the Treasurer is authorized and directed to charge Buchanan Community School, Berrien RESA and Lake Michigan College \$2,249.23 each (\$1.05 per parcel, per school, totaling \$6,747.69), 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 380.1611.

- Street Closure: Buchanan Garden Club; Oak Street south of Front Street 100 yards (Gazebo Park); 04/27/12 from 9:00 a.m. to noon for Arbor Day Celebration

Schreiber reported on the following: December Board of Review, review of building permits and homestead exemptions, code violations, field visits, 2011 Assessing Officer's Annual Report. He also worked with Pam O'Connor for historical district and Debra Patzer on businesses not on the tax rolls, prepared winter tax warrants, finalized 2012 assessment rolls for value changes, and Assessor availability (written report included in Commission packet). The City Manager asked about the discussion at the State level regarding possible legislation of the loss of personal property tax; Schreiber explained the process and implied that the state was trying to figure out how to replace the loss of funds to the jurisdictions.

Bybee reported on the upcoming elections, petition availability for filing as a candidate for City Commissioner, Committee/Board member seats only available on the Downtown Development Authority Board (DDA) and forthcoming website updating.

Marx explained the inspections and research (reference calls) on refurbishing the City plow truck. He confirmed that funds were available in Capital Reserve and the refurbishing would include a brand new frame. *Scanlon moved, seconded by Hagey to approve Valley Truck Part's quote in a total amount of \$26,281.46 as recommended. Roll call vote carried unanimously.*

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda

Minutes

Checks

Resolution

2012.02.68,

Summer School Tax

Collection Fee

Street Closure,

Arbor Day

Celebration

Reports

Assessor Dept.

Election/Clerk

Dept.

New Business

Refurbish City Plow

Truck

Marx explained his discussions with Cemetery Supervisor Jon Raines regarding the condition of the current vault hoist, money was available in perpetual care fund, and he recommended CRC, Cemetery Services, Inc. while Commission reviewed the two proposals. *Scanlon moved, seconded by Hagey to approve the proposal from CRC to purchase the new hydraulic vault hoist in the amount of \$16,650 with said purchase coming from the Perpetual Care Fund. Roll call vote carried unanimously.*

New Business continued
Hydraulic Vault Hoist, Cemetery Purchase

Marx’s personal comments were heard and he reported Selge Construction had to be called in for a repair to a water main break on River Street. He explained the legislation that was developing about personal property tax reductions, discussions with Niles to purchase a chip & tar machine and researching the GIS system to map sanitary sewers, storm drains, water mains, etc. for the City.

City Manager Comments

Commissioners’ personal comments were heard along with confirming that the gas company was replacing lines in the City (reason for some tree lawns torn up) and the Landfill may have regrind available to the five owner jurisdictions.

Commissioners Comments

Moore moved, seconded by Terrell to adjourn the meeting at 7:56 p.m. Voice vote carried unanimously.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

March 12, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday March 12, 2012 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Pastor Dan Barz Invocation was heard.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III, Michael Terrell

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: 4 visitors including 1 reporter

Hagey moved, seconded by Moore to approve the Consent Calendar as presented. Voice vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, February 27, 2012 and Annual Planning Session, February 18, 2012
- Checks 63335 to 63420 in the amount of \$80,984.93
- Banner Placement: Buchanan Chamber of Commerce Chili Walk 03/13/12 to 03/30/12
- Proclamation Observing the Month of June as Green Michiana Month

Hagey moved, seconded by Moore to approve the request from Redbud Insurance to use City owned property for Easter Egg Hunt: Gazebo Park, Farmer's Market, Common and grassy area west of Pears Mill and permission to place banner sign in Gazebo Park. Roll call vote carried unanimously.

Moore moved, seconded by Hagey to approve the request from Buchanan Area Ministries Association (BAMA) to use City owned property, the Buchanan Common for Faith and Family Day on August 26, 2012. Roll call vote carried unanimously.

Marx's personal comments were heard and he reported a major water leak on River Street last week and asked Commissioner's ideas for the wall behind the dais. After discussion it was agreed to pursue costs for "City of Buchanan, Life is Better Here" including logo.

Commissioners' personal comments were heard along with opinions about the old Buchanan Industries buildings being torn down, and request to beware of pedestrians due to the nice weather.

Scanlon moved, seconded by Hagey to adjourn the meeting at 7:20 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda

Minutes

Checks

Banner Placement

Green Michiana

Month Proclamation

New Business

Easter Egg Hunt,

Use of City Owned

Property Request

Faith & Family

Day, Use of City

Owned Property

Request

City Manager

Comments

Commissioners

Comments

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

March 26, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday March 26, 2012 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Pastor Patricia Ramsden gave the Invocation.

The Mayor presented the Bucktown Challenge Youth Appreciation Recognition Awards.

Commissioners present: Carla Cole, Patricia Moore, Earl J Scanlon III, Michael Terrell

Commissioners absent: David Hagey

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Darlene Clevenger along with 26 visitors including 2 reporters

The Clerk requested that a check be added and noted that the Portable Toilet Facilities Bid Sheet was distributed to them prior to the meeting. ***Moore moved, seconded by Terrell to amend the consent calendar to add check number 63516 to the State of Michigan in the amount of \$750 dollars. Voice vote carried unanimously. Scanlon moved, seconded by Terrell to approve the Consent Calendar as amended. Voice vote carried unanimously.***

- Agenda
- Minutes: Regular scheduled meeting, March 12, 2012
- Checks 63421 to 63516 in the amount of \$134,008.42 as amended
- Letter of Understanding between the City of Buchanan and the Police Officers Labor Council allowing Sergeants to perform duties in other departments
- Acknowledge receipt of 2012-2013 Annual Budget as presented by the City Manager in accordance with Charter Section 9.2: Call Public Hearing April 9, 2012 at 7:00 p.m. to invite and hear public comments according to Charter Section 9.4.
- Call Public Hearing on April 9, 2012 at 7:00 p.m. to hear public comments regarding the proposed 2012-13 budget, the property tax millage rate and the water and sewer rates proposed to be levied to support the proposed budget

After review and discussion between Marx and Commission, ***Scanlon moved, seconded by Terrell to approve the 2012-2013 City Commission Priorities as presented. Roll call vote carried unanimously.***

Moore moved, seconded by Terrell to approve the request from the Buchanan Art Center to use City owned property on Saturday September 29: Common and Pears Mill lawn west of the Mill. Discussion was held with Clevenger and Commission. ***Roll call vote carried unanimously.***

Marx explained the bids that were received and recommended the lowest bid. ***Scanlon moved, seconded by Terrell to approve the lowest Portable Toilet Facilities bid from Joy's Johns in the amount of \$4,040 as submitted. Roll call vote carried unanimously.***

After Marx explained the request from Preservation Practices, ***Terrell moved, seconded by Scanlon to schedule a Work Session on Monday April 9, 2012 at 5:30 p.m. to view a power point presentation and discuss the importance of establishing Local Historic Districts in Buchanan. Roll call vote carried unanimously.***

Call to Order

Pledge/Invocation

Recognition Awards

Roll Call

Consent Calendar

Agenda

Minutes

Checks as amended

Letter of Understanding
Police Union

City Manager
Presentation of
Annual Budget

Call Public Hearing
for Budget

Old Business

2012-2013
Commission
Priorities

New Business

Art Center, Use of
City Owned
Property Request

Portable Toilet
Facilities Bid
Award

Schedule Work
Session

Marx explained the data processing with Berrien County. *Scanlon moved, seconded by Terrell to approve the 2 year (2012 & 2013) Data Processing Contract for Information Systems with Berrien County in the amount of \$2,779 per year. Roll call vote carried unanimously.*

Marx’s personal comments were heard and he reported on the tour of new business; Vickers Engineering who moved into the Bosch building, completion of the demolition of the Buchanan Industries building and structural improvement plan of the remaining building forthcoming before the Plan Commission, brush pickup, the importance of residents’ to try and keep grass clippings out of the street as they plug up catch basins, and flushing hydrants in April.

**Commissioners
Comments**

Commissioners’ personal comments were heard along with welcoming Vickers Engineering and a new Cleaning Business, commended Brian Kilgore on the demolition of the old Buchanan Industries buildings, Fire Department Pancake/Waffle Breakfast, summer jobs for the State Parks Dept., and request to beware of kids due to the nice weather.

Adjourn

Scanlon moved, seconded by Terrell to adjourn the meeting at 7:44 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued

Data Processing Contract with Berrien County

City Manager Comments

CITY OF BUCHANAN COMMISSION MINUTES
April 9, 2012

The Mayor called the public hearing to order at 7:00 p.m. and invited public to express comments regarding the 2012-2013 Annual Budget according to Charter Section 9.4. Hearing no public comments or receipt of written comments, **Moore moved, seconded by Scanlon to close the public hearing at 7:02 p.m. Voice vote carried unanimously.**

Public Hearing
2012-2013 Budget

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday April 9, 2012 and was called to order by Mayor Cole at 7:02 p.m. directly following the public hearing.

Call to Order

The Pledge was recited by all. Pastor Dave Mitchell gave the Invocation.

Pledge/Invocation

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III

Commissioners absent: Michael Terrell

Staff present: City Manager Bill Marx, Special Projects Manager Donna Southwell and Clerk Gladys Bybee

Guests/Visitors present: District Library Director Kate Scheid and Arbor Day Ceremony Chair Sheila Daly along with 10 visitors

Roll Call

Scanlon moved, seconded by Moore to approve the Consent Calendar as presented. Voice vote carried unanimously.

Consent Calendar

- Agenda
- Minutes: Regular scheduled meeting, March 26, 2012 and Budget Work session Summary, March 22, 2012
- Checks 63517 to 63556 in the amount of \$43,077.22
- Excuse absence of Commissioner Hagey from March 26, 2012 Meeting
- Proclamation Arbor Day 2012
- Intent to Implement the Employee Compensation Plan in order to comply with the State of Michigan's Economic Vitality Incentive Program
- Banner request: Buckteen Reunion, 05/25/12 to 06/11/12, Bob Backus
- Banner request: Annual Jack Glavin Benefit Ride, 08/3/12 to 08/19/12, American Legion Riders

Agenda
Minutes
Checks

Excuse
Commissioner
Arbor Day
Proclamation
Employee
Compensation Plan
Banner Request
Banner Request

Kate Scheid reported a clean audit, concern about the reduction of revenue, hours changed with being closed on Mondays, e-books available, holding three public community input sessions, recarpeting the library, added software, grants received from Gateway, and copier area available to public. She announced the upcoming festivities, statistics of patrons and the new program with home delivery for shut-ins.

Reports

Buchanan District
Library

Sheila Daly recognized Liz Miller President and Member Leann Feldman and cordially invited public, Commission and City Hall Staff to the Arbor Day Ceremony. She explained the itinerary in detail and thanked the City for assistance to them for the event. She also reported October 15 the Buchanan Garden Club would be hosting the District meeting held at Orchard Hills (175 members). Greetings were shared.

Arbor Day
Celebration

After Southwell summarized the history of McCoy Creek/Mill Race issues and gave a quick overview of the resolution, ***Scanlon moved, seconded by Hagey to approve the resolution as presented.*** Creation of a 12 Member McCoy Creek Watershed Quality Support Board

Whereas, The Buchanan City Commission has expressed ongoing concern regarding the health and safety of McCoy's Creek, the surrounding floodplain and watershed, and protection for water supply and water quality, and;

Whereas, The City of Buchanan is strongly committed to ensuring that Storm Water Regulations and requirements are being met, and;

Whereas, The Buchanan City Commission has dedicated financial support and staff support to the restoration of the McCoy's Creek and the Pears Mill Race, and;

Whereas, The City of Buchanan is committed to maintaining and improving McCoy's Creek and Pears Mill raceway after restoration, and;

Whereas, The City is committed to ensuring opportunities for recreation and other appropriate activities in, on and around the creek, and;

Whereas the City of Buchanan is committed to ensuring that planning and action steps are delivered from Storm Water Quality and that Best Management Practices are in place, and;

Whereas, The City of Buchanan is committed to ensuring the health and maintenance of the FEMA designated flood plain,

Therefore be it hereby resolved, that the Buchanan City Commission approves the development and implementation of the Watershed Quality Promotion Board that will meet on a quarterly basis to report and gather information on activities related to preserving the quality of waters, the recreation opportunities available and pursue opportunities available to support these activities. The Chair of this Board shall be the Buchanan Storm Water Manager and this person will report to the City Manager in each quarter, these activities

Roll call vote carried unanimously. Resolution 2012.04/69 declared adopted.

