

**City of Buchanan Commission Minutes  
January 13, 2020**

**The regularly scheduled meeting of the City Commission** was held at City Hall, 302 N Redbud Trail, Buchanan, Michigan Monday, January 13, 2020, and was called to order at 7:01 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. The invocation was given by Pastor Nate Babcock of Buchanan Christian Church.

**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; Tim Ganus, Police Chief; JT Adkerson, Director of Public Works, Mike Baker, Department of Public Works; Brenda Hess, City Clerk

**Public Comments**

None

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting December 9, 2019
- Approve Minutes: Special Meeting USDA Grant Writing December 20, 2019
- Approve Invoices/Expenditures for January 13, 2020 in the amount of \$272,369.71
- Approve a budget amendment to the Cemetery Capital Outlay Fund in the amount of \$12,500 to perform repairs to the Jack Knight Memorial Chapel Roof as previously approved at the December 9, 2019 Commission Meeting
- Approve a budget amendment to the General Fund in the amount of \$3,000 to pay Republic Services \$600 per month for Recycling through May 2020 as previously approved at the December 9, 2019 Commission Meeting
- Approve Harger Park Rental for May 25, 2020 by Joseph Williams of The Home Source Group
- Excuse Mayor Moore from Special Meeting Friday, December 20, 2019

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

**Reports by: Departments, Committees, Boards**

Buchanan Youth Softball and Baseball Association (BYSBA) – Tori Austin, BYSBA President – Reported 300 participants in 2019 and approximately 30 sponsors. Installed safety fences. Noted there are 2 board openings, and currently taking registrations for upcoming season. 2020 goal to replace scoreboards. Requested City help with electrical. McCoy creek field to be improved and repaired. Noted scoreboards will cost an estimated \$5,000. Treasurer Katie Berry reported carryover from 2019. Reported on upcoming fundraisers. Commission requested information on how community can support.

**Unfinished Business**

Consider approval of payment to the Greater Niles Area Chamber of Commerce (Formerly Southwestern Michigan Economic Growth Alliance – SMEGA) in the amount of \$8990.00 – Marx reminded group of Jeff Rea’s presentation at previous meeting. Marx reviewed reorganization and activities from past years. Group discussed options for utilizing the Chamber’s resources. Discussed benefits of access to Hunter foundation grant money for local businesses and possible assistance with City website. ***Weedon moved, seconded by Toerne to approve payment to the Greater Niles Area Chamber of Commerce (Formerly Southwestern Michigan Economic Growth Alliance – SMEGA) in the amount of \$8990.00. Yeas: Moore, Denison, Toerne and Weedon Nays: Downey***

Consider purchase of updated body cameras for the Police Department as discussed at the August 29, 2019 Work Session in the amount of \$23,398.00 and the corresponding budget amendment in the amount of \$23,398.00 – Reviewed information from August work session and how updated equipment will help officers in field. Old cameras will be turned in for \$210 per unit. ***Weedon moved, seconded by Toerne to approve the purchase of updated body cameras for the Police Department as discussed at the August 29, 2019 Work Session in the amount of \$23,398.00 and the corresponding budget amendment in the amount of \$23,398.00. Roll call vote carried unanimously.***

**New Business**

Consider the request of Redbud Roots to operate an Adult Use Marihuana Class C Grow Establishment at their Medical Marihuana Facility at 215 Post Road, Lab II – Alex Leonowicz, COO – Patzer review application for Commission. Noted that adult and medical will be separated, but not by dividing up premises. Noted Mike Adams, Fire Chief, approved, but had not been able to sign. ***Weedon moved, seconded by Denison to approve Redbud Roots to operate an Adult Use Marihuana Class C Grow Establishment at their Medical Marihuana Facility at 215 Post Road, Lab II. Roll call vote carried unanimously.***

Consider the request of Redbud Roots to operate an Adult Use Marihuana Processor Establishment at their Medical Marihuana Facility at 215 Post Road, Lab IV – Alex Lenowicz, COO -Information was presented in conjunction with the previous item. ***Weedon moved, seconded by Denison to approve Redbud Roots to operate an Adult Use Marihuana Processor Establishment at their Medical Marihuana Facility at 215 Post Road, Lab IV. Roll call vote carried unanimously.***

Consider the request of Buchanan Development LLC to operate an Adult Use Marihuana Retailer Establishment at their Medical Marihuana Provisioning Center at 259 E. Front Street – Sam Kilberg, Dykema Gossett, PLLC – Patzer reviewed the application and introduced Kilberg. Noted application is a notebook which had been sent to Commissioners. Discussion about possible date for recreational sales was discussed. ***Downey moved, seconded by Toerne to approve Buchanan Development LLC to operate an Adult Use Marihuana Retailer Establishment at their Medical Marihuana Provisioning Center at 259 E. Front Street. Roll call vote carried unanimously.***

Approve placement of sampling and monitoring wells in the City's right-of-way to monitor the pollutant plume emanating from the Electro-Voice property as proposed by Fishbeck Engineering - Todd C. Campbell, CPG, Associate, Senior Geologist – Patzer reviewed information from Fishbeck and introduced Todd Campbell. Campbell reviewed 5-year program by EPA. EPA has requested placement of more wells to make sure there are no gases emanating from the soil. Noted this is the Superfund monitoring program. ***Toerne moved, seconded by Downey to approve placement of sampling and monitoring wells in the City's right-of-way to monitor the pollutant plume emanating from the Electro-Voice property as proposed by Fishbeck Engineering. Roll call vote carried unanimously.***

Approve placement of 5 additional sampling wells at the former Feed Mill Property as proposed by PRISM Science and Technology to determine the boundaries of contamination plume – Mark Seaman, CPG – Patzer introduced Mark Seaman and reviewed PRISM's previous work in Buchanan. Seaman noted that PRISM had worked with previous owner for monitoring and they are currently monitoring the groundwater. Noted contamination is not coming in contact with residents and it is contained. Noted it is not impacting City water. Future reports will be given to Commission. ***Downey moved, seconded by Toerne to approve placement of 5 additional sampling wells at the former Feed Mill Property as proposed by PRISM Science and Technology to determine the boundaries of contamination plume. Roll call vote carried unanimously.***

Consideration of allowing the placement of a Buchanan Church Bell in the City right of way pursuant to the terms of a revocable license – Patzer introduced Zeke Furst who is working on his Eagle Scout project. Patzer reported that the area on Moccasin Street has been flagged by Miss Dig and has been approved by the Buchanan Christian Church Board. Patzer reviewed maps and plans. Furst reviewed the components of his project which include a patio and benches while the actual bell portion of the project will be completed and installed by his brother as part of his Eagle Scout project. ***Toerne moved, seconded by Denison to allow the placement of a Buchanan Church Bell in the City right of way pursuant to the terms of a revocable license. Roll call vote carried unanimously.***

Consider the purchase of two new F250 four-wheel drive pickups with plows in the amount \$69,740 and the corresponding budget amendment in the amount of \$20,512 – Marx review information from Commissioner's packets the State of Michigan purchase plan and how a two-year cycle of replacement of trucks will provide the City with new trucks at little to no cost. Adkerson reviewed current situation with trucks. ***Weedon moved, seconded by Denison to approve the purchase of two new F250 four-wheel drive pickups with plows in the amount \$69,740 and the corresponding budget amendment in the amount of \$20,512. Roll call vote carried unanimously.***

### **Public Comment**

- Leland Payne – Commented upon parking issue in the downtown area. Read current Ordinance. Requested enforcement of current Ordinance.
- Norma Ferris – Inquired regarding disposal of unused marijuana.
- Alex Lenowicz – Described process for destroying unused marijuana.

**City Manager Comments**

Noted will be attending Greater Niles Chamber meeting to discuss their work for the City. Will be attending a FEMA meeting regarding floodplain work. Reviewed work of Best Practices group regarding the issue of housing. Will be taking a member of the Planning Commission to meeting. Reminded all of upcoming PERC Breakfast.

**Commissioners' Comments**

- Downey – No comment.
- Toerne – Reported on Planning Commission January meeting regarding Zeke Furst's project. Reviewed Landfill committee work. Congratulated Jerry and Leanne Flenar on fifty years of marriage and service to community
- Denison – Requested work session with Planning Commission on best location for new DPW building. Responded to Leland Payne regarding parking.
- Weedon – Supported idea of work session with Planning Commission.
- Moore – Commented upon parking. Thanked everyone for coming to the meeting

**Closed Session**

At 8:31p.m. *Downey 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 December 9, 2019. Roll call vote carried unanimously.*

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

**Adjourn**

*Weedon moved, seconded by Toerne to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:38 p.m.*

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Mayor Patricia A. Moore DPM

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Brenda J. Hess, City Clerk

**City of Buchanan Commission Minutes**  
**January 27, 2020**

**The regularly scheduled meeting of the City Commission** was held at City Hall, 302 North Redbud Trail, Buchanan, Michigan Monday, January 27, 2020, 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**

Buchanan City Fire Department – ISO Rating Improvement – The Mayor read certificate aloud. Fire Chief Adams accepted the award on behalf of the Department.

**Roll Call**

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

Guests: Approximately 32 guests and visitors

City Staff in attendance: Bill Marx, City Manager; Debra Patzer, City Zoning Administrator; Tim Ganus, Police Chief; Mike Adams, Fire Chief; Members of the Police/Fire Departments, and Brenda Hess, City Clerk

**Public Comments**

- Richard Martin – Inquired on how to write an Ordinance and was referred to City Manager.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting January 13, 2020
- Approve Invoices/Expenditures for January 27, 2020 in the amount of \$182,640.60
- Approve Street Closure Form: Niles-Buchanan Relay for Life Colors of Cancer Run, May 16, 2020
- Approve Dave Diplo to the Downtown Development Authority Board to a partial term ending in 2023
- Approve Banner Placement Form for Michiana Cruisers to be hung 7/5/20-7/12/20
- Approve Banner Placement Form for Redbud Fitness to be hung 2/1/2020 – 2/15/2020
- Approve Banner Placement Form for Boy Scout Troop 541 to be hung 1/28/2020 – 2/3/2020

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

**Reports by: Departments, Committees, Boards**

Fire Department Yearly Report – Mike Adams, Fire Chief – Reported 138 calls for the year 2019. Noted overall increase in calls over past few years. Reported 9 structure fires, 5 outside fires, 2 vehicle fires, 13 illegal burns, 10 vehicle accidents, 13 mutual aid requests, 43 alarm responses, 7 smoke alarms, 2 medical assists and other miscellaneous calls. Reported upon 2019 training. Explained new inspection program for businesses. Noted department hosted several events over the year. Met with ISO officer. Reported upon continued community involvement. Reported on demonstration of new extrication equipment. Noted staff turnover and new recruits. Explained how compliance will occur after first round of inspections and Commission will be consulted. Explained ISO rating improvement from five to four helping home and business owners obtain lower insurance rates. Noted department is very close to obtaining a score of

three. ISO rating is based on a scoring system and a improvement was due in large part due to the implementation of inspection program. Reviewed items finished from the five-year plan. Noted possible need for new ladder truck or refurbishment in the future. Reviewed new Standard Operating Guidelines and improvements. Answered question from Commission. ***Denison moved, seconded by Weedon to approve the Buchanan City Fire Department's Standard Operating Guidelines as presented. Roll call vote carried unanimously.*** Adams also noted that he would be coming back to the next meeting to get approval for the purchase of new pagers as part of the County's fifty percent matching program.

Colors of Cancer Run – Niles/Buchanan Relay for Life – Tracie House, Event Organizer – Reviewed run from previous year. Reviewed details including date of May 16, 2020. ***Toerne moved, seconded by Denison to approve the Colors of Cancer Run to be held on May 16, 2020, on McCoy's Creek Trail. Roll call vote carried unanimously.***

Introduction and swearing in of new Buchanan City Police Department Chief of Police, Tim Ganus - Marx reviewed Ganus' qualifications and achievements as part of the Buchanan City Police Department. Ganus was sworn in by Clerk.

### **Unfinished Business**

Consider approval of Resolution 2020.01/204 authorizing the Sale of Water Supply and Sewage Disposal System Revenue Bonds, Series 2020 – Marx reviewed process for sale of bonds. Noted this is part of a formal process to issue bonds which is a benefit to the Community. Noted the Ordinance sets up structure for the bonding process. ***Downey moved, seconded by Denison to approve Resolution 2020.01/204 authorizing the Sale of Water Supply and Sewage Disposal System Revenue Bonds, Series 2020. Roll call vote carried unanimously.***

Consider approval of Resolution 2020.01/415 Water Supply and Sewage Disposal System Revenue Bond Ordinance – As explained in the previous item. ***Denison moved, seconded by Weedon to approve Ordinance 2020.01/415 Water Supply and Sewage Disposal System Revenue Bond Ordinance. Roll call vote carried unanimously.***

### **New Business**

Approve budget amendment in the amount of \$6,677.00 for additional cost of hiring full-time Police Chief for the remaining fiscal year 2019-20 (5 months) – Marx explained the structure of the Police Department and that the Assistant Chief position will not be filled. Noted this amendment will fill the budget gap and reminded all that the budget planning season is approaching. ***Toerne moved, seconded by Denison to Approve budget amendment in the amount of \$6,677.00 for additional cost of hiring full-time Police Chief for the remaining fiscal year 2019-20 (5 months). Roll call vote carried unanimously.***

Consider approval of the medical marijuana renewal application of G2 Developments of Michigan LLC to operate a Class C Grow Facility and a Processor Facility at 408 River Street – Patzer reviewed application information. Noted grow/processor should open in April/May and provisioning center to open in March/April. Ed Graveline of G2 answered questions from the Commission. ***Denison moved, seconded by Toerne to approve the medical marijuana renewal***

***application of G2 Developments of Michigan LLC to operate a Class C Grow Facility and a Processor Facility at 408 River Street. Roll call vote carried unanimously.***

Consider approval of the medical marihuana renewal application of G2D1 Buchanan LLC to operate a Provisioning Center at 1101 E. Front Street – Patzer review application in previous item. ***Denison moved, seconded by Toerne to approve the medical marihuana renewal application of G2D1 Buchanan LLC to operate a Provisioning Center at 1101 E. Front Street. Roll call vote carried unanimously.***

#### **Public Comment**

- Leland Payne – Thanked Ganus for work on parking situation in downtown area. Requested continued support to provide parking for customers.

#### **City Manager Comments**

Marx noted that it is the Clerk's last meeting. Reminded all of work session on following night.

#### **Commissioners' Comments**

Downey – No comment.

Denison – Thanked Marx for time as Police Chief. Welcomed Ganus as Chief.

Toerne – Welcomed Ganus as Chief. Thanked Marx for service. Thanked Hess for service.

Weedon – Thanked Ganus and Marx. Noted City is lucky to have Ganus.

Moore – Noted 52% of City budget is invested in public safety and to get quality people and service for the Community. Thanked City staff.

#### **Adjourn**

***Denison moved, seconded by Weedpm to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:32 p.m.***

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Mayor Patricia A. Moore DPM

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Brenda J. Hess, City Clerk

**JOINT WORK SESSION BETWEEN THE BUCHANAN CITY AND PLANNING  
COMMISSIONS MEETING MINUTES  
TOPIC: DEPARTMENT OF PUBLIC WORKS FACILITY BUILDING SITE  
Tuesday, January 28, 2020**

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, January 28, 2020 at 5:00 p.m. The Mayor called the meeting to order at 5:00 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, Donna Monell, Cindy Benson, and Ralph McDonald

Staff present: City Manager, Bill Marx; Zoning Administrator, Debra Patzer; Treasurer, Juli O'Bryant; JT Adkerson; Department of Public Works; Brenda Hess, City Clerk

Guests/Visitors present: Mack Green, Wightman; Daryl Veldman, Edgewater Resources; Mike Schwartz, Prein and Newhof

Marx reviewed project scope and possible locations for new DPW facility. Reminded all that there might be a need for a new fire house in the future. Reminded all that focus is to hear from three of the potential firms and their suggestions for a new facility and potential locations. Possible locations include the present DPW site, City property located on River Street, or City property located at 111 Railroad Street site of former Feed Mill. The City owned equipment list was discussed. Reviewed previous discussions with Pearson regarding needs for DPW which include work area, equipment storage, two offices, locker room, cold storage and possible truck wash. It was noted current DPW building is unstable and is not in condition to be updated. Noted water building needed to be elevated by twenty-four inches due to flood plain.

Modifications to flood plain were discussed and noted updated flood plain maps are available May 1. Other possibilities for a location were the property on Rynearson (formerly AT&T), and the former Electro-Voice property.

Mack Green from Wightman reviewed his firm's proposal for development in the flood plain. Noted EGLE permits take quite a bit of time to obtain.

Daryl Veldman of Edgewater Resources reviewed his firm's proposal. Steps would be data collection, topographical survey to compare to FEMA maps, stakeholder interviews, design, community feedback, develop master plan, refine concept, present updated plan, present to Commission, fine tune and then design. Emphasized gathering information.

Mike Schwartz of Prein and Newhof reviewed his firm's proposal. Compared present site with flood plain maps. Noted the large scope of project and resulting complications due to EGLE requirements. Noted higher cost for building in the flood plain.

Fleis & Vanderbrink was unable to attend and will present at an upcoming meeting.

Adkerson reviewed issues with the current building. Flood plains, road building, and soil composition were discussed. Expressed concerns regarding insurance on current building.

Reserving property on River Street was mentioned. The possibility of switching the location of the Dog Park with the DPW was discussed.

Mayor adjourned meeting at 7:41 p.m.

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Brenda J. Hess, City Clerk

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Patricia Moore, Mayor

**City of Buchanan Commission Minutes  
February 10, 2020**

**The regularly scheduled meeting of the City Commission** was held at City Hall, 302 North Redbud Trail, Buchanan, Michigan Monday, February 10, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. There was no invocation.

**Roll Call**

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

Guests: Approximately 13 guests and visitors

City Staff in attendance: Debra Patzer, City Zoning Administrator; Tim Ganus, Police Chief; Members of the Police Department; Barbara Pitcher, City Clerk and Mandi Schanick, Administrative Assistant

**Public Comments**

- Leland Payne – Discussed concerns regarding parking in the downtown area and suggested clear signage.
- Dan Bonek – Proposed designating customer parking areas in the municipal parking lot.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting January 27, 2020
- Approve Minutes: Joint Work Session between Buchanan City and Planning Commission January 28, 2020
- Approve Invoices/Expenditures for February 10, 2020 in the amount of \$131971.18
- Approver Resolution 2020.02/205 to Negotiate the Summer School Tax Collection Fee  
***Downey moved, seconded by Denison to amend the agenda postponing new business item B until a future meeting. Roll call vote carried unanimously.***  
***Denison moved, seconded by Downey to approve the amended Consent Calendar. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards**

Buchanan Dial-A-Ride – Kim O’Haver, President, Transportation Management, Inc.

Buchanan City Police Department Yearly Report for 2019 – Tim Ganus, Police Chief

**Unfinished Business**

Downtown Parking Ordinance – Tim Ganus

Chief Ganus explained the current parking ordinance, challenges in enforcing that ordinance and the need to explore the issue further.

**New Business**

Approve Annual Funding Application for Dial-A-Ride

***Denison moved, seconded by Toerne to approve. Roll call vote carried unanimously.***

Consider approval of the renewal of the Medical Marijuana Facility Permit for Michicanna Pharm to operate a Class B Grow and Processor Facility at 302 Post Road  
***Weedon moved, seconded by Toerne to approve. Roll call vote carried unanimously.***

Recognize Barbara Pitcher, City Clerk – Mayor Pat Moore

### **Public Comment**

- Dan Vigansky – Submitted written comment, read aloud by Mandi Schanick; “How long do you intend on keeping me muzzled? Nov 10, 2020.”
- Cameron Downey – Requested explanation from the Mayor as to how a person can be disallowed to speak to which she gave her rationale.

### **Commissioners’ Comments**

Weedon – Elaborated on public comment and Tim Ganus’ report on parking ordinance encouraging further discussion and collaboration.

Toerne – Expressed gratitude to those who showed kindness to him and his wife during her illness and thanked Brenda Hess for her service to the City.

Downey – Requested to add discussion regarding parking to the next agenda; consider future changes to water/sewer system; proposes ordinance to register all rental properties for the purpose of conducting inspections on such properties

Moore – Agrees the parking discussion should be continued.

Denison – Expressed that individuals who are not disruptive and have additional comments regarding agenda item being able to be recognized to discuss those items.

### **Adjourn**

***Downey moved, seconded by Denison to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:16 p.m.***

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Mayor Patricia A. Moore DPM

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Barbara A. Pitcher, City Clerk

**City of Buchanan Commission Minutes**  
**February 24, 2020**

**The regularly scheduled meeting of the City Commission** was held at City Hall, 302 North Redbud Trail, Buchanan, Michigan Monday, February 24, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Invocation by David Habicht of 1<sup>st</sup> Presbyterian Church.

**Roll Call**

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

Guests: Approximately 23 guests and visitors

City Staff in attendance: William Marx, City Manager; Debra Patzer, City Zoning Administrator; Barbara Pitcher, City Clerk; Mandi Schanick, Administrative Assistant; and Members of the Police Department.

**Public Comments**

- Norma Ferris – Requested further explanation of New Business agenda items F and G
- Randall Peart - Requested additional detail on the Consent Agenda
- Dan Vigansky – (Via written comment) “Why do we spend so much on grant applications, and how much will we get, if we get anything? May we as general public see a grant form to see what we are spending \$6000.00 on? I thought we had people on the payroll that was or is supposed to be able to do this. Do we as taxpayers still pay the whole \$6000.00 if we get no grant money or do we only pay half for filling out the application. I did not know provisioning centers were allowed. Help me dispensary. Did not think they were provisioning center something”

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting February 10, 2020
- Approve Invoices/Expenditures for February 24, 2020 in the amount of \$361,460.57

***Downey moved, seconded by Weedon to accept the Consent Calendar. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards**

- Friends of McCoy Creek Trail – Jerry Flenar, Co-Chair announced several community events: Lions Club Euchre Tournament Legion on March 7; Buckteens June 14; Lions Club Kickball Tournament, March 21; Chamber of Commerce Bucktown Trivia Night at the Buchanan Senior Center, February 29.
- McCoy Creek Trail Group wants to expand along Shirmer Pkwy across River Street Bridge towards US 12. Kristopher Martin, Associate Planner at Southwest Michigan Planning Commission, presented the proposed extension of the Indiana-Michigan River Valley Trail and discussed the possible connection to the McCoy Creek Trail. Potential funding available through grants. Toerne, Dennison and Downey asked for clarification on plans; the extent of the City’s portion of the trail, pedestrian lanes, bridge crossings. Mack Green from Wightman presented engineering details and possible funding options for a stand-alone

expansion versus combining with a planned road project. Marx and Flenar stated that I&M has spoken favorably of the trail.

- County Commissioner Mac Elliot presented information regarding the 2<sup>nd</sup> Amendment and sanctuary counties. Berrien did some research into what this could mean. The word “sanctuary” has recently developed a negative connotation. The County Board examined the 2<sup>nd</sup> Amendment in the context of the Bill of Rights, a symbolic reaffirmation of those rights. Moore asked for clarification regarding community/state’s rights. Elliott also discussed several impending staff changes at the County level.
- Buchanan Leo Club – Brian Fisher and McKenna Meseraul requested the use of the Commons and banner placement for the annual Easter Egg Hunt which will be held on April 11. A banner placement form has been submitted
- ***Denison moved, seconded by Toerne to approve use of the Commons and banner placement for the Buchanan Leo Club Easter Egg Hunt. Voice vote carried unanimously.***

### **New Business**

Kickball Tournament

***Denison moved, seconded by Toerne to approve the Kickball Tournament March 21, 2020 at the McCoy Creek Recreation Fields hosted by the Lions club as recommended by the Buchanan Area Recreation Board (BARB). Roll call vote carried unanimously.***

BYSBA Agreement

***Weedon moved, seconded by Toerne to approve the Agreement between the City of Buchanan and Buchanan Youth Softball Baseball Association (BYSBA) as recommended by the BARB. Roll call vote carried unanimously.***

On behalf of RJ and Michael Walpole and Kevin Barker, Patzer Patzer presented Planning Commission’s recommendation regarding rezoning the property located at 303 Carroll Street. Downey asked for clarification on the site plan.

***Downey moved, seconded by Denison to approve rezoning the property located at 303 Carroll Street from I-2 Heavy Industrial to C-2 General Commercial District. Roll call vote carried unanimously.***

(Alex Leonowicz, VP Redbud Roots and Patzer )Consider approving the renewal of the following Medical Marihuana Permits for Redbud Roots: Class C Grow at 448 Post Road; Class C Grow (Suite B) and Processor (Suite B) at 215 Post Road, Suites A; Class C Grow at 208 Post Road.

***Weedon moved, seconded by Toerne to approve. Roll call vote carried unanimously.***

Alex Leonowicz, VP Redbud Roots and Patzer presented the application.

