

MINUTES

- I. **Call to Order**- The meeting was called to order by Mayor Denison at 7:00 p.m.
- II. **Recognition**- None.
- III. **Pledge of Allegiance**
- IV. **Roll Call**- Present: Mayor Sean Denison, Commissioner Cameron Downey, Commissioner Larry Money, and Commissioner Patrick Swem. Absent: Mayor Pro Tem Mark Weedon. Others in attendance: City Manager Heather Grace, and Director of Public Services Mike Baker.
- V. **Approve Agenda**- Motion by Money, second by Downey, to approve the agenda as presented. Motion carried, with Denison, Downey, Money, and Swem voting yea and none voting nay.
- VI. **Public Comment - Agenda Items Only** (3-minute limit): None.
- VII. **Consent Agenda** (can be approved all in one motion, for general housekeeping items)
 - A. Approval of Special Meeting Minutes for December 28, 20201.
 - B. Approve Expenditures for January 10, 2022, in the amount of \$554,722.92.
 - C. 2022 Holiday Schedule

Motion by Downey, second by Swem, to approve the Consent Agenda, as presented, including payment of expenditures in the amount of \$554,722.92 with \$444,320.28 consisting of the second-to-last progress payment to Davis Construction for the new Wastewater Treatment Plant. Motion carried, with Denison, Downey, Money, and Swem voting yea and none voting nay.
- VIII. **Scheduled Matters from the Floor** (if any): None (no Treasurers Report due to Treasurer being off sick).
- IX. **Reports by: Departments, Committees, Boards**: None.
- X. **Unfinished Business**: None.
- XI. **New Business**
 - A. Consider approving the Medical Marihuana Processing Permit application submitted by Boone Labs Inc. for 107 Alexander St.

Motion by Swem, second by Downey, to approve the Medical Marihuana Processing Permit application submitted by Boone Labs Inc. for 107 Alexander Street. Motion carried, with Denison, Downey, Money, and Swem voting yea and none voting nay.
- XII. **Communications** (informational only, formal board action is not necessary for these items, unless so desired): None.
- XIII. **Public Comment - Non-Agenda Items Only** (3-minute limit):

Dan Vigansky offered public comment, sharing his concerns about City spending and procedures related to the proposed new DPW building.

Norma Ferris offered public comment, inquiring as to what a 'ready to serve fee' is, and also inquiring as to when the Third Street project would be completed. Mayor Denison informed Ferris that her questions would be answered during the executive comments section of the agenda.

XIV. Executive Comments

- A. City Manager Comments- Manager Grace explained what a 'ready to serve fee' was and informed Ferris that she would be happy to meet with her one-on-one to explain it in more detail to her. Grace also explained that pipe had been ordered and received for the Third Street Project, but that construction would not begin until Spring, as the project could not be done in the cold weather. Grace thanked Boone Labs for their planned investment in the community.
- B. Commissioner Comments- Commissioners Swem, Downey, and Money each offered comments welcoming Boone Labs to the community.
- C. Mayor Comments- Mayor Denison shared his thoughts that it was very good for the community to have a Commission made up of individuals who view things and think about things differently, due to each having their own experiences and backgrounds to draw from. Denison emphasized the importance of having discussion amongst the Commissioners so that each could understand the viewpoints of the others, and he encouraged the Commissioners to stop him or slow him down if they ever thought that the meeting was moving too quickly or that more discussion was needed. Denison also emphasized the importance of compromise and noted that compromise was necessary for the Commission to make well thought out, reasoned decisions. Denison then discussed the plans for constructing a new DPW building and indicated that he felt that there were two main priorities in relation to the new building: first, being fiscally responsible and prudent with the taxpayers' dollars; and second, getting an effective and efficient building that will allow the DPW to do their work, to the best of their ability, for the next 50 to 70 years. Denison stated that he believes that each of the two priorities was equally important, and that neither outweighed the other. Denison shared an example of a previous project in the community in which a gym was made too small to allow for spectators or locker rooms, in an effort to save money, and the result was an ineffective space. Denison hoped that the Commission would keep this example in mind when discussing the new DPW building. Denison concluded his comments by welcoming Boone Labs to the community.

- XV. **Adjourn:** Motion by Swem, second by Money, to adjourn the meeting. Motion carried, with Denison, Downey, Money, and Swem voting yea and none voting nay. Meeting adjourned at 7:17 p.m.

SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION
WEDNESDAY, JANUARY 12, 2022 – 8:00 AM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

- I. **Call to Order**- Mayor Denison called the meeting to order at 8:00 a.m.
- II. **Roll Call**: Present: Mayor Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, and Commissioner Patrick Swem. Absent: None. Others Present: City Manager Heather Grace, Public Services Director Mike Baker, representatives from AVB, representatives from Bergmann, and Gary Barton as a representative from the Barton Group.
- III. **Public Comment - Agenda Items Only** (3-minute limit): None.
- IV. **New Business**
 - A. Kickoff Meeting with AVB Regarding Construction of New DPW Building: Gary Barton of the Barton Group began a discussion between himself, the Commission, the architect team from Bergmann, and the Construction Management Team from AVB. The discussion was wide-ranging, but included the following topics: earthworks and floodplain mitigation, building programming, equipment parking layouts, construction costs and materials, the demolition of the existing DPW building, construction timelines, and the overall budget aims for the project. Commissioner Swem initially discussed wanting to set a firm, top-end budget number, but ultimately, the consensus of the group was that a firm budget number should wait until after the City receives the results of the ALTA survey work that was ordered, as the soil borings would be telling and would help the architects at Bergmann determine what foundation supports would be necessary. AVB's team agreed that this could potentially have a dramatic impact on the overall project budget.
 - B. Consider making decisions, if any, related to the Kickoff meeting conversation with AVB: No firm decisions were made, but it was agreed that additional discussion would occur after the City received the results of the soil borings.
- V. **Public Comment - Non-Agenda Items Only** (3-minute limit): None.
- VI. **Adjourn**: The meeting was adjourned by Mayor Denison at 9:27 a.m.

**PUBLIC HEARING, JOINT MEETING WITH BUCHANAN CITY
COMMISSION AND BUCHANAN TWP BOARD OF TRUSTEES,
REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, JANUARY 24, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI**

MINUTES

The entire Joint 5-Year Recreation Plan is available on the City website and can be found at the following link: <https://tinyurl.com/4baehab8>. Printed copies are also available at Buchanan City Hall.

I. City Call to Order Joint Meeting

Mayor Denison called to order at 7:00 P.M.

II. Township Call to Order Joint Meeting.

Supervisor Cole-Crocker called to order at 7:00 P.M.

III. City Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem.

Absent: None

IV. Township Roll Call

Present: Supervisor Mindy Cole-Crocker, Township Trustee Lynn Ferris, Treasurer Rachel Plank, Clerk Wendi Heyliger

Absent: Brad Huebner

V. City Approve Agenda

Motion made by Weedon, seconded by Downey to approve the agenda. Roll call vote carried unanimously.

VI. Township Approve Agenda

Motion made by Heyliger, seconded by Ferris to approve the agenda. Roll call vote carried unanimously.

VII. City Open Public Hearing

Motion made by Swem to the City of Buchanan Joint Public Hearing on the draft “Joint Five-Year Recreation Plan”, to accept public comment regarding the plan, Seconded by Weedon. At 7:02 PM.

Yea: Denison, Weedon, Downey, Money, Swem.

Nay: None

VIII. Township Open Public Hearing

Motion made by Plank to the City of Buchanan Joint Public Hearing on the draft “Joint Five-Year Recreation Plan”, to accept public comment regarding the plan, Seconded by Ferris. At 7:02 PM.

Yea: Cole-Crocker, Ferris, Plank, Heyliger.

Nay: None

Public Comments were made.

Dan Vigansky Wanted to say thank you to Marcy Hamilton, the time limit was very constrained on this. Heyliger and Plank were a lot of help on this, with lots of time going into proofreading the plan. Dan is very excited to be working with the township collectively.

Juanita Lewis New Resident to Buchanan, happy to be here. Believes we can all work together.

Marcy Hamilton with Southwest Michigan Planning Commission- Been a pleasure to work with the City and Township on a Joint Plan. SMPC serves Berrien, Cass, and Van Buren Counties. Buchanan City and Township are one of the few that chose to work with their neighbors on Joint Plans and wanted to commend the City and Township on that effort. No other communities in Berrien County have done a joint plan. Offered Congratulations to City and Township.

Mayor Denison thanked Marcy Hamilton for all her work making this happen.

IX. City Close Public Hearing

Motion made by Denison, seconded by Swem to close the City of Buchanan’s joint public hearing on the draft ‘Joint Five-Year Recreation Plan’. At 7:08 PM.

Yea: Denison, Weedon, Downey, Money, Swem.

Nay: None

X. Township Close Public Hearing

Motion made by Cole-Crocker, seconded by Plank to close Buchanan Township’s joint public hearing on the draft ‘Joint Five-Year Recreation Plan’. At 7:08 PM.

Yea: Cole-Crocker, Ferris, Plank, Heyliger.

Nay: None

XI. Joint New Buisness

A. City of Buchanan to Consider a Resolution to Adopt the Buchanan Community Recreation Plan 2022-2026.

Motion made by Money, seconded by Downey, to Approve Resolution #2022.01/240 to adopt the “Joint Five-Year Recreation Plan” as presented. Roll call vote carried unanimously.

B. Buchanan Township to Consider a Resolution to Adopt the Buchanan Community Recreation Plan 2022-2026.

Motion made by Plank, seconded by Heyliger, to Approve Resolution #2022-06 to adopt the “Joint Five-Year Recreation Plan” as presented. Roll call vote carried unanimously.

Discussion opened with Plank, echoing the comments about Marcy, as well as City Manager Grace. Township happy to be involved.

XII. Township Public Comment

None.

XIII. Township Executive Comments

Cole-Crocker thanked everyone for coming out, as well as thanking City Manager Grace and Marcy Hamilton. Stating this is a huge endeavor and will bring people in to enjoy our parks. Believes it's a fantastic move for the City and Township to work together.

XIV. Township Adjourn- *End of Joint Session, Regular meeting of the Buchanan City Commission Continues.*

Motion made by Plank, seconded by Ferris, to adjourn the Buchanan Township Board of Trustees Meeting. Roll call vote carried unanimously. (*Regular meeting of the Buchanan City Commission continues.*) At 7:09 PM.

XV. Recognition

None

XVI. Public Comment - Agenda Items Only (*3-minute limit*)

Dan Vigansky- Concerned about a written comment that was turned in. Voiced his concern about closed session.

XVII. Consent Agenda (*can be approved all in one motion, for general housekeeping items*)

A. Approve Expenditures for January 24, 2022, in the amount of \$85,417.63.

B. Consider Approving Minutes for the January 10th, 2022, Regular Meeting of the City Commission.

C. Consider approving Minutes from the January 12, 2022, Special Meeting of the City Commission.

Motion made by Money, seconded by Downey to approve the consent agenda, as presented, including the approval of the 1/24/2022 bill run in the amount of \$85,417.63. Roll call vote carried unanimously.

XVIII. Scheduled Matters from the Floor (*if any*)

XIX. Reports by: Departments, Committees, Boards

A. *Treasurers Report-* *Treasurer Stephanie Powers will give a brief report and will introduce Tim Bailey of Bailey Investments Group and LPL Financial for Honor Credit Union. Consider the request to move 2 million dollars in the city investment account to an indexed annuity with 4% growth and no downside on returns.*

Powers gave a brief report to the Commission.

Weedon wanted an update on the new current software. Powers stated it's fantastic, there is a lot to it and we are still learning how to use its full ability.

Weedon also asked for an update with Plante Moran assisting at City Hall with the finance department and audit. Powers believes with the audit starting today that the assistance will be completed by the end of February.

Powers introduced Tim Bailey to talk about the investment account. Bailey is the advisor on the investment accounts for the city.

Swem asked about "no downsize on returns" and wanted to make sure this is compliant with the city's investment policy.

Bailey explained how the account works.

Grace said it is compliant with the investment policy.

Swem would like to see a side by side with investment account of what the city is currently at and what Bailey is proposing. Commission decided to table the item till the Special Meeting on January 31, 2022.

B. Community Development Director Report- Rich Murphy will discuss two additional economic development incentive programs:

1. *Redevelopment Liquor Licenses*- Director Murphy, Manager Grace, Assessor Cole, and Building Inspector Lewis have been working together, along with the City Attorneys, to try to make the City of Buchanan eligible for additional liquor licenses through a special "redevelopment liquor license" program offered through the State of Michigan. Murphy shared details regarding the program and asked for Commission support in the form of a resolution-- Consider Approving a Resolution to Create a City Redevelopment Project Area, which is proposed to encompass the entire City. [Note that an establishment would still need to satisfy zoning requirements for any specific location wanting to utilize a liquor license]. This process is the first step for the path forward. As a municipality we're doing everything we can to provide the tools, but the State must approve it and the applicant. But they can't do either one unless we have the tools for redevelopment.

Motion made by Swem, Seconded by Weedon, to adopt Resolution # 2022.01/241 which authorizes the creation of a City Redevelopment Project Area.

Yea: Denison, Weedon, Money, Swem

Nay: None

Abstain: Downey- Conflict

2. *Tax Abatements*- Director Murphy, Manager Grace, and Assessor Cole, along with generous assistance from Cornerstone Alliance, are working to have a tax abatement program ready to discuss in more detail during the February 14th City Commission meeting, but a brief preview explanation of the planned program will be discussed at this time.

OPRA is the Obsolete Property Rehabilitation Act- this provides a reduction in future taxes on improvements made on an eligible building in an established OPRA district. Murphy will be bringing the resolution to the commission to create the districts.

Murphy is trying to create buzz and find a sense of self for Buchanan, starting with building blocks to redevelop the city. There is interest in the city and he feels we need to keep doing what were doing and would like to hear the goals from the leadership on what they want to see next.

XX. Unfinished Business

None.

XXI. New Business

A. Consider Entering Closed Session to discuss matters subject to attorney-client privilege, pursuant to MCL 15.268 Sec. 8(1)(h).

1. *Draft Harassment and Discrimination Policy*
2. *Draft Land Redevelopment Program*
3. *Draft Parking Ordinance*
4. *DDA Loan Follow-up*
5. *USDA Project Follow-up*

6. *Architect Contract Follow-up*
7. *Zoning Questions Follow-up*
8. *Blight Enforcement Questions Follow-up*
9. *Draft Mobile Food Vending Ordinance*

Motion made by Weedon, seconded by Money to enter Closed Session to discuss matters subject to attorney-client privilege, pursuant to MCL 15.268 Sec. 8(1)(h) at 7:44 PM. Roll call vote carried unanimously.

B. Consider Re-Entering Open Session

Motion made by Downey, Seconded by Swem to re-enter Open Session at 7:58 PM. Roll call vote carried unanimously.

C. Consider taking action, if any, on items discussed in Closed Session

None currently.

XXII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

None

XXIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

City Manager Grace made note of a written comment that was received prior to this meeting. There was a written communication that requested to be shared as a public comment at tonight's meeting. The communication was distributed to the Commission and there is a public copy available in the binder at the table. If anyone would like to review it, please do so or we would be happy to provide you with a copy. Thank you. (Summary provided below)

"Alan Robandt (written comments)- Shared concerns regarding perceived issues of transparency and favoritism, alleging a lack of public input. Indicated that he felt that the City should not share handouts with certain property developers, and that tax abatements should not be considered for particular projects. He also shared concerns regarding the past dissolution of the DDA and current expenditures."

Dan Vigansky - would like to know why the written comment was not read.

Rhett Johnson - has been developing the properties at 402, 404, 408 Oak St. They have been working around the clock and happy to be in Buchanan.

XXIV. Executive Comments

A. City Manager Comments

Thanked everyone in attendance, welcomed new residents, thanked individuals sharing their comments and concerns, as well as new businesses investing in our community. It's an exciting time in our community. Regards to the procedures that are used for closed session, in Michigan we are subject to follow the OMA. There is a section of that legislative act that governs proceedings for closed sessions. When we discuss matters that are subject to attorney client privilege with the City Attorney as we did this evening, we go to a private location and discuss those matters. Those matters are not made public until a decision is going to be made. Anytime a decision is going to be made, they are made during open session with the public willing and able to participate. We are having conversations, but no decision are being made behind closed doors. Every decision that's made and any expenditure using city taxpayer money is done publicly. A big

part of why we have some of those discussion in closed session, there a certain things that are not appropriate for legal reasons to discuss publicly. Confidentiality issues with staff or real estate transactions of developers, so very important things we work hard on to make sure it's in the best interest of the Buchanan city residents. And again, we are always as transparent as possible. Anyone who has further questions on it, Grace would be happy to answer after the meeting. Thank you.

B. Commissioner Comments

Commissioner Weedon- If you haven't had a chance to go downtown and visit the Sweet Shop, he cannot encourage you enough. Weedon took the family down and the kids were smiling the whole time and of course wanted everything. They have a lot of pride. Joe and Tom are excited to show you the business. Once again a lot of great things coming. It's a beautiful place and they have put their heart and soul into it. Please take an opportunity to go down and see it. Thanked Marcy and Heather for the 5 year-Rec Plan. It's fantastic to hear that we're the only one in the county working with their Township. Really enjoyed their presence and would be a great thing to see more often.

Commissioner Swem- Thanked Buchanan Township for all the work that went in the Joint Rec-Plan. As well as BARB, it's important to set an example for our neighbors to work together. Commended Murphy on his work on the Liquor License program, with Heather, Guy and Mindy. Appreciate everyone coming out.

Commissioner Downey- No comment.

Commissioner Money- Welcomed Juanita, thanked Murphy on all the work he's been doing downtown. Thanked Chief Ganus and Sargent Leonard for their presence downtown, as it seems to have made a difference. Thanked Mike Baker for doing a great job on keeping the roads clear.

C. Mayor Comments

Thanked Fran and The Chamber for doing a phenomenal job. Thanked all of the staff for their hard work. Congratulations to Lily Wagner on becoming our new Miss. Buchanan, and thanked Jade Smith for her historic 2 year run of Miss. Buchanan; she did a great job and very proud of her. Thanked the Commission and the public.

XXV. Adjourn

Motion made by Weedon, Seconded by Money to adjourn the meeting at 8:12 PM. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

Wendi Heyliger, Township Clerk

Malinda Cole-Crocker, Supervisor

SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, JANUARY 31, 2022 – 6:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Meeting was called to order by Mayor Denison at 6:00 PM.

II. Recognition

None

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Dennison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Patrick Swem, Commissioner Larry Money.

Absent: None

City Staff Present: City Manager; Heather Grace, Community Development Director; Richard Murphy, City Clerk; Kalla Langston, City Treasurer; Stephanie Powers, Administrative Secretary; Britni Wall, Bookkeeper; Courtney Baham, Department of Public Safety/ Chief of Police; Tim Ganus, Sergeant Burnet, Sergeant Leonard.

V. Approve Agenda

Amend agenda item “A from Section VII, Brief presentation from Carl Bowling”

Motion made by Swem, Seconded by Money to approve the Amended Agenda. Roll call vote carried unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

None

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Approve Regular Meeting Minutes for January 24, 2022 .

B. Approve Closed Session Minutes for January 24, 2022.

C. Approve Expenditures for January 31, 2022 in the amount of \$215,071.05. This includes the 2021 Summer and Winter tax disbursements in the amount of \$161,976.16.

Motion made by Weedon, Seconded by Downey to approve the Consent Agenda as presented. Roll call vote carried unanimously.

VIII. Scheduled Matters from the Floor

IX. Reports by: Departments, Committees, Boards

A. Introduction of Courtney Baham, Bookkeeper- City Manager Grace will introduce Courtney to the City Commission.

Grace introduced Courtney Baham, new bookkeeper. Commission welcomed Baham to the City.

B. Police Department Report from Chief Ganus & Sergeant Burnet.

Ganus talked about the operations of Public Safety. With growth the Departments of Public Safety must grow as well. Ganus touched on a few different future projects. One being fire inspections on businesses in the city, at this time the project has stalled due to the ordinances being out of date. We need to look at the details of how to process these. As well as rental inspections, the details of the projects are very time consuming. Another project is new street signs, what must happen is a study of every street. These are large and time-consuming projects that we all want to see accomplished but the question is who does it. As Director of Public Safety, it falls on Ganus shoulders but that is only half of his title the other being Chief of Police. Ganus does not want to see the police department fall in anyway. They have worked extremely hard to bring it to the level its at. One of the options Ganus is suggesting is take an officer in the department, promote them to Chief and allow him to be the Director of Public Safety and take on the projects that need to be done from beginning to end.

Grace is looking at the long term and wanting to stay ahead of the growth. This would allow the mentorship of Chief training as well.

X. Unfinished Business

A. Bailey Investments Group and LPL Financial for Honor Credit Union. Consider the request to move 2 million dollars in the city investment account to an indexed annuity with 4% growth and no downside on returns.

Commission wants to look at other parties to make sure they are making the right decision. There are still some very large projects ahead of the city.

Motion made by Dennison, Seconded by Downey to table item. Roll call vote carried unanimously.

XI. New Business

A. Goal Setting between City Manager Grace and City Commissioners.

Grace presented her starting point for goal-setting conversation as well as her setting and prioritizing achievable objectives. *See Attachments A & B*

Grace, Murphy, and Commission discussed different goals and created a list of priorities. Each had different priorities but grouping the 11 main goals seemed to be the best solution. Group 1 being highest priority, *See attachment C.*

Having Grace report quarterly, assigning the Department Heads to different projects to help report back on how the goals are progressing. Multiple residents commented their concerns and different strategy for achievement.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

None

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

None

XIV. Executive Comments

A. City Manager Comments

Grace thanked the Commission this will be beneficial for her very much, as well as thanked the residents for contributing to the meeting.

B. Commissioner Comments

Weedon- Seconded Graces comments

Swem- Thanked the Commission and residents for the discussion

Downey- No Comment

Money- Welcomed Courtney. Thanked the police department and the Commission. Proud to be apart of it.

C. Mayor Comments

Dennison- Thanked everyone that came, really appreciated the conversation tonight. Believes they are a huge benefit to the community

XV. Adjourn

Motion made by Weedon, Seconded by Money to adjourn the meeting at

Barbara A. Pitcher, City Clerk

Mayor, Sean Denison



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, FEBRUARY 14, 2022 – 7:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

AGENDA

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Approve Agenda

V. Open Public Hearing 1

- A. Public Hearing on Requested Removal of Dan Vigansky from City Boards- A public hearing will be held to accept comments and input related to an item on tonight's agenda under new business whereby the City Commission shall consider the request of Mayor Denison and Commissioner Money to have Dan Vigansky removed from all City Boards, including the Buchanan Area Recreation Board (BARB) for alleged misfeasance, namely, repeated disruptive behavior during a January 12, 2022 BARB meeting, which negatively impacted the City's ability to conduct its business during said meeting.

VI. Close of Public Hearing 1

VII. Open Public Hearing 2

- A. Public Hearing and Public Comment on Establishing an Obsolete Property Rehabilitation (OPRA) District for Rowland Property Group LLC, 101-103 Days Ave. Buchanan, MI 49107.

VIII. Close Public Hearing 2

IX. Open Public Hearing 3

- A. Public Hearing and Public Comment on Establishing an Obsolete Property Rehabilitation (OPRA) District for Claremont Stark LLC, 502 Claremont St. Buchanan, MI 49107.-

P.A. 146 of 2000, as amended

The Obsolete Property Rehabilitation Act (OPRA), PA 146 of 2000, as amended, provides property tax exemptions for commercial and commercial housing properties that are rehabilitated and meet the requirements of the Act. Properties must meet eligibility requirements including a statement of obsolescence by the local assessor. The property must be located in an established Obsolete Property Rehabilitation District. Exemptions are approved for a term of 1-12 years as

determined by the local unit of government. The property taxes for the rehabilitated property are based on the previous year's (prior to rehabilitation) taxable value. The taxable value is frozen for the duration of the exemption. Additionally, the State Treasurer may approve reductions of half of the school operating and state education taxes for a period not to exceed 6 years for 25 applications annually. Applications are filed, reviewed and approved by the local unit of government, but are also subject to review at the State level by the Property Services Division. The State Tax Commission (STC) is responsible for final approval and issuance of OPRA certificates. Exemptions are not effective until approved by the STC.

X. Close Public Hearing 3 (*Regular meeting continues after close of Public Hearing 3*)

XI. Recognition

- A. Recognition of Mike Adams- The City Commission would like to recognize Buchanan City Fire Chief Mike Adams for 30 years of service to our community.
- B. Recognition of Dave Capron- The City Commission would like to recognize Dave Capron of the Buchanan City Police Department for his 26 years of service to our community.

XII. Public Comment - Agenda Items Only (*3-minute limit*)

XIII. Consent Agenda (*can be approved all in one motion, for general housekeeping items*)

- A. Consider Approving Special Meeting Minutes from January 31, 2022.
- B. Consider Approving Expenditures for February 14th, 2022, in the amount of \$132,125.56.
- C. City Credit Card Changes- Consider the following City credit card changes, as requested by City administration:
 - Close the City Credit Card issued to Marcia Johnson (previous bookkeeper)
 - Approve a City Credit Card for Courtney Baham (current bookkeeper) with a \$2,000.00 limit [same as previous level for Bookkeeper].
 - Approve a City Credit Card for Klay Weaver (sexton) with a \$2,000.00 limit.
- D. Accept Activity Reports

XIV. Scheduled Matters from the Floor (*if any*)

- A. "March for Band" Resolution- Jen Tabor will give a brief presentation regarding her request to have the City Commission resolve to declare that March is officially the "March for Band" month in the City of Buchanan. "March for Band" is a newly created organization, spearheaded by Ms. Tabor, to help bring financial and community support to our Buchanan Area School District Band.
 - Consider approving the Resolution declaring March as "March for Band" month in Buchanan.

XV. Reports by: Departments, Committees, Boards

- A. Community Development Director Report- Richard Murphy has several items to be considered by City Commission.
 - I. Consider Approving Redbud Roots 2022 Marihuanan Permit Renewal applications and fees for the following permits:
 - 1. Medical Marihuana, Lab II, 208 Post Rd., Grower Class C, \$5,000.00

2. Medical Marihuana, Lab II, 215 Post Rd., Grower Class C, \$5,000.00
3. Medical Marihuana, Lab II, 448 Post Rd., Grower Class C, \$5,000.00
4. Medical Marihuana, Lab II, 448 Post Rd., Grower Class C stacked, \$1,500.00 (Red Bud Roots will not renew this license for 2022)
5. Medical Marihuana, Lab IV, 215 Post Rd., Processor, \$5,000.00
6. Adult Use, Lab II, 835 Terre Coupe St., Grower Class C, \$5,000.00
7. Adult Use, Lab II, 835 Terre Coupe St., Grower Class C stacked, \$1,500.00 (Red Bud Roots will not renew this license for 2022)
8. Adult Use, Lab IV, 215 Post Rd., Processor, \$5,000.00
9. Adult Use, Lab II, 215 Post Rd., Grower Class C, \$5,000.00

II. Consider Approving 7Engines/G2 Development 2022 Marihuanan Permit Renewal applications and fees for the following permits:

1. Medical Marihuana, PR 2, 408 River St., Processor, \$5,000.00
2. Medical Marihuana, PC5, 1101 E. Front St., Provisioning Center Facility, \$5000.00
3. Medical Marihuana, GC4, 408 River St., Grower Class C, \$5,000.00
4. Adult Use, AUMPR2, 408 River St., Processor Establishment, \$5,000.00
5. Adult Use, AUMGC, 408 River St., Grower Class C, \$5,000.00
6. Adult Use, AUMRE, 1101 E. Front St., Retailer Establishment, \$5,000.00

III. Consider Approving Designated Consumption Establishment License Application submitted by Cannavista Wellness, 120 E. Front St. Special Use Permit for Designated Consumption Establishment was approved by the Planning Commission in December of 2021.

- B. Treasurers Report - City Treasurer Stephanie Powers will provide a brief update.
- C. Clerk Report- City Clerk Kalla Langston will provide an update on upcoming Elections, including recent news regarding the new redistricting maps.
- D. Community Development Report:
 - Chamber Executive Director/Main Street Manager Ashley Regal will provide a report on her recent progress on the creation of the Main Street program's Board of Directors.
 - Director Regal will also provide a brief report regarding the issue of renting out The Common, and ask the Commission to consider making a policy decision regarding how such rentals should be managed.
- E. Public Service Report-Consider quotes for DPW teardown at 906 Victory,109 Railroad, 606 Clark.
- F. Board Appointments- Consider appointments to One Buchanan Board for Meg Paulette, Monroe Lemay, and Sonia Rodriguez, each of whom was recommended for approval during the January 2022 One Buchanan Meeting.

XVI. Unfinished Business

XVII. New Business

- A. Consider Resolution 2022.02/242-Resolution Establishing an Obsolete Property Rehabilitation (OPRA) District for Rowland Property Group 101-103 Dayes Ave, Buchanan, MI 49107
- B. Consider Resolution 2022.02/243-Resolution Establishing an Obsolete Property Rehabilitation (OPRA) District for Claremont Stark LLC, 502 Claremont St., Buchanan, MI 49107
- C. Consider a Purchase Request from Dave Capron for his BPD issued firearm as well as his duty leather belt.
- D. Consider appointments to the "Municipal Building Authority". Bond counsel Roger Swets, who is leading the City's Municipal Building Authority bond project, is recommending that the City Commission make the following appointments to the City's newly created Municipal Building Authority: appoint 4 members from internal City staff, including (1) City Manager Heather Grace, (2) Community Development Director Rich Murphy, (3) City Clerk Kalla Langston, and (4) City Treasurer Stephanie Powers.

XVIII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

- A. Michigan Municipal League- CapCon 2022, Partnerships and Policy: Fueling a Community Revival. Please let Administrative Secretary, Britni Wall know if you plan on attending.

XIX. Public Comment - Non-Agenda Items Only *(3-minute limit)*

XX. Executive Comments

- A. City Manager Comments
- B. Commissioner Comments
- C. Mayor Comments

XXI. Adjourn



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, FEBRUARY 28, 2022 – 7:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting called to order by Mayor Denison at 7:00 pm

II. Recognition

None

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem.

Absent: None

City Staff: City Manager, Heather Grace; City Treasurer, Stephanie Powers; City Clerk, Kalla Langston; Community Development Director, Richard Murphy; Chamber Executive Director/Main Street Manager, Ashley Regal; Bookkeeper, Courtney Baham; Public Services Director, Mike Baker; Sargent John Leonard

V. Approve Agenda

Motion made by Weedon, Seconded by Money to approve the agenda as presented. Roll call vote carried unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

None.

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Consider Approving Regular Meeting Minutes for February 14th, 2022.

B. Consider Approving Expenditures for February 28th, 2022, in the amount of \$300,459.18

C. Consider Accepting Staff Activity Reports.

Motion made by Downey, Seconded by Weedon to approve the Consent Agenda as presented, including paying the February 28, 2022, bills in the amount of \$300,459.18. Roll call vote carried unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

A. Audit Presentation by Kruggel-Lawton.

Alex Shaffer from Kruggel-Lawton gave a brief report to the Commission about highlights of the audit. See attachment A from the Audit Report.

Motion made by Swem, Seconded by Money to accept the 2021 Audit as presented. Roll call vote carried unanimously.

IX. Reports by: Departments, Committees, Boards

A. Community Development Report- Richard Murphy.

Murphy introduced Brian Dougherty, one owner of Buchanan Craft LLC. Daugherty presented a short proposal for a fast-casual dining concept and small music venue in the heart of Downtown Buchanan, focused on serving organic and locally sourced meals for the whole community, paired with craft cider, non-alcoholic beverages, and wine. Would also employ 15 to 25 employees. Dougherty has really taken notice of some of the city initiatives that have gone on. They were really persuaded by the citizen survey, where over half of the respondents desired more restaurants in the downtown area. There are several different incentive programs the city offers, and that attracted them to this project. They are looking for consideration for an Off-Premises Tasting Room Local Unit of Government Approval for Buchanan Craft LLC, as well as approval for the Buchanan Craft LLC Local Unit of government Approval for opting into the City of Buchanan Social District

Motion made by Money, Seconded by Weedon to approve the Off-Premises Tasting Room Local Unit of Government Approval for Buchanan Craft LLC, as presented. Roll call vote carried unanimously.

Motion made by Swem, Seconded by Downey to approve the Buchanan Craft LLC Local Unit of government Approval for opting in to the City of Buchanan Social District, as presented. Roll call vote carried unanimously.

Grace applauded the Commission for developing the incentive programs.

Murphy is thrilled at this development. Thanked the property owner and the business owners for taking this leap of faith.

Murphy introduced Rhett Johnson.

Rhett Johnson gave a brief update to the commission on the progress of his business.

Asking for consideration for application submitted by Sardor Vakhidov, Blackbirds LLC, and Elkhorn LLC to operate an Adult Use Marihuana Process Facility at 402-404 S. Oak St. approved by the Planning Commission on February 8, 2022.

Motion made by Downey, Seconded by Weedon to approve the Adult Use Marihuana Process Facility application for 402-404 S Oak St as presented. Roll call vote carried unanimously.

B. Treasurer's Report- Stephanie Powers will provide the Commission with a brief update.

Powers touched on general fund spending for the approved amount. She updated the commission on that she and Bookkeeper Courtney Baham have started and sent what they have on tax review.

Baham is still updating the millage rates for the Commission, mainly the historical information. Swem wanted to make sure that it was available to the public. It will be up on our website, and printouts will be in the lobby of city hall. Weedon asked for a timeline with the consultant firm hired to help with the audit and when it was going to be done. Grace is thinking a few more weeks but will update the Commission after her meeting with them tomorrow.

X. Unfinished Business

None.

XI. New Business

A. Introduction and first reading of Ordinance 2022.02/428- Ordinance for Land Development Policy.

Motion made by Swem, Seconded by Money to approve the first reading of Ordinance #2022.02/428, for the regulation of a land development policy for City-owned properties. Roll call vote carried unanimously.

B. Introduction and first reading of Ordinance 2022.02/429- Food Truck Ordinance.

Motion made by Weedon, Seconded by Downey to approve the first reading of Ordinance #2022.02/429, for the regulation of food trucks and food vendors as presented. Roll call vote carried unanimously.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. Berrien County Trail Master Plan Information

Grace briefed the Commission on the Berrien County Trail Master Plan. The County wants to engage with the city about the trail expansion from a monetary stand point. Grace would like to be an advocate for the city to communicate with the Berrien County Planning Commission.

B. Review of Initial Draft of 2021 IPMC. First Reading of Ordinance to be on Next Agenda.

Grace wanted to give as much time as possible for the community to read and give input on the proposed ordinance.

Motion made by Weedon, Seconded by Swem to add the 2021 International Property Maintenance Code to be added to the agenda of our next City Commission meeting, for considered first reading as an Ordinance. Roll call vote carried unanimously.

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Norma Ferris: Asked about Channel 17. Grace said she would be happy to talk to her after the meeting about that.

XIV. Executive Comments

A. City Manager Comments

Grace wanted to address Channel 17 issues since it was mentioned. Grace is working with Comcast. Everything is broadcast in HD now, but the equipment we have is not programmed to do so. We have been trying unsuccessfully for just over a year now to get them to do it. We have made progress recently, and hopefully that channel will be fixed soon.

We had some watermain breakages recently and she wanted to thank the public works crew, the water department and everyone who assisted. She also wanted to thank our residents for their

patience, and she does apologize for any inconvenience. The commission is being proactive with these infrastructure projects. She hopes everyone has a great night.

B. Commissioner Comments

Money: Expressed that it was a pleasure to see Mr. Dougherty and great to see the big contribution he's doing for the city by redeveloping that corner. It's been run down for a great number of years, and he knows they're going to do a great job and wishes them the best. He thanked everyone for being here, as well as the Commission and the City Staff for everything they do. This Commission has pushed ahead, and he thinks they are doing a great job.

Downey: Downey missed the last meeting and went to the website to see if anything was available. He noticed some minutes and videos missing from before Langston's arrival. Langston was able to address his concerns. With the switch of the website, unfortunately we did not get everything transferred over. City staff is working on uploading them one by one. Downey sent out his condolences for Mr. Weaver, he will be missed.

Swem: Thanked River St. Joe, Flat-Water Farms and everyone involved – he's really looking forward to the vibrance they will bring downtown. Excited that they are taking advantage of the investment opportunities that the city offers. He wants the public to know the importance of the IPMC and is looking forward to a dialogue from the residents.

Weedon: Thanked the Commission. No matter how difficult the decisions we have made, no matter how many things were thrown at us, we kept our heads down and kept thinking of the City. That's our number one responsibility. He thanked Brian for seeing the vision, this is going to be well done and beautiful. Sent thanks to Blackbirds LLC and the 25 jobs they'll bring in; that brings in more people to grow our City. This commission has not had it the easiest. There were people stuck in their ways and we had entirely different staff, so it's a welcome change. It's great to see these opportunities being afforded to us because of the difficult decisions the Commission made. Thanks to Murphy, it's a welcome change to see someone who wants to build the city as much as us.

C. Mayor Comments

Thanked everyone for coming. Thanked the City staff and especially Courtney for putting the tax review together. Thanked Brian and River St. Joe for stepping into the City. It's going to be such a statement to see that building open again. He also thanked to Elain and Rhett as well.

Nominating Petitions are available at the City Clerks office deadline is April 19th. There are 3 seats going to be open for City Commissioner. Langston is also looking for election workers, it's a great way to get involved in the community.

Denison wanted to make a statement about the events in Europe, and for everyone to remember how good we have it.

XV. Adjourn

Motion made by Weedon, Seconded by Money to Adjourn the meeting at 7:49 PM

Kalla Langston, City Clerk

Mayor Sean Denison

Pending Approval



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, MARCH 14, 2022 – 7:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Mayor Denison called meeting to order at 7:00 PM.

II. Recognition

None

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance of the United States of America.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Patrick Swem, Commissioner Larry Money.

City Staff Present: City Manager, Heather Grace; Community Development Director, Rich Murphy; Treasurer, Stephanie Powers; Bookkeeper, Courtney Baham; Public Service Director Mike Baker, Public Work

V. Approve Agenda

Motion made by Swem, Seconded by Weedon to add Item D, under Consent Agenda to excuse Downey from Feb 14, 2022, regular meeting. Roll call vote carried unanimously.

Motion made by Weedon, Seconded by Money to approve the amended agenda. Roll call vote carried unanimously.

VI. Open Public Hearing

A. The purpose of the Public Hearing is for the City Commission to receive public comment regarding the submittal of a Michigan Department of Natural Resources (DNR) Michigan Natural Resources Trust Fund (MNRTF) grant application to fund the McCoy's Creek Trail Extension Project in Buchanan.

Public Hearing was opened at 7:02 P.M.

Motion made by Downey, Seconded by Money to open the public hearing. Roll call vote carried unanimously.