**City Manager
Comments**

**Commissioners
Comments**

Marx's personal comments of condolences and thanks were heard and he reported the trail fence was repaired, extra trees were donated for the Garden Club, trees taken down at Firehouse Park and drawings of the structure to support the fire bell was done/received from Kevin Barker.

Adjourn

Commissioners' personal comments of thanks, condolences and congratulations were heard.

Scanlon moved, seconded by Moore to adjourn the meeting at 7:46 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Unfinished Business

Resolution 2012.04/69, McCoy Creek Watershed Quality Support Board

CITY OF BUCHANAN COMMISSION MINUTES

April 23, 2012

Pledge/Invocation

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday April 23, 2012 and was called to order by Mayor Cole at 7:01 p.m.

Life Saver Award

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

The Mayor read the Life Saver Award in recognition of outstanding service on March 26th by Police Officer Wallace Casto. Police Chief Bill Marx presented Casto with the Award and Sergeant Harvey Burnett described the actions taken to save a life by Officer Casto. Officer Casto spoke briefly.

Roll Call

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III., Michael Terrell

Commissioners absent: None

Staff present: City Manager Bill Marx, Special Projects Manager Donna Southwell, DDA Director Debra Patzer and Clerk Gladys Bybee

Guests/Visitors present: Masonic Temple Worshipful Master John Klimek along with 9 Visitors including 1 reporter

Consent Calendar

Agenda as amended

Minutes

Checks

Excuse
Commissioner

Cole moved, seconded by Moore to amend the Consent Calendar to include under New Business the Request from Eagle Scout William Wah to construct a foot bridge across the Mill Race behind the Police Station. Voice vote carried unanimously. Moore moved, seconded by Scanlon to approve the Consent Calendar as amended. Voice vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, April 9, 2012 and Joint Work Session Summary, April 9, 2012
- Checks 63557 to 63657 in the amount of \$136,667.06
- Excuse absence of Commissioner Terrell from April 9, 2012 Meeting

Reports

Masonic Temple

Worshipful Master John Klimek reported the Free Masonry is a fraternity of equal men and explained their history. He explained the numerous events that the Mason's are involved with.

Treasurer Dept., no report

The Mayor announced that Treasurer Juli O'Bryant could not be in attendance but will be at the next meeting.

Unfinished Business

Resolution
2012.04/70, 2012-
2013 Budget
Adoption

Marx reviewed the contents of the budget as presented and noted that there have been no increases in the budget or in the millage for the City. ***Scanlon moved, seconded by Terrell to approve the resolution for the City of Buchanan, County of Berrien, Michigan to Adopt a Budget for the City of Buchanan Fiscal Year 2012-2013.***

as presented. Roll call vote carried unanimously. Resolution 2012.04/70 declared adopted (a copy of which is attached to these minutes).

Bid Award,
Construction
Engineering
Services

Special Projects Manager Donna Southwell explained the bidding review process that the Trail Committee and the Watershed Committee followed. She stated both committees chose the best company for the job and the almost unanimous (except one)

recommendation
was Prein &
Newhoff. She
reported that the
permit would be

Call to Order

received by this Friday. *Hagey moved, seconded by Moore to award the bid for Construction Engineering Services for a combination of the McCoy Creek Trail Phase II project and the McCoy Creek & Mill Race Restoration project to Prein & Newhoff as recommended. Roll call vote carried unanimously.*

Use of City owned property

Marx explained the quote for the purchase of a new pump and confirmed it was the same pump as discussed in the past. *Scanlon moved, seconded by Terrell to approve the quote from Kerr Pump and Supply to replace the Digester Recirculation Pump at the Wastewater Treatment Plant in the amount of \$13,904. Roll call vote carried unanimously.*

Footbridge over Mill Race, Eagle Scout Project

Patzer explained the request to use City owned property and explained the Un-Sanctioned event in detail. *Scanlon moved, seconded by Terrell to approve the request from the Downtown Business Community to use City owned property; the Mill Alley, Sculpture Alley, Gazebo Park, Harger Park, and the downtown Sidewalks for the fourth annual "Un-Sanctioned" on May 26, 2012. Roll call vote carried unanimously.*

William Wah asked permission for the concept to work with the City Manager on his Eagle Scout Project to build a bridge across the Mill Race behind the Police Station. Concern was voiced about the State (DNR & DEQ) position because of the waterway along with the insurance and safety aspect. Marx reported that Mr. Wah had met with Zoning Administrator, Building Inspector and Special Project Manager and the State is not interested in the Mill Race. *Scanlon moved, seconded by Terrell to allow William Wah to continue the concept and work with the City Manager and Special Project Manager to construct the foot bridge across the Mill Race as presented and recommended by the City Manager. Roll call vote carried unanimously.*

City Manager Comments

Commissioners Comments

Marx commented on the Fire Department personnel doing story time at the Library, the Gem Car from Berrien Springs/Oronoko Township (received with a grant) would be at the High School, invited review of the newly purchased graveside cart that was out in the parking lot with Jon Raines available to answer questions. He also reported that he met with Dowagiac and Niles to purchase a street repair piece of equipment that adds chipped stone to tar.

Adjourn

Commissioners' personal comments were heard. Moore encouraged the Police and Fireman to have cpr classes for the community and apply for Gateway funding. Cole announced upcoming and previous events.

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:05 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Unfinished Business continued

Bid Award, Construction Engineering Services for McCoy Creek and Mill Race

New Business

Digester Recirculation Pump purchase

CITY OF BUCHANAN COMMISSION MINUTES

May 14, 2012

The Mayor called the public hearing to order at 7:01 p.m. and invited public to express comments regarding the distribution of the FY 2012-2013 Southwestern Michigan Community Ambulance Services (SMCAS) Special Assessment Levy and proposed SMCAS budget for fiscal year 2012-2013, which includes the special assessment in the amount \$20.00 per dwelling. SMCAS Director Tim Gray summarized the budget and Commissioner Hagey confirmed that there was not an increase in the assessment amount. Manager Marx supported the budget and special assessment. Hearing no other public comments or receipt of written comments, the Mayor closed the public hearing at 7:07 p.m.

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday April 9, 2012 and was called to order by Mayor Cole at 7:08 p.m. directly following the public hearing.

The Pledge was recited by all. Pastor Dan Barz gave the Invocation.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III., Michael Terrell

Commissioners absent: None

Staff present: City Manager Bill Marx, Special Projects Manager Donna Southwell, Fire Chief Robert Adams and Clerk Gladys Bybee

Guests/Visitors present: 9 visitors including 1 reporter

Scanlon moved, seconded by Terrell to amend the Consent Calendar to include K. Street Closure under the Consent Calendar and D. Consider Approval of Bell Memorial at Firehouse Park on Oak Street under New Business. Voice vote carried unanimously. Moore moved, seconded by Scanlon to approve the Consent Calendar as amended. Voice vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, April 23, 2012
- Checks 63658 to 63770 in the amount of \$111,282.46
- Certify Delinquent Utility and Mowing Billings in the amount of \$18,763.94 to the 2012 Summer Tax Roll
- Appoint Tina Holloway to the Farmers' Market Board to a three year term ending 2015 as recommended by the Downtown Development Authority (DDA)
- Water Distribution System Operator (Water Operator) Job Description as Recommended and Presented
- Street Closure Form to close Front Street from the American Legion (404 E. Front) to Oak Ridge Cemetery for the Memorial Day Parade
- Acceptance of Resignation from former Downtown Development Authority Executive Director Debra Patzer
- Addendum 1, Notice of Meetings for the City of Buchanan City Boards during 2012; Marketing and Promotions Committee
- Resolution 2012.05/71, Notice of Public Hearing for objections to discontinuing a portion of Roe Street on Monday June 11, 2012 at 7:00 p.m. (as attached)
- Street Closure; Main Street between Third and Fourth Street on May 19 from 4:00 to 8:00 p.m. with the restriction of naming the City as an extra Insured

Public Hearing
FY 2012-2013
SMCAS Special
Assessment Levy
and proposed
Budget for fiscal
year 2012-2013

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar
Agenda as amended
Minutes
Checks

Certify Delinquent
Utility & Mowing
Billings

Appoint Tina
Holloway to
Farmers' Market
Board
Water Operator Job
Description
Street Closure
DDA Director
Resignation
Acceptance

Addendum 1,
Notice of Meetings
Res. 71, Call Public
Hearing
Street Closure

SMCAS Director Gray gave a full report of the Ambulance Services and Administrative Assistant Tim Baker explained the membership program and Invisible (ISTOP) bracelet Program. Baker distributed brochures of both programs and discussion was shared.

Fire Department

Fire Chief Robert “Mike” Adams reported the statistics on the Fire calls and the Standard Operating Guidelines (SOG) changes. He explained the classes that were provided for the police and department of public works, plans for the 150th Anniversary Celebration, patch contest with the Art Center, and working on recruitment for more volunteers (full staff would be 21). Discussion was shared.

New Business

Resolution
2012.05/71, 2012-
2013 SMCAS
Budget & Special
Assessment

Scanlon moved, seconded by Terrell to approve the Resolution approving the 2011-2012 Southwestern Michigan Community Ambulance Service (SMCAS) Budget and Special Assessment. Roll call vote carried unanimously. Resolution 2012.05/72 declared adopted and a copy of said resolution attached.

Bid Waiver &
Award, Well #4A

After summary from Marx, Scanlon asked about the cleaning and replacement that was voted on at the previous Joint Sewer Water Board meeting. Marx confirmed to research the need with the Water staff. ***Scanlon moved, seconded by Moore to approve the Bid Waiver for Chemical Cleaning and Redevelopment of Well #4A in the amount of \$11,117.00 from Peerless Midwest. Roll call vote carried unanimously.***

Fire Department
Standard Operating
Guidelines

Fire Chief Mike Adams explained the first three Fire Department Standard Operating Guidelines (SOG’s) were new: 9.0, Injury Reporting, 1.8, Safe Working and Training Environment, and 1.4 Drug & Alcohol Policy. Amendments were: 1.6, Fire Fighter Pay, and 3.12, Officer Elections. He explained the amendments in detail. ***Moore moved, seconded by Scanlon to approve all five Standard Operating Guidelines as presented. Roll call voice vote carried unanimously.***

Construction of Be
Memorial at
Firehouse Park

While all reviewed the drawing and parcel map, 25 year Retired Veteran of the Fire Department Dave Hess presented the renderings of the constructed facility that will hold the bell at Firehouse Park (southeast corner of Chicago & Oak Streets). Marx reported that one tree would be removed and four would be planted and noted that the budget was \$10,000 (matched funds of \$5,000 provided by City) and Kevin Barker provided the drawings and the building permit was approved. After shared discussion, ***Scanlon moved, seconded by Moore to approve of constructing the Bell Memorial at Firehouse Park on Oak Street. Roll call vote carried unanimously.***

Public Comments

Dave Pagel, Chairman of Berrien County Board of Commissioners announced his candidacy for District 78 House of Representatives and invited the Commission to tour Berrien County 9-1-1 Center.

**City Manager
Comments**

Marx personal comments were heard, he announced upcoming events and explained the status of the void due to the resignation of Debra Patzer (lack of quorum at DDA meeting, but discussed options of vacancy) with Donna Southwell working 10 hours a week for the DDA and Planning and Zoning. Seasonal events being posted on facebook and public broadcasting channel (PBS).

Commissioner’s personal comments were heard and all Commissioner’s thanked and commended the Fire Department, SMCAS and all the Volunteer Organizations for their dedication and hard work.