***Toerne moved, seconded by Downey to approve the application of Redbud Roots Lab II to operate two (Adult Use Class C Grow Establishments at 835 Terre Coupe Road. Roll call vote carried unanimously.***

Ankur Rungta CEO for QPS Michigan Healing and Attorney Travis Copenhaver for Michigan Total Heealing Center of Buchanan (MTHCB) presented an overview of QPS, its facilities across the state and plans for Buchanan. Toerne asked for clarification on licensing. Weedon asked for a

copy of slide deck and asked what brought presenters to this community. Rungta responded that they desire a strong retail presence, want to make high quality products available to patients and consumers and Buchanan is very welcoming in that regard. Weedon likened this industry to the microbrewery industry and offered that nobody is opposed to those types of businesses... “this is about bringing business to the community”.

***Weedon moved, seconded by Toerne to approve Michigan Total Healing Center of Buchanan (MTHCB) to transfer their Medical Marijuana Facility Permit to QPS Michigan Holdings for the operation of a Provisioning Center at 804 E. Front Street. Roll call vote carried unanimously.***

Marx presented Resolution 2020.2/206 to move forward with the DDA Mill Alley Project. Moore asked if project would be able to move forward if DDA no longer existed. Marx explained that the agreement would be between the City and the County.

***Downey moved, seconded by Denison to approve Resolution 2020.2/206. Roll call vote carried unanimously.***

Marx discussed the process to apply for the USDA grant application to fund the DPW building.

***Weedon moved, seconded by Toerne to approve Prein and Newhoff to move forward and include the DPW/Utility Building project in the USDA Grant Application for the sum of \$6,000. Roll call vote carried unanimously.***

### **Public Comment**

- Larry Money – Asked the Commission to make provision for a new building for the fire department. The equipment housed in that building is very expensive and needs to be protected. Also asked for and received clarification regarding permits for hometown heroes banners.
- Randall Peart - Expressed dismay at the ongoing funding battle between the DDA and the Mayor, concern regarding use of TIF money. Called for the appointment of an independent auditor.
- Dan Vigansky – Mayor asked if he had a written comment to which he responded he would submit at the next meeting. Downey moved, seconded by Denison to allow Vigansky to speak. Roll call vote, Yeas: Weedon, Denison, Downey; Nays: Toerne, Moore. Motion carried. Vigansky waived his right to speak.
- Leland Payne – Thanked the police department for their assistance with parking issues. However, this is his 10<sup>th</sup> meeting coming to address this issue and questioned why it took so long and when something will be permanently done.

### **City Manager's Comments**

- Encouraged public to ensure they have reflective house numbers, as they are critical for police, fire and ambulance locating residences in an emergency.
- March 12, Census forms will start arriving and the official count day is April 1. It is very important that everyone is counted because it translates into funding for infrastructure, services and programs that are critical to the community. The City is working with RAM Love and Lowrey's to promote the importance of completing the Census to local residents.

- Upcoming work sessions; one on parking and another to discuss options for the Feed Mill property. Jeff Rea will be coming to the goal setting session. Commission agreed to append to the Goal Setting session on March 7.
- At Denison's request, Marx discussed the opinion of legal council regarding parking. It is counsel's opinion that specific enforcement of the current ordinance with regard business employees would be difficult to enforce.

### **Commissioners' Comments**

- Downey – None.
- Toerne – Thanked Jeremy Frame for complimenting the City. Yesterday was Sheila and Dale's wedding anniversary and he expressed his appreciation for 40 years of marriage.
- Denison – Read written statement as follows:

*"Tonight, I want to bring a few issues to the public's attention. Important issues that matter. Issues that actually deserve to be discussed and reported.*

*Buchanan is facing a serious, dare I say, dire future. One that requires the focus and attention of grownups. We have an aging infrastructure – well past its prime. On that over the course of the next few years will require enormous amounts of work and money. Work that will change the way our community looks, and operates. Currently, the city staff is working on over \$30 Million worth of construction projects for our small community. \$20 Million. This work is important.*

*There is a \$9 Million oxidation ditch in which the city is working with municipal advisors, city bond council, S&P to acquire a bond rating, a bond underwriter and a Michigan paying agent, to prepare and fill our countless forms and application.*

*There is a total of \$22 Million in Capital projects related to our water, sewer and storm water that require filing for USDA loan grants. Work that is tedious, and time consuming – but vitally important to the financial health of our community.*

*The city is working \$260,000 worth of MDOT road grant improvements that we hope to get started as soon as the weather breaks and the money is released.*

*The city is working on a new DPW building – and the potential of sliding it into the USDA loan grant program – which again is a tedious and time-consuming thing, but one that could save the city millions in the long run.*

*The list goes on and on, and during all this – oh yeah – we also have the 2020 Census to plan for, we are working on the 2020-2021 City Financial Budget, there are 3 elections to plan for this year in March, August and November, we are investigating and planning development of the Feed Mill site, the 9 acre parcel on River Street, and working to bring an end to the eyesore that is Electro-Voice. We have just begun working on our new goal setting sessions and need to plan for how to go forward with a new relationship with the Greater Niles/Buchanan area*

*Chamber of Commerce, we are considering expansion of the McCoy Creek Trail, and on, and on...there are serious matters being worked on here in the City and they are all important.*

*I have in some of my past comments tried to rein in some of the community's most vocal critics. And while I struggle with whether or not I should even acknowledge their existence, I feel like my position requires me to do so. Someone once said, "There was never one single problem in the world that has been solved by ignoring it." Recently, an email surfaces that was addressed to two separate newspapers, several respected business leaders as well as other community members. It was accusatory, derogatory, and in no way helpful in moving our community forward. A similar email tied to it, specifically named me, and only me and it questioned my character and ethics.*

*I cannot overstate the importance of what I am about to say.*

*Buchanan's appeal – quality of life and quality of place – is a significant factor in the success of many of its economic development outcomes. People want to visit a place that they find desirable, and even having the reputation as a quality place can make it possible to attract investment. It is important to remember that the way in which Buchanan is perceived – MATTERS. The general public is not aware of the distinction between – City, DDA, Chamber of Commerce, this board, that board – there is simply "BUCHANAN". What is said and or printed in and about our community may greatly influence the perceptions of Buchanan and may have economic or social repercussions for the City.*

*The email to which I referred to moments ago has now been exacerbated on and printed in the latest edition of the Paper.*

*This community is too important to me to just stand by and watch this any longer. I have asked the DDA Chair to dial it down, to act with decorum, but to no avail. So tonight I call upon the DDA Board. A board that is in place to better our community, filled with people willing to volunteer their time to make our community better. If those members truly want what's best for our community, I call on them to remove the chair. They bullying, the insults, the accusations have too deep a negative impact to better our community in any way and they cannot continue. If the DDA Board is unable or unwilling to do so, if they as a group have become so dysfunctional that they cannot see the damage that is being done, I will have no choice but to seek to end the mission of the DDA as a whole. There is too much important work that needs to be done – work that will have long lasting impacts on the community – to waste any more of our valuable time on this nonsense.*

*If I were to watch this activity any longer and do nothing, then I would question my character.*

- Moore – Tin Shoppe clean-up begins Saturday. Addressed the column in The Paper; it was published without the privilege of review or approval by the DDA Board and the Mayor is disappointed at the character assassination of City staff therein. Described the protocol for ensuring briefing materials are securely delivered to Commissioners and admonished unnamed Commissioner(s) regarding distribution of confidential briefing materials.

**Adjourn**

*Denison moved, seconded by Toerne to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 9:01 p.m.*

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Mayor Patricia A. Moore DPM

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Barbara A. Pitcher, City Clerk

**City of Buchanan Commission Minutes**  
**March 9, 2020**

**The regularly scheduled meeting of the City Commission** was held at Buchanan Senior Center, 810 Rynearson Street, Buchanan, Michigan on Monday, March 9, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance. Invocation by Lyndon Azcuna of LifePlan.

**Roll Call**

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

Guests: Approximately 18 guests and visitors

City Staff in attendance: City Manager, William Marx; City Clerk, Barbara Pitcher

**Public Comments**

- Larry Money – States the repairs to the fire station roof are just a band-aid and suggests a new station instead.
- Randall Peart – Disagrees with Money, believes it is advantageous to have the fire station where it is, centrally located, versus a new location
- Dan Vigansky – Apologized to the Commission. Questioned why the city would purchase a property simply to sell to a neighbor and suggests that's not something that should be done at this time. Suggests the city get aggressive about a long-term solution for the fire station instead of short-term repairs. Requests the city not pay for more lawyers and suggests they get a handle on their leadership and management and work it out.
- Roy Mark – Lives at 519 River Street and is the neighbor who would like to purchase the property at 517 River Street.
- Jim Cronin – The city just spent \$170,000 on a new red light that wasn't needed. That money would have been better spent toward a new fire station.
- Leland Payne – Wants to know why the city needs to purchase the property instead of the person who wants to the property purchasing it directly.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting February 24, 2020
- Approve Invoices/Expenditures for March 9, 2020 in the amount of \$94,118.17.
- Approve Ingrid Gschwind as a council member-at-large of the Fine Arts Council.
- Approve banner placement on East Front Street from April 1-14 to promote summer camps at Fernwood.
- Approve banner placement at 103 S. Redbud Trail from April 3-19 to promote the Buchanan School Farm Plow Day and Pancake Breakfast, scheduled for Saturday, April 18, 2020.
- Consider approval of street closure on Front Street from American Legion to Oak Ridge Cemetery on May 25, 2020 for the Memorial Day Parade.

***Weedon moved, seconded by Toerne to amend agenda New Business item 515 River Street to 517 River Street. Roll call vote carried unanimously.***

*Denison moved, seconded by Toerne to table the fire department discussion based on missing page on one of the quotes. Roll call vote carried unanimously.*

*Downey moved, seconded by Denison to accept the amended Consent Calendar. Roll call vote carried unanimously.*

### **Reports by: Departments, Committees, Boards**

- None

### **New Business**

#### **517 River Street**

Marx provided history regarding the lot in question which was owned and maintained by the Marks family for many years. The lot will be going into foreclosure soon. The city has first right of purchase and it is a common practice to municipalities to purchase a property and sell, at cost, to an adjacent property owner.

*Downey moved, seconded by Denison with comment – agrees the city shouldn't normally be acting as a real estate broker, but should intervene and assist citizens in situations like this- to approve purchasing and retaining foreclosure lot 517 River Street from Berrien County Treasurer for delinquent taxes to sell to property neighbor. Roll call vote carried unanimously.*

### **Legal Counsel**

Moore explained how

Marx stated the need for a mediator and it was determined counsel outside of the area would be best. This firm has solid municipal experience. Denison reiterated this was an outcome of discussion during the ad hoc committee regarding lack of transparency and the suggestion of a third party mediator.

*Denison moved, seconded by Weedon to the retention of the Kalamazoo Law Firm of Kreis and Enderle as special counsel to assist the Ad Hoc Committee and City Commission with their review of the relationship with the DDA. Roll call vote carried unanimously.*

### **Fire Department Roof**

*Tabled due to incomplete supporting documentation.*

### **Public Comment**

- Penny Slocum – Questioned what was going on with the Ross-Sanders building and suggested the city could work on the both buildings when working on the fire station. That square is near the center of downtown and should look nice. Regarding the DDA, if everyone is going to get along we all have to stop this nagging. Discussions need to be honest and polite.
- Leland Payne – Thanked Tim Ganus for stopping the parking tickets for a week and a half for Payne and his staff while the parking issue was studied. Asked if there will be another work session to further address parking. Moore responded that work sessions are to gather and discuss information and that all decisions are made in public meetings. Marx stated there is additional work to do.
- Cindy Benson – Stated that the American Legion as a waiting list for the Hometown Heroes banners. Asked if there's a way to add more hangers.

- Larry Money - Clarified there are 15 on a waiting list got Hometown Heroes banners. The committee is looking for alternative solutions such as local businesses posting the banners in their shop windows. They researched and additional hardware is not cost effective.
- Randall Peart – In relation to the DDA-city conflict of interest and publishing by the chairman of the DDA of his estimation of the money spent between the two of them, there is a Public Act 57 of 2018, which is the current TIF regulation, there is a public reporting requirement, section 9-10, the new act describes that an authority – the authority would be the DDA, not the city particularly – create a website or use a municipal website for the posting of information listed in this section including budgets, audits, adopted plans and other information, so the chairman has been castigated for following the law as far as I can see. That may not be true; a lawyer will tell you, I'm sure. Peart also passed on contact information for a contractor who was working on the Zinc Collar building.

### **City Manager's Comments**

- Marx – Reminded everyone the Census forms will be mailed on March 12 and should arrive between then and March 20. It's very important for everyone to complete so that we can all be counted and get our fair share of dollars coming out of Washington. There is a projection that this area – Niles and Buchanan – will be underreported by almost 30%, so there's been quite a push to get the word out about how important the Census reporting is. The city applied for a grant to help promote responses. Computers will be available to assist people with reporting along with some incentives in conjunction with Lowrey's for individuals who participate. Will also be working with the senior center and RAM. Everyone is encouraged to complete the Census right away so that we have an accurate accounting. Regarding the fire station; regardless whether the fire department remains there or not, it is still a city building and needs to be maintained, so the city will proceed with assessing bids for repairs.

### **Commissioners' Comments**

- Denison – Tomorrow is election day – go out and vote. In honor of National Women's Day, yesterday, he would like to encourage women in our community to run for city commissioner in the fall. There has been some discussion regarding our new contract with the Greater Niles Chamber and whether that money would be well-spent. Jeff Rea spent about an hour with the commission during the annual goals setting workshop this past Saturday sharing insights on activities in the region that would impact Buchanan. They have resources we can leverage, and they have already been working for our benefit. This partnership will prove to be well worth the investment.
- Downey – We all know we need a new fire station but the first things we need to save what we have. Asked if a gable roof was considered versus a flat roof repair. Marx explained the repair is a complete tear off and rebuild, but they can explore the possibility of a gable roof. Downey sits on the DDA and Mill Alley committee; planning to move some projects forward on Mill Alley with planting and painting.
- Weedon – Appreciates City Manager's comments that the fire station repairs are not merely a band-aid, but substantial work to preserve the building until such time that a more permanent solution is determined, whether at a new site or at the current location. Regarding the parking situation, asked Payne if he's noticed any change in business and suggested if he's not seeing a financial gain, it must be considered whether parking is actually the problem. Weedon begs the question that is probably not true. Weedon wanted it noted he's

paid for his banner. Appreciates the public comments regarding the DPW building; it's been a topic of discussion for a long time and thinks we're coming to fruition on plans. Mentioned a FEMA firefighter construction grant that should be considered. Gave thanks to Lowrey's for the donation of a ham for participation in the Census; Weedon will participate in the Census but will donate his ham and encourages others to do the same.

- Toerne – Encourages everyone to be cautious with the threat of COVID-19 and to stay healthy.
- Moore – States the podiatric conference she was to attend next weekend has been cancelled due to COVID-19. We have this time to prepare. Some of the things that can reduce your risk is getting the flu shot and frequent handwashing. The public does not need to wear masks or horde items. Just think about having enough food and supplies as if we were to have a storm and couldn't get out for a while. Also consider prescriptions, do you have or can you get enough to have on hand for 2-3 weeks. Please consider donating items such as canned meats, broth and other nonperishables to RAM. Appreciates everyone's involvement with the goal planning session on Saturday. It was a productive meeting with two work sessions that followed. A few months ago, Weedon brought up that we need to work on the city's communications and marketing; Mayor named an ad hoc committee to address Marketing and Communications to be headed by Weedon. The City Clerk a representative from the Niles Chamber will also serve on that committee. Sharon Travis will not be on the committee but will allow her photos to be used.

### **Adjourn**

***Downey moved, seconded by Weedon to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:05 p.m.***

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Mayor Patricia A. Moore DPM

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Barbara A. Pitcher, City Clerk

**City of Buchanan Commission Minutes  
March 23, 2020**

**The regularly scheduled meeting of the City Commission** was held via teleconference and at Buchanan City Hall, 302 North Redbud Trail, Buchanan, Michigan on Monday, March 23, 2020, 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

Guests: Approximately 3 guests and visitors

City Staff in attendance: City Manager, William Marx; City Clerk, Barbara Pitcher;

Administrator Assistant, Mandi Schanick; Zoning Administrator, Debra Patzer

**Public Comments**

- Dan Vigansky gave his suggestions on whom to use for the Fire Department Roof updates. Also voiced his concern and suggestion on rezoning 509 Rynearson.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting March 9, 2020
- Approve Invoices/Expenditures for March 23, 2020 in the amount of 111,637.36

*Moore moved, seconded by Toerne to amend the agenda replacing Item F. on the Agenda to Consider an amendment to the bond authorizing ordinance permitting the City to issue bonds without a reserve requirement and without appointing a bank as a 3<sup>rd</sup> party transfer agent. Adding Item G. Consider amendment to the bond authorizing ordinance permitting the City to issue bonds without a reserve requirement and without appointing a bank as 3<sup>rd</sup> party transfer agent. Item H. Consider approving the McCoy Creek Trail Committee to move forward with applying for available TAP funds that could be earmarked to expand the McCoy Creek Trail in construction year 2023. Item I. In recognition of the Governors Executive order 2020-21 the Buchanan City Commission designates that the Oxidation Ditch project is an Essential Critical Infrastructure and the need for its construction is extremely vital to the health and welfare of the Community. Item J. Commission discussion on the City Manager search. Roll call vote carried by majority. Nay: Denison, Yay: Moore, Weedon, Downey and Toerne*

*Toerne moved, seconded by Weedon to accept the Amended Consent Calendar. Roll call vote carried by majority.*

*Nay: Denison*

**Reports by: Departments, Committees, Boards**

- None

**Unfinished Business**

**Fire Department Roof**

Marx provided update regarding the project.

**New Business****120 E. Front Street**

Consider approval of the Adult Use Marihuana Establishment Permit application of OM Buchanan dba Canna Vista Wellness to operate an Adult Use Marihuana Retailer Establishment as a Special Use at 120 E. Front Street.

*Toerne moved, seconded by Denison to approve the Adult Use Marihuana Establishment Permit application of OM Buchanan dba Canna Vista Wellness to operate an Adult Use Marihuana Retailer Establishment as a Special Use at 120 E. Front Street Roll call vote carried unanimously. Weedon Abstained.*

**408 River Street - Grow**

Consider approval of the Adult Use Marihuana Establishment Permit application of G2 Developments of Buchanan LLC to operate an Adult Use Marihuana Class C Grow Establishment as a Special Use at 408 River Street.

*Toerne moved, seconded by Denison to approve the Adult Use Marihuana Establishment Permit application of G2 Developments of Buchanan LLC to operate an Adult Use Marihuana Class C Grow Establishment as a Special Use at 408 River Street. Roll call vote carried unanimously. Weedon Abstained.*

**408 River Street - Processor**

Consider approval of the Adult Use Marihuana Establishment Permit application of G2 Development of Buchanan LLC to operate an Adult Use Marihuana Processor Establishment as a Special Use at 408 River Street.

*Toerne moved, seconded by Denison to approve the Adult Use Marihuana Establishment Permit application of G2 Development of Buchanan LLC to operate an Adult Use Marihuana Processor Establishment as a Special Use at 408 River Street. Roll call vote carried unanimously. Weedon Abstained.*

**1101 Front Street**

Consider approval of the Adult Use Marihuana Establishment Permit application of G2D1 of Michigan LLC to operate an Adult Use Marihuana Retailer Establishment as a Special Use at 1101 Front Street.

*Toerne moved, seconded by Downey to approve the Adult Use Marihuana Establishment Permit application of G2D1 of Michigan LLC to operate an Adult Use Marihuana Retailer Establishment as a Special Use at 1101 Front Street. Roll call vote carried unanimously. Weedon Abstained.*

**804 E. Front Street**

Consider approval of the Adult Use Marihuana Establishment Permit application of QPS Michigan Holdings LLC to operate an Adult Use Marihuana Retailer Establishment at 804 E. Front Street.

*Toerne moved, seconded by Downey to approve the Adult Use Marihuana Establishment Permit application of QPS Michigan Holdings LLC to operate an Adult Use Marihuana Retailer Establishment at 804 E. Front Street. Roll call vote carried unanimously. Weedon Abstained.*

**Bond Amendment**

Consider an amendment to the bond authorizing ordinance permitting the City to issue bonds without a reserve requirement and without appointing a bank as 3rd party transfer agent.

*Denison moved, seconded by Toerne to approve an amendment to the bond authorizing ordinance permitting the City to issue bonds without a reserve requirement and without appointing a bank as 3rd party transfer agent. Roll call vote carried unanimously.*

**Bond Resolution**

Consider amendment to the sale resolution to permit a private placement sale of bonds to a bank.

*Denison moved, seconded by Weedon to approve an amendment to the sale resolution to permit a private placement sale of bonds to a bank. Roll call vote carried unanimously.*

**McCoy Creek Trail TAP Funds**

Consider approving the McCoy Creek Trail Committee to move forward with applying for available TAP funds that could be earmarked to expand the McCoy Creek trail in construction year 2023.

*Denison moved, seconded by Downey to approve the McCoy Creek Trail Committee to move forward with applying for available TAP funds that could be earmarked to expand the McCoy Creek trail in construction year 2023. Roll call vote carried unanimously.*

**Oxidation Ditch – Essential Critical Infrastructure**

In recognition of the Governors Executive order 2020-21 the Buchanan City Commission designates that the Oxidation Ditch project is an Essential Critical Infrastructure and the need for its construction is extremely vital to the health and welfare of the Community.

*Denison moved, seconded by Weedon to designate the Oxidation Ditch project is an Essential Critical Infrastructure*

**City Manager Search**

Commission discussion on the City Manager search.

**Public Comment**

- Dan Vigansky questioned the Agenda Amendments, city manager search, and noted his desire to apply.
- Ed Graveline thanked everyone involved to put meeting together and efforts.
- Randal Peart brought up the parking issue, questioned the oxidation ditch purchase.

**City Manager's Comments**

- Marx – last couple week's preparation for sequestering for COVID 19. Different schedules to keep City work continuing. Supporting our local eateries and local businesses. Worked with the Chamber who is also in support.

**Commissioners' Comments**

- Denison – Thanked City Clerk for facilitating the meeting and efforts. Agreed with Peart on larger purchases through the year however the oxidation ditch is not one of them. Suggested going forward that the agenda not getting amended.
- Downey – None

- Weedon – None
- Toerne – Reminded the Citizens to pay water bills online. Landfill self-service recycle closed until further notice. Business hours 7am – 5pm closed Saturday and Sunday through April 25<sup>th</sup>. Toerne also asked Marx what his suggestion would be for the Budget Meeting that is scheduled for March 30<sup>th</sup>. Thanked Barbara and City Employees during this trying time.
- Moore – Thanked everyone for being flexible during this time and thanked the public input. Thanked fellow Commissioners. Special kudos to the City Employees.

**Adjourn**

*Downey moved, seconded by Denison to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 8:01p.m.*

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes (AMENDED)**  
**April 13, 2020**

**The regularly scheduled meeting of the City Commission** was held via electronic meeting and on Monday, April 13, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Guests: Mike Schwartz, Randall Peart, Mack Green, Dan Vignsky, and Alan Robandt  
City Staff in attendance: City Manager, William Marx; City Clerk, Barbara Pitcher; Zoning Administrator, Debra Patzer, Treasurer, Juli O'Bryant; and Wastewater Treatment Plant Operator, Bill Housand

**Public Comments**

- Randall Peart requested more clarity on Prein Newhof agenda item.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting March 23, 2020
- Approve Invoices/Expenditures for April 13, 2020 in the amount of \$88,742.43
- Acknowledge Receipt of the 2020-21 FY Budget as presented by the City Manager in accordance with Charter Section 9.2.

*Weedon moved, seconded by Toerne to approve the consent agenda. Roll call vote carried unanimously.*

**Reports by: Departments, Committees, Boards**

- None

**Unfinished Business**

- None

**New Business**

**120 E. Front Street**

Consider approval of the Medical Marijuana Facility Renewal Permit Application of OM Buchanan, dba Canna Vista Wellness, to operate a Medical Marijuana Provisioning Center Facility at 120 E. Front Street in the City of Buchanan.

Patzer verified fee has been paid, no information has changed, and background check just completed.

*Denison moved, seconded by Toerne to approve the Medical Marijuana Facility Renewal Permit Application of OM Buchanan, dba Canna Vista Wellness, to operate a Medical*

***Marihuana Provisioning Center Facility at 120 E. Front Street in the City of Buchanan. Roll call vote carried unanimously.***

### **303 Carroll Street**

Consider approval of the Adult Use Marihuana Microbusiness Establishment Permit Application of Roy and Michael Walpole, to operate an Adult Use Marihuana Establishment at 303 Carroll Street in the City of Buchanan, contingent on the State's approval of their Adult Use Microbusiness Establishment License.

Patzer elaborated upon the contingency. Denison asked if application fees were refunded if license not granted. Patzer explained the fee is non-refundable.

***Toerne moved, seconded by Downey to approve the Adult Use Marihuana Microbusiness Establishment Permit Application of Roy and Michael Walpole, to operate an Adult Use Marihuana Establishment at 303 Carroll Street in the City of Buchanan, contingent on the State's approval of their Adult Use Microbusiness Establishment License. Roll call vote carried unanimously.***

### **Prein Newhof**

Consider approval of the attached proposal from Prein and Newhof to expand the scope of work to include the four points of work listed.

Mark Schwartz outlined the 4 points:

- ~~1. Conduct teleconference meetings (assume 2) to discuss programming of the spaces required within the new DPW Building~~
- ~~2. Develop a floor plan and basic elevations of the new building to submit with funding application~~
- ~~3. Coordinate mechanical and electrical systems for new facility~~
- ~~4. Develop a schematic phase level cost estimate for the new facility~~

>

- Iron treatment plant will be added to the project for the proposed well and will also treat the existing Well #5.
- Perform an on-site field observation to determine the condition of the large tunnels for the creek that runs under the downtown and project areas to confirm if these tunnels/large culverts require replacement or rehabilitation work. If so, we will include this cost in the project scope and project estimates.
- Engage an architect (Century AGE) to provide programming and a detailed cost estimate to be used for the USDA-RD application for the new utility barn. Scope of this work includes:
  1. Conduct teleconference meetings (assume 2) to discuss programming of the spaces required within the new DPW Building
  2. Develop a floor plan and basic elevations of the new building to submit with funding application
  3. Coordinate mechanical and electrical systems for new facility

4. *Develop a schematic phase level cost estimate for the new facility*
- *USDA has also determined that the existing DPW building, requires both an architectural evaluation along with the DPW site requiring an archaeological evaluation of the property as part of the environmental SHPO application.*

Housand discussed the need for iron removal due to high iron content in all aquifers. Denison asked if the USDA deadline has changed at all. Schwartz responded it has not been impacted. Downey asked if there's any hope of saving any existing infrastructure. Housand stated there will be an attempt to do so, but it needs to be evaluated so the scope and costs can be better known.

***Denison moved, seconded by Toerne to approve the proposal from Prein and Newhof to expand the scope of work to include the four points of work listed. Roll call vote carried unanimously.***

### **Public Comment**

- Randall Peart stated concern about the different plans for the DPW building. Asked if the City had contacted the master mason he referred. Also suggested the City reach out to Scott King about the tunnel since he has been in the tunnel.
- Alan Robandt stated the underground culvert is registered as historical, so it would need to be reviewed as such.

### **City Manager's Comments**

- Marx submitted a quote from Larry Nielson for the City Manager search for the Commission's review.
- Two employees reported they may have been exposed COVID-19 and immediate action was taken to minimize the impact on other employees. The City continues to take necessary precautions to keep people safe and further making adjustments to schedules and work practices.
- Police department received several face masks from a 2<sup>nd</sup> grade class from Ann Arbor which has produced over 500 shields on their digital printer.
- Purchased several large bottles of hand sanitizer from Lehman's. Marx stated he is grateful that Lehman's is doing this and that we have the resource so close.
- City Hall remains closed until further notice in anticipation that the stay at home order will again be extended.
- Provided latest update on cases from the Berrien County Health Department.
- Denison asked Marx for an update on the Wastewater Treatment Plant, to which Housand responded with specifics and that they are right on track.

### **Commissioners' Comments**

- Toerne – The Landfill reports there will be no operations on Saturdays until further notice and the Recycling Center will be closed until May 4. Inquired about the status of setting up the direct deposit with the Landfill. Commented on the progress of construction for McCarty Well Drilling and G2 buildings. Congratulated Debra Patzer on her upcoming retirement.
- Downey – Questioned why Patzer would retire, rather than simply keep working, if she intended to return as contractor. Expressed to Randall Peart that he didn't contact the mason

and that he felt it was more a job for a structural engineer. Questioned how much money has been spent chasing having Prein and Newhoff chasing grants; thinks we could hire an employee to do that for less. ~~Downey was critical of the County's discussion with the DDA regarding the Mill Race project and use of certain funds allegedly obligated to the County.~~  
>Commissioner Downey expressed how a few of the DDA board members had an uneasy feeling about the proposals presented at the DDA meeting and asked for a written release of the funds from the county.

- Denison – none
- Weedon – none
- Moore – Acknowledges we're working in a difficult situation using new technology to continue to meet and engage the public but hopes technical issues can be worked out for future meetings. Disagreed with Downey's statement, clarified she was at the meeting in question, and stated the county was gracious to let us use the money for all this time, but it is a legitimate debt to the county, and should be considered as such.

### **Adjourn**

*Denison moved, seconded by Weedon to adjourn the meeting. Voice vote carried unanimously. Mayor Moore adjourned the meeting at 7:49 p.m.*

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

## City of Buchanan Commission Minutes

April 27, 2020

A public hearing of the City of Buchanan proposed fiscal 2020-2021 Budget was held via electronic meeting and on Monday, April 27, 2020, at 7:00 p.m.

Dan Vigansky – questioned work sessions

*Toerne moved seconded by Weedon to adjourn the Public Hearing. Roll Call Vote carried unanimously.*

The regularly scheduled meeting of the City Commission was held via electronic meeting and on Monday, April 27, 2020, and was called to order at 7:04 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.

### Recognition

The City of Buchanan recognized and honored Debra Patzer for 12 years of service to the City as she retires on April 29, 2020.

### Roll Call

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Zoning Administrator, Debra Patzer, Treasurer, Juli O’Bryant and Administrative Assistant, Mandi Schanick; Wastewater Treatment Plant Operator, Bill Housand; Department of Public Works Director, JT Adkerson; Chief of Police, Tim Ganus

Guests: Dan Vigansky, Randall Peart

### Public Comments

- Dan Vigansky – Shared reservations regarding finding new City Manager with the old ways. Gave opinion of Patzer retiring and then being contracted. Questioned Spring Clean-up dates.
- Randall Peart – Questioned 3 items at the bottom of agenda.

### Consent Calendar

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting April 11, 2020
- Approve Invoices/Expenditures for April 27, 2020 in the amount of \$173,374.33

*Weedon moved, seconded by Downey to move the Consent Calendar item B to the agenda as Item A. Unfinished Business. Roll call vote carried unanimously.*

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

### Reports by: Departments, Committees, Boards

- None

**Unfinished Business**

Approve Minutes: Regular Scheduled Meeting April 11, 2020

*Downey moved, seconded by Weedon to replace the items on the minutes to correspond with the items in the briefing. Roll call vote carried unanimously.*

**New Business****Executive Search Services**

Presentation from Larry Nielson regarding his Executive Search Services. Nielson introduced himself explaining his 32+ years of experience and provided the process of what will take place in the executive search.

*Weedon moved, seconded by Toerne to approve Larry Nielson as Executive Search Services as the City of Buchanan City Manager.*

**McCoy Creek Emergency Repairs**

Consider approval of emergency repairs to the McCoy Creek retaining wall and sidewalk area that is presently collapsing. Phase I \$3600 – Phase II Proposal \$16,600.00.

*Denison moved, seconded by Toerne to approve the emergency repairs to the McCoy Creek retaining wall and sidewalk area that is presently collapsing Phase I and Phase II with BG Construction in the sum of \$20,200.00. Roll call vote carried unanimously.*

**McCoy Creek Flow Diversion Walls**

Consider approval of the request of Barr Engineering to obtain a right-of-way permit to perform the installation of flow diversion walls on either side of McCoy Creek to prevent the flow of groundwater with elevated pH levels from entering the creek.

*Downey moved, seconded by Weedon to approve the request of Barr Engineering to obtain a right-of-way permit to perform the installation of flow diversion walls on either side of McCoy Creek to prevent the flow of groundwater with elevated pH levels from entering the creek. Roll call vote carried unanimously.*

**Sewer Use Ordinance**

Consider Sewer Use Ordinance – Industrial Pretreatment Program Ordinance 2020.5/416 – Introduction, First Reading and schedule the required Public Hearing for Monday, May 11, 2020 at 7:00 p.m.

*Weedon moved, seconded by Toerne to approve scheduling the Public Hearing of the Sewer Use Ordinance – Industrial Pretreatment Program Ordinance 2020.5/416 for Monday, May 11, 2020 at 7:00 p.m. Roll call vote carried unanimously.*

**Contract Agreement with D. Patzer Urban Planning LLC**

Consider approving Independent Contract Agreement between the City of Buchanan and D. Patzer Urban Planning LLC to provide Zoning Administration including Zoning Board of

Appeals, Planning Commission Support Staff/Director, Medical and Adult Use Marijuana Compliance Coordinator and other special projects services to the City of Buchanan. The agreement is for six months and renewable as agreeable by both parties.

*Weedon moved, seconded by Toerne to amend the Independent Contract Agreement between the City of Buchanan and D. Patzer Urban Planning LLC to provide Zoning Administration including Zoning Board of Appeals, Planning Commission Support Staff/Director, Medical and Adult Use Marijuana Compliance Coordinator and other special projects services to the City of Buchanan. The agreement is for six months and renewable as agreeable by both parties. Roll call vote carried unanimously.*

*Weedon moved, seconded by Toerne to approve the Amended Independent Contract Agreement between the City of Buchanan and D. Patzer Urban Planning LLC to provide Zoning Administration including Zoning Board of Appeals, Planning Commission Support Staff/Director, Medical and Adult Use Marijuana Compliance Coordinator and other special projects services to the City of Buchanan. The agreement is for six months and renewable as agreeable by both parties. Roll call vote carried by majority. Yays: Moore, Torne, Denison, Weedon. Nays: Downey*

#### Public Comment

- Dan Vigansky – Stated he could not find agendas and minutes posted online. Questioned hours and reasons City Workers were working when 22 million ppl laid off yet suggests City Hall should be open.

#### City Manager's Comments

- Thanked Patzer for her 12 years of service to the City of Buchanan.

#### Commissioners' Comments

- Toerne – Thank Water department, PD, Fire Department, DPW, Cemetery for going above and beyond. Thanked Patzer for her services.
- Downey – Thanks to Patzer for her service. Gave a correction to previous minutes. ***Downey moved, seconded by Denison to correct Downey's comments in the April 6, 2020 minutes. Roll call vote carried unanimously.*** Question to Marx regarding property exchange agreement. Questioned retirement acknowledgement for Officer Brian Bennett.
- Denison – Thanks to Patzer for her service. Grateful for the City's kindness during this time.
- Weedon – Thanks to PD and FD. Thanks to Patzer for service and dedication.
- Moore – Announced to the Community her Aunt's passing who co-owned the Donut Shop downtown. Thanked and Congratulated Patzer.

#### Adjourn

***Denison moved, seconded by Weedon to adjourn the meeting. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 9:28 p.m.***

**City of Buchanan Commission Minutes  
May 11, 2020**

**The regularly scheduled meeting of the City Commission** was held via electronic meeting and on Monday, May 11, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.

**Recognition**

The City of Buchanan and the Buchanan Police Department honor Officer Brian Bennett upon his retirement following 43 years in Law Enforcement and, specifically, 24 years serving the Buchanan Police Department.

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Zoning Administrator, Debra Patzer, Treasurer, Juli O'Bryant and Administrative Assistant, Mandi Schanick; Department of Public Works Director, JT Adkerson; Chief of Police, Tim Ganus

Guests: Brian Bennett, Dan Vigansky, Randall Peart

**Public Comments**

- Dan Vigansky – 103 N Detroit – Had several questions regarding the budget; lawn mower, why the DDA budget was not included, and the cost of lawyer for DDA.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting April 27, 2020
- Approve Invoices/Expenditures for May 11, 2020 in the amount of \$115,308.45.
- Consider resolution 2020.05/209 to adopt 80%/20% employer/employee health care cost option as set forth in 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act.
- Consider amending the fiscal 2019-2020 general fund budget to cover additional costs for emergency repair and restoration to the McCoy Creek Retaining Wall, originally approved on April 27, 2020.

***Denison moved, seconded by Weedon to amend Consent Calendar Item C to reflect the addition of Check #81063 in the amount of \$12,991.15 to Ford Motor Credit Company, LLC, bringing the total expenditure amount to \$128,297.60.***

***Weedon moved, seconded by Downey to amend New Business Item E to add Discussion of Downtown Flower. Roll call vote carried unanimously.***

***Weedon moved, seconded by Denison to approve the amended consent calendar. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards**

- None

**Unfinished Business**

None

**New Business****Budget Resolution**

Consider resolution 2020.05/208 for the city of Buchanan, county of Berrien, Michigan to adopt a budget for the city of Buchanan for fiscal year 2020-2021.

***Toerne moved, seconded by Weedon to approve resolution 2020.05/208 for the city of Buchanan, county of Berrien, Michigan to adopt a budget for the city of Buchanan for fiscal year 2020-2021. Roll Call vote carried unanimously.***

**MDOT Contract**

Consider resolution 2020.05/210 authorizing officials to endorse contracts between the City of Buchanan and Michigan Department of Transportation (MDOT).

***Denison moved, seconded by Toerne to approve resolution 2020.05/210 authorizing officials to endorse contracts between the City of Buchanan and Michigan Department of Transportation (MDOT). Roll call vote carried unanimously.***

**Industrial Pretreatment Ordinance**

Consider repeal of Ordinance 2016.08/389 Industrial Pretreatment Ordinance, Chapter 102 Utilities, Article VI. because it does not meet State requirements and adopt Ordinance 2020.5/417 City of Buchanan Sewer Use and Industrial Pretreatment Ordinance to be compliance with State of Michigan requirements.

***Weedon moved, seconded by Denison to repeal Ordinance 2016.08/389 Industrial Pretreatment Ordinance, Chapter 102 Utilities, Article VI. because it does not meet State requirements and adopt Ordinance 2020.5/417 City of Buchanan Sewer Use and Industrial Pretreatment Ordinance to be compliance with State of Michigan requirements. Roll call vote carried unanimously.***

**Service Weapon/Belt Sale**

Consider approving sale of retired Officer Brian Bennett's service weapon and leather service belt to him at the current market value.

***Denison moved, seconded by Moore to approve sale of retired Officer Brian Bennett's service weapon and leather service belt to him for \$1.00. Roll Call vote carried unanimously.***

**Downtown Flowers**

Marx noted the City to accept the duty of the Downtown Flowers. Flowers go up after Mother's Day depending on the weather. Marx suggested an agreement to outline the duties of the City and the DDA in the new ownership of the flower responsibility.

***Denison moved, seconded by Toerne to approve presenting agreement to the DDA to allow the City of Buchanan to gain responsibility of the Downtown Flowers. Roll call vote carried unanimously.***

**Public Comment**

- Dan Vigansky – 103 N Detroit – Upset regarding the agenda and the consent calendar being amended directly before meeting. Questioned timing of the city-wide garbage pick-up, if a decision had been made regarding Summer Thrill on the Hill and status of the equipment for Winter Thrill on the Hill.
- Randall Peart – 312 W Chicago – General concern regarding the state of McCoy Creek and its value an asset to the City. Suggests one of the boards or committees take oversight which might have identified opportunity for preventive maintenance versus emergency repair to retaining wall.

**City Manager's Comments**

- Farmers Market planning to open May 16<sup>th</sup> with 10 vendors. Thanked Commission for the gesture of selling service weapon and leather to Brian Bennet for \$1.00.

**Commissioners' Comments**

- Weedon – Curious about trash cans and benches – Adkerson confirmed trash cans are up but benches will not go up at this time.
- Downey – Monthly GPS monitoring \$4k a month, Shocked. O'Bryant verified and explained the exact costs and descriptions explanation. Thanks to Bill for property exchange information. Short discussion regarding DDA funds from County and if an agreement had ever been finalized.
- Toerne – Applauded the City Employees. Special Meeting SEBCL in discussion of where to go in the future.
- Denison – Brief update on DDA ad hoc committee. Discussion should be happening in the next day or so, hopeful for a recommendation at the next commission meeting to move forward.
- Moore – Thankful for everyone and the wellbeing of our community, grateful for the City Leadership. Wished the best to Brian Bennet.

**Adjourn**

***Weedon moved, seconded by Denison to adjourn the meeting. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 7:54p.m.***

**City of Buchanan Commission Minutes  
May 26, 2020**

**The regularly scheduled meeting of the City Commission** was held via electronic meeting and on Tuesday, May 26, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.

**Recognition**

The City of Buchanan recognized Juli O'Bryant upon her retirement for nearly 30 years of service to the City of Buchanan.

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Zoning Administrator, Debra Patzer, Treasurer, Juli O'Bryant, Administrative Assistant, Mandi Schanick; Department of Public Works Director, JT Adkerson; Wastewater Treatment Plant Operator, Bill Housand

Guests: Fran Terry, Adam Burck, Brian McNulty, James Leventis, Josh Colton, Dan Vigansky, Randall Peart, Michael Silver, Monroe Lemay, Penny Slocum, Alan Robandt, a representative from The Paper, and 5 others.

**Public Comments**

- Randal Peart – 312 W Chicago Rd – Questions consent calendar rules and asked explanation for Portable Toilet Contractor bids and COVID-19 Preparedness and Response Plan.
- Dan Vigansky – 103 N Detroit – Reiterated Peart's concern of consent calendar items, questioned process for filling City Treasurer position.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting May 11, 2020
- Approve Invoices/Expenditures for May 26, 2020 in the amount of \$83,765.88.
- Approve the City Manager to select the lowest bid Portable Toilet Contractor for 2020.
- Approve two Chemical Bank Business Deposit Account Resolutions to update signature cards and to remove Juli O'Bryant from the City's bank accounts.
- Adopt City of Buchanan COVID-19 Preparedness and Response Plan.

***Denison moved, seconded by Weedon to approve the consent calendar. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards****DDA Ad Hoc Committee**

Committee presented its recommendations.

***Moore moved, seconded by Toerne to accept the AD Hoc Committee Report. Roll call vote carried unanimously.***

**Unfinished Business**

None

**New Business****Cancellation of 2020 Thrill on the Hill**

Consider cancellation of 2020 Thrill on the Hill due to public health ramifications of COVID-19.

***Weedon moved, seconded by Downey to postpone the cancellation of 2020 Thrill on the Hill due to public health ramifications of COVID-19 until June 8, 2020 Meeting. Motion fails. Yays: Downey, Weedon. Nays: Denison, Moore, Toerne.***

***Downey moved, seconded by Denison to approve cancellation of 2020 Thrill on the Hill due to public health ramifications of COVID-19. Roll call vote carried by majority. Yays: Denison, Moore, Toerne. Nays: Downey, Weedon***

**Transfer of Thrill on the Hill Funds**

Consider approval of transfer of 2019 Thrill on the Hill proceeds to the parks department.

***Denison moved, seconded by Weedon to approve transfer of 2019 Thrill on the Hill proceeds to the parks department. Roll call vote carried unanimously.***

**Loaning Mobile Stage to BHS for Graduation**

Consider approval of use of the Thrill on the Hill mobile stage by Buchanan High School for 2020 graduation ceremony to be held at Red Bud Track and Trail on June 5, 2020.

***Denison moved, seconded by Toerne to approve the use of the Thrill on the Hill mobile stage by Buchanan High School for 2020 graduation ceremony to be held at Red Bud Track and Trail on June 5, 2020. Roll call vote carried unanimously.***

**Change Order for Oxidation Ditch Project**

Consider approval of change order for the Oxidation Ditch Project.

***Denison moved, seconded by Toerne to approve change order for the Oxidation Ditch Project to include the drains for the clarifier. Roll call vote carried unanimously.***

**Medical Marihuana Processor Facility – Lab IV, 455 Post Road**

Consider approval of the Medical Marihuana Facility Permit Application of Redbud Roots Lab IV to operate a Medical Marihuana Processor Facility at 455 Post Road.

***Downey moved, seconded by Toerne to approve the Medical Marihuana Facility Permit Application of Redbud Roots Lab IV to operate a Medical Marihuana Processor Facility at 455 Post Road. Roll call vote carried unanimously.***

**Adult Use Processor Establishment – Lab IV, 455 Post Road**

Consider approval of the Adult Use Marihuana Establishment Permit Application of Redbud Roots Lab IV to operate an Adult Use Processor Establishment at 455 Post Road.

***Downey moved, seconded by Toerne to approve the Adult Use Marihuana Establishment Permit Application of Redbud Roots Lab IV to operate an Adult Use Processor Establishment at 455 Post Road. Roll call vote carried unanimously.***

**Medical Marihuana Provisioning Center Permit - 221 E. Front**

Consider the renewal of the Medical Marihuana Provisioning Center Permit for SwinnHutch LLC at 221 E. Front, and if approved, the transfer of that license to KISA Enterprises MI LLC, dba Pinnacle and Pinnacle Emporium.

- Josh Colton, attorney for SwinnHutch, and Dr. Michael Silver of KISA Enterprises MI LLC, dba Pinnacle and Pinnacle Emporium spoke to the reasons for prior delays and the transfer request, as well as the advantages of the transfer.

***Weedon moved, seconded by Toerne to approve the renewal of the Medical Marihuana Provisioning Center Permit for SwinnHutch LLC at 221 E. Front, and the transfer of that license to KISA Enterprises MI LLC, dba Pinnacle and Pinnacle Emporium. Roll call vote carried unanimously.***

**Interim Treasurer**

Consider approval of current City bookkeeper, Cathy Horner, as interim Treasurer.

***Weedon moved, seconded by Denison to approve current City bookkeeper, Cathy Horner, as interim Treasurer. Roll call vote carried unanimously.***

**Public Comment**

- Dan Vigansky – Thanked the Commission for stepping up and canceling the Thrill on the Hill.
- Randal Peart – Questioned source of information on COVID in Berrien County.

**City Manager's Comments**

- Thanked Juli for her service and for the Commission appointing Cathy as interim until the new treasurer position is filled. Marx reviewed the Preparedness and

Response plan; portable toilets bid, and commented on the beautification of the downtown with the banners, flags and flowers.

### **Commissioners' Comments**

- Weedon – Thanked Juli for her service. Thanked all take-out restaurants in Buchanan. Noted extra traffic downtown due to provisioning centers. Thanked those involved and in charge of the banners downtown.
- Downey – None
- Toerne – Reviewed updates on Planning Commission and SEBC Landfill Board meetings. Thanked Juli for her service and those who served in the Military, including his uncles and father.
- Denison – Thanked Juli for her service. Commented on extra traffic in the downtown over the weekend. Expressed thanks for the banners in the downtown.
- Moore – Thanked Ad hoc Committee. Noted the banners downtown. Promoted survey for the Tin Shop. Thanked Juli for her service.

***Moore moved, seconded by Toerne to sell O'Bryant her cell phone for \$1.00. Roll call vote carried unanimously.***

### **Adjourn**

***Denison moved, seconded by Weedon to adjourn the meeting. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 9:16 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes**  
**June 8, 2020**

**The regularly scheduled meeting of the City Commission** was held via electronic meeting on Monday, June 8, 2020, 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 Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Interim Treasurer, Cathy Horner, Administrative Assistant, Mandi Schanick; Department of Public Works Director, JT Adkerson; Wastewater Treatment Plant Operator, Bill Housand

Guests: Peter Lysy, Jen Tabor, Alan Robandt, Randall Peart, Ric Panniagua, Adam Burck, Fran Terry, Monroe Lemay, Ralph McDonald, Dan Vigansky, Penny Slocum, Mack Green, Larry Nielsen, and a representative from The Paper,

**Public Comments**

- Written Comments from Tracy and Dave Dippo, Mary Lister and Patricia Banker, Kelly and Paul Dickerson, Peter Lysy, Alice Kring, Beth Murphy, Darlene Clevenger, Adam Burck, Joe Paolucci, and Chandra Stubbs read regarding the Analysis from the DDA Ad Hoc Committee.
- Randal Peart read his comments regarding the DDA suggesting to hold off on DDA decision until a new city manager is hired and in regards to hiring a new city manager
- Alan Robandt spoke on behalf of the Preservation Society regarding the DDA
- Monroe Lemay spoke regarding the DDA
- Penny Slocum spoke regarding the DDA
- Jen Tabor spoke regarding the DDA
- Dan Vigansky spoke regarding the DDA
- Rick Paniagua spoke regarding the DDA

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting May 26, 2020
- Approve Invoices/Expenditures for June 8, 2020 in the amount of \$496,539.86.
- Approve End of Year Budget Amendment
- Approve delinquent utility and mowing billings to be certified to the 2020 Summer Tax Roll.

***Denison moved, seconded by Toerne to approve the consent calendar. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards****DDA Ad Hoc Committee**

Consider committees' recommendations.

***Moore moved, seconded by Toerne that the staff be directed to prepare an ordinance dissolving the DDA for the following reasons: the current plan has been completed; the declining revenues due to changes in the personal property tax laws will make projects funded through this vehicle less viable; and the update in the Act 57 has limited the ability of the DDA to function while increasing State reporting obligations. It is further moved that there be a public hearing on June 22, 2020 at 7:00 p.m. to hear public comments about the ordinance. Roll call vote carried by majority. Ayes: Moore, Denison, Weedon and Toerne. Nays: Downey.***

Downey moved to postpone any decision for the DDA until new management is in place. Motion dies due to lack of support.

**Unfinished Business****City Manager Search**

Consider approval of City Manager search criteria, brochure, job posting and wage range prepared by executive search consultant, Larry Nielsen.

***Downey moved, seconded by Toerne in approval to City Manager search criteria, brochure, job posting and wage range prepared by executive search consultant, Larry Nielsen. Roll call vote carried unanimously.***

**New Business****TAP Grant**

Consider approval of Resolution 2020.6/211, a resolution of support for TAP grant application for the City of Buchanan.

***Toerne moved, seconded by Denison to approve the Resolution 2020.6/211, a resolution of support for TAP grant application for the City of Buchanan. Roll call vote carried unanimously.***

**Treasurer Job Search**

Consider approval of selection of top three candidates for Treasurer position by the City Manager to then be presented to the Commission for final selection.

***Downey moved, seconded by Toerne to approve the selection of top three candidates for Treasurer position by the City Manager to then be presented to the Commission for final selection. Roll call vote carried unanimously.***

**Fire Department Pagers**

Consider approval of application for and acceptance of grant funds from Berrien County toward the purchase of twenty (20) 800MHz pagers for the Fire Department, and the purchase of those pagers not to exceed \$7,000 after receipt of grant funds.

***Toerne moved, seconded by Downey to approve the application for an acceptance of grant funds from Berrien County toward the purchase of twenty (20) 800MHz pagers for the Fire Department, and the purchase of those pagers not to exceed \$7,000 after receipt of grant funds. Roll call vote carried unanimously.***

**Citizen Volunteer**

Consider approval of Kim O’Haver as a Citizen Volunteer so that she can complete her term with the MI Public Transit Association on a volunteer basis.

***Toerne moved, seconded by Downey to approve Kim O’Haver as a Citizen Volunteer so that she can complete her term with the MI Public Transit Association on a volunteer basis. Roll call vote carried unanimously.***

**Public Comment**

- Penny Slocum commented regarding change in the community.
- Dan Vigansky commented on an agenda item and was found out of order.
- Monroe Lemay commented regarding the peaceful walk in Buchanan for Unity and Equality.
- Randal Peart commented on consent calendar and Police Power Ordinance.

**City Manager’s Comments**

City Manager spoke about the spectacular graduation ceremony for the 2020 Seniors, hours of operation at City Hall, and the trail committee.

**Commissioners’ Comments**

- Weedon – spoke about diversity of opinion and encouraged unity
- Downey – none
- Toerne – Spoke about current events on a national level and civil rights
- Denison – Congratulated Chief Ganus for leading the Police Force in Buchanan, spoke on diversity of opinion and encouraged unity
- Moore – spoke about diversity and encouraged unity, advertised citizens to get involved with vacant commission seats

**Adjourn**

***Denison moved, seconded by Toerne to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 9:06 p.m.***

**City of Buchanan Commission Minutes  
June 22, 2020**

A **public hearing** regarding proposed Ordinance #2020.7/418 was held via electronic meeting on Monday, June 22, 2020, and was called to order at 7:00 pm. By Mayor Moore.

**Public Comment**

- Dan Vigansky, Alan Robandt, Beth Murphy, Randall Peart, Monroe Lemay, Fran Terry and Justin Cozadd all spoke in opposition to or delaying dissolution of the DDA.

**Adjourn**

***Weedon moved, seconded by Toerne to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the public hearing at 7:17 p.m.***

The **regularly scheduled meeting of the City Commission** was held via electronic meeting on Monday, June 22, 2020, and was called to order at 7:17 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.

**Recognition**

None

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Interim Treasurer, Cathy Horner; Department of Public Works Director, JT Adkerson; Wastewater Treatment Plant Operator, Bill Housand; Building Inspector, Guy Lewis; Contract Zoning Administrator, Debra Patzer

Guests: Cesar Garcia, Evan Smith, Jason Cozadd, Fran Terry, Monroe Lemay, Dan Vigansky, Randall Peart, Andrew Barnes, Alan Robandt, Beth Murphy, Peter Lysy, and Press from Niles Daily Star and The Paper

**Public Comments**

- Clerk read written comments submitted by Cherie Cozadd; and Betsy White Slotnick on behalf of Mary White Lazio, Teri White Carns and Betsy White Slotnick.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting June 8, 2020
- Approve Invoices/Expenditures for June 22, 2020 in the amount of \$122,050.01.
- Approve 2019-2020 Budget Amendment

***Moore moved, seconded by Toerne to amend the consent calendar to include check # 81236 in the amount of \$200.00 payable to SEMCO Energy Gas Company, bringing the new invoice/expenditure total to \$122,250.01. Roll call vote carried unanimously.***

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

### **Reports by: Departments, Committees, Boards**

#### **2019 Building Inspector Report**

Guy Lewis presented report.

### **Unfinished Business**

None

### **New Business**

#### **Dial-A-Ride Agreement**

Consider approval of new agreement with County of Berrien to manage the City of Buchanan's Dial-A-Ride beginning July 1, 2020.

City Manager Marx and Evan Smith the transition of Dial-A-Ride to the County.

***Toerne moved, seconded by Weedon to approve new agreement with County of Berrien to manage the City of Buchanan's Dial-A-Ride beginning July 1, 2020 Roll call vote carried unanimously.***

#### **Hydrants and Meters**

Consider approval of expenditures for 2 fire hydrants and 9 boxes of 5/8" residential meters totaling \$14,920.00.

Wastewater Treatment Plant Operator, William Housand discussed the need to replace aging and damaged equipment.

***Toerne moved, seconded by Denison to approve expenditures for 2 fire hydrants and 9 boxes of 5/8" residential meters totaling \$14,920.00. Roll call vote carried unanimously.***

#### **City Treasurer Opening**

Consider extending offer of employment to "Candidate TBD" as City Treasurer.

***Toerne moved, seconded by Weedon to approve extending offer of employment to Corazon Schimansky as City Treasurer. Roll call vote carried by majority. YEA: Weedon, Toerne, Denison; NAY: Moore, Downey.***

#### **Dissolution of the DDA**

Introduction of Ordinance #2020.7/418: An ordinance to provide for the dissolution the City of Buchanan Downtown Development Authority and Provide for the Transfer of the Property and

Assets of the DDA to the City of Buchanan. Introduction, First Reading and schedule the required Public Hearing for Monday, July 13, 2020 at 7:00 p.m.

***Weedon moved, seconded by Denison to Ordinance #2020.7/418: An ordinance to provide for the dissolution the City of Buchanan Downtown Development Authority and Provide for the Transfer of the Property and Assets of the DDA to the City of Buchanan. Introduction, First Reading and schedule the required Public Hearing for Monday, July 13, 2020 at 7:00 p.m. Roll call vote carried by majority. YEA: Moore, Denison, Toerne, Weedon; NAY: Downey.***

#### **Adult Use Marihuana Retailer Establishments**

Introduce Ordinance #2020.7/419: An ordinance to amend Ordinance 2019.10/413, Adult Use Marihuana Establishments to Change the Number of Adult Use Marihuana Retailer Establishments from Five to Six. Introduction, First Reading and schedule the required Public Hearing for Monday, July 13, 2020 at 7:15 p.m.

***Denison moved, seconded by Downey to Ordinance #2020.7/419: An ordinance to amend Ordinance 2019.10/413, Adult Use Marihuana Establishments to Change the Number of Adult Use Marihuana Retailer Establishments from Five to Six. Introduction, First Reading and schedule the required Public Hearing for Monday, July 13, 2020 at 7:15 p.m. Roll call vote carried by majority with Weedon abstaining.***

#### **509 Rynearson**

Consider the rezoning request of Cesar Garcia, dba Two Thousand Oaks, LLC to rezone property commonly known as 509 Rynearson Street, Buchanan MI from R1A & R1B Single Family Residential to I-1 Light Manufacturing District.

***Downey moved, seconded by Denison to approve the rezoning request of Cesar Garcia, dba Two Thousand Oaks, LLC to rezone property commonly known as 509 Rynearson Street, Buchanan MI from R1A & R1B Single Family Residential to I-1 Light Manufacturing District. Roll call vote carried by majority with Weedon abstaining.***

#### **Public Comment**

- Dan Vigansky spoke about BARB funding.

#### **City Manager's Comments**

Asked Commission to consider lease adjustment for tenants of the Ross-Sanders building due to loss of revenue resulting from mandatory closure resulting from COVID-19.

***Toerne moved, seconded by Downey to adjust the lease payment for each tenant of the Ross-Sanders building a total of \$4.00 for the 4-month period they were closed due to COVID-19. Roll call vote carried unanimously.***

Asked Commission if DPW Building should be removed from the USDA Grant Application.

***Denison moved, seconded by Weedon to remove the DPW building from the USDA Grant Application. Roll call vote carried unanimously.***

Additional TAP funding for 2020-2021 has become available and could be used for trail expansion.

**Commissioners' Comments**

- Denison – Addressed Dan Vigansky's concern regarding BARB funding and budgeting for new equipment in all parks.
- Downey – Read part of Act 57.
- Toerne – Expressed appreciation for candor and comments. Happy with the Treasurer appointment.
- Weedon – None
- Moore – Expressed gratitude for comments with a reminder that comments are not a debate. Congratulated the new treasurer and wishes there was more than one position available for the other candidate.

**Adjourn**

***Weedon moved, seconded by Downey to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 9:54 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission – Special Meeting Minutes  
July 9, 2020**

**A special meeting** regarding a proposal by Bill Green to build a spec steel building to potentially house DPW was held at Buchanan Hall on Thursday, July 9, 2020, and was called to order at 6:00 p.m. by Mayor Moore.

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon  
Absent: None  
City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Mike Baker  
Guests: Bill Green

**Third Street Steel Building**

- Marx introduced Bill Green and his proposal to build a spec steel building on Third Street which then could then be sold or leased to the City for use by DPW as more cost effective alternative to building on the current DPW site.
- Green further discussed plans for other development in the area.
- Adkerson and Baker discussed the challenges and concerns of the current DPW building.
- Commission asked for more detail regarding the proposed building, discussed the merits and drawbacks of building on various sites, as well as potential alternative uses for the Third Street and current DPW sites, including a municipal complex and various recreational spaces. Concern was expressed that building and relocating DPW to Third Street would leave yet another City-owned property to deal with, and discussion followed regarding potentially selling certain properties.
- Marx pointed out the next steps would be for Green to further develop plans and present to the Planning Commission for approval prior to coming before the Commission for final approval.

***Toerne moved, seconded by Weedon to allow the City Manager to continue discussion with Bill Green regarding the development of the Third Street property for potential use by DPW. Roll call vote carried by majority: Yeas – Moore, Toerne, Weedon; Nays – Denison, Downey***

**Adjourn**

***Toerne moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 7:11 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes**  
**July 13, 2020**

**A public hearing** regarding proposed Ordinance #2020.7/418 was held via electronic meeting on Monday, July 13, 2020, and was called to order at 7:00 pm. By Mayor Moore.

**Public Comment**

- Jen Tabor, Dan Vigansky, Monroe Lemay, and Alan Robandt spoke in opposition to dissolution of the DDA
- Debra Patzer provided a clarifying comment, spoke in favor of dissolving the DDA and establishing a new entity.

**Adjourn**

***Denison moved, seconded by Toerne to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the public hearing at 7:20 p.m.***

**A public hearing** regarding proposed Ordinance #2020.7/419 was held via electronic meeting on Monday, July 13, 2020, and was called to order at 7:20 pm. By Mayor Moore.

**Public Comment**

- Dan Vigansky and Penny Slocum spoke in opposition to ordinance.
- Debra Patzer provided a clarifying comment

**Adjourn**

***Weedon moved, seconded by Toerne to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the public hearing at 7:30 p.m.***

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, July 13, 2020, and was called to order at 7:30 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.**

### **Recognition**

Commissioner Denison recognized the passing of Randall Peart stating he would be missed. Introduction of City Treasurer, Traci McGrath by City Manager Marx.

### **Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Treasurer, Traci McGrath; Department of Public Works Director, JT Adkerson; Wastewater Treatment Plant Operator, Bill Housand; Contract Zoning Administrator, Debra Patzer

Guests:

### **Public Comments**

- Clerk read written comments submitted by Mary Lister and Patricia Banker, and Peter Lysy regarding their position on dissolution of the DDA.
- Dan Vigansky spoke regarding the purchase of the Tool-Cat and Zero Turn Mower

### **Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting June 22, 2020
- Approve Minutes: Special Meeting July 9, 2020
- Approve Invoices/Expenditures for July 13, 2020 in the amount of \$213,760.37.

***Denison moved, seconded by Toerne to approve the consent calendar. Roll call vote carried by majority – AYE: Moore, Denison, Toerne, Weedon; NAY: Downey.***

### **Reports by: Departments, Committees, Boards**

None

### **Unfinished Business**

None

### **New Business**

#### **Use of the Common**

Consider approval for the Fine Arts Council to use the Common for a production of Into the Woods.

***Toerne moved, seconded by Weedon to approve the Fine Arts Council to use the Common for a production of Into the Woods. Roll call vote carried unanimously.***

#### **Tool-Cat**

Consider approval of Tool-Cat purchase for the Cemetery.

***Toerne moved, seconded by Weedon to approve the Tool-Cat purchase for the Cemetery. Roll call vote carried unanimously.***

#### **Zero Turn Lawn Mower**

Consider approval of Zero Turn Lawn Mower purchase for the DPW.

***Denison moved, seconded by Toerne to approve Zero Turn Lawn Mower purchase for the DPW. Roll call vote carried unanimously.***

#### **Dissolution of the DDA**

Consider approval of Ordinance #2020.7/418: An ordinance to provide for the dissolution the City of Buchanan Downtown Development Authority and Provide for the Transfer of the Property and Assets of the DDA to the City of Buchanan.

***Weedon moved, seconded by Denison to postpone action on Ordinance #2020.7/418: An ordinance to provide for the dissolution the City of Buchanan Downtown Development Authority and Provide for the Transfer of the Property and Assets of the DDA to the City of Buchanan, until the next regular Commission meeting on July 27, 2020. Roll call vote carried by majority – YEA: Weedon, Denison Moore, Downey; NAY: Toerne.***

#### **Adult Use Marihuana Retailer Establishments**

Consider approval of Ordinance #2020.7/419: An ordinance to amend Ordinance 2019.10/413, Adult Use Marihuana Establishments to Change the Number of Adult Use Marihuana Retailer Establishments from Five to Six.

Patzer presented Zoning Administrator finding of facts and rationale for the request.

***Moore moved, seconded by Toerne to approve Ordinance #2020.7/419: An ordinance to amend Ordinance 2019.10/413, Adult Use Marihuana Establishments to Change the Number of Adult Use Marihuana Retailer Establishments from Five to Six. Roll call vote carried by majority – AYE: Toerne, Downey, Moore; NAY: Denison; ABSTAIN: Weedon.***

#### **Convene Closed Session**

Consider approval to convene closed session for the purpose of discussing tax tribunal petition per MCL § 15.268 exemption e: to consult with the public body's attorney regarding litigation.

***Denison moved, seconded by Weedon to approve convening closed session for the purpose of discussing tax tribunal petition per MCL § 15.268 exemption e: to consult with the public body's attorney regarding litigation. Roll call vote carried unanimously. Regular meeting suspended at 8:32 p.m.***

**Reconvene Public Meeting**

Consider approval to reconvene public City Commission Meeting.

***Denison moved, seconded by Weedon to approve reconvening public City Commission Meeting. Roll call vote carried unanimously. Mayor Moore reconvened the public City Commission meeting at 8:57 p.m.***

**Tax Tribunal**

Consider approval for the City Manager to work with legal counsel with regard to the tax tribunal petition.

***Denison moved, seconded by Weedon to approve the City Manager to work with legal counsel with regard to the tax tribunal petition and to appoint Attorney Jeff Holmstrom as that legal counsel. Roll call vote carried unanimously.***

**Public Comment**

- Larry Money spoke regarding the memorial service for Walter “Bud” Baker. Thanked the DPW and Cemetery crew for ensuring the cemetery grounds were well-prepared for the service and also thanked the Fire and Police Departments for their participation in the memorial. Mentioned Reader’s Digest article “Nicest Town in Michigan” which featured the veteran banners.
- Monroe Lemay announced the Buchanan Area Senior Center is holding a shredding event and a blood drive on Saturday, July 25. Details available on Facebook.

**City Manager’s Comments**

Thanked Larry Money for his comments, adding that the veteran banners enabled us to put the City’s best foot forward.

**Commissioners’ Comments**

- Denison – None
- Downey – Condolences to family of Randall Peart
- Toerne – None
- Weedon – None
- Moore – None

**Adjourn**

***Weedon moved, seconded by Denison to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 9:06 p.m.***

**City of Buchanan Commission Minutes  
July 27, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, July 27, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.**

**Recognition**

Recognize Cathy Horner upon her retirement for her 24 years of service to the City of Buchanan as Bookkeeper.

Introduction of Bookkeeper, Stephanie Powers.

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Wastewater Treatment Plant Operator, Bill Housand; Chief of Police, Tim Ganus; Contract Zoning Administrator, Debra Patzer; Outgoing Bookkeeper, Cathy Horner; Incoming Bookkeeper, Stephanie Powers

Guests: Daniel Carlson, K Chase, Monroe Lemay, Dan Vigansky, Mack Green, Penny Slocum, Peter Lysy, David Hagey, and members of the Press

**Public Comments**

- Alan Robandt – Questioned why expenditures of nearly \$1 million would be on the consent calendar (Bookkeeper, Cathy Horner clarified that nearly \$500,000 were tax disbursements from property taxes)
- Penny Slocum – Asked the Commission to consider the work the DDA did over the past two weeks.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting July 13, 2020
- Approve Invoices/Expenditures for July 27, 2020 in the amount of \$986,012.07.

***Moore moved, seconded by Weedon to amend the consent calendar to include and item to approve adding Traci McGrath to master signature cards for City's bank accounts. Roll call vote carried unanimously.***

***Weedon moved, seconded by Denison to approve the amended consent calendar. Roll call vote carried by majority with Downey abstaining.***

**Reports by: Departments, Committees, Boards**

Mack Green – Walton Road Pedestrian Facilities Feasibility Study; presented five options for the Commission to review and discuss.

***Weedon moved, seconded by Denison to approve Option 5 of the Walton Road Pedestrian Facilities Feasibility Study. Roll call vote carried unanimously.***

**Unfinished Business****Dissolution of the DDA**

Consider approval of Ordinance #2020.7/418: An ordinance to provide for the dissolution the City of Buchanan Downtown Development Authority and Provide for the Transfer of the Property and Assets of the DDA to the City of Buchanan.

***Weedon moved, seconded by Denison to approve Ordinance #2020.7/418: An ordinance to provide for the dissolution the City of Buchanan Downtown Development Authority and Provide for the Transfer of the Property and Assets of the DDA to the City of Buchanan. Roll call vote carried by majority – YEA: Moore, Toerne, Weedon, Denison, NAY: Downey***

**New Business****Little Free Pantry**

Consider approval of installation of a Little Free Pantry at Victory Park.

***Toerne moved, seconded by Weedon to approve installation of a Little Free Pantry at Victory Park. Roll call vote carried unanimously.***

**Mobile Generator Replacement**

Consider approval to replace mobile generator at the waste water treatment plant with the purchase of a used unit for the sum of \$11,600.00.

***Denison moved, seconded by Weedon to approve replacement of mobile generator at the waste water treatment plant with the purchase of a used unit for the sum of \$11,600.00. Roll call vote carried unanimously.***

***First Responder Hazard Pay***

Consider approval to submit a First Responder Hazard Pay Premiums Program application to the State of Michigan for reimbursement of hazard pay issued to seven police officers in the amount of \$1,000.00 per employee.

***Weedon moved, seconded by Downey to approve submission of a First Responder Hazard Pay Premiums Program application to the State of Michigan for reimbursement of hazard pay issued to seven police officers in the amount of \$1,000.00 per employee. Roll call vote carried unanimously.***

**Public Comment**

- Dan Vigansky – Expressed appreciation for the Commission
- Dave Hagey – Inquired about the City’s fund balance (City Manager Marx responded)
- Penny Slocum – Expressed appreciation for the Trail action, stated she was disturbed by Mark’s position, and thanked Cameron.

**City Manager’s Comments**

- Verification of work session regarding Third Street Building on Wednesday evening.
- Expressed appreciation for the healthy and complete conversation.
- Road work will begin on Wednesday to include chip and seal throughout the City and work on Schirmer Parkway and Fourth Street.
- Discussed the results of the Fill-A-Trailer food drive and fundraiser for RAM.

**Commissioners’ Comments**

- Denison – Stated he ran for office to do his part to make this a better place. Asks the public to ignore the lies and pay attention to the good. He more than willing to talk to people. Offered congratulations to Patricia Robinson.
- Downey – None
- Weedon – Spoke to those who want to live in the past and malign people for dissolving something that was bad. The future is bright. He asked, “Are you going to sit back or join in?”
- Toerne – Reiterated Weedon’s sentiments that he is tired and encouraged people to stop living in the past and live in the future. Spoke about discussions he had with local businesses such as Redbud Roots, High Profile, and Hoyts, as well as an email he sent to the Governor.
- Moore – Hosted Jeremy Greenfield who is investigating communities in the running for The Nicest Place in America. They made several visits throughout their time together – they were all so positive. She stated she was proud of the City and the people who contribute. She congratulated Cathy Horner, welcomed Stephanie Powers and urged to disregard the toxic rhetoric. Encourages people to view this as an opportunity to build something better based on our experience, something new that allows flexibility to achieve excellence, not focusing on individuals, but addressing a structure that wasn’t working. This will require a lot of new people and opportunities and a chance to create together.

**Adjourn**

***Denison moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 9:19 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes  
Special Meeting – Third Street Steel Building  
July 29, 2020**

**A special meeting of the City Commission was held via electronic meeting on Wednesday, July 29, 2020, and was called to order at 5:30 p.m. by Mayor Moore.**

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon  
Absent: None  
City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Public Services Director, JT Adkerson; Treasurer, Traci McGrath  
Guests: Bill Green, Kevin Barker, Dan Vigansky

**Public Comments**

- Dan Vigansky – Asked if the \$100 application had been filed regarding floodplain.

**Third Street Steel Building**

- Presentation from Bill Green and Kevin Barker regarding Spec Building on Third Street. Barker presented basic site plans, clarifying an architect would need to draw the actual plans. General discussion regarding construction, timing and costs. Barker pointed out the large cost differential is due to building on a safer site with known factors rather than on a floodplain. Marx stated the new concept for the Plan Under Development would need to be approved by the Planning Commission. Adkerson provided Barker with an equipment list to ensure the building was right-sized and did a walk-through and existing building with Green, determining some minor modifications were needed to the design. Adkerson stated this is a great opportunity and an investment for the community as the current building is wet all the time. Barker stated and Marx confirmed the existing DPW building must be taken down and there are great opportunities for a recreation area. Denison agreed while Downey questioned the safety of the site for recreation due to the creeks. Additionally, he was still not convinced regarding a downtown site.

**Public Comment**

- Dan Vigansky – Asked if the current DPW site had been considered for rebuilding.

**Adjourn**

***Downey moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 6:17 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission – Special Meeting Minutes  
August 5-6, 2020**

**The special meeting of the City Commission on Wednesday, August 5 and 6, 2020** for the purpose of conducting candidate interviews for the City Manager position. The meeting was held in-person and electronically to facilitate face-to-face interviews and accommodate public participation while limiting the in-person gathering to 10 or less. The meeting was called to order at 5:00 p.m. on August 5, 2020 by Mayor Moore.

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon  
Absent: None  
City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher;  
Candidates: Heather Grace, Michael Sinnet, Corey Spackey, Mark Borden, Evan Smith, Michael “Mitch” Mitchell  
Guests: Larry Nielsen, Monroe Lemay, Dan Vigansky, Alan Robandt, several unidentified guests, and members of the Press

**Public Comments**

- None

**Process Overview**

- The meeting is conducted in two parts over two evenings with three candidates being interviewed each night.
- Commissioners will ask each candidate a predetermined slate of questions
- Interviews will last 1 hour with a break in between each candidate

**Interview – Candidate A, Heather Grace**

**Break**

**Interview – Candidate B, Michael Sinnet**

**Break**

**Interview – Candidate C, Corey Spackey**

***Denison moved, seconded by Weedon to recess until Thursday, August 6, at 5:15. Voice vote carried unanimously.***

**Call to Order**

Mayor Moore reconvened the meeting at 5:15, p.m. on August 6, 2020.

**Process Overview**

Mayor Moore restated the flow of the meeting

**Interview – Candidate D, Mark Borden****Break****Interview – Candidate E, Evan Smith**

Prior to the standardized questions, Smith was asked about his attendance in the interviews the previous night.

**Break****Interview – Candidate F, Michael “Mitch” Mitchell****Public Comments**

- None

**Break**

Commissioners used this break to evaluate and rank the candidates

**Commission Discussion of Candidate Ranking**

Each Commissioner discussed the candidates and the merits of their first choices.

***Denison moved, seconded by Toerne enter into contract negotiations with Candidate A, Heather Grace. Roll call vote carried by majority: AYE – Moore, Denison, Toerne, Weedon; NAY – Downey***

**Adjourn**

***Weedon moved, seconded by Toerne to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 9:40 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes  
August 10, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, August 10, 2020, 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 Patricia Moore, Commissioners Sean Denison, Cameron Downey and Dale Toerne  
Absent: Mark Weedon  
City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Treasurer, Traci McGrath  
Guests: Dan Vigansky, Fran Terry and 2 others

**Public Comments**

- Dan Vigansky – Asked what was being discussed prior to meeting being called to order, and why was there nothing on the agenda regarding the DPW building.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting July 27, 2020
- Approve Minutes: Special Meeting – City Commissioner Interviews August 5 and 6, 2020
- Approve Invoices/Expenditures for August 10, 2020 in the amount of \$1,578,868.19.

***Moore moved, seconded by Denison to amend the expenditure amount from \$99,906.73 to \$1,578,868.19. Friendly amendment by Downey to approve expenditures minus Lift Truck and move that item to Unfinished Business. Roll call vote carried unanimously.***

***Moore moved, seconded by Denison to accept the consent calendar as amended. Roll call vote carried by majority: YEA – Downey, Denison, Moore; NAY – Toerne; ABSENT – Weedon***

**Reports by: Departments, Committees, Boards**

**August 4, 2020 State Primary Election**

City Clerk Pitcher reported on voter turnout, absentee voting, election staffing, and plans for November 3, 2020 General Election.

**Road Construction Update**

City Manager Marx reported on road construction projects underway. Chip and seal has already been done and those streets will be fog sealed on Thursday, August 13. Paving has been moved

to Monday, August 17. Discussion regarding the use of sweepers prior to the fog seal. Discussion regarding 4<sup>th</sup> street paving which is approximately 300 feet short of the City limit.

***Denison moved, seconded by Downey to direct JT Adkerson to investigate paving 4<sup>th</sup> Street from Detroit Street to the City limit. Roll call vote carried unanimously with Weedon absent.***

### **Unfinished Business**

#### **Lift Truck Expenditure**

City Manager Marx explained that the payment in question was to Hull Lift Truck for the first installment on the lease of the Tool Kat that was approved by the Commission previously. A discussion of the lease/purchase terms followed.

***Downey moved, seconded by Denison to approve the expenditure to Hull Lift Truck. Roll call vote carried unanimously with Weedon absent.***

### **New Business**

None

### **Public Comment**

- Dan Vigansky – Thanked City Clerk and Treasurer and commented again about a \$1.5 million expenditure for the DPW building.

### **City Manager's Comments**

- Recognized the City Clerk and Administrative Assistant for their work on the August 4 State Primary Election
- Clarified that the discussion prior to calling the meeting to order was in regard to a map that hadn't been included in the briefing for road work on 3<sup>rd</sup> Street that will require some debris removal.
- Recognized Scout Master Emily Long and her Boy Scout Troop for volunteering 200 hour cleaning up McCoy Creek.
- Recognized Mandi Schanick, Traci McGrath and Stephanie Powers for collecting approximately \$2 million on tax payments over the past week.
- Discussions continue with Bill Green in attempts to get some solid information with which to make a decision regarding the project under development.
- Negotiations with prospective City Manager Heather Grace are underway. Marx read letter from Grace.

### **Commissioners' Comments**

- Denison – Thanked Larry Nielsen for providing great candidates and said he is looking forward to meeting Heather Grace in person. Urged everyone, for the sake of the children who need to return to in-person school and the community as a whole, wear a mask. Discussed economic impacts of the Corona Virus that that would drastically reduce and/or eliminate the revenues from the State and suggested we must develop a plan to make up the difference. A proposed modest tax on marijuana sales would provide the City with a

way to capture a small percentage of this growing industry and a way for local marijuana businesses to show their support for our community. He suggested revenues generated should be used for quality of life initiatives, to enhance and expand parks and trails which promote a healthy lifestyle and highlight our outdoor activities, all which will spur additional economic development and enable us to acquire and compensate an economic development professional. Compared with other communities, the proposed tax is very modest. It is his firm belief that using the revenues generate from such a tax on quality of life initiatives, we can make Buchanan the envy of Southwest Michigan. People will seek us out as a place to live, to work, and to invest.

***Denison moved, supported by Toerne to direct the City Staff and legal counsel to begin researching and laying out a plan for the City to assess a 2% City tax on all marijuana retail sales. Roll call vote carried unanimously with Weedon absent.***

- Downey – None
- Weedon – Absent
- Toerne – Stated he supports Denison’s position on taxation and wearing masks. Thanked Redbud Fitness, volunteers, and Jerry Flenor for the cleanup at Bainton Mill.
- Moore – Stated we were in a time of transition – retirements, new staff – there’s always anxiety with change. She is very proud of the Commission for being forward-thinking and positive toward those changes and hopes the community feels as secure and the Commission does that the people we will be working with will be great additions. Thanked Emily Long and all the volunteers for their work on the Trail.

### **Adjourn**

***Toerne moved, seconded by Downey to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 8:03 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes  
Special Meeting – 4<sup>th</sup> Street Paving  
August 12, 2020**

**A special meeting of the City Commission was held via electronic meeting on Wednesday, August 12, 2020, and was called to order at 7:00 p.m. by Mayor Moore.**

**Recognition**

None

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey, Dale Toerne and Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher

Guests: Dan Vigansky

**Public Comments**

- None

**4<sup>th</sup> Street Paving**

- Discussion of the expense and timing of paving the remaining 300 feet of 4<sup>th</sup> Street. Providing the company could push out to Monday, August 17, they could do it for just material costs of \$10,000.

***Denison moved, seconded by Downey to approve additional expenditures to pave 4<sup>th</sup> Street from Middle School to City limits. Roll call vote carried unanimously.***

**Public Comment**

- Dan Vigansky – Stated there was a large pile of tires along the road leading to the Dog Park and wondered why people are dumping yard waste near the salt building.

**Adjourn**

***Denison moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 7:08 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes**  
**August 24, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, August 24, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.**

**Recognition**

- Oath of Office and Pinning Ceremony for Full-time Police Officer Amy Bruce

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey and Dale Toerne, Mark Weedon

Absent:

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Treasurer, Traci McGrath; Wastewater Treatment Operator, William Housand; Police Chief, Tim Ganus; Police Sargent Harvey Burnett, Police Officers John Leonard and Amy Bruce; and Police Department Administrative Assistant, Diana Selir

Guests: Dan Vigansky, Alan Robandt, Monroe Lemay, Fran Terry, members of Officer Bruce's family, and press from The Paper and the Niles Daily Star

**Public Comments**

- Fran Terry – Inquired regarding the purpose of the USDA Application.

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Special Commission Meeting July 29, 2020
- Approve Minutes: Regular Scheduled Meeting August 10, 2020
- Approve Minutes: Special Commission Meeting August 12, 2020
- Approve Invoices/Expenditures for August 24, 2020 in the amount of ~~\$365,751.62~~ \$1,481,532.47.
- Approve Farmer's Market Budget for 2020-2021.
- Renew the appointments of Jason Lietz, Larry Money and Mark Nixon to the Zoning Board of Appeals (ZBA) as follows: Jason Lietz (2019) new term expires 2022, Larry Money and Mark Nixon (2018) new term expires 2021.

***Moore moved, seconded by Downey to amend the expenditure amount from \$365,751.62 to \$1,481,532.47. Roll call vote carried unanimously.***

***Downey moved, seconded by Weedon to accept the consent calendar as amended. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards**

None

**Unfinished Business**

None

**New Business****Mill Alley Planting**

Review and discuss the two outlined planting options provided which would utilize the present concrete planters in Mill Alley. Consider selecting either the “lower scenario” or “higher scenario” plant outlines for the planters.

***Denison moved, seconded by Weedon to approve the higher level scenario plant outlines for the planters in Mill Alley. Roll call vote carried unanimously.***

**Tabulator Purchase**

Consider purchasing a Dominion ImageCast Precinct Tabulator, Ballot Box and Ballot Box Adapter Kit priced at \$5,295.00 for the purpose of establishing an AV Counting Board.

***Denison moved, seconded by Toerne to purchase of a Dominion ImageCast Precinct Tabulator, Ballot Box and Ballot Box Adapter Kit priced at \$5,295.00 for the purpose of establishing an AV Counting Board. Roll call vote carried unanimously.***

**USDA Application Attorney**

Consider authorizing the City Manager to contract with an attorney to provide services directly related to the USDA application as required by the USDA.

***Downey moved, seconded by Denison to postpone the selection of a USDA application attorney until a special commission meeting on Thursday, August 27, 2020 at 6:30 p.m. Roll call vote carried unanimously.***

**Public Comment**

- None

**City Manager’s Comments**

- Congratulated Office Amy Bruce.
- City Manager contract is ready for presentation to the Commission for their approval at a special meeting on Thursday, August 27, 2020 at 6:30 PM.

**Commissioners’ Comments**

- Denison – Congratulated Office Amy Bruce.
- Downey – None

- Weedon – Welcomed Office Amy Bruce. Suggested consideration of delaying the placement of scarecrows by a few weeks as they signal the arrival of Fall while people are still enjoying summer, and they would appear fresher during the Fall festivities.
- Toerne – Provided an update from the Landfill Board and read a response from the Governor’s office regarding his inquiry about marijuana disbursements and potential for road grants/funding.
- Moore – Congratulated Office Amy Bruce and stated she was happy to have another full-time police officer protecting the City. Stated road repairs look great this year. The decision to extend 4<sup>th</sup> street repaving to the City limit was very smart and the residents in the area are pleased.

**Adjourn**

***Downey moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 8:04 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Special Meeting Minutes**  
**August 27, 2020**

The special meeting of the City Commission was held via electronic meeting on Thursday, August 27, 2020, and was called to order at 6:30 p.m. by Mayor Moore.

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey (arrived 6:38), Dale Toerne, and Mark Weedon (arrived 6:37)  
Absent: None  
City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher  
Guests: Penny Slocum, Fran Terry, Alan Robandt, Larry Nielsen, Dan Vigansky, Monroe LeMay, Press from the Niles Daily Star, and 3 others.

**Public Comments**

- Dan Vigansky – spoke about the Scarecrow Charities agenda item and expressed concern that the Treasurer left after such a short time.

**Presentation by Scarecrow Charities**

Marx read a statement from the Buchanan Scarecrow Charities explaining the timing and rationale of scarecrow placement. Weedon expressed disappointment with the negative reaction to a simple question regarding the timing.

**Finalize City Manager Contract**

Marx presented contract to commissioners. Downey asked where the division of power would lie during the transition. Marx responded that he and Heather would work collaboratively. Nielsen stated it is most common to divide authority by task as it enables collaboration while also allowing the new manager to take the lead on certain issues. Downey suggested conflicts be resolved by Marx and Grace each sharing their perspectives with the Commission.

***Downey moved, seconded by Denison to approve the employment contract between the City of Buchanan and Heather Grace. Roll call vote carried unanimously.***

**Select USDA Application Legal Counsel**

Marx presented quotes from two attorneys to serve as legal counsel for submission of the USDA application.

***Denison moved, seconded by Downey to approve the less expensive of the two, Nick Curcio at a rate of \$165.00 per hour, as legal counsel for submission of the USDA application. Roll call vote carried unanimously.***

**Third Street Building Discussion**

Marx updated the Commission on discussions with Bill Green regarding the Third Street building. Green intends to build a spec building on the location, which he can build to suit or

not. The issue will be on the September 15 Planning Commission Agenda. Any changes to the PUD on file will require an amendment of ordinance.

***Weedon moved, seconded by Downey to direct the City Manager to seek and present three (3) quotes for a similar spec building. Roll call vote carried unanimously.***

### **Review Mill Pond Apartments Easement**

Marx presented the facts related to the easement.

***Weedon moved, seconded by Denison to easement at Mill Pond Apartments. Roll call vote carried unanimously.***

### **Treasurer**

Marx presented banking documents to have Traci McGrath's access to accounts removed immediately due to her resignation.

***Denison moved, seconded by Downey to remove Traci McGrath from all bank accounts effective immediately. Roll call vote carried unanimously.***

### **Interim Treasurer**

Marx asked Commission to consider appointing current Bookkeeper, Stephanie Powers, as Interim Treasurer effective immediately.

***Weedon moved, seconded by Denison to appoint Stephanie Powers as Interim Treasurer effective immediately. Roll call vote carried unanimously.***

### **Public Comments**

- Dan Vigansky – stated the ghost of the DDA was haunting the Commission
- Penny Slocum – stated her disappointment that the City took credit for the DDA's plan for the Mill Alley Planting
- Norma Ferris – requested information regarding Dial-A-Ride

### **City Manager's Comments**

- Explained that Dial-A-Ride's third-party administrator folded. The County took over operations and, aside from a 3-day lapse in service during transition, the transfer was seamless.

### **Commissioners' Comments**

- Denison –None
- Downey – None
- Weedon – None
- Toerne – Discussed communications with the Governor's office regarding road grants and marijuana tax disbursements.

- Moore –Reiterated that Dial-A-Ride is operations and still doing a good job. Thanked Commission for sacrificing their personal time to address these critical issues.

**Adjourn**

***Denison moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 7:34 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes  
September 14, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, September 14, 2020, and was called to order at 7:04 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.**

**Recognition**

- None

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey and Dale Toerne, Mark Weedon

Absent: None

City Staff: City Manager, William Marx; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Chief of Police, Tim Ganus

Guests: Approximately 9 members of the public

**Public Comments (agenda items)**

- None

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting August 24, 2020.
- Approve Minutes: Special Commission Meeting August 27, 2020.
- Approve Invoices/Expenditures for September 14, 2020 in the amount of \$660,768.62.

***Weedon moved, seconded by Denison to accept the consent calendar as presented. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards**

None

**Unfinished Business**

None

**New Business**

**Status of Treasurer Position**

Marx reported that Stephanie Powers has stepped into the role of Interim Treasurer and Mandi Schanick has stepped in as Interim Bookkeeper. Both are learning and doing a good job moving forward. The City has contracted with Plant Moran to assist Stephanie in preparations for the annual audit and will also conduct the annual audit.

Downey inquired regarding the status of his request for a closed session. Moore clarified there was no basis for a closed session according to the permitted purposes specified in section 8 of the OMA.

Marx asked the Commission to consider acceptance of the resignation of Traci McGrath as Treasurer.

***Moore moved, seconded by Toerne to accept the resignation of Traci McGrath as Treasurer. Roll call vote carried unanimously.***

### **Auger Purchase**

Marx asked the Commission to consider approval for purchase of a 36" hydraulic powered auger for backhoe. Adkerson explained this would facilitate quickly digging holes for the 50 trees scheduled for planting in conjunction with the Buchanan Tree Friends, memorial trees, and posts, etc. versus hand digging, which is much slower and labor intensive, or the backhoe, which is still slower than the auger and more destructive to the surrounding ground. Denison asked if rental had been considered instead of purchase and questioned how often the unit would be used throughout the year. Downey questioned if there was adequate storage for the unit.

***Weedon moved, seconded by Downey to postpone the decision regarding the purchase of a 36" hydraulic powered auger for backhoe until Spring. Roll call vote carried by majority: Yeas – Downey, Weedon, Denison; Nays – Moore, Toerne.***

### **First Responder Hazard Pay - Firefighters**

Marx asked the Commission to consider the addition of 15 City of Buchanan firefighters to the First Responder Hazard Pay Premiums Grant Application.

***Denison moved, seconded by Downey to approve the addition of 15 City of Buchanan firefighters to the First Responder Hazard Pay Premiums Grant Application. Roll call vote carried unanimously.***

### **DPM Events Football Game**

Marx asked the Commission to consider approval of the DPM Events proposal to show the Notre Dame – Louisville college football game at the Common beginning at 2:30 p.m. on October 17.

***Weedon moved, seconded by Downey to approve the DPM Events proposal to show the Notre Dame – Louisville college football game at the Common beginning at 2:30 p.m. on October 17. Roll call vote carried unanimously.***

**Trek-or-Treat**

Marx presented the Trail Committee's proposed Trek-or-Treat event, October 31 from 12:30-3:00 p.m. for discussion.

***Weedon moved, seconded by Denison to approve the Trek-or-Treat event, October 31 from 12:30-3:00 p.m. Roll call vote carried unanimously.***

**City-wide Trick-or-Treat**

Marx presented the topic of the City-wide Trick-or-Treat for discussion and suggested that participation be at the discretion of both the tricksters and the treaters. Moore asked if the Police Department would provide a candy check. Ganus responded they had not planned to because a single checkpoint would cause large groups to gather but agreed to explore options to offer multiple checkpoints throughout the City.

***Weedon moved, seconded by Downey to approve the City-wide Trick-or-Treat hours on October 31 from 6:00-7:30 p.m. Roll call vote carried unanimously.***

**Public Comment (non-agenda items)**

- Fran Terry – Thanked the community for the 911 Remembrance ceremony.
- Scott Diana – Represents Tranquility Fields which is interested in obtaining a marijuana microbusiness license.

**City Manager's Comments**

- Zen Leaf was very responsive to the issue regarding their sign, which they quickly painted over. They are in the design process and internal approval phase and will submit the final design to the City for approval.
- One employee recently tested positive for COVID-19 but has since had several negative test results and returned to work.
- There has been process in Mill Alley on the plantings in collaboration with Fernwood, City staff, and local business owners.
- The dispensers at the duck pond were vandalized and two were stolen. The two duck food dispensers have been replaced and a reward is being offered for information resulting in the arrest of the culprit(s).
- The new City Manager, Heather Grace will be starting on September 21.

**Commissioners' Comments**

- Denison – Reminded citizens of the City Cleanup on September 18-19 from 8:00 a.m. – 5:00 p.m.
- Downey – Pointed out that the check register provided with the expenditures was incomplete.
- Weedon – None

- Toerne –Stated the Landfill Board would meet on September 16 at 5:30 p.m. via Zoom, and the Planning Commission would meet on September 15 at 7:00 p.m. also via Zoom. Thanked all of the City employees who are doing a fine job.
- Moore – Thanked Fran Terry for her comments and thanked Rev. Dave Mitchell for organizing the 911 Remembrance. Offered congratulations to Kelly Carlin, the crew and the cast of Into the Woods, and thanked sponsor, House of David. Stated that the Reader’s Digest continues their interest in Buchanan and is seeking submission of photos and videos of past Memorial Day parades – the link can be found on the City of Buchanan Michigan Facebook page.

**Adjourn**

***Weedon moved, seconded by Denison to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 7:54 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes  
September 28, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, September 28, 2020, 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 Patricia Moore, Commissioners Sean Denison, Cameron Downey and Dale Toerne, Mark Weedon

Absent: None

City Staff: City Managers, William Marx and Heather Grace; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Wastewater Treatment Operator, William Housand; Interim Treasurer, Stephanie Powers; Contract Zoning Administrator, Debra Patzer

Guests: Fran Terry, Penny Slocum, Alan Robandt, Patrick Swen, Dan Vigansky, Norma Ferris, Jen Tabor, Ralph McDonald, James Leventis, Mack Green, Theresa Green, Larry Money, and members of the Press

**Public Comments (agenda items)**

- Dan Vigansky – Questioned why the DPW building was on the agenda
- Jen Tabor – Stated standard operating procedures should be followed
- Norma Ferris – Asked what is happening with Dial-a-Ride

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting September 14, 2020.
- Approve Invoices/Expenditures for September 28, 2020 in the amount of \$116,728.56.
- Approve street closure on Third Street from the creek to Front Street on October 31, 2020 from noon to 3:00 p.m. for safety reasons during the Trek-or-Treat event.
- Approve street closures on Niles Buchanan Rd/Font Street, Redbud Trail, Third Street and Dewey Street on October 13, 2020 beginning at approximately 9:00-9:30 a.m. to accommodate the Patriot Tour route and visit to the Veteran's Memorial.

***Moore moved, seconded by Toerne to amend the agenda to include New Business Item F: Consider approval of the Help America Vote Act (HAVA) CARES Act Grant Agreement resulting in an award of \$2,695 (50% of the purchase price) of a previously approved tabulator for establishing an AV Counting Board. Roll call vote carried unanimously.***

***Toerne moved, seconded by Denison to accept the consent calendar as amended. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards**

None

**Unfinished Business**

**RFP for DPW Facility**

Grace reported on the progress toward obtaining proposals for a new DPW facility. Draft RFP submitted to Commission for their approval. Downey questioned certain details such as dimensions of existing building, height of sidewalls and door heights. Moore is not in favor of building in a flood plain, Weedon is not in favor of building on the Third Street location. Downey questioned why the City would lease given all the property it currently owns. Downey inquired about the Planning Commission's request for a joint work session.

***Denison moves, seconded by Moore to postpone the RFP until a joint meeting with the Planning Commission can be held. Roll call vote carried unanimously.***

**New Business**

**Wastewater Treatment Plant Change Order – Cost Approval**

Consider authorizing Davis Construction Co. change order to Remove and Replace Unsuitable Soils at Clarifier No. 1.

***Denison moved, seconded by Toerne to authorizing Davis Construction Co. change order to Remove and Replace Unsuitable Soils at Clarifier No. 1. Roll call vote carried unanimously.***

**Elections**

Consider acceptance of \$5,000 grant award from the Center for Tech and Civic Life to be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Buchanan City in 2020.

***Toerne moved, seconded by Weedon to approve acceptance of \$5,000 grant award from the Center for Tech and Civic Life to be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Buchanan City in 2020. Roll call vote carried unanimously.***

### **Crossing Guard Agreements**

Consider approval of letter of agreement between the City of Buchanan and the Buchanan Community School referencing the rate of pay for a Crossing Guard.

***Toerne moved, seconded by Denison to approve the letter of agreement between the City of Buchanan and the Buchanan Community Schools referencing the rate of pay for a Crossing Guard. Roll call vote carried unanimously.***

Consider approval of Crossing Guard Service Agreement between the City of Buchanan and the Buchanan Community School.

***Toerne moved, seconded by Denison to approve the Crossing Guard Service Agreement between the City of Buchanan and the Buchanan Community School. Roll call vote carried unanimously.***

### **Zen Leaf Permit Renewal**

Consider approval of the Medical Marihuana Facility Permit Renewal application of Buchanan Development LLC, dba Zen Leaf, to operate a Medical Marihuana Provisioning Center Facility at 259 E. Front Street, Buchanan MI.

Patzer presented indicating background check is still pending.

***Downey moved, seconded by Denison to postpone this item until the application is more complete. Roll call vote carried by majority: Yeas – Moore, Denison, Downey, Toerne; Abstain – Weedon.***

### **Third Street Brownfield Ordinance**

Consider approval of amending the Third Street Brownfield Ordinance 2015.09/394 and Site Plan, as requested by Magna Properties LLC (Bill & Teresa Green) and recommended for approval by the Planning Commission at their 9.23.2020 Special Meeting as follows:

- i) Approval of reconfigured expanded Phase 1 with relocated condominiums and a holistic health center, and reconfigured Phase 2 with Light Industrial and Commercial Uses as shown on the amended Site Plan,
- ii) Approval of the amendment of Ordinance 2015.09/394 to delete the language governing Section VII, Parcel 3 (500 Third Street) and replace it with the language in paragraph two of Section 1 of proposed Ordinance 2020.09/420.

Patzer presented findings of the Zoning Administrator and decisions of the Planning Committee. Downey questioned if Commission could approve prior to the Planning Commission's approval of minutes. Marx clarified and Toerne verified the Planning Commission approved the ordinance verbiage.

***Denison moved, seconded by Toerne to approve amending the Third Street Brownfield Site Plan, as requested by Magna Properties LLC (Bill & Teresa Green) and recommended for***

***approval by the Planning Commission at their 9.23.2020 Special Meeting. Roll call vote carried unanimously.***

***Toerne moved, seconded by Weedon to approve amending the Third Street Brownfield Site Plan Ordinance 2015.09/394, as requested by Magna Properties LLC (Bill & Teresa Green) and recommended for approval by the Planning Commission at their 9.23.2020 Special Meeting. Roll call vote carried unanimously.***

#### **Tabulator Grant Agreement**

Consider approval of the Help America Vote Act (HAVA) CARES Act Grant Agreement resulting in an award of \$2,695 (50% of the purchase price) of a previously approved tabulator for establishing an AV Counting Board.

***Weedon moved, seconded by Toerne to approve the Help America Vote Act (HAVA) CARES Act Grant Agreement resulting in an award of 2,695 (50% of the purchase price) of a previously approved tabulator for establishing an AV Counting Board. Roll call vote carried unanimously.***

#### **Public Comment (non-agenda items)**

- Dan Vigansky – Shared concerns regarding staffing
- Larry Money – Thanked Marx, Moore, DPW and those who helped with the Reader's Digest video shoot.
- Alan Robandt – Stated he was happy to help with Reader's Digest video shoot.

#### **City Manager's Comments**

- Marx – Recognized Clerk Pitcher for her effort on the election; cemetery chapel has a new roof.
- Grace – Thanked Commission and community for the warm welcome.

#### **Commissioners' Comments**

- Denison – Disappointed he didn't know that Reader's Digest was in town for a video shoot, Thanked all those who sponsored and organized Movies at the Common. Recognized Buchanan Scarecrow Charities. Welcomed Grace. Shared that he lost his wallet and it was returned – there are still good people out there. Promoted the Fire Department's upcoming blood drive.
- Downey – Welcomed Grace.
- Weedon – Thanked everyone for information shared tonight – different perspectives are needed. Welcomed Grace.
- Toerne – Provided a Landfill Board updates. Stated he is stepping down from the Planning Commission effective October 1, 2020; he enjoyed his time and learned a lot while serving. Noted the loss of Ruth Bader Ginsburg.
- Moore – Welcomed Grace. Explained there will be collaboration until Grace takes the reigns. Thanked construction crew for their work on Knight's Chapel. Stated that at a future

meeting she will propose an ad hoc committee to commemorate the 100<sup>th</sup> anniversary of Jack Knight's Flight to Save Air Mail. Addressed the Reader's Digest visit.

**Adjourn**

***Denison moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 8:23 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes  
October 12, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, October 13, 2020, 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 Patricia Moore, Commissioners Sean Denison, Cameron Downey and Dale Toerne, Mark Weedon

Absent: None

City Staff: City Managers, William Marx and Heather Grace; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Wastewater Treatment Operator, William Housand; Interim Treasurer, Stephanie Powers; Contract Zoning Administrator, Debra Patzer

Guests:

**Public Comments (agenda items)**

- 

**Consent Calendar**

- Approve Agenda
- Approve Minutes: Regular Scheduled Meeting September 28, 2020.
- Approve Invoices/Expenditures for October 12, 2020 in the amount of \$ [REDACTED].

**[REDACTED] moved, seconded by [REDACTED] to accept the consent calendar presented. Roll call vote carried unanimously.**

**Reports by: Departments, Committees, Boards**

None

**Unfinished Business**

**RFP for DPW Facility**

Grace reported on the progress toward obtaining proposals for a new DPW facility. Draft RFP submitted to Commission for their approval. Downey questioned certain details such as dimensions of existing building, height of sidewalls and door heights. Moore is not in favor of building in a flood plain, Weedon is not in favor of building on the Third Street location. Downey questioned why the City would lease given all the property it currently owns. Downey inquired about the Planning Commission's request for a joint work session.

***Denison moves, seconded by Moore to postpone the RFP until a joint meeting with the Planning Commission can be held. Roll call vote carried unanimously.***

**New Business**

**Wastewater Treatment Plant Change Order – Cost Approval**

Consider authorizing Davis Construction Co. change order to Remove and Replace Unsuitable Soils at Clarifier No. 1.

***Denison moved, seconded by Toerne to authorizing Davis Construction Co. change order to Remove and Replace Unsuitable Soils at Clarifier No. 1. Roll call vote carried unanimously.***

**Elections**

Consider acceptance of \$5,000 grant award from the Center for Tech and Civic Life to be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Buchanan City in 2020.

***Toerne moved, seconded by Weedon to approve acceptance of \$5,000 grant award from the Center for Tech and Civic Life to be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Buchanan City in 2020. Roll call vote carried unanimously.***

### **Crossing Guard Agreements**

Consider approval of letter of agreement between the City of Buchanan and the Buchanan Community School referencing the rate of pay for a Crossing Guard.

***Toerne moved, seconded by Denison to approve the letter of agreement between the City of Buchanan and the Buchanan Community Schools referencing the rate of pay for a Crossing Guard. Roll call vote carried unanimously.***

Consider approval of Crossing Guard Service Agreement between the City of Buchanan and the Buchanan Community School.

***Toerne moved, seconded by Denison to approve the Crossing Guard Service Agreement between the City of Buchanan and the Buchanan Community School. Roll call vote carried unanimously.***

### **Zen Leaf Permit Renewal**

Consider approval of the Medical Marihuana Facility Permit Renewal application of Buchanan Development LLC, dba Zen Leaf, to operate a Medical Marihuana Provisioning Center Facility at 259 E. Front Street, Buchanan MI.

Patzer presented indicating background check is still pending.

***Downey moved, seconded by Denison to postpone this item until the application is more complete. Roll call vote carried by majority: Yeas – Moore, Denison, Downey, Toerne; Abstain – Weedon.***

### **Third Street Brownfield Ordinance**

Consider approval of amending the Third Street Brownfield Ordinance 2015.09/394 and Site Plan, as requested by Magna Properties LLC (Bill & Teresa Green) and recommended for approval by the Planning Commission at their 9.23.2020 Special Meeting as follows:

- i) Approval of reconfigured expanded Phase 1 with relocated condominiums and a holistic health center, and reconfigured Phase 2 with Light Industrial and Commercial Uses as shown on the amended Site Plan,
- ii) Approval of the amendment of Ordinance 2015.09/394 to delete the language governing Section VII, Parcel 3 (500 Third Street) and replace it with the language in paragraph two of Section 1 of proposed Ordinance 2020.09/420.

Patzer presented findings of the Zoning Administrator and decisions of the Planning Committee. Downey questioned if Commission could approve prior to the Planning Commission's approval of minutes. Marx clarified and Toerne verified the Planning Commission approved the ordinance verbiage.

***Denison moved, seconded by Toerne to approve amending the Third Street Brownfield Site Plan, as requested by Magna Properties LLC (Bill & Teresa Green) and recommended for***

***approval by the Planning Commission at their 9.23.2020 Special Meeting. Roll call vote carried unanimously.***

***Toerne moved, seconded by Weedon to approve amending the Third Street Brownfield Site Plan Ordinance 2015.09/394, as requested by Magna Properties LLC (Bill & Teresa Green) and recommended for approval by the Planning Commission at their 9.23.2020 Special Meeting. Roll call vote carried unanimously.***

#### **Tabulator Grant Agreement**

Consider approval of the Help America Vote Act (HAVA) CARES Act Grant Agreement resulting in an award of \$2,695 (50% of the purchase price) of a previously approved tabulator for establishing an AV Counting Board.

***Weedon moved, seconded by Toerne to approve the Help America Vote Act (HAVA) CARES Act Grant Agreement resulting in an award of 2,695 (50% of the purchase price) of a previously approved tabulator for establishing an AV Counting Board. Roll call vote carried unanimously.***

#### **Public Comment (non-agenda items)**

- Dan Vigansky – Shared concerns regarding staffing
- Larry Money – Thanked Marx, Moore, DPW and those who helped with the Reader's Digest video shoot.
- Alan Robandt – Stated he was happy to help with Reader's Digest video shoot.

#### **City Manager's Comments**

- Marx – Recognized Clerk Pitcher for her effort on the election; cemetery chapel has a new roof.
- Grace – Thanked Commission and community for the warm welcome.

#### **Commissioners' Comments**

- Denison – Disappointed he didn't know that Reader's Digest was in town for a video shoot, Thanked all those who sponsored and organized Movies at the Common. Recognized Buchanan Scarecrow Charities. Welcomed Grace. Shared that he lost his wallet and it was returned – there are still good people out there. Promoted the Fire Department's upcoming blood drive.
- Downey – Welcomed Grace.
- Weedon – Thanked everyone for information shared tonight – different perspectives are needed. Welcomed Grace.
- Toerne – Provided a Landfill Board updates. Stated he is stepping down from the Planning Commission effective October 1, 2020; he enjoyed his time and learned a lot while serving. Noted the loss of Ruth Bader Ginsburg.
- Moore – Welcomed Grace. Explained there will be collaboration until Grace takes the reigns. Thanked construction crew for their work on Knight's Chapel. Stated that at a future

meeting she will propose an ad hoc committee to commemorate the 100<sup>th</sup> anniversary of Jack Knight's Flight to Save Air Mail. Addressed the Reader's Digest visit.

**Adjourn**

***Denison moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 8:23 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

PENDING APPROVAL



## **Minutes for City Commission Work Session for**

### **Wednesday, October 14, 2020 – Outdoor Meeting Held at Centennial Park**

- I. Call to Order of Work Session – The City of Buchanan City Commission Meeting was called to order at 7:00 p.m.
- II. Pledge of Allegiance – Mayor Patricia Moore led the Pledge of Allegiance.
- III. Recognition – None.
- IV. Roll Call – City Manager Heather Grace, acting as temporary acting Clerk for the Meeting, conducted the Roll Call, with the following city officials being in attendance: Mayor Patricia Moore, Mayor Pro Tem Dale Toerne, Commissioner Sean Denison, Commissioner Cameron Downey, and Commissioner Mark Weedon. Other city officials in attendance included City Manager Heather Grace, City Manager Bill Marx, Police Chief Tim Ganus, and Water & Wastewater Superintendent Bill Housand.
- V. Public Comments (Agenda Items) – Dan Vigansky shared comments relating to the boiler repair, indicating that losing a tenant might be okay.
- VI. Consent Calendar:

Motion by Moore, second by Toerne, to: (a) add approve the minutes from the regularly scheduled meeting held September 28, 2020; (b) approve invoices/expenses for October 12, 2020 in the amount of \$75,529.33; and (c) to approve the Agenda along with an Addition to the Agenda to add the item “Nicest Place in America’ Signage” to the Agenda under “New Business” at “IX. B.” Roll call vote:

Ayes: Moore, Denison, Downey, Toerne, Weedon

Nays: None
- VII. Reports by: Departments, Committees, Boards-
  - A. BYSBA – BYSBA Spokesperson and President Tori Austin shared a year-end report and also shared concerns relating to maintenance needs for the fields, especially in regards to electrical components. Manager Bill Marx requested that BYSBA develop a written maintenance plan for the fields, indicating exactly what items they would like City assistance with, so that the DPW can review the plan and seek board approval to begin work. Others items reported by BYSBA included the following: that the season had been cancelled due to Covid-19; that around 300 youth had registered, but that registration fees had been refunded,

with several choosing to donate the fees anyways, that financials for BYSBA had been emailed; and that two new scoreboards had been acquired in February worth around \$10,000.

## VIII. Unfinished Business-

A. Consider approval of the Medical Marihuana Facility Permit Renewal application of Buchanan Development LLC, dba Zen Leaf, to operate a Medical Marihuana Provisioning Center Facility at 259 E. Front Street, Buchanan MI - Debra Patzer shared a report indicating the history and current status of the request for permit renewal. Denison shared concerns that there was possible confusion relating to the timing, whether new owner signatures were needed on the oath, and whether the documentation with the State needed to be updated with the new owner information. Patzer indicated that she could follow up on the concerns and provide the Commissioners with more information before the next Commissioner meeting.

Motion by Denison, second by Weedon to postpone the matter until additional information was supplied. Roll call vote:

Ayes: Moore, Denison, Downey, Toerne, Weedon

Nays: None

B. Trick-or-Treat. Review prior Trick-or-Treat decision - Discussion was had regarding the Commission's prior decision to approve Trick-or-Treating, especially in light of the recent increase in Covid-19 cases in the region. Comments were shared by Toerne, Denison, Weedon, and Moore. Police Chief Ganus answered questions relating to candy check stations, which were to be located at three different spots: at the police department, at the fire department, and at city hall. Weedon recommended considering a temporary street closure down Front St. from Oak to Terre Coupe, for next year's Halloween trick-or-treat, to help improve safety for the Trick-or-Treaters. Moore offered an opportunity for Commissioners to make formal motions related to the Trick-or-Treat item on the agenda, but no formal motions were made. Toerne reminded those in attendance and members of the public to remember to follow public health guidelines to and stay aware of rising Covid-19 numbers in the area.

## IX. New Business-

A. Boiler Replacement at the Ross Sanders House. Consider approval to replace the boiler at the Ross Sanders House at an estimated cost of \$14,144.00 - City Manager Bill Marx informed the Commissioners that the boiler at the Ross Sanders House had deteriorated to the point that it could not longer be safely repaired and would instead need to be replaced. Marx indicated that bids had been sought from several vendors, but that initially, the only vendor who had replied with a bid was Hickock Plumbing & Heating, L.L.C. who had submitted a bid for \$14,144.00. Marx also indicated that after a recommendation was made to get a bid from Edward J. White, Inc., that White had submitted a bid in the amount of \$17,939.00. Discussion was had regarding the state of the Ross Sanders building in general, with Denison indicating concern regarding the deterioration of the building in general, indicating that he would like to see a formal plan developed to address the future

maintenance, repair, and preservation of the building. Denison also expressed concern relating to the costs associated with the building overall. Moore shared her thoughts that the building would likely need to remain heated in order to prevent future deterioration that would add additional costs later down the road. Toerne agreed with Denison's comments regarding the desire to formulate a plan for future maintenance of the building overall. Denison pointed out differences between the bids that had been submitted. Marx shared that White's bid was for a larger boiler that would likely have to be taken apart and then reassembled in order to get to the location it would need to be placed, and that Hickok's bid was for a smaller boiler. Denison expressed a desire to call attention to future repairs that would likely be needed regarding the structure's roof and walls. Weedon expressed a desire to see a plan to potentially fix the building's brick, get it painted, and perform other needed maintenance within six months. Downey noted differences between the two bids and expressed concern that he did not want to see the total price quoted by Hickok continue to climb after the awarding of a bid, without additional reporting to the Commission. Downey also presented concerns relating to a piece of equipment. Housand responded to Downey's concerns, indicating that the item had been load tested.

Motion by Moore, second by Toerne to approve the repair of the boiler at the Ross Sanders House and accept the \$14,144.00 bid submitted by Hickok Plumbing & Heating, L.L.C. Roll call vote:

Ayes: Moore, Denison, Downey, Toerne, Weedon

Nays: None

B. "Nicest Place in America" Signage - Marx indicated that a request had been made to have signage developed and displayed ASAP to include the "Nicest Place in America" designation, with hopes to have it in place in time for the proposed October 24<sup>th</sup> Celebration Event. Grace passed out to those in attendance copies of proposed signage developed by North American Signs, Inc. A quote for the proposed signage submitted by North American Signs, Inc. in the amount of \$3,648.61 was discussed. Denison indicated that the signage proposed would in all likelihood be able to be displayed in time for the October 24<sup>th</sup> Celebration Event. Downey commented that they City would typically get more quotes than just one. However, it was noted that the timing of the announcement of the "Nicest Place in America" designation, and the quickly approaching date for the Celebration Event, made getting additional quotes difficult. Denison indicated that the City could still attempt to get additional quotes, if so desired. Downey questioned whether such additional quotes could be obtained quickly enough.

Motion by Weedon, second by Downey to approve the placement of the proposed "Nicest Place in America" signage and accept the \$3,648.61 bid submitted by North American Signs, Inc. Roll call vote:

Ayes: Moore, Downey, Toerne, Weedon

Nays: None

X. **Public Comments (Non-Agenda Items)**- Megan Goodrich of 15877 Riverstone Lane shared comments relating to the BFAC to request that the Tin Shop Theatre be approved as a location to host a Christmas performance by 'Positively Dance' for Friday, December 11<sup>th</sup>.

Motion by Moore, second by Denison, to authorize the use of the stage for the December 11<sup>th</sup> performance by Positively Dance. Roll call vote:

Ayes: Moore, Denison, Downey, Toerne, Weedon

Nays: None

Dan Vigansky shared comments asking why the agenda did not include a request to begin a full search for a new City Treasurer. Vigansky also recommended that the City consider hosting any future outdoor-type meetings at the DPW building, as you could have the large doors open.

Motion by Moore, second by Denison, to authorize the use of the stage for the December 11<sup>th</sup> performance by Positively Dance. Roll call vote:

Ayes: Moore, Denison, Downey, Toerne, Weedon

Nays: None

Monroe LeMay of 118 Schirmer Parkway inquired as to whether any discussion has been had about whether there will be any downtown development activities or organizations that will serve as a replacement for the DDA. Grace indicated that the topic was being explored, and though it remained a priority, the timing of the "Nicest Place in America" designation had delayed that discussion.

Martha Cleveland indicated that she had recently taken a walk along Days Avenue, across from the old livery, and noticed 4 large beautiful trees with green dots and wanted to inquire as to what the green dots indicated. Marx stated that to the best of his knowledge, he understood that the green dots were likely placed there by the electric company to indicate that they either needed to be trimmed due to proximity to the electrical lines. Marx indicated that the trees may also be in need of consideration to come down due to damage being caused to sidewalks because of root structures from the trees. Cleveland suggested that the City should consider doing curved sidewalks that go around the trees, or other options that would preserve the trees. Cleveland indicated that the trees were beautiful living things worth saving and that concrete takes 1 day to make, while mature trees take 100 years or more.

VII. **City Manager Comments** – Marx discussed an old generator that he recommended be declared to be excess equipment so that it could be scrapped. Housand agrees with the recommendation to scrap the old generator.

Motion by Denison, second by Toerne, to consider the old generator in question to be formally declared "excess equipment" and to have it scrapped. Roll call vote:

Ayes: Moore, Denison, Downey, Toerne, Weedon

Nays: None

Marx also indicated that city staff was working hard with all of the many things happening at once, including the new Reader's Digest designation, on top of staff shortages, an audit, and the upcoming election.

VIII. Commissioner Comments – Weedon expressed pride in the community for the selection as "Nicest Place in America" and also thanked the public and Mayor Moore for allowing meetings to contain great comments and lively conversations but not arguments.

Downey expressed concerns relating to the Treasurer position. Moore indicated that Stephanie Powers, who had been hired as Bookkeeper, had stepped up to fill that role at present. Downey indicated a desire to fully explore all possibilities to ensure that the position was filled with a qualified candidate with the needed experience. Weedon agrees, indicating that the Treasurer position was an extremely important one for the City. Moore states that Powers is doing well, but that the position of Treasurer does ultimately require Commissioner approval.

Motion by Downey, second by Weedon, to have the City formally begin the search for a new Treasurer. Roll call vote:

Ayes: Denison, Downey, Toerne, Weedon

Nays: Moore

Denison gave kudos to Police Chief Tim Ganus for his great interviews related to the Reader's Digest story. Denison also thanked Dave VanDyke for the letter he wrote and the "golden egg" he had handed the community.

Moore commented that she was proud to have served the great community of Buchanan as Mayor, and that she considered her position as position of gratitude, and therefore wanted to make sure that we thanked as many people as possible during the Celebration Event.

IX. Adjournment –

Motion by Moore, second by Toerne, to adjourn the meeting at 8:47 p.m. Roll call vote:

Ayes: Moore, Denison, Downey, Toerne, Weedon

Nays: None



## **Minutes for City Commission Work Session for**

### **Wednesday, October 14, 2020 – Outdoor Meeting Held at Centennial Park**

- I. Call to Order of Work Session – The City of Buchanan City Commission Work Session was called to order at 6:00 p.m.
- II. Pledge of Allegiance – Mayor Patricia Moore led the Pledge of Allegiance.
- III. Roll Call – City Manager Heather Grace, acting as temporary acting Clerk for the Work Session, conducted the Roll Call, with the following city officials being in attendance: Mayor Patricia Moore, Mayor Pro Tem Dale Toerne, Commissioner Sean Denison, Commissioner Cameron Downey, and Commissioner Mark Weedon. Other city officials in attendance included City Manager Heather Grace, City Manager Bill Marx, Police Chief Tim Ganus, and Water & Wastewater Superintendent Bill Housand.
- IV. Public Comments (Agenda Items) – The public shared comments discussing the proposed “Celebration Event” scheduled to be had on Saturday, October 24, 2020 to celebrate the City of Buchanan’s recent designation from the Reader’s Digest of being the “Nicest Place in America.” Members of the public joining in on the informal discussion included: Monroe LeMay, Larry Money, Dave VanDyke, and Dan Vigansky. Others joining in the informal discussion regarding the proposed celebration event included Police Chief Tim Ganus, City Manager Heather Grace, and City Manager Bill Marx, as well as Mayor Moore, Mayor Pro Tem Dale Toerne, Commissioner Sean Denison, Commissioner Cameron Downey, and Commissioner Mark Weedon, with the informal conversation continuing as a discussion with the public regarding ideas for the proposed Celebration event.
- V. Discussion of Proposed “Celebration” Event for October 24, 2020 – The Commissioners discussed ideas and suggestions relating to the proposed “Celebration” Event.
- VI. Public Comments (Non-Agenda Items)- No additional public comments were shared on “non-agenda items.”
- VII. City Manager Comments – Manager Bill Marx stated that he appreciated all of the comments received during the Work Session, and that the City staff would work hard to make the proposed event a success. Manager Heather Grace agreed.
- VIII. Commissioner Comments – No additional City Commissioner comments were shared at this time.
- IX. Adjournment – The Work Session was adjourned at 6:36 p.m.

**City of Buchanan Commission Work Session Minutes  
October 21, 2020**

**A special work session of the City Commission was held via electronic meeting on Wednesday, October 21, 2020, and was called to order at 7:03 p.m. by Mayor Moore.**

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey and Dale Toerne, Mark Weedon

Absent: None

City Staff: City Managers, William Marx and Heather Grace; City Clerk, Barbara Pitcher;

Guests: City Attorney, Richard Racht; Peter Lysy

**Closed Session**

Consider convening a closed session as permitted under Section 8 of the OMA to discuss written legal memorandum of City Attorney.

***Moore moved, seconded by Toerne to convene a closed session as permitted under Section 8 of the OMA to discuss written legal memorandum of City Attorney. Closed session convened at 7:05 p.m.***

**Reconvene Open Meeting**

Consider reconvening open meeting.

***Weedon moved, seconded by Downey to reconvene open meeting. The open meeting portion of the work session resumed at 7:48 p.m.***

**Legal Update**

City Attorney, Richard Racht discussed changes to the Open Meetings Act as a result of HB 1108. Racht fielded questions and participated in discussion with the Commissioners and Staff regarding details as to how existing public meeting practices work in a virtual environment. General discussion followed regarding legal issues related to FOIA, confidentiality and agenda amendments.

**Adjourn**

***Weedon moved, seconded by Downey to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 8:59 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes  
October 26, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, October 26, 2020, and was called to order at 7:00 p.m. by Mayor Moore. The Mayor led the Pledge of Allegiance.**

**Recognition**

- Gavel Retirement Ceremony & Distribution of Plaques of Recognition for Mayor, Patricia Moore, DPM; Mayor Pro Tem, Dale Toerne; and City Manager William Marx.

**Roll Call**

Present: Mayor Patricia Moore, Commissioners Sean Denison, Cameron Downey and Dale Toerne, Mark Weedon  
Absent: None  
City Staff: City Managers, William Marx and Heather Grace; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Wastewater Treatment Operator, William Housand; Contract Zoning Administrator, Debra Patzer  
Guests: 27 online participants

**Agenda**

***Denison moved, seconded by Weedon to approve the agenda as written. Roll call vote carried unanimously.***

**Public Comments (agenda items)**

- Dan Vigansky – Suggested the City sell the lot where the proposed planters would be placed, questioned how much should be invested in Ross Sanders building, shared opinion about bailing machine, and did not see the point of a promotional video.
- Monroe Lemay – Commented on the appearance and transparency of the agenda
- Penny Slocum – Reported public urination by Zen Leaf customers
- Alan Robandt – Suggested the new economic development director be onboarded before any new videos are created

**Consent Calendar**

- Approve Minutes: Special Meeting, October 14, 2020.
- Approve Minutes: Rescheduled Regular Meeting, October 14, 2020
- Approve Minutes: Work Session, October 21, 2020
- Approve Invoices/Expenditures for October 26, 2020 in the amount of \$1,798,274.06

***Weedon moved, seconded by Denison to accept the consent calendar presented. Roll call vote carried unanimously.***

**Scheduled Matters from the Floor****Evan Borgman Eagle Scout Project**

Consider approval of proposed project to reconstruct/repair several raised bed planters that currently are being stored at Katheryn Park and move them to 907 Victory Street (City-owned vacant lot) across the street from Victory Park to establish a youth garden for the Victory Park neighborhood.

