

AGENDA

THE COMMISSION OF THE CITY OF BUCHANAN in compliance with Michigan’s Open Meetings Act, as amended, B2103192 of 2021, hereby gives notice of a regular meeting of the Buchanan City Commission to be held electronically in order to protect the health and safety of our community due to the novel coronavirus (COVID-19).

Join Meeting via Computer: <https://zoom.us/j/2435931819>

Join Meeting via Mobile Phone: +16465588656,,2435931819#

Join Meeting via Land Line Telephone: +1 646 558 8656

Meeting ID: 243 593 1819

Toggle #6 to mute/unmute. #9 to raise your hand.

** All members of the public will be muted by the moderator, except for during the public comment portions of the agenda. To minimize background noise and/or feedback, we ask that participants manually mute their phone or computer microphone during this portion of the agenda if not speaking. Anyone who speaks during the meeting must provide their full name to the Clerk for recording in the official minutes.*

** 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 bpitcher@cityofbuchanan.com.*

- I. Call to Order**
- II. Recognition**
- III. Pledge of Allegiance**
- IV. Roll Call**
- V. Approve Agenda**
- VI. Public Comment - Agenda Items Only** *(3-minute limit)*
- VII. Consent Agenda** *(can be approved all in one motion, for general housekeeping items)*

A. Approve Minutes

- May 19, 2021 City Commission Special Meeting
- May 24, 2021 City Commission Meeting
- June 10, 2021 City Commission Special Meeting

B. Approve Expenditures

Approve Expenditures for June 14, 2021 in the amount of \$96,580.42. Items of note include:

- 50% down payment for the Victory Park basketball court resurfacing in the amount of \$4,625.00
- BS&A in the amount of \$20,905 for the Data Conversion

C. Approve Banner Placement Form - Michiana Cruisers

Banner to promote car show at Centennial Park on July 11, 2021. Banner to hang on E. Front Street, July 5-12, 2021.

D. Delinquent Utility Billing

Authorize delinquent utility billings to be certified to the Summer 2021 Tax Roll.

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

A. Water Bill Dispute

Dave Wishart submitted a letter disputing unpaid water bills applied to his taxes.

B. Request to Amend Domestic Chicken Ordinance

Letter from John & Nicole Longmore

IX. Reports by: Departments, Committees, Boards

A. Septage Recieving & Treatment Briefing

B. Zoning Board of Appeals

The Zoning Board of Appeals (ZBA) will hold a Public Hearing on Thursday, June 24, 2021 to address and appeal from the property owner at 419 W. Front Street. In preparation for that meeting, the Commission should review and consider board membership with the following in mind:

- The ZBA is a 4-member board serving 3-year terms, meeting only as necessary.
- According to the most recent board roster, all terms have expired and includes two City Commissioners; Denison and Money (Money was not a Commissioner when originally appointed to the ZBA), with Downey as alternate. Only one Commissioner should serve on the board, as per statute.
- As a result, new ZBA appointments/reappointments are needed. If current members are reappointed, with the exception of one commission, one vacancy will need to be filled. Two board applications have been received indicating interest in serving on the ZBA:
 - Julia Abbot
 - Dan Vigansky (He has also expressed interest in the Brownfield Redevelopment Authority and the Buchanan Area Recreation Board)

C. Buchanan Area Recreation Board - Board Appointments

At the June 9, 2021 meeting of the Buchanan Area Recreation Board (BARB), the members voted to recommend to the City Commission that Jennifer Popielski and Dan Vigansky be appointed to the Buchanan Area Recreation Board, which currently has two vacancies (though if BARB changes its Bylaws as was discussed during their meeting, three total vacancies are expected).

D. Planning Commission Board Recommendations

At the June 8, 2021 meeting of Buchanan Planning Commission, the members voted to recommend to the City Commission that it increase the membership of the Design Review Committee, a subcommittee of the Planning Commission, be increased from three (3) to five (5), and that Michael Rowland and Joseph Paolucci be appointed to those additional two (2) seats.

E. Activity Briefing

Accept the May 28, 2021 Staff Activity Reports

X. Unfinished Business

A. Auger & Bit Bids

Postponed from a previous meeting in order seek additional bids, Interim Director of Public Services, Mike Baker presents the two bids received:

- Digga: 4DDS Drive - Backhoe Mount Hose Kit \$3,420.00; Auger-Tree Planting 36IN(450MM)-2.5IN Hex-Earth \$2,220.00; \$5,640.00 TOTAL
- MichiganCAT: Auger, A68, BHL, 45-50MM, Tree Bit Auger; \$6,246.40 TOTAL

B. DDA Opinion Letter

Scott Dienes of Barnes & Thornburg LLP has provided a final opinion on the City of Buchanan Downtown Development Authority.

C. Financial Support for the McCoy's Creek Trail Expansion

Consider a pledge of \$5,000 annually for two years to support the McCoy's Creek Trail Expansion project.

XI. New Business

A. Berrien County City/Village Road Agreement - Painting

B. Red Bud Trail Restriping

The project would restripe Red Bud Trail from Richards Street to 3rd Street and includes one 8-foot parking lane, two 7-foot bike lanes, and two 11-foot driving lanes for a total width of 44 feet curb face to curb face from 3rd Street to Fulton Street; one 8-foot parking lane, two 5-foot bike lanes and two 11-foot driving lanes for a total width of 40 feet curb face to curb face from Fulton Street to Artic Street; two 5-foot bike lanes and two 11-foot driving lanes for a total width of 32 feet curb face to curb face from Artic Street to Richards Street. Also included in this estimate are pavement markings, traffic control and miscellaneous signage. Utility work (sewer, water, electric) is not included with the scope of this estimate.

TOTAL ESTIMATED PROJECT COST \$ 46,000.00

C. Roofing Replacement - Ross Sanders Building

Interim Director of Public Services, Mike Baker received a quote from Sheriff-Goslin Company for roofing replacement at the Ross Sanders buiding. Total estimated cost \$12,000.

D. Intergovernmental Agreement for Transit Service

The City Attorney has reviewed and approved a draft contract between the City of Buchanan and the City of Niles whereby the City of Niles would take over operation of our transit system from the County in exchange for payment of the transit millage amount. MDOT and the County both want to see this partnership occur, and our local transit committee is also in favor of the transaction, as it will have at least the same service levels as we currently have, and possibly even better service, for the same price we are paying now.

E. Marihuana Permit Renewals

The City has compiled the submissions we have received from Walpole Limited Craft Market, 303 Carrol St.; and Michicanna Pharm, 302 Post Rd., regarding their annual permit renewals.

1. Walpole Limited Craft Market, 303 Carrol St., One Microbusiness Permit
2. Michicanna Pharm LLC, 302 Post Rd., One Medical Grower Class B Permit, One Medical Process Permit

The Community Development Director has reviewed each application and the accompanying documentation including any updates to the applicant's original application and all documentation is in proper order. The required background checks are currently being performed by Buchanan Police

Department. All permit fees have been collected. All Buchanan City Department Heads have signed off with their approval and all background checks came back satisfactorily per Buchanan Police Department. Approval of the above permit renewals are recommended.

F. Police Union Proposed Contract

Substantially similar to previous contract, with the following changes: 3% annual wage increases, addition of Veteran's Day as a holiday, boot allowance (up to \$200 reimbursement) annually instead of bi-annually. End language to allow field training officers to receive an additional \$2.00 per hour for time spent providing trainings (which saves on overall training expenses due to decreased travel, etc.)

G. Greater Niles Chamber of Commerce - 2021-2022 Membership Invoice

Jeff Rea, President & CEO of the Greater Niles Chamber of Commerce is unable to attend the meeting due to a prior commitment, but prepared a letter to the Commission outlining some of the work the GNOC has done to benefit the community.

H. Schedule Public Hearing for Budget

Schedule a public hearing for 7:00 p.m. on Monday, June 28, 2021 immediately preceding the regular City Commission meeting.

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

A. Return to In-Person Meetings

In response to ongoing restrictions placed into effect by state agencies due to COVID-19, the Berrien County Board of Commissioners' enacted a State of Emergency on March 25, 2021 for the purpose of allowing continued virtual meetings and to be compliant with the Open Meetings Act. In declaring the State of Emergency, all public bodies in Berrien County could maintain continuity of government. The State of Emergency is set to expire June 30, 2021.

B. Foreclosed Property Auction

The Berrien County 2021 tax foreclosed auction will be held Tuesday, August 24, 2021 - online only. It will be conducted by Title Check, via their website at www.tax-sale.info.

C. Server Update

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

XIV. Executive Comments

A. City Manager Comments -

B. Commissioner Comments -

C. Mayor Comments -

XV. Adjourn