**Commissioners
Comments**

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:42 p.m. Voice vote carried unanimously.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

May 29, 2012

Call to Order

The regular rescheduled meeting (due to holiday) of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday May 29, 2012 and was called to order by Mayor Cole at 7:02 p.m.

Pledge/Invocation

The Pledge was recited by all. Pastor Patricia Ramsden gave the Invocation.

Recognition
Certificates

The Mayor read the purpose of the Ad Hoc Advisory Committee on the McCoy's Creek Watershed and Mill Race. She and the City Manager presented Recognition Certificates to Members' Tom Fehlner, Scott King, Peter Lysy (not in attendance), Randal Peart, Doyle Vergon, Donna Southwell, John Trapp, and Don Trull. Fehlner presented the final report (written report distributed) and summarized the accomplishments of the Committee. He introduced Vendor Joe Mitchell, River Tenders, Inc and stated Mitchell was hired as to avoid the process of engineering design drawings (more cost to the City), thus he strongly suggested that River Tenders be involved in the implementation.

Roll Call

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III.,
Michael Terrell

Commissioners absent: None

Staff present: City Manager Bill Marx, Special Projects Manager Donna Southwell, Clerk Gladys Bybee

Guests/Visitors present: See above recognitions along with 7 visitors including 1 reporter

Consent Calendar

Agenda as amended
Minutes
Checks

Scanlon moved, seconded by Moore to amend the Agenda to include A. Amendment 1 to resolution 2012.04/69, changing the name from Watershed Quality Promotion Board to Watershed Quality Support Board under Unfinished Business. Roll call vote carried unanimously. Moore moved, seconded by Scanlon to approve the Amended Agenda. Roll call vote carried unanimously.

Appointment to
District Library
Board

- Agenda
- Minutes: Regular scheduled meeting, May 14, 2012
- Checks 63771 to 63836 in the amount of \$186,155.34
- Appoint Mary Lysy to the Buchanan District Library Board to a four year term ending 2016
- Ordinance Introduction: Call a Public Hearing on Monday, July 11, 2012 at 7:00 p.m. to invite and hear public comments on an Ordinance for Stormwater Management Regulations
- Appoint Local Storm Water Manager Donna Southwell, Water Superintendent JT Adkerson, Fire Department Chief Robert Adams, Planning Department Dick Mann, Department of Public Works Phil Gorbitz, Engineer Dan Lewis from Prien & Newhoff, and Environmental Organization Randall Peart to the Water Quality Support Board

Ordinance
Introduction

Appointment of
Members to the
Water Quality
Support Board

The City Clerk reported that two (2) candidates filed for City Commissioner seats and explained the Precinct Delegates who will be on the August ballot for a vote for the City. She clarified that the five (5) Fire Department Standard Operating Guidelines approved at May 14, 2012 should reflect that 1.6, 9.0, 1.8 and 1.4 were new and 3.12 was an amendment. She also reported on Board/Committee openings.

Reports

City Clerk/Election

After explanation from Southwell, *Moore moved, seconded by Terrell to approve the Amendment 1 to Resolution 2012.04/69, changing the name from Watershed Quality Promotion Board to Watershed Quality Support Board as presented. Roll call vote carried unanimously.*

Marx explained that the permit was received for the implementation of the process for the Mill Race and McCoy’s Creek thus the reason for consideration of dissolving the Ad Hoc Advisory Committee as formally approved by the City Commission on November 9, 2009. *Hagey moved, seconded by Terrell to dissolve the Ad Hoc Advisory Committee on the McCoy’s Creek Watershed and Mill Race as established November 9, 2009. Roll call vote carried unanimously.*

The Mayor called a recess at 7:45 p.m. for cake and coffee in honor of the Advisory Committee. The Mayor reconvened the meeting at 7:55 p.m.

Commissioner’s personal comments were heard and all Commissioners thanked and commended the Ad Hoc Committee members in attendance. The Mayor presented and read the plaque from Senator Proos, Representative Tyler and Congressman Upton that was presented to her for the City of Buchanan North and West Neighborhood Historic Districts.

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:05 p.m. Voice vote carried unanimously.

Noted that all were going over to the McCoy Creek Duck Pond for a special removal of the top board of the dam as the news media had been invited to record the occasion.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business
Dissolve the Ad Hoc Advisory Committee on the McCoy’s Creek Watershed and Mill Race

Recess

Commissioners Comments

Adjourn

Unfinished Business

Amendment 1 to resolution 2012.04/69

CITY OF BUCHANAN COMMISSION MINUTES

June 11, 2012

Public Hearing

Closure of a portion of Roe Street from vehicular traffic

The Mayor called the public hearing to order at 7:01 p.m. and invited public to express comments concerning the closure of a portion of Roe Street from vehicular traffic. Marx explained concerns he heard and clarified that the street would only be closed to vehicular traffic and plans are to work with stakeholders' to determine what will be done as it is a conceptual plan only. Alice Kring, Treasurer of Fine Arts Council said she spoke with Donna Southwell, Special Projects Manager and would like to have access for handicap access by the door as busses bring handicap persons to shows. Kring further reported that flooding has occurred twice at the Theatre and flood control would need to be addressed. Marsha Gorbitz, Vice-Chair of the Fine Arts Council was concerned about not being contacted about this project as she just received the handout this evening and believes grassy green area is not needed as the Tin Shop Theatre needs parking. Donald Trull, Common Committee member was concerned about the Fire Department access to the Theatre and the Common. Dick Proud, McCoy's Creek Trail Representative received approval from the DDA to go along the south side of the Common with the Trail and hopes all organizations could work together to get this project completed, thus he supports the project. Alan Robandt, Business owner on Front Street stated his belief was to keep Roe Street open and also open the road behind the library. Hearing no other public comments or receipt of written comments, the Mayor closed the public hearing at 7:15 p.m.

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday June 11, 2012 and was called to order by Mayor Cole at 7:15 p.m. directly following the public hearing.

Call to Order

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

Pledge/Invocation

Commissioner Hagey read biography and volunteerism of James Desenberg and the Mayor presented a Recognition Certificate to James Desenberg for his contributions in making Life Better in Buchanan.

Recognition Certificates

The Mayor explained the Scavenger History Hunt Contest and recognized Mary and Emily Determan for Winning the Great Buchanan Downtown History Hunt and presented them with the certificate and donated prizes.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III., Michael Terrell

Roll Call

Commissioners absent: None

Staff present: City Manager Bill Marx, Special Projects Manager Donna Southwell, Clerk Gladys Bybee

Guests/Visitors present: 23 visitors

Alan Robandt, Downtown Business owner and resident opposed the street closures for the Great Cruise In and asked if they could be postponed until 4:00 p.m. as last year the barricades were put up at noon. Alice Kring petitioner for the request reported that there was a misinterpretation last year as the closures were meant for 4:00 p.m. Rolland Carlson was upset about his property tax statement as his evaluation went down but his taxes still went up. Commissioner Hagey briefly explained and the City Manager offered him to come in tomorrow to speak with the Assessor.

Public Comments

Scanlon moved, seconded by Terrell to amend the Agenda to include B. Approve Acceptance of a Grant from Michigan Gateway Foundation under New Business. Roll call vote carried unanimously. Scanlon moved, seconded by Terrell to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular rescheduled meeting, May 29, 2012
- Checks 63837 to 63930 in the amount of \$97,793.56
- Accept Mary Lysy resignation from the Buchanan District Library Board
- Street Closure Form to close Front Street from Redbud Trail to Oak Street for Buchanan’s Great Cruise In on July 21st
- Street Closure Form to close Main Street from Front Street to the fifth parking space on Main Street for Buchanan’s Great Cruise In on July 21st
- Banner request: Buchanan’s Great Cruise In, 07/09/12 to 07/23/12
- Appoint Carla Cole to the Board of Review to fulfill a vacant seat expiring in January 2013
- Appoint Philip Hempel to the Board of Review to fulfill a vacant seat expiring in January 2013
- Appoint Charles Shore to the Buchanan Area Fine Arts Council as a member at large for a term expiring 2015
- Reappoint Joe Scanlon to the Joint Water/Sewer Board for a term expiring 2015
- Reappoint Brian Dineen to the Joint Water/Sewer Board for a term expiring 2015
- Reappoint Shelly Klug, SMEGA to the Brownfield Redevelopment Board for a term expiring 2015
- Reappoint Ray Cole to the Construction Board of Appeals for a term expiring 2015
- Reappoint Ralph McDonald to the Construction Board of Appeals for a term expiring 2015

Minutes
 Checks
 Resignation of Lysy from District Library Board
 Street Closure’s
 Banner Request
 Appointments: Board of Review
 Fine Arts Council
 Joint Water/Sewer Board
 Brownfield Redevelopment
 Construction Board of Appeals

All examined the drawing to close a portion of Roe Street to vehicular traffic that was distributed by Southwell and Marx explained the Resolution. Scanlon questioned the no parking, only unloading on Roe Street. There was debate about alleged No Parking signs along Roe Street. **Hagey made a motion to authorize the City Manager and Special Project Manager to enter into discussion with the stakeholders to develop a plan for the area. Moore seconded the motion and roll call vote carried unanimously.**

Unfinished Business
 Close a portion of Roe Street to vehicular traffic

After Marx’s explanation regarding the need to record and track the utilities with the Geographic Information System Statement that Prein will provide and train employees, **Scanlon moved, seconded by Terrell to approve the Geographic Information System (GIS) Step 1 Proposal from Prein & Newhof in the amount of \$10,450 as recommended. Roll call vote carried unanimously.**

New Business
 GIS Step 1 Proposal from Prein & Newhof

Southwell explained the window of opportunity to apply for a grant from Michigan Gateway Foundation for two defibrillators (City Hall and somewhere by the Farmers’ Market). **Moore moved, seconded by Hagey to accept the \$3,000 grant from Michigan Gateway Foundation and authorize the City Manager to sign the grant documents. Roll call vote carried unanimously.**

Michigan Gateway Foundation Grant \$3,000

Consent Calendar
 Agenda as amended

Marx comments included 132

Garage Sale permits issued and over 600 maps distributed; Thanks to Jim Desenberg and all volunteers on boards; Family Dollar expected to open after June 18th; an employee fixed push lawn mower for \$11.00 after finding it in the trash; and SEIU Union will no longer be representing the employees of the Public Works, Cemetery/Parks, Water/Wastewater and City Clerical, however they have found a new bargaining agent.

**Commissioner's
Comments**

Commissioner's personal comments were heard and all Commissioners thanked and commended Jim Desenberg for his years of service to Buchanan. The Mayor reported that the Dog Park Committee made \$430+ at the Communitywide Garage Sales and Paws of Hope in Buchanan donated a large coffee pot for the Redbud City Center.

Closed Session

Scanlon moved, seconded by Terrell to go into closed session to consider the periodic personnel evaluation of the City Manager as requested by email to the City Clerk [15.268 Sec. 8. (a)] at 8:03 p.m.

The Mayor reconvened the regular meeting at 8:58 p.m. and stated that it was a unanimous discussion that Bill Marx's performance as City Manager was outstanding.

Adjourn

The Mayor adjourned the meeting at 8:59 p.m.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

June 25, 2012

Call to Order

The regular scheduled meeting of the City Commission was held at Pears Mill, 121 S. Oak Street, Buchanan, Michigan Monday June 25, 2012 and was called to order by Mayor Cole at 7:00 p.m.

Pledge/Invocation

President of the Preservation Society, Marjorie Trapp welcomed all to Pears Mill.

Recognition Certificate

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

Roll Call

The Mayor read the history of Bruce Thurston's 25 year tenure with the City and then presented him with a Certificate of Appreciation for his 25 years and a Retirement Recognition Clock.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III.

Commissioners absent: Michael Terrell

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: 23 visitors

Consent Calendar
Agenda as amended

Moore moved, seconded by Scanlon to amend the Agenda to replace B. to read Consider approval of extending the present SEIU labor agreement language for 30 days to allow for discussions to occur between the City and the newly recognized employee labor representative AFSCME under New Business, to include a check in the amount of \$800, and change Q. to read David Hagey instead of Joe Scanlon under the Consent Calendar. Roll call vote carried unanimously. Scanlon moved, seconded by Moore to approve the Consent Calendar as amended. Roll call vote carried unanimously.

Minutes
Checks as amended
DDA 2012-13 FY Budget

- Agenda as amended
- Minutes: Regular scheduled meeting, June 11, 2012
- Checks 63931 to 64030 in the amount of \$113,557.94 as amended
- Buchanan Downtown Development Authority Budget for Fiscal Year 2012-213
- Budget Amendment End of Year General Fund and Water & Sewer Enterprise Fund FY 2011-12
- Appoint Mary Lysy to the Buchanan District Library Board
- Appoint Kevin Barker to the Design Review Committee for a term through 2016 as recommended by the Plan Commission
- Appoint Michael Terrell to the Buchanan Area Recreation Board to a term expiring June 2015
- Appoint James Toth to the Buchanan Area Recreation Board to a term expiring June 2015
- Appoint Phil Hempel to the Farmers' Market Board for a term ending 2015 as recommended by the Farmers Market Board and Downtown Development Authority
- Appoint Trevor Hough to the Common Committee for a term expiring 2013 as recommended by the Common Committee and the Downtown Development Authority
- Reappoint William Norton, Michael Terrell and Richard Wonacott to the Buchanan Plan Commission for a term expiring 2015
- Reappoint Michael Terrell to the Zoning Board of Appeals for a term expiring 2015

Budget Amendment
Appointments:
District Library Board
Recreation Board
Farmers' Market Board
Common Committee
Plan Commission
Zoning Board of Appeals

- Reappoint Jan Quinn to the

Downtown Development Authority for a term expiring 2015

Fine Arts Council
Landfill

- Reappoint Patricia Moore to the Common Committee for a term expiring 2016
- Reappoint Kelly Carlin, Marsha Gorbitz, and Kathy Kingery to the Buchanan Area Fine Arts Council for a term expiring 2016
- Reappoint Carla Cole and David Hagey to the Southeast Berrien County Landfill

New Business

New Bargaining Unit, AFSCME

Marx summarized his past briefings and recommended approval of recognizing AFSCME as the new Bargaining Unit Representative for Employees of the Public Works, Cemetery/Parks, Water/Wastewater Departments, and City Clerical Employees. *Scanlon moved, seconded by Hagey to approve AFSCME as the new Bargaining Unit Representative for Employees of the Public Works, Cemetery/Parks, Water/Wastewater Departments, and City Clerical Employees as recommended. Roll call vote carried unanimously.*

30 day Labor Agreement Extension

Marx explained the request and recommended that the current labor agreement be extended for 30 days as he had a meeting scheduled tomorrow morning at 10 for union negotiations. After Marx and Union President Jason Williams' confirmation that the 30 day extension was enough time, *Scanlon moved, seconded by Moore to approve extending the present SEIU labor agreement language for 30 days to allow for discussions to occur between the City and the newly recognized employee labor representative AFSCME as recommended. Roll call vote carried unanimously.*

City Manager Comments

Marx comments included recognition to the Preservation Society for maintaining and preserving the Pears Mill and explained the status of the Watershed progress of finalizing the contract the Prein Engineering firm with Attorney review and simultaneously waiting for the signing of the grant with the State; ready to go once the releases are received.

Commissioner's Comments

Commissioner's personal comments were heard and all thanked and commended Bruce Thurston for his years of service to Buchanan. All recognized the hard work of the volunteer committees/boards and commended the Watershed Committee and Firefighters for the upgrades to Firehouse Park.

Adjourn

The Mayor adjourned the meeting at 7:31 p.m. for a tour of the Mill, cake and refreshments.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Consent Calendar continued

Appointments:

DDA

Common Committee

CITY OF BUCHANAN COMMISSION MINUTES
PUBLIC HEARING
July 23, 2012

Mayor Cole called the Public Hearing to order at 7:00 p.m., and stated the purpose of the hearing is to invite and hear public comments on a new Ordinance to add a New Article to Chapter 38, Environment Article 5, Storm Water Management Regulations to Provide Authority for Storm Water Management Enforcement, and to Repeal All Other Ordinances or Parts Therein Inconsistent or Contrary to This Ordinance; and to Provide for an Effective Date for This Ordinance. There were no oral or written comments from the public. Marx stated this ordinance gives clarity, and structure to enforce laws related to storm water management. The Commission, Marx and Southwell shared discussion of educating the public about storm water management and its impact on the water quality of the Creek. Mayor Cole closed the Public Hearing at 7:18 p.m.

City Commission Meeting Minutes
July 23, 2012

I. Call to Order:

The regular scheduled meeting of the City Commission was held at Redbud City Center, 131 S. Oak Street, Buchanan, Michigan Monday July 23, 2012 and was called to order by Mayor Cole at 7:19 p.m. directly following the public hearing.

II. Pledge of Allegiance - Invocation

All in attendance recited the Pledge of Allegiance; there was no invocation

III. Roll Call:

Present: Carla Cole, Patricia Moore, Earl J. Scanlon III, Michael Terrell
Absent: David Hagey
Staff Present: City Manager Bill Marx, Treasurer Juli O'Bryant,
Special Projects Manager Donna, Southwell, Administrative Secretary Cat Emmel
Visitors Present: 3 visitors

IV. Public Comments

There were no public comments

V. Consent Calendar:

Mayor Cole asked to amend the Consent Calendar to add two checks, numbers 64201 and 64202 in the amount of \$1,625.00, for a grand total of \$387,745.26. Scanlon moved, seconded by Terrell to amend the agenda as requested. The motion passed unanimously by voice vote.

Scanlon moved, seconded by Moore, to approve the Consent Calendar as amended. The motion passed unanimously by voice vote. The approved Consent Calendar is as follows:

Agenda, as amended
Minutes: Regular scheduled meeting, July 9, 2012
Checks 64113 to 64202 in the amount of \$387,745.26
Excuse absence of Commissioner Scanlon from July 9, 2012 meeting
Banner Placement form, City Wide Garage Sale.
Banner Placement form, Harvest Buchanan.

VI. Reports by Departments, Committees, Boards

A. Chamber of Commerce - Ted Chase

Ted Chase updated the Commission on various Chamber of Commerce activities. He invited the Commission to let him or Chamber Director Ben Sadler know of any comments and/or ideas for Chamber activities.

VII. Unfinished Business

A. Consider Ordinance 2012.07/_____ . New Article to Chapter 38 Environment, Article 5, Storm Water Management Regulations to Provide Authority for Storm Water Management Enforcement, and to Repeal All Other Ordinances or Parts Therein Inconsistent or Contrary to the Ordinance.

Marx stated that in addition to the discussion held during the public hearing, this ordinance will allow us to have a structure in place to have better handling of storm water and to be in compliance with the laws. After discussion ***Scanlon moved, seconded by Terrell, to approve Ordinance 2012.07/386 (attached as part of this record). The motion passed unanimously by voice vote.***

B. Consider Three Year Labor Agreement (pending final format of Agreement) between the City of Buchanan and AFSCME, Representing Employees of the Public Works, Cemetery/Parks, Water/Wastewater Departments and City Clerical Employees.

Marx reported there are a few changes in the agreement that were not reflected in the copy provided to the Commissioners in their packets. The changes are: 1) the starting date on the wage scale was corrected, 2) page 24 - verbiage was added to clarify the 80-20 insurance contributions, and 3) Article 5 on Subcontracting was changed to remove the 6 month limit on subcontracts. Scanlon asked Marx if the only changes to the contract received by the Commission were the date correction, 80-20 clarification and removal of the six month limit on subcontracting. Marx said yes. After discussion, ***Terrell moved, seconded by Moore, to approve the 3-Year Labor Agreement as reported by Marx. The motion passed unanimously by voice vote.***

VIII. New Business

A. Consider Certified Resolution of the Commission Authorizing the application for Special Liquor License from the State for Last Saturday Concert on August 25, 2012 at the Buchanan Common - Interim DDA Director Donna Southwell.

Southwell reported, that if approved, there will be a beer and wine tasting event, and the United Methodist Church has sent a letter stating they have no objections to the event. After discussion, ***Scanlon moved, seconded by Terrell, to approve the Certified Resolution as submitted. The motion passed unanimously by voice vote.***

B. Recognition of our Automatic Electronic Defibrillators (AEDs) - Donna Southwell

Southwell reported in response to a request from Commissioner Moore to get AEDs for City Hall, she submitted a request to the Gateway foundation for a grant. It was approved and 2 AEDs were purchased. One will be at City Hall, and one will be at the Common. (There was one on display at this meeting.) Southwell and Marx explained the equipment and procedures for using it. There was a discussion regarding security and access to the AED at the Common.

C. Consider three year lease in the amount of \$10,262.96 with Ford Credit for a new police car with consideration of color scheme

The Commissioners and Marx discussed the need for another police car, and explained the old 2005 vehicle will be used by Code Enforcement..Marx and the Commission discussed the color for the new car (black and white) and making vehicle colors consistent throughout City Departments. After discussion, ***Scanlon moved, seconded by Terrell, to approve the lease for the new police car, with the black and white color scheme. The motion passed unanimously by voice vote.***

IX. Public Comment

There were no Public Comments

X. City Manager's Comments

- Marx thanked Scott King and his volunteers for Creek clean-up.
- He reported ongoing vandalism at Ravish Park. The PD will pick up the monitoring pace to hopefully to find the vandals and hold them responsible. He said people can leave an anonymous complaint with the PD.
- Due to the dry weather, the City is pumping between 750,000 and 850,000 gallons of water every day and folks need to be conservative with water use.

XI. Commissioners' Comments

Terrell

- Thanked the Union and the City for negotiating a contract that is a good deal for everyone
- Suggested the need for a protocol for using water during dry weather
- Thanked Ted Chase and the Chamber of Commerce for the work they do in attracting people to Buchanan

Moore

- Reminded everyone the BARB has a very small budget to maintain parks; it is very discouraging because there is no money to replace destroyed items. Vandals hurt all residents; she would like to have security cameras at the parks.
- The trash being found in the Creek underscores the need for storm water management; it's not a trash dump.

Scanlon

- Appreciates everyone working together as Moore and Southwell did to get the AEDs; everyone in the City will benefit.
- Thanked all employees for working with the City and City Commission regarding having no raises last year; we had no idea of where we stood with the State.
- Thanked Ted Chase for the Chamber of Commerce report and the activities they sponsor; he particularly likes the yard sales
- Thanked Scott King for all his work.

Cole

- The Cruise-In was successful in bringing a lot of people into town
- The Last Saturday Concerts are provided by private donations; no City money was used for this event. She thanked all those who donated.

XII. CLOSED SESSION

A. Review Minutes from July 9, 2012 Closed Session meeting for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement [15.266 Sec. 8. (c)].

Scanlon moved, seconded by Moore, to go into closed session to consider approval of the minutes from the July 9, 2012 Closed Session regarding strategy and negotiation sessions connected with the negotiation of collective bargaining agreement [15.266 Sec. 8.(c)] at 8:30 p.m. The motion passed unanimously by voice vote.

The Mayor reconvened the regular meeting at 8:33 p.m. *Moore moved, seconded by Scanlon, to approve the minutes of the July 9, 2012 Closed Session as presented. The motion passed unanimously.*

XIII. Adjourn

Scanlon moved, supported by Terrell, to adjourn the meeting at 8:33 p.m.

Respectfully submitted

Catherine E. Emmel, Recording Secretary

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
July 9, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday July 9, 2012 and was called to order by Mayor Cole at 7:05 p.m.

The Pledge was recited by all. Pastor Patricia Ramsden gave the Invocation.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Michael Terrell

Commissioners absent: Earl J Scanlon III.