***Denison moved, seconded by Weedon to approve proposed project to reconstruct/repair several raised bed planters that currently are being stored at Katheryn Park and move them to 907 Victory Street (City-owned vacant lot) across the street from Victory Park to establish a youth garden for the Victory Park neighborhood. Roll call vote carried unanimously.***

**Fran Tuite: Peace Ceremony**

Consider approval of Peace Ceremony organized by Fran Tuite and community artist, Indira Johnson, to take place from 2:00-4:00 PM at the Common on Sunday, November 1.

***Denison moved, seconded by Toerne to approve the Peace Ceremony organized by Fran Tuite and community artist, Indira Johnson. Roll call vote carried unanimously.***

**Reports by: Departments, Committees, Boards****DPW Request for Baler for Leaf Pickup**

Consider approval to purchase of a 1997 John Deere 100 baler for \$8,000.

***Denison moved, seconded by Weedon to approve purchase of a 1997 John Deere 100 baler for \$8,000. Roll call vote carried unanimously.***

**Water & Wastewater Dept's Manganese Sampling Report**

Housand presented the details of the report.

**Unfinished Business****Addendum to Employment Contract for City Manager Marx**

Consider a proposed addendum to City Manager Marx's current employment contract to allow for a transition between Mr. Marx and Ms. Heather Grace. This transition includes Mr. Marx remaining in the office with Ms. Grace until 11/15/20, continuing on remotely in a "consultant" type capacity until 12/30/20, and receiving a final pay during the second week of January 2021.

***Denison moved, seconded by Weedon to approve the proposed addendum to City Manager Marx's current employment contract to allow for Marx to remain in the office until 11/15/20, continuing on remotely in a "consultant" type capacity until 12/30/20, and receiving a final pay during the second week of January 2021. Roll call vote carried unanimously.***

**Ross Sanders House Boiler**

Consider bids for asbestos abatement at the Ross Sanders House.

***Weedon moved, seconded by Denison to approve the lowest bidder for asbestos abatement at the Ross Sanders House, BBEK Environmental with a bid of \$2,125. Roll call vote carried unanimously.***

**Zen Leaf Permit**

Consider the approval of the Medical Marihuana Facility Permit Renewal application of Buchanan Development LLC, dba Zen Leaf, to operate a Medical Marihuana provisioning center Facility at 259 E. Front Street, Buchanan MI. (This item was presented on September 28th and again on October 12th. Additional information that had been requested by Commissioners has now been submitted by Debra Patzer).

***Denison moved, seconded by Toerne to approve the Medical Marihuana Facility Permit Renewal application of Buchanan Development LLC, dba Zen Leaf, to operate a Medical Marihuana provisioning center Facility at 259 E. Front Street, Buchanan MI. Roll call vote carried unanimously.***

**Issue of Whitewash vs. Paint on 221 E. Front St.**

Review and discuss the Planning Commission and Design Review Committee's findings regarding a proposal by Dr. Silver of Pinnacle Emporiums to use high-quality white paint instead of whitewash on the exterior of 221 E. Front St., which would be a departure from what was submitted by Pinnacle Emporiums to the DRC for review.

***Denison moved, seconded by Weedon to instruct the zoning administrator to ask Dr. Silver of Pinnacle Emporiums to resubmit plan to the Design Review Committee. Roll call vote carried unanimously.***

**Location of DPW Facility**

Consider action on this item as discussed in the joint work session with the Planning Commission held October 26, 2020 at 6:00 p.m.

***Weedon moved, seconded by Denison to offer an RFP Certificate of Evaluation Survey to be completed on the current DPW site and the site just south of that location. Roll call vote carried by majority: Yea – Weedon, Denison, Moore, Downey; Nay – Toerne.***

***Weedon moved, seconded by Denison to offer an RFP for soil boring at the current DPW site and the site just south of that location. Roll call vote carried by majority: Yea – Weedon, Denison, Moore, Downey; Nay – Toerne.***

## New Business

### **Modification of Agreement for Services for Independent Contractor Debra Patzer**

Consider approval of City Manager Grace's request to modify independent contractor Debra Patzer's existing agreement with the City so that rather than being a six month contract, the contract shall, from October 29th forward, be binding only on a month-to-month basis.

***Weedon moved, seconded by Denison to approve modifications to independent contractor Debra Patzer's existing agreement with the City to go from a six month to a month-to-month contract. Roll call vote carried by majority: Yea – Moore, Denison, Toerne, Weedon; Nay - Downey***

### **Approval of Publication of Job Postings**

Consider authorizing Manager Grace to contract with the Michigan Municipal League and LinkedIn so that Grace may make arrangements to publish job postings in a manner designed to have broad reach, so as to help attract a large pool of qualified candidates for the positions of Treasurer and Community Development Director.

***Weedon moved, seconded by Toerne to solicit a bid from Larry Nielsen to assist in filling these two roles. Roll call vote carried unanimously.***

### **Delinquent Utility Bills Applied to Winter Taxes**

Consider authorizing City Administration to take the necessary actions to add delinquent utility bills to the responsible parties' winter taxes in the amount of \$6,509.20.

***Denison moved, seconded by Downey to authorize City Administration to take the necessary actions to add delinquent utility bills to the responsible parties' winter taxes in the amount of \$6,509.20. Roll call vote carried unanimously.***

### **Production of Promotional Video for "Nicest Place in America"**

Consider of approval to engage DPM Events to create a promotional video from the raw footage of the "Nicest Place in America" celebration event.

***Moved by Weedon, seconded by Denison to approve engaging DPM Events to create a promotional video not to exceed \$1,250. Roll call vote carried unanimously.***

## Communications

### **Modification to City Hall Access Prior to Election**

To help ensure prevent City Hall from experiencing staff shortages during the election due to potential Covid-19 exposures and/or quarantine requirements, access to City Hall between

10/23/20 and 11/02/2020 [the day before the election] shall be limited to only allow access to the small, protected area of City Hall near the front entrance. All other entry to City Hall shall be limited to full-time city staff whose offices are located within City Hall, and all such employees shall follow strict safety protocols, including mask/shield wearing, social distancing, and temperature checks. Public access to City Hall following the election shall be assessed at that time and modified as appropriate.

### **Public Comment (non-agenda items)**

- Josh Alpin – Welcomed Grace, thanked Marx. Stated Boone Labs hopes to relocate to Buchanan to establish a processing lab
- Don Ryman – Thanked Marx for his many years of faithful service; welcomed Grace.
- Nicolas Kasorek – Stated he was extorted via property taxes and attended the tax tribunal.
- Alan Robandt – Asked if it was permissible for downtown businesses to deny access to their restrooms.

### **City Manager's Comments**

- Marx – Saturday's event was an example of why we were selected for the honor of Nicest Place in America. Noted new signage, banners and welcome signs. Thanked the Commission. Stated he is invested in the community and wants the community, the Commission and Grace to be a success.
- Grace – Thanked Moore, Toerne and Marx for their service. Thanked the community for the warm welcome. Stated she is excited for the future and impressed with the level of civic engagement.

### **Commissioners' Comments**

- Toerne – Landfill had a good month but is heading into a slow season. He is submitting his resignation from the Landfill Board.
- Denison – Apologized for not attending the event on Saturday as he is taking precautions due to COVID incidents at work. He is excited by new opportunities. Thanked Pat and Dale. VOTE!
- Downey – Congratulated the Mayor and Mayor Pro Tem, encouraged them to enjoy retirement and come see us some time.
- Weedon – Stated he couldn't be more proud of this community. For those who interact in this community, it's no surprise we won. Thanked Moore – we have a great task before us and huge shoes to fill. Thanked Toerne and appreciated his input. As we transition into a new era, we're thinking about how to promote and we're seeing progression. Change is good.
- Moore – Thanked the current commissioners for entrusting the Commission with her leadership. She considers them all friends and hopes they feel likewise. Stated we're in a

good spot. The three remaining commissioners will do a good job carrying on. Thanked Toerne – he and his wife have done so much for the communicate and took on the mantle of change. Thanked Marx for all his work behind the scenes, his leadership, and being a calming force.

**Adjourn**

***Denison moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Moore adjourned the meeting at 8:52 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Patricia A. Moore DPM

**City of Buchanan Commission Minutes  
November 9, 2020**

The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, November 9, 2020, and was called to order at 7:00 p.m. by City Clerk, Barbara Pitcher. The Clerk led the Pledge of Allegiance.

**Recognition**

**Recognition of Newly Elected Commissioners Larry Money and Patrick Swem**

Both took their oaths of office in person at City Hall on Friday, November 6, 2020.

**Roll Call**

Present: Commissioners Sean Denison, Cameron Downey, Larry Money, Patrick Swem, Mark Weedon

Absent: None

City Staff: City Managers, William Marx and Heather Grace; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Wastewater Treatment Superintendent, William Housand; Contract Zoning Administrator, Debra Patzer

Guests: 14 online participants, including Don Ryman, Monroe Lemay, Dale Toerne, Joe Kreuger, Fran Terry, Pat H, Kim Moyer, Xavier Carroll, Dan Vigansky and Press from The Paper and The Niles Daily Star

**Agenda**

***Denison moved, seconded by Weedon to approve the agenda as written. Roll call vote carried unanimously.***

**Public Comments (agenda items)**

- Dan Vigansky – Congratulated new commissioners

**Public Hearings/Special Business**

Nominations and Appointments to fill Commission and Board seats

**Mayor**

***Downey moved, seconded by Weedon to nominate Sean Denison as Mayor. Roll call vote carried unanimously.***

**Mayor Pro Tem**

***Moved by Money, seconded by Downey to nominate Mark Weedon as Mayor Pro Tem. Roll call vote carried unanimously.***

**Common Committee and Fine Arts Council**

Denison stated, rather than appointing Commissioners to these roles, it may be more appropriate to engage the community and fill those roles with individuals who have a passion and expertise in those areas.

***Moved by Swem, seconded by Denison to postpone these appointments in order to seek community volunteers to fill such roles. Roll call vote carried unanimously.***

#### **Friends of Oak Ridge Cemetery**

***Moved by Money, seconded by Denison to appoint Larry Money as Commission Representative to Friends of Oak Ridge Cemetery. Roll call vote carried unanimously.***

#### **Planning Commission**

***Moved by Denison, seconded by Weedon to appoint Sean Denison as Commission Representative to the Planning Commission. Roll call vote carried unanimously.***

#### **Southeast Berrien County Landfill**

***Moved by Money, seconded by Downey to appoint Patrick Swem as Commission Representative to Southeast Berrien County Landfill Board. Roll call vote carried unanimously.***

#### **Consent Calendar**

- Approve Minutes: Special Meeting, October 26, 2020.
- Approve Minutes: City Commission / Planning Commission Joint Work Session, October 26, 2020 Approve Minutes: Work Session, October 21, 202
- Approve Invoices/Expenditures for November 9, 2020 in the amount of \$ 115,281.66

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

#### **Scheduled Matters from the Floor**

**None**

#### **Reports by: Departments, Committees, Boards**

##### **Clerk Report**

Pitcher provided a synopsis of the November 3, 2020 General Election. Election Day turned into Election Month as we saw a high volume of absent voter ballot requests, with over 300 in-person requests for immediate absent ballot issuance. Election Day in-person voter turnout of 1,101 in precincts 1 and 2 went smoothly, in large part, due to the implementation of an Absent Voter Counting Board, where an additional 973 absentee ballots were tabulated.

##### **Public Works Report**

Baler is working wonderfully and making leaf pickup a lot more efficient. The bales are 830 lbs. and the truck can haul 6 bales at a time, saving trips to Redbud Track and Trail versus truckloads of loose leaves. Currently working on second pass through the City. Additionally, filled some potholes, did some jetting and other maintenance.

#### **Unfinished Business**

**Treasurer & Community Development Director Postings**

Larry Nielsen has submitted a proposal to conduct a search for the two positions at a general rate of \$25/hour with a total estimate of \$4,100 to complete recruitment services and comprehensive candidate searches for both positions.

***Weedon moved, seconded by Money to approve engaging Larry Nielsen to recruit for the Treasurer and the Community Development Director. Roll call vote carried unanimously.***

### **New Business**

**None**

### **Communications**

#### **Legislative Update**

On 10/22/2020 Governor Whitmer signed into law several 'Liability Shield & Employee Protection' bills. They generally address employer safety requirements related to Covid-19, as well as include provisions to provide employers with liability protections if they comply with the proscribed Covid-19 safety protocols.

#### **Public Comment (non-agenda items)**

- Fran Terry – Asked about other board appointments, such as Farmer's Market. (Denison later responded that Commissioners would maintain their previous board appointments.)
- Dan Vigansky – Would like to see City Commission appoint board and commission members instead of the board or commission appointing them as it would speed up the process. Also would like to see the position descriptions for current open positions.
- Don Ryman – Stated he is convinced that Buchanan's selection as the Nicest Place in America is due to superior performance in historic preservation.

#### **City Manager's Comments**

- Grace – Extended warm congratulations to the new Mayor, Mayor Pro Tem, and new Commissioners. Commended Marx for his dedication and effort. USDA application has been submitted.
- Marx – Congratulated Mayor, Mayor Pro Tem and new Commissioners - they will see great opportunities. Acknowledged Larry Nielsen's efforts in finding Heather – very valuable. Shared plans for Veterans Day service at the American Legion that will be live streamed on the City's Facebook page.

#### **Commissioners' Comments**

- Denison – Welcomed Swem and Money to the Commission. Thanked Marx and wished him the best of luck in the future. Thanked the Commission for nominating him as Mayor and stated he would do his best to be worthy of such trust.
- Downey – Congratulated the new Mayor, Mayor Pro Tem and Commissioners.
- Money – Thanked Adkerson and the DPW crew and stated the baler is a great addition. Congratulated Denison on appointment as Mayor. Noted there will be a story Wednesday on FOX News regarding a parachute drop for Veterans Day.

- Swem – Congratulated Mayor, Mayor Pro Tem, and Money. Thanked everyone for giving him the hour to serve. Thanked Marx. Echoed Mayor Denison’s comment regarding engaging the community.
- Weedon – Thanked everyone who ran for Commission – their voices are heard. Congratulated Swem and Money. Thanked Marx for his time, dedication and entertaining the idea to transition leadership to Grace. Remarked he hopes Adkerson will consider a similar transition when the time comes. Thanked all who voted. Stated is a continued honor to be on the Commission and the two new Commissioners are a value add.

**Adjourn**

***Downey moved, seconded by Weedon to adjourn. Roll call vote carried unanimously. Mayor Denison adjourned the meeting at 8:00 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Sean Denison

**City of Buchanan Commission Minutes  
November 23, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, November 23, 2020, and was called to order at 7:00 p.m. by Mayor Sean Denison. The Mayor led the Pledge of Allegiance.**

**Recognition**

**None**

**Roll Call**

**Present:** Mayor Sean Denison, Commissioners Cameron Downey, Larry Money, Patrick Swem, Mark Weedon

**Absent:** None

**City Staff:** City Manager, Heather Grace; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Contract Zoning Administrator, Debra Patzer; Interim Treasurer, Stephanie Powers; Police Chief, Tim Ganus; DPW, Mike Baker; Cemetery Sexton, Klay Weaver

**Guests:** 28 Guests, including Martha Cleveland, Jen Tabor, Annie Tuite, Dan Vigansky, Peter Lysy, Don Ryman, Tom Ferguson, Fran Terry, Kim Moyer, Roger Swets, Alan Robandt, Jodi Ostrander, Monroe Lemay, Mac Green, and press from The Paper, and The Niles Daily Star

**Agenda**

***Weedon moved, seconded by Swem to amend the agenda to postpone developing an RFP for tree removal as included in item X. A. to allow more time for discussion and exploration of options. Roll call vote carried unanimously.***

***Swem moved, seconded by Weedon to approve the agenda as amended. Roll call vote carried unanimously.***

**Public Comments (agenda items)**

- Dan Vigansky – Spoke about trees on Days Avenue and neighbor’s citation
- Alan Robandt – Tree removal should be the last resort. They define the character of a community. Options would be to help people fix their sidewalks or even charge to fix the sidewalks.
- Martha Cleveland – Standing at the Farmer’s Market looking southeast, the view is beautiful. Replace sidewalks, shave tree roots, save the trees.
- Krista Perin and sons – Buchanan is the Nicest Place in America because of the trees. They provide oxygen to everyone.

**Public Hearings/Special Business**

**None**

**Consent Calendar**

- Approve Minutes: Regular Meeting, November 9, 2020.
- Approve Invoices/Expenditures for November 23, 2020 in the amount of \$1,267,245.79

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

**Scheduled Matters from the Floor**

None

**Reports by: Departments, Committees, Boards****Public Works Report**

Adkerson proposed to remove several large trees along Days Avenue in response to multiple complaints about sidewalks heaving and sewer pipe being damaged by invasive root structures. The plan would be to replace the trees with smaller trees with different root types to avoid similar problems in the future. The proposal would allow for needed repairs to the sewers and sidewalks to take place and stay fixed longer with much less continual costs related to repeated maintenance and repair costs, but the proposal would also dramatically change the treescape in the City, so the Commission is asked to consider the pros and cons of the proposal and provide city workers with direction as to whether they want us to move forward with developing an RFP for the removal and replacement of the existing trees, or some alternative plan.

**Planning & Zoning Report**

Planning Director Debra Patzer shared an update on the status of the City's Master Plan. The public is encouraged to virtually attend an upcoming Joint Work Session between the Planning Commission and the City Commission on the Master Plan and future land uses, which is scheduled to occur at 6:00 p.m. on Tuesday, November 24th, 2020.

**Unfinished Business**

None

**New Business****Adult Use Marijuana Application**

Patzer presented the application for approval. Swem had questions regarding process, transfer of licenses and if KISA Enterprises benefitted from an unfair advantage. Patzer clarified and Dr. Silver spoke on his own behalf.

***Denison moved, seconded by Downey to approve the Adult Use Marijuana Retailer Establishment Application of KISA Enterprises MI LLC, dba Pinnacle Emporium, Dr. Michael Silver, Sole Owner and Manager, to operate an Adult Use Marijuana Retail Establishment at***

***221 E Front Street, Buchanan, MI. Roll call vote carried by majority: Ayes – Money, Denison, Downey; Nays – Swem; Abstain - Weedon.***

### **Procedures for Remote Participation by Board/ Members**

Following the State of Michigan's newly enacted legislation relating to Covid-19 updates to the Open Meetings Act, the City Commission is asked to consider for approval a proposed set of procedures for the Commission to follow in relation to remote participation in City meetings. The proposed procedures allow for both hybrid and fully electronic meetings, as per recent Health Department instructions.

***Weedon moved, seconded by Swem to approve a proposed set of procedures for the Commission to follow in relation to remote participation in City meetings. Roll call vote carried unanimously.***

### **Proposal to Authorize Dickinson & Wright PLLC to Incorporate a Municipal Building Authority**

Following a discussion between City Manager Grace, Municipal Bond Counsel Roger Swets of Dickinson Wright PLLC, and CPA Andy Campbell of Baker Tilly Municipal Advisors in which the City's long-term capital improvement plans and municipal building goals was discussed, Mr. Swets has submitted a proposal to have the City Commission consider authorizing Dickinson & Wright to perform services at a cost of \$240 per hour, not to exceed \$5,000 to take the steps necessary to incorporate a new Municipal Building Authority for the City of Buchanan. If approved, Dickson & Wright would prepare articles of incorporation that the Commission would have to approve to create the Building Authority. The purpose of the Building Authority would be to provide the City with additional municipal finance options that are not currently available, and would also enable the City to reserve the use of capital improvement bonds for other projects, such as the streetscape projects slated to occur along Front Street in 2023. Bonds issued by the Municipal Building Authority could be spent on projects involving municipal buildings, such as a new or repaired DPW building, historic preservation to the Ross Sanders building, repairs to the fire station, and more. To effectuate those projects, the City would have to temporarily deed ownership of those properties to the Municipal Building Authority. However, the properties would be leased back to the City for the term of the bonds and then conveyed back to City ownership once the bonds are paid off. If created, the Municipal Building Authority would be governed by a commission of three persons appointed by the City Commission, which Dickinson & Wright recommends be city staff members to ensure that the Authority and the City Commission's interests remain aligned and that there are no financial reporting compliancy issues.

***Swem moved, seconded by Weedon to authorize Dickinson & Wright PLLC to Incorporate a Municipal Building Authority. Roll call vote carried unanimously.***

### **Proposal to Authorize Baker Tilly to Provide Building Bond Issue Services**

Consider proposal from Andy Campbell of Baker Tilly Municipal Advisors LLC to provide services to the City of Buchanan to sell and market said bonds for a fee of \$15,000. The services

provided would include assessment of market options, advice regarding sale formats, timetable development, bond sizing and specifications, liaising with the Department of Treasury, marketing the bond issue, conducting the bond sale, preparation of the closing letter, and monitoring of the closing procedures.

***Weedon moved, seconded by Money to approve proposal from Andy Campbell of Baker Tilly Municipal Advisors LLC to provide services to the City of Buchanan to sell and market said bonds for a fee of \$15,000.***

### **Request to Authorize Search for New Financial Institution(s) for City Accounts**

Due to recent dramatic increases in banking fees following Chemical Banks merger with TCF Bank, as well as due to a very recent change whereby Chemical Bank/TCF Bank is no longer accepting our traditional deposits and only accepting ATM deposits, the City administrative staff requests the Commission to consider approving City Manager Grace to solicit proposals from each local banking institution in Buchanan to help the Commission to determine the best financial institution to house the City's accounts moving forward.

***Weedon moved, seconded by Downey to authorize City Manager Grace to solicit proposals from each local banking institution in Buchanan to help the Commission determine the best financial institution to house the City's accounts moving forward. Roll call vote carried by majority with Swem abstaining.***

### **Communications**

#### **City Policy on Covid-19 Updated**

On 11/10/2020, after receiving an urgent communication from the Berrien County Health Department regarding a dramatic increase in local Covid-19 cases, City Manager Grace implemented an administrative policy to increase Covid-19 safety protocols for all city operations, which included restricting access to city buildings in any and all cases where business could be conducted virtually/remotely (via phone, zoom, etc.). The new policies also require that any members of the public, or other non-staff members, including vendors, etc., whose business has to be conducted in person and cannot be conducted virtually/remotely, may only enter city buildings if they wear a mask at all times and also pass a temperature screening. In both cases, the restricted access still allows the public to enter the small enclosed lobby spaces at the front of city hall and at the entrance to the PD. Though this policy has already taken effect, it remains the prerogative of the Commission to vote to make any changes to the policy moving forward if so desire. Alternatively, no action is required at this time and the policy may remain in place if it is to the satisfaction of the Commission. It is worth noting that recent orders and mandates issued by the State Health Department and MIOSHA appear to be in line with the policies that were already put in place. However, as new MIOSHA guidance was recently issued again, these will be reviewed to ensure continued compliance with all State rules and regulations.

#### **Holiday Closure**

City Hall will be closed and all City staff will be out November 26-27 for the Thanksgiving holiday.

### **Public Comment (non-agenda items)**

- Don Ryman – Endorsed Dickinson & Wright PLLC.
- Fran Terry – Asked and received permission to place red bows in Mill Alley.
- Monroe Lemay – It is fun to participate in meetings with the new City Manager and Commission. Appreciates the clear agendas and transparency.
- Dan Vigansky – Would like the City to reconsider paying Bill Marx for the last 2 months of his contract. It would be a substantial savings.
- Alan Robandt – Stated his belief that High Profile does not sell medical marihuana and therefore does not have a medical marihuana license in Buchanan.
- Jen Tabor – Concerned there is, in effect, no limit to the number of marijuana licenses. Respect limitations that we've created.

### **Executive Comments**

- City Manager Grace – Appreciates public participation. It's growing with every meeting. Every decision is made better with more input. Commended Mayor Denison for moving meetings along. Will be doing more meet and greets in the community as soon as circumstances allow.
- Commissioner Downey – None
- Commissioner Money – Thanked those involved in decorating the Common. They are doing a lot to keep the City vibrant. Commended Denison for doing a great job and stated Grace is very effective in putting everything into perspective and keeping the Commissioners updated. Wished everyone a happy Thanksgiving.
- Commissioner Swem – Thanked Craig Miller, Penny Slocum and the Chamber for decorating the Common.
- Commissioner Weedon – Thanked those who joined the call – clearly there was something that was important to them on the agenda that made them want to participate. This is the dawn of a new day. Addressed several of the public comments: it wouldn't bode well for the City if they did not honor their contractual commitment to Marx; both High Profile and Pinnacle would have a presence in both of their locations regardless of changing hands. Thanked Grace for the detailed information to enable decision-making. Sean is a great Mayor.
- Mayor Denison – Gave himself, Commissioners Downey and Weedon, former Mayor Patricia Moore and former Commissioner Dale Toerne a pat on the back – they nailed it when they hired Grace. Everything she is doing is exactly what was hoped for; things to move us forward. Thanked everyone who participated in the meeting. Thanked everyone who helped with the decorations, including the Garden Club and the Buchanan Scarecrow Charities. Noted he had witnessed two city workers driving in the same vehicle without masks and urged them to wear masks. Stated local businesses need our help – shop and eat local. Enjoy the Thanksgiving holiday.

**Adjourn**

***Money moved, seconded by Downey to adjourn. Roll call vote carried unanimously. Mayor Denison adjourned the meeting at 8:31 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Sean Denison

**City of Buchanan Commission Minutes  
December 14, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, December 14, 2020, and was called to order at 7:00 p.m. by Mayor Sean Denison. The Mayor led the Pledge of Allegiance.**

**Recognition**

**Proclamation to Honor Election Officials**

WHEREAS, elections are the foundation of our democracy and election officials work tirelessly to protect this critical infrastructure while maintaining our electoral processes; and

WHEREAS, the COVID-19 pandemic had a profound effect on the 2020 elections which created complexities in the administration of elections requiring election officials to conduct accurate and timely elections while protecting the safety of election workers and the voting public; and

WHEREAS, the City Clerk, staff and election workers steered our community through an unprecedented elections season, including helping people navigate the absentee voting and continuously improving their own internal processes to improve safety in our elections; and

WHEREAS, thanks to their valiant efforts, there were record numbers of absent voter ballots returned and in person ballots cast at each of the two precincts in the City of Buchanan; and

WHEREAS, in order to recognize the heroic efforts made by election administrators and poll workers, the City of Buchanan urges voters, businesses, organizations, public officials, and all candidates for public office across our state to join in celebrating and thanking these individuals;

NOW, THEREFORE, BE IT RESOLVED that the City of Buchanan Commission extends its appreciation and admiration for the election officials and workers of this city and the vital service that they perform in conducting this country's elections.

City of Buchanan Commission:

*Sean Denison, Mayor; Mark Weedon, Mayor Pro Tem; Cameron Downey;  
Larry Money; Patrick Swem*

**Roll Call**

- Present:** Mayor Sean Denison, Commissioners Cameron Downey, Larry Money, Patrick Swem, Mark Weedon
- Absent:** None
- City Staff:** City Manager, Heather Grace; City Clerk, Barbara Pitcher; Department of Public Works Director, JT Adkerson; Interim Treasurer, Stephanie Powers; Contract Zoning Administrator, Debra Patzer
- Guests:** 18 guests, including: Alan Robandt, Kim Moyer, Fran Terry, Dan Russell, Don Ryman, Mac Green, William Marx, Dan Russell, Edward Santangelo, Scott Dianda, Debra Haight from the Niles Daily Star

**Agenda**

***Denison moved, seconded by Downey to amend the agenda to remove item 8.C.: Consideration of the appointment to the Planning Commission of Dan Vigansky, placing the item on the January 11, 2021 agenda to allow for sufficient time for review of appropriate appointment protocols and also to allow the City administration to bring the application processes in line with the RRC best practices. Roll call vote carried unanimously.***

***Weedon moved, seconded by Money to approve the agenda as amended. Roll call vote carried unanimously.***

Denison announced there would be several items on this agenda that will likely be postponed until the January 11, 2021 meeting because 1) the Commission was not able to receive their packet until Saturday evening prior to the meeting and have not had a lot of time to review and process the information and 2) the Commission has a joint work session scheduled with the Planning Commission on January 5, 2021 concerning the future use of City properties and facilities, including the DPW building, and it is felt that after the joint meeting the Commission will be more informed and better suited to make decisions on these topics.

**Public Comments (agenda items)**

- **Alan Robandt** – that the Commission not postpone, rather just vote “no” on Kim Moyer, Tranquility Fields – they should negotiate with 7 Engines to buy their property, 402 Michigan is valuable commercial property, Green property on Third Street.
- **Dan Vigansky** – Against cancelling meeting. Would like a 30 second summary of consent calendar, explanation of the boards and committees calendar. Commented on properties on agenda and requested a list of City-owned properties.

**Public Hearings/Special Business**

**None**

**Consent Calendar**

- Approve Minutes: Regular Meeting, November 23, 2020.
- Approve Minutes: City Commission/Planning Commission Joint Work Session, November 24, 2020.

- Approve Invoices/Expenditures December 14, 2020 in the amount of \$221,793.85.
- Consider approval of the 2021 Notice of Meetings for the City of Buchanan City Commission, Boards, Committees and Councils

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

#### **Scheduled Matters from the Floor**

##### ***Kim Moyer – Proposed Sale of Property to City***

Mr. Moyer is requesting that the City Commission consider buying property that he has for sale located at 1207 N. Redbud Trail for use as a proposed site for the DPW or a municipal campus. Manager Grace recommends voting to postpone this issue the first meeting in January (the 11th) to allow Commissioners sufficient time to make arrangements to view the property, should they so desire, and to allow City Administration time to more fully vet the feasibility of the site for comparison to other available options. In addition, Manager Grace is proposing a Joint Work Session for the City Commission and Planning Commission for some time on or around January 5th for a proposed discussion about different options regarding the location of the DPW building and/or other city facilities. So, postponing this matter until after that date would allow this issue to be discussed during that proposed Joint Work Session

***Money moved, seconded by Downey to postpone until the January 11, 2021 Commission Meeting. Roll call vote carried by majority with Swem abstaining (conflict of interest).***

##### ***Jan Jacobs – Proposed Purchase of City-Owned Property***

Ms. Jacobs is requesting that the City Commission consider selling 3 to 4 lots on Elizabeth and Bluff Street, in addition to considering possibly selling 405 Elizabeth Street. Manager Grace also recommends voting to postpone this issue until the next meeting for the same reasons as above.

***Swem moved, seconded by Weedon to postpone until the January 11, 2021 Commission Meeting. Roll call vote carried unanimously.***

##### ***Edward Santangelo & Scott Dianda – Tranquility Fields/AgronoMod Buchanan, LLC Request for Marihuana Retail License***

AgronoMod Buchanan, LLC submitted a letter to Manager Grace on 12/10/2020 requesting to be added to the agenda for the Commission's meeting to request that the Commission review their request for a Retail License. However, Manager Grace shared with them on 12/12/20 that their request does not comply with the current adult use ordinance procedures. They presented their case that they believe microbusiness model is not a financially viable model so they are now proposing a retail franchise model and requested the Commission allow them to change their application to an adult use retail license and that the Commission consider amending the ordinance to allow an additional retail license in Buchanan.

***Swem moved, seconded by Downey to postpone until the Planning Commission can review and provide recommendation. Roll call vote carried by majority with Weedon abstaining (conflict of interest due to his employment in the marihuana industry).***

**Reports by: Departments, Committees, Boards**

None

**Unfinished Business**

None

**New Business****Buchanan WWTP Change Order**

Consider approving Manager Grace's prior administrative approval of a change order for the Buchanan WWTP Oxidation Ditch Improvement project in the amount of \$2,790.70 to cover expenses paid to AEP for electric utility set-up fees that were not included in the contract amount. Manager Grace recommends approval as the administrative approval was given so as not to delay the construction due to a lack of ability to coordinate with AEP to set up the new electrical power hookups for the new facility.

***Swem moved, seconded by Money to approve the WWTP change order Roll call vote carried unanimously.***

**Zen Leaf Adult Use Marihuana Permit Renewal Application**

Consider approval of the renewal of the Adult Use Marihuana Retailer Establishment Permit for Buchanan Developments, LLC, dba Zen Leaf, 259 E Front Street. (original approval date 1.22.19). As per Debra Patzer, the application is complete and in order and ready for approval.

***Downey moved, seconded by Swem to approve the renewal of the Adult Use Marihuana Retailer Establishment Permit for Buchanan Developments, LLC, dba Zen Leaf, 259 E Front Street. Roll call vote carried by majority with Weedon abstaining (conflict of interest due to his employment in the marihuana industry).***

**Meeting Cancellation**

Consider cancelling the December 28, 2020 City Commission meeting due to the holidays.

***No action taken on this agenda item.***

**Authorized Approver of Invoices/Expenditures**

Consider authorizing an appointed Commissioner to approve the invoices/expenditures for December 28, 2020 in the event that the normal commission meeting of that date is canceled due to the holidays (see above).

***No action taken on this agenda item.***

**Resolution Authorizing Participation in RRC Program**

Consider resolving to authorize City Administration to proceed towards implementation of the recommendations necessary to receive RRC Certification from the MEDC (aka, "engage" in the RRC Program) which gives the City access to additional grants and technical assistance from the MEDC and also provides best practices for planning and zoning. Manager Grace recommends

approving this resolution, as does the City's Planning Commission, who just voted at their last meeting to approve their own Resolution recommending that the City Commission approve this Resolution to formally engage in the MEDC's Redevelopment Ready Communities Program (RRC).

***Weedon moved, seconded by Swem to approve Resolution 2020-12.212 authorizing City Administration to proceed toward implementation of the recommendations necessary to receive RRC Certification from MEDC. Roll call vote carried unanimously.***

#### **County Designated Assessor Resolution**

Consider resolving to support Berrien County's naming of John Baumann as the County's "Designated Assessor" pursuant to new State Law, in addition to resolving to authorize City Manager Grace to execute the Interlocal Agreement with Berrien County on this subject. This issue has no practical effect on the City, unless our own Assessor were to become statutorily deficient in her duties, as which time the County's Designated Assessor would perform our assessing for us and bill us for the service. However, this is extremely unlikely to occur. Approval is recommended.

***Swem moved, seconded by Money to approve Resolution 2020-12.213 supporting Berrien County's naming of John Baumann as the County's "Designated Assessor" pursuant to new State Law, in addition to resolving to authorize City Manager Grace to execute the Interlocal Agreement with Berrien County on this subject. Roll call vote carried unanimously.***

#### **Streets Administrator Resolution**

This is merely a procedural resolution, as each road agency in the State is required to have a designated "Streets Administrator" for Act 51 reporting purposes.

***Weedon moved, seconded by Downey to approve Resolution 2020-12.214 to designate (City Manager Grace as) the "Streets Administrator" for Act 51 reporting purposes. Roll call vote carried unanimously.***

#### **Request to Purchase Real Property**

Dale Payeur, property owner at 402 Michigan Street, is requesting that the City consider selling him city-owned property near his parcel. A vote to postpone this issue is recommended until such time as the Commissioners have a chance to view the property, should they so desire—which also gives administration time to review the property to make a determined recommendation. This matter was not set on the agenda as a scheduled matter from the floor as Mr. Payeur is fine to let his written request speak for itself.

***Swem moved, seconded by Money to postpone until the January 11, 2021 Commission Meeting. Roll call vote carried unanimously.***

#### **Bill & Mack Green Request RE 500 E. Third St. for DPW Building**

Bill and Mack Green are asking the City Commission to consider their proposal for the City to either purchase or lease their newly built spec building located at 500 E. Third St for use as a

DPW building. Rough terms have been submitted to start a basis for negotiation. It is recommended that this item be postponed so that it can be discussed in more detail at the proposed January 5th Joint Work Session.

***Weedon moved, seconded by Downey to postpone until the January 11, 2021 Commission Meeting. Roll call vote carried unanimously.***

#### **Request to Authorize Purchase of 8 New Desktop Computers for City Hall**

City Hall has been experiencing a multitude of technical problems that have caused delays and inefficiencies, and have also resulted in many frustrated staff members, as outdated PCs have caused software glitches and other problems that decrease productivity. The City's IT Company, Edge IT, strongly recommends replacing 8 PCs at City Hall (that is all of them except one) as these units are functionally obsolete [for example, the City Manager PC is an old laptop hooked up to a larger monitor that still operates on the Windows 7 system, which is no longer supported by Microsoft and is also no longer compatible with most new software programs]. Edge has provided a price quote of \$7,237.04 to cover purchasing 8 new PCs at a cost of \$904.63 each. Edge has also quoted a price of \$3,000 to cover installation and configuration of the new desktop PCs at the rate of \$100 per hour for up to 30 hours. While additional tech and IT options continue to be explored by city administration, swift action to remedy this problem is highly recommended, as we have now had multiple times where City Hall has had to be closed to the public and not able to accept payments, etc., because our systems were down [which may also lead to a future request to upgrade the City's main server, but that is currently under investigation to see if covered by warranty]. Manager Grace recommends a vote to authorize the purchase of 8 desktop PCs at a price not to exceed \$7,237.04 so that Grace can double-check to see if cheaper pricing is available, but if not, she can authorize the purchases quickly. Manager Grace also recommends a vote to authorize payment for installation and configuration services at a price not to exceed \$3,000 for the same reason

***Downey moved, seconded by Money to approve the purchase of 8 new computers for City Hall. Roll call vote carried unanimously.***

#### **Request to Authorize Development of RFP for New Municipal Accounting Software and Accompanying Programs**

City Hall has also been experiencing major difficulties associated with the City's current municipal accounting software, Fundbalance, and its attendant "support services" provided by Tyler Technologies. Manager Grace strongly recommends that the City Commission vote to authorize her to explore other options in this regard to help improve efficiencies and employee output via enhanced processes.

***Swem moved, seconded by Weedon to authorize City Manager Grace to develop and RFP for new municipal accounting software and accompanying programs. Roll call vote carried unanimously.***

**Interest in Old Feed Mill**

The Paturalski Family has submitted a letter indicating a desire to submit a proposal to have the old Buchanan Feed Mill at 109 Railroad Street become a feed mill again. Manager Grace has been informed that a feasibility meeting with Nutrina is scheduled for December 15th. As such, a vote to postpone this item until the first meeting in January is recommended so that this feasibility meeting can occur first, and so that this property can potentially be discussed during the proposed January 5th Joint Work Session.

***Downey moved, seconded by Money to postpone until the January 11, 2021 Commission Meeting. Roll call vote carried unanimously.***

**Communications****Water Fluoridation**

The City of Buchanan has been recognized by State of Michigan Department of Health and Human Services for excellent administration of fluoridation to promote public health. A certificate was presented via mail to the City and is available at City Hall.

**Cobb Communications Letter RE Shoreline Visitors Guide Southwest**

A sample of the guide was provided and instructions for how to obtain more information was also provided, along with pricing for advertising rates.

**Public Comment (non-agenda items)**

- **Fran Terry** – According to Robert's Rules of Order, abstentions should include the reason and the motion regarding the street administrator should name a specific individual.
- **Norma Ferris** – Expressed concern that the Dial-A-Ride contract is about to expire.
- **Alan Robandt** – Stated he had an extremely good summer and early fall due to traffic from the dispensaries.
- **Monroe Lemay** – Saddened by the loss of Russ Stevens, one of the best volunteers in the community. He will be missed.

**Executive Comments**

- **City Manager Grace** – Dial-A-Ride is under contract with Berrien County until October 2021. Exploring other options for service delivery, but the service levels will stay the same. Thanked the Commission for recognizing technical difficulties and the City administrative staff for putting up with it. We are looking forward to resolving those issues and the ability to provide more information, be more transparent in a faster manner that was even possible previously. Thanked everyone for participating in the meeting and allowing the time for the Commission to do their due diligence.
- **Commissioner Money** – Thanked the public for joining the meeting – it was a good meeting. He attended the Michigan Municipal League class for newly elected officials which was very worthwhile. Thanked Grace and City Hall staff for everything they've been doing. When we look at the agenda, we know that there's been a lot of work behind it that is sometimes overwhelming. Stated he had spoken with some of the City Police who are short-handed –

encouraged everyone to show their appreciation for their work. Wished everyone a Merry Christmas.

- **Commissioner Swem** – Thanked public for attending the meeting. Clarified his position regarding Tranquility Fields – he just wanted to ensure that the Planning Commission is fully informed and utilized on this issue prior to making a decision. Planning Commission is having a lot of work session and Master Plan activities are being done. Encouraged the public to participate in that process and provide input. Looking forward to more RFPs to see how we can do things more efficiently and differently.
- **Commissioner Weedon** – Thanked the public for participating and those who send emails and information as it helps the Commission make better decisions. Addressed Tranquility Fields – they presented good information to make a decision. Encouraged Grace to stay the course – he is proud of the work she is doing and asks her not to give up on us. Thanked Alan Robandt for the feedback regarding the increase in business due to the cannabis industry. Parking – Niles has similar issues and we can benefit from each other’s knowledge.
- **Commissioner Downey** – None
- **Mayor Denison** – Thanked Norma Ferris for her passion for Dial-A-Ride. It is an essential service for our community. Thanked Don Ryman for attending and stated we are lucky to have him. Expressed to local business owners that their lights look great. Thanked the City Hall staff for putting up with technical issues. Promoted the Buy Local Berrien Challenge.

#### **Adjourn**

***Weedon moved, seconded by Swem to adjourn. Roll call vote carried unanimously. Mayor Denison adjourned the meeting at 8:26 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Sean Denison

**City of Buchanan Commission Minutes  
December 28, 2020**

**The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, December 28, 2020, and was called to order at 7:00 p.m. by Mayor Sean Denison. The Mayor led the Pledge of Allegiance.**

**Recognition**

**None**

**Roll Call**

**Present:** Mayor Sean Denison, Commissioners Cameron Downey (present but marked “absent” from roll call due to technical difficulties with audio), Larry Money, Patrick Swem, Mark Weedon

**Absent:** None

**City Staff:** City Manager, Heather Grace; City Clerk, Barbara Pitcher

**Guests:** Alan Robandt, Jason Lietz, Scott Dianda, Don Ryman, Tyrone Hamilton, Monnroe Lemay, Dan Vigansky, Debra Haight, Kim Moyer, Steve Bornell, Tyrone Hamilton, and several unidentified others

**Agenda**

***Swem moved, seconded by Weedon to approve the agenda as presented. Roll call vote carried unanimously. Downey “absent” from vote due to technical difficulties with audio.***

**Public Comments (agenda items)**

- **Alan Robandt** – Spoke in support of property purchase by Tyrone Hamilton because his property is adjacent. Suggested that increasing the number of dispensaries would diminish their market value as other jurisdictions allow marihuana in their communities.
- **Dan Vigansky** – Suggested the Commission concentrate on grower and processor permits which are better for tax base. Complained that “Santa Clause” was two hours late and that the event was mismanaged.
- **Scott Dianda** – Representing Tranquility Fields who are committed to investing in Buchanan.

**Public Hearings/Special Business**

**None**

**Consent Calendar**

- Approve Minutes: Regular Meeting, December 14, 2020.
- Approve Invoices/Expenditures December 28, 2020 in the amount of \$78,910.72.

***Money moved, seconded by Swem to accept the consent calendar as presented. Roll call vote carried unanimously. Downey “absent” from vote due to technical difficulties with audio.***

**Scheduled Matters from the Floor**

**None**

**Reports by: Departments, Committees, Boards**

None

**Unfinished Business**

None

**New Business**

**Request to Purchase City-Owned Property Near 405 Artic Street-** A request has been made by the owner of 405 Artic Street, Tyrone Hamilton, to see if the City Commission would consider selling to him a city-owned parcel that adjoins his property and is located directly behind the house he currently owns (parcel # 11-58-2000-0181-00-6). Manager Grace recommended postponing a decision on this issue until the January 11th meeting in order to allow Commissioners time to view the property in question, and so that it may be discussed during the planned January 5th joint meeting with the Planning Commission, at which time many other similar requests are currently planned to be reviewed.

Hamilton spoke, stating that he would like a bigger yard and to eventually add on to his house.

***Weedon moved, seconded by Money to postpone until the January 11, 2021 meeting. Roll call vote carried unanimously.***

**Review Number of Permits Allowed Under Marihuana Adult Use Ordinance** – This review is held pursuant to Section 3 D. of the City of Buchanan’s Adult Use Ordinance, which states that “At least every year after adoption of this ordinance, City Commission may, review, as needed the maximum number of each type of marihuana establishments allowed and determine whether this maximum number should be changed. The review and its findings shall be recorded in the minutes of the relevant meeting of the City Commission.”

Ordinances, permits, and other information relating to marihuana regulation in Buchanan can be found on the City website: <https://www.cityofbuchanan.com/more-information/announcements/medical-marihuana> ]

Weedon spoke about 7 Engines being in limbo and license being tied up. He stated follow-through is critical and questioned would more (licenses) be better. Mayor Denison stated a desire to set a precedent that the Commission review the ordinance annually, so the issue need not continually be addressed each time someone comes to town asking to change the ordinance. Downey concurred stating there was originally the dream of more tax money that we now are not going to realize. Money stated enough is enough; more would be a detriment rather than a betterment. Swem state a desire to allow downtown to develop without additional dispensaries.

***Swem moved, seconded by Money to leave the Marihuana Adult Use Ordinance unchanged. Roll call vote carried by majority with Weedon abstaining stating a conflict of interest due to his employment with Redbud Roots.***

## **Communications**

**Board/Committee Applications** – Now that the City of Buchanan is actively engaged in the Redevelopment Ready Communities (RRC) program, the City website will begin to feature new applications for individuals seeking to serve on City Boards and Committees. Updates will be ongoing.

### **Richard (Rich) Murphy Offered Position as City of Buchanan Community Development**

**Director-** Recruiter Larry Nielsen provided Manager Grace with a number of well-qualified applications for the position. After interviewing five candidates, Manager Grace made a conditional offer of employment to Rich Murphy of Michigan City, Indiana. The tentative plan is to have Mr. Murphy start employment with the City on Monday, January 4, 2021. Mr. Murphy has extensive experience in the field of Community Development, including a proven track-record of success related to the layering of grants and other financial incentives to help spur redevelopment of obsolete buildings. Manager Grace looks forward to welcoming Mr. Murphy to the team!

**Treasurer Posting Update-** Recruiter Larry Nielsen has recommended extending the deadline for the Treasurer position until January 7th and has offered to conduct additional recruitment activities for the City at no additional cost, as very few applications have been received thus far and Mr. Nielsen has indicated that this is a very competitive field for hiring, with less than 0% unemployment for experienced municipal treasurers. Mr. Nielsen has also recommended that the City Commission consider the possibility of hiring a private CPA firm to provide supplemental Treasurer services for the City, as he indicated that he did so himself while he was the Manager in Paw Paw, and that he was pleased with the outcome and also experienced budgetary savings compared to paying the salary and fringe benefits required to recruit and retain an experienced municipal Treasurer. Manager Grace is planning to prepare and post an RFP for such services just so that the Commission has the opportunity to review this possibility as an option (though there would be no commitment to do so just because an RFP is posted). If the Commission does decide to go this route, the City would still have an official Treasurer, as per the City Charter. However, the official Treasurer would be supported and assisted by services provided by the CPA firm, which would allow the City to provide salary and benefits to the official Treasurer in amounts commensurate to the individual's qualifications and current experience-level, so that those savings could help offset the cost of the CPA firm's services. The improved efficiencies, etc., that typically result from this type of arrangement also generally result in other cost savings as well, including reduced audit fees. No decision on the matter is requested at this time; however, Manager Grace wanted the Commission to be aware of the option, in case it later becomes an action item on a future agenda.

**Santa Claus Visits Buchanan via Fire Truck!**- The City of Buchanan was recently fortunate enough to experience a visit from Santa Claus himself, who rode up and down as many City streets as possible (provided there was enough room for the fire truck to easily navigate turns, etc.). Multiple City departments, including the Fire Department, Police Department, and DPW, were instrumental in helping coordinate this effort with the North Pole. Children and adults

alike were seen smiling and waving throughout the City, and a fun time was had by all. Sincere thanks are given to everyone involved, including Mr. Claus's personal assistant for the day, Mike Baker. Thanks everybody, and happy holidays!

#### **Public Comment (non-agenda items)**

- **Dan Vigansky** – Stated he had several boxes of books and inquired who was managing the Little Free Libraries.

#### **Executive Comments**

- **City Manager Grace** – Had a visit from Mac Elliott, SMCAS is getting vaccines, and the Fire Department is resolving telecom issues.
- **Commissioner Weedon** – Santa Claus, despite delays, was an embodiment of what we do in Buchanan – great event. Excited to have Rich Murphy on board. It finally feels like we are being constructive. Looking forward to what 2021 brings us.
- **Commissioner Money** – Thanked Dan, Alan and Scott for their comments. Welcomed Mr. Murphy. Thanked Grace and City Staff for everything they are doing to keep the City afloat. Shared appreciation for DPW plowing on Christmas day. Wished everyone a Happy New Year.
- **Commissioner Swem** – Looking forward to bringing Murphy on board. Thanked everyone for their part in the Santa event.
- **Commissioner Downey** – None
- **Mayor Denison** – Thanked Santa for visiting during his very busy schedule. Stated he was still in his PJs when the DPW plows came by on Christmas day. He was recently tasked with listing everything the City has accomplished, among the accomplishments are hiring Grace and Murphy, and he loves that the Commission meetings have such good attendance.

#### **Adjourn**

***Weedon moved, seconded by Downey to adjourn. Roll call vote carried unanimously. Mayor Denison adjourned the meeting at 7:42 p.m.***

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Barbara A. Pitcher, City Clerk

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Mayor Sean Denison