

City of Buchanan Commission Minutes January 14, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, January 14, 2019 and was called to order at 7:00pm by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Nathan Babcock gave the invocation.

Recognition

Mayor Moore recognized Eagle Scout Michael Everett. Michael introduced himself and gave a brief summary of his project of birdhouse and plaque creating. Everett presented a \$445.58 check to the Friends of McCoy Creek Trail Committee.

Roll Call

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

Absent: none

Also in attendance: City Manager Bill Marx and Interim Clerk Amanda Schanick

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

Dan Vigansky gave his thoughts of Thrill on the Hill proceeds; Cancellation of Winter Thrill on the Hill and Compensation Committee.

Randall Peart gave his thoughts of what he would like to hear from the Fire Chief during his report.

Consent Calendar:

Moore noted items that needed to be added to the Agenda. G. under Consent Calendar, Approve Work Session Summary from December 12, 2018 and D. under Reports by: Departments, Committees, Boards, Mack Green – Wightman Engineering. *Weedon moved, seconded by Toerne to approve the amendments of the agenda. Roll Call vote carried unanimously.*

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

- Approve Agenda as amended
- Approve Invoices/Expenditures for 1-14-19 in the amount of \$173,345.53
- Approve Regular Meeting Minutes of December 10, 2018
- Approve Street Closure Form – Chili Walk – March 21, 2019
- Approve Banner Placement – Annual Swiss Steak Supper
- Appoint Michael Travis to the Dial-A-Ride's Local Advisory Council (LAC)
- Approve Work Session Summary of December 12, 2018

Reports by: Departments, Committees, Boards

- A. Buchanan Youth Softball Baseball Association (BYSBA) – Chris Kutemeier gave review of 2018's activities and updates to their committee. 2019's fundraising goals will be to replace the score board. Treasurer explained breakdown of the financial overview.
- B. City of Buchanan Fire Department – Fire Chief Mike Adams addressed Mr. Peart's question about relocation of the Fire Station. Adams gave a 2018 overview of calls and activities.
- C. Jonathan Burke Tactical Energy Group – Burke introduced himself to the new commissioners and explained his goals and savings so far for the City of Buchanan. City Manager made commentary of the benefit the Tactical Energy Group has been for the City of Buchanan.

*D. Mack Green Wightman Engineering – Green introduced himself and gave background information of River Street/Redbud/Fourth intersection. After discussion of 7% increase bid, **Toerne motioned, seconded by Weedon to approve the additional funds for signal project making the Total City Cost \$337,300.00. Roll Call vote carried unanimously.***

Unfinished Business

None

New Business

2018 Summer Thrill on the Hill Proceeds – City Manager Marx outlined the 2018 Summer Thrill on the Hill in detail. After discussion *Denison moved, seconded by Downey to transfer \$20,000.00 to the Buchanan Area Recreation Board (BARB). Roll Call vote carried unanimously.*

Approve the Commission Compensation Committee – City Manager Marx explained the duties of the Commission Compensation Committee. *Toerne moved, seconded by Weedon to approve the Commission Compensation Committee. Roll Call vote carried unanimously.*

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

Chris Geisler commented on poor road condition. Marx and Geisler shared comments of the City of South Bend's road patching procedure.

Randal Peart commented on City road conditions.

Norma Ferris requested minutes for all the boards for the history room.

City Manager Comments

Marx commented on oxidation ditch trip to Swanton Ohio January 22nd, Comic relief of the "peeping Toms" National Share"; Items of equipment invite to look at the DPW deem as access property for disposal.

Commissioners' Comments

Toerne commented and gave briefs of the boards and committees that he serves on. Commended the Tree Board with new trees planted.

Denison gave comments on compensation.

Moore; DDA looking for a Part Time Director.

Closed Session to review minutes from Closed Session 12-10-18

Moore motioned, seconded by Toerne to go into closed session to review the minutes from the December 10, 2018 closed session. Voice vote carried unanimously.

Moore reconvened the meeting.

Adjourn

There being no further business *Toerne motioned, seconded by Denison to adjourn the meeting at 9:15 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.

City of Buchanan Commission Minutes January 28, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, January 28, 2019 and was called to order at 7:00pm by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Brandon Smith gave the invocation.

Recognition

Commissioner Toerne recognized Richard Gault. A plaque was presented to Mr. Gault in his honor.

Roll Call

Present: Mayor Moore, Commissioners Downey, Toerne and Weedon

Absent: Commissioner Denison

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

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

None

Consent Calendar:

Toerne moved, seconded by Weedon to approve the amendments of the agenda which include "with corrections and final review by the City Attorney" added to Item G under consent calendar, remove Buchanan High School Leo Club from Reports and Approval of Annual Funding Application for Dial-A-Ride from New Business, Add Introduction of the New City Clerk and Introduction of the New DDA Director under Reports. Roll Call vote carried unanimously.

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

- Approve Agenda as amended
- Approve Invoices/Expenditures for 1-28-19 in the amount of \$467,925.84
- Approve Regular Meeting Minutes of January 14, 2019
- Approve Street Banner Placement Form – Chili Walk
- Approve \$189,361 budget amendment from Local Streets and \$147,939 from Major Streets to Street Repair & Maintenance to pay for the Redbud & River Traffic Signal and Fourth Street Improvements
- Approve Resolution 2019.01/185 to Negotiate the Summer School Tax Collection Fee
- Approve Resolution 2019.01/186 Poverty Exemption Guidelines with corrections and final approval by City Attorney
- Approve Policy and Procedure for the Granting, Auditing and Removal of Property Exemptions

Reports by: Departments, Committees, Boards

- A. Introduction of New City Clerk – Marx introduced Brenda Hess as the new City Clerk for the City of Buchanan. *Toerne moved seconded by Weedon to accept Brenda Hess as the new City Clerk. Roll Call Vote carried unanimously.*

- B. Introduction of the new DDA Director – Marx introduced Joe Krueger as the new DDA Director. Krueger introduced himself to the City Commission. *Toerne moved, seconded by Downey to accept Joe Krueger as the new DDA Director. Roll Call voice carried unanimously.*

Unfinished Business

None

New Business

Approve Disposal of Excess Equipment – Marx discussed items to be disposed as excess equipment. *Downey moved seconded by Toerne to Approve Disposal of Excess Equipment. Roll call vote carried unanimously.*

Approve Schirmer Lift Station Upgrades – Housand explained the upgrades needed to Schirmer Life Station. *Weedon moved, seconded by Downey to approve Schirmer Lift Station Upgrades in the amount of \$18,625. Roll Call Vote carried unanimously.*

Approve High Pressure Pipe Replacement for \$5,278.89 – Housand explained the High Pressure Pipe issue. *Toerne moved, seconded by Downey to Approve High Pressure Pipe Replacement in the amount of \$5,278.89. Roll Call vote carried unanimously.*

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

None

City Manager Comments

Marx noted the benefits of water department software catching unknown large water usages by home/business owners. Welcomed new City Hall hires. Noted that City Hall will not be closed this week due to inclement weather. Encouraged City residents to call City Hall and Police Department with any emergencies or help needed this week. Encouraged City residents to run a pencil lead sized stream of water in a faucet to prevent freezing. Acknowledged the using of space heaters as very dangerous. Commended DPW staff of roads being plowed.

Commissioners' Comments

Toerne reminded the public of the Planning Commission Meeting for February 12, 2019 at 7pm. Gave update for Southeast Berrien County Landfill's testing which all came back good. Encouraged City residents to be safe during the cold weather.

Weedon excited to see Brenda Hess as the City Clerk.

Moore reminded City residents to look out for your pets during the cold season. Thanked Richard Gault for his service to the City of Buchanan. Invited everyone to her father's open house at Redbud City Center February 9th from 2-4pm. Her Father requested items for the RAM Pantry rather than gifts for himself.

Adjourn

Toerne motioned, seconded by Downey to adjourn the meeting at 7:51p.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.

City of Buchanan Commission Minutes February 11, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, February 11, 2019 and was called to order at 7:00pm by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Brandon Smith gave the invocation.

Roll Call

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

Absent: None

Also in attendance: Zoning Administrator Debra Patzer (City Manager Bill Marks' designee), Bill Housand, Wastewater Treatment Plant, Kim O'Haver Dial-A-Ride, Amanda Schanick Administrative Secretary, and Brenda Hess City Clerk

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

Dan Vigansky--Commented on compensation Commission and expressed thoughts regarding removal from 2 City boards.

Consent Calendar:

Moore commented on the addition of item D under New Business, Approve Extension of Refuse Contract with Republic Services. *Torne moved, seconded by Downey to approve the amendment of the agenda. Roll Call vote carried unanimously.*

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

- Approve Agenda
- Approve Invoices/Expenditures for 2-11-19 in the amount of \$144,021.94
- Approve Regular Meeting Minutes of January 28, 2019

Reports by: Departments, Committees, Boards

A. Buchanan High School Leo Club – Garrett Bracket - Leo Club requested use of Commons for Annual Egg Hunt. Solicited donations of candy and eggs, as well as assistance with filling eggs. Requested permission to display temporary sign in Gazebo Park to promote event. *Denison moved seconded by Toerne to Approve Buchanan High School Leo Club to host The Annual Buchanan Easter Egg Hunt and to use the Commons. Roll call vote carried unanimously.*

B. Compensation Committee-Dianne Ross, Committee Chair--10 years since compensation had been reviewed. Compared other municipalities of similar size. Findings: Mayor and Commissioners will receive \$25,000 life insurance policy for term of office. Mayor will receive \$70 stipend per Commission meeting while Commissioners will receive \$50. All members will be compensated at the rate of \$15 per hour for work sessions and special meetings. All committee appointments will be given \$20 per meeting, excluding the Joint Water/Sewer Board and Southeast Berrien County Landfill as they both provide compensation

Unfinished Business-None

New Business

- A. Approve Annual Funding Application for Dial-A-Ride - Kim O'Haver gave summary of Buchanan's Dial-A-Ride service, and requested approval of annual funding application for Dial-A-Ride. *Weedon moved seconded by Torne to Approve Annual Funding Application for Dial-A-Ride. Roll call vote carried unanimously.*
- B. Approve the Installation of the Waste Water Effluent Meter with a total cost of \$7,614.27. Bill Housand presented information regarding the purchase of a new effluent meter. *Torne moved, seconded by Downey to approve the Installation of the Waste Water Effluent Meter with a total cost of \$7,614. Roll Call Vote carried unanimously.*
- C. Approve Resolution 2019.2/187 to support the reinstatement of State historic tax credits per SB 54 and HB 4100 - Debra Patzer presented resolution at the request of the Michigan Historical Preservation Network. Qualified residents can Receive a 25% tax credit. Procedure to get credit is outlined in the act. Residents owning properties qualifying for this credit must be in one of the 2 historical districts in Buchanan. *Toerne moved, seconded by Weedon to Approve Resolution 2019.2/187 to support the reinstatement of State historic tax credits per SB 54 and HB 4100. Roll Call vote carried unanimously.*
- D. Approve Extension of the Refuse and Recycling Collection Service Agreement Discussion about suspension of service during bad weather previous week. *Weedon moved, seconded by Torne to Approve Extend Refuse and Recycling Collection Services Agreement Roll Call vote carried unanimously.*

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

Michael Fryback--Proposed new property tax method. Shared materials with Commission members.

Randall Peart--1. Invitation for public meeting February 24 sponsored by The Paper to talk about City life. 2. Expressed support of commission compensation findings. 3. Library Board vacancy questions.

Pam Sten--1. Question regarding downed branches in tree lawn. 2. Question regarding cars parking on front lawns.

City Manager Comments

Debra Patzer (City Manager Designee) reported Master Plan process will continue at next Planning Commission meeting February 12, 2019 at 7:00 p.m.; invited guests. Work sessions are being scheduled.

Commissioners' Comments

Torne-Thanked Kim from Dial-A-Ride. Thanked Compensation Committee. Reiterated attendance at the Planning Commission Meeting regarding the Master Plan.

Downey-Thanked Compensation Committee. Discussed leak on Front Street

Denison-Apologized for missing previous meeting. Vote Moccasin for "I Love to Read" Challenge.

Weedon-Attended Farmer's Market meeting. SNAP cards are being considered for acceptance at the market.

Moore-Noted Commission's compensation sometimes goes to special projects. Thanked community for attending father's 90th birthday and donations to RAM. 2019 Tin Shop Theater schedule is available and auditions are scheduled.

Adjourn

Torne motioned, seconded by Denison to adjourn the meeting at 8:07 p.m. Voice vote carried unanimously.

Mayor Patricia A Moore DPM

City Clerk Brenda J. Hess

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

**City of Buchanan Commission Minutes
February 25, 2019**

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, February 25, 2019 and was called to order at 7:00pm by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Nathan Babcock gave the invocation.

Roll Call

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

Absent: None

Also in attendance: Bill Marx, City Manager; Guy Lewis, Building Inspector; Debra Patzer, Zoning Administrator; and Brenda Hess, City Clerk

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

Norma Ferris: Question regarding the Freedom of Information Act coordinator

Consent Calendar and Agenda:

Weedon moved, seconded by Downey to approve amendments to the Consent Calendar as requested to include check 78630 in the amount of \$8531.67, to add the Building Inspector's report to the agenda, to move check 78621 in the amount of \$211,150.00 to New Business, and to remove the approval of Karen McGuirt from the consent calendar. Roll Call vote carried unanimously.

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

- Approve Agenda as amended
- Approve Invoices/Expenditures for 2-11-19 in the amount of \$584,311.33 as amended
- Approve Regular Meeting Minutes of February 11, 2019
- Excuse Commissioner Denison From January 29, 2019 meeting

Consider the Appointment of Karen McGuirt to the Buchanan District Library Board. Discussion regarding appointments to Boards, hiring practices, and procedures. *Moore moved seconded by Toerne to approve the appointment of Karen McGuirt to the Buchanan District Library Board. Roll call vote. YEA: Moore, Toerne, Downey. NAY: Denison, Weedon. Motion Carried.*

Reports by: Departments, Committees, Boards

- A. Buchanan Color Run-Tracie House-Presented details regarding Color Run in May on the McCoy's Creek Trail. *Toerne moved seconded by Downey to approve the Buchanan Color Run for May 18, 2019. Roll call vote carried unanimously.*
- B. Buchanan Area Senior Center-Introduction of Adam Burck, Executive Director-Adam introduced as the new Executive Director.
- C. Building Inspectors Report-Guy Lewis-Inspector Lewis gave his report on the year's activities from the department.

Unfinished Business-None

New Business

Consider Resolution 2019.02/188, Designation of the Buchanan City Clerk as the FOIA (Freedom of Information Act) Coordinator-Discussion surrounded responsibilities of FIOA Coordinator. *Toerne moved seconded by Denison to designate the City Clerk the Freedom of Information Act Coordinator. Roll Call Vote carried unanimously.*

Consider Resolution 2019.02/189, Authorizing Redemption of Water Supply and Sewage Disposal System Revenue Bonds, Series 2000-Discussion surrounded the financing of the Oxidation Ditch and the recommendation by the City Financial Advisor to redeem Bond Series 2000. *Toerne moved, seconded by Downey to authorize the Redemption of Water Supply and Sewage Disposal System Revenue Bonds, Series 2000. Roll Call Vote carried unanimously.*

Consider Approval of Check 78621 in the amount of \$211,150.00 to redeem Bond Series 2000. *Weedon moved, seconded by Toerne to authorize Check 78621 in the amount of \$211,150.00 for the Redemption of Water Supply and Sewage Disposal System Revenue Bonds, Series 2000. Roll Call Vote carried unanimously.*

CLOSED SESSION - *Downey moved seconded by Toerne to move into closed session to review confidential information and ask questions regarding the renewal of Medical Marijuana Facility Permits-Redbud Roots. Roll Call vote carried unanimously.*

Mayor Moore reconvened regular meeting.

Consider the Renewal of Medical Marijuana Facility Permits-Redbud Roots-Discussion of Redbud Roots progress. *Toerne moved, seconded by Weedon to Approve Renewal of Medical Marijuana Facility Permits-Redbud Roots. Roll Call Vote carried unanimously.*

Consider Purchase of Extrication Equipment for City of Buchanan Fire Department in the amount of \$21,770.00 – Mike Adams presented information regarding the purchase of extrication equipment for the City. *Moore moved, seconded by Toerne to Approve Purchase of Extrication Equipment for City of Buchanan Fire Department in the amount of \$21,770.00. Roll Call vote. YEA: Moore, Toerne. NAY: Denison, Weedon, Downey. Motion failed.*

Introduce Ordinance to Amend Article IV-Cross Connections, Chapter 102 Utilities in the City of Buchanan Code of Ordinances-First reading and schedule public hearing for March 11, 2019 at 7:00 p.m.* - Debra Patzer, City Zoning Coordinator, discussed the proposed changes in language in Article IV-Cross Connections in Chapter 102 of the Buchanan Code of Ordinances as required by the Department of Environmental Quality. Scheduled public hearing for March 11, 2019 at 7:00 p.m. *Denison moved, seconded by Toerne to approve the hearing for the Ordinance to Amend Article IV-Cross Connections, Chapter 102 Utilities in the City of Buchanan Code of Ordinances. Roll Call Vote carried unanimously.*

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

Daniel Vigansky: Commented on Commission Compensation, city hiring, and the City Charter

Randall Peart: Thanked all whom attended The Paper's community event on Sunday, February 24.

City Manager Comments

Reminded everyone about the goal setting session on Saturday, March 2, 2019, 9:00 a.m.-1:30 p.m. Reminded everyone that the Thirteenth Annual Chili Walk will take place on March 21, 2019, 4:30 p.m. - 7:30 p.m. Commented on the new Downtown Development Authority's new director.

Commissioners' Comments

Denison: Commented on Water Department's information, preventive maintenance schedule, downtown parking situation, and Black History Month forum at the Buchanan Area Senior Center.

Downey: Expressed regret at missing The Paper's Community Event and commented on the downtown parking situation.

Toerne: None

Weedon: Commented on the Chili Walk's date and time.

Moore: Expressed appreciation to audience members for attending the meeting.

Adjourn

Downey motioned, seconded by Denison to adjourn the meeting at 8:49 p.m. Voice vote carried unanimously.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

**CITY OF BUCHANAN, MICHIGAN
ANNUAL PLANNING MEETING SUMMARY
MARCH 2, 2019**

An Annual Planning Meeting was held at City Hall, 302 North Redbud Trail, Buchanan, Michigan Saturday, March 2, 2019 at 9:00 a.m. Public notice was given as applicable.

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

Commissioners Absent: None

Staff Present: Bill Marx, Brenda Hess

Public Present: Officer Capron, Ruth Writer, Wayne Writer, Bobby Blaylock, John Poehner, Tony Nichols, Tim Wesner, Earl Scanlon, Monroe Lemay, Dan Vigansky, and Norma Ferris. Note: Members of the public arrived and departed at various times.

Introduction: Mayor called the meeting to order at 9:00 a.m., welcomed guests, and outlined the format of the proceedings. The City Manager reminded all that session is vision setting, not budgeting.

Public Safety

Commissioner Toerne

- Crosswalks need repainting
- Webcams
- Code Enforcement

Commissioner Denison

- Law enforcement surrounding new marijuana laws

Commissioner Weedon

- Medical/recreational marijuana
- Police call boxes on McCoy's Creek Trail

Commissioner Downey

- Medical/recreational marijuana
- Visibility at Front and Main intersection
- McCoy's Creek Trail security (lights and cameras)
- Police vehicle maintenance and age of squad cars
- Pay Fire Department at events where they volunteer

Mayor Moore

- Cameras
- Support of Fire Department
- Safety of community/citizens
- Continued visibility of Police Department
- Number of Firefighters trained as EMTs

Manager Marx

- Provided update on cameras around the City
- Provided update on code enforcement

- Provided information regarding law enforcement surrounding new marijuana laws and revenue. Discussed medical versus recreational facilities and the possible need for additional law enforcement
- Electro Voice and Feed Mill properties discussed
- Squad cars replaced one every three years and uses of squad cars
- Review of goals from previous year and progress towards those goals
- BARB's support of Fireman's Park

Public Comments:

- Wayne Writer commented upon location markings on McCoy's Creek Trail for safety and new fencing
- Officer Capron commented on police vehicles
- Assistant Fire Chief, Bob Blaylock, introduced department members in attendance. Commented on the increase in auto accidents, fire inspections, ISO rating status, number of members trained in extrication equipment, response times, desire to provide enhanced services to community, first responder training, insurance rates, volunteering, and role in community.
- Fire inspector, John Poehner, commented on observance of fire lanes/hydrants, changes in marijuana regulations/inspections, medical marijuana home caregivers lack of inspections/regulations, millage for equipment, high frequency/low risk calls versus low frequency/high risk calls, difficulty obtaining grants, traffic downtown, decreased staffing in townships, and mutual aid/response times to other communities, challenges in fire rescue.
- Firefighter Joe Scanlon, Jr., commented on need for extrication equipment.

Recreation, Parks and Culture

Commissioner Toerne

- Inclusion as newer resident
- Upgrade Ross-Sanders
- Upgrade ballfields
- Synthetic ice rink

Commissioner Weedon

- Inclusion as newer resident
- Acceptance of young people
- Park pavilion support
- Family park support

Commissioner Downey

- Park pavilion available for residents to rent
- Lights at Duck Pond
- Playground equipment at Starke School
- Trees at Common to help with drainage
- Increase the amount of salmon in creek
- Things for kids/teens to do

Commissioner Denison

- Neighborhood representatives reporting to Commission regarding issues important to their neighborhoods
- Tie creek and trail into downtown area
- Space at Ross-Sanders available

Mayor Moore

- Bridging the gap of inclusion

- Diversification of Boards and Committees
- Discussed diversity Ordinance that is moving forward
- Clarified situation with play equipment at Starke being removed for T-ball field
- Live stream duck with Go-Pro and start Friends of Buchanan Ducks
- Park maintenance
- Museum/visitor center at Ross-Sanders
- Promote Mill Alley project to connect Common area to downtown
- Original fire pumper truck information

Manager Marx

- Update on ducks

Public Comments:

- Ruth Writer and Monroe LeMay discussed One Buchanan initiative and role of diversity in the City, newcomers and generational residents, forums/events increasing awareness of various groups, vulnerable seniors, interment of Native remains, Oak Ridge Cemetery, inclusion, speed of change, working together, common ground, marginalized residents, and hope to spread One Buchanan movement to other communities.

Economic and Community Development

Commissioner Toerne

- People wait to pay taxes on delinquency list
- Continued support of marijuana industries
- Promote schools
- Support of Fire Department volunteers

Commissioner Weedon

- City website improvements

Commissioner Downey

- Vacant properties and how to take care of them, city sale option
- Inquired on how many properties does the City own
- Leachate program with landfill and possibility to expand with other entities to bring revenue

Commissioner Denison

- Full time person to lead economic development
- Opening of Honor positive
- Needs Buchanan Community Schools need of \$25,000,000 for improvements
- Pie charts of where your taxes are going
- Website is very important
- Has been contacted by residents in favor of recreational marijuana

Mayor Moore

- First city to take advantage of land bank program
- Land bank prepares the land after demolition
- Promote and retain current businesses both inside and outside DDA area
- Promoting the Promise and the efforts of the Gateway Community Foundation
- Support of local people in need of education and jobs

- Recruitment of physician to Buchanan through Gateway Foundation's Unity Fund
- Unity Fund is used for health-related purchases for the community
- Local services needed for families
- Health related scholarships for residents interested health related fields
- Promote the City app
- Evaluation of SMEGA coming up

Manager Marx

- Discussed pros and cons of recreational marijuana regarding our existing medical marijuana Ordinance

Public Comments: No public comment

Public Services

Commissioner Toerne

- Build new DPW building
- New waste water plant
- Landfill issues with more leachate

Commissioner Weedon

- Signoff sheets for training and safety
- Preventative maintenance of City equipment
- Proactive/reactive maintenance

Commissioner Downey

- Sidewalk improvement
- Grants for for various city projects

Commissioner Denison

- Create a board of volunteers to help with Code violators
- Lighting in City
- Safety training for employees using equipment

Mayor Moore

- Decrease blight
- Employee safety of City workers
- Code enforcement stepped up, proactive, and applied evenly/consistently
- Mayor exchange with another municipality
- Mini-grants for residents who are indigent to bring homes up to code
- Concerns regarding aging residents and their ability to care for their homes

Manager Marx

- County program for homeowner assistance with repairs
- City program for sidewalk repairs
- Shared preliminary plans for new DPW from Pearson
- Possibility of combining DPW and Fire Department in new building
- General discussion of DPW, Fire Department, Art Center, Police Station, SMACS facilities
- ID cards for city employees

- Commission meeting with DPW regarding maintenance schedule

Public Comments: No public comments

Community of Choice

Commissioner Toerne

- Update of the 10-year Master Plan

Commissioner Weedon

- Use website to educate people regarding taxes

Commissioner Downey

- No comments

Commissioner Denison

- Inclusion of all groups in Buchanan

Mayor Moore

- Educate people about the myth of high Buchanan taxes
- We need new people participating on Boards and Committees

Manager Marx

- Provided updates on the trail, parks, and The Common

Public Comments: Norma Ferris commented about the north end of the city.

Administrative Services

Commissioner Toerne

- Our neighborhood streets
- Repaving, not patching
- Equipment and new DPW building, also new firehouse
- New wastewater treatment plant
- Medical marijuana businesses
- Update our downtown area buildings and roads
- Upgrade the summer Thrill on the Hill
- Purchase pre-owned synthetic ice rink

Commissioner Weedon

- Control the number of marijuana businesses (recreational)
- Increased business diversity
- DPW/Fire Station/Police Combination

Commissioner Downey

- No comments

Commissioner Denison

- No comments

Mayor Moore

- Communication for Commission. Briefing needs to be at a more basic level so commissioners can understand the process of the items. Also use repetition so learning might take place. Please include more examples and pictures for them.
- Make a briefing available with the agenda for the public
- Use wise approach to infrastructure challenges
- Continue “quality of life” efforts like Thrill on the Hill
- Control medical and recreational marijuana to decrease the potential negatives while working to the benefit of all citizens.
- Oxidation ditch will benefit public for years to come
- Ideas that might benefit while we replace aging infrastructure-burying power lines?
- New relationship with DDA

Manager Marx

- No Comments

Public Comments: Meeting was adjourned before discussion took place on this topic. Comments recorded here were from the Commissioner’s notes turned in at the conclusion of the meeting.

Session ended at 1:48 p.m.

Note: Due to the expiration of time, Commission members submitted their comments for “Administrative Services” to the Clerk for inclusion in these minutes.

Patricia Moore
Mayor

Brenda J. Hess
City Clerk

**City of Buchanan Commission Minutes
March 11, 2019**

The Public Hearing was called to order at 7:00 p.m. to hear public comments on the proposed Ordinance 2019.03/411 to Amend Article IV-Cross Connections, Chapter 102 Utilities in the City of Buchanan Code of Ordinances.

Debra discussed the Ordinance to correct some out of date language in our Ordinance for the Department of Environmental Quality.

Public Comments Regarding Ordinance: Norma Ferris: Requested an introduction of the Ordinance.

Hearing no further comments or receipt of any written comments, the Mayor adjourned the public hearing at 7:02 p.m.

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, March 11, 2019 and was called to order at 7:02 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Dan Bartz gave the invocation.

Roll Call

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

Absent: None

Guests: Tim Donahue, Superintendent of Buchanan Schools, and Andy Campbell of Umbaugh and Associates.

Also in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Juli O'Bryant, City Treasurer; Craig Miller, Water Department; and Brenda Hess, City Clerk

Public Comments

Norma Ferris: Requested items from the Consent Calendar be published in The Paper.

Consent Calendar:

Toerne moved, seconded by Denison to amend the consent calendar. Roll Call vote carried unanimously.

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

- Approve Agenda
- Approve Regular Meeting Minutes of February 25, 2019
- Approve Annual Planning Meeting Minutes of March 2, 2019
- Approve Invoices/Expenditures for 3-11-19 in the amount of \$258,265.27
- Approve Banner placement, School Farm Plow Day and Pancake Breakfast
- Approve budget amendment in the amount of \$178,044.00 for 2019 snowplow, as previously approved at the August 13, 2018 City Commission meeting
- Approve the release of portable Toilet Facility bid process

Reports by: Departments, Committees, Boards

- A. Buchanan Community Schools Facility Needs-Tim Donahue, Superintendent – Reviewed facilities needs assessment, concerns with present facilities, and potential costs of upgrades.
- B. Water Department – Sample of the Water Department’s Wellhead Protection Presentation to the Buchanan Area Schools – Craig Miller, City of Buchanan Water Operator - Reviewed Wellhead Protection lessons used at Ottawa, Moccasin and Buchanan Middle Schools as part of the Wellhead Protection grant. National Water Week will be in May. Provided sample “aquafer” treats to Commission members and guests. Reminded all that protecting our water supply is vitally important.

Unfinished Business

- A. Second Reading and Approval of the proposed Ordinance 2019.03/411 to Amend Article IV-Cross Connections, Chapter 102 Utilities in the City of Buchanan Code of Ordinances. Debra Patzer provided the second reading of the Ordinance and reviewed the changes in language required by the Department of Environmental Quality. *Toerne*

moved, seconded by Weedon to approve Ordinance 2019.3/411 as written. Roll Call vote carried unanimously.

New Business

A. Presentation of funding options for the Waste Water Treatment Plant's oxidation ditch - Andy Campbell, Manager with Umbaugh & Associates. Commented on the City paying off the 2000 Series Bonds early providing savings of \$12,450.00. Reviewed options for bonding of new oxidation ditch. Possibility of increased revenue for acceptance of septage and leachate at the new facility was noted. Thirty-year bonding option lacks significant savings for residents. Twenty- and twenty-five-year bonding options were presented. Indicated possibility of future USDA grants if rates reach a certain threshold, but presently the oxidation ditch project does not meet requirements for these grants. Additional information shared regarding funding options for roads and other projects.

Public Comments

Randall Peart-Commented on the possibility of getting student help to landscape the catch basin at the end of the High School parking lot, and a fallen tree in the creek.

Dan Vigansky-Commented on contact information on City website, Channel 17 content, and thanked Commissioners for decision made at previous meeting regarding fire equipment.

Norma Ferris-Encouraged Commission to examine roads on the north end of the City.

City Manager Comments

Thanked Craig Miller for presentation. Reminded everyone of budget workshop and noted it would be rescheduled.

Commissioners' Comments

Denison-No comments

Downey-Expressed interest in obtaining grants for road projects.

Toerne-Inquired about drive through medical marijuana provisioning centers. Met with Representative Brad Paquette to discuss road funding, and revenue sharing with municipalities, and indicated there would be compromises at the State Level. Thanked City Manager for new hires at City Hall.

Weedon-No comments

Moore-Thanked Andy Campbell for projecting his report for everyone to see. Thanked Clerk for minutes.

Closed Session

Downey moved, seconded by Toerne to move to a closed session under MCL 15.268 closed sessions; permissible purpose to approve the minutes of the closed session of February 25 regarding the renewal of Medical Marijuana Permits-Redbud Roots at 9:07 p.m. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 9:09 p.m.

Toerne moved to move to approve the minutes of the closed session of February 25. Downey seconded. Roll call vote carried unanimously.

Adjourn

Downey moved, seconded by Weedon to adjourn the meeting at 9:09 p.m. Voice vote carried unanimously.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

City of Buchanan Commission Minutes
March 25, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, March 25, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Ellen Bierlein gave the invocation.

Recognition

J.W. Jones Honoring his 90th Birthday-April 12, 2019-Mr. Jones was presented with a proclamation in honor of his 90th birthday. He was joined by numerous friends and family.

Lion's Club White Cane Week Proclamation May 3rd and 4th, 2019 – Proclamation read. People encouraged to donate to support the Lion's mission of improving sight for Buchanan residents.

Presentation of Check for \$3,000 from Buchanan Mason's Lodge. Donation to be applied to purchase of the Buchanan City Fire Department's Extrication Equipment.

Roll Call

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

Absent: None

Guests: J.W. Jones and his family and friends; Masons – Dan Hinkley, Spencer Miller and Dudley Nelson; Bethany Cowan and her children; members of the Buchanan City Fire Department; various city residents

Also in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Fire Chief Mike Adams; Brenda Hess, City Clerk

Public Comments

Randall Peart-Requested discussion of the 2019-2020 City Commission Goals. Suggested contacting Adam Burke from the Buchanan Area Senior Center regarding urban planning.

Consent Calendar:

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

A. Approve Agenda

B. Approve Minutes: Regular scheduled meeting March 11, 2019

C. Approve Invoices/Expenditures for 3-25-19 in the amount of \$96,477.74

D. Approve Street Closure May 27, 2019-Memorial Day Parade Sponsored by the American Legion Post 51

Reports by: Departments, Committees, Boards

Superhero Run for Belly Buttons – Bethany Cowan – 5th Annual Superhero Run for Belly Buttons benefitting Avery's Angels Foundation for Gastroschisis awareness, support, and research. Requested use of the Trail for Saturday, May 25. Run begins at 9:00. ***Toerne moved, seconded by Downey to approve the 2019 Superhero Run for Belly Buttons. Roll call vote carried unanimously.***

Unfinished Business

Discussion of the 2019-2020 City Commission Goals as Established at the Annual Goal Setting Session on Saturday, March 2, 2019 – Discussed need to make goals specific and to review them over the course of the following months. ***Denison moved, seconded by Weedon to approve the 19-20 Commission goals as established (with the caveat that we will be having more meetings in the future to chisel them down). Roll call vote carried unanimously.***

Reconsider Purchase of Extrication Equipment for City of Buchanan Fire Department in the amount of \$21,770.00 and applying the gift of \$3,000 from the Mason's to the purchase. Mike Adams provided additional information.

Downey moved, seconded by Weedon to approve the purchase (of the extrication equipment for the City of Buchanan Fire Department in the amount of \$21,770.00 and applying the gift of \$3,000.000 from the Mason's to the purchase). Roll call vote carried unanimously.

New Business

Discussion of the May 27th Commission meeting falling on Memorial Day. *Toerne moved, seconded by Downey to reschedule the Regular Scheduled Commission Meeting of May 27, 2019 (due to the Memorial Day Holiday) and move it to the following day, May 28, 2019. Roll call vote carried unanimously.*

Consider the renewal of Medical Marijuana Facilities Permit for a Provisioning Center at 259 E. Front St. for Buchanan Development LLC. Closed session not requested by Commission. *Toerne moved, seconded by Denison to approve the renewal of the Medical Marijuana Facilities Permit for a Provisioning Center at 259 E. Front St. for Buchanan Development LLC. Roll call vote carried unanimously.*

Public Comments

Jim Cronin-Inquired about the status of drains on Lake Street.

Bethany Cowan-Requested an Ad-hoc committee be formed under the Buchanan Area Recreation Board to create a policy for the renaming of City assets in memory of Buchanan residents. *Toerne moved, seconded by Denison to approve the formation of an Ad-hoc committee to create a policy for renaming city assets regarding memorials. Roll call vote carried unanimously.*

Randal Peart-Inquired about bicycle lane on Front Street hill.

City Manager Comments

Thanked the Mason Lodge for donation for extrication equipment and for contributions to the City in general. Thanked Bethany Cowan for 5K event. Weather is getting nicer and work will increase. Alleys being graded, leaves and brush collected. Comments on recent major rainfall's effect on catch basins. Help from residents is appreciated with 400 catch basins to maintain. Residents reminded to call cemetery for brush pick-up. Recap of Michigan Municipal League conference and Governor Whitmer's road improvement plan, and unfunded mandate of lead/copper water service line replacement plan.

Commissioners' Comments

Denison-Congratulated Chamber of Commerce for successful chili walk. Thanked Masons.

Downey-Thanked Masons and Fire Department.

Toerne-Commented on the Michigan Municipal League Conference. Encouraged attendance of the Commission as a whole for next year. Met with Representative Paquette regarding revenue sharing, and abolishment of no-fault insurance. Meeting with Kim LaSata soon to discuss issues. Buchanan lost 2.5 million dollars in revenue sharing.

Weedon-Thanked Fire Department for attending annual planning meeting. Thanked Masonic Lodge for donation.

Acknowledged J.W. Jones birthday. Encouraged people to run the Belly Button Run.

Moore-Happy birthday to Mr. Jones and gave wishes for a happy celebration. Thanked all who attended meeting.

Thanked Masons, Fire Department, and Super Hero Belly Button Run guests.

Adjourn

Toerne moved to adjourn the meeting at 7:50 p.m. Voice vote carried unanimously.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

**BUCHANAN CITY COMMISSION SPECIAL MEETING MINUTES
FRIDAY, MARCH 29, 2019**

A Special Meeting of the City Commission for the City of Buchanan was scheduled at Buchanan City Hall, 302 North Redbud Trail, Buchanan, Michigan Friday, March 29, 2019 at 4:30 p.m. The Mayor Pro-Tem called the meeting to order at 4:31 p.m. The Mayor Pro-Tem lead the Pledge of Allegiance.

Members present: Commissioners Toerne, Denison, Downey and Weedon

Member absent: Mayor Moore

Staff present: City Manager Bill Marx, Zoning Administrator Debra Patzer, City Clerk Brenda Hess

Guests/Visitors present: None

Weedon moved, seconded by Downey to approve the consent calendar as presented. Roll call vote carried unanimously.

New Business

Manager Marx explained the grant and application process. Recognized Debra Patzer and J.T. Ackerson for help in completing grant application. Patzer explained process of calculation of the cost for this project. Quotes came in from Reith-Riley and the Michigan Department of Transportation. Bill finalized in December and grant released on 3-29-19. Marx commented on need to move quickly on opportunity as funds are limited. Process of applying asphalt over concrete was discussed. City would have extreme difficulty fixing these roads without State assistance. Fourth Street discussed regarding having concrete instead of asphalt. Schirmer will have chip and seal. Discussion of chip and seal process was discussed. Chip and seal was noted as more successful when applied at beginning of season for curing over course of the summer. Buchanan will be early on the schedule. Discussed emulsion applied over chip and seal to fill voids. Start date is July 1, 2019. Matching funds to come out of local streets.

Denison moved, seconded by Downey to approve a Grant Application to the Michigan Department of Transportation, Office of Economic Development, Transportation Economic Development Fund, Category B: Community Service Infrastructure Fund in an amount of \$138,450.00. (50% to be paid by MDOT, 50% to be paid by the City of Buchanan - RESOLUTION NO. 2019.04/190. Roll call vote carried unanimously.

Being no further business, Cameron moved, seconded by Downey to adjourn the meeting, voice vote carried unanimously. The Mayor Pro-Tem adjourned the meeting at 4:54 p.m.

Brenda J. Hess, City Clerk

Dale Toerne, Mayor Pro-Tem

City of Buchanan Commission Minutes
April 8, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, April 8, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Dave Mitchell gave the invocation.

Recognition

Arbor Day Proclamation - April 24, 2019 - Buchanan Garden Club – Liz Miller and Carol McKean – Mayor Moore read Proclamation. Garden Club invited community to attend Arbor Day celebration.

Garden Club Recognition for Service to the Community – Mayor Moore presented certificate of appreciation with card which included a tree donated in their honor. Noted positive impact on the City.

Roll Call

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

Absent: None

Guests: Members of the Garden Club and friends; Mac Green, Wightman and Associates;

Also in attendance: Bill Marx, City Manager; Brenda Hess, City Clerk

Public Comments

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular scheduled meeting March 25, 2019
- Approve Minutes: Special meeting-MDOT Grant Application, March 29, 2010
- Approve Minutes: Budget meeting March 21, 2019
- Approve Invoices/Expenditures for 4-8-19 in the amount of \$56,808.86
- Acknowledge Banner Placement – Fernwood Botanical Gardens Summer Camps
- Approve Resolution 2019.04/191, to approve the Summer School Tax Collection Fee in the Sum of \$2,602.73 per School District – Totaling \$7,808.19
- Approve the City Manager to select the lowest bid Portable Toilet Contractor for 2019
- Acknowledge Receipt of the 2019-2020 FY Budget as presented by the City Manager in accordance with Charter Section 9.2

Toerne moved, seconded by Weedon to amend the Agenda. Roll Call vote carried unanimously. Toerne moved, seconded by Downey to approve the Consent Calendar as amended. Roll Call vote carried unanimously.

New Business

Discuss Water Main Replacement-Fourth Street from Short Street to Redbud Trail as Part of River Street and Redbud Trail Intersection Improvement Project – Manager Marx explained the age of the watermain is approaching its life expectancy and now could be a good time to replace it while the road is opened for the intersection improvement project. *Denison moved, seconded by Toerne to approve the replacement of the Fourth Street watermain replacement project from Short Street to Redbud in the amount of \$40,767.20. Roll Call vote carried unanimously.*

City Manager Comments

Department of Public Works collected over 300 lawn bags after the nice weekend. Spring clean up event is coming up soon-April 26-27. Application was submitted for MDOT grant after special meeting of March 29, 2019. Money will be used for local streets of Schirmer and Fourth. Thanked Commission for approving water

main to protect investment of improvement of the Redbud/Fourth intersection. Free top soil from City compost pile is available for residents to by contacting City Hall.

Commissioners' Comments

Toerne-Representative Kim LaSata came for a meeting with Toerne and Marx. She inquired about City needs. Discussed road grant and lead pipe replacement, PFAS at landfill, and current plan to raise gas tax for roads. Noted Buchanan lost 2.5 million dollars in revenue sharing over the past two years. Representative LaSata's email is senklasata@senate.mi.gov and she invites questions and comments from City residents.

Downey-Inquired who cleaned the trail. Trail clean-up lead by Emily Long who is a Scout who rallied a group of 20 young people to clean up McCoy's Creek Trail. Found many tires. Noted DPW debris needs to be cleaned up to improve view from Trail.

Weedon-Question regarding rezoning of 509 Rynearson. Request is to rezone for light industrial from residential. Concerns raised that this rezoning might change it to have marijuana business.

Denison-Noted MDOT grant is a matching fund grant so we can make more improvements this summer and get more for City money in improvements.

Moore-Thanked Garden Club. Condolences to former Commissioner Scott King at the loss of his father.

Reminded people that we are a pro-marijuana community. Moore is directing the play Wild Dust at the Tin Shop Theater.

Adjourn

Downey moved, seconded by Weedon to adjourn the meeting at 7:43 p.m. Voice vote carried unanimously.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

BUCHANAN CITY COMMISSION SPECIAL MEETING MINUTES
Review of Oxidation Ditch for the Wastewater Treatment Plant
Monday, April 15, 2019

A Special Meeting of the City Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, April 15, 2019 at 6:00 p.m. The Mayor called the meeting to order at 6:00 p.m. The Mayor led the Pledge of Allegiance.

Members present: Mayor Moore, Commissioners Toerne, Weedon, and Denison

Members absent: Commissioner Downey

Staff present: City Manager Bill Marx, Waste Water Treatment Plant Operator Bill Housand, and City Clerk Brenda Hess

Guests/Visitors present: Mark Hurley, Engineer Gosling-Cuzubak Construction

Manager Marx introduced Mark Hurley and provided a review of session purpose.

Mr. Hurley showed an animated overview of the new oxidation ditch in relationship to the current plant. Waste comes into the headworks in the future the headworks will pump waste to the top of the hill to the new ditch. Peak flow limits will be 4,000,000 gallons per day even though it will most likely never be required of the system.

The screens remove all solid items that should not flow into the plant. The grit chamber removes the heavier non-digestible materials, including grit (sand) which ruins equipment. The classifier sorts it out and this material is currently removed by wheelbarrow.

Influent pumps will send the waste to the new ditch, instead of the present reactor. The current reactors must maintain high levels of bugs (digesters) to keep down odors. The new ditch will be able to house more waste materials and digesters for a longer period of time. The current plant has blowers that inject air into the water, but it's inefficient. The ditch will be much more efficient. The impeller will keep the waste moving exposing it to the air and the bugs. The process becomes much more stable and reduces the demand on the system.

Bill Housand commented that this will make it much easier to run and maintain our plant. The footprint of the new plant will be larger to accommodate a higher number of bugs and it will be shallower (only 10 to 15 feet deep). Most of the ditch will be under the ground, keeping it warmer (which improves efficiency and cost), while also making it look more appealing to those passing by on River Street. The covers on the ditch will reduce odors, noise and keep out water from rain/snow adding to efficiency and stability in the treatment process. It will feature a berm with fencing and landscaping. Security cameras will be installed for monitoring of dumping at the receiving station.

The estimated savings in maintenance costs are approximately \$50,000 each year for the new plant. After treatment in the ditch, the water travels for UV disinfection before it returns to the environment. The new plant will only need to use one clarifier. Clarifiers use intense UV lights to sanitize the water after treatment. The bulbs in the new plant

for will respond to changes in need for intensity and will save money in the lives of the bulbs as well as in the consumption of energy. The bulbs are also self-cleaning which reduces maintenance costs and operator time. The new bulbs are also better warranted which will save money as they need to be replaced and are manufactured in the United States in South Carolina. UV lights disrupt the DNA of the microbes that would contaminate the water in the environment making it safe for release into the watershed.

Our current solid waste digester is very inefficient. There will no longer be a need for solid waste "beds" which are very labor intensive in the current plant. The sludge pump in the new plant will inject solid waste with a polymer which will remove more water from the solid waste which is recycled. The remaining odorless treated sludge emerges from the system in a dry cake like consistency, then it is sent to a dumpster and taken to the landfill. Currently solid wastes are treated in beds. The beds are manually filled with solid waste and spread out to dry. The beds are also manually emptied. Presently solids take a lot of time to dry before going to the landfill. The current beds are very weather dependent and easily flood in heavier rains. Because the new plant will not need the labor-intensive solid waste drying beds, it will free up operator time.

The lab will be new, and the old equipment will be utilized as much as possible. Buchanan helps Baroda and Galien with sample testing and additionally runs panels on wastewater from the landfill. The SCADA control panel will be located in the lab along with other controls. Because multiple waste handling steps will be eliminated with the new plant, there will be less need for multiple tests.

The transfer of service from the old plant to the new plant will utilize tanker trucks moving waste from the old plant to the new plant to start the new treatment process. The new plant will be tested with water first to check pressures and operations of the equipment. Time will be needed to get the digestive bugs working. During the service transfer process from the old to the new plant, all waste will be treated, and none will be released in violation of our permit protecting the environment.

Certification for construction will be stamped by the construction company and the treatment will be certified by Bill Housand. The DEQ will approve preliminary plans, and will receive prints (in July) with updates throughout the process. The construction process will take 16 months and should be completed in 2021.

It was noted that there are significant mechanical issues at the current plant which will still need to be maintained until the new plant is complete and operational. The current plant is at the very end of its life and there will still be significant expenses to keep it running. Some components in the current plant are from 1930s.

The lifespan of the new plant (structural) is 100 years. The mechanicals will vary depending upon the component and its maintenance schedule.

Replacement of lead water service lines was briefly discussed regarding cost and personnel being shared between the water and wastewater departments. The new plant will require less labor and it is possible to share an operator with the water department to possibly work on the lead service line replacement project.

Commission questions were answered throughout the presentation.

Being no further discussion, ***Toerne moved, seconded by Denison to adjourn the meeting at 7:15 p.m. Voice vote carried unanimously.***

Brenda J. Hess
City Clerk

Patricia Moore, Mayor

City of Buchanan Commission Minutes
April 22, 2019

The Public Hearing was called to order at 7:00 p.m. to hear public comments on the proposed 2019-2020 budget.

Public comments Regarding the Budget

None.

Hearing no comments nor receiving receipt of any written comments, ***Toerne moved, Seconded by Weedon to Adjourn the Public Hearing. Voice vote carried unanimously.*** Public hearing adjourned at 7:01 p.m.

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, April 22, 2019 and was called to order at 7:02 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Brendan Shea gave the invocation.

Roll Call

Present: Mayor Moore, Commissioners Denison, Toerne and Weedon

Absent: Commissioner Downey

Guests: Kerry Ratinger and Brian Grice from Republic Services, Mack Green from Pearson Construction

Also in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Brenda Hess, City Clerk

Public Comments

Cindy Benson-Encouraged Commission to approve Planning Commission recommendation to deny rezoning of 509 Rynearson.

Randall Peart-Questioned request for disposal of the HP DesignJet 500 printer.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular scheduled meeting April 8, 2019
- Approve Minutes: Special Meeting-April 15, 2019-Work Session-Update on Oxidation Ditch
- Approve Invoices/Expenditures for April 22, 2019 in the amount of \$113,630.02

Moore moved, seconded by Toerne to amend the Agenda by the addition of item "H" under New Business – Consider Resolution 2019.04/192 to Endorse the Berrien County Non-Motorized Vision. Roll Call vote carried unanimously. Toerne moved, seconded by Denison to approve the Consent Calendar as amended. Roll Call vote carried unanimously.

New Business

Consider the disposal of excess equipment – HP DesignJet 500 Printer. Printer designed to make large scale maps. Was purchased as part of a grant. Rollers and advance wheels have deteriorated. Reconditioned ones sell for \$350.00 on E-bay. There are other sources for large drawings and blueprints. Repair costs would be approximately \$600. Sealed bids would be sought for the sale of the printer. ***Toerne moved, seconded by Weedon to approve the disposal of the HP DesignJet 500 Printer by Sealed Bids to begin on April 23rd and conclude on April 30. Roll Call vote carried unanimously.***

Consider approval of payment of annual dues to The Greater Niles Area Chamber – Formally the Niles Chamber of Commerce/SMEGA (Southwest Michigan Economic Growth Alliance) in the amount of \$8990.00. SMEGA is local economic development organization which seeks to link businesses with economic development sites and help with business retention. SMEGA recently merged with Niles Chamber of Commerce. Niles Chamber sold their high rise for \$2.2 million dollars. The Niles Chamber has also expanded to work with the South Bend Chamber. Collaboration occurs between all 3 entities. SMEGA has not directly helped set up a new business in Buchanan, but Buchanan benefits by being a regional partner which brings people to set up residence in Buchanan. Previous Commission decided to wait one year to see what benefits we would receive. Concerns raised regarding what services are received from SMEGA. ***Moore moved, seconded by Denison to approve payment of annual dues to The Greater Niles Area Chamber – Formally the Niles Chamber of Commerce/SMEGA (Southwest Michigan***

Economic Growth Alliance) in the amount of \$8990.00 with the friendly amendment added by Toerne to revisit SMEGA services in October of 2019. Roll Call vote carried unanimously.

Consider the second two-year extension of the February 28, 2014 original 3-year contract with Republic Services for residential refuse and recycling services. The City may exercise a second two-year extension, or we go out for bids. Kerry Raterger from Republic Services spoke. Changes in recycling cost may occur due to low demand for recycled materials by Chinese markets. Low demand for recyclables possibly temporary. Rates for refuse will not increase for 2019, but will increase by thirty-seven cents in 2020, and thirty-nine cents in 2021. Township rates are significantly higher than City rates for comparable services. Landfill controls recycling fees which are passed on to Republic. ***Toerne moved, seconded by Weedon to approve second two-year extension of the February 28, 2014 original 3-year contract with Republic Services for residential refuse and recycling services. Roll Call vote carried unanimously.***

Consider approval of the use of Harger Park for Memorial Day community party to follow annual parade, co-sponsored by Joseph Williams of Home Source/Remax Group and Dustin Jankoviak of Honor Credit Union. New tenant in Harger Accounting Building would like to sponsor a party in Harger Park co-hosted with Honor Credit Union and Taylor Rental. Party would be on Memorial Day during and after the annual Memorial Day parade. American Legion Post 51 was consulted and approved with condition activities will cease as Honor Guard passes by. ***Toerne moved, seconded by Denison to approve the use of Harger Park for Memorial Day community party to follow annual parade, co-sponsored by Joseph Williams of Home Source/Remax Group and Dustin Jankoviak of Honor Credit Union with condition activities will cease as Honor Guard passes by. Roll Call vote carried unanimously.***

Consider updates to the Electrical Permit Application and Electrical Plan Examination with fee changes to the following as stated on the Electrical Permit Application form...

- Increase the application fee from \$50.00 to \$75.00
- Increase the cost for special inspections from \$50.00 to \$75.00
- Increase the cost for a Rough/Additional Inspection from \$50.00 to \$75.00
- Increase the Final Inspection fee from \$50.00 to \$75.00
- Increase the Certification fee from \$20.00 to \$30.00

City has not increased permit rates in over 10 years. City inspector Ken Simpson is a good inspector. Commissioner Toerne expressed concerns regarding communication. Proposed changes will increase the total cost of average permit by \$50.00. ***Denison moved, seconded by Toerne to approve updates to the Electrical Permit Application and Electrical Plan Examination with fee changes to the following as stated on the Electrical Permit Application form...***

- Increase application fee from \$50.00 to \$75.00***
- Increase cost for special inspections from \$50.00 to \$75.00***
- Increase cost for a Rough/Additional Inspection from \$50.00 to \$75.00***
- Increase Final Inspection fee from \$50.00 to \$75.00***
- Increase Certification fee from \$20.00 to \$30.00. Roll Call vote carried unanimously.***

Consider recommendation of the Planning Commission to deny request by Midwest NT, LLC to rezone property located at 509 Rynearson from R1A & R1B Single Family Residence District to I1 Light Industrial District. Debra Patzer reviewed the history of the site. Midwest NT, LLC came to own the building when they purchased the cell tower. It was rezoned in the past to residential. Jim Ringler is their representative and realtor and he was the one who worked on the possible rezoning. The City had originally zoned it for light industrial. The Planning Commission felt they correctly rezoned it after Clark's departure to residential. Commission Toerne recapped the Planning Commission's findings which included resident's input. ***Toerne moved, seconded by Weedon to approve the Planning Commission's decision to deny request by Midwest NT, LLC to rezone property located at 509 Rynearson from R1A & R1B Single Family Residence District to I1 Light Industrial District. Roll Call vote carried unanimously.***

Closed Session

Toerne moved, seconded by Weedon to go into Closed Session to discuss material exempt from discussion or disclosure by state statute MCL 15.268 Section 8. (h), Om of Buchanan, LLC for a Provisioning Center located at 120 East Front Street at 7:46 p.m. Roll call vote carried unanimously.

The Mayor reconvened meeting at 7:57 p.m.

Consider renewal of the Medical Marijuana Facilities Permit for Om of Buchanan, LLC for a Provisioning Center located at 120 East Front Street. ***Toerne moved, seconded by Weedon to approve renewal of the Medical Marijuana Facilities Permit for Om of Buchanan, LLC for a Provisioning Center located at 120 East Front Street contingent on the closing which will occur in four to six weeks. Roll Call vote carried unanimously.***

Consider Resolution 2019.04/192 to Endorse the Berrien County Non-Motorized Vision. The County of Berrien and the Berrien County Best Practice Group asked for Buchanan's support to help obtain funds for a county-wide trail. Trail would join Buchanan and Niles and connect with the larger County trail system. Resolution will demonstrate a unified front by Berrien County communities in order to obtain funding. Indiana/Michigan Power has given access to an old train trail. No economic component to this resolution required of the City. Toerne encouraged Friends of the Trail to attend the next master plan meeting. ***Toerne moved, seconded by Denison to approve Resolution 2019.04/192 to Endorse the Berrien County Non-Motorized Vision. Roll Call vote carried unanimously.***

Public Comment

Randall Peart: Question/comment regarding using waste from the landfill to generate power.

City Manager Comments

Discussed establishment of matrix for the proposed amount City will charge the landfill for treatment of leachate. The City is considering hiring a 3rd party to help establish the rates and approve matrix. Rate is currently 2.2 cents per gallon which does not include service charges for improperly pre-treated waste by the new SBR at the Landfill. People at the landfill have not received trained on the new SBR. The City plant can efficiently treat Landfill waste. Further information to follow in the next few weeks. Provided update on approved 8-inch watermain replacement from 1934 has been replaced. Testing is underway. Guy Lewis, building inspector, has been working with United Federal Credit Union on their \$500,000 remodel and upgrade.

Commissioners' Comments

Weedon-Thanked Planning Commission for decision regarding 509 Rynearson.

Toerne-Acknowledged passing of Judith Gault and Martha Ryman.

Denison-Concerns regarding DDA's relationship with City. Encouraged DDA members attend Commission meetings. Acknowledged Hannah Roberts BMX victory in Japan.

Moore-Reminded residents Common will be busy. Thursday night concerts and Stop, Lunch and Listen are starting soon. As member of DDA will bring Commissioner Denison's suggestion to DDA board. Thanked public for attending meeting.

Adjourn

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

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

BUCHANAN CITY COMMISSION WORK SESSION MEETING MINUTES
Michigan Rural Water Association – Rate Establishment and Status of
Water/Wastewater Infrastructure in America
Tuesday, May 7, 2019

A Special Meeting of the City Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday, May 7, 2019 at 6:30 p.m. The Mayor called the meeting to order at 6:30 p.m. The Mayor led the Pledge of Allegiance.

Members present: Mayor Moore, Commissioners Toerne, Downey, Weedon, and Denison

Members absent: None

Staff present: City Manager Bill Marx, City Treasurer Juli O'Bryant, City Bookkeeper Cathy Horner, City Clerk Cashier Renee Cornwell, Waste Water Treatment Plant Operator Bill Housand, Water Foreman Scott Desenberg, and City Clerk Brenda Hess

Guests/Visitors present: Tim Neumann and Brian Minor from the Michigan Rural Water Association and members of the public (four).

Mayor welcomed guests. Bill Housand introduced Tim Neumann and Brian Minor from the Michigan Rural Water Association and provided a review of session purpose. Rural Water Association provides training and technical assistance to smaller communities with water and wastewater issues. They provide cost effective ways to obtain training and support.

Neumann gave brief overview of organization. Established in 1990 to provide full support to communities under 10,000 residents with water/wastewater protection of assets and management. Rate studies and asset management plans are also their specialty. This Sustainable Management of Rural and Small Systems Workshop has been given around the State. Covers the 10 Key Management Areas.

Challenges to smaller communities are aging infrastructure being "out of sight, out of mind", rate issues, customer service/satisfaction/confidence with services and rates. DEQ has changed its name to EAGLE. Public needs to be educated about the value and importance of clean water and reliable sewer services. Maintenance is of utmost importance. Additional issues center around operation, workforce complexities, as well as having knowledgeable and engaged board members.

A well-managed utility has 10 components...

- product quality-Clean drinking water and efficient handling of waste.
- customer satisfaction-What do customers expect, do they understand value of water, does the municipality gather feedback?
- infrastructure stability-How old is equipment? What are maintenance costs?
- community sustainability and economic development – Water/wastewater need to be active participants in community development. Do you have capacity for growth? Industry coming and going affects both systems. Protect the watershed while still growing.
- stakeholder understanding and support – Do customers understand water/wastewater issues and why rate increases are necessary?

- employee and leadership development-Are your employees competent and motivated? Can you retain the employees you have?
- operational optimization-energy and water efficiency-Are you meeting goals and minimizing loss of resources? Water loss should only be 10%. Chemical usage
- operational resiliency – identify safety and security threats, vulnerability assessment and cybersecurity, emergency response plans
- water resource adequacy – Be sure to have resources to meet current and future needs, balance between conservation and usage
- financial viability – asset management and replacement plans, prioritization of replacement and upgrades

Water and wastewater are enterprises and cannot take tax money to operate. They must earn their own funding through the fees they charge customers; grants are difficult to obtain.

Self-Assessment Exercise was completed by City staff at previous training. Housand commented that almost all communities at training had common issues regarding infrastructure and raising rates. General discussion of public understanding of rates and how we got to where we are today across the country. The Federally mandated safe water act of the 1930s, and the Clean Water Act of the 1970s provided foundational systems and equipment which are all wearing out and almost all communities are in the same situation. Systems wear out over time and most communities did not raise rates enough over the years to cover the costs of replacing large systems. Federal government did not continue to support local water/wastewater systems after initial investments. New issues regarding lead service line replacements were not anticipated from the State as a reaction to Flint water crisis. State doesn't provide funding for lead/copper service line replacement, so it will have to be added to customer rates.

O'Bryant commented on rate histories in the City. The only year we did not raise rates was in 2009 during the economic downturn. Over the past 20 years we have consistently raised rates at an even pace. This has helped build a fund balance to start on the oxidation ditch. We have been very responsible with our rates and have been able to increase our fund balance. We are more financially healthy than most communities when it comes to water and sewer.

Minor began his presentation about rates with a review of what an "enterprise" means. It's a real business and should be run that way. No taking funds away for other non-water/wastewater funding issues. Rates need to be fair and equitable. Rates should hold up in court. High enough to cover justifiable expenses required to operated and maintain the system.

Comparing rates between communities is not a good practice because of differences in treatment processes, grants/loans, styles of management...only compare policies, not charges.

These are multi-million-dollar investments in our communities. Past investors have paid for maintenance and equipment. Inadequate rates are a disservice to the community because the investment needs to be taken care of. Need to take care of employees and don't do inadequate maintenance. High turnovers in employees are problematic because of the amount of training that needs to be completed. Loss of knowledge has negative affect. Crisis management occurs when there is a lack of investment in infrastructure. Will always be putting out fires.

Rates can be flat-rate, ready to serve plus consumption, consumption, declining rates, inclining rates. Can be charged on classification (residential, commercial, industrial, non-profit), but it has been found to be challenged legally. Flat rates mean every customer pays the same fee. Declining rates mean the more a customer uses the less they pay, but this isn't fair to lower users like residential customers (inhibits conservation). Inclining prices mean the rates get higher the more you use (promotes conservation). Free water minimum bill gives customers an included number of gallons for "free" which penalizes low amount users (does not promote conservation). Base rate (ready to serve) which is fixed and is based on meter size, and then you are charged additionally according to consumption.

Rates are based on the budget; budgets are NOT based on rates. There are operations and budgets and reserve budgets. Operations cover what is needed now and reserves are there for equipment and future equipment replacement needs. Budgets need to be detailed to show the public the need for rate increases. Budgets and rates go hand in hand. Rate analysis is important to the process. System evaluation is important to identify deficiencies. Reporting on infrastructure is important. Living documents of projects. There are fixed expenses like loans, bonds, reserve funding, replacement needs, portion of operating expenses, insurance, labor, etc. Variable items are labor, electricity, chemicals, operating supplies, labor, etc. Some items fall under both fixed and variable categories. Fixed costs are often billed as a Ready-to-Serve fee and variable costs are billed through consumption (water and sewer usage). Day to day expenses change with conditions like weather. Better budget means less surprises. Do not want too much money in reserves, should have projects to spend the money on. Do not want budget swings; aiming for stability.

Capital improvement plans are based on needs. Big projects, new additions to existing facilities. Reserves can be used as a down-payment for bigger projects, not for complete funding. Reserves are also needed for emergencies. Surcharges help with conservation and compensate for extra and special usages because they cost more. Buy in and Equity Fees are calculated for newer users because they are charged for existing infrastructure, but they need to be calculated fairly. Everyone needs to pay a base rate (Ready-to-Serve) whether you are consuming water or not.

General questions were answered from the public by both the presenters and City staff.

Being no further discussion, ***Toerne moved, seconded by Denison to adjourn the meeting at 8:43 p.m. Voice vote carried unanimously.***

Brenda J. Hess
City Clerk

Patricia Moore, Mayor

City of Buchanan Commission Minutes
May 13, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, May 13, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Bryan Watkins of New Good Hope Baptist Church gave the invocation.

Recognition

Emily Long, Organizer/Leader of McCoy's Creek Trail Clean Up, Accompanied by Scout BSA Troop 541, Troop 572, and Venturing Crew 593 – Long organized and lead clean-up of McCoy's Creek Trail Dumpsite along with the assistance of the Buchanan Department of Public Works.

Commendation for Life Saving - Officers Briana Schmitz and Jason Cullum of Buchanan City Police Department, and Donovan Bredenkamp, Eric Lovett and Denise Pope of Southwest Michigan Community Ambulance (SMCAS) - Presented by Buchanan City Assistant Police Chief, Tim Ganus and SMCAS Director, Brian Scribner - On April 2, 2019, report of person down, John Wregglesworth, who was also in attendance with his family. CPR and AED were used, EMT crew arrived and administered life-saving meds. Others not in attendance who assisted: Paramedic Mike Kushman, EMT Laura Hooker, Berrien County Sheriff's Department Deputies, Michigan State Police Troopers along with members of Berrien County Dispatch. Mayor extended thanks on behalf of City and residents.

Retirement of Officer Carmen Bovo - 18 Years of Dedicated Service to the Buchanan City Police Department – Plaque and certificate of recognition presented by Buchanan City Assistant Police Chief, Time Ganus and Mayor Moore – Officer Bovo thanked all for recognition and opportunity to serve.

Roll Call

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

Absent: None

Guests: Brian Scribner, Director of SMCAS; John Buek, American Electric Power; William Breen, Zen Leaf Provisioning Center; and approximately 25 guests

City Staff in attendance: Bill Marx, City Manager; Juli O'Bryant, City Treasurer; Debra Patzer, City Zoning Administrator; Assistant Chief of Police, Tim Ganus; Diana Selir, Buchanan City Police Department Administrative Services; Brenda Hess, City Clerk

Public Comments

Cindy Benson-Urged Commission not to opt into recreational marijuana. Commented on leash law and requested residents clean up their dog excrement.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting April 22, 2019*
- Approve Minutes: Work Session May 7, 2019 with Michigan Rural Water Association*
- Approve Invoices/Expenditures for May 13, 2019 in the amount of \$98,052.79
- Approval of Resolution 2019.05/194 – Adopt 80%/20% Employer/Employee Health Care Cost Option as set forth in 2011 Public Act 152, The Publicly Funded Health Insurance Contribution Act*
- Approve Cyndi Roberts appointment to Downtown Development Authority Board
- Approve Joe Paolucci appointment to Downtown Development Authority Board
- Approve Jeremy Frame appointment to Downtown Development Authority Board
- Excuse Mayor Moore from Special Meeting – March 29, 2019
- Excuse Commissioner Downey from Regular Meeting – April 22, 2019
- Street Closure for Colors of Cancer Run on May 18, 2019

Moore moved, seconded by Toerne to amend the Agenda and Consent Calendar by add letter K to the consent calendar "Approval of Street closure for Colors of Cancer Run May 18, 2019- Oak Street to Smith Street". Under new business add items C, D and E, "Consider request for use of two parking spots at 259 East

Front Street for grand opening celebration of Zen Leaf Provisioning Center, May 18 2019 – William Breen, Zen Leaf”; “Consider approval of purchase of Imagination Playground equipment in the amount of five thousand, four hundred and forty-five dollars by the Buchanan Area Recreation Board for Buchanan parks”; and “Consider approval of a medical marijuana facilities permit stacking application for a grow facility at 215 Post Road – Redbud Roots”. Roll Call vote carried unanimously. Toerne moved, seconded by Weedon to approve the amended Consent Calendar. Roll Call vote carried unanimously.

Reports by: Departments, Committees, Boards

Report on Buchanan’s Annual Spring Clean-Up – Diana Selir, Buchanan City Police Department – Selir reported seventeen dumpsters were used for regular refuse and 2 for recycling. Despite snowy weather, attendance was good. Next year more dumpsters will be required along with extra emptying of dumpsters throughout event. Marx commented Spring Clean Up Day assists with code enforcement. Enhancements in program will be made for next year.

Unfinished Business

Review Contract Extension with Republic Services – Follow up to approval from previous meeting when contract was not ready. *Toerne moved, seconded by Downey to approve the signature of the Refuse/Recycle Contract with Republic Services. Roll call vote carried unanimously.*

Approval of Resolution 2019.05/193 – Adopt a Budget for the City of Buchanan for Fiscal Year 2019-2020 – Toerne questioned if the Fire Department needed to be named in the resolution. City Treasurer clarified. *Toerne moved, seconded by Downey to approve Resolution 2019.05/193 – Adoption of the 2019-2020 budget. Roll call vote carried unanimously.*

New Business

John Buek, representative from Indiana Michigan Power (AEP) regarding the Public Efficient Streetlighting Program – State of Michigan required all streetlights to be upgraded to LED lights and required AEP to address local communities regarding this issue. If approved, lights will be installed for free and old lights disposed of in an environmentally friendly way. New lights will reduce City’s carbon footprint and will have better luminosity. Lights have a lifespan of up to 20 years provided there is no vandalism. Lighting pattern will be improved and more focused. City will continue to be charged under two tariffs on one bill. City needs to have discussion with attorney before signing the contracts. Lights would be installed during fourth quarter this year and project completed in approximately ten days. Includes map of all streetlights. Poles upgraded for free as needed. City not required to participate at this point. Commission questions were answered, and comments shared. Marx commented contract would be approved at the next meeting if Commission felt it was worthwhile to participate.

Approve Contract with Gosling Czubak Engineering Sciences, Inc. for Leachate Treatment Rate Study not to exceed \$4,000.00 – Need for a leachate rate study from an independent third party to help City determine rates for treatment of leachate from landfill. Landfill has new system for pre-treating leachate, but not presently fully functional leaving significant amount to treat. Contract for study to be under \$4,000.00. Toerne will report to the Landfill Board regarding the decision. *Denison moved, seconded by Downey to approve the Contract with Gosling Czubak Engineering Sciences, Inc. for Leachate Treatment Rate Study not to exceed \$4,000.00. Roll Call vote carried unanimously.*

Request for use of two parking spots at 259 East Front Street for grand opening celebration of Zen Leaf Provisioning Center May 18, 2019 – William Breen, Zen Leaf – Breen invited all in attendance to open house which includes food and refreshments. No product on premises for first open house which includes tours. Asked for permission for use of two parking spots in front of business for duration of open-house period. Second open house on May 24 will be for patients only. *Toerne moved, seconded by Weedon to approve the request for use of two parking spots at 259 East Front Street for grand opening celebration of Zen Leaf Provisioning Center May 18, 2019. Roll Call vote carried unanimously.*

Approve purchase of Imagination Playground Equipment in the amount of \$5,445.00 by the Buchanan Area Recreation Board for Buchanan Parks. Marx reported that the play equipment was made of durable foam and can be designed into many different configurations. Set highly portable and can be moved from park to park. Teacher's Credit Union donated \$5,000.00 to pay for most of this equipment. Will be stored in the building at Kathryn Park. Possibility of purchase of box truck for storage and transport. DPW will not be responsible for transport or cleaning of Imagination set. ***Toerne moved, seconded by Downey to approve purchase of Imagination Playground Equipment in the amount of \$5,445.00 by the Buchanan Area Recreation Board for Buchanan Parks. Roll Call vote carried unanimously.***

Consider approval of a Medial Marijuana Facilities Permit Stacking Application for a Grown facility at 215 Post Road – Redbud Roots – Patzer reported that application from Redbud Roots was complete and are slated for State approval in June. ***Toerne moved, seconded by Downey to approve the Medial Marijuana Facilities Permit Stacking Application for a Grown facility at 215 Post Road – Redbud Roots. Roll Call vote carried unanimously.***

Public Comment

Randall Peart – Commented upon lighting at the high school. See if less, more focused light can be used at schools. Larry Money – Commend Buchanan Police Department for efforts regarding enforcement of truck route on Front Street.

City Manager Comments

Marx commented truck traffic has been addressed on Front Street. Additional sign to be installed to further help. Noted GPS systems sometimes send new inexperienced drivers down Front. Buchanan Pallet Company is grandfathered; has agreed to be vigilant with obeying speed limit. Spartan-Nash has complained about added time for deliveries to Harding's. Parking downtown is still issue. "Tire chalking" has been declared to be unconstitutional. Tickets will be given on a complaint basis and Police Department will move toward timestamping of offenders. City working on plan to adjust Parking Ordinance to be presented to Commission. City will appeal to business owners and employees to keep spots open in front of stores and use municipal lots. Marx noted River/Redbud intersection project has been delayed due to the weather; first coat of asphalt applied. Farmer's Market opened with twenty-eight vendors and many visitors.

Commissioners' Comments

Downey-Reported Ordinance regarding parking in downtown area. Marx commented that only write "local ordinance" tickets which are five dollars and if challenged the City will lose. City is working on traffic order for a trial basis of numbered parking spaces and enforcement which can be added to the parking ordinance after thirty days if trial successful. Downey also reported on DDA Mill Alley project is continuing. Thanked Emily Long for trail cleanup.

Toerne-Thanked Clerk for materials on public participation at meetings. Congratulated Marx on wedding anniversary. Reported Planning Commission discussed Master Plan and reminded public is invited to meetings. Landfill meeting in April covered changes employee benefits; purchased electrical work from Wolverine; Investment of \$30,000 to repair one of large machines. Also approved contract with Republic. Wells need to be dewatered to removed accumulated gasses. Buchanan school students have come for tours. In April landfill profit was \$108,000.00. May 18th is recycle/shred event. Commission will take part in Colors of Cancer run. Inquired about the new DPW building. Marx commented that Commission will need to decide on "cold storage" option or follow a "DPW building only" plan. Pearson is requesting square footage amount. Noted that Lowery's is growing again and plans were reviewed at a previous Planning Commission meeting.

Denison-Requested work session regarding DPW building. Marx will set date. Thanked Emily Long for trail project. Little Free Pantry was vandalized previous evening but fully restocked by noon. Encouraged residents to attend the Zen-Leaf open house. Zen-Leaf has created ten to twelve jobs. Marx commented that none of the new medical marijuana businesses are seeking tax exemptions.

Weedon-Thanked Emily for trail project. Thanked Benson for comments regarding recreational marijuana and encourage further discussion. Commented on Michigan Municipal League conference attendance and lack of

revenue sharing. Encouraged residents to visit www.savemicity.org regarding amount of revenue State returns to Buchanan via revenue sharing.

Moore-Reminded everyone May 31st is opening night for play at Tin Shop. Encouraged all to call Tin Shop for reservations. Reminded everyone of Buckteen Reunion. Thanked Marx for cinnamon rolls and coffee at opening day of Farmer's Market.

Closed Session

Toerne moved, seconded by Weedon to go into Closed Session for permissible purposes. To consider materials exempt from discussion or disclosure by State Statue CL 15.268. Consider Approval of Closed Session Minutes of April 22, 2019 – Medical Marijuana Permit Renewal – Om of Buchanan. Roll Call vote carried unanimously.

The Mayor reconvened meeting at 8:54 p.m.

Adjourn

Toerne moved, seconded by Denison to adjourn the meeting. Voice vote carried unanimously. Emily Long adjourned meeting on behalf of Mayor Moore at 8:55 p.m.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

City of Buchanan Commission Minutes
May 28, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Tuesday, May 28, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.

Recognition

None

Roll Call

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

Absent: None

Guests: Approximately 15 guests

City Staff in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Bill Housand, Wastewater Treatment Plant Operator; Brenda Hess, City Clerk

Public Comments

Norma Ferris – Expressed support for street lighting program. Commented on wastewater treatment plant.

Randall Peart – Questions about oxidation ditch maintenance. Commented on prices and maintenance.

Monroe Lemay and Karli Wendorf – Representing One Buchanan in support of non-discrimination ordinance.

Sid Mohn – Representing Interfaith Action Southwest Michigan in support of non-discrimination ordinance.

Pastor Nan - Representing St. John's Lutheran in Baroda and Representing Interfaith Action Southwest Michigan in support of non-discrimination ordinance. Encouraged inclusion.

Donna Monell- Questions of clarification for items on agenda. Questions regarding items under New Business and bond advisory costs.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting May 13, 2019
- Approve Invoices/Expenditures for May 28, 2019 in the amount of \$74,109.11
- Excuse Commissioner Downey from Work Session April 15, 2019
- Approve Certification of Delinquent Utility and Mowing Billings in the amount of \$8,442.03 to the 2019 Summer Tax Roll

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

Reports by: Departments, Committees, Boards

None

Unfinished Business

Consider contracts (2) with AEP for Streetlighting Replacement Plan as discussed at the May 13, 2019 City Commission Meeting – Marx reviewed information from previous meeting. AEP will install new lights and dispose of old lights. 332 total lights to be replaced. Additional poles may be installed moving forward. Johnathan Burke reviewed the tariffs we have been charged and found \$3,000 per year savings by changing tariffs. The City will not see savings from replacement of lights. Benton Harbor, St. Joe and Dowagiac have received these lights and have had positive response. Downey commented regarding costs versus savings and suggested City purchase lights and install themselves. Moore suggested contacting the representative and seeing if the price can be negotiated. Denison commented that it might be more cost effective for AEP to do and provide the City uniform lighting across the City. Toerne commented that there won't be expense for the City. Marx commented that previous inquiries into replacement of lighting was approximately \$350,000. Noted City employees cannot perform work on AEP poles.

Denison moved, seconded by Downey to table approval of AEP Streetlighting Replacement Plan Agreement until the June 10, 2019 meeting in order to obtain additional information. Roll call vote carried unanimously.

New Business

Consider approval of agreement between the City of Buchanan and Baker Tilly Municipal Advisors, LLC for Municipal Bond Advisory Services for finance of the Wastewater Treatment Plant's Oxidation Ditch in the amount of \$26,000.00. Bonding is only option to financing oxidation ditch. Bonding is a complex process and requires both a bond attorney and financial advisor. Complex, multi-step process. City Attorney not qualified for bonding work. We are seeking a nine-million-dollar bond. Bonding costs are rolled into bond amount. Approximate \$140,000 cost to get bond to market. City explored commercial loan option; banks will only finance for fifteen years and loan amount needed exceed local financial institution lending ability. Toerne commented bond process similar to underwriting for stock market. ***Toerne moved, seconded by Downey to approve agreement between the City of Buchanan and Baker Tilly Municipal Advisors, LLC for Municipal Bond Advisory Services for finance of the Wastewater Treatment Plant's Oxidation Ditch in the amount of \$26,000.00. Roll Call vote carried unanimously.***

Consider approval of agreement between the City of Buchanan and Miller, Canfield, Paddock and Stone, PLC to serve as bond counsel for proposed electric revenue bonds for finance of the Wastewater Treatment Plant's Oxidation Ditch in the amount of \$47,000.00. Being no further discussion, ***Denison moved, seconded by Toerne to approve agreement between the City of Buchanan and Miller, Canfield, Paddock and Stone, PLC to serve as bond counsel for proposed electric revenue bonds for finance of the Wastewater Treatment Plant's Oxidation Ditch in the amount of \$47,000.00. Roll Call vote carried unanimously.***

Consider approval of a Medical Marijuana Facility Permit Renewal for a Provisioning Center for SwinnHutch Enterprises located at 221 East Front Street. Patzer commented that representatives are in attendance. City reviewed application. ***Toerne moved, seconded by Weedon to approve a Medical Marijuana Facility Permit Renewal for a Provisioning Center for SwinnHutch Enterprises located at 221 East Front Street. Roll Call vote carried unanimously.***

Non-Discrimination Ordinance 2019.06/412- First Reading and Schedule Public Hearing for 7:00 p.m. on Monday, June 10, 2019 – Patzer commented that there will be some slight changes to the Ordinance. Read summary of Ordinance.

Consider Purchase of a Return Activated Sludge Pump Replacement for the Wastewater Treatment Plant – Housand commented that the seal is no longer available; entire new pump is needed. New pump will move to new plant. Housand addressed Peart's questions from public comment. Marx commented that the oxidation ditch will have far fewer pumps and far less maintenance with new plant. Current plant has approximately 40 pumps and the new plant will only have 5 which are lower horsepower. There will be savings due to increased efficiency estimated to be approximately \$50,000 per year. Moore expressed appreciation to plant employees for keeping plant going despite age. ***Toerne moved, seconded by Denison to approve the purchase of a new return activated sludge pump replacement for the Wastewater Treatment Plant in the amount of \$10,891. Roll Call vote carried unanimously.***

Public Comment

Cindy Benson – Commented on sound quality in Commission Chambers. Commented upon recreational marijuana and need for public hearing for citizen input. Questioned sign at new dispensary having leaves.

Randall Peart – Commented upon departure of former Clerk and DDA director. Questioned about passage of payment to Niles Chamber (formerly SMEGA-Southwest Michigan Economic Growth Alliance).

Jennifer Hanover – Commented on concerns regarding the direction of school district.

City Manager Comments

Marx requested meeting for DPW building on Thursday, May 30 at 5:00 p.m. Additionally, requested a general work session on Tuesday, June 4 at 5:00 p.m. to discuss topics of importance to the City. Commented on Memorial Day parade and cemetery preparations. Commented on Fourth Street/Redbud intersection project which has experienced delay due to weather. Pole supporting concrete to cure and entire project will be complete before Redbud weekend. Commented about staging for Redbud prior to races as well as the shuttle service the City provides to race attendees.

Commissioners' Comments

Commissioner Toerne – Commented on canceled Planning Commission meeting. Reported that the Landfill Board had concerns about waste from Redbud Roots. David Murray of Redbud Roots reported that they dispose of the unused product within a mixture of materials rendering it unusable. Reported a leak of leachate which was quickly contained and recapped quickly. North America Natural Resources buys the gas from the landfill and they are disputing a previous contract from 2008 which will go to arbitration. Addressed Cindy Benson's concerns regarding marijuana. Cited results of last election regarding the marijuana proposal from November 2018. Stated support for vote on recreational marijuana. Welcomed Zen Leaf.

Commissioner Downey – No comments.

Commissioner Weedon – Commented on Farmer's Market, pies and dog treats. Commented on citizens attending meetings to be sure voices are heard and not just on social meeting. Addressed Cindy Benson and commented on recreational marijuana vote and support for regulation.

Commissioner Denison – Commented on progress, change and growth in City. Commented on patience and persistence. Commented on departure of DDA director and DDA chairperson. Commented upon school district situation and social media reaction. Encouraged focus in positive way for students and the community.

Mayor Moore – Commented upon the opening of Zen Leaf. Encouraged those with questions to contact them at booth at Farmer's Market. Shared that Flowers by Anna was featured on local magazine cover. Thanked Legion for Memorial Day celebration, parade and years of commitment. Encouraged people to recognize volunteerism in community.

Adjourn

Downey moved, seconded by Denison to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:29 p.m.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

BUCHANAN CITY COMMISSION WORK SESSION MEETING MINUTES
Department of Public Works Facility – Pearson Construction
Thursday, May 30, 2019

A Work Session of the City Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Thursday, May 30, 2019 at 5:00 p.m. Manager Marx called the meeting to order at 5:00 p.m.

Members present: Commissioners Downey and Denison – Commissioner Toerne arrived at 5:20 p.m.

Members absent: Mayor Moore, Commissioner Weedon

Staff present: City Manager Bill Marx, City Treasurer Juli O’Bryant, Director of Public Services J.T. Adkerson, and City Clerk Brenda Hess

Guests/Visitors present: Trace Volpe and Rob Swem, Pearson Construction, and resident Norma Ferris

Manager Marx called the meeting to order and introduced Trace Volpe and Rob Swem from Pearson. Project binders were distributed.

Two options were presented for a Department of Public Works (DPW) facility on City property on River Street:

- Option one - 150’ x 160’ = 24,000 square foot with no cold storage
- Option two - 150’ x 220’ = 33,000 square foot which includes 9,000 square feet of cold storage

Current construction costs are approximately \$83.00 per square foot.

Needs include a heated bay for vehicle maintenance. Cold storage would be utilized for off season equipment such as plows, mowers, etc. Mezzanine available for extra storage. Vehicle wash bay included which is primarily an undercarriage wash for increased longevity of vehicles due to removal of salt. City has 3 new vehicles. Question regarding location of wash bay in relation to plumbing. Question regarding the possibility of adding in future if needed. Swem noted proposed facility is highly customizable; present rendering is a suggestion. Truck bay will be “drive through” with pull off spots for parking.

Alternatives to cold storage addition at new facility were discussed. Possibility presented that current DPW building could be torn down and cold storage pole barn style structure could be built on remaining slab. Noted present salt barn cannot be utilized for storage as it has moisture and structural issues. Adkerson recommended taking the salt barn down as well. Flood plain at current site has changed since removal of Duck Pond damn resulting in reduced flooding at the present DPW location. Common Stage is currently being utilized for storage which presents problems. Questions regarding property left once current DPW building is removed.

Comments favoring building a smaller building with option for future growth. City stores many items and has lots of seasonal supplies and equipment to care for. Present DPW has moisture issue which is affecting equipment.

New Building height would be 20’ to 24’ with 16’ overhead doors. Mezzanine will be 15’ to 16’. Wash bay is drive through as well. Question regarding moving building closer to River and add an addition on back. Because the City is considering locating additional municipal facilities the same site in the future,

the DPW will need to be located towards the back of the property. Noted City is considering selling the frontage along as smaller “out lots” for potential private businesses.

Amount of concrete was discussed versus asphalt. Addition of Fire Department was discussed. Noted price of a fire department facility is much more costly than a DPW facility. Existing DPW building is 162’ long and 80’ wide.

Concerns were expressed regarding the existing storm drain at the River Street location and the retention pond for stormwater runoff. Toerne inquired if costs have risen due to tariff issues. Swem commented that has not happened yet.

Group agreed that Option One would be the preferred option. Options of building over the winter were discussed. Multiple cold storage options were discussed.

Swem will update plans with changes and suggestions made. Pricing of the project has begun. He will need three to four weeks to resketch plans and contact additional contractors for supporting information. At that point “ballpark price” available. Swem noted there are many variables and the budget numbers should be taken with a “grain of salt”. Many small decisions affect price.

Volpe noted final product completion depends upon whether City goes out for an RFP for design/build services. That would be an approximate 6-week process. Once hired there would be a 40 to 90-day design period and construction could begin. Construction estimated to take 5 to 7 months. Volpe has started on RFP and distributed copies.

Ferris noted that she supports idea of a storage facility to improve the view and appearance of the present DPW building from the Trail.

Swem and Volpe departed meeting at 6:01.

O’Bryant reviewed financing for new facility. Reported she and Marx met with Bob Burch of Chemical bank on May 1 to discuss financing options. City would borrow \$2 million or \$2.5 million.

Three financing options...

Option 1 Local Bank – Local banks have 15-year maximum term. Some costs would be avoided by utilizing this option. There would be no need to put bond out for bid. City would save money on professional charges. Chemical Bank could issue the following way(s):

15 Year Bond at 2.95%

\$2,000,000 Bond	\$165,163 Annual Payments	\$2,477,445 Total Cost	\$447,445 Interest
\$2,500,000Bond	\$206,460 Annual Payments	\$3,096,900 Total Cost	\$596,900 Interest

Working directly with Chemical Bank would save the City between 25,000 and \$35,000. Bond council fees would still be approximately \$30,000.

Option 2 Open Market Bond – Andy Campbell of Baker Tilley was consulted. Baker-Tilly is current Bond Financial counsel for City’s Wastewater Treatment Plant project. Campbell reported to Marx and O’Bryant bond rates are currently between 3% and 3.25% for 20 years and would require 4 months to acquire. Baker-Tilley could issue the following way(s):

20 Year Bond at 3%

\$2,000,000 Bond	\$135,000 Annual Payments	\$2,690,000 Total Cost	\$690,000 Interest
\$2,500,000 Bond	\$168,000 Annual Payments	\$3,362,000 Total Cost	\$860,000 Interest

20 Year Bond at 3.25%

\$2,000,000 Bond	\$138,000 Annual Payments	\$2,752,000 Total Cost	\$752,000 Interest
\$2,500,000 Bond	\$172,000 Annual Payments	\$3,438,000 Total Cost	\$938,000 Interest

Option 3 United States Department of Agriculture (USDA) Bond – General Obligation Bond – Paul Bristol from the USDA was consulted on May 9. A USDA Bond is bought by the United States Government under a promissory note and is long-term, fixed rate, with not feeds excepted an estimated \$30,000 bond council fee. Higher interest, but lower annual payments helping with budgeting. Bristol reported that it does not take long to acquire USDA bond. A USDA Bond would be issued the following way(s):

30 Year Bond at 4.25%

\$2,000,000 Bond	\$119,196 Annual Payments	\$3,604,878 Total Cost	\$1,604,878 Interest
\$2,500,000 Bond	\$148,996 Annual Payments	\$4,505,993 Total Cost	\$2,005,993 Interest

40 Year Bond at 4.25%

\$2,000,000 Bond	\$104,837 Annual Payments	\$4,189,133 Total Cost	\$2,189,133 Interest
\$2,500,000 Bond	\$131,046 Annual Payments	\$5,242,123 Total Cost	\$2,742,123 Interest

Payment for project was discussed. Unknown increased revenue amounts from taxes due to new construction of medical marijuana facilities, increased housing activity, and new fitness center. General Fund does not currently generate enough money to support an additional bond payment. Medical marijuana sales tax revenue from State also unknown.

The Water Department can possibly relocate to new facility meaning that Water Department Funds could be used to pay for financing in a 70/30 split as suggested by Campbell of Baker-Tilley.

O’Bryant reviewed established savings for this project. City has reserved \$62,000 past two years for project. August 2019 reserves will contain \$194,000 for project. City to consider continued collection of .50 mills to be applied to project. City also could increase tax millage to 19.259 mills without public vote. Comments were shared about all options.

Being no further discussion, the meeting adjourned at 6:34 p.m.

Brenda J. Hess, City Clerk

**BUCHANAN CITY COMMISSION SPECIAL MEETING MINUTES
GENERAL WORK SESSION – TOPICS OF INTEREST TO THE CITY
Tuesday, June 4, 2019**

A Special Meeting of the City Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday, June 4, 2019 at 5 p.m. The Mayor called the meeting to order at 5:00 p.m.

Members present: Mayor Moore, Commissioners Toerne, Weedon, Downey and Denison

Members absent: None

Staff present: City Manager Bill Marx, and City Clerk Brenda Hess

Guests/Visitors present: None

Parking – Toerne reported that there are issues with people blocking the mail drop off boxes in front of the Post Office. Marx will call and inquire.

City has created a map of all municipal parking spots in the downtown area and has started the process of indexing. A traffic order will be created to assign spots different time periods for different spots. Signage will be created. This will help business who depend upon quick turn over of spots for sales. DDA has no interest in parking situation and has relied on City to come up with solution. Handicapped spots will be added near Bliss Building for new resident. Cameras can be used for timestamping if there are complaints.

Downtown Business Area - Condition of downtown buildings discussed briefly.

Medical Marijuana - Possible dispensary location discussed. The organization of Om of Buchanan is in transition, but local permit still valid at this point. G2/Seven Engines is working with Wightman for plans for the former bank location. Drive through dispensaries are not approved at this point. The building for the grow will arrive on June 25.

Wastewater – Josh Teeter resigned, and job has posted. Bill Housand is looking forward to the new plant and is committed to Buchanan. Wastewater operators are in high demand. Union contracts complicate situation in providing bonuses. The State in general is struggling with wastewater facilities deteriorating and lack of operators. The Rural Water Association can help with staffing if needed. Different scenarios for staffing were discussed.

Police – Retirements are impacting department. Just hired a part-time recruit from academy. Posting happen internally first which enables part-timers to move to full time as positions become available.

Streets – Received M-DOT grant for 2020. State fiscal year starts in October so there is possibility work could happen in fall. Complicated situation as City cannot work on the roads on the grant list. Working on secondary list to start working on. Getting on county list for work. Fourth Street will receive an asphalt cap. Reith-Riley will be doing the work.

Ross-Sanders and Redbud City Center – City Center to be painted. Ross-Sanders needed restoration work prior to painting. Used techniques recommended by Preservation. Trim needs repair near roof. Sign needs updating. Noted during spring the DPW is challenged with amount of work. Lots of mowing to be done on Ordinance violation list. Potholes were reported.

DDA – Marx is default director and hopes to get the DDA to move forward. New chairperson will be named next week. Loss of new director frustrating. Need to establish guidelines for new director. Not certain who will become next chairperson. They are off course and need to get back on course. Projects for the DDA were discussed. Lack of business hours in the downtown area was discussed. Discussed pooling advertising money between different committees for advertising. Can be a valuable organization if it gets back on track. Issues with planter tags.

Summer Concerts – Thursday nights and last Saturday concerts popular. Discussion regarding alcohol consumption. Possibility of sponsorship for movies at the Common this summer.

Food Trucks – City has restaurants which pay taxes. Reluctance to allow food trucks. Possibilities discussed.

Rocket Football – The MDEQ is considering the plans for storage and press box facility at the ballfields. DNR, MDEQ and Drain Commissioner all must approve due to location on flood plain and proximity to McCoy Creek.

Speed Monitor – Located in front of the Ross-Sanders and other is on a mobile trailer which can be moved to different locations.

Downtown Storm Drains – Water level in downtown was discussed as well as possible solutions for the future. Businesses in downtown district have water problems in basements.

Trees Along Redbud and Front – Marx will contact Tree Friends to coordinate pruning of trees.

New DPW Facility – Members reviewed work session of meeting. Moore requested the consideration of adding a woodshop to the building for a community workspace.

Being no further discussion, Mayor Moore adjourned the meeting at 6:56 p.m.

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

City of Buchanan Commission Minutes
June 10, 2019

The Public Hearing was called to order at 7:00 p.m. to hear public comments on the proposed Ordinance 2019.06/412 Non-Discrimination Ordinance.

Public Comments Regarding Ordinance:

- Sid Mohn – Representing Interfaith Action of Southwest Michigan. Commented Ordinance reflects best practices in standards for Non-Discrimination Ordinances as developed by the Michigan Department of Civil Rights, standards set by the Office of the Governor in February and is reflective of the principles of the Equality Act which was approved by the House of Representatives. Supports Ordinance on behalf of Interfaith Action.
- Adam Burek – Representing the Buchanan Senior Center. Ordinance helps invisible members of the community.
- Monroe Lemay – Commented on High School graduation address of Jade Jewell who mentioned kindness of community. Thanked Commission for bringing Ordinance forward. Reflects life in City.
- Unnamed Resident of Township - Commented on passage of Ordinance for future generations and help for senior citizens.
- Ann Tuece – Commented that Ordinance can be needed by anyone at any point in their lives should they become disabled.
- Nick LaFlex- Commented upon chance to set precedence for the south county. Sends message community is open and inclusive.
- Ruth Writer – Expressed complete support for Ordinance.
- Megan Goodrich - Expressed support.
- Clerk Hess – Read email correspondence from Steve Raglin in support of Ordinance.

Hearing no further comments or receipt of any additional written comments, ***Toerne Moved, seconded by Weedon to adjourn the public hearing. Roll call vote carried unanimously.*** The Mayor adjourned the public hearing at 7:11 p.m.

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Tuesday, June 10, 2019 and was called to order at 7:12 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Sid Mohn gave the Invocation.

Recognition

American Legion Ralph Rumbaugh Post 51 - Service to the Community for Memorial Day Celebration – Mayor Moore recognized Marv Pruett and Larry Money representatives of the American Legion post 51 for their continued leadership for Memorial Day activities in the City, and for their general contributions to City life.

Roll Call

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

Absent: None

Guests: Approximately 23 guests and visitors, and Mack Green of Wightman

City Staff in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Brenda Hess, City Clerk

Public Comments

Randall Peart – Commented about goal session minutes. Commented on cost benefit analysis and recommended City used for residents to see.

Chris Geisler – Requested not approving New Business item B regarding street chip and seal and commented on Reith-Riley as contractor.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular scheduled meeting May 28, 2019
- Approve Minutes: Work Session Meeting-DPW Building with Pearson Construction May 30, 2019
- Approve Minutes: General Work Session Meeting June 4, 2019
- Approve Invoices/Expenditures for June 10, 2019 in the amount of \$207,306.18
- Approve absence of Mayor Moore and Commissioner Weedon from Work Session May 30, 2019
- Approve Budget Amendment for 2018-2019 Fiscal Year

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

Reports by: Departments, Committees, Boards

None

Unfinished Business

Consider contracts (2) with AEP for Streetlighting Replacement Plan as discussed at the May 13, 2019 City Commission Meeting – Marx followed up with AEP representative, John Biek. Reported that AEP cannot negotiate lower prices because they are set by the Michigan Utilities Service Commission. The cost could possibly go down later by way of a tariff reduction. AEP did not have a cost for the recycling of the old lights. The City would like an additional three new lights installed as part of this project. ***Toerne moved, seconded by Weedon to approve contracts (2) with AEP for Streetlighting Replacement Plan as discussed at the May 13, 2019 and May 28, 2019 City Commission Meetings.*** Further discussion followed motion. Commissioners commented on cost analysis, lack of end date of contract, expense of recycling of current lights, and lack of additional information and answers from AEP. Marx commented that Biek could address the Commission at next meeting. Marx reported that previous attempt by City to replace streetlights was estimated to cost \$350,000.00 excluding the cost of recycling of old lights. ***Downey moved, seconded by Denison to postpone making decision on motion to the following Commission meeting. Roll call vote Yeas: Denison, Weedon, Moore, and Downey. Nays: Toerne. Roll call vote carried.***

Non-Discrimination Ordinance 2019.06/412- Second Reading - Patzer reviewed Ordinance. Added definition of “low income” from the Department of Housing and Urban Development for City’s area. Expressed appreciation of support by guests. Noted the word “Article” was changed to “Ordinance” in previous draft. Gave second reading of non-discrimination Ordinance. ***Denison moved, seconded by Toerne to approve adoption of the Non-Discrimination Ordinance 2019.06/412. Roll call vote carried unanimously.***

New Business

Consider approval of contract with Reith-Riley Construction for Redbud Trail Patch in the amount of \$5,910.00. – Marx explained problem with roadway drainage southbound on Redbud from Dewey to Front Street in front of businesses on west side of road. Timing with Redbud/Fourth street paving project to help reduce price. Will be milled and resurfaced to eliminate standing water problem. Weedon inquired regarding cost savings. Mack Green from Wightman commented cost would be approximately \$1,000.00 to do this project separately from the Redbud/Fourth project. ***Downey moved, seconded by Denison to approve contract with Reith-Riley Construction for the Redbud Trail Patch in the amount of \$5,910.00. Roll call vote carried unanimously.***

Consider approval of road maintenance list with the Berrien County Road Department for West Smith Street, Chippewa Street, and Arctic Street in the amount of \$32,365.00 – Marx commented on grant approval which will not be received until fiscal year of 2020 from the State which begins in October. City should not work on roads from grant. These roads are next on the list, but not part of the grant. Chip and seal will be applied to these roads; excess stones need to be removed quickly; provides longer life to failing roads in neighborhoods. Complete roads soon so warmth of summer can “cure” the surfacing which increases life cycle of road. Commission comments included inquiry into “fog sealing” which seals gravel, concern with loose stones and prices. Green responded to questions. Marx to gather additional information regarding “fogging” to present at next meeting. Expressed desire to get on County schedule quickly as to not have to wait until next season.

Downey moved, seconded by Weedon to table the approval the road maintenance list with the Berrien County Road Department for West Smith Street, Chippewa Street, and Arctic Street in the amount of \$32,365 for discussion at the June 24th, 2019 Commission Meeting. Roll call vote carried unanimously.

Public Comment

- Larry Money – Commented on cemetery condition for Memorial Day. Thanked City staff for help. Support for repaving of Redbud.
- Pam Sten – Expressed support for road work on Fourth and on Chippewa Street. Expressed appreciation for video and brochure in Chambers. Requested more agendas. Commented on Tin Shop show.
- Randall Peart – Commented on chip and seal and pothole repair prior to application. Commented on Manager comments include “surprise” expenses.
- Megan Goodrich – Explained One Month at a Time menstrual supply drive and event Saturday June 22 from Noon until 4. People can donate through Gateway Community Foundation. One Buchanan has social hour June 13th and this month’s theme is Pride Q and A.

City Manager Comments

Reported AEP will be working on power to new lights at Fourth and Redbud. Plan to be completed by 28th of June. Encouraged residents to sign up for Community Wide Yard Sale on June 21st and 22nd as to get name and address on map. Received proposal from resident to purchase lot at 1102 Victory Street. City Attorney advised posting property for 30 days to possibly obtain other bids/offers. Property originally purchased by City in anticipation of building dog park, but park has been located elsewhere. ***Denison moved, seconded by Downey to post property located at 1102 Victory Street for sale. Roll call vote carried unanimously***

Commissioners’ Comments

Weedon - Commented on Ordinance and thanked people at meeting for support of Ordinance.

Toerne - Planning Commission not meeting in June. Landfill approved 2-year contract with Reliable. Thanked City workers for cleaning up fallen tree.

Downey - Commented on fixed concrete barrier repair around trees on Oak Street. Commented on speed sign on Front Street hill.

Denison – Encouraged fee wave for Community Wide Garage Sales. Congratulated Hannah Roberts who will be representing America at the Pan-American Games. Commented on Miss Jewell’s commencement speech at High School Graduation and read excerpt.

Moore – Thanked Legion for citizenship and Patriotism. Congratulated Buckteens and commented on event bringing people back into town. Commented about restaurants/businesses not reaching visitors. Thanked City crews for hard work. Expressed appreciation to residents for support of Ordinances and public input.

Closed Session

Toerne moved, seconded by Downey to move into closed session under MCL15.268(d) closed session; permissible purposes section 8. To consider material exempt from discussion or disclosure by state statute. Consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. Roll call vote carried unanimously. Moved to closed session at 8:29 p.m.

Toerne departed closed session at 8:53 p.m. due to a work obligation. The Mayor reconvened the meeting at 9:10 p.m.

Downey moved, seconded by Weedon to approve Resolution 2019.06/150 to purchase the 3.46-acre property located at 111 Railroad Street Tax ID#11-58-150089-03-3 in the amount of \$12,794.99 plus 2019 property taxes. Yeas: Moore, Downey, Weedon, Denison. Absent: Toerne. Roll call vote carried.

Adjourn

Weedon moved, seconded by Denison to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 9:12 p.m.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

City of Buchanan Commission Minutes
June 24, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, June 24, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Pam Sten gave the Invocation.

Recognition

George Nespital – 100th Birthday – Honored for service to the community.

Roll Call

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

Absent: None

Guests: Approximately 35 guests and visitors, John Biek of American Electric Power, Rick Paniagua of Om of Buchanan, Tom Wright, Sr. of Michigan Total Healing Center of Buchanan

City Staff in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Brenda Hess, City Clerk

Public Comments

- Fran Terry – Thanked Commission for service. Asked when approving DDA budget to acknowledge that amendments would be needed.
- Dan Vigansky – Commented on chip and seal of roads, condition of street sweeper and condition of roads in the City. Commented on Honor Credit Union ownership.
- Randal Peart – Commented on DDA, asked to delay decision on DDA budget. Inquired on how items are selected for consent calendar. Commented on AEP lighting project. Inquired about definition of State and County Road repair list and road fund.
- Chris Geisler – Commented on chip and seal and condition of streets.
- Pam Sten – Commented on chip and seal.
- Dan Vigansky – Commented upon removal from boards. Inquired on who purchased trees for Common.
- Cindy Benson – Commented on sound in Chamber.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular scheduled meeting June 10, 2019*
- Approve Invoices/Expenditures for June 10, 2019 in the amount of \$107,839.24*
- Approve Banner Placement from July 18, 2019 through August 5, 2019 for Summer Thrill on the Hill*
- Approve Road Closure of Front Street (from the American Legion lower driveway to the intersection of Front at Redbud Trail) from Tuesday, July 30, 2019 9:00 a.m. until Sunday, August 4, 2019, 6:00 a.m. for Summer Thrill on the Hill*
- Approve Procurement Policy for Buchanan Dial-A-Ride

Removal of DDA Budget from Consent Calendar was discussed

Weedon moved, seconded by Downey to removed item F from the Consent Calendar for discussion. Yeas: Weedon, Downey, Denison Nays: Toerne, Moore. Weedon moved, seconded by Downey to approve the amended Consent Calendar. Yeas: Downey, Denison, Moore, Weedon Nays: Toerne

Approve the Downtown Development Authority Budget for the 2019-2020 Fiscal Year that was approved and recommended by the DDA Board at their June 12, 2019 meeting as moved from the Consent Calendar Item F – Marx commented that the budget needed to be approved before the conclusion of the fiscal year on June 30, and amendments can be made by the DDA at any point once budget has been approved. Noted DDA budget meeting would be held the next evening. DDA can make amendments when they need to as they are needed.

Noted changes in Board membership and chair possibly slowed budget process. Commented on adversarial tone between DDA and City and hope for improved relationship and common ground. ***Moore moved, seconded by Toerne to approve the DDA budget as presented as submitted. Yeas: Denison, Weedon, Moore, Toerne Nays: Downey***

Reports by: Departments, Committees, Boards

Buchanan Tree Friends – Consider approval of planting of trees at the Common TABLED – Brenda Hess from the Buchanan Tree Friends shared plan for new trees in the Common. Plan was reviewed and approved by the Common Committee and Farmer’s Market. Hess noted DDA was not paying for trees in the Common and donations from local families were covering the cost. Commission requested item be tabled until an updated map of the plan could be submitted. ***Weedon moved, seconded by Toerne to postpone the approval of the Buchanan Tree Friends Common area tree plan until map and location of trees could be presented to the Commission. Roll call vote carried unanimously.***

Unfinished Business

Consider approval of previously postponed motion of June 10, 2019, to approve contracts (2) with AEP for Streetlighting Replacement Plan as discussed at the May 13, 2019 and May 28, 2019 City Commission Meetings with additional discussion on June 10, 2019 – John Biek provided information regarding plan. Reviewed directive from State to AEP which provided that the cost of replacement of high-pressure sodium lights with LEDs due to upfront cost of approximately \$4,000,000 for the State which cannot be passed on to the community. Concerns expressed regarding the amount of money AEP would make over the lifetime of the bulbs. Stated it is not a mandated program and AEP will eventually change all bulbs. Benefit will be uniform light coverage and less outages of streetlights at this point. Concerns regarding the lack of end of contract and the amount AEP would make over time. Regulatory rules of utilities restrict what AEP can offer for program and costs associated with program. Biek cannot guarantee reduction in cost. Sixty-day cancellation of street light contract if City were to install own lighting. Costs were discussed and reviewed. Biek noted approximately twelve communities have signed contracts. After much deliberation, ***Denison moved, seconded by Weedon to postpone approval contracts (2) with AEP for Streetlighting Replacement Plan as discussed at the May 13, 2019 and May 28, 2019 City Commission Meetings. Roll call vote carried unanimously.***

Consider approval of road maintenance list with the Berrien County Road Department for West Smith Street, Chippewa Street, and Arctic Street in the amount of \$32,365 as discussed at the June 10, 2019 City Commission Meeting – Marx commented on process of fog sealing of chip and sealed roads. Fog sealing will come from Ashley, Indiana at a rate of \$300 per hour. Marx commented upon how roads are rated on a scale of one to five and then assigned to a list according to where they land on the scale. Explained process of fog sealing to residents. Roads selected through M-DOT grant approval. Discussion surrounded life span of chip and seal and advantages of “fog” sealant. ***Weedon moved, seconded by Downey to approve road maintenance list with the Berrien County Road Department for West Smith Street, Chippewa Street, and Arctic Street in the amount of \$32,365 as discussed on June 10, 2019 Roll call vote carried unanimously. Roll call vote carried unanimously. Weedon moved to approve the fog seal project in an amount not to exceed \$8,500. Roll call vote carried unanimously.***

Consider status of Om of Buchanan – Rick Paniagua reported progress on signing of lease with option to purchase which occurred earlier in day. Discussion surrounded the need for time to review the new documentation submitted by Paniagua. ***Moore moved, seconded by Denison to approve an extension of approval of Om of Buchanan’s Medical Marijuana application renewal until the next meeting. Roll call vote carried unanimously.***

New Business

Consider approval of the MMFP for Michigan Total Healing Center of Buchanan, 804 E. Front Street – Debra Patzer reviewed application process. Question about building plans, noted no building permit has been issued. Comments surrounded approval process at the State level and how renovations of certain properties have been stalled during State approval process. Tom Wright, Sr., commented on progress at building site. ***Downey moved, seconded by Weedon to approve the MMFP for Michigan Total Healing Center of Buchanan, 804 E. Front Street. Roll call vote carried unanimously.***

Public Comment

- Larry Thompson – Requested workshop for Ordinances for review. Commented upon driveway of neighbor and encroachment of neighbor in alleyway. Question if driveway approach is owned by property owner. Shared photos of dumpsters and effect on alleyway. Inquired on time for building permit. Inquired on weed, grass, leaf Ordinances.
- Dan Vigansky – Commented upon consent calendar procedure. Commented upon DDA budget and past DDA practices. Commented upon DDA property owned and sold to City. Commented upon DDA goals to improve property in the DDA district.
- Fran Terry – Clarified DDA position on previous citizen’s comments. Expressed hope that DDA will be successful.
- Chris Geisler – Expressed concerns about lawnmowing and tree truck. Expressed concern regarding look of Electro-Voice property and enforcement of code there.

City Manager Comments

Commented that Mr. Thompson needed to submit letter of request for change in easement for his driveway. He has complaints with neighbor in which Code enforcement and law enforcement have been involved. Weather has slowed down progress at Redbud and River intersection project, but traffic lights should be installed by end of week. Redbud Track and Trial will be staging at the River Street parking lot starting 6:00 Wednesday prior to the July 4th motocross event. Commented upon DDA budget and misinformation circulating. Expressed hope for moving forward in positive manner. Special DDA meeting on June 25th at 6:00 p.m. Act 57 covers the responsibilities and obligations of the DDA.

Commissioners’ Comments

Dension – Commented that DDA exists to promote downtown.

Downey – Commented upon nicer weather, Farmer’s Market, Pears Mill and garage sales. Inquired about condition of creek at the Common with weeds. Expressed concern about City employees driving the City Gator without helmets. Commented upon situation with downtown business owner and possible harassment from City employee.

Toerne – Commented upon DDA budget effect upon other groups such as the Garden Club and Farmer’s Market. Commented upon previous attempts at DDA budget. Reported Planning Commission did not meet. Reported Landfill approved \$32,000 to improve main building at entrance. Approved \$22,000 for new John Deere tractor. New gate to be installed at Chamberlain Road entrance. Terminated contracted with wood-chipping service. Approved raises for employees. John Burke from Tactical Energy employed by the Landfill and working to save money. Thanked Denny from Denny’s Automotive for providing jump to car.

Weedon – No comments.

Moore – Reminded citizens of free concerts on Thursday nights. Saturday to be first of the “Last Saturday on the Common Concert” season. Wished everyone a safe Fourth of July. Commented to clarify committee memberships following elections. Noted elected officials are assigned to Boards and Committees following an election. Noted board members do not retain their seats if they are not reelected.

Closed Session

Toerne moved, seconded by Downey to move into closed session under MCL15.268(d) closed session; permissible purposes section 8. To consider material exempt from discussion or disclosure by state statute. To Approve Minutes from Closed Session of June 10, 2019. Roll call vote carried unanimously. Moved to closed session at 8:55.

The Mayor reconvened the meeting at 8:57 p.m.

Adjourn

Denison moved, seconded by Toerne to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:59 p.m.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

City of Buchanan Commission Minutes
July 8, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, July 8, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.

Roll Call

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

Absent: None

Guests: Approximately 10 guests and visitors, Richard Martin of Buchanan Tree Friends,

Rick Paniagua of Om of Buchanan, and Jonathan Burke of Tactical Energy Group

City Staff in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Brenda Hess, City Clerk

Public Comments

- Cindy Benson – Commented upon the lightning in the City.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular scheduled meeting June 24, 2019*
- Approve Invoices/Expenditures for July 8, 2019 in the amount of \$97,759.65
- Approve Appointment of Deb Miner to the Buchanan District Library Board

Toerne moved, seconded by Downey to approve the Consent Calendar as written. Roll-call vote carried unanimously.

Reports by: Departments, Committees, Boards

Buchanan Tree Friends – Consider approval of planting of trees at the Common – Richard Martin of the Buchanan Tree Friends reviewed the plan for the Common area which includes 7 new trees. The Recreation Board and Common Committee were consulted. Tribute trees can be purchased for \$175 including a tag acknowledging donation. Possibility of removing some smaller trees for bigger shade trees. Mayor Moore commented about possible infrastructure along the west side of the Common. Also commented upon possibly moving tree from near the Redbud City Center. Martin noted Ash tree closer to the stage is dying and will need removal. Commission expressed support of Redbud trees. ***Denison moved, seconded by Toerne to approve the placement of trees in the Common. Roll call vote carried unanimously.***

Unfinished Business

Consider approval of Medical Marijuana Facility Permit renewal for Om of Buchanan previously extended at the June 24, 2019 meeting – Patzer reported that application is order. Downey inquired regrading transfer. Marx commented that although there have been changes, Paniagua is the face of Om of Buchanan and maintains continuity of the organization.

Weedon moved, seconded by Downey to approve the medical marijuana facility permit renewal for Om of Buchanan. Roll call vote carried unanimously.

Consider approval of previously postponed motion of June 24, 2019, to approve contracts (2) with AEP for Streetlighting Replacement Plan as discussed at the May 13, 2019 and May 28, 2019 City Commission Meetings with additional discussion on June 10, 2019 – Jonathan Burke of Tactical Energy Group – Burke explained formation of streetlighting program was at direction of the State of Michigan. He contacted I & M a year ago, but program was not ready for implementation. Burke reported program will not cost the City but will not save money. Distributed report of lights in City. Reported there will be no cost benefits, but there is improvement in light quality important for law enforcement. LEDs appear to give a significant increase in light.

Burke reported he would not recommend City taking over streetlighting from I & M due to the extended cost recovery period. Reported I & M will not profit from program and are being forced by State. Energy consumption will be reduced by 60% to 70%. Downey reviewed \$15 cost per lamp and question total on handout. Burke agreed to evaluate costs once program had been completed. Downey expressed concern of cost over the length of program. Burke noted the City would receive better quality product at price of present lighting. Marx inquired regarding the possibility of energy commission reducing rates. Burke commented street lighting is a small issue for utility. Weedon commented that I & M should be able to reduce rate once materials are paid for and received appropriate rate of return on investment. Toerne reported the utilities have to explain every cost when seeking higher rates from energy commission. Burke reported that utilities dislike customers coming to energy commission as “interveners”.

Denison moved, seconded by Toerne to approve contracts (2) with AEP for Streetlighting Replacement Plan. Roll call vote carried unanimously.

Public Comment

- Cindy Benson – Thanked street sweeping and cleaning crew for appearance of Liberty Heights
- Norma Ferris – Thanked Commission for talking about agenda items. Requested City Manager take good care of employees working in heat.

City Manager Comments

Marx commented on Redbud Motocross event staging area and rides for attendees on the Dial-A-Ride shuttle bus. The shuttle was not utilized much during the actual racing events, but was valuable during time of staging at River Street lot. The event was attended by approximately 36,000 people and traffic flow was steady at the end of the event. The new intersection very helpful, looks nice, and responds intuitively to traffic. City Property for sale at 1102 Victory Street will have a Public Hearing at next meeting. Car show is coming up Sunday at Centennial Park; preparations are being made. Redbud City Center to be painted and doors to be repaired.

Commissioners' Comments

Weedon – Inquired about softball fields being locked. BYSBA will be contacted. Adult softball leagues have been leaving trash and locks could be reaction.

Toerne – No comments

Downey – Inquired regarding the weeds along creek at Common; expressed desire for small section be groomed for creek access. Requested more information about expenses for City Gator. Marx commented upon

Downey’s inquiry about workman’s comp payments. Downey commented on view on River Street corridor

Denison – Requested a work session for recreational marijuana.

Moore – Complimented law enforcement during Redbud Motocross. Commented upon new group for Friends of the Ducks. Thanked all who gave suggestions for places to visit for her Australian visitors.

Adjourn

Downey moved, seconded by Weedon to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 7:55 p.m.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

**JOINT WORK SESSION BETWEEN THE BUCHANAN CITY AND PLANNING
COMMISSIONS MEETING MINUTES
TOPIC: RECREATIONAL MARIJUANA
Thursday, July 18, 2019**

A Joint Meeting of the City Commission and Planning Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Thursday, July 18, 2019 at 6:00 p.m. The Mayor called the meeting to order at 6:00 p.m.

City Commission Members present: Mayor Moore, Commissioners Toerne, Weedon, Downey and Denison

Planning Commission Member present: Kevin Barker

Staff present: City Manager Bill Marx, City Zoning Administrator Debra Patzer and City Clerk Brenda Hess

Guests/Visitors present: Approximately 12

Marx reviewed the existing medical marijuana structure. Acknowledged complexities in regard to establishments designed for adult recreational use. Opened discussion for adult recreational marijuana use.

Patzer distributed copies and reviewed section 6.1 of new law. Reviewed what municipalities can/can't do regarding adult use by way of Ordinance. Noted adult use locations referred to as "establishments". Referred members to the City of Manistee's Police Power Ordinance for adult recreational use provided prior to the meeting. Reminded all of need for both Police Power and Zoning special use ordinances for adult use. Suggested following same application model City uses for medical marijuana. State Statue dictates medical marijuana license holders have priority to obtain adult use licenses. City should consider same procedure. Need to address public consumption issues. City needs to establish competitive process for those wishing to obtain permits.

Marx clarified these are beginning conversations and there are many questions. Noted City has existing solid structure for medical marijuana permitting. Added the City could "dip toe in water" by allowing existing medical marijuana facilities to begin selling adult use product with a review of progress after a year.

Patzer provided update on the status of 4 dispensaries which have received permits but have not opened. Patzer explained renewal process and how State delayed progress for most. Clarified permit holders have being working on their properties while waiting for State approval.

Revenue was discussed. Dispensary owner, Billy Breen commented currently dispensaries run on cash basis with all transactions tracked by State from "seed to sale". It was noted recreational marijuana will have 10% tax added to each sale. Because City will have points of sale and will be entitled to a portion of revenue. Barker noted possibly collecting a local tax on sales within the City limits could provide a solid revenue stream. Communities that "opt in" and have locations will share revenue. Municipalities who do not have adult use locations will be excluded.

Patzer clarified according to State law, during first 24 months of legality, priority is given to established medical marijuana facilities to obtain adult use licenses. Reviewed process of how to enact adult use Ordinance.

It was noted State has not had a “good track record” with revenue sharing. Municipalities should not count on State sharing adult use funds. Some municipalities are lowering fees for adult use permits. Marx will investigate collecting a local tax, as well as contacting the existing medical dispensaries inquiring if they would consider providing adult use product. Audience member noted recreational and medical facilities no longer need to be separated in single location. Another noted emergency rules address the charge for licenses. Different scenarios for charging fees were discussed.

Barker inquired if recreational licenses were not used by existing dispensaries, would the adult use permits be issued to existing growers of medical marijuana product. David Murray of Redbud Roots, owner of several grow facilities, commented his organization would be interested in having a dispensary. Ed Graveline, of Seven Engines, a grow facility owner, commented if he could not sell adult use product from his growing facility, he would be interested in having a way to educate the public at his facility. Adult use microbusinesses located at existing grows operations were discussed. Marx noted idea would be to distribute adult use product through existing medical facilities which already have committed to having business in the City.

Marx noted the need to schedule meetings for more input. Murray encouraged both Commissions to create clear Ordinances regarding the separation of recreational and medical. It was noted that currently planning for the adult use market is like “the wild west”. Currently medical product is higher in potency than recreational. Lines are currently blurred between medical and recreational. Breen noted purchase limits will most likely be imposed on recreational. Weedon commented regarding packaging to deter underaged use of edibles.

Group agreed adult use events and consumption rooms are hot button issues. Denison expressed concern about consumption at the Common. Differences between consumption rooms and “beer gardens” were discussed. Public consumption of adult product is prohibited by State law at this point for medical and recreational. Consumption rooms can operate like a micro-brewery at this point; odors are a concern. Rick Paniagua, of Om Buchanan, LLC, a dispensary, encouraged creativity in allowing adult use which could be in the form of restaurants with marijuana infused entrees. Colorado law allows for public consumption in the form of edibles and vaping. Moore encouraged creation of glossary with definitions, so terms and definitions are clear to all in the process of creating Ordinances. Graveline commented that not every adult use establishment type has to be permitted all at once.

Patzer suggested the creation of an Ordinance framework/rough draft to be discussed. Public comment would also be scheduled.

Barker inquired if marijuana was to be restricted in price as alcohol is currently. It was noted an Ordinance must be prepared by the end of November. It was also noted Planning Commission members will need to improve meeting attendance in order to be educated about adult use consumption. Barker commented on desire to see additional non-marijuana destinations located in City.

Moore asked for final comments. Patzer noted City needs to have Ordinances which reflect community values. Barker commented on the need to have participation from more community members. Denison commented he was not aware of meeting until seeing it on website.

Next meeting scheduled for Thursday, July 25, 2019 at 6:00 p.m. Future meetings will be planned for better attendance.

Meeting concluded at 7:21 p.m.

Brenda J. Hess
City Clerk

Patricia Moore, Mayor

City of Buchanan Commission Minutes
July 22, 2019

The Public Hearing was called to order at 7:09 p.m. to hear public comments from interested parties regarding the sale of real property owned by the City of Buchanan located at 1102 Victory Street per Charter Section 8.7 (b).

Public Comments Regarding Sale:

- Dan Vigansky – Had questions regarding the sale of the property

Hearing no further comments or receipt of any additional written comments, the Mayor adjourned the Public Hearing at 7:11 p.m.

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, July 22, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Daniel Bartz gave the invocation.

Roll Call

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

Absent: Commissioner Weedon

Guests: Approximately 10 guests and visitors, including Berrien County Sheriff Paul Bailey

City Staff in attendance: Bill Marx, City Manager; Assistant Chief of Police, Tim Ganus; Officer Harvey Burnett, Craig Miller, Water Department, Brenda Hess, City Clerk

Public Comments

- Alan Robandt – Commented upon tearing down the Buchanan Feed Mill. Suggested selling for additional business location.
- Dan Vigansky – Commented upon hiring of sexton. Encouraged City to consider selling Feed Mill. Expressed thoughts regarding present DPW building.
- Randall Peart – Commented upon content of Consent Calendar regarding expenditures.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular scheduled meeting July 8, 2019
- Approve Minutes: Joint Work Session with Planning Commission regarding adult use marijuana July 18, 2019
- Approve Invoices/Expenditures for July 22, 2019 in the amount of \$567,678.59

Downey moved, seconded by Toerne to amend the Consent Calendar by removing item VII-A Introduction of Full Time Police Officer Chris Takemoto, and adding item VII-C Water Department Thrill on the Hill Update – Craig Miller. Roll-call vote carried unanimously. Downey moved, seconded by Toerne to approve the Consent Calendar as amended. Roll call vote carried unanimously.

Reports by: Departments, Committees, Boards

National Night Out – Officer Harvey Burnett – Event held every year at McCoy Creek (Centennial) Park on the First Tuesday in August (August 6th) from 6 p.m.-9 p.m. Burnett invited Commission to

attend, have fun, and help promote event. Noted AEP will have a construction rig for the children, and Honor Credit Union will provide volunteers.

Water Department Thrill on the Hill Update – Craig Miller – Discussed Wellhead Protection Grant designed to educate residents regarding importance of protecting City water supply. Shared “swag” bags to be distributed at Thrill on the Hill by the Water Department at their information tent.

Unfinished Business

Review bids for sale of City property located at 1102 Victory Street – Marx reminded Commission neighbor of property initially inquired to purchase to extend yard. Noted property was advertised at location, in Daily Star, and at City Hall. Property originally purchased for location of Field of Dreams Dog Park in the amount \$2,743.38 in June of 2016. Marx reviewed bids received and options for moving forward. Clerk reported two additional inquiries after the closing deadline. ***Toerne moved, seconded by Downey to repost property for thirty days to obtain additional bids. Roll call vote carried unanimously.***

New Business

Consider approval of purchasing budgeted Police Cruiser in the amount \$36,264.00 – Assistant Chief Ganus – Purchase would be for 2020 squad car similar to Explorers currently in service. Department currently has three primary patrol vehicles; new cruiser will replace one of the primary vehicles and will then become a secondary vehicle. Noted Secondary vehicles are retired patrol vehicles used during events and extra activities in the community and not for everyday use. Currently City has six vehicles with one being inoperable. Inoperable car to be disposed of pending purchase of new cruiser. ***Downey moved, seconded by Denison to approve the purchase of budgeted police cruiser in the amount of \$36,264.00. Roll call vote carried unanimously.***

Consider approval of contributing \$500 towards maintenance/replacement of simulation equipment used by the Buchanan City Police Department during training – Assistant Chief Ganus noted this \$500.00 will help offset County expense and maintenance of equipment used for training of City Officers. Equipment provides real practice for City Officers with own service revolvers. Training provided at no-charge City. Sheriff Bailey noted County assists all 21 law enforcement agencies in jurisdiction and helps officers prepared for the unthinkable. Thanked City for support. ***Toerne moved, seconded by Downey to contribute \$500.00 towards maintenance/replacement of simulation equipment used by the Buchanan City Police Department during training. Roll call vote carried unanimously.***

Review and consider the approval of creating the position of Cemetery Sexton within the present ASFCME labor contract – Marx explained this would add title to an existing position. Noted Klay Weaver is currently performing sexton duties in relation to the cemetery and has been receiving corresponding pay rate. Addition of the title of sexton will help with clarity with funeral directors, perception with public, and will help in event of disinterment should it be needed. Noted this will not cost the City more money. Letter of understanding filed with union. ***Toerne moved, seconded by Denison to approve the creation of the position of Cemetery Sexton within the present ASFCME labor contract. Roll call vote carried unanimously.***

Consider approval of the demolition of the former Buchanan Feed Mill on City property located at 111 Railroad Street not to exceed \$40,000, and to conduct an environmental study of the property by Prism in the amount of \$4230.00 – The City has previously considered building new DPW facility on River Street, but needed costly infrastructure. Noted River Street location is adjacent to high power lines and wastewater treatment plant ideal for potential industrial business. Feed Mill footprint smaller, but adequate for present DPW building plan. 111 Railroad removed from county list. Demo to not exceed \$40,000. Denison concerned with obtaining one bid for demolition. Marx clarified the \$40,000 is a ceiling for the cost of demolition and closed bids would be sought. Downey inquired about other potential businesses for site. Downey inquired where future Fire Department would go if River street parcel sold. Marx stated there would still be room at River Street for Fire Department structure. ***Denison moved, Toerne seconded to approve a payment in the amount of \$4,230.00 to Prism to conduct an environmental study at 111 Railroad Street. Roll call vote carried unanimously.***

Public Comment

- Alan Robandt – Informed Commission Smedley property is for sale for \$60,000 and Commission should consider purchase to add to River Street property.
- Dan Vigansky – Inquired about DPW building process. Expressed thoughts about sale of River Street property. Commented upon condition of current DPW building.

City Manager Comments

Marx commented regarding Summer Thrill on the Hill August 1st through the 3rd street closure, using sand from previous year which will be used on streets in winter and for main breaks. Noted there are two concerts this year and the City is working closely with Moose Lodge for using their property. Hours have been adjusted. Vendors including Rocket Football, Dog Park, and others. Robotic Club hosting pancake breakfast at Legion Saturday morning. Lots of volunteers and support for event is strong.

Commissioners' Comments

Denison – Commented on southwest Corner of Chippewa/Fourth tree removal. Inquired about money from AEP for replacement. Encouraged Tree Friends to be more proactive.

Downey – Commented upon parking lot for Thrill concerts and if it could be cleaned up. Inquired if Sunday could also be a Thrill day. Inquired upon how many properties we have purchased through the land bank. Marx commented upon pieces of land that the City owns.

Toerne – Commented upon Planning Commission and progress with the new master plan. Reported Tom Jolly new façade plan approved and noted minor changes in Ed Graveline's site plan. Reported on landfill committee; air cleaners need quarterly maintenance and the SVR which pretreats the leachate and removes color before coming to the wastewater treatment plant is still experiencing issues with water clarity. Commented upon landfill vehicle replacement. Noted incident in landfill lab; no injuries noted as emergency plan was followed. Represented City at Niles-Buchanan Relay For Life on Saturday. Event considering moving to Buchanan for next year.

Moore – Friends of Oakridge Cemetery met and discussed resources available at Buchanan District Library for local history. Tin Shop will be performing the Wizard of Oz soon. Read thank you note from Megan Goodrich to City Hall for hosting donation site for menstrual supplies collection for needy.

Closed Session

Toerne moved, seconded by Downey to move into closed session under MCL 15.268(a) closed session; permissible purposes section 8. To consider a periodic personnel evaluation - City Manager, William Marx evaluation. Roll call vote carried unanimously.

The Mayor reconvened the meeting at 9:43 p.m.

Adjourn

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

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

**JOINT WORK SESSION BETWEEN THE BUCHANAN CITY AND PLANNING
COMMISSIONS MEETING MINUTES
TOPIC: RECREATIONAL MARIJUANA
Thursday, July 25, 2019**

A Joint Meeting of the City Commission and Planning Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Thursday, July 25, 2019 at 6:00 p.m. The Mayor called the meeting to order at 6:00 p.m.

City Commission Members present: Mayor Moore, Commissioners Toerne, Weedon, and Denison

City Commission Members absent: Commissioner Downey

Planning Commission Members present: Kevin Barker and Ralph McDonald

Staff present: City Manager Bill Marx and City Zoning Administrator Debra Patzer

Guests/Visitors present: Jim Finley, Chris Fanta, Rick Paniagua, Ed Graveline, Jason Manwarren, Alan Robandt, Dan Vigansky, and others

Meeting opened with acknowledgement of the passing of longtime Planning Commission member, Richard Gault.

Patzer reviewed findings from medical marijuana permit holders regarding their intentions for entering the adult use market. Shared progress on adult use Ordinance creation and desire to model adult use Ordinance after current medical marijuana Ordinance. Special use permit from Planning Commission would be obtained before permit from City. Zoning Ordinance would need amendment. Growers and processors would be limited to industrial locations while retail would be located in C2 and C3. Safety compliance and secure transporter facilities would be located in industrial. Microbusinesses are growers, processors and retail in one location and would need special consideration. Temporary marijuana events and consumption establishments are not defined within the law which allows for creativity. It was noted current medical marijuana businesses would need to apply for adult use permits.

The Mayor distributed article regarding public health issues surrounding adult use legalization.

Denison inquired as to how microbusinesses would accommodate growing, processing and sales in one location from an electrical consumption standpoint. It was noted grow would be the most energy consuming part of a microbusiness. Having retail locations at existing grow facilities was discussed. Microbusiness process was explained by Jason Manwarren; it was noted that there are many questions surrounding microbusinesses. Paniagua noted the differences between adult use and recreational use; a significant number of adults use marijuana recreationally in a medical way for health/wellness benefits without obtaining cards from medical providers.

Microbusinesses can only sell product they grow on site; they cannot sell products from other producers. Weedon noted that not all microbusinesses would not necessarily include consumption and Ordinance could address the issue of how many consumption locations would be allowed. Denison noted that consumption rooms, like cigar bars, would have HVAC to limit outside exposure to smoke and perhaps Ordinance should not limit adult consumption. Patzer commented that applicants should share their vision for how they will offer product to adults. Barker noted that smoking cigarettes is only allowed in casinos and marijuana would follow the same rules. Discussion of waiting to allow microbusinesses focused around uncertainties of what to expect.

Patzer reiterated rules regarding locations of medical marijuana facilities would be the same for adult use facilities. Temporary permits for marijuana events in public spaces was discussed. Questions regarding adult use in private residences located in Drug Free School Zones were discussed; would marijuana be considered like alcohol.

Reviewed discussion from previous meeting regarding adult use permitting process priority for existing medical marijuana permit holders. The number of total marijuana retail facilities was discussed. It was noted that existing facilities would not pass up option to participate in adult use market. Current permit holding provisioning centers were discussed. It was noted that only one is currently open and some are waiting to see what will happen with adult use, while some are waiting on State licensing. Patzer noted that the State is moving more quickly with adult use marijuana than with medical. The City desires to be out in front of adult use and does not want to see empty buildings. Concerns with condition of existing facilities appearance. Concerns that parties are "sitting on" permits. Consider checking in on current permits holder with State at pre-qualification list with LARA. Noted there was confusion with medical marijuana process at State level which caused delays for various reasons. Noted giving existing permit holders priority for adult use permits would be more efficient because they are already operational entities.

Discussion regarding incentives given by State to both Niles and Benton Harbor was discussed. Both communities qualify because of income levels which will make cost of doing adult use business higher in Buchanan. Number of adult use facilities is still up for consideration by Commission. Noted that by giving existing permit holders priority, adult use facilities could be in industrial areas which could alleviate resident's concerns regarding locations. Noted microbusiness are a separate issue.

Noted stability of grow and processing facilities for community economic development. Noted that not allowing for adult use would put City at disadvantage for business. Currently business owner noted his facility is large enough to accommodate both medical and recreational. Noted microbusinesses should be considered like a microbrewery. Suggested cutting back on traditional retail locations and increasing the number of microbusinesses. Higher quality microbusiness would be favored over "Cheech and Chong style" retail stores. Odor control is a concern of microbusiness in downtown areas. Having adult consumption events in industrial parks and not in downtown spaces would be preferred for families. Many ideas and concerns were discussed.

Mayor suggested finding sample Ordinances and giving them to Patzer. Plans for next meeting and public hearing were discussed. Framework for Ordinance is being prepared.

Next meeting to take place on Thursday, August 8 at 6:00 p.m.

Mayor adjourned meeting at 7:12 p.m.

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

**JOINT WORK SESSION BETWEEN THE BUCHANAN CITY AND PLANNING
COMMISSIONS MEETING MINUTES
TOPIC: RECREATIONAL MARIJUANA
Thursday, August 8, 2019**

A Joint Meeting of the City Commission and Planning Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Thursday, August 8, 2019 at 6:00 p.m. The Mayor called the meeting to order at 6:02 p.m.

City Commission Members present: Mayor Moore, Commissioners Toerne, Weedon, Downey and Denison

City Commission Members absent: None

Planning Commission Members present: Kevin Barker and Ralph McDonald

Staff present: City Zoning Administrator Debra Patzer and City Clerk Brenda Hess

Guests/Visitors present: Rick Paniagua, Dan Vigansky, and Alex Leonowicz (Arrived at 6:45 p.m.)

Patzer distributed draft ordinance and reviewed various changes in verbiage from medical to adult use. Noted italicized portions are changes from previous draft. Weedon inquired regarding 21 age limit for consumption establishments. Liability might dictate age limit. McDonald inquired regarding definition of consumption.

Moore suggested discussion of Ordinance by section. Paniagua and Vigansky requested copies to view for duration of meeting. Patzer noted only current medical permit holders would be allowed to have adult use permits for the first 24 months of Ordinance enactment.

Section 1 discusses the purpose of Ordinance. There were no questions. Noted adult use and medical marijuana Ordinance are quite similar.

Section 2 describes definitions surrounding adult use and are similar to those used by MRTMA (Michigan Regulation and Taxation of Marihuana Act). Definitions for clarity and are standard which provides clarity for remainder of document. Weedon requested further definitions regarding the types of establishments which would provide further clarity for the public. Moore asked for clarification of “excess marihuana grower” definition.

Section 3 authorizes different types of establishments and fees for permits. Moore requested the word “shall” be changed to “may” in Section 3-B regarding permit renewal. Renewal process discussed briefly. Lengthy discussion regarding the number of establishments allowed. Consensus of group is there are many unknowns regarding different types of businesses making it somewhat difficult to determine the number of each establishments to be allowed. Discussion of having an umbrella for all retailers and having people present plans to the Commission for approval, instead of issuing a number of permitted establishments by type. Commission could then dictate what kinds of establishments would be a best fit for the community. Paniagua noted that existing license holders cannot hold microbusinesses licenses. The umbrella of retailer permits would include a “not to exceed” number.

Patzer noted that all respondents to the anonymous medical marijuana permit holders were interested in participating in the adult use market. Toerne noted all current permit holders should be made aware of meetings and hearings.

Barker inquired regarding future changes which might need to be made if big pharmacy becomes involved which could open the possibility of card holders being able to use insurance cards for medical marijuana. Toerne suggested working with what we have currently and not projecting out with “what ifs”. Moore noted changes can always happen as City leadership changes.

Stacking of growing licenses was discussed briefly. Noted microbusinesses must have grow, processing, and retail all on one premises. Establishing definitions different types of retail is important. Toerne noted State will grant temporary permits for adult use events at a cost of \$6,000 and the City could charge \$1,000 for a local permit. Locations for possible events were discussed. Ordinance needs to clearly spell out definitions for various adult use establishments.

Possibility of having retailer, microbusiness, and consumption establishments under one umbrella of retail. Noted transport and safety compliance facilities are not very popular in the State.

Moore suggested holding public hearing at next Commission meeting, but it was noted that there was not enough time for the required fourteen day posting. It was suggested to have the definitions cemented before the public hearing. Toerne inquired if the fee would be the same for temporary events. Downey noted that temporary events would require extra public services of police and fire. Patzer noted State has a schedule fee for temporary event permitting.

Section 4 lists the requirements and procedures for issuing permits. Patzer noted applicants need special use permits from Planning Commission before applying for a permit with City. Noted renewals need to be scrutinized as initial permits are. Discussed need for deadlines for permit holders to open facilities. This is new language. Insurance requirements were discussed and the need to wait for fulfillment of insurance requirement until facility is closer to opening. Proof of ownership and leases were discussed. Most requirements for permitting for adult use are similar to medical Ordinance.

Section 5 addresses stacking for Class C growers. State is unclear regarding stacking and “excess grower” licenses. Noted excess growers would have upwards of 10,000 plants provided facility footprints can accommodate that amount.

Section 6 covers permit renewal process. Permits will be valid for one year. Renewal applications will need to be filed 30 days in advance of the expiration date.

Section 7 addresses the evaluation of applications for permits. Covers the standards City will have for applicants. Clarification of the final approval was discussed.

Section 8 discusses permits in general including transfers of permits.

Section 9 covers minimal operational standards for all marijuana establishments. It spells out rules for consumption including temporary events and all rules for businesses.

Denison departed the meeting at 7:22.

Questions regarding the involvement of the Health Department were discussed in regard to consumption. Noted retention of surveillance video should be increased from fourteen to thirty

days which was suggested by grower in audience. Churches, schools, daycares and libraries were discussed. Added the word “operational” for schools.

Section 10 discusses minimum operational standards for retailers.

Section 11 addresses the minimum operational stands for growing establishments.

Section 12 discusses the minimum operational standards for safety compliance establishments.

Section 13 discusses minimum standards for processing establishments.

Section 14 addresses minimum operational standards for secure transporters.

Patzer asked that if Commissioners want changes they should be submitted to her as soon as possible. She is sharing a PDF to present permit holders for them to review. Seeking input.

The next meeting to take place on Thursday, August 22 at 6:00 p.m. Moore requested all missing members be provided with minutes

Mayor adjourned meeting at 7:41 p.m.

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

City of Buchanan Commission Minutes
August 12, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, August 12, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Brandon Smith gave the invocation.

Roll Call

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

Guests: Approximately 9 guests and visitors

City Staff in attendance: Brenda Hess, City Clerk

Public Comments

- Randal Peart – Inquired about location of future DPW building.
- Dan Vigansky – Commented about site of future DPW building and former DPW building.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular scheduled meeting July 22, 2019
- Approve Minutes: Joint Work Session with Planning Commission regarding adult use marijuana July 25, 2019
- Approve Invoices/Expenditures for July 22, 2019 in the amount of \$2,470,430.08
- Excuse Commissioner Weedon from the July 22, 2019 meeting
- Approve Special Event Form – Faith and Family Day at the Buchanan Common Sunday, August 25, 2019 11:00 a.m. – 5:00 p.m.

Toerne moved, seconded by Weedon to amend the Consent Calendar by removing the Buchanan Senior Center from Reports by: Departments, Committees, Boards due to illness. Roll call vote carried unanimously. Toerne moved, seconded by Denison to approve the Consent Calendar as amended. Roll call vote carried unanimously.

Reports by: Departments, Committees, Boards

None

Unfinished Business

Review and approve the job description and wage scale for the position of “Sexton” within the Public Services 1 Labor Contract with ASCME – Downey commented regarding lack of information sometimes causing the same items to return to Agenda. Toerne commented that the employee was already being paid the additional wages. Denison noted it was a change in title. *Toerne moved, seconded by Weedon to approve the job description and wage scale for the position of “Sexton” within the Public Services 1 Labor Contract with ASCME.*

New Business

DPW Location – Weedon commented that the rationale for location at former feed mill is that there is infrastructure and current DPW is on flood plain. Toerne commented River Street

location lacks infrastructure. Weedon commented upon previously received renderings of plans and how it would improve entrance to the City. Noted City has not made “shot gun” decision regarding placement of DPW. Moore explained once site plan has been approved there will be many opportunities for public input before building starts. Noted River Street site could be utilized for other commercial enterprise. Denison state desire to reserve River Street property for commercial use. Discussion regarding River Street property potential. Moore noted feed mill was for sale for long time period with no interest. Downey commented regarding location of DPW on feed mill site in relation to nearby housing. ***Denison moved, seconded by Toerne to approve the old feed mill as the site for the new Department of Public Works Building. Yeas: Moore, Denison, Toerne and Weedon Nays: Downey***

Public Comment

- Dan Vigansky – Expressed additional thoughts regarding feed mill property. Noted City Manager should have sent designee.
- Randall Peart – Commented on use of Round Up in downtown district and proximity to drains. Requested ban of use of Round Up. Suggested student volunteers remove weeds.
- Cindy Benson – Supported ban of Round Up.

City Manager Comments

City Manager absent

Commissioners' Comments

Weedon – Thanked everyone who volunteered for Thrill on the Hill. Commented upon quality of entertainment and increase in foot traffic. Thanked City departments, business partners, and Ron Cornelius for DJ services. Commented upon streetlighting in City; suggested additional poles be located with input from Police Department. Commented upon DDA and requested Commission discussion regarding DDA. Expressed frustration with amount of emails and texts regarding DDA. Commented upon City Manager evaluation process and ways to improve said process.

Toerne – Commented upon Buchanan One; encouraged fellow Commissioners to attend meetings. Commented upon passing of Richard Gualt and Edie Minks. Read email from Adam Burke Director of Buchanan Senior Center regarding traffic calming measures on Rynearson by Center. Noted Landfill reports completed as well as procedures for handling chemicals. Noted special meeting on August 14 regarding Landfill feasibility study. Reminded all current landfill life is 13 years. Reminded all of Planning Commission meeting on August 13. Thanked City workers for successful Thrill on the Hill. Commented upon missing National Night Out. Expressed frustration with DDA.

Downey – Commented upon Thrill on the Hill. Commented upon use of Round Up along the Trail.

Denison – Commented upon Thrill on the Hill. Commented upon Hannah Robert’s BMX win. Expressed agreement with Weedon regarding improvements to City Manager evaluation process.

Moore – Congratulated City on Thrill. Noted ducks adapted well to event, and thanked sponsors. Commented upon National Night Out. Noted Tin Shop Theater’s production of The Wizard of Oz added an extra performance due to ticket demand. Noted Common Summer Concert Series wrapping up soon. Commented DDA is going through changes in

membership; expressed hope August meeting will provide clarity and progress. Has formed a contract review committee for the Manager's contract to which she appointed Denison and Weedon.

Closed Session

Under MCL 15.268(a) closed session; permissible purposes section 8. To consider a periodic personnel evaluation - City Manager, To review minutes of Closed Session July 22, 2019 - William Marx evaluation. *Toerne moved, seconded by Downey to move into closed session. Roll call vote carried unanimously.*

The Mayor reconvened the meeting at 7:49 p.m.

Adjourn

Toerne moved, seconded by Weedon to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 7:52 p.m.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

**CITY COMMISSION and PLANNING COMMISSION
PUBLIC HEARING
ADULT USE MARIJUANA
Thursday, August 22, 2019**

Pursuant to Charter Section 6.2 the meeting was called to hear public comments about adult use marijuana within the City of Buchanan. The Mayor called the Public Hearing to order at 6:00 p.m.

City Commission Members present: Mayor Moore, Commissioners Toerne, Weedon, and Denison

City Commission Members absent: Commissioner Downey

Planning Commission Members present: Kevin Barker, Vanessa Burns and Ralph McDonald

Staff present: City Zoning Administrator Debra Patzer and City Clerk Brenda Hess

Guests/Visitors present: Nine

The Mayor did introductions and reviewed procedures for public hearings.

Patzer reviewed changes in the draft. Noted most changes occurred in section 15 Minimum Operational Standards of Designated Consumption Establishments.

The Mayor called the Public Hearing to order at 6:03.

Weedon arrived at 6:03 p.m.

Ed Graveline – Thanked City staff for work on Ordinance. Requested total of 5 for retailers and microbusinesses total due to lack of space in City. In favor of having businesses in industrial areas.

Being no further discussion, the Mayor closed the Public Hearing at 6:07 p.m.

Work Session began at 6:07 p.m.

Patzer noted all changes in Ordinance indicated in italics and blue type. Noted numbers of different establishments need to be determined. Toerne noted he attended a Niles Chamber meeting and Niles initially opted out. Commented Niles is now in a hurry to opt in as they need to both opt in as well as create an Ordinance. Weedon noted Niles and Benton Harbor qualify for State assistance based on demographics/economics. Patzer noted it is beneficial to get the City's plan and Ordinance completed early. Moore inquired as to possible legal issues if City were to set a number of establishments and then later reduce that number. Patzer commented the Ordinance can be modified to change numbers. Denison stated the desire to start

with low and then add more as needed. He also inquired regarding the permits for temporary events and why it was valid for “seven days”. Also commented one temporary event would be good to start. State has created the rules for temporary permits. State approves temporary event licenses first which is a six-month process, and then licensee would have to receive a permit from the City. Temporary marijuana permits are granted to marijuana event organizers, not businesses. Weedon inquired as to where these events would be allowed. It was noted that temporary events would have to be approved by the Planning Commission as well.

Process for granting recreational permits was discussed. Existing medical marijuana businesses will receive priority for adult use for the first twenty-four months after approval of Ordinance. Microbusinesses are an unknown type of business and allowing one would be a start.

Consumption rooms are separate and distinct enterprise from a microbusiness. It was previously suggested to have those retail businesses fall under an “umbrella” with a total number allowed for the combination. Patzer noted we can regulate all marijuana facilities by time, place and manner. Clarification of consumption was discussed. Rick Paniagua noted that smoking would most likely not be allowed in consumption businesses. Noting that we don’t know what the interest in those establishments will be.

The “umbrella” would cover retail, consumption and microbusiness; Patzer noted microbusinesses need to be separate and could not be included under umbrella. Temporary events could be in a separate category as well. Reiterated the law states municipalities may restrict the number and type of businesses. Microbusinesses are expensive to start and might not be successful based on the small number of plants allowed and the difficulty in processing as all steps from seed to retail must occur on same premises.

Concerns were expressed about temporary events competing with brick and mortar marijuana businesses. It was noted that temporary event permits could be limited to those already having established businesses within the City which would allow the City to get a feel for how an event would operate, then possibly allow those from outside of the City to seek temporary event permits. City could require event permit holders to work with City retailers for product instead of outside businesses.

Many questions remain regarding microbusiness. Noted extraction can be a complicated and dangerous process which should not be permitted in many areas of the City. Noted Planning Commission would be especially vigilant in the zoning of microbusinesses.

Events would be sponsored by a marijuana event organizer and the product would come from multiple retailers. There are requirements for security and identification.

Limits were discussed in detail. Limits upon locations without limiting the number of businesses was discussed. The umbrella of retail, consumption and microbusiness would be 2.

Verbiage can be developed regarding the number of establishments. Moore noted priority should be given to businesses who have committed to Buchanan with medical marijuana.

There was general agreement that for adult use marijuana retail, there should be 5 retail in existing medical marijuana structures with no more than 2 more additional locations, making a total of 7 establishments; 5 in existing locations and 2 new locations. It was noted that one event should be allowed.

Application process for existing medical permit holders was discussed and it was noted adult use application could be added to the already approved medical application for existing permit holders. Fees will be established by Resolution. Draft says an annual fee of not more than \$5,000.00.

Excess growing facilities were discussed. Redbud Roots and Seven Engines are both interested in obtaining excess grower permits. It was decided that 2 excess growers will be allowed, noting again fees would be established by Resolution.

Locations for marijuana events were discussed. Noted most envision events to be like Woodstock, but they are more similar trade shows. Smoking will not be allowed at events. Reiterated events would need to be approved by the Planning Commission.

Hours of operation were discussed, and it was suggested they be from 9:00 a.m. to 9:00 p.m. for retailers and microbusinesses. Hours for consumption rooms and events will be set up through the application process.

Vaping and smoking were discussed in relation to consumption rooms. Odors can be controlled.

All agreed to get changes to Debra as soon as possible. Next work session scheduled for Thursday, September 5 at 6:00 p.m.

The Mayor adjourned the meeting at 7:39 p.m.

Brenda Hess, City Clerk

Patricia Moore, Mayor

City of Buchanan Commission Minutes
August 26, 2019

The Public Hearing was called to order at 7:00 p.m. to hear public comments on the sale of property located at 1104 Victory Street.

Public Comments Regarding Ordinance:

- Dan Vigansky – Commented upon the sign at the property and expressed opinion City should sell property or add it to adjacent one-acre City owned property. Inquired if neighbor wanted to purchase it originally.

Hearing no other comments or receipt of any written correspondence, the Mayor Adjourned the public hearing at 7:02 p.m.

The Public Hearing was called to order at 7:03 to hear public comments upon adult use marijuana facilities within the City of Buchanan.

Public Comments Regarding Ordinance:

- Alan Robandt – Commented upon Section 9-R wording and section 18-A for clarification.
- Norma Ferris – Asked for explanation of adult use. Expressed desire for information regarding topic. Mayor Moore clarified.
- Dave Murray – Commented upon Redbud Roots status with property acquisition. Commented Redbud Roots would have to leave Buchanan for recreational opportunities if Ordinance not adopted.

Hearing no other comments or receipt of any written correspondence, the Mayor Adjourned the public hearing at 7:07 p.m.

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, August 26, 2019 and was called to order at 7:07 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.

Roll Call

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

Guests: Approximately 14 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Brenda Hess, City Clerk

Public Comments

- Alan Robandt – Commented up traffic order 256.
- Dan Vigansky – Commented upon signs installed for traffic order 256 and Thrill on the Hill.
- Cindy Benson – Commented in support of traffic order 255 for Buchanan Area Senior Center.

Consent Calendar:

- Approve agenda
- Approve Minutes: Joint Work Session with Planning Commission regarding adult use marijuana August 8, 2019

- Approve Minutes: Regular scheduled meeting August 12, 2019
- Approve Invoices/Expenditures for August 26, 2019 in the amount of \$1,745,890.38
Toerne moved, seconded by Weedon to amend the Consent Calendar to add, “Approval of check number 79640 in the amount of \$9.90 to Elan for the Farmer’s Market website maintenance on behalf of the DDA”, and to add item “D” under New Business, “Approve grant agreement between the Michigan Gateway Community Foundation and the Buchanan City Police Department for RAD Rape Defense Class in the amount of \$1,700.00”. Roll call vote carried unanimously. Toerne moved, seconded by Downey to approve the consent calendar as amended. Roll call vote carried unanimously.

Reports by: Departments, Committees, Boards

Thrill on the Hill – Marx provided update regarding Thrill on the Hill. Final numbers available in September after receipt of all invoices. Money to go to the Buchanan Area Recreation Board. Denison suggested collecting zip codes from wristbands to track where people are coming from. Marx commented upon visitors from outside the region. Toerne supported idea of collecting zip codes and using information for targeted advertising. Marx commented upon media coverage which helped promote event. Moore extended congratulations to staff for hard work and noted success of concerts.

Buchanan Area Senior Center – No representative.

Unfinished Business

Review bids and consider sale of real property owned by City of Buchanan located at 1104 Victory Street – Marx reviewed process for sale of property and noted that a neighbor had initially contacted the City regarding the property. Reviewed bid received and reviewed cost of property when originally purchased by the City. Discussed previous bids. Moore inquired of Denison as to whether the BARB had discussed developing a park in that vicinity. Denison responded the BARB has no plans for park development in that area. *Weedon moved, seconded by Toerne to approve the bid in the amount of \$1000.00 for sale of property owned by the City of Buchanan located at 1104 Victory Street. Yeas: Toerne. Nays: Denison, Weedon, Downey and Moore. Motion failed.*

New Business

Consider approval of the installation of an underground utility conduit on City owned property at 701 E. Third Street (Bainton Mill) to provide electric service to 408 River Street (G2 Developments LLC) – Ed Graveline of G2/7Engines presented drawings of utility conduit to his property. Explained need for utility pole adjacent to his property. Directional boring will go under the creek which will meet up with building. AEP’s environmental person made suggestion for plan. Reviewed layout of property and possible expansion. Downey inquired as to why River Street was not utilized for access point. Graveline replied lack of 3-phase electric service coming from River Street at that point. Moore inquired as to what would happen if repairs would be needed in conduit under creek. Graveline pointed out where transformer would be. *Toerne moved, seconded by Downey to approve the installation of an underground utility conduit on City owned property at 701 E. Third Street (Bainton Mill) to provide electric service to 408 River Street. Roll call vote carried unanimously.*

Consider approval of Traffic Control Order # 255 – Install and paint a “Pedestrian Cross Walk” on Rynearson Street by the Buchanan Area Senior Center located at 810 Rynearson Street – Marx explained process for traffic control orders and the life of 30 days. This has been a two-year process. Being asked to approve crosswalk. Weedon offered support due to traffic at Senior Center. Toerne commented upon speed of drivers towards golf course. Denison inquired if this made it permanent. Marx commented upon rumble strips/pavement notification and the difficulty of finding a company to create them. Noted that speed sign can be placed there. County has installed reduced speed sign on the township side. ***Weedon moved, seconded by Toerne to approve Traffic Control Order # 255 – Install and paint a “Pedestrian Cross Walk” on Rynearson Street by the Buchanan Area Senior Center located at 810 Rynearson Street. Roll call vote carried unanimously.***

Consider approval of Traffic Control Order #256 – Make two parking spaces, parking space 1500 and 1501 “10 Minute Parking” in front of 113 E. Front Street - Marx explained downtown parking issue has been discussed for many years. Noted need for stop and go express parking spots for quick pick up at certain businesses. Some are frustrated with 3 hour parking spots in front of businesses blocking quick access. Discussed frustration of downtown businesses owners when 3 hour spots are taken by business owners and employees. City inventoried all parking spots. Watched municipal parking lots during Thrill to help with planning. Express parking spots to help give access to those kinds of businesses for the convenience of running in and out by customers. Noted initial misunderstanding and backlash by several parties upon installation of two temporary signs. Denison commented City might be overstepping bounds by making these express spots. Moore commented that 3-hour spots were created initially in response to hair salons needing more time for clients. Noted needs change for downtown business owners as businesses change. Marx said that enforcement of parking times must be observed as chalking tires is no longer allowed. Moore inquired if additional spots would be created under an additional control order. Marx explained that signs can be easily removed, and they can be adjusted for height. Downey expressed concerns about the height and the location in relation to the actual parking spots. Marx noted they will add a smaller sign that indicates the limited time nature of the spots as being short term/stop and go use. City is looking for feedback on spots. Marx noted the lower height of the signs makes it easier for drivers to see when they are in the spaces. Denison noted there is a lower handicapped one in front of Sweet Shop and expressed opinion signs are ugly detract from downtown look. Weedon noted with the increase of marijuana businesses there will be more discussions surrounding issue of stop and go parking spaces. ***Moore moved to approve Traffic Control Order #256 – Make two parking spaces, parking space 1500 and 1501 “10 Minute Parking” in front of 113 E. Front Street. No second. Motion failed.***

Approve grant agreement between the Michigan Gateway Community Foundation and the Buchanan City Police Department for RAD Rape Defense Class in the amount of \$1,700.00 – Marx commented that the grant from the Michigan Gateway Foundation came in today to pay for the Rape Aggression Resistance program offered by Officer Brie. Currently Officer Brie must borrow equipment which makes it difficult to plan classes. Grant will also cover cost of another instructor. Weedon commented upon support of program. Moore expressed thanks to the Foundation for their support. ***Denison moved, Downey seconded to approve grant agreement between the Michigan Gateway Community Foundation and the Buchanan City Police***

Department for RAD Rape Defense Class in the amount of \$1,700.00. Roll call vote carried unanimously.

Public Comment

- Dan Vigansky – Commented upon agenda and not amending it. Commented upon DDA parking situation.
- Ed Graveline – Commented upon police support in recent break in at his property. Everything was returned except for one item
- Cindy Benson – Inquired as to when new AEP lighting would be installed. Commission noted that they have started and are working her way. Commented upon rumble strips making noise and being removed in another community.
- Debra Patzer – Noted Zen Leaf advertising is not marijuana leaves, but lotus leaves.
- Randal Peart – Feed mill DPW site should be sent to Planning Commission for study. Commented upon Round Up use and suggest creating map for where it was used. Commented upon County trucks traveling through City.
- Norma Ferris – Filled in application for temporary office job and submitted to Clerk.
- Randal Peart – Requested more information regarding the Friends of the Ducks.

City Manager Comments

The chip and seal project has been completed and has been fog sealed with a nice finished product. Suggested fixing other roads in same manner due to lower cost than asphalt.

Thanked staff for work during medical leave.

Commissioners' Comments

Toerne – Invited all to next Planning Commission meeting and Landfill meeting. Previous Landfill meeting most time spent on Manager's review. Noted time for Landfill dewatering and bids are being sought. There have been many housekeeping jobs being completed. Commented upon Relay for Life and his involvement on behalf of his wife, Sheila. Read letter from Chris Gowan from Relay for Life who is director. Read letter from Beth Chubb director of Farmer's Market in support of event. Welcomed Bill back. Gave complement to person in charge of mowing behind house.

Downey – Inquired how Relay for Life would do laps and suggested use of Trail.

Denison – Commented upon chip and seal with fog coating. Inquired about tree removal on Chippewa and Fourth by AEP and Wright Tree Service. Inquired why DPW cannot stay where it is. Marx noted that it would have to be raised above the flood plain. General discussion of where DPW could be located.

Weedon – Commented upon River Street and Feed Mill properties and necessity for income/revenue for City. Noted possible change with new information. Commented upon Round Up use in City.

Moore – Welcomed Marx back from leave and thanked staff for providing information in his absence. Commented upon Friends of Oak Ridge project of repairing headstones. Attended first anniversary of Dog Park. Noted Friends of Ducks is planning a founding meeting which will then come up with bylaws and leadership and then go to BARB for approval. Thanked all visitors for input.

Adjourn

Weedon moved, seconded by Denison to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:50 p.m.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

BUCHANAN CITY COMMISSION SPECIAL MEETING MINUTES
Thursday, August 29, 2019

A Special Meeting of the City Commission for the City of Buchanan was scheduled at Buchanan City Hall, 302 North Redbud Trail, Buchanan, Michigan Thursday, August 29, 2019 at 5:30 p.m. The Mayor called the meeting to order at 5:30 p.m.

Members present: Mayor Moore, Commissioners Toerne, Denison, Downey and Weedon

Member absent: None

Staff present: City Manager Bill Marx, City Clerk Brenda Hess

Guests/Visitors present: None

Toerne moved, seconded by Weedon to approve the consent calendar as presented. Roll call vote carried unanimously.

New Business

Manager Marx explained the problem with the VFD pump. Noted variance in the amounts from the quotes received. Bids were received from Peerless-Midwest, H and G Services and Windemuller. Staff is recommending Windemuller in the amount of \$8,500.00 Denison inquired in Windemuller provided a warranty. Upon consultation with Craig Miller via phone, it was determined that it was not listed on quote but could be approved with the contingency that there would be a one-year warranty. VFD is a control panel that manages the starting and stopping of the motor in a gradual way as to not provide undue stress to the motor. Options were compared. Further discussion regarding warranty and consensus that warranty should be for at least one year. Windemuller has been used for other projects in the City. Peerless-Midwest is the City's usual vendor and it was noted their bid was quite a bit higher than the others.

Downey moved, seconded by Weedon to approve the proposal from Windemuller in the amount of \$8,500.00 contingent upon Windemuller including a warranty for at least year. Roll call vote carried unanimously.

Being no further business, Weedon moved, seconded by Downey to adjourn the meeting, voice vote carried unanimously. The Mayor adjourned the meeting at 5:44 p.m.

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

BUCHANAN CITY COMMISSION WORK SESSION MEETING MINUTES
Wastewater Treatment Plant and Police Cameras
Thursday, August 29, 2019

A Special Meeting of the City Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Thursday, August, 2019 at 6:00 p.m. The Mayor called the meeting to order at 6:00 p.m.

Members present: Mayor Moore, Commissioners Toerne, Downey, Weedon, and Denison

Members absent: None

Staff present: Bill Housand, Wastewater Treatment Plant Operator; Tim Ganus, Assistant Police Chief; Harvey Burnett, Sargent Buchanan Police Department; Bill Marx, City Manager and Brenda Hess, City Clerk

Guests/Visitors present: 1

Wastewater Treatment Plant Staffing- Bill Housand

Housand reviewed history of plant staff and noted first time in many years that there hasn't been a lab technician. Remarked turnover impacts quality. City needs another person with a license, especially with the new oxidation ditch project beginning soon. Housand noted that people have a difficult time passing wastewater certification tests. Shortage of operators has been noted by Michigan Municipal League. There are only 6 A or B operators in all of Berrien County. Contract operators create issues because of costs, and it was noted that just because someone has a license and they are a contract worker doesn't mean they have the best skill set. Noted new person could be shared with water department which also needs additional staffing. Testing for exams is done by the State and there remains a shortage of classes for candidates to take to practice and learn before taking the test. Retirements have drained the pool of qualified operators and instructors.

Housand noted there is not currently a struggle to get work done, but somewhere down the road there will be a shortage of licensed operators at the plant. Commission inquired if there were local candidates, but Housand noted there weren't. Concern was expressed about spending time and money training someone only to have them leave. Housand noted City wastewater wages are good, but some changes could be made to the top of the pay scale. Housand is only person with B license and they are rotating 2, 12-hour days with 2 days off. Noted burnout can happen on such an intense schedule with little time for vacation or personal days off. Housand noted that water department is also in need of additional staffing and hiring someone could provide stability for both staffs.

Marx recapped that this information needs to be considered for the future. SAW grant needs to be considered and in 2021 lead and copper requirements go into effect. Housand noted State tightening up standards and requiring more information from municipalities. Marx noted the City received letter from State stating some deficiencies in reporting which need to be corrected by November 15. Downey inquired if adding administrative help would provide relief for Housand. Housand noted his primary concern is losing staff with licenses. New employee is still 4 years away from getting a license. One staff member has a class D license, but not necessarily desire

to obtain a higher-class license. There are enough projects to keep all staff busy which includes projects outside of the plant such as street projects and repairs of storm water sewers. SAW grant and lead and copper line replacement mandates will keep water department busy as well.

Weedon inquired on the specific needs of the wastewater department. Housand recommended having a 20-hour lab person and get training with the other aspects of wastewater work, but it is preferred to find an operator/lead operator. Dollar amount for lab person \$22 to \$23 per hour. If an operator cannot be found, perhaps a lab person could be found from a local college; they would not have wastewater experience but could be trained while doing the lab work. Weedon inquired as to the pay for B operator. Housand said there are none available. Toerne noted there is extreme shortage of operators. Toerne also noted because we are getting a new plant soon; it might draw someone who wants to work with new technology. Housand noted that there is a great deal of responsibility for wastewater employees citing working with blood borne pathogens, the responsibility for environmental spills, ladder work and other serious responsibilities. Marx noted union contract needs updates. There are line items for temporary staff for both the wastewater and water departments which could be utilized for hiring someone. Due to short staff, more money is paid in overtime. Housand reiterated this decision is for the long haul and for prevention of staff shortages in the future. He advised against getting contract operators because of the expense. Noted it would be ideal to hire a person in the next six months. New person could learn new plant as it was being built and would know the inner workings while also learning about the old plant and its maintenance needs.

Police Cameras- Tim Ganus and Harvey Burnett

Current camera was purchased in 2012, but standards have increased as well as public expectation. Currently cameras only cover what happens in front of the cruiser. Officers currently wear mics and they are synced with the camera. If officer leaves area in front of car video is lost but audio remains. Current system is no longer made and parts are difficult to come by. Difficult to get repairs and the server has problems. Communities depend upon the recording of audio and video for certain encounter with public. Ganus noted that requested equipment comes from the same company as current equipment. It includes 1 front facing camera, 1 backseat camera for detainees, and 1 for officers to wear. Digital Ally is provider of the cameras. Body cams will help officers do job and assist with image capture at crime scenes. Prosecutors need footage. Noted we are one major event away from being in the National news because of lack of video and support to officer and department. New system provides transparency to residents and community which will help build trust. Community expects recording of events in detail.

Denison inquired as to what equipment came in new squad car. Burnett explained old equipment gets transferred into new car. Only 3 cars are primary patrol vehicles which have cameras, the others do not. Inquired as to how we ensure cameras are on when officers are inside a residence. Door triggers can be installed on cars which turn camera on once they exit vehicle. Once overhead lights turn on car, the cameras are activated. Additionally, cameras can be activated by officer without lights being on. Sometimes data space does not need to be taken up during times of waiting for ambulances, etc. and officers can turn the cameras off during those times. Downey comment upon possible marijuana crime and the importance for equipment to be up to date. Provides confidence for officers and support. Eliminates problem of bystander

only video. Moore inquire if Digital Ally was good to work with and if old system could be fixed. Ganus noted old equipment will be traded in and the money would be put towards the new system. Old cameras are used for parts. New system and old systems are not compatible and cannot be integrated with each other. Burnett noted the State Police use this system. Noted this is a trusted company and the cameras have been durable.

Burnett noted that currently flash drives had to be removed and downloaded, which is not true for the new system that is no longer required. Current cameras have to be shipped out for repairs and the starting fee is \$300 before repairs are even started. Moore inquired about the cost for software upgrades. Burnett commented the access point for downloading has an annual fee which is \$399.00 per year which breaks down to about \$40 per month. It stores images as well and they are stored securely on the cloud. Current server has issue storing all the video images. There are retention schedules for video of 60 days.

Moore inquired about training and Ganus noted that they will need new training for the body cameras, and he is looking into training from surrounding communities. Moore asked if department would be willing to do a public demonstration of the cameras and explain how citizens' rights to privacy and cameras can coexist. Ganus and Burnett agreed that it was a good idea. Video retention and sharing should be explained to the public. Ganus noted there are strict rules for videos once they are captured. The Department currently has policies and procedures for video. Toerne expressed support for demonstration and education for community. Expressed idea it might be a deterrent for wrong doers while providing protection for officers. Cameras can also change attitudes of people being approached by officers. Citizens are offered security by the cameras.

Ganus noted officers would be responsible for cameras and they download and recharge after each shift. These are for full time officers for now, but department would like to expand it to reserve officers. Cameras synch with any car the officers gets into. Charges last for 12-hour shifts depending upon the amount of citizen contact officer has. Moore inquired about power outages, but cameras will still work and have backup batteries.

Denison inquired about how many times the cameras have been instrumental in helping officers. Ganus commented that it frequently provides backup for what officers are explaining in court. Burnett noted that even the audio helps in cases.

Moore asked if department is concerned about marijuana consumption and the new Ordinance and if they need field testing support. Ganus noted the State is working on levels for impairment for THC levels which will help law enforcement. He noted it is legalized so it's expected people will use it. Ganus is confident that establishment will follow the rules and he noted that the new dispensary has not caused problems so far. Currently field sobriety tests cover impairment of both alcohol and THC, but blood must be tested for THC. There are still no levels set. Moore noted that revenue from medical marijuana could be used for purchasing equipment. She expressed disappointment in the State and their lack of revenue sharing from marijuana taxation. Marx noted projection revenue sharing should be announced soon.

Being no further discussion, ***Toerne moved, seconded by Denison to adjourn the meeting at 7:14 p.m. Voice vote carried unanimously.***

Brenda J. Hess
City Clerk

Patricia Moore, Mayor

**JOINT WORK SESSION BETWEEN THE BUCHANAN CITY AND PLANNING
COMMISSIONS MEETING MINUTES
TOPIC: RECREATIONAL MARIJUANA
Thursday, September 5, 2019**

A Joint Meeting of the City Commission and Planning Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Thursday, September 5, 2019 at 6:00 p.m. The Mayor called the meeting to order at 6:03 p.m.

City Commission Members present: Mayor Moore, Commissioners Toerne, Weedon, Denison and Downey (arrived at 6:38)

City Commission Members absent:

Planning Commission Members present: Kevin Barker and Vanessa Burns

Staff present: City Manager Bill Marx, City Zoning Administrator Debra Patzer and City Clerk Brenda Hess

Guests/Visitors present: Rick Paniagua, Alan Robandt, Ed Graveline, Billy Breen, Alex Lenowicz, and four others

Patzer opened by explaining the creation of draft number seven.

Discussion centered around temporary events on page 4 of the Ordinance. The possibility of having events at local growers was discussed. Paniagua pointed out that if they don't work, they do not have to be approved. The learning curve would be high. Clarification that "one event" would mean "one at a time". Because they need to be approved far in advance that would provide time to learn and have meetings prior to actual event. Planning Commission could screen events before sending them to the Commission for approval. Limiting events to existing marijuana businesses would help with. An audience member noted the State law is very gray and not all particulars for events are clear. Consensus is to allow one event and then see how it goes before approving any more. Graveline commented that he would like to be able to come and request to have an event at his grow. It was noted that the "seven-day event" part of the law means that an event needs to occur on seven consecutive days and cannot be divided up over multiple days spread out over a longer period of time.

Barker suggested approving one event at a time and see how it goes. The local marijuana businesses could go in together and have one event. Lenowicz noted these events are more focused on marketing and collaborative in nature. Robandt inquired legally if only local people would be allowed to have events. Patzer reiterated that we can regulate it by time, place, and manner.

Marx noted that when we make changes to the Ordinance it has to be published and have meetings. Moore noted that we could state a number "as approved" by the Commission. It was noted limiting events to one at a time would be a good idea. Paniagua noted language could be added stating something like "event should be in agreement with community standards". Patzer noted it can be controlled through the application providing there is consistency throughout. The zoning ordinance can control the process and spell out the particulars of each event.

Moore inquired about timelines for the zoning ordinance and Patzer expressed the desire to have both Ordinance done by November 1. Patzer noted that health, safety and welfare of citizens is the cornerstone of Ordinances. Robandt noted that there are not many places to have an event

due to 500 and 1000 limits for churches and schools. Graveline inquired about the restrictions on signage for marijuana businesses.

Barker noted that the “umbrella” of businesses is still unclear.

Downey arrived at 6:38 p.m.

On Page 15, Section 19 – Patzer noted changes from previous draft.

On Page 14, Section 15 – Patzer noted changes regarding ventilation. Smoking and vaping of adult use will be prohibited in these establishments. It was noted that the State allows it so it is possible the City cannot prohibit it. Questions were asked about smoking tobacco and the rules regarding it. It was noted that if smoking was not permitted there is a possibility there would not be interest in having either a consumption room or event.

Hours of operation were discussed, and it was decided hours would be varied and determined during the application process.

Patzer would like to schedule a first reading and encouraged all to get changes to her as soon as possible so a first reading could happen at the beginning of October.

Mayor adjourned meeting at 7:03 p.m. Future meeting not planned at this time.

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

**City of Buchanan Commission Minutes
September 9, 2019**

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, September 9, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Pastor Nathan Babcock gave the invocation.

Roll Call

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

Absent: None

Guests: Approximately 14 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Brenda Hess, City Clerk

Public Comments

- Norma Ferris – Would like to hear the Public Hearing. Inquired why we need a new well. Inquired about Feed Mill site test results.
- Dan Benak – Inquired about signs behind businesses B and W for short term parking. Mayor asked if he could reserve his comments until the second public comment period at the end of the meeting. Benak agreed.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Public Hearing and Joint Work Session with Planning Commission regarding adult use marijuana August 22, 2019
- Approve Minutes: Regular scheduled meeting August 26, 2019
- Approve Minutes: Special meeting regarding Well 4A VFD replacement August 29, 2019
- Approve Minutes: Work Session for Wastewater Treatment Plant and police cameras August 29, 2019
- Approve Invoices/Expenditures for September 9, 2019 in the amount of \$173,021.15
- Approve the annual Crossing Guard Service Agreement between the City of Buchanan and Buchanan Community Schools
- Excuse Commissioner Downey from Work Session July 25, 2019
- Excuse Commissioner Downey from Public Hearing/Work Session of August 22, 2019

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

Reports by: Departments, Committees, Boards

Friends of McCoy's Creek Trail Trek-or-Treat – Saturday, October 26, 2019 – Jerry Flenar – Flenar asked for approval to have Trek-or-Treat. Noted there would be a run on October 26 in the morning. Trek-or-Treat begins on the McCoy trail and goes from 12:30 p.m. to 2:00 p.m. Parking will be available at Clark Testing. Flenar asked that people not park on Schirmer Parkway. Donations of candy can be dropped off at City Hall. ***Downey moved, seconded by Toerne to approve Trek-or-Treat for 2019. Roll call vote carried unanimously.***

Buchanan Scarecrow Festival – Flenar noted that on October 12 at Lehman’s there would be a Harvest/Scarecrow Festival from 9:00 a.m. until 3:00 p.m. There will be kids games, turkey bowling, scarecrow making, an apple dumpling workshop, crafts, as well as antique cars and tractors. Brochures will be available soon. Candy will be collected at various locations.

American Legion Veteran’s Day Celebration – A 92-year-old Navaho Code Talker will come and do a speaking program at both the Legion and the High School. He will also visit some other organizations in southwest Michigan and will spend the week in the area and his daughter will accompany him. He will also speak at Notre Dame. More details to follow. There are only three Code Talkers still alive. Larry Money commented that he is working on getting a Medal of Honor recipient to speak on Veteran’s day as well.

We Can Ride 4-H Club Walk-A-Thon – Sunday, September 15th – McCoy’s Creek Trail – Charity Hackett spoke on behalf of the We Can Ride 4-H Club. This is the 40th anniversary of club and are the second longest continuously running 4-H club in county, specializing in helping special needs individuals ride and show horses. Walk-A-Thon will be taking pledges.

Buchanan Scarecrow Charities – Presentation of check to Buchanan City Police Department for annual Shop with a Cop event – Terry Sulak presented a check for \$500 on behalf of the Buchanan Scarecrow Charities for the Shop With a Cop program. Ganus explained program and thanked community for donations and support of program.

Unfinished Business

None

New Business

Consider the approval of maintenance and full cleaning of water well #4A by Peerless in the amount of \$13,500 – Marx explained that watered well 4-A needs routine maintenance. Peerless-Midwest has historically provided routine maintenance. Downey inquired if water employees could perform the maintenance in house in the future. Marx explained that they back flush the system and use chemicals to remove calcium and other accumulated materials. Well maintenance happens every 5 to 7 years. Downey inquired if Peerless Midwest was the lowest price and stated desire to see costs from the previous maintenance cycles. Denison inquired regarding regular maintenance and if well was in danger of failing because it’s capacity was down 33%. Marx explained regular maintenance was scheduled by MDEQ and the water department employees. Marx noted cleaning of all five wells were staggered. ***Downey moved, seconded by Denison to postpone vote on well #4-A until next meeting. Yeas: Downey, Moore, Weedon, Denison. Nays: Toerne.***

Consider approval of the Change Order submitted by PRISM Science & Technology in the amount of \$3,365.00 for additional environmental investigation at the Feed Mill Property located at 111 Railroad Street – Marx explained that PRISM has completed the initial survey of the property and found two items that needed addressing. Six above ground fuel tanks had been located on western edge of property adjacent to the home on Jordan Street. Additionally, there was the discovery of ember fields located along the railroad track that used to cut through the property. City will be digging a trench to see if any tanks remain on the property. These tanks

would have been in use in the 1920s. Denison commented this would provide piece of mind. Denison stated he is opposed to present plan for new DPW and provided a drawing of building on site of present DPW site. Weedon reviewed process of where the DPW was to be located starting with River Street, then to Feed Mill site. Moore redirected group to item on Agenda. ***Denison moved, seconded by Toerne to approve the change order submitted by PRISM Science & Technology in the amount of \$3,365.00 for additional environmental investigation at the Feed Mill Property located at 111 Railroad Street. Roll call vote carried unanimously.***

Consider approval of a benefit concert at the Common for Sunday, September 22 to benefit RAM – Marx explained that this event conflicted with a production at the Tin Shop which would require this event to be rescheduled. Withdrawn.

Public Comment

- Randall Peart – Questioned who the Mayor represents in paper regarding the DDA’s “demise”.
- Dan Benak - Inquired about parking changes in municipal parking lot. Noted all new businesses coming will create more problems. Noted there are Ordinances on the books for parking. Frustrated with employees parking in shopper’s spots and with other businesses owners.
- Cindy Benson – Commented upon the dumping of extra cement along the creek after sidewalk repair near fitness center. Noted she appreciates new lighting on Ryneerson.
- Alan Robandt – Commented upon interview in The Paper and expressed disagreement with article about the downtown. Noted if the downtown is strong the whole town is strong. Reviewed DDA leadership. Encourage Mayor not to disband DDA.
- Dan Vigansky – Made various comments about the increase in water bills, the DDA, police intimidation, City Hall taken from DDA, lights, loans, forgiveness of loans, and Barbara Gordon’s leadership of the DDA.

City Manager Comments

Thanked Scarecrow Charities for donation to Shop With a Cop which helps approximately 20 students and their families.

Commissioners’ Comments

- Weedon – Thanked Dan Benak for commenting upon parking.
- Toerne – Reminded everyone about upcoming Planning Commission meeting which will be busy. Reminded everyone of Landfill meeting. Commented upon letter in The Paper regarding the use of Round Up and the danger being small. Thanked Jeremy Frame for putting money into his business.
- Downey – Commented upon parking. Suggested going back to chalking tires. It was noted it was not allowed. Addressed concrete issue and commented upon pride in work lacking. Noted attempt to get DDA on the Agenda and expressed frustration with the City Attorney’s lack of response for the City regarding the DDA. Noted DDA should help keep downtown buildings in good shape for years to come.
- Denison – Agreed with parking frustrations but does not think government should be involved in people’s lives. Requested documents for DDA documents as they are not working on website.

- Moore – Thanked Scarecrow Charities. Reminded all the 9-11 program is at same time as DDA meeting. Noted concerns regarding the direction DDA is taking. Noted that downtown facades need changes often. Commented that government sometimes has to intervene in resident's problems. People have suggested parking meters to solving parking issues in the downtown.

Adjourn

Downey moved, seconded by Weedon to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:18 p.m.

Mayor Patricia A. Moore DPM

City Clerk Brenda J. Hess

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

City of Buchanan Commission Minutes
September 23, 2019

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, September 23, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. There was no invocation.

Recognition

Hannah Roberts – BMX Champion - Mayor Moore introduced Hannah Roberts and presented her a certificate for her contributions to the world of BMX racing, her #1 rank as female BMX rider in the world, being the top contender to represent team USA in the 2020 Olympics, her gold medal at the 2019 Pan Am games, her encouragement to young people, and for being a role model to young women everywhere. Roberts spoke briefly thanking Buchanan for the support although not currently living here, she loves to come back home.

Crossing Guards – Recognition for years of service - Tim Ganus and Diana Selir recognized and presented certificates to the eleven crossing guards for their dedication and years of service for the youth of the City of Buchanan and the Buchanan Community School system. Those recognized were:

- 1-5 years: Kathy Lovas and Ted Florey
- 5-10 years: Tina and Dave Spurlock
- 10-15 years: Sharon Morley
- 15-20 years: Anna Bumstead, Jodee Mann, Roy Mark
- 20+ years: Deb Florey, Carl Riggings, Fran Morley

Roll Call

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

Guests: Approximately 25 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Randy Hyrns, City Attorney; Mandi Schanick, Administrative Assistant

Public Comments

- Penny Slocum: spoke as a resident rather than DDA member and gave her opinion of the Mayor, also for Commissioner Toerne and the recent Planning Commission meeting. Slocum thanked Weedon, Downey and Denison.
- Randal Peart: Asked the City Commission to explain Planning Commission's procedure for choosing eligible candidates to serve on their board.
- Dan Vigansky: offered to volunteer for the DDA Ad-hoc committee. Read DDA mission statement and gave his opinion.

Consent Calendar:

- Approve agenda
- Approve Minutes: Joint work Session with Planning Commission regarding adult use marijuana September 5, 2019
- Approve Minutes: Regular scheduled meeting September 9, 2019
- Approve Invoices/Expenditures for September 23, 2019 in the amount of \$139,801.54

- Approve Cindy Benson to fill a vacant seat on the Planning Commission as recommended by the Planning Commission Board
 - Approve Traffic Control Order # 256
 - Approve Street Closure request: Days Ave from Front Street to Buchanan District Library Parking lot October 5, 2019 from 2pm – 6pm for a Pumpkin Jamboree Family Event
- Denison moved, seconded by Toerne to amend the agenda adding item G. under consent calendar. Roll call vote carried unanimously. Weedon moved, seconded by Toerne to approve the consent calendar as amended. Roll call vote carried unanimously.***

Reports by: Departments, Committees, Boards

Dr. Audrey L. Carrier – Southwestern Medical Clinic, Buchanan - Dr. Carrier introduced herself; she has been at Buchanan Southwestern a little over a year. In that time her patient panel has grown to 659 patients; 174 of those patients are ages 65 or older. The age range of patients she cares for are 2 months old up to 100 years. Carrier added that the Clinic is running beautifully with great staff that is all open to taking new patients. Moore asked Dr. Carrier to give a small informational speech on how to ensure better health for the town. Carrier noted that obesity is a nationwide problem and gave a short bio of the diseases linked with obesity. Carrier added she loves that Buchanan has access to a community trail and that her and the staff walk on the trail almost daily. Carrier also spoke briefly of the EEE disease break out and urged citizens to take precaution and use bug spray while also wearing the proper clothing to help guard from mosquito bites.

Unfinished Business

Consider rescinding the August 12, 2019 decision to locate the new DPW building at 111 Railroad Street also known as the old feed mill - Marx noted that there has been second thought of making 111 Railroad Street the future home of DPW building. This item has been brought back on the agenda for further discussion and consideration. There being no further discussion ***Weedon moved, seconded by Downey to consider rescinding the August 12, 2019 decision to locate the new DPW building at 111 Railroad Street also known as the old feed mill. Roll Call vote carried by majority. Nay: Toerne.***

Consider going out for bids to obtain engineering and construction costs for building on the current location of the DPW building located at 606 Clark Street - Marx noted the consideration of the new DPW building to be built at its present location may need more information as the current building resides in the floodplain. RFP would allow the City to locate a firm to correctly answer what the hurdles there would be to rebuild at 606 Clark Street.

Denison added the idea of having the floodplain reexamined. The dam was removed which possibly reduced the floodplain area. Downey commented the possibility of looking at location above where present salt building is located. There being no further discussion ***Weedon moved, seconded by Denison to consider going out for bids to obtain engineering and construction costs for building on the current location of the DPW building located at 606 Clark Street. Roll call vote carried unanimously.***

Review and consider quotes submitted for maintenance and full cleaning of water well #4A - Marx informed the Commission of the second bid for cleaning water well #4A which was

received by North American Pump Company out of Wakarusa. The first bid was from Peerless Midwest, Inc., a company who has a long standing relationship with the City. Marx noted that Peerless enhanced the description of the work in second bid which better defined the work they would perform, however the price did not change. North American Pump Company gave references Mishawaka area, northern central Indiana. Their description appeared to be fairly apple to apple and their bid was significant savings over Peerless Midwest Inc.

Toerne noted that the lower cost is more logical, Weedon agreed. There being no further discussion ***Weedon moved, seconded by Toerne to approve North American Pump Company's quote of \$8,500 submitted for maintenance and full cleaning of water well #4A contingent on final review of North American Pump Company's cleaning process. Roll call vote carried unanimously.***

New Business

Consider the creation of an Ad-Hoc committee to review, with the intent to revise, the current DDA/TIF plan to explore options for restructuring the current DDA for the purpose of increasing functionality and improving relations with the City

Marx noted the merit in establishing the ad hoc committee for a chance to look at the present relationship with the City and the DDA. Marx suggests the committee to stay fairly small to be progressive in its review.

Denison informed that the ad hoc was his idea as he is not happy with the DDA and City relationship. The negative advertisement printed in papers needs to end. It's embarrassing and bad. Denison hopes for Weedon and himself to be representatives on the committee as they proven to be fairly neutral to the situation. Neither one of them are DDA board members and do not have an ax to grind; their goal is to figure out how to make it work. Denison added he is tired of hearing about the past and hopes to look towards the future and figure out a way to redirect where the DDA is going and how they can work together as it will benefit everyone.

Weedon added that it cannot be stressed enough the evidence an ad hoc committee is needed to find common ground between the two parties. There being no further discussion ***Denison moved, seconded by Weedon to consider the creation of an ad hoc committee to review, with the intent to revise, the current DDA/TIF plan and to explore options for restructuring the current DDA for the purpose of increasing functionality and improving relations with the City. Roll call vote carried unanimously.***

Public Comment

- Penny Slocum invited the public to attend DDA meetings and gave dates and times. If DDA gets resolved, the City gets the tax dollars.
- Norma Ferris questioned who's responsible of taking care of Ross Sanders. Ferris noted Ross Sanders currently has poison ivy growing on the outside of the building.
- Larry Money informed the City Manager of status of the Cemetery Chapel roof, missing tiles, and some deteriorated tiles and advertised the need to get the roof replaced to avoid water damage.
- Randal Peart asked why the microphone system cannot be fixed. Also questioned the status of the \$8,000 paid to Niles Chamber of Commerce.

- Dan Vigansky submitted a written notice to the recording secretary who was a designee of the City Clerk in her absence.

City Manager Comments

None

Commissioners' Comments

Toerne gave updates of Committees/Boards he currently serves being the Landfill and Planning Commission. Toerne thanked Jeremy Frame on his parking lot/sidewalk improvements taking place.

Moore advertised the inaugural meeting of the Friends of the Ducks who will be meeting at 6pm Tuesday evening. The group is working to be recognized by BARB.

Downey – none

Weedon attended the Planning Commission Meeting and commented a lot had been accomplished in the long meeting however he was quite surprise at how volunteer applications were handled. Weedon noted the lack of consideration for the individuals in the moment. Weedon wished the committee would have tabled the decision if there was not enough information to vote for members rather than to handle it the way it was handled.

Denison answered some of the questions from public comments. Chamber report is due October after that the Commission can decide if they want to reinvest in the Chamber. Denison added the condition of Ross Sanders house looks really bad and questioned the hold up for getting painted or repaired. Denison added that he doesn't believe our town is "a slum city" as mentioned in public comments, there is a lot in our city going on that is good and he is proud of our city. Denison agreed the DDA mission is currently too broad and needs to be scaled down to be more specific. Denison also attended the Planning Commission meeting and felt it was an embarrassment and was not run well. Denison reiterated the duties of the Planning Commission to make the best judgement of the people they recommend to the City Commission for approval.

Closed Session

At 7:57 p.m. *Weedon moved, seconded by Toerne to go into closed session pursuant MCL15.268, (h) to consider material exempt from disclosure. To receive attorney's opinion regarding the DDA. Roll call vote carried unanimously.*

Adjourn

At 9:42 p.m. *Weedon moved, seconded by Denison to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 9:43 p.m.*

Mayor Patricia A. Moore DPM

Recording Secretary Mandi Schanick

**JOINT WORK SESSION BETWEEN THE BUCHANAN CITY AND PLANNING
COMMISSIONS MEETING MINUTES
TOPIC: RECREATIONAL MARIJUANA
Tuesday, October 1, 2019**

A Joint Meeting of the City Commission and Planning Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday, October 1, 2019, at 6:30 p.m. The Mayor called the meeting to order at 6:30 p.m.

City Commission Members present: Mayor Moore, Commissioners Toerne, Weedon, Denison and Downey

City Commission Members absent: None

Planning Commission Members present: Ralph McDonald and Kevin Barker

Staff present: City Manager Bill Marx, City Zoning Administrator Debra Patzer, and City Clerk Brenda Hess

Guests/Visitors present: None

Police Power Ordinance – Draft #8 Patzer reviewed on pages 3 and 4 the different types of establishments are difficult to put under an umbrella.

Barker arrived at 6:34.

Moore inquired which entity would authorize a business first; would it be the State or the City.

Barker noted that residents would most likely prefer that events happen in the industrial areas. Numbers of each establishments were discussed in detail. The City could let the State pre-qualify events. McDonald expressed support of only having one event the first year. Moore pointed out that this will be a living document which would have changes and would need to be revisited. Denison noted that most likely businesses would concentrate on building their brick and mortar businesses and would not most likely not have time nor want to put the effort into having events. Decided to allow one temporary event as starting point.

The number of microbusinesses was discussed at length. Lack of available physical space in the City for this type of new business was noted.

Idea of having an umbrella of retail businesses was discussed at length. It was suggested that the market would sort out the different kinds of establishments as time went by.

Having retail establishments as part of grow operations in the industrial area was discussed at length.

Possible scenarios for different businesses with different kinds of establishments at the same address was discussed at length. It was noted that no one knows how these businesses will develop and right now there is a lot of speculation regarding the type and number of these businesses. Lack of crystal ball of what market will support.

It was noted that some of the currently approved medical marijuana businesses are not getting up and operational. It was noted that many have not moved forward at all. Discussion centered around what to do with businesses that get a permit then do not move forward with their

business. A 90-day cycle or quarterly review of reporting to the City on progress was discussed. It was suggested adult use permits would not receive automatic renewals and would need to show some progress before being renewed. The difficulty of determining how far along a business was coming was discussed due to subjective nature of what qualifies as success.

The final total number for adult use marijuana retail establishments of is 7 addresses with a total of 5 businesses.

Patzer noted she will send this draft out for review and comments with a tentative date of October 14, 2019 City Commission meeting for a first reading. Members were encouraged to send their input to her as soon as possible.

Section 4 had item E added covering the application for microbusinesses.

In section 13 G transport was updated.

Section 15 C was added.

Section 19 C distance was added regarding how many feet from other buildings. Determined this was not necessary and will be removed from final draft. Suggested that this section mirror the existing medical Ordinance and only the adult use verbiage be added. Proximity to parks was discussed.

Zoning Ordinance Amendment Draft #1 was discussed. The adult use zoning mirrors the medical zoning ordinance with changes in verbiage. Members were encouraged to send their input to Patzer so Draft #2 could be prepared.

There being no further discussion, the Mayor adjourned meeting at 7:39 p.m.

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

BUCHANAN CITY COMMISSION SPECIAL MEETING MINUTES
Tuesday, October 1, 2019

A Special Meeting of the City Commission for the City of Buchanan was scheduled at Buchanan City Hall, 302 North Redbud Trail, Buchanan, Michigan Tuesday, October 1, 2019 at 6:00 p.m. The Mayor called the meeting to order at 6:00 p.m.

Members present: Mayor Moore, Commissioners Toerne, Denison, Downey and Weedon

Member absent: None

Staff present: City Manager Bill Marx, Wastewater Treatment Plant Operator Bill Housand, and City Clerk Brenda Hess

Guests/Visitors present: None

Toerne moved, seconded by Weedon to approve the consent calendar as presented. Roll call vote carried unanimously.

New Business

Approve wastewater contract – Marx reviewed the documents for the contract with Davis Construction and Gosling-Czubak for the new oxidation ditch. It had been referred to the City Attorney for review. The total cost \$8,935,000.00 and it will last for at least 80 years. Housand noted a \$500 per day payment would be charged for not meeting the completion deadline. It was noted it is a standard contract. Housand Commented that it was a 16-month contract but could be changed if needed depending upon the spring weather at the start of the project. Poor weather in the spring could delay the start. October 13, 2019 is the deadline for locking in the special pricing. Toerne inquired about the completion date in September of 2021 and about the bonding. Marx commented the bond is being worked on currently with Andy Campbell. Approval of the agreement will help with moving the bonding along. Marx noted that Gosling-Czubak completed the headworks project and did a good job. ***Weedon moved, seconded by Denison to approve the Wastewater Treatment Plant contract as presented. Roll call vote carried unanimously.***

Appoint members to the DDA ad-hoc committee – No discussion. ***Denison moved, seconded by Weedon to form an ad-hoc DDA committee comprised of members Denison, Weedon, Fran Terry and Jerry Flenar. Roll-call vote carried unanimously.***

Being no further business, Weedon moved, seconded by Downey to adjourn the meeting, voice vote carried unanimously. The Mayor adjourned the meeting at 6:12 p.m.

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

**City of Buchanan Commission Minutes
October 14, 2019**

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, October 14, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. The invocation was led by Pastor Watkins.

Recognition

None

Roll Call

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

Guests: Approximately 19 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Debra Patzer, Zoning Administrator; Brenda Hess, City Clerk

Public Comments

- Alan Robandt – Commented upon the Adult Use Ordinance and the number of establishments in the Ordinance. Expressed desire for adult use facilities to be located in downtown area.
- Rick Paniagua – Commented upon the Adult Use Ordinance and the wording of the number of establishments. Commented upon the number of facilities. Commented upon the downtown businesses.
- Ed Graveline – Commented upon the two extra licenses and discouraged them.
- Randal Peart – Commented upon the Planning Commission’s Chair and members stance on marijuana.
- Dan Vigansky – Commented upon DDA, Ad-Hoc committee, Chair of Planning Commission, new water superintendent position, closed session of previous meeting, no backup material, and the City Manager’s contract.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular scheduled meeting September 23, 2019
- Approve Minutes: Special Meeting Wastewater Treatment Plant and DDA Ad Hoc Committee appointments October 1, 2019
- Approve Minutes: Joint work session with Planning Commission Adult Use Marijuana October 1, 2019
- Approve Invoices/Expenditures for October 14, 2019 in the amount of \$196,587.48
- Certify delinquent township utility bills to the winter 2019 tax roll
- Approve Banner Placement Request for the Buchanan Area Senior Center’s Annual Christmas Bazaar November 25th-December 9
- Approve Street Closure for the Seventh Annual McCoy’s Creek Trail Run on Saturday, October 26, 2019
- Approve the reappointment of Jason Lietz and Ralph McDonald to the Planning Commission for another three-year term (2019-2022)

- Approve the appointment of Donna Monell to the Planning Commission to complete a term ending in 2021 as recommended by a majority vote of the Planning Commission on Thursday, October 10, 2019

Downey moved, seconded by Denison to approve the consent calendar as written. Roll call vote carried unanimously.

Reports by: Departments, Committees, Boards

Berrien County Animal Shelter – Tiffany Peterson – Peterson introduced herself and spoke regarding her background in law enforcement. She reported on improvements made in department under her two years of leadership. Extended invite to 4th Annual Trunk or Treat on Saturday, October 26. Reported on hoarding situation requiring animals to be held at the old shelter. Reported on numbers currently in shelter and adoption rates. Reported on new program with local veterinarians to help provide lower cost neutering. Noted shelter utilizes social media with themed photos to help place animals. New software helps locate owners of lost pets. Shelter located at 1400 S. Euclid in Benton Harbor.

2020 Census in Berrien County – Kathy Stady - Stady reviewed the process of taking a census, the problems associated with residents not being counted, and noted the work the City Manager is doing with the local community foundation to increase participation in the City. Encouraged people to respond and spread the word.

Niles-Buchanan Relay for Life – Janet Wortman, Representative for Relay for Life of Berrien County – Commented upon relocation of event to Buchanan. Explained services offered through the American Cancer Society with funds raised at event. Requested the use of the Common for July 11, 2020. Requested support of the Commission to bring their mission to the City. ***Toerne moved, seconded by Denison to approve the Niles-Buchanan Relay for Life event on July 11, 2019 in the City of Buchanan. Roll call vote carried unanimously.***

Unfinished Business

None

New Business

Approve the establishment of a Water Operations/Utility Superintendent position – Marx explained shortage of water/wastewater operators in Michigan and the lengthy time frame for an employee to earn a Class B license. It was noted Buchanan has lost workers to the Galien Sanitation District which offers hire wages per hour. There are future challenges with oxidation ditch construction and Sewer and Water Grant's Capital Improvement Plan which is 20 years in duration. Aging infrastructure is a big issue and upgrades need to occur for Buchanan to continue to be a quality service provider. A work session is planned for Monday, October 21, 2019 at 5:30 p.m. The person hired for this position would oversee the wastewater construction project, the water mandates of lead and copper service line replacement legislation, as well as monitor and address P-FAS standards which are still being determined by the State. There are approximately 800 homes in Buchanan which will require new lead/copper service line replacements in the future with 20% of those homes be repaired each year. Once created, the position will be posted internally and then opened for outside applicants. Toerne reminded Commission about the difficulties in finding new wastewater employees. Downey inquired as to

the licensing of the operator that left for Galien and it was noted he was a level C operator. Marx noted we are seeking an operator currently to replace the C operator and the posting closes on the October 18, 2019. Downey inquired as to the duties of the superintendent. Marx noted superintendent would oversee construction as well as keep current plant operational until Oxidation Ditch completion. Noted project is a 3-year project. Marx noted that retirements have greatly impacted the number of wastewater operators. Additionally, construction/engineering firms continue to take many license holders out of the municipal market. The superintendent will help other employees obtain additional licenses and help develop current employees. Pay structure in Buchanan incentivizes employees to obtain licenses. Moore inquired about local community colleges offering programs. Operator certification test is difficult which makes obtaining licenses challenging. ***Toerne moved, seconded by Weedon to establish the position of a Water Operations/Utility Superintendent position. Roll call vote carried unanimously.***

Consider Adult Use Marihuana Ordinance 2019.10/413 – Introduction, First Reading and schedule the required Public Hearing for Monday, October 28, 2019 at 7:00 p.m. – Patzer read the Ordinance summary which included the date of the Public Hearing. Noted publication scheduled with Leader for October 17. Clarification was made regarding the number of establishments between the previous draft and the draft presented at the meeting. Clarified that for first 24 months only previously permitted medical marijuana businesses would be able to apply for adult use permits. Noted the decision to have an “umbrella” for the number of retail businesses would allow for flexibility, but also limit the total number of establishments and allowing for a combined total of not more than 7 for retailers and designated consumption areas. These would be allowed by existing medical permit holders at their existing locations. Weedon clarified that there will not be 7 new establishments in 7 new places in addition to the existing medical facilities. It was noted that the future of the marijuana market is difficult to determine at this point and it is therefore difficult to determine numbers for various business types. Eventually sales will dictate which types of businesses are needed. Expressed desire to be ahead of Niles in the field of medical and adult use marijuana. Mayor suggested more specific language to clarify questions regarding the two new businesses and the categories of consumption rooms, events and microbusinesses. Denison explained that the five stated in the Ordinance are for existing medical permit holders and two additional permits are for businesses the City cannot anticipate at this time as it is too early to determine what the market will dictate. Also addressed comment from resident regarding transparency in process and clarified the City desires input for residents and businesses. Patzer requested input from the Commission and will incorporate all ideas provided. ***Weedon moved, seconded by Toerne to schedule a Public Hearing regarding the adult use marijuana Ordinance (on October 28, 2019 at 7:00 p.m.). Roll call vote carried unanimously.***

Approve a budget amendment in the amount of \$72,992 for a new Wastewater Plant Operator position including license stipend and salary adjustment for the new Wastewater/Water Supervisor position – Marx noted an amendment is needed to fund the previously approved position which will not cause a rate increase for residents. Denison noted that \$72,000 is a lot of money, but market is currently dictating salaries the City needs to offer. City does not want a contract company running the wastewater plant due to even greater costs. ***Denison moved, seconded by Toerne to approve a budget amendment in the amount of \$72,992 for a new***

Wastewater Plan Operator position including license stipend and salary adjustment for the new Wastewater/Water Supervisor position. Roll call vote carried unanimously.

Public Comment

- Alan Robandt – Commented upon the Zoning Adult Use Ordinance.
- Dan Vigansky – Inquired about the DPW flood plain. Requested response for Consent Calendar questions.
- Rick Paniagua – Commented upon spirit of volunteerism to advance Buchanan.
- Jim Cronin – Commented upon gutters on 3rd and Lake Streets.
- Randal Peart – Commented upon cleaning up mill race sediment trap and flood plain mapping.
- Michelle Bowen– Requested on behalf of Lee Remmo for Feed Mill sale be placed on future agenda.

City Manager Comments

Marx commented upon Census 2020 collection. Noted there will be help from the Community Foundation, RAM, the Senior Center and the Library to get Buchanan counted.

Requested work session with Prehn-Newhoff regarding capital improvement projects. ***Toerne moved, seconded by Weedon to have a work session on October 21, 2019 at 5:30 p.m. at City Hall. Roll called vote carried unanimously.***

Marx explained the FCC has ability to put many small cell towers all over Buchanan in City owned property with the highest tower being 120 feet to create at 5G network. There is a webinar coming up regarding this mandate.

Commissioners' Comments

Weedon – Acknowledged gutter situation mentioned by Mr. Cronin. Ad-Hoc names were noted at last meeting and they are Fran Terry, Sean Denison and himself which is reflected in the Minutes. Noted Jerry Flenar declined. Expressed frustration and need for Planning Commission to attend joint meetings.

Toerne – Noted Farmers' Market has concluded this year and recognized Beth Chubb's contributions. Commented upon last Planning Commission meeting with special use permit issued for Redbud Roots. Conducted preliminary review of a project. Commented upon decision made regarding property at 107 Main Street. Noted Donna Monell appointed to Planning Commission. Commented upon activities at the Landfill regarding recycling and possible increase for recycling services for City residents. Read letter from Republic Services. Landfill purchased a mowing grasshopper for \$20,000 and noted City will need one in future. Read email regarding visit to Orchard Hill Landfill in Watervliet and handling of PFAS.

Downey – Requested Attorney's letter regarding DDA be made public. Commented upon the Planning Commission and Donna Monell's resume for position on Board.

Denison – Answered question regarding adult use sales in the Industrial Park. Addressed question regarding Planning Commission Chair's abstention from marijuana votes. Noted Chair's expertise and volunteering outweigh his stance on marijuana.

Moore – Commented upon using best judgment when volunteering on Boards. Encouraged people to give others benefit of the doubt and use gentility and kindness. Extended thanks to

local EMS for help with accident which occurred in her yard. Noted public safety accounts for 52% of the City's budget.

Closed Session

At 8:58 p.m. *Denison moved, seconded by Weedon to move into closed session pursuant MCL15.268, (h) to consider material exempt from disclosure. To Approve Minutes from Closed Session of September 23, 2019. Roll call vote carried unanimously.*

The Mayor reconvened the meeting 9:00 p.m.

Closed Session

At 9:01 p.m. *Denison moved, seconded by Weedon to move into a closed session Under MCL 15.268(a) closed session; permissible purposes section 8. To consider a periodic personnel evaluation – City Manager, William Marx evaluation. Roll call vote carried unanimously.*

The Mayor reconvened the meeting at 9:52 p.m.

At 9:53 p.m. *Weedon moved, seconded by Toerne to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 9:53 p.m.*

Mayor Patricia A. Moore DPM

Brenda J. Hess, City Clerk

**JOINT WORK SESSION BETWEEN THE BUCHANAN CITY AND PLANNING
COMMISSIONS MEETING MINUTES
TOPIC: RECREATIONAL MARIJUANA
Monday, October 21, 2019**

A Joint Meeting of the City Commission and Planning Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, October 21, 2019, at 5:00 p.m. The Mayor called the meeting to order at 5:03 p.m.

City Commission Members present: Mayor Moore, Commissioners Toerne, Denison and Downey

City Commission Members absent: Commissioner Weedon

Planning Commission Members present: None

Staff present: City Manager Bill Marx, City Zoning Administrator Debra Patzer, and City Clerk Brenda Hess

Guests/Visitors present: 7

Patzer explained the changes in Section 3 for clarification. Clarified the fact that there are no extra licenses. Explained that some of the verbiage was moved around for clarification at the beginning of the section, further clarifying that existing business owners would have priority for the first twenty-four months. Clarified that one new microbusiness and one temporary marijuana event would be approved. Moore and Toerne commented that the language has been clarified and more organized. Patzer noted there will be a Public Hearing on the 28th at 7:00 p.m.

There being no further discussion, the Mayor adjourned meeting 5:09 p.m.

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

BUCHANAN CITY COMMISSION WORK SESSION MEETING MINUTES
Capital Improvement Projects Update
Monday, October 21, 2019

A Special Meeting of the City Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Monday, October 21, 2019 at 5:30 p.m. The Mayor called the meeting to order at 5:33 p.m.

Members present: Mayor Moore, Commissioners Toerne, Downey, Weedon, and Denison

Members absent: None

Staff present: City Manager Bill Marx, Wastewater Treatment Plant Operator Bill Housand, Craig Miller, City Treasurer Juli O'Bryant, and City Clerk Brenda Hess

Guests/Visitors present: Mike Schwartz and Jason Washler from Prein and Newhof and 2 members of the public

Mike Schwartz from Prein-Newhof reviewed grant which provided an inventory and replacement plan for water and wastewater infrastructure.

Sanitary system was reviewed. System materials and ages were reviewed. SAW grant included 6 reports. Scale of 1 to 5 with one being good and five being bad. Smoke testing was conducted. 30% of system in failed category and 50% in fair. Front Street, Redbud and Main corridors are in the poorest condition due the oldest age. Shared photos of problems. Infiltration was noted in the downtown area from the creek and large quantities of storm water go directly into sanitary sewers. Assets need to be replaced using a priority matrix, noting most critical and high-risk areas.

Storm water system had the same examination as the sanitary system. The City's storm water ends up in McCoy Creek and on to the St. Joseph River. Storm system dating back to the 1920s with an expansion in the 1950s. Generally, storm water system is not in as bad shape as the sanitary system. Noted pockets of debris, but lower amounts of structural defects. Followed the same rating scale as sanitary system. Same areas were structurally in need. Storm systems can fail, causing flooding, which is an inconvenience, but sanitary failures relate to public health and involve the DEQ. Storm water systems are not built to today's standards and City pipes are not designed to handle the flooding of today.

Water system, but the SAW grant did not cover the evaluation of water systems. We were conducting a water reliability study through the DPW. The water system dates back to 1915 and is the oldest of the 3 systems. There is a combination of galvanized, ductal iron, and plastic delivery lines which is unique having 3 different types of materials. Cast iron breaks easier than the other 2 materials. Water service runs by pressure, not gravity. The City predominately has 4-inch mains which need to be upgraded to 6-inch and can be part of the lead copper replacement program which is mandated by the State.

Jason Washler, of Prein and Newhof noted it is important to have coordination of replacement projects as to not have to start over and keep ripping up roads repeatedly. The middle of the City and south and north corridors are in the most need. The 29 total

planned projects have been placed on a 20-year schedule. The sections of Redbud and Front will need to be started as they make up the core of the projects.

Consideration of three questions 1) What would make sense for a bonded project? 2) What would be the scope of each project? What would be the cost for each project moving forward? Replacement of storm, sanitary, water, and roads in the core area fixed simultaneously. First project will begin in 2022 which would be a 2-year project for a total of \$9,000,000. Deciding a schedule and a scope for the project. Financing comes next. USDA Rural Development Plan would provide a 40-year plan. Andy Campbell of Miller-Canfield is leaning towards this funding of the project.

Marx asked for clarification of original cost of \$60,000,000 which covered everything. Readjusted plan to bond every 4 years into smaller projects over the 20 years instead of a plan to bond every two years. A four-year cycle is good for planning and financing. New lift stations were removed from this bond into the next bonding period because they can be fixed with existing parts. Projects would be lead-galvanized service replacement driven which would occur over the next 20 years.

Housand reiterated the need for improvement as the wastewater plant treats a high volume of storm water which is directly related to issues in the downtown area with the creek breaching into the system. The sanitary system cannot keep out the storm water.

The plan has divided up the entire replacement into the 29 projects by price and the order of completion can be adjusted.

Moore inquired about the practicality of repairs and how they would be divided during construction and the impact this would have on residents and business owners. Schwartz noted sanitary lines go through the middle of the street and will require entire streets be closed for periods of time. Described how City of Vicksburg is currently working on replacement. Construction will move slowly so residents will be prepared and not have surprises. There will be the need for periodic detours. Marx said construction would start at the wastewater treatment plant working on the interceptor sewer to the downtown intersection of Front and Redbud.

A permanent dewatering system will be added to the downtown area. Moore commented upon a way to help the downtown businesses during these projects. Washler noted that staging by contractors combined with good communication from the City and the construction companies will help the downtown business owners to lessen negative impact. Moore encouraged public education and noted planning is key. Underground work can be completed in winter, but finish work on the surface can only occur in the summer.

Housand noted that a massive failure of the system would be far more inconvenient to residents and business owners than thoughtful, well planned construction projects. Moore expressed concern for people who will be most affected but won't attend meetings. Parking alternatives need to be planned well in advance. Public education is key, and the planning of projects won't happen in the dark.

Marx reminded all that the yellow projects from the map are the most important to get started. He also expressed interest in seeing how the community of Vicksburg's project is going. Noted the City is just starting the conversation regarding these projects and there will be many planning meetings. Dewatering will greatly improve the downtown area. There are many smaller issues that can also be addressed throughout these projects.

Schwartz noted that sewers are either in the middle of the street, or 6 feet from center so vehicles do not travel over them. Noted all utilities need to be involved in planning including cable, electric, fiber optic, phone, and gas. Noted new downtown amenities and streetscapes can be improved as part of the underground projects. Noted it is premature to get too much public input regarding streetscape changes because financing needs to be addressed first.

Housand noted that water and wastewater departments are feeling pressure from State to complete upgrade projects. EGLE (Environment, Great Lakes and Energy) wants the City to have a plan and to start moving forward and address the issue of storm water in the sanitary system soon.

Residents and business owners should not worry at this point as City is far from beginning any projects. The more the Commission understands, the better they can explain it to residents as the time approaches.

There was general discussion about the planning process used in Vicksburg. The focus is to solve underground issues and then any other projects that come out of the process are an added bonus. Emphasizing the end product helps people understand during the inconvenience of the construction process.

O'Bryant reviewed the five capital improvement projects 1) The Oxidation Ditch \$9M 2) DPW Building \$2M 3) Sewer Improvements \$11.8M 4) Water Improvements \$7.2M and 5) General Road and Storm Water \$3M. O'Bryant emphasized that these are preliminary discussions.

Oxidation ditch is on track for start in April of 2020. \$9,000,000 of the oxidation ditch bond payments have been structured into the latest water and sewer rate increases which were an 11% increase for consumers. The bond will be a 20-year bond.

O'Bryant shared a letter from Andy Campbell, the City's Financial Advisor from Baker-Tilley, which reported the City used conservative estimates during rate increase discussions held earlier year. He believes City may be able to work projects into the current rate structure which has increases of 8% per year going forward. This is dependent upon the funding commitment from USDA Rural Development if the City were to choose to go with that option.

The USDA could provide several possible options for funding. They could offer an intermediate interest rate (2.375%) and no grant money; an intermediate interest rate and some grant money; a poverty interest rate (1.75%) and no grant money; or poverty interest rate and some grant money. Once the City has a discussion with the USDA about potential projects, Campbell will reassess the current rate track based on the

funding commitment. Currently the estimate is a \$5 per month increase to satisfy the annual bond payments for the Water and Sewer portion of the Capital Improvement Projects which does not include the rate increase for the Oxidation Ditch. The yearly debt repayment for a 40-year USDA loan will be \$107,000. The City is currently levying under the maximum allowed by the Headlee Amendment by approximately 1.6000 mills. It was also noted that the average house has a taxable value of \$40,000 would pay an additional \$66 on their summer tax bill to cover the 40-year debt.

DPW building would require a loan \$2,000,000 for 15 years at a 3.9% loan rate. Campbell believes this rate is too high and the City could get a lower interest by going out for a bond. The City would save on interest but would have to pay between \$25,000 and \$30,000 for bond issuance costs and fees.

Additionally, O'Bryant reported the City spoke with Dan Fette from Berrien County regarding funding for the DPW building project. The County can issue bonds for local governments. The advantages are:

1. The County can obtain better bond rates as they have a high credit rating of A++
 2. The County DPW would then run the project freeing up local staff to focus on regular projects and not on the construction project.
 3. The County does not have to run an election for these which saves time and money.
- The County has sponsored \$40,000,000 in bonding. The downside to going with the County is USDA grants are not included in this. If City went through the County, we would not get grant money.

Moore inquired as to future work sessions. Marx commented City needs to hear from USDA regarding cost. Prein-Newhof to help in process so we can decide if we go through County. Noted Buchanan has a low enough per capita income level but doesn't have a "public crisis" which is required to get grants. Through Rural Development we will most likely get a grant for sewer, but not for water according to Washler. The County has a streamlined process for approving grants which would only take 3 months.

Being no further discussion, ***The Mayor adjourned the meeting at 7:05 p.m.***

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

**City of Buchanan Commission Minutes
October 28, 2019**

The Public Hearing was called to order at 7:03 p.m. to hear public comments on the proposed Ordinance 2019.06/413 Adult Use Marihuana.

Public Comments Regarding Ordinance:

- Alan Robandt – Expressed concern about having retail sales in Industrial Park. Should be limited to C2 and C3 business districts.
- Alex Lenowicz – Had questions regarding language in Section 3 regarding the requirement of having both a medical and adult use permits at each facility. Disagreed that adult use sales should be limited to C2 and C3 business districts.
- Dan Vigansky – Expressed opinion regarding postings of dates and times of meetings. Expressed opinion regarding sales in Industrial Park.
- Randall Peart – Had question regarding taxes if retail sales were allowed in Industrial Park.
- Tom Jollay – Expressed opinion that retail sales only be allowed C2 and C3 business districts.
- Rick Paniagua – Expressed opinion that retail sales only be allowed in C2 and C3 business districts.
- Kelly Dickerson – Expressed opinion that retail sales only be allowed in C2 and C3 business districts.

Hearing no further comments or receipt of any additional written comments, ***Toerne Moved, seconded by Denison to adjourn the public hearing. Voice vote carried unanimously.*** The Mayor adjourned the public hearing at 7:13 p.m.

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, October 28, 2019 and was called to order at 7:13 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. There was no invocation.

Recognition

None

Roll Call

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

Guests: Approximately 26 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Bill Housand, Wastewater Treatment Plant Operator; Brenda Hess, City Clerk

Public Comments

- Dan Vigansky – Expressed disappointment on not being elected to DDA. Commented upon City Manager contract for present and future managers. Thanked Clerk for DDA rejection letter. Welcomed new DDA members.
- Alex Lenowicz – Reiterated earlier statement regarding permitting requirements.

Consent Calendar:

- Approve Agenda

- Approve Minutes: Regular Meeting October 14, 2019
 - Approve Minutes: Work Session Meeting with Planning Commission – Adult Use Marijuana October 21, 2019
 - Approve Minutes: Work Session Meeting – Capital Improvement Projects Update October 21, 2019
 - Approve Invoices/Expenditures for October 28, 2019 in the amount of \$91,372.68
 - Approve Banner Placement: Wesner Automotive Annual Toy Drive December 1-15, 2019
 - Approve Street Closure Request for Front Street on November 30, 2019 from 5:00 to 7:00 p.m. for the Chamber of Commerce Holiday Parade
 - Approve the appointment of Hillary Hageman and Daniel Carlson to the Downtown Development Authority to complete terms ending in 2023 as recommended by a majority vote of the DDA on Thursday, October 17, 2019
 - Approve the appointment of Ralph McDonald to the Downtown Development Authority to complete a term ending in 2021 as recommended by a majority vote of the DDA on Thursday, October 17, 2019
 - Approve the reappointment Heidi Ott to a second four-year term to the Downtown Development Authority ending in 2023 as recommended by a majority vote of the DDA on Thursday, October 17, 2019
 - Approve the formation of The Buchanan Friends of the Ducks Committee as a subcommittee of the Buchanan Area Recreation Board (BARB) as recommended by the BARB at their meeting on October 16, 2019 – Resolution 2019.10/196
 - Approve changing the date of the Monday, November 11, 2019 City Commission meeting to Tuesday, November 12, 2019 due to the Veteran’s Day holiday
 - Approve cancelation of the Monday, December 23, 2019 City Commission meeting.
- Denison moved, seconded by Toerne to add Item “N” onto the Consent Calendar “to approve the appointment of Adam Burke to the DDA Ad-Hoc Committee”. Roll call vote carried unanimously. Downey moved, seconded by Denison to add Item “D” to Unfinished Business “to approve the limited release of Attorney information on the DDA”. Roll call vote carried unanimously. Denison moved, seconded by Weedon to approve the amended Consent Calendar. Roll call vote carried unanimously.***

Reports by: Departments, Committees, Boards

None

Unfinished Business

Consider adoption of Ordinance 2019.10/413 an Ordinance to Amend the City of Buchanan, Michigan Code of Ordinances Chapter 18, Businesses by Adding Article IV, Adult Use Marijuana Establishments – An Ordinance to Authorize and Regulate Adult Use Marijuana Establishments Pursuant to the Michigan Regulation and Taxation of Marijuana Act Being Initiated Law 1 of 2018 - Patzer noted this is the Police Power Ordinance. The Zoning Amendment provides for actual locations to be discussed at the next Planning Commission meeting on November 19. Provided second reading summary. Noted fee schedule added. Noted Ordinance can be amended. Moore noted newness of industry and changes to the Ordinance will be needed as industry grows. Patzer noted Ordinance needs to be completed by November 1 or the State will be able to dictate who conducts marijuana business in Buchanan. Weedon requested Commission input regarding Lenowicz’s question about Ordinance requiring a medical

permit for each adult use facility. Toerne noted we could pass the Ordinance and make changes through the amendment process, but the Ordinance needs approval. ***Weedon moved, seconded by Toerne to add language to Section 3 C, on page 4 of the (Adult Use Marihuana) Ordinance to exempt growers and processors from the requirement that Marihuana Establishments must be on the same property and in the same building as their Medical Marihuana Facility(s).*** Patzer noted this language change would amend Section Three of the Adult Use Marihuana Ordinance Part C and would clarify language for growers and processors. Being no further comments or questions, ***Roll call vote carried unanimously.*** Denison commented language change was needed as the original intent of the requirement was to prevent retail establishments from taking over every available space. Reminded all that the City is learning and that changes can be made. Moore noted that changes can happen in the Zoning Ordinance approval process. Denison noted Buchanan is open for business and although no one really knows what is going to happen we welcome all new business. ***Weedon moved, seconded by Toerne to approve Ordinance 2019.10/413 an Ordinance to Amend the City of Buchanan, Michigan Code of Ordinances Chapter 18, Businesses by Adding Article IV, Adult Use Marihuana Establishments. Roll call vote carried unanimously.***

Consider Adoption of Resolution 2019.10/197 - Setting the Municipal Permit Fees for Adult Use Marihuana Establishments, Event Organizer and Temporary Marihuana Event – Patzer noted that the fees are allowed under MRTMA (Michigan Regulation and Taxation of Marihuana Act). Reviewed all fees and noted fees will cover City costs. Weedon requested clarity regarding the Special Marijuana Event cost. Patzer noted State set and Weedon noted State fees are large. Patzer noted City cannot charge more than the State. Toerne suggested City wait to see what market dictates. Downey inquired regrading Special Marijuana Event fees and if they applied to all vendors taking part in the event such as food vendors or is the \$500 fee per vendor specifically for marijuana vendors. Patzer noted MRTMA is not clear on that point. Moore noted City needs to justify charges and City is doing heavy lifting while State benefits monetarily. ***Weedon moved, seconded by Denison to approve Resolution 2019.10/197 - Setting the Municipal Permit Fees for Adult Use Marihuana Establishments, Event Organizer and Temporary Marihuana Event. Roll call vote carried unanimously.***

Approval of labor contract with City Manager William Marx - Moore thanked Weedon and Denison for help with writing and negotiating contract. Marx highlighted six major changes since his hiring in November 14, 2011:

- Contract is eighteen months in duration and goes from November 1, 2019 through May 31, 2021. Includes exit plan.
- Marx will resign as Chief of Police as soon as replacement chief is found. Process for hiring new chief will begin with internal search.
- Salary \$86, 186.21 which includes a 4% raise.
- During second year of contract Marx will receive a 4% raise
- Marx will purchase cellular phone for \$1.00 at conclusion of contract and be able to retain phone number that came with him to City.
- City Commission will create an evaluation process prior to July 1, 2019.

Toerne thanked Weedon and Denison for their work on the contract. Denison noted a replacement would be found while Marx is still employed, and search will begin soon. Commission desires new Chief to be trained before Marx's departure. Noted importance of exit

plan to prepare next manager. Marx noted contract can be obtained through a FOIA request through the Clerk. Weedon noted it important to recognize the longevity of Manager Marx. Cautioned people from “nitpicking” contract. Downey noted he would be voting no due in part to the lateness of obtaining contract. Expressed opinion contract needed specific dates and felt there was lack of clarity in some of the language. Noted in future all Commissioner’s should sign document. ***Weedon moved, seconded by Denison to labor contract with City Manager William Marx. Yeas: Weedon, Denison, Moore and Toerne Nays: Downey. Motion carried by majority.***

Release of Attorney’s Opinion Regarding the DDA – Downey noted Buchanan’s City Attorney’s letter should be released to Ad-Hoc Committee. Moore noted she supported release of letter provided it only go to the Ad-Hoc Committee and it remains confidential. Denison expressed support for release of the City’s Attorney’s letter to the Ad-Hoc Committee, and additionally expressed desire to see the original letter from the DDA’s Attorney. Moore noted that the DDA Chair has not released original letter from DDA’s Attorney. Denison reiterated that City’s Attorney’s letter would be released as soon as the DDA’s original letter was released. ***Weedon moved, seconded by Moore to approve limited release of the City Attorney’s letter regarding the DDA with the stipulation that the original letter received by the DDA Chair is also released to the two individuals on the Ad-Hoc Committee and released to [Weedon and Denison] as well who sit on the Ad-Hoc Committee.*** Toerne inquired if it was necessary to contact the City Attorney prior to approve. Moore noted that a limited and confidential release is approved. ***Roll call vote carried unanimously.***

New Business

Consider approval of the installation of the Return Activated Sludge Pump previously approved for purchase at the May 28, 2019 meeting, to be installed by Hickok Plumbing in the amount of \$5,000 – Housand asked for approval of installation of the previously approved pump. ***Denison moved, seconded by Weedon to approve the installation of the Return Activated Sludge Pump previously approved for purchase at the May 28, 2019 meeting, to be installed by Hickok Plumbing in the amount of \$5,000. Roll call vote carried unanimously.***

Public Comment

- Randall Peart – Encouraged Commission to follow Charter and have the next Manager live within Buchanan. Suggested Friends of the Ducks group consider harvesting ducks for food for local clients of RAM. Noted fish beds are downstream from the ducks and their waste can impact the fish.
- Jason Paturalski - Expressed interest in purchasing old Feed Mill at 111 Railroad. Mayor Moore encourage him to reach out to Marx to meet. Downey inquired where people go now for Feed Mill products and supplies and it was noted most people go to Rural King.
- Donna Monell – Thanked Marx for attending ribbon cutting at Cameron’s Restaurant. Commented upon the contract approval for Marx and encouraged the use of “selection committees” for both Police Chief and Manager searches.
- Dan Vigansky – Inquired about blinking stop light at Oak and Front. Commented upon fixing of streetlights.
- Norma Ferris – Inquired about removal of poison ivy at Ross-Sanders House.

City Manager Comments

Marx noted Saturday's City Halloween events saw low attendance due to rainy and cold weather. Leaf pickup has started; routes posted on Facebook and City website. Catch basins are full of leaves and rain caused minor street flooding. Reminded everyone of Trick-Or-Treat times of 6:00 until 7:30 on the 31st. EMS will be at the Redbud City Center and candy checks will be there too. Thanked community for support of McCoy's Trail Trek-Or-Treat and noted leftover candy will be given out by the Fire Department on Halloween night.

Commissioners' Comments

Denison- Expressed regret for missing Cameron's Grand Opening. Thanked Scarecrow Ladies. Noted Adam Burke was appointed to DDA Ad-Hoc Committee and reviewed his qualifications. Noted that marijuana retail sales are not all going to be located in the Industrial Park and that adult use licenses will go to existing medical permit holders. Agreed with Peart regarding ducks.

Downey – Informed Ferris that there is regular ivy on the Ross-Sanders Building and it is not poison ivy.

Toerne – No comments.

Weedon – Noted conversations will continue regarding marijuana and expressed support for downtown area.

Moore – Noted City Charter is outdated and there was a court challenge to the residence requirement on employees meaning the City cannot require employees to live within City limits. Reminded everyone ducks are pets and are not for consumption and noted some ducks are even named. Reminded everyone to go see The Bad Seed at the Tin Shop Theater. Commented there is still a great deal of work to do regarding marijuana business establishment.

Closed Session

Under MCL15.268(d) closed session; permissible purposes section 8. To consider material exempt from discussion or disclosure by state statute - To Approve Minutes from Closed Session of October 14, 2019. At 8:24 p.m. ***Weedon moved, seconded by Denison to move into closed session pursuant MCL15.268, (h) to consider material exempt from disclosure. To Approve Minutes from Closed Session of October 14, 2019. Roll call vote carried unanimously.***

The Mayor reconvened the meeting 8:26 p.m.

At 8:27 p.m. ***Weedon moved, seconded by Toerne to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:27 p.m.***

BUCHANAN CITY COMMISSION WORK SESSION MEETING MINUTES
Water-Sewer Revenue Bonding
Tuesday, November 12, 2019

A Special Meeting of the City Commission for the City of Buchanan was scheduled at City Hall, 302 N. Redbud Trail, Buchanan, Michigan Tuesday, November 12, 2019 at 6:30 p.m. The Mayor called the meeting to order at 6:32 p.m.

Members present: Mayor Moore, Commissioners Weedon, Denison, and Downey

Members absent: Commissioner Toerne

Staff present: City Manager Bill Marx, City Treasurer Juli O'Bryant, and City Clerk Brenda Hess

Guests/Visitors present: Andy Campell, Baker-Tilly

Andy reviewed the history of the SAW grant and funding. He noted that it was \$11.8 million for sewer. Andy is still hopeful that the amount from 2017 would fit in to USDA funding. Noted water/sewer rates in Buchanan are increasing for residents and the USDA will consider that fact when considering giving City grant money. Grant money given is based on current average household income combined with current rate increases. If the City wants to do the \$11.8 million project the USDA is the best way to go. The SRF is more highly driven towards plant improvements. USDA likes to cover everything including the collection side of wastewater. They also have the best interest rates.

Downey arrived at 6:37 p.m.

Noted the City has to have a grant and loan combination and get offers. Marx noted that Prein-Newhof is asking \$10,000 per submission of applications for a total of \$20,000 for both water and sewer. The value of the application process was discussed. Campbell noted Baker-Tilly works with many different engineering firms and he noted the applications are typically \$25,000. Noted these programs have lots of red tape to get projects approved. The USDA will let the City know in advance if they will not qualify to save money by not having to complete applications.

Engineering firms can call Campbell for coordination. Noted that the application cost is small in comparison to the overall cost and scope of the project. Typical monthly sewer rates for homeowners are \$57.00. Typically, communities are approved for grant money when that amount approaches the \$45.00 per month amount. Campbell noted grant money is plentiful right now. He noted that a \$25,000 cost to apply would be good considering the amount of potential grant money to be given. Noted that applying now would hedge against changes and possible revocation of the USDA program. Poverty level was discussed for Federal and State levels. Poverty interest rate coupled with the grant amount would fully fund the project, if not, project would need to be reassessed.

Toerne arrive at 6:48 p.m.

Campbell moved onto the water system. Noted that it should still be on track. Stormwater/sewer part is still an unknown. The Village of Vicksburg is doing this same project and have a sewer, water and general obligation loan. Water and sewer rates

can be adjusted but road and storm have no rates and the money must come from the general fund. USDA needs to be convinced to cover more with water and sewer funding. Try to keep from using general funds. Noted Baker-Tilly will help along the way. USDA has improved their process and requirements making it easier to apply and be accepted.

Campbell commented upon the DPW facility and possibility of getting money from a bank. The good news is that Chemical Bank did reduce its interest rate from the initial estimate making it more in line with the market. City would not need Baker-Tilly's help getting that particular funding.

In conclusion, Campbell encouraged group to reach out through Marx and O'Bryant with any questions.

Being no further discussion, ***The Mayor adjourned the meeting at 6:56 p.m.***

Brenda J. Hess, City Clerk

Patricia Moore, Mayor

**City of Buchanan Commission Minutes
November 12, 2019**

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Tuesday, November 12, 2019 and was called to order at 7:05 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. There was no invocation.

Recognition

None

Roll Call

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

Guests: Approximately 7 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Juli O'Bryant, Treasurer; Brenda Hess, City Clerk

Public Comments

- Dan Vigansky – Had questions regarding the Joint Water Sewer. Commented upon Christmas lights.
- Joe Paolucci – Attempted to comment upon Christmas greens and was asked to wait until after it was added by amendment to the Agenda.

Consent Calendar

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting October 28, 2019*
- Approve Invoices/Expenditures for November 12, 2019 in the amount of \$75,350.61
- Approve the 2020 Holiday Schedule
- Approve the 2020 Notice of Meetings Schedule
- Approve Resolution 2019.11/198 Canceling a Regular Scheduled Meeting on December 23, 2019 and Authorizing a Commissioner and Treasurer to Sign Checks Necessary Prior to the End of the Calendar Year
- Approve Resolution 2019.11/200 to Reserve the City of Buchanan Website
- Approve the re-appointment of Brian Dineen to the Joint Water/Sewer Board for a term ending in 2021
- Approve the re-appointment of Tom Gordon to the Joint Water/Sewer Board for a term ending in 2023

After a brief discussion regarding procedure for adding an item to the Agenda, ***Downey moved to add Item D under New Business, "Direct the City Manager to have the DPW install the downtown Christmas greens and add cost to the DDA's ongoing bill. Yeas: Weedon, Downey, Denison Moore. Nays: Toerne. Motion carried by majority.*** Joe Paolucci was invited back to give public comment regarding added Agenda item. Paolucci commented upon Christmas greens and expressed his opinion regarding City Manager and Mayor. Following his comments, ***Downey moved, seconded by Weedon to approve the Consent Calendar as amended. Roll call vote carried unanimously.***

Reports by: Departments, Committees, Boards

None

Unfinished Business

None

New Business

Audit report by Plante Moran, PLLC – Kenley Penner – Penner thanked City staff for help in completion of audit. Reviewed general fund revenue noting 52% came from property taxes. Reviewed five-year trends of revenue. Reviewed status of revenue sharing from the State over past five years. Reviewed general fund expenditures. Compared revenue and expenditures. Noted that salaries and public safety account for most expenditures. Reviewed general fund balance over past five years. Noted Buchanan has seven months of funds in reserve in case of an emergency. Noted funds budgeted to actual expenditures are a close match as Buchanan stays within budget. Reviewed 5 years of water and sewer spending trends. Noted the funding of pensions and City is funded at 100% while the State only requires 60% funding. Noted that reallocation needs to occur for pension funding. Reviewed City's total outstanding debts and noted the amount is consistently paid down. Mayor thanked City staff and Penner.

Consider adoption of Resolution 2019.11/199 – Notice of Intent: Water Supply and Sewage Disposal System Revenue Bonds – Marx reviewed the process of moving forward to obtain bonding for the new oxidation ditch in \$9.5 million. There is a little bit of a cushion with the amount being sought. ***Weedon moved, seconded by Downey to approve the adoption of Resolution 209.11/199, Notice of Intent: Water Supply and Sewage Disposal System Revenue Bonds. Roll call vote carried unanimously.***

Consider Annual Data Processing Contract Renewal with the County of Berrien in the amount of \$2979.00 – Marx reviewed the contracting between the County and the City and the purpose of the software. ***Denison moved, seconded by Downey to approve the Annual Data Processing Contract Renewal with the County of Berrien in the amount of \$2979.00. Roll call vote carried unanimously.***

Direct the City Manager to have the DPW install the downtown Christmas greens and add cost to the DDA's ongoing bill - Downey thanked Manager for providing information regarding the greens and lights. Downey expressed opinion the cost be added to the DDA's bill. Downey calculated each section of greenery with lights costs roughly \$15.00. Moore noted that the purpose of the DDA is to promote the downtown area. Noted installation of lights were previously included in DDA's \$8000 per year fee to the City. Noted DDA could seek contract to install lights by second party. Toerne commented Liz Miller of the Garden Club suggested artificial greens to the DDA in the past. Weedon noted the DDA is a tax collecting entity and should be able to pay for their own expenses. Downey noted City was paid by DDA's stiped in the past. Moore noted there is presently no agreement between the City and the DDA. Weedon noted the DDA should amend its budget to pay for City services as they did in the past. Denison noted the DDA formerly had a budget line to pay for City services and which was removed this year and that budget was approved by the Commission. State statue says that the City is not allowed to use general fund dollars to support the DDA. Moore noted that an attempt to amend

the DDA's budget but was unsuccessful. Ad-Hoc committee will work to address these issues between the DDA and the City. ***Downey moved, seconded by Moore to Direct the City Manager to have the DPW install the downtown Christmas greens and purchase the Christmas lights, and add cost to the DDA's ongoing bill. Roll call vote carried unanimously.***

Public Comment

- Dan Vigansky – Commented regarding the DDA's money. Was called out of order and removed from meeting.
- Cindy Benson – Commented upon the vising Navajo Code Talker presentation for Veteran's Day. Commented upon behavior of citizens at meetings and desire for behavior at meetings to be dignified.
- Randal Peart – Commented upon problem with sound system. Commented upon membership in Niles Chamber.

City Manager Comments

Marx thanked Plante-Moran for the audit. Noted their thoroughness and professionalism. Noted he is pleased with numbers and noted city takes financial responsibilities very seriously. Noted big expenses are coming up. Expressed optimism in what was discussed in work session regarding the funding of upcoming water and sewer projects.

Noted Jeff Rea is coming from the Niles Chamber/SMEGA and Dave Eifler will be coming on November 25 to discuss City's payment for their service.

Noted unexpected snowfall causing problems with leaf collection. Reviewed new process using a hay baler to collect leaves using a bigger bale and the need for the vac truck will follow up with clean up of remaining leaves. Noted vac truck will be back in service once broken part is replaced. Colling leaves by this process is saving time for City workers. Reduces trips to landfill and Redbud Track and Trail.

Noted Chamber ribbon cutting at Cameron's Restaurant. Noted is taking vacation time this next week.

Commissioners' Comments

Toerne – Commented upon his no vote on earlier meeting item. Thanked Denison for presenting DDA facts. Thanked Weedon for explaining separate taxes for DDA and City general fund. Commented upon bully behavior of resident.

Downey – No comment.

Weedon – Noted City is fortunate to have responsible financial management. Noted other City entities should follow City's example. Commented upon Navajo Code Talker presentation. Thanked the American Legion and Jerry Flenar for planning. Commented upon a visitor inquiring about edibles and how they will bring people into the City. Commented upon the DPW building and the flood plain.

Denison – Commented upon DDA facts he presented earlier in meeting. Noted main point was the City and DDA need to work together. Noted perception is reality and it matters to attract outside interest in doing business in Buchanan. Expressed the desire for residents to be involved in positive ways. Disagreeing is not a bad thing but having a bad tone is. Encouraged civility.

Commented upon contact he received regarding where retail sales of adult use marijuana is located and noted downtown will not be able to support five dispensaries. Foot traffic from adult use sales downtown is not the only thing that can make sure the downtown is successful. Noted jobs are what people need. Remarkd upon Redbud Roots and Seven Engines.

Moore – Commented upon Code Talker and thanked all for coordinating his visit which inspired and enriched the City. Commented upon the audit and the work City staff did to make it successful. Thanked all. Reminded public that the DDA has requirements that need to be met and noted the large turnover in DDA membership. Invited citizens to DDA public information meeting. Noted DDA might need help with reporting requirements as to not lose ability to capture tax money to not be sanctioned by State.

Adjourn

Denison moved, seconded by Toerne to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:17 p.m.

Mayor Patricia A. Moore DPM

Brenda J. Hess, City Clerk

**City of Buchanan Commission Minutes
November 25, 2019**

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Tuesday, November 25, 2019 and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. There was no invocation.

Recognition

Value-Added Agriculture Award presentation to Steve Lecklider of Lehman's Farmhouse by Joanne Davidhizar, MSU Extension and Product Center – Joanne Davidhizar and Julie Pioch from the MSU Extension and Product Center presented Lecklider of Lehman's Farmhouse with the 2019 Value-Added Agriculture Award.

Roll Call

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

Guests: Approximately 22 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Randy Hyrns, City Attorney; Debra Patzer, City Zoning Administrator; Brenda Hess, City Clerk

Public Comments

- Jeff Griffin – Encouraged Commission to vote for the people.

Consent Calendar:

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting November 12, 2019
- Approve Invoices/Expenditures for November 25, 2019 in the amount of \$83,925.91

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

Reports by: Departments, Committees, Boards

Southwest Michigan Economic Growth Alliance/Niles Chamber of Commerce Update – David Eifler and Jeff Rea – Eifler reviewed changes from SMEGA to Niles Chamber. Noted departure of former SMEGA director Barkley Garret to Alabama. Reviewed Jeff Rea's roll in the South Bend Regional Chamber and how it related to the Niles Chamber. Rea noted economic and political boarders are different from one another in our region. Noted new companies are looking for existing buildings and "shovel ready" sites for development. Provided report of Chamber projects and priorities. Noted INDEK project is bringing in people as they are building a new facility and employees are looking for communities to live in. Complimented downtown area and also commented that Buchanan has "quality of life" appeal, even if not having larger areas for development. Encouraged Commission to reach out to Chamber with needs for promotion. Introduced grant program through the Hunter Foundation for business to apply for beginning in January 2020.

Unfinished Business

None

New Business

Approval of repairs to the Jack Knight Memorial Chapel roof at Oakridge Cemetery – Marx reviewed quotes for the roof repair and noted Larry Money was responsible for bringing roof situation to City attention. Noted City received two bids and requested bids from ten contractors. After general discussion of the need for more bids and more information, ***Denison moved, seconded by Weedon to postpone the approval of the roof repairs to the Jack Knight Memorial Chapel until the December 9, 2029 meeting. Roll call vote carried unanimously.***

Consider options for City residential recycling - Kerry Rattinger, Republic Services – Reviewed current lack of recycling situation with the Southeast Berrien County Landfill. Landfill stopped accepting recyclables in September due to the lack of a contractor to accept recyclables. Republic has been taking recyclables over to Elkhart which has added a large expense. Three options are to stop collecting recyclables, charge the City for recyclables, or raise the recycling rate for individual residents. Rattinger doesn't know how things will change as recyclables are a commodity. Will invite Tyler Ganus to next meeting for more information prior to making a formal decision.

Consider approval of the Adult Use Permit Application Form – Patzer reviewed the application and noted it is similar to the medical marijuana application form. Reviewed changes, especially regarding microbusinesses. Noted the first twenty-four months only medical permit holders will be able to apply. Reviewed application process. ***Weedon moved, Toerne seconded to approve the Adult Use Permit Application Form. Roll call vote carried unanimously.***

Consider approval of Zoning Ordinance Amendment 2019.11/414 - To Allow Marijuana Establishments as a Special Use Within the City of Buchanan – Patzer noted that this was draft three of the Zoning Ordinance and was approved by the Planning Commission on November 19. Noted there were comments at the Planning Commission meeting both for and against Ordinance. Patzer provided draft minutes from meeting for Commission to review. ***Toerne moved to approve Zoning Ordinance Amendment 2019.11/414, to Allow Marijuana Establishments as a Special Use Within the City of Buchanan.*** Weedon requested discussion regarding the sale of adult use product in the industrial area. Expressed concern that allowing sales in the industrial park could hamper business in the downtown district which is counting on increased foot traffic from retail recreational sales. ***Moore seconded the motion.*** Denison commented upon downtown retail and business in Buchanan in general. Moore commented that the City doesn't know how recreational sales will work out anywhere in the City. Noted City's responsibility is to work with existing partners. Weedon commented that recreational marijuana sales will most likely follow a pattern similar to those of the brewery and brewpub industry, noting locations and variety are typical for brewing establishments and there is plenty of room for a variety of retailers. Downey noted it will take more than recreational marijuana to make the downtown area successful. ***Roll call vote carried unanimously.***

Consider approval of three resolutions 2019.11/201, 202 and 203 merging the Inactive Division 20 (Senior Police) to Division 02 (Junior Police) and reallocate assets into divisions 01 and 10 so that all three divisions (01, 02, 10) are evenly funded in the City's Michigan Employee Retirement System Plan – Marx explained that we not longer have any employees within the Senior Police category and this reallocation will balance the funds so all are equal and puts the City at 100% financing of retirements throughout the City. We are in the top 3% in the State for the health of

retirement plans. *Weedon moved, seconded by Toerne to approve Resolutions 2019.11/201, 202 and 203 merging the Inactive Division 20 (Senior Police) to Division 02 (Junior Police) and reallocate assets into divisions 01 and 10 so that all three divisions (01, 02, 10) are evenly funded in the City's Michigan Employee Retirement System Plan. Roll call vote carried unanimously.*

Public Comment

- Randal Peart – Commented upon DPW building location and sediment in mill race as well as the flood of 2018. Commented upon the appearance of the current DPW location and offered suggestions for improvement. Commented upon ducks.

City Manager Comments

Marx noted City Hall will be closed on Thursday and Friday for Thanksgiving. Reminded all that White Saturday is approaching. Commented upon downtown lights.

Commissioners' Comments

Weedon – Thanked Randal for comments upon DPW. Commented upon maintenance schedule and lack of flooding in City.

Toerne – Reviewed Planning Commission actions. Commented upon Landfill meeting.

Downey – No comment.

Denison – Noted the Commission should follow up with Niles Chamber for services promoting the City within the region. Commented upon website lacking economic development information. Commented upon the DDA Ad-Hoc Committee meeting. Thanked all for attending meeting.

Moore – Reminded all about the upcoming Friends of the Ducks Committee.

Closed Session

Denison moved, seconded by Toerne to go into closed session pursuant MCL15.268, (h) to consider material exempt from disclosure. To receive attorney's opinion regarding the DDA. Roll call vote carried unanimously. Moved to closed session at 8:21 p.m.

Toerne departed closed session at 9:05 p.m. Mayor Moore reconvened the meeting at 9:18 p.m.

Adjourn

Denison moved, seconded by Weedon to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 9:19 p.m.

Mayor Patricia A. Moore DPM

Brenda J. Hess, City Clerk

**City of Buchanan Commission Minutes
December 9, 2019**

The regularly scheduled meeting of the City Commission was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, December 9, 2019, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. There was no invocation.

Recognition

None

Roll Call

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

Guests: Approximately 12 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Randy Hyrns, City Attorney; Bill Housand, Wastewater Treatment Plant Superintendent; Brenda Hess, City Clerk

Public Comments

- Brad Paquette, State Representative – Reviewed projects at State level.

Consent Calendar

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting November 25, 2019
- Approve Minutes: Work Session November 12, 2019
- Approve Invoices/Expenditures for December 9, 2019 in the amount of \$123,557.75

Denison moved, seconded by Toerne to amend the consent calendar by adding letter “D” under Unfinished Business “Update on Wastewater Treatment Plant Oxidation Ditch – Mark Hurley, Gosling-Czubak. Roll call vote carried unanimously. Downey moved, seconded by Denison to approve the Consent Calendar as amended. Roll call vote carried unanimously.

Reports by: Departments, Committees, Boards

None

Unfinished Business

Recycling – Tyler Ganus, Southeast Berrien County Landfill – Provided update from landfill. Due to mechanical problem recycling had to be diverted initially. Now there is great cost due to having to send recycling to outside facilities and noted situation will extend into the foreseeable future. Recommended a partnership with City to reduce costs.

Consider selecting and approving an option for recycling as presented by Republic Services – Marx explained that it might be a good idea to approve an agreement with Republic to May to allowed time to meet with Landfill to work out new partnership. By May the landfill will have a solid program and cost structure. Three different options were discussed. ***Denison moved, seconded by Downey to accept Option #3 for recycling processing costs paid by the City in the amount of \$3,000.00 through May of 2020. Yeas: Moore, Denison and Downey. Nays: Toerne and Weedon. Motion carried by majority.***

Consider approval of repairs to the Jack Knight Memorial Chapel roof at Oakridge Cemetery – Marx reviewed quotes from Bill Ruth and Future Construction. Downey inquired as to where the money from recycling the slate ties would go. Marx reported that the money would go back into the fund for future repairs. Downey inquired about the options of a steel roof, and Marx indicated a steel roof would be approximately 30% more than architectural shingles. ***Downey moved, seconded by Denison to approve repairs to the Jack Knight Memorial Chapel roof in the amount of \$1,500.00 to Bill Ruth. Roll call vote carried unanimously.***

Hyrns arrived at 7:35 p.m.

Update on Wastewater Treatment Plant Oxidation Ditch – Mark Hurley, Gosling-Czubak – Reported the design of the ditch is complete and that there has been a meeting with EGLE. The permit should be ready soon for beginning construction in the spring. Tom Gordon the Chair of the Joint Water and Sewer Board went over all the plans and gave his approval. Stormwater permits have been approved by the County. Hurley noted checklists for permit application process are lengthy and detailed. Housand reported construction should start in spring. Denison inquired as to how to educate public regarding project. Housand noted that this is a nationwide problem and residents should know that a plant doesn't last forever. Noted City is being proactive. Hurley noted that his website has data on rates and fees for communities similar in size to Buchanan.

Housand provided an update on new employees. Cross-training has been happening with the water department as well to help with bigger projects. Noted plant is still running and thanked Commission for support.

New Business

Consider approval of purchasing a Pro-Tec Modular Trench box System – Previously budgeted item now ready to purchase. Keeps workers safe in open digging situations. ***Toerne moved, seconded by Downey to approve the purchase of a Pro-Teck Modular Trench Box System in the amount of \$8,772.00. Roll call vote carried unanimously.***

Public Comment

- Randal Peart – Commented upon DPW staff list on website.
- Larry Money – Commented upon the completion on the roof at the Jack Knight Chapel.
- Jim Cronin – Commented on good job on leaf collection. Expressed opinion on marijuana. Had questions regarding sales to minors.

City Manager Comments

Thanked Ganus and Hurley for attending meeting and providing information. Reminded Commission about veterans' banners for downtown area. Reported on Relay For Life planning meeting. Noted Police Department has begun extra holiday evening patrols.

Commissioners' Comments

- Weedon – Commented upon recreational marijuana and noted it can be treated like tobacco and alcohol. Noted dispensary is being run well and underage consumption will be handled like it is for tobacco and alcohol.

- Toerne – Thanked Buchanan Police for helping with recent car break-ins. Thanked City workers for holiday light displays. Thanked Commission Weedon for explaining marijuana clearly to public. Wished all merry Christmas and happy new year.
- Downey – No comments.
- Denison – Commented upon new Miss Buchanan.
- Moore – Extended sympathy on behalf of City on the loss of two prominent City residents. Commented and congratulated new Miss Buchanan. Reminded all of Shop with a Cop coming up and all community efforts to make holidays happier for local children.

Closed Session

At 8:21p.m. *Weedon moved, seconded by Toerne to move into closed session pursuant MCL15.268, (h) to consider material exempt from disclosure. To Approve Minutes from Closed Session of November 25, 2019. Roll call vote carried unanimously.*

The Mayor reconvened the meeting 8:23 p.m.

Closed Session

At 8:23 p.m. *Denison moved, seconded by Downey to move into a closed session Under MCL 15.268, (h) to consider material exempt from disclosure – Attorney Opinion Letter dated December 6, 2019. Roll call vote carried unanimously.*

The Mayor reconvened the meeting at 9:00 p.m.

Toerne moved, seconded by Weedon to accept the terms of the separation agreement discussed in closed session. Yeas: Toerne, Weedon, Moore, and Denison. Nays: Downey. Motion carried by majority.

Adjourn

The Mayor moved, to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 9:01 p.m.

Mayor Patricia A. Moore DPM

Brenda J. Hess, City Clerk

BUCHANAN CITY COMMISSION SPECIAL MEETING MINUTES
Friday, December 20, 2019

A Special Meeting of the City Commission for the City of Buchanan was scheduled at Buchanan City Hall, 302 North Redbud Trail, Buchanan, Michigan Friday, December 20 at 9:00 a.m. The Mayor Pro-Tem called the meeting to order at 9:00 a.m.

Members present: Commissioners Toerne, Denison, Downey and Weedon

Member absent: Mayor Moore

Staff present: City Manager Bill Marx, Water Foreman Scott Desenberg, Wastewater Superintendent Bill Housand, City Treasurer Juli O'Bryant, Recording Secretary Mandi Schanick

Guests/Visitors present: None

Consent Calendar

- Approve Agenda
- Consider approval of Invoices/Expenditures for December 20, 2019 Check #80234 through #80315 in the amount of \$162,595.76

Weedon moved, seconded by Denison to approve the agenda as presented. Roll call vote carried unanimously.

Denison moved, seconded by Weedon to approve the invoices/expenditures for December 20, 2019 Check #80234 through #80315 in the amount of \$162,595.76. Roll call vote carried unanimously.

New Business

Consider and approve Prein and Newhof to proceed with conducting the preliminary work needed to complete and submit grant applications to the USDA on the City of Buchanan's behalf in support of future Water, Waste Water and Storm Water Capital Improvement projects for their proposed cost not to exceed \$23,000.00 – Downey noted that most applications have hidden submission fees, Desenberg noted that the cost of application is eligible for reimbursement and this cost is included in the total.

Weedon moved, seconded by Denison to approve Prein and Newhof to proceed with conducting the preliminary work needed to complete and submit grant applications to the USDA on the City of Buchanan's behalf in support of future Water, Wastewater and Storm Water Capital Improvement projects for their proposed cost not to exceed \$23,000.00. Roll call vote carried unanimously.

Marx updated the Commission of a request from Prism regarding monitoring wells at Baroda tire property. Prism is asking for us to provide them with approval to install. If we need access to the site where the well is, Prism will abandon the wells. Marx added that this will be on the Agenda

for the January 13th meeting for approval of 5 additional monitoring wells. This will be at no cost to the City, cost is covered by Baroda Tire Too's insurance.

Marx updated on the DPW Building Update as he has received 3 responses from 4 engineering firms. Marx noted that this will be on the January 13th agenda for approval. Marx has been in contact with the owner of Electro Voice property – trying to feel him out to see how interested he may be to sell the property to the City at a reasonable price.

Marx gave a brief update of the Feed Mill property, 2 interested buyers to repurpose the property to a Feed Mill for future purposes. Decision is to sell or lease, selling the property gives the owner full access to changing the future of the property. Leasing the property controls the future of the property to be used solely for Feed Mill purposes. . Sell or lease for particular purpose reestablishing the feed mill.

Being no further business, Downey moved, seconded by Weedon to adjourn the meeting, voice vote carried unanimously. The Mayor adjourned the meeting at 9:23 a.m.

Mandi Schanick, Recording Secretary

Dale Toerne, Mayor – Pro Tem