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Boy Scout Travis Pressey along with 3 visitors

Hagey moved, seconded by Moore to amend the Agenda to include a proposal from Boy Scout Travis Pressey as the first item under New Business, delaying those listed on the agenda until after Pressey's presentation. Roll call vote carried unanimously. Moore moved, seconded by Terrell to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, June 25, 2012
- Checks 64031 to 64112 in the amount of \$202,760.00
- Excuse absence of Commissioner Terrell from June 25, 2012 Meeting
- Appoint Phil Hempel to the Downtown Development Authority for a term ending 2015 as recommended by the Downtown Development Authority
- Farmers' Market Board (FMB) Bylaws Amendment as amended by the FMB and approved by the Downtown Development Authority
- Ordinance Introduction: Call a Public Hearing on Monday, July 23, 2012 at 7:00 p.m. to invite and hear public comments on a new Ordinance to Add a New Article to Chapter 38, Environment", Article 5, Storm Water Management Regulations to Provide Authority for Storm Water Management Enforcement, and to Repeal All Other Ordinances or Parts Therein Inconsistent or Contrary to This Ordinance; and to Provide for an Effective Date for This Ordinance

Pressey explained his Troop 541 Eagle Scout Project (Observation Deck) along the McCoy's Creek Trail behind the baseball fields going out towards the Nature Conservancy (west) while all reviewed his drawing of the structure. Marx explained that preliminary work had been done with Pressey, the Building Inspector and the Friends of McCoy's Creek Trail with the Friends of Trail funding up to \$2,000 for the project. After shared discussion, ***Terrell moved, seconded by Hagey to accept the project as proposed with Pressey working with City representatives to complete the project. Roll call vote carried unanimously.*** Marx asked Pressey to keep him updated on the status of the development.

Marx explained the new job description for the Waste Water Lead Operator position as clarified and changed by staff. After brief discussion about adding the City Manager for notification purposes along with the Public Services Director, ***Moore moved, seconded by Terrell to approve the Waste Water Lead Operator job description as presented. Roll call vote carried unanimously.***

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as amended

Minutes

Checks

Excuse Absence

DDA Appointment

Farmers' Market
Board Bylaws

Ordinance
Introduction, Storm
Water Management
Regulations

New Business

Pressey Eagle Scout
Project, Observatio
Deck along
McCoy's Creek
Trail

Waste Water Lead
Operator Job
Description

Marx explained the purpose of the bulbs necessary for the Waste Water Treatment Plant. After shared discussion about manufacturers and selective purchasing of the bulbs, **Moore moved, seconded by Hagey to approve the purchase of new UV Bulbs as recommended. Roll call vote carried unanimously.**

Purchase UV Bulbs for WWTP

Marx explained the quotes solicited for replacement of the spectrophotometer at the Waste Water Treatment Plant and the Commission asked that someone from the plant be here to explain the piece of equipment. After further discussion, **Hagey moved, seconded by Terrell to approve the purchase of the spectrophotometer as recommended as competitive quotes had been solicited. Roll call vote carried unanimously.**

Purchase of the Spectrophotometer for WWTP

Marx explained that our plant is capable, according to the wastewater plant operators, to accept and treat septage from private haulers. After shared discussion, **Hagey moved, seconded by Terrell to remove "recreational vehicles" from the plan and approve the Septage Waste Receiving Facility Operating Plan and fees for the Wastewater Treatment Plant. Roll call vote carried unanimously.**

Septage Waste Receiving Facility Operating Plan and fees for the WWTP

Marx comments included equipment breakdowns due to the heat was the reason the large flag was not installed over Front Street for the 4th holiday, Fire Department watered the Common and provided spraying for youth, and announced upcoming events.

City Manager Comments

All complimented Pressey on his volunteerism.

Commissioner's Comments

Commissioner's personal comments were heard and the Mayor noted that the Last Saturday's Concerts at the Common are paid for voluntarily.

Closed Session

Moore moved seconded by Terrell to go into closed session to at 7:52 p.m. to review Minutes from June 11, 2012 Closed Session meeting to consider the Periodic Personnel Evaluation of the City Manager as requested [15.268 Sec. 8. (a)] and for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement [15.268 Sec. 8. (c)]. Roll call vote carried unanimously.

June 11, 2012 Closed Session Meeting Minutes

The Mayor reconvened the meeting at 8:13.

Hagey moved, seconded by Terrell to approve June 11, 2012 Closed Session Meeting Minutes as reviewed in Closed Session. Roll call vote carried unanimously.

Union Collecting Bargaining Discussion

All concurred to consider the ASFCME Union Contract when a written contract could be reviewed.

Hagey moved, seconded by Moore to adjourn the meeting at 8:15 p.m.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
August 13, 2012

The Mayor called the public hearing to order at 7:00 p.m. and invited public to express comments for the purpose of considering the application submitted by Vickers Engineering (816 E. Third Street, Suite 2, Buchanan) to transfer a portion of the personal property listed in Industrial Facilities Exemption Certificates #2006-073 and #2011-041 pursuant to Michigan Public Act 198 of 1974, as amended. Shelly Klug introduced owner Matt Tyler and explained the tax abatement. The clerk confirmed no written comments were received. Joe Scanlon and David Hagey asked the percentage of abatement; Klug replied 50%. **Moore moved, seconded by Scanlon to adjourn the public hearing at 7:04 p.m. Voice vote carried unanimously.**

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday August 13, 2012 and was called to order by Mayor Cole at 7:04 p.m. directly following the public hearing.

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

The Mayor read the biography and details of the project (construction of bridge over the Mill Race behind 105 W. Front Street) completed by William "Nick" Wah and presented him with a Certificate of Recognition. Wah explained his construction of the bridge and thanked all those that assisted him with construction of said bridge.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III.,
Michael Terrell

Commissioners absent: None

Staff present: City Manager Bill Marx, WWTP Lead Operator Jason Williams
and Clerk Gladys Bybee

Guests/Visitors present: Boy Scout William "Nick" Wah, Fire Chief Mike Adams, SMEGA
Director Shelley Klug and Senior Center Director Alice Hopkins along with 12 visitors

Moore moved, seconded by Scanlon to amend the Agenda to include a Fire Department request to approve Landscape Plan for Firehouse Park from Chief Mike Adams under Reports by Departments, Committees, Boards. Roll call vote carried unanimously. Hagey moved, seconded by Scanlon to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, July 23, 2012
- Checks 64203 to 64331 in the amount of \$2,343,162.90
- Excuse absence of Commissioner David Hagey from July 23, 2012 Meeting

Alice Hopkins, Buchanan Senior Center Executive Director reported vandalism at the center, that the handicap walkway has been completed, euchre tournaments, bingo, averaging about 20 a day for senior nutrition lunches, and speeding on Rynearson Road.

Scott King, McCoy's Creek Watershed Support Group Member was not in attendance to give a report.

Public Hearing
IFEC, 816 E. Third
Street, Vickers
Engineering

Call to Order

Pledge/Invocation

Certificate of
Recognition

Roll Call

Consent Calendar
Agenda as amended

Minutes

Checks

Excuse Absence

Reports
Buchanan Senior
Center

Watershed Support
Group

Fire Chief Mike Adams distributed the rendering of the Landscape Plan for Firehouse Park done by local citizen Yvonne Shaw and he explained in detail. He explained the status of the structure with several bricks already in walkway and upon completion, a small ceremony at the Common with a walk to the site where dedication would be held. After brief discussion of the plan, *Moore moved, seconded by Terrell to approve the landscape design as presented. Roll call vote carried unanimously.*

New Business
IFEC, Vickers
Engineering
Application

Hagey moved, seconded by Scanlon to approve the application submitted by Vickers Engineering (816 E. Third Street, Suite 2, Buchanan) to transfer a portion of the personal property listed in Industrial Facilities Exemption Certificates #2006-073 and #2011-041 pursuant to Michigan Public Act 198 of 1974. Roll call vote carried unanimously.

Resolution
2012.08/73, Vickers
Engineering IFEC

Hagey moved, seconded by Moore to approve the resolution as presented. Granting the Transfer of Equipment from Industrial Facilities Exemption Certificates #2006-073 and #2011-041 for Vickers Engineering, Inc., 816 E. Third Street, Suite 2 Buchanan Michigan 49107.
WHEREAS, pursuant to Michigan Public Act 198 of 1974, M.C.L. 207.551 et seq. ("Act 198") after duly noticed public hearing held on June 13, 1983, this Buchanan City Commission (the "Commission") by resolution established the Clark Equipment Company Axle Site Development District for the property, as described on the attached; and
WHEREAS, Vickers Engineering, Inc. (the "Applicant") has filed an application to transfer personal property equipment abated under Industrial Facilities Exemption Certificates #2006-073 and #2011-041 (the "Certificates") to the property at 816 E. Third Street, Buchanan Michigan; and
WHEREAS, before acting on said application the Commission held a public hearing on August 13, 2012 at the Buchanan City Hall, at which hearing the Applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and
WHEREAS, the installation of personal property (the "Project") had not begun earlier than six (6) months before the date of the acceptance of the application for the transfer of certificates; and
WHEREAS, completion of the Project is calculated to and will at the time of issuance of the Certificate have the reasonable likelihood to retain, create, or prevent the loss of employment in Buchanan City; and
WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Buchanan, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.
NOW, THEREFORE, BE IT RESOLVED by the Buchanan City Commission that:
The Commission finds and determines that the granting of the Certificate considered together with the aggregate amount of the certificates currently in force under Act No. 198 shall not have the effect of substantially impeding the operation of the Buchanan City Commission (the "Commission"), or impairing the financial soundness of a taxing unit which levies an ad valorem property taxes in the City.
The Agreement between the Applicant and the City is hereby approved.
The Application for the Certificate is hereby approved and when issued shall remain in force and effect for the period remaining on the original certificates.

Roll call vote carried unanimously. Resolution 2012.08/73 declared adopted.

Resolution
2012.08/74,
William Karpinski
Jr. Day

The Mayor read the resolution declaring August 30, 2012 as William J. Karpinski Jr. Day.
Scanlon moved, seconded by Terrell to approve the resolution as presented. Roll call vote carried unanimously. Resolution 2012.08/74 declared adopted.

Bid Waiver, Sensus
Water Meters

Marx explained the use of the water meters, the need to account for the water loss that has been occurring and the five year program for changing out all meters that will begin the program as soon as meters arrive. *Hagey moved, seconded by Scanlon to approve the bid waiver and sole source to purchase Sensus Water Meters in the amount of \$25,620. Roll call vote carried unanimously.*

Marx reported on
meetings that have
occurred this past
week for 204 N

Reports continued
Firehouse Park Landscaping

Redbud Trail for a winery and taste testing facility. Hagey explained his position and projected use of the building. ***Terrell moved, seconded by Moore to authorize the City Manager to create a Marketing Plan for 204 N. Redbud Trail (old Candy Factory Building). Roll call vote carried unanimously.***

Purchase of pump, motor & installation at WWTP

Marx explained his previous briefings regarding the pumps and motors at the Wastewater Treatment Plant (WWTP) and Williams explained the workings of them (copies of an email between Marx and Williams was distributed prior to the meeting). Scanlon clarified the purchase and use of this pump and confirmed discussions from the Joint Water and Sewer Board meeting. ***Scanlon moved, seconded by Terrell to approve the \$31,332 expenditure for replacement of motor, pump and installation for the effluent pump and motor at the Wastewater Treatment Plant as presented and recommended. Roll call vote carried unanimously.***

Public Comments

Dan Viganski asked the status about the Electro Voice building so it wouldn't turn out like the dilapidated Buchanan Industries building. Marx explained that he has been in contact with the marketers of the property and utilizing code enforcement to get the property cleaned up.

City Manager Comments

Marx comments included thanks to Hopkins for working together on sidewalk project and announced upcoming events.

Commissioner's Comments

Manager and Commission thanked Wah for completion of his project.

Commissioner's personal comments were heard and upcoming events announced. Moore was saddened that domestic ducks/geese were dumped at McCoy's Pond Park. Hagey asked about the grants and timeline on watershed project (McCoy's Creek/Mill Race) with Marx responding. Scanlon noted that all WWTP employees are now certified. Terrell noted that all City Flag poles are in dire need of replacement.

Adjourn

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:17 p.m.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued

Marketing Plan for 204 N. Redbud Trail

CITY OF BUCHANAN COMMISSION MINUTES
August 27, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday August 27, 2012 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Reverend Janet Van Lear gave the Invocation.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl J Scanlon III.,
Michael Terrell

Commissioners absent: None

Staff present: City Manager Bill Marx, Assessor Gordon Schreiber, Special Projects Manager Donna Southwell and Clerk Gladys Bybee

Guests/Visitors present: Watershed Committee Member Scott King and Chamber of Commerce Member Dorothy Mottl along with 7 visitors

Hagey moved, seconded by Moore to amend the Agenda to include A. Resolution 2012.08/__, Agreement with State of Michigan Department of Natural Resources to Construct the McCoy's Creek Watershed Project under Unfinished Business. Roll call vote carried unanimously. Scanlon moved, seconded by Terrell to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, August 13, 2012
- Checks 64332 to 64451 in the amount of \$1,298,038.14
- Street Closure; Oak Street from Front Street to Smith Street for Fire Department Bell Memorial Parade from 9 a.m. to noon
- Acknowledge Traffic Control Order #246, Closure of Roe Street from Days Avenue to Oak St.

Assessor Gordon Schreiber reported on the Board of Review meetings, finalized the 2012 assessment roll changes, prepared and submitted the 2012 Assessing Officer's report to the State Tax Commission, reviewed deeds, homesteads, building permits, and still working with Pam O'Connor on Historical District.

Chamber of Commerce Member Dorothy Mottl reported on the third year Harvest Festival (event itinerary with map distributed prior to the meeting). She explained the possible ice cream social, children's activities, alley music, and a street closure for a Car Cruise In forthcoming. There was shared discussion about street closure/Cruise In and greetings between Commission and Mottl.

Scott King, McCoy's Creek Watershed Support Group Member reported that since pulling boards out of the dam a lot of debris has been gathered from lowering the creek. He unveiled his display of numerous items. Southwell interjected that King, Lisa Vigansky and other friends were included in the cleaning. King announced four pickup truck loads of steel, close to 300 lbs of glass, hundreds of trash bags, and many other things collected. Commission and King shared discussion about the items and safety of their gathering.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as amended

Minutes

Checks

Street Closure

Acknowledge
Traffic Control
Order #246

Reports

Assessor
Department

Chamber of
Commerce, Harvest
Buchanan Festival

McCoy's Creek
Watershed Support
Group

Hagey clarified that this grant was not the watershed project grant but the trail grant. All agreed and Southwell explained the Contract/Agreement with the State of Michigan Department of Natural Resources to construct the McCoy's Creek Trail in the total amount \$288,000; Friends of McCoy's Creek Trail raised \$80,000 and City providing \$20,000 in-kind match. She reassured all that this grant does not affect the Watershed Project grant. There was discussion of the confusion of Watershed grant verses Trail grant. **Hagey moved, seconded by Terrell to approve the resolution as presented and explained.**

Resolved that the City of Buchanan, Michigan, does hereby accept the terms of the agreement as received from the State of Michigan Department of Natural Resources, and that the City of Buchanan does hereby specifically agree, but not by way of limitation as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide one hundred thousand dollars (\$100,000) to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this resolution.

New Business
Dial-A-Ride FY
2012 Section 5311
Operating Contract

Roll call vote carried unanimously. Resolution 2012.08/75 declared adopted.

After brief explanation from Marx and noting the receipt of an increase of two percent for Buchanan Dial-A-Ride, **Moore moved, seconded by Scanlon to approve the Revised Project Authorization City of Buchanan Dial-A-Ride FY 2012 Section 5311 Operating Contract with Michigan Department of Transportation. Roll call vote carried unanimously.**

MML Voting
Delegate &
Alternate

After explanation from Marx, **Hagey moved, seconded by Scanlon to appoint Mayor Cole as the voting delegate and City Manager Marx as the alternate at the Michigan Municipal League Annual Meeting. Roll call vote carried unanimously.**

Resolution
2012.08/76, DNR
Community
Forestry Program
Grant

After detailed explanation from Southwell about what the forestry program grant would be for the City, Cemetery and Parks, Terrell asked what the status of training was on the GIS software we already have. Marx replied the County has forwarded the maps to our Contractor, Prien & Newhoff. He confirmed a \$10,000 match (Treasurer confirmed \$3,000 to \$5,000 available from City and other funds to come from foundations/ donations). **Hagey moved, seconded by Moore to approve the resolution as discussed and presented.**

Submittal of a grant application to the Michigan Department of Natural Resources Community Forestry Program

Whereas, the City of Buchanan in the County of Berrien, State of Michigan has been named a "National Tree City", and,

Whereas, the City has participated in the Arbor Day Foundation project since 1979, and,

Whereas, Many trees have become aged or diseased and have had to be removed, and,

Whereas, The City wishes to create a tree inventory and purchase appropriate software to do so, and,

Whereas, MDNR is soliciting applications for grants to subsidize one-half of the costs of purchase of new trees, software and training for maintenance, and,

Whereas, The costs associated with creating an inventory and replacing will be matched 50/50 by this DNR Community Forestry grant for up to \$20,000,

Be it hereby resolved that the Buchanan City Commission approves this application submittal and authorizes the City Manager to sign any and all agreements relating to this grant.

Roll call vote carried unanimously. Resolution 2012.08/76 declared adopted.

Marx's personal
comments were
heard and he
reported that the
Eagle Scout Project
was completed by

Unfinished Business

Resolution 2012.08/75, McCoy's Creek Trail Grant

Travis Pressey, vandalism to the building at 206 N. Redbud Trail, pricing received to replace flagpoles, letters sent out to property owners along the Mill Race so the City can clean-up easements, and Waste Water Treatment Plant employees working on a program for a work session to educate all on the replacement of the primary tanks (half million dollars) would be forthcoming.

Commissioner's personal comments were heard and upcoming events announced. Moore thanked the City Manager for the vending machine to feed the ducks/geese that were dumped at McCoy's Pond Park. Hagey asked about the marketing of 204 N Redbud Trail with Marx responding. Scanlon asked about the search for the 2008 WWTP Plan with Marx responding.

**Commissioner's
Comments**

Adjourn

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

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
September 10, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday September 10, 2012 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Reverend Dave Mitchell gave the Invocation.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Michael Terrell

Commissioners absent: Earl J Scanlon III.

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: 2 visitors

Hagey moved, seconded by Moore to approve the Consent Calendar as presented. Voice vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, August 27, 2012
- Checks 64452 to 64529 in the amount of \$314,226.75
- Street Closure: Front St. from Redbud Tr. to Oak St. and Days Ave. from Front St. to City Parking lot from 2:30 p.m. through 6:00 p.m. requested by the Buchanan Area Chamber of Commerce for the Harvest Buchanan event
- Accept Commissioner Mike Terrell's resignation from the Zoning Board of Appeals
- Appoint Meg Cluckey to the Zoning Board of Appeals to fill a vacant term through 2013
- Appoint Joseph Vallone to the Zoning Board of Appeals to fill a vacant term through 2015
- Appoint Dale Price to the Zoning Board of Appeals to fill a vacant term through 2015

Pastor Mitchell urged attendance to the 9-11 Ceremony.

Marx explained the minor altering in streets for assistance from crossing guards, changing of signs and traffic patterns. ***Terrell moved, seconded by Hagey to approve the one year Crossing Guard Service Agreement between the City and Buchanan Schools as presented and recommended. Roll call vote carried unanimously.***

Marx explained that he spoke with the Mason Lodge, American Legion and Friends of the Trail and they will be having their Halloween events (Breakfast, Parade, Costume Party, Trek-or-Treat) on Saturday October 27th. After deliberation, ***Hagey moved, seconded by Terrell to observe Halloween 2012 Trick-or-Treat on October 31st from 6:00 to 7:30 p.m. Roll call vote carried unanimously.***

Marx explained the cameras (three) in the police vehicles were antiquated, parts are obsolete for repair and how they worked. After shared discussion and confirmation of available funds, ***Terrell moved, seconded by Moore to approve the purchase of Digital Ally In-Car Cameras for the Police Department in an amount not to exceed \$17,850 as recommended. Roll call vote carried unanimously.***

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as amended

Minutes

Checks

Street Closure

Terrell Resignation
from the ZBA

ZBA Appointment

Public Comments

Unfinished
Business

Crossing Guard
Service Agreement

Halloween 2012
Trick-or-Treat

Digital In-Car
Camera Purchase

Marx explained the unfortunate condition of Water Well #5 due to the well being down and while attempting to repair sand was being sucked into the pump. He confirmed his goal was to get the well working properly with the understanding that through negotiations with the project engineer we should be reimbursed for a portion if not all of the costs. ***Terrell moved, seconded by Moore to authorize and approve the repairs to water well #5 pump and screen from Peerless Midwest in an amount not to exceed \$27,162. Roll call vote carried unanimously.***

Water Well #5
Repair from
Peerless Midwest

Marx's personal comments were heard and he presented the Firehouse Park Sign, designed by resident Krista Parin. He explained that Parin prepared a document with budget to replace city signs with the Firehouse sign being the first by going to the Gateway Foundation and setting up a fund for such.

**City Manager
Comments**

Commissioner's personal comments were heard and upcoming and previous events announced. Terrell asked if there were any statistics on use of the electric car charging station. Moore officially thanked Friends of Oak Ridge Cemetery for purchasing and placing the plaque at the Cemetery.

**Commissioner's
Comments**

Hagey moved, seconded by Terrell to adjourn the meeting at 8:01 p.m.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued

CITY OF BUCHANAN COMMISSION MINUTES
September 24, 2012

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday September 24, 2012 and was called to order by Mayor Cole at 7:01 p.m.

Pledge/Invocation

The Pledge was recited by all.

Roll Call

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Michael Terrell, Earl J Scanlon III.

Commissioners absent: None

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Berrien County Commissioner Mac Elliott along with 2 visitors

Consent Calendar

Agenda
Minutes

Hagey moved, seconded by Scanlon to approve the Consent Calendar as presented. Voice vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, September 10, 2012
- Checks 64530 to 64651 in the amount of \$258,748.35
- Street Closure: Close Front St. from 400 E. Front St. (Smoke Vision) to Terre Coupe; Terre Coupe to Smith Street to McCoy Creek Park from 5:30 p.m. through 7:00 p.m. Requested by Buchanan High School Student Council for the Homecoming Parade
- Excuse absence of Commissioner Scanlon from September 10, 2012 meeting

Checks

Street Closure

Excused Absence

Public Comments

County
Commissioner Mac
Elliott

Elliott reported on the preliminary discussions at the Berrien County level of reducing services at the South County Courthouse located in Niles. His position is to maintain what is in Niles currently with an eye to enlarge it (he is unsure of the other County Commissioners' position). County bought land at the corner of Napier and US 94 for a new County Campus within the next 20 years. Discussion and questions were shared with Commissioners and Elliott about being centrally located. ***Scanlon moved to draft a resolution that Niles approved and deliver to the County Board and also express deep disappointment with moving the jury selection to St. Joseph Courthouse. Moore seconded and roll call vote carried unanimously.***

Unfinished Business

Labor Agreement
between Local
2757.11 AFSCME

Moore moved, seconded by Terrell to approve the Final Labor Agreement between Local 2757.11 AFSCME and the City of Buchanan. Roll call vote carried unanimously.

Marx reported that review of the playground equipment had been done, City Insurance carrier advised and City Attorney Hyrns reviewed the proposed agreement. After brief discussion, ***Hagey moved, seconded by Terrell to approve the Agreement to transfer Stark Playground Equipment and authorize the City Manager to sign the agreement.*** There was discussion about the need of repair to the tennis court. ***Roll call vote carried unanimously.***

Stark Playground
Equipment
Agreement

Marx's personal comments were heard and he reported that Debra Patzer has accepted the full time position of Administrative Assistant, completion of the WWTP pump, meeting with Abonmarch to discuss well #5, upcoming events, North Redbud Trail just outside the City closure for road repair, watershed contracts with the State signed and

City Manager Comments

sent back with a
green light to begin

work on the watershed (letters also sent to adjacent property owners along the creek of forthcoming maintenance work), Contractors Prien and Newhoff ready to begin work on the Mill Race this fall and Watershed improvements to begin in the spring.

**Commissioner's
Comments**

Commissioner's personal comments were heard and upcoming and previous events announced. All Commissioners' thanked County Commissioner Elliott for attending and giving up-to-date report. Moore announced her disappointment in the DDA action to change the Thursday night concerts to Saturdays. Hagey thanked Tom Fehlner and others for hours put into the Watershed along with diverse groups that came together to accomplish this project that must be finished by 2014. Scanlon acknowledged the Water Fluoridation Award.

Adjourn

Scanlon moved, seconded by Hagey to adjourn the meeting at 8:11 p.m.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued

Water Well #5 Repair from Peerless Midwest

City Manager Comments continued

CITY OF BUCHANAN COMMISSION MINUTES
October 08, 2012

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday October 8, 2012 and was called to order by Mayor Cole at 7:00 p.m.

Pledge/Invocation

The Pledge was recited by all. After the Mayor read the life saving of Mr. Johnston, Southwestern Michigan Community Ambulance Service (SMCAS) Director Tim Gray and the Mayor presented Life Saving Awards to Buchanan Police Officer Wally Casto, SMCAS Paramedic David Ilec, EMT Specialist Scott Colpitts and EMT Basic Samantha Wilson-Brown. Gray presented Johnston with a Survivor Pin.

Life Saving Awards

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Michael Terrell, Earl J Scanlon III.

Commissioners absent: None

Staff present: City Clerk Gladys Bybee, Police Sergeant Harvey Burnett and Administrative Assistant Debra Patzer

Guests/Visitors present: Plante Moran CPA Kenley Penner and SMCAS Director Tim Gray along with 14 visitors

Roll Call

Scanlon moved, seconded by Terrell to approve the Consent Calendar as presented. Voice vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, September 24, 2012
- Checks 64652 to 64726 in the amount of \$224,123.08
- Street Closure: Front St. from 120 N. Oak Street traveling to 403 E. Front St. (American Legion) on October 27th, 10:00 a.m. to 10:30 a.m. for the Halloween Parade
- Banner Placement; Buchanan Athletic Boosters Annual Euchre Fundraiser Tournament, 10-19-12 to 11-2-12
- Appoint Leona Wonacott to the Zoning Board of Appeals for a term through 2015
- Resolution 2012.10/77, South Berrien County Services

Consent Calendar
Agenda

Minutes

Checks

Street Closure

Banner Placement

ZBA Appointment

Resolution
2012.10/77, South
Berrien County
Services

WHEREAS, at a regular council meeting, August 13, 2012, 13th District County Commissioner Zach Perkins reported that Berrien County commissioners were presented with options to address building needs of animal control and health department; and

WHEREAS, the circuit court and prosecutor's office at the South County Building would move to the courthouse in St. Joseph, Michigan; and
WHEREAS, the move would allow the health department administration, but not health department services, to relocate to the South County Building; and

WHEREAS, the City of Buchanan taxpayers are receiving very little return on the county portion of their tax dollars; and

WHEREAS, the City of Buchanan taxpayers are burdened by the commute to St. Joseph, Michigan to conduct business; and

NOW, THEREFORE, BE IT RESOLVED that the Buchanan City Commission is opposed to the plan to build a new county facility in northern Berrien County; and

BE IT FURTHER RESOLVED that the Buchanan City Commission is strongly in favor of keeping services at the South County Building to better serve Buchanan taxpayers; and

BE IT FURTHER RESOLVED that the Buchanan City Commission expresses deep disappointment with moving the jury selection to St. Joseph, Michigan.

Reports

Police Department

Police Sergeant Harvey Burnett explained his written report for the Police Department that was distributed with the packet. The report contained number of employees in the department, crime activity, citizen contact, citations written, citizen complaints (some with two year comparisons), etc. Discussion was shared between Commissioners and Burnett.

Penner distributed the 2011-12 Fiscal Year Audit and explained the report “City of Buchanan Audit Presentation to the City Commission for year end June 30, 2012”. The Financial Report with Supplemental Information dated June 30, 2012 was distributed to Commissioners in their packets. Penner commended the commission, City Manager and Treasurer on the fiscal condition of the City.

2011-12 Fiscal Year
Audit

Sergeant Burnett explained Traffic Control Order #244, Moccasin Street near Moccasin Elementary School, 410 Moccasin Street that traffic volume has increased significantly in front of Moccasin Elementary located at 410 Moccasin Street due to the closing of Stark Elementary, all day kindergarten and the closing of Galien Schools. The congestion of high vehicle traffic and high pedestrian traffic before and after school needs to be controlled by making Moccasin Street a one-way street for northbound traffic only between 8:00 to 9:00 a.m. and 3:00 to 4:00 p.m. during school days. Also, Traffic Control Order #245, Fifth Street near Moccasin Elementary School, 410 Moccasin Street also due to the same reasoning of Traffic Control Order #244 except that Fifth Street is already a one-way street for westbound traffic only. The congestion of high vehicle traffic and high pedestrian traffic for the on/off-loading of students from school buses before and after school needs to be controlled by making Fifth Street accessible for buses only traffic between 7:30 to 9:00 a.m. and 2:30 to 4:00 p.m. during school days. He noted that the process began August 14, 2012 and has been working well. ***Hagey moved, seconded by Moore to approve both Traffic Control Orders #244 and #245 as presented and recommended. Roll call vote carried unanimously.***

Traffic Control
Order #244 and
#245

Sergeant Burnett thanked the Commission for the purchases of the new squad car and cameras for the department.

Public Comments

Due to the absence (ill) of the City Manager the Mayor read portions of the City Manager written report to the Commission.

**City Manager
Comments**

Commissioner’s personal comments were heard and upcoming and previous events announced. All Commissioners’ commended Officer Wally Casto and the SMCAS Team for saving the life of Mr. Johnston.

**Commissioner’s
Comments**

Hagey moved, seconded by Scanlon to adjourn the meeting at 8:10 p.m.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
October 22, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday October 22, 2012 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Reverend Janet Van Lear gave the Invocation.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Michael Terrell, Earl J Scanlon III.

Commissioners absent: None

Staff present: City Manager Bill Marx, Treasurer Juli O'Bryant, Special Projects Manager Donna Southwell and Clerk Gladys Bybee

Guests/Visitors present: 10 visitors

Alice Kring, Fine Arts Council member opposed the Roe Street discontinuance due to the concern about drainage and distributed a picture of summer rain flooding at the Tin Shop for Commissioners to review. Sheila Daly, resident, member of McCoy's Creek Trail and liaison of Buchanan Area Recreation Board read a statement in support of the Roe Street discontinuance/development. Adam Mensinger from State Senator John Proos office distributed a handout regarding the 2012 ballot proposals that are on the November ballot.

After the clerk clarified that a new color coded map/plan (9) was in their place, ***Scanlon moved, seconded by Hagey to amend the Agenda to change VII.B. Option 8 to Option 9 and approve the Consent calendar. Voice vote carried unanimously.***

- Agenda as amended
- Minutes: Regular scheduled meeting, October 8, 2012
- Checks 64727 to 64829 in the amount of \$150,339.04
- REVISED Street Closure: Front St. from 131 S. Oak Street traveling to 403 E. Front St. (American Legion) on October 27th, 10:00 a.m. to 10:30 a.m. for the Halloween Parade
- Certify Delinquent Township Water and Sewer Billings to Winter 2012 Tax Roll

Treasurer Juli O'Bryant reported that winter taxes (pale yellow) would be sent out (summer taxes will not roll over to winter bill), upcoming Dial-A-Ride audit, credit cards now being accepted both in person and on line, and leaf pick up schedule on facebook. She encouraged usage of facebook and the website.

Southwell introduced Dan Lewis, Engineer from Prein & Newhoff and presented an enlarged colored map and explained in detail the prior two years developments of McCoy's Creek Trail construction around the Tin Shop. She also explained the proposed plan for the extension/discontinuation of Roe Street to through vehicular traffic. Lewis explained the safety issues on Roe Street by discontinuing the center portion to vehicular traffic and explained the drainage redevelopment in more detail. (flooding picture from Fine Arts Council Member Alice Kring was given to Lewis). Discussion, questions and concerns (handicap parking spaces) were shared between Commissioners, Fine Arts and Trail members' in attendance, Southwell and City Manager (plan completed by end of November). ***Hagey moved, seconded by Scanlon to approve the resolution as presented.***

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda as amended

Minutes

Checks

Revised Street
Closure

Certify Delinquent
Utility Bills

Reports

Treasurer
Department

**Unfinished
Business**

Resolution
2012.10/78,
Discontinuation of
use of a portion of
Roe Street from Day
Ave. to Oak St. as a
thoroughfare

RESOLUTION FOR DISCONTINUATION OF USE OF A PORTION OF ROE STREET FROM DAYS AVENUE TO OAK ST. AS A THOROUGHFARE

WHEREAS, the City of Buchanan, Berrien County, State of Michigan, has maintained and provided Roe Street as a public street in the City of Buchanan; and

WHEREAS, the Commission has received comments at a public hearing held on June 11, 2012; and

WHEREAS, it has been determined that a portion of Roe Street as shown on the sketch of Wightman & Associates, Inc. dated May 7, 2012 (Attachment 1), and described as:

That part of Roe Street that lies in the plat of "A.C. Days Addition to the village (now city) of Buchanan", being a subdivision located in the Northeast Quarter of Section 35, Township 7 South, Range 18 West, City of Buchanan, Berrien County, Michigan, described as: Beginning at the Southeast corner of Lot 5, Block A, said subdivision at a point that is at the intersection of the North right of way line of Roe Street and the West right of way line of Days Avenue; thence South 00°13'30" West on said West right of way line to the Northeast corner of Lot 8, Block B, said subdivision, said point being on the South right of way line of Roe Street; thence North 89°42'20" West on said South right of way line 210.02 feet; thence North 00°17'40" East 33.00 feet to said North right of way line; thence South 89°42'20" East on said North right of way line 209.98 feet to the point of beginning. Containing 6,930 square feet more or less.

is no longer needed as a public thoroughfare for vehicular traffic; and

WHEREAS, the portion of Roe Street described above can be better utilized for non-vehicular public use, including but not limited to: the creation of a trail for foot traffic; the creation of additional green space to be used by the general public; and/or any other purpose to be determined to be in the City's best interest;

NOW, THEREFORE, BE IT RESOLVED that a portion of Roe Street from Days Avenue to Oak Street shall be closed as a thoroughfare for vehicular traffic.

BE IT FURTHER RESOLVED that the portion of Roe Street to be closed as a thoroughfare for vehicular traffic shall be the area described below and as shown on Attachment 1.

That part of Roe Street that lies in the plat of "A.C. Days Addition to the village (now city) of Buchanan", being a subdivision located in the Northeast Quarter of Section 35, Township 7 South, Range 18 West, City of Buchanan, Berrien County, Michigan, described as: Beginning at the Southeast corner of Lot 5, Block A, said subdivision at a point that is at the intersection of the North right of way line of Roe Street and the West right of way line of Days Avenue; thence South 00°13'30" West on said West right of way line to the Northeast corner of Lot 8, Block B, said subdivision, said point being on the South right of way line of Roe Street; thence North 89°42'20" West on said South right of way line 210.02 feet; thence North 00°17'40" East 33.00 feet to said North right of way line; thence South 89°42'20" East on said North right of way line 209.98 feet to the point of beginning. Containing 6,930 square feet more or less.

BE IT FURTHER RESOLVED that the City of Buchanan may use the portion of Roe Street identified above for any public purpose deemed appropriate by the City Commission.

Roll call vote carried unanimously. Resolution 2012.10.78 declared adopted.

