

CITY OF BUCHANAN COMMISSION MINUTES

April 22, 2013

**Public Hearing for
2013-2014 Budget**

The Mayor called the public hearing to order at 7:01 p.m. and invited public to express comments regarding the 2013-2014 Annual Budget according to Charter Section 9.4. Hearing no public comments or receipt of written comments, *Moore moved, seconded by Terrell to close the public hearing at 7:02 p.m. Voice vote carried unanimously.*

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday April 8, 2013 and was called to order by Mayor Cole at 7:02 p.m.

Pledge/Invocation

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

Roll Call

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

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Donna Southwell, Special Projects Manager and Steve Carlisle, P.E. from Wightman & Associates along with 4 visitors

Public Comments

Norma Ferris stated she could not comment on any Agenda items as there weren't any agenda's available for the public.

Consent Calendar

Hagey moved, seconded by Scanlon to amend the Consent Calendar by adjusting the amount listed under VIII. New Business, B. Resolution 2013.04/___, to reflect \$428,250 instead of \$406,900. Roll call vote carried unanimously.

Agenda as Amended

Hagey moved, seconded by Terrell to approve the Consent Calendar to reflect the adjusted amount on VIII.B. Roll call vote carried unanimously.

Minutes

- Agenda as Amended
- Minutes: Regular scheduled meeting, April 8, 2013
- Checks 65851 to 65928 in the amount \$98,144.87
- Street Closure: W. Smith Street near Phelps and Terre Coupe for Baseball and Softball Districts
- Banner Placement; Buchanan Buckteen's Reunion May 27 to June 10
- Street Closure: Carroll Street between Liberty and the City Parking Lot for Opening Weekend of Buchanan Youth Softball Baseball Association (BYSBA)
- Proclamation, Buchanan Lions Club White Cane Week

Checks

Street Closure

Banner Placement

Street Closure Proclamation

Reports

Buchanan Lions Club, White Cane Week

The Mayor presented the proclamation for White Cane Week to Member Alice Kring. Buchanan Lions Club Member Kring announced White Cane Week and reported the Buchanan Lions Club was in existence 78 years and their funding goal this year is to raise \$3,000.

Unfinished Business

Marx reported that the documents presented are the draft of the Purchase Agreement for 720 E. Front Street although there will be changes prior to the next meeting when the Commission will be asked for consideration. He explained the need for an asbestos inspection and noted that he has requested a contractor to review the building. City Attorney Hyrns recommended that one document (for the purchase and lease) be

Review and Discuss Purchase Agreement for 720 E. Front Street

developed rather than two for the Edgewater building. He explained the issue of 2013

property taxes in which he is working on an arrangement with the bank to resolve said issue. He invited questions and discussion over the next couple weeks.

Hagey moved, seconded by Scanlon to continue to move forward on the purchase of 720 E. Front Street a/k/a Edgewater Bank. Roll call vote carried unanimously.

Hagey moved, seconded by Scanlon to set a Public Hearing for Monday May 13, 2013 at 7:00 p.m. to hear public comments on any proposed sale, lease or exchange of real property according to Section 8.7(b) of the City of Buchanan Charter. Roll call vote carried unanimously.

Scanlon moved, seconded by Hagey to approve the resolution as presented and recommended by Marx. A Resolution Officially Placing The Common Committee as a Buchanan Area Recreation Board (BARB) Sub-Committee

Whereas, the Common Committee was established by the Buchanan City Commission in the year 2000 under the auspices of the Joint Committee, and

Whereas, the Common Committee Bylaws were amended in 2003 to have oversight from the Buchanan Downtown Development Authority, and

Whereas, the City Commission believes the Common Committee's direction and activities are more in line with the broader City interests, and

Whereas, the Common Committee is the official citizen's board charged with programming arts-related events at the Common as well as facility and grounds planning and general maintenance, and

Whereas, the mission of the programming efforts by the Common Committee should be to seek a diverse schedule reflecting a broad base of interests in the Community,

Now Therefore be it resolved, Resolution 2003.7/21 is repealed in its entirety, and

Be it further resolved, the Buchanan Area Recreation Board (BARB) shall be charged with administration of the Common Sub-Committee, and

Be it further resolved, the Common Sub-Committee shall continue in its current capacity, but shall review and develop Common Sub-Committee Bylaws and present to the Buchanan Area Recreation Board (BARB) for recommendation to the City Commission.

Roll call vote carried unanimously. Resolution 2013.04/84 declared adopted.

Southwell introduced Steve Carlisle from Wightman Associates who announced the budget had changed and explained the proposed East Front Street Streetscape project estimated at \$611,000. He reported that they will work in correlation with the Michigan Department of Transportation (MDOT) East Front Street reconstruction project although both will have to be bid out separately. He then explained the proposed changes (reducing to a three lane from the four lane creating a center turn lane, more green area, new intersection signal at East Third Street) while the City Manager presented the drawings that were also presented at meetings to businesses along East Front Street. Also presented was a rendering of art visioning images for the project. Carlisle estimated the City's match was just under \$206,000. Questions and discussion was held between the Commission and Carlisle. Marx confirmed that the uptown project would be similar to the previous downtown streetscape. **Scanlon moved, seconded by Hagey to approve the Resolution as presented.** Approval for Wightman & Associates to Submit Grant Application to MDOT in the amount of \$428,250 for East Front Street Streetscape.

Whereas the Buchanan City Commission in the County of Berrien, State of Michigan has approved the funding for the resurfacing of Front Street from Redbud Trail east to the City limits, and,

Whereas the City is committed to creating a safe and aesthetically pleasant entrance into the City of Buchanan, and,

Whereas this application is due by May 16 with awards grant decisions being revealed in the fall, and,

Whereas this proposal will request funds to be used to create traffic crossing areas and landscaping for the east end of Front St., and,

Whereas this proposal will request funds to be used from General Fund Reserves for budget year 2014/2015; and

Whereas this proposal will have a positive impact on the budget by being a 75/25 match;

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 2012.04/85 declared adopted.

Unfinished Business continued

Review and Discuss

Purchase for 720 E. Front Street

Move Forward with Purchase

Set Public Hearing for proposed sale, lease or exchange of real property

New Business

Resolution 2013.04/84, Officially Placing The Common Committee as a Buchanan Area Recreation Board (BARB) Sub-Committee

Resolution 2013.04/85, Approval for Wightman & Associates to Submit Grant Application to MDOT in the amount of \$428,250 for East Front Street Streetscape

Alice Kring commented on the proposed uptown project supporting the stop light at Third Street. She also suggested that tougher restrictions

be added in the zoning ordinance for outdoor lighting as Family Dollar lights point across the street.

**Managers
Comments**

Manager's comments included retirement of 30 year employee Phil Gorbitz whom is having his own retirement party and due to the Boston bombs, be aware of surroundings and he welcomed calls to the Police for anything suspicious.

**Commissioner's
Comments**

Commissioners comments included thanks and congratulations to Gorbitz, thanks to Kring, reminder of Arbor Day Celebration, doing something for all volunteer's, Landfill had 25 persons applied for scholarships (nine given out) and congratulations to Miss Buchanan and Miss Blossomtime (Buchanan student).

Adjourn

Moore moved, seconded by Terrell to adjourn the meeting at 8:07 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Public Comments

CITY OF BUCHANAN COMMISSION MINUTES
January 14, 2013

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday January 14, 2013 and was called to order by Mayor Cole at 7:00 p.m.

Pledge/Invocation

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

Roll Call

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

Commissioners absent: none

Staff present: City Manager Bill Marx, Police Sergeant Harvey Burnett,
Building Inspector Guy Lewis and Clerk Gladys Bybee

Guests/Visitors present: 2 visitors

Consent Calendar

Agenda as amended

Minutes

Hagey moved, seconded by Scanlon to amend the agenda by adding check number 065357 in the amount of \$551.35 to Snow Machines, Inc. and move item F. Budget Amendment from the Consent Calendar to New Business as item C. Roll call vote carried unanimously. Scanlon moved, seconded by Hagey to approve the Consent calendar as amended. Roll call vote carried unanimously.

Checks as amended

Notice of Meetings
in 2013

Excused Absence

- Agenda as amended
- Minutes: Regular scheduled meeting, December 10, 2012 and Special Meeting, December 17, 2012
- Checks 65152 to 65357 in the amount of \$435,742.66 as amended
- Notice of Meetings in 2013 for City of Buchanan City Boards
- Excuse the absence of Commissioner David Hagey from December 10, 2012 meeting
- Move to New Business as C. Budget Amendment, General Fund in the amount of \$5,551 for lease on snow machine
- Banner Placement, Boy Scout Troop 541 Annual Swiss Steak Supper, 1-28-13 to 2-2-13
- Street Closure Request: E. Front St. from Liberty St. to Redbud Trail for Thrill on the Hill
- Street Closure Request: Johnson Court from Ryneerson to Front St. for Thrill on the Hill
- Street Closure Request: Redbud Trail from Front St. to Dewey St. for Thrill on the Hill
- Banner Placement, Michigan Cruisers 9th Annual Car Show, 7-14-13 to 7-23-13
- Appoint Kris Behr to the Buchanan Area Fine Arts Council (BAFAC) to fill a vacant term ending 2015 as recommended by the BAFAC
- Appoint Martha Branson-Banks to the Buchanan Area Fine Arts Council to fill a vacant term ending 2015 as recommended by the BAFAC
- Acknowledge the removal of Jonathon Corwin from the Buchanan Area Fine Arts Council as recommended by the BAFAC

Moved Consent
Calendar Item

Banner Placement

Street Closures

Banner Placement

Fine Arts Council
Appointments-
removal

Reports

Building
Department

Building Inspector Guy Lewis suggested he do an annual report (January or February) and explained all the new construction, demolition and reconstruction in the City; a solar powered home, remodeling Wisner-Beck (802 E. Front) for Family Dollar and remodeling of Tail Gater's (714 E. Front).

The City Manager
explained and
announced details

of the Thrill on the Hill event and the probable need for the lease/purchase of a snow machine. After brief questions and concerns from Commissioners, ***Scanlon moved, seconded by Hagey to authorize the City Manager to enter into a lease with option to purchase agreement with SMI Snow Machines out of Midland Michigan that would allow the City to obtain a “Standard Pole Cat” model snow machine capable of providing the snow needed to put on the Thrill on the Hill event with caveat to revisit purchase prior to March. Roll call vote carried unanimously.***

Authorize the City Manager to enter into a lease with option to purchase agreement with SMI Snow Machines

Sergeant Burnett explained his request to bid out the vehicle maintenance program for the Police Department and the City Manager supported the consistency of the request. ***Scanlon moved, seconded by Moore to approve the Call for Bids for Police Vehicle Fleet Maintenance Service. Roll call vote carried unanimously.*** There was brief discussion about utilizing the vehicle maintenance program for other departments.

Call for Bids for Police Vehicle Fleet Maintenance Service

The City Manager explained the extra cost of \$551. added to the \$5,000 budget amendment request for a needed pump for the snow machine to adapt to a fire hydrant for making snow. ***Hagey moved, seconded by Terrell to approve the Budget Amendment in the General Fund in the amount of \$5,551 as explained and recommended. Roll call vote carried unanimously.***

Budget Amendment in the General Fund in the amount of \$5,551

Marx reported that his written briefing distributed with the packet was all the comments he had to report although projects/business was very busy in the City.

City Manager Comments

All Commissioners spoke positively about the Thrill on the Hill event, the influx of people it would bring to the downtown and the opportunity for the businesses. They also urged community participation.

Commissioner’s Comments

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:01 p.m. Voice vote carried unanimously.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
January 28, 2013

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday January 28, 2013 and was called to order by Mayor Cole at 7:00 p.m.

Pledge/Invocation

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

Certificate of Recognition

Commissioner Patricia Moore read the biography of Travis Pressey and the Mayor presented Travis with a Certificate of Recognition. McCoy's Creek Trail Committee Chairman Dick Proud commented highly of the project (Observation Tower overlooking the Nature Conservancy) and read comments from the Trail liaison that worked with Travis.

Roll Call

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

Commissioners absent: none

Staff present: City Manager Bill Marx, Fire Chief Mike Adams and Clerk Gladys Bybee

Guests/Visitors present: 16 visitors

Consent Calendar
Agenda

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

- Agenda
- Minutes: Regular scheduled meeting, January 14, 2013
- Checks 65358 to 65445 in the amount of \$102,562.80
- Resolution 2013.01/80, Negotiate the 2013 Summer School Tax Collection Fee
- Resolution 2013.01/81, Accepting MDOT Contract 2012-0052/P2, Project Authorization, City of Buchanan, FY 2013 Section 5311 Operating and Authorizing the City Manager and Transportation Coordinator (Treasurer) to sign the same

Minutes

Checks

Resolution
2013.01/80

Resolution
2013.01/81

Reports
Fire Department

Chief Mike Adams reported over 100 calls for the Fire Department and explained 150th Anniversary Ceremony/display of fire bell at Firemen's Park, painting fire hydrants, on-going training, 13 certified firefighters and 2 going through classes now, and upgrade of radios. He also noted the 2013 goals and there was discussion shared of Buchanan Township Fire Department not having a water meter, thus it is unknown how much water they use.

Marx summarized the need for the bid process for repair of the police vehicles with five bids received and explained each bid. He noted Sergeant Harvey Burnett's recommendation letter. There was Commissioner/Manager discussion, ***Hagey moved, seconded by Scanlon to Award the Bid for Police Vehicle Fleet Maintenance Service to Newman's Automotive with a right to review in 12 months.*** After Commission deliberation, ***roll call vote carried unanimously.***

Unfinished Business
Bid Award, Police Vehicles Maintenance

Marx reported that an estimated calculation of

expenditures and revenues document for Thrill on the Hill was placed at their seats this evening and believed the event was a success. He explained the preparations of the event, believed his goals were met and supports it as a ten year event. Commissioner's shared discussion of the Thrill on the Hill Event.

After all reviewed their schedules, Saturday February 23rd was established as the date for the Commission Annual Planning Goal Setting Session.

Marx reported on the need for the proposed ordinance introduction. After shared discussion, *Hagey moved, seconded by Moore to Call a Public Hearing on Monday, February 11, 2013 at 7:00 p.m. to invite and hear public comments on an Ordinance Amending Section 102-62 Rates; Service and Connection, Billing, Enforcement (3) of said Code by Adding Section 102-62(3)C and by Adding Sections 102-62(4), 102-65, 102-66, 102-67 Providing for Inspection or Maintenance; Providing for Entry Upon Property; and to Provide for an Effective Date for this Ordinance. Roll call vote carried unanimously.*

Marx reported that a draft request for proposal (RFP) would be reviewed by the Joint Water/Sewer Board and thanked all staff/volunteers for Thrill on the Hill.

All Commissioners thanked Travis Pressey for building the observation deck and staff/volunteers for Thrill on the Hill.

Hagey moved, seconded by Terrell to adjourn the meeting at 8:32 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business
Schedule
Commission
Annual Planning
Goal Setting
Session

Introduce and Call
Public Hearing,
Ordinance
amending Chapter
102

City Manager
Comments

Commissioner's
Comments

Adjourn

CITY OF BUCHANAN MINUTES

February 11, 2013

MONDAY, FEBRUARY 11, 2013 PUBLIC HEARING – 7:00 P.M.

Mayor Carla Cole called the Public Hearing to order at 7:00 p.m. The purpose of the hearing was to invite and hear public comments on an ordinance amending Section 102-62 Rates; Service and Connection, Billing, Enforcement(3) of said Code by adding Section 102-62(3)C and by adding Sections 102-62(4), 102-65, 102-66, 102-67 Providing for Inspection or Maintenance; Providing for Entry Upon Property; and to provide for an effective date for this Ordinance.

Norma Ferris asked for an explanation of the proposed ordinance. City Manager Bill Marx responded that this ordinance will help the City maintain the efficiency and quality of the system by allowing city employees access to private property to service city meters. Some property owners are unwilling to let city employees on their property to service meters and can cause problems with system maintenance and efficiency. Mayor Cole stated that the City will work with property/home owners to schedule appointments when it is convenient for them, even if it is before or after the City's regular work hours. The City Manager noted that the City was at the start of a five year program to replace all water meters city wide because our meters are antiquated and we have unexplained water loss. Installation of modern meters will remedy that problem. Commissioner Hagey asked if the City received any written comments. Chief Marx responded "no".

Hearing no further comment, Mayor Cole adjourned the public hearing at 7:07 p.m.

I. Call to Order

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan, Monday, February 11, 2013 and was called to order by Mayor Cole at 7:07 p.m.

II. Pledge of Allegiance - Invocation

The pledge was recited by all. Reverend Dan Barz gave the Invocation.

Mayor Carla Cole presented Phyllis Davis with a Certificate of Recognition for the Berrien County Civitan Club in honor of the work they do in the community, particularly their work with the developmentally disabled and their participation in the Holiday Lighting ceremony every year. Davis gave a brief synopsis of Civitan's history and mission.

III. Roll Call

Commissioners Present: Carla Cole, Dave Hagey, Patricia Moore, Michael Terrell

Commissioners Absent: Earl J. Scanlon III

Staff Present: Manager Bill Marx, Administrative Asst. Debra Davino Patzer

Guests Present: Kim O'Haver, Phyllis Davis, Minnie Walter, Norma Ferris, Pastor Dan Barz, reporter Stan Maddux

IV. Public Comments

N. Ferris asked for an explanation of Item B. under New Business. Chief Marx responded that the City was looking for a firm to design-build new Headworks at the Wastewater treatment plant to improve the functionality of the system.

V. Consent Calendar

At the request of the City Manager, *Hagey moved, seconded by Terrell, to amend the agenda to remove item V.D. Motion carried unanimously.* Then, *Hagey moved, seconded by Terrell, to accept the Consent Calendar with the amended agenda. Roll call vote carried unanimously.*

VI. Reports by Departments

Transportation Management President Kim O'Haver presented an update on the activities of the Buchanan Dial-A-Ride. She stated that 2012 was a good year and presented ridership statistics. She noted that senior ridership was down, due to the location of the new Senior Center, but that ridership for the 2013 Thrill event was up over 100% from last year. Mayor Cole thanked Kim for her report.

VII. Unfinished Business

The City Manager asked the City Commission to consider and approve Proposed Ordinance 2013/02. #387. This ordinance would correct an oversight in the existing code and allow city employees access to city meters located on private property. *Hagey moved, seconded by Moore, to approve proposed ordinance 2013/02. 387 as presented. Roll call vote carried unanimously.*

VIII. New Business

A. Transportation Management President Kim O'Haver explained the MDOT FY 2014 State and Federal Section 5311 Application for Operating Assistance (funding) for the City of Buchanan Dial-A-Ride. She explained the application page by page, noting that Dial-A-Ride had a balanced budget for 2014 and that they would be receiving more funds from the State in FY 2014. She noted that the increases in operating costs rose primarily from wages, benefits and fuel costs. She also noted that the current busses would be eligible for replacement in 2015 and that they would replace 2 of the three busses. Mayor Cole asked what happened to retired busses and O'Haver responded that they would be sold at public auction to the highest bidder. *Moore moved, seconded by Terrell, to authorize O'Haver to proceed to submit the FY 2014 Section 5311 Application for Operating Assistance for the Buchanan Dial-A-Ride to MDOT. Roll call vote carried unanimously.*

B. The City Manager informed the Commission that the Joint Water & Sewer Board had reviewed the proposed Request for Proposals (RFP) at its Monday morning meeting and made a unanimous and enthusiastic recommendation to the City Commission to move the Headwater Improvement project forward and approve the RFP for a design/build contractor to make headwater improvements to the wastewater treatment plant. Currently the plant operates at 1/3 of capacity. The Headworks consist of 3 large pumps, one of which is 70 years old that digest all the foreign matter that enters the system. The proposed headwater improvements would allow a new process that would be more efficient and allow us not to have to repair the existing tanks, which could be used in the future to accept waste from septic haulers. The project cost is estimated to be about One Million Dollars, which is less than was first believed. We believe the proposed headwater improvements are the right course of action to take. *Terrell moved, seconded by Moore, to approve the RFP as present and to move forward with the project. Roll call vote carried unanimously.*

C. The City Manager asked the Commission to approve the hiring of a part time, non-union Assistant Chief of Police for the City. As Manager and Police Chief, his time with the PD is limited, and a part time Assistant chief would be a great benefit to the PD. This position would be 24-32 hours per week with no benefits. It would involve some investigative work as well as filling in on shifts when needed. The wage would be just over the Sergeants hourly rate. The PD will advertise the position and conduct interviews, and there may be some internal interest in the position. All state certifications will be required for the successful candidate. After a short discussion, *Moore moved, seconded by Terrell, to approve the hiring of a part time Assistant Chief of Police. Roll call vote carried unanimously.*

IX. Public Comments

N. Ferris asked about the future of the two stoplights at Redbud and Oak. The City Manager responded that there are no plans to remove the light, and that he will discuss this further during his comments. K. O’Haver congratulated the City on all the good things that are happening in Buchanan.

X. City Manager’s Comments

The City Manager explained the binder that each Commissioner had at their places – it was an attempt to consolidate the numerous planning documents that have been done in the City. The binder includes the 2007 Master Plan, BARB Plan, Hyett-Palma 2003 Blueprint, 2009 Berrien Co. Master Plan, the survey done by U of M/ MEDC, and, in the sleeve, a copy of the draft ethics statement that has been reviewed by City boards and committees. This was put together in preparation for the Goal Setting Session scheduled for Saturday, February 23, 2013.

Regarding the blinking light at Front and Oak, the light started blinking as a result of a malfunction. This presented an opportunity to see the effect the light would have on the community. Comments have been received both pro and con. The majority of the comments received by the public is that they like the light blinking rather than cycling so that people don’t have to stop when there is no cross traffic. Comments have been received, however, that the blinking light presents a challenge to pedestrians because there is no break in the traffic to allow them to cross the street. The PD has been monitoring traffic speed in unmarked cars and found the traffic to be travelling at speeds between 23-28 mph. (One speeder at 35 mph). It was also found that the majority of people crossing the street were crossing between the post office and art center. We want to gain more information to determine the future course of action. One option would be to have the light cycle between 8:00 a.m. and 4:00 p.m. and blink in the evening and through the night. Terrell stated he really liked the blinking light and that it was safer for traffic. Moore commented that she would like more information and asked about the possibility of installing a pedestrian call button. Cole indicated that she also liked the blinking light and also liked the idea of a combination cycle/blinker.

City Manager Marx wished a belated Happy Birthday to Commissioner Scanlon.

XI. Commissioner’s Comments

Commissioner Terrell thanked Civitan for their good work in the community, stated he was going to ride on a Dial-A-Ride bus, and reiterated his liking of the blinking light.

Commissioner Moore reminded everyone that a great Thursday night concert series was planned for the Common this summer, and that the Common Committee would like to have a movie series in the fall and was looking for sponsors. She also noted that the Tin Shop Theater will have five productions this season and urged everyone to purchase a season ticket.

Mayor Cole expressed appreciation for Civitan for their work in the community. She announced that the Landfill Authority was working on a scholarship program for students from Buchanan, Niles, and Brandywine schools, and that the applications would be approved by the Board later in the week and that applications would be available at City Hall. She encouraged students to talk with their counselors – these scholarships were not just for college bound students, but rather for any post high school education.

Terrell moved, seconded by Hagey to adjourn the meeting at 8:12 p.m. Voice vote carried unanimously.

Debra Davino Patzer, Adm. Asst.

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

February 25, 2013

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday February 25, 2013 and was called to order by Mayor Cole at 7:00 p.m.

Pledge/Invocation

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

Roll Call

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

Commissioners absent: Earl J Scanlon III.

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Kate Scheid, Buchanan District Library Executive Director, Joe Sobieralski, Southwestern Michigan Economic Growth Alliance (SMEGA) along with 7 visitors

Public Comments

Alan Robandt, 118 E. Front Street, Business Owner and resident stated he was involved in many events downtown and announced their budget for said events. He was concerned about the purchase cost of the snow machine for the Thrill on the Hill event. The clerk reported receipt of two written oppositions to the purchase of the snow machine from Steve Raglin and Krista Parin.

Consent Calendar

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

- Agenda
- Minutes: Regular scheduled meeting, February 11, 2013 and Special Meeting, February 14, 2013
- Checks 65525 to 65592 in the amount of \$292,723.45
- Excuse Commissioner Earl Scanlon III from the February 11, 2013 Meeting due to illness
- Excuse Commissioner Patricia Moore from February 14, 2013 Special Meeting due to work commitment
- Banner Placement; Buchanan School Farm Plow Day and Pancake Breakfast
- Call for Bids for Portable Toilet Facilities
- Request for Proposals for Downtown Planters

Agenda
Minutes
Checks

Excuse
Commissioner
Scanlon & Moore

Banner Placement

Portable Toilet
Facilities CFB
RFP Downtown
Planters

Reports

Library Director Kate Scheid welcomed suggestions and comments from the public. She reported on the good annual audit, recycling old equipment and gaining revenue, reviewing current mission, grants (\$16,000) received to replace computers, added programs students and adults, digital collection on line, and a grant obtained for the public relations campaign GEEK in which she explained.

Buchanan District
Library

SMEGA Director Joe Sobieralski introduced himself, gave a brief biography and stated that he looked forward to working with the City. Marx reported Sobieralski had already brought an interested prospect that may result in a business locating in Buchanan.

Southwestern
Michigan Growth
Alliance

After Marx suggested Friday and Saturday, June 14th and 15th, ***Moore moved, seconded by Hagey to schedule the City Wide Garage Sales on June 14 & 15, 2013. Roll call vote carried unanimously.***

New Business

June Garage Sales

Marx believed that
the Thrill on the

Hill was a success and asked for the Commission to support a 2014 event as planning would need to begin. He summarized this year’s event. A date change was suggested and Commissioner Moore announced the Dog Park Committee made \$300. All Commissioners spoke positively and supported the event.

New Business

continued

2014 Thrill on the Hill Event

Cole moved, seconded by Moore to approve The Thrill on the Hill event for 2014. Roll call vote carried unanimously.

Marx explained the leased snow machine that was adapted to the City fire hydrant for the 2013 Thrill on the Hill and explained the cost, donations received and grant application requested for funds to support the purchase. He again explained his ten year plan for the event and funding revenues that would develop for the Parks and Recreation. After comments/discussion, Marx gave a calculation of estimated amount of monetary support and cost to the City. ***Moore moved, seconded by Hagey to approve the purchase of the SMI Pole Cat Snow Machine that is presently on lease to the City. Roll call vote carried unanimously.***

SMI Pole Cat Snow Machine Purchase

Marx reported an unsolicited \$2,550 donation already given to the City towards the purchase of the snow machine and asked for acceptance. ***Moore moved, seconded by Terrell to accept private donation towards the purchase of the SMI Pole Cat Snow Machine. Roll call vote carried unanimously.***

Accept private donations for Pole Cat Snow Machine

Marx reported the requirement to review the Buchanan Michigan Community Master Plan 2008 every five years and noted that only minor changes needed to be made due to the 2010 Census figures and it would be done in house and brought forward for Plan Commission and City Commission approval.

Buchanan Michigan Community Master Plan Five Year Review

Norma Ferris, Oak Street asked when the Police Department would be moving. The City Manager replied possibly 2013/2014. Alan Robandt, resident & business owner reported the rumors of the City purchasing another building for municipal purposes and his concern about taking another building off of the tax base.

Public Comments

Marx comments included condolences to Treasurer Juli O’Bryant, information and documentation from the Annual Planning Goal Setting Session would be available at the next meeting, and thanks to the Library for all the positive events. He explained the numerous water line breaks in the past month.

City Manager Comments

All Commissioners comments included condolences to Treasurer Juli O’Bryant and congratulations to Buchanan Bucks Herd for their team spirit. Terrell thanked Robandt for his comments, announced openings for seasonal workers for the State (see him), and explained a Statewide Mentoring Program for High School Juniors.

Commissioner’s Comments

Moore moved, seconded by Terrell to adjourn the meeting at 7:59 p.m. Voice vote carried unanimously.

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

March 11, 2013

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
Minutes
Checks

Excuse
Commissioner
Scanlon

Banner Placement

Use of Public
Property

Reports

Community Easter
Egg Hunt, Use of
Public Property

Assessor
Department

Marx reported the
bid process of the
Headworks
Improvement

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday March 11, 2013 and was called to order by Mayor Cole at 7:02 p.m.

The Pledge was recited by all. Reverend Pat Ramsden gave the Invocation.

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

Commissioners absent: David Hagey

Staff present: City Manager Bill Marx, Fire Chief Mike Adams and Clerk Gladys Bybee

Guests/Visitors present: Gordon Schreiber, Assessor along with 8 visitors

Dan Vigansky asked about the status of the Electro Voice building that has been empty for about 6 to 8 years and urged the city commission to become aggressive with the owner to clean up the property. Commissioner's shared discussion with Mr. Vigansky and Manager Marx explained some contact with the owners and confirmed he would check into the status.

Terrell moved, seconded by Moore to approve the Consent calendar as presented. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, February 25, 2013 and Annual Planning Goal Setting Session, February 23, 2013
- Checks 65593 to 65694 in the amount of \$85,764.92
- Excuse Commissioner Earl Scanlon III from the February 25, 2013 Meeting
- Street Closure: Oak Street South of East Front Street for one block for Arbor Day Celebration
- Banner Placement Form; Buchanan Chamber of Commerce, Chili Walk
- Use of Gazebo Park and Harger Park by the Buchanan Art Center for the Festival of the Animals on Sunday, October 6, 2013

Redbud Insurance Owner Alice Kring distributed a flyer for the Community Easter Egg Hunt and requested the use of The Common (put out six to eight thousand eggs for the event-donations welcomed). The Dog Park Committee will have their own dog Easter egg hunt directly following the children's event. ***Moore moved, seconded by Terrell to allow the Children's and Dog Easter Egg Hunt to occur at the Common and also approval to set up a sign in Gazebo Park to promote the event. Roll call vote carried unanimously.***

Gordon Schreiber explained the Assessor Department written report including Board of Review meetings, review of homes that obtained building permits and code violations, corrected many address changes, completed home visits of homes sold, submitted required reports to the State Tax Commission, reviewed homestead exemptions since August 2012. Written report submitted for review.

Project with two bidders submitting proposals. He explained that he, the Wastewater Treatment Plant operators, and Joint Water Sewer Board Chairman Tom Gordon reviewed and compared both proposals. **Scanlon moved, seconded by Moore to award the bid to Franklin Holwerda Company (FHC) in the amount of \$981,500 for the Wastewater Treatment Plant Headworks Improvements Project as recommended. Roll call vote carried unanimously.**

2013-14 City Commission Priorities

Marx reported that a meeting was already scheduled with Lakeland Hospital, Gateway Foundation and Commissioner Moore. Moore explained the priority for medical needs of the residents. Commission shared discussion with resident Norma Ferris. **Terrell moved, seconded by Scanlon to approve the adoption of the 2013-14 City Commission Priorities as presented. Roll call vote carried unanimously.**

2013-14 Fiscal Year Budget Work Shop

After review of individual schedules, Thursday March 28th at 6:30 p.m. was scheduled for the 2013-14 Fiscal Year Budget Work Shop.

Fire protection and scba gear Purchase Fire Safer Grant

Fire Chief Mike Adams explained the three quotes that were received for the fire protection and scba gear that would be purchased with the Fire Safer grant. Discussion was shared between Adams and Commission. **Moore moved, seconded by Terrell to approve the purchase of the equipment to the lowest bidder, Argus-Hazco in the amount of \$38,157 as explained and recommended. Roll call vote carried unanimously.**

WWTP Bid Waiver for Additional Enhancements

Marx reported six other needs at the Wastewater Treatment Plant (WWTP) that are not working or work intermittently with a cost of \$48,450. He explained all six individual needs of work in detail and answered questions from Commissioners (amount would be included with the loan from the City). **Moore moved, seconded by Scanlon to approve the bid waiver and the additional cost involved in options for needed enhancement to WWTP operation in the amount of \$48,450 to Franklin Holwerda Company (FHC). Roll call vote carried unanimously.**

Grant to Michigan Gateway; funds for Snow Machine

After explanation from Marx, **Terrell moved, seconded by Scanlon to approve the grant request to Michigan Gateway Community Foundation in the amount of \$5,000 to assist the City with the purchase of the PoleCat snow machine. Roll call vote carried unanimously.**

Public Comments

Doyle Vergon commented on the need to include verbiage in the Cable franchise agreements about removing leftover hanging wires from Comcast, Dish and/or Direct TV. He also asked about a sidewalk program (as done in the past) and was concerned about the stop light at Oak and Front Street that is currently blinking (should be reverted back to regular cycle traffic light). Norma Ferris asked about the condemned house at the corner of Third and Main with Marx explaining that the home did not have water service thus the home would remain condemned. Discussion was shared regarding unsightly and abandoned homes/properties within the City. Don Ryman supported the traffic light staying on a cycle and asked about handicap compliance to cross at that intersection.

City Manager Comments

Marx reported receipt of numerous comments (blinking or cycling) about the traffic light at the intersection of Oak and Front and suggested programming it to blink at certain

times on certain days. Times and days for the light to blink or cycle was discussed. Commissioner's opinions of the traffic light were

New Business

Headworks Improvement Project Bid Award

heard and most requested the studies to be brought forward from the City Manager. Marx concurred that sidewalks are in need of repair however State statutes give exemption to City for injuries on sidewalks although research is being done to possibly purchase an appliance that goes on the tool cat to grind down high sidewalks. NATS program has \$156,000 of federal funds to assist with E. Front Street renovations with the City share being \$48,000.

**Commissioner's
Comments**

All Commissioners comments included thanks and urged participation in Easter Egg Hunt (human and canine), thanks to all public comments, season tickets to Tin Shop Theatre available, interest in Civil War contacts welcome/urged, possibility to review sidewalk program during budget meetings, and State still has seasonal jobs available.

Closed Session

Moore moved seconded by Scanlon to go into closed session at 9:16 p.m. to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. [15.268 Sec. 8. (d).] Roll call vote carried unanimously.

Research Purchase
of 720 E. Front St.
and/or Rehabilitate
the Ross Sanders
House

The Mayor reconvened the meeting at 9:36 p.m.

Scanlon moved to direct the City Manager to bring the costs, savings and potential savings if the Edgewater Bank Building were leased or purchased, an explanation of the tax of the closed candy factory and work that would have to take place to refurbish the Ross Sanders house to bring it up to code for the police department. Terrell seconded the motion and roll call vote carried unanimously. There was discussion about removing walls and changing the historical significance of the Ross Sanders House.

Adjourn

Moore moved, seconded by Scanlon to adjourn the meeting at 9:44 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

March 25, 2013

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday March 25, 2013 and was called to order by Mayor Cole at 7:00 p.m.

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

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

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Donna Southwell, Special Projects Manager along with 17 visitors

The clerk reported receipt of an email of opposition from downtown business owner Steve Raglin regarding the City purchasing the Edgewater Bank in which copies were made available for the Commission and City Manager. Rick Dyer, Edgewater Bank CEO stated that the bank is not leaving the City.

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

- Agenda
- Minutes: Regular scheduled meeting, March 11, 2013
- Checks 65695 to 65781 in the amount of \$128,400.58
- Excuse Commissioner David Hagey from the March 11, 2013 Meeting

Marx summarized the primary tanks and headworks project and that the details of the contract are being worked out with the City Attorney. Marx confirmed that he has been working with the Joint Water Sewer Board Chairman and would need to also be approved by the Joint Water Sewer Board. After Hagey confirmed 10 year loan at 3% rate, ***Hagey moved, seconded by Scanlon to approve the Resolution as presented.***

RESOLUTION TO EXPEND CAPITAL RESERVES IN WATER AND SEWER ENTERPRISE FUND FOR 2013 WASTEWATER TREATMENT PLANT UPGRADES and BORROW \$400,000 FROM GENERAL FUND BALANCE
WHEREAS, The City Commission has approved the 2013 Wastewater Treatment Plant upgrades at approximately 1,029,450 and;

WHEREAS, The City Commission authorizes General Fund to loan Water & Sewer Enterprise Fund \$400,000 at an annual interest rate of 3% for 10 years, generating \$68,922 in interest, and;

WHEREAS, The City Commission approves Capital reserve monies from Water & Sewer Enterprise Fund to pay the remaining balance of Wastewater Treatment Plant Upgrades at approximately \$629,450: and

BE IT RESOLVED that the Buchanan City Commission authorizes:

Upgrades to Wastewater Treatment Plant at approximately \$1,029,450. General Fund to loan Water & Sewer Enterprise Fund \$400,000 for 10 years at an interest rate of 3%, the remaining balance will come from Capital Reserves in the Water & Sewer Enterprise Fund.

Roll call vote carried unanimously. Resolution 2013.03/82 declared adopted.

Marx reported that this was generally a housekeeping item (Consider Bid Award for Portable Toilet Facilities), however there were two technicalities; one bidder did not mark on the outside of envelope and another did not deliver all paperwork as applicable to the bid specifications thus it was a Commission decision. After deliberation, ***Scanlon moved, seconded by Hagey to not waive the technicalities and award the bid to Joy's John in the amount of \$4,672.50 for 2013 Portable Toilet Facilities. Roll call vote carried unanimously.***

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
Minutes
Checks
Excuse
Commissioner
Hagey

Unfinished Business

Resolution
2013.03/82, WWT
Headworks
Improvement
Project Loan

Unfinished Business

Bid Award, Portab
Toilet Facilities

Marx reported
discussions with

Edgewater Bank to move the police operations to 720 East Front Street for the purchase amount of \$210,000 (appraisal by Rick Miller, LLC). He summarized the Commission tour of the building, furniture available and asked that he be able to formalize a purchase agreement with several contingencies. Hagey reported that he would like the DDA to be reimbursed for the loss of taxes (agreement between city and DDA) and discussion was shared about the remodel for the police at less than \$25,000 to renovate. Marx then reported on the Preservation Society Structural Existing Conditions Report that would cost the City \$310,000 to renovate, which did not include heating/cooling. ***Scanlon moved, seconded by Hagey to direct the City Manager to proceed with the next steps in the purchase of the Edgewater Bank building and to create and formulate, through the City Attorney a Purchase Agreement between the City and Edgewater Bank. Roll call carried unanimously.***

Public Comments

Norma Ferris, 304 N. Oak asked if residents would be notified that Republic would be picking up trash instead of Reliable. Marx reported that Reliable and Republic merged and having one vendor saves on our roads and the citizens get a better rate. Randall Peart asked about the former Clark building (402 N. Redbud Trail) being a fire station and asked if the commission reconsidered the change of the traffic light at Oak and Front Street. Cole stated that nothing is in the plan to refurbish the building for a fire station and Marx replied that Wednesday the light would be cycled from 9 a.m. to 5 p.m. and more review would be done. After shared discussion with Commission and City Manager, Commissioners concurred to the light cycling from 7:00 a.m. to 7:00 p.m. The clerk reported receipt of an email from businessman Steve Raglin opposing the blinking light at the corner of Front/Oak intersection in which copies were made available for the Commission and City Manager. Jeffrey Antisdell asked about the funding for the municipal complex and why 402 N. Redbud couldn't be refurbished for a police department with Marx replying it would come from the General Fund and the costs for a study to refurbish would exceed the purchase price of the Edgewater Building.

Commissioner's Comments

Commissioners comments included thanks for discussion and attendees at meeting, be alerted school students on spring vacation, DDA encompasses uptown and downtown, marketing 402 N. Redbud Trail, opportunity downtown with all the amenities (Art Center, Pears Mill, Tin Shop, Common), and pick up after dog(s) when on public property.

**Closed Session
March 11, 2013
closed session
*minutes***

Scanlon moved seconded by Moore to go into closed session at 8:34 p.m. to review March 11 closed session minutes. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 8:37 p.m.

Adjourn

Hagey moved, seconded by Terrell to approve the March 11, 2013 closed session minutes to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained [15.268 Sec. 8. (d)]. Roll call vote carried unanimously.

Hagey moved, seconded by Terrell to adjourn the meeting at 8:38 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Unfinished Business continued

Move Forward and create Purchase Agreement for 720 E. Front Street

CITY OF BUCHANAN COMMISSION MINUTES

April 8, 2013

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday April 8, 2013 and was called to order by Mayor Cole at 7:00 p.m.

Pledge/Invocation

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

Roll Call

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

Commissioners absent: none

Staff present: City Manager Bill Marx, Assistant Police Chief Tim Ganus and Clerk Gladys Bybee

Guests/Visitors present: Donna Southwell, Special Projects Manager along with 14 visitors

Public Comments

The clerk reported receipt of an email of opposition from downtown business owner Steve Raglin regarding the City purchasing the Edgewater Bank in which copies were made available for the Commission and City Manager. Rick Dyer, Edgewater Bank CEO stated that the bank is not leaving the City.

Consent Calendar

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

Agenda
Minutes
Checks

- Agenda
- Minutes: Regular scheduled meeting, March 25, 2013 and 2013-14 Budget Summary, March 28, 2013
- Checks 65782 to 65850 in the amount of \$101,863.70
- Reappoint Margaret Young and Phil Hempel to the Buchanan Board of Review
- Resolution 2013.04/83, A Resolution to Approve the Summer School Tax Collection Fee in the Sum of \$2,441.15 per School District totaling \$7,323.45

Reappoint Board of Review Members

WHEREAS, the City agrees to collect the total summer school taxes as certified by the School District for the levy on July 1, 2013 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 \$1.13 per parcel, for all three School District's, totaling \$2,441.15; and

WHEREAS, no later than June 1, 2013, the School District shall certify to the Treasurer the school millage to be levied on property for summer school tax collection in 2013; now, therefore,

BE IT RESOLVED, that the Treasurer is authorized and directed to charge Buchanan Community School, Berrien RESA and Lake Michigan College \$2,441.15 each (\$1.13 per parcel, per school, totaling \$,323.45), 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.

RESOLUTION 2013.04/83 DECLARED ADOPTED this 8th day of April 2013.

Resolution
2013.04/83,
Summer School Tax
Collection Fee

- Arbor Day Proclamation
- Addendum 1 to Notice of Meetings for the City of Buchanan City Boards during 2013
- Acknowledge receipt of 2013-2014 Annual Budget as presented by the City Manager in accordance with Charter Section 9.2:
- Call Public Hearing on April 22, 2013 at 7:00 p.m. to hear public comments regarding the proposed 2013-14 budget, the property tax millage rate and the water and sewer rates proposed to be levied to support the proposed budget

Arbor Day
proclamation
Addendum 1 to
Notice of Meetings
City manager
Presentation, 2013
2014 Annual
Budget
Call Public Hearing
for 2013-2014
Budget

Marx introduced his appointment of Assistant Police Chief Tim Ganus and gave a brief biography. Ganus thanked the City Manager and Commissioners and looked forward to working with all of the citizens and officials. Greetings were shared.

Reports
Assistant Police
Chief Tim Ganus

Sheila Daly,
Buchanan Garden

Club Chairperson of the Arbor Day Project invited all of the officials and announced that 125 fourth graders would be in attendance and two trees would be planted at the Common by the students. She thanked Carol McKean that was in attendance. Greetings were shared.

McCoy Creek Trail Extension-Phase II and McCoy Creek Restoration

Dan Lewis from Prein & Newhof explained the recommendation letter and bid tabulations from the three vendors that submitted bids while all reviewed written copies from their packet for Phase II of the Trail and completion of McCoy Creek restoration. He explained the calculations from the budget and grant money awarded. Marx confirmed that we've spent about \$204,000 and BG wants to get started right away with about a 90 day completion date. *Hagey moved, seconded by Scanlon to award the bid for the McCoy Creek Trail Extension-Phase II and McCoy Creek Restoration to BG Construction of Buchanan, Michigan in the amount of \$373,328.11. Roll call vote carried unanimously.*

Managers
Comments

Manager's comments included thanks to Daly and the Garden Club, delay in Edgewater Bank purchase agreement, issue with lost water bills with hopes to correct the issue tomorrow.

Commissioner's
Comments

Commissioners comments included thanks to the Garden Club for all they do in Buchanan, welcome to Assistant Police Chief Tim Ganus, pleased with the watershed project, Tin Shop schedule complete, thanked Alice Kring, Boy Scouts, Girl Scouts for all their help with the Easter Egg Hunt, THANKED all of the volunteer organization, and seven State seasonal jobs left. Hagey announced that he will be resigning some time this summer and feels very well about the accomplishments during his tenure in office and thanked all for their support.

Adjourn

Scanlon moved, seconded by Hagey to adjourn the meeting at 7:34 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Reports continued

Buchanan Garden Club, Arbor Day Ceremony

Unfinished Business

Bid Award,

CITY OF BUCHANAN COMMISSION MINUTES – May 13, 2013

The Mayor called the public hearing to order at 7:00 p.m. and invited public to express comments regarding the proposed sale, lease or exchange of real property according to Section 8.7(b) of the City of Buchanan Charter. Marx reported that the Buy Sell Agreement and Lease Agreement were bound together. Two points; property tax involved as the bank is a commercial establishment with the bank paying the City \$1.75 per square foot in lease agreement and second is making DDA whole so they do not loose any money. Hagey stated that the DDA captures \$3,100 + from Edgewater Bank in tax revenue at the current time but due to the reduction of space with the City purchasing the building, the DDA will collect less in future (about \$2,911). He was pleased that the City would make the DDA whole. The clerk confirmed no written comments received. Hagey asked if there was any discussion with Edgewater Bank other than the seven year lease with the option to renew for three. Marx replied only seven and three was discussed. Kathy Kay, Third Street opposed the decision to purchase the building this evening until documented calculations of lease payments and tax payment amounts could be made public. Marx noted Contingency Clauses in the Agreement for inspections from Prism Environmental and RMC Construction. **Hagey moved, seconded by Scanlon to close the public hearing at 7:19 p.m. Voice vote carried unanimously.**

Call to Order

Pledge/Invocation

Roll Call

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday May 13, 2013 and was called to order by Mayor Cole at 7:20 p.m.

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

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

Commissioners absent: Patricia Moore

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

Guests/Visitors present: Larry Money, American Legion Post 51 Representative along with 7 visitors

Consent Calendar

Agenda

Minutes

Checks

Set Public hearing, C & S Machine Products, Inc.

Set Public Hearing SMCAS Budget & Special Assessment

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

- Agenda
- Minutes: Regular scheduled meeting, April 22, 2013
- Special meeting, April 30, 2013
- Checks 65929 to 66045 in the amount \$161,857.12
- Set Public Hearing date for Monday May 28, 2013 at 7:00 p.m. for the purpose of considering C & S Machine Products, Inc.’s (215 South Post Road) application for Industrial Facilities exemption Certificate, pursuant to Act 198, Public Acts of 1974, as amended
- Set Public Hearing date for Monday June 10, 2013 at 7:00 p.m. to hear public comments concerning the distribution of the FY 2013-2014 Southwestern Michigan Community Ambulance Services (SMCAS) Special Assessment Levy and proposed SMCAS budget for FY 2013-2014, which includes the special assessment in the amount of \$20.00 per dwelling
- Street Closure: Front Street from 403 E. Front Street to Oak Ridge Cemetery for Memorial Day Parade

Street Closure

Larry Money reported on the Legion Post 51 Memorial Day Parade and explained the current process of developing the property for Veterans behind

Public Hearing for proposed sale, lease or exchange of real property according to Section 8.7(b) of the City of Buchanan Charter

Knight’s Chapel at Oak Ridge Cemetery. They will be selling memorial bricks to subsidize this project. He also noted the Service oriented school scholarship, host veterans day program, Legion is drop off location for old flags, Eagle Scout project scholarship not being taken advantage of. Discussion was shared with Commission.

City Clerk/Election Department

The City Clerk reported on the recent Special Election for the School Bond, possible State Road Millage Bond Election in November, working on City Board/ Committee/Commission member vacancies, wanting to focus on document management and any other projects that come in.

Unfinished Business

Marx summarized the past process of obtaining the Purchase Agreement and Lease Agreement for 720 E. Front Street and asked for authorization to sign the agreements. He explained the Building Inspector will stay in the Ross Sanders property until an office can be established in the new building. Scanlon was opposed to leaving him there. Hagey would like a 10 year agreement and thought there would be one agreement. After shared discussion, *Hagey moved, seconded by Terrell to approve the City Manager to sign the Agreement to Buy and Sell Real Estate and the Lease Agreement providing it would be a ten year lease. Roll call vote carried unanimously.*

Purchase & Lease Agreement for 720 E. Front Street

The Treasurer confirmed that the proposed budget was the same as was discussed and reviewed during the budget work session. *Scanlon moved, seconded by Terrell to approve the resolution as presented.* To Adopt a Budget for the City of Buchanan for Fiscal Year 2013-2014, the property tax millage rate and the water and sewer rates proposed to be levied to support the proposed budget. She reported that the City tax rate has not increased in 20+ years and noted that a Special Project Budget Amendment for the current year was forthcoming at the next meeting.

Resolution 2013.05/86, City of Buchanan Fiscal Year 2013-2014 Budget, the property tax millage rate and the water and sewer rates proposed to be levied to support the proposed budget

WHEREAS, in accordance with Chapter 9 of the City Charter of the City of Buchanan governing budget procedure and general finance, and in compliance with the requirements of the Michigan Uniform Accounting and Budgeting Act, a balanced budget has been set up for the City of Buchanan for the fiscal year of July 1, 2013 through June 30, 2014; and

WHEREAS, a public hearing was held on April 22, 2013 for public comments and opinions;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Buchanan that the following sums are adopted for the 2013-2014 fiscal year for the purposes set forth below:

General Government	City Commission	\$ 73,277.
\$403,399.	City Manager	99,078.
	Elections	22,023.
	Assessor	40,250.
	City Clerk	57,680.
	Treasurer	111,091.
Public Safety	Police Department/Code Enforcement	\$ 863,591.
\$1,053,024.	Crossing Guards	28,289.
	Fire Department	113,544.
	Building Inspection	47,600.
DPW & Cemetery	DPW/Streets	\$ 241,049.
\$412,195.	Cemetery	171,146.
Parks & Recreation	Parks & Recreation	\$ 10,000.
\$10,000		
Other	Building & Grounds	\$ 65,097.
\$117,897.	Rental property	5,450.
	Arts & Historical Buildings	9,550.
	Misc. Costs/Transfers	37,800.
Total General Fund		\$1,996,515.
	Major Streets	\$ 384,573.
	Local Streets	226,730.
	Street Repair & Maintenance	326,075.
	Water & Sewer Enterprise	1,342,973.
	Brownfield-TIF	26,365.
Total Other Funds		\$ 2,306,716.
	Total Budget Including General Fund	\$4,303,231.

Reports

Buchanan American Legion Post 51

BE IT FURTHER

RESOLVED that the City Commission of the City of Buchanan authorizes levy of 17.1000 mills on real and personal property within the

Commission Meeting Minutes

May 13, 2013

City of Buchanan for municipal operating purposes.

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

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

BE IT FURTHER RESOLVED that the City Commission authorizes the water and sewer rates, effective July 1, 2013, as follows:

	Water	Sewer	Ready to Serve (RTS)
City	\$3.30/1000 gal.	\$5.96/1000 gal.	\$17.08 monthly
Township	3.85/1000 gal.	6.98/1000 gal	19.98 monthly

BE IT FURTHER RESOLVED that the total budget for the City of Buchanan for the fiscal year 2013-2014 in the amount of \$4,303,231. as presented by the City Manager is hereby approved and adopted by the City Commission of the City of Buchanan.

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

Roll call vote carried unanimously. Resolution 2013.05/86 approved.

Marx explained the enhanced and improved Policy for the Ride-a-Long Program for the Police Department and recommended adoption. **Scanlon moved, seconded by Terrell to approve General Order Policy Number 39, Ride-Along Program for the Buchanan Police Department. Roll call vote carried unanimously.**

Larry Money asked the clerk whose turn it is to purchase a flag and/or if hemming/repair the existing one could be done. The clerk confirmed that she would check into it.

Manager’s comments included Loss Control Award from Michigan Municipal League (MML) for insurance inspection improvement, demonstration of a total patcher on Third Street near City Hall and impressed with the piece of equipment, Kudos to Police Department on expediting the arrest of the person that was charged with indecent exposure, two arrested on thefts of metal behind the DPW barn, Wastewater purchased and testing a large bag verses the drying beds. All discussed the demolition of the old livery building on Days Avenue, the historical significance and the exorbitant costs if the City were to accept it as a donation. He also noted that he requested Monroe Lemay from the Senior Center to write a grant for a Mobile Dental Center coming into the City.

Commissioners comments included thanks to O’Bryant for her work on the finances and budget, thanks to the Legion for all they do in the community, more structural information about the livery building, registry for available scholarships from non-profit organizations for students, thanks to City Manager for work on the purchase of the bank building and headworks project for the wastewater treatment plant, possibly partnering with other communities to purchase the patching machine, and four Buchanan youth received jobs with the State

Scanlon moved, seconded by Terrell to adjourn the meeting at 8:35 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Resolution
2013.05/86, City of
Buchanan Fiscal
Year 2013-2014
Budget, the proper
tax millage rate and
the water and sewer
rates proposed to be
levied to support the
proposed budget

General Order
Policy Number 39,
Ride-Along
Program

Public Comments

**Managers
Comments**

**Commissioner’s
Comments**

Adjourn

Unfinished Business continued

CITY OF BUCHANAN COMMISSION MINUTES

May 28, 2013

TUESDAY, MAY 28, 2013 PUBLIC HEARING – 7:00 P.M.

Mayor Carla Cole called the Public Hearing to order at 7:00 p.m. The purpose of the hearing was to invite and hear public comments for the purpose of considering the application of C & S Machine Products, Inc., 215 Post Road, for an Industrial Facilities Exemption Certificate, pursuant to Act 198, Public acts of 1974, as amended. The exemption, if granted would be a 50% abatement over a 12 year period.

Joe Sobieralski, Executive Director of the Southwestern Michigan Growth Alliance (SMEGA) spoke in favor of granting the request. He noted that the company, who has been located in Buchanan since 1966, will invest 3.5 million dollars on machinery and equipment which will grow the company and create additional jobs. Commissioner Hagey asked the actual amount of the investment. Sobieralski responded that it was \$3,565,162.00, and the company was asking for a 50% abatement of local taxes. Even with the abatement, the City will realize 1.7 million dollars worth of additional tax revenues. The Mayor asked if any of the Commissioners had any questions. Hearing no response she asked if anyone in the audience had any comments. Hearing no response, *Moore moved, seconded by Hagey, to adjourn the public hearing. Roll call vote carried unanimously.*

I. Call to Order

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan, Tuesday, May 28, 2013 and was called to order by Mayor Cole at 7:04 p.m.

II. Pledge of Allegiance - Invocation

The pledge was recited by all.

III. Roll Call

Commissioners Present: Carla Cole, Dave Hagey, Patricia Moore, Earl J. Scanlon

Commissioners Absent: Michael Terrell

Staff Present: Manager Bill Marx, Administrative Asst. Debra Davino Patzer, Special Projects Manager Donna Southwell

Guests Present: Joe Sobieralski, Dominick Salvatore, Kate Kay, Mary Lysy, Richard Proud, Norma Ferris, reporter Stan Maddux

IV. Public Comments

N. Ferris asked to speak when item VII A was discussed.

V. Consent Calendar

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

VI. Reports by Departments

A. Friends of the McCoy Creek Trail Dick Proud presented an update on the status of the trail project. He stated that the work being done by BG Construction was proceeding very well and that things were changing for the better every day. The trail is now handicapped accessible. He thanked the Commission and the community for their support. He discussed the Creek clean-up that was held in May and commended Jon Raines for being there the entire time to provide assistance. He asked if the City could take a look at Roe Street and coordinate the landscaping with the same group that planted the garden at the Tin Shop. He also asked if the "mess" on Days Avenue on the east side of the creek could be remedied with native plants and shade trees. He said the committee is happy to be winding down after 10-11 years and that they are looking for new

members. Donna Southwell stated that there will be a 5K fun run and walk on Sunday, September 1, 2013 to kick off the opening of the trail. The Fire Department will provide breakfast for the walkers and runners; breakfast will be available to the public for a donation. The money collected at the breakfast will be used for trail maintenance in the future. Proud named several donors to the maintenance fund and stated that the Trail Committee puts 5% of all revenue generated from activities into the trail maintenance fund. Scanlon commented on the creek clean up and the work that was originally done on the section of McCoy Creek adjacent to Days Avenue in the Common. He emphasized the need to budget for maintenance of city facilities, and thanked the Friends of the Trail for all the good work they have done over the years. City Manager Marx commented that the Water Quality Support Board is developing a plan for plantings along the creek and trail, including the area of the Creek adjacent to Days Avenue. Mayor Cole also thanked Proud and encouraged all residents to get out there and support the trail.

B. Special Projects Manager Donna Southwell presented an update on the McCoy Creek and Millrace restoration. She stated that the area from Smith St. to the Elliot easement had been cleared and the project was moving forward ahead of schedule; the contractor is doing exceptional work and taking care to ensure that no sediment gets into the Creek. She urged people to go to Centennial Park to see the work in progress – 60’ lunkers have been installed and logs and rocks placed to secure and narrow the creek bed. A subcommittee of the Water Quality Support Board is working on a planting plan for the creek. It will take about 5 years for the results of the work to come to fruition. Most recently work has started on the rubble dam. Jay Wesley from MDEQ will work with the contractor on the juncture of the creek and millrace. With the work that has been done and the recent rain, water is moving rapidly through the millrace.

VII. Unfinished Business

A. The City Manager stated that Edgewater Bank had agreed to the terms of the lease – 10 years with two 3 year renewals. Hagey thanked the Rick Dyer and Edgewater Bank for agreeing to the changes proposed by the City and partnering with us to make this project happen. *Hagey moved, seconded by Scanlon, to approve Resolution 2013/05. 87 and authorize the City Manager to sign the Purchase Agreement and Lease Agreements for 720 E. Front Street. Roll call vote carried unanimously.*

B. *Hagey moved, seconded by Moore, to approve the Resolution granting an Industrial Facilities Exemption Certificate for C & S Machine Products, Inc., 215 Post Road. Roll call vote carried unanimously.* D. Salvatore thanked the Commission for granting the IFT. He stated the purchase of new machinery and equipment was imperative if the business was to stay competitive and increase efficiency. Mayor Cole extended good wishes on behalf of the Commission.

VIII. New Business - None

IX. Public Comments

N. Ferris asked when the Police Department would move to its new location. Marx responded that they were looking at late summer for the move.

X. City Manager’s Comments

Marx stated that he had received the Phase I Environmental report for the Edgewater Bank building and that there were no significant findings. He will conduct a maintenance estimate with local contractor Ralph McDonald prior to the targeted closing date of June 10th. Marx thanked Dominick Salvatore of C & S Machine for his belief and trust in the City as a good place to do business. He thanked Southwell for a good report and stated that it is wonderful to see the changes in the millrace and the potential for development that is possible. Marx then explained that Premier Die Cast Company had received a tax abatement from the City and then had moved to another community. Because they left the City, the City has the option to revoke the abatement and collect

the tax revenues that had been abated. The situation has been discussed with both SMEGA and the City Assessor and they are ready to help move forward if the Commission wants to pursue this option. Cole stated that she thought the City should move to revoke the abatement. Hagey asked if the company was going to move back to Buchanan. Marx responded that they have been saying that for 2½ years and nothing has happened. Hagey stated that they broke the agreement by moving and that we should collect the taxes that are due, approximately \$18,000. Scanlon commented that the City also sold them an additional 4 acres for “next to nothing” and the real estate agreement should be reviewed.

XI. Commissioner’s Comments

Commissioner Moore thanked the community for their support of the Memorial Day activities despite the weather. She commented on the Tin Shop play and described the activities that will take place June 8 & 9 for Buchanan’s Civil War weekend. She thanked all veterans. She reminded everyone about the Community Concerts, Stop, Lunch & Listen and the Last Saturday Concerts.

Commissioner Hagey commented on the Tin Shop play and noted that the Farmers’ Market is booming – there’s a lot to do in the City. He stated that the Edgewater Bank purchase is a good deal for the City and the DDA. The PD has long been in need of new quarters, and the Ross Sanders building can now be used for something more appropriate. The move will be good for “Uptown” and the completion of the new streetscape will be even better.

Commissioner Scanlon agreed with Commissioner Hagey that the purchase of the Edgewater Bank building is a good thing. He thanked the country’s veterans and their families for our freedom. He noted that he had been able to participate in a tribute to his friend who was a veteran and it was very moving. He thanked the Trail Committee for their good work over the years.

Mayor Cole stated that the Farmers’ Market had their largest group of vendors ever and asked everyone to support the market. She noted the turnout for the Memorial Day parade was amazing given the weather conditions and thanked everyone for coming out and honoring our veterans, past and present. She also thanked the Trail Committee for a “fantastic” trail.

There being no further business, *Scanlon moved, seconded by Moore to adjourn the meeting at 8:51 p.m. Voice vote carried unanimously.*

Debra Davino Patzer, Adm. Asst.

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

June 10, 2013

Southwestern Michigan Community Ambulance Services (SMCAS) Special Assessment Levy and proposed SMCAS budget for FY 2013-2014

The Mayor called the public hearing to order at 7:00 p.m. and invited public to express comments concerning the distribution of the FY 2013-2014 Southwestern Michigan Community Ambulance Services (SMCAS) Special Assessment Levy and proposed SMCAS budget for FY 2013-2014, which includes the special assessment in the amount of \$20.00 per dwelling. SMCAS Executive Director Tim Gray stated that two vehicles were being replaced and two more full-time personnel for nights had been hired. Noted that estimated coverage area of 220 square miles. Discussion was shared with Commissioners. Hearing no public comments or receipt of written comments, *Moore moved, seconded by Hagey to close the public hearing at 7:09 p.m. Voice vote carried unanimously.*

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday June 10, 2013 and was called to order by Mayor Cole at 7:10 p.m.

Pledge/Invocation

The Pledge was recited by all. Reverend Dan Barz gave the Invocation. Jeremy Frame, Frame Machining who was scheduled to address the Commission could not attend due to family illness.

Roll Call

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

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: SMCAS Executive Director Tim Gray and Donna Southwell, Special Projects Manager along with 10 visitors

Public Comments

The clerk noted that the Resolution for the IFEC approved for C&S Machine at the last meeting is Resolution 2013/05/88.

Consent Calendar

Scanlon moved, seconded by Terrell to amend the Agenda to include C. Consider Bid Waiver for Emergency Purchase; Wastewater Treatment Plant South Clarifier Drive Motor in the amount of \$15,429 from True-Tech Industries Co. and also Approve Check Number 066212 in the amount of \$7,714.50 as a Down Payment for the Clarifier Drive Motor under VIII. New Business. Roll call vote carried unanimously.

Agenda as Amended

Minutes

Checks

Scanlon moved, seconded by Terrell to approve the Consent Calendar with the amended agenda. Roll call vote carried unanimously.

Watershed Appointment

- Agenda as Amended
- Minutes: Regular scheduled meeting, May 28, 2013
- Checks 66121 to 66211 in the amount \$326,924.31
- Appoint Scott King as the Fishing Interest Representative to the Watershed Quality Support Board
- Excuse absence of Commissioner Terrell from May 28, 2013 City Commission Meeting
- Banner Placement form, Buchanan Rocket Football Sign-ups

Excuse Absence

Banner Placement

SMCAS Director Tim Gray reported the calls for the City of Buchanan went down by 6% and he noted statistics for other communities. He reported mechanical problems with

Reports
SMCAS

vehicles, take-over operations of Milto Township April 1st

Public Hearing for

long term plan is still to get station in Buchanan area (possibly two to three year goal), and will begin paramedic training program soon for employees and possibly public. Moore interjected that funding may be available through the Unity Fund as a scholarship for a Buchanan resident to do the training. Discussion was shared with Commission and Gray.

Scanlon moved, seconded by Moore to approve the resolution as presented. A Resolution of the City of Buchanan, County of Berrien, State of Michigan Approving the 2013-14 Southwestern Michigan Community Ambulance service (SMCAS) Budget and Special Assessment

BE IT RESOLVED, that the City of Buchanan, acting jointly and in conjunction with the City of Niles, the Townships of Niles, Buchanan, Bertrand in Berrien County, and the Township of Howard in Cass County, pursuant to a certain joint assessment district resolution for the support of SMCAS adopted June 30, 2008 and approved by the majority vote of the electorate on August 5, 2008, does hereby take the following actions:

1. The special assessment district, pursuant to such resolution, is hereby established.
2. The proposed SMCAS financial budget for fiscal year 2013-2014 indicating an assessment of \$20.00 is hereby approved.
3. The amount of the special assessment is \$20.00 and the assessing officer is directed to spread the collected as provided in the joint resolution.
4. As a further clarification of the parcel/units to be assessed, as set out in paragraph 3 of the joint resolution, the assessing officers are directed to levy the assessment amount of \$20.00 per unit as follows:
 - a) Campground – One unit for the campground itself and one unit for each permanent dwelling.
 - b) Mobile Home Park – One unit for each mobile home, the number of mobile homes being determined by the average number of mobile homes located in the mobile home park for the calendar year in which the special assessment is levied.
 - c) Hotels and Motels – one unit for each hotel and motel and one unit for each living unit occupied by a permanent resident.
 - d) Commercial – one unit for each improved parcel, which shall include all contiguous commercial parcels as one unit and one unit for each dwelling therein.
 - e) Residential – one unit for each dwelling that is occupied or is available for occupancy and is permanently affixed.
 - f) Where provision herein are inconsistent with the joint resolution, these provisions herein shall supersede such provisions and be controlling.
5. The Public Hearing of the City of Buchanan to hear comments to the distribution of the \$20.00 special assessment levy was held at City Hall, 302 N. Redbud Trail, Buchanan MI 49107, June 10, 2013, at 7:00 p.m., local time.

Roll call vote carried unanimously. Resolution 2013.06/89 declared adopted.

Marx reported on the demonstration of repairing holes and cracks on Third Street right outside of City Hall just prior to the meeting where all Commissioners attended. He noted research to the piece of equipment had been done prior and references checked with high regards. He explained that payment would be made through major and local streets and water and sewer capital reserve funds and discussion was shared with Commission to utilize Cemetery Perpetual Care funds as it would be used to repair all streets within the Cemetery. **Scanlon moved, seconded by Moore to approve the Bid Waiver for Sole Source Purchase of the Vortex Total Patcher Machine in the amount of \$66,900 from Equipment Marketing Company. Roll call vote carried unanimously.**

Marx reported on photos (contained in his briefing) of the junction (bank area) at Mill Race and McCoy’s Creek and explained the bank will need to be built up and secured once it is cleaned up. Marx clarified that this change request was not a part of the initial bid plan. Southwell stated that the engineers followed the permit and some of the pieces in the original plan were taken out but after shared discussion she noted items were included in the Trail plan. She confirmed that the Creek/Race project is two-thirds complete. Discussion was shared and **Hagey moved, seconded by Scanlon to approve the resolution as presented.** Authorize Expenditure of additional not to exceed \$10,000 for the Restoration of the Creek and Mill Race

Whereas, Upon inspection after the contracted work, it became apparent that some additional shoring up of the mill race berms is essential, and;

Unfinished Business

Resolution 2013.06/89, SMCAS Budget & Special Assessment

New Business

Bid Waiver for Sole Source Purchase of the Vortex Total Patcher Machine in the amount of \$66,900 from Equipment Marketing Company

Resolution 2013.06/90, Authorize Expenditure of additional not to exceed \$10,000 for the Restoration of the Creek and Mill Race

Reports continued
SMCAS

Whereas, For 160' from the mouth of the diversion north on the west side

the diversion, whatever berm was available has been removed by erosion over the decades and is all but non-existent., and;
Whereas, On the east side, behind the DPW lot, there is berm, but it is deemed fairly unstable due to high water table and constant presence of water for up to 140', and;
Whereas, The recommendation from the engineer is for a 3' of stone be installed along each of these berms, and;
Whereas, The cost would be approximately \$10,000.
Let It Therefore Be Resolved that the Commissioners of the City of Buchanan, in the county of Berrien, in the State of Michigan approves the additional funds that will keep the diversion stable and the work already completed intact for decades to come.

Roll call vote carried unanimously. Resolution 2013.06/90 declared adopted.

**Bid Waiver for
 Emergency
 Purchase; WTTP
 Clarifier Drive New
 Motor**

Marx reported that research was done to rebuild the motor over \$40,000 and working with contractor (FHC) found new motor and will assist with installation. ***Scanlon moved, seconded by Hagey to approve the Bid Waiver for Emergency Purchase; Wastewater Treatment Plant South Clarifier Drive New Motor in the amount of \$15,429 from True-Tech Industries Co. and also Approve Check Number 066212 in the amount of \$7,714.50 as a Down Payment for the Clarifier Drive Motor. Roll call vote carried unanimously.***

Public Comments

Norma Ferris asked when the move would take place for the PD. Marx replied closing on the sale would take place with possible early August move. Jeff Griffin announced him and his wife Kim purchased the old B & W Inn and are grateful to be part of the growth of Buchanan and thanked officials and staff. He would like to implement same streetscape amenities on Main Street that is on Days and Front Street. Discussion was shared.

**Managers
 Comments**

Marx asked for commission position about the fencing around the ornamental trees on Front Street; should the fencing be taken off or trees trimmed. Commission agreed to trim. Other comments included off sight meeting (at Redbud City Center as stamped plans for bathroom renovation was received from Kevin Barker), water running to move the waterwheel at Pears Mill, replacement of siding on the south side of Mill, obtaining quotes for roof repair of the Candy building (203 N. Redbud) and pricing benches and lights for Main Street.

**Commissioner's
 Comments**

Commissioners' comments included thanks and congratulations to Griffin, SMCAS and the organizations for the weekend celebration. Moore explained all the activities during the Civil War Celebration over the past weekend and thanked all involved. Terrell cautioned parents to watch their children at the beach.

Adjourn

Hagey moved, seconded by Scanlon to adjourn the meeting at 8:31 p.m. Voice vote carried unanimously.

 Gladys M. Bybee, MMC-City Clerk

 Carla M. Cole, Mayor

New Business continued

Resolution 2013.06/90

Restoration of the Creek and Mill Race

CITY OF BUCHANAN COMMISSION MINUTES

June 24, 2013

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday June 24, 2013 and was called to order by Mayor Cole at 7:04 p.m.

Pledge/Invocation
Presentation

The Pledge was recited by all. Reverend Len Bailey gave the Invocation. Niles Buchanan Lions Club Representative Alice Kring presented Lions Member Jon Raines with Lion of the Year plaque award.

Roll Call

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

Commissioners absent: none

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

Guests/Visitors present: Niles Buchanan Lions Club Representative Alice Kring and Lions Member Jon Raines along with 3 other visitors

Consent Calendar

Hagey moved, seconded by Scanlon to amend the Agenda to include C. Consider Probable Change Order to the McCoy's Creek/Mill Race Enhancement Project to bring the grade up to the top of the rock at the edges of the new creek location (a.k.a. duck pond area) with 400 cyds Class II fill sand contingent upon official Compliance of the flood permit from the State under VIII. New Business and transpose A. and B. under New Business. Roll call vote carried unanimously.

Agenda as Amended

Minutes

Checks

Hagey moved, seconded by Scanlon to approve the Consent Calendar with the amended agenda. Roll call vote carried unanimously.

Fine Arts Council
Appointments

- Agenda as amended
- Minutes: Regular scheduled meeting, June 10, 2013
- Checks 66213 to 66279 in the amount \$272,305.85.
- Appoint Alice Kring, Karin Falkenstein and Samantha Blevins to the Buchanan Area Fine Arts Council for a four year term ending 2017
- Appoint Patricia Moore and Tom Lister to the Friends of Oak Ridge Cemetery Board for a four year term ending 2017
- Banner Placement form, Redbud Track and Trail National Race, July 6

Friends of oak
Ridge Cemetery
Appointments

Banner Placement

New Business

Marx explained that the hardware (server) for the Water Sewer Meter Reader, City Hall Server and Police Department Server was in dire need of replacement and software for the utility needed to be changed over to a new server. He continued that Ron Griffin and Josh Carter from Computrain are the Information Technology Contractors for the City hardware. Carter explained the proposal after speaking with Sensus for their specification. Carter explained the system in detail for the computer network and meter reading that is housed on the server including back up. Questions were shared between Commission, Computrain Representatives and City Manager regarding warranties, all three systems going down at the same time, software and hardware licensing and previous contractor for the Utility Server. *Scanlon moved, seconded by Moore to approve the Resolution as presented and recommended. Granting Authorization to City Manager to sign Proposal from Computrain and Sensus*

Resolution
2013.06/91,
Granting
Authorization to
City Manager to
sign Proposal from
Computrain and
Sensus

WHEREAS, the computer server at City Hall and the computer server at the Police Department need replaced; and WHEREAS, the City Staff has researched the purchase of a new Electronic Utility Meter Server and Software NOW, THEREFORE, BE IT RESOLVED;

1. The City Manager for the City of Buchanan is hereby authorized to sign the proposals to purchase a server that will handle functions for City Hall and the Water and Sewer Utilities and one for the Police Department through Computrain in the amount of \$38,900.28.
2. Also approve purchase of the software system for the Water and Sewer Utilities through Sensus in the amount of \$7,500.00.

Roll call vote carried unanimously. Resolution 2013.06/91 declared adopted.

Interim DDA Director Debra Patzer explained in detail the FY 2013-14 Downtown Development Authority Budget line item changes and total amount of \$109,100 while Commission reviewed. Discussion was shared with Patzer and Commission.

Scanlon moved, seconded by Terrell to approve the FY 2013-14 Downtown Development Authority Budget as adopted and recommended by the Downtown Development Authority at their last meeting. Roll call vote carried unanimously.

Marx reported the needed changes to McCoy’s Creek (a.k.a. near the Duck Pond area) as discussed with Dan Lewis, Prien and Newhoff Engineer and Contractor Bill Green. He explained the need of 400 cyds of fill in the amount of \$4,492. Patzer who is a member of the Watershed Committee spoke briefly about ideas for the areas. After shared discussion, ***Scanlon moved, seconded by Moore to authorize the Change Order to the McCoy’s Creek/Mill Race Enhancement Project to bring the grade up to the top of the rock at the edges of the new creek location (a.k.a. duck pond area) with 400 cyds Class II fill sand contingent upon official compliance of the flood permit from the State of Michigan. Roll call vote carried unanimously.***

Marx congratulated employee Jon Raines for being awarded Lion of the Year and Debra Patzer for working hard as the DDA Interim Director. Also, a lot of activity down town and three new businesses; Redbud Trail, Main Street and E. Front Street. Noted a Construction meeting on Thursday for the Wastewater Treatment Headworks Project.

Commissioners’ comments included thanks and congratulations to Raines and Patzer for going above and beyond, pleased with the signs for the Thursday night concerts, visible usage of the car charging station, outstanding job on the creek restoration by BG Green; pleased with the outcome, busy City Wide Garage Sales, and free to the public at City Hall a medical “File for Life”.

The Mayor adjourned the meeting at 8:20 p.m. Voice vote carried unanimously.

Granting Authorization to City Manager to sign Proposal from Computrain and Sensus

FY 2013-14 Downtown Development Authority Budget

Change Order to the McCoy’s Creek/Mill Race Enhancement Project

Managers Comments

Commissioner’s Comments

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business

Resolution 2013.06/91,

CITY OF BUCHANAN COMMISSION MINUTES

July 8, 2013

The regular scheduled meeting of the City Commission was held at Buchanan Centennial Park on Smith Street, Buchanan, Michigan Monday July 8, 2013 and was called to order by Mayor Cole at 7:00 p.m.

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

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

Commissioners absent: none

Staff present: City Manager Bill Marx, Fire Chief Mike Adams and Clerk Gladys Bybee

Guests/Visitors present: State Representative Dave Pagel along with 8 other visitors

Moore moved, seconded by Scanlon to amend the Consent Calendar, item E. by excluding Appointment of Trevor Hough to the Common Committee. Roll call vote carried unanimously.

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

- Agenda
- Minutes: Regular scheduled meeting, June 24, 2013
- Checks 66280 to 66361 in the amount \$208,339.06
- Appoint Lanny Fisher and Fred Smith to the Buchanan Area Recreation Board for a three year term ending 2016
- Appoint Don Trull to the Common Committee for a four year term ending 2017
- Appoint Joe Sobieralski as the Designated Economic Developer to the Brownfield Redevelopment Board for a two year term ending 2015
- Appoint Treasurer Juli O'Bryant and City Manager Bill Marx to the Brownfield Redevelopment Board for a three year term ending 2016
- Appoint Jason Lietz and Joe Scanlon to the Zoning Board of Appeals for a three year term ending 2016
- Appoint Jason Lietz and Ralph McDonald to the Planning Commission for a three year term ending 2016
- Appoint Eugene Gorton, Structural Engineer and Builder Roger Long to the Construction Board of Appeals for a three year term ending 2016

Fire Chief Mike Adams introduced Firefighter's Bobbie Blaylock, John Magloski, Tim Wesner, and Randy Passig. He then explained the SOG review and summarized the changes while all viewed his written summary. A complete copy of the Standard Operating Guideline's was possessed by the Clerk and available for review. There was discussion regarding carrying a weapon into a public building. The City Manager confirmed that he would check into it. *Hagey moved, seconded by Terrell to approve the Buchanan City Fire Department Standard Operating Guideline (SOG) Amendments as presented and recommended. Roll call vote carried unanimously.*

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda

Minutes

Checks

Recreation

Appointments

Common

Committee

Appointment

Brownfield

Redevelopment

Board Appointment

ZBA Appointment

Construction Board

of Appeals

Appointments

New Business

Buchanan City Fire

Department

Standard Operating

Guideline (SOG)

Amendments

Marx distributed a picture copy and explained the Roller Drum for the total surface patcher. He reported 50% from equipment reserve, 25% from Cemetery Perpetual Care and 25% out of major and local streets. ***Moore moved, seconded by Hagey to approve the Bid Waiver and authorize the purchase of a 48" Vibratory Roller Drum attachment for the Bobcat and will be used for road surface repairs in the amount of \$8,007 to Bobcat of Michiana. Roll call vote carried unanimously.***

Public Comments

State Representative Dave Pagel stopped to say hello and welcomed any concerns from the Commission and community. He reported status of legislation for Medicaid, road millage, County Core schools, no fault insurances and the challenges being faced. Marx thanked him and his colleagues for the 4.8% increase in revenue sharing for the City and asked about changes to the Committee he Chairs. Pagel replied that his Committee is working on Emergency Managers Act and Public Notice Requirements.

**Managers
Comments**

Marx reported the County Commission meeting this Thursday in Buchanan with a welcome to Buchanan Reception at Pear’s Mill prior to the meeting at 6:00 p.m. He distributed a written invitation to Centennial Park in recognition of the completion of the watershed project and noted that the contractor is moving on to the Trail project. He explained the walk about and dial-a-ride site visit next Monday at 6:30 p.m. Marx announced that he would be meeting with Clayton Seager about filming a movie within the City.

**Commissioner’s
Comments**

All Commissioners thanked Representative Pagel for his attendance and update along with commending the Fire Department. Moore urged attendance to the Concert’s at the Common on Thursdays, thanked the City Manager for providing Dial-A-Ride to transport residents to the Common for the concerts and tickets for the special play Saturday night at the Tin Shop Theatre.

Adjourn

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

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued

Bid Waiver &
Vibratory Roller Drum Purchase

CITY OF BUCHANAN COMMISSION MINUTES

July 22, 2013

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail Buchanan, Michigan Monday July 22, 2013 and was called to order by Mayor Cole at 7:00 p.m.

Call to Order

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

Pledge/Invocation

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

Roll Call

Commissioners absent: Earl Scanlon III.

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

Guests/Visitors present: Special Projects Manager Donna Southwell and Garden Club Member Yvonne Shaw along with 7 other visitors

Public Comments

Dorothy Mottl, representing the Chamber of Commerce explained the requests on the consent calendar for Banner Placement and Street Closure for the fourth annual Harvest Buchanan. She invited question and explained the event in detail.

Hagey moved, seconded by Terrell to amend the Agenda to include, under New Business, item D. Consider approval of Wastewater Lead Operator Job Description and E. Consider approval of Update in Salary Table of AFSCME, AFL-CIO Union Scale Wage Range 3, WW Lead Plant Operator. Roll call vote carried unanimously.

Consent Calendar

Agenda as amended

Minutes

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

Checks

- Agenda as amended
- Minutes: Regular scheduled meeting, July 8, 2013
- Checks 66362 to 66458 in the amount \$965,325.22
- Ordinance Introduction: Call a Public Hearing on Monday, August 12, 2013 at 7:00 p.m. to invite and hear public comments on AN ORDINANCE OF THE CITY OF BUCHANAN, BERRIEN COUNTY, BE AMENDED BY REVISING ARTICLE II. RUMMAGE AND GARAGE SALES, SECTION 74-26. REQUIREMENTS, RESTRICTIONS OF SAID CODE; ENTITLED SECONDHAND GOODS
- Banner Placement Request, Chamber of Commerce – Harvest Buchanan – 9/1/2013
- Street Closure Request, Chamber of Commerce - Harvest Buchanan – 9/1/2013
- Banner Placement Request – American Legion Riders – 8/17/2013
- Continuation of Internet Banking Agreement with Chemical Bank
- Banner Placement Request, Chamber of Commerce-US 12 Garage Sale (Aug. 9-10)

Ordinance

Introduction

Banner Placement

Street Closure

Banner Placement

Internet Banking

Agreement

Banner Placement

Donna Southwell gave an update on the McCoy’s Creek Trail Project reconstruction that had occurred since the tour of the Trail last Monday evening that the Commission participated in and what future progress would be seen.

Reports

Southwell introduced Yvonne Shaw and presented the landscaping of the Roe Street right-of-way and welcomed questions. Irrigation has been expanded from the Common to provide for what needs to be maintained. Noted that Shaw will also assist with plantings at what use to be the duck pond. *Moore moved, seconded by Terrell to approve the landscape plan for the Roe Street right-of-way. Roll call vote carried unanimously.*

New Business

Landscape Plan for
Roe Street Right-of-
Way

Southwell explained the work that Prein and Newhof will be doing with a “Plan” and to apply for the SAW Grant with a ten percent match. *Moore moved, seconded by Terrell*

Resolution

2013.07/92, SAW

Grant

to approve the resolution as presented. Resolution to Approve Hiring Prein & Newhof to Assist in the Submittal of a grant for Services in conjunction with Michigan's new Stormwater, Asset Management and Wastewater (SAW) Grant.

Whereas, An Asset Management Plan will identify your infrastructure assets, evaluate their condition, determine potential failures/risks/consequences, project future ownership costs, and create a financing plan to sustainably maintain your infrastructure assets while providing the desired level of service to customers, and,

Whereas, Regulatory permitting agencies are recognizing the need for Asset Management Planning (AMP) and are either currently requiring or will require AMPs for public infrastructure as a condition of future permits, and,

Whereas, The following products will be prepared for the City of Buchanan:

- Appraisal -Review what you have, how you want to manage it, and what it will take to create an Asset Management system.
- Inventory/Mapping - Define what you have and where it is located.
- Condition Assessment -Document the condition, failure risk, and the cost to maintain and replace an asset.
- Asset Management Plan -Defines what is to be maintained or replaced and establishes a schedule and cost for that work. Includes a Capital Improvement Plan and a Financing Plan, and,

Whereas, The final detailed work plan will be used to generate the grant application to the Michigan Department of Environmental Quality for the newly-available SAW Grant (storm water, asset management, and wastewater), and,

Whereas, These grants have a maximum amount of \$2,000,000 per community and a low match requirement (10% for the first \$1,000,000 and 25% for the second \$1,000,000), and,

Whereas, These grants are awarded on a first come/first serve basis, and,

Whereas, Prein & Newhof have already been engaged to provide the research, mapping and data for Water & Wastewater systems in the City of Buchanan and have great familiarity with this system, and,

Whereas, Prein & Newhof will complete the Appraisal services for the lump sum price of \$5,000 which, based on currently available information all or part of this may be reimbursable through the SAW grant; therefore,

Be it hereby resolved, that the Buchanan City Commission approves Hiring Prein & Newhof for the submittal of a grant for Services in conjunction with Michigan's new Stormwater, Asset Management and Wastewater (SAW) Grant and authorizes the City Manager to sign any and all agreements relating to this transaction.

Roll call vote carried unanimously. Resolution 2013.07.92 declared approved.

After explanation from Southwell and Marx, **Moore moved, seconded by Terrell to approve the resolution as presented.** Resolution to Consider Approval of Submittal of Grant Application to the Niles, Buchanan and Cass Area Transportation (NATS) for the Transportation Alternative Program (TAPS)

Whereas, the Buchanan City Commission in the County of Berrien, State of Michigan has expressed continued support for the goals of alternative transportation; and,

Whereas, The Niles Buchanan Cass Area Transportation Study (NATS) Metropolitan Planning Organization is officially announcing their call for Transportation Alternative Program, (TAP), projects for the fiscal years of 2014-2017; and

Whereas, The NATS MPO has received a direct allocation of funds from the current transportation bill and these projects will go through a local competitive application process to decide who will receive the funds; and

Whereas, Matching funds-The match will be 81.85% federal and 18.15% match; and,

Whereas, The Transportation Alternatives Program (TAP) is a competitive grant program that funds projects such as non-motorized paths, streetscapes, and historic preservation of transportation facilities, and provide safe alternative transportation options; and,

Whereas, The following amounts are available:

- 2014 - \$43,398
- 2015 - \$44,266
- 2016 - \$45,152
- 2017 - \$46,055; and,

Whereas, Applications are for 1 year of the funds or for all of the 4 years of funding; and,

Whereas, The City of Buchanan will apply for 4 years of funding for such projects, but not limited to, as safe streets surrounding Moccasin School, an asphalt pathway from Ottawa Ridge to the Middle school, and enhancements on North Main,

Whereas, This proposal will have a positive impact on the budget; therefore,

New Business continued

Resolution 2013.07/92, Stormwater, Asset Management & Wastewater (SAW) Grant

Resolution
2013.07/93, Grant
Application to the
Niles, Buchanan
and Cass Area
Transportation
(NATS) for the
Transportation
Alternative Program
(TAPS)

Be it hereby resolved
that the Buchanan C
Commission approv
this application submi
and authorizes the C
Manager to sign a
and all agreemen
relating to this grant.

**Roll call vote
carried
unanimously.**

Resolution 2013.07.93 declared approved.

Wastewater Lead
Operator Job
Description

Marx explained the necessity of a Wastewater Lead Operator position that would need to be filled for the Wastewater Treatment Plant out of the three employees as one union member cannot control another union member. After shared discussion, **Moore moved, seconded by Hagey to approve the WW Lead Operator job description with the correction of a Class C license instead of a B. Roll call vote carried unanimously.**

Amendment to
Salary Table
AFSCME, AFL-
CIO Union Scale

Marx explained the wage scale and reported that the new position would begin at Step 3. **Moore moved, seconded by Terrell to approve the amended Salary Table AFSCME, AFL-CIO Union Scale as presented. Roll call vote carried unanimously.**

Public Comments

Norma Ferris announced that she walked Third Street today and the paving was great that was done with the new patcher and roller.

**Managers
Comments**

Marx reported August 6th “National Night Out” and upcoming Redbud Track & Trail major event on Thursday. He thanked the Fire Department, Common Committee for Stop, Lunch and Listen Program, and Donna for pursuit of both grants.

**Commissioner’s
Comments**

The Mayor read the certificate recognizing Lorraine Moyer for her 90th birthday on August 9th and appreciation for being a valued employee of the City of Buchanan from 1963 to her retirement as City Treasurer in 1985.

Commissioners’ comments included thanks to County Commissioners for coming to City for their meeting and Pears Mill for hosting reception for them, Dial-A-Ride program for bringing persons to the Thursday Concert; any interest in the livery building on the creek and will the city have to shore up the building (\$30,000) due to the creek work the City is doing; thanks to Trail Committee for putting funds in the City, Chamber for events and Southwell for grants; and positive comments received from the County Commissioners about Pears Mill, thanks to volunteers, Yvonne Shaw, Pam Aviles and Harvey Burnett for upcoming National Night Out.

Adjourn

Moore moved, seconded by Terrell to adjourn the meeting at 8:03 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued

CITY OF BUCHANAN COMMISSION MINUTES
BUCHANAN REDBUD CITY CENTER
131 S. OAK STREET
August 12, 2013

PUBLIC HEARING

The Mayor called the public hearing to order at 7:00 p.m. and invited public to express comments concerning An Ordinance of the City of Buchanan, Berrien County, be amended by Revising Article II. Rummage and Garage Sales, Section 74-26. Requirements, Restrictions of said Code; Entitled Secondhand Goods. Hearing no public comments or receipt of written comments, *Moore moved, seconded by Terrell to close the public hearing at 7:02 p.m. Voice vote carried unanimously.*

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan Redbud City Center, 131 S. Oak Street Buchanan, Michigan Monday August 12, 2013 and was called to order by Mayor Cole at 7:03 p.m.

Pledge/Invocation

The Pledge was recited by all. Reverend Jan Mitchell gave the Invocation. She announced the Buchanan Area Ministerial Association (BAMA) Faith and Family Day, explained the event in detail and invited all. She noted the annual back pack give-a-way.

Roll Call

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

Commissioners absent: None

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

Guests/Visitors present: Resident Krista Parin and Special Projects Manager Donna Southwell along with 7 other visitors

Consent Calendar

Scanlon moved, seconded by Moore to amend the Agenda to include, under the Consent Calendar, item E. Approve Banner Placement from McCoy's Creek Trail Committee; under Reports, item B. NATS TAP Grant Update and C. Trail and Watershed Update; and under New Business, item C. CMAQ Grant to redo Redbud/Front Street intersection and Signal light. Roll call vote carried unanimously.

Agenda as amended

Minutes

Checks

Hagey moved, seconded by Terrell to approve the Agenda as amended. Roll call vote carried unanimously.

Buchanan District Library Resignation and Appointment

- Agenda
- Minutes: Regular scheduled meeting, July 22, 2013
- Checks 66459 to 66566 in the amount \$1,183,592.67
- Accept resignation from Rebecca Kaltenbach, effective August 31, 2013 on District Library Board
- Appoint Dare Soley to fulfill vacant term, beginning September 1, 2013 on the District Library Board
- Banner Placement, Friends of McCoy's Creek Trail, 5K & 2 Mile Fun Walk

Banner Placement

Reports

Parin thanked the Commission and announced her biography and vision to replace/develop City Welcome to Buchanan Signs. She worked with Robert Habicht at Gateway Foundation to establish a fund to pay for the signs. Eight places in total with the City Manager's highest priority to be at both ends of Redbud Trail. She partnered with the City so that private funding paid for the Firehouse Park Sign. She then displayed a redwood with gold lettering sign and explained in detail. Commission, Parin and Marx shared discussion and agreed all should be consistent including placards at Bainton Mill, Ross Sanders Building, etc.

City Welcome to Buchanan Signs

Southwell recalled four years of future NATS TAP funding for the City with grant submitted with assistance from Wightman Associates. She reported four phases (\$178,871 with City match of \$54,129) and distributed a map that was passed around. She explained the first street (Moccasin) by Moccasin School for construction and Marx reported there was discussion with the school about the need. Second phase (2015) of Ottawa Elementary and Middle School safety for being illuminated. Third phase of funding to be Trail and alley by McCoy’s Creek Tavern pedestrian crossing and pathway. She distributed renderings of the projects and discussion was shared with Commission, Manager and Southwell.

Trail & Watershed Update

Southwell reported Trail and Watershed Project basically completed at the diversion out past the DPW barn and Department of Natural Resources (DNR) will come down to do a flow study. The trail paving is complete and she distributed the brochures for the upcoming 5K and 2 mile fun walk. Street painting and signage still needed before grand opening/ribbon cutting.

Unfinished Business
Resolution
Ordinance
2013.08/387 388,
Rummage and
Garage Sales
Amendment

After brief explanation from the City Manager and details of past amounts of garage sales, **Hagey moved, seconded by Scanlon to adopt the ordinance as presented.** AN ORDINANCE OF THE CITY OF BUCHANAN, BERRIEN COUNTY, BE AMENDED BY REVISING ARTICLE II. RUMMAGE AND GARAGE SALES, SECTION 74-26. REQUIREMENTS, RESTRICTIONS OF SAID CODE; ENTITLED SECONDHAND GOODS

THE CITY OF BUCHANAN ORDAINS:

Sec. 1. That **ARTICLE II, RUMMAGE OR GARAGE SALES**, Section 74-26, entitled “Requirements, restrictions, is hereby revoked and amended to read as follows:

Section 74-26. Requirements, restrictions.

All rummage, garage, basement, barn, porch, carport, yard, or other like sales of second hand goods on private property shall be subject to the following requirements and restrictions:

- (1) A permit shall first be obtained from City Hall and displayed on site during the time of sale.
- (2) No sale shall be held for more than three (3) consecutive days.
- (3) Signs shall not exceed four (4) square feet in area, and shall be located only on private property with the permission of the property owner. No sign shall be located on the right-of-way of any public street, utility pole, tree, and/or traffic sign. If a sidewalk does not exist, signs shall be placed no closer than ten (10) feet from the street edge.
- (4) Signs shall only be displayed on the days of the sale. All signs must be removed by 6:00 p.m. each night of the sale.
- (5) All sales shall be conducted only on the private property of holder of the permit.
- (6) Not more than two (2) permits shall be issued to the same person or for the same location in any calendar year, except for the City Wide Garage Sales and the Chamber of Commerce sponsored Garage Sales approved by the Buchanan City Commission. Non-profit organizations which can provide off-street parking may receive four (4) permits during a twelve (12) month period.
- (7) The permit fee shall be established by a Fee Schedule adopted by the Buchanan City Commission. An extra fee, according to the Schedule of Fees, shall be charged for any person who does not obtain a permit in advance.
- (8) Any person violating provisions of this section, upon conviction thereof shall be punished as provided in section 1-15 of this code.

(Comp. Ords. Rev. 1999 20.451)

Introduced and Filed on 22nd day of July, 2013 and effective fifteen (15) days after the date of adoption and publication as required by Section 7.4 of the City Charter.

Roll call vote carried unanimously. Ordinance 2013.08/387-388

Marx explained the Amended wage Schedule for the WWTP Lead Plant Operator approved by the AFSCME President. ***Hagey moved, seconded by Moore to approve the Amended Wage Schedule for the WWTP Lead Plant Operator as approved by AFSCME Local 2757.11 Unit President Jason Williams as presented. Roll call vote carried unanimously.***

Amendment to
Salary Table
AFSCME, AFL-
CIO Union Scale,
Wastewater Lead
Operator Job
Description

Reports continued

NATS TAP Grant Update

***Moore moved,
seconded by Terre
to designate the
Mayor as the votin
delegate at the
Michigan***

Municipal League Annual Meeting. Roll call vote carried unanimously. Hagey moved, seconded by Scanlon to designate the City Manager as the voting alternate at the Michigan Municipal League Annual Meeting. Roll call vote carried unanimously.

Schedule of Fees

Discussion shared with Commission, Manager and Clerk regarding the changes/updates of the Schedule of Fees. ***Moore moved, seconded by Scanlon to approve the Schedule of Fees as presented. Roll call vote carried unanimously.***

CMAQ Grant

Southwell announced the Congestion Mitigation Air Quality (CMAQ), a group for Berrien County asked and was approved for four year project. She explained as Buchanan is the smallest community that has mass transit, first year getting dollars for \$2,000 a year with our match of \$400. for utilizing the transit busses on ozone action days and also a new optimization lighting with a camera (stop light) at Front Street/Redbud in 2016., marking \$225,000 with a match of about \$20,000. for engineering to track emissions, usage and statistics. Dan Vigansky, 103 N. Detroit Street commented that the Commission should look into it further before making a decision.

Public Comments

Norma Ferris, Oak Street asked when the Police Department was moving. Marx replied in detail but thought it would possibly be September and stated that Assistant Police Chief Tim Ganus has been monitoring the construction weekly. Dave Mitchell announced that Patriot Day at the Common. Dan Vigansky complained about Channel 17 having no sound. The clerk replied that Channel 17 sound had been worked on after Mr. Vigansky's call earlier in the week and repair would be known after next meeting at City Hall.

Managers
Comments

Marx reported unfortunate event that the excavator peeled a lid off of a main not identified while working at the WWTP. Bill Housand was able to secure the leak to keep the headworks project moving forward although redirection would be needed and he was unsure of what the costs would be to correct. He will be forthcoming with a change order to pay for the issue and the erosion permit received from the County Drain Commission. Volunteer Fire and Police attending the Berrien County Fair with some of our vehicles.

Commissioner's
Comments

All Commissioners' thanked Krista Parin for taking on the signage project with her own personal funds and volunteers for growing Buchanan.

Commissioners' comments included developing a brochure for allowable garage sale signs, out of town visitors surprised to see how the City built up the Arts and Historic District with funding raised by volunteers and grants, no swimming in Lake Michigan if there is a red flag, and Southwell looking for funding for a dog park. The Mayor asked about temporary painting of the sign at the Redbud City Center.

Adjourn

Terrell moved, seconded by Moore to adjourn the meeting at 8:57 p.m. Voice vote carried unanimously.

 Gladys M. Bybee, MMC-City Clerk

 Carla M. Cole, Mayor
New Business

MML Annual Meeting Delegates

CITY OF BUCHANAN COMMISSION MINUTES

August 26, 2013

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday August 26, 2013 and was called to order by Mayor Cole at 7:00 p.m.

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

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

Commissioners absent: None

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

Guests/Visitors present: Buchanan District Library Executive Director Kate Scheid and Wightman & Associates, Inc. Project Manager Steve Carlisle along with 4 other visitors

Scanlon moved, seconded by Terrell to amend the Agenda to include under Closed Session B. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained [15.268 Sec. 8. (d)] and correct the August 12, 2013 minutes to reflect ORDINANCE 2013.08/388 instead of Resolution 387. Roll call vote carried unanimously.

Scanlon moved, seconded by Terrell to approve the Agenda and minutes correction as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, August 12, 2013 as amended
- Checks 66567 to 66652 in the amount \$2,358,770.08
- Accept resignation from Dianne Ross from the District Library Board
- Appoint Laura O’Sullivan to the Downtown Development Authority (DDA) for a term ending 2017
- Proclamation Declaring September 17 to 23 as Constitution Week
- Street Closure’s for McCoy’s Creek Trail 5k Run & 2 Mile Fun Walk on September 1, 2013 during Harvest Buchanan

Kate Scheid summarized the documents that was distributed prior to the meeting which included the Annual Report, Feasibility Study for Program Facility Development Project (two phases) budget and drawing. Discussion was shared with Commission and Scheid.

After report from the City Manager that no changes have been made, *Moore moved, seconded by Scanlon to approve the Crossing Guard Service Agreement between Buchanan Community Schools and the City of Buchanan. Roll call vote carried unanimously.*

Steve Carlisle summarized the E. Front Street Improvements Project from Redbud Trail (does not include intersection) to East City Limit. He explained funding in detail that had already been approved with an estimated begin date of April 2014. He presented resurfacing plans for the project and elaborated on each page. Questions/discussions regarding keeping the businesses open during construction, sewer lines being smoked for condition along the reconstruction sight, funding and total project costs were shared between Commission, City Manager and Carlisle.

Hagey moved, seconded by Scanlon to approve the final resurfacing plan for E. Front Street Improvements to be submitted to Michigan Department of Transportation. Roll call vote carried unanimously.

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda as amended

Minutes as amended

Checks

Resignation from District Library Board

DDA Appointment

Proclamation

Street Closures

Reports

Buchanan District Library

New Business

Crossing Guard Service Agreement

E. Front Street Fin Resurfacing Plan

Marx reported working towards the waste water system known as the oxidation ditch (ten years ahead). Shared discussion included the property being in a Brownfield district, conversation with Horizon Environmental, the existing 3.8 acre plant and the areal photograph drawing distributed earlier. ***Hagey moved, seconded by Scanlon to authorize the City Manager to negotiate a Purchase Agreement with Brian Kilgore providing that the City wants to purchase the property on River Street after closed session discussion. Roll call vote carried unanimously.***

Public Comments

**Managers
Comments**

Dave Mitchell invited all to the 9-11 Patriot’s Day Program and reported giving out 320 backpacks along with extras for the students that were displaced from the apartment fire.

**Commissioner’s
Comments**

Marx commended all that assisted with the Parkside Terrace Apartment fire and announced that the next City Commission meeting would be held at the Tin Shop Theatre (September 9).

All Commissioners’ commended all that assisted with the fire and those who reached out to assist the displaced families. Other comments included condolences to family of 30 year firefighter Tom Burks, thanks to Kate Scheid and the Library, thanks for all the scarecrows put up in town, and urged attendance to the Labor Day plans for Harvest Buchanan

Closed Session

Hagey moved, seconded by Scanlon to go into Closed Session to discuss the personnel evaluation of the City Manager as requested [15.268 Sec.8 (a)] and purchase or lease of real property up to the time an option to purchase or lease that real property is obtained [15.268 Sec. 8. (d)] at 8:09 p.m. Roll call vote carried unanimously.

Authorize City
Manager to
Negotiate Purchase
Agreement

The Mayor reconvened the meeting at 9:32 p.m.

Scanlon moved, seconded by Hagey to authorize the City Manager to Negotiate a Purchase Agreement for 2.7 acres of property along River Street owned by Brian Kilgore to accommodate future Waste Water Treatment Plant expansion.

Adjourn

Hagey moved, seconded by Scanlon to adjourn the meeting at 9:34 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued

Authorize City Manager to Negotiate Purchase Agreement

CITY OF BUCHANAN COMMISSION MINUTES

September 9, 2013

The regular scheduled meeting of the City Commission was held at the Tin Shop Theatre, corner of Roe Street and Days Avenue, Buchanan, Michigan Monday September 9, 2013 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Pastor Dan Barz gave the Invocation. Commissioner Moore read the biography of Kathy Kingery and the Mayor presented her with a Certificate of Appreciation. The Clerk also presented her with a Buchanan Life is Better Here pin on retirement for her 46 years of being an Election Inspector for the City. Commissioner Hagey read the exemplary volunteerism that Alex and Jamie worked on cleaning McCoy's Creek and the Mayor presented them each with a Certificate of Appreciation.

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

Commissioners absent: Michael Terrell

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

Guests/Visitors present: Fine Arts Council representative Alice Kring along with 13 visitors

Moore moved, seconded by Scanlon to amend the Agenda to include G. Appoint Boyd Van der Laan to the Zoning Board of Appeals under the Consent Calendar and B. 5K Fun Run Walk-Teresa Green under Reports. 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 scheduled meeting, August 26, 2013

Checks 66653 to 66778 in the amount of \$843,635.59

Addendum 2, Notice of Meetings for the City of Buchanan City Boards during 2013

Amendment to Schedule of Fees to include parking fines

Street Closure; Front Street from Smoke Vision to Terre Coupe to Smith Street and end at McCoy Creek Recreation Area for Buchanan High School Homecoming Parade

Appoint Boyd Van der Laan to the Zoning Board of Appeals

Fine Arts Council/Tin Shop Theatre Representative Alice Kring announced the performance "Murder Can be Habit Forming" and she distributed complimentary tickets.

Teresa Green reported the City of Buchanan, Friends of the Trail and Bucktown Studios sponsored the 5k Fun Run/Walk with 150 participants with an estimated \$3,000 plus raised. Discussion was shared with Commission, Green and Southwell.

Dan Lewis, Project Engineer from Prein & Newhof explained five items on the change order decided by Trail Committee and City Staff. Southwell reported that the DNR was pleased that sod and dirt were added, stretch of 12-16 cedar trees along the Trail were removed, curbs removed and rocks rearranged at the riffle. Budget and costs were discussed and Southwell confirmed to report the in-kind match total amount at a later date with a final report by the first meeting in October. Lewis reported a total project cost of \$386,999.82. Marx said funding for securing the bank of the Creek behind the Tin Shop was not part of the grant. Southwell said the next step was that the Trail would be

Call to Order

Pledge/Invocation

Certificate of Appreciation's

Roll Call

Consent Calendar

Agenda as amended

Minutes

Checks

Addendum to Notice of Meetings

Amendment to Schedule of Fees
Street Closure
ZBA Appointment

Reports

Alice Kring, Tin Shop Theatre

Friends of the Trail
5k Fun Run/Walk

Unfinished

Business

McCoy Creek Trail
Phase II Change
Order and McCoy
Creek Restoration

reporting to the Department of Natural Resources (DNR) what funds are left. **Hagey moved, seconded by Scanlon to approve and authorize the City Manager to sign Change Order No. 1 for McCoy’s Creek Trail Extension-Phase II & McCoy’s Creek Restoration. Roll call vote carried unanimously.**

Final Billing for Bilmar Construction and Prein & Newhof

After Lewis confirmed the payment of all sub-contractors from Bilmar, **Hagey moved, seconded by Scanlon to approve the final Billing for Bilmar Construction and Prein & Newhof for expenses for McCoy’s Creek Trail Extension-Phase II & McCoy’s Creek Restoration. Roll call vote carried unanimously.**

Certificate of Substantial Completion

Hagey moved, seconded by Moore to authorize the City Manager to sign Certificate of Substantial Completion of McCoy’s Creek Trail Extension-Phase II & McCoy’s Creek Restoration. Roll call vote carried unanimously.

New Business
Trick-or-Treat

After brief discussion about the parade and trek-or-treat being on Saturday October 26th, **Scanlon moved, seconded by Moore to set Trick-or-Treat on Saturday October 26th from 6:00 p.m. to 7:30 p.m. Roll call vote carried unanimously.**

Public Comments

Managers Performance Review

Resident Norma Ferris asked that the Parks be officially named by the Commission and signs put up designated same.

The Mayor stated that a performance review of the City Manager was done at the last meeting during closed session with very good ratings from each Commissioner. She read a letter from Dick Proud commending City Manager Bill Marx and she read a news release for Bill Marx as City Manager.

Managers Comments

Commissioner’s Comments

Marx announced upcoming 9-11 event along with fundraisers for the displaced residents from the Parkside Terrace Apartment fire.

Closed Session

All Commissioners’ commended Kingery and both Reitz’s for their contributions to Buchanan. Hagey commended the Chamber of Commerce for Harvest Fest over Labor Day weekend and Cole thanked the Fine Arts Council for hosting the meeting at the Tin Shop Theatre.

Scanlon moved, seconded by Moore to go into Closed Session to review the minutes from Closed Session meeting on August 26, 2013 to discuss the personnel evaluation of the City Manager as requested [15.268 Sec.8 (a)] and purchase or lease of real property up to the time an option to purchase or lease that real property is obtained [15.268 Sec. 8. (d)] at 7:50 p.m. Roll call vote carried unanimously.

August 26 2013
Closed Session
Minutes

The Mayor reconvened the meeting at 7:54 p.m.

Adjourn

Hagey moved, seconded by Scanlon to approve the August 26, 2013 Closed Session minutes as read in closed session. Voice vote carried unanimously.

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

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

Unfinished Business continued

McCoy Creek Trail Phase II & McCoy Creek Restoration Change Order

CITY OF BUCHANAN COMMISSION MINUTES

September 23, 2013

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 23, 2013 and was called to order by Mayor Cole at 7:01 p.m.

Pledge/Invocation

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

Roll Call

Commissioners present: Carla Cole, David Hagey, Patricia Moore

Commissioners absent: Earl Scanlon III., Michael Terrell

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

Guests/Visitors present: Southeast Berrien County Landfill Director Sonny Fuller, Transportation President Kim O'Haver and Berrien County Transportation Manager Dennis Schuh along with 5 visitors

Consent Calendar

Agenda

Minutes

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

Checks

- Agenda
- Minutes: Regular scheduled meeting, September 9, 2013
- Checks 66779 to 66863 in the amount of 173,004.56
- Accept Assessor Department Report from March 11, 2013
- Accept Southeast Berrien County Landfill Authority Budget Fiscal Year 2013-2014
- Approve Street Closure; Smith Street between High School Parking Lot to Centennial Park Parking Lot for 5th Gear Band Fundraiser for Parkside Terrace Fire Displaced Residents

Assessor

Department Report

Street Closure

Reports

Southeast Berrien County Landfill

Sonny Fuller reported that the Landfill will be giving out scholarships for the first time this year, October 19 partnering with Berrien County for household hazardous waste collection day, document shredding and electronic recycling. He asked for questions on the presented 2013-2014 Budget and announced that he will present the Landfill Audit when completed.

New Business

Transit Operating Agreement between the County of Berrien and the City of Buchanan

Dennis Schuh, Transportation Manager for Berrien County explained the Transit Operating Agreement between the County of Berrien and the City of Buchanan; October 1 ending September 2014. He introduced Kim O'Haver, the third party administrator for Buchanan Dial-A-ride. O'Haver commented that this is an advantageous opportunity and Schuh has submitted a grant to CEMAC for replacement of two buses in 2015 and one in 2016. Discussion was shared. Marx reported that seniors were being transported to the Thursday evening concerts with possible future opportunities. ***Moore moved, seconded by Hagey to approve the Transit Operating Agreement between the County of Berrien and the City of Buchanan. Roll call vote carried unanimously.***

Public Comments

Norma Ferris, Oak Street stated she didn't hear anything about 5F. under the Consent Calendar. Dan Vigansky thanked the City for fixing the audio with airing the meetings on the public broadcasting channel and stated he was extremely dissatisfied with the members for voting yes for the raise and benefits to the Director at the Landfill.

The City Manager reported on the water leak in the

well field in that he met with two vendors that will be getting back with us on Wednesday with some figures for cost. He will have more information at the end of the week. He announced all Halloween festivities and is working on getting the speed limit trailer from the County.

Southwell reported on the Press Release for McCoy’s Creek Clean-Up and October 26 Make a Difference Day. She also explained that willow and elm trees would be obtained specifically to stabilize the bank and shade along McCoy’s Creek.

Commissioners’ comments included congratulations to the Fine Arts Council on another season, thanks to 5th Gear for the fundraiser for the fire victims, and possibly “loose stones” signs warranted with new patcher.

**Commissioner’s
Comments**

Moore moved, seconded by Hagey to go into Closed Session to discuss the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained [15.268 Sec. 8. (d)] at 7:31 p.m. Roll call vote carried unanimously.

Closed Session

The Mayor reconvened the meeting at 7:47 p.m.

Moore moved, seconded by Hagey to adjourn the meeting at 7:47 p.m. Voice vote carried unanimously.

Adjourn

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor



CITY OF BUCHANAN COMMISSION MINUTES
October 14, 2013

Call to Order: The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan on Monday, October 14, 2013 and was called to order by Mayor Cole at 7:02 p.m.

Pledge of Allegiance – Invocation: The Pledge was recited by all. Reverend Michael Carpenter of the New Good Hope Missionary Baptist Church gave the invocation and introduced himself and his church to the Commissioners.

Roll Call: Commissioners present: Carla Cole, David Hagey, Patricia Moore, Earl Scanlon III
Commissioners absent: Michael Terrell
Staff Present: City Manager Bill Marx, Administrative Assistant Debra Patzer, Special Projects Manager Donna Southwell
Guests/Visitors Present: County Commissioner Mac Elliot and 2 visitors

Public Comments: None.

Consent Calendar: At the request of the City Manager, ***Scanlon moved, seconded by Moore, to amend the agenda to add item “I. Consider approval of the proposal of Selge Construction Co., Inc. for Well Field Water Main Replacement” under VIII New Business. Roll call vote carried unanimously. Scanlon moved, seconded by Moore, to approve the Consent Calendar as amended. Roll Call vote carried unanimously.***

Agenda (as amended)

Minutes: Special meeting, September 16, 2013

Minutes: Regularly scheduled meeting, September 23, 2013

Checks 66864 to 66963 in the amount of \$237,973.61

Absence of Michael Terrell from September 9 & 23, 2013 Commission meetings

Absence of Earl Scanlon III from the September 16 & 23, 2013 Commission meetings

Street Closure: Oak and Front from 131 S. Oak to 101 S. Redbud for the Halloween Parade

Addendum 3, Notice of Meetings, Watershed Quality Support Board

Sherrie Daniel to the Downtown Development Authority to fulfill a term through 2017

Molly Thornton to the Buchanan District Library to fulfill an expired term through June 2014

Reports by: Departments, Committees, Boards: Berrien County Commissioner Mac Elliott provided the Commission with an update on the developments at the County regarding the future of the Road Commission and promised to send them a report by County Administrator Wolf outlining the options the County was considering. He also touched on funding for the Road Commission, the 2014 County Budget, and the need for centralized county administration.

Unfinished Business - None

New Business: Marx explained that the City needs to formally state that it wants to continue its relationship with the County for Dial-a-Ride service while waiting for contract approval from the State. ***Moore moved, seconded by Scanlon to approve Resolution 2013.10/94 Authorizing the City Manager to sign a Letter of Continuation for public transportation with the County. Roll call vote carried unanimously.***

Marx explained that the Desenberg plat modification process continues to move forward through the judicial system, and that the City Attorney has requested the Commission to authorize the City Manager to sign any necessary agreements necessary to accomplish the eventual plat modification. Marx noted that the City Attorney will be present at future meetings to explain this complicated procedure in more detail. ***Moore moved, seconded by Scanlon, to authorize the City Manager to enter into any***

necessary agreements to accomplish the filing of the complaint and filing of a judgment amending the plat. Roll call vote carried unanimously.

Southwell presented the new Planning & Zoning Fees to the Commission. The fees were determined after considerable research into what neighboring communities were charging and the staff time involved in various activities. **Scanlon moved, seconded by Moore, to approve the planning and zoning fees and include them in the Schedule of Fees. Roll Call vote carried unanimously.**

Southwell explained the County's request for the City to join them and other MS4 communities in submitting a RFQ for engineering services related to compliance with the required NPDES Stormwater Permit. The current engineering firm is no longer interested in providing this service. Inclusion in the RFQ in no way obligates the City financially. Discussion followed regarding the City's ability to achieve compliance on its own and the stringent Federal and State requirements. **Scanlon moved, seconded by Moore, to join Berrien County and other MS4 Communities in a RFQ for engineering assistance with compliance for the NPDES Stormwater Permit. Roll Call vote carried unanimously.**

Marx explained that the City staff had been working diligently to update both the Water and Sewer Service Agreements with Buchanan Township because they were 30 years old, and needed to be updated to reflect actual practices in the operation and maintenance of the systems, but they had been met with some resistance by the Township. The current agreements expired on October 11, 2013 and the City and Township needed a formal recognition of the extension of the current agreement through December 31, 2013. Hagey asked if metering was an issue. He commented on the disparity between townships and cities with the City providing services to townships and bearing a higher tax burden. After discussion, **Scanlon moved, seconded by Moore, to approve the letters of understanding and extend water and sewer service to Buchanan Township through December 31, 2013. Roll call vote carried with three yeas and one nay. YEA: Cole, Moore, Scanlon. NAY: Hagey**

Commissioner Terrell is temporarily absent from the Commission and it is necessary to appoint other Commissioners to take his place until he returns. **Scanlon moved, seconded by Moore, to appoint Scanlon to the Plan Commission, Hagey to the Design Review Committee, and Moore to the BARB as a citizen rep. Roll Call vote carried unanimously.**

The Zoning Board of Appeals is a five member board and needs at least 3 like votes when making a decision. The City has the right to appoint an alternate Commissioner in the event that the regular Commission member has a conflict with a proposed meeting. **Scanlon moved, supported by Moore, to appoint Hagey as the alternate Commissioner to the ZBA. Roll call vote carried unanimously.**

Marx indicated that since the Commission had had their special meeting to discuss the situation at the well field things had gotten progressively worse with the transition main. When the new chemical feed building was constructed, the main was exposed. It was pitted and eroded. Since then, the small leak behind the building has grown larger. When water is pumped, approximately 9% is lost due to leakage. The water table is very high in that area and presents significant challenges to effective repairs. This is critical for the City...if the system fails there is only have enough reserve water for 30 hours. The only permanent solution is to bypass the existing system and replace it with a new well field water main system – 700 feet of line including the main and laterals, and 5 connections. The City has obtained three quotes: the first was \$253K, the second was \$215K plus mobilization fees, and the third was \$197,125 from Selge Construction Co. Selge and our engineer are very confident that they can do the job, which will take approximately three weeks. They need the go ahead ASAP. The replacement product to be installed is a large hard rubber hose with a 14" interior diameter and 2 ½ inch thick walls. The line will go under the creek, 10' beneath the creek bed. No permits are needed for this work because it falls under what our current permit allows. We will need to supply as-builts to the state. Hagey clarified that all laterals and the main line would be replaced. Scanlon asked if the existing infrastructure would need to be removed. Marx responded that it would not. Funding for this project

would come from the water and sewer capital reserves. The auditors are comfortable with the proposed use of the funds. **Scanlon moved, supported by Hagey, to approve the proposal of**

Selge Construction Company, Inc. to replace the well field water mains for an amount not to exceed \$197,125.00. Roll call vote carried unanimously.

Public Comments: Norma Ferris asked that the City maintain the former duck pond area.

City Manager's Comments: The DPW has been working on obtaining a camera system to photograph our sewer system. This is a piece of equipment we need, as it is our responsibility to videotape the stormwater and sewer lines on E. Front Street prior to the construction of the improvements next year (a \$4-10K cost). We have a vendor who will sell us a 2011 demo model for \$62,000 (cost new is \$100K). It is self contained and German engineered. We have reached out to our neighbors in Dowagiac and they are interested in sharing the cost with us as co-owners. A memorandum of understanding has been drafted and is being reviewed. Shared ownership would also be a bonus in our EVIP plan.

Edgewater Bank has completed their remodel and moved back into their portion of the building. They are working on the façade (the fascia has been painted blue and looks very nice). We're working with AT&T and they won't be able to complete the installation of the phone system until 11/29. We have been able to save money and all preparation should be completed within and below the authorized \$27K budget. We will have a joint open house in the future.

The City will have Halloween festivities on Saturday, October 26th. The Fire Department will have their fall pancake breakfast from 8-11 a.m.; the Masons will have cider and donuts for kids at the Community Center at 9:00 a.m. with the parade starting 10a.m. The Moose Lodge will host the Halloween Party from 11 a.m. to 12:30 p.m. Trek or Treat is from 12:30 – 2p.m. Trick or Treat is from 6-7:30p.m. The police will be checking candy as they do every year. That day is also Make a Difference Day and 75 American Heritage Trees will be planted along the creek and mill race by volunteers.

Commissioners' Comments: Included wishes for a happy and safe Halloween and thanks to County Commissioner Elliot for looking out for Buchanan's interests. Hagey asked Elliot if he would check on the status Landfill payments to the County. Moore noted that the Dog Committee was showing Lady and the Tramp at the Sr. Center at 6:30p.m. Costumed dogs welcome. Scanlon thanked the Masons for their participation on Halloween and commented that Saturday would be a day of events for everyone.

CLOSED SESSION – At 8:55 p.m. the Commission went into closed session to review minutes from September 23, 2013 and to discuss the purchase of real property.

The open meeting resumed at 8:59 p.m. **Moore moved, seconded by Hagey, to approve the minutes of September 23, 2013 Closed Session. Voice vote carried unanimously.**

Adjourn: There being no further business, **Hagey moved, seconded by Moore to adjourn the meeting at 9:00 p.m. Voice vote carried unanimously.**

Debra Patzer, Administrative Assistant

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
October 28, 2013

The regular meeting of the City Commission was scheduled at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan on Monday October 28, 2013. There was not a quorum. Mayor Cole called the meeting to order at 7:04 p.m.

Commissioners present: Carla Cole, Patricia Moore

Commissioners absent: David Hagey, Earl Scanlon III., Michael Terrell

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: 2 visitors

Due to lack of a quorum and according to Charter Section 6.5, ***Moore moved, seconded by Cole to adjourn the meeting at 7:05 p.m. and rescheduled the meeting to Tuesday, October 29 at 7:00 p.m.***

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

October 29, 2013

Pledge/Invocation

The regular rescheduled meeting (due to lack of a quorum) of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday October 29, 2013 and was called to order by Mayor Cole at 7:00 p.m.

Roll Call

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

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

Commissioners absent: Michael Terrell

Staff present: City Manager Bill Marx, Police Sergeant Harvey Burnett, Special Project Manager Donna Southwell and Clerk Gladys Bybee

Guests/Visitors present: Joe Sobieralski, Southwest Michigan Economic Growth Alliance Director, Dennis Schuh, Berrien County Transportation Manager, and Tim Gray, Southwestern Michigan Community Ambulance Service along with 3 visitors

Resolution
2013.10/96, Berrie
County Hazardous
Mitigation Plan

Sergeant Burnett explained the Berrien County Hazardous Mitigation Plan that he recommended the City to adopt. ***Scanlon moved, seconded by Moore to approve the Resolution as presented.***

WHEREAS, City of Buchanan, Michigan is aware of the damages, lives lost, and cost associated with disasters and recognizes the need to plan for and mitigate disasters in Berrien County. Disasters in Berrien County have damaged commercial, residential, and public properties, displaced citizens and businesses, closed streets and bridges and presented general public health and safety concerns; and

WHEREAS, Berrien County in cooperation with each local unit has prepared a Hazard Mitigation Plan that outlines options to reduce overall damage and impact from hazards affecting Berrien County and its local units; and

WHEREAS, the Hazard Mitigation Plan has been made available to the general public, business owners and federal, state and local agencies and has been revised to reflect their concerns;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Buchanan, Michigan adopts the Berrien County Hazard Mitigation Plan as an official plan, and

BE IT FURTHER RESOLVED that the City of Buchanan, Michigan will choose a representative to sit on the disaster committee and/or hazard mitigation sub-committee, and

BE IT FURTHER RESOLVED that the City of Buchanan, Michigan will continue to participate in efforts to implement and update the plan, and

BE IT FURTHER RESOLVED that Resolution 2005.07/19 is hereby repealed.

Roll call vote carried unanimously. Resolution 2013.10/96 declared approved

Consent Calendar

Agenda
Minutes
Checks

Scanlon moved, seconded by Moore to amend the Consent Calendar to include D. Minutes: Regular scheduled meeting October 28, 2013 under the Consent Calendar as requested. Roll call vote carried unanimously. Scanlon moved, seconded by Moore to approve the amended Consent Calendar. Roll call vote carried unanimously.

Commissioner
Absence Excused
Water Quality
Support Board By-
laws
Certify Delinquent
Township Utility
Bills
Minutes

- Agenda
- Minutes: Regular scheduled meeting, October 14, 2013
- Checks 66964 to 67055 in the amount of \$213,502.32
- Excuse the Absence of Michael Terrell from the October 14, 2013 City Commission Meeting
- Watershed Quality Support Board By-Laws
- Certify Delinquent Township Utility Billings to Winter 2013 Tax Roll
- Minutes: Regular scheduled meeting October 28, 2013 rescheduled until October 29, 2013 due to lack of a quorum

Reports

Circuit Court Judge
Candidacy

Judge Scott Schofield, Judge for Berrien County Family Division Court announced his candidacy for Circuit Court Judge in 2014 and explained the Berrien County judicial system.

Southwell reported
that according to h
research of the
Comprehensive
Zoning Ordinance

Call to Order

Amendment and legal counsel letter, she was notifying the Commission that her Document C contained in the packet (Article XI C – 3 Central Business District regarding Section 11.04 – Alteration, Site, and Façade Plan Required) was invalid. She summarized her research packet of information regarding the two paragraphs in regards to Document C. Commission, Southwell and Marx shared discussion and questions of the Design Review Committee as legal review was done in 2007 when an issue occurred with a downtown business. Southwell confirmed to bring information/clarification back to the next meeting.

After Sobieralski reported that the language was omitted from the last paragraph of the resolution approved at the previous meeting, **Hagey moved, seconded by Moore to approve the amendment to Resolution as explained.** Granting an Industrial Facilities Exemption Certificate for C&S Machine Products, Inc., 215 South Post Road.

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

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

WHEREAS, before acting on said application the Commission held a public hearing on May 28, 2013 at the Buchanan City Hall, at which hearing the Applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

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

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

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 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 Public Act No. 198 shall not have the effect of substantially impeding the operation of the Commission, or impairing the financial soundness of a taxing unit, which levies ad valorem property taxes in the City.

The Letter of Agreement between the Applicant and the City is hereby approved.

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

Roll call vote carried unanimously. Amendment 1 to Resolution 2013.06/88 approved.

Marx explained the transmission lines at the well field that was not cohesive with the maps and different sets of plans. Selge Construction could not adhere to the \$9,500 bid, to dig and put in new pipe and valves, thus the extra work needed would cost more but would not exceed \$50,000. Marx confirmed that the work will be marked and mapped on the GIS system and Selge will provide as-builts. After shared discussion and questions, **Moore moved, seconded by Hagey to approve the Addendum to Proposal dated October 14, 2013 from Selge Construction Company, Inc. regarding City of Buchanan Well Field Water Main Replacement not to exceed \$50,000 . Roll call vote carried unanimously.**

Schuh summarized the previous Resolutions that have been approved by the City and explained the Procurement Appendices for the Federal Transportation Administration (FTA) Purchases. **Scanlon moved, seconded by Moore to authorize the City Manager to sign the Procurement Appendices A, C, E, H, & J for FTA Purchases and submittal of the Agreement. Roll call vote carried unanimously.**

Reports continued

Invalid Comprehensive Zoning Ordinance Amendment

Unfinished Business

Amendment 1 to Resolution 2013.06/88, IFEC for C&C Machine Products, Inc.

Addendum to Proposal dated October 14, 2013 from Selge Construction, City of Buchanan Well Field Water Main Replacement

New Business

Procurement Appendices for Federal Transportation Administration purchases

After Commission and Gray shared discussion, **Scanlon moved, seconded by Moore to approve**

the resolution as presented. In support of Southwestern Michigan Community Ambulance Service (SMCAS) Application for a State of Michigan Competitive Grant Assistance Program Grant to fund a Feasibility Study.

Whereas, Southwestern Michigan Community Ambulance Service (SMCAS) is applying for a grant for a State of Michigan Competitive Grant Assistance Program to fund a feasibility study on the operations of (SMCAS) and the owner municipality fire departments within the SMCAS assessment district; and

Whereas, the purpose of the study is to look at the overall operations of all of these respective departments and to determine the feasibility of consolidating the fire departments with SMCAS to form a Fire-Emergency Management Service District and whether there would be cost savings and/or benefits to all of the municipalities by consolidating and forming this unified District; and

Whereas, the Commission of the City of Buchanan is consistently searching for measures to provide cost savings and benefits to the inhabitants of the City of Buchanan.

NOW THEREFORE, BE IT RESOLVED, that the City Commission of the City of Buchanan hereby confirms support for the submittal of a grant by Southwestern Michigan Community Ambulance Service (SMCAS) to fund a feasibility study.

Roll call vote carried unanimously. Resolution 2013.10/97 approved.

Gray reported on previous and current changes to the SMCAS Articles of Incorporation and explained. Discussion was shared between Gray and Commission. ***Scanlon moved, seconded by Moore to approve the Southwestern Michigan Community Ambulance Service Articles of Incorporation as Amended. Roll call vote carried unanimously.***

Southwell reported on the last of the construction pieces of the McCoy’s Creek & Trail Features. She explained the plantings that were done on Saturday. ***Scanlon moved, seconded by Moore to award the bid for McCoy’s Creek & Trail Features to the lowest bidder, Affordable Bulldozing, Buchanan in the amount of \$17,000 as recommended. Roll call vote carried unanimously.***

After Southwell explained the review and comparison, ***Hagey moved, seconded by Moore to approve the Building Fees and to include them into the Schedule of Fees. Roll call vote carried unanimously.***

Marx summarized the Industrial Facilities Exemption Certificate for Premier Tool & Die Cast resolution. ***Scanlon moved, seconded by Moore to approve the resolution as presented.*** To Revoke Industrial Facilities Exemption Certificate No. 2004-047 for Premier Tool & Die Cast Corporation in the City of Buchanan. Discussion shared with Marx and Commission about four acres that the City sold Premier in 2004 and possibly getting reimbursed or getting the property back. Marx confirmed that he would research.

WHEREAS, Industrial Development District No. 58-01-82 was established by Resolution, dated June 28, 1982 for Andrews Farm Industrial Park and Post road Industrial Area, Buchanan, Michigan 49107; and

WHEREAS, the City of Buchanan, on August 23, 2004 approved Industrial Facilities Exemption Certificate now identified as IFT No. 2004-047 for Premier Tool & Die Cast Corporation for **\$255,000** for real and \$1,010,000 for personal property for **12** years, expiring December 30, 2016, and authorized the Mayor and City Clerk to sign the City of Buchanan Industrial Facilities Exemption Certificate IFT Agreement as required under P.A. 198 of 1974 as amended, and

WHEREAS, the State of Michigan Department of Treasury issued an amended Industrial Facility Exemption Certificate numbered **2004-047A**, to Premier Tool & Die Cast Corporation, located in the City of Dowagiac, Cass County, revised on **December 22, 2008** based on a request to transfer property under IFT certificate 2004-047 from the City of Buchanan, Berrien County to the City of Dowagiac, Cass County in the amount of \$994,733 in personal property; and

WHEREAS, Premier Tool & Die Cast Corporation closed its entire facility and operation on December 31, 2007, and is no longer in operation in the City of Buchanan, and

Resolution
2013.10/97, Support
for SMCAS to
Apply for a State of
Michigan
Competitive Grant
Assistance Program
Grant to fund a
Feasibility Study

SMCAS Articles of
Incorporation

Bid Award,
McCoy’s Creek &
Trail Features

Building Fees

Resolution
2013.10/98, Revoke
Industrial Facilities
Exemption
Certificate No.
2004-047 for
Premier Tool & Die
Cast Corporation

New Business continued

WHEREAS, Gordon
Schreiber, Assessor on

October 22, 2013 reviewed this matter and recommends to the Buchanan City Commission to revoke the Industrial Facilities Exemption Certificate No. 2004-047 for Premier Tool & Die Cast Corporation, now therefore;
BE IT RESOLVED, that the Commission for the City of Buchanan revokes Industrial Facilities Exemption Certificate No. 2004-047 for Premier Tool & Die Cast Corporation for \$255,000 for real property expiring December 30, 2016, and

BE IT FURTHER RESOLVED, that the Commission for the City of Buchanan requests the Michigan State Tax Commission to revoke Industrial Facilities Exemption Certificate No. 2004-047 for Premier Tool & Die Cast Corporation.

Roll call vote carried unanimously. Resolution 2013.10/98 approved.

Marx reported on the opportunity to work with the City of Dowagiac to purchase a camera and vehicle to videotape wastewater lines. He explained Attorney Hyrns is reviewing the document with minor changes to the Agreement. Discussion shared between Commission and Marx and he confirmed the use of wastewater reserves in the amount of \$53,500. **Cole moved, seconded by Moore to approve the Memorandum of Agreement between the City of Buchanan and the City of Dowagiac to purchase the Wastewater System Video Camera Demo Unit at a cost of \$53,500. Roll call vote carried unanimously.**

Memorandum of Agreement with City of Dowagiac Wastewater System Video Camera

Managers
Comments

Commissioner's
Comments

The City Manager reported the progress moving forward with the Edgewater Bank building and the Halloween Festivities attracting 2,000 plus people in the City on Saturday.

Closed Session

All Commissioners' comments included congratulations to all for the Halloween Festivities over the weekend including the dog costume contest and movie to raise funds for the dog park. Hagey commented on the grant Watervliet received from Michigan Economic Development Authority and guests in attendance were thanked.

Moore moved, seconded by Hagey to go into Closed Session at 8:51 p.m. to review the 10-14-13 Closed Session Minutes where the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained [15.268 Sec. 8. (d)] was discussed. Roll call vote carried unanimously.

10-14-2013 Closed Session Minutes

Adjourn

The Mayor reconvened the meeting at 8:53 p.m.

Cole moved, seconded by Hagey to approve the Closed Session Minutes as reviewed in Closed Session. Voice vote carried unanimously.

The Mayor adjourned the meeting at 8:54 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued

Resolution 2013.10/98, Revoke IFEC No. 2004-047 for Premier Tool & Die Cast Corporation

CITY OF BUCHANAN COMMISSION MINUTES

November 11, 2013

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday November 11, 2013 and was called to order by Mayor Cole at 7:00 p.m.

Pledge/Invocation

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

Roll Call

Commissioners present: Carla Cole, David Hagey, Patricia Moore

Commissioners absent: Earl Scanlon III, Michael Terrell

Staff present: City Manager Bill Marx, Assistant Police Chief Tim Ganus, and Clerk Gladys Bybee

Guests/Visitors present: Prein & Newhof Engineer Dan Lewis along with 2 visitors

Consent Calendar

Agenda as amended
Minutes
Checks

Moore moved, seconded by Hagey to amend the Consent Calendar to include E. under New Business, Consider Authorizing Replacement of 1999 Ford Explorer with Purchase of 2008 Ford Expedition Special Service Vehicle Contingent on Mechanics Review. Roll call vote carried unanimously. Moore moved, seconded by Hagey to approve the amended Consent Calendar. Roll call vote carried unanimously.

Commissioner
Absence Excused

- Agenda as amended
- Minutes: Regular rescheduled meeting, October 29, 2013
- Checks 67056 to 67155 in the amount of \$288,311.69
- Excuse the Absence of Michael Terrell from the October 29, 2013 City Commission Meeting
- Wastewater Treatment Plant Operator Job Description
- Banner Placement Form; Promotion & Marketing Committee (PMC)/Downtown Development Authority (DDA) for White Saturday from 11/12/13 to 12/2/13

WWTP Operator
Job Description

Banner Placement
White Saturday

Reports

Police Department

Assistant Chief Ganus reported that the Police Department had been in the Ross Sanders House since 1949 and would be open for business at the new building at 720 E. Front Street on December 2, 2014. He thanked the Commission on behalf of the department and announced an Open House on December 10th. He further reported hands-on training with Berrien County Sheriff's department, upgrade computers in the squad cars, bike patrol increased past summer with plans to have bikes on trail next year, zero tolerance with drugs in the City, and parking signs up in north parking lot downtown. Marx noted the department was coming in under budget for move.

Unfinished

Business

Resolution
2013.11/99,
Authorizing
Officials to
endorse
MDOT
Contract

Marx explained the Contract between Michigan Department of Transportation and the City of Buchanan for E. Front Street reconstruction from Redbud Trail easterly to the east city limits in the total amount of \$608,700 with our share being \$110,500 beginning April 2014, **Moore moved, seconded by Hagey to approve the Contract between Michigan Department of Transportation and the City of Buchanan for East Front Street from Redbud Trail easterly to the east City limits and the resolution as presented.** Authorizing Officials to endorse contract between the City of Buchanan and Michigan Department of Transportation (MDOT)

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

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

WHEREAS,
the parties

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

NOW, THEREFORE, BE IT RESOLVED: that the City of Buchanan authorizes William Marx, City Manager and Gladys M. Bybee, Clerk of the City of Buchanan, to jointly execute MDOT Contract No. 13-5623.

Roll call vote carried unanimously. Resolution No. 2013.11/99 approved.

Marx explained the need for relief at the Waste Water Treatment plant with only two employees and he recommended two four hour days for former employee Gary Greathouse to work at the plant. **Hagey moved, seconded by Moore to approve the Independent Contractor Agreement with Gary Greathouse at an hourly rate of \$25.38. Roll call vote carried unanimously.**

Lewis explained SAW (Stormwater Asset Management Wastewater) grant and reported that we qualify as a disadvantaged community with zero match. He explained in detail that the rates will be reviewed, three years to complete grants (risk of payback on sanitary sewer not storm sewer). He recommended that Marx be the designee and then explained the Planning and budgeting worksheets while all perused. Marx reported that the gap in the sewer rates would be addressed however he believed it would be a minimal gap (increase) and will not know for sure until the study is done. Questions and discussions were shared with Commission, Lewis and Marx. **Hagey moved, seconded by Moore to approve the Resolution Authorizing the SAW Grant Agreement, Sanitary Sewer in the amount of \$1,354,662 as explained by Lewis. Roll call vote carried unanimously.** (copy made part of this record)

Lewis explained the SAW grant for the Storm Sewer. Questions and discussions were shared with Commission, Lewis and Marx. He recommended that Marx be the designee and then explained the Planning and budgeting worksheets while all perused. **Moore moved, seconded by Hagey to approve the Resolution Authorizing the SAW Grant Agreement, Storm Sewer in the amount of \$1,145,338 as explained by Lewis. Roll call vote carried unanimously.** (copy made part of this record)

Marx reported on the antiquated boiler system at the Wastewater Treatment Plant and the upgrade that is needed with an inspection due in December. He explained that Hickok Plumbing and Heating has worked on the boiler previously. **Moore moved, seconded by Hagey to approve the quote of \$12,500 to Hickock Plumbing & Heating LLC to make boiler repairs at the Waste Water Treatment Plant. Roll call vote carried unanimously.**

Marx apologized for the late notice of adding the request for the Police Department to agenda and explained the vehicle replacement of the 1999 Ford Explorer with a 2008 Ford Expedition XLT 4WD (special service vehicle) as the existing ford was in need of \$3,000 repair. Disposition of the current vehicle was discussed and possibly a trade in. **Hagey moved, seconded by Moore to authorize the police department to purchase the 2008 Expedition 4WD pending mechanical inspection and trade-in and not to exceed the amount of \$8,895. Roll call vote carried unanimously.**

City Manager comments included his attendance to the American Legion recognition to all the Veteran's, additional area at well field open to view with additional valves being placed, minimal complications of water being shut off and only about a half day left for

Unfinished Business continued
Resolution 2013.11/99

New Business

Contract
Independent
Contractor
Agreement with
Gary Greathouse

SAW Grant
Resolution, Sanitary
Sewer

SAW Grant
Resolution, Storm
Sewer

Quote Approval,
Repair boiler
system at the
WWTP

Police Special
Vehicle Purchase,
2008 Ford
Expedition XLT
4WD

**Managers
Comments**

completion. He
announced the DD
is going to be aske
to give formal
recommendation o

what to do with planters in Mill Alley, Holiday lighting on December 6th, antiquated equipment for leaf pick up breaking down, Lot 4 at Andrews Farm sold by the City in the amount of \$12,000, company looking at Premier building, and East Front Street Streetscape grant denied from MDOT but we will reapply.

**Commissioner's
Comments**

All Commissioners' comments included thanks to Veteran's, thanks to the police department with Open House on December 10, handicap parking spaces downtown being misused and welcome back to Greathouse.

Closed Session

Hagey moved, seconded by Moore to go into Closed Session at 8:23 p.m. to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against an employee, if the named person requests a closed hearing [15.268 Sec. 8. (a)]. Roll call vote carried unanimously.

Separation
Agreement and
Release

The Mayor reconvened the meeting at 8:42 p.m.

Hagey moved, seconded by Moore to approve the Separation Agreement and Release as discussed in closed session. Roll call vote carried unanimously.

Adjourn

Moore moved, seconded by Hagey to adjourn the meeting at 8:43 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

November 25, 2013

The regular scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday November 25, 2013 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Reverend Richard Altine gave the Invocation.

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

Commissioners absent: Michael Terrell

Staff present: City Manager Bill Marx, Interim DDA Director Debra Patzer, and Clerk Gladys Bybee

Guests/Visitors present: 11 visitors

Stephen Smith introduced himself, gave his biography and announced he is running for District Court Judge for Berrien County in 2014.

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

- Agenda
 - Minutes: Regular meeting, November 11, 2013
 - Checks 67156 to 67226 in the amount of \$538,685.22
 - Excuse the Absence of Michael Terrell and Joe Scanlon from the November 11, 2013 City Commission Meeting
 - Resolution 2013.11/100, Cancelling December 23, 2013 City Commission Meeting
- Whereas**, the City Commission wishes to cancel the Monday December 23, 2013 City Commission Meeting; and
Whereas, the City Commission authorizes a Commissioner and City Treasurer to sign necessary checks that would be on the Check register under the Consent Calendar of the regular scheduled meeting on December 23, 2013; and
Whereas, said necessary checks will be included with the Check Register at the first regular scheduled meeting in January 2014.
NOW, THEREFORE, BE IT RESOLVED, that Monday December 23, 2013 City Commission meeting is cancelled.
BE IT FURTHER RESOLVED, that a Commissioner and City Treasurer are authorized to sign any necessary checks that would be presented at the December 23, 2013 meeting for approval.
- Banner Placement Form; 2013 Holiday Lighting Ceremony from November 26 to December 9
 - Banner Placement Form; Wesner Automotive 29th Annual Toy Drive from December 9 to December 20
 - Street Closure: Front Street from Barker building to Oak Street and Oak Street from Front Street to Roe Street December 6
 - Plan Commission By-laws as approved by the Plan Commission

Patzer reported that the Downtown Development Authority (DDA) members are interested in what happens to Mill Alley (between 114 and 120 E. Front Street) thus they voted unanimously to recommend that the planters be taken out. She explained the DDA asked her to obtain an estimate for the work and the cost of upgrades to the sidewalk and they would assist with the cost. Marx reported that the irrigation to the planters has been turned off. ***Scanlon moved, seconded by Moore to authorize the removal of the planters in Mill Alley as recommended by the DDA and a plan brought back before the Commission of the project for replacement. Roll call vote carried unanimously.***

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda

Minutes

Checks

Commissioner's
Absence Excused

Resolution
2013.11/100,
cancelling Dec. 23
meeting

Banner Placement

Street Closure

Plan Commission
By-laws

Unfinished
Business

Mill Alley Planter
Removal

After explanation from Marx, **Hagey moved, seconded by Scanlon to approve the revised Letter's of Understanding, Water Service Agreement Extension and Sewer Service Agreement Extension with Buchanan Township. Roll call vote carried unanimously.**

Patzer explained the updated City of Buchanan Title VI Plan (Equal Employment Opportunity/Civil Rights) that is required by Michigan Department of Transportation (MDOT) that would allow the City to be eligible for Federal funds. **Moore moved, seconded by Scanlon to approve the Plan as recommended and presented. Roll call vote carried unanimously.**

Buchanan Youth Softball Baseball Association
Proposal to use McCoy Creek Park

Buchanan Youth Softball Baseball Association (BYSBA) Representative Chris Kutemeier explained the Proposal that they presented to the Buchanan Area Recreation Board (BARB) asking if they could move to McCoy Creek Park (Fisher Field) with overflow/practices to continue in Smith Park. Moore reported on the BARB meeting that supported the project. Marx explained the adult softball league agreed to work together with BYSSBA to schedule the games and recommended the move. After discussion shared between Commissioners, **Moore moved, seconded by Scanlon to approve the proposal as presented and recommended. Roll call vote carried unanimously.**

Public Comments

Patzer announced White Saturday Special Sales uptown and downtown and urged participation. Stephen Smith introduced Buchanan residents Roger and Sharon Warner whom are among his supporters.

Managers Comments

City Manager comments included upcoming Holiday Lighting, thanks to BYSSBA and demolishing the two small buildings at the well field began today.

Commissioner's Comments

Commissioners' comments included thanks to all in attendance, urged participation in White Saturday Sales and Happy Thanksgiving.

Closed Session

Scanlon moved, seconded by Moore to go into Closed Session at 7:40 p.m. to review November 11th Closed Session minutes. Roll call vote carried unanimously.

Minutes

Adjourn

The Mayor reconvened the meeting at 7:46 p.m.

Hagey moved, seconded by Moore to approve the November 11, 2013 Closed Session Minutes as reviewed in closed session. Roll call vote carried unanimously.

Scanlon moved, seconded by Hagey to adjourn the meeting at 7:47 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES
December 9, 2013

Call to Order

The regular scheduled meeting of the City Commission was held at Buchanan City Police Department, 720 E. Front Street, Buchanan, Michigan Monday December 9, 2013 and was called to order by Mayor Cole at 7:00 p.m.

Pledge/Invocation

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

Roll Call

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

Commissioners absent: Michael Terrell

Staff present: City Manager Bill Marx, Assistant Police Chief Tim Ganus,
Police Sergeant Harvey Burnett and Clerk Gladys Bybee

Guests/Visitors present: 2 visitors

Public Comments

Resident Norma Ferris asked that agenda items under new business be explained in detail.

Consent Calendar

Hagey moved, seconded by Scanlon to add check 67304 to Affordable Asphalt Paving and Bulldozing in the amount of \$10,000 to the Check approval as requested. Roll call vote carried unanimously. Scanlon moved, seconded by Hagey to approve the Consent Calendar as amended. Roll call vote carried unanimously.

Agenda

- Agenda as amended
- Minutes: Regular meeting, November 25, 2013
- Checks 67227 to 67304 in the amount of \$576,540.04 as amended
- Excuse the Absence of Michael Terrell from the November 25, 2013 City Commission Meeting
- Banner Placement for Boy Scout Troop 541 Annual Swiss Steak Supper
- Banner Placement for Thrill on the Hill 2014

Minutes

Checks

Commissioner

Absence Excused

Banner Placement

Unfinished Business

Marx explained the Change Order for McCoy's Creek Trail Features from Affordable Asphalt Paving and Bulldozing, in the amount of \$5,000, was necessary as the design of the stone was for small stone and a larger size stone was needed. He explained in detail and reported that the Trail Committee would be paying for the change if the Commission approved the expense. **Hagey moved, seconded by Moore to approve the change order in the amount of \$5,000 for the increased stone size as recommended by the Friends of McCoy's Creek Trail Committee. Roll call vote carried unanimously.**

Change Order,
McCoy's Creek
Trail Features

New Business

Marx reported that the present trash contract expires on February 28, 2014 and announced the proposed dates for receiving and awarding a contract by the deadline date. He explained any interested contractors would have six weeks for submittal. Marx explained that bids must be complete and precise or they would not be accepted. **Scanlon made the motion to release the Request for Proposal for Refuse and Recycling Collection Services on Friday December 13, 2013. Hagey seconded and roll call vote carried unanimously.**

Release Request for
Proposal for Refuse
and Recycling
Collections Services

Marx
reported on
the changes

to the Agreement for Water Service and Agreement for Sewer Service between the City of Buchanan and the Township of Buchanan (color coded draft reviewed). He explained the Joint Water and Sewer Board have been working on changing the agreements over the past several weeks during work sessions. Discussion was shared with Commissioner's and Marx. Marx confirmed that Township Supervisor Jane Mitchell was also presenting the drafts at the Township Board Meeting with another work session scheduled.

Discussion about Agreement for Water Service and Agreement for Sewer Service with Buchanan Townsh

Resident Ferris asked the Commission to officially name the Trail (McCoy's Creek Trail). There was also discussion about some City parks not being officially named nor signs erected. Discussion followed and Commission asked the City Manager to look into it.

Public Comments

Ganus welcomed the Commission for having their meeting at the new Police Department and explained that all Officers' came in on their own time and City workers did a lot of the work. He reported that the move occurred on November 29th and opened for business on December 2, 2013.

Managers Comments

City Manager comments included ribbon cutting at Police Department and Edgewater Bank with project completion under budgeted amount, thanks to Civitan for assisting with the Holiday Lighting and thanks for all who participated.

Commissioner's Comments

Commissioners' comments included thanks to the Police Department and Department of Public Works in completing the project, thanked the High School Band for playing at the holiday lighting and all volunteers for making the Holiday Lighting a success, Happy Holidays, successful White Saturday, congratulations to Roxie Elliott, Miss Buchanan and her court, and the need to evaluate the Ross Sanders House.

Adjourn

Scanlon moved, seconded by Moore to adjourn the meeting at 7:40 p.m. Voice vote carried unanimously.

Gladys M. Bybee, MMC-City Clerk

Carla M. Cole, Mayor

New Business continued