Murphy gave a brief statement about the MNRTF grant.

Jerry Flenar spoke in favor of the trail. Denison gave him recognition for working so hard on the trail.

VII. Close Public Hearing

Motion made by Money, Seconded by Downey to close the public hearing at 7:10 P.M. Roll call vote carried unanimously.

VIII. Public Comment - Agenda Items Only (3-minute limit)

Don Ryman expressed his concerns about not being chosen for the Michigan Main Street Board of Directors.

Norma Ferris would like something in writing about the golf carts.

IX. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Consider Approving Expenditures for March 14, 2022, in the amount of \$231,691.03

B. Consider Approving Regular Meeting Minutes for February 28th, 2022.

C. Consider Accepting Staff Activity Reports.

D. Excuse Cameron Downey from the February 14, 2022, Regular Meeting.

Motion made by Downey, Seconded by Swem to approve the amended Consent Agenda including the expenditures in the amount of \$231,691.03. Roll call vote carried unanimously.

X. Scheduled Matters from the Floor (if any)

A. Prein & Newhof update on Downtown Reconstruction and Wellhouse and Treatment Facility Projects.

Mike Schwartz gave a brief update on the USDA project. Gave a brief presentation to the Commission. The construction will begin hopefully in the fall of 2023, communication with the community will be key. Working with Murphy and the team about design aspects to make sure we are hitting the bid date.

B. Mike Summers would like to propose the use of Golf Carts in the City of Buchanan.

Mike Summers presented to the Commission about the use of Golf Carts in the city. He thinks it would provide old fashion communication, attend more activities, free parking, more sales at the farmers market, allow tours for new residents.

Commissioner's discussed different rules and requirements that this would require.

Motion made by Swem, Seconded by Money to authorize city administration to further review the proposed use of golf carts in the city of Buchanan with a goal of presenting further details at a future meeting for consideration by the commission. Roll call vote carried unanimously.

XI. Reports by: Departments, Committees, Boards

A. Community Development Director Report- Rich Murph- Consider Resolution No. 2022.03/425 of Support for Local Match for DNR MNRTF Grant for the McCoy's Creek Trail Extension.

Motion made by Weedon, Seconded by Swem to approve resolution no. 2022.03/425 to support local match for DNR MNRT Grant for McCoy's Creek Trail Extension. Roll call vote carried unanimously.

B. Chamber Executive Director/ Main Street Manager, Ashley Regal

1. Consider Michigan Main Street Board of Directors Applications recommended by the Buchanan Area Chamber of Commerce Board of Directors.

Tracy Dippo (BACC Board Representative; position to be filled upon a vacancy), Jennifer Moutsatson Garry, Randy Hendrixson, Anthony "Tony" Houser, April Jonatzke, Amanda Miller Kelley, Ulrike McCarty, Elizabeth Martin, Meg Paulette, John Shaver, Ann Tuite, Kathy Virgil, Mark Weedon.

Regal reported that they had many applications for the program and is thankful for the community.

Motion made by Money, Seconded by Downey, to approve the recommendation of Buchanan Area Chamber of Commerce regarding board appointments to the City of Buchanan Main Street Board of Directors with the following changes, to include Jeff Griffin, Tracy Dippo (BACC Board Representative; position to be filled upon a vacancy), Jennifer Moutsatson Garry, Randy Hendrixson, Anthony "Tony" Houser, April Jonatzke, Amanda Miller Kelley, Ulrike McCarty, Elizabeth Martin, Meg Paulette, John Shaver, Ann Tuite, Kathy Virgil, Mark Weedon.

Yes: Denison, Downey, Money, Swem

Abstain: Weedon, board appointment.

Swem- the amount of time that was put in to reviewing every person that was selected for this committee. Every single person that applied had significant support for as to why they are a great applicant and all the attributes they have and all the good things they can do for this board. With that said not every single person can be on that board and we must recognize that as the board grows, it's harder to decide. They did make sure that every single person could be heard by creating 5 different subcommittees so they could be involved.

2. Common Rental Draft Policy.

Motion made by Swem, Seconded by Money to the table the rental draft policy decision until next meeting 3/28/2022.

Discussion: Political/Religious events: what legal position do we take if we deny a group that does not represent the city. Grace said it's not a clear answer. Trying to use vague verbiage to make it as objective as possible is the start. Regal would like to set the precedence now.

C. Treasurer's Report- Stephanie Powers will provide the Commission with a brief update.

Powers provided a brief report to the Commission.

D. Board Appointments- Consider an appointment of John Shaver to The Buchanan Tree Friends, who was recommended and approved by the Buchanan Tree Friends on February 9th.

Motion made by Swem, Seconded by Weedon to appoint John Shaver to the Buchanan Tree Friends. Roll call vote carried unanimously.

XII. Unfinished Business

- A. *Seconded reading and consideration of Ordinance 2022.02/428* - Ordinance for Land Development Policy. *Attachment A*

Motion made by Money, seconded by Downey to approve the second reading of Ordinance 2022.02/428 to authorize the ordinance for land development to take place after publication. Roll call vote carried unanimously.

- B. *Second reading and consideration of Ordinance 2022.02/429*- Food Truck Ordinance

Motion made by Weedon, Seconded by Swem to approve the second reading of ordinance 2022.02/429 the food truck ordinance to take effect after publication. Roll call vote carried unanimously. Attachment B

- C. *Berrien County Trail Master Plan*

Grace has had conversation with Gary Wood one of the Berrien County Planning Commissioners, who is also the lead with Friends of the Trails for Berrien County. He is requesting for the City of Buchanan to contribute toward the Friends of the Berrien County Trails.

Motion made by Swem, Seconded by Money to approve the expenditure \$1500 to be paid to the Friends of Berrien County Trails group as payment for services rendered toward the completion of a county wide trail master plan. Roll call vote carried unanimously.

XIII. New Business

- A. *First reading of ordinance 2022.03/430- IPMC Adoption Ordinance, Property Maintenance Code*

Motion made by Swem, Seconded by Weedon to approve the first reading of Ordinance 2022.03/430. Roll call vote carried unanimously.

- B. *USDA bond work contract for legal services.*

Motion made by Money, Seconded by Downey to authorize City Manager Grace to sign the USDA bond work contract for legal services, as presented. Roll call vote carried unanimously.

Brief recess to wait for city attorney. Motion made by Weedon, Seconded by Money voice vote call carries unanimously.

Motion made by Weedon, Seconded by Money to Re-open regular meeting at 8:06 PM voice vote carries unanimously.

- C. *Closed Session*- matters subject to attorney-client privilege and to discuss the potential purchase of real property.

Motion made by Swem, Seconded by Money to enter closed session in pursuant of MCL 15.268 (h) and (d) at 8:06 PM. Roll call vote carried unanimously.

Motion made by Weedon, Seconded by Money to re-enter open session at 9:39 P.M. Voice call vote carried unanimously.

- D. *Consider taking action based on Closed Session Discussions.*

Motion made by Swem, Seconded by Weedon to authorize the City Administration to take the actions discussed in Closed Session. Roll call vote carried unanimously.

XIV. Communications (*informational only, formal board action is not necessary for these items, unless so desired*)

- A. *2022 Oakridge Cemetery Clean Up*- Remove all decorations by April 1; Maintenance clean-up: April 4 thru April 14; New Decorations: April 15th. If you have a loved one interned at the Veteran's

Circle, we are asking you to please read the Rules and Regulations regarding the Veteran's Circle that is available on the City Website.

XV. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Norma Ferris complimented the Commission.

XVI. Executive Comments

A. City Manager Comments

Thank you to everyone.

B. Commissioner Comments

None

C. Mayor Comments

None

XVII. Adjourn

Motion made by Weedon, Seconded by Money to Adjourn the meeting at 9:41 P.M. Roll call vote carried unanimously.

Courtney Baham, Bookkeeper

Mayor Sean Denison



SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION

FRIDAY, MARCH 18, 2022 – 8:00 AM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a special meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Special Meeting called to order by Mayor Denison at 8:00 A.M.

II. Roll Call

Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem.

III. Public Comment - Agenda Items Only (3-minute limit)

None

IV. New Business

A. Consider Expenditures for 3/18/2022 in the amount of \$224,530.00

Motion made by Weedon, Seconded by Swem to approve the expenditures in the amount of \$224,5300.00 for 3/18/2022. Roll call vote carried unanimously.

B. Closed Session to discuss matters subject to attorney-client privilege.

Motion made by Weedon, Seconded by Money to enter closed session at 8:01 A.M. Roll call vote carried unanimously.

Motion made by Weedon, Seconded by Money to re-enter open session at 8:51 A.M. Roll call vote carried unanimously.

Motion made by Swem, Seconded by Money for City Manager Grace to proceed with the recommendations of the City Attorney. Roll call vote carried unanimously.

V. Public Comment - Non-Agenda Items Only (3-minute limit)

None

VI. Adjourn

Motion made by Weedon, Seconded by Money to Adjourn by 8:52 A.M. Voice vote carries unanimously.

Courtney Baham, Bookkeeper

Mayor Sean Denison

Pending Approval



SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION
THURSDAY, MARCH 24, 2022 – 8:00 AM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a special meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Mayor Denison called meeting to order at 8:00 A.M.

II. Roll Call

Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money; Absent Commissioner Patrick Swem

III. Public Comment - Agenda Items Only (3-minute limit)

None

IV. New Business

A. Consider Approving Regular Meeting Minutes for March 14, 2022.

Motion made by Weedon, Seconded by Money to approve the regular meeting minutes for March 14th, 2022. Roll call vote carries unanimously.

B. Consider Resolution No. 2022.03/426, in support of the local match for DNR MNRTF Grant for McCoy's Creek Trail Extension with updated rounded-off financials.

Motion made by Weedon, Seconded by Money to approve resolution 2022.03/426 in support of the local match for DNR MNRTF Grant for McCoy’s Creek Trail Extension with updated rounded-off financials. Roll call vote carries unanimously.

V. Public Comment - Non-Agenda Items Only (3-minute limit)

None

VI. Adjourn

Motion made by Weedon, Seconded by Money to Adjourn the Special Meeting at 8:02 AM. Roll call vote carries unanimously.

Kalla Langston , City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, MARCH 28, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order by Mayor Denison at 7:00 P.M.

II. Pledge of Allegiance

Pledge of Allegiance was led by Mayor Denison.

III. Roll Call

Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff Present; City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Sexton, Klay Weaver; Director of Public Safety, Chief Tim Ganus; Sergeant Harvey Burnett; Sergeant John Leonard; Administrative Assistant, Diana Selir.

IV. Approve Amended Agenda

Motion made by Weedon, seconded by Money to approve the amended agenda. Roll call vote carries unanimously.

V. Open Public Hearing 1

A. Public Hearing and Public Comment Period on the Approval of an Obsolete Property Rehabilitation (OPRA) Exemption Certificate for Rowlands Property Group LLC 101-103 Days Ave. Buchanan, MI 49107

Motion made by Weedon, seconded by Downey at 7:04 P.M. to open the public hearing and comment period on the approval of an Obsolete Property Rehabilitation (OPRA) Exemption Certificate for Rowlands Property Group LLC 101-103 Days Ave. Buchanan, MI 49107. Roll call vote carried unanimously.

Michael Rowland gave comment in favor of support.

VI. Close Public Hearing 1

Pending Approval

Motion made by Money, seconded by Swem to close public hearing at 7:06 P.M. Roll call vote carried unanimously.

VII. Open Public Hearing 2

Motion made by Swem, seconded by Money to open public hearing 2 at 7:06 P.M. Roll call vote carried unanimously.

A. Public Hearing and Public Comment Period on the Approval of an Obsolete Property Rehabilitation (OPRA) Exemption Certificate for Claremont Stark LLC, 502 Claremont St., Buchanan, MI 49107

Jen Tabor gave comment in support.

VIII. Close Public Hearing 2

Motion made by Downey, seconded by Weedon to close the public hearing at 7:10 P.M. Roll call vote carried unanimously.

IX. Public Comment - Agenda Items Only (3-minute limit)

None

X. Recognition

A. Recognition of Dave Capron- The City Commission would like to recognize Dave Capron of the Buchanan City Police Department for his 26 years of service to our community.

Mayor Denison presented a service award from the City of Buchanan, as well as letter from Brad Paquette, Kim LaSata, Garlin Gilchrist, Fred Upton, and Gretchen Whitmer to Dave Capron.

B. Vietnam War Commemoration Proclamation

Mayor Denison read the Proclamation for Vietnam War Commemoration and presented the Proclamation to Kathy Alton, the Commemorative Events Chairwoman.

XI. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Consider Approving Special Meeting Minutes for March 18, 2022.

B. Consider Approving Special Meeting Minutes for March 24, 2022.

C. Consider Approving Expenditures for March 28, 2022, in the amount of \$ 144,721.34

D. Bank Account Changes- Consider authorizing bank account changes to remove Stephanie Powers from all City bank accounts, with Courtney Baham replacing her on all City bank accounts.

E. Street Closure for Chili Walk Cook-Off on April 7, 2022- Front St. blocking off Red Bud, Days, Main, and Oak.

Motion made by Swem, seconded by Money to approve the Consent Agenda as presented, including payment of the March 28, 2022 bill run in the amount of \$144,721.34. Roll call vote carried unanimously.

XII. Scheduled Matters from the Floor (if any)

A. DPW Construction Update- Barton Group & AVB will brief the Commission regarding the DPW Construction Project.

Amelia from Barton Group and Danielle from AVB gave the commission a few updates with budget and cost-saving alternatives.

Pending Approval

Danielle went over the as it is now. Geotech report had not great news across the whole site, with 3 to 5 feet of unsuitable fill. Danielle went through the alternate options that can cut the budget down on the project. (See Attachment A). Danielle asked for the commissioner's thoughts and questions on the budget.

Commissioners included Baker with the discussion on cost-saving alternatives.

Denison asked Baker about the generator for life safety only, Baker agrees with Denison that is all he needs.

Radiant heat on the floor, Weedon and Baker would like to stay.

Money brought up the mezzanine he knows that it could be used as a storage area, and wanted to know how much of a significant loss it would be if it was cut. Baker said it is planned on being used for storage and it would cut out 2300 sq feet that would take floor space if cut. Amelia believes there would be increased cost in design if you take the mezzanine out as well.

Different options were brought up about storing equipment outside, including fencing and a secure area for the equipment.

Swem asked if the design was able to be added on easy, Danielle confirmed that was the case. Swem personally would like to cut 4 bays, life safety only generator, and mostly gravel solution knocking roughly \$655,000 dollars off the project.

Denison does not agree with knocking off 4 bays. His argument was that they would need to be able in the future to put up another building at 9,300 Sq Ft for \$494,933. He would like to have all the building and do all the extras later.

Baker made the point that if we cut the 4 bays, the new building for storage equipment would be smaller than the demolished DPW building.

Swem is concerned with the price.

Downey had questions for Danielle about the design of the Mezzanine and what could be stored up there. Right now, it's designed for different fluids for equipment as well as a lot of community event props.

Amelia and Danielle both agree that this is a simple of a building you can put up and they have spent a great deal of time trying to get the lowest cost available that can be efficient for the city.

If they decide to change things too much it could affect the timeline.

Timeline as of now:

- 12 weeks for bid documents from budget & scope consensus

- 6 weeks for subcontractor bids & final pricing

- Bond close in August

- Order PEMB July/August

- Site March 2023

- Construction April/May 2023

- Substantial Completion Nov/Dec 2023

Downey asked about the Furniture, Fixtures & Equipment Costs, and wanted to know where the numbers came from. Amelia said they are very general numbers based on other projects they have worked on. Baker shared that most of the line items he believes he can save significantly on.

Agreed on items:

Pending Approval

- #9 Underdrains for pavement areas, do not need.
- #8 Strip site 5 feet and haul soil off site, do not need.
- #6 Keeping the Mezzanine.
- #4 Generator for life safety only.

Ralph McDonald was asked his opinion by the commission; McDonald is on the committee for the building as well as the Planning Commission. He would go middle of the road on pavement, get rid of 2 bays and keep the mezzanine. He believes that would be compromising.

Different options were talked about on how to move forward with the project and how to compromise.

Much discussion went on about cutting the size of the building with Downey and Swem wanting to cut Sq Ft. With Denison, Weedon, and Money wanting to keep the Sq Ft.

B. 302 Main St. Garden Presentation by Tony Houser

Tony Houser presented his plan to make a community garden at 302 Main St. Wants to put an honor box on the side as well as donations to senior center. Tony genuinely wants to help people have access to fresh fruits and vegetables. Commissioners agreed it was a great idea.

XIII. Reports by: Departments, Committees, Boards

A. Community Development Director Report- Rich Murphy has several items to be considered by the City Commission.

1. Consider Resolution 2022.03/427- Application for Obsolete Property Rehabilitation Exemption Certificate for Rowland Property Group LLC 101/103 Days Ave, Buchanan, MI 49107.

Motion made by Money, seconded Weedon to approve resolution 2022.03/427 application for Obsolete Property Rehabilitation Exemption Certificate for Rowland Property Group LLC 101/103 Days Ave, Buchanan, MI 49107.

Yes: Denison, Weedon, Money, Downey

No: None

Abstain: Swem for business interest

2. Consider Resolution 2022.03/428- Application for Obsolete Property Rehabilitation Exemption Certificate for Claremont Stark LLC, 502 Claremont, Buchanan, MI 49107.

Motion made by Weedon, seconded by Swem to approve resolution 2022.03/428 for Obsolete Property Rehabilitation Exemption Certificate for Claremont Stark LLC, 502 Claremont, Buchanan, MI 49107. Roll call vote carries unanimously.

3. Consider Renewal Application for Adult Use Marihuana Establishment Permit Retailer for QPS Michigan Holdings, LLC, High Profile Cannabis Shop.

Motion made by Swem, seconded by Downey to approve the renewal application for adult use marihuana establishment permit retailer for QPS Michigan Holdings, LLC, High Profile Cannabis Shop pending background checks. Roll call vote carries unanimously.

Murphy gave comment on the Marihuana Revenue coming through the State for the upcoming year. The leadership will be bring ideas to the commission on how to use this money to best serve the City Residents. The County received \$508,000 dollars and the Commission is planning on meetings with the County Commissioners about bringing those funds back to Buchanan.

Pending Approval

Weedon wanted to thank Alan Robandt for sending an elegant email to some of the County's Commissioner about the money coming back to Buchanan.

Urging the public to call the county commissioners to return the money to the communities that took on marihuana.

B. Director of Public Safety- Chief Tim Ganus will give his 2021 Annual Report to the City Commission.

Chief Tim Ganus, Sgt. John Leonard, and Sgt. Harvey Burnett, all sheared in the 2021 Annual Police Report with highlights of the year. (See attachment B)

Highlighting on how great of a job the department does with interacting in the community.

C. Public Services Report, Director Mike Baker & Sexton Klay Weaver

1. Baker will provide the Commission with brief updates regarding the Demo of the DPW building, the 3rd Street Sewer Project, and the DPW Bldg Construction.

DPW building is demolished and all clear. They will be off the site on Tuesday and the site will be completely cleaned up. 3rd Street project will take place after the 15th of April. Talked about different mowing options.

2. Weaver will present 3 quotes to the Commission to consider the purchase of a new lawnmower for the Cemetery.

After getting the quotes, one company was not able to get their hands on the mower. Commission would like to see a trade in number. The problem with not getting enough bids is they are not building the commercial size needed for the cemetery, so companies are unable to give them a quote. Commission would like to see more quotes before deciding.

3. Weaver (along with Clerk Kalla Langston) will present proposed new rates and policies for the cemetery for the Commission to consider adopting via Resolution 2022.03/429.

Langston explained the rate changes to the Commission.

Motion made Swem, seconded by Money to approve Resolution 2022.03/429 as presented. Roll call vote carries unanimously.

XIV. Unfinished Business

A. Second reading and consideration of Ordinance 2022.03/430- IPMC Adoption Ordinance, Property Maintenance Code.

Motion made by Weedon, seconded by Swem to table item A under XIV. Unfinished Business. Roll call vote carried unanimously.

XV. New Business

A. First reading of Ordinance 2022.03/431- Open Burning Ordinance

B. First reading of Ordinance 2022.03/432- Revised Parking Ordinance

Motion made by Weedon, seconded by Swem to table item A & B under XV. New Business. Roll call carried unanimously.

C. Treasurer Position Opening-

(A) Consider approving a separation agreement between the City of Buchanan and former Treasurer Stephanie Powers.

Pending Approval

Motion made by Weedon, seconded by Money to approve the separation agreement between the City of Buchanan and former Treasurer Stephanie Powers. Roll call vote carries unanimously.

(B) Consider a proposal from GovHR to post an opening for the position of Buchanan City Treasurer, which is vacant as of 03/28/22.

Would like to explore other options before deciding.

Motion made by Denison, seconded by Weedon to table item B under XV. New Business. Roll call vote carries unanimously.

- D. (1) Consider Entering Closed Session pursuant to MCL 15.268 Sec. 8(1)(d) to consider the purchase or lease of real property

Motion made by Weedon, seconded by Swem at 10:20 P.M. Roll call vote carried unanimously.

(2) Consider Re-Entering Open Session

Motion made by Weedon, seconded Money to Re-Enter Open Session at 10:36 P.M. Roll call vote carried unanimously.

(3) Consider Action based on Closes Session discussion

Motion made by Swem, seconded by Weedon to authorize the City Manager to take action pursuant to the discussion held in Closed Session. Roll call vote carried unanimously.

XVI. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

- A. City Manager Goals Update-** Manager Grace will present a brief update to the City Commission regarding progress towards the previously established City Manager Goals.

Grace will email out everything to Commission and have a full discussion at the work session.

XVII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Dale Torne: Wanted to pledge his support for the Duck Pond and the Dog Park. Talked about the revenue for marijuana and asked about the federal infrastructure bill if the city has received anything. Brought up different grant options.

XVIII. Executive Comments

- A. City Manager Comments**

Thank you everyone.

- B. Commissioner Comments**

None

- C. Mayor Comments**

None

XIX. Adjourn

Motion made by Weedon, seconded by Swem to Adjourn the meeting at 10:44 P.M. Roll call vote carried unanimously.

Pending Approval

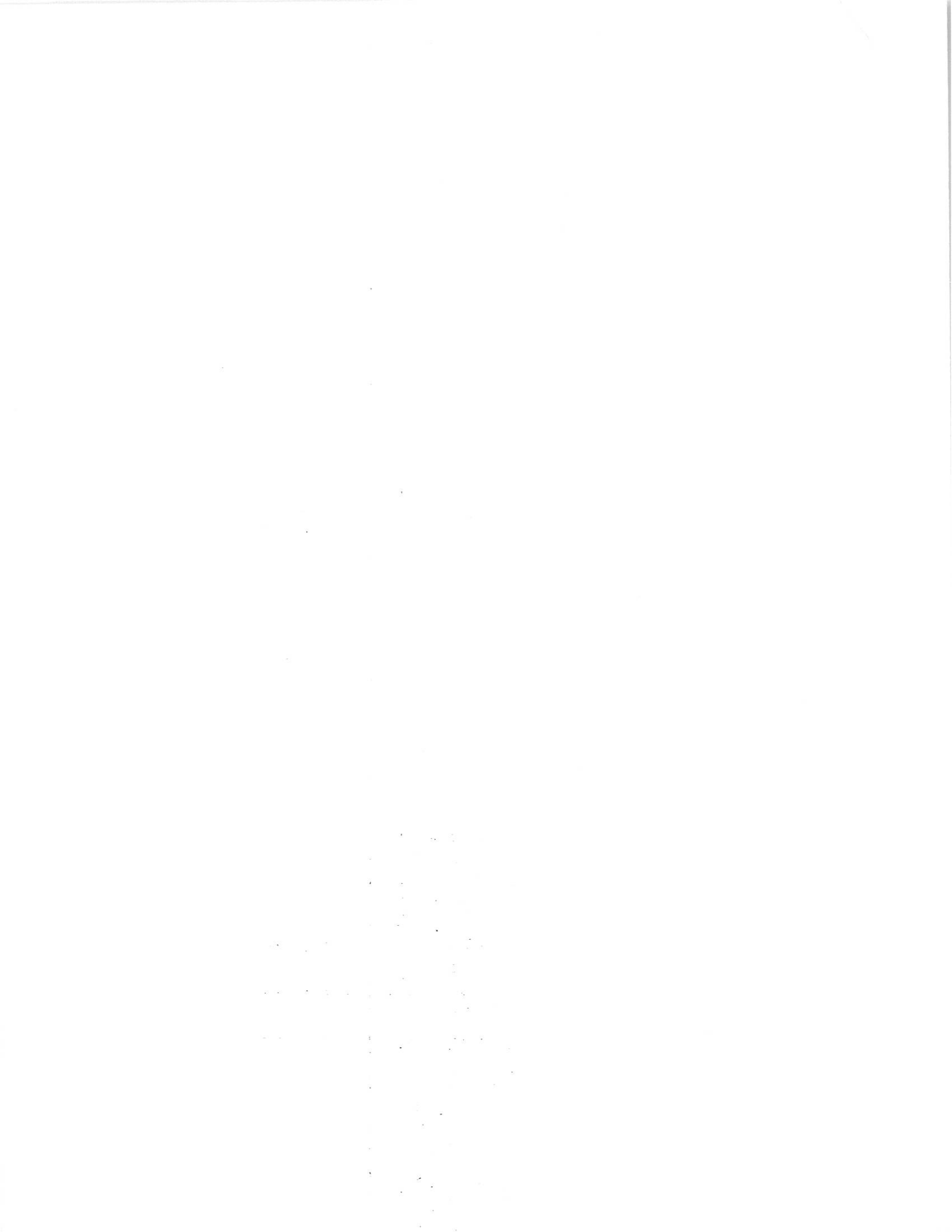
Kalla Langston, City Clerk

Mayor Sean Denison

CITY OF BUCHANAN
 DPW BUILDING
 ALTERNATES - SUMMARY
 3/28/2022



| # | ALTERNATE OPTIONS | | ESTIMATED COST |
|----|---|--------|---------------------|
| 1 | CUT FOUR BAYS (9,300 SF) FROM THE VEHICLE STORAGE AREA | DEDUCT | \$ (434,933) |
| 2 | CUT TWO BAYS (5,000 SF) FROM THE VEHICLE STORAGE AREA | DEDUCT | \$ (235,305) |
| 3 | REMOVE RADIANT HEAT BELOW SLAB IN THE VEHICLE STORAGE, SERVICE, AND SHOP | DEDUCT | \$ (114,791) |
| 4 | GENERATOR FOR LIFE SAFETY ONLY | DEDUCT | \$ (115,500) |
| 5 | ELIMINATE GENERATOR BUT INSTALL TAP BOX FOR FUTURE | DEDUCT | TBD |
| 6 | REMOVE MEZZANINE | DEDUCT | \$ (123,588) |
| 7 | REMOVE ONE BAY FROM SERVICE AREA | DEDUCT | \$ (57,026) |
| 8 | STRIP SITE 5' AND HAUL SOIL OFF SITE | ADD | \$ 818,230 |
| 9 | ADD UNDERDRAINS FOR PAVEMENT AREAS | ADD | \$ 61,081 |
| 10 | CULVERT RECONSTRUCTION | ADD | TBD |
| 11 | SUBCONTRACTOR PLM BONDS | ADD | 5-10% of SubC Costs |
| 12 | GRAVEL IN LIEU OF PAVEMENT SOUTH OF BUILDING AND IN FRONT OF WATER BLDG | DEDUCT | \$ (47,415) |
| 13 | PAVED PARKING LOT, CONCRETE SKIRTS IN FRONT OF ALL OVERHEAD DOORS, AND GRAVEL IN LIEU OF PAVEMENT ON ALL DRIVES | DEDUCT | \$ (104,830) |



MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Meeting was called to order at 7:00 PM by Mayor Denison.

II. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

III. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem.

Absent: None

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Richard Murphy; Public Services Director, Mike Baker; Public Safety Director, Chief Tim Ganus.

IV. Approve Agenda

Motion made by Swem, seconded by Downey to amend the agenda to add section IX. B. 4. Bergman Quote for Covert Design and then approve the agenda as amended. Roll call vote carries unanimously.

V. Recognition

A. Clyde Weaver Recognition

Mayor Denison and the Commission presented a Recognition Plaque to Mrs. Geraldine Weaver in honor of her late husband Clyde Weaver.

VI. Public Comment - Agenda Items Only (3-minute limit)

None

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Consider approving Regular Meeting Minutes for March 28, 2022.

B. Consider Approving Expenditures for April 11, 2022, in the amount of \$249,730.41

C. Consider Approving Road Closure for Memorial Day Parade on May 30th organized by American Legion Post 51.

Motion made by Money, seconded by Weedon to approve the Consent Agenda as presented. Roll call vote carried unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

None

IX. Reports by: Departments, Committees, Boards

A. Clerk Report- Kalla Langston

Consider putting the Dial-a-Ride local proposal on the August 2, 2022 primary ballot or the November 8, 2022 general ballot.

Langston asked for guidance on which ballot the commission would like to see the Dial-A-Ride proposal. Langston's concern is that there may be up to 15 proposals on the November Ballot and the Dial-A-Ride proposal might be missed. Commission wants to make sure the public has knowledge that it will be on the August ballot. Grace and Langston will share it on website, Facebook, and a newsletter mailing.

Motion made by Money, seconded by Downey to put Dial-a-Ride local proposal on the August 2, 2022, primary ballot. Roll call vote carried unanimously.

B. Public Services Director Report- Mike Baker

1. Update Regarding Demolitions

Victory Street fence was removed. 606 site is clear.

2. Update Regarding New DPW Bldg Construction

Had a great meeting about the DPW, waiting on the August Budget.

3. Consider Repair of the 2009 Ford F250 Super Duty 3/4 Ton Pickup

Baker was able to take it to Grand Rapids to get a quote and they said it needed a new motor, Baker believes it's in good shape to be repaired. Since they just put new brakes and tires, if they don't repair this then he would need a replacement truck. The quote came in at \$5,600.

Swem was okay with approving provided they do not exceed the \$5,600. To maybe check out the landfill for different connections.

Downey asked for a maintenance sheet on requests that come through like this. Baker says he can print one for them next time, that he has a program for this. That way the commission can decide if it's a vehicle worth putting money into.

Denison agrees with maintenance sheets on all equipment would help in the future as well. So that the Commission knows what they could be replacing in the future.

Motion made by Swem, seconded by Weedon to approve the 2009 F250 repair not to exceed the \$5,673.30. Roll call vote carried unanimously.

4. Bergman Quote for Covert Design

The quote on the covert came in from H&K excavators with AVB Construction has estimated their cost alone to be \$350,000. That's just the excavating that doesn't include what EGLE is going to tell the city what to do with moving the water over or around. That's just the excavating of the covert and putting the covert in.

Denison was able to add in that the covert is going from an 8 ft wide to a 20ft wide full concert overpass. If they cut the covert off, they can't get over to the salt barn.

Swem was curious if they can build an access road off the trail and if it would be cheaper.

Baker stating, they haven't gotten hard numbers in yet, that with all the permits it would be between \$350,000- \$500,00.

Denison believes there are other options that need to be explored. Not only was this a shock but the current covert is collapsing. There is a hole in the covert in the middle of the road.

Swem asking for an RFP to bid out this project.

Grace asked for the commission to approve of a design solution from Bergman not to exceed 9,000. They can work on that design asap to get that bid out.

Problem is Baker had to pre-order for Salt, that will be here at some point this summer. And need to be able to get in the salt barn.

Otherwise, the salt will have to be moved somewhere else.

Commission, Baker, and Grace tried to come up with different options to store the salt until they can figure out the covert or access road.

Commission asking for city hall staff to look at explore different options with the covert or alternative road before making the decision.

Grace is going to ask Whiteman to double check with EGLE about the cost of permits and possible quote for the alternative road.

Grace is hoping for a quick turn around to give to the commission.

C. *Community Development Director Report- Rich Murphy*

Murphy gave a brief presentation about Community Development.

On Victory Park progress: We are getting a lot of good feedback from neighbors around the area about the park. The city made the improvements to the basketball courts and doubled the size of the park. Now they are moving on to the construction of a pavilion with Kevin Barker offering to design pro bono. They are meeting with some of the neighbors to develop a concept it's an exciting project.

Murphy gave this presentation to the Great Lakes St. Lawrence initiative a few weeks back. The group is made up of several cities connected to the Great lakes and its rivers. Murphy stated Buchanan could become a model project that could be replicated for other inland communities. Making the little project in Buchanan more competitive by showing that we contribute to the Great Lakes. The city could assemble up to 50 plus acres of public access to river, rain gardens, ecological restoration, removal of invasive species things that will make water cleaner, and the wildlife habits better, more efficient ways for people to access the water. Murphy is pointing out that this opportunity could be like a mini national park kind of experience. There is an access problem and that's the vision, to make it accessible.

1. Resolutions of Support for Federal Appropriations Grant Opportunities

a. Resolution of Support for DPW Bldg Construction- Sen. Gary Peters

Motion made by Money, seconded by Swem to approve the resolution of support for the DPW Building Construction to Sen Gary Peters. Roll call vote carried unanimously.

- b. Resolution of Support for Riverfront Boardwalk and Boat Launch Improvements- Sen. Debbie Stabenow

Motion made by Weedon, seconded by Downey to approve Resolution of Support for Riverfront Boardwalk and Boat Launch Improvements to Sen. Debbie Stabenow. Roll call vote carried unanimously.

- c. Resolution of Support for McCoy's Creek Trail Extension #5 to go up Walton towards Connecting to Niles Trails- Rep. Fred Upton

Motion made by Swem, seconded by Money to approve Resolution of Support for McCoy's Creek Trail Extension #5 to go up Walton towards connecting to Niles Trails to Rep. Fred Upton. Roll call vote carried unanimously.

- 2. Update on Submissions of Grants to U.S. Fish & Wildlife, as well as to the MDNR

Murphy updated in his presentation to Commission

- 3. Update on Other Grants Currently Being Written

Grace gave praise to Murphy on working so diligently on 3 different grants all coming due at the same time.

X. Unfinished Business

A. Reconsideration of Ordinance 2022.03/430- IMPC Adoption Ordinance, Property Maintenance Code.

No action taken.

B. First reading of Ordinance 2022.03/431- Open Burning Ordinance

Commission asking what the recommendation from public safety about diameter listed. Current wordage is 3 ft in Ordinance. Chief Ganus was able to address the Commission about how they came up with the Ordinance. Swem would like to see it at 5 ft. Discussion between commissioners. The Commissioners and Chief agrees that changing the size requirements wouldn't be a problem.

Motion made by Weedon, seconded Money to approve the first reading of the Open Burn Ordinance 2022.03/431 with the changes of 3 diameters to 5 diameters under section 1.A. Roll call vote carried unanimously.

C. First reading of Ordinance 2022.03/432- Revised Parking Ordinance

Grace asked for feedback about fees for the ordinance.

Chief Ganus explained the ordinance and changes that were made. Commission would like to see the parking ticket bumped up to \$25.00 as well making sure there is signage down there as well. Commission discussing about price with Chief Ganus. Commission agreeing that a higher fee because it is such a high traffic area. The resolution for the fees will be brought to the commission at the next meeting.

Grace mentioned the fact that if they receive the parking ticket and they are not from here they are now able to pay online. Chief Ganus let the commission know that the change would not take place till July 1, 2022. Since they can push out the ordinance to inform people and business owners, as well as order new tickets.

Motion made by Swem, seconded by Weedon to approve the first reading of the revised parking ordinance 2022.03/432. Roll call vote carried unanimously.

XI. New Business

A. Consider Resolution 2022.04/430- Resolution to negotiate the summer school tax collection fee

Motion made by Weedon, Seconded by Money to approve resolution 2022.04/430 resolution to negotiate the summer school tax collection fee. Roll call vote carried unanimously.

B. Consider approving Portable Toilet Bid for either Pride the Portable Toilet Company at \$7420.00 or LRS recycles at \$9,600.00

Motion made by Swem, seconded by Downey to approve the bid from Pride the Portable Toilet Company for \$7,420.00. Roll call vote carried unanimously.

C. Consider approving the bid from Bakertilly for a water/sewer rate study at \$9,000 per fund.

Motion made by Swem, Seconded by Money to approve the water/sewer rate study at \$9,000 per fund from Bakertilly. Roll call vote carried unanimously.

D. Consider appointments/Change of Memberships to ZBA

Motion made by Money, seconded by Downey to appoint Joe Kruger to the ZBA. Roll call vote carries unanimously.

E. Closed Session-

1. Consider Entering Closed Session pursuant to MCL 15.268 Sec.8(1)(d) and (h) to consider the purchase or lease of real property as well as to consider matters subject to attorney-client privilege.

Motion made by Swem, seconded by Money to enter closed session at 8:52PM. Roll call vote carried unanimously.

2. Consider Re-Entering Open Session

Motion made by Weedon, seconded by Downey to enter re-enter open session at 9:35 PM. Roll call vote carried unanimously.

3. Consider Action based on Closed Session Discussion

Motion made by Downey, seconded Swem to authorize the City Manager to take action pursuant discussion held in closed session.

Yes: Denison, Weedon, Downey, Swem

No: None

Abstain: Money for personal relationship

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

None

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Norma Ferris- asked about Ross Sanders books. Denison informed her that Money would be there Saturday and she was welcome to join.

XIV. Executive Comments

A. City Manager Comments

Grace wanted to share that there has been a lot of developments in the city lately involving grant applications. Just wanted to emphasize how hard the staff has been working to change the culture here in Buchanan when it comes to spending taxpayer dollars. She hopes that the public is seeing that we are trying our best to see that every tax dollar spent is being stretched as far as it can and trying to double or triple with matching grant funds and various opportunities. That is one of our largest goals, we're spending a lot of time doing it but were finding success.

B. Commissioner Comments

Weedon- No Comment

Swem- No Comment

Downey- No Comment

Money- Just wanted to reiterate what city manager Grace said. Buchanan Chili-Walk had a great time, lots of people downtown. Happy Birthday to Baker.

C. Mayor Comments

Chili walk was a huge success with 350 people. It was great after 2 years to see downtown buzzing. Chili was great. Reminder that Spring clean-up is on April 29th and 30th at River Street.

XV. Adjourn

Motion made by Money, seconded by Weedon to adjourn the meeting at 9:40 P.M. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order at 7:00 P.M by Mayor Denison.

II. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Patrick Swem

Absent: Commissioner Larry Money

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Richard Murphy; Mainstreet Manager/ Chamber Executive Director; Cashier Clerk, Jill Mondschein; Director of Public Works, Mike Baker; Director of Public Safety, Tim Ganus; Operator in Charge Water Department, Scott Desenberg

III. Pledge of Allegiance

Denison led the in Pledge of Allegiance.