Southwell explained the construction quote from Hoffman Brothers for the continuation of McCoy's Creek Trail from the Common Area to the west end of the Tin Shop utilizing Roe Street from the stage area to Days Avenue. **Moore moved, seconded by Hagey to approve the bid waiver and accept the quote of \$9,747 to Hoffman Brothers for the construction to McCoy's Creek Trail as shown in Option 9. Roll call vote carried unanimously.**

Southwell reported that most of the money is grant dollars, the city will provide in-kind work through the department of public works, and Hoffman was the lowest bid. **Scanlon moved, seconded by Moore to award the bid to Hoffman Brothers in the amount of \$68,017 for Mill Race Project as recommended. Roll call vote carried unanimously.**

Alice Kring stated that the Lion's Club members are organizing a community raking day, distributed a flyer and welcomed contacts and volunteers. Dick Proud announced that the Garden Club brought 100 plus people on a tour of the City over weekend.

The City Manager announced upcoming events and leaf collection schedule.

Commissioner's personal comments were heard and upcoming and previous events announced. Commissioners' were pleased about the Mill Race Project and the GIS development.

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:36 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Unfinished Business continued

Resolution 2012.10/78, Discontinuation of use of a portion of Roe Street from Days Ave. to Oak St. as a thoroughfare

Bid Waiver/Bid Award, Hoffman Brothers

New Business
Bid Award, Hoffman Brothers

Public Comments

City Manager Comments

Commissioner's Comments

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES
November 12, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday November 12, 2012 and was called to order by Mayor Cole at 7:00 p.m.

The clerk administered the oath of office to Patricia Moore and Michael Terrell who were elected at the November 6, 2012 General Election. ***Moore moved, seconded by Terrell that Carla Cole remain Mayor.*** Hagey called a point of order to the process that nominations needed to be heard and nominated Joe Scanlon. Joe Scanlon nominated Michael Terrell. Terrell turned down the nomination. ***The Mayor called for a vote; motion for Cole to remain Mayor carried by majority. YEA: Moore, Terrell, Cole. NAY: Hagey, Scanlon. Hagey moved, seconded by Moore to elect Joe Scanlon as Mayor Pro Tem. The Mayor called for a vote; motion carried unanimously.***

The Pledge was recited by all. Reverend Daniel Barz gave the Invocation. Commissioner Scanlon read the biography of "Make a Difference Day" organized by Pastor Rob McPherson and Doris Higgins from the First United Methodist Church and the Mayor presented them with a Certificate of Appreciation for cleaning up/repairing/painting and installing basketball hoops at Ravish Park. Greetings were shared.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Michael Terrell, Earl J Scanlon III.

Commissioners absent: None

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: 6 visitors

Hagey moved, seconded by Moore to approve the Consent calendar as presented. Voice vote carried unanimously.

Agenda

Minutes: Regular scheduled meeting, October 22, 2012

Checks 64830 to 64967 in the amount of \$153,595.34

Banner Placement, Buchanan Downtown Development Authority (DDA) White Saturday, 11-12-12 to 11-26-12

A report was not given from Building Inspector Guy Lewis due to lack of statistics (computer issue), but he sent confirmation that he would be present at the next meeting for the report.

Marx reported the reason for the Bid Waiver request for Engineering Services from Wightman and Associates for Phase II of the Front Street Streetscape Program continuation from Redbud Trail to the East city limits just past Schirmer Parkway (Phase I done from Redbud Trail to the west in 2004). He explained the Front Street resurfacing project that would be done by Wightman to coordinate some of Phase II and search for additional funding at the same time.

Hagey moved, seconded by Terrell to approve the bid waiver to select Wightman and Associates to oversee the construction of the resurfacing work on the Front Street Project and also coordinate the Phase II Streetscape plan for uptown that we may be able to construct at the same time as recommended. Roll call vote carried unanimously. (Funding through the Michigan Department of Transportation (MDOT) Road Project, estimate of \$460,000 to begin late June, early July 2013)

Call to Order
Oath of Office

Elect Mayor

Elect Mayor Pro T

Pledge/Invocation
Recognition &
Certificate of
Appreciation

Roll Call

Consent Calendar

Agenda
Minutes

Checks

Banner Request

Reports
Building
Department

New Business

Bid Waiver for
Engineering
Services for the
Michigan Dept of
Transportation
(MDOT) Road
Project along Fron
Street, Redbud Tra
to the East Limits

Marx explained the budget amendment that would allow the Treasurer to move city funds from the reserve account to the general fund for the previous bid waiver. ***Hagey moved, seconded by Terrell to approve the Budget Amendment in the amount of \$85,000; General Fund, City Commission for the previous described project by Wightman as presented. Roll call vote carried unanimously.***

Budget Amendment; General Fund, City Commission

Marx reported that the Joint Water/Sewer Board met at the WWTP, explained the discussions of the board and asked for discussion on some upgrades and costs. He noted that the plant employees put together a power point presentation that would be presented. After all reviewed their calendars, it was agreed to meet at 5:30 p.m. on Monday November 26, 2012 for a Work Session to discuss Wastewater Treatment Plant repairs.

Work Session to discuss Wastewater Treatment Plant repairs

Norma Ferris asked if the Commissioners would inspect the streets and consider handicap persons when improving streets/sidewalks.

Public Comments

The City Manager comments included upcoming events, the start of Roe Street Project, a water main leak on Skyline Drive and tree plantings in spring 2013 arranged by Cemetery Supervisor Jon Raines with a possible grant.

City Manager Comments

Commissioner's personal comments were heard including congratulations on the elections and upcoming and previous events announced.

Commissioner's Comments

Scanlon moved, seconded by Terrell to adjourn the meeting at 7:55 p.m. Voice vote carried unanimously.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
November 26, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday November 26, 2012 and was called to order by Mayor Cole at 7:29 p.m. (delayed due to earlier work session).

The Pledge was recited by all. Reverend Babcock gave the Invocation.

Commissioners present: Carla Cole, David Hagey, Patricia Moore, Michael Terrell, Earl J Scanlon III.

Commissioners absent: None

Staff present: City Manager Bill Marx, Special Projects Manager Donna Southwell, Treasurer Juli O'Bryant and Clerk Gladys Bybee

Guests/Visitors present: 4 visitors

Hagey moved, seconded by Scanlon to amend the agenda to remove the report from the building inspector and change the emergency expenditure amount to Selge Construction on the agenda to \$19,840. Roll call vote carried unanimously. Scanlon moved, seconded by Terrell to approve the Consent calendar with the amended agenda. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, October 12, 2012
- Checks 64968 to 65039 in the amount of \$73,644.36
- Banner Placement, City of Buchanan, Holiday Lighting Ceremony, 11-27-12 to 12-7-12
- Street Closure on Dec. 7 from 6:15 to 7:00 p.m., City of Buchanan, Front St. from Duck Pond to Oak St. and Oak St. from Front St. to Roe St. for Holiday Parade

A report was not given from Building Inspector Guy Lewis due to illness.

Marx reported the sewer line break (November 21, 2012) on Chicago Street of 364 feet of old tile that collapsed and could not be guaranteed by lining the collapsed pipe. He explained the installation in detail. ***Moore moved, seconded by Hagey to approve the emergency expenditure in the amount of \$19,840 to Selge Construction to repair 364 feet of sewer line along Chicago Street from approximately the High School west to Terre Coupe as presented. Roll call vote carried unanimously.***

Norma Ferris asked if the infrastructure would be inventoried, what was going to break next and why maps aren't available for the public to see. Marx explained that research and documentation is being done and would continue to be done on GIS. He welcomed questions and concerns from the public.

Marx reported that the Roe Street project was complete with only minimal clean-up/touch-ups needed. Southwell announced the Mill Race project started the first full week of thanksgiving and reported the creek was dredged from Pears Mill to just west of the Department of Public Works barn. She passed around findings of bottles, jars, marbles, ink well, etc. and explained excavations were done and debris needs cleaned out under bridges and roads (culverts/pipes full). Hopeful for completion the end of this week. Brief discussion was shared. Marx then reported the knife-point burglary at Rite Aid Pharmacy for drugs with the perpetrator being caught.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda
Minutes

Checks

Banner Request

Street Closure

Reports

Building
Department

New Business

Emergency
Expenditure
Approval

Public Comments

City Manager

Comments

All Commissioners congratulated and thanked employees of the City and upcoming events noted.

**Commissioner's
Comments**

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:09 p.m. Voice vote carried unanimously.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
December 10, 2012

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday December 10, 2012 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Reverend Dave Mitchell gave the Invocation.

Commissioners present: Carla Cole, Patricia Moore, Michael Terrell, Earl J Scanlon III.

Commissioners absent: David Hagey

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Art Center Executive Director Mary Lister and Common Committee Representative Beth Chubb along with 2 visitors

Moore moved, seconded by Scanlon to amend the agenda by adding check number 065151 in the amount of \$19,840 to Selge construction Co., Inc. and excluding the report from Guy Lewis, Building Inspector under Reports. Roll call vote carried unanimously. Scanlon moved, seconded by Terrell to approve the Consent calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, November 26, 2012 and Work Session Summary, November 26, 2012
- Checks as amended: 65040 to 65151 in the amount of \$168,458.36

Director Mary Lister reported the most successful year at the Center with installing a new gallery floor, upgrading the boiler heating system, replacing one of two air conditioner's, in the process of installing a handicap door (paid for by Scarecrow Group), and more variety of class offerings. She explained they are reaching out to all communities and partnering with other organizations for opportunities at the Art Center. Discussion and greetings were shared between Commission and Lister.

Common Committee Representative Beth Chubb requested that the City Commission Fund Thursday Night Concerts at the Common in the amount of \$3,500 as the Downtown Development Authority (DDA) had decided that it was not in their authority to fund. ***Scanlon moved, seconded by Terrell to approve the request to fund the Thursday Night Concerts in the amount of \$3,500 for the 2013 Common Season. Roll call vote carried unanimously.***

Marx summarized the previous discussions of recording the infrastructure within the City and explained how the Global Positioning Satellite (GPS) unit would work to detect the infrastructure and insert it into the Global Information Satellite (GIS) including training of the unit from Prein & Newhoff. ***Scanlon moved, seconded by Terrell to approve the bid waiver as a sole source for purchasing the Global Positioning Satellite (GPS) Unit for Global Information System (GIS), Water and Wastewater Department and the Budget Amendment in the amount of \$6,890 as presented. Roll call vote carried unanimously.***

Marx summarized the problems with Well #5 (4 years old) due to sucking sand into the screen. He explained the extensive work that has been done to conditioning the screen for the past three weeks and how the variable frequency device (VFD) would work (with the previous Engineers being made aware of what is occurring to correct the problem).

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as amended

Minutes

Checks as amended

Reports

Art Center

New Business

Thursday Night
Concert Funding at
The Common

Bid Waiver, sole
Source Purchase,
GPS Unit, \$6,890

Purchase Variable
Frequency Device
for Well #5, \$9,92

Scanlon clarified how the VFD worked and asked about the heating and cooling unit as discussed at the Joint Water Sewer meeting and Terrell asked if the well was too deep or too shallow causing the suction problem. Marx responded to both questions. ***Scanlon moved seconded by Terrell to approve the quote from Peerless Midwest to Supply and Install a VFD (Variable Frequency Device) to Well #5 in the amount of \$9,927. Roll call vote carried unanimously.***

Purchase Variable Frequency Device for Well #5, \$9,927

Moore moved seconded by Scanlon to approve the Budget Amendment in the amount of \$9,927 to purchase and install the Variable Frequency Device (VFD). Roll call vote carried unanimously.

Budget Amendment VFD Purchase, \$9,927

City Manager Comments

Marx reported on the Holiday Lighting, Shop with a Cop and receipt of old (1941 plus) books (City Directories, Clark Newspapers, etc.) from Judy Banke that belonged to her father Bob Banke. He explained the status of the Mill Race cleaning with work to begin on the remaining two culverts.

Commissioner's Comments

The Mayor noted that the next commission meeting will be Wednesday, December 26 due to the holiday.

All Commissioners thanked and congratulated all in the community for coming together for the special holiday cheer in the City. The Mayor also noted the Thrill on the Hill ornaments for sale.

Adjourn

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:00 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor