

January 8 2018 Minutes

CITY OF BUCHANAN COMMISSION MINUTES
January 8, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, January 8, 2018 and was called to order at 7:00 p.m. by Mayor Hess. The Mayor led the Pledge of Allegiance. Pastor Dan Barz gave the Invocation.

Chamber of Commerce President Jerry Flenar introduced Carol Carroll new Director. Carroll gave her bio and announced the Chamber will be providing carriage rides during Thrill on the Hill.

Buchanan Girl Scout Katie DeVlaminck explained the process of collecting bottle caps of different sorts and had them made into a bench. She and Girl Scout Alicia Ferguson Troop 30545 presented the bench made by Green Tree Plastics in Evansville Indiana to the City. They asked if they could place the bench in the Duck Pond Park next to the little free library. Greetings were shared.

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

Commissioners absent: none

Staff present: Zoning Administrator Debra Patzer, Treasurer Juli O'Bryant, City Attorney Randy Hyrns, Public Services Director JT

Adkerson, Police Officer Carmen Bovo, Wastewater Operator's Jason Williams and Bill Housand and Clerk Gladys Bybee

Guests/Visitors present: Chamber of Commerce President Jerry Flenar and Chamber Director Carol Carroll, Girl Scout's Katie DeVlaminck and Alicia Ferguson along with 15 visitors

Jackie Lowe, Chair of Dog Park Committee reported that the Dog Park has 627 Facebook members and the location at Renhack Field was a safe distance from the City Water Wells. She noted the plans they have made for trash to be picked up, the pooper scooper law will be enforced, donation of fencing, and the entrance/exit. She recommended that the City put the lot on Victory Street up for sale for 18 months and allow the Dog Park to pay back the \$2800. She distributed written information to the Commissioners.

Moore moved, seconded by Vigansky to amend the Consent Calendar to include correcting Commissioner Dale Toerne's absence from the December 18 Work Session and excusing his absence under the Consent Calendar. Roll call vote carried unanimously. Moore moved, seconded by Vigansky to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda
- Minutes: Regular scheduled meeting, December 11, 2017 and Work Session Summary, December 18, 2017
- Resolution 2017.12/163, Cancelling a 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 26, 2017 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 26, 2017; and

Whereas, said necessary checks will be included with the Check Register at the first regular scheduled meeting in January 2018.

NOW, THEREFORE, BE IT RESOLVED, that Tuesday December 26, 2017 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 26, 2017 meeting for approval.

- Checks dated 12/27/17, 76066 to 76094 in the amount of \$83,396.97
- Checks dated 01/08/18, 76095 to 76200 in the amount of \$191,518.39
- Banner Placement form, ONE Buchanan Organization
- Banner Placement form, Thrill on the Hill
- Street Closure, Thrill on the Hill, Johnson Street, January 24th through January 28
- Street Closure, Thrill on the Hill, E. Front Street between Redbud Trl. and Liberty, January 24th through January 28
- Notice of Meetings, City of Buchanan City Boards Meetings during 2018 in compliance with Open Meetings Act, Public Act 267 of 1976, as amended, [MCL41.72a(2)(3)]
- Excuse Dale Toerne's absence from December 18, 2017 Work Session

Housand explained the process they have taken to obtain a Request for Qualification (RFQ) for constructing the needed updates to the Wastewater Treatment Plant by constructing an oxidation ditch. He reported receipt of two RFQ's; LD DOCSA and Goslin Czubak Engineering Sciences and recommended Goslin Czubak as they have been involved in multiple wastewater treatment plants and has worked on the plant in the past. He recalled the discussions at the Work Session and discussion/questions were shared with Commission. **Moore moved, seconded by Cole to select the recommended Contractor as presented. Roll call vote carried unanimously.**

Vigansky was opposed that the Dog Park would be open in Renhack Field by Memorial Day 2018 when the parcel on Victory Street was purchased specifically for the Dog Park for \$2,800. Moore reported that the proposal brought forward earlier in the meeting from Ms. Lowe was approved unanimously by the BARB Board. Discussion was shared between Ms. Lowe, Commissioner's Vigansky, Moore and Toerne regarding the location on Victory Street and the \$2,800 repayment to the City. **Moore moved, seconded by Cole to approve Ms. Lowe's 18 month repayment proposal to the City as recommended by the BARB. Roll call vote failed. YEA: Moore, Cole. NAY: Vigansky, Hess, Toerne.**

After brief discussion between Adkerson and Commission, **Toerne moved, seconded by Cole to approve the Budget Amendment in Major Streets for engineering of the Redbud Trail and River Street Traffic Light and the City local share of costs in the amount of \$104,200. Roll call vote carried unanimously.**

Treasurer O'Bryant introduced Josh Carter, City IT Contractor and explained they have worked diligently for years trying to get the utility bill computer issues resolved. Carter explained the hardware issues as Sensus stopped supporting and the issues with the firewalls. O'Bryant assured the Commission this was needed and would allow us five (5) years to research an alternative method. Questions were shared. **Toerne moved, seconded by Cole to approve the Upgrade on electronic meter reading system with ETNA/Sensus in the amount of \$39,185 for 2018, \$15,942 for 2019, \$16,420 for 2020, \$16,913 for 2021 and \$17,420 for 2022 including Budget Amendment for Water & Sewer Enterprise Fund in the amount of \$39,185 for 2018. Roll call vote carried unanimously.**

Jerry Flenar announced the Chamber upcoming events. Mildred Berry Poole, Liberty Street supported the Mayor and believes she (Mayor) should have an office at City hall. Dan Roberson, River Street reported he still has a problem with the alley adjacent to him that was vacated by the City in that he cannot have his property surveyed because of issues with Enterprise Street. The Mayor requested Patzer to work with Mr. Roberson.

Commissioner's comments included welcome to new Director Carroll, appreciation for Police Officer Brie's weekly tips on Facebook, Mayor is not elected but appointed by elected Commissioners, City is in snowbelt and DPW encouraged to plan and schedule for cleaning/plowing snow, Martin Luther King Program at the Bell Building, broken mailbox from the snow plow, and main streets were in

good shape from the snow storm.

The Mayor reported she was honored and proud to be involved with the carbon monoxide detector give away at the Fire Department and receiving the bench from the Girl Scouts.

Cole moved, seconded by Toerne to adjourn the meeting at 8:14 p.m.

Gladys M. Bybee, City Clerk

Brenda J Hess, Mayor

January 22 2018 Minutes

CITY OF BUCHANAN COMMISSION MINUTES
January 22, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, January 22, 2018 and was called to order at 7:00 p.m. by Mayor Hess.

The Mayor led the Pledge of Allegiance. Pastor Edwin Brinklow gave the Invocation. Cy Carlin introduced his sisters and Mom and explained their plea for raising money to purchase carbon monoxide detectors for those that do not have them and/or cannot afford them. There are still some available.

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

Commissioners absent: none

Staff present: City Manager Bill Marx, Assistant City Attorney Rick Racht, Police Officer Aaron Whitfield, and Clerk Gladys Bybee

Guests/Visitors present: Kelly and Cy Carlin along with 16 visitors

Randall Peart, W. Chicago Street asked what a Closed Session is and the Mayor replied. Jeff Griffin, celebrated over 1,000 customers at B&W Old Village Inn and believes the economic impact from Medical Marihuana facilities will be positive for the downtown and he supports it.

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

- Agenda
- Minutes: Regular scheduled meeting, January 8, 2018
- Checks Dated 1/22/18, 76201 to 76284 in the amount of \$135,974.64
- Banner Placement form, Boy Scout Troop 541 Annual Swiss Steak Supper
- Banner Placement form, Michiana Cruisers
- Resolution 2018.01/164, Negotiate 2018 Summer School Tax Collection Fee (copy attached)
- Resolution 2018.01/165, Poverty Exemption Guidelines (copy attached)

Transportation Management Inc. President Kim O'Haver, third party administrator for Buchanan Dial-A-Ride explained her Comparison of Operating Statistics from the first quarter of 2016 and 2017 and explained. Discussion was shared with O'Haver and Commissioners.

Buchanan School Board Superintendent Timothy Donahue that started July 2017 introduced himself and gave his biography. He explained his priorities for the needs of the kids through the Principal's and staff. Questions and discussion was shared with Donahue and Commissioner's.

The City Manager reported we pursued our medical marihuana process as first come first serve with receipt of five provisioning centers (three downtown and two uptown) and one waiting. Assistant City Attorney (ACA) Racht stated his interpretation that a maximum of five permits available but the City Commission "may" approve the applications and does not need to award all five. Discussion was shared with Commissioners. ACA Racht reported we need a process to make sure the right department is looking at the correct information and the Commission should review business plan as the ordinance states that the Commission shall assess all applications. All shared discussion on Medical Marihuana Dispensary Applications and Permits. Commissioner's requested copies of entire application with Staff reports. Commissioner Vigansky Dan does not want a personal copy.

Kim O'Haver reported the annual budget and submission for the Annual Funding Application for Dial-A-Ride. **Vigansky moved, seconded by Toerne to approve the Buchanan Dial-A-Ride Funding Application as presented. Roll call vote carried unanimously.**

Marx explained, due to information from this evening, we will need to provide copies for each of the Commissioner's before approving Local Medical Marihuana Class C Growing Permit for 215, 208 & 448 Post Road to Redbud Roots LLC. Applicant Operation Manager Dave Murray was in attendance and gave a brief overview for 215, 208, and 448 Post Road. Hunter Mishler, Processor and Attorney Alex Leonowicz spoke on Redbud Roots behalf. They presented copies to address the concerns from Fire Chief Mike Adams and Attorney Racht. Questions and discussion was shared with the Commission, Murray and Leonowicz. The City anticipates consideration at the next meeting after review of applications.

Resident Randall Peart asked if the vendors or staff have heard anything from State Attorney Jeff Sessions regarding medical marihuana with Commissioner Toerne replying that each State Attorney General has the say so. B&W Inn Owner Jeff Griffin stated his concern with the City parking lot storm sewer caving in, addition of a handicap space sign posted and asked for review of the parking downtown. Norma Ferris, Oak Street asked that the City purchase map hangers.

City Manager comments included thanks to everyone for assistance, budget process schedule, and we have not received billing from Seldge for the Front Street sewer collapse repair.

Commissioner's comments included apologies for cancelling Thrill on the Hill, Fine Arts Council special performance at the Tin Shop, status of taping and airing the landfill on Channel 17, complaints of smell from the Landfill during the fog, thanks to Redbud Roots for their attendance, thanks to all for handling the emergency sewer collapse on W Front Street, thanks to Adkerson and O'Bryant for snowplow costs and crews for clearing of the snow. The Mayor announced she is collecting canned goods for Redbud Area Ministries for the needy.

Cole moved, seconded by Vigansky to go into Closed Session under MCL 15.268 closed sessions; permissible purposes section 8.(a) for the City Manager evaluation at 9:17 p.m. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 9:50 p.m.

Cole moved, seconded by Toerne to adjourn the meeting at 9:51 p.m.

Gladys M. Bybee, City Clerk

Brenda J Hess, Mayor

February 12 2018 Minutes

CITY OF BUCHANAN COMMISSION MINUTES
February 12, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, February 12, 2018 and was called to order at 7:00 p.m. by Mayor Hess.

The Mayor led the Pledge of Allegiance.

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

Commissioners absent: none

Staff present: Zoning Administrator Debra Patzer, Assistant City Attorney Rick Racht, Police Officer's Aaron Whitfield and Brianna Schmitz, Building Inspector Guy Lewis and Clerk Gladys Bybee

Guests/Visitors present: Redbud Roots Lab I, II, & III and OM Buchanan along with 20 visitors

Norma Ferris, Oak Street asked that the Commission explain what a casket lowering devise was, Item VIII.C. on the Agenda. Jeff Griffin, McCumber Street supports Medical Marihuana facilities for those in need, Item VII.A & B.

Cole moved, seconded by Vigansky to amend the Agenda placing Unfinished Business after New Business 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 as amended
- Minutes: Regular scheduled meeting, January 22, 2018
- Checks Dated 2/12/18, 76285 to 76388 in the amount of \$280,023.88
- Banner Placement for Buchanan School Farm for Plow Day from April 6 to April 21, 2018
- Street Closure; Front Street between Redbud and Oak for Chili Walk, March 21, 2018, 4:30 to 7:30 p.m.

Building Department Inspector Lewis reported on his written Building Department 2017 Annual report while all reviewed. Discussion/questions were shared.

Patzer recalled the City Manager Briefing regarding the National Fire Prevention Association Fire Inspector 1 Training. After discussion from Building Inspector Guy Lewis, **Toerne moved, seconded by Cole to approve the expenses to send a Firefighter to the Inspector 1 Training as recommended by Fire Chief Adams, City Manager Marx and Building Inspector Lewis. Roll call vote carried unanimously.**

Patzer recalled the City Manager briefing regarding the purchase of the copier for the Police Department. **Toerne moved, seconded by Cole to purchase the copier for the Police Department in the amount of \$1,996. from Parrett Company. Roll call vote carried unanimously.**

After explanation of the casket lowering device, **Toerne moved, seconded by Moore to approve**

the purchase of the Casket Lowering Device for Oakridge Cemetery in the amount of \$6,984.03 from Holland Supply Inc. Roll call vote carried unanimously.

Moore moved, seconded by Cole to lay on the table the consideration of approving Local Medical Marihuana Class C Grower Permit for 215, 208 & 448 Post Road to Redbud Roots LLC. Roll call vote carried by majority. YEA: Cole, Moore, Hess, Toerne. NAY: Vigansky

Moore moved, seconded by Cole to go into Closed Session to discuss material exempt from discussion or disclosure by state statute [MCL 15.268 Sec. 8. (h)] Redbud Roots Lab I, II & III, 208, 215 and 448 Post Road at 7:23 p.m. Roll call vote carried by majority. YEA: Cole, Moore, Hess, Toerne. NAY: Vigansky

The Mayor reconvened the meeting at 8:09 p.m.

Moore moved, seconded by Toerne to take the main motion off the table. Roll call vote carried unanimously.

Vigansky moved, seconded by Toerne to approve the Medical Marihuana Class C Grower Permit for 215 Post Road, Redbud Roots Lab II contingent on the signed lease for Occupancy and Insurance on or before May 1, 2018. Roll call vote carried unanimously.

Vigansky moved, seconded by Toerne to approve the Medical Marihuana Class C Grower Permit for 448 Post Road, Redbud Roots Lab III as submitted and completed and reviewed in closed session. Roll call vote carried unanimously.

Vigansky moved, seconded by Toerne to approve the Medical Marihuana Class C Grower Permit for 208 Post Road, Redbud Roots Lab I as submitted and completed and reviewed in closed session. Roll call vote carried unanimously.

Vigansky moved, seconded by Toerne to lay on the table the consideration of approving Local Medical Marihuana Provisioning Center Permit for 120 E. Front Street to OM Buchanan, LLC. Roll call vote carried unanimously.

Vigansky moved, seconded by Cole to go into Closed Session to discuss material exempt from discussion or disclosure by state statute [MCL 15.268 Sec. 8. (h)] OM Buchanan, 120E. Front Street at 8:14 p.m. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 8:43 p.m. and announced it was the Commission understanding from Closed Session that OM Buchanan was not asking for a permit this evening.

Resident Norma Ferris was concerned that the sidewalks in Buchanan are not cleared of snow and are a hazard for adults and children that have to walk in the streets.

Commissioner's comments included condolences to Yvonne Waggoner, thanks to Mandi Schanick, JT Adkerson and Crews, Common Committee meeting to finalize Thursday Night Summer Concerts, hope for support in budget and goal planning meetings and opinions welcome.

Moore moved, seconded by Cole to go into closed session to review January 22, 2018 closed session minutes at 8:54 p.m. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 8:55 p.m.

Moore moved, seconded by Cole to approve the January 22, 2018 closed session minutes as reviewed. Roll call vote carried unanimously.

Hess moved, seconded by Moore to adjourn the meeting at 8:56 p.m.

Gladys M. Bybee, City Clerk

Brenda J Hess, Mayor

February 26 2018 Minutes

CITY OF BUCHANAN COMMISSION MINUTES
February 26, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, February 26, 2018 and was called to order at 7:00 p.m. by Mayor Hess.

The Mayor led the Pledge of Allegiance. Pastor Nate Babcock gave the Invocation.

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

Commissioners absent: Patricia Moore

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

Guests/Visitors present: Reliable/Republic Services Representative Bob D'Orsey along with 10 visitors

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

- Agenda
- Minutes: Regular scheduled meeting, February 12, 2018
- Checks Dated 2/26/18, 76389 to 76456 in the amount of \$179,492.01
- Excuse Commissioner Patricia Moore from Monday February 26, 2018 Meeting
- Accept Resignation from Jennifer Singleton from the Board of Review
- Appoint Carla Cole to the Board of Review to fulfill vacated term through 2019
- Banner Placement Form as amended
- Banner Placement for Fernwood
 1. April 10 through April 24
 2. June 29 through July 13
 3. Sept 24 through Oct 8
 4. Oct 22 through Nov 4

D'Orsey reported trash volumes up, recycling decreased, along with bulk and spring clean-up both increased. He introduced local resident and Reliable/Republic employee Brian Grice celebrating 15 years with the company. He presented a power point regarding the State of Recycling and material trends for Buchanan. Questions/discussion was shared with Commissioner's.

After Patzer explained the grant from the Department of Natural Resources, **Toerne moved, seconded by Cole to approve the resolution as presented. Development Project Agreement Amendment #2 for TF11-039, McCoy's Creek Trail Development.**

WHEREAS, in August, 2012, the City of Buchanan entered into an Agreement with the Michigan Department of Natural Resources to accept a MNRTF Project Development Grant in the amount of \$288,000 to make improvements to and extend McCoy Creek Trail. The period of the Agreement was from August 2012 until August 2014; and

WHEREAS, the Trail Committee added an additional project, a historic mural, to the grant's scope of work which additional project was approved by the DNR; and

WHEREAS, the Trail Committee was unable to complete the project due to vandalism of the mural and subsequent repairs, and inclement weather, and an extension of the Grant Agreement was necessary to allow the completion of the mural; and

WHEREAS, the mural has been completed.

NOW, THEREFORE, BE IT RESOLVED that the City of Buchanan hereby approves Amendment No. 2 to the MNTRF Project Agreement extending the period of the Grant Agreement until December 31, 2017.

Roll call vote carried unanimously. Resolution 2018.02/166 declared adopted.

Manager Marx explained the added and updated fees as recommended by staff. Discussion to include the \$20. fee for banners (\$10 to put up and \$10 to take down) and confirmation of the Special Use fee (\$250) was heard. **Toerne moved, seconded by Cole to approve the Updated Schedule of Fees as presented. Roll call vote carried by majority. YEA: Cole, Hess, Toerne. Nay: Vigansky.**

Mildred Poole, Liberty Street asked why we do not display the newest Queen Buchanan at the entryway on Niles-Buchanan road with other Queens. The Mayor confirmed the signs are for Miss Blossomtime from Buchanan. Jim Cronin, Lake Street opposed the Commissioner's support for medical marihuana and would like the streets repaired.

Manager Marx requested a date for the Commission Goal Setting Session; after discussion, Saturday, March 17 at 9:00 a.m. was scheduled. Manager's comments included thanks to Plan Commission meeting regarding Casey's General Store locating in the City, Water Wastewater and DPW employees taking over the Easter Egg Hunt, thanks to Alice Kring for the many years of providing that event, Firefighter Joe Scanlon 15 years of service, Firefighter Bobby Blaylock 25 years of service, and Police union negotiations begins tomorrow. He also noted that he was pleased we were not under water with all the flooding although this is good information to update the Floodplain map needs with FEMA to redraw our floodplain map.

Commissioner's comments included employee's opting out of the contract, can we do away with union, advocate for medical marihuana, attendance to great education with MML, hope we do not have too many with wet basements, Planning Commission approved Casey's and met with County Treasurer Brett Witkowski; residents' can file for a payment plan to pay taxes under certain circumstances, attendance to the 1978 Basketball Game homecoming, congratulations to the HERD, medical marihuana was not done for the money, and the Commission is very comfortable with the medical marihuana in the City.

Hess moved, seconded by Vigansky to go into closed session to review both February 12, 2018 (Redbud Roots) and February 12, 2018 (OM Buchanan) Closed Session minutes at 8:04 p.m. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 8:08 p.m.

Moore moved, seconded by Cole to approve both February 12, 2018 (Redbud Roots) and February 12, 2018 (OM Buchanan) Closed Session minutes as reviewed in closed session. Roll call vote carried unanimously.

Cole moved, seconded by Toerne to adjourn the meeting at 8:09 p.m.

Gladys M. Bybee, City Clerk

Brenda J Hess, Mayor

March 12 2018 Minutes

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, March 12, 2018 and was called to order at 7:00 p.m. by Mayor Hess.

The Mayor led the Pledge of Allegiance. Pastor Edwin Brinklow gave the Invocation.

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

Commissioners absent: none

Staff present: City Manager Bill Marx, Public Services Director JT Adkerson
Assistant City Attorney Rick Racht, and Clerk Gladys

Bybee

Guests/Visitors present: Chamber of Commerce President/Buckteen Representative Jerry Flenar along with 18 visitors

Alan Robandt, Front Street resident opposed the closing of Front Street from Oak Street to Redbud and Days Avenue from Front to Central Court. Penny Slocum, Main Street resident supports the Front Street Closure for the Car Cruise In. Randall Peart, W Chicago resident encourages sugar free candy for health reasons for the Easter Egg Hunt.

Moore moved, seconded by Cole to amend the Consent Calendar with the inclusion of B. Buckteen Report by Jerry Flenar and B. MDOT Amendment Contract No.2017-0141/A1 under New Business as requested. Roll call vote carried unanimously.

Vigansky requested to move G. Approve and Recognize Bittner Jennings Law Firm as City Legal Counsel and increase the hourly wage from \$135.00 to \$195.00 to New Business item C. Moore called a point of order and stated any Commissioner could request an item to be moved off of the consent calendar without a vote of the Commission. ***Moore moved, seconded by Vigansky to approve the Consent Calendar as amended. Roll call vote carried by majority. YEA: Hess, Moore, Vigansky, Cole. NAY: Toerne.***

- Agenda as amended
- Minutes: Regular scheduled meeting, February 26, 2018
- Checks Dated 3/12/18, 76457 to 76564 in the amount of \$384,487.96
- Proclamation for Read Across America Day
- Release Portable Toilet Facilities Bid Process
- Hereby proposed Buchanan Dial-A-Ride's "Controlled Substances and Alcohol Misuse Testing Policy" and "Supplemental Employment Policy on Alcohol and Drug Use in Public Transit Activities" be amended to replace all references to opiates with the term opioids
- Banner Placement for Buckteens Classic Car Cruise In May 28 to June 9
- Banner Placement for Chamber of Commerce Chili Walk Mach 7 to March 21
- Street Closure for Buckteens Classic Car Cruise In June 9, Front St from Oak to Redbud, Days Ave from Front to Central Ct.

Adkerson reported the Water, Wastewater, Cemetery and Streets Departments would be hosting the Easter Egg Hunt this year and requested use of Centennial Park for the event. ***Moore moved, seconded by Toerne to approve the use of Centennial Park as requested. Roll call vote carried unanimously.***

Dial-A-Ride's Controlled Substances and Alcohol Misuse Testing Policy and Supplemental Employment Policy on Alcohol and Drug Use in Public Transit Activities

Flenar thanked Adkerson and the City crews for all they do. He then explained the Chili Walk on the 21st and the Buckteens event for June 7, 8, and 9th. He presented 28 signatures (28) from downtown businesses that supported the closing of the street. The Mayor requested to review the list and a copy was given to the Clerk. Flenar announced a list of events during that time.

O'Haver explained the FY 2018 Section 5311 Operating Formula Grant funding for Rural Areas Program that was included in the packet. **Moore moved, seconded by Cole to approve MDOT Project Authorization City of Buchanan FY 2018 Section 5311 Operating Formula Grants for Rural Areas Program, Authorization No P2 as presented. Roll call vote carried by majority. YEA: Cole, Hess, Moore, Vigansky. NAY: Toerne.**

O'Haver explained the Master Agreement Amendment between the City and MDOT that would adjust the dollar amounts to meet federal requirements; Contract 2017-0141/A1 that was distributed and added to the agenda. **Moore moved, seconded by Cole to approve MDOT Contract Amendment as presented. Roll call vote carried by majority. YEA: Cole, Hess, Moore, Vigansky. NAY: Toerne.**

Marx explained the last increase for the Attorney was 2005, had many Attorney's changes since last written agreement and increase would be midrange pay with all other municipal clients. Vigansky opposed the 44 percent increase, Toerne announced he understood after meeting with the City Manager and Moore supported the increase as we saved money for numerous years. **Moore moved, seconded by Toerne to approve & recognize Bittner Jennings Law Firm as City Legal Counsel and increase the hourly wage from \$135 to \$195. Roll call vote carried by majority. YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky.**

Randall Peart, Chicago Street asked the status of improvement to the welcome signs at the City limits as they are in dire need of repair and what the plans are for North Riverfront Park; who is responsible for repair from flooding. Commissioner's Toerne and Moore and Manager Marx responded. Alan Robandt, Front Street stated three businesses opposed the Front Street closure. Norma Ferris, Oak Street stated the meetings were not playing on Channel 17. Penny Slocum, Main Street asked about wireless internet downtown with Manager Marx explaining that Randy Hendrixson and Phil Place could install equipment at a cost for downtown.

The City Manager reviewed his briefing items: minimal amount of flooding that did not reach the restriction that is currently listed on the Floodplain map, would be forthcoming to upgrade the floodplain map; researching the opportunity to align Fourth Street with River Street at the Redbud intersection when new stop light is installed or put a round-a-bout in; upcoming events; and more restrictive parking on Chicago Street requested from the High School; Commissioner's shared discussion.

Commissioner's comments included thanks for the Attorney for being in attendance, March is Reading month, Tin Shop Theatre schedules available, nothing in place for an individual Commissioner to contact the City Attorney, scheduled Planning Goal Setting meeting on March 24th, support for meals on wheels, upcoming events for medical marihuana, opposed to round-a-bout, checks signed before approval, and unhappy with Attorney response.

Moore moved, seconded by Toerne to go into Closed Session to discuss material exempt from discussion or disclosure by state statute [MCL 15.268 Sec. 8. (h)], Michigan Total Healing Center of Buchanan, LLC, Provisioning Center Application at 8:11 p.m. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 8:49 p.m.

Toerne moved, seconded by Cole to approve the Medical Marihuana Facility Permit for Michigan Total Healing Center of Buchanan, LLC Provisioning Center at 804 E. Front Street as discussed/reviewed in closed session. Roll call vote carried unanimously.

Toerne moved, seconded by Vigansky to adjourn the meeting at 8:50 p.m.

Gladys M. Bybee, City Clerk

Brenda J Hess, Mayor

March 26 2018 Minutes

CITY OF BUCHANAN COMMISSION MINUTES

March 26, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, March 26, 2018 and was called to order at 7:00 p.m. by Mayor Hess.

The Mayor led the Pledge of Allegiance. Pastor Edwin Brinklow gave the Invocation.

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

Commissioners absent: Carla Cole

Staff present: City Manager Bill Marx, Administrative Secretary Mandi Schanick, Zoning Administrator Debra Patzer, Assistant Chief of Police Tim Ganus, Police Officer Aaron Whitfield and Police Officer Brianna Schmitz

Guests/Visitors present: 25 Visitors

Public Comments

William Cameron 16535 Rynearson spoke in favor of appointing Alan Robandt to the DDA.

Consent Calendar

Moore moved, seconded by Toerne to amend the Consent Calendar with the corrections made to the March 12, 2018 minutes which include Commissioner Moore marked as present, consent calendar approval, changing approve to amend. Adding Item H Excuse Commissioner Moore from the Budget Workshop March 19, 2018, Taplin Group removed from the Reports, VIII F under New Business and adding XIIC under closed session. Roll call vote carried unanimously. Vigansky pulled Item E. and G. off the consent calendar to New Business. Vigansky moved to add VIII B. To consent calendar but died due to lack of support. Vigansky moved, seconded by Moore to approve the Consent Calendar as amended. Roll call vote carried unanimously.

- Agenda as amended
- Minutes: Regular scheduled meeting, March 12, 2018, Budget Workshop Summary, March 19, 2018
- Checks Dated 3/26/18, 76565 to 76626 in the amount of \$82,074.10
- Approve Street Closure; Memorial Day Parade May 28, 2018

- Approve Resolution 2018.03/167, To Approve the Summer School Tax Collection Fee in the sum of \$2,576.07 per School District – Totaling \$7,728.21
- Excuse Commissioner Moore from Budge Workshop March 19, 2018

Reports by: Departments, Committees, Boards

Ganus reported different activities the Police Department participates in adding the main goal is to protect and serve our community. Ganus also reported that the local reserve officers donated 10941 hours to the City of Buchanan. Schmitz spoke of “Bri’s Tips” that get published on facebook. Schmitz attended RAD Training which the Berrien County Sheriff’s department offers the defense class free of charge. Whitfield gave personal background and plans to leave April 30th for the Police Academy. Ganus final comments advertised the DARE 5th grade graduation on April 18th.

Unfinished Business

Marx explained the next phase for updating our WWTP which costs \$17,200. After short discussion ***Toerne moved seconded by Moore to approve initial engineering agreement with Gosling Czubak to approve the initial phase for geotechnical and property surveying. Roll call vote carried unanimously.***

Patzer explained the need to begin the work of master plan update and the proposal from SWMPC who worked on current master plan. After discussion ***Toerne moved seconded by Moore to approve the proposal from the Southwestern Michigan Planning Commission to prepare the update to the City of Buchanan Master Plan in the amount of \$20,000 as recommended by the Planning Commission and approve a Budget Amendment in the amount of \$20,000 to fund this project. Roll call vote carried unanimously.***

New Business

Lysy and Dippo gave presentation for the different phases and upgrades for Mill Alley. Discussion followed. ***Vigansky moved seconded by Toerne to approve the Mill Alley project Plan as recommended by the DDA. Roll call vote carried unanimously.***

Marx explained reasons for not putting the recommendation on the consent calendar and recognized Robandt for his wealth of knowledge and information however noted that Robandt has had past history of alienating people, fairly decisive in his communications which include devaluing of City staff and other business people in the community. Marx noted the information given warrants discussion with the Commissioners and possibly conversation with Robandt as he is in the audience. Vigansky added that it was wrong to not be put on consent calendar and pulled off by Commissioner. Vigansky noted that Robandt doesn’t get along with everyone but gets along with everyone else, he doesn’t get along with the “click that’s down here” but is a wealth of information. He noted that Robandt doesn’t have a good “bedside manner” which is why they get along so well. He added that anything you ask Robandt he’ll dig for the information, if you disagree and confront him then can disagree with him. Vigansky added that most of Robandt’s complaints have been good complaint; they’ve just fallen on deaf ears. Vigansky remarked the lack of volunteers and Robandt could help the most on the DDA. Vigansky told Robandt not to answer any questions as it is up to the Commission to make the decision. Vigansky added that Robandt would be humiliated and it would “offend me”. Vigansky begged Robandt to go on DDA as the DDA needs help and should separate itself from City Hall. ***Vigansky moved to appoint Alan Robandt to the DDA, motion dies due to lack of second.*** Vigansky added “you’re all pathetic” and “the war is on”.

Patzer explained declaration and notice register of deeds to be reported. **Toerne moved seconded by Moore to approve Declaration and Notice required by the MDNR to close out the MNRTF Grant TF11-039. Roll call vote carried unanimously.**

Marx explained the need to enhance the current SCADA system at the water treatment plant. As data becomes marketable point in communications; the present SCADA system uses a lot of data reaching out and touching towers pumps and wells multiple times a second, becoming clearly expensive and more expensive in the future, enhancement and addition of hardware and software to reduce the data touch down to 30 seconds saving data usage. The vendor that helps us monitor system made the recommendation for the upgrade to stay ahead of data increases seen.

Mayor Hess called a 5 minute recess at 8:00pm

Moore moved seconded by Vigansky to approve enhancing our Water System SCADA control with the addition of a new Program Logic Controller hardware and software to reduce our present and future data consumption costs. Roll call vote carried unanimously.

Marx explained that the Community Wide Yard Sale falls on the last day of school has caused concern. Marx added that it is also the same day as the Buckteen car show. After discussion **Moore moved seconded by Toerne to reschedule the Community Wide Yard Sale to June 15, 16, 2018. Roll call vote carried my majority. Yea: Toerne, Moore & Hess. Nay: Vigansky**

Marx discussed a goal from the goal setting session was to upgrade or replace welcome signs in the City limits. Marx requested permission to develop a RFQ in search for sign vendor. Marx is hoping to have a list of vendors by the next few meetings. **Toerne moved seconded by Moore to allow the City Manager to develop and distribute a RFQ to update City of Buchanan welcome signs. Roll call vote carried unanimously.**

Vigansky moved to disapprove the City Manager to select the lowest bid Portable Toilet Contractor for 2018. Motion failed due to lack of support. Marx noted the need to get the units in place by the first of April and explained the mailing issue with the previous RFP. Marx suggested allowing us to republish give them time narrow window and allow them to bid. **Moore moved seconded by Toerne to approve the City Manager to select the lowest bid Portable Toilet Contractor for 2018. Roll call vote carried by majority. Yea: Toerne, Moore & Hess. Nay: Vigansky**

Moore moved seconded by Toerne to approve pursuant to City Charter 8.7(b) schedule a public hearing for Monday, April 16, 2018 at 7:00pm to hear comments concerning the sale and conveyance of public property located adjacent to 324 E. Dewey Street, Buchanan Michigan. Roll call vote carried by majority. Yea: Toerne, Moore & Hess. Nay: Vigansky

Public Comments

William Hartman, resident on Detroit Street, noted his opinion on semi's driving down Front Street. Marx noted that Front Street is a designated route, looking for a voluntary support to use Bakertown as another access.

Norma Ferris, 304 N Oak Street, questioned the need to mess with the intersection of Fourth Street and Redbud. Toerne answered the updates and improvements are needed.

City Manager Comments

Marx thanked the Police Department for all their hard work and Schmitz for receiving extra training. Marx commented of an upcoming safety meetings with the school systems. He discussed ongoing water issue recently resolved.

Commissioner Comments

Toerne commented personal experience with Meals on Wheels and plans to bring report at next meeting. He's happy to see young people protest.

Vigansky gave personal opinion of gun protest, apologized to Robandt, gave opinion of the Commissions actions and plans to run for re-election.

Moore thanked the Police for all efforts on community policing, thanked City Employees for sponsoring Easter egg hunt.

Mayor Hess commented on experience at the MML conference in Lansing and the gas tax issue. She's happy to see more people coming to the City Commission Meetings and getting involved.

Moore moved, seconded by Toerne to go into Closed Session to discuss material exempt from discussion or disclosure by state statute [MCL 15.268 Sec. 8. (h)], Buchanan Development LLC, The Tree House Provisioning Center Application and Redbud Roots Lab IV at 8:40 p.m. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 8:49 p.m.

Toerne moved, seconded by Moore to approve the Medical Marihuana Provisioning Center Permit for 259 E. Front Street, Buchanan Development LLC, The Tree House as discussed/reviewed in closed session. Roll call vote carried unanimously.

Moore moved, seconded by Toerne to approve local Medical Marihuana Processing Facility Permit for 215 Post Road Redbud Roots Lab IV as discussed/reviewed in closed session. Roll call vote carried unanimously.

Vigansky moved seconded by Toerne to approve the closed session minutes from March 12, 2018

Toerne moved, seconded by Vigansky to adjourn the meeting at 8:50 p.m.

Mandi Schanick, Admin Secretary

Brenda J Hess, Mayor

April 9 2018 Minutes

CITY OF BUCHANAN COMMISSION MINUTES
April 9, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, April 9, 2018 and was called to order at 7:00 p.m. by Mayor Hess. The Mayor led the Pledge of Allegiance. Pastor Dave Mitchell gave the Invocation.

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, Police Officer John Leonard, and Clerk Gladys
Bybee

Guests/Visitors present: Buchanan Garden Club Member's Sheila Daly and Liz Miller,
Civil War Roundtable of SW Michigan Representative John
Urschel along with 9 visitors

Moore moved, seconded by Toerne to correct the March 26, 2018 minutes, third paragraph on page 2, the word decisive to divisive and add the word Bill in front of "the war is on", paragraph 2 last sentence. Vigansky asked that B. Minutes: Regular scheduled meeting, March 26, 2018 and Annual Planning Goal Session, March 24, 2018 and H. Acknowledge Receipt of the 2018-2019 FY Budget as presented by the City Manager in accordance with Charter Section 9.2 be moved for discussion. Moore moved, seconded by Cole to amend the Consent Calendar to include C. Sanitary Sewer Report from Dion Thomas, Taplin Group under Reports and move B. and H. after the Consent Calendar to have discussion as applicable to Commission Rules and Regulations. Roll call vote carried unanimously. Roll call vote to approve the minutes carried by majority. YEA: Hess, Moore, Toerne Cole. NAY: Vigansky.

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

- Agenda as amended
- Checks Dated 4/9/18, 76627 to 76698 in the amount of \$74,634.72
- Excuse Commissioner Carla Cole from March 24 & 26, 2018 Meeting
- Acknowledge Bob Blaylock as Acting Fire Chief pending the return to service of Regular Fire Chief Mike Adams
- Proclamation In Observance of National Bookmobile Day, April 11, 2018
- Rural Transit Assistant Program (RTAP) Third Party Contract
- Call Public Hearing on April 23, 2018 at 7:00 p.m. to hear public comments regarding the proposed 2018-19 budget, the property tax millage rate and the water and sewer rates proposed to be levied to support the proposed budget
- Arbor Day Proclamation

H. Acknowledge Receipt of the 2018-2019 FY Budget as presented by the City Manager in accordance with Charter Section 9.2. Vigansky was concerned about the minimal time that was taken to review and go through the budget and believed more time was needed for review. **Moore moved, seconded by Cole to approve the acknowledgement of receipt of the 2018-2019 FY Budget as presented by the City Manager in accordance with Charter Section 9.2. Roll call vote carried by majority. YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky.**

B. Minutes: Regular scheduled meeting, March 26, 2018 and Annual Planning Goal Session, March 24, 2018. Vigansky was concerned about the selective verbatim verbiage in certain discussions in the minutes that should not be included per Roberts' Rules of Order and wanted to table the Planning Goal Session minutes and priorities as they had not been received or discussed prior to the beginning of tonight's meeting (Regular meeting minutes a moot point due to earlier vote). **Moore moved, seconded by Cole to approve the March 24, 2018 Annual Planning/Goal Session summary as presented. Roll call vote carried by majority. YEA: Cole, Hess, Moore, Toerne. NAY: Vigansky.**

Miller summarized the Garden Club's mission in the City of Buchanan, Star Mothers Garden, Welcome sign Garden, main fundraiser is Garage Sale, Christmas Greens downtown and decorating the Gazebo. Discussion/questions were shared with the Commission. Daly invited all to Arbor Day sponsored by the Garden Club, City DPW, and Buchanan Community Schools. The Mayor read the Arbor Day Proclamation and presented it to the ladies from the Garden Club.

Urschel corrected the date of the Oak Ridge Cemetery Walk Saturday May 12 with rain date May 13 sponsored by Civil War Roundtable of SW Michigan and asked permission to use the cemetery and chapel restroom to educate the public about the Civil War Soldiers buried in Oak Ridge Cemetery. Friends of Oak Ridge Cemetery Chairman Bob Brown responded he believed 200 plus war veterans are buried in Oak Ridge. **Moore moved, seconded by Toerne to approve the use of the Cemetery and Chapel as requested. Roll call vote carried unanimously.**

Adkerson introduced Thomas; Foreman for Taplin Group Company who is televising the infrastructure of the Buchanan Sanitary Sewer that is reimbursed from the SAW Grant the City has been awarded. Mr. Thomas thanked and praised Adkerson and the Department of Public Works for all of their assistance.

Manager Marx reported the Request for Proposal (RFP) for the Department of Public Works Building developed in house with outside direction and support. Marx announced that Commissioner Toerne asked for a work session to make sure more details were available. **Toerne moved, seconded by Vigansky to schedule a Work session Tuesday April 17 at 7:00 p.m. Roll call vote carried unanimously.** The Mayor agreed to Vigansky's request and asked for where we get money, location, square footage, and infrastructure costs. The City Manager confirmed he would have the information available at the Tuesday meeting.

Marx reported on the Agreement between Jonathan Burke, doing business as Tactical Energy Group (Consultant) and City of Buchanan (Owner). He reported that Attorney Hyrns stated the Agreement was clearly written, well defined and confirmed reasonable compensation. The Mayor called a recess at 7:37 p.m. for five (5) minutes.

The meeting resumed at 7:41 p.m.

Burke announced he would soon be a City resident and gave his biography. He explained he would work with Adkerson and Marx to review facilities and ways to reduce costs of electricity and gas. He also confirmed he would report back to the Commission at the end of 60 days. Questions/discussions were shared with Commission and Burks. **Moore moved, seconded by Toerne to approve the Agreement as presented. Voice vote carried by majority. YEA: Toerne, Cole, Hess, Moore. NAY: Vigansky**

David Benac gave his biography as a Democratic candidate running for Congressman against Fred Upton and invited public to upcoming town hall meeting.

Norma Ferris, N. Oak Street asked what the Commission has done with the City budget that we can't afford the Clerk's office to get assistance. Marx responded that the budget was complex. Moore responded that the Charter prohibited Commissioner's from interfering with employees, thus they could not respond.

The City Manager reported the addition of Casey's General Store removed their Company from locating in Buchanan and is in receipt of resignation from Clerk Gladys Bybee due to relocation.

Commissioner's comments included thanks to all in attendance, thanks to the Senior Center for hosting "Get to Know your Commissioner's", thanks to Bybee for her service, thanks to Marx for displaying the hydrant flushing banners to communicate with the public, priorities that are missing in the 2018-2019 List of Priorities, compassion for what's going on at City Hall, wonderful opportunity volunteering with meals-on-wheels through Senior Nutrition along with program statistics, May 5 opening day for Farmers' Market, and anticipating a full detailed report about roads within the County from Representative Pagel. The Mayor announced she will be organizing some events along the Trail and clean up at McCoy Creek and North River Park.

Hess moved, seconded by Moore to go into Closed Session to review minutes from March 26, 2018 closed session at 8:14 p.m. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 8:16 p.m.

Moore moved, seconded by Cole to approve the March 26, 2018 Closed Session Minutes as reviewed in Closed Session. Roll call vote carried unanimously.

Moore moved, seconded by Cole to adjourn the meeting at 8:17 p.m.

Gladys M. Bybee, City Clerk

Brenda J. Hess, Mayor

April 23 2018 Minutes

CITY OF BUCHANAN COMMISSION MINUTES
April 23, 2018

The Public Hearing was called to order at 7:01 p.m. to hear public comments on the proposed 2018-19 budget, the property tax millage rate and the water and sewer rates proposed to be levied to support the proposed budget. Dan Vigansky asked about purchasing the truck that is budgeted with the \$43,000 medical marihuana money if the funds are not received. The Commission can consider changing the budget if we do not receive the funds. Hearing no further comments or receipt of any written comments, the Mayor adjourned the public hearing at 7:04 p.m.

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, April 23, 2018 and was called to order directly after the public hearing at 7:04 p.m. by Mayor Hess.

The Mayor led the Pledge of Allegiance. Pastor Lyndon Azcuna gave the Invocation. Mayor announced that this was the Clerk's last meeting and some special guests would like to recognize her. The Clerk was recognized by the Berrien County Clerk's Association, Michigan Association of Municipal Clerks, Berrien County Clerk and the City of Buchanan. All shared greetings.

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

Commissioners absent: none

Staff present: City Manager Bill Marx, Police Officer John Leonard, and
Clerk Gladys Bybee

Guests/Visitors present: 30 + visitors in attendance

Third Street resident Kathy Kay asked what the Board of Review was and Cole responded. She then asked if all check amounts were available for the public, even payroll checks; the Mayor confirmed it would be provided.

Moore moved, seconded by Cole to amend the agenda to include B. Buchanan Football Boosters Group under Reports. Roll call vote carried by majority. YEA: Moore, Toerne, Cole, Hess. NAY: Vigansky. Moore moved, seconded by Cole to approve the Consent Calendar as amended. Roll call vote carried by majority. YEA: Moore, Toerne, Cole, Hess. NAY: Vigansky.

- Agenda as amended
- Minutes: Regular scheduled meeting, April 9, 2018 and Work Session Summary, April 18, 2018
- Checks Dated 4/23/18, 76699 to 76776 in the amount of \$205,545.64
- Appoint Carla Cole, Brenda Hess and Margaret Young to the Buchanan Board of Review per Charter Section 10.6 Board of Review
- Appoint Rhonda Harrington to the Downtown Development Authority as given favorable recommendation from the Downtown Development Authority to fulfill a term through 2018
- Appoint Heidi Ott Burks to the Downtown Development Authority as given favorable recommendation from the Downtown Development Authority to fulfill a term through 2019

Bethany Cowan explained the Belly Button Run for life. Moore moved, seconded by Toerne to support the Run for Belly Button. Roll call vote carried unanimously.

Brad Tyle, Warren Woods Road Football Booster Club wants to have a Music Festival over the Memorial Day weekend at the Common. Would like to have a beer tent and questions/discussion

was shared with Commission. DDA event "Unsanctioned" is at same time. City would need to be added as additional insured. **Toerne moved, seconded by Cole to approve the use of the Common contingent on providing insurance to the City, approved by the DDA and a liquor license obtained for the beer tent. Roll call vote carried unanimously.**

Marx requested approval of the 2018-19 City Commission Priorities as presented. **Moore moved, seconded by Cole to approve the 2018-2019 City Commission Priorities as presented. Vigansky asked for a copy of the audio tape of the entire Annual Planning meeting. Roll call vote carried by majority. YEA: Cole, Moore, Hess, Toerne. NAY: Vigansky.**

After discussion, **Vigansky moved, seconded by Toerne to approve the quote from North American Signs to update City of Buchanan welcome signs as presented by Mr. Denison. Roll call vote carried unanimously.**

After brief report from the City Manager and Attorney Hyrns, **Vigansky moved, seconded by Toerne to approve the Medical Marihuana Provisioning Center Facility at 120 E. Front Street to OM Buchanan, LLC. Roll call vote carried by majority. YEA: Cole, Hess, Toerne, Vigansky. NAY: Moore.**

Oak Street resident Norma Ferris asked for a drawing of the straightening of River Street and Fourth Street. Marx replied it is not handicap accessible and explained how the street would be straightened out; drawings would be submitted by mid-May. Resident and Senior Center Director Monroe Lemay commended Bybee for her tenure and assistance. Gladys Bybee spoke briefly and presented the City Manager and Commission with book's authored by Judge Jeffrey G. Collins.

City Manager's Comments included upcoming events.

Commissioner's comments included thanks to Clerk Bybee, congratulations to Boosters, Belly Button, and Arbor Day, encouraged support for Civil War Cemetery walk, and still wondering why Casey's pulled out of Buchanan.

Marx asked for a work session to discuss building the new DPW building and a tour from Bill Green on buildings he has built. Thursday, April 26 at 6:00 p.m. was scheduled with Cole reporting she could not attend and Vigansky reported he would skip the tour.

Cole moved, seconded by Toerne to adjourn the meeting at 8:17 p.m.

Gladys M. Bybee, City Clerk

Brenda J. Hess, Mayor

May 14, 2018 Minutes

CITY OF BUCHANAN COMMISSION MINUTES
May 14, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, May 14, 2018 and was called to order at 7:00 p.m. by Mayor Hess. The Mayor led the Pledge of Allegiance. Father Leo gave the Invocation. Mayor Hess acknowledged Rob and Kristi McPherson for making Life Better in Buchanan.

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

Commissioners absent: Daniel Vigansky

Staff present: City Manager Bill Marx, Interim City Clerk Amanda Schanick, Zoning Administrator Debra Patzer, Police Officer Bri Schmitz
Guests/Visitors present: 30+ Visitors

Public Comments

Randall Pert questioned DAR, Escape Room lease at Ross Sanders, Ross Sanders upkeep and why the need to straighten the intersection at River, Redbud and Fourth Street.

Norma Ferris requested job descriptions of all department heads. City Manager Marx directed Ferris to fill out FOIA request.

Consent Calendar

Cole moved, seconded by Moore to amend the Consent Calendar with the corrections made to the March 12, 2018 minutes which include Attorney Randy Hyrns marked present, additional checks numbered 76868 to 76870 in the amount of \$3,461.35 with a grand total of \$114,454.73 added to the consent calendar. 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, April, 2018, Budget Workshop Summary, March 19, 2018
- Checks Dated 5/14/18, 76777 to 76870 in the amount of \$114,454.73
- Approve Street Closure; for Superhero Run for Belly Buttons May 26th from S. Oak Street between Roe St. and E. Smith ST. and from S. Oak Street to just past the entrance on E. Smith ST from 8:45am to 11:00am
- Approve Revised Public Notice for DAR's FY 2019 Funding Application
- Introduce Ordinance 2018.05/___, AN ORDINANCE TO AMEND THE CITY OF BUCHANAN, MICHIGAN CODE OF ORDINANCES CHAPTER 34, ELECTIONS ARTICLE II. EVEN YEAR ELECTIONS, SECTION 34-29. FILING OF NOMINATING PETITIONS
- Approve Public Hearing for May 29, 2018 for Introduce Ordinance 2018.05/___, AN ORDINANCE TO AMEND THE CITY OF BUCHANAN, MICHIGAN CODE OF ORDINANCES CHAPTER 34, ELECTIONS ARTICLE II. EVEN YEAR ELECTIONS, SECTION 34-29. FILING OF NOMINATING PETITIONS

Reports by: Departments, Committees, Boards

Mindy Cole-Crocker who took over as Assessor of Record on July 1st gave overview of assessing records.

Mark Tumbleson President of Buchanan-Galien Lion Club spoke on behalf of White Cain Week Drive which will be Friday May 18th and Saturday May 19th where the Lions Club will be collecting

donations for the sight fund. Donations go right back into community to meet eye care needs. Chairman Mark Nixon will have teams out at different businesses in town. Donations of used eye glasses can be dropped off at Smoke Family Vision, Swem's Chappel, Dr. Benedicts Office and UFCU.

Debra Patzer updated that Master Plan process is underway. The Master Plan guides the plan of the community.

Unfinished Business

City Treasurer Juli O'Bryant requested approval of adopting the balanced budget for fiscal year 2018-19. Toerne questioned where the monies for the River Street intersection repair would come from after short discussion Moore moved, seconded by Cole to Approve Resolution 2018.05/168 for the City of Buchanan to adopt a budget for fiscal year 2018-2019. Roll call vote carried unanimously.

Marx introduced Sean Dennison from North American Signs who explained the two signs that need a design choice. After short discussion of adding Promise Community to the sign design Toerne moved, seconded by Moore to Approve design option 2 and to incorporate Promise Community for the City of Buchanan Welcome Signs with North American Signs. Roll call vote carried unanimously.

New Business

Marx introduced the new City Clerk, Dena Yow who currently serves as City Clerk for Watervliet. Yow introduced herself and gave brief background description and voiced her eagerness to get to know everyone and all the City of Buchanan residence. Moore moved, seconded by Cole to approve the City Manager to appoint Dena Yow as the City Clerk. Roll call vote carried unanimously.

Marx noted of annual list of properties that have gone to foreclosure for delinquent taxes. Two out of the four properties on foreclosure list to go to county auction need to be demolished due to the condition of the structures. After discussion Moore moved, seconded by Cole to approve the demolition of 906 Victory Street and 405 Arctic Street as part of the County of Berrien's Foreclosure Process. Roll call vote carried unanimously.

Marx discussed lease approved in May of 2017 with Midwest Escapes, LLC and is requesting to extend for an additional 6 months. After discussion Moore moved, seconded by Cole to approve extending our present lease with Midwest Escapes, LLC for another six months or until November 16, 2018. Roll call vote carried unanimously.

Marx gave lengthy detailed description of intersection enhancement project for Fourth Street and Red Bud Trail, after discussion Moore moved seconded by Cole to approve the intersection enhancement project for Fourth Street and Red Bud Trail that would include land acquisition for the required right of way to move a short section of Fourth Street in line with River Street at the intersection with Red Bud Trail. Roll call vote carried unanimously.

Public Comments

402 W Front Street William Hartman presented letter written to the historical district about the truck route on Front Street and questioned the funding received from the state for truck route.

Benson 212 Cecil Street asked status of Dog Park and asked how to get properties put on demolition list.

Fire Chief Adams invited the public to a spaghetti dinner for Firefighter John Rydwelski on May 20th from 4-7pm.

City Manager Comments

Marx comments included fire hydrant issue on Moccasin Street, 2 Memorial trees planted at Harger Park, nice weather bringing outside work on the downtown businesses and the success of the downtown duck feeders.

Commissioner Comments

Toerne: Thanked Guy Lewis for heads up and guidelines on permits.

Cole: Thank the Scarecrow Ladies for the Dog Park donation, Hiltop Café donations and welcomed all donations for the Dog Park.

Moore: Reported on Committee activity; Tin Shop, Friends of Oakridge Cemetery, Common Committee and park clean-up. Moore invited the public to help with park clean up days.

Hess recognized McCoy creek trail as the heart of the City and advertised the Buchanan App for smartphones.

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

Amanda Schanick, Interim City Clerk

Brenda J Hess, Mayor

**PUBLIC HEARING
TUESDAY, MAY 29, 2018
BUCHANAN CITY HALL
302 N. REDBUD TRAIL
7:00 P.M.**

Call to Order

The Public Hearing was called to order at 7:00 p.m. by Mayor Hess.

In attendance: Cole, Moore, Toerne, and Hess.

Review and hear public comments on an Ordinance to amend the nominating petition deadline.

This amendment changes the words "August Primary" to "November General".

Public Comments:

Randall Pert stated that the residents would like to hear the reasoning for the change.

Allan Robandt discussed his concerns and requested if approved the effective date be 2020.

Adjourn

**REGULAR COMMISSION MEETING
TUESDAY, MAY 29, 2018
BUCHANAN CITY HALL**

CALL TO ORDER: A regular meeting of the City Commission was called to order by Mayor Hess at 7:02 p.m.

Pledge of Allegiance/Invocation

The Pledge was recited by all in attendance.

ROLL CALL

Mayor Hess- present, Commissioners: Cole- present, Moore- present, Toerne-present, Vigansky- absent.

Also in attendance: City Manager Bill Marx and City Clerk Dena Yow

Public Comments (Citizens are allowed up to three (3) minutes for discussions on any agenda item)

--Norma Ferris asked for the commission to discuss the items on the agenda.

Consent Calendar:

Agenda

Minutes: Regular scheduled meeting, May 14, 2018

Checks in the amount of \$75,144.69

Certify Delinquent Utility and Mowing billings to the 2018 Summer Tax Roll

Excuse Commissioner Cole from the March 24, 2018 Goal Setting Session Workshop

*Approve DDA Board Member Appointment Rick Paniagua

Moore motioned, seconded by Toerne to approve the consent calendar with the addition of DDA Board Member Appointment.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays:

Absent: Vigansky

Motion Carried.

Reports by: Departments, Committees, Boards

None

Unfinished Business

- A. Consider Ordinance 2018.05/407, An Ordinance to Amend the City of Buchanan, Michigan Code of Ordinances Chapter 34, Elections Article II. Even Year Elections, Section 34-29. Filing of Nominating Petitions

Motion made by Moore, seconded by Toerne to approve Ordinance 2018.05.407 as presented.

Motion made by Moore, seconded by Toerne to amend motion to state the effective date to be June 15, 2018. Roll Call: unanimous.

Roll call to approve Ordinance 2018.05/407

Ayes: Cole, Moore, Toerne, and Hess.

Nays:

Absent: Vigansky

Motion Carried.

New Business

Resolution 2018.05/169 -- Motion made by Moore, seconded by Cole to approve Resolution 2018.05/169, that the center line of the previously vacated un-platted alley adjacent to lots 8,9,10, and 11 of English and Holmes Addition to the City of Buchanan be extended S 53 36'23" W 8' then N 89 58'55" W to the easterly line of relocated Enterprise Street.

Roll Call Vote:

Ayes: Cole, Moore, Toerne, and Hess

Nays:

Absent: Vigansky

DDA Budget FY 2018-19

Moore motioned, seconded by Cole to approve the DDA Budget as presented.

Roll Call Vote:

Ayes: Cole, Moore, and Hess

Nays: Toerne

Absent: Vigansky

Motion Carried.

Provisioning Center Permit for 1101 E. Front Street – Hess motioned, seconded by Cole to move into Closed Session to discuss confidential information. 7:22 p.m.

All in favor. Motion Carried.

Toerne motioned, seconded by Cole to adjourn the closed session and move back into the regular meeting at 7:55 p.m. All in favor. Motion Carried.

Provisioning Center Permit for 221 E. Front Street – Hess motioned, seconded by Toerne to move into Closed Session to discuss confidential information. 7:56 p.m.
All in favor. Motion Carried.

Toerne motioned, seconded by Cole to adjourn the closed session and move back into the regular meeting at 8:05 p.m. All in favor. Motion Carried.

Provisioning Center Permit for 1101 E. Front Street – Toerne motioned, seconded by Cole to approve permit pending completion of the items discussed.

Roll Call Vote:

Ayes: Cole Moore, Toerne, and Hess

Nays:

Absent: Vigansky

Motion Carried.

Provisioning Center Permit for 221 E. Front Street – Toerne motioned, seconded by Cole to approve permit.

Roll Call Vote:

Ayes: Cole, Moore, Toerne, and Hess

Nays:

Absent: Vigansky

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda item)

Sean Denison stated that he is running for a City Commission seat and that it would not be a conflict of interest. The City signs will be finished in June. Mr. Denison asked the Commission to reconsider the street project and kindly asked for more information be provided to the residents about the straightening of the intersection.

Randall Pert stated that he seconds the previous speakers suggestion on the street project.

Norma Ferris stated that the city looks horrible with old signs and the duck pond is a mess.

Tom Jolly discussed the building citations that he received.

Danial Hinkle Introduced himself. Running for State Rep.
78th District Representative in State Legislature 2 Year Term

City Manager's Comments

City Manager Marx recognized the DPW and the Cemetary Crew for getting the cemetary cleaned up in time for Memorial Day. Marx also recognized the American Legion-event was well done.

Thanks to Sean Denison for getting the sign updated before Memorial Day.

Seasonal employee to work on the Common stage and will do work at the Ross Sanders location.

Marx would like to schedule a work session to discuss the DPW building and have Pearson Construction there to answer questions.

Commissioners' Comments

Cole: None.

Moore: Memorial Day parade was wonderful. Appreciates everyone who was involved and the new sign looks great.

Toerne: Read email from Dave Pagel and letter from John Proos in regards to road funding. Thanked Sean for his work and Michelle Hollaway for volunteering.

Hess: Thanks to everyone for making Memorial Day Event Fabulous and for supporting local businesses.

Adjourn

Cole motioned, seconded by Toerne to adjourn the meeting at 8:30 p.m.
All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

**REGULAR COMMISSION MEETING
TUESDAY, JUNE 11, 2018
BUCHANAN CITY HALL
302 N. REDBUD TRAIL
7:00 P.M.**

CALL TO ORDER: A regular meeting of the City Commission was called to order by Mayor Hess at 7:01 p.m.

Pledge of Allegiance/Invocation

The Pledge was recited by all in attendance. Invocation was presented by Rob Mcpherson.

ROLL CALL

Mayor Hess- present, Commissioners: Cole- present, Moore- present, Toerne-present, Vigansky- present.

Also in attendance: City Manager Bill Marx and City Clerk Dena Yow

Public Comments (Citizens are allowed up to three (3) minutes for discussions on any agenda item)
None

Consent Calendar:

Agenda

Minutes: Regular scheduled meeting of May 29, 2018 and Work Session of June 5, 2018

Checks dated 6/11/18 in the amount of \$95,137.56

Excuse Commissioner Vigansky from the May 29, 2018 Regular Commission Meeting

Approve Street Closure for Thrill on the Hill July 31st – Aug. 4th

Moore motioned, seconded by Cole to approve the consent calendar.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays:

Absent:

Motion Carried.

Reports by: Departments, Committees, Boards

None

Unfinished Business

None

New Business

BCBS 2700 Plan – Toerne motioned, seconded by Cole to approve changing Health Insurance carrier to Blue Cross Blue Shield, BCBS 2700 plan.

Roll Call Vote:

Ayes: Hess, Cole, Moore, Toerne, and Vigansky.

Nays: Absent:

Motion Carried.

JP GILLEN & ASSOCIATES CONTRACT

Toerne motioned, seconded by Cole to approve the three year contract with JP Gillen and Associates.

Roll Call Vote:

Ayes: Cole, Moore, Hess, Vigansky, and Toerne.

Nays: Absent:

Motion Carried.

Traffic Order #251 – Cole motioned, seconded by Moore to approve Traffic order #251 – No Thru Trucks Local Deliveries Only”.

Roll Call Vote:

Ayes: Cole, Moore, Hess, Vigansky, and Toerne.

Nays: Absent:

Motion Carried.

Purchase of New Tractor – Toerne motioned, seconded by Cole to approve Rigg’s Outdoor Power workorder # 646718 in the amount of \$18,730.28, to be purchased on July 1, 2018.

Roll Call Vote:

Ayes: Hess, Cole, Moore, Vigansky, and Toerne.

Nays: Absent:

Motion Carried.

Police Union Contract – Moore motioned, seconded by Toerne to approve the Police Department Union Contract as presented.

Roll Call Vote:

Ayes: Cole, Moore, Toerne, and Hess

Nays: Vigansky Absent:

Motion Carried.

Ad Hoc Committee – Hess motioned, seconded by Toerne to establish an Ad Hoc Committee, consisting of Commissioner Cole and Commissioner Toerne, to review Commission Rules of Procedure.

Roll Call Vote:

Ayes: Cole, Moore, Vigansky, Toerne, and Hess

Nays: Absent:

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda Item)

--Alice Kring from Redbud Insurance update - June 19th Open House for 20 yr. Celebration
Moore motioned, supported by Cole to allow the use of the parking space. All in favor. Motion Carried.

Public Comments continued:

--Randall Peart stated that the Commission ran through the New Business items. He asked the Mayor to please explain to the audience what the items are. What is the JP Gillen contract? The Mayor and Commissioner Toerne explained that the contract is for IT services.

City Manager's Comments

City Manager Marx discussed the need for a new bucket truck for the Department of Public Works. There was discussion on the cost and Marx stated that when he finds a good truck to purchase a special meeting will be called for the approval of the purchase.

Commissioners' Comments

Vigansky: Discussed missing the meeting and the process of being excused or not. He also discussed Robert's Rules of Order.

Cole: Thank you to everyone who attends the meetings.

Moore: Thank you to the Buckteens. The Dog Park Grand Opening is scheduled for July 21st.

Toerne: Read letter from Jim Finley. Redbud Roots update.

Hess: Brief update on the Buckteens.

Cole motioned, seconded by Toerne to move into closed session to review Closed Meeting minutes. All in favor. Motion Carried.

Hess motioned, seconded by Cole to go back into the regular meeting. All in favor. Motion Carried.

Adjourn

Moore motioned, seconded by Cole to adjourn the meeting at 7:58 p.m. All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

REGULAR COMMISSION MEETING
AMENDED MINUTES
TUESDAY, JUNE 25, 2018
BUCHANAN CITY HALL
302 N. REDBUD TRAIL
7:00 P.M.

CALL TO ORDER: A regular meeting of the City Commission was called to order by Mayor Hess at 7:00 p.m.

Pledge of Allegiance/Invocation

The Pledge was recited by all in attendance.

ROLL CALL

Mayor Hess- present, Commissioners: Cole- present, Moore- present, Toerne-present, Vigansky- present.

Also in attendance: City Manager Bill Marx, City Clerk Dena Yow, Treasurer Juli O'Bryant, and Water Dept. Foreman Scott Desenberg.

Public Comments (Citizens are allowed up to three (3) minutes for discussions on any agenda item)

Mr. Robandt discussed the color of the siding on the Common. He stated that it should be white not blue. He also stated that the Guard House roofing tiles should match what is already there. Mr. Robandt asked what is the Sullivan volunteer form ?

State Rep. Dave Pagel updated the Commission on the state budget, revenues, and road funding.

Mr. Pagel is running for the State Senate.

Consent Calendar:

Commissioner Vigansky had a few questions on the budget amendment. The FYE 17-18 Budget Amendment Approval was removed from the consent calendar.

Agenda

Minutes: Regular scheduled meeting of June 11, 2018

Checks dated 6/25/18 in the amount of \$151,892.19

Sullivan Family Volunteer Form

Approve "Yoga on Common Ground" July 10th – Aug. 14th

Banner Permit for Thrill on the Hill

ADP Agreement renewal

Moore motioned, seconded by Cole to approve the consent calendar.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

** Approve FYE 17-18 Budget Amendment

Moore motioned, seconded by Cole to approve the ~~consent calendar~~ **17-18 Budget Amendment**.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays: Vigansky Absent:

Motion Carried.

F. AFSCME Contract*

Toerne motioned, seconded by Cole. Brief discussion was had.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays: Vigansky Absent:

Motion Carried.

G. Reliability Study and General Plan - Water System

Toerne motioned, seconded by Cole to accept bids for the Reliability Study.

Scott briefly discussed.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

H. City Manager Bill Marx Evaluation—requesting closed session

Cole motioned, seconded by Toerne to go into Closed Session at 7:58 p.m.

All in favor. Motion Carried.

Mayor Hess called the Regular Meeting back to order at 8:15 pm

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda item)

Mayor Hess stated that Norma contacted her and asked if the traffic signs could be painted or replaced.

City Manager's Comments

Marx discussed the pre-development of the DPW building stating he will seek more bids.

Marx stated that he has received a quote for the retaining wall and will see if there is anyone else who can submit a quote.

Marx scheduled a work session for June 28th at 6pm to discuss the acceptance of commercial waste.

Commissioners' Comments

Cole: Wishes everyone a safe and happy summer.

Moore: Condolences for the passing of Johnnie Jackson. Thanks to everyone who is taking care of the duck pond.

Toerne: Planning Commission update. Next meeting is the 2nd Tuesday of July.
FDA approved epilepsy drug and Recreational Marijuana approved in Canada.

Vigansky: motion to excuse him from the May 8, 2018 Regular Commission Meeting, seconded by Toerne.

Roll call vote:

Yeas: Vigansky

Nays: Cole, Moore, Toerne, and Hess.

Absent:

Motion Carried.

Vigansky stated that the Ordinance for Nominating Petitions was passed and he would like to know why? Mayor Hess replied that it was to comply with the Charter.

Hess: Brief update on the Buckteens Reunion. Thank you to Mary Newman for donating the watercolor painting to City Hall. Hess briefly mentioned some of the fun summer activities for the youth. Congratulations to Alice/Redbud Insurance – had a lovely time at the open house.

Adjourn

Cole motioned, seconded by Toerne to adjourn the meeting at 8:34 p.m.

All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

**REGULAR COMMISSION MEETING
TUESDAY, JULY 09, 2018
BUCHANAN CITY HALL
302 N. REDBUD TRAIL
7:00 P.M.**

CALL TO ORDER: A regular meeting of the City Commission was called to order by Mayor Hess at 7:00 p.m.

Pledge of Allegiance/Invocation

The Pledge was recited by all in attendance.

ROLL CALL

Mayor Hess- present, Commissioners: Cole- present, Moore- present, Toerne-present, Vigansky- present.

Also in attendance: Clerk Dena Yow, Zoning Admin. Debra Patzer, and Public Safety Director JT Adkerson.

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

Norma Ferris would like to know which of the new business items are from the work session and please explain. Mayor Hess stated that the work session was about the commercial waste and each item will be discussed when we get to them.

Mayor Hess thanked everyone for attending the meeting.

Consent Calendar:

Agenda as amended, Regular meeting minutes of June 25, 2018 as amended, Work Session minutes of June 28, 2018, Checks dated 7/09/18 in the amount of \$166,826.44, Banner Permit for BHS Class Reunion, Julie Blaylock appointed to the Fine Arts Council. Edwin Brinklow and Molly Thornton appointed to the Library Board. Bethany Cowan as School Board Rep. for the BARB.

Toerne motioned, seconded by Moore to approve the consent calendar.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

Reports by: Departments, Committees, Boards

Joint Water/Sewer Board – No Report

Unfinished Business

City Manager Evaluation- 3% wage increase.

Moore motioned, seconded by Cole to approve a 3% wage increase to City Manager Bill Marx.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

New Business

- A. Surplus Equipment – JT Adkerson discussed. 1997 Ford Forestry Truck, 1987 Leaf Loader, and 1991 Elgin Street Sweep are no longer in service.
Moore motioned, seconded by Toerne to declare the equipment as surplus and approve selling of equipment by online auction or scrapping equipment as necessary.
Roll call vote:
Yeas: Cole, Moore, Toerne, Vigansky, and Hess.
Nays: Absent:
Motion Carried.
- B. Commercial waste/WWTP – Mayor Hess briefly explained. JT Adkerson briefly discussed and answered questions.
Moore motioned, seconded by Toerne to add commercial waste acceptance to the design plan for the new WWTP.
Roll call vote:
Yeas: Cole, Moore, Toerne, and Hess.
Nays: Vigansky Absent:
Motion Carried.

7:24 pm – Mayor Hess called for a 5 minute recess with no objection.
7:28 pm – Meeting Reconvened.

- C. New DPW Forestry Truck/Altec quote.
Moore motioned, seconded by Cole to approve the purchase of a new DPW Forestry Truck in the amount of \$133,754.00 from Altec.
Roll call vote:
Yeas: Cole, Moore, Toerne, and Hess.
Nays: Vigansky Absent:
Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda item)

Randall Peart discussed pot holes by river street and there is no drainage. The second location is by the boat launch. Driving to the boat launch there are giant pot holes. We need to put drains in so the water goes down to the river. Mayor Hess asked Mr. Peart to stay after the meeting and she would speak to him about the park.

Dale Toerne talked about family history and biography of his sister-in-law Kim, the problem with immigration and taking the kids away from parents.

Norma Ferris stated “Thank you Dale. You are an immigrant. You pushed me out of my country.”

City Manager’s Comments

Clerk Yow read City Manager Marx comments. Manager Marx has a quote from Pearsons and will be receiving one from Majority Builders for the pre-development of the new DPW building. Manager Marx is seeking contractors to look at the Smith Street/Mill Race culvert repair. Work Session was set for July 16th at 7 p.m. to discuss energy savings as presented by Jon Burke of Tactical Energy Group.

Commissioners’ Comments

Cole: Update on the Dog Park which is preparing to open.

Moore: No Comment.

Toerne: addressed Norma's comment.

Read an Article from the MML magazine – Federal Assistance for Great Lakes Clean Up May Be in Jeopardy.

Vigansky: Discussed that DPW and the City Manager knew about this truck before the budget, water and sewer budget and the salaries being paid from that fund, WWTP plant and the waste could smell really bad.

Hess: Pam, Police Dept. Admin., is retiring, there will be an open house on July 12th at the Redbud City Center. Tuesday, August 7th is National Night Out. This Wednesday there is a meeting in regards to making changes to public transportation. The County is talking about combining all the dial-a-ride's. Condolences to the family of Bill Norton.

Adjourn

Cole motioned, seconded by Toerne to adjourn the meeting at 8:06 p.m.

All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

Cole: The Dog Park grand opening was a huge success. Thank you to all the people who have given to make this come true. Thanks to all who donated.

Moore: Thank you to Carla for all her work on the Dog Park. Added to Commissioner Cole's Thank you list. Discussed the children's play at the Tin Shop. Friends of Oakridge Cemetery is looking for family stories about the Spanish Flu epidemic.

Toerne: Farmers Market did not have a meeting this month – nothing to report.

Special Thanks to Michelle Holloway for volunteering. Reminder—Thrill on the Hill Aug. 2nd – 4th.

Vigansky: Addressed the questions asked during public comments. River/Culvert has been discussed for 3 years. Norma the signs – I have a list at home of everything I write down. The \$170,000 there is nothing you can do about it.

Hess: Read a letter from the MML that she received about road funding.

Adjourn

Vigansky motioned, seconded by Toerne to adjourn the meeting at 8:03 p.m.

All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

Toerne motioned, seconded by Moore to approve the revised FY 2019 budget amendment with revenues of \$214,637 and expenses of \$220,598.

Roll call vote:

Yeas: Vigansky, Cole, Moore, Toerne, and Hess.

Nays: Absent:

Motion Carried.

D. Traffic Speed Signs – discussed by Tim Ganus

Moore motioned, seconded by Cole to approve the purchase and budget amendment in the amount of \$5,850 for two radar speed signs.

Roll call vote:

Yeas: Cole, Moore, and Hess.

Nays: Vigansky and Toerne Absent:

Motion Carried.

E. Retaining Wall Repair

Moore motioned, seconded by Toerne to approve the quote from BG Construction in the amount of \$9,320 for the retaining wall repair.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays: Vigansky Absent:

Motion Carried.

F. Purchase a New Plow Truck- Kinstle Sterling quote

Moore motioned, seconded by Cole to approve the purchase of a New Plow Truck from Kinstle Sterling in the amount of \$178,044.00.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays: Vigansky Absent:

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda Item)

Allen Robandt spoke about the city leasing part of the Ross Sanders building to Virginia Reed.

Mr. Robandt asked the commission to step-up and replace or fix the things that are needed.

Norma Ferris stated to the commission that there are many more signs that need repaired.

City Manager's Comments

Debra Patzer handed out to the Commission a draft of the lease for Virginia Reed to rent part of the Ross Sanders building.

Commissioners' Comments

Cole: The Dog Park tent did well at the Thrill. Cameron Downey has been painting his building and it looks fantastic. Best of luck to the kids at the fair this year.

Moore: Thank you to everyone who helped with the Thrill on the Hill. Good luck to the fair goers.
Toerne: Thrill on the Hill was terrific. Thank you to everyone and all city employees. Discussed \$350 be given to the Garden Club for Christmas greens.
Vigansky: Thanked Cindy for coming on Thursday and Thank you to the Mayor for the gift for the funeral. Thanks for the sympathy. I do not apologize for growling at JT.
Hess: Thank you to everyone for making this summer really fun and supporting all the local events.

Adjourn

Cole motioned, seconded by Toerne to adjourn the meeting at 8:17 p.m.
All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

**REGULAR COMMISSION MEETING
MONDAY, AUGUST 27, 2018
BUCHANAN CITY HALL
302 N. REDBUD TRAIL
7:00 P.M.**

PUBLIC HEARING – to hear public comments concerning the exchange of property – 324 Dewey St.
Called to Order by Mayor Hess at 7:00 pm
Public Comments: Norma Ferris stated that she would like to have documents regarding property transfer.
City Manager Marx gave her a copy of the map.
The Public Hearing adjourned at 7:01 pm

CALL TO ORDER: A regular meeting of the City Commission was called to order by Mayor Hess at 7:01 p.m.

Pledge of Allegiance/Invocation

The Pledge was recited by all in attendance. Invocation provided by Assoc. Minister Brandon Smith.

ROLL CALL

Mayor Hess- present, Commissioners: Cole- present, Moore- present, Toerne-present, Vigansky- present.

Also in attendance: City Manager Bill Marx and Clerk Dena Yow.

Recognition/Proclamations

Mayor Hess recognized Sharon Travis for her “My Hometown” series and presented her with a “Spirit of Buchanan” certificate.

Mayor Hess read proclamation to proclaim September as Suicide Prevention Awareness Month.

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

None.

Consent Calendar:

- A. Approve Agenda
- B. Approve Minutes: August 13, 2018 Regular Commission Meeting*
- C. Approve Checks Dated 8/27/18, 77455 to 77528 in the amount of \$684,925.12*
(Expenditure amount is \$263,821.98, Tax Disbursement Amount \$421,103.14)

Vigansky motioned, seconded by Moore to approve the consent calendar.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

Reports by: Departments, Committees, Boards

Friends of McCoy Creek Trail – Wayne Writer and Jerry Flenar spoke about the Halloween Trek-or-Treat and the 5K Run.

Unfinished Business

None

New Business

- A. Water System Reliability Study – Vigansky motioned, seconded by Toerne to approve the Prein & Newhof bid in the amount of \$9,600.00.
Roll call vote:
Yeas: Vigansky, Cole, Moore, Toerne, and Hess.
Nays: Absent:
Motion Carried.
- B. Resolution 2018.08/174 To Purchase Property 401 N. Red Bud Trail
Cole motioned, seconded by Toerne to approve Resolution 2018.08/174.
Roll call vote:
Yeas: Vigansky, Cole, Moore, Toerne, and Hess.
Nays: Absent:
Motion Carried.
- C. Budget Amendment – Emergency Repair
Toerne motioned, seconded by Vigansky to approve the budget amendment in the amount of \$14,260 to Peerless Midwest for emergency repair of well #3.
Roll call vote:
Yeas: Cole, Moore, Toerne, Vigansky and Hess.
Nays: Absent:
Motion Carried.
- D. Budget Amendment – Retaining Wall Repair
Moore motioned, seconded by Cole to approve the budget amendment in the amount of \$9,320 for the approved retaining wall repair.
Roll call vote:
Yeas: Cole, Moore, Toerne and Hess.
Nays: Vigansky Absent:
Motion Carried.
- E. WWTP driveway repair
Toerne motioned, seconded by Cole to approve the quote from Affordable Asphalt is the amount of \$5,400.
Roll call vote:
Yeas: Cole, Moore, Toerne, and Hess.
Nays: Vigansky Absent:
Motion Carried.
- F. Resignation Letter Mayor Hess – Mayor Hess explained that she would be moving.

Moore motioned, seconded by Cole to rename the resignation letter as an intent to resign upon the closing of the property.

Vigansky requested that the Mayor set a date of her resignation. The Mayor stated that she called the Board of Elections trying to get her name removed from the ballot.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays: Vigansky – stated “No, I am not even voting on anything.”

Absent:

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda Item)

Norma Ferris is requesting that the City pay more attention to Channel 17.

City Manager’s Comments

Marx stated that the Duck pond is extremely popular, and he thanked Jerry Flenar and Wayne writer for reporting on the Halloween festivities.

Marx requested the City Commission discuss section 4.11 of the Charter which is Relationship of Council to Administrative Service states that the commission shall not give orders to any of the subordinates of the City Manager.

Vigansky interrupted and stated that he was glad that this is being brought up.

Marx continued by stating the activity that has been going on recently has worsened morale and productivity of staff. He further stated that he has received complaints from employees and that they do not feel this is a part of their job to endure these approaches from a commissioner.

Marx further stated that he is asking the Commission to help him direct the commissioner who is violating the policy and the charter to work through him with any question or inquires as the charter outlines.

Commissioners’ Comments

Vigansky stated “You are reading the charter all wrong.” He discussed the comments that City Manager Marx made. The Mayor asked him to calm down and to be civil.

Toerne offered his thanks to the employees that worked on the stage. It looks great. Also, thanks to the scarecrow ladies.

Moore discussed being a commissioner and the powers of a commissioner. Moore stated “my solution is to follow the charter and to spell it out.” Motion to be effective immediately.

Moore made the following motion:

- (1) No employee of the City is to communicate directly or indirectly with Commissioner Vigansky with the exception of the City Manager, the City Treasurer and the City Attorney as allowed by charter.
- (2) If Commissioner Vigansky presents himself to employees of the City, they are to contact their immediate supervisor and the police if needed.
- (3) The City Manager and the City Treasurer are to only communicate with Commissioner Vigansky by email. No face to face meetings shall be allowed.

- (4) The City Attorney may communicate with Commissioner Vigansky only during regular commission meetings, open or closed. Any other communication will be unauthorized and will be billed to Commissioner Vigansky directly.

Motion was seconded by Cole.

**MINUTES
SPECIAL COMMISSION MEETING
TUESDAY, SEPTEMBER 4, 2018
BUCHANAN CITY HALL
302 N. REDBUD TRAIL
7:00 P.M.**

CALL TO ORDER: A special meeting of the City Commission was called to order by Mayor Hess at 7:00 p.m. The Pledge was recited by all in attendance.

ROLL CALL

Mayor Hess- present, Commissioners: Cole- absent/excused, Moore- present, Toerne-present, Vigansky- present.

Also in attendance: City Manager Bill Marx and Clerk Dena Yow.

PUBLIC COMMENTS

Norma Ferris asked about the parking lot.

Virginia Reed stated that she doesn't have that many costumers that drive, most of them use Dial-A-Ride.

NEW BUSINESS

- A. Review and Approve the agreement for Virginia Reed to lease the eastern half of the Ross Sanders building, including setting the rental amount and any other business pertaining to the lease agreement.

City Manager Marx discussed the lease agreement and stated that there are two items that the Commission needs to decide. One being the effective date of the agreement and the second being the base rent amount.

There was discussion about these items and repairs that need to be done.

Moore motioned, seconded by Toerne to approve the base rent amount at \$450 per month.

Roll call vote:

Yeas: Moore, Toerne, Vigansky and Hess.

Nays: Absent: Cole

Motion Carried.

Moore motioned, seconded by Toerne to approve the lease agreement with an effective date of September 15, 2018 contingent upon repairs.

Roll call vote:

Yeas: Vigansky, Moore, Toerne, and Hess.

Nays: Absent: Cole

Motion Carried.

Adjourn -- Toerne motioned, seconded by Moore to adjourn the meeting at 7:25 p.m. All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

None

New Business

- A. Resolution 2018.09/175 – Toerne motioned, seconded by Cole to approve Resolution 2018.09/175 Property Transfer Affidavit Fee Waiver.

Roll call vote:

Yeas: Vigansky, Cole, Moore, Toerne, and Hess.

Nays: Absent:

Motion Carried.

- B. Resolution 2018.09/176 – Toerne motioned, seconded by Cole to approve Resolution 2018.09/176 Health Insurance 80%/20%.

Roll call vote:

Yeas: Cole, Moore, Vigansky, Toerne, and Hess.

Nays: Absent:

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda item)

Cindy Benson inquired about a Candidates forum, when and where.

Mayor Hess stated that she is not aware of one and explained that the City is not involved in putting this together.

David Mitchell – Invited the Commission to the 911 Service. It is the 17th year that we have had this event.

City Manager's Comments

Marx discussed PFAS testing and stated that our testing numbers were non-detectable.

Marx discussed the repairs completed and the repairs that are in progress at the Ross Sanders building. Marx thanked Dave Mitchell for everything that he has done for the 911 event.

Discuss was had on the intersection project/4th street. Mack from Wightman's brought the site plans and answered Commissioners questions.

Medical Marijuana Ordinance Review – A work session was scheduled for Monday, September 17th, Debra Patzer discussed possible changes to the ordinance.

Marx updated the Commission on the sink hole repair at Liberty street and Rynearson intersection.

Commissioners' Comments

Cole – hope everyone had a good Labor Day weekend. Sport Flags are fantastic. Thanks to Dave Mitchell for all he does.

Moore – Thanks to the Tin Shop Board members and encourages everyone to attend play.

Toerne – Reminder Farmer Market is coming to an end for the session and Planning meeting is at 5:30 pm, Tuesday.

Vigansky- meeting minutes are not online. Is the Mayor still going to Grand Rapids? Mayor Hess stated No she is not going to Grand Rapids. Charter 4.11 states except for purposes of inquiry, wanted to make that clear. Stated to Norma there was a Commissioner on the interview committee for the Clerk's interview. Only talked to the lawyer once during the marijuana session. When was the charter was last updated?

Hess – the Mayor stated it is not a gag order and that she has a family emergency to attend to and asked for a motion to adjourn.

Adjourn

Moore motioned, seconded by Toerne to adjourn the meeting at 8:11 p.m.
All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

None

Unfinished Business

None

New Business

A. Medical Marihuana Ordinance Amendment – 1st Reading and Schedule Public Hearing for Oct. 8, 2018 – Ordinance amendment was read by Debra Patzer.
Moore motioned, seconded by Cole to set the Public Hearing for Oct. 8, 2018 at 7 p.m.
All in favor. Motion Carried.

B. Approve Rules of Procedure for Commission Meetings- Toerne motioned, seconded by Cole to approve the Rules of Procedure for Commission Meetings.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

Mayor Hess thanked the Ad Hoc Committee for their work and discharged them from their responsibility.

C. Approve Gasvoda & Assoc. proposal for Lift Station Impeller Replacement in the amount of \$6,225.00- Jason Williams discussed both quotes. Toerne motioned, seconded by Moore to approve the proposal for the Impeller replacement in the amount of \$6,225.00.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

D. Approve Gasvoda & Assoc. proposal for Lift Station Valve Replacements in the amount of \$8,260.00- Moore motioned, seconded by Toerne to approve the proposal for the valve replacements in the amount of \$8,260.00.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda item)

None.

City Manager's Comments

Marx discussed the DDA – Barbara Gordon is leaving the library and the DDA. He has had discussions with the DDA about providing them with more independence and them hiring a director. Marx reminded everyone about the I&M Power Outage and Red Bud International being Oct. 6 & 7. Marx stated that Guys & Dolls is up and running.

Marx thanked the Ad Hoc Committee and asked the Commission to rescind the previous motion in regards to Commissioner Vigansky.

Moore motioned, seconded by Cole to rescind the motion made on 8/27/18 in regards to Commissioner Vigansky.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays: Absent:

Motion Carried.

Commissioners' Comments

Cole – spoke about her friend and how Medical Marihuana cream is working for her. Congratulations to Virginia with the moving of her business to the new building.

Moore – stated that she wants to talk about what happened after the work session. She urges Mr. Vigansky to write apology letters.

Toerne – Reminder Farmer Market session ends in three weeks and Planning meeting 2nd Tuesday of Oct. survey results for the master plan will be discussed. He would love to see citizens come out.

Vigansky- asked who was moving into the building across from the Ross Sanders Building, the old tax accounting place. Does anybody know?

Hess – discussed the scarecrows - Reminder Fall is Scarecrow season, so hurry and get your picture taken with them.

Adjourn

Vigansky motioned, seconded by Toerne to adjourn the meeting at 7:41 p.m.

All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

Invoices/Expenditures

Cole motioned, seconded by More to approve Payables for 10/8/18 in the amount of \$184,159.98, and Payroll for the month of Sept. in the amount of \$152,112.75.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

Reports by: Departments, Committees, Boards

None

Unfinished Business

Ordinance 2018.10/409- An Ordinance to amend the Medical Marihuana Facilities Ordinance 2017.07/404.

Vigansky motioned, seconded by Cole to approve Ordinance 2018.10/409

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

New Business

A. Pearson Construction – pre-development for the DPW building in the amount of \$10,500.00.

Marx discussed.

Vigansky motioned, seconded by Toerne to approve the Pearson Construction quote for pre-development in the amount of \$10,500.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

B. Contribution of \$8,900 to Southwestern Michigan Economic Growth Alliance.

Marx discussed.

Vigansky motioned, seconded by Moore to postpone till next meeting. All in Favor. Motion Carried.

C. Resolution 2018.10/177- Clarify Division of Enterprise St. Right-of-way

Toerne motioned, seconded by Cole to approve Resolution 2018.10/177.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda Item)

None.

Presentation by Mike Schwartz

Mike Schwartz from Prein & Newhof presented the findings from the Stormwater Asset Management Plan/Program.

Commissioners' Comments

Vigansky commented that it was a fantastic presentation.

Toerne reminded everyone of the Planning Commission Meeting.

Moore reminded everyone that Saturday is Make a Difference Day.

Cole stated that Oct. 22nd will be her last Commission meeting. She thanked the City Manager, Mayor, and City Employees. Cole also gave words of advise to the commissioners that will be elected in November.

Hess thanked Carla all that she had done. Hess stated "please help the Mayor separate books on Make a Difference Day.

Adjourn

Vigansky motioned, seconded by Toerne to adjourn the meeting at 8:24 p.m.

All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

Reports by: Departments, Committees, Boards

RedBud International – Tim and Amy Ritchie updated the Commission on how the international event went. The Mayor presented them with a plaque of recognition.

Jerry Flenar presented a check in the amount of \$500 to the BARB-Summer in the Park Program.

Unfinished Business

Southwestern Michigan Economic Growth Alliance Contribution –

Dave Eifler and Barkley Garrett updated the Commission on what they are working on and what SMEGA provides for the City of Buchanan.

Vigansky motioned, seconded by Moore to approve the contribution of \$8,900 to SMEGA.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

New Business

A. Budget Amendment for New Forestry Truck – Toerne motioned, seconded by Cole to approve the budget amendment in the amount of \$139,474 for the New Forestry Truck.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays: Vigansky Absent:

Motion Carried.

B. Annual Crossing Guard Agreement -- Moore motioned, seconded by Cole to approve the crossing guard agreement for the 18/19 school year.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

C. Natural Pharm Application Fee Transfer – Moore motioned, seconded by Cole to allow the fee transfer for Natural Pharm Secure Transporter Application.

Roll call vote:

Yeas: Cole, Moore, and Toerne.

Nays: Vigansky, and Hess Absent:

Motion Carried.

D. Resolution 2018.10/178 Election Inspector's Compensation-- Toerne motioned, seconded by Cole to approve Resolution 2018.10/178.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

E. Amendment to City Employee Manual – Veterans Day – Marx discussed that the union employees have Veterans Day and would like to update the employee manual, so all employees have the day off.

Vigansky motioned, seconded by Cole to recognize Veterans Day instead of Presidents Day.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

- F. Repairs and Updates to 2001 International Dump Truck- Marx discussed the repairs that are needed. Toerne motioned, seconded by Moore to approve the repairs and updates to the 2001 Dump Truck not to exceed \$23,600.

Roll call vote:

Yeas: Cole, Moore, Toerne, and Hess.

Nays: Vigansky Absent:

Motion Carried.

- G. Prism Science & Technology proposal – Patzer discussed.

Moore motioned, seconded by Vigansky to approve the proposal in the amount of \$4,860 for a site assessment of 324 E. Dewey Street.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

- H. Comcast Uniform Video Local Franchise Agreement—Toerne motioned, seconded by Cole to approve the renewal of the Comcast Franchise Agreement at 5%.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

- I. Signatory for Uniform Video Local Franchise Agreement- Moore motioned, seconded by Toerne to allow the City Manager to sign the Comcast Franchise Agreement.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda Item)

None.

Recognitions

Mayor Hess recognized/honored Commissioner Carla Cole by presenting her with a plaque for her time as City Commissioner and her time as Mayor for the City of Buchanan.

Commissioner Moore recognized Commissioner Cole on be-half of the Dog Park Committee. Moore read a letter from Jackie Lowe and presented her with a Buchanan Heritage Book and gift card from the Dog Park Committee.

City Manager Marx recognized Mayor Brenda Hess for her time on the Commission and as Mayor with a plaque.

City Manager Comments

Marx talked about the water bottles that were purchased through the Wellhead Protection grant and that they will be distributed to the middle school students to use at the water stations. Leaf Season –

leaf pick-up starts Oct. 29th. Marx informed the Commission that a new group, the youth football and cheer, has been recognized by the BARB.

Commissioners' Comments

Vigansky commented that he is wearing black because we are all leaving.

Toerne thanked city employees. Updated the commission about the Planning meeting and the 10-year Master Plan. Toerne thanked Cole stating he appreciates everything she has done. He also Thanked Hess stating she has done so much for the city and has been a great leader.

Moore Make a Difference Day. Ashley and Brittney leadership. Encourage people to please vote. Cole stated to Hess you have done a fabulous job. Keep the tree friends going, the Dog Park needs trees. And she wished Brenda the best. Good luck to the candidates.

Hess and Cole thanked everyone.

Hess stated that her last words as Mayor are written in this letter. Hess asked for help reading her letter aloud. Hess also stated "I Encourage you as citizens to stay up-to-date with state legislation. It was an honor to be your Mayor. "

Adjourn

Vigansky motioned, seconded by Toerne to adjourn the meeting at 8:24 p.m.

All in favor. Motion Carried.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

MINUTES
SPECIAL COMMISSION MEETING
MONDAY, OCTOBER 29, 2018
BUCHANAN CITY HALL
302 N. REDBUD TRAIL
7:00 A.M.

CALL TO ORDER: A special meeting of the City Commission was called to order by Commissioner Moore at 7:00 p.m.

PLEDGE OF ALLEGIANCE: The pledge was recited by all in attendance.

ROLL CALL

Mayor Hess- absent, Commissioners: Cole- absent, Moore- present, Toerne-present, Vigansky- present.

Also in attendance: City Manager Bill Marx, Treasurer Juli O'Bryant, Mike Baker-DPW and Clerk Dena Yow.

PUBLIC COMMENTS: Sean Denison asked the Commission to publicize the special meetings better, for transparency. He spoke about preventative maintenance for the City vehicles. Mr. Denison offered to help and share information.

Norma asked if this was discussed at a previous meeting. Commissioner Moore stated that we will discuss that.

BUSINESS AT HAND

- A. Consider the purchase of 2018 Western Star Snowplow and Salt Spreader Combo Truck. City Manager Marx discussed in detail. Marx stated that at the last meeting the Commission approved repairs and updates to the old truck. The truck failed on its way to Ohio. We are still trying to determine damages and quickly started searching for other options. Marx explained that we received a revised quote with a slightly lower amount than originally quoted. Mike Baker explained that we do not have a salt truck and this new truck is more efficient than what we have had. Baker answered Commissioners questions. Vigansky motioned, seconded by Toerne to approve the purchase of a 2018 Western Star Snowplow in the amount of \$164,560.00.
- Roll call vote:
Yeas: Moore, Toerne, and Vigansky.
Nays: Absent: Cole and Hess
Motion Carried.

Adjourn – Toerne motioned, seconded by Moore to adjourn the meeting at 7:34 p.m.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

D. Authorize the designated engineer to move forward with the design process for the updates to the Wastewater Treatment Plant using specified equipment and securing quotes and pricing. Vigansky motioned, seconded by Toerne to go forward with the recommended equipment.

Roll call vote:

Yeas: Cole, Moore, Toerne, Vigansky, and Hess.

Nays: Absent:

Motion Carried.

Adjourn – Cole motioned, seconded by Toerne to adjourn the meeting at 7:30 p.m.

Brenda Hess, Mayor

Dena M. Yow, City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

Toerne motioned, seconded by Downey to approve Payables for 11/12/18 in the amount of \$134,295.96 and payroll for the month of October in the amount of \$166,526.14.

Roll call vote:

Yeas: Denison, Downey, Moore, Toerne, and Weedon.

Nays: Absent:

Motion Carried.

Reports by: Departments, Committees, Boards

Clerk Report – Clerk Yow provided a brief update on the November election turnout.

BARB – Rocket Football Fields – Mike Cornelius and Jennifer Singleton introduced their organization, Buchanan Youth Football and Cheer Association (BYFCA), and discussed the repurposing of Russel Field.

Unfinished Business

None.

New Business

A. Appoint Mayor and Mayor Pro-Tem - Toerne motioned, seconded by Weedon to appoint Commissioner Moore the Mayor.

Roll call vote:

Yeas: Denison, Downey, Moore, Toerne, and Weedon.

Nays: Absent:

Motion Carried.

Moore motioned, seconded by Downey to appoint Commissioner Toerne the Mayor Pro-Tem.

Roll call vote:

Yeas: Denison, Downey, Moore, Toerne, and Weedon.

Nays: Absent:

Motion Carried.

B. Appoint members to committees –

Mayor Moore – SMEGA, DDA, Brownfield Redevelopment, Friends of Oak Ridge Cemetery, Fine Arts Council, and Common Committee.

Toerne – Southeast Berrien Landfill and Planning Commission.

Downey – Joint Water/Sewer Board, DDA, and Zoning Board of Appeals-alternate.

Denison – BARB and Zoning Board of Appeals.

Weedon – Joint Water/Sewer Board, Planning – alternate, and Farmer’s market.

The Commission was in agreement and there was no objections.

C. Approve Budget Amendment – Toerne motioned, seconded by Downey to approve the budget amendment for SMEGA in the amount of \$1,900.

Roll call vote:

Yeas: Denison, Downey, Toerne, Weedon, and Moore.

Nays: Absent:

Motion Carried.

D. Resolution 2018.11/179 Bank Signers for Payables Acct.-- Toerne motioned, seconded by Denison to approve Resolution 2018.10/179.

Roll call vote:

Yeas: Denison, Downey, Toerne, Weedon, and Moore.

Nays: Absent:

Motion Carried.

- E. Approve Resolution 2018.11/180 Bank Signers for Payroll Acct.—Toerne motioned, seconded by Weedon to approve Resolution 2018.11/180.

Roll call vote:

Yeas: Denison, Downey, Toerne, Weedon, and Moore.

Nays: Absent:

Motion Carried.

- F. Approve MMFP Stacking Application – Toerne motioned, seconded by Weedon to approve the MMFP Stacking application form.

Roll call vote:

Yeas: Denison, Downey, Toerne, Weedon, and Moore.

Nays: Absent:

Motion Carried.

- G. Rocket Football Proposal – Denison motioned, seconded by Toerne to approve the repurposing of the fields by the BYFCA.

Roll call vote:

Yeas: Denison, Downey, Toerne, Weedon, and Moore.

Nays: Absent:

Motion Carried.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda Item)

A letter from Pat and Mary from The Paper was read. Bill Haas congratulated the new commissioners. Cindy Benson complaint about poison ivy on McCoy Creek Trail.

Pam Sten recommended the City work on updating the website and yellowpages. She also stated that she could not read the community calendar because of the coloring.

City Manager Comments

Marx welcomed the new commissioners and recognized veterans. Marx also introduced the City Attorney to the new commissioners. A work session was set for November 19th at 6 p.m., financial presentation by Umbaugh. Leaf pick-up will continue this week.

Commissioners' Comments

Weedon commented Thank you to everyone, excited for the future.

Toerne welcomed the 3 new commissioners. Breath of fresh air for the city.

Downey thanks for all the votes, he is happy to be here.

Denison thanked the previous commissioners for their service. He thanked his wife and daughter for their support. Denison also thanked Chris Geisler for what he has done for the community. Denison agrees with the website needing updated and is excited for the City of Buchanan.

Moore thanked everyone for their support and spoke about her time with the City. Moore also talked about the Cemetery Walk and names three persons whom we observed a moment of silence for.

A round of applause was given to all Veterans.

Adjourn

Toerne motioned, seconded by Denison to adjourn the meeting at 8:29 p.m.
All in favor. Motion Carried.

Mayor

City Clerk

This meeting was recorded and can be viewed on Channel 17 and YouTube.

November 26, 2018 Minutes

City of Buchanan Commission Minutes November 26, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, November 26, 2018 and was called to order at 7:00pm by Mayor Moore. The Mayor led the Pledge of Allegiance.

Roll Call

Present: Mayor Moore, Commissioners Denison, Downey, Toerne and Weedon

Absent: none

Also in attendance: City Manager Bill Marx, Interim Clerk Amanda Schanick, Zoning Admin. Debra Patzer, and City Treasurer Juli O'Bryant.

Public Comments (Citizens are allowed up to three (3) minutes for discussions on any agenda item)

Alan Robandt downtown building owner spoke his feelings against ordinance opting out of Recreation Marijuana.

Dan Vigansky spoke feelings against ordinance opting out of recreation marijuana.

Ed Graveline spoke of investment made in the City of Buchanan and sewer issue at 408 River Street. Spoke his feelings of opting out of recreational marijuana.

Randal Peart gave his opinion of the turnout of the election.

Cindy Benson spoke her opinion for opting out of recreational marijuana

William Haas with Redbud Roots suggested waiting on voting against recreational marijuana.

Justin Cozaad not for or against but suggest to wait to vote against recreational marijuana.

Consent Calendar:

Toerne moved, seconded by Weedon to approve the Consent Calendar. Roll Call vote carried unanimously

- Approve Regular Meeting Minutes of November 12, 2018
- Work Session Summary November 19, 2018
- Approve Notice of City Board Meetings During 2019
- Approve 2019 Holiday Schedule

Agenda

Moore noted a check that needed to be added to VIII. Invoices/Expenditures for Redbud Hardware to cover a White Saturday expenditure in the amount of \$200.00. Toerne motioned, seconded by Denison to approve the amended agenda reflecting a \$200.00 check added to VIII Invoices/Expenditures for Redbud Hardware for a White Saturday event. Roll call vote carried unanimously.

Audit Presentation

Kenley Penner thanked the City for their assistance and the commission trusting Plante and Moran to perform the audit. Penner reviewed the financial overview for the City of Buchanan.

Invoices/Expenditures

Toerne motioned, seconded by Weedon to approve Payables for 11/26/18 in the amount of \$218,853.47. Roll call vote carried unanimously.

Reports by: Departments, Committees, Boards

Fire Department – Fire Chief Mike Adams introduced John Poehner and the Fire Inspection Program. Discussion took place of the financials for the program.

City Treasurer – Juli O’Bryant thanked Plante and Moran for performing the audit for the City of Buchanan and gave update of winter taxes that are due February 14, 2019.

Unfinished Business

None

New Business

Approve Fire Inspection Program **Toerne moved, seconded by Downey to approve Fire Inspection Program. Roll call vote carried unanimously.**

Appoint John Poehner as Fire Inspector for the City of Buchanan **Toerne moved, seconded by Denison to Appoint John Poehner as Fire Inspector for the City of Buchanan. Roll call vote carried unanimously.**

Approve Medical Marihuana Stacking Application for Redbud Roots Lab III at 448 Post Road **Toerne moved, seconded by Denison to Approve Medical Marihuana Stacking Application for Redbud Roots Lab III at 448 Post Road. Roll call vote carried unanimously.**

Approve Resolution 2018.11/181 – Authorizing Officials to Endorse MDOT Contracts **Toerne motioned, seconded by Downey to approve Resolution 2018.11/181 – Authorizing Officials to Endorse MDOT Contracts. Roll call vote carried unanimously.**

Approve Resolution 2018.11/182 – Adopting Local Pavement Warranty Program **Toerne motioned, seconded by Weedon to approve Resolution 2018.11/182. Roll call vote carried unanimously.**

Approve Resolution 2018.11/183 – Implement Local Pavement Warranty **Denison moved, seconded by Toerne to approve Resolution 2018.11/183. Roll call vote carried unanimously.**

Approve Resolution 2018.11/184 Cancel December 26th Commission Meeting **Toerne motioned, seconded by Weedon to approve Resolution 2018.11/184. Roll call vote carried unanimously.**

Approve the Downtown Development Authority (DDA) Director Job Description for hiring a new director **Toerne moved, seconded by Downey to approve the Downtown Development Authority (DDA) Director Job Description for hiring a new director. Roll call vote carried unanimously.**

First reading of Ordinance No. 2018.12/410 An Ordinance to “Opt-Out” of Michigan’s “Regulation and Taxation of Marihuana Act” and Set Public Hearing Date for Monday, December 10, 2018 Patzer provided the first reading for Ordinance No. 2018.12/410 An Ordinance to “Opt Out” of Michigan’s “Regulation and Taxation of Marihuana Act”. After lengthy discussion **Moore moved, seconded by Toerne to WITHDRAW Ordinance No. 2018.12/410 An ordinance to “Opt Out” of Michigan’s “Regulation and Taxation of Marihuana Act”. Roll call vote carried unanimously.**

Approve quote to repair the 2009 International in the amount of \$8,820.98 **Weedon moved, seconded by Downey to approve quote to repair the 2009 International not to exceed the amount of \$8,820.98. Roll call vote carried unanimously.**

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda item)

Dan Vigansky questioned if he has been considered for the DDA Committee.

Randal Peart asked to see the slides of the audit and questioned if the media player worked.

Justin Cozaad thanked the City for the repairs made to retaining wall behind the mill and fixed an eye sore.

City Manager Comments

Marx noted of challenges throughout the day with the snow plowing and limitation of trucks. Spoke of tree challenges, 3 large trees down in the community. Leaf and snow transition makes a mess of the roads, will have to wait for thawing period to go back and readdress the leaf problem. 200 truck loads of leaves so far this year. Caution the public, downed limb is very dangerous, not knowing if power lines in the limbs, don't poke around. Last year Michigan Lost a State Trooper who walked through a downed limb. Two City workers were cutting a limb that fell on 400 block of Front Street, when handling limb got shocked.

Commissioners' Comments

Denison commented just because the Commission is new they're not clueless. Thanked the audience for coming and encouraged people to come all the time.

Weedon thanked everyone for showing up at the meeting and for their concern of the City and thanked the roads department in the plowing.

Toerne thanked the streets department for the plowing of the roads.

Downey thanked everyone for coming to White Saturday.

Moore thanked everyone for coming and advertised giving back Tuesday on 11/27/18 and giving back to the Community of Buchanan.

Adjourn

Toerne motioned, seconded by Weedon to adjourn the meeting at 8:59 p.m. Voice vote carried unanimously.

Mayor Patricia A Moore DPM

Interim City Clerk Amanda Schanick

This meeting was recorded and can be viewed on Channel 17 and YouTube.

December 10, 2018 Minutes

City of Buchanan Commission Minutes
December 10, 2018

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, December 10, 2018 and was called to order at 7:00pm by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Dave Mitchell gave the invocation.

Recognition

Moore read a biography of Jackie Lowe and presented a certificate of appreciation for all effort given to the Dog Park.

Roll Call

Present: Mayor Moore, Commissioners Denison, Downey, Toerne and Weedon

Absent: none

Also in attendance: City Manager Bill Marx, Interim Clerk Amanda Schanick and Zoning Admin. Debra Patzer.

Public Comments (Citizens are allowed up to three (3) minutes for discussions on any agenda item)

Consent Calendar:

Toerne moved, seconded by Weedon to approve the Consent Calendar. Roll Call vote carried unanimously

- Approve Agenda
- Approve Invoices/Expenditures for 12-10-18 in the amount of \$212,609.43
- Approve Regular Meeting Minutes of November 26, 2018
- Approve Traffic Control Order #253
- Approve Traffic Control Order #254
- Approve Resolution Documentation of Authorized Signatures - Chemical Bank
- Approve Budget Amendment Salaries – Volunteer Fireman \$3,000
- Approve Budget Amendment for Street Maintenance – Resurfacing - \$75,649

Reports by: Departments, Committees, Boards

None

Unfinished Business

None

New Business

Approve the MMFP Application of G2 Development LLC for a Class C Grow Facility at 408 River Street - ***Toerne moved, seconded by Weedon to approve the MMFP Application of G2 Development LLC for a Class C Grow Facility at 408 River Street. Roll call vote carried unanimously.***

Approve the MMFP Application of G2 Development LLC for a Processor Facility at 408 River Street - ***Toerne moved, seconded by Downey to approve the MMFP Application of G2 Development LLC for a Processor Facility at 408 River Street. Roll call vote carried unanimously.***

Approve the MMFP Application of Michicanna Pharm for a Class B Grow Facility at 302 Post Road - ***Toerne approved, seconded by Downey to approve the MMFP application of Michicanna Pharm for a Class B Grow Facility at 302 Post Road. Roll call vote carried unanimously.***

Approve the MMFP Application of Michicanna Pharm for a Processor Facility at 302 Post Road - **Moore moved, seconded by Toerne to go into a closed session for questions pertaining to the MMFP application of Michicanna Pharm Processor Facility. Voice vote carried unanimously.**

The City Commission reconvened from closed session at 7:24pm.

Weedon moved, seconded by Toerne to approve the MMFP application of Michicanna Pharm for a Processor Facility at 302 Post Road. Roll call vote carried unanimously.

Public Comments (Citizens are allowed up to two (3) minutes to discuss any non-agenda Item)

Norma Ferris questioned the Clerk position and voiced her concern of the staff at City Hall.

City Manager Comments

City Manager Marx explained the process of applicants for the MMFP. Two Medical Marihuana business were approved at state level.

New Commissioners will be going to MML Newly Elected Officials training in Lansing tomorrow.

Work Session to be scheduled for Wednesday December 12, 2018 at 6pm for a pre-development discussion for the DPW Building.

Commissioners' Comments

Downey welcomed the new businesses to Buchanan.

Toerne reminded everyone of the Planning Commission meeting scheduled for 7pm on December 11, 2018. He welcomed new businesses to Buchanan, and congratulated Redbud Roots for license approval along with the other Medical Marihuana businesses for preliminary approval.

Moore congratulated the new businesses in Buchanan. Noted a concern of the public is not to lose the "small town charm." Congratulated Miss Buchanan and thanked them for acknowledging the City Commission and inviting to their function.

Adjourn

Toerne motioned, seconded by Weedon to adjourn the meeting at 7:38p.m. Voice vote carried unanimously.

Mayor Patricia A Moore DPM

Interim City Clerk Amanda Schanick

This meeting was recorded and can be viewed on Channel 17 and YouTube.