

CITY OF BUCHANAN COMMISSION MINUTES

January 11, 2016

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, January 11, 2016 and was called to order by Mayor Cole at 7:00 p.m.

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

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

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

Guests/Visitors present: Southwest Michigan Community Ambulance Service (SMCAS) Director Brian Scribner along with 6 visitors

Resident Norma Ferris asked about what repair was needed to locate the banner on E Front Street and what happened at the January 4th work session for the Wastewater Treatment Plant. The clerk responded to the repair and the Manager explained the work session.

Toerne moved, seconded by Vigansky to include check number 71894 in the amount of \$899.98 to the Checks under the Consent Calendar as requested. Roll call vote carried unanimously. Vigansky moved, seconded by Moore to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, December 14, 2015
- Work Session Summary, January 4, 2016
- 12/28/2015 Checks 71756 to 71794 in the amount of \$76,139.23
- Checks 71795 to 71894 in the amount of \$224,070.98 as amended
- Resolution 2016.01/131, 2016 Summer School Tax Collection Negotiation
WHEREAS, the City agrees to collect the total summer school taxes as certified by the School District for the levy on July 1, 2016 for property located within the City; and
WHEREAS, the School District agrees to pay City costs of assessment and collection in the negotiated amount; and
WHEREAS, no later than June 1, 2016, the School District shall certify to the Treasurer the school millage to be levied on property for summer school tax collection in 2016; now, therefore,
BE IT RESOLVED, that the Treasurer is authorized and directed to negotiate with the School District on behalf of the City of Buchanan: for the reasonable expenses for collection of the district's summer property tax levy that the City may bill under MCLA 380.1611. Any such proposed agreement shall be brought before the City Commission for its approval.
- City of Buchanan City Boards Meetings during 2016
- Street Closure; East Front Street, from Liberty Street to Redbud Trail leaving one lane open to American Legion; 2016 Thrill on the Hill, Wednesday January 27 noon to Sunday January 31 8:00 a.m.
- Street Closure; Johnson Court from Rynearson to Front Street; 2016 Thrill on the Hill, Wednesday January 27 noon to Sunday January 31 8:00 a.m.
- Banner Placement for Thrill on the Hill; January 6 to February 1, 2016 Redbud Trail location
- Banner Placement for BYSBA; January 15 to February 20, 2016 Front Street location providing it is repaired
- Banner Placement for Chamber Chili Walk; February 15 to March 9, 2016 Redbud Trail location

Call to Order
Pledge

Roll Call

Public Comments

Consent Calendar
Agenda

Minutes

Checks as amended

Resolution
2016.01/131

2016 City Boards
Meetings

Street Closures

Banner Placements

Shawn from Buchanan Youth Softball Baseball Association (BYSBA) distributed an overview of the BYSSA Season and Financial Statement for 2015 and explained the presentation that had been delivered to the Buchanan Area Recreation Board (BARB) at their last meeting. He noted that a website was being worked on and discussion was shared with Commission.

Reports
Buchanan Youth
Softball Baseball
Association
Annual Report

Bethany Cowan introduced her daughter Cecelia and described Avery’s Angels Gastroschisis Foundation. She explained the 2nd Annual Superhero Run on McCoy Creek Trail for Belly Buttons and encouraged all to attend.

2nd Annual
Superhero Run for
Belly Buttons

Moore moved, seconded by Toerne to approve the ordinance as presented; An Ordinance to amend the City of Buchanan, Michigan Code of Ordinances Chapter 106, Vegetation Article II. Trees, Division 1. Generally, Section 106-27.

Unfinished Business
Ordinance
2016.01/398,
Chapter 106,
Vegetation Article
II. Trees, Division
1. Generally,
Section 106-27.
Obstruction;
Pruning of Trees.

Obstruction; Pruning of Trees. Norma Ferris asked for more clarification and the city manager explained.

THE CITY OF BUCHANAN ORDAINS:

Sec. 106-27. – Obstruction; pruning of trees.

(a) *Duty of owner.* It shall be the duty of any person owning or occupying real property bordering on any street upon which property there may be trees, to prune such trees in such a manner that they will not obstruct or shade the street lights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct view of any street or alley intersection. The minimum clearance of any overhanging portion thereof shall be ten feet over sidewalks, and 12 feet over all streets except truck thoroughfares which shall have a clearance of 16 feet.

(b) *Notice to prune.* Should any person owning real property bordering on any street fail to prune trees as provided in subsection (a) of this section, the City Manager or his/her appointee shall provide a notice ordering such person, within ten days after receipt of written notice, to so prune such trees.

(c) *Service of notice.* Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

(d) *Failure to comply.* When a person to whom a notice order is directed shall fail to comply within the specified time, it shall be lawful for the city to prune such trees, and the cost thereof shall be assessed to the owner as provided by law.

Roll call vote carried unanimously. Ordinance 2016.01/398 declared adopted.

Moore moved, seconded by Vigansky to approve the ordinance as presented; An Ordinance to amend the City of Buchanan, Michigan Code of Ordinances Chapter 38, Environment Article II. Nuisances, Division 1. Generally, Section 38-26. Enforcement; Abatement of Nuisances and Division 2. Litter, Section 38-54 Enforcement; Notice to Abate; Method of Service and Article III Junk Vehicles, Section. 38-79. Notice to Abate

Ordinance
2016.01/399,
Chapter 38,
Environment
Article II.
Nuisances,
Division 1.
Generally, Section
38-26.
Enforcement;
Abatement of
Nuisances and
Division 2. Litter,
Section 38-54
Enforcement;
Notice to Abate;
Method of Service
and Article III
Junk Vehicles,
Section. 38-79.
Notice to Abate

THE CITY OF BUCHANAN ORDAINS:

Sec. 38-26. – Enforcement; abatement of nuisances.

No person shall maintain a nuisance as described in section 38-28. Any person may report a nuisance to the police or the code enforcement officer, whose duty it shall be to investigate the facts, and if in his/her opinion a nuisance is being maintained the chief of police or code enforcement officer shall serve a written notice upon the person responsible for maintaining such nuisance and if the nuisance is not abated within the required time, the chief of police or code enforcement officer shall make a complaint before a judge or magistrate. After the service of the notice and before the date specified for the abatement of the alleged nuisance, the party who was served with the notice may appeal to the city commission and shall be allowed a hearing as to whether or not the act complained of constitutes a nuisance and its decision shall be final and in case it decides that a nuisance is being maintained, the chief of police or code enforcement officer shall proceed with his complaint and warrant. The notice shall state that the responsible party must abate the alleged nuisance within the time limit set forth in the notice, which shall not be less than two days nor more than ten days from the date of the service of the notice. Such notice shall be deemed to be properly served if a copy thereof is:

- (1) Delivered personally;
- (2) Sent by certified or first-class mail addressed to the last known address; or
- (3) If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Sec. 38-54. – Enforcement; notice to abate; method of service.

The chief of police or code enforcement officer and their agents are hereby charged with the enforcement of this division. No person being the owner or person in charge of or occupant of any private premises shall accumulate or permit the accumulation of any litter on the private premises owned, controlled or occupied by him in a manner

prohibited by the provisions of this division. When any litter shall be accumulated or permitted to accumulate on any private premises in a manner prohibited by this division, the enforcing officer shall notify the owner, person in control or occupant of such private premises to remove the litter and clear the private premises within a time limited in the notice, such not to be less than two days nor more than ten days from the time the notice is served. Such notice shall be deemed to be properly served if a copy thereof is:

- (1) Sent by certified or first-class mail, addressed to the last known address; or
- (3) If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Sec. 38-79. – Notice to abate.

The chief of police or the code enforcement officer, and their agents, are hereby charged with the enforcement of this article, and shall be referred to as the enforcement officer. When any provision of this article is violated, the enforcement officer shall notify the owner or person in control of the private premises on which the violation takes place, or the owner or person in control of the private premises immediately adjacent to the public places on which the violation takes place, to remove the junk vehicle within the time limit set forth in the notice, such time not to be less than two days nor more than ten days from the time the notice is served. Such notice shall be deemed to be properly served if a copy thereof is:

- (1) Delivered personally;
- (2) Sent by certified or first-class mail addressed to the last known address; or
- (3) If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Roll call vote carried unanimously. Ordinance 2016.01/399 declared adopted.

Scribner explained the need for the advance payment of assessment fees to SMCAS of \$20,000 of approximately \$43,000 the City annually collects in order to bridge a billing delay situation that presently exists. He explained SMCAS went to a private vendor for billing services and discussion was shared with Commission. ***Vigansky moved, seconded by Toerne to approve the advance payment of \$20,000 to SMCAS as requested. Roll call vote carried unanimously.***

Norma Ferris asked if the City was going to enforce people to put addresses on their buildings. The City Manager reported he is working on it. Scribner agreed that it was definitely needed for the ambulance service. Dave Perez and BARB Member Ashley Hanson explained the “HAVE FUN at Kathryn Park” summer season and distributed a flyer. Discussion was shared with Commission.

City Manager comments included support for the Belly Button Run, thrilled with the cold snowy weather for Thrill on the Hill, announced more details of Thrill on the Hill, and scheduling 2016-2017 goal setting session. Commissioner’s tentatively agreed to Saturday February 20th.

Commissioner comments included possible celestial characters at Thrill on the Hill, pleased with the young people in meeting attendance, Little Free Library not doing so well in such cold temperatures, hoping to make an ice sculpture of the Little Free Library for Thrill on the Hill, and the Landfill will be giving out \$10,000 scholarships for college/trade school again this year. Toerne read a letter he received from State Representative Pagel regarding his position on the approval of Senate Bill 571 and received a copy of the legislation from Senator Proos.

Toerne moved, seconded by Moore to go into Closed Session at 8:00 p.m. to discuss 15.268 Section 8. (e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation.

Unfinished Business continued
Ordinance
2016.01/399,
Chapter 38,
Environment

New Business
Advance payment
of \$20,000 to
SMCAS

Public Comments

City Managers Comments

Commissioners’ Comments

Closed Session
Approve
Settlement

The Mayor reconvened the meeting at 8:13 p.m.

Moore moved, seconded by Toerne to accept the proposed settlement in the approximate amount of refund of \$1,900.00 plus interest from Bridgman Michigan LLC, v. City of Buchanan for docket number 14-003669 and docket number 14-004329. Roll call vote carried unanimously.

Vigansky moved, seconded by Toerne to adjourn the meeting at 8:15 p.m. Voice vote carried unanimously.

Closed Session

continued

Approve

Settlement

Adjourn

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

January 25, 2016

Call to Order
Pledge
Invocation

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, January 25, 2016 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Pastor Bailey led the invocation.

Roll Call

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx, Administrative Secretary Mandi Schanick, Assistant Police Chief Tim Ganus, and Police Officer Brianna Schmitz

Guests/Visitors present: Pastor Bailey, Pastor Boyer, Alice Kring, and Mark Nixon

Toerne moved, seconded by Hess to amend the agenda to put Assistant Police Chief Tim Ganus under VI in place of Chief Mike Adams. Voice vote carried unanimously. Moore moved, seconded by Toerne to amend the agenda to add Alice Kring under VI. B. Voice vote carried unanimous. Moore moved seconded by Vigansky to approve the agenda as amended. Voice vote carried unanimously.

Consent Calendar
Agenda as amended

- Agenda as amended
- Minutes: Regular scheduled meeting, January 11, 2016
- Checks 71895 to 71976 in the amount of \$175,362.41
Approve Street Closure; Fulton Street, from North Redbud Trail to Main Street; Community Service Day, Saturday August 27, 2016 from 9:00 a.m. to 6:00 p.m.
- Approve Banner Placement for Boy Scout Troop 541; February 1 to February 6, 2016, South Redbud Trail location
- Approve Banner Placement for Buchanan School Farm; April 1 to April 16, 2016, South Redbud location

Minutes

Checks

Street Closures

Banner Placements

Assistant Police Chief Tim Ganus introduced the new fulltime officer Briana Schmidt who was previously employed with the City of Buchanan as a part time officer since July of 2015. Schmidt gave background of her previous experience and expressed her gratitude for being a part of Buchanan Police Department.

Reports

Buchanan Police Department – Assistant Police Chief Tim Ganus

Alice Kring presented the 2016 Easter Egg Hunt for March 26, 2016. Kring added that Projects Leading To Amazing Youth in Buchanan (PLAY) will be assisting her this year. Kring is asking for permission to use the Common grounds for the 2016 Easter Egg Hunt and to place the banner in Gazebo Park. *Moore moved, seconded by Toerne to approve request for the use of the Common grounds for the 2016 Easter Egg Hunt on March 26, 2016 and to place banner in Gazebo Park. Roll call vote carried unanimously.*

Easter Egg Hunt – Alice Kring

Marx proposed the date February 20, 2016, discussed at the last City Commission meeting to host the Annual Planning Goal Session at 9:00 a.m. which will be held at City Hall. After short discussion *Moore moved, seconded by Toerne to confirm the date of February 20, 2016 for the City Commission Annual Planning Goal Session. Roll call vote carried unanimously.*

Unfinished Business

Confirm date for City Commission Annual Planning Goal Session

Alice Kring gave announcements of the upcoming Lions Club events and upcoming productions for the Tin Shop Theatre. Discussion was shared with Commission.

City Manager comments included the letter that was received responding to an article in the newspaper regarding the wastewater dilemma. Discussion followed with Commission. Marx thanked Ganus and welcomed Briana Schmidt to the City of Buchanan. Next, Marx thanked Kring for all the hard work given to the Easter Egg Hunt in years past and expressed his gratitude of the assistants from PLAY of Buchanan. Once more, the City Manager reiterated details for Thrill on the Hill. Despite the challenging weather plans are to still go forward with the event. Marx made mention of the possibility of doing a summer Thrill on the Hill in the future. Discussion of the sewer backups on West Front Street took place. Lastly, Marx gave brief discussion on Narcan. Discussion was shared with Commission.

**City Managers
Comments**

Commissioners' comments include Little Free Library ice sculptures will not take place this year, Working with Preservation Society on facebook pages, Request for business cards, Discussion of Flint's water situation, Gratitude showed for the City of Buchanan's employees for making our City a safe place. Put our thoughts towards snow and cold for Thrill on the Hill to go on.

**Commissioners'
Comments**

Moore moved, seconded by Toerne to go into Closed Session at 7:48 p.m. to review minutes from January 11, 2016 Closed Session 15.268 Section 8. (e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation.

Closed Session
Approve Minutes

The Mayor reconvened the meeting at 7:53 p.m.

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

Adjourn

Mandi Schanick, Administrative Secretary

Carla M. Cole, Mayor

Public Comments

CITY OF BUCHANAN COMMISSION MINUTES

February 8, 2016

Invocation

Roll Call

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, February 8, 2016 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Pastor Edwin Brinklow led the invocation.

Commissioners present: Carla Cole, Brenda Hess, Dale Toerne, Daniel Vigansky

Commissioners absent: Patricia Moore

Staff present: City Manager Bill Marx, Administrative Secretary Mandi Schanick, Buchanan Water Department Foreman Scott Desenberg

Guests/Visitors present: Pastor Edwin Brinklow, Norma Ferris and 1 guest

Consent Calendar

Agenda

Minutes

Checks

Banner Placements

Toerne moved, seconded by Hess to approve the consent calendar as presented.

Voice vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, January 25, 2016
- Checks 71977 to 72053 in the amount of \$80,921.88
- Approve Banner Placement for Preschool and Kindergarten Round-Up; February 24, 2016, East Front Location

Reports

Buchanan City

Water Department-

Scott Desenberg

Desenberg discussed at length the handout for the 5 year and 20 year plans laid out by the Water Department. This presentation led to discussion with the commissioners. The presentation is made part of the Minutes.

Public Comments

Norma Ferris questioned when the wastewater issue is going to be made current. Marx gave explanation of the expensive enterprises with the wastewater and water department.

City Manager

Comments

City Manager comments included Marx thanking Scott for coming and going through the material for the 5 year and 20 year plans and noted the 2 employees in the water department are doing a great job. Secondly Marx stated the City has identified areas that need both roads and infrastructure work. Discussion will take place at the Goal Setting Session scheduled for February 20, 2016. Marx noted that the wastewater goal hovering over us. Next Marx advised the State rejected the application for the Metea Court PILOT as the application needs some tweaking. Briefly Marx gave updated summary of the Thrill on the Hill outcome, adding \$6,500.00 will be provided to the Parks fund from the event.

Commissioners'

Comments

Commissioners' comments included trying to think positively in Buchanan and avoiding what happened in Flint, Thrill on the Hill was a lot of fun despite the weather, Lions Club is purchasing 2 Little Free Libraries to add to our current libraries, Thanks to all who helped with the Trill on the Hill, The Commissioners appreciate all that the City crew does for the event.

Adjourn

Vigansky moved, seconded by Toerne to adjourn the meeting at 8:11 p.m. Voice vote carried unanimously.

Mandi Schanick, Administrative Secretary

Carla M. Cole, Mayor

Call to Order

Pledge

CITY OF BUCHANAN COMMISSION MINUTES

February 22, 2016

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, February 22, 2016 and was called to order by Mayor Cole at 7:00 p.m.

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

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

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

Guests/Visitors present: Four Volunteer Fireman along with 11 visitors

Norma Ferris asked about the elderly age that was in the Ordinance on the Consent Calendar. The city manager explained briefly. Ferris also opposed the Summer Thrill on the Hill. Judge Brian Berger introduced himself and reported that he was newly appointed by Governor Snyder and was in the family division. Andrea van der Laan, Buchanan Schools Superintendent was offended by Commissioner Vigansky making incorrect statements at the DDA meeting. She distributed and explained graphs of comparison programs. There was frank discussion between van der Laan and Vigansky.

Upon request from the Clerk, Moore moved, seconded by Toerne to move Consent Calendar item H. Introduce Ordinance 2016.03/___, An Ordinance to amend existing Ordinance 2015.09/395 Code of Ordinances, City of Buchanan, Michigan, the “City of Buchanan Tax Exemption Ordinance - Metea Court”, by changing the definition set forth in Section 3D of said Ordinance, “LOW INCOME ELDERLY PERSONS”, and to rescind the definition presently set forth in said ordinance to F. under New Business for further discussion. Roll call vote carried unanimously. Vigansky moved, seconded by Toerne to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, February 8, 2016
- Checks 72054 to 72127 in the amount of \$327,505.15
- Excuse Commission Patricia Moore from February 8, 2016 City Commission Meeting as she gave notice that she had a family emergency
- Addendum 1, Notice of Meetings for the City of Buchanan City Boards During 2016
- Appoint Dave Perez to the Buchanan Area Recreation Board (BARB) to fulfill an unexpired term through 2017 as recommended by the BARB
- Buchanan Police Department Policies and Procedures General Order Number 45, Use of Naloxone Hydrochloride
- Banner Request; Buchanan Art Center beginning March 10 to 24, 2016

Call to Order
Pledge

Roll Call

Public Comments

On Agenda items only

Consent Calendar
Agenda as amended

Minutes

Checks

Excuse
Commissioner
Moore

Addendum 1 to 2016
City Boards
Meetings

BARB Appointment

Street Closures

Banner Placements

Buchanan Fire Department Chief Mike Adams distributed his end of 2015 Report. He explained and summarized while Commissioners reviewed his written report. He expressed the need to purchase new pagers, new fire gear, refurbishment of the 1994 ladder truck and a new fire building. The Commission commended the fire fighter’s and Adams noted the ongoing service of smoke detectors and installation for elderly and handicap on a first come first serve basis.

Fire Department

Friends of McCoy’s Creek Trail Representative Aletha McCarty asked the City for approval for improving and enhancing the Trail for fitness equipment. She explained thirty stations throughout the Trail with signs of explanation. Discussion of vandalism was shared with McCarty, Wayne Writer and the Commission. ***Moore moved, seconded by Toerne to authorize Friends of McCoy’s Creek Trail to install fitness equipment along the McCoy Creek Trail as they get funding sources as presented and recommended by the Committee. Roll call vote carried unanimously.***

Install Fitness Equipment on McCoy Creek Trail

The City Manager summarized the 2016 Thrill on the Hill final written Report and the Mayor presented a check in the amount of \$6,618.85 to Buchanan Area Recreation Board Representative Commissioner Patricia Moore.

2016 Thrill on the Hill

The City Manager reported he and the Public Services Director inspected and verified the damage claimed in the report received from Mr. Cummins. ***Toerne moved, seconded by Vigansky to approve the \$175.00 claim for damages per City Charter 17.1 as filed in a timely manner by Robert Cummins, Gearhart Milling, 403 S. Oak Street. Roll call vote carried unanimously.***

New Business
Claim for Damages

O’Haver reported on the 2015 comparison of operating statistics for Buchanan Dial-A-Ride as the results for ridership, mileage, vehicle hours were higher and noted the new busses would arrive tomorrow. She summarized the 2017 State Financial Assistance application while all reviewed. ***Toerne moved, seconded by Vigansky to approve FY Resolution of Intent; Resolution 2016.02/132, Intent to Provide Public Transportation Services and to apply for 2017 State Financial Assistance with an Annual Plan, in Accordance with Act 51 and authorize the City Manager to endorse necessary documents for TMI, Inc. President Kim O’Haver.*** (Resolution 132 attached as part of this record)

Resolution 2016.02/132, Dial A Ride State Financial Assistance

Cole moved, seconded by Moore to approve the resolution as presented and recommended. Prescribing Compensation for the Election Workers for the City of Buchanan as recommended by the Buchanan Election Commission

Resolution 2016.02/133, Compensation for the Election Workers

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

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

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

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

NOW THEREFORE, BE IT RESOLVED that

SECTION 1. Election Chairperson shall be paid \$11.00 per hour

SECTION 2. Election Inspectors shall be paid \$10.00 per hour

SECTION 3. An hourly rate of \$10.00 shall be paid for attending election training as prescribed by the Clerk

SECTION 4. Receiving Board members shall be paid \$12.50 per hour

Reports

SECTION 5. In the event that a City employee works the election, they will be paid their current rate of pay

YEA: Cole, Moore, Vigansky. ABSTAIN: Hess, Toerne (as they are election workers).
Resolution 2016.02/133 declared adopted

The City Manager recommended the 2017 Winter Thrill on the Hill. **Cole moved, seconded by Moore to approve 2017 Winter Thrill on the Hill the last weekend in January. Roll call vote carried unanimously.**

The City Manager requested permission to allow him to continue to research the planning feasibility of a Summer Thrill on the Hill water slide with a date to be determined at a later time. He noted the Chamber of Commerce voted not to proceed with Harvest Festival and support the Summer Thrill. Commissioner Moore had to leave the room at 8:24 p.m. due to an emergency. **Toerne moved, seconded by Hess to approve the request from the City Manager. Roll call vote carried by those in attendance.**

Commissioner Moore returned at 8:38 p.m.

Introduce Ordinance 2016.03/___, An Ordinance to amend existing Ordinance 2015.09/395 Code of Ordinances, City of Buchanan, Michigan, the "City of Buchanan Tax Exemption Ordinance - Metea Court", by changing the definition set forth in Section 3D of said Ordinance, "LOW INCOME ELDERLY PERSONS", and to rescind the definition presently set forth in said ordinance. Attorney Hyrns summarized previous (last fall) Ordinances and Development Agreement and announced the application was turned down by the State of Michigan and Michigan Emergency Service Agreement but are being resubmitted. The definition of elderly had to be changed thus the effective dates would change. Attorney Hyrns read the change in definition and changing date 2016 to 2017 on the Payment In Lieu Of Taxes from Metea Court. Matt Holander, Metea Court Developer explained that they are required to use the HUD definition that was advised by Michigan State Housing Development Agreement.

City Manager had no comments.

Commissioner comments included thanks and complimented the Fire Department, suggested more work sessions, and encouraged people to participate in Improv Night at the Tin Shop Theatre to develop a cast for acting and skits.

Toerne moved, seconded by Hess to adjourn the meeting at 8:40 p.m. Voice vote carried unanimously.

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

New Business continued

Resolution
2016.02/133

2017 Winter Thrill
on the Hill

Research Summer
Thrill on the Hill
Water Slide

Introduce
Ordinance
2016.03/___,
"City of Buchanan
Tax Exemption
Ordinance - Metea
Court"

**City Managers
Comments**

**Commissioners'
Comments**

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

March 14, 2016

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, March 14, 2016 and was called to order by Mayor Cole at 7:00 p.m.

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

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: Attorney Randy Hyrns and Clerk Gladys Bybee

Guests/Visitors present: Berrien County Equalization Director/City Assessor Tony Meyaard along with 7 visitors

Norma Ferris suggested that the Street Closure form be updated to reflect the Assistant Police Chief as he is the person that signs. She also asked for more information on the Metea Court Ordinance and Poverty Exemption Resolution.

Upon request from the Clerk, Moore moved, seconded by Toerne to add C. Consider Amendment to Development Agreement for Low and Moderate Income Senior Housing between City of Buchanan and Hollander Development Corporation under New Business. Roll call vote carried unanimously.

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

- Agenda as amended
- Minutes: Regular scheduled meeting, February 22, 2016 and Annual Planning Meeting Summary, February 20, 2016
- Checks 72128 to 72250 in the amount of \$179,217.25
- Street Closure; Front Street from Redbud to Oak Street, Chili Walk

Assessor Tony Meyaard introduced himself and explained the purpose of the Resolution 2016.03/134, Poverty Exemption Guidelines annually including Hardship Exemption Application. Discussion and questions were shared between Meyaard and Commission. *Vigansky moved, seconded by Toerne to approve the resolution as presented and recommended.*

WHEREAS, the adoption of guidelines for poverty exemption is within the purview of the City Commission; and

WHEREAS, the homestead of persons who, in the judgment of the Assessor and Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 391, of 1994 Buchanan City, Berrien County adopts the following guidelines for the Assessor and Board of Review to implement and follow when determining if any applicant is eligible to receive a poverty exemption. The guidelines shall include but not be limited to the specific income and asset levels of the applicant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year. Further, that the total taxes owed in a calendar year shall be at least \$500.00 in order to be considered for an exemption.

To be eligible, a person shall do all of the following on an annual basis:

1. Be an owner of and occupy as a homestead the property for which an exemption is requested.
2. File a Hardship Exemption Application with the Assessor or Board of Review, accompanied by federal and State income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
3. A valid driver's license or other form of picture identification is required
4. A deed, land contract, or other evidence of ownership if the property for which an exemption is requested is required
5. Meet the federal poverty income standards as defined and published annually by the State Tax Commission.

Call to Order Pledge

Roll Call

Public Comments

On Agenda items only

Consent Calendar
Agenda as amended

Minutes

Checks

Street Closure

Reports

City Assessor,
Resolution
2016.03/134
Poverty Guidelines

6. The application for

an exemption shall be filed after January 1, but before the day prior to the last day of the March Board of Review

- 7. The allowable net value of the asset test shall not exceed 2 times that of the federal poverty guidelines as published on an annual basis by the State Tax Commission.

NOW, THEREFORE BE IT RESOLVED, that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

Roll call vote carried unanimously. Resolution 2016.03/134 declared approved.

Chamber of Commerce Director Randy Hendrixson was unavailable for a report on the Chili Walk event.

Attorney Hyms summarized last months and last year’s PILOT Ordinance and announced the State did not issue the tax credits, thus a resubmittal necessary with an amended definition of elderly and the dates needed to be amended. Mr. Hollander and his Attorney Robert Landgraf were available for questions.

More moved, seconded by Hess to approve the ordinance as presented, An Ordinance to amend existing Ordinance 2015.09/395 Code of Ordinances, City of Buchanan, Michigan, the “City of Buchanan Tax Exemption Ordinance - Metea Court”, by changing the definition set forth in Section 3D of said Ordinance, “LOW INCOME ELDERLY PERSONS”, and to rescind the definition presently set forth in said ordinance

THE CITY OF BUCHANAN, MICHIGAN ORDAINS:

SECTION 1 AMENDMENT

A. The definition as set forth at Section 3 D. “LOW INCOME ELDERLY PERSONS” shall be as of the effective date of this amending Ordinance, as follows:

An individual who is the head of household and is fifty - five (55) years of age or older and other members of the household fifty (50) years of age or older and disabled person’s eligible to live at Metea Court Apartments.

B. SECTION 8 PAYMENT OF SERVICE CHARGE as set forth in Ordinance 2015.09/395 shall be as the effective date of this amending Ordinance, as follows:

The annual service charge in lieu of taxes as determined under this Ordinance shall be payable in the same manner as general property taxes are payable to the City and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. The annual payment shall start in calendar year 2017 and be paid on or before July 1, 2017, and July 1st of every year thereafter. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, et seq.)

SECTION 2 REPEAL

The definition set forth at Section 3 D and Section 8 of Ordinance 2015.09/395, the City of Buchanan Tax Exemption Ordinance – Metea Court, shall be revoked as of the effective date of this Ordinance.

SECTION 3 REAFFIRMATION

All other provisions of Ordinance 2015.09 / 395, the City of Buchanan Tax Exemption Ordinance - Metea Court, are hereby reaffirmed.

SECTION 4 EFFECTIVE DATE

Introduced and Filed on the 22nd day of February, 2016 and effective fifteen (15) days after the adoption and publication as required by Section 7.4 of the City Charter.

YEA: Cole, Hess Moore, Toerne. ABSTAIN: Vigansky (his spouse works for Metea Court). Roll call vote carried by majority. Ordinance 2016.03/398A declared adopted.

Toerne moved, seconded by Moore to approve the Municipal Emergency Services Agreement between Metea Court Limited Dividend Housing Association Limited Partnership and the City of Buchanan. YEA: Cole, Hess Moore, Toerne. ABSTAIN: Vigansky (his spouse works for Metea Court). Roll call vote carried by majority.

Reports continued
City Assessor,
Resolution
2016.03/134
Poverty Guidelines

Unfinished Business
Ordinance
2016.03/398A, to
amend existing
Ordinance
2015.09/395 Code
of Ordinances,
City of Buchanan,
Michigan, the
“City of Buchanan
Tax Exemption
Ordinance - Metea
Court”, by
changing the
definition set forth
in Section 3D of
said Ordinance,
“LOW INCOME
ELDERLY
PERSONS”, and
to rescind the
definition
presently set forth
in said ordinance

Municipal
Emergency
Services
Agreement

Moore, moved, seconded by Hess to approve the Amendment to Development Agreement for Low and Moderate Income Senior Housing between City of Buchanan and Hollander Development Corporation. YEA: Cole, Hess Moore, Toerne. ABSTAIN: Vigansky (his spouse works for Metea Court). Roll call vote carried by majority.

Jeff Griffin owner of B&W Old Village Inn explained four times in 2015 his road has been closed without any notification to businesses. He asked why there isn't a process in notifying the businesses involved. There was discussion between Commissioner's and Griffin. Hess confirmed she would look at her email to see when her notification was received and the Mayor confirmed she would discuss the process with the City Manager.

Commissioner comments included urging registration for Kindergarten Round up, impressed with young voters who came out to vote Tuesday, will look into street closure, Happy St. Patrick's Day, Easter Egg Hunt, dog treats and candy needed, appalled at voter turnout, 42 chili vendors, Dog Easter Egg Hunt after Children's hunt and Happy Easter.

Vigansky moved, seconded by Toerne to adjourn the meeting at 7:35 p.m. Voice vote carried unanimously.

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

**Unfinished
Business
continued**

Amendment to
Development
Agreement for
Low and Moderate
Income Senior
Housing

Public Comments

**Commissioners'
Comments**

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

March 28, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan Area Senior Center, 810 Rynearson, Buchanan, Michigan Monday, March 28, 2016 and was called to order by Mayor Cole at 7:03 p.m.

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

The Mayor read the Proclamation in Recognition of March 29, 2016, as Welcome Home Vietnam Veteran's Day in the City of Buchanan. She then presented it to Ms. Drolet. Ms. Drolet introduced two of her colleagues and explained the mission of the National Society Daughters of American Revolution (DAR).

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx, Public Services Director JT Adkerson, Equipment Operator Mike Baker and Clerk Gladys Bybee

Guests/Visitors present: Buchanan Area Senior Center (BASC) Director Monroe Lemay, Chamber of Commerce Director Randy Hendrixson, and DAR Local Rebecca Dewey Chapter President Mary Ellen Drolet along with 4 visitors

Moore moved, seconded by Toerne to approve the Consent Calendar as presented.

Vigansky called a point of order to understand moving and discussing an item on the consent calendar and following protocol. The Commission shared discussion. ***Roll call vote carried unanimously.***

- Agenda
- Minutes: Regular scheduled meeting, March 14, 2016
- Checks 72251 to 72308 in the amount of \$49,151.49
- Street Closure Request; Front Street and Terre Coupe from American Legion to Oak Ridge Cemetery May 30th for Memorial Day Parade
- Introduction per Charter Sec. 7.2 Ordinance Amendment to Rezone 999 W. Front Street from I-1 Light Industrial to C-2 Commercial District

BASC Director Lemay thanked the Commission for the opportunity to host the meeting and gave details of the Senior Center administration, programs, activities and events. Discussion was shared between the Commission and Lemay.

Chamber Director Hendrixson reported on statistics from the 10th Annual Chili Walk (42 chili's), announced winners and upcoming events. Discussion was held between Commissioner Vigansky, Commissioner Toerne and Hendrixson regarding the street closure.

Manager Marx gave an overview of the SAW Grant and explained the GIS electronic purchases totaling \$20,530.00; server enhancements in the amount of \$14,670.00, two replacement printers for billing in the amount of \$1,550.00, desktop computer for City Treasurer in the amount of \$1,675.00 and laptop computer for the City Manager in the amount of \$2,635.00. He announced several meetings with the City's Informational

Call to Order

Pledge

Proclamation

Roll Call

Consent Calendar

Agenda

Minutes

Checks

Street Closure

Introduce Ordinance
Amendment to
Rezone

Reports

Buchanan Area
Senior Center

Chamber of
Commerce

New Business

SAW Grant
Purchases

Technology (IT) and discussion was shared with Commission and Manager. The Public Services Director noted that about a \$25,000. reimbursement for videoing sewer lines would also be requested through the SAW grant. ***Vigansky moved, seconded by Moore to approve the GIS Electronic purchases in the total amount of \$20,530. for the equipment as presented and recommended. Roll call vote carried unanimously.***

New Business
continued
SAW Grant
Purchases

Manager Marx reported on the sealing of cracks in the road to extend the life and his conversation with Berrien Springs to partner in the purchase of the unit. Adkerson talked extensively to operators in other jurisdictions about using the machine. He explained the pictures and a video presentation of demonstrations of the equipment on city streets. Discussion was shared with Commission and Adkerson. Adkerson introduced Mike Baker who also shared discussion with Commission. ***Moore moved, seconded by Toerne to approve the purchase of the crack fill Machine in the amount of \$57,400. Roll call vote carried unanimously.***

Purchase Crack
Fill Machine

Adkerson presented pictures of the leaf blowers and explained the process of cleaning of leaves within the parks and cemetery. He showed some brief videos of operating the blowers in Oak Ridge. ***Moore moved, seconded by Toerne to approve the purchase of two leaf blowers; one for Cemetery and one for DPW.*** Vigansky opposed the purchase and discussion was shared. ***Roll call vote carried unanimously.***

Purchase two leaf
blowers

Resident Brandon Waggoner thanked the Commission, Manager Marx and employees and commented about a three way stop at Main and Front that he read about in the paper and seen on Facebook. He asked that the Commission consider unintended consequences before doing any changes to traffic patterns downtown, suggested a traffic study and that the Commission be very mindful when making any changes. Commissioner Moore asked Waggoner what he thought was needed and all shared discussion.

Public Comments

Marx suggested that a traffic study survey be done by a qualified engineer if the pattern were to be changed downtown and he would ask the DDA to pay for it. More discussion was heard. He was pleased to announce MDEQ granted the City \$2,700. to obtain fluoride equipment; 4 parasitotic pumps at the water department.

Managers
Comments

Commissioner comments included contact about establishing a Youth City Commission, no Farmers' Market meeting for April, Planning Commission approved the rezoning of 999 W. Front Street for a message therapy and winery transportation business, receipt of a call about the need to clean and sign Riverfront Park, upcoming events, Parks Board Work session, interested persons wanting signage in the downtown to contact the DDA, thanks to Dial-A-Ride for bringing new bus to view and invitation to Mr. Waggoner to attend DDA meeting.

Commissioners'
Comments

Vigansky moved, seconded by Toerne to adjourn the meeting at 9:18 p.m. Voice vote carried unanimously.

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

April 11, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, April 11, 2016 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.

The Mayor read the Proclamation in Recognition of Arbor Day, April 28, 2016. She then presented it to Buchanan Garden Club Member Sheila Daly.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx, Water Foreman Scott Desenberg, Zoning Administrator Debra Patzer and Clerk Gladys Bybee

Guests/Visitors present: Garden Club Member Sheila Daly, Lions Club Member Jerry Flenar along with 11 visitors

Greg Allen owner of 999 W Front Street asked for time during the discussion of item A. under Unfinished business. Purchaser's Matt Sayer and Ashley Ferrell asked the same.

Moore moved, seconded by Toerne to approve the Consent Calendar as presented.

Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, March 28, 2016 and 2016-2017 Budget Work Session Summary, March 29, 2016
- Checks 72309 to 72384 in the amount of \$153,385.05
- Acknowledge Receipt of the 2016-2017 FY Budget as presented by the City Manager in accordance with Charter Section 9.2
- Call Public Hearing on April 25, 2016 at 7:00 p.m. to hear public comments regarding the proposed 2016-17 budget, the property tax millage rate and the water and sewer rates proposed to be levied to support the proposed budget

Sheila Daly introduced other Garden Club member Liz Miller and cordially invited the public to the Arbor Day event at the Buchanan Middle School. She reported another donation arrived so two extra choke cherry trees will be planted and thanked the City and School employees for their hard work.

The Mayor read the Proclamation in Recognition of Declaring White Cane Week April 2 through April 7. She then presented it to Lion's Club President Jerry Flenar.

The Zoning Administrator summarized the zoning request that was approved and recommended by the Planning Commission. Purchaser's Matt Sayer and Ashley Sayer introduced themselves and spoke about their business. Greg Allen, current property owner announced the past uses and asked for support. ***Toerne moved, seconded by Vigansky to approve the Ordinance Amendment to Zoning Ordinance Official Zoning Map to rezone the property commonly known as 999 W. Front Street from I-1 Light Industrial to C-2 Commercial District as presented and recommended.***

Call to Order

Pledge/Invocation

Proclamation

Roll Call

Public Comments

Consent Calendar

Agenda

Minutes

Checks

Receipt of 2016-17
FY Budget

Call Public Hearing
for 2016-17 FY
Budget

Reports

Buchanan Garden
Club

Lion's Club White
Cane week

Unfinished
Business

Ordinance
2016.04/400,
Zoning
Amendment

THE CITY OF BUCHANAN ORDAINS:

Section 1. The Zoning Ordinance of the City of Buchanan, being Ordinance No. 154, Section 302 as amended, and its Official Map, is hereby amended as follows:

the property commonly known as 999 W. Front Street and legally described as:

"Part of the East Half of the Northeast Quarter of Section 34, Township 7 South, Range 18 West, Buchanan Township, Berrien County, Michigan, described as: Commencing at a point 769.1 feet West of the Northeast corner of said Section; thence West of the Northeast corner of said Section; thence West 159.5 feet to the center of Post Road; thence South 200 feet along the center of said Post Road; thence East parallel with the center line of Front Street 159.5 feet; thence North parallel with the center line of said Post Road 200 feet to the place of beginning."

Now zoned I-1 Light Industrial District to be rezoned to C-2 Commercial District.

Section 2. The Zoning Administrator is hereby directed to amend the Official Zoning Map of the City of Buchanan to reflect the above change and to duly note on said Official Zoning Map said change pursuant to Ordinance.

Section 3. This Ordinance shall become effective April 11, 2016 and publication in accordance with the Charter of the City of Buchanan.

Roll call vote carried unanimously. Ordinance 2016.04/400 declared adopted.

Desenberg explained in detail the Supervisory Control and Data Acquisition (SCADA) system that controls the water towers water level and well house by monitoring it with electronics hardware and specific software. Discussion was shared with Desenberg and Commission. Marx estimated the cost at \$20,000. **Vigansky moved, seconded by Hess to approve the SCADA Request for Proposals (RFP) for the Water Department as explained and recommended. Roll call vote carried unanimously.**

Unfinished Business continued
Ordinance 2016.04/400, Zoning Amendment

SCADA RFP Release

Marx summarized the Priorities developed from the Annual Work session for 2016-2017. **Toerne moved, seconded by Vigansky to approve the 2016-17 City Commission Priorities as submitted. Roll call vote carried unanimously.**

2016-17 City Commission Priorities

Marx explained the Resolution to commit general fund road monies to meet our City contribution portion of two street projects scheduled for 2016; hopefully after the fourth of July. **Toerne moved, seconded by Moore to approve the resolution to assign surplus General Fund Balance for City portion to complete Redbud Trail resurfacing (TIP) and Traffic Signal at Redbud Trail and Front Street (CMAQ) as submitted and explained**

Resolution 2016.04/135, Assign Surplus Fund Balance for Traffic Signal and Redbud Trail Resurfacing

WHEREAS, The City has Undesignated Funds reserved in General Fund Balance in the amount of \$1,034,658 after the completion of Plante & Moran's 2015 Financial Audit,

WHEREAS, Surplus General Fund Balance in the amount of \$103,240 will be classified as

"Assigned Reserve Fund Balance" to pay City portion completing the Redbud Trail Resurfacing Project in the amount of \$63,400 through TIP and the Traffic Signal at Redbud Trail & Front Street in the amount of \$39,840 through CMAQ, totaling \$103,240,

WHEREAS, the City Commission approves these monies to be transferred to "Assigned Reserve Fund Balance" in the amount of \$103,240: and

BE IT RESOLVED, that the Buchanan City Commission authorizes that:

1. The City Treasurer may assign surplus funds from Undesignated General Fund Balance to complete the Redbud Trail Resurfacing Project in the amount of \$63,400 through TIP.
2. The City Treasurer may assign surplus funds from Undesignated General Fund Balance to complete the Traffic Signal at Redbud Trail & Front Street in the amount of \$39,840 through CMAQ.
3. The City Treasurer may transfer this money into Assigned General Fund Balance and expend funds to complete the Redbud Trail Resurfacing Project and the Traffic Signal at Redbud Trail and Front Street when payment is due.

Roll call vote carried unanimously. Resolution 2016.04/135 declared adopted.

After explanation from Marx, **Toerne moved, seconded by Vigansky to award the lowest bid for portable toilet facilities to Pride Portable Toilets. Roll call vote carried unanimously.**

New Business
Portable Toilet Facilities Bid Award

Marx reported that the public bathrooms at the City Center needed cleaning weekly and recommended the \$10.00 increase. **Toerne moved, seconded by Moore to approve the resolution increasing Redbud City Center Rental Fees.** There was discussion about dampening the noise in the center and landscaping around the building.

Resolution 2016.04/136, Redbud City Rental Fee Increase

WHEREAS, the City Manager has reviewed the fees for the Redbud City Center and with the new bathrooms and the need to clean them weekly we need to adjust to an added cost of \$10.00; and
WHEREAS, the fees shall be included with the City of Buchanan -- Schedule of Fees and Charges.
NOW THEREFORE, BE IT RESOLVED THAT City Residents shall pay a rental fee of \$110.00 with \$50.00 being refunded if the building is left clean and Non-Residents shall pay a rental fee of \$160.00 with \$50.00 being refunded if the building is left clean for the Redbud City Center, 131 S Oak Street.

Roll call vote carried unanimously. Resolution 2016.04/136 declared adopted.

Brian Scribner reported that a public hearing for the 2016-17 Budget and SMCAS Assessment would be forthcoming to be approved prior to the end of May. He also noted that a resolution for a ballot proposal would be forthcoming before the six municipalities with a \$15.00 increase. Discussion was shared about memberships and billing between the Commission and Scribner. He introduced the new Operation Manager Spencer Miller.

Marx presented the Certificate of Appreciation from MDEQ for 30 years of Industrial Pretreatment Program at the Wastewater Treatment Plant.

Commissioner comments included reminder to attend the Tin Shop Theatre performances, encouragement for community members to adopt community parks, status of Trail seasonal worker, Planning Commission meeting tomorrow night, State Representative Dave Pagel will be in town, Saturday is 20th Anniversary Old Fashioned Plow Day and Breakfast, collection of 900 books over the past weekend for the Free Little Libraries with Lions Club assembling two more, and upcoming recycling for medication, household chemical and document shredding.

Moore moved seconded by Toerne to go into closed session at 8:15 p.m. to discuss the purchase of real property up to the time an option to purchase that real property is obtained. Voice vote carried unanimously.

The Mayor reconvened the meeting at 8:24 p.m.

Toerne moved, seconded by Hess to approve the purchase of 401 River Street in the amount of \$1,600. as discussed in closed session. Roll call vote carried unanimously.

Vigansky moved, seconded by Toerne to adjourn the meeting at 8:25 p.m. Voice vote carried unanimously.

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

New Business
continued
 Resolution
 2016.04/136,
 Redbud City
 Rental Fee
 Increase

Public Comments

Managers
Comments

Commissioners'
Comments

Closed Session
 [15.268 Sec. 8. (d)]

Purchase 401
 River Street

Adjourn



CITY OF BUCHANAN COMMISSION MINUTES
April 25, 2016

The Mayor called the Public Hearing to order at 7:02 p.m. and invited public comments on the proposed 2016-17 budget, the property tax millage rate and the water and sewer rates proposed to be levied to support the proposed budget. Resident N. Ferris asked why the budget was on the agenda for the third time. Treasurer O'Bryant explained the timeline and charter requirements for passing the budget to the satisfaction of Ferris. Hearing no further comments, the Mayor adjourned the Hearing at 7:06 p.m.

The Mayor called the Public Hearing to order at 7:06 p.m. and invited public comments on the proposed FY 2016-2017 Southwestern Michigan Community Ambulance Service (SMCAS) Special Assessment Levy and proposed SMCAS budget for fiscal year 2016-17, which includes the special assessment in the amount of \$20.00 per dwelling. Mayor Cole then stated that a public hearing was not necessary at this time and that it will be rescheduled at a later date. She then asked if there were any questions regarding this issue. Resident Alan Robandt asked if the special assessment was only on resident properties, since the notice read "dwelling". City Manager Marx replied that the notice should have read per "parcel or property". Hearing no further comment, the Mayor adjourned the hearing at 7:08 p.m.

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan on Monday, April 25, 2016 and was called to order by Mayor Cole at 7:08 p.m.

Pledge of Allegiance – Invocation: The Pledge was recited by all. Reverend Len Bailey from the Church of the Nazarene gave the invocation.

Roll Call: Commissioners present: Carla Cole, Patricia Moore, Dan Vigansky, Brenda Hess, Dale Toerne
Commissioners absent: None
Staff Present: City Manager Bill Marx, DDA Director, CZA Debra Patzer, Treasurer Juli O'Bryant
Guests/Visitors Present: A. Robandt, N. Ferris, S. Wheatley, A. Hanson, B. Waggoner, C. Hess, L. Bailey, Barbara Wallace, Director, Buchanan District Library.

Public Comments: None.

Consent Calendar: *Moore moved, seconded by Toerne, to approve the Consent Calendar as presented.* Vigansky asked about the purpose of the Citizen Volunteer Form. Patzer replied that it gave the City information about the volunteer to help place them on a board committee for which they were eligible, such as the DDA or Planning Commission, and to ensure that they are on a Board and/or Committee in which they had an interest. **Roll Call vote carried unanimously.**

Approve Agenda
Approve Minutes: Regular scheduled meeting, April 11, 2016
Approve Checks 72385 to 72439 in the amount of \$51,293.40
Approve Banner Request, Buckteens Reunion, May 27 to June 12, 2016
Approve Addendum 2, Notice of Meetings, Marketing and Promotions Committee
Appoint Mathew Thornton to the Downtown Development Authority (DDA) to fill an unexpired term through 2017 as approved and recommended by the DDA

Reports by: Departments, Committees, Boards: None

Unfinished Business: None

New Business:

A. Marx explained that the rep from the BYSBA was unavailable but that they wanted the Commission's approval to use Fisher Field as a baseball field this year. The adult softball league was not organized this year and Fisher field would not be used. The BYSBA wants to move from the Pony Field to Fisher Field, reposition the bases to 70', place a mobile pitchers' mound on the field, make improvements to the in and out field surfaces, and reactivate the concession stand, all at their expense and effort. Marx stated that JT was in favor of the request as the Pony field is in need of repairs. Cole asked if these changes were just for this year. Marx replied that we would see how this year goes and go from there. Discussion followed regarding the logistics of field use for both baseball and softball. Marx asked, that if the Commission approves the request, that it be contingent upon formal approval from the BARB. **Moore moved, seconded by Hess, to approve the BYSBA use of Fisher Field during their summer programming, contingent on the approval of the BARB. Roll call vote carried unanimously.**

B. Ashley Hanson introduced herself and explained that she is involved in proposed improvements at Kathryn Park. They have received a donation of concrete from Selge Construction (her husband works there) for a 15 x 20 concrete patio to be used as a picnic area. Other proposed improvements include electric repairs, adding pea stone where needed, and leveling the ground and the hope is that these improvements can be donated. She is seeking approval for the patio. Discussion followed regarding the previous improvements to the park (Hanson has Daly's notebook) and the picnic tables to be installed (winter storage vs outside year round). Vigansky noted that Lowe's had 6' picnic tables for \$90.00, and added that if the group needed funding they must come to the City with a specific list of items and costs. He also noted that the picnic tables would need to be secured or they would disappear. **Moore moved, seconded by Toerne, to approve the installation of a concrete patio at Kathryn Park as recommended by the BARB as well as a \$500.00 donation by the BARB toward the cost of the electrical repairs. Roll call vote carried unanimously.**

C. Barbara Wallace, Executive Director of the Buchanan District Library explained the Story Walk Project. It would involve the construction of 30 posts along the trail starting in the vicinity of the Common. Each post would be mounted with the page of a story book that had been waterproofed. Then as people walk along the trail they could read the story. They have applied for a \$5,300 grant from Better World Books for this project and are looking for other sources of funding. They want to partner with the schools, senior center, and interested individuals who would like to tell their stories and want to participate in the project – everyone has a story. **Toerne moved, seconded by Hess, to approve the Story Walk proposal for McCoy Creek Trail as presented by the Library. Roll Call vote carried unanimously.**

Public Comments: None.

City Manager's Comments: Marx explained that the City has an opportunity regarding three old DAR busses, #'s 4, 5, and 6. They have been replaced with new busses and are up for auction. They have been inspected by Marx and Mike Baker and two of them have been found to be in good mechanical condition - #5 and #6. The City would like to retain these busses for use by the City, such as staff transportation for training when multiple staff attend, public transport for special events/occasions when DAR is not available, and/or, for one bus, conversion to a bookmobile that would be manned by volunteers. The City has CDL certified employees who could drive the bus. This is an opportunity for the City that will not be available in the future should the proposed consolidation of public transportation become a reality in Berrien County. We can try this and if there is no benefit the busses can be auctioned at a later date. Marx stated he was looking for approval to retain busses #5 and #6, and auction off bus #4, the proceeds of which would go to the City's transportation fund. Discussion followed. Cole stated that she thought this was a great idea and suggested several possible uses. Vigansky asked about liability and if the City had to pay for the busses (Marx responded "No"). Vigansky stated that he does not want the government to get involved with busses – it should be between the school and library, and he does not want to compete with the private sector. Marx responded that he is very sensitive about not competing with the private sector – the primary purpose

of retaining the busses would be to meet the City's needs. Toerne commented on the transportation consolidation. Moore commented that the busses could be used to provide transportation in connection with the water trail, trail towns, and during DAR off hours and that we need to seize this opportunity. Hess commented that the bookmobile is not the responsibility of the City and that it would be coordinated with the school and library. We have a beautiful library but there is a "book desert" out there and a need that has to be met. **Toerne moved, seconded by Moore, to approve the retention of DAR busses #5 and #6. Roll call vote carried by majority with 4 yeas and 1 nay vote.** Marx also noted that the DPW is trying to stay ahead of the September 1st deadline to have the sewer system videoed and classified. We have 26 miles of sewer and 5,000 feet has been videoed this week. The black van with the camera and the vac truck have been working together to clean/clear lines where necessary. The project is 30%-35% complete to date and will help us determine which areas to replace first and other areas of concern.

Commissioners' Comments: Moore thanked volunteers and supporters of the Tin Shop Theater, noting that the play was very successful, and hoping that people will come to Buchanan for dinner at our local eateries before the shows. The next play will be the last week in May and first week in June. Vigansky expressed his extreme displeasure with the governor and the killing of the black bear in southwest Michigan. Also that the replacement of water pipes will include replacement of residential pipes by homeowners. Toerne noted that it is the 2nd anniversary of the Flint water crisis and there is no financial help anywhere, and asked Marx to complement JT on his employees. Hess thanked the City for picking up her bagged yard waste and informed everyone that the Blue Star Mothers #193 were having a spaghetti dinner on May 7th between 3-7 p.m. Donations would be accepted for their projects, including sending care packages overseas, parties at the VA hospitals, parties for vets at Woodland Terrace, and supplying a food pantry for vets. Cole commented that she was presenting the key to the City to Miss Buchanan 2016 on May 3rd

Adjourn: There being no further business, **Toerne moved, seconded by Vigansky to adjourn the meeting at 7:56 p.m. Voice vote carried unanimously.**

Debra Patzer, Recording Secretary
DDA Director, CZA

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

May 9, 2016

Call to Order

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, May 9, 2016 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Lyndon Azcuna gave the Invocation.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx, Treasurer Juli O’Bryant, Assistant Police Chief Tim Ganus, Wastewater Foreman Jason Williams, Wastewater Operator Bill Housand, and Clerk Gladys Bybee

Guests/Visitors present: 8 visitors

Resident Martha Ryman was concerned about a report she was told by a citizen downtown; loud noises and partying in the middle of the night. She researched the City Code and found loitering and curfew to be violations and would like the Police to enforce these codes. Business owner Penny Slocum Correa, Main Street reported vandalism and harassment problems with the youth after school, urged the Commission to develop ways to keep the youth busy and hire more police officers to patrol the downtown and historic area to discourage the youth from causing the problems. Jessica Hendrixson supported the comments and suggested the City to do more with the youth and volunteered to help. Assistant Police Chief Tim Ganus assured the ladies that reports were turned into the Berrien County Prosecutor Office and further reported that he welcomed specific dates and times and he would look into why there wasn’t an officer response. Ganus assured that extra patrols are happening downtown. Discussion was shared with Ganus, Commission and public in attendance.

Moore moved, seconded by Toerne to amend the Consent Calendar to include D. Consider Street Closure; Carrol Street at Smith Park under New Business. Roll call vote carried unanimously. Moore moved, seconded by Toerne to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, April 25, 2016
- Checks 72440 to 72532 in the amount of \$299,387.03
- Banner Request, Citywide Garage Sales
- Resolution 2016.05/137, to approve the Summer School Tax Collection fee in the sum of \$2,534.61 per School District-totaling \$7,603.84
- Appoint City Manager William Marx as Buchanan City Representative to the Southwestern Michigan Community Ambulance Service (SMCAS) Board and Juli O’Bryant as Alternate
- Appoint Mayor Carla Cole and resident JT Adkerson as Buchanan City Representative to the Southeast Berrien County Landfill (SEBCL) Board
- Appoint City Manager William Marx as the NATS representative and City Resident Don Ryman as an alternate representative on the Niles-Buchanan Cass Area Transportation Study (NATS) advisory board for 2016-2017
- Approve Letter of Understanding between the City of Buchanan and City Manager William J. Marx

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
Minutes
Checks

Banner Request

Resolution
2016.05/137

SMCAS
Appointments

SEBCL
Appointments

NATS
Appointments

Letter of
Understanding
between City and
Manager

After Summary from O’Bryant, **Moore moved, seconded by Toerne to approve the resolution with a minor change to the second page header.** To Adopt a Budget for the City of Buchanan for Fiscal Year 2016-2017

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, 2016 through June 30, 2017; and

WHEREAS, a public hearing was held on April 25, 2016 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 2016-2017 fiscal year for the purposes set forth below:

General Government	City Commission	\$46,577.
\$423,066.	City Manager	123,085.
	Elections	33,653.
	Assessor	40,250.
	City Clerk	60,577.
	Treasurer	118,924.
Public Safety	Police Department/Code Enforcement	\$ 961,034.
\$1,197,046.	Crossing Guards	31,609.
	Fire Department	160,948.
	Building Inspection	43,455.
DPW & Cemetery	DPW/Streets	\$ 272,425.
\$444,621.	Cemetery	172,196.
Parks & Recreation	Parks & Recreation	\$ 10,000.
\$10,000.		
Other	Building & Grounds	\$ 75,065.
\$107,016.	Rental Property	5,966.
	Arts & Historical Buildings	11,485.
	Misc. Costs/Transfers	<u>14,500.</u>
Total General Fund		2,181,749.
	Major Streets	\$ 342,785.
	Local Streets	254,570.
	Street Repair & Maintenance	338,985.
	Water & Sewer Enterprise	2,039,004.
	Brownfield-TIF	<u>8,726.</u>
Total Other Funds		\$ 2,984,070.

Total Budget Including General Fund \$5,165,819.

BE IT FURTHER RESOLVED that the City Commission of the City of Buchanan authorizes levy of 17.6000 mills on real and personal property within the City of Buchanan for municipal operating purposes.

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

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

BE IT FURTHER RESOLVED that the City Commission authorizes the water and sewer rates, effective July 1, 2016, as follows:

	Water	Sewer	Ready to Serve (RTS)	Future Plant Reserve
City	\$3.94/1000 gal.	\$7.10/1000 gal.	\$20.34 monthly	\$2.00 monthly
Township	4.59/1000 gal.	8.32/1000 gal.	23.79 monthly	\$2.34 monthly

BE IT FURTHER RESOLVED that the total budget for the City of Buchanan for the fiscal year 2016-2017 in the amount of \$5,165,819. 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 2016.05/138 declared adopted.

After explanation from Marx and shared discussion, **Moore moved, seconded by Toerne to approve the resolution as presented.** Authorizing Officials to endorse contracts between the City of Buchanan and Michigan Department of Transportation (MDOT) for Contract 16-5246. milling and resurfacing Redbud Trail from the

Unfinished Business
Resolution
2016.05/138,
To Adopt a Budget
for the City of
Buchanan for
Fiscal Year 2016-
2017

Resolution
2016.05/139,
Authorizing
Officials to
endorse contracts

southern limits of the City of Buchanan northerly to Front Street and traffic signal removal and installation work of a new one.

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. 16-5246.

Roll call vote carried unanimously. Resolution 2016.05/139 declared adopted.

Marx summarized the purchase of a crack sealant machine to assist with the longevity of city streets. He further explained the sealant material that is needed. ***Toerne moved, seconded by Moore to approve the purchase of crack sealant road material to begin filling cracks in City streets at a cost of \$5,512.50. Roll call vote carried unanimously.***

Marx introduced Williams to address the Special Agreement. Williams explained the two letters to the Landfill warranted by City Code. ***Hess moved, seconded by Vigansky to approve the Special Agreement between the City of Buchanan and the Southeast Berrien County Landfill to formalize the Discharge Loading Limits from the Southeast Berrien County Landfill Leachate Pre-Treatment Sequencing Batch Reactor to the City of Buchanan Sanitary Collection System as recommended favorable by the Joint Water and Sewer Board. Roll call vote carried unanimously.***

Marx reported on a meeting that he and Commissioner Toerne attended and watched the "Pure Michigan National Commercial". Attorney Hyrns recommended just this afternoon that this request is more appropriate to be given by the Downtown Development Authority (DDA) and be forwarded to the DDA for promotion. Discussion was shared with Marx and Commission. ***Moore moved, seconded by Toerne to forward the request from the Southwestern Michigan Tourist Council (Michigan Non-Profit 501-c (6)) league to participate in providing supportive funding to help distribute the "Pure Michigan National Commercial" which highlights Southwest Michigan as a tourist destination to the DDA. Roll call vote carried unanimously.***

Marx reported receipt of an email today that BYSBA has the opening day of baseball/softball season with games for the kids and the event would be before the next Commission meeting. ***Moore moved, seconded by Toerne to approve the Street Closure; Carrol Street at Smith Park. Roll call vote carried unanimously.***

Bill Mears from Pride Care Ambulance Service introduced himself, distributed cards and suggested a meeting to discuss his services for a one pay per service Ambulance Company to service the City of Buchanan.

Marx asked the two WWTP employees to explain the rough schematics of the oxidation ditch being proposed in the next eight years (one proposed and one already built), that is the reason for the increases in rates and service charge. Pamphlets were distributed for Commissioner review. All shared discussion of the age of the existing plant and the proposed replacement.

Unfinished Business continued

Resolution 2016.05/139, Authorizing Officials to endorse contracts

New Business

Purchase of crack sealant road material

Special Agreement between the City of Buchanan and the Southeast Berrien County Landfill

Request from the Southwestern Michigan Tourist Council, forward to the DDA

Street Closure; Carrol Street at Smith Park

Public Comments

Manager's Comments

Commissioner comments included Memorial Day weekend opening Pears Mill, sympathy to the King family on the loss of past Commissioner and Garden Club member Flo King, Farmers Market open May 7, would like more promotion to the Buchanan app, Friends of Oak Ridge Cemetery resuming their meetings with a great newsletter on the Preservation Society website, and condolences to the Post family. Comments also included Thanks to City employees for Arbor Day Festivities, Liz Miller and the Garden Club, JT Adkerson and crew for pot hole repair, and Debra Patzer for her work.

Commissioners'
Comments

Toerne moved, seconded by Vigansky to adjourn the meeting at 8:29 p.m. Voice vote carried unanimously.

Adjourn

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

May 23, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, May 23, 2016 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Pastor Leonard Bailey gave the Invocation. Assistant Police Chief Tim Ganus explained the incident that occurred on April 24 and read the thank you note from the patient. He then presented a Life Saving Award to each Police Officer Michael Horton and Francis Morley.

City Manager Bill Marx explained the 2016 Community Water Fluoridation Grant and presented award to Debra Patzer and Craig Miller (Scott Desenberg accepted on behalf due to Miller's absence) for their effort in obtaining the grant.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx, DDA Director Debra Patzer, Water Foreman Scott Desenberg, Assistant Police Chief Tim Ganus, Police Officer's Mike Horton and Fran Morley and Clerk Gladys Bybee

Guests/Visitors present: Lake Michigan College (LMC) Representative's Mary Klemm and Kelli Hahn along with 10 visitors

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

- Agenda
- Minutes: Regular scheduled meeting, May 9, 2016
- Checks 72533 to 72610 in the amount of \$70,320.95
- Banner Request, Buchanan Art Center, June 13 to June 27, 2016
- Certify Delinquent Utility & Mowing Billings to the 2016 Summer Tax roll in the amount of \$12,096.24
- Reappoint Dave Perez to a three (3) year term expiring 2019 to the Buchanan Area Recreation Board (BARB) as recommended by the Board
- Reappoint Mary Lysy to the Buchanan District Library Board to a four (4) year term ending 2020

LMC Executive Director Mary Klemm introduced Kelli Hahn and proceeded to the Lake Michigan College presentation of a power point. Chief Financial Officer Kelli Hahn explained the projects in need of a millage that would be possibly on the November Election Ballot. Questions and answers were shared with both ladies and Commission.

Patzer reported and explained the 2016-17 Budget revenues and expenditures for the Downtown Development Authority (DDA). She reported that the Authority approved the Budget unanimously and asked for Commission approval. Patzer answered questions from the Commission. ***Toerne moved, seconded by Moore to approve the DDA 2016-2017 Fiscal Year Budget as presented and recommended. Roll call vote carried unanimously.***

Call to Order

Pledge/Invocation
Awards

Roll Call

Consent Calendar

Agenda
Minutes
Checks
Banner Request
Certify Delinquent
Utility & Mowing
Bills
BARB
Reappointment
District Library
Reappointment

Reports

New Business
DDA 2016-17
Budget

Patzer reported and explained the proposed DDA Bylaw Amendment that decreased the amount of members that would be on the Authority from 11 to nine and defined interest in the property within the District. She reported that the Authority approved the amendment unanimously and asked for approval. ***Moore moved, seconded by Toerne to approve the Downtown Development Authority Bylaw Amendment as presented and recommended. Roll call vote carried unanimously.***

New Business continued
DDA Bylaw Amendment

Desenberg explained the Supervisory Control and Data Acquisition (SCADA) bid with receipt of five. He explained the comparisons and recommendations for the SCADA system. He did note that the bids were higher than expected but was recommending the lower bidder, Kenedy Industries from Wixom, Michigan. Desenberg answered questions from the Commission. Marx also interjected some information and supported the recommendation. ***Vigansky moved, seconded by Toerne to award bid for the SCADA program provider to Kenedy Industries, in the amount of \$41,060. as recommended. Roll call vote carried unanimously.***

SCADA Bid Award

Kevin Gillette introduced himself and announced that he is running for the Drain Commissioner of Berrien County and asked for support. Resident Norma Ferris asked what is being done about the youth that are being unruly in the downtown area that was published in the Berrien County Record. Manager Marx explained more enforcement activity and answered Commission questions.

Public Comments

Manager comments included he and Commissioner Hess are attending Southwest Michigan Economic Growth Alliance (SMEGA) meetings where manufacturers in Berrien County are searching for skilled employees (as LMC spoke about earlier), Schirmer Parkway pump station (\$290,000) set today, contractor Reith & Riley was selected by the State for the resurfacing/new street light for the Redbud/Front Street project with September start date, nine dumpsters filled during the spring cleanup last weekend, and proactive Code Enforcement trying to get property owners to mow their grass.

Manager's Comments

Commissioner comments included celebrating public health in the City (fluoride and good water), proud of staff, Buchanan is in upswing with young people who are fixing up homes (Lee and Trent Runyon, Matt Sayer and Ashley Ferrell, Adam and Krista Parin), come to Farmers' Market, thanks to Beth Chubb for administering the Market, the Garden Club members for beautifying Buchanan, and special thanks to Lloyd and Liz Miller. Upcoming events announced for Memorial Weekend: Unsanctioned and the Veteran's Parade, Concert Series, Stop, Lunch and Listen, watch the Facebook pages with lots of things happening this summer.

Commissioners' Comments

Vigansky moved, seconded by Toerne to adjourn the meeting at 8:41 p.m. Voice vote carried unanimously.

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

June 13, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, June 13, 2016 and was called to order by Mayor Cole at 7:00 p.m.

The Pledge was recited by all. Father Altine gave the Invocation.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Tanner Phillips, Turnpike Twelve and Jessica Hendrixson, Berrien County Record along with 4 visitors

Alan Robandt was concerned about flags in Buchanan not being at half-staff for the Florida mass shootings and doesn't think the dog park and summer thrill are a priority when so many other things are needed in the City.

Moore moved, seconded by Toerne to amend the Agenda under the Consent Calendar to include A. Consider request from Tanner Phillips to use Riverfront Park to stage a Bow Fishing Contest on June 25th and move other items down on the list under New Business. Roll call vote carried unanimously. Vigansky stated he wants to understand the Consent Calendar more completely before voting on items. Discussion followed. *Moore moved, seconded by Toerne to approve the Consent Calendar as amended Roll call vote carried unanimously.*

- Agenda as amended
- Minutes: Regular scheduled meeting, May 23, 2016
- Checks 72611 to 72718 in the amount of \$198,990.08
- Negate the reappointment of Dave Perez to a three (3) year term on the Buchanan Area Recreation Board (BARB) from the previous City Commission Meeting, thus he will continue to fill the original appointment through 2017
- Reappoint Lonnie Hoover to a three (3) year term expiring 2019 to the Buchanan Area Recreation Board (BARB)
- Reappoint City Manager Bill Marx and Treasurer Juli O'Bryant to a three (3) year term expiring 2019 to the Brownfield Redevelopment Board
- Call a Public Hearing on Monday June 27, 2016 at 7:00 p.m. to receive comments from the public regarding the distribution of the Fiscal Year 2016-2017 Southwestern Michigan Community Ambulance Service (SMCAS) special assessment levy and proposed SMCAS budget for FY 2016-2017, which includes the special assessment in the amount of \$20 per unit. All interested parties will be invited to attend and will be given an opportunity to be heard.

Arrived at 7:30 p.m. and was fit in after Unfinished Business. Berrien County Record owner Jessica Hendrixson reported that the Record was planning their 150 year anniversary for next year. She announced that the paper would be going back to a one edition a week paper with the new Discover Page. Discussion & greetings shared.

Call to Order

Pledge/Invocation

Roll Call

Public Comments

Consent Calendar

Agenda
Minutes
Checks
Banner Request
Certify Delinquent
Utility & Mowing
Bills
BARB
Reappointment
District Library
Reappointment

Reports

The City Manager explained the Redbud City Rental Agreement amendment to add language that renters need to be aware that the City Center toilet facility may be utilized by the public and renter will not be responsible for cleaning the toilet rooms if that's the case. City will absorb the cost. ***Toerne moved, seconded by Moore to approve the Amendment to Redbud City Center Rental Agreement as recommended. Roll call vote carried unanimously.***

Unfinished Business
Redbud City Center Rental Agreement

Marx reported his research and explained. He confirmed that he contacted the Berrien County Health Department and Department of Environmental Quality and both have given the nod for the design of the event. He estimated \$10,000 revenue and \$5,000 expense for the event with proceeds shared with Parks and Police Department. Questions and discussion was shared with Commissioner's and Marx. The Clerk announced resident Scott King called and wanted it on record that he opposed the event unless the water is contained so no petroleum/soap water is allowed to run off in McCoy Creek. Vigansky wanted it on record that this event would come back and bite the City. ***Moore moved, seconded by Toerne to approve further investigation into having the Summer Thrill on the Hill event. YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky. Roll call vote carried by majority.***

Summer Thrill on the Hill

Marx reported that the event would have to go before the BARB for approval and explained Tanner Phillips contacted him today with the request to use Riverfront Park for a bow fishing tournament (June 25) on the weekend prior to the next Commission meeting. Phillips reported that he is a native Buchanan resident, follows sportsman community, already has 25 boats reserved for the event that will be filmed and is asking for a waiver of the curfew for the Park and permission to use the Park. Marx interjected that he contacted the County Sheriff water department and they will help. ***Vigansky moved, seconded by Toerne to approve the waiver of curfew and usage of Riverfront Park to stage a Bow Fishing Contest on June 25 and 26th. Roll call vote carried unanimously.***

New Business
Riverfront Park Bow Fishing Tournament

Marx reported his briefing to the Commission last week of the collapsed catch basin emergency with pavement marking being the remaining work. ***Moore moved, seconded by Vigansky to approve the Emergency Expenditure to replace the collapsed catch basin, excavate and remove the old retaining wall and grade and asphalt at the South parking lot on Days Avenue near 111 Days Avenue not to exceed \$6,000. Roll call vote carried unanimously.***

Emergency Expenditure collapsed catch basin, 111 Days Avenue

Marx reported that Berrien County was requesting Commission endorsement to demolish the properties that were on the list of tax foreclosed properties. He explained the buildings' condition in detail. Marx confirmed he had communicated with the Preservation Society regarding the properties. ***Vigansky moved, seconded by Toerne to approve the demolition of 113 South Red Bud Trail, 128 Bluff Street, and 1104 Victory Street. Roll call vote carried unanimously.***

Demolish Tax Foreclosure Properties

Commissioner Moore explained that the Dog Park Committee has been working to raise funds for several years to develop an off leash exercise area for dogs that has funds available for fencing and grants are also available. Commissioner's shared discussion. ***Moore moved, seconded by Toerne to approve 1104 and 1106 Victory Street as the location for the "City of Buchanan's Dog Park". YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky. Roll call vote carried by majority.***

City of Buchanan Dog Park, 1104/1106 Victory Street

Moore moved, seconded by Toerne to approve the resolution as recommended,
Purchase 1104 Victory Street for back taxes from Berrien County Treasurer for Public Use

WHEREAS, the City of Buchanan has a need to develop a Dog Park; and
WHEREAS, the Buchanan City Commission wishes to exercise an option to purchase the ~~9-acre~~ site at 1104 Victory Street, Tax ID# 11-58-2000-0364-00-3 for back taxes in the amount of \$2,743.38 plus 2016 property taxes to be used for the future location of the City's Dog Park; and
NOW, THEREFORE, the City resolves to prepare and execute a purchase agreement to purchase the approximately 130 by 75 foot parcel at 1104 Victory Street, Tax ID# 11-58-2000-0364-00-3 from the Berrien County Treasurer for back taxes in the amount of \$2,743.38 plus 2016 property taxes for the public use purpose of securing a site and demolishing the buildings for the future locations of Buchanan's Dog Park;

BE IT FURTHER RESOLVED that in the event the City sells the property in the future, the City shall be obligated to forward any excess proceeds (less expenses) that it receives from the sale of the property to the Berrien County Treasurer's Foreclosure Fund, pursuant to Berrien County's policies and procedures.

YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky. Roll call vote carried by majority.
Resolution 2016.06/140 declared adopted.

New Business
continued
Purchase 1104
Victory Street for
Dog Park

Commissioner Moore announced the timeline about the Pet Supply Plus grant in the amount of \$25,000. She explained that about \$4,500 has been raised at this time.

Moore moved, seconded by Toerne to authorize the submission for the Pet Supply Plus "Bark for your Park" grant from the Buchanan Area Recreation Board (BARB). The City Manager interjected that this was contingent on BARB approval at its June 15 meeting. **YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky. Roll call vote carried by majority.**

Grant Submission
to Pet Supply Plus
for Dog Park

Alan Robandt asked the Commission to oppose reducing the amount of members on the DDA when they should be asked why people don't want to be on the DDA. Cheryl Carrier, 307 W. Smith Street asked the Commission to adopt an ordinance allowing urban chickens within the City. She distributed her written request, written approvals from her neighbors and a picture of her little chicken coop. The Mayor replied that we would look into it; Commissioner Toerne invited her to come to the Plan Commission meeting tomorrow evening and discuss it. Father Altine opposes the traffic light at the intersection of Oak/Front Street and asked that money be found for street repair. Norma Ferris, Oak Street was concerned about the overgrowth and aesthetics of McCoy Creek Duck Pond.

Public Comments

Manager comments included he will make copies of Ms. Carrier's report for the Planning Commission and will look into it; Ross Sanders roof project underway and acknowledged Peter Lysy and Bill Cameron for their oversight (it was discovered that the chimney is fractured at the ceiling line inside the building and has to come down); and more activity in town with the Community Wide Garage Sales.

Manager's
Comments

Commissioner comments included attendance to Buckteen's reunion and received great comments on the City, congratulations to Buckteen's committee; Common Committee started summer concerts, Stop, Lunch and Listen begins this week, Friends of Oak Ridge Cemetery meeting, Dog Park fundraiser, pleased with public in attendance; disappointment with the Dog Park and Summer Thrill; attendance to Smoke Vision Open House, Chamber of Commerce Meeting, Berrien County Record and visited the C-Span Bus at the High School (visits schools around the Country),

Commissioners'
Comments

happy to see the resurfacing project delayed, former City Manager Mike Hughes who is now with the City of Sturgis got a capital improvement plan for their streets and believes the City should do the same, completed an inspection of the Trail, E.B. Clark Woods, Bainton Mill and had pictures of things that needed repaired and also pictures of work that has been done (distributed to City Manager), and thanks to Mohamad Ali as he donated many items for silent auction to the McCoy Creek Trail Committee.

Commissioners'
Comments
continued

Hess moved, seconded by Moore to adjourn the meeting at 9:00 p.m. Voice vote carried unanimously.

Adjourn

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

The Mayor called the Public Hearing to Order at 7:00 p.m. to invite and hear public comments at which time interested parties were invited to express public comments on the proposed FY 2016-2017 Southwestern Michigan Community Ambulance Services (SMCAS) Special Assessment Levy and proposed SMCAS budget for fiscal year 2016-2017, which includes the special assessment in the amount of \$20.00 per dwelling. The SMCAS Director Brian Scribner briefly summarized the Budget. After brief discussion between Commission and Scribner and hearing no written comments, the Mayor adjourned the public hearing at 7:03 p.m.

PUBLIC HEARING
SMCAS Budget &
Special Assessment

CITY OF BUCHANAN COMMISSION MINUTES
June 27, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, June 27, 2016 directly following the public hearing and was called to order by Mayor Cole at 7:03 p.m.

Call to Order

Pledge/Invocation

The Pledge was recited by all.

Roll Call

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

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

Guests/Visitors present: SMCAS Director Brian Scribner along with 3 visitors

Public Comments

Norma Ferris asked why the vehicle was considered personal property when it belonged to the City and the Clerk responded.

Consent Calendar

After Vigansky objected to the two Thrill on the Hill requests under the Consent Calendar, they were moved as applicable to City Code 2-40. ***Vigansky moved, seconded by Moore to approve the remaining items under the Consent Calendar. Roll call vote carried unanimously.***

Agenda
Minutes
Checks
Banner Request
Surplus Personal
Property
DDA Appointments
Planning, ZBA &
Fine Arts
Reappointment's

- Agenda
- Minutes: Regular scheduled meeting, June 13, 2016
- Checks 72719 to 72809 in the amount of \$604,560.70
- Fiscal Year 2015-16 Budget Amendment
- Banner Placement Form for Redbud MX June 27 to July 5, Redbud Trail
- Banner Placement Form for Redbud MX June 27 to July 5, Front Street
- Declare 1987 Chevrolet pick-up, VIN #1GBGR24KXHJ114092 as surplus personal property and authorize sale to scrap yard
- Appoint Penny Slocum Correa to the Downtown Development Authority (DDA) for a four year term ending 2020 as recommended by the DDA Board
- Appoint Barbara Wallace to the Downtown Development Authority (DDA) for a four year term ending 2020 as recommended by the DDA Board
- Reappoint Jason Lietz and Ralph McDonald to the Planning Commission for a three (3) year term ending 2019
- Reappoint Jason Lietz to the Zoning Board of Appeals (ZBA) for a three (3) year term ending 2019
- Reappoint Kelly Carlin and Trevor Hough to the Buchanan Area Fine Arts Council for a four (4) year term ending 2020

- Reappoint Kevin Barker and William Messner to the Construction Board of Appeals (CBOA) for a three (3) year term ending 2019

CBOA
Reappointment's

Summer Thrill on
the Hill dates and
Street Closure

Toerne moved, seconded by Moore to approve setting the Date for Summer Thrill on the Hill for August 5 and 6, 2016 and approve the Street Closure for same; Front Street & half of Johnson Court from 4:00 a.m. on 8-3 to 1:00 a.m. 8-7. YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky. Motion carried by majority.

**Unfinished
Business**
SMCAS Budget &
Special Assessment

After shared discussion between Scribner and Commission, ***Toerne moved, seconded by Vigansky to approve the FY 2016-2017 Southwestern Michigan Community Ambulance Services (SMCAS) Special Assessment Levy and proposed SMCAS budget for fiscal year 2016-2017, which includes the special assessment in the amount of \$20.00 per Dwelling. Roll call vote carried unanimously.***

Public Comments

Norma Ferris reported that Public Broadcasting Channel 17 is horrible and would like to see it fixed.

**Manager's
Comments**

Manager comments included Last Saturday Concert at the Common had significant attendance; tried to take care of the washout at Riverfront park for the bow fishing contest (Vigansky explained the event as he attended); Big Truck Day at the Library; trial test for summer thrill on the hill positive, possible beach volleyball tournament; cleaning the park area where the duck pond used to be due to safety risk; a lot of storm damage throughout town; ribbon cutting for new business in town; and a community garden and flower boxes at Kathryn Park by volunteers.

**Commissioners'
Comments**

Commissioner comments included attendance to Saturday concert; appreciative of tree removal at Kathryn Park; reminder of tree memorial program, Thursday night concerts; Farmers' Market, Friends of Oak Ridge Cemetery newsletter coming out; thanks to Quincy Watts for attendance; Planning Commission discussion about the need for more Code Enforcement; support to change the Holiday Lighting as suggested by the DDA Marketing & Promotions Committee; support for installation of a basketball hoop in the south parking lot; big thank you to Dawn Lott for clearing brush at the duck pond and Bainton Mill; Kathryn Park flower boxes and garden needs to be maintained; and support to pursue capital improvement plan.

Adjourn

Toerne moved, seconded by Vigansky to adjourn the meeting at 7:48 p.m. Voice vote carried unanimously.

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

July 11, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, July 11, 2016 and was called to order by Mayor Cole at 7:03 p.m.

The Pledge was recited by all.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx, Zoning Administrator Debra Patzer and Clerk Gladys Bybee

Guests/Visitors present: District Library Director Barbara Wallace along with 3 visitors

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

- Agenda
- Minutes: Regular scheduled meeting, June 27, 2016
- Checks 72810 to 72867 in the amount of \$134,647.49
- Banner Placement Request for Michiana Cruisers Car Show at McCoy Creek Recreation Area
- Banner Placement Request for Buchanan Art Center Classes August 15 to August 28
- Banner Placement Request for Buchanan Area Senior Center Annual Christmas Bazaar Nov. 21 to Dec. 5

WWTP Operator Bill Housand was ill and could not be in attendance to explain the Schirmer Parkway Lift Station. Noted to ask him to attend the next meeting.

Upon the absence of WWTP Operator Housand, the City Manager explained the purpose of the root blower, the condition of the three existing blowers and the need and recommendation to purchase a new one. ***Vigansky moved, seconded by Toerne to purchase the Roots Blower for the Wastewater Treatment Plant in the amount of \$7,358 plus shipping of a limit of \$350. Roll call vote carried unanimously.***

Moore moved, seconded by Toerne to acknowledge the correction that the Clerk made to Resolution 2016.06/140 as a Scrivener's error including the Resolution incorporated in the June 13, 2016 Minutes. YEA: Moore, Hess, Toerne, Cole. NAY: Vigansky. Roll call vote carried by majority.

Patzer explained the new Restrictive Covenants for the Third Street property as it was sold to Magna Properties and Lehman Orchards. Environmental Attorney James Enright secured approval of the document from Michigan Department of Environmental Quality and Ingersoll Rand (a.k.a. Clark). Manager Marx gave further explanation of the Brownfield Fund. After shared discussion with Commission, Marx and Patzer, ***Toerne moved, seconded by Hess to approve the Restrictive Covenants for Third Street Transportation Network and authorize the Mayor and Clerk to sign. Roll call vote carried unanimously.***

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda

Minutes

Checks

Three Banner Request

Reports

Unfinished

Business

WWTP Root Blower

Scrivener's error in Resolution & Minutes

New Business

Restrictive Covenants Third Street Transportation Network

Marx explained that we need an MS4 Agreement to operate our wastewater treatment plant with the criteria due in 2018 and the agreement is a partnership between other jurisdictions to comply with applicable permits. *Vigansky moved, seconded by Toerne to approve the MS4 Agreement with Spicer Group, Engineering for administration and assistance with compliance tasks associated with the National Pollutant Elimination System (NPDES) Municipal Separate Storm Sewer (MS4 Storm Water Discharge) Permits in the amount of \$4,400.00. Roll call vote carried unanimously.*

New Business
continued
MS4 Agreement
with Spicer Group

Ms. Wallace was in attendance and explained the fundraiser for the Buchanan District Library (BDL). *Toerne moved, seconded by Vigansky to approve the request from the Library to block off 4 parking spots on Days Avenue August 27 from 5:30-7:30 p.m. to allow people to come to the Library and pick up their Port-A-Pit Chicken if they are not planning to stay for the concert at the Common. Roll call vote carried unanimously.*

Parking Space
Closures for Library
Fundraiser

Norma Ferris asked the Mayor about the cracks that were filled on Third Street that they had discussed and the machine was not doing the job.

Public Comments

Manager comments included the antiquated air conditioning at City Hall is not working, last minute road closure; one-half block of Bluff Street from Mt Zion Church last Friday that caused a small impact along with a successful event for their youth, a terrible shooting event at the St. Joe County Courthouse today, and Thrill on the Hill meeting today with up-to-date details. Discussion was shared with Commission and Patzer confirmed that the DDA would discuss closing Front Street Wednesday at their regular meeting.

Manager's
Comments

All Commissioners' expressed condolences and sympathy for the deceased police officers that occurred at the County Courthouse today. Other Commissioner comments included thanks to the newcomers in attendance, receipt of three complaints about restaurants being closed downtown after the summer concerts, encouraged purchases from the Library fundraiser, Tin Shop Children's Production and urged attendance to the Police Department National Night Out.

Commissioners'
Comments

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

Adjourn

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

July 25, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, July 25, 2016 and was called to order by Mayor Cole at 7:00 p.m.

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

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: 5 visitors

Moore moved, seconded by Toerne to include check number 72992 in the amount of \$1,980. to Jack Dehony to the list of checks under the Consent Calendar as requested. Roll call vote carried unanimously. Moore moved, seconded by Toerne to approve the consent calendar as amended. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, July 11, 2016
- Checks 72868 to 72992 in the amount of \$597,668.62 as amended. Checks 72988 through 72991 voided.

City Clerk Gladys Bybee reported vacancies on City Boards/Commission, updating/creating City ordinances, US Census hiring, telephone book distribution and recycling, and August Election.

Upon the absence of Tanner Phillips, Marx announced that the Bow Fishing Tournament at Riverfront Park would be donating about \$650 to Buchanan Area Recreation Board and they are interested in a fall event.

Brittany McBain reported that she started a community Garden in June with the kids (about 70 participating) at Kathryn Park (they have a website and facebook page) as Buchanan Floral donated vegetable plants, they will be harvesting sometime in August, kids will be taking home some and they would like to give Redbud Area Ministries (RAM) food pantry the remainder. Greetings were shared. Marx stated that technically the proceeds are public property. *Moore moved, seconded by Vigansky for Ms. McBain to dispose and distribute as she see fit the harvest from the Kathryn Park Garden and approve the "Harvest Day". Roll call vote carried unanimously.*

Buchanan Area Recreation Board (BARB) Member Dave Perez reported his assignment is to oversee Ravish Park and he explained the "Capture the Flag" game the "Have Fun" Group would like to hold in Ravish Park in August. Discussion was shared. *Vigansky moved, seconded by Moore to approve the fun day at Ravish Park in August as presented by Perez and recommended by the BARB. Roll call carried unanimously.*

Call to Order

Pledge/Invocation

Roll Call

Consent Calendar

Agenda

Minutes

Checks as amended

Reports

Unfinished

Business

Bow Fishing
Tournament

New Business

Community Garden
Harvest Day

Fun Day at Ravish
Park in August

**Manager's
Comments**

Manager comments included the excess Dial-A-Ride busses would require (by the State) a good faith estimate of the worth submitted to the State and would be brought before the Commission; Post Road forced sewer main caused an issue with the lift station and we had to hire a contractor out of South Bend to clean out; upcoming Berrien County Commissioner meeting at the Buchanan Senior Center and they will be formulating a Countywide Transportation Authority; upcoming events; public pre-construction meeting in September for Redbud Trail reconstruction; will pursue "Chicken Ordinance" if Commission approves; update on Summer Thrill on the Hill; concrete poured at Kathryn Park for Little Free Library; and he did contact Mike Hughes and our regional dollars are spent for other things. There was discussion with Commission about dead tree removal along Redbud Trail reconstruction area and the City Manager replied that a program to develop a prerequisite to get on the tree cutting list was being worked on. He confirmed he would put the current policy in this week's briefing.

**Commissioners'
Comments**

Commissioner Vigansky opposed the purchase of the Dial-A-Ride busses and wants more information. He then invited Lucas Bonek (who videos the meetings for Channel 17) to address the Commission about a cost of upgrading Public Broadcasting Channel 17 that he had asked for; Bonek explained his findings with an estimated cost of \$7,500. The Clerk explained her research into an upgrade and her need to discuss with the City Manager. Commissioner comments included thanks to Ralph McDonald for constructing two Little Free Library's for Kathryn and Harger Parks; thanks to Dick Proud for his service to developing McCoy's Creek Trail; congratulations to the Fine Arts Council; upcoming events and encouraged attendance to Summer Thrill on the Hill.

Adjourn

Vigansky moved, seconded by Toerne to adjourn the meeting at 8:18 p.m. Voice vote carried unanimously.

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

August 8, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, August 8, 2016 and was called to order by Mayor Cole at 7:03 p.m.

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

Buchanan-Galien Lions Club Member Jerry Flenar presented the second payment of \$650.00 for safety vests to Assistant Police Chief Tim Ganus. He also commended the City Manager and Commission on the Summer Thrill on the Hill. Assistant Chief Ganus presented a life vest for the Commission to review (five year guaranty) and discussion was shared.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne (arrived at 7:30 p.m.), Daniel Vigansky

Commissioners absent: none

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

Guests/Visitors present: Buchanan-Galien Lions Club Representative Jerry Flenar along with 9 visitors

Moore moved, seconded by Cole to include item A. Park System Logo under VIII. New Business on the Agenda. Roll call vote carried unanimously. Moore moved, seconded by Hess to approve the consent calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, July 25, 2016
- Checks 72993 to 73111 in the amount of \$1,348,742.63

Housand reported that the Schirmer Parkway Lift Station project went smooth, was complete and came in under budget. He explained in detail and discussion was shared.

Marx reported the update to the value (higher) of one of the Dial-A-Ride busses and vehicle evaluations (one of the three over the value to purchase for one dollar) he received from Wesner Chevrolet (distributed with the meeting packet). He explained a Dial-A-Ride bus could be purchased for a dollar and then sold to a local church for what we would have to pay for the higher bus. The third could then be purchased for one dollar. Vigansky asked clarification on use of the busses; Marx replied Fire Department warming/cooling station and City literacy program. Debate followed. Marx reiterated that he will be talking with the State and will have much clearer information at the next meeting.

Marx distributed a Summer Thrill on the Hill (STOTH) financial sheet to the Commission and announced the total revenues of \$11,482.51 and explained revenues gained (\$6,482.51) over expenditures. He estimated 5,000 people in attendance at the STOTH and reported the event in details. Discussion was shared.

Toerne arrived at 7:30 p.m.

All Commissioners' thanked the staff for the time and effort to have a Summer Thrill on the Hill. There was debate about ~~tax dollars being used for Commissioners' personal projects~~ use of the Dial-A-Ride vehicles.

Call to Order

Pledge/Invocation

\$650.00 check presented to Police Department

Roll Call

Consent Calendar

Agenda as amended

Minutes

Checks as amended

Reports

Completion of Schirmer Parkway Lift Station

Unfinished

Business

Dial-A-Ride old Busses

Summer Thrill on the Hill Report

Marx reported that Brittany McBain was in attendance and created the logo presented for Have Fun at Buchanan Parks. He explained the group wants to have a fundraiser over Labor Day for Kathryn Park and McBain surrendered her rights for use of the logo. ***Moore moved to adopt the Park Systems logo presented and recommended by the City Manager pending Buchanan Area Recreation Board approval. Toerne seconded the motion and roll call vote carried unanimously.*** (drawing made part of this record)

New Business
BARB's System
Logo

Cheryl Carrier, Smith Street asked the status of a chicken ordinance that she presented two months ago and then presented her second plea to adopt an ordinance to allow urban chickens within the City of Buchanan. Toerne invited her to the Plan Commission meeting tomorrow evening. Marx reported that some ordinances have been obtained and are being reviewed. Norma Ferris, Oak Street asked what was being done to make Buchanan safer. Marx replied security around the City and extra police training. Hess spoke about security throughout the school system. Assistant Chief Ganus responded that drills and training are done with the schools above and beyond.

Public Comments

Manager comments included clarification that the Chamber of Commerce declined participation with the US 12 Yard Sales in August; however the City continues to sponsor the Citywide Garage Sales in June. He recognized Affordable Asphalt, John and Tim Wregglesworth for their graciousness with their time and equipment constructing the hill for STOTH. Marx noted several businesses profited from the influx of patrons during Thrill.

**Manager's
Comments**

All Commissioner's thanked the City Manager and worker's for the Summer Thrill on the Hill event and one read a letter to the South Bend Tribune Editor about the failure of "Slide the City" that was held in South Bend Indiana.

**Commissioners'
Comments**

Commissioner comments included support for Buchanan Middle School Promise College Program; requested documentation of calling the Commissioners names; attendance to Rural School Reunion; Fine Arts Council planning 2017 Tin Shop Programs; and the Police Department receiving cookies. Commissioner Toerne apologized for being late.

Toerne moved, seconded by Hess to adjourn the meeting at 8:10 p.m. Voice vote carried unanimously.

Adjourn

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

August 22, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, August 22, 2016 and was called to order by Mayor Cole at 7:03 p.m.

The Pledge was recited by all.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: Berrien County Record Owner Randy Hendrixson

Vigansky moved, seconded by Hess to move item D. Approve Banner Placement; American Legion Riders of Southwest Michigan, Annual Motorcycle Benefit and B. Minutes; Regular Schedules meeting, August 8, 2016 under the Consent Calendar to Unfinished Business. Roll call vote carried unanimously. Moore moved, seconded by Toerne to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda
- Checks 73112 to 73218 in the amount of \$2,242,430.66
- Introduce Ordinance per Charter Section 7.3 for Adoption of the 2015 International Property Maintenance Code
- Declare 2003 Dodge pick-up, VIN #3D7KU26D03G837176 as surplus City personal property and authorize sale to scrap yard

Hendrixson distributed posters of the campaign “To Save the Berrien County Record” to the Commission and explained the campaign since inception. He reported that their campaign has not been successful to date and was discouraged about obtaining 2,500 new subscriptions to save the paper. Hendrixson stated they had to let go four employees and explained the Berrien County Record history in detail. The Mayor suggested a resolution of support. Commissioner’s commended Hendrixson on all efforts since taking over the paper and making good changes. Discussion was shared.

Cole moved to support the Berrien County Record by approving a symbolic resolution of support, recognition of effort, using the paper as an economic development tool, value and efforts in our community for exposure, including urging the public to support. Toerne seconded the motion and a roll call vote carried by majority. YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky.

Commissioner Vigansky asked about the process for a Banner Placement request that was already approved by the City Manager. The Clerk explained the policy. After discussion of the banner placement and policy, ***Hess moved, seconded by Moore to amend the Policy, fourth bullet to include “or approved at the discretion of the City Manager”. Roll call vote carried unanimously.***

Moore moved, seconded by Hess to amend the last sentence on page 1 regular scheduled meeting Minutes from August 8, 2016 by striking out “tax dollars being used for Commissioners’ personal projects” and penning in “use of the Dial-a-Ride Vehicles”. After debate, roll call vote carried by majority.

Call to Order

Pledge

Roll Call

Consent Calendar

Agenda as amended

Checks as amended

Introduce Ordinance,
2015 International
Property
Maintenance Code

Declare 2003 Dodge
as Surplus
Equipment

Reports

Save the Berrien
County Record

Unfinished

Business

Banner Placement

August 8 2016
Minutes

YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky. Moore moved, seconded by Toerne to approve the August 8, 2016 minutes as confirmed by Commissioner Moore. Roll call vote carried by majority. YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky. Commissioner Vigansky formally requested to review, under FOIA (Freedom of Information Act) the tape of the August 8 City Commission Meeting with the Mayor informing him he would have to complete paperwork for a FOIA.

Unfinished
Business continued
August 8 2016
Minutes

Marx clarified his explanation from his briefing and asked for support on his recommendation to dispose of the equipment. **Vigansky moved, seconded by Toerne to approve the sale of the 1999 ODB Leaf Vac unit as surplus equipment as-is by one-week electronic auction service. Roll call vote carried unanimously.**

New Business
Sale of Surplus
Property, 1999 ODB
Leaf Vac

After Marx explained the temporary traffic control order, **Toerne moved, seconded by Vigansky to approve the Traffic Control Order #248, Change the current “yield” signs on the east and west side of the intersection to “stop” signs on E. Chicago Street. Roll call vote carried unanimously.**

Traffic Control
Order #248

Marx explained the annual agreement for Crossing Guards. **Toerne moved, seconded by Moore to approve the Crossing Guard Agreement between City of Buchanan and Buchanan Community Schools. Roll call vote carried unanimously.**

Crossing Guard
Agreement

Marx explained the gray area in the Joint Sewer Water Board Bylaws for appointment of members that needed to be better defined. After discussion, Commissioner’s agreed that the two City appointments should be City residents. Commissioner Vigansky stated that he would volunteer for the vacancy as a city resident.

Joint Sewer Water
Board Discussion

Toerne moved, seconded by Moore to appoint Mayor Carla Cole as the voting member and City Manager Bill Marx as the Designee for the Michigan Municipal League Annual Meeting at the Annual Conference. Roll call vote carried unanimously.

MML Voting
Member & Designee

Manager comments included an update on 204 N Redbud and 500 E Third, third Dial-A-Ride bus did not receive any bids through Berrien Bus, and Trick or Treat.

Manager’s
Comments

Commissioner’s comments included Friends of Oak Ridge Cemetery to **PROBABLY** disband, positive comments on Redbud City Center and acoustic repair still needed, upcoming events, thanks to DPW on tree removal, thanks to Lucas Bonek for videoing the meetings for Channel 17, wishing Berrien County Record best of luck, code enforcement for peddlers/solicitors, need for Fire Chief to inspect vacant downtown buildings for habitability, status of collecting loan payments from closed Redbud Tap, Schirmer donation for school promise and thanks to City Manager for thinking outside the box and managing Summer Thrill on the Hill.

Commissioners’
Comments

Toerne moved, seconded by Vigansky to adjourn the meeting at 8:45 p.m. Voice vote carried unanimously.

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

September 12, 2016

The Mayor called the Public Hearing to order at 7:00 p.m. and invited public comments on the proposed ordinance of the City of Buchanan, Michigan adopting the 2015 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City of Buchanan, Michigan: providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2011.04/383 of the City of Buchanan, Michigan and all other ordinances and parts of the ordinances in conflict therewith. Hearing neither verbal comments nor receipt of any written correspondence, the Mayor adjourned the Hearing at 7:01 p.m.

Public Hearing

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, September 12, 2016 and was called to order by Mayor Cole at 7:02 p.m.

Call to Order

The Pledge was recited by all. Pastor Edwin Brinklow gave the Invocation. Mary Fisher, Author of the book How to Make Your Own Scarecrows the Buchanan “Scarecrow Ladies” Way gave a biography about her published book and explained the Buchanan Scarecrow Charity Group. Member Teresa Sulok presented a check in the amount of \$280 to City Manager Marx for security cameras. She also presented a check in the amount of \$650 to Police Reserve Officer Richard Wonacott for a bullet proof vest and announced other donations the group has given. Both ladies reported on the statistics of the scarecrows throughout the City. Greetings were shared. The Mayor presented a plaque of appreciation to Tim Wregglesworth and one to John Wregglesworth, Affordable Asphalt for their donation and assistance to developing the hill for the “Summer Thrill on the Hill”. The Mayor presented a check in the amount of \$3,329, 50% Summer Thrill on the Hill proceeds, to Assistant Police Chief Tim Ganus for bullet proof vests for Police Reserve Officers. Greetings were shared after each reserve introduced themselves. The Mayor presented a check in the amount of \$3,329, 50% Summer Thrill on the Hill proceeds to Buchanan Area Recreation Board (BARB) President Patricia Moore and Member Dave Perez for playground equipment. Greetings were shared.

Pledge

Presentations

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Roll Call

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: 13 Visitors

Public Comments

Norma Ferris asked what the Ordinance listed on the Agenda was about and the City Manager explained the 2015 International Maintenance and Property Code.

Moore moved, seconded by Toerne to move item B. Approve Minutes; Regular Schedules meeting, August 22, 2016 under the Consent Calendar to Unfinished Business and include Approve Banner Placement form for Annual 5K Run/Walk Fundraiser for McCoy’s Creek Trail. Roll call vote carried unanimously. Moore moved, seconded by Toerne to approve the Consent Calendar as amended. Roll call vote carried unanimously.

Consent Calendar
Agenda as amended

Checks

Banner Placement
Request

- Agenda
- Checks 73219 to 73338 in the amount of \$596,659.30
- Banner placement form for Annual 5K Run/Walk Fundraiser for McCoy’s Creek Trail

Unfinished
Business
Trick-or-Treat

After clarification about the 2015 Trick-or-Treat meeting discussion from Marx and shared Commission discussion, **Vigansky moved, seconded by Moore to schedule October 31st from 6:00 to 7:30 p.m. as the date and time of Trick-or-Treat until a change is needed. Roll call vote carried by majority. YEA: Cole, Hess, Moore, Vigansky. NAY: Toerne.**

After deliberation, **Moore moved, seconded by Vigansky to approve the ordinance as presented. ORDINANCE FOR ADOPTION OF THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE**

Ordinance
2016.09/401,
Adoption of 2015
International
Property
Maintenance Code

An ordinance of the City of Buchanan, Michigan adopting the 2015 edition of the **International Property Maintenance Code**, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City of Buchanan, Michigan: providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2011.04/383 of the City of Buchanan, Michigan and all other ordinances and parts of the ordinances in conflict therewith.

The City Commission of the City of Buchanan, Michigan does ordain as follows:

Section 1: That a certain document, one (1) copies of which are on file in the office of the Clerk’s office of the City of Buchanan, Michigan, being marked and designated as the **International Property Maintenance Code**, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Buchanan, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided: providing for the issuance of permits and collection of fees therefore: and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Clerk’s office are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

- Section 101.1 Insert: THE CITY OF BUCHANAN
- Section 103.5 Insert: Cost incurred plus fifteen percent (15%)
- Section 106.3 Delete: or civil infraction as determined by the local municipality
- Section 111.1 Insert: Construction Board of Appeals
- Section 111.2 Insert: Construction Board of Appeals
- Section 112.4 Insert: not less than \$100.00 or more than \$500.00
- Section 302.4 Insert: Eight (8) inches
- Section 304.14. Insert: May 1 – November 1
- Section 602.3 Insert: October 1 – July 1
- Section 602.4 Insert: October 1 – July 1

Section 3. That Ordinance No. 2011.04/383 of the City of Buchanan, Michigan entitled ORDINANCE FOR ADOPTION OF THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE and all other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Buchanan, Michigan hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquitted or existing under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Unfinished
Business continued
 Ordinance
 2016.09/401

Section 6. That the City Clerk is hereby ordered and directed to cause this ordinance to be published as required by law; and this ordinance shall take effect from and after its approval as required by law.

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect fifteen (15) days from and after the date of its final passage and adoption.

Roll call vote carried unanimously. Ordinance 2016.09/401 declared adopted.

Toerne moved, seconded by Hess to approve the amendment to the Banner Placement Form in that the City Manager may approve a banner placement request under bullet five. Roll call vote carried unanimously.

Banner Placement
Form

Moore moved, seconded by Toerne to amend the regular scheduled August 22, 2016 meeting minutes by correcting a grammatical error and include, under Commissioners comments, first sentence, the word “possibly” between to and disband. The Clerk penned the corrections to the original minutes per the Charter and confirmed the same. ***Roll call vote carried unanimously.***

August 22, 2016
Minutes

Marx gave details on the purpose and request to purchase the used 1999 chassis 60' boom lift. After deliberation, ***Toerne moved, seconded by Hess to approve the purchase of the used 1999 chassis 60' boom lift JLG 600A D/F, 2x4, 1551033A with 2,695 hours in the amount of \$12,000. Roll call vote carried by majority. YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky.***

New Business
Purchase the used
1999 chassis 60'
boom lift

After deliberation, ***Moore moved, seconded by Toerne to approve the 2017 Buchanan's Summer Thrill on the Hill and set the event dates of Friday, August 4 and Saturday August 5, 2017 as explained and recommended by the City Manager Roll call vote carried unanimously.***

2017 Buchanan's
Summer Thrill on
the Hill

After deliberation, ***Toerne moved, seconded by Vigansky to approve road repairs to sealcoat Harlan Ave. between Detroit and Main, Remus St between Chippewa and Detroit, Remus between Detroit and Lake, Lake St between Harlan and Remus, Detroit between Harlan and Remus and Cayuga from 4th St south 410 feet from the Berrien County Road Commission for the sum of \$17,440.00 as explained by the City Manager (before October 15th). Roll call vote carried unanimously.***

2016 Street Sealcoat
Project

After deliberation, ***Toerne moved, seconded by Moore to approve the License Agreement with Willard Gustavsen for right to use ten feet of City property located on the southern side of 123 Days Avenue for temporary ingress/egress as explained by the City Manager. Roll call vote carried unanimously.***

License Agreement
with Willard
Gustavsen

Manager comments included Lehman's Orchards opening November 1, façade improvements to 500 E Third, and researching upgrade to Channel 17 (Channel not working due to failed cable).

Manager's
Comments

Commissioner's comments included upcoming events at the Tin Shop, thanks to the Scarecrow Charities and upcoming scarecrow workshop, Dog Park Committee selling flower bulbs, caution for kids back in school, pleased that the SAW grant proceeds were used to pay off the vector truck, article about the City getting more money for roads, and change in Planning Commission meeting.

Commissioners'
Comments

Moore moved seconded by Toerne to go into closed session to at 8:50 p.m. for the purpose of MCL 15.268 Section 8. (a). ***Voice vote carried unanimously.***

Closed Session

The Mayor reconvened the meeting at 9:16 p.m.

Toerne moved, seconded by Vigansky to adjourn the meeting at 9:16 p.m. Voice vote carried unanimously.

Adjourn

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

September 26, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, September 26, 2016 and was called to order by Mayor Cole at 7:02 p.m.

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

Toerne moved, seconded by Moore to postpone the presentation to Richard Proud until the October 10 meeting. Roll call vote carried unanimously.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx, Zoning Administrator and Downtown Development Authority Director Debra Patzer, Water Operator Scott Desenberg, Wastewater Operator Bill Housand and Clerk Gladys Bybee

Guests/Visitors present: 11 Visitors

Resident and Business Owner Alan Robandt opposed the expenditure to upgrade Public Broadcasting Channel 17 and suggested utilizing U Tube as it is free. Resident Norma Ferris asked for more information regarding the chicken ordinance.

Vigansky moved, seconded by Cole to move item D. Introduce Ordinance per Charter Section 7.3 for an Ordinance to amend the City of Buchanan, Michigan Code of Ordinances; to amend Chapter 12, Animals and Fowl, Section 12-1 Definitions; to create section 12.5 Keeping of Domestic Chickens; and to provide for an effective date of this ordinance under the Consent Calendar to Unfinished Business. Roll call vote carried unanimously. Moore moved, seconded by Toerne to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, September 12, 2016
- Checks 73339 to 73424 in the amount of \$225,748.89
- Banner Placement Form, Annual Holiday Market at Fernwood
- Street Closure, Multiple for McCoy's Creek trail 5k Run & Walk, 10-15-16
- Street Closure, Oak from Redbud City Center to Front & Front Street to the American Legion for Annual Halloween Parade, 10-29-16
- Appoint Citizen Volunteer, Dave Perez to the Common Committee as recommended by the Common Committee

O'Haver announced that the Buchanan Dial-A-Ride *Assessing Customer Satisfaction and Trip Purpose Survey* from MSU and MDOT were available for all to review. She summarized the report and commended Scarlett, who is the Front Manager for Buchanan Dial-A-Ride. Discussion was shared with Commission.

Desenberg explained the budgeted expense to develop bid specifications and prior meetings when Dixon reported the recommendation of repairing and repainting the exterior of the water tower's that is anticipated to put out for bid in November. After

Call to Order

Pledge

Roll Call

Public Comments

Consent Calendar

Agenda as amended

September 12, 2016 Minutes

Checks

Banner Placement Request

Street Closures

Common Committee Appointment

Reports

Buchanan Dial-A-Ride

Unfinished

Business

Water Storage Tank Repainting

shared discussion, *Vigansky moved, seconded by Moore to approve the Proposal/Contract Agreement for Water Storage Tank between the City of Buchanan and Dixon Engineering & Inspection Services for Technical Services for the 250,000 Gallon Double Ellipse and 500,000 Gallon Toroellipse Elevated Tanks in the amount of \$3,000. Roll call vote carried unanimously.*

Unfinished
Business continued
Water Storage Tank
Repainting

Housand explained the budgeted scheduled rebuild in detail. *Toerne moved, seconded by Vigansky to approve the New Power End RAS Pump and Impeller, including installation of same for Wastewater Treatment Plant from Distribution Engineered Services Coatings Quotation in the amount of \$9,420. Roll call vote carried unanimously.*

New Power End
RAS Pump and
Impeller

Marx reported on the neutral separation with an employee. *Moore moved, seconded by Toerne to approve the Separation Agreement as presented. Roll call vote carried unanimously.*

Employment
Separation
Agreement

Patzer, as DDA Director explained the survey's that were complete in regards to moving the Holiday Lighting from the first Friday in December to the Saturday after Thanksgiving as requested by the Chamber of Commerce on behalf of the Businesses. This date is when the downtown businesses have "White Saturday" and would like to combine the Holiday Lighting at the same time. Commission concerns were unknown details of what the Chamber planned to do, limited resources of staff to install lights on that holiday weekend, and what happens to the event if it doesn't work out on that date. *Moore moved to release the major responsibility of the Holiday Lighting Event to the Chamber of Commerce and DDA with the understanding that the City will assist minimally with the lights. Toerne seconded the motion and roll call vote carried unanimously.*

Holiday Lighting
taken over by
Chamber of
Commerce

Patzer, as Zoning Administrator, reported that she has been questioned about residents having chickens, pot belly pigs, horses and she explained the proposed ordinance. She summarized the proposed ordinance and noted that it was available for public review and comment. Discussion was shared with Commission, Patzer and Marx. *Moore moved, seconded by Toerne to Introduce Ordinance per Charter Section 7.3 for an Ordinance to amend the City of Buchanan, Michigan Code of Ordinances; to amend Chapter 12, Animals and Fowl, Section 12-1 Definitions; to create section 12.5 Keeping of Domestic Chickens; and to provide for an effective date of this ordinance. Roll call vote carried unanimously.*

Introduce Ordinance
per Charter Section
7.3 for an Ordinance
to amend the City of
Buchanan, Michigan
Code of Ordinances;
to amend Chapter 12
Animals and Fowl,
Section 12-1
Definitions; to create
section 12.5 Keeping
of Domestic
Chickens

O'Haver explained the five year agreement with Michigan Department of Transportation (MDOT) including rules and regulations. *Toerne moved, seconded by Vigansky to approve the resolution as presented.* Agreement Certified Signature Resolution for Michigan Department of Transportation (MDOT) Master Agreement **WHEREAS**, the City of Buchanan has the authority to contract with the Michigan Department of Transportation for state and/or federal funds for passenger transportation related services; and **WHEREAS**, the City of Buchanan does hereby approve Master Agreement No. 2017-0141. **NOW, THEREFORE**, be it resolved that the City Manager William Marx and City Treasurer Julianne O'Bryant of the City of Buchanan, be authorized and directed to execute said agreement for and on behalf of the City of Buchanan
Roll call vote carried unanimously. Resolution No. 2016.09/142 declared adopted.

New Business
Resolution
2016.09/142, Dial-
A-Ride Master
Agreement &
Signature
Authorization

Patzer explained the rezoning request that went before the Planning Commission at a public hearing and was unanimously approved. ***Toerne moved, seconded by Moore to approve the Rezoning 112 S Redbud Trail from C-3 Central Business District to R1A & R1B Single Family Residential District as unanimously approved by the Buchanan Planning Commission. Roll call vote carried unanimously.***

New Business continued
Rezoning 112 S Redbud Trail

Marx reported the long standing issues with televising the public broadcasting channel and explained in detail. Cody Floor, Programmer and Commission shared discussion about utilizing U Tube free and broadcasting other public information. ***Toerne moved, seconded by Hess to approve the Bid Waiver and Budget Amendment to upgrade Public Broadcasting Channel 17 with Custom Computer Company, LLC in the amount of \$6,480. Roll call vote carried unanimously.***

Public Broadcasting Channel 17 Bid Waiver & Budget Amendment

Norma Ferris objected to replacing Channel 17 with U-Tube.

Public Comments

Marx commented that a four way stop will be here about four weeks at the Front/Redbud intersection while construction is going on to install the new traffic light.

Manager's Comments

He offered opportunity for Chamber of Commerce Director Randy Hendrixson to share discussion and questions about their change to the Holiday Lighting. Hendrixson explained the vision for the weekend festivities that would be included with the Holiday Lighting. He requested that the City not remove the advertising budget for the Holiday Lighting.

Commissioner's comments included: Vigansky requesting the Mayor and City Manager to consider videotaping the Landfill meetings again and thanked the Chamber for taking over the Holiday Lighting. Cole commented City doing the events/activities is important for Buchanan families.

Commissioners' Comments

Moore moved seconded by Toerne to go into closed session to at 8:30 p.m. to review minutes from the September 12, 2016 Closed Session for the purpose of MCL 15.268 Section 8. (a). Voice vote carried unanimously.

Closed Session
September 12, 2016 Closed Session Minutes Review and Approve

The Mayor reconvened the meeting at 8:36 p.m.

Vigansky moved, seconded by Hess to approve the Closed session Minutes as reviewed in closed session.

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

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

October 10, 2016

Public Hearing

The Mayor called the Public Hearing to order at 7:00 p.m. and invited public comments on an ordinance of the City of Buchanan, Michigan adopting an amendment to the City of Buchanan, Michigan Code of Ordinances; to amend Chapter 12, Animals and Fowl, Section 12-1 Definitions; to create section 12.5 Keeping of Domestic Chickens; and to provide for an effective date of this ordinance. The Clerk reported an email was received from Front Street resident Adam Parin who was in favor of the chicken ordinance. Hearing no verbal comments, the Mayor adjourned the Hearing at 7:01 p.m.

Call to Order

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, October 10, 2016 and was called to order by Mayor Cole at 7:01 p.m.

Pledge

Recognition

The Pledge was recited by all. Pastor Len Bailey gave the Invocation. Lloyd Miller introduced himself as Chairman of the Friends of the McCoy's Creek Trail and introduced Richard Proud, former Chairman of Friends of McCoy Creek Trail. The Mayor presented Dick Proud with a plaque of appreciation. Proud introduced the members of the Trail and spoke briefly. Greetings were shared. Miller reported on accomplishments from the last 13 years of the Trail Committee.

Roll Call

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

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

Guests/Visitors present: 12 Visitors

Public Comments

Buchanan Community Schools Superintendent Andrea vanderLaan thanked the City crews for assistance in cleanup of downed trees and work on school property.

Consent Calendar

Agenda as corrected

Moore moved, seconded by Hess to correct the amount of the Budget Amendment to \$103,240 as shown on the Amendment form. Roll call vote carried unanimously. Moore moved, seconded by Hess to approve the Consent Calendar as amended. Roll call vote carried unanimously.

September 26, 2016
Minutes

- Agenda as corrected
- Minutes: Regular scheduled meeting, September 26, 2016
- Checks 73425 to 73546 in the amount of \$290,563.07
- Budget Amendment, General Fund in the amount of \$103,240 for the City's share of the traffic signal at Front and Redbud intersection
- Certify Delinquent Township Billings to Winter 2016 Tax Roll
- Street Closure for Buchanan High School Homecoming Parade

Checks
Budget Amendment as clarified
Certify Delinquent Township Billings
Street Closures

Reports

City Clerk Dept.

The Clerk reported on vacancies on Committees and Boards, upcoming election, Channel 17 and the website.

Unfinished

Business

Domestic Chickens
Ordinance

Patzer explained the ordinance. ***Moore moved, seconded by Toerne to approve the ordinance as presented.*** Amendment to the City of Buchanan, Michigan Code of Ordinances; to amend Chapter 12, Animals and Fowl, Section 12-1 Definitions; to

create section 12.5 Keeping of Domestic Chickens; and to provide for an effective date of this ordinance

THE CITY OF BUCHANAN ORDAINS: Chapter 12, "ANIMALS AND FOWL" is now created and shall be included in the Buchanan Code of Ordinances as follows:

Sec. 12-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section except where the context clearly indicates different meaning:

- *Animal* means any vertebrate animal other than human beings, including but not limited to, cats and dogs.
- *Animal Run* means an area designated or used for the exercising or possessing of animals.
- *At Large* means off the premises of the owners, harborer, keeper, possessor, or person in charge of the dog, cat, or animal, and not under the restraint by leash, controlled by a person of suitable age and size.
- *Cat* means an animal of the species *Felix Catus*.
- *Dog* means an animal of the species *Canis Familiaris*.

DOMESTIC CHICKEN means female chickens (hens) that may, where permitted, be kept and maintained for the non-commercial production of eggs, education, companionship or recreation. No other types of fowl or poultry shall be considered domesticated chickens.

- *Owner* means a person having a property interest in an animal or, who keeps or harbors the animal in his or her care or custody, or who permits the animal to remain on or about any premises occupied by the person.

Sec. 12-2. Animals running at large.

It shall be unlawful for the owner of any animal, licensed or unlicensed, wearing a collar or not wearing a collar, to allow such animal to run at large or go beyond the premises of its owner unless properly restrained on a leash not exceeding twelve (12) feet in length. This section does not apply to working dogs such as service dogs and guard dogs, and such other working dogs which are actively engaged in activities for which such dogs are trained and are under the reasonable control of its owner. A person who violates this section shall be punished as provided in section 1-15, General Penalty, of this Code.

Sec. 12-3. Control and Removal of Animal Excrement.

An owner, harborer, keeper, possessor or person in charge of any animal which discharges its excrement upon any parking lot, public thoroughfare, sidewalk, street, highway, road, boulevard, school property, cemetery, passageway, bypass, play area, park, or an place where people congregate or walk, or upon any public property whatsoever, or upon any private property without the permission of the owner of such property, shall be in violation of this section unless such person has in his immediate possession an appropriate device and uses such device for the transmission of such excrement immediately by a person to a suitable receptacle or location. A person who violates this section shall be punished as provided in section 1-15, General Penalty, of this Code.

Sec. 12-4. Cleanliness of Yards and Runs.

Yards and animal runs shall be kept free of animal excrement and maintained in a sanitary manner so as not to be a nuisance because of odor or attraction for insects and vermin. A person who violates this section shall be punished as provided in section 1-15, General Penalty, of this Code.

Section 12-5. Keeping of Domestic Chickens

Domestic Chickens, may be kept in Single Family Residential Districts within the City of Buchanan in compliance with the provisions below.

1. *A maximum of six (6) domestic chickens may be kept: roosters are prohibited.*
2. *All domestic chickens shall be kept as follows:*
 - a. *All domesticated chickens shall be kept outside of a habitable structure in a predator-proof enclosure, a portion of which must be a covered predator resistant henhouse with a minimum of two (2) square feet per bird, and a portion of which must be a completely fenced in area, a minimum of 6 (6) square feet per bird and constructed of material such as wire and/or mesh material.*
 - b. *Henhouses shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird resistant wire of less than one (1) inch openings.*
 - c. *All henhouses and fenced enclosures must be properly ventilated, clean, dry and odor free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.*
 - d. *A henhouse and fenced enclosure must provide adequate ventilation, adequate sun and shade and must be constructed in a manner to prohibit access by rodents, wild birds and predators, including dogs and cats.*
 - e. *All henhouses and fenced enclosures shall be located not less than twenty-five (25) feet away from any residential structure (other than the permit holder's residence) and not less than twenty (20) feet from any property line.*
 - f. *All domestic chickens shall be kept in a required rear yard. No domestic chickens shall be kept in a required front yard.*

g. All food for domestic chickens must be kept either indoors or in a weather resistant container designed to prevent access by animals. Uneaten food shall be removed daily.

3. Sanitation, nuisance, and humane treatment:

a. The henhouse and fenced in area must be kept free from trash and accumulated domestic chicken manure.

b. Provision must be made for the sanitary storage and removal of domestic chicken manure. All manure for composting or fertilizing shall be contained in a well aerated garden compost pile located at least twenty (20) feet from any property line. All other manure not used for composting or fertilizing shall be removed.

c. No person shall keep chickens within the City of Buchanan in such a manner that a nuisance is created.

d. No perceptible odor from the domestic chickens or their enclosure shall be present at any property line.

e. Slaughtering of domestic chickens is prohibited.

f. Breeding of domestic chickens is prohibited.

d. No domestic chickens shall be used or trained for fighting for amusement, sport or financial gain.

4. Permit Required:

a. An annual no fee permit issued by the City of Buchanan shall be required for the keeping of domesticated chickens. Any material misstatement or omission shall be grounds for denial, suspension or revocation of the permit.

b. The permit authorized the keeping of domesticated chickens only upon the property identified in the permit. An applicant for a permit must be the property owner or have written permission from the property owner to be eligible to obtain a permit. The permittee must occupy the residence on the property where the domestic chickens are kept as his or her personal primary residence.

c. Only one (1) permit shall be issued for any eligible property of record in the City of Buchanan. In the event that the permittee is absent from the property for longer than sixty (60) days the permit shall automatically terminate and become null and void.

d. The first permit year shall extend from the date of issuance through December 31st of that year. Thereafter the permit year shall be January 1 through December 31.

5. The sale of domestic chickens and/or their eggs is prohibited on the property.

Roll call vote carried unanimously. Ordinance 2016.10/402 declared adopted and effective upon publication.

Fire Chief Mike Adams reported and explained the basics and history of the Michigan Mutual Aid Box Alarm (MABAS) System Association Agreement between Participating Political Subdivisions. After shared discussion with the Commission, **Moore moved, seconded by Toerne to approve the Amended Michigan Mutual Aid Box Alarm (MABAS) System Association Agreement between Participating Political Subdivisions as Signatories to this Inter-local Agreement. Roll call vote carried unanimously.**

Resident Norma Ferris asked if brown bag leaf collection could be extended past October 17 as the leaves have not fallen yet. The City Manager agreed that an extension would be posted on the kiosks, channel 17, and persons can call City Hall.

Marx commented Fire and Police Department fundraiser, upcoming homecoming parade, and current status of repaving of Redbud Trail from Front Street to south City limit.

Commissioner’s comments included: thanks to Norma for wearing Parks t-shirt, thanks to Dick Proud, Sheila Daly, and Jack McClellan on the Trail, Feed the Children Horse Parade, Tin Shop Performance’s, First United Methodist Church Day of Caring, Trek-or-Treat on Saturday and Trick-or-Treat on Monday but could have been all on the same day, opposed to LMC millage proposal, and unfamiliar with industrial site for sale on website. Vigansky asked how many City pick-ups don’t have our name on them. Marx replied four and the project will be scheduled for completion.

Unfinished Business continued

Keeping of Domestic Chickens Ordinance 2016.10/402

New Business

Resolution 2016.09/142, Dial-A-Ride Master Agreement & Signature Authorization

Public Comments

Manager’s Comments

Commissioners’ Comments

Vigansky moved seconded by Toerne to go into closed session at 8:17 p.m. to evaluate the City Manager as requested by Bill Marx, for the purpose of MCL 15.268 Section 8. (a). Voice vote carried unanimously.

Closed Session
MCL 15.268
Section 8. (a), City
Manager
Evaluation

The Mayor reconvened the meeting at 9:29 p.m.

Vigansky moved, seconded by Hess to appoint the Mayor and Commissioner Toerne to negotiate the City Manager Agreement with Bill Marx and City Attorney Randy Hyrns to approve at the next meeting. Roll call vote carried unanimously.

City Manager
Agreement

Toerne moved, seconded by Vigansky to adjourn the meeting at 9:30 p.m. Voice vote carried unanimously.

Adjourn

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

October 24, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, October 24, 2016 and was called to order by Mayor Cole at 7:03 p.m.

The Pledge was recited by all.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: American Chestnut Foundation Representative Tom Wrasse and Preservation Society President Alan Robandt along with 3 Visitors

Resident Norma Ferris asked the location of the Council Chambers where the projector and screen was proposed to be installed. The Mayor confirmed City Hall meeting room.

Moore moved, seconded by Vigansky to amend the Consent Calendar by removing F. Approve Resolution 2016.10/143, To Adopt a Five year Park and Recreation Plan for the City of Buchanan as unanimously adopted by the Buchanan Area Recreation Board to B. under Unfinished Business, amend the Agenda to include under New Business. C. Haas Systems, Inc. quote for the Ross Sanders House from the Preservation Society and add to the Agenda a Closed Session to review minutes after Commissioner Comments. Roll call vote carried unanimously. Moore moved, seconded by Vigansky to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
• Minutes: Regular scheduled meeting, October 10, 2016
• Checks 73547 to 73629 in the amount of \$95,691.64
• 2000 Chevy Impala (Police vehicle) as surplus, accept sealed bids until October 28 at 4:00 p.m. and authorize the City Manager to award sale to highest bidder
• Banner Request for Wesner Automotive for Annual Toy Drive for E. Front Street location from 11-28-16 to 12-16-16

Commissioner Toerne reported him, the Mayor and Attorney met with Bill Marx to negotiate the City Manager Agreement. He read the "Contract Notes". Contract Notes (4) The majority of the present contract language will remain the same except for the below noted sections.

Contract Duration; October 31, 2016 thru October 31, 2019 (Three year contract)

Compensation; In recognition of the Manager's recent evaluation and a review of comparable communities it is the bargain groups recommendation that the Manager be provided with an annual wage increase of 3.5%. Additionally it is recommended the Manager receive a 4% increase to the base wage. The new contract wage if approved would be \$80,353.03 (\$5,606.03 increase). Although the recommended duration of the contract would be for three years - year two and year three wage consideration would be discussed as part of the Managers annual evaluation for those years.

Compensatory Time; In understanding the Managers past history of attentiveness to the job during his off time and the need for his availability to City operations the bargaining group recognizes that his ability to use accumulated compensatory and vacation time may not be readily available to him. It is the bargaining groups recommendation the Manager be allowed to submit up to 50 hours of unused compensatory time compensation. This submission is to occur by June 1 of each year of the contract.

Contract Preparation; Once these enhancement to the Managers contract are approved by the Commission at the October 24 meeting the City attorney will update the contract and it will be presented to the Commission for final approval at its November 14 meeting. The contract will be retroactive to November 1, 2016.

Call to Order

Pledge

Roll Call

Public Comments

Consent Calendar
Agenda as amended

October 10, 2016
Minutes

Checks

Request Sealed Bids
for 2000 Chevy
Impala

Banner Request

Unfinished
Business

City Manager
Bargaining

Commissioners shared discussion. *Toerne moved, seconded by Moore to approve the report as read and completed by the bargaining committee and the changes be integrated in the Manager Agreement and approved at the November 14th meeting. Roll call vote carried unanimously.*

Unfinished
Business continued
City Manager
Bargaining

Marx reported the five year cycle of the Park and Recreation Plan. Vigansky said he asked for it to be pulled from the Consent Calendar because he had not seen a copy of the plan. After Commissioner discussion and Vigansky asking to see the Plan, *Moore moved, seconded by Cole to approve the resolution to adopt a Five year Park and Recreation Plan for the City of Buchanan as unanimously adopted by the Buchanan Area Recreation Board.*

New Business
Resolution
2016.10/143, Five
Year Park and
Recreation Plan

WHEREAS, the Buchanan City Commission unanimously approved the Five Year Park and Recreation Plan at its regular public meeting held October 24, 2016, and
WHEREAS, it is a primary function of the Buchanan Area Recreation Board to maintain a current plan for City parks and recreation areas, facilities and programs, and
WHEREAS, the Buchanan Area Recreation Board has analyzed the cultural and physical resources of the City including an inventory of existing recreation facilities, and
WHEREAS, the Buchanan Area Recreation Board has established a plan of action for the improvement of park facilities and recreational opportunities in Buchanan, and
WHEREAS, the Buchanan Area Recreation Board held a Public Hearing to invite and hear comments about the Plan.
NOW, THEREFORE, BE IT RESOLVED, that the 2017-2021 Buchanan Community Recreation Plan is hereby adopted by the Buchanan City Commission as a reference document for future decision making.
Roll call vote carried unanimously. Resolution 2016.10/142 declared adopted.

Mike Reed, Custom Computer explained the complete project for screen, projector, and ceiling mount. *Toerne moved, seconded by Vigansky to approve the Screen Projector Technology System and Ceiling Mount Center for Video Camera for the Council Chamber in the amount of \$5,180. from Custom Computer Company.* Warranty, placement in the meeting room, eliminate trip hazard, YouTube and use of equipment for other purposes was discussed. *Roll call vote carried unanimously.*

Screen Projector
Technology
System and
Ceiling Mount
Center

Tom Wrasse, Member of American Chestnut Foundation and proud that Buchanan is becoming a part of the Chestnut Foundation explained the GERMPLASM Agreement, Regional Adaptability Breeding Program as recommended by Friends of McCoy Creek Trail. Wrasse explained the life cycle of the Chestnut tree and questions and discussion was shared. *Hess moved, seconded by Moore to approve the Germplasm Agreement with the American Chestnut Foundation and authorize the City Manager to sign the Agreement. Roll call vote carried unanimously.*

GERMPLASM
Agreement with
the American
Chestnut
Foundation

Robandt reported on the wireless fire alarm system, proposed to install at the Ross Sanders House that the Preservation Society would pay for the initial cost of \$1,809.97 and the City would be responsible for the monthly fee. *Moore moved, seconded by Toerne to approve the Haas Systems, Incorporated quote in the amount of \$1,809.97 paid for by the Preservation Society and \$34.50 each month would be the City responsibility.*

Wireless fire alarm
system, Ross
Sanders House

Norma Ferris asked if every City owned building had the fire alarm system. Robandt noted that the Preservation Society supports big trees planted for canopy along Front Street.

Public Comments

Marx commented White Saturday/Holiday Lighting postcards distributed; Day of Difference last Saturday at the Common/McCoy Creek/Farmers Market/Redbud Center/Kathryn Park; upcoming events; update on reconstruction of S Redbud Trail (completion two weeks from last Thursday), video cameras at the Front/Redbud intersection are only for traffic management and an opportunity to correct the pooling on Cecil and Rynearson by patching that section.

**Manager's
Comments**

Tom Wrasse noted he is grounds keeper for the Presbyterian Church and they believe they own the retaining wall between the church and fire station parking lot and its need for repair.

Commissioners' comments included: thanks to volunteers for Day of Caring, encouraged attendance to Tin Shop plays, opposed to the LMC tax increase proposal, thanks for planting chestnut trees, excited about street light and repair of Redbud, asked for the City to do something for Sheila Daly, the Library is looking for donations for Phase 2; opening the front entrance on Front Street, congratulations to couple the Mayor performed ceremony, absentee ballots available for November election, and practice safety during upcoming Halloween events.

**Commissioners'
Comments**

Moore moved seconded by Hess to go into closed session at 8:29 p.m. to review 10-10-16 Closed Session minutes. Voice vote carried unanimously.

Closed Session
MCL 15.268
Section 8. (a), City
Manager
Evaluation,
Review Minutes

The Mayor reconvened the meeting at 8:34 p.m.

Toerne moved, seconded by Hess to approve October 10, 2016 Closed Session Minutes as reviewed in Closed session. Roll call vote carried unanimously.

Adjourn

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

Gladys Bybee, City Clerk

Carla M. Cole, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

November 14, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, November 14, 2016 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. Assistant Police Chief Tim Ganus introduced Police Officer Francis Morley whom has been on the police department for 51 years. The Mayor presented a plaque of appreciation to Officer Morley. Greetings were shared.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

Staff present: City Manager Bill Marx and Clerk Gladys Bybee

Guests/Visitors present: 9 Visitors

Moore moved, seconded by Toerne to amend the Consent Calendar by adding Report from Pastor Rob McPherson and Doris Higgins, Make a Difference Day under Reports by Departments, Committees, Boards. Vigansky moved, seconded by Moore to remove I. Approve 2008 Ford/Eldorado light duty bus as surplus, accept sealed bids until November 23 at 4:00 p.m. under the Consent Calendar to Unfinished Business, B. Roll call vote carried unanimously. Moore moved, seconded by Hess to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, October 24, 2016
- Checks 73630 to 73765 in the amount of \$208,144.62
- Appoint Dan Vigansky to the Joint Water Sewer Board to fulfil the term (2017) of the vacancy created by Tom Hoetger as recommended by the Joint Water Sewer Board
- Joint Water Sewer Board Bylaw Amendment as recommended by the Joint Water Sewer Board
- Street Closure Form, Front Street from Redbud Trail to Oak Street and Oak Street from Front Street to the Redbud City Center for the Holiday Parade
- Addendum 3, Notice of Meetings for the City of Buchanan City Boards During 2016; specifically Dog Park Committee
- Banner Placement; White Saturday and Holiday Lighting

Doris Higgins reported on the fifth year of Make a Difference Day organized by United Methodist Church with 70 volunteers. She passed around her power point presentation and explained (the technology of the power point was not working yet). Pastor Rob McPherson presented a plaque of partnership to the City, Bill Marx and Craig Miller.

The Clerk reported on the Presidential Election and upcoming Community Thanksgiving Dinner.

Toerne reported on the changes that were made to the City Manager Agreement with William Marx. ***Toerne moved, seconded by Moore to approve the Agreement as distributed. Roll call vote carried unanimously.***

Call to Order

Pledge

Roll Call

Consent Calendar

Agenda as amended

October 24, 2016
Minutes

Checks

Water Sewer Board
Appointment

Joint Water Sewer
Board Bylaw
Amendment

Street Closure

Addendum 3
Notice of Meetings

Banner Request

Reports

Unfinished

Business

City Manager
Agreement

Marx reported no previous bids received for the 3rd Dial-A-Ride bus, 2008 Ford/Eldorado. Dan Vigansky opposed the keeping of the two Dial-A-Ride busses. Marks reported the status of the other two busses that we are establishing a value for the City to purchase; our interest to keep one and schedule the other one for sale at a cost between \$4,900 and \$6,800. Moore called Point of Order as the other two busses had previously been decided upon. **Moore moved, seconded by Toerne to declare the 2008 Ford/Eldorado light duty bus as surplus and accept sealed bids until November 23 at 4:00 p.m. Roll call vote carried unanimously.**

Moore nominated Brenda Hess as Mayor. Cole seconded and roll call vote carried unanimously. Moore nominated Carla Cole for Mayor Pro Tem. Toerne seconded and roll call vote carried unanimously. Cole and Hess exchanged places at the dais.

Pastor Barz announced Ministerial Association is working on a project to help young men (12 to 20) in the community.

Marx commented information technology installed and video presentation at the next meeting, welcomed thoughts and uses for Channel 17 and the new technology, staff helped decorate downtown four hours on Saturday but ran out of garland, minimal amount to do on the Common stage with deadline of mid-week prior to Saturday, White Saturday/Holiday Lighting, thanked Commission for contract renewal and looking forward to three more years, leaf challenge with leaf vac going down on Friday; a specialty mechanic working on it currently, leaves taken to Landfill and Redbud Track n Trail, and working with Wightman & Associates on the Redbud reconstruction completion and walk through.

Commissioners' comments included: Congratulations to Officer Francis Morley on his achievements, successful play at the Tin Shop and upcoming feature, urged attendance to White Saturday, thanks for new street but caution of the intersection, thanks to Carla Cole for Mayoral term, welcome new Mayor Brenda Hess, thanks to Marx for working together, thanks to Bob Barnes for free meals to City employees for their service on Veterans Day, Happy Thanksgiving, and Welcome sign for the City all need to be repainted. Toerne read his speech regarding the Presidential Election and Vigansky called a Point of order, that we are supposed to be nonpartisan and he opposed Toerne's political viewpoint, Moore said all comments are free speech.

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

Gladys Bybee, City Clerk

Brenda J Hess, Mayor

Unfinished
Business continued
Request Sealed Bids for 2008 Ford/Eldorado Dial-A-Ride Bus

New Business
Mayor & Mayor Pro Tem

Public Comments

Manager's Comments

Commissioners' Comments

Adjourn

CITY OF BUCHANAN COMMISSION MINUTES

November 28, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, November 28, 2016 and was called to order by Mayor Hess at 7:00 p.m.

Call to Order

The Pledge was recited by all. Assistant Police Chief Tim Ganus introduced Resident and Veteran Bob Barnes who volunteered to purchase City Employee's a meal at Hilltop Restaurant on Veteran's Day. The Mayor presented a plaque of appreciation to Mr. Barnes. Greetings were shared.

Pledge

Mayor Hess read a biography (not inclusive) of former Mayor Carla Cole. She presented former Mayor Cole with a plaque in recognition of her six year tenure as Mayor for the City of Buchanan. Greetings were shared.

Roll Call

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

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

Guests/Visitors present: Buchanan District Library Executive Director Barbara Wallace along with 4 Visitors

Consent Calendar

Agenda

Moore moved, seconded by Toerne to amend the Consent Calendar by adding check number 73835 in the amount of \$1,700 to Niles Walmart for Shop with a Cop to the Checks. Roll call vote carried unanimously. Moore moved, seconded by Cole to approve the Consent Calendar as amended. Roll call vote carried unanimously.

November 14, 2016
Minutes

- Agenda
- Minutes: Regular scheduled meeting, November 14, 2016
- Checks 73766 to 73835 in the amount of \$81,543.34 as amended
- Banner Placement; Buchanan Art Center Classes

Checks

Banner Request

Director Barbara Wallace presented specialty made plaques (30 story boards) to depict stories to read that could be interchanged for the Buchanan District Library Story Walk Project. She explained the Story Walk Project was partnered with Friends of the McCoy Creek Trail and they would like to construct the stories around the Common area instead of along the Trail. Commissioner's shared questions and answers with Ms. Wallace. It was suggested that Ms. Wallace present the project to the several Committees' that will be involved; Common, Dog Park, Farmers' Market. ***Vigansky moved, seconded by Cole to request Ms. Wallace to formally look into creating the Project with the Committee's involved and complete by January 15, 2017. Roll call vote carried unanimously.***

Reports

Assistant Police Chief Ganus reported the Shop with a Cop program where funds are donated to shop with 20 children at Walmart who is prepared with Santa and a little party. He explained the program and continued wrapping party afterwards.

Unfinished

Moore moved, seconded by Toerne to accept the sealed bid for the 2008 Dial-A-Ride Ford/Eldorado light duty bus, #3 to Paul Deeds in the amount of \$2,800. with the proceeds to go into the City Transportation Fund. Roll call vote carried unanimously.

Business

Dial-A-Ride Bus
sale

Michael Reed, Custom Computer Company presented the Public Broadcasting Channel 17 power point presentation on the newly installed overhead equipment and explained that we will also be broadcasting historical home movies of Buchanan sports. All discussed utilizing the channel more for public information with the loss of the local newspaper, Berrien County Record.

Electronic Equipment Presentation, Channel 17

Board /Committee Assignments

City Commissioners’ agreed to continue their representation on the Board /Committee Assignments as listed. ***Moore moved, seconded by Toerne to appoint Carla Cole to the DDA and Brenda Hess as the Mayor on the DDA board. Roll call vote carried unanimously.***

New Business
New Plow System for our Current 1997 International Dump/Plow Truck

City Manager reported on receipt of one written quote and one verbal quote to purchase a New Plow System for our Current 1997 International Dump/Plow Truck in the amount of 10,949 and include \$720 for cutting edge that would come from the next budget. After questions from Commissioner’s, ***Cole moved, seconded by Vigansky to approve the purchase of the plow from Truck and Trailer Specialties out of Dutton Michigan in the total amount of \$11,669. as suggested. Roll call vote carried unanimously.***

Manager’s Comments

City Manager comments were heard and a Work session to discuss funding for Southwestern Michigan Community Ambulance Services (SMCAS) was scheduled for Wednesday November 28th, 6:00 p.m. at City Hall.

Commissioners’ Comments

Commissioners’ comments were heard.

Adjourn

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

Gladys Bybee, City Clerk

Brenda J Hess, Mayor

CITY OF BUCHANAN COMMISSION MINUTES

December 12, 2016

The regularly scheduled meeting of the City Commission was held at Buchanan City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, December 12, 2016 and was called to order by Mayor Hess at 7:00 p.m.

The Pledge was recited by all.

The Mayor read the biography of Kris Behr and presented her with a Certificate of Appreciation for her tenure on the Fine Arts Council. Greetings were shared. Wastewater Treatment Plant Lead Operator Jason Williams presented the Mayor with the plaque; Project of the Year from the American Public Works Association Southwest Michigan Branch, 2016 Branch Award, Public Works Project of the Year Structures for Schirmer Parkway Lift Station Upgrade, December 2016.

Commissioners present: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Daniel Vigansky

Commissioners absent: none

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

Guests/Visitors present: Plante Moran Auditor Britni McDole along with 8 visitors

Cole moved, seconded by Moore to amend the Consent Calendar by adding check number 73916 in the amount of \$32.19 to the Checks and move VIII. A. 2015-16 Annual Audit-Plante Moran to B. Reports. Roll call vote carried unanimously. Cole moved, seconded by Vigansky to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, November 28, 2016 and Work Session Summary, November 30, 2016
- Checks 73836 to 73916 in the amount of \$226,196.11 as amended
- Banner Placement; Thrill on the Hill Winter 2017
- Banner Placement; Buchanan Art Center Classes
- Street Closure; Front Street from Liberty to Redbud leaving one lane open to the American Legion
- Street Closure; Johnson Court from Ryneerson to Front

Treasurer Juli O'Bryant reported on the acceptance of winter tax bills, City Facebook, Thrill on the Hill Facebook, dog licenses, monthly Newsletter, and 6th Annual Thrill on the Hill 2017.

Britni McDole from Plante Moran reported on the Year End June 30, 2016 Audit Presentation for the City Commission and explained (power point). Commissioner questions were answered.

After Marx explained, ***Moore moved, seconded by Toerne to approve the Bid Award for the 2016 Water Tower Painting Project; 500,000 Gallon Toroellipse (Front Street Tank) and 250,000 Gallon Double Ellipse (Moccasin Street Tank) to Fedewa, Inc. out of Hastings, Michigan in the amount of \$170,800 because of the \$3,000 each for the logo alternate. Roll call vote carried unanimously.***

Call to Order

Pledge

Roll Call

Consent Calendar

Agenda

November 28, 2016
Minutes

November 30, 2016
Summary

Checks

Banner Request's

Street Closure's

Reports

Treasurer
Department

2015-2016 Annual
Audit

Unfinished

Business

Water Tower (2)
Painting & Repair

The Mayor explained the importance of Meeting Guidelines and the proposed changes and invited comments/questions.

Electronic

SMCAS formed under Act 7

The City Manager summarized the *Funding Structure Recommendation's Letter* from SMCAS Executive Director Brian Scribner Continuation of Southwestern Michigan Community Ambulance Service under Public Act 7 as discussed at Work Session. After questions were answered, ***Vigansky moved, seconded by Cole to submit recommendation of Option A, Keep SMCAS formed under Act 7 and give each member municipality discretion over its share of funding. Roll call vote carried unanimously.***

2017 White Saturday/Parade/Holiday Lighting

Executive Director Randy Hendrixson reported on the success of the 2016 White Saturday/Parade/Holiday Lighting held on the weekend after Thanksgiving. Questions/comments were heard by Commission. City Manager noted that he received an email of positive remarks on the event. ***Cole moved, seconded by Moore to approve the 2017 White Saturday date the weekend after Thanksgiving 2017. Roll call vote carried unanimously.***

New Business
Resolution
2016.12/144, Cancel
December meeting

Toerne moved, seconded by Cole to approve the resolution as submitted. CANCELLING A REGULAR RESCHEDULED MEETING AND AUTHORIZING A COMMISSIONER AND TREASURER TO SIGN CHECKS NECESSARY PRIOR TO THE END OF THE CALENDAR YEAR

Whereas, the City Commission wishes to cancel the Tuesday December 27, 2016 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 rescheduled meeting on Tuesday December 27, 2016; and

Whereas, said necessary checks will be included with the Check Register at the first regular scheduled meeting in January 2017.

NOW, THEREFORE, BE IT RESOLVED, that Tuesday December 27, 2016 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 Tuesday December 27, 2016 meeting for approval.

Roll call vote carried unanimously. Resolution 2016.12/144 declared adopted.

Schedule 2017 Annual Planning Session

Toerne moved, seconded by Cole to schedule the Annual Planning Session 2017-18, Saturday February 18, 2017 at 9:00 a.m. Roll call vote carried unanimously.

Resolution
2016.12/145, MERS
457 Retirement

The City Manager explained the details of the MERS 457 Retirement Plan and all shared discussion. ***Vigansky moved, seconded by Toerne to approve the resolution as recommended. Roll call vote carried unanimously.*** Resolution 2016.12/145, MERS Uniform 457 Supplemental Retirement Program including MERS 457 Participation Agreement declared adopted.

Public Comments

Johnnie Wallace, 1002 N. Redbud Trail asked permission from the Commission to open a cannabis medical dispensary at 1003 N Redbud. Commissioners asked questions and the City Manager reported he has reached out to the City Attorney. He noted the Planning Commission would have to review and recommend a zoning change. The City Manager confirmed he will provide more information.

Manager's Comments

City Manager comments were heard and he confirmed to supply an updated punch list for the Redbud Resurfacing Project.

Commissioners' Comments

Commissioners' shared Christmas greetings and other comments were heard.

Unfinished Business continued
Meeting Guidelines

Vigansky moved, seconded by

Toerne to adjourn the meeting at 8:38 p.m. Voice vote carried unanimously.

Gladys Bybee, City Clerk

Brenda J Hess, Mayor

Adjourn