IV. Recognition**A. Arbor Day Proclamation- Arbor Day April 29, 2022**

Denison read the Proclamation. Declaring Arbor Day April 29, 2022, in the City of Buchanan. See attachment A

V. Approve Agenda

Motion made by Weedon, seconded by Swem to approve the agenda. Roll call vote carried unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

None

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)**A. Consider approving Regular Meeting Minutes for April 11, 2022.****B. Consider approving expenditures for April 25, 2022, in the amount of \$110,230.84**

Motion made by Weedon, seconded by Downy to approve the Consent Agenda. Roll call vote carried unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

IX. Reports by: Departments, Committees, Boards

A. Clerk Report- Clerk, Kalla Langston will update the Commission on petition dates and Voter ID cards being sent to the registered voters due to redistricting.

Langston updated the Commission that the new Voter ID cards were sent out today. By law we must send an updated one to every registered voter including active, verified, and challenged voter. If you happen to get one for someone who no longer lives at the address, please send back to the clerk to take the right steps.

If you are running for City Commissioner in 2022 the petition deadline is July 26th due back to Clerk Langston. If you have any questions about either Voter ID cards or running for office, please contact Clerk Langston.

B. Public Services Report- Director, Mike Baker

1) Clark Street Culvert - bid anticipated by Monday

Baker has not received a bid for this yet, only verbal numbers. Denison asked about the road option discussed last time. Baker has not pursued this yet because they would have to talk to the property owner off Oak Street to get back to the City property.

2) Retaining Wall on Front St. - bid anticipated by Monday

Baker has a bid for sheet piling up the hill. Baker doesn't want to publicly say the bid due to the fact it might go out for RFP. Baker is looking for direction on whether the commission would like to review non sealed bids for an emergency repair. Or if they want to City staff to go through the sealed bids which will be a longer timeframe.

Baker did pursue the concrete blocks as Weedon had suggested. He does not have numbers for this yet. Baker's concern is that we have concrete blocks for a retaining wall at the cemetery and when the road salt hits it deteriorates the blocks.

Baker has the bid printed out for the Commission; Grace would like the number to stay confidential until the commission decides which way to go.

Grace recommended that we move forward as an emergent repair because of the state of it.

Denison worried about thrill on the hill and the safety of residents and participants, Grace and Baker agree.

Baker believes sheet piling is the way to go. He's unsure about the blocks but has someone coming to talk to him this week about the possibility. Sheet piling goes into the ground as much as it's out. In his opinion you have a lot of weight on that hill.

Baker has gone out for 3 other quotes, but only 1 came back in time.

Denison would like to know how to keep the sidewalk safe until it can be fixed.

The best case for an RFP is it will be done in fall.

Swem is concerned about the design of it since it is a corridor to the city.

Weedon would like to hear the options on the concrete blocks, thinks it would look better aesthetically than the sheet metal.

Swem is concerned about not having an engineer look at it and wants to make sure it will withstand.

Denison would like to reach out to a few engineers to get an opinion.

Downey wanted to know how many feet it is pushing out and his concern is how much time it's going to take.

Denison wanted to make sure when the hill is laid out, we need to make sure no one can go up that side.

Downey asked if we could temporarily go on the backside of it and lay reinforcements in there.

Baker not comfortable with that idea because of all the pressure that is on it. There are also huge oak trees that are pushing it.

Swem is in favor of submitting for RFP for both Culvert and retaining wall because of size and scope. He's not sure if it makes sense to put the concrete barriers up to hold the wall. Wants to do it right the first time.

Weedon would like to see other options about the bridge, Grace said we would have to subcontract out because we don't hold the licenses for bridge inspections. Swem and Weedon would like a better understanding of the bridge.

3) Potential purchase of Bobcat - Consider approval of trade-in and purchase of new Bobcat

A Bobcat was purchased by an installment payments. With the payment coming up, Baker had them look at the bobcat to see what trade in value would be. We could purchase a new one for \$62,000 and they would buy out our current contract at \$30,000. We would buy it outright.

Weedon would like to see the purchase agreement. From Grace's understanding it was a purchase just with 2 installment payments.

Swem believes we should be buying outright as a municipality.

The Commission asked what kind of shape it is in. Baker says it's in immaculate condition.

Swem would like to see the 5-year plan come in, because there might be other things that need to be replaced. Baker just wanted to bring it to their attention since the payment is coming up in Sept.

4) Potential purchase of Mower - Consider approval of the purchase of new Mower

Baker had 2 quotes one for a mower and the other for an articulated loader. The loader would be used at the cemetery as well as for leaf pick up and snow blowing sidewalks. We are at the push point with the skid loader and would like to trade it in to get the articulated loader. Trade in, we would be able to purchase \$20,444.58. Downey asked about if the snow blower would fit it, Baker says it is wearing out as we have had it since 2008 and its time for a new one.

Downey asking for clarification on why we have multiple pieces of equipment that do the same thing, asking Baker do we use them one at a time or do we use multiples. Baker answering, we use the multiples at the same time, with 2 different employees.

Swem says because it is an older piece of equipment, it makes more sense to him and was surprised by the trade in value.

Motion made by Swem, seconded by Weedon to approve quote MMB-00262v1 for the Bobcat L28 Small Articulated Loader with the amount not to exceed \$20,044.58. Roll call vote carried unanimously.

Baker has received a quote for a Bobcat Mower. Since the last time he came before the Commission requesting a Toro mower for the cemetery, they found out that the mower could not be made. Baker and Weaver went to check out the mower in person because of the big price difference. It does not have my ride suspension, but the bobcat deck is better build. Baker feels like it's a very good deal.

Downey asked how many properties we mow. Baker let him know they are still working on gathering all the properties. Downey asked about how many hours we mow. The 2 guys at the cemetery mow 3 to 4 days a week which includes mowing and weed eating.

Downey asked about the quotes from a mowing company. Baker has not had an opportunity to measure every property.

Baker did reach out to a few companies that informed him it was to late in the season, that would we have to do an RFP. One of the biggest problems is getting a company twice a week.

Swem would like to see what other cities do.

Downey suggested when we do it next year to think about maybe 2 or 3 smaller services. Baker agrees with breaking it up.

Denison would like the mowing kept track of to see how much time goes to mowing.

Downey wanted to know how old is the one that we would be replacing. Wanting to see the maintenance sheet.

Denison curious why we are getting such a deal on the mower.

Swem said that after the 5-year plan they've established is in motion we can save time on talking about this.

Motion made by Swem, seconded by Weedon to approve Quote MMV -00261 with it not to exceed the amount of \$7,914.56. Roll call vote carried unanimously.

5) Thrill on the Hill - Joint report with Public Safety Director Tim Ganus regarding request to consider extended street closures

Baker and Ganus gave their opinions on closing downtown during Chippewa-Palooza during Thrill on the Hill. DPW does not have enough barricades and detour signs to close that part as well. Ganus is not going to have enough manpower to do both events. The concern is not being able to post officers at each post if closing the downtown.

Ganus was concerned about traffic. The city has grown with traffic since we have last held Thrill on the Hill in 2019. There will be a large section of Front St. already blocked off for Thrill, then we're going to have to block another part of Front St where traffic is going to have to go around on other side streets. They would have all the traffic pushed off into the neighborhoods, where normally we have it rerouted onto 3rdst out to Liberty, on Carol then back on to Red Bud. Parking will be a huge issue. There is a lot of people that come in just for Thrill on the Hill including the people that are coming in for the businesses downtown. We would be taking away about 20 spots. If we close off Front St. from Red Bud to Oak, Ganus does not feel comfortable with closing and then having everyone down by the Thrill event. If they cannot barricade the road off sidewalk-to-sidewalk,

Ganus does not feel safe without an officer standing there. First and foremost, our concern is to keep everyone safe.

Weedon has the exact same concerns but on the other side. What about people going back and forth to the events?

Ganus was not sure why we are having 2 events on either side of the city at the same time. These are both big events and doing both on the same day is very taxing all the cities resources.

Weedon suggested shutting down by Days Ave on Front, to him you're adding more control by blocking off the sections people would be going back and forth from.

Ganus stated that we had the light and the pedestrian walk to help control the traffic last time and all the years we have had the Thrill.

Baker told the Commission that they'd asked them not to do this event at the same time as Thrill or to include Chippewa-Palooza down by the Thrill event. Because of the resource issues.

Denison asked if we could get more volunteers to help direct traffic?

Ganus said then you're taking on the liability of volunteers directing traffic. That's why they use officers and are reserves who are well trained to handle that.

Denison asked for Baker and Ganus to come up with new ideas to make it even more safe for the pedestrians traveling from one event to the other.

Swem agrees that it will be dictated by manpower and asked if it was a situation where we could close Front in the evening where Chippewa-Palooza is more prominent event, or do we not have the ability to staff that.

If Ganus blocks Front, he must put 4 officers where they block, which is all he has at any given time. They start putting officers out there as soon as Baker starts, all night and all day long. The shifts are long.

Downey suggested, we use some of the city equipment to block that off. He also believes it was istake scheduling this at the same time. For safety's sake is the possibility to move Thrill on the Hill to a different weekend.

Grace addressed the commission with the update that they are too far into the publication and planning of Thrill to move it. She does not believe it would be an easy thing to change.

Baker and Ganus were in all the meetings for these events they expressed their concerns.

Denison asked if they could investigate lighting up the downtown. Baker said he would look into it.

Weedon believes the 2 major points in by Days Ave and back across Red Bud.

The Commission continued to discuss different options between Ganus and Baker. Everyone was concerned about the safety of the residents and visitors. Ganus will go back and see what he can do with helping cross Red Bud.

C. *Water Department Report-*

Jill Mondschein, Cashier Clerk

1) Consider the "Landlord's Proposal" for water/sewer bills.

Mondschein would like the commission to consider doing the bills differently for rentals. Most of the collection and inefficiency is having to do with rentals. We would not convert that account into

a renter, it would stay in the property owner's name. It is an inefficiency problem that is very time consuming, and collecting is difficult. Eventually after 6 months it must be turned over to taxes. They are not all the problem, but it's the majority.

Downey stated, he is going to vote no. Weedon asked for his opinion.

Downey saves his renters the 200.00 deposit by keeping it in his name. The bill is mailed to them.

That is what Mondeschein wants to keep it in the property owners name(landlord) and send the bills to the property owners. Giving the option to the landlord to either build it in to the rent or having the landlord distribute the bill when received.

Weedon, stated he likes the idea of how Downey has it set up that it stays in his name, but it's mailed to the renter.

Downey confirmed that is the way it's set up and that he doesn't receive a bill until they vacate and leave an outstanding payment, and then he takes care of it.

The landlord is the business owner, and the utility department is stuck in-between.

Denison asked how many landlords we have, Mondeschein is compiling the list as she goes, since the files are out of date and with the software switch, she is doing them as she goes.

Downey expressed concern about other utility billings; when should the landlord put all those bills in their name?

Swem stated that is a different because the city does not run those utility companies.

Mondeschein stating the city is left with huge bills that we can't collect for 6 months, until they go to taxes. It takes time and that's operating money that just sitting out there. And by no means does she mean this is all the renters, but it is the majority. Time is money and were helping run a business and that is not what we are here for. We are here to provide a service.

Downey believes it to be a service to the individual renters like any house.

Weedon believes Downey is doing it the correct way giving different scenarios

Denison stated there are a lot of landlords that are not hands on with the renter, and it shouldn't be on us to track down the renters. He believes we should be charging the property and that's it.

Weedon had a similar thing happen to him at a time in his life where he ended up having to cover the cost from the previous tenant.

Mondeschein telling Downey he is a responsible landlord, but he's one the exceptions.

Dennison respects the fact that he has renters, but this is how the city operates and not how Downey operates. He would like to see the city be more efficient by stopping managing renters.

Swem would like to see the landlord billed to but does not have a problem with it going to the tenants to receive the bill.

Downey asked about the leases right now. All landlords would have to eat a loss if we implemented this today.

Mondschein explained the process of how the renter comes in to put it in their name, but when they leave in 6 months no one tells her when they left. Then she has to try and collect from the landlord. By the landlord receiving those bills, the landlord should be responsible for collection, since it is their business.

Motion made by Denison to approve the landlord policy as presented, seconded by Swem. Roll Call Vote

Yeas: Denison, Swem

No: Weedon, Downey

Motion does not carry.

2) Consider updated open/close hours for the front window.

The city is open to the public 9 hours a day 45 hours a week, the only municipality in Berrien County that is open as much is the City of St. Joseph. There is no down time to do billing. The front window is everyone's first contact, they are the ones that guide to each department. They handle several different things at the counter. What they are proposing is to cut some of the open hours to the public to be able to catch up. It is a constant with little downtime.

Motion made by Swem, seconded by Weedon to table. Roll call vote carried unanimously.

Scott Desenberg, Water Department Lead Operator

3) Consider purchase of equipment to repair/replace water tower communication device

2009- 2010 the city went from reading meters by walking around town to radio transmitter. Those reads are then pulled by Jill. The company that provides this service is Sensus. On April 2 the water department lost access to those reads. It has happened at times in the past but usually it has to do with an internet or modem issue at the water tower. Scott communicated back and forth with Sensus tech support and verified that it was not the internet. The conclusion that they came to is that it was a hardware issue. Scott has 2 potential solutions for the repair. The piece of hardware that has gone bad is called the transceiver, the less expensive is to just replace transceiver for \$22,500.00. The second option is to replace the entire setup for \$32,500.00. The mainframe is 13 years old so Scott recommends going with the entire new unit and replacing everything at the same time. If the other quote was less, he would be tempted to lean that way. The lead time on both options is the same and its at about 8 weeks. We are already looking at estimating reads for the next 3 reads.

Motion made by Swem, Seconded by Weedon to approve the emergency tower communication expenditure does not exceed \$32,500.00. Roll call vote carried unanimously.

D. Community Development Report:

Community Development Director Rich Murphy

1) Boone Labs

A) Adult Use Processing Permit - Consider Approval for an Adult Use Processing Facility Permit for Boone Labs at 107 Alexander St.

B) Adult Use Grow Permit - Consider Approval for an Adult Use Marihuana Grow Facility Permit for Boone Labs at 107 Alexander St.

C) Medical Grow Permit - Consider Approval for a Medical Marihuana Grow Facility Permit for Boone Labs at 107 Alexander St.

Murphy introduced Boone Labs and asked the Commissioner to consider items A, B, C under Community Development. Boone Labs will be using a double scrub technology the first of its kind, where the plant grows in a pod.

Motion made by Downey, seconded by Weedon to approve Boones Labs Adult Use Processing Permit, pending a satisfactory background check. Roll call vote carried unanimously. Motion to amended to include- Adult Use Grow Permit, Medical Grow Facility Permit support the same roll call vote carried unanimously.

2) Joint Meeting - Consider scheduling an annually recurring joint meeting between the City Commission, Planning Commission, and Buchanan Area Recreation Board, which is a requirement of RRC certification. Potential agenda items: park updates, truck routes, capital improvement plans.

Motion made by Weedon, seconded by Swem, to authorize the City Manager to schedule an annual recurring joint meeting between the City Commission, Planning Commission and Buchanan Area Recreation Board, to help maintain and achieve the RRC certification. Roll call vote carried unanimously.

3) Southwest Michigan Regional Chamber - Consider approving a \$5,000 membership fee for the City of Buchanan to join the Southwest Michigan Regional Chamber.

Murphy spoke highly of the SMRC in helping with applications to the state. It could open more media doors for the City of Buchanan, as well as helping Murphy with answering some questions he needed for his grant writing.

Motion made by Swem, seconded by Weedon to approve the \$5,000 membership fee for the City of Buchanan to join the Southwest Michigan Regional Chamber. Roll call vote carried unanimously.

4) Zoning Code Review - Consider a proposal from Placemakers to update the City's Zoning Code to align with the Andrew's University Project and RRC Best Practices for a price of \$50,000 of which Manager Grace has secured a verbal commitment from the MEDC to cover \$30,000 of the cost through a RRC grant. Professor Andrew VonMaur, who works with Placemakers, would provide direct assistance on the project.

Murphy updated the Planning Commission about this last meeting. The zoning code in the city is about 20 years old and a lot of topics and things have been brought up. The zoning code is silent on or does not give enough direction. Murphy was able to secure Placemakers which was recommended the most. Grace was able to secure a verbal pledge for MEDC to cover \$30,000 of the cost. Murphy has done one before it is a time-consuming process could take about a year.

Motion made by Weedon, seconded by Swem to authorize the City Manager to sign an agreement to engage the services of Placemakers to update the City's Zoning Code, pursuant to the terms of the proposed agreement. Roll call vote carried unanimously.

Main Street Manager / Chamber Executive Director Ashley Regal

5) Main Street Committee - progress update

Regal says it's a great group of people. They have their meetings set, subcommittees and responsibilities are set. They are defining their goals, developing strategy, and determining the needs to reach them.

6) Buchanan Area Chamber of Commerce - progress update

New website is up BuchananAreaChamber.com. Since 2022 averaging about 4 new members a month. Events are coming back; Chili walk came back the year with over 300 people and 20 Chilis. Education workshops are coming back this summer. Focusing on how we can give more benefits for our members. Social media is growing as well.

7) Thrill on the Hill - Consider Request from Lions Club

Owner of Kombi Keg, which is a Volkswagen bus that has 6 taps on it serving beer, wine, cocktails etc.. The goal is to locate the bus on Building 324 property the weekend of Thrill on the Hill. It would be a fundraiser for the Lions Club, it would be within the gated area. They are asking for a special request permit for the event. Clarifying that they will have to check ID's, not the PD. They would like to do evening hours.

Motion made by Weedon, seconded by Downey to approve the request from the Lions Club. Roll call vote carried unanimously.

Planning for Thrill on the Hill has been going on since February. Upgrading facilities to keep people at the Thrill longer. They have reached out businesses and organizations with a notice and are asking them how they would like to be involved in the event. A lot of great involvement with the businesses in the Community. Sponsorships have been steady, and all expenses have been covered by Sponsorships so far.

8) Common Usage Policy -

- a. Consider approving a newly amended Common Usage Policy

Motion made by Swem, seconded by Weedon to approve the newly amended Common Usage Policy, as presented. Roll call vote carried unanimously.

- b. Consider current applicants requesting use of the Common

Regal went thru events with commissioner and asked for the events to be approved through city administration.

Motion made by Weedon, seconded by Downey to authorize the City Manager to administratively approve the common bookings for the remainder of the season. Roll call vote carried unanimously.

9) Food Vendor Permit Licenses Fees - Consider approving Resolution 2022.04/433 to establish permit license fees for food vending within the City of Buchanan

Motion made by Weedon, seconded by Denison to approve Resolution 2022.04/431, and further authorize the City Manager to grant fee waivers to brick-and-mortar restaurants in the city, as well as nonprofits, on an administrative basis. Roll call vote carried unanimously.

E. Buchanan Tree Friends Board Appointments- Consider adding Daniel Regal to the Buchanan Tree Friends.

Motion made by Weedon, seconded by Swem to approve Daniel Regal to the Buchanan Tree Friends. Roll call vote carried unanimously.

X. Unfinished Business

A. Second reading and consideration of Ordinance 2022.03/431 Open Burn Ordinance

Motion made by Weedon, seconded by Downey to approve the second reading of Ordinance 2022.03/431. Roll call vote carries unanimously.

B. Second reading and consideration of Ordinance 2022.03/432 Revised Parking Ordinance

Motion made by Swem. Seconded by Weedon to approve the second reading of Ordinance 2022.03/432. Roll call vote carries unanimously.

XI. New Business

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. 1) New phone system at City Hall

City Hall is getting a new phone system, to be able be more efficient at City Hall.

2) Public input is requested for the development of new economic incentives for downtown, to include rear facade grants, outdoor dining grants, way-finding signage grants, etc.

Please contact City Hall to give us your idea.

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Paul Jancha Jr. Berrien County Chief Public Defender introduced himself to City and Commission.

Sarah shared concerns about safety with renters specifically rental inspections on rental units.

XIV. Executive Comments

A. City Manager Comments

Thanked everyone that attends the meetings. Your participation makes our democracy work and thrive. Always know that we are here to serve you, that's why we exist as a government entity. If you don't want to share your comments publicly at a meeting we're here to talk if you have a concern or any ideas. Your input is greatly appreciated. We are very pleased to see the public and private relationships grow. There is no one person that is smarter than all of us.

B. Commissioner Comments

Weedon- none

Swem- none

Downey- none

C. Mayor Comments

Seconded what City Manager Grace stated. He appreciates everyone that comes and please encourage your friends to come with you next time. One of the most frustrating things about serving on the City Commission is the amount of misinformation and misinformed people who spread falsehoods and make comments that are not true. So thank you for coming and staying informed it's a very important thing.

XV. Adjourn

Motion made by Weedon, seconded by Downey to Adjourn the meeting at 9:55 P.M. Roll call vote carried unanimously.

Kalla Langston , City Clerk

Mayor Sean Denison

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order at 7:00 P.M by Mayor Denison.

II. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Patrick Swem

Absent: Commissioner Larry Money

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Richard Murphy; Mainstreet Manager/ Chamber Executive Director; Cashier Clerk, Jill Mondschein; Director of Public Works, Mike Baker; Director of Public Safety, Tim Ganus; Operator in Charge Water Department, Scott Desenberg

III. Pledge of Allegiance

Denison led the in Pledge of Allegiance.

IV. Recognition**A. Arbor Day Proclamation- Arbor Day April 29, 2022**

Denison read the Proclamation. Declaring Arbor Day April 29, 2022, in the City of Buchanan. See attachment A

V. Approve Agenda

Motion made by Weedon, seconded by Swem to approve the agenda. Roll call vote carried unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

None

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)**A. Consider approving Regular Meeting Minutes for April 11, 2022.****B. Consider approving expenditures for April 25, 2022, in the amount of \$110,230.84**

Motion made by Weedon, seconded by Downy to approve the Consent Agenda. Roll call vote carried unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

IX. Reports by: Departments, Committees, Boards

A. Clerk Report- Clerk, Kalla Langston will update the Commission on petition dates and Voter ID cards being sent to the registered voters due to redistricting.

Langston updated the Commission that the new Voter ID cards were sent out today. By law we must send an updated one to every registered voter including active, verified, and challenged voter. If you happen to get one for someone who no longer lives at the address, please send back to the clerk to take the right steps.

If you are running for City Commissioner in 2022 the petition deadline is July 26th due back to Clerk Langston. If you have any questions about either Voter ID cards or running for office, please contact Clerk Langston.

B. Public Services Report- Director, Mike Baker

1) Clark Street Culvert - bid anticipated by Monday

Baker has not received a bid for this yet, only verbal numbers. Denison asked about the road option discussed last time. Baker has not pursued this yet because they would have to talk to the property owner off Oak Street to get back to the City property.

2) Retaining Wall on Front St. - bid anticipated by Monday

Baker has a bid for sheet piling up the hill. Baker doesn't want to publicly say the bid due to the fact it might go out for RFP. Baker is looking for direction on whether the commission would like to review non sealed bids for an emergency repair. Or if they want to City staff to go through the sealed bids which will be a longer timeframe.

Baker did pursue the concrete blocks as Weedon had suggested. He does not have numbers for this yet. Baker's concern is that we have concrete blocks for a retaining wall at the cemetery and when the road salt hits it deteriorates the blocks.

Baker has the bid printed out for the Commission; Grace would like the number to stay confidential until the commission decides which way to go.

Grace recommended that we move forward as an emergent repair because of the state of it.

Denison worried about thrill on the hill and the safety of residents and participants, Grace and Baker agree.

Baker believes sheet piling is the way to go. He's unsure about the blocks but has someone coming to talk to him this week about the possibility. Sheet piling goes into the ground as much as it's out. In his opinion you have a lot of weight on that hill.

Baker has gone out for 3 other quotes, but only 1 came back in time.

Denison would like to know how to keep the sidewalk safe until it can be fixed.

The best case for an RFP is it will be done in fall.

Swem is concerned about the design of it since it is a corridor to the city.

Weedon would like to hear the options on the concrete blocks, thinks it would look better aesthetically than the sheet metal.

Swem is concerned about not having an engineer look at it and wants to make sure it will withstand.

Denison would like to reach out to a few engineers to get an opinion.

Downey wanted to know how many feet it is pushing out and his concern is how much time it's going to take.

Denison wanted to make sure when thrill on the hill is laid out, we need to make sure no one can go up that side.

Downey asked if we could temporarily go on the backside of it and lay reinforcements in there.

Baker not comfortable with that idea because of all the pressure that is on it. There are also huge oak trees that are pushing it.

Swem is in favor of submitting for RFP for both Culvert and retaining wall because of size and scope. He's not sure if it makes sense to put the concrete barriers up to hold the wall. Wants to do it right the first time.

Weedon would like to see other options about the bridge, Grace said we would have to subcontract out because we don't hold the licenses for bridge inspections. Swem and Weedon would like a better understanding of the bridge.

3) Potential purchase of Bobcat - Consider approval of trade-in and purchase of new Bobcat

A Bobcat was purchased by an installment payments. With the payment coming up, Baker had them look at the bobcat to see what trade in value would be. We could purchase a new one for \$62,000 and they would buy out are current contract at \$30,000. We would buy it outright.

Weedon would like to see the purchase agreement. From Grace's understanding it was a purchase just with 2 installment payments.

Swem believes we should be buying outright as a municipality.

The Commission asked what kind of shape it is in. Baker says it's in immaculate condition.

Swem would like to see the 5-year plan come in, because there might be other things that need to be replaced. Baker just wanted to bring it to their attention since the payment is coming up in Sept.

4) Potential purchase of Mower - Consider approval of the purchase of new Mower

Baker had 2 quotes one for a mower and the other for an articulated loader. The loader would be used at the cemetery as well as for leaf pick up and snow blowing sidewalks. We are at the push point with the skid loader and would like to trade it in to get the articulated loader. Trade in, we would be able to purchase \$20,444.58. Downey asked about if the snow blower would fit it, Baker says it is wearing out as we have had it since 2008 and its time for a new one.

Downey asking for clarification on why we have multiple pieces of equipment that do the same thing, asking Baker do we use them one at a time or do we use multiples. Baker answering, we use the multiples at the same time, with 2 different employees.

Swem says because it is an older piece of equipment, it makes more sense to him and was surprised by the trade in value.

Motion made by Swem, seconded by Weedon to approve quote MMB-00262v1 for the Bobcat L28 Small Articulated Loader with the amount not to exceed \$20,044.58. Roll call vote carried unanimously.

Baker has received a quote for a Bobcat Mower. Since the last time he came before the Commission requesting a Toro mower for the cemetery, they found out that the mower could not be made. Baker and Weaver went to check out the mower in person because of the big price difference. It does not have my ride suspension, but the bobcat deck is better build. Baker feels like it's a very good deal.

Downey asked how many properties we mow. Baker let him know they are still working on gathering all the properties. Downey asked about how many hours we mow. The 2 guys at the cemetery mow 3 to 4 days a week which includes mowing and weed eating.

Downey asked about the quotes from a mowing company. Baker has not had an opportunity to measure every property.

Baker did reach out to a few companies that informed him it was to late in the season, that would we have to do an RFP. One of the biggest problems is getting a company twice a week.

Swem would like to see what other cities do.

Downey suggested when we do it next year to think about maybe 2 or 3 smaller services. Baker agrees with breaking it up.

Denison would like the mowing kept track of to see how much time goes to mowing.

Downey wanted to know how old is the one that we would be replacing. Wanting to see the maintenance sheet.

Denison curious why we are getting such a deal on the mower.

Swem said that after the 5-year plan they've established is in motion we can save time on talking about this.

Motion made by Swem, seconded by Weedon to approve Quote MMV -00261 with it not to exceed the amount of \$7,914.56. Roll call vote carried unanimously.

5) Thrill on the Hill - Joint report with Public Safety Director Tim Ganus regarding request to consider extended street closures

Baker and Ganus gave their opinions on closing downtown during Chippewa-Palooza during Thrill on the Hill. DPW does not have enough barricades and detour signs to close that part as well. Ganus is not going to have enough manpower to do both events. The concern is not being able to post officers at each post if closing the downtown.

Ganus was concerned about traffic. The city has grown with traffic since we have last held Thrill on the Hill in 2019. There will be a large section of Front St. already blocked off for Thrill, then we're going to have to block another part of Front St where traffic is going to have to go around on other side streets. They would have all the traffic pushed off into the neighborhoods, where normally we have it rerouted onto 3rdst out to Liberty, on Carol then back on to Red Bud. Parking will be a huge issue. There is a lot of people that come in just for Thrill on the Hill including the people that are coming in for the businesses downtown. We would be taking away about 20 spots. If we close off Front St. from Red Bud to Oak, Ganus does not feel comfortable with closing and then having everyone down by the Thrill event. If they cannot barricade the road off sidewalk-to-sidewalk,

Ganus does not feel safe without an officer standing there. First and foremost, our concern is to keep everyone safe.

Weedon has the exact same concerns but on the other side. What about people going back and forth to the events?

Ganus was not sure why we are having 2 events on either side of the city at the same time. These are both big events and doing both on the same day is very taxing all the cities resources.

Weedon suggested shutting down by Days Ave on Front, to him you're adding more control by blocking off the sections people would be going back and forth from.

Ganus stated that we had the light and the pedestrian walk to help control the traffic last time and all the years we have had the Thrill.

Baker told the Commission that they'd asked them not to do this event at the same time as Thrill or to include Chippewa-Palooza down by the Thrill event. Because of the resource issues.

Denison asked if we could get more volunteers to help direct traffic?

Ganus said then you're taking on the liability of volunteers directing traffic. That's why they use officers and are reserves who are well trained to handle that.

Denison asked for Baker and Ganus to come up with new ideas to make it even more safe for the pedestrians traveling from one event to the other.

Swem agrees that it will be dictated by manpower and asked if it was a situation where we could close Front in the evening where Chippewa-Palooza is more prominent event, or do we not have the ability to staff that.

If Ganus blocks Front, he must put 4 officers where they block, which is all he has at any given time. They start putting officers out there as soon as Baker starts, all night and all day long. The shifts are long.

Downey suggested, we use some of the city equipment to block that off. He also believes it was istake scheduling this at the same time. For safety's sake is the possibility to move Thrill on the Hill to a different weekend.

Grace addressed the commission with the update that they are too far into the publication and planning of Thrill to move it. She does not believe it would be an easy thing to change.

Baker and Ganus were in all the meetings for these events they expressed their concerns.

Denison asked if they could investigate lighting up the downtown. Baker said he would look into it.

Weedon believes the 2 major points in by Days Ave and back across Red Bud.

The Commission continued to discuss different options between Ganus and Baker. Everyone was concerned about the safety of the residents and visitors. Ganus will go back and see what he can do with helping cross Red Bud.

C. Water Department Report-

Jill Mondschein, Cashier Clerk

1) Consider the "Landlord's Proposal" for water/sewer bills.

Mondschein would like the commission to consider doing the bills differently for rentals. Most of the collection and inefficiency is having to do with rentals. We would not convert that account into

a renter, it would stay in the property owner's name. It is an inefficiency problem that is very time consuming, and collecting is difficult. Eventually after 6 months it must be turned over to taxes. They are not all the problem, but it's the majority.

Downey stated, he is going to vote no. Weedon asked for his opinion.

Downey saves his renters the 200.00 deposit by keeping it in his name. The bill is mailed to them.

That is what Mondeschein wants to keep it in the property owners name(landlord) and send the bills to the property owners. Giving the option to the landlord to either build it in to the rent or having the landlord distribute the bill when received.

Weedon, stated he likes the idea of how Downey has it set up that it stays in his name, but it's mailed to the renter.

Downey confirmed that is the way it's set up and that he doesn't receive a bill until they vacate and leave an outstanding payment, and then he takes care of it.

The landlord is the business owner, and the utility department is stuck in-between.

Denison asked how many landlords we have, Mondeschein is compiling the list as she goes, since the files are out of date and with the software switch, she is doing them as she goes.

Downey expressed concern about other utility billings; when should the landlord put all those bills in their name?

Swem stated that is a different because the city does not run those utility companies.

Mondeschein stating the city is left with huge bills that we can't collect for 6 months, until they go to taxes. It takes time and that's operating money that just sitting out there. And by no means does she mean this is all the renters, but it is the majority. Time is money and were helping run a business and that is not what we are here for. We are here to provide a service.

Downey believes it to be a service to the individual renters like any house.

Weedon believes Downey is doing it the correct way giving different scenarios

Denison stated there are a lot of landlords that are not hands on with the renter, and it shouldn't be on us to track down the renters. He believes we should be charging the property and that's it.

Weedon had a similar thing happen to him at a time in his life where he ended up having to cover the cost from the previous tenant.

Mondeschein telling Downey he is a responsible landlord, but he's one the exceptions.

Dennison respects the fact that he has renters, but this is how the city operates and not how Downey operates. He would like to see the city be more efficient by stopping managing renters.

Swem would like to see the landlord billed to but does not have a problem with it going to the tenants to receive the bill.

Downey asked about the leases right now. All landlords would have to eat a loss if we implemented this today.

Mondschein explained the process of how the renter comes in to put it in their name, but when they leave in 6 months no one tells her when they left. Then she has to try and collect from the landlord. By the landlord receiving those bills, the landlord should be responsible for collection, since it is their business.

Motion made by Denison to approve the landlord policy as presented, seconded by Swem. Roll Call Vote

Yeas: Denison, Swem

No: Weedon, Downey

Motion does not carry.

2) Consider updated open/close hours for the front window.

The city is open to the public 9 hours a day 45 hours a week, the only municipality in Berrien County that is open as much is the City of St. Joseph. There is no down time to do billing. The front window is everyone's first contact, they are the ones that guide to each department. They handle several different things at the counter. What they are proposing is to cut some of the open hours to the public to be able to catch up. It is a constant with little downtime.

Motion made by Swem, seconded by Weedon to table. Roll call vote carried unanimously.

Scott Desenberg, Water Department Lead Operator

3) Consider purchase of equipment to repair/replace water tower communication device

2009- 2010 the city went from reading meters by walking around town to radio transmitter. Those reads are then pulled by Jill. The company that provides this service is Sensus. On April 2 the water department lost access to those reads. It has happened at times in the past but usually it has to do with an internet or modem issue at the water tower. Scott communicated back and forth with Sensus tech support and verified that it was not the internet. The conclusion that they came to is that it was a hardware issue. Scott has 2 potential solutions for the repair. The piece of hardware that has gone bad is called the transceiver, the less expensive is to just replace transceiver for \$22,500.00. The second option is to replace the entire setup for \$32,500.00. The mainframe is 13 years old so Scott recommends going with the entire new unit and replacing everything at the same time. If the other quote was less, he would be tempted to lean that way. The lead time on both options is the same and its at about 8 weeks. We are already looking at estimating reads for the next 3 reads.

Motion made by Swem, Seconded by Weedon to approve the emergency tower communication expenditure does not exceed \$32,500.00. Roll call vote carried unanimously.

D. Community Development Report:

Community Development Director Rich Murphy

1) Boone Labs

A) Adult Use Processing Permit - Consider Approval for an Adult Use Processing Facility Permit for Boone Labs at 107 Alexander St.

B) Adult Use Grow Permit - Consider Approval for an Adult Use Marihuana Grow Facility Permit for Boone Labs at 107 Alexander St.

C) Medical Grow Permit - Consider Approval for a Medical Marihuana Grow Facility Permit for Boone Labs at 107 Alexander St.

Murphy introduced Boone Labs and asked the Commissioner to consider items A, B, C under Community Development. Boone Labs will be using a double scrub technology the first of its kind, where the plant grows in a pod.

Motion made by Downey, seconded by Weedon to approve Boones Labs Adult Use Processing Permit, pending a satisfactory background check. Roll call vote carried unanimously. Motion to amended to include- Adult Use Grow Permit, Medical Grow Facility Permit support the same roll call vote carried unanimously.

2) Joint Meeting - Consider scheduling an annually recurring joint meeting between the City Commission, Planning Commission, and Buchanan Area Recreation Board, which is a requirement of RRC certification. Potential agenda items: park updates, truck routes, capital improvement plans.

Motion made by Weedon, seconded by Swem, to authorize the City Manager to schedule an annual recurring joint meeting between the City Commission, Planning Commission and Buchanan Area Recreation Board, to help maintain and achieve the RRC certification. Roll call vote carried unanimously.

3) Southwest Michigan Regional Chamber - Consider approving a \$5,000 membership fee for the City of Buchanan to join the Southwest Michigan Regional Chamber.

Murphy spoke highly of the SMRC in helping with applications to the state. It could open more media doors for the City of Buchanan, as well as helping Murphy with answering some questions he needed for his grant writing.

Motion made by Swem, seconded by Weedon to approve the \$5,000 membership fee for the City of Buchanan to join the Southwest Michigan Regional Chamber. Roll call vote carried unanimously.

4) Zoning Code Review - Consider a proposal from Placemakers to update the City's Zoning Code to align with the Andrew's University Project and RRC Best Practices for a price of \$50,000 of which Manager Grace has secured a verbal commitment from the MEDC to cover \$30,000 of the cost through a RRC grant. Professor Andrew VonMaur, who works with Placemakers, would provide direct assistance on the project.

Murphy updated the Planning Commission about this last meeting. The zoning code in the city is about 20 years old and a lot of topics and things have been brought up. The zoning code is silent on or does not give enough direction. Murphy was able to secure Placemakers which was recommended the most. Grace was able to secure a verbal pledge for MEDC to cover \$30,000 of the cost. Murphy has done one before it is a time-consuming process could take about a year.

Motion made by Weedon, seconded by Swem to authorize the City Manager to sign an agreement to engage the services of Placemakers to update the City's Zoning Code, pursuant to the terms of the proposed agreement. Roll call vote carried unanimously.

Main Street Manager / Chamber Executive Director Ashley Regal

5) Main Street Committee - progress update

Regal says it's a great group of people. They have their meetings set, subcommittees and responsibilities are set. They are defining their goals, developing strategy, and determining the needs to reach them.

6) Buchanan Area Chamber of Commerce - progress update

New website is up BuchananAreaChamber.com. Since 2022 averaging about 4 new members a month. Events are coming back; Chili walk came back the year with over 300 people and 20 Chilis. Education workshops are coming back this summer. Focusing on how we can give more benefits for our members. Social media is growing as well.

7) Thrill on the Hill - Consider Request from Lions Club

Owner of Kombi Keg, which is a Volkswagen bus that has 6 taps on it serving beer, wine, cocktails etc.. The goal is to locate the bus on Building 324 property the weekend of Thrill on the Hill. It would be a fundraiser for the Lions Club, it would be within the gated area. They are asking for a special request permit for the event. Clarifying that they will have to check ID's, not the PD. They would like to do evening hours.

Motion made by Weedon, seconded by Downey to approve the request from the Lions Club. Roll call vote carried unanimously.

Planning for Thrill on the Hill has been going on since February. Upgrading facilities to keep people at the Thrill longer. They have reached out businesses and organizations with a notice and are asking them how they would like to be involved in the event. A lot of great involvement with the businesses in the Community. Sponsorships have been steady, and all expenses have been covered by Sponsorships so far.

8) Common Usage Policy -

- a. Consider approving a newly amended Common Usage Policy

Motion made by Swem, seconded by Weedon to approve the newly amended Common Usage Policy, as presented. Roll call vote carried unanimously.

- b. Consider current applicants requesting use of the Common

Regal went thru events with commissioner and asked for the events to be approved through city administration.

Motion made by Weedon, seconded by Downey to authorize the City Manager to administratively approve the common bookings for the remainder of the season. Roll call vote carried unanimously.

9) Food Vendor Permit Licenses Fees - Consider approving Resolution 2022.04/433 to establish permit license fees for food vending within the City of Buchanan

Motion made by Weedon, seconded by Denison to approve Resolution 2022.04/431, and further authorize the City Manager to grant fee waivers to brick-and-mortar restaurants in the city, as well as nonprofits, on an administrative basis. Roll call vote carried unanimously.

E. Buchanan Tree Friends Board Appointments- Consider adding Daniel Regal to the Buchanan Tree Friends.

Motion made by Weedon, seconded by Swem to approve Daniel Regal to the Buchanan Tree Friends. Roll call vote carried unanimously.

X. Unfinished Business

A. Second reading and consideration of Ordinance 2022.03/431 Open Burn Ordinance

Motion made by Weedon, seconded by Downey to approve the second reading of Ordinance 2022.03/431. Roll call vote carries unanimously.

B. Second reading and consideration of Ordinance 2022.03/432 Revised Parking Ordinance

Motion made by Swem. Seconded by Weedon to approve the second reading of Ordinance 2022.03/432. Roll call vote carries unanimously.

XI. New Business

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. 1) New phone system at City Hall

City Hall is getting a new phone system, to be able be more efficient at City Hall.

2) Public input is requested for the development of new economic incentives for downtown, to include rear facade grants, outdoor dining grants, way-finding signage grants, etc.

Please contact City Hall to give us your idea.

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Paul Jancha Jr. Berrien County Chief Public Defender introduced himself to City and Commission.

Sarah shared concerns about safety with renters specifically rental inspections on rental units.

XIV. Executive Comments

A. City Manager Comments

Thanked everyone that attends the meetings. Your participation makes our democracy work and thrive. Always know that we are here to serve you, that's why we exist as a government entity. If you don't want to share your comments publicly at a meeting we're here to talk if you have a concern or any ideas. Your input is greatly appreciated. We are very pleased to see the public and private relationships grow. There is no one person that is smarter than all of us.

B. Commissioner Comments

Weedon- none

Swem- none

Downey- none

C. Mayor Comments

Seconded what City Manager Grace stated. He appreciates everyone that comes and please encourage your friends to come with you next time. One of the most frustrating things about serving on the City Commission is the amount of misinformation and misinformed people who spread falsehoods and make comments that are not true. So thank you for coming and staying informed it's a very important thing.

XV. Adjourn

Motion made by Weedon, seconded by Downey to Adjourn the meeting at 9:55 P.M. Roll call vote carried unanimously.

Kalla Langston , City Clerk

Mayor Sean Denison

SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION
FRIDAY, MAY 06, 2022 – 8:00 AM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a special meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Denison called the meeting to order at 8:01 A.M.

II. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff: City Manager Heather Grace, City Clerk Kalla Langston, City Bookkeeper Courtney Baham

III. Public Comment - Agenda Items Only (3-minute limit)

None

IV. New Business

Agenda was amended to add in VI. Executive Comments. Motion made by Weedon, seconded Money to approve the amended agenda. Roll Call vote carries unanimously.

A. Treasurer Position

The HR subcommittee each gave their recommendations on the 2 candidates. Discussion between Commissioners and City Staff about each candidate qualifications.

Motion made by Weedon, seconded by Money to authorize the City Manager to make an offer of employment to Deborah Perez.

Yes: Weedon, Money, Denison

No: Downey, Swem

Motion Carries

B. Closed Session-

1. Consider Entering Closed Session pursuant to MCL 15.268 Sec.8(1)(d) and (h) to consider the purchase or lease of real property.

Motion made by Denison, seconded by Weedon to enter closed session at 8:44 AM. Roll call vote carried unanimously.

2. Consider Re-Entering Open Session

Motion made by Weedon, seconded by Money to re-enter open session at 8:55 AM. Roll call vote carried unanimously.

3. Consider Action based on Closed Session Discussion

Motion made by Weedon, seconded by Downey to approve the recommendation made in closed session for the City Manager. Roll call carried unanimously.

V. **Public Comment - Non-Agenda Items Only** (3-minute limit)

None.

VI. **Executive Comments**

A. City Manager Comments

Grace thanked Swem and Downey for being a part of the HR committee. We could have not gotten to this point without their willingness to join. Also thanked the Commission at large for coming to the special meeting to address this. This is a position that is important to the team and the longer its open the more it costs the taxpayers for paying consultants. The comments that were made today have been very helpful and she appreciates the feedback and support for the new hire. Grace would like her to come to the next meeting for her to introduce herself to the Commission. Again, you can never make a guarantee about a person, but Grace feels strongly that she will be the final capstone to making this team what it is.

B. Commissioner Comments

Money, dittoing Grace by thanking Swem and Downey for taking the time on the HR subcommittee. I appreciate everything this commission has done. I think everything we're doing is for the better.

Downey, wanted answers about Plante Moran invoicing. He believes they don't add up or match up from the invoice and calendar. He would like to show Grace and maybe she can help fill in some of the gaps. Grace is more than happy to follow up on that and get further information. All the commissioners would like more of an understanding of what the charges are.

Swem, believes it's a loud statement to move against the recommendation of the interview committee from the Commissioner standpoint. He was disappointed at that, for him we will be weighted heavily of the success of this individual. It is a very big deal.

Weedon, understanding where Swem comes from on the other side. Weedon is not apologetic for it he trusts that the interviews and the experience you had dictated your vote, and respects that. He was on the fence as usual. He believes it was a right decision since he is a team manager. We all must eat that if it's a mistake as a city. Wishes Ms. Perez the best and hopes she brings things to the table as much as we anticipate we think she will. I hope that 2 no votes are solidified by her handling the position.

C. Mayor Comments

Denison is directing his comments to his fellow commissioners this morning. It's been weighing on his mind. He believes the commission needs to do some reflecting on themselves. He is very proud of the things they have done as a Commission and of the people that we have hired; Rich and Heather have proven themselves and couldn't be happier with the outcome. But as leaders and a City Commission we don't have anyone other than the voters to give us a job review or to tell us how we're doing. And it falls upon us to do some self-reflecting and be humble enough to say what are we doing right, what are we doing wrong and what could we be doing better. So, I ask us as a commission are we being the best commission we can be? Are we being the best bosses and managers we can be? And I think we must

be humble enough to say we don't know everything. We all want wants best for the City and were pushing very hard to be effective and getting things done and we do have a strong agenda. With several projects, we are working on. I'm very proud of that however I'm seeing things that are raising red flags for me and it concerns me. Concerned enough to be talking about this morning. There are 2 red flags, one of them being overworked employees. I'm seeing emails from staff at all hours of the night, which worries me. I'm hearing that employee are working all night and day without going home. I'm hearing people working late evenings and Sunday.

The other red flag is when the city administration brings us their plans to improve their jobs, we are not listening. I have always tried to hire smart, talented people with skills and if they don't have skills but have work ethic, I can teach them skills. And I am proud to say that we have done that. We have hired good people here. As a manger the next thing I try to do is provide the equipment, the resources, to allow those people with skills to be effective at there job. And if I do that everyone wins. The last thing I try to do as a manager is respond to situations when something happens. I try to put myself in the position of how I would want my manager to react. The only reason why I am saying this is because it has worked for me in the past as a manager. How does that tie into the City, my concerns are not just with sitting Commission or these employees it has to do with setting a precedent with future Commissions and City staff. In my view the role of City Commission is to set legislative and policy trajectory of the City. We hire good people, which I believe we have done that. We aim the ship where we want it to go, which we have done that, they are working toward the things we want them to work toward. And we need to get out of there way. Running the city is what they do, its not what we do. None of us have municipal experience, they do, and we need to put weight behind what there telling us. When they ask for things, we need to listen. I believe we are micromanaging the people we selected to run the City and were ignoring there pleas for help. Last week Jill asking us for less window hours to complete work and it's not because they want to have a party, they want to be able to get their work done. I have serious concerns about burning people out or frustrating them to the point where they leave then we must start at ground zero again. We have put a lot on there plate and were asking them to do a lot. We need to hear their pleas for help and listen to them when they come to us. If we can stop micromanaging and let them do their jobs, I think two things will happen. One they will get more done because they are not chasing everything we have them doing. Which will let them focus and get things done. Two I think for moral reasons that they will not be so stressed at work, if they are happier at work, they are going to be more productive. There are times when I can feel the stress in Grace's voice because she's being pulled in every different direction with the target constantly changing. At some point we are stepping over dollars to get to dimes in some sense. I think that if we could just back off City administration and staff and let them do what they do. They will call us when they need our input or help, rather than us constantly telling them we want them to do this and that. We need sit back and think how were working as a commission. I think were good, but I think we can be better. Please consider how we can be.

VII. Adjourn

Motion made by Weedon, seconded by Money to adjourn the meeting at 9:14 AM. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, MAY 09, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting called to order by Mayor Denison at 7:00 P.M.

II. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

III. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

Absent: None

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Clerk Cashier, Jill Mondshein; Bookkeeper; Courtney Baham, Director of Public Works, Mike Baker; Sargent Harvey Burnett

IV. Approve Agenda

Motion made by Weedon, seconded by Money to amend the agenda at VIII. C. section i. Leland Payne restaurant façade grant application. Roll call vote carries unanimously.

V. Public Comment - Agenda Items Only (3-minute limit)

Dan Vigasky did not agree with item A. 1

VI. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Consider approving Regular Meeting Minutes for April 25, 2022.

B. Consider approving expenditures for May 8, 2022, in the amount of \$55,981.05

Motion made by Weedon, seconded by Downey to approve the consent agenda. Roll call vote carried unanimously.

VII. Scheduled Matters from the Floor (if any)

A. Financial Advisor Andy Campbell of Baker Tilly- will share preliminary numbers regarding the new DPW building project's municipal building authority funding mechanism, along with USDA project preliminary figures.

Andy Campbell updated the Commission about preliminary numbers with bonding. See attachment A.

The next steps are figuring out how to pay the bond payments.

Interest rate market is not good now and are rising. Payments will be higher because of the interest rate. It comes down to how much is in the budget to make the payments. If the water and sewer fund continue with the 8 percent increases every year, they can both withstand approximately \$80,000 dollars of debt payments outside of the USDA project. Totaling \$160,000 there is still a big gap there. Where the other funds come from is the ultimate question.

We are not getting the USDA grant, but we are getting a great interest rate. If we went for a 20 percent grant, we would be breaking even with a higher interest rate. Campbell wanted to go through all the possible options.

The non-eligible portion is where the city would have to come up with the payments for the USDA. Campbell tried to make sure the commission understands where the numbers are coming from and different options they can go with.

Grace gave some numbers of where the other part of the payments would come from. The deadline would be the next meeting if they want to move forward with the bonds. It depends on if they want to stay on the timeline.

VIII. Reports by: Departments, Committees, Boards

A. Water Department Report- Jill Mondshcein

1) Water/Sewer Payments Window- Consider the proposed modification of hours open to the public.

Mondschein presented 2 options. Option 1, Monday thru Friday from 9 AM to 4 PM. Option 2 Monday thru Thursday 9 AM to 4 PM and Friday from 9 AM to 1 PM. Mondschein believes it would help efficiency between taxes, water/sewer utility bills, elections, permits. The front window is constant and would be helpful to have uninterrupted time to work.

Weedon expressed that he feels this would be an administrative decision. This type of request would not normally be brought to the Commission.

Motion made by Weedon, seconded by Money for City Manger Grace to make the decision operationally for what's best for her team.

Yes: Money, Denison, Weedon

No: Downey, Swem

Motion carries.

2) Water/Sewer Landlord Policy Proposal- Consider proposed modifications to the City's policies regarding water/sewer billing for rental properties.

In the proposal any rental unit will stay in the homeowner's name and or landlord with the bill going to both landlord and tenant. The tenant will be "in care of".

Motion made by Weedon, seconded by Downey to approve the Water/Sewer Landlord Policy Proposal as presented. Roll call vote carries unanimously.

3) Delinquent Utility Bills Applied to Summer Taxes- Consider authorizing City Administration to take the necessary actions to add delinquent utility bills to the responsible parties' summer taxes

Motion made by Swem, seconded by Downey to authorize the City Administrator to take necessary actions to add delinquent utility bills to the responsible parties' summer taxes. Roll call vote carries unanimously.

B. 1) 3rd Street Project Update - Public Services Director Mike Baker will discuss Selge's updated quote.

Baker let the Commission know that Scott Riley from Slege was supposed to be here at the meeting but was held up at work and could not be present. The updated estimate was given to the Commission with an increase of \$44,146 from the quote in August 2021. Baker ran through the increases. The job has been put delayed because of weather. Commission would like a meeting set up with Slege to answer some questions they have about delays and the cost increases, to see what they can do to help us.

C. Community Development Report

1) **Facade Grant** - Consider Front Street Glassworks' application.

Motion made by Weedon, seconded by Downey to table Item C. 1 Façade grant. Roll call vote carried unanimously.

i.) Consider Leland Payne's Restaurant Incentive Grant application

Murphy recommends approval of the application for the restaurant incentive grant for the full amount of \$10,000.

Motion made by Downey, seconded by Weedon to approve Leland Payne' restaurant incentive grant. Roll call vote carries unanimously.

2) **Legislative Update-** Manager Grace will provide a brief update regarding recent activity within the Michigan Legislature relating to economic development opportunities.

Grace attended meetings hosted by the lobbyists of Michigan Municipal League and the lobbyists for CEDAM there are currently 2 house bills. They are trying to create economic development and community development programing. Where they are trying to get local businesses an up to 80% tax credit for eligible donations made to 501C3 organizations whose sole purpose is economic development or community development or other community development projects such as housing. Grace successfully convinced both lobbyists to ensure those bills have provisions to include the cannabis industry to be able to participate.

D. Finance Department- Manager Grace

1) **2021/2022 Budget Amendments-** Consider approving amendments to the 2021/2022 fiscal budget (July 1, 2021 – June 30, 2022) [in packet]

Motion made by Money, seconded by Weedon to approve the amendments to the 2021/2022 fiscal budget as presented. Roll call carries unanimously.

2) **2022/2023 Budget Proposal-** Consider a preliminary review of the 2022/2023 fiscal budget (July 1, 2022 – June 30, 2023) [to be presented at meeting, with public copy available in Clerk's office for viewing]. Public Hearing on Budget scheduled for 7:00 p.m. on Monday, May 23, 2022, after

which the Commission will be asked to consider approving the FY 2022/2023 Budget. No millage rate increases are anticipated.

A few members will be unable to attend. Grace will be scheduling through emails to decide when the workshop will be held to discuss 2022/2023 budget.

IX. Unfinished Business

X. New Business

- A. 1) Closed Session- consider entering Closed Session pursuant to MCL 15.268 Sec. 8(1)(d) & (h) to consider the purchase or lease of real property and to discuss matters subject to attorney-client privilege.

Motion made by Weedon, seconded by Downey to enter Closed Session at 8:21 PM. Roll call vote carried unanimously.

- 2) Open Session- Consider re-entering Open Session

Motion made by Weedon, seconded by Downey to re-enter Open Session at 9:01 PM. Roll call vote carried unanimously.

- 3) Action- Consider action based on Closed Session discussions

No action take.

XI. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. Annual Spring Clean-Up Recap

Grace shared Clean-up was a success.

XII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Don Ryman shared his concern over the updating the zoning code.

Norma Ferris shared that any money left over from Thrill on the Hill should be put towards street repair in the residential community.

XIII. Executive Comments

A. City Manager Comments

Happy Birthday to Commissioner Swem.

B. Commissioner Comments

Weedon, no comment

Swem, no comment

Downey, no comment

Money, Happy Birthday to Commissioner Swem.

C. Mayor Comments

Happy Birthday to Commissioner Swem.

XIV. Adjourn

Motion made by Weedon, seconded by Money to adjourn the meeting at 9:11 PM. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

City of Buchanan

Estimated DPW Building and USDA Project Scenarios

DPW Building Project

| | 20 Years | | 25 Years | | 30 Years | |
|---------------------------------|----------------|----------------|----------------|----------------|----------------|-----------------|
| | Current Market | Conservative | Current Market | Conservative | Current Market | Conservative |
| Interest Rate Estimate | 3.750% | 4.750% | 4.000% | 5.000% | 4.250% | 5.250% |
| Borrowing Estimate | \$5,000,000.00 | \$5,000,000.00 | \$5,000,000.00 | \$5,000,000.00 | \$5,000,000.00 | \$5,000,000.00 |
| Annual Debt Payments | \$360,000.00 | \$395,000.00 | \$320,000.00 | \$355,000.00 | \$300,000.00 | \$335,000.00 |
| Total Principal & Interest Paid | \$7,200,000.00 | \$7,900,000.00 | \$8,000,000.00 | \$8,875,000.00 | \$9,000,000.00 | \$10,050,000.00 |

Estimated Bond Costs of Issuance (applies to all the above options):

| | |
|--------------------------------|---------------------|
| Bond Attorney | \$29,750.00 |
| Financial Advisor | 29,750.00 |
| Underwriter (not-to-exceed) | 50,000.00 |
| Other (rating, Treasury, etc.) | 22,800.00 |
| Total | \$132,300.00 |

Note: Does not include architect, construction manager or other fees unrelated to bond issuance.

USDA Project (Water, Sewer and Streets)

| | 40 Years | | Non-Eligible Streets and Lead Services | |
|---|----------|--------|--|-----------------------|
| | Water | Sewer | 15 Years Conservative | 20 Years Conservative |
| Interest Rate (locked for stated loan amount) | 1.375% | 1.375% | N/A | N/A |
| Interest Rate Estimate | | | 4.500% | 4.750% |

| | | | | |
|---------------------------------|-----------------|----------------|----------------|----------------|
| Borrowing Estimate | \$10,738,000.00 | \$7,459,000.00 | \$2,510,000.00 | \$2,510,000.00 |
| Annual Debt Payments | \$350,800.00 | \$243,500.00 | \$235,000.00 | \$200,000.00 |
| Total Principal & Interest Paid | \$14,032,000.00 | \$9,740,000.00 | \$3,525,000.00 | \$4,000,000.00 |

Estimated Bond Costs of Issuance:

| | | | | |
|---|--------------------|--------------------|--------------------|--------------------|
| Bond Attorney | \$50,000.00 | \$45,000.00 | \$15,000.00 | \$15,000.00 |
| Financial Advisor (includes bond and rate fees) | 25,750.00 | 28,750.00 | 13,500.00 | 13,500.00 |
| Other (newspaper, Treasury, etc.) | 5,000.00 | 5,000.00 | 5,000.00 | 5,000.00 |
| Total | \$80,750.00 | \$78,750.00 | \$33,500.00 | \$33,500.00 |

Note: Does not include architect, construction manager or other fees unrelated to bond issuance.





SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION

SATURDAY, MAY 21, 2022 – 7:00 AM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a special meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order by Mayor Denison at 7:02 A.M.

II. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff: City Manager Heather Grace, City Clerk Kalla Langston

III. Public Comment - Agenda Items Only (3-minute limit)

None

IV. New Business

A. Budget Workshop for 2022-2023

Grace presented the budget with the note of the change to the budget millage due to Headlee. Which rolled back the millage rate to 16.9793. The City Commission and Grace went through the budget in the areas that they were concerned with or any changes. The City Commission will decide to adopt the Budget at there next regular meeting. See attachment A, B, C, D, E, & F

Weedon and Swem had to leave right at 9:00 A.M. due to schedule conflicts

V. Public Comment - Non-Agenda Items Only (3-minute limit)

None

VI. Adjourn

Mayor Denison Adjourned at 9:04 A.M.

Kalla Langston, City Clerk

Mayor Sean Denison

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting called to order by Denison at 7:00 P.M.

II. Pledge of Allegiance

Denison led in the Pledge of Allegiance.

III. Roll Call

Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Richard Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Sergeant, Harvey Burnett, Sergeant John Leonard

IV. Approve Agenda

Motion made by Weedon, seconded by Money to approve the agenda as presented. Roll call vote carried unanimously.

V. Scheduled Matters from the Floor *(if any)*

Grace briefly introduced the budget with a highlight of the millage rates reduction in the city due to Headlee tax act going from 17.6 mils to a reduction 16.9793, due to the growth in the city.

- A. 1) Open Public Hearing on Budget- Consider opening the public hearing to receive comment on the proposed City budget for fiscal year 2022 - 2023 (July 1, 2022 - June 30, 2023).

Motion made by Weedon, seconded by Swem to open the public hearing at 7:02 P.M. Roll call vote carried unanimously.

No public comment was made.

- 2) Close Public Hearing on Budget- Consider closing the public hearing to receive comment on the proposed City budget for fiscal year 2022 - 2023 (July 1, 2022 - June 30, 2023).

Motion made by Downey, seconded by Weedon to close the public hearing at 7:03 P.M. Roll call vote carried unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

None.

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

- A. 1) May 9, 2022 Minutes- Consider approving Regular Meeting Minutes from 05/09/22.
- 2) May 6, 2022, Minutes- Consider approving Special Meeting Minutes from 05/06/22.
- B. 3) Expenditures- Consider approving expenditures for May 23, 2022, in the amount of \$ **158,653.96**
- C. 4) Street Closure- Consider approving a Street Closure on June 4th, 2022 at Smith Street from Chicago to High School Parking Lot, to help accommodate Baseball and Softball District games.
- D. 5) Authorization to Sign Agreement with Baker Tilly- Consider authorizing Manager Grace to sign the agreement with Baker Tilly to perform the water/sewer rate study at a cost of \$9,000 per fund, as was previously approved by the Commission.
- E. 6) Treasurer Employment Agreement- Consider authorizing Manager Grace to sign the employment agreement to formally hire Deborah Perez as the City Treasurer/Finance Director, as was previously approved by the Commission. Position advertised pay as \$65,000 - \$80,000+ DOQ, Manager Grace negotiated a contract with Ms. Perez for a starting salary of \$70,000 due to Ms. Perez having over ten years of experience as the City Treasurer for Fennville, MI.
- F. 7) Resolution 2022.05/436- Consider approving Resolution # 2022.05/436 to adopt the 80%/20% employer/employee health care cost option as set forth in 2011 public act 152, the publicly funded health insurance contribution act. This is a general housekeeping resolution that the city is required to complete annually in order to remain compliant with state law related to street funding.

Motion made by Downey, seconded by Swem to approve the consent agenda.

Swem asked for discussion pertaining to the expenditures for weed eaters and wanted clarification on why 6 were bought. Baker was able to go into more detail on why they were purchased.

Roll call vote carried unanimously.

VIII. Unfinished Business

IX. Reports by: Departments, Committees, Boards

A. Community Development Report- Director Rich Murphy

1) Redbud Roots Adult Use- Consider Redbud Roots 2022 renewal of Adult Use Processing License at 455 Post Rd.

Murphy stated that the application is in good order and permit fees have been paid.

Motion made by Weedon, seconded by Downey to approve the 2022 renewal of Adult Use Processing License at 455 Post Rd, contingent on background checks. Roll call vote carries unanimously.

2) Redbud Roots Medical- Consider Redbud Roots 2022 renewal of Medical Processing License at 455 Post Rd.

Murphy stated that the application is in good order and permit fees have been paid.

Motion made by Weedon, seconded by Swem to approve the 2022 renewal of Medical Processing License at 455 Post Rd, contingent on background checks. Roll call vote carries unanimously.

3) Walpole Microbusiness- Consider Walpole Limited Craft Market 2022 Renewal of Microbusiness Permit at 303 Carroll St.

Swem asked for a status update, Mr. Walpole able to provide that to the Commission. They currently waiting on the State to approve the mechanical inspection, their hope is to have everything up and going by late fall early winter.

Motion made by Swem, seconded by Money to approve the Walpole Limited Craft Market 2022 Renewal of Microbusiness Permit at 303 Carroll St. Roll call vote carries unanimously.

4) B&W Redevelopment Liquor License- Consider Resolution 2022.05/434 for Redevelopment Liquor License of B&W, SVV entertainment holding LLC at 116 Main St.

The owner of B&W, SVV entertainment holdings LLC has prepared the application for the State for Redevelopment Liquor License. Murphy is looking for approval of the resolution at the local level, then they may send the completed application to the state where they will decide if he is approved. This is the first application for this path.

Downey had questions about the application not being complete. The part he was referring to has to be done by the clerk after the vote for approval or denial, since it's a stock resolution.

The affidavit for his attempts to secure liquor licenses must be proven by him to the State. The owner has had to document the process of trying to secure a liquor license. Murphy is trying to give them everything he needs to be able to submit it to the state.

Swem asked for clarification from Murphy. The city's responsibility is to create the environment for him to apply and agree that his physical location is acceptable location. Any additional due diligence is on the State level, or do we have additional measures we have to take?

Murphy compared it to the Social District, it's a law that's written that gives the local unit of government a heads up that someone is applying for a liquor license and if you see any reason why they shouldn't the commission would have a say so.

Murphy is trying to bring in more restaurants and retail to the city. He is trying to use these tools for investors to bring in more to the city.

All the figures are included with sign off by the assessor and building inspector as well as Murphy and Grace.

Motion made by Swem, seconded by Weedon to approve resolution 2022.05/434 for Redevelopment Liquor License of B&W, SVV entertainment holdings LLC at 116 Main St.

Yes: Weedon, Swem, Money, Denison

No: None

Abstain: Downey, conflict business

Motion carries.

5) Zoning Update- Director Murphy will provide a brief update regarding the City's progress towards a new Zoning Code.

Murphy met all day this past Friday with Susan and Andrew from Placemakers. He had a series of meetings with the downtown stakeholders, Northside Neighborhood group, Buchanan

preservation society, and then a joint meeting with City Commission, Planning Commission and BARB members. They reviewed the objectives of the project, asked a lot of questions, introduced some ideas, got a feel of what everyone was feeling as a conscience. For those that were not able to attend Murphy is available to follow up with the Commission with any questions and more details.

People are open to ideas that will guide the vision. From here the team will create a first draft and will be back in 6 to 8 weeks. They will want feedback on that first draft. Murphy thought it was a great first meeting. The project could take anywhere from 6 to 9 months total.

B. City of Buchanan Municipal Building Authority- Kalla Langston

1) Recognition of Removal of Stephanie Powers from the City of Buchanan Municipal Building Authority- Consider recognizing Stephanie Powers' removal from the City of Buchanan Municipal Building Authority, due to her resignation from her position as Treasurer for the City of Buchanan. There is only a need for three members, so the remaining members of City Manager Heather Grace, Community Development Director Rich Murphy, and City Clerk Kalla Langston, all of whom were appointed to the Authority in February 2022, will continue to serve, and shall constitute a full board.

Motion made by Money, seconded by Downy to recognize the removal of Stephanie Powers from the City of Buchanan Municipal Building Authority. Roll call vote unanimously.

2) Set Terms for Municipal Building Authority- Consider a motion to establish terms of the Building Authority Commission members for the 3 appointed members, as follows: (i) City Clerk Kalla Langston shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending on June 30, 2022; (ii) Community Development Director, Rich Murphy shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending on June 30, 2023; and (iii) City Manager Heather Grace shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending June 30, 2024.

Motion made by Weedon, seconded by Money to establish terms of the Building Authority Commission members for the 3 appointed members, as follows: (i) City Clerk Kalla Langston shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending on June 30, 2022; (ii) Community Development Director, Rich Murphy shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending on June 30, 2023; and (iii) City Manager Heather Grace shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending June 30, 2024. Roll call vote carries unanimously.

3) Resolution 2022.05/435- Consider approving Resolution # 2022.05/435 approving the City to proceed with the Municipal Building Authority Project, which creates the funding mechanism for the new DPW building.

Motion made by Swem, seconded by Downey to approve Resolution # 2022.05/435 approving the City to proceed with the Municipal Building Authority Project, which creates the funding mechanism for the new DPW building. Roll call vote carried unanimously.

C. Public Safety Director Report- Tim Ganus

1) Naming of Acting Chief of Police & Transition of Ganus to Public Safety Director- Public Safety Director Tim Ganus and City Manager Grace both strongly recommend the naming of Dr. Harvey Burnett to the position of "Acting Chief of Police" for the City of Buchanan. Naming Burnett as "Acting Chief" will allow Ganus and Grace to formally post the open position of Police Chief (allowing formal applications from other interested parties) with a goal of having the Commission

vote on the permanent naming of a new Buchanan Chief of Police during our 06/27/22 meeting. In turn, this will enable the City Administration to begin the work of fully transitioning Ganus to the full-time role of dedicated Director of Public Safety, as was discussed during previous City Commission special meetings and work sessions.

Grace introduced the proposal of naming an acting “Chief of Police” in this instance we are seeking to name Dr. Harvey Burnett. Ganus and Grace strongly recommending Burnett that he be named “acting Chief of Police” effective immediately. This will allow Ganus and Grace to post the position for Chief of Police. As well as the transition for Ganus to be full Ganus Director of Public Safety.

Motion made by Money, seconded by Swem to appoint Dr. Harvey Burnett as the “Acting Chief of Police” for the City of Buchanan, and authorize Tim Ganus to continue serving in the role of “Director of Public Safety”.

Downey asked for discussion asking Swem to elaborate on the discussion Ganus and Swem had earlier on what his role would look like now.

The discussion was related to what the Commission had talked about on Saturday and what roles Ganus would be taking on as the Director full time. Noting more than what was discussed on Saturday was what Swem and Ganus had discussed.

Roll call vote carries unanimously.

2) SMCAS Ambulance Board- Ganus, who serves on the Southwest Michigan Community Ambulance Services (SMCAS) Board, will present to the Commission regarding an upcoming request by the SMCAS Director related to SMCAS funding approvals needed to continue the current provision of ambulance service within the City

Motion made by Weedon, seconded by Money to table until next meeting, when SMCAS Director Brian Scribner can present to explain exactly what he is requesting. Roll call vote carries unanimously.

D. Buchanan Area Recreational Board BARB Report

(1) Bylaws- Consider approving updated bylaws for the BARB committee, as recommended by the BARB during their 05/11/22 meeting.

Motion made by Downey, seconded by Swem to approve the amended Bylaws submitted by the BARB, as presented. Roll call vote carries unanimously.

(2) New Member Appointment- Consider approving the application of Cayde Heyliger to join the BARB, as was recommended during the 05/11/22 BARB meeting.

Motion made by Swem, seconded by Money to appoint Cayde Heyliger to join the BARB. Roll call vote carried unanimously.

E. Buchanan Area Fine Arts Committee Report

1) Budget Report- the BAFAC wanted to share their budget report with the City Commission.

Grace noted that BAFAC just wanted to share their budget report with the Commission and public.

F. Public Services Report- Mike Baker

1) Mike Baker will provide a Public Services Report, as well as an update regarding the Third Street Sewer Project. The Commission can consider any updated proposals that may be submitted by Selge in time for review during the meeting.

Baker and Selge have been going back and forth on numbers. Baker had asked Scott from Selge to be here tonight to answer questions. He is not present for the meeting. The numbers we are receiving now are \$20,000 higher than the first quote. There was confusion about the different quotes coming in from Selge. Commission asked for Grace to get into contact with Selge and get a clear view of what the cost is going to be.

X. New Business

- A. 1) Adoption of the FY 2022 - 2023 Buchanan City Budget- Consider adopting the FY 2022 - 2023 Budget for the City of Buchanan, as presented (keeping in mind that the budget needs to be adopted at this meeting to meet State requirements and could not be submitted earlier due to the City only just receiving vital budgetary data from Berrien County Equalization on 05/17/22, and also keeping in mind that the budget can always be amended at subsequent meetings, which is anticipated to occur once the new Treasurer/Finance Director comes aboard and gets a chance to further review the budget in collaboration with Manager Grace). FY 2022 - 2023 refers to the time period of July 1, 2022 - June 30, 2023. As presented, this budget represents a **REDUCTION IN TAXES** for the Citizens of Buchanan, as the effective tax rate millage is being reduced to **16.9793**.

Grace presented the Budget for 2022-2023.

The commission would like to 0 out of account 101-000.000-675.000 Sales of City Owned Property under revenue.

~~Swem would like a work session soon with edits they need to make. He's having a hard time wanting to approve all the staff wage increases. He wants to do wage increases, but it's hard to approve it with what they are given at the moment.~~

~~Grace let the commission know because it is tied to so many different line items, she would not be able to make all the changes in this meeting. However, if they could vote on it as it is and know that it won't go into effect until July 1. We can have that work session before then and make edits to it before it goes in effect.~~

~~Swem: Working through some of the figures noticed about a quarter of a million dollars in additional sale of equipment, does that sound correct? Essentially struggling with a million dollars' worth of sales. Our budget surplus at the moment is less than that, so that's a struggle. Help understanding that we have to approve this budget per state requirements and the ramifications of changes or anything like that before he makes any other commentary.~~

~~Grace: that particular number was recommended by Plante Moran for that figure. They pulled that figure rather than her inserting that number. She went with Juli's recommendation going back and reviewing historical numbers for that. You are accurate for tonight; State requirements would need a budget approved. That doesn't preclude us from even the very next meeting us amending that. And now that we do have the consent agenda approved, we will have a new treasurer for the public's awareness. Her first day will be May 31st, previous treasurer for over 10 years at the City of Fennville. Once we have more capacity in are fiancé department Grace would anticipate having more of a deep dive into items like that. And that would be priority number 1 to review that.~~

~~Swem: With that being said, he would like to get another work session on the calendars. I think a week or two weeks is too immediate, making sure Ms. Perez has sufficient time to dive into it along with edits you're going to want make. With Swem having a hard time wanting to approve adds to staff and wage increases, fully wanting to do raises because I know we need to, but it's hard to envision approving that with what we have at the moment.~~

Grace the only problem with that is it is tied to so many different line items. Grace on the fly can't in this meeting make all the changes. If the commission can vote as it is and just know it won't effectuate any of it, it does not go to effect until after July 1 anyways. We will just make a note that we will not effectuate any of it until we have the work session and a chance to further review it.

Denison: at the meeting Saturday we talked about having the City Attorney look at certain things.

Grace: that has been requested.

Denison: that way it can be part of our next work session and how we figure out what Mr. Swem is concerned with.

Grace: That was already in my mind that would be a pending effectuation.

Motion made by Swem to move to adopt the budget for the City of Buchanan, for the fiscal year 2022-2023, as presented, with the amendment of 101-000.000-675.000 Sales of City owned Property under revenue to equal \$0, and the pay raises won't effectuate until after a work session before July 1, with a general operating millage set at 16.9793 and the Dial-A-Ride millage set at .9846, seconded by Weedon. Roll call vote carried unanimously.

XI. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

None

XII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Shelly King- Comments made about the noise ordinance and other ordinance violations that are happening in the neighborhood.

Norma Ferris- Comments about comcast channel 17, Norma is reaching out on behalf of the residents.

Rita Hughes- Comments about her sewer lateral and issues with backups. Asking for the City to start a program for replacing the lateral lines. As well about the infrastructure on the Northside, asking for more attention given to the residents.

James Busby- Comments about the Elizabeth St. being redone. With multiple incidents of injury on the Street because of the dip. Just wondering why certain things are delayed for so long. Wants to know when it will be fixed. Also comments about the abundance of stray cats and trash being ripped open the garbage company won't pick up if it's ripped open or on the ground. Asking for them address the ordinance violations.

Jean Harris- Comments about code enforcement. When she is making a complaint for an ordinance violation, she is not getting a quick response back. Northside neighbors have created an advocate group to try and get some of these issues resolved. Is there a code enforcement officer? As a group can they have the authority to write a complaint and get it to the code enforcement officer.

Jim Cronin- Comments about Baker doing a good job since he has taken over the Public Works Department.

Steve Rothenberg- Comments about how to file a complaint against a Withrow Autobody.

Norma Ferris- Comments about having a meeting about the repair for streets.

Tony Houser- Comments about grant programs with water/sewer infrastructure.

XIII. Executive Comments

A. City Manager Comments

With so many public comments that require follow-ups, Grace is asking that everyone grab her card and contact with her through email so she can direct the concerns in the correct places. She doesn't want anyone to not get the follow-up they all deserve. Thanking the Commission for this evening. Excited to see the process of the liquor licenses redevelopment, additional restaurants are desired throughout the community, and this will increase are economic developments substantially to make us that destination to live, work and play. Thank you to everyone for all our contributions you give to the city.

B. Commissioner Comments

Money- It's good to see everyone coming out and expressing their concerns of Buchanan. We haven't had a lot of this and its good. This commission has talked about the Northside neighborhood and have discussed what we need to do at that end of town and what needs to be taken care of up there. Appreciate everyone expressing their concerns and to get the interaction from everyone. Wanted to thank Baker and the DPW for putting the new veterans' banners up. This commission has worked hard to help the residents of Buchanan and thanks to the staff and to the commission. Congrats to Harvey and Ganus.

Downey- Concerned about Channel 17. Grace explained that it's a Comcast problem nothing that we can do. Also wondering about the Plante Moran details, Grace will get him an answer. Had questions about utility billing on the DPW building would like the invoices.

Swem- Blight enforcement is a big focus of the commission. We will begin to start tackling those problems. Incredibly confident in Chief Burnett and Director Tim Ganus on getting that acted upon. The infostructure report that was referenced before we will make that available to everyone. As part of that there is phased strategy on to what areas to handle first. Therefore, were looking at the 24-million-dollar project for the downtown area. You are 100 percent right the northside needs to be addressed next. Unfortunately, there was no funds being saved in the past for this. When we make those enhancements, it will naturally affect your water/sewer bill. Congratulations to Harvey. Truly appreciate everyone for coming tonight.

Weedon- Thank you to everyone who came from the Northside, the more you come and the more we hear what the issues are that is gold to us. We have talked many nights about what can be done in the Northside. There is a lot of vacant lots and opportunity and truly believe that it's just going to be a couple of things where it starts to head to a positive thing. Appreciate Dr. Harvey's time and service, looking forward to your service as the Chief. Thanked Ganus very much.

C. Mayor Comments

Started by thanking everyone for coming tonight, it's great seeing the folks from the northside attending and giving us your thoughts. The eight percent raise in water/sewer rates every year is to pay for the oxidation ditch, that was the only way to get it done. The city is on a tight budget, we have a city that is aging, and it seems as if every time we turn around something is breaking, and we only have so much money. We are trying to find ways to stretch every dollar. We are doing everything we can to get grants and looking everywhere we can to find money to get all of these done. The street issue, we know they are bad, and a lot of these streets are going to be torn up in a few years because of work that needs to be done underground. We are trying to band aid them, so we are not wasting money to turn around and rip them up. Congratulations to Burnett and we expect some singing at some of these city meetings, much like the D.A.R.E graduations. I wanted to thank Grace for her work on the budget, she had a lot of work in the budget then in the middle of the week she got new information dumped on her that that made her pull an all nightery before the Saturday meeting. Thanked all the city staff for doing such a great job.

XIV. Adjourn

Motion made by Weedon to adjourn the meeting at 8:27 P.M., seconded by Money. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison



SPECIAL MEETING OF THE CITY OF BUCHANAN BUILDING AUTHORITY

TUESDAY, MAY 31, 2022 – 1:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN BUILDING AUTHORITY, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a special meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting called to order by Grace at 1:03 P.M.

II. Roll Call

Present: City Manager Heather Grace, Community Development Director Rich Murphy, City Clerk Kalla Langston

III. Public Comment - Agenda Items Only (3-minute limit)

IV. New Business

1) Consider Resolution 2022.05/01

Motion made by Grace, seconded by Murphy to approve resolution 2022.05/001. Voice vote carries unanimously.

2) Consider Resolution 2022.05/002-Resolution to authorize the issuance of building authority bonds.

Motion made by Grace, seconded by Murphy approve resolution 2022.05/002 contingent upon a majority vote from the Buchanan City Commission, authorizing Mayor Sean Denison to sign said resolution. Voice vote carries unanimously.

V. Public Comment - Non-Agenda Items Only (3-minute limit)

VI. Adjourn

Motion to adjourn at 1:05 P.M. by Grace, seconded by Murphy. Voice vote carries unanimously.

Building Authority Chairperson

Building Authority Secretary

SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION
WEDNESDAY, JUNE 08, 2022 – 6:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Mayor Denison called the meeting to order at 6:01 P.M.

II. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

III. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

Absent: None

City Staff: City Manager; Heather Grace, City Clerk; Kalla Langston, City Attorney; Matt Derby & Mitt Drew

IV. Approve Agenda

Motion made by Weedon, seconded by Downey to approve the presented agenda. Roll call vote carries unanimously.

V. Public Comment - Agenda Items Only (3-minute limit)

Dan Vigansky- concerned about the BARB Committee.

VI. Unfinished Business

A. DPW report regarding Third Street & DPW Building

Grace and Mayor updated the Commission on Third Street project about getting on the schedule for Sledge and waiting on materials needed for the project.

VII. New Business

A. 1) Closed Session- consider entering Closed Session pursuant to MCL 15.268 Sec. 8(1)(d) & (h) to consider the purchase or lease of real property and to discuss matters subject to attorney-client privilege. Roll call vote carried unanimously.

- B. Motion made by Swem, seconded by Money to enter Closed Session pursuant to MCL 15.268 Sec. 8(1)(d) & (h) to consider the purchase or lease of real property and to discuss matters subject to attorney-client privilege at 6:06 PM.

2) *Open Session*- Consider re-entering Open Session

Motion made by Weedon, seconded by Money to re-enter open session at 7:22 PM. Roll call vote carries unanimously.

3) *Action*- Consider action based on Closed Session discussions

Motion made by Weedon seconded by Money to authorize the City Administration to any necessary actions pursuant to matter discussed in Closed Session. Roll call vote carries unanimously.

VIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

None

IX. Executive Comments

A. City Manager Comments

Grace sharing that there is going to be some great sponsorship materials for Thrill on the Hill next week to two weeks. Ticket sales will be forth coming, very excited for the event. For anyone who hasn't seen the concert series event line up to check it out it's fantastic.

Follow up meeting from the mini national park that Murphy had pitched a while ago, is still in the running, no amounts yet for the grant.

The BARB meeting was trying to reschedule, for this month. The treasurer was cut out because the city runs handles the money, there was no need to have a treasurer for that board.

B. Commissioner Comments

Weedon, Main Street Committee is going well as well as the subcommittees. It's a very strong group, starting to pull together a website. It's very exciting to see the progress and constructive criticism. Next year Weedon has suggested a 5K race with the race ending at the hill and they could go down the hill. Different details working out between making it a big event.

Swem, excited to have the meeting scheduled with the new treasurer to talk over the budget.

Downey, building at west wind has been torn down.

Money, come out and celebrate Buchanan High School 100th year. The new sign looks great as well.

C. Mayor Comments

Denison, the parade went great, DPW did a nice job getting everything cleaned up. Wanted to commend Commissioner Money the city needs more people like you. You should be fishing and retired but Money steps up constantly for the community.

X. Adjourn

Motion made by Weedon, seconded by Money to adjourn at 7:30 PM. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, JUNE 13, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Mayor Denison called the meeting to order at 7:01 PM.

II. Recognition

None

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Mayor Sean Denison, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem, Mayor Pro Tem Mark Weedon arrived at 7:29 PM (due to conflict of schedule)

City Staff: City Manager, Heather Grace; Community Development Director, Rich Murphy; City Clerk, Kalla Langston; City Treasurer, Deborah Perez; Director of Public Services, Mike Baker; Wastewater Superintendent, Bill Housand; Operator in Charge, Scott Desenberg; Acting Chief Harvey Burnett; Director of Public Safety Tim Ganus.

V. Approve Agenda

Motion made by Downey, seconded by Swem to amend the agenda to remove both items ‘New Business’ and also to update the Consent Agenda at Section C. so that the total amount of expenditures being approved is \$157,365.67. Roll call vote carried unanimously.

Motion made by Downey, seconded by Money to approve the amended agenda. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

Dan Vigansky- Concerned about the \$5,000 spending limit for City Manager. Not in support of SMACS raised prices.

Monroe Lemay- \$5,000 limit for City Manager is fine. In support of SMACS, they are involved in the community very much.

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

- A. Consider approving minutes from May 21, 2022, Special Meeting Minutes.
- B. Consider approving minutes from May 23, 2022, Regular Meeting Minutes. (Minutes were amended)
- C. Consider approving expenditures for June 13th, 2022, in the amount of \$157,365.67

Motion made by Downey, seconded by Money to approve the updated Consent Agenda as provided. Roll call: Yes Money, Swem, Denison, Downey. Absent: Weedon.

VIII. Scheduled Matters from the Floor *(if any)*

- A. *Lyla Grace Nonprofit Special Liquor License Request*- A representative of the Lyla Grace nonprofit will present a request to the City Commission seeking permission to apply for a Special Liquor License to host a beer garden at The Common and/or in the City-owned grassy area near Pears Mill during a July 3, 2022 concert. If the Commission approves, a vote is needed to authorize the Police Chief to sign the special liquor license application [**NOTE- Even if approved by the City Commission, the event also requires approval from the Michigan Liquor Control Commission*].

Rick Paniagua gave a presentation to the Commission about the non-profit that he has helped create with Tony Houser and Monroe Lemay. Their mission is to provide funding to the community where funding is not being allocated. This event will be a free event with a suggested donation. The event will have local businesses and bands, this is not a cannabis event. The goal is to raise enough money to put sport court (basketball or pickleball) into one of the city's parks. The beer garden will not be held at the common.

Money asked for them to talk to the local church near there and about double fencing being up.

Motion made by Money, seconded by Swem to approve the Lyla Grace event, as presented, and authorize the Acting Chief of Police to sign the special liquor license application. Roll call vote Yes; Swem, Denison, Downey, Money. Absent: Weedon.

- B. *SMCAS Ambulance Board*- SMCAS (Southwest Michigan Community Ambulance Service) Director Brian Scribner will present to the Commission regarding an upcoming request for SMCAS funding approvals needed to continue the current provision of ambulance service within the City.

Brian Scribner was unable to be attend due to being held up at Niles City, in his place was Josh Kay Operations Manager at SMCAS. SMCAS is up for renewal and this year they are asking for an increase. SMCAS is not in poor financial condition, they have gone 25 years without in an increase in their assessment. It's been \$25.00 per year per parcel, the only thing that has changes was last year they included abandoned parcels when it wasn't before. The reason why they are asking for the increase is because the industry is in crisis right now, specifically staffing shortage across the country with EMS and Paramedics. SMACS is only able to pay \$12.56 an hour for employees coming straight from school and internship. The wage comparisons for other ambulance services SMCAS is far behind and that is the main reason for the increase. They also have an aging fleet and fuel costs as well as competition for candidates across the state.

They are asking for a tiered ask with a 5 dollar increase every year for 5 years, capping at \$50.00.

Swem asked about the funding mechanism with other ambulance services as well as the difference between special assessments and milage proposal.

Swem brought up points about neighboring communities with owning multiple parcels. Wanting to make sure we make the right choice for the citizens of Buchanan with it being a heavy increase.

Motion made by Swem, seconded by Money to table this matter until the next meeting providing the breakdown on cost. Roll call vote carried unanimously.

IX. Reports by: Departments, Committees, Boards

A. Buchanan Tree Friends-

1) Richard Martin & Brian Murphy will present information about the tree inventory and management plan sponsored by the DNR, the City of Buchanan & the Masons.

Murphy & Martin presented the tree inventory that was compiled. This tree inventory website will help them maintain the trees and how many needed to plant as well as create diversity among the trees. The tree inventory also helps mitigate risk from trees falling that may cause risk to homes or persons. The inventory has identified 60 trees that need removal or maintenance. Opening the line of communication with the DPW crew and creating a plan for the maintenance and planting of the trees. As well as creating a bigger volunteer base. Martin was able to show the commission how the website worked that showed the inventory and the importance of keeping it updated. The website is Buchananmi.treekeepersoftware.com.

B. Community Development Director Report- Rich Murphy

1) Consideration for Olympian Hannah Roberts Mural Project and Funding Request for \$5,000.00

Murphy is asking for a public art project in honor of Olympian Hannah Roberts. Murphy is seeking \$5,000.00. Murphy has received pledges for the project as well as a location on the Honor Credit Union wall. Murphy has been in discussion with Hannah and her family, and they do love the idea. With lots of moving parts Murphy has secured an artist for the mural. He is asking for the commission's support in this project.

Downey asked what the total cost would be for the project, Murphy has lined up an estimated \$15,000 for the project.

Motion made Swem, seconded by Downey to approve the Hannah Roberts Mural Project and its \$5,000 Funding Request. Roll call vote carried unanimously.

2) Consider Facade Grant for the Buchanan Senior Center at 810 Rynerson St.

Murphy brought the Buchanan Senior Center Façade Grant to the Commission. When Murphy brought the programs forward to the Commission, he did leave a discretionary in certain circumstances that would provide community benefit. The program is considered more for the Downtown/Commercial driving business development downtown. However, the applicant brought it forward to Murphy thinking it would be appropriate for discussion with the Commission.

The tool was created to use for economic growth, Swem asked the Director of the Senior Center (Adam) why he thinks that it fits that program.

Adam stated that the building is a commercial building, and they provide regular patrons services everyday that essential to their physical, social, and mental health. It is also available for community events. This addition on will help provide more services to the community.

Downey asking for clarification on where the addition is being added. The addition is in the East Side of the Building.

Downey asked Murphy what the purpose of the Façade Grant is for.

The primary purpose is to promote historical preservation and continued use and maintenance of commercial and mixed-use buildings in the central building district. It is intended to help property

owners and commercial tenants to rehabilitate and restore the visible exterior of existing structures in ways that match the pleasing aesthetics of our historically significant downtown.

Murphy had anticipated projects like we have tonight, and he wanted to be able to differ to the will of the Commission that they may or may not want to move forward on. There is that discretionary clause because we foresaw discussions like this.

Denison said it does put them in a difficult place, Denison stating he loves the senior center and love the services they provide. But not the idea of the Incentive Program for downtown being used to help rehabilitate the old buildings that are outdated and rundown. The building should meet all the criteria or authorized by the Commission.

Discussion between the Senior Center Members and Commission about the qualifications of the program.

Denison believes that this does not fall under the façade grant vision, that maybe a donation to the senior center would be the better route to go.

Weedon had reservations about setting a precedent that anyone can come to the table. Thank you for what you do for the Senior Center, this is difficult.

No motion was made.

City Treasurer Report

1) *Introduction of Deborah Perez, newly appointed City Treasurer.*

Grace introduced and welcomed Deborah Perez to the City of Buchanan Team.

2) *Consider adding Deborah Perez as an authorized user and signatory to all City of Buchanan banking accounts (Huntington, Honor Credit Union, and United Federal Credit Union).*

Motion made by Weedon, seconded by Swem to add Deborah Perez as an authorized user and signatory to all City of Buchanan banking accounts. Roll call vote carried unanimously.

3) *Fund Balance Report*

Grace briefed the Fund balance report to the Commission.

D. Wastewater Department Update

1) *Wastewater Superintendent, Bill Housand will give an update on the Wastewater department*

Housand gave a review of the year at the new plant.

2) *Wastewater Treatment Plant Open House to be held August 1, 2022, from 9 AM- 11 AM, to coincide with a Joint Water/Sewer Board meeting, which will also be held earlier that same morning at the Treatment Plant.*

E. Water Department Report-

1) *Operator in Charge, Scott Desenberg will give an update on the Water Department.*

Desenberg gave a review of the water department in the last year.

2) *Consider an updated Water/Sewer Tap Fee rate schedule, if approved the rate schedule will go into effect immediately.*

Motion made by Swem, seconded, by Downey to approve the Water/Sewer Tap Fee rate schedule, as presented. Roll call vote carried unanimously.

3) *Wellhead Protection Committee- consider approving members to Wellhead Protection Area Committee.*

Motion made by Money, seconded by Weedon to appoint the members to the Wellhead Protection Committee as presented. Roll call vote carries unanimously.

F. Buchanan Building Authority, Clerk Kalla Langston

1) *Consider authorizing approval for The Buchanan Building Authority to approve resolution 2022.05/002, a resolution to authorize the issuance of building authority bonds. [*NOTE- This item may end up being recommended to be tabled, depending upon whether we hear back from Andy Campbell in time].*

Motion made by Swem, seconded by Weedon to approve the Buchanan Building Authority to approve resolution 2022.05/002 as presented. Roll call vote carries unanimously.

X. Unfinished Business

A. Reconsideration of Ordinance 2022.03/430- IMPC Adoption Ordinance, Property Maintenance Code. - Reconsider a New First Reading of Ordinance 2022.03/430 [previous review of First Reading did not have all of the 'blanks' filled in yet].

Motion made by Weedon, seconded by Downey to approve the First Reading of Ordinance # 2022.03/430, International Property Maintenance Code adoption, as presented. Roll call vote carries unanimously.

B. Discussion of the recently passed 2022-2023 Budget and scheduling budget amendment work sessions, if desired. -The recently passed FY 2022-2023 Budget is available on the City website at the following link: <https://tinyurl.com/y6uh6tyy>

Special meeting will be held to discuss budget amendments for June 15 at 3:00 PM.

C. Contract Authorizations- Consider authorizing the City Manager to sign the following pending contracts, following the recent review of said contracts by the City Attorneys: (a) Bergmann [architects for the DPW building], (b) AVB [construction managers for the DPW building, and (c) Prein & Newhoff [engineers for the 2023/2024 redesign & reconstruct of Front Street/infrastructure projects].

Motion made by Weedon, seconded by Swem to authorize the City Manager to sign contracts with Bergmann, AVB, and Prein & Newhoff, as per the recommendations of the City Attorneys. Roll call vote carried unanimously.

XI. New Business- Removed from Agenda item A. & B.

~~**A. Moose Parking Lot for Thrill on the Hill** - Consider options related to the City potentially utilizing The Moose's parking lot during the Thrill on the Hill.~~

~~**B. Closed Session RE Real Property** - [*NOTE- This matter might be recommended to be tabled, depending upon availability of information by time of meeting].~~

~~(a) Enter Closed Session - Consider entering Closed Session pursuant to MCL 15.268 Sec. 8 (1)(d) to consider the potential purchase or lease of real property.~~

~~(a) Reenter Open Session - Consider reentering Open Session.~~

~~(C) Action Based on Closed Session – Consider authorizing action based on Closed Session discussions.~~

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Norma Ferris had concerns about priorities and has filed a grievance against Comcast for Channel 17. Board member from Senior Center thanked commission for holding to their guns tonight.

XIV. Executive Comments

A. City Manager Comments

Thanked the public for braving the storm this evening. We addressed some tough issues. The downtown business owners will be receiving a communication for the Police Department informing them about the recent parking fee changes. Also wanted to thank Norma about her efforts with Comcast, we did get a different rep at city hall, they did not fix it, but they are trying.

B. Commissioner Comments

Weedon; Welcomed Deborah Perez

Swem; Welcomed Deborah Perez. We are seeing rate increases industry wide, just talked about this at the landfill. Would like that to be investigated. Second item was to ask who our number 2 in charge of the Main Street Program once Ashley is on leave. Asking about the scheduling of the DPW crew. Had some interesting discussion with Plante Moran to help getting some commissioner committees established. Incredible impressed with the Tree Friends committee and proud to see the willingness for them to work with the city.

Downey; Welcomed Deborah Perez.

Money; Welcomed Deborah Perez. Big thanks to Baker and the DPW crew for all the work they did with the Memorial Day parade. Cemetery and streets were cleaned and looked great. Agreement with Swem about the Tree Friends Committee, truly appreciate all the work they have done. As well as the Senior Center, I hope they understand we as a group must do sometimes.

C. Mayor Comments

Welcome aboard to Deborah Perez. One thing that was brought up was complaints about trash downtown. Baker was able to answer with having someone do a trash run early Saturday morning.

Denison apologized to his fellow Commissioners for letting the meeting get out of hand. He likes the fact that we have back and forth, but let it get out of hand tonight. Thanks to everyone coming out tonight.

XV. Adjourn

Motion made by Weedon, seconded by Downey to adjourn the meeting at 9:44 P.M. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison



SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION

WEDNESDAY, JUNE 15, 2022 – 3:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a special meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order by Mayor Pro Tem Mark Weedon at 3:06 PM.

II. Roll Call

Present: Mayor Pro Tem Weedon, Commissioner Swem, Commissioner Money

Absent: Commissioner Denison, Commissioner Downey

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Deborah Perez

III. Public Comment - Agenda Items Only (3-minute limit)

None

IV. New Business

A. Budget Amendment Work Session

Grace, Swem, Weedon, Money and Perez all discussed different aspects of the budget from wages to different line items from the GL fund.

Weedon had to leave at 3:54 PM due to schedule.

V. Public Comment - Non-Agenda Items Only (3-minute limit)

None

VI. Adjourn

Meeting was Adjourned at 4:17 PM

Kalla Langston, City Clerk

Mayor Pro Tem Mark Weedon

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, JUNE 27, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Meeting was called to order by Mayor Denison at 7:00 PM.

II. Recognition

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff: City Manager, Heather Grace; Community Development Director, Rich Murphy; City Clerk, Kalla Langston; Chamber Executive Director/Main Street Manager, Ashley Regal; Director of Public Services, Mike Baker; Acting Chief Harvey Burnett; Director of Public Safety Tim Ganus.

V. Approve Agenda

Motion made by Weedon, seconded by Downey to approve the agenda as presented. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

Norma Ferris: The meeting referring to Front Street, she would like to know when the project will begin and end.

Dan Vigansky; Disappointed in the control the commission has given up as a board. Concerned if BARB has anything to do with the pavilion on the northside, does not believe they should be expanding and building when the other parks are neglected. Concerned with protocols not being followed, not agreeing with things, the Commission is doing.

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Consider approving minutes from June 8th, 2022, Special Meeting Minutes.

B. Consider approving minutes from June 8th, 2022, Closed Session Minutes.

- C. Consider approving minutes from June 13th, 2022, Regular Meeting Minutes.
- D. Consider approving minutes from June 15, 2022, Special Meeting Minutes.
- E. Consider approving expenditures for June 27th, 2022, in the amount of \$416,698.49
- F. Consider street closure from Days Ave to Central Ct. on July 3rd, 2022, from 11 AM-8 PM for Lyla Grace Corp. non-profit event.

Motion made by Money, seconded by Downey to approve the consent agenda as presented. Roll call vote carries unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

- A. SMCAS Ambulance Board- SMCAS (Southwest Michigan Community Ambulance Service) Director Brian Scribner will present to the Commission regarding an upcoming request for SMCAS funding approvals needed to continue the current provision of ambulance service within the City. (Item was tabled the last meeting)

Scribner was able to answer some of the previous questions commissioners had at the last meeting.

Motion made by Weedon, seconded by Swem to approve the SMACS funding resolutions as presented. Roll call vote carries unanimously.

- B. Buchanan Preservation Society- Beth Murphy & Peter Lysy

1) Discussion about the deterioration and collapse of portions of the mill race wall, west of Oak St., BPS would like to be involved in planning the repair.

Murphy and Lysy wanted to bring the deterioration and collapse of the mill race wall. The BPS wants to be involved on the replacement of the mill race wall. The water is still flowing but over time it's going to slow. The Preservation Society is hoping to work with the city on this project.

Motion made by Money, seconded by Downey to authorize the City Administration to work with the Buchanan Preservation Society to develop a plan relating to the repair and preservation of the mill race wall west of Oak Street. Roll call vote carries unanimously.

IX. Reports by: Departments, Committees, Boards

- A. Community Development Report- Rich Murphy

1) Update on Victory Park Pavilion Project

The proposed plan was from The Vision of Buchanan on page 40. Since then, the city has resurfaced the basketball courts, expanding the park. Kevin Barker offered Pro Bono to design the Victory Park Pavilion and has completed the design. We are expected to go out for bids soon. Murphy plans to meet with BARB at their next meeting updating them on where we are.

Denison wanted to publicly acknowledge and thank Kevin Barker and the Northside Neighborhood for all the meetings and work done on this project.

2) Update on Clark Campus National Register Designation

The application has been submitted to the State. Murphy excited about the opportunity it brings to the city. Kurt Garner and the Buchanan Preservation Society has been a huge help in helping get this together.

B. *Main Street Report - Ashley Regal -Downtown Redevelopment Funding Plan with Buchanan Main Street Program & Michigan Gateway Community Foundation Proposal for Designated Redevelopment Funds*

Regal gave an update on MI Main Street introduced some of the board members. MI Main Street provides technical assistance for communities desiring to develop their own local Main Street program by utilizing the Main Street approach. Regal is extremely proud of this Board. They bring energy and professionalism to this board. They are continuing to work through the steps of MI Main Street.

Regal introducing Michael Rowland with Michigan Gateway Community Foundation. Rowland proposing a plan for the DDA revenue (after the DDA was dissolved). Rowland proposing a Downtown Development Endowment, permanently designated funds for downtown development. Which would create Granting Opportunities. Endowment would permanently fund downtown development, third party transparency, credibility, and partnership. It would create everlasting community development program impervious to "political winds of change". Rowland went over the financials and how the grants would be distributed.

C. *Clerk Report- City Clerk, Kalla Langston will briefly provide an update on the upcoming election.*

August 2, 2022 is the August Primary Election. Langston asking anyone running for City Commission that the petition be turned in as soon as possible. The due date is July 26th at 4:00 P.M.

X. Unfinished Business

A. *Second reading and adoption of Ordinance 2022.04/430- IPMC Adoption Ordinance, International Property Maintenance Code.*

Motion made by Swem, seconded by Weedon to approve Ordinance 2022.04/430 IPMC Adoption Ordinance, international property maintenance code. Roll call vote carries unanimously. See Attachment A

XI. New Business

A. *Consider the agreement with the Spicer Group to continue being a member of the Berrien/Cass NPDES MS4 compliance.*

Motion made by Money, seconded by Downey to authorize the City Manager to sign the Spicer Group M4 agreement, as presented. Roll call vote carries unanimously.

B. *First reading and consideration of Ordinance 2022.06/433 Parks Ordinance.*

Motion made by Downey, seconded by Weedon to approve the first reading of Ordinance 2022.06/433, regulating the city parks as presented. Roll call vote carries unanimously.

C. *Consider the end of the year budget amendments for FY 2021-2022.* The budget amendments for each fund are available on the City website, under "Departments", "Treasurer", "Financial Reports," or at the following link: <https://tinyurl.com/3w9ekbpn>

Motion made by Swem, seconded by Money to approve the Fiscal Year 2021/2022 budget amendments, as presented. Roll call vote carries unanimously.

D. *Closed Session RE Real Property- [if desired to discuss foreclosed properties list in private packet]*

(a) *Enter Closed Session-* Consider entering Closed Session pursuant to MCL 15.268 Sec. 8 (1)(d) to consider the potential purchase or lease of real property.

No motion made, motion dies.

(a) *Reenter Open Session-* Consider reentering Open Session.

(C) *Action Based on Closed Session-* Consider authorizing action based on Closed Session discussions

E. Streetscape Public Engagement Session- Consider scheduling a public meeting from 5pm-7pm on Monday, August 8, 2022, to allow for a presentation of an initial Streetscape design for downtown Buchanan's 2023/2024 Redesign & Reconstruct project, along with opportunities for public input and comment on the design.

The city has an internal task force that has been working with engineers from Prein & Newhoff on the 2023/2024 Redesign & Reconstruct project, as well as infrastructure. The city is hoping to get public opinion on the streetscape design several different ways.

Motion made by Weedon, seconded by Downey to authorize the City Administration to schedule a public meeting from 5 PM to 7 PM on Monday August 8th, 2022, to discuss the streetscape design for the 2023/2024 Front Street project. Roll call vote carries unanimously.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. The open house for the Wastewater treatment facility is being postponed until further notice due to staff shortages at the WWTP. Previously scheduled to be held on August 2, 2022

B. Chief of Police Appointment- Manager Grace will announce the formal appointment of the City of Buchanan's new Chief of Police, effective July 1, 2022.

Grace formally appointed Dr. Harvey Burnett to the Chief of Police. Grace applauded Burnett for all his accomplishments.

Burnett thanked the commission for the opportunity.

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Dan Vigansky, concerned about 3rd St., the retaining wall, the culvert, the DPW building, the road to the river bringing up there has not been any update lately.

XIV. Executive Comments

A. City Manager Comments

Thank to Norma Ferris and Peter Lysy, they have been continually helping the city management with our storage area. Lysy has been using his wonderful skill set that we are blessed to have. Thanks to everyone in this room for being involved in the process.

The county is letting us utilize a storage barn for the salt and truck near city limits. 3rd Street project is on the schedule for the week after 4th of July. We have made strides in previous meetings about the DPW building. The bridge to Walton is under the county's control, we will try to keep everyone updated on the open and close.

B. Commissioner Comments

Weedon, thanked Murphy for his hard work and dedication. And working with the Northside neighbors to improve the projects in the neighborhood. He hopes they are proud, seeing a lot of energy coming out of that group and excited to see. Thanked Dr. Harvey for his dedication and all aspects. Thanking everyone who showed up tonight and to the Main Street Representatives and

the Preservation Society, Ralph, and Fran. We welcome your aggressiveness, Dan; it gives us a different point of view.

Swem, Congratulations to Chief Harvey. Excited what Main Street has going on right now. The whole economic development team Swem thanked them all for their efforts. Making big waves there. Congressional Representative Tim Walberg will be in the area on Wednesday this week, if you have the opportunity to attend any of the events, he's at this week.

Downey, Congratulations to Chief Harvey Burnett and thanks to Director Ganus.

Money, Congratulations to Chief Harvey Burnett no better person to take the shoes of Ganus. He apricates everything Burnett has done in this community and the things he will continue to do in this community. Thanked Rich, Michael and Ashley for their presentation, excited about it. This commission is great to work with and they don't need to bend their arms because I pat them all on the back enough, we may argue at times, but we always come out on top of things. Thanked the Commission for all their hard work.

C. Mayor Comments

Thanked Chief Harvey Burnett as well as Director Tim Ganus. Thanked Peter Lysy for helping sort out the mess in the closet. This town has someone perfect for every chore, there is not a better chore for anyone then Peter. He hopes he found valuable things to put into the local history room at the library. Not a better person could have done it.

Denison addressed Vigansky; just because we do not inform you of everything were working on, does not mean we are not working on it. Selge was delayed, yes, we are all frustrated about it. North River Park that entrance way is part of a larger scheme of things that we are trying to work on, rather than keep bandaging the road, we are trying to come up with a plan to fix it permanently. I would rather see us do it right instead of continuing to throw money at the road. Murphy would be able share the plan with you about north river park. The start and end date is unknown for the project for streetscape. That is what the public meetings are for, we have a lot of planning to do with it before we have exact times and dates.

XV. Adjourn

Motion made by Weedon, seconded by Money to adjourn the meeting at 8:45 PM

Kalla Langston, City Clerk

Mayor Sean Denison

Draft Ordinance
for First Reading – City of Buchanan, 06/13/2022

ARTICLE IV. - HOUSING PROPERTY MAINTENANCE CODE

Sec. 14-86. - Adopted.

The International Property Maintenance Code, 2021 Edition (hereinafter "IPMC"), is hereby adopted by reference as the Property Maintenance Code of the City of Buchanan, subject to the amendments contained in this Article IV.

(Comp. Ords. Rev. 2022, § _____)

Sec. 14-87. - References in code.

References in the IPMC adopted under this Article IV to:

- (1) "board of appeals" or "board" shall mean the City's Zoning Board of Appeals;
- (2) "city" shall mean the City of Buchanan (hereinafter the "City");
- (3) "code official" shall mean the City Building Inspector and/or Code Enforcement Officer;
- (4) "compliance agency" referred to in Section 103.1 shall mean the City's Building Department.
- (5) "local laws" shall mean the Ordinances of the City;
- (6) "governing body," "governing authority," "applicable governing authority," and/or "chief appointing authority" shall mean the City Commission;
- (7) "the jurisdiction" and/or "authority having jurisdiction" shall mean the City;
- (8) "name of jurisdiction" shall meant the City of Buchanan;

(Comp. Ords. Rev. 2021, § _____)

Sec. 14-88. - Amendments.

The IPMC adopted under this Article is amended as follows:

105.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* shall first attempt to obtain prior permission to enter from the owner or owner's authorized agent. If permission to enter is not granted, the code official shall obtain a warrant for inspection of the premises and/or structure from a court of competent jurisdiction before entering the premises or structure. ~~is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure or premises is occupied the code official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner, owner's authorized agent or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.~~

109.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 111.4 shall be deemed guilty of a ~~misdemeanor or civil infraction as determined by the local municipality,~~ and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the *structure* in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the City ~~authority having jurisdiction on such premises~~ shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

110.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the City, which may be set via Resolution of the City Commission. ~~authority having jurisdiction.~~

111.4 Notice. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given, including any order to demolish, in the manner prescribed in Sections 111.4.1 and 111.4.2 to the owner or the owner's authorized agent and any lienholders of record, for the violation as specified in this code. Notices for condemnation procedures shall comply with this section.

111.6 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order, condemnation notice, or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

113.1 General. The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year after the date of the compliance order, condemnation notice or other notice of violation, unless approved by the building official.

APPENDIX B, IPMC:

B101.7.1 Decision Resolution. The decision by the board shall be by written report stating the board's factual findings, decision, and reasons for decision on the appeal resolution. Every decision shall be promptly filed in writing in the office of the code official within three (3) days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant's representative and code official.

B101.7.1A Board Decision. Within five (5) days of the date of board of appeals decision, it shall file its decision with the City Commission and request that the City Commission review and concur with its decision.

B101.7.1B Hearing on Repair or Demolition Order. If repair or demolition is ordered, or if the owner, owner's agent or an interested party fails to comply with the requirements of an opportunity to repair, the City shall issue a notice giving the date and time the matter is to be heard by the City Commission and serve the notice, in the manner provided in Section 111.4, on the owner, owner's agent or interested party at least ten days prior to the hearing.

B101.7.1C City Commission Hearing. At the City Commission hearing, the owner, owner's agent, or other interested parties shall be given the opportunity to show cause why any ordered repairs should not be made or the structure should not be demolished but repaired, and the City Commission shall either approve, disapprove or modify the order of the board of appeals. In addition:

- (1) After the hearing, the decision of the City Commission shall be served on the owner, owner's agent and all interested parties in the manner provided in section 111.4
- (2) The City Commission may require a deposit of funds adequate for demolition if it allows an owner, owner's agent or interested party to repair as structure or premises, and it may determine and attach any conditions to any permit to repair.
- (3) Any decision to allow repair issued by the City Commission in a dangerous structure or premises case shall limit the time for completion during a period reasonably determined by the City Commission, taking into account the condition of the premises or structure, but not to exceed ninety (90) days from the date of issuance of the Commission decision.
- (4) If the owner, owner's agent or other interested parties fail to comply with the decision of the City Commission within the time limited or as conditioned, the City may cause the building or structure to be demolished or repaired, first utilizing any funds deposited. The cost, in excess of any deposit, of the demolition or repair shall be collected by the City in the manner following: An owner, owner's agent, or interested party shall be notified of the amount of such costs by first class mail; if it fails to pay within 30 days after the mailing of the notice, the City may recover the costs from the owner, owner's agent or interested party as a personal obligation by filing an action for recovery in any court of competent jurisdiction. The City may further, or alternatively, add the premises to the next tax roll of the City and collect the costs in the same manner in all respects as provided by law for the collection of taxes. Defendants in the personal action, if any, shall receive credit for all amounts collected through the tax collection procedure, but shall be liable for any uncollected amounts. If the City collects through the personal action any amount of the costs incurred, the tax lien shall be thus reduced.

B101.7.1D Appeal to Circuit Court. Any owner, owner's agent, or interested party aggrieved by any final decision of the City Commission may appeal the decision in the time and manner provided under State statutes and applicable Court Rules.

(Comp. Ords. Rev. 2021, § _____)

Section _____. **Repeal and Replacement.** This Article IV., Property Maintenance Code, repeals and replaces the former Article IV, Housing Code, Sections 14-86 through 14-110 of 1991 of the Buchanan Code of Ordinances.

(Comp. Ords. Rev. 2021, § _____)

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Mayor Pro Tem Mark Weedon called the meeting to order at 7:00 P.M.

II. Recognition

None

III. Pledge of Allegiance

Mayor Pro Tem Weedon led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

Absent: Mayor Sean Denison

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Deborah Perez; Director of Public Services, Mike Baker; Chamber Executive Director/Main Street Manager, Ashley Regal; Chief of Police Harvey Burnett

V. Approve Agenda

Motion made by Swem, seconded by Money to approve the agenda as presented. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)**VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)**

A. Consider the re-appointment of Molly Thornton to the Board of Trustees for the Buchanan District Library

B. Consider approving the Regular Meeting Minutes for June 27, 2022.

C. Consider approving the expenditures for July 11, 2022, in the amount of \$85,353.76

Motion made by Downey, seconded by Swem to approve the consent agenda as presented. Roll call vote carries unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

- A. Intent to Establish SAD (Special Assessment District) under Act 33 of 1951 for Ambulance Services. Consider approving Resolution 2022.07/437 and set a public hearing for Monday, July 25th, 2022, at 7:00 PM to hear and consider any objections to the proposed special assessment, the district, and all other matters relating to the Special Assessment District for Emergency Medical Services through Southwest Michigan Community Ambulance Service.

Motion made by Money, seconded by Swem to approve Resolution # 2022.07/437, establishing a Special Assessment District for SMACAS, and setting a Public Hearing for July 25th, 2022, at 7:00 P.M. Roll call vote carries unanimously.

- B. DPW Schedule Update- Daniel of AVB, and Amelia and Gary of Barton Group, will be available via Zoom to review an update regarding the schedule for the DPW building construction project.

Daniel from AVB provided a soft schedule with a 3-month delay to the end of the project. Long lead times are still a factor with a 26-week lead time on the building. End of construction would be in February 2024 with the design schedule. The focus of why they are talking is that there is another option of doing an early bid package, there a lot of risk with the early bid project but would get them in on schedule in November 2023. There could be hybrid approach, but it could scare bidders away from the bid with language of cancellation.

Motion made by Swem, seconded by Money, to stick with the Bergmann Design Schedule' and not issue an early PEMB Bid Package. Roll call vote carries unanimously.

IX. Reports by: Departments, Committees, Boards

- A. Treasurer's Report- Debriah Perez will provide a brief update for the finance department.

Treasurer Perez gave the Commission an expenditure and revenue report for their review. This is a very preliminary report as of June 30 for year end. There will be a lot of adjustments that will be needed and reallocation of expenses. Most were clerical errors that were coded to the wrong departments. Perez has some work ahead of her, with getting it revised.

Audit Field work is scheduled for August 31, September 1, September 2. Auditors would like a meeting with the Commission to explain the process.

Grace complimented Perez on the amazing job she's doing, since she started this is the first month they have had timely bank reconciliation that balanced correctly as well.

- B. Thrill on the Hill

1) Road Closure from 6 AM August 2, 2022, to 6 AM August 7, 2022

Regal and Burnett presented the road closure maps in the packet for the Commission.

Discussion about closing any other roads. The Commission went with what was presented.

Motion made by Money, seconded by Downey, to approve the Thrill on the Hill Road Closure as presented. Roll call vote carries unanimously.

2) Consider the noise ordinance being delayed till 1 AM on Saturday Morning on August 6th, due to a concert on Friday, August 5th.

Regal said the concert should be over by 11 but wanted to cover her bases.

Motion made by Swem, seconded by Money, to approve the requested Noise Ordinance Waiver for Thrill on the Hill, as presented. Roll call vote carried unanimously.

X. Unfinished Business

A. Second reading and adoption of Ordinance 2022.06.433- Parks Ordinance.

Motion made by Downey, seconded by Swem to approve the 2nd reading of ordinance 2022.06/433 to regulate City Parks. Roll call vote carries unanimously.

(See attachment A)

XI. New Business

A. Closed Session to Discuss Real Property- Consider going into Closed Session pursuant to MCL 15.268 Section 8 (1)(d) to consider the potential purchase or lease of real property.

Motion made by Money, seconded by Swem to enter in closed session pursuant to MCL 15.268 Section 8 (1)(d) to consider the potential purchase or lease of real property. Roll call vote carries unanimously.

Motion made by Money, seconded by Downey to re-enter open session at 8:14 PM. Roll call vote carries unanimously.

Motion made by Downey, seconded by Swem to authorize the City Manager to take action pursuant to discussions held in closed session. Roll call vote carries unanimously.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. City of Buchanan Summer 2022 Newsletter- An informational Newsletter is being mailed to each Buchanan City resident.

Newsletter will be in with the SMCAS Public Hearing. The road closures for Thrill on the Hill will coincide with Election Day on August 2. There is a detailed detour map on the newsletter for the short detour.

B. Public Accuracy Testing for August 2, 2022, Primary Election to be scheduled for Wednesday, July 20th, 2022, at 11:00 AM

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Norma Ferris- asking for consideration for Oak St to be a fire lane.

Rick Paniagua- Gave update on the Buchanna fest. Thanked everyone for making it happen in such a short period of time. Raised 13,500.00 for the non-profit organization, Lyla-Grace. Community seemed to really appreciate it; the music was fantastic. Happy that there was something else going in town. The hard work of the folks at River St. Joe and his team went a long way.

XIV. Executive Comments

A. City Manager Comments

Thanked Rick for his comments and expressed her gratitude to Rick, Tony, and Monroe for the dedication they showed to bring the event to Buchanan. Excellent that they were able to raise funds for their charity. Thanking the rest of the community for being engaged in the local elections and thanked our dedicated Clerk. Langston is more humble than she should be, if not the best one of the best in Berrien County, she is extremely professional, knows her stuff, and is as dedicated as you can possible be to ensuring a fair and transparent process.

B. Commissioner Comments

Swem, thanked Rick for the event he put on, looking forward to seeing where the funds go and continuing to hear the updates on the impact it has on the community.

Money, thanked Rick, it was a good event and everything went smoothly. People had a good time. As always Money thanked the Commission for what they do, they have some hard tasks and will continue to take in stride.

Downey thanked Rick; it's always nice to have any new event in Buchanan.

C. Mayor Pro Tem Comments

Weedon wanted to mirror everyone's comments. Thanks to Rick and his team, there was a lot to accomplish. Jen Tabor had done well; it was impressive to see. Thanks to Ralph, you can't say enough good things about what's happening downtown. Thanks to Baker and his team everyday they are out there picking up something or organizing something he really appreciates that. Langston can't say enough great things about you. From what I hear from everyone else, Grace's statements ring true. Perez, welcome I know you have a big task, but you seem sharp, and I don't doubt you're going to be digging in and giving us everything we need.

Thank you to everyone who showed up tonight.

XV. Adjourn

Motion made by Money, seconded by Swem to adjourn the meeting at 8:24 P.M.

Kalla Langston, City Clerk

Mayor Pro Tem Mark Weedon

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Meeting was called to order at 7:00 P.M. by Mayor Denison.

II. Pledge of Allegiance

Mayor Denison led in the pledge of allegiance.

III. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

Absent: None

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Chief of Police, Harvey Burnett

IV. Approve Agenda

Motion made by Weedon, seconded by Downey, to approve the agenda as presented. Roll call vote carries unanimously.

V. Open of Public Hearing for Special Assessment District for Emergency Medical Services through Southwestern Michigan Community Ambulance Service.

Motion made by Downey, seconded by Money, to open the public hearing at 7:02 P.M. Roll call vote carries unanimously.

Announcement of the Rules of the Hearing

1. This is a Public Hearing designed to hear and consider any objections to the proposed special assessment, the district, and all other matters relating to the Special Assessment District for Emergency Medical Services through Southwestern Michigan Community Ambulance Service.

2. All persons wishing to comment shall be given the opportunity to do so.

3. The person addressing the Commission shall stand, state their name, and direct their comments directly to the Commission.
4. In the event a large number of people wish to comment, the Mayor may announce that each person speaking shall limit their comments to three (3) minutes.
5. Each person shall have an opportunity to speak before anyone is allowed to speak a second time.
6. The Mayor may, at their discretion, terminate comments which are unreasonably lengthy or unrelated to the subject of the public hearing.
7. When the Mayor observes that there are no further public comments, he/she shall close that portion of the hearing.

Mayor asked for anyone to speak in favor.

One letter by mail came in from James Robertson in favor of the Special Assessment, Langston read the letter to the commissioners and also gave a copy of the letter to the Commission.

Mayor asked for anyone to speak that is opposed.

Peter Lysy- Peter is predisposed to approve funding for the ambulance service and is also in favor of funding SMCAS through a special assessment district. But he strongly opposes the current proposal. It asks to more than double the revenues in a short period of time and doesn't offer any justification as to why they need it. SMCAS doesn't demonstrate why it needs this increase or tell us how much money it currently receives, how much more it needs, or how it plans to spend it. Only presents vague generalities and notes that the rate hasn't increased in more than 25 years, which isn't true. Given the history of SMCAS mismanagement of tax withholdings and a very serious case of embezzlement, you would think they would want to be transparent and fully disclose its finances and plans. Lysy has not been able to find any financials or even minutes from the board or even a list of its members. Lysy is also concerned that SMCAS is saying they haven't raised rates in the past 25 years, when in 2006 we paid \$10.00 a year, in 2007 it went to \$20.00 a year - that was 15 years, not 25. The SMCAS proposal was sloppily prepared with little thought or reflection, certainly with inadequate research. SMCAS needs to withdraw the current proposal and then provide us with a detailed financial analysis of the current situation and future projections so we can understand, discuss, and accept or dispute what they propose.

Kim Bicard- Made comments believing the Commission may have already reached a decision on this Special Assessment due to wording of the Public Hearing Notice. She wants to understand where the money is coming from already. Concerned about what parcels will be assessed.

Randy Bicard- If SMCAS is in troubling times no other business asks for special assessments to be created. He doesn't know why the taxpayers should have to pay a special assessment to a business like SMCAS. It's a burden that keeps coming on to the taxpayers. At some point we have to say the money has to come from somewhere else. Just like any business you have a certain amount of money, and you must make that work. We must pay for the service when we use it and then pay for it on the assessment.

Robert Selvig- Owns a vacant parcel and now will be assessed twice. He wants to know why an ambulance service would need by assessing a vacant lot.

Ganus is presently serving on the SMCAS board, Downey has concerns with the financials and what happens if we reject the current proposal. He directed his questions to Ganus. Other municipalities

have tabled the proposed special assessment but not rejected it. Each Municipality has bought into SMCAS and have been supporting them through assessment, if they were to reject it the municipality would have to figure out how to fund an ambulance service for their community, through its residents or the General Fund. Ganus was not able to answer about the financials due to not having them on him, but he would be happy to reach out to SMCAS to provide some answers.

VI. Close of Public Hearing for Special Assessment District for Emergency Medical Services through Southwestern Michigan Community Ambulance Service.

Motion made by Weedon, seconded by Money, to close the public hearing at 7:29 P.M. Voice vote carries unanimously.

VII. Public Comment - Agenda Items Only *(3-minute limit)*

Dan Vigansky- Appalled that the City is spending \$133,000.00 on a piece of property, would like to hear some project numbers or possibilities the city has on the piece of property. There are other City properties that are still vacant. He also does not agree with the property on Victory because the BARB board had nothing to do with it. Also made comments about BARB not meeting and the pavilion being built. Also concerned about the number of closed sessions.

Randy Bicard- Concerned about the AEP building from the tax revenue standpoint, and the intentions of what will be put in the building.

VIII. Consent Agenda *(can be approved all in one motion, for general housekeeping items)*

A. Minutes- Consider approving minutes from July 11, 2022, Regular Meeting.

B. Closed Session Minutes- Consider approving closed session minutes from July 11, 2022.

C. Consider approving expenditures for July 25, 2022, in the amount of \$490,156.41

D. City Credit Card for New Treasurer- Consider approving a City credit card for Treasurer Deborah Perez with a \$5,000.00 limit (to replace the prior City credit card issued to former Treasurer).

Motion made by Downey, seconded by Weedon, to approve the Consent Agenda, as presented. Roll call vote carries unanimously.

IX. Scheduled Matters from the Floor *(if any)*

A. Consider Resolution No. 2022.07/424- A resolution to create a special assessment district for emergency medical services through Southwestern Michigan Community Ambulance Service. Determination to make public improvements; approval of plans and estimate of costs; final determination of special assessment district; preparation of special assessment roll.

Motion made by Money, seconded by Swem, to approve Resolution #2022.07/424 to create a Special Assessment District for SMCAS ambulance services. Roll call vote carries unanimously.

X. Reports by: Departments, Committees, Boards

A. Public Safety Report- Director Tim Ganus

1) Park Opening/Closing Times- Consider approving all City Parks to open at 6 A.M. and close at 10 P.M.

Motion made by Weedon, Seconded by Swem to approve the request of Director Ganus to have all city park hours set at 6:00 A.M. to 10:00 P.M.

2) Buchanan Police Department National Night Out- August 2, 2022, from 6-9 P.M. at McCoy Creek Park

Barnett reported on the National Night Out, this allows the city to come together as a community and partnership with the police department and its residents. Please join us for food and fun.

B. Community Development Report- Director Rich Murphy

1) Buchanan Downtown Reconstruction Project Public Meeting on August 8th, 2022, starting at 5:00 P.M. - Reminder of opportunity for public input.

Murphy wanted to remind the residents of Buchanan about the August 8th Public Meeting about the Downtown Reconstruction Project. We want to engage the public at this point and let them know what's going on. The City of Buchanan with its engineering consultant, Prein & Newhof, conducted a 3-year infrastructure assessment from 2016-2018 that identified a critical need to update old water mains, storm sewers, and sanitary sewer infrastructure that runs under our downtown and neighborhood streets. The city has secured significant funding through USDA for the project that will begin a phasing out and replacement of city sewer and water lines, as well as a new downtown streetscape. The city and its engineering consultant team have begun initial discussions on project design and streetscape and wants to engage the residents of Buchanan at this early stage to receive their ideas and feedback on this important project.

2) Victory Park RFP Approval- Consider approving the Community Development Department to create an RFP to bid out the construction of the Victory Park Pavilion project.

Motion made by Downey, seconded by Swem, to authorize Director Murphy to go out to bid on the Victory Park Pavilion Project. Roll call vote carries unanimously.

C. Public Services Report- Director Mike Baker

1) Sinkholes- Discuss concerns regarding sinkholes found on Smith St. over the Mill Race and on Dewey St. next to Lehman's.

Baker reported to the Commission regarding sinkholes that were recently found on Smith St. and Dewey St. We will be going out through emergency RFP which is already in motion but wanted to bring the commission and residents up to speed on it. Smith Street and Dewey Street will need to be shut down in the areas where the sink holes are.

D. BARB Report- Dan Vigansky is asking the Commission to consider appointing him to the BARB. The BARB has not yet voted on whether they would recommend approval of Mr. Vigansky's application due to a lack of a quorum at the last BARB meeting.

Grace reported that Dan Vigansky put in a request to be considered for an appointment to the BARB. However, the BARB has not yet voted for approval of his application, due to lack of a quorum at the last several BARB meetings. As for are typical process the BARB board would vote and then either recommend or not recommend to the commission to join that particular board. No action needed at this time.

Vigansky addressed the Commission out of order. Denison asked Vigansky to leave or sit down and stay. Burnett and Ganus had to escort Vigansky out of the building.

XI. Unfinished Business

XII. New Business

A. 1) **Closed Session-** Consider entering Closed Session pursuant to MCL 15.268 Sec. 8(1)(h) to discuss matters subject to attorney-client privilege.

Motion made by Weedon, seconded by Money to go into closed session pursuant to MCL 15.268 Section 8(1)(h) to discuss matters subject attorney-client privilege at 8:06 P.M. Roll call vote carries unanimously.

2) Open Session- Consider re-entering Open Session.

Motion made by Weedon, seconded by Money to re-open session at 9:09 P.M. Roll call vote carries unanimously.

3) Action- Consider action based on Closed Session discussions.

Motion made by Swem, seconded by Money to authorize the City Administration to take action pursuant to Closed Session discussions. Roll call vote carries unanimously.

XIII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. Purchase of Real Property- Manager Grace will provide an update regarding the City's purchase of real property at 708 Redbud Trail (Baroda Tire Too) for \$131,055.85 for demolition and redevelopment of the property in conjunction with the City-owned property at 111 Railroad (Old Feed Mill).

Grace updated the public that the City has purchased a piece of real property at 708 Redbud Trail for the sum of \$131,055.85. The intention of that property is to demolish it in addition to the old feed mill site, so that both of those locations are ready for redevelopment.

B. Collaboration with Berrien County- Manager Grace will provide an update regarding an opportunity to collaborate with Berrien County regarding the AEP building at 500 Circle Drive.

Grace shared that the Berrien County Administration and herself have been meeting for the past several weeks to discuss a potential collaboration involving the County purchasing the AEP building. Unfortunately, the County was not able to vote on it yet, but plans on moving forward with the sale of the structure. Part of this includes the city becoming a partner in this and having the chance to move our city hall to the second floor of operations with a portion of the lobby on the first floor. There is also a possible opportunity to move the police department into that location as well. They are still assessing if it is possible for the police department to be there. The third floor will house county 911 dispatch as well as county emergency management. It's a collaboration with AEP to be able to utilize the structure as intended if a nuclear or electric related issue should arise.

XIV. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Don Ryman, made comments concerned about the road detours on election day August 2.

Norma Ferris, made comments about street repairs not being important, especially 3rd St.

XV. Executive Comments

A. City Manager Comments

Grace thanked everyone that stuck around. Also thanked Peter Lysy for all the amazing work and dedication to the archive room at city hall. Grace sincerely thanked Lysy for all he's doing for the city, and it's been instrumental for us at city hall. She appreciates those who are able to speak with composure, respect, and kindness - it's vital. We are the nicest place in America, but beyond that civil discourse requires people to treat each other with civility so thank you for those who do.

B. Commissioner Comments

Weedon, no comment

Swem, no comment

Money, don't forget to vote on August 2.

Downey, no comment

C. Mayor Comments

Denison agreed with Ferris about 3rd St. He is as frustrated as she is that the street is still blocked off, but what he won't apologize for keeping other things moving. Incredibly proud of the work this Commission has done, it took him a long time to decide if he was going to run again because of the number of things they have to put up with. It makes it really hard to come to meetings when you're getting screamed at by some one who is uniformed or misinformed. But it's important work. Thank you all for coming and sticking around.

XVI. Adjourn

Motion made by Weedon, seconded by Money to adjourn the meeting at 9:18 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Mayor Denison called the meeting to order at 7:00 P.M.

II. Recognition

- A. The Buchanan City Commission wishes to recognize and thank all of the individuals who served our community as election workers in the recent primary elections. Their service, led by our dedicated Clerk Kalla Langston, furthers our democracy and is greatly appreciated.
- B. The Buchanan City Commission wishes to recognize and thank all of the sponsors, volunteers, and City staff members who helped make the 2022 Thrill on the Hill an amazing success--along with special recognition being given to Affordable Asphalt Paving and DPM Events--without whom the Thrill on the Hill could not have taken place. The efforts of all of these generous individuals help make Buchanan such a wonderful place to live, and their hard work is greatly appreciated.

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Deborah Perez; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Chief of Police Harvey Burnett.

V. Approve Agenda

Motion made by Swem, supported by Money to amend the agenda to reflect that it would be consider the legally required tax disbursements and tabling the remainder of the bill run. Roll call vote carries unanimously.

Motion made by Weedon, supported by Downey to approve the amended agenda. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

VII. Consent Agenda *(can be approved all in one motion, for general housekeeping items)*

A. Consider approving expenditures for August 8th, 2022 in the amount of \$470,847.46

B. July 25, 2022 City Commission Minutes- Consider approving Regular Meeting Minutes from - 7/25/2022.

Motion made by Swem, supported by Money to approve the Consent Agenda as amended. Roll call vote carries unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

A. SMCAS Director Brian Scribner - Resolution Request - Consider approving Resolution # 2022.08/424- A Special Assessment District for emergency medical services through Southwestern Michigan Community Ambulance Service, filing of Special Assessment District Notice of Public Hearing. The scheduled of said Public Hearing will be on August 22, 2022, at 7:00 P.M.

Commission wanted to know what happens if the city chooses not to pass the Special Assessment. There are 6 municipalities that are owners, what the bylaws say is that it does not matter what way they come up with money. But the municipalities are required to pay their portion of the subsidy to cover the ambulance service.

Commission would like more of an in-depth financial look at SMCAS. Scribner will be sending the Commission via email any reports they would like to see, as well as sit down with them to explain and answer questions they may have.

Swem curious about the length of the Special Assessment and how the other municipality's what the reaction of the other owners with the this much of increase. If they chose to do 1 year and then circle back around to have more time with the Special Assessment.

Motion made by Weedon, supported by Downey to approve Resolution 2022.08/424 as presented. Roll call vote carries unanimously.

IX. Reports by: Departments, Committees, Boards

A. Clerk Report- City Clerk, Kalla Langston will give a brief update on the August 2, 2022, Primary Election

Langston updated the Commission on how the election went. With voter turnout at 14.47%, Dial-A-Ride milage passed at 349- yes 153-no. City had 13 new election workers out of 22, a lot of new faces that did an excellent job.

B. Finance Department Report- An update will be given on City financials.

Perez gave the commission an expenditure report. Admin dues are a little higher than last year since they were not collected in the previous year. Some of the expenditures are still needing to be recognized.

Downey asked about the Audit, Grace was able to inform the commission that Kuggle Law is doing the Audit with Plante Moran doing the Audit prep.

C. Public Services Report- An update will be provided by Director Baker regarding Third Street, the new DPW building construction, repairs to sinkholes, and the Thrill on the Hill.

Baker is still waiting on an update for 3rd Street. Selge was able to cold patch the sink holes before Thrill on the Hill. Baker wishes he could have been involved a little more but with Thrill on the Hill

he was unable to be more involved with the sink holes. Baker is worried about the intersection 3rd and Short, more than likely it will need to be shut down. Denison had spoken with Selge about maybe a different temporary fix for the time being.

The DPW building was held up because of the contracts. But Bergman Group is working on the drawings now.

D. Public Safety Report- Chief Harvey Burnett will provide an update reporting on another successful 'National Night Out.'

Chief Burnett introduced the newest officer to the city, Angela Baggett. She comes from the Berrien County Sheriffs Department and is doing an outstanding job.

National Night Out was a success, with about 275 people there. Scarecrow charities gave 2 donations: 200.00 check for national night out as well as 500.00 for shop with a cop program. All the businesses that donated. Made it a very successful event, with numerous departments joining together with the residents. Denison complimented Burnett on a successful event.

E. Community Development Report- Director Rich Murphy

1) Consider Approval of Adult Use Class C Grow Permit at 448 Post Rd. for Redbud Roots.

Motion made by Downey, supported by Swem to approve the Adult Use Class C Grow Permit at 448 Post Rd. for Redbud Roots. Roll call vote carried unanimously.

2) Consider Approval of Legal Description Resolutions for OPRA Exemption Certificates for Hometown Video and Stark School.

a) Resolution #2022.08/425 OPRA for Hometown Video

Motion made by Money, supported by Weedon to approve Resolution 2022.08/425 for Hometown Video with attachments. Roll call vote: Yes: Weedon, Denison, Money, Downey

Abstain: Swem for business interest.

b) Resolution #2022.08/426 OPRA for Stark School

Motion made by Swem, supported by Downey to approve Resolution #2022.08/426 for Stark School with attachments. Roll call vote carried unanimously.

3) Consider Approval of Resolution #2022.08/427 Approval of Outdoor Service Area on Municipal Property for Buchanan Craft LLC at 101-103 Days Avenue, Buchanan, Michigan

Motion made by Swem, supported by Money to approve Resolution 2022.08/427 approve the Outdoor Service Area on Municipal Property for Buchanan Craft LLC at 101-103 Days Ave. Roll call vote carries unanimously.

X. Unfinished Business

XI. New Business

A. Historic Preservation Society Request RE Old Feed Mill - The Historic Preservation Society is requesting the sign on the Old Feed Mill prior to demolition of the structure.

Motion made by Money, supported by Weedon to approve the requests of the Historic Preservations Society and to authorize the City Manager to oversee the transition of historical items from the Old Feed Mill Site. Roll call vote carries unanimously.

XII. Communications (informational only, formal board action is not necessary for these items, unless so desired) *None*

XIII. Public Comment - Non-Agenda Items Only (3-minute limit)

None

XIV. Executive Comments

A. City Manager Comments

Channel 17 is operational and airing video and general slide show. We will continue to produce more video content now that we have that option. We're hoping that it grows into something people will tune into watching. Additionally, thanked Langston for her job with the election, elections are a huge undertaking, and she did a tremendous job. Our entire staff from DPW, to our bookkeeper and Britni working 15-to-20-hour days for Thrill on Hill. And to our volunteers that stepped up to help with Thrill, it can't be overstated on how wonderful this community is. And the hundred of smiling faces make it all worth it.

B. Commissioner Comments

Weedon; Impressed with such a young staff to pull of something so grand with Thrill on the Hill. New placement, new items, new vendors, everything new. Police took it to next level and kept everyone happy. It was impressive you guys took it from a really good event to making it even better. Thank you to everyone involved.

Swem: Thank you to the election working team and Thrill on the Hill team. Really impressed with the turn out on for the premeeting downtown reconstruction project. We got to take it in with the residents, since most of us haven't seen it. Pretty positive feedback, keep up the great work with that. Welcomed Officer Baggett. Curious about the RFP for the Demo and when we are going to start that.

Downey: No Comment

Money: Thanked everyone involved with Thrill on the Hill, from City Hall to Baker and his crew, Ganus and Burnett for everything they did. It was a huge success. Langston you ran a great election. Great job on National Night Out.

C. Mayor Comments

Denison would like the change the name of Channel 17 to the Norma Ferris channel. We appreciate you Norma, thank you for bugging comcast. Langston you really did do a great job at the election, I am very proud to have you as our city clerk. Thrill on the Hill was so thought out and well laid out, it was so different then years prior, it was phenomenal. National Night Out is a great night, its so great to see the kids interacting with the police and fire. The downtown reconstruction meeting was great to see so many people involved and looking forward to many more meetings with that. Denison asked Grace about her goals, she suggested that we do it in a special meeting or can put on the next agenda.

XV. Adjourn

Motion made by Weedon, supported by Money to Adjourn the meeting at 8:17 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, AUGUST 22, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Meeting was called to order by Mayor Sean Denison at 7:00 P.M.

II. Recognition

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present; Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff; City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director of Public Services, Tim Ganus, Chief Harvey Burnett

V. Approve Agenda

Motion made by Weedon, supported by Downey to approve the agenda as presented. Roll call vote carried unanimously.

VI. Open of Public Hearing for Filing of Special Assessment Roll for Emergency Medical Services through Southwestern Michigan Community Ambulance Service.

Motion made by Downey, supported by Swem to open the public hearing for the filing of Special Assessment Role for emergency Medical Services through Southwestern Michigan community Ambulance Service, or SMCAS, following a reading of Rules of Hearing by the Mayor at 7:01 P.M. Roll call vote carries unanimously.

Announcement of the Rules of the Hearing

1. This is a public hearing designed to hear and consider any objections/favor to proceed to make defray its share of the cost of maintaining and operating the Southwestern Michigan Community Ambulance Services (SMCAS) by establishing a special assessment district pursuant to ACT 368 of 1978.

2. All persons wishing to comment shall be given the opportunity to do so.
3. The person addressing the Commission shall stand, state their name, and direct their comments directly to the Commission.
4. In the event a large number of people wish to comment, the Mayor may announce that each person speaking shall limit their comments to three (3) minutes.
5. Each person shall have an opportunity to speak before anyone is allowed to speak a second time.
6. The Mayor may, at their discretion, terminate comments which are unreasonably lengthy or unrelated to the subject of the public hearing.
7. When the Mayor observes that there are no further public comments, he/she shall close that portion of the hearing.

Don Ryman: Uneasy about the proposal. Would like to more about the financial state.

Jacob Glossinger: Wants to know if this will be an additional \$25.00 to what they are already being assessed at. Against the proposal would like to see it on the ballot for people to vote on.

Grace was able to clarify the difference between a special assessment and a milage. While assessment is a flat fee for every parcel, if it was a milage it would be taxed by the assessed value of your home. The special assessment was supposed to try and keep it as equal as possible so that everyone was paying roughly the same amount instead of others paying more or less. It's the closest mechanism for achieving that goal.

Jacob Glossinger: Question if the rate would stay the same when it hits the max pay out at \$50.00 or would it go back to the \$20.00 after the 5 years. Wondering if the city could fund this in a different way.

Dale Torren: Can some of the Marihuana Revenue could be used to fund SMCAS.

Since the budget is already complete this year it would be very difficult to retroactively change it but going forward, we could look at doing something like that. But in the meantime, we have to work with the budget that we already have.

Unknown: What about the people that are on fixed incomes that can't afford the increase, as well as people with vacant lots being assessed.

Jeannie Harris: questions about the funding and operation of SMCAS and what the assessment is going to.

This special assessment pays for us to have ambulance service.

Monroe Lemay: Spoke highly of SMCAS and the work they do with the seniors. Also worried about the burnout that SMCAS has delt with Covid-19 for the past few years. When you don't have this service is when you're going to need it.

Barb Green: They did not raise the price of parcels, but SMCAS got increase of number of parcels, 5 years ago. What measures is SMCAS taking to cut costs?

Jim Chron: Are other communities raising the assessment?

Grace: Do they get reimbursed when they go out. What is the purpose of the assessment if they get reimbursed by the payments they receive.

Jacob Glossinger: Can they adjust the price of what they get paid for “pick-ups” to cover the cost of the assessment.

John VanDyke: Support of SMCAS, it’s part of the social contract, just as your paying for a road you don’t use or a school building you don’t attend.

Written correspondence from Kim Moyer not in favor due to vacant lot being assessed.

VII. Close of Public Hearing for Filing of Special Assessment Roll for Emergency Medical Services through Southwestern Michigan Community Ambulance Service.

Motion made by Downey, supported by Swem to close the Public Hearing at 7:27 PM. Roll call vote carries unanimously.

VIII. Public Comment - Agenda Items Only (3-minute limit)

John Vandyke asked to play song that he wrote about Buchanan, he is looking for sponsorship for his summer 2023 tour.

IX. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Expenditures- Consider approving the expenditures for August 22, 2022, in the amount of \$ **108,774.84**

B. Minutes- Consider the approval of the August 8, 2022, Regular Meeting Minutes

C. BARB Appointment- Formally appoint Jeanne Harris to the open position on the BARB (Buchanan Area Recreation Board), as recommended by the BARB during their last regular meeting.

Motion made by Money, supported by Weedon to approve the Consent Agenda, as presented. Roll call vote carried unanimously.

X. Scheduled Matters from the Floor (if any)

A. School Resource Officer Proposal- Superintendent Patricia Robinson and other members of the Buchanan Schools Administrative Team will present a proposal for a School Resource Officer, with the School District initially sharing 20% of the total annual cost of what it would cost the City to hire a new officer (\$70,387.20). The SRO would serve as the police liaison to the School District and would cover K-12 schools in the Buchanan School District on a rotating basis, providing intervention support and increasing overall school safety. Upcoming grant opportunities will be pursued to cover ongoing expenses of the role, with a COPS grant opportunity opening up in February, and new State of Michigan funding supposed to be coming available in the near future.

Motion made by Swem, supported by Downey to table the School Resource Officer Proposal unit until our next Regular Meeting. Roll call vote carried unanimously.

B. Consider Resolution No.2022.08/429- Confirmation of Special Assessment Roll for Special Assessment District for Emergency Medical Services Through Southwestern Michigan Community Ambulance Service.

Denison started the discussion with the Commission and Brian from SMCAS to answer some of the concerns that were brought up during the public hearing. One being what are other municipalities doing with this request.

City of Niles is proceeding with the increase as requested.

Howard Township is proceeding with the increase as requested.

Niles Township has indicated that they are going with a 2-year special assessment with a \$5.00 increase. Stating they will pay an outstanding balance from Township funds.

Bertrand Township has indicated that they are proceeding forward with a 1-year special assessment with no increase. They did not indicate how they would pay the remaining portion.

Buchanan Township has not indicated what direction they are going.

The cost difference is as followed between the different areas.

- City of Buchanan: \$70,689 contribution
- City of Niles: \$ 198,529 contribution
- Niles Township: \$238,000 contribution
- Howard Township: \$103,000 contribution
- Buchanan Township: \$56,000 contribution
- Bertrand Township: \$43,000 contribution
- Pokagon Township: \$8,000 contribution
- Milton Township: \$ 51,000 contribution

Brian addressed the Commission and the audience in attendance. SMCAS has had a lot of feedback about their transparency in operations. The way SMCAS is structured has Brian as the Director and he reports to a board of directors which is made up of the communities. Every month we provide full financial reports through that board. Coming out of the pandemic SMCAS, realized they need to move to increasing funding, to protect the communities they serve. SMCAS is doing a full revamp of their website to be able to put all information the public needs.

Insurance payers cap what they give us to a certain amount no matter what we bill them. There is no real way to raise that rate.

Swem has went through the last audit and the last 2 years of financials with SMCAS, and thanked Brian's responses to all his questions. Right now, they operate as an operating loss. The special assessment offsets that operating loss and there is little additional funding there.

Two questions Swem had was why the fund is being operated as an enterprise fund and if they had heard back from the attorneys with the population-based billing yet?

Their attorneys did distribute a document on what the contribution would be based on population. But the communities would have to come back together to discuss that if they wanted to go that way.

Denison directed his comments to the public. The difficult position we are in is that we want to provide ambulance service in the city, we also realize that prices of everything are also going up. SMCAS employees are underpaid, and this is an attempt by them to pay their people more or keep the people they have. If we do not have people to operate the ambulance, were in serious trouble. We have to try and figure out a way to fund this. What else can we do; we're going to use taxpayer money to pay for this one way or another. Either by raising taxes or doing a special assessment. Is it perfect doing a special assessment, no, but it is the fairest way they could figure out to make sure everyone was paying their fair share.

The board every month looks at the financial activity and where they are spending. Any expenditures the board has questions about they will show them why and where the money went, as well as an audit every year.

With union negotiations being done every 3 years and the negotiations being started in the next 2 weeks, Downey's concern is they will be coming back next year and saying it's not enough. His thoughts were maybe do a year of the Special Assessment at \$30.00 and come back next year to redo the assessment.

Weedon is concerned that if they do come back next year that it will be a higher amount.

Swem asked if there is any chance of a County wide milage rate. Brian believes it is possible, and there are talks between the ambulance services that they may pursue it in the future.

Weedon expressed no matter what happens if we go this way or not there will still be an ambulance service asking for some money no matter what to operate the service.

Money agrees with revisiting this next year and seeing what SMCAS is doing with financials.

Motion made by Swem, supported by Downey to approve the Special Assessment Roll for Special Assessment District for Emergency Medical Services through Southwestern Michigan Community Ambulance Service, for one year at \$30.00 per parcel. Roll call vote carries unanimously.

XI. Reports by: Departments, Committees, Boards

A. Public Safety Report-

(1) Consider approving the Crossing Guard Agreement & Crossing Guard Hourly Wage Agreement.

Motion made by Money, supported by Downey to approve the Crossing Guard Agreement and Guard Hourly Wage Agreement, as presented. Roll call carries unanimously.

XII. Unfinished Business

XIII. New Business

A. Closed Session:

(1) Enter Closed Session- Consider entering Closed Session to discuss matters subject to attorney client privilege, and the potential lease or purchase of real property, pursuant to MCL 15.268 Section 8(1)(d) & (h).

Motion made by Swem, supported by Downey to enter Closed Session, pursuant to MCL 15.268 Section (1)(d) and (h) to discuss matters subject to attorney client privilege, and potential lease or purchase of real property at 8:05 P.M. Roll call vote carried unanimously.

(2) Re-Enter Open Session- Consider re-entering Open Session.

Motion made by Swem, supported by Money to Re-Enter Open Session at 8:54 P.M. Roll call vote carried unanimously.

(3) Action- Consider action pursuant to Closed Session discussions.

Motion made by Swem, supported by Weedon to authorize the City Manager to take action pursuant to discussions held in closed session. Roll call vote carries unanimously.

XIV. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. Consideration of sponsorship of Van Dyke Revue's 2023 Nicest Place in America Tour.

Motion made by Swem, supported by Money to authorize a payment of \$750 as a 'Mic Tech Level' sponsor of the 'Nicest Place in America Tour' by 'Van Dyke Revue band.' Roll call vote carries unanimously.

XV. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Norma Ferris: Would like all meetings from all boards on Channel 17. Ross Sanders Building is in progress of being cleaned. Would like to approach the school with a class for seniors on how to use electronics. What progress is being made on 3rd St.

Patricia Robinson superintendent of Buchanan Public Schools, just wanted to say thank you and this is first commission meeting. Excited about the partnerships we will have with the City in the future.

Monroe Lemay commented about the videos that run on the city's Facebook page commenting on how great they are.

XVI. Executive Comments

A. City Manager Comments

We have had a lot going on in the past several weeks including election, Thrill on the Hill, and National Night Out. We are also during an audit right now so that's our biggest focus right now internally at City Hall. As we move into the election, I strongly encourage people to go out and vote. Doesn't matter who you vote for, turnout was low and would like to see a great turn out to the November election. I also wanted to applaud everyone in the community for participating with Thrill on the Hill and National Night Out, a lot of it is done by staff but it doesn't matter how much effort the staff puts into it if the community doesn't show up. But this community shows up, supports and shows their love for the community. Once the audit is finalized, we will have a session with Krugle Lawton doing a full budget review and wrap up are yearly financials.

B. Commissioner Comments

Money: Thanked everyone who attended and commented during the SMCAS Public Hearing. He knows it can be controversial subject that we hate to approach. But the commission has to make those decisions. Hopefully the community will be in our favor with the decision that was made tonight. Had the opportunity to go the Berrien County Youth Fair this past week, kudos to the Police Department. They had their dunk tank going and they did an outstanding job with it, with Chief and Officer Bree in the Dunk Tank.

Downey: No Comments

Swem: Echoing what Money said about the SMCAS decision, a lot of effort went into evaluating SMCAS. No one wants to pay more but it is necessary service, hopes that everyone respects the commission's decision. Now SMCAS knows what they need to show us in a year moving forward.

Weedon: No Comment

C. Mayor Comments

This Thursday Denison will be over at Lehman's having a discussion hopefully with people that show up. Manager Grace has agreed to join. It's just an informal back and forth with the public answering questions. There are a lot of people that are misinformed or unformed on Facebook. With arguments about things that don't even exist or true or real. Meet the Mayor will be very laid-back Q & A, tell your friends.

XVII. Adjourn

Motion made by Downey, supported by Weedon to Adjourn the meeting at 9:09 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION
THURSDAY, AUGUST 25, 2022 – 10:00 AM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a special meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order at 10:00 A.M. by Mayor Denison.

II. Roll Call

Present: Mayor Sean Denison, Commissioner Cameron Downey, Commissioner Larry Money

Absent: Mayor Pro Tem Mark Weedon and Commissioner Patrick Swem

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Director of Public Services, Mike Baker; Klay Weaver, DPW street lead

Mike Schwartz with Prein & Newhoff, Scott Riley of Selge, Gary Barton, Barton Group

III. Public Comment - Agenda Items Only (3-minute limit)

None

IV. New Business

A. (a) Meet at Buchanan City Hall to discuss Third Street Sewer Repair Project, Front Street Project, and Culvert Repair at 606 Clark

(b) Meet at the corner of N. Redbud Trail and Third Street to further discuss the Third Street Sewer Repair Project

The group present walked to 3rd Street to visually assess the repair.

Motion made by Downey, supported by Money to work with Selge to do a temporary repair to be able to open 3rd Street, then to finish 3rd Street repair when the USDA/ Streetscape project occurs.

Roll call vote

Yes: Denison, Money, Downey

No: None

Absent: Weedon, Swem

(c) Meet at 606 Clark Street to discuss the Culver Repair at that location

Motion made by Downey, supported by Denison to get quotes for grading the Culver as soon as possible and authorizing Grace to administratively approve which quote is best. As well as contacting a structural engineer to see if the culver needs to be an emergency repair.

Roll call vote

Yes: Denison, Money, Downey

No: None

Absent: Weedon, Swem

V. Public Comment - Non-Agenda Items Only *(3-minute limit)*

VI. Adjourn

Motion made by Downey, supported by Money to adjourn the meeting at 11:07 A.M.

Voice vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, SEPTEMBER 12, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Meeting called to order by Mayor Sean Denison at 7:00 P.M.

II. Recognition

None

III. Pledge of Allegiance

Mayor Denison led in the pledge of allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

Absent: Mayor Pro Tem Mark Weedon

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Deborah Perez; Director Public Services, Mike Baker; Public Safety Director, Tim Ganus.

V. Approve Agenda

Motion made by Money, supported by Downey to approve the agenda as presented. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

Juanita Lewis- enjoyed the common concerts, would like to see community be as welcoming as possible to others.

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Expenditures- Consider approving expenditures for September 12, 2022, in the amount of \$ 2,191,931.49

** \$1,816,057.82 of the amount above is for tax disbursements to other taxing entities, and \$ 223,130 is for a required wastewater bond payment.*

B. Minutes- Consider approving the following minutes:

a. Consider approving minutes from the August 22, 2022, Regular Meeting

b. Consider approving minutes from the August 22, 2022, Closed Session

c. Consider approving minutes from the August 25, 2022, Special Meeting.

C. Halloween Hours- Consider approving Halloween trick or treat hours for Monday, October 31, 2022, from 6 P.M. to 8 P.M

Motion made by Money, supported by Downey to approve the consent agenda as presented. Roll call vote carries unanimously.

VIII. Scheduled Matters from the Floor (if any)

IX. Reports by: Departments, Committees, Boards

A. Friends of the McCoy Creek Trail Report- Jerry Flenar

a) Consider approval Trek-or-Treat date for Saturday, Oct. 29, 2022

b) Yearly Review of McCoy Creek Trail

Jerry Flenar Chairman of the Friends of McCoy Creek Trail highlighted what the group has done this past year. Safety signs were put along the trail in case of a medical emergency, they would be able to communicate their location more accurately. Four new benches were installed and the plantings of four Chestnut Trees along the Trail. Two Eagle Scout projects were completed. The Friends of the Trail also worked with Berrien County Jail Trustees, with them working 7 days total this year. They do an amazing job helping with the clearing. Friends of the Trail has asked some groups around town to help with maintaining some areas. Honor Credit Union has been doing the Veterans Memorial Park and Red Bud Roots is helping take care of the area behind the Commons. The trail extension is moving forward, we have received a grant already \$339,000.00 from the state. In November they will award another \$339,000.00 which the trail hopes to receive. The biggest accomplishment was having to raise \$106,000.00 of Buchanan match money to make those grants happen and they ended up raising \$214,000.00 doubling what they needed to raise. In October we have Trek or Treat with almost 2,000 kids and adults going through the trail last year. The Trail group held 3 lunches for the DPW crew for all the hard work they do on the trail. New brochures were handed out as well as Flenar asking for anyone that is not a member of the Trail to please donate and join.

Motion made by Swem, supported by Money to approve the Trek-or-Treat event, as presented. Roll call vote carries unanimously.

B. Finance Department Report- Treasurer Deb Perez will give an update on City financials.

Perez reported on the summer 2022 Property Tax collection. (See attachment A)

C. Public Safety Report- Director Tim Ganus, Chief Harvey Burnett, and Buchanan Community Schools Superintendent Patricia Robinson will present a proposal for a School Resource Officer.

School Resource Officer Proposal, with the School District initially sharing 20% of the total annual cost of what it would cost the City to hire a new officer (\$70,387.20). The SRO would serve as the police liaison to the School District and would cover K-12 schools in the Buchanan School District on a rotating basis, providing intervention support and increasing overall school safety. Upcoming grant opportunities will be pursued to cover ongoing expenses of the role, with a COPS grant opportunity opening in February, and new State of Michigan funding supposed to be coming available in the near future.

Discussion about how this could improve safety at the school and a role model present for the kids. With 122 school incidents at the school during the 2021-2022 school year, having a police officer on staff to handle those incidents would benefit the school and the department.

The commission would like to see the City Manager reach out to the leadership of the surrounding townships within the Buchanan School District to try to negotiate a potential cost-share arrangement to help more equitably allocate any expenses related to the proposed School Resource Officer.

X. Unfinished Business

XI. New Business

A. Automated Clearing House (ACH) Transaction Policy- Consider approving an ACH Policy for the City of Buchanan Finance Department.

Motion made by Swem, supported by Downey to approve the ACH Policy, as presented. Roll call vote carries unanimously.

B. Introduction and first reading of Ordinance 2022.09/434- Consider approving the first reading of an ordinance regarding Pedestrian Right-Of-Way at Crosswalks

Motion made by Money, supported by Downey to approve the first reading of the Pedestrian Right-of-Way at Crosswalks Ordinance, as presented. Roll call vote carries unanimously. Roll call vote carries unanimously.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

- A. a) AEP Building update
- b) River Access Master Plan Update
- c) MEDC Update
- d) Federal EDA Update

Grace gave quick updates on the communications above. With progress being made in each subject.

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Norma Ferris- Comments about City Hall staff

Monroe Lemay- Praising the Scarecrow Charities for their work this year.

Juanita Lewis- Praising the Scarecrow Charities as well.

Thomas Wilson- comments about traffic on Front St. and truck route as well as questions about the reconstruction project.

XIV. Executive Comments

A. City Manager Comments

Thanked everyone for attending. As well as gave an update that the reconstruction projects second meeting happening soon and will have an update soon about time and place it will be.

B. Commissioner Comments

Swem thanked the Friends of the Trail for all their hard work.

Downey asked for an update on the Thrill on the Hill report.

Money thanked Jerry and the Friends of the Trail as well as the Scarecrow Charities.

C. Mayor Comments

Thanked the Scarecrow Charities and Jerry with the Friends of the Trails for all their hard work. 9/11 ceremony was done beautifully with Pastor Dave Mitchell. Meet the mayor will be September 22 at Lehman's if anyone wants to attend.

XV. Adjourn

Motion made by Money, supported by Swem to adjourn the meeting at 8:18 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, SEPTEMBER 26, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order by Mayor Sean Denison at 7:00 p.m.

II. Recognition

III. Pledge of Allegiance

Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

Absent: Commissioner Mark Weedon

City Staff: City Manager, Heather Grace; Community Development Director, Rich Murphy; City Clerk, Kalla Langston; Director of Public Services, Mike Baker; Sexton, Nick Bailey; Director of Public Safety, Tim Ganus; Chief of Police Harvey Burnett, Officer Bree Schmidt

V. Approve Agenda

Motion made by Downey, supported by Swem to amend the agenda to add section VII. D. to the Consent Agenda to excuse Commissioner Weedon's absence on 9/26/22 and 9/12/22. Roll call vote carries unanimously.

Motion made by Swem, supported by Money to approve the agenda, as amended. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

Norma Ferris made comments about the upcoming public hearing with concerns about closing Rynearson.

Fran Terry made comments in support of Building 324 getting the façade grant.

Juanita Lewis made comments about the Rynearson and the clarification of the upcoming public hearings.

VII. Consent Agenda *(can be approved all in one motion, for general housekeeping items)*

- A. Minutes- Consider approving Regular Meeting Minutes from September 12, 2022.
- B. Invoices- Consider approving September 26th, 2022 expenditures in the amount of \$ 121,857.93
- C. Street Closure- Consider approving a Street Closure for October 14, 2022, from 5:30 PM to 6:30 PM, starting at Terre Coupe to Smith St. for BCS Homecoming Parade.

Motion made by Swem, supported by Downey to approve the Consent Agenda as Amended. Roll call vote carries unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

IX. Reports by: Departments, Committees, Boards

A. Community Development Report- Director Rich Murphy

1) 324 Building Facade Grant Request, Randy and Jess Hendrixson

Murphy is very supportive of this Grant for Building 324. Randy Hendrixson presented to the commission on how iconic this building is. The building has over 30 different businesses in it which has a hundred different employees coming in and out every day. It is a thriving economic engine of the community. Currently they are occupied about 2/3rd, they are looking to expand and put new businesses in there.

Jess Hendrixson commented on how much blood, sweat and tears went into this building. And how she appreciates the opportunity to be considered for this grant.

Swem thanked the Hendrixson's on their commitment to historic preservation of a transformative property in the community.

Denison made comments about how exciting it is to watch them transform the building and thank them for doing what they do for the community.

Money also thanked them, doing an outstanding job so far.

Motion made by Swem, supported by Downey to approve the 324 Building Façade Grant Request, as presented. Roll call vote carries unanimously.

This façade grant will be the full \$10,000.00

2) Hannah Roberts Mural Update

The art critics seem to like it so far. We are getting a lot of positive feed back so far. Media coverage has been great. It really captures Community Pride. Public art is a community development and it's a positive aspect for downtown revitalization. The artist is expected to be finished by Saturday. A ribbon cutting has been talked about after it's completed.

The commission thanked Murphy for driving this project, it was not an easy task getting everyone together on this.

B. Public Service Report- Director Mike Baker

1) Sweeper Update- Conversation RE 2008 Elgin Sweeper. Director Baker will share the status of the sweeper, including needed repairs vs replacement costs. Director Baker and Streets Department Lead Klay Weaver will present a comprehensive Capital Improvement Plan & Asset Management Plan at the October 10, 2022 City Commission meeting, at which time the

Commission will be asked to vote to decide the direction preferred regarding the Sweeper. No vote is requested at this time, until the CAP & AMP are finalized--this is just a preliminary update.

Baker updated the Commission on the failing sweeper. Baker provided quotes to either repair or replace. Baker will present on the Capital Improvement Plan next meeting. No decision needs to be made at this time but wanted to bring it to commissions attention since this would be a high price item.

Baker went through the details of each quote given and his opinion on which would be better. With the MS4 permit the roads must be swept 4 times a year.

(2) Third Street Update- Director Baker will provide an update RE the Third Street project, including Selge's status with the project.

Selge came in last week and dug up the intersection, the first 14 feet there is not a good section of pipe. They made the best repair they could on the pipe with it getting patched today.

Motion made by Money, supported by Denison to open 3rd St. Roll call vote carries unanimously.

C. Public Safety Report-

(1) Director Tim Ganus will update the commission and the public on the upcoming National Faith and Blue Weekend events.

Officer Schmidt updated the Commission about the upcoming events for Faith & Blue. The event is to help build a relationship with the community. Saturday, October 8th and Sunday, October 9th there will be 5 events held on those 2 days. A Blood Drive will be held at Life Action Ministries on October 8th from 10 AM to 2 PM. The blood drive is held through South Bend Medical Foundation and the blood stays local. Pastries with Police will also be held at Life Action Ministries from 11 AM till 2 PM on October 8th. Please check out the flyers for all the events listed for those 2 days.

Denison thanked the Police Department for their above and beyond effort with the community.

(2) Manager Grace will update regarding the status of the School Resource Officer proposal.

Grace has reached out to the surrounding townships about engaging in the dialogue of a possible School Resource Officer. Which they will take to their next board meetings. Grace is anticipating having a better update next month.

D. Clerk Report-

(1) Elections Clerk Kalla Langston will update the commission and the public on the upcoming General Election on November 8, 2022.

November 8th General Election Polls will be open from 7AM to 8 PM that day. If you applied for an Absentee Ballot, you should see your ballot arriving the first week of October. If you are wanting to vote absentee, you have until the Monday before election to do so. Political mail is making an appearance, please call the office if you have any questions related to voting or absentee. A lot of the applications that are coming back, when we already have on file, if you're unsure just give my office a call. Starting the first week of October sample ballots can be located on the city's website under clerk department as well as a copy in the lobby here at city hall, and if you would like a printout of a sample ballot they will be located at the front desk. Videos on voter registration and absentee voting have been put up on the city's Facebook and website, that has some great information in them, I encourage you to watch them. There will be 3 proposals on the ballot for

this election as well as the county with their Public Safety Milage and the Buchanan Community Schools with their Bond Proposal. Buchanan Schools will be holding an informational meeting on the Bond Proposal on September 28th starting at 6 pm at Buchanan Christian Church. Saturday October 8th, City Hall will be hosting Coffee with the Candidates from 9 AM- 11 AM, this is a very informal sit down and chat with the Candidates running for City Commissioner this November 8th, there are 3 seats up with 5 candidates.

(2) Upcoming Public Open House- Clerk Langston will briefly mention the upcoming Public Open House for the "Downtown Project" (redesign & reconstruction of Front Street with possible closure of Rynearson intersection). The public is encouraged to attend. It takes place from 6pm-7pm on Thursday, September 29th at the American Legion post in Buchanan.

(3) Upcoming Public Hearings- Clerk Langston will also briefly mention that there will be two public hearings coming up during our next regular City Commission meeting, on the topic of the Downtown Project with possible closure of the Rynearson intersection, in addition to review of a list of City-owned property whereby the City is seeking public comment regarding whether the properties should be sold, and what type of development would be best suited for each location. The public is encouraged to attend and comment, beginning at 7pm at City Hall on Monday, October 10, 2022.

E. Cemetery Report- Nick Bailey, Sexton

1) Possible Tree Removal- Consider the possible removal of two large, unsafe trees at Oakridge Cemetery.

Bailey presented to the commission a proposal with 3 different quotes to remove 2 large trees. Bailey spoke with the Buchanan Tree Friends, they agreed with 1 tree but would like to revisit the other in a year. The large oak in the old section of the cemetery the stump is half rotted. Bailey provided pictures of the trees and recommended that both be taken down due to liability and risk to the staff, visitors, and headstones.

Commission would like to have the stumps removed and to come back with a list and quotes to have the stumps removed They'd like to work together with the Friends of Oak Ridge Cemetery.

Motion made by Money, supported by Swem to approve the tree removal bid submitted by Hartline Expert Tree Service in an amount not to exceed \$5,000. Roll call vote carries unanimously.

X. Unfinished Business

A. Pedestrian Crossing Ordinance- Consider approving the 2nd reading and adoption of Ordinance 2022.09/434 regarding Pedestrian Right-Of-Way at Identified Crosswalks in the City of Buchanan.

Motion made by Swem, supported by Downey to approve the second reading of the Pedestrian Crossing Ordinance, and enact into law Ordinance #2022.09/434. Roll call vote carries unanimously.

XI. New Business

A. Resolution for Bond Notice of Intent- Consider approving a Resolution for the Bond Notice of Intent regarding water and sewer infrastructure related projects for the City of Buchanan.

Motion made by Downy, supported by Money to approve the Resolution for Bond Notice of Intent, as presented. Roll call vote carries unanimously.

XII. Communications (informational only, formal board action is not necessary for these items, unless so desired)

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Don Ryman made comments about trees being removed in the city that are on private property, that don't need to be removed.

Juanita Lewis made comments about the Senior Center and volunteering.

Norma Ferris made comments about roads at the cemetery, that they need work.

Monroe Lemay announced on October 8th One Buchanan will hold a disability forum at the Senior Center.

XIV. Executive Comments

A. City Manager Comments

Grace mentioned the many events that are happening in Buchanan speaks volumes to the kind of people we have in our community. Wanted to thank her team, congratulations and job well done to Bailey on his first time presenting to the Commission. The amount of detail that the staff goes into, personally is a great benefit to the community. Anyone in our area that decides to attend a meeting can really learn a lot of the inner workings of our community. We are going to try to continue driving up attendance at meetings and getting this information out for public consumption. Wanted to thank the team for all the detail that goes into putting these meetings together. Thanked the commission for always taking the time to review the information provided and render judgment the best interests of the community.

B. Commissioner Comments

Money Congratulated Randy and Jess Hendrixson. Thanks to Murphy for his work on the mural and the streetscape project. Encouraging everyone to come to the open house on the Streetscape to get as much insight as possible about the upcoming project. Thanks to the Police Department and the programs coming up in October. Thanked the commission for all they do.

Downey had no comment.

Swem thanked Randy and Jess Hendrixson. The mural is looking fantastic as well. Happy to hear 3rd street is reopened. One topic he would like an update on is all the RFP's on when to expect to see them, would like to make sure the mowing RFP to be ready in the spring. Budget for next year would like to see how the allocation and budgeting is compared to surrounding communities. Encourage everyone to come to the meeting on Thursday, it was moved to the Legion because last time we packed City Hall. Were all trying to figure out what's best for the future.

C. Mayor Comments

There is a ton going on in our community, we need to encourage OUR friends and family to pay attention to what's going on. Because we have a lot on our plate, we have the school bond, 2023 reconstruction project, we have the need for resource officers. I would encourage everyone to attend those meetings. Wednesday at 6 pm at Buchanan Christian Church the informational meeting about the school bond. Thursday at 6 pm at the Legion is the reconstruction project meeting, get people to attend these things. Thanked the Richie's and Redbud for brining 100,000 people to town. The gas lines that are laying around Chippewa, Semco is replacing vintage gas lines from 4th St. to Front St. and all the way across 3rd St. The entire job will take a few months. The yellow lines laying on the tree lawn should be gone in a couple of weeks. Trek or Treat needs candy, candy is a lot more expensive this year, if you can please donate.

XV. Adjourn

Motion made by Money, supported by Downey to Adjourn the meeting at 8:19 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, OCTOBER 10, 2022 – 7:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order by Mayor Denison at 7:00 P.M.

II. Recognition

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Deborah Perez; Community Development Director, Rich Murphy; Director Public Services, Mike Baker; Public Safety Director, Tim Ganus.

V. Approve Agenda

Motion made by , supported by , to approve the agenda as presented. Roll call vote carries unanimously.

VI. Open Public Hearing 1

A. Public Hearing on Proposed Infrastructure & Streetscape Plan for Buchanan's 2023-2025 Downtown Project-

(1) Consider voting to formally open the public hearing.

Motion made by , supported by , to open the first public hearing at P.M. Roll call vote carries unanimously.

(2) Consider voting to close the public hearing.

Motion made by , supported by , to close the first public hearing at P.M. Roll call vote carries unanimously.

VII. Open Public Hearing 2

A. Public Hearing on Potential Sale of City-Owned Properties in Buchanan

(1) Consider voting to formally open the public hearing.

Motion made by , supported by , to open the second public hearing at P.M. Roll call vote carries unanimously.

(2) Consider voting to close the public hearing.

Motion made by , supported by , to close the second public hearing at P.M. Roll call vote carries unanimously.

VIII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Minutes- Consider approving minutes from the September 26, 2022, Regular Meeting.

B. Expenditures- Consider approving expenditures for October 10, 2022, in the amount of \$81,251.20

Motion made by , supported by , to approve the consent agenda as presented. Roll call vote carries unanimously.

IX. Scheduled Matters from the Floor (if any)

A. Downtown Streetscape Concept Update by Prein & Newhof- Mike Schwartz and Matt Levandowski will present an updated version of the proposed Downtown Streetscape plans. The plans themselves are expected to be finalized on 10/07/22, at which time they will be added to the Packets for this meeting, and also added to www.facebook.com/buchanandowntownproject

X. Reports by: Departments, Committees, Boards

A. Finance Department Report- Treasurer Deb Perez will give an update on City financials.

B. Public Service Report- Director Mike Baker

1) **CIP & AMP Discussion-** Director Baker and Streets Department Lead Klay Weaver will provide an update regarding capital improvement planning and asset management planning for Public Services resources.

2) **Sweeper Request-** Consider whether the 2008 Elgin Sweeper, which was discussed at the last meeting, should be repaired or replaced.

Motion made by , supported by , to

C. Community Development Report- Director Rich Murphy

1) **Gustavsen Cafe Restaurant Improvement Grant Request-** Consider the Restaurant Improvement Grant Request regarding Gustavsen Cafe, 125 Days Ave.

Motion made by , supported by , to approve the Restaurant Improvement Grant Request for Gustavsen Café at 125 Days Ave. Roll call vote carries unanimously.

D. Public Safety Report-

(1) **Hiring of New Officer-** Consider a request to approve adding an additional officer to the Buchanan police force.

Motion made by _____, supported by _____,

XI. Unfinished Business

A. School Resource Officer- City Manager Grace will provide an update regarding the current status of the School Resource Officer proposal discussed at previous meetings.

XII. New Business

A. Potential Land Sale Prioritization Discussion- Consider discussing the potential sale of City-owned properties, and whether the Commission wants to provide specific direction to the City Administration regarding the matter.

XIII. Communications (informational only, formal board action is not necessary for these items, unless so desired)

XIV. Public Comment - Non-Agenda Items Only (3-minute limit)

XV. Executive Comments

A. City Manager Comments

B. Commissioner Comments

C. Mayor Comments

XVI. Adjourn

Motion made by _____, supported by _____, to adjourn the meeting at P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, OCTOBER 24, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order at 7:00 p.m. by Mayor Denison.

II. Recognition

None

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Cameron Downey, Commissioner Larry Money, Commissioner Patrick Swem

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; DPW Lead, Klay Weaver; Director of Public Safety, Tim Ganus; Chief of Police Harvey Burnett; Administrative Assistant, Emma Lysy

V. Approve Agenda

Motion made by Swem, supported by Money to approve the amended agenda, as presented. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

None

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Minutes- Consider approving the Regular Meeting Minutes from October 10, 2022.

B. Expenditures- Consider Expenditures for October 24th, 2022, in the amount of \$152,331.47

C. 2023 Notice of Meetings & Holiday Schedule- Consider approving the 2023 Notice of Meetings for the City of Buchanan & the 2023 Holiday Schedule.

Motion made by Money, supported by Weedon to approve the Consent Agenda, as presented. Roll call vote carries unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

- A. New DPW Bldg Construction 'Project Update'- Representatives from AVB and the Barton Group will provide updated budget estimates related to the New DPW Building Construction Project. This is just an update - no action is requested at this time.

Daniel Burns Project Manager from AVB gave the commission an update of where they are now in the DPW building construction. Three weeks ago, they received updated drawings from Bergman Group. This is a progress update on the numbers for the building. Burns went over the estimate summary. (See Attachment A)

Next Steps Bergman is working on getting to construction document phase. Early November there should be a sit down with the city, Bergman and AVB so that everything that has been talked about in the meetings has made it to the drawings.

IX. Reports by: Departments, Committees, Boards

- A. Community Development Report- Rich Murphy

1) 2022 MML Annual Convention- Director Murphy will present takeaways from the recent MML Annual Convention attended by Murphy and Manager Grace.

Murphy recapped the MML Annual Convention that Grace and he attended. From places across Michigan cities, small towns, and townships. There is also a plethora of consultants and lobbyists this organization has been around since before the automobile, so it really is writing a lot of Michigan's economic trajectory. Murphy believes it's a great resource and really a laboratory for best practices for the city. Placemaking is economic policy and it's not up for debate and the reason is because people are changing. This was an opportunity for city manager Grace and Murphy to sharpen the axe and to be inspired. With networking opportunities calibrating the kind of see where we are. Throughout the two half days that our strategy was really Grace and Murphy divide and conquer Grace attended a breakout session on the infrastructure federal funding. Murphy attended a session on legislative updates and housing opportunities in the evenings there was more networking opportunities where we got to meet kind of people with their hands on the pulse of where the funding is and how to get it on the federal and state level. The first entire day in the conference focused on do you have Vision and if you don't have a vision, get one and if you do have a vision, get people behind it, and start implementing it now. We reaffirmed that with the vision project the city is on the right track. Younger generations are making decisions on where they live by the quality of life of and by the natural resources. That there are nearby by the arts and culture and the family experiences they can have.

Grace gave her update of the convention. First giving a congratulations to our partner in our region Village of Cassopolis won the Community Excellence Award this year for their vision of Cassopolis that they have implemented, and it really was spectacular they did a fabulous job very similar to what we did for the vision for Buchanan. They're very small village so for them to have made such a transformation I thought was quite admirable and was very proud to see someone from our region make such a big splash at the convention. Congrats to Cassopolis.

Also, there was a lot of emphasis on infrastructure. Grace has mentioned at previous meetings that she is currently involved in the Michigan Infrastructure Council, Tuesday and Thursday grace will be in Lansing as one of 50 representatives across the state of Michigan out of the 1700 municipalities to give comment on Michigan 30 year infrastructure planning both for the water and transportation groups so Buchanan's going to have a chance to get our imprint on policy that for that will may impact the residents of Michigan for the next 30 years she is encouraging anyone

who has comments related either to transportation or water please e-mail those to her as soon as possible. Grace really wants to encourage folks who have points related to that to reach out to me so she can carry forth those comments including citizens. Making sure your voice is heard at those 30-year infrastructure planning meetings are attended by some very important officials throughout the state.

Grace also attended a breakaway session on civility in government and having good meetings with public officials and the members of the public. Just seeing the general state of civility and government going down recently which I think everyone on any side of the aisle could agree is an unfortunate thing that's been occurring as a trend in late. An Advocacy Group is offering consultation services geared towards bringing back civility towards the public comment section of meetings. As well as making sure that staff and leaders are working together in a collaborative way and that the voice of the public's getting heard.

X. Unfinished Business

XI. New Business

A. Closed Session- Closed Session to discuss matters subject to attorney-client privilege, discuss the potential sale or lease of real property, and to conduct the annual performance review of City Manager Grace.

Motion made by Swem, supported by Weedon to enter closed session pursuant to MCL 15.2768 section 8 (1)(h) & (a) at 7:31 p.m. Roll call vote carries unanimously.

(2) Re-Enter Open Session- Consider voting to re-enter open session.

Motion made by Weedon, supported by Swem to re-enter open session at 8:39 p.m. Roll call vote carries unanimously.

(3) Closed Session Action- Consider action regarding matters discussed in Closed Session.

Motion made by Money, supported by Swem to submit to the public the results of the annual performance review of City Manager Heather Grace, which find that Grace has satisfactory performed her duties, as per her employment agreement. Roll call carries unanimously.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

None

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Don Ryman- 313 Was glad to see that the city manager Grace and director Murphy had attended the Michigan municipal league annual conference and brought things back to us.

Jeff Griffin- Gave thanks to Denison, Weedon, and Downey for there service on the Commission.

Norma Ferris- Concerned about the agreement with Dial-A-Ride.

XIV. Executive Comments

A. City Manager Comments

Grace directed her comments to the Commission. I acknowledged that some of you may not be in your seats the next time we convene and for any who are not thank you for your service to the citizens. And for those of you who do return, extremely excited for what we can accomplish together, and I thank you all for continuing this journey with us. Thank you also to the members of

the public we have some stalwarts who can always be counted on to stick around even when there's a closed session. That shows extreme dedication and commitment to the wanting the best interest of your community and I applaud you all for your dedication so thank you for that. MML conference was very enjoyable, very rewarding and inspiring going to it brought her some renewed vigor for ideas that I want to implement and is really excited for what we can do.

B. Commissioner Comments

Money- Congratulations to Grace for the job well done. I also want to say because I've said this time and time again. The two years that I've been here this has been a learning and growing experience for me. I 'am always throwing the accolades out there to everybody that serves on this Commission, and I want to say in particular thank you to Mark, Sean and Cameron for all the work that they've done. As was stated this may not be the same Commission here in the couple weeks but working with you has been a privilege.

Swem- Not saying goodbye to Weedon and Denison because he's counting on them to win. Thanking Cameron on his soon to be retirement from the Commission. I really appreciate the time we have spent and conversations. You cared a ton about the city, and I know you worked your tail off to try to do what was best in the end truly appreciate the time together here. Look forward to working with you in other capacities.

Downey- Thanked the City of Buchanan for making him a commissioner for 4 years. And going to enjoy his retirement.

Weedon- Thank you to Cameron and Sean. Four years ago, we were all doing something different I'm only saying this because maybe we don't get elected, we hope for the votes, and we do our best to represent the city as best we can. The three of us, went on for two years that we felt like we were walking around blind. Being told what to do and how to do it and where to go and what to vote for and when to raise your hand and put it down. You know and that's kind of how the city ran, everything was smoke and mirrors to some degree and I'm not saying that it was but it sure wasn't the communication we've got today. I've seen the change in the three of us over the four years. We've been able to make changes I think we've put safety nets in place to protect our departments. We're going to continue to do that if by the grace of whatever you believe in and we're back again Sean and me. Cameron thank you for everything. I know that's he always works hard to find the answers to things. He's a dang good researcher and does not forget very much at all, so I thank you for the time, thank you for making me better commissioner I truly mean that. I know that we haven't always seen eye to eye, but that's a good thing you don't want people just to agree on everything. Sean thank you for your two years as mayor I think that you handled it well you took slings and arrows with the best of them. For the other two that are still here you guys have been exceptional and giving us a different perspective on things that we didn't have in the first two years. Thank you everybody for all your hard work I appreciate it. If I'm not here again well maybe, I'll come down and heckle from the crowd with Norma.

Mayor Comments

Mark knows me well after four years because when I want to make sure I say something I write it down. Because I don't do well trying to think on my feet, so I wrote my comments for tonight this evening. This is my last meeting serving as the mayor of Buchanan i wanted to use the time that I'm given for comments to some folks and express my sincere appreciation for all of you to allow me to serve and represent the community. I have no idea what the upcoming results for the election week or if it will be elected so I wanted to make sure you know how grateful I am for the opportunity you've given me to be some your mayor. Some may think I'm being overdramatic but

believe me when I say that being the Mayor Buchanan has been an honor of my lifetime. I didn't have the most extravagant upbringing in the early 80s I remember doing my homework next to a coal fire by the light of an oil lamp because for a time we didn't have electricity or running water. My father worked as an engineer for the railroad, and we moved often depending on where he was needed and between kindergarten and 4th grade, we lived in at least nine different places, and I found it hard to make friends because we are always moving. I struggled for a long time to feel like I belonged anywhere so I can't even begin to tell you what it means to me when I walk down the street or I'm pumping gas, and someone drives by honks and waves. I met my wife in college 30 years ago when we were younger, we talked about what our future would look like. We always hope that we'd find a place to settle down raise a family somewhat jokingly hoping that one day she could be at elementary principal, and I could be involved in local politics. Fast forward 25 years plus. Here we are raising a family in the nicest place in America. My wife and I are blessed, and we know it, we're grateful and I thank you from the bottom of my heart for allowing me this opportunity. I want to thank my wife and daughter for putting up with me for the last four years I want to apologize for the missed dinners, dance practices, recitals, sporting events and everything else I missed, I love you both. I want to thank my fellow commissioners for their hard work their time spent away from their families and their dedication to our community. I also want to thank them for trusting me with the position of mayor. I want to thank Heather, Rich, Kalla, Deb, Ashley, Courtney, Britni, Jill and Emma for choosing Buchanan as a place to work for bringing their talents and passion to the City Hall every day. The city is better because you're here to the entire team of DPW and wastewater thank you all for all you do to make our community thrive. I appreciate the sacrifices you all make to keep the city running. I'd like to thank our Police Department for everything they do to make our community not only safe but welcoming your continued efforts to connect with our community in so many different ways. It is an important part of what makes this a great place to live and work. I want to thank all the volunteers who serve this city it was just too long to name everybody, but they're served on various boards they donate enormous amounts of their time and they're what makes life better here. Finally, I want to thank the citizens of Buchanan and I also want to challenge you. I want to challenge you to do your part to be good citizens to be active in your neighborhoods. To be informed on current events in the city you are a part of this team also your participation is vital to our success. If you can't serve on a board if you can't attend meetings use regularly, at very least do your part by treating our city employees with this respect they deserve. If I've learned anything over the last four years it's that the people who work in this building have a thankless job, if you can treat them with kindness and respect, you'll be helping the city by making their work environment a more pleasing place to be. That will hopefully help reduce turnover and help keep good employees. I can assure you they are working for you not against you. I can't say I've enjoyed every second of the last four years but I can state without a doubt that I've learned a great deal and I've made friendships that I always cherish and I hope to see all of you right back here very soon thank you thank you

XV. Adjourn

Motion made by Money, supported by Weedon to adjourn the meeting at 8:53 p.m. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, NOVEMBER 14, 2022 – 7:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

City Manager Grace called the meeting to order at 7:00 P.M.

II. Recognition

A. [**Special Note**--City Manager Heather Grace shall lead the meeting until such time as a Mayor is selected amongst and by the City Commissioners later in the agenda.]

Recognition #1- On behalf of the City of Buchanan, City Manager Heather Grace hereby recognizes and thanks our City Clerk Kalla Langston, along with her Team of dedicated Election Workers. Their hard work work is appreciated, and I hope that you will all join me in congratulating them on a well-run election.

Recognition # 2- City Manager Heather Grace hereby recognizes and congratulates our newly-elected, and re-elected, City Commissioners: Sean Denison, Mark Weedon, and Dan Vigansky. You have been selected by members of your community to join Commissioners Larry Money and Patrick Swem to makeup our new Commission for the City of Buchanan. As such, you are now entrusted with the sacred duty of leadership through service to your City and its People. May truth and wisdom guide you, as you chart the course for Buchanan's bright future!

-City Clerk Kalla Langston will now administer your Oaths of Office:

Oaths of Office

Clerk Langston administered the Oaths of Office to Sean Denison, Daniel Vigansky, and Mark Weedon.

III. Pledge of Allegiance

City Manager Grace led in the Pledge of Allegiance.

IV. Roll Call

City Manager Grace asked for roll call.

Present: Commissioner Sean Denison, Commissioner Mark Weedon, Commissioner Dan Vigansky, Commissioner Patrick Swem, Commissioner Larry Money

PENDING APPROVAL

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Deborah Perez; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director Public Safety, Tim Ganus; Chief of Police Harvey Burnett; Fire Chief Mike Adams, Clerk Cashier, Jill Mondschein; Bookkeeper, Courtney Baham; Administrative Assistant; Emma Lysy

V. Approve Agenda

Motion made by Weedon, supported by Denison to amend the agenda to remove the notation in section VIII., as the City Attorney now recommends that nominations and appointments for the offices of Mayor and Mayor Pro Tem be conducted via nomination and vote, with no requirement for a formal motion and support. Roll call carries unanimously.

Motion made by Denison, supported by Money to approve the amended agenda, as presented. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit)

Dr. Patricia Moore thanked all the candidates that ran for City Commission and congratulated those that were successful. Thanked Mayor Denison for the helping hand with the tree planting that was held on Saturday.

Tony Houser, congratulated the candidates that won. Recommends that the Mayor should have more than two years in his position.

Monroe Lemay, thanked all the voters. The two of us that did not win will continue to support and work with the current commissioners. Lemay has petitioned for a recount due to only losing by 1 vote. Recommends that Sean Denison stay as Mayor. Lemay invited everyone to the Stephens Memorial Sunroom Dedication on November 17 from 4-6 p.m. at the Buchanan Area Senior Center.

Chief Burnett, introduced new police officer Cory Reed.

VII. Public Comment - Agenda Items Only (3-minute limit)

A. Nominations and Appointments- *Consider nominating, via motion and support, and then voting, on the following nominations and appointments:*

(A) Currently Existing Boards:

(1) Mayor (1 seat)

Grace called for Nominations for Mayor.

Commissioner Weedon nominated Commissioner Patrick Swem

Commissioner Money nominated Commissioner Sean Denison

Nominations closed with two nominations.

Votes were read aloud by Langston

Commissioner Patrick Swem received two (2) votes from Commissioner Mark Weedon & Commissioner Patrick Swem

Commissioner Sean Denison received three (3) votes from Commissioner Larry Money, Commissioner Sean Denison, and Commissioner Dan Vigansky

Majority has spoken Grace welcomed Newly Elected Mayor Sean Denison.

(2) Mayor Pro Tem (1 seat)

PENDING APPROVAL

Denison called for Nominations for Mayor Pro Tem.

Commissioner Money nominated Commissioner Mark Weedon

Commissioner Dan Vigansky nominated Commissioner Patrick Swem

Nominations were closed with two nominations

Commissioner Mark Weedon received four (4) votes from Commissioner Money, Commissioner Patrick Swem, Commissioner Mark Weedon, Mayor Sean Denison

Commissioner Patrick Swem received one (1) vote from Commissioner Dan Vigansky

Majority has spoken Denison welcomed newly elected Mayor Pro Tem Mark Weedon

(3) **Planning Commission** (1 seat)

[as per Act 33 of 2008, state statute dictates that members of the Planning Commission must be appointed by the Mayor, subject to approval of a majority vote of the City Commission. Also, one member of the Planning Commission shall be the mayor, or the Mayor's designee, who may be another City Commissioner].

Motion made by Denison, supported by Money to appoint Denison to Planning Commission. Roll call vote carries unanimously.

(4) **Zoning Board of Appeals** (1 seat, with alternate- or five seats--see below)

[Pursuant to Public Act 110 of 2006, state statute dictates that members of a Zoning Board of Appeals must be approved by a majority vote of the City Commission - OR - the entire City Commission may choose to serve as the Zoning Board of Appeals].

Motion made by Denison, supported by Vigansky to appoint Denison to the Zoning Board of Appeals. Roll call vote carries unanimously.

(5) **Joint Water/Sewer Board** (2 seats)

Motion made by Money, supported by Denison to appoint Swem and Vigansky to the Joint Water/Sewer Board. Roll call vote carries unanimously.

(6) **Buchanan Area Recreation Board** (1 seat)

Motion made by Denison, supported by Swem to appoint Weedon to Buchanan Area Recreation Board.

Yea: Weedon, Money, Swem, Denison

Nay: Vigansky

Motion carries

(7) **Landfill Board** (1 seat)

Money motioned, supported by Weedon to appoint Swem to Landfill Board. Vigansky asked for discussion, there are 2 seats one currently filled by Grace. Vigansky would like to take Graces place to allow her more time.

Money amended his motion to appoint Grace and Swem to the Landfill Board.

Yea: Money, Swem, Weedon

Nay: Denison, Vigansky

PENDING APPROVAL

Motion carries.

(8) **One Buchanan** (1 seat)

Motion made by Swem, supported by Denison to appoint Money to One Buchanan. Roll call vote carries unanimously.

(9) **Buchanan Area Fine Arts Committee** (1 seat)

Motion made by Denson, supported by Swem to appoint Denison to Buchanan Area Fine Arts Committee. Roll call vote carries unanimously.

(10) **Common Committee** (1 seat)

Currently Ashley Regal sits as the city rep. Commission agrees to keep that placement.

(11) **Board of Review** (1 seat)

Motion made by Vigansky, supported by Swem to appoint Money to Board of Review. Roll call vote carries unanimously.

(12) **Election Board/Commission** (1 seat) [*should include Mayor, as per Buchanan City Charter Sect. 3.13*]

Mayor Denison will continue as Mayor.

(13) **Cemetery Committee** (1 seat)

Motion made by Swem, supported by Weedon to appoint Money to Cemetery Committee. Roll call vote carries unanimously.

--OPTIONAL, BUT RECOMMENDED:

-City Manager Heather Grace recommends the formation of the following Boards/Commissions/Committees/Task Forces:

[Note that Manager Grace recommends that at least one, but no more than two, Commissioners serve on each of the following Committees. Also note that the following recommended committees are not intended to be "standing committees" in violation of Charter Sect. 6.7 because they are intended to only meet 'as needed' and also not be permanent, and only exist as long as is deemed necessary--and shall cease operations once their assigned task is completed].

(B) Recommended to Be Created Boards:

(1) **Compensation Commission** (2 seats)

-As noted in the Buchanan City Charter, at Sec. 4.4, the Home Rule City Act, Public Act 279 of 1909, allows for the creation of a Compensation Commission by ordinance. Manager Grace strongly recommends creating this Commission to assess the compensation given to members of City Boards/Commissions/Committees to ensure that we are continuing to attract the talent necessary to have well-functioning boards and committees, which is vital for the City's operations. This Committee shall meet as needed and cease operations once the City Commission has voted upon any recommendations related to committee compensation created by said committee.

(2) **Finance Committee**- In conjunction with the City's Auditor, Manager Grace also strongly recommends the creation of a Finance Committee. While not required by statute, a Finance Committee would be an ideal way to further improve the City's financial oversight, as well as provide an additional mechanism for enhanced transparency. This committee shall only meet as

needed, and will cease operations once the committee is comfortable with the City's financial oversight processes, as presented to the entire City Commission during regular meetings.

(3) **Board of Public Works**- Pursuant to Buchanan City Charter, Manager Grace also strongly recommends the creation of a Board of Public Works, to include one to two members from the City Commission, plus three other members (five members total), with the three other members being "freeholders and electors of the City" [aka, a registered voter who owns property in the City], as per the Charter--in addition to seeking out members with experience in construction or related fields. The Charter also indicates that the Board of Public Works, if created, shall be charged and entrusted with the following duties, powers and responsibilities subject to the direction of the Commission:(1) The construction, management, supervision, and control of the City water works. (2) The construction, management, supervision, and control of any municipal electric system [doesn't apply in our situation]. (3) The construction, management, supervision, and control of such other public improvements or works as are designated by ordinance. This Board would only meet as needed, and would cease operation upon a vote of the City Commission, once the City Commission believes that the City has completed the majority of its needs related to construction and capital improvements.

-It is worth noting that if a Board of Public Works is created, such Board would still need approval from the City Commission to make expenditures--So, in essence, the Board of Public Works would review issues related to Public Works and then make recommendations to the full City Commission for review and requested approval. Manager Grace thinks that this would be a great benefit, given the many large construction projects in the City's near future.

(4) **Community Development Implementation Committee**- *Manager Grace also recommends the creation of a Committee to help guide and oversee our Community Development Department's implementation of the the City's stated goals and visions related to community development, including certification in the Redevelopment Ready Communities Program, creation of a successful Main Street program, creation of an updated zoning code, and implementation of the Andrew's University 'Vision for Buchanan' plan. This committee would meet as needed and would cease after it achieves the above stated goals, as decided by either the Committee itself, or by the City Commission.*

(5) **Economic Development Committee**- Manager Grace also recommends the creation of an Economic Development Committee to help guide City staff regarding items pertaining to economic development, such as façade grant programs, tax incentive programs, the sale of City-owned property, marihuana permit-related matters, and other issues relating to economic development.

(6) **Compliance Committee**- *Manager Grace also recommends the creation of a Compliance Committee, which would be charged with providing additional oversight in the areas of legal and ethical compliance. Manager Grace believes that this Committee will be important to help ensure that all City officials, including members of staff and all members of City boards and committees, are meeting all legal and ethical compliance standards. This committee would be charged with creating recommendations for best practices, would meet as needed, and would cease to exist once it has accomplished its stated goals, as decided by either the Committee itself, of the City Commission.*

(7) **Public Safety Committee**- *Manager Grace also strongly recommends the creation of a Public Safety Committee, which would be charged with all matters related to Public Safety, including the creation and implementation of a new blight remediation and code enforcement program--to*

PENDING APPROVAL

include rental inspections, etc. The Committee would meet as needed and would cease to exist once it achieves its stated goals, as determined by either the Committee itself or the City Commission.

*(8) **Governance & Administration Committee**- Manager Grace also recommends the creation of a Governance & Administration Committee, which would be charged with the development of best practices related to matters pertaining to governance and administration, including things such as elections, public communications, interactions with the public, social media policies, and much more. This Committee would meet as needed, and would cease to exist once it achieves its goals, as decided by the Committee itself or the City Commission.*

Motion made by Weedon, supported by Vigansky to postpone all items under VIII. B. Roll call vote carries unanimously.

VIII. Consent Agenda *(can be approved all in one motion, for general housekeeping items)*

A. Meeting Minutes- *Consider approving the Regular Meeting Minutes from October 24, 2022.*

B. Expenditures- *Consider approving the expenditures for November 14, 2022, in the amount of \$143,046.11*

C. Street Closure- *Consider approving a Street Closure requested by the Buchanan Area Chamber of Commerce for the Christmas Parade being held on November 26, 2022, from 5-6:30 p.m.*

Motion made by Vigansky, supported by Money to approve the Consent Agenda as presented. Roll call vote carries unanimously.

IX. Scheduled Matters from the Floor *(if any)*

A. Audit Presentation- *Representatives from Kruggel Lawton will provide a brief presentation related to the City's most recent financial audit.*

Kruggel Lawton gave a presentation of the Audit and gave the Commissioners its final draft.

X. Reports by: Departments, Committees, Boards

A. Clerk Report- *Clerk Langston will give the public and commission a brief update on the November 8th, 2022, General Election.*

Langston updated the Commission on election turnout with the City of Buchanan having a 41.62% turnout. Langston also explained recall and recount procedures. Langston also thanked all the election workers for their hard work.

Motion made by Denison, supported by Vigansky to allow Clerk and City Manager to explore other ways for the Election of Mayor to give the choice to the voters and not the Commission.

Yea: Denison, Vigansky

Nay: Weedon, Swem, Money

Motion does not carry.

B. Community Development Report- *Director Murphy*

A) Resolution #2022.11/432- *Consider approving a Resolution to approve the Spark Grant Application for the St. Joseph River Access Project.*

Motion made by Vigansky, supported by Weedon to approve Resolution 2022.11/432. Roll call vote carries unanimously.

PENDING APPROVAL

B) **Façade Grant for 101-103 Days**- Consider approving a Façade Grant Application from Rowland Property Group for 101-103 Days Ave.

Motion made by Money, supported by Weedon to approve the Façade Grant for 101-103 Days, as presented.

Yea: Denison, Weedon, Vigansky, Money

Nay: None

Abstain: Swem (business interest)

C) **Restaurant Improvement Grant**- Consider approving a Restaurant Improvement Grant Application from Rowland Property Group for 101-103 Days Ave.

Motion made by Denison, supported by Money to approve the Façade Grant for 101-103 Days, as presented.

Yea: Denison, Weedon, Vigansky, Money

Nay: None

Abstain: Swem (business interest)

D) **City-Owned Properties**- Murphy will provide an update on where we stand regarding the potential sale of City-Owned Properties.

Murphy will be bringing a full plan and list of properties to the Commission for recommendation.

E) **Zoning Ordinance Project**- Murphy will provide an update regarding our Zoning Ordinance project.

The Zoning Ordinance Project is underway with 1st draft revisions. The group will be having round table discussions all day on December 6th with a Joint meeting at 5 PM on that day, between City Commission, Planning Commission and BARB.

F) **Grants Update**- Murphy will provide a general status update regarding some of the many grant opportunities the City is currently exploring.

Murphy gave the Commission an update on where some of the grants he has applied for and working on stand.

C. Public Services Report- Director Mike Baker

Baker updated the Commission with concerns about more failing equipment. Sweeper is still being looked at, the baler is currently out of order now. They are prepped for snow as of today.

D. Public Safety Report- Director Tim Ganus

Fire Chief Mike Adams gave the commission an update on some of the Community events that were held in October between doing school practice drills, Trek or Treat, Trick or Treat, as well as library events.

E. Finance Department Report- Director Deb Perez

Perez offered her support for any commissioner needing help deciphering the audit. She is continuing with the update of the chart of accounts.

XI. Unfinished Business

PENDING APPROVAL

XII. New Business

XIII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

XIV. Public Comment - Non-Agenda Items Only *(3-minute limit)*

Don Ryman- talked about changes in the city charter, doesn't think it should be messed with and believes it has held up well.

Stacy Denison- Gave thanks to the Fire Department for the programs that they bring to the school. Also made some comments about Leadership; while it can be fantastically rewarding it can also be a very lonely and thankless positions. Most people do not realize the sacrifices the commission puts into representing the community. Thanked them for all they do and the families of the commissioners.

XV. Executive Comments

A. City Manager Comments

Thanked everyone in attendance, for the people that participated in the elections as well as for being a citizen and a community member. We have a great community; everyone is a neighbor to each other. Thank you to the commissioners re-elected and newly elected. Would like everyone to keep in mind when the commission is asked to make difficult decisions that they are difficult and that we can respectfully disagree with each other but that bottom line of being respectful and being a neighbor needs to stay in our hearts.

B. Commissioner Comments

Weedon- Congratulations to the individuals that won. To the individuals that ran but did not get a seat, you did a great job running, by putting their name out there. They could have easily been sitting up here. Looking forward to the next 4 years. Congratulations to Officer Reed. Chief Adams, thank you for your work with the school. Thanks to everyone that attended tonight's meeting and the comments that were made about leadership.

Swem- Congratulations to the election winners, looking forward to working with this group. Let's get more accomplished next year.

Vigansky- Thanked his wife and family for handing out doorhangers during campaign time. Thanked Joe and Alan for their time. Thanked city hall for making him so mad that against all odds he won a seat. Thanks to the city staff for coming to the meeting on their own dime.

Money- Congratulations to Denison, Weedon, Vigansky, Houser and Lemay on a job well done. Hope we keep working in agreement as time goes on. Thanks to Langston for a well-run election. And for all the city staff. Thanked Baker and DPW for all their hard work. As well as Police and Fire Departments. Congratulations to Officer Reed. Appreciate this Commission and everyone that comes out to supports us.

C. Mayor Comments

Denison- The Buchanan City app that will alert you about things going on in the city will hopefully be up and running in the next few weeks. Thanked the Tree Friends for their hard work. Thanked Clerk Langston and the election worker team for their hard work. Wished good luck to his other commissioners and looks forward to working with them.

XVI. Adjourn

PENDING APPROVAL

Motion made by Vigansky, supported by Money to adjourn the meeting at 9:15 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, NOVEMBER 28, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order by Mayor Denison at 7:00 P.M.

II. Recognition

None.

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Motion made by Money, supported by Swem to excuse the absences of Commissioners Dan Vigansky and Mark Weedon, as they are currently otherwise occupied performing their duties as delegated for Berrien County. Roll call vote carries unanimously.

Present: Mayor Sean Denison, Commissioner Larry Money, Commissioner Patrick Swem

Absent: Mayor Pro Tem Mark Weedon, Commissioner Dan Vigansky

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus, Chief of Police Harvey Burnett

V. Approve Agenda

Motion made by Swem, supported by Money to approve the agenda, as presented. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only (3-minute limit) None

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

A. Meeting Minutes- Consider approving the Regular Meeting Minutes from November 14, 2022.

B. Expenditures- Consider approving the expenditures for November 28, 2022, in the amount of \$132,159.84

Motion made by Money, supported by Swem to approve the Consent Agenda, as presented. Roll call vote carries unanimously.

VIII. **Scheduled Matters from the Floor** *(if any)*

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

A. Community Development Report- Director Murphy

A) KISA Enterprises MI, Inc. Medical & Adult Use Marihuana Applications for annual permit renewal.

Motion made by Swem, supported by Money to approve the KISA Enterprises MI, Inc. Medical and Adult Use Marihuana Applications for annual permit renewal, as presented. Roll call vote carries unanimously.

B. Clerk Report- Board appointments

(1) **Buchanan Tree Friends-** Consider the appointment of Elaine Rowland to BTF.

Motion made by Money, supported by Swem to appoint Elaine Rowland to the Buchanan Tree Friends. Roll call vote carries unanimously.

(2) **Friends of the McCoy's Creek Trail Committee-** Consider the appointment of Shawn Ward to Friends of the Trail.

Motion made by Denison, supported by Money to appoint Shawn Ward to the Friends of the McCoy Creek Trail. Roll call vote carries unanimously.

X. **Unfinished Business**

Motion made by Denison, supported by Swem to postpone all items of Unfinished Business relating to City Boards until the next City Commission meeting, so that the entire City Commission is able to engage in dialogue together. Roll call carries unanimously.

A. Items VIII. B. was postponed at the City Commission meeting on November 14th. Till the Commission could have a further review of said boards.

--OPTIONAL, BUT RECOMMENDED:

-City Manager Heather Grace recommends the formation of the following Boards/Commissions/Committees/Task Forces:

[Note that Manager Grace recommends that at least one, but no more than two, Commissioners serve on each of the following Committees. Also note that the following recommended committees are not intended to be "standing committees" in violation of Charter Sect. 6.7 because they are intended to only meet 'as needed' and also not be permanent, and only exist as long as is deemed necessary--and shall cease operations once their assigned task is completed].

(B) Recommended to Be Created Boards:

(1) **Compensation Commission** (2 seats)

-As noted in the Buchanan City Charter, at Sec. 4.4, the Home Rule City Act, Public Act 279 of 1909, allows for the creation of a Compensation Commission by ordinance. Manager Grace strongly recommends creating this Commission to assess the compensation given to members of City Boards/Commissions/Committees to ensure that we are continuing to attract the talent necessary to have well-functioning boards and committees, which is vital for the City's operations. This Committee shall meet as needed and cease operations once the City Commission has voted upon any recommendations related to committee compensation created by said committee.

(2) **Finance Committee**- In conjunction with the City's Auditor, Manager Grace also strongly recommends the creation of a Finance Committee. While not required by statute, a Finance Committee would be an ideal way to further improve the City's financial oversight, as well as provide an additional mechanism for enhanced transparency. This committee shall only meet as needed, and will cease operations once the committee is comfortable with the City's financial oversight processes, as presented to the entire City Commission during regular meetings.

(3) **Board of Public Works**- Pursuant to Buchanan City Charter, Manager Grace also strongly recommends the creation of a Board of Public Works, to include one to two members from the City Commission, plus three other members (five members total), with the three other members being "freeholders and electors of the City" [aka, a registered voter who owns property in the City], as per the Charter--in addition to seeking out members with experience in construction or related fields. The Charter also indicates that the Board of Public Works, if created, shall be charged and entrusted with the following duties, powers and responsibilities subject to the direction of the Commission:(1) The construction, management, supervision, and control of the City water works. (2) The construction, management, supervision, and control of any municipal electric system [doesn't apply in our situation]. (3) The construction, management, supervision, and control of such other public improvements or works as are designated by ordinance. This Board would only meet as needed, and would cease operation upon a vote of the City Commission, once the City Commission believes that the City has completed the majority of its needs related to construction and capital improvements.

-It is worth noting that if a Board of Public Works is created, such Board would still need approval from the City Commission to make expenditures--So, in essence, the Board of Public Works would review issues related to Public Works and then make recommendations to the full City Commission for review and requested approval. Manager Grace thinks that this would be a great benefit, given the many large construction projects in the City's near future.

(4) **Community Development Implementation Committee**- Manager Grace also recommends the creation of a Committee to help guide and oversee our Community Development Department's implementation of the City's stated goals and visions related to community development, including certification in the Redevelopment Ready Communities Program, creation of a successful Main Street program, creation of an updated zoning code, and implementation of the Andrew's University 'Vision for Buchanan' plan. This committee would meet as needed and would cease after it achieves the above stated goals, as decided by either the Committee itself, or by the City Commission.

(5) **Economic Development Committee**- Manager Grace also recommends the creation of an Economic Development Committee to help guide City staff regarding items pertaining to economic development, such as façade grant programs, tax incentive programs, the sale of City-owned property, marijuana permit-related matters, and other issues relating to economic development.

(6) **Compliance Committee**- Manager Grace also recommends the creation of a Compliance Committee, which would be charged with providing additional oversight in the areas of legal and ethical compliance. Manager Grace believes that this Committee will be important to help ensure that all City officials, including members of staff and all members of City boards and committees, are meeting all legal and ethical compliance standards. This committee would be charged with creating recommendations for best practices, would meet as needed, and would cease to exist once it has accomplished its stated goals, as decided by either the Committee itself, of the City Commission.

(7) **Public Safety Committee**- Manager Grace also strongly recommends the creation of a Public Safety Committee, which would be charged with all matters related to Public Safety, including the creation and implementation of a new blight remediation and code enforcement program--to including rental inspections, etc. The Committee would meet as needed and would cease to exist once it achieves its stated goals, as determined by either the Committee itself or the City Commission.

(8) **Governance & Administration Committee**- Manager Grace also recommends the creation of a Governance & Administration Committee, which would be charged with the development of best practices related to matters pertaining to governance and administration, including things such as elections, public communications, interactions with the public, social media policies, and much more. This Committee would meet as needed, and would cease to exist once it achieves its goals, as decided by the Committee itself or the City Commission.

(9) Any other Alternate and Board Appointments

XI. New Business

XII. Communications (informational only, formal board action is not necessary for these items, unless so desired)

A. Michigan Municipal League Training- if any commissioner would like to attend the training, please let Clerk Langston know to set up times.

B. Thrill on the Hill 2023

XIII. Public Comment - Non-Agenda Items Only (3-minute limit)

Juanita Lewis- Complimented the Commission. Would like to volunteer with different committees and especially the Thrill on the Hill event.

XIV. Executive Comments

A. City Manager Comments

Thanked everyone for making Bucktown Christmas a very special event.

B. Commissioner Comments

Money- Loved seeing everyone come out to Bucktown Christmas, it was a very joyful and outstanding job.

Swem- No Comment

C. Mayor Comments

Asked Baker for an update with the Sweeper. The parts are hard to come by, the DPW staff is working hard to get leaves picked up after the snow fall.

XV. Adjourn

Motion made by Swem, supported by Money to adjourn the meeting at 7:26 P.M.

Kalla Langston, City Clerk

Mayor Sean Denison



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, DECEMBER 12, 2022 – 7:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a “Scheduled Matter from the Floor” should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the “non-agenda items only” public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order by Mayor Sean Denison at 7:00 P.M.

II. Recognition

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Larry Money, Commissioner Patrick Swem, Commissioner Dan Vigansky

Absent: None

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Deborah Perez; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus, Chief of Police Harvey Burnett; Mainstreet Manager/ Chamber Executive, Ashley Regal

V. Approve Agenda

Motion made by Vigansky supported by Weedon, to amend the agenda to add item for Credit Card Discussion under Section IX. Reports by Departments, item E. Finance Department Report number 2. Motion carries 4-1.

Yea: Weedon, Vigansky, Swem, Money

Nay: Denison

Motion made by Vigansky, supported by Weedon to amend the agenda to add item for a presentation about the removal of the silos as item A. under Section XI. New Business. Motion carries 4-1

Yea: Weedon, Money, Swem, Vigansky

Nay: Denison

Motion made by Weedon, supported by Vigansky to approve the amended agenda. Roll call vote carries unanimously.

VI. Public Comment - Agenda Items Only *(3-minute limit)*

Don Ryman- Comments about Zoning Code, does not believe we need a completely new zoning code.

VII. Scheduled Matters from the Floor *(if any)*

VIII. Consent Agenda *(can be approved all in one motion, for general housekeeping items)*

A. Minutes- Consider approving the Regular Meeting Minutes for November 28, 2022.

B. Expenditures- Consider approving the expenditures for December 12, 2022, in the amount of \$42,614.06

Motion made by Weedon, supported by Money, to approve the Consent Agenda as presented. Roll call vote carries unanimously.

IX. Reports by: Departments, Committees, Boards

A. Public Safety Report- Chief Harvey Burnett

1) Shop with a Cop 2022

Burnett gave the Commission an update about Shop with a Cop on December 3rd. The PD took a total of 14 children, 12 in person to shop at Wal-Mart in Niles, with 2 children not being able to be present a school representative was able to shop for them. With the gracious donations that were given each child was able to spend \$200.00, in past years it was \$100.00. The event was a huge success, with the Mayor and Courtney from City Hall helping in the event. He gave a giant thank you to The American Legion, Buchanan Scarecrow Charities, the Buchanan-Galien Lions Club, and other private and businesses that were able to donate. It's a great event to give back to the community.

Denison also wanted to give a thank you to the Sweet Shop for hosting the kids for snacks after the shopping.

B. Community Development Director Report- Rich Murphy

1) Microbusiness Ordinance- Consider First Reading of Proposed Amendments to the Adult Use Microbusiness Ordinance to include Class A Microbusinesses, as is newly allowed via recently updated state law.

Murphy brought forth an amendment to the Adult Use Microbusiness Ordinance (2019.11/214). The state has made changes regarding Microbusiness. For public knowledge, Microbusiness was a concept developed for a smaller business to be able to compete. Buchanan had opted into one microbusiness license in 2019. The class A has a few changes that Murphy outlined on the ordinance. *See attachment A*

Denison wanted to clarify that the city is not adding any more dispensaries that were not already approved. Murphy is requesting to change our ordinance to mirror the states rules.

Vigansky wanted to get a better understanding of the Microbusiness.

Weedon commended the Walpole Brothers for sticking with it.

Motion made by Weedon, supported by Money to approve the first reading of proposed amendments to the Adult Use Microbusiness Ordinance, as presented. Motion carries 4-1.

Yea: Denison, Weedon, Money, Swem

Nay: Vigansky

C. Main Street Winter 2022 Progress Report- *Main Street Manager/Buchanan Chamber of Commerce Director, Ashley Regal & Main Street Board Chairperson Tony Housand will provide an update on recent progress.*

Regal gave an update on The Michigan Main Street Board and what they have been working on. With the training complete in November, the four components of Main Street is Design, Economic Vitality, Promotion, and Organization.

The board has subcommittees in the four components. Regal went through the committees and the people that serve on them as well as their priorities. Regal is extremely proud of the project and all the work the boards have put in.

D. Board of Review Appointments- Clerk Kalla Langston

-Note that both items above are recommended for approval by City Assessor Mindy Cole-Crocker.

1) Emma Lysy Application- Consider the application of Emma Lysy to join the Board of Review due to the vacant position in 2023 with the term beginning in January of 2023- term ending in January 2025

Motion made by Vigansky, supported by Money, to appoint Emma Lysy to the Board of Review, as presented. Roll call vote carries unanimously.

2) Jeff Griffin Re-Appointment Request- Consider Re-appointing Jeff Griffin to the Board of Review with a 2-year term beginning in January 2023- term ending in January 2025

Motion made by Swem, supported by Money to appoint Jeff Griffin to the Board of Review, as presented. Roll call vote carries unanimously.

E. Finance Department Report- Deborah Perez

1) ~~Finance Dep't Update, including discussion by Financial Advisor Andy Campbell of Baker Tilly~~

Perez had supplied a revenue and expenditure report as well as the bank reconciliation for October. Revenue and expenditure for the General Fund were at just about 40% revenue collected and 40% expenses. 501 water/sewer is at 52% collected and 40% for expenditures.

2) Credit/ Purchasing Card

Perez updated the Commission as to why the Purchasing Cards were removed from the agenda. The agenda before had asked the Commission for 3 additional purchasing cards, two of which were replacements due to staff changes, the other was for a newly issued card. Which if the three had been approved it would have given the city a total of 15 cards. Perez is looking to revamp that policy as she does not see the need to have that number of cards, nor does the city have a policy on purchasing cards for employees. Perez will be creating one to bring in front of the Commission and would like to move forward with having corporate cards with authorized signatures.

Perez also updated the commission that she was nominated by Grace to AM Champion program for the Asset Management and will begin that in January. Winter taxes are being collected now through February.

F. Public Services Report - Director Mike Baker

1) New DPW Bldg. Construction Bids- Consider approving AVB to go out to bid on the upcoming project to construct a new DPW bldg.

Motion made by Vigansky, supported by Money to AVB going out to bid on the new DPW building, as per AVB's presented recommendations.

Swem asked for discussion.

In the agenda Andy Campbell was supposed to be here to talk about how the city is going to fund the project. Grace was asked to go over the expectation of how we are paying for this.

Grace had a meeting with Campbell and decided that \$45,000 would come out of 101 General Fund and \$45,000 would come out of streets between local and major to be determined by the Commission. The water/sewer rates would be raised as previously discussed to cover the other half of the bond payment.

Swem has been against a project this large the entire time. But he did want to thank the team that has done all the work into this project, it was a huge commitment that was made. He urges his colleges not to handcuff the community with the financial baggage that comes along with a 5-million-dollar project. It does not provide enough efficiency or economic impact to justify this level of expense. The city is not in a position to absorb this level of cost. The concept of having our water/sewer bills carry much of that load is one that's a significant concern. With our \$20 million bond on the horizon, this proposal essentially becomes a tax that hurts the people in this community that can afford it the least. The fear of \$200 water bills for a family is already knocking on our door and he's already consistently paying over \$150 a month. He won't vote yes for a project that's going to have that level of negative financial impact on households in this community and crush our ability to fund projects through the financial burden. It's just too much money.

Vigansky agrees with Swem but now we're between a rock and a hard spot. The building is gone and about three years behind schedule. He's going to be complaining a lot about the water bills because there should have been a lot more work put into this on the financial side.

Discussion between commission about cost of the building and alternative options.

Roll call

Yea: Money, Denison, Vigansky

Nay: Swem, Weedon

Motion carries 3-2.

2) General Public Services Dep't Update

Street Sweeper is still broken down, parts have still not come in yet. If we don't have a timeline, we will need to be on a list to rent one out.

Anticipating snow this weekend the DPW got the trucks ready to go.

Concerns about trash, even though it takes time to pick up the trash. Vigansky would like the trashcans left out downtown. Baker removed them due to snow fall and not being able to maneuver the equipment on the sidewalks to clear snow. Vigansky would like to know if there is anything we can do about the dumping of wood and other materials. Baker is a proponent of fences around the dumpsters.

X. Unfinished Business

- A. Items X. A was postponed at the November 28th meeting for all the Commissioners to be present on deciding (Items VIII. B. was postponed at the City Commission meeting on November 14th. until the entire City Commission could have a further review of said boards.)**

--OPTIONAL Boards for the City Commission to consider for potential creation:

-After further one-on-one conversations with City Commissioners, Manager Grace does not necessarily recommend the creation of these optional boards, unless the City Commissioners so desire:

(B) Boards to Consider for Possible Creation:

(1) Compensation Commission (2 seats)

-As noted in the Buchanan City Charter, at Sec. 4.4, the Home Rule City Act, Public Act 279 of 1909, allows for the creation of a Compensation Commission by ordinance.

(2) Finance Committee- While not required by statute, a Finance Committee could be a way to further improve the City's financial oversight, as well as provide an additional mechanism for enhanced transparency.

(3) Board of Public Works- Pursuant to Buchanan City Charter, a Board of Public Works could be created, which could include one to two members from the City Commission, plus three other members (five members total), with the three other members being "freeholders and electors of the City" [aka, a registered voter who owns property in the City], as per the Charter--in addition to seeking out members with experience in construction or related fields. The Charter also indicates that the Board of Public Works, if created, shall be charged and entrusted with the following duties, powers and responsibilities subject to the direction of the Commission:(1) The construction, management, supervision, and control of the City water works. (2) The construction, management, supervision, and control of any municipal electric system [doesn't apply in our situation]. (3) The construction, management, supervision, and control of such other public improvements or works as are designated by ordinance.

(4) Community Development Implementation Committee- Could be created to help oversee and guide our Community Development Department's implementation of the the City's stated goals and visions related to community development, including certification in the Redevelopment Ready Communities Program, creation of a successful Main Street program, creation of an updated zoning code, and implementation of the Andrew's University 'Vision for Buchanan' plan.

(5) Economic Development Committee- an Economic Development Committee could be created to help guide City staff regarding items pertaining to economic development, such as façade grant programs, tax incentive programs, the sale of City-owned property, marijuana permit-related matters, and other issues relating to economic development.

(6) Compliance Committee- a Compliance Committee, if created, could be charged with providing additional oversight in the areas of legal and ethical compliance, as well as statutory and regulatory compliance.

(7) Public Safety Committee- a Public Safety Committee could be charged with all matters related to Public Safety, including the creation and implementation of a new blight remediation and code enforcement program--to including rental inspections, etc.

(8) Governance & Administration Committee- a Governance & Administration Committee could be charged with the development of best practices related to matters pertaining to governance

and administration, including things such as elections, public communications, interactions with the public, social media policies, etc.

(9) Any other Alternate and Board Appointments

Motion made by Vigansky to take no action on all items under Unfinished Business at this time, no support to motion. Motion fails.

Motion made by Swem, supported by Weedon to create the finance committee, with Commissioner Swem, Mayor Pro Tem Weedon, City Manager Heather Grace, and City Treasurer Deborah Perez.

Yea: Swem, Denison, Weedon, Money

Nay: Vigansky

Motion carries 4-1.

XI. New Business

A. Removal of Silos

Mario Palmisano representing South Bend Chocolate Factory. The SBCF is building a complex by the South Bend Airport, they are wanting the silos that have the domed top to create a golden dome. Ultimately, they are willing to take the equipment down at their cost.

The Commission would like to set a meeting with the other company that was interested in the silos and with Mario.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. GoGov App Soft Launch- Manager Grace will share a communication related to the soft launch of a new City app from GoGov called "My Buchanan Go" in the app store.

The city is looking for feedback on the app during this soft launch, to tweak anything that may need to be added. Then we will market it in full force.

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

William Hass- Works in the Marihuana Industry, questioned the 6th marihuana retail permit. He would also like to have the opportunity for Microbusiness Class A Permit.

Kelly Lesh- Christmas parade was beautiful, and just wanted to give thanks to the DPW crew for coming out the next morning and doing a trash run. Also wanted to praise to Mike Baker for always being readily available and professional with any incidents that occur.

XIV. Executive Comments

A. City Manager Comments

It was mentioned in the finance department report that I have recommended for our treasurer to join the asset management champions program. I just finished my own training - it's about a 3 1/2-month long program, it's very intensive, there's a little over 40 hours' worth of online modules that you have to do as well as six interactive facilitated zoom meetings plus two in person meetings in Lansing. I wanted to discuss it this evening to impress upon the community the importance of this endeavor and the fact that it's going to be very intensive timewise for staff but in the end, it has huge dividends. Just to touch on some of the points from the program; essentially what they're asking us to do is inventory every foot, every yard of infrastructure throughout this entire community and if you can imagine the thousands of miles of water and sewer, storm sewer pipe, in addition to streets sidewalks they must inventory. Every single publicly

owned building they want us to inventory, absolutely everything that we have, every playground structure associated with the replacement cost and life expectancy, and you know there was vandalism at this site you just have to do that ,there's a service line that needs replacement. It's extremely complicated. We'll ultimately result in literally millions of data inputs by staff. They estimate that it will probably take approximately five years to fully complete but, in the end, once you do that it creates a system, and that system allows you to have extremely accurate budgeting both short term and long term. It really allows citizens of Buchanan to have their elected representatives make the most well-informed decisions for future generations to come. It's a system that's a breathing documented system, constantly updated and evolving, and I'm looking forward to bringing that to the community. I did want to share that I would be certified in that program. There's a very small amount of folks certified in it so I'm excited to bring that. You'll probably hear me discussing that over the next several years.

B. Commissioner Comments

Weedon - Thank you for everybody here. We put a lot of pressure on Mike in particular, I wanted to thank you for bringing answers. He know it was quite a different thing for you to have to be at the forefront of the DPW and give presentations, but I think now you understand those expectations and you bring answers, not just what we needed. We should bring justifiable reasons for actions that are taken out there. Ashley explained the Main Street program exceptionally well. I know that there's always a lot of questions about what it is. It's going to improve itself and with the work that you've already done. Rich, thank you so much for bringing that microbusiness and attention to detail about what that is and the changes that have come with it. Shop with a Cop, you guys always knock it out of the park. I'd like to say thanks to Joe and Tom for having the kids down at the Sweet Shop, very cool to see Sean down there, officers, and the kids. The recount is tomorrow, and I wish the best of luck to Monroe. I realize it's not just necessarily directed at me, but we are within one vote so this could be my last meeting. If it is, thank you for the last four years; if it isn't, then I'll see you in two weeks. Best of luck at the recount tomorrow.

Swem - Thanked his peers for a good discussion. Looks forward to the next meeting.

Vigansky – Donated to the library for their fundraiser. Touched on the his participation in the Republican delegate meetings. The Republican Party have 150 plus delegates now if anybody's interested delegates throughout the county and I know this is on the republican side - with the Democrats I'm sure it's the same thing and I don't do this very often it's just to get involved and to get educated. so, he could bring this education down here as far as Roberts Rules and how to conduct the meetings and I learned how not to do it.

Money – Thanked Regal for her introduction to the Main Street program, Baker for improving and doing a great job, and the police department for their Shop with a Cop program. He thanked everyone involved. He recognized the commission for the work they put in to make the City a better place and it's a privilege to serve with them.

C. Mayor Comments

Denison thanked everyone for attending and participation. He wished the City staff good health.

XV. Adjourn

Motion made by Weedon supported by Money to adjourn the meeting at 8:52 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION KL
TUESDAY, DECEMBER 27, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Meeting was called to order by Mayor Denison at 7:00 P.M.

II. Recognition

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Dan Vigansky, Commissioner Larry Money

Absent: Commissioner Patrick Swem

Motion made by Denison, supported by Weedon to excuse Commissioner Swem absence for Special Meeting 12/27/2022. Roll call vote carries unanimously.

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Chief of Police Harvey Burnett

V. Approve Agenda

Motion made by Money, supported by Weedon, to approve the agenda as presented. Roll call carries unanimously

VI. Public Comment - Agenda Items Only (3-minute limit)

Peter Lysy- Hopes the commission will proceed with Kurt Garners Buchanan Preservation Plan.

VII. Consent Agenda (can be approved all in one motion, for general housekeeping items)

- A. 1) **Planning Commission Appointment**- Consider appointing Anthony "Tony" Houser to the planning commission for a three-year term beginning January 2023 on the recommendation from the Planning Commission on December 13th.

- B. 2) **Minutes**- Consider approving the Regular Meeting Minutes from the December 12, 2022 City Commission meeting.
- C. 3) **Expenditures**- Consider approving expenditures for December 27, 2022, in the amount of **\$282,263.64**.

****NOTE:** \$279,864.70 of the amount above is for **GENERAL** expenditures. \$2,398.94 of the amount above is for the 11.1.22 - 11.30.22 **Summer Tax Disbursement**.

Motion made by Weedon, supported by Money, to approve the consent agenda as presented. Roll call carries unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

- A. 1) **Culvert Evaluation Agreement**- Consider authorizing Manager Grace to sign the proposed contract formalizing the agreement previously approved verbally by the City Commission during a special meeting on site at the culvert location.

This is a formality agreement, the Culvert Evaluation was approved at a prior special meeting.

Motion made by Money, supported by Denison to authorize Manager Grace to sign the Culvert Evaluation Agreement, as presented. Roll call vote carries unanimously.

2) **Front Street & Oak Traffic Signal Agreement**- Consider approving an agreement to authorize work to upgrade the traffic signal at Front & Oak. *(This project was contemplated since the inception of the larger infrastructure project concept first began back in 2022. MDOT funding is lined up to cover associated expenditures as part of the City's participation in NATS, the Niles Area Transportation System, which divides up federal highway road monies amongst road agencies in our part of Berrien County. Prein&Newhof needs the agreement formalized so that we can proceed with submitting it along with our entire MDOT road money grant applications in order to effectuate the federal road money allocations).*

The agreement is for the engineers to move forward in the grant application. This grant has been in the works since the previous administration. This allows them to pursue federal and state funding for the Traffic Signal.

Motion made by Vigansky, supported by Money to authorize Manager Grace to sign the Culvert Evaluation Agreement, as presented. Roll call vote carries unanimously.

3) **Engineering Change Order #1**- Consider approving the proposed change order. *(This change order updates the existing agreement with P&N to reflect the changes previously approved by the City Commission, following multiple public meetings and open houses regarding the streetscape design. These new figures have been submitted to NATS and are part of our application for increased street funding through MDOT/federal highway transportation funds, so need to be formalized in order for our requests for road money allocations to proceed).*

This change order agreement is to cover modifications that were made during public meetings. Such as the increased scope during conceptual design phase, Parshall flume, lead lines that are likely to be encountered, Ryneerson Street for streetscape modifications, unforeseen delays in the funding approval process and construction material availability.

Motion made by Weedon, supported by Vigansky to authorize Manager Grace to sign the Engineering Change Order #1 agreement, as presented. Roll call vote carries unanimously.

4) **Engineering Change Order #2**- Consider approving the proposed change order.

This change order is to secure the 19 permanent easements from 14 property owners on Front St.

Motion made by Vigansky, supported by Money to authorize Manager Grace to sign the Engineering Change Order #2 Agreement, as presented. Roll call vote carries unanimously.

IX. Reports by: Departments, Committees, Boards

A. Friends of the Trail- Jerry Flenar update on Trail Grant Extension

Jerry Flenar, chairman of the Friends of the McCoy Creek Trail on December 14th went to Lansing to attend the Michigan Resource Meeting. There were a 100 grant requests being put forth for awards. Out of the hundred applications they ranked 3rd out of 100. Flenar thanked Murphy for looking at it to get there score up from 350 to 410. This grant gives them enough to finish phase 1 of the trail extension. They were also highly encouraged by the group to go after phase 2 next year. The entire room gave a standing ovation to Rich Murphy on the request of Flenar for helping put forth a great grant application.

B. Community Development Director Report

1) **Zen Leaf Renewals**- Consider approving the Zen Leaf marihuana medical and adult use retail permit renewals for 259 E. Front St.

Motion made by Weedon, supported by Vigansky to approve the Medical and adult use retail permit renewals for Zen Leaf at 259 E. Front St. Roll call vote carries unanimously.

2) **Blackbird Renewal**- Consider approving the Blackbird/Elkhorn Valley grower class C marihuana permit renewal for 402 - 404 S. Oak.

Rhett was able to give a powerful update on the status of the building. He has overcome a lot this past year but continues to make strides to open his dream business.

Motion made by Vigansky, supported by Weedon to approve the Class C Marihuana Permit renewal for Blackbird/ Elkhorn Valley at 402-404 S. Oak. Roll call vote carries unanimously.

3) **Stark School Façade Grant Request**- Consider approving the Stark School Façade Grant Application for 502 Claremont.

Murphy was seeking the Façade Grant for Stark School on behalf of owner Jen Tabor. Total amount spent \$8,345.03. Murphy is recommending Grant Award being at 60% of itemized invoices and receipts totaling \$5,007.02.

Motion made by Money, supported by Vigansky to approve the Façade Grant for Stark School at 502 Claremont. Roll call vote carries unanimously.

4) **Grant Updates & Awards**- McCoy's Creek Trail Extension Grant update, Spark grant update, A Vision for Buchanan Urban Guild Award

Murphy touched on the Grants that were awarded and future grants progression. Excited to see Buchanan making a name in the Grant awards.

5) Kurt Garner to present update on Buchanan Preservation Plan

Kurt Garner gave a brief presentation on the Buchanan Preservation Plan. With the help of the Preservation Society on the important areas they would like to work on next as well as keeping the plan going for years to come.

C. Clerk Report- Kalla Langston

1) *Recount update from November 8, 2022, General Election*

Langston updated the commission on the recount with Weedon winning by one vote. Unfortunately, AVCB was unable to be recounted due to recount process of hand counting ballots to match what was tabulated. Lemay was able to challenge but decided against it.

2) *Prop-2 changes with the upcoming May 2023 Special Election.*

Langston went over highlights of Prop-2 and some of the financial aspects that will come with the changes. There will be lot to navigate in the upcoming elections but will be working with clerks throughout the County to make sure that the law is upheld, and security is in place.

X. Unfinished Business

A. Appointment of Commissioners as Alternates to serve on any boards/committees/commissions- *Consider making motions to appoint Commissioners as alternates to serve on City Boards/Committees/Commissions, as desired.*

Commissioners will decide which boards/committees they would like to be alternates for via survey that Grace will put together.

Langston wanted to clarify that no motion was made for ZBA alternate, that this one must be decided per charter.

Motion made by Denson, supported by Weedon to appoint Commissioner Dan Vigansky as the ZBA Alternate. Roll call vote carries unanimously.

B. Microbusiness Ordinance- *Consider the Second Reading of Ordinance 2022.12/435, Proposed Amendments to the Adult Use Microbusiness Ordinance to include Class A Microbusinesses, as is newly allowed via recently updated state law. If passed at second reading, the ordinance will take effect following publication.*

Motion made by Vigansky, supported by Weedon to approve the second reading of ordinance 2022.12/435, as presented. Roll call vote carries unanimously.

XI. New Business

A. 1) **Enter Closed Session-** *Consider entering Closed Session to discuss the potential lease or purchase of real property, pursuant to MCL 15.268 Section 8(1)(d).*

Motion made by Weedon, supported by Money to enter closed session pursuant to MC 15.268 Section 8(1)(d) to discuss the potential lease or purchase of real property at 8:39 P.M. Roll call vote carries unanimously.

2) **Re-Enter Open Session-** *Consider re-entering Open Session.*

Motion made by Weedon, supported by Money to re-enter Open Session at 9:04 P.M. Roll call vote carries unanimously.

3) **Action-** *Consider action pursuant to Closed Session discussions.*

Motion made by Weedon, supported by Money to authorize the City Administration to take action pursuant to discussion held in closed session. Roll call vote carries unanimously.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

A. Downtown Infrastructure Road Right of Way Map Updates- *maps are shared for informational purposes only, no action needed.*

B. Previous Agenda Item, Progress Update- *Andy Campbell indicated that he will not be ready to present information relating to the water/sewer rate proposals/USDA project until the January*

meeting. Similarly, the updated City credit card policies are planned to be presented at that time as well.

XIII. Public Comment - Non-Agenda Items Only (3-minute limit)

XIV. Executive Comments

A. City Manager Comments

Hoped everyone had a Great Holiday. Is very pleased to have such an uplifting meeting this evening. It's amazing to see the accomplishment from the staff as well as our business owners and our community. Looking forward to seeing all the great things that are coming to Buchanan.

B. Commissioner Comments

Weedon- No comment

Vigansky- No comment

Money- thanked the Commissioners for what they do. Thanked Baker for the great work that his crew has done in the city during this blizzard. Please let the DPW crew know that he thanks them very much. Thanked Jen Tabor for bringing in cookies for us tonight.

C. Mayor Comments

Thanked the City Staff for all their hard work.

XV. Adjourn

Motion made by Money, supported by Weedon to adjourn the meeting at 9:07 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison