



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
TUESDAY, DECEMBER 28, 2021 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES -AMENDED

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 Dennison called meeting to order at 7:00 PM.

II. Recognition

None

III. Pledge of Allegiance

Mayor Dennison led in the Pledge of Allegiance.

IV. Roll Call

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

ABSENT: None

CITY STAFF PRESENT: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Stephanie Powers; Community Development Director, Rich Murphy; Department of Public Works, Mike Baker; Sargent John Leonard.

V. Approve Agenda

Amend the Agenda by adding Item XI. I. Proposed Lease Agreement for DPW under “New Business”.

Weedon Moved, Seconded by Money to accept 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. Approving Closed Session Minutes for November 22, 2021.

B. Approving Closed Session Minutes for November 29, 2021.

C. Approving Regular Meeting Minutes for December 8th, 2021.

D. Approval Special Meeting Minutes for December 20, 2021.

E. Accept Staff Activity Reports

F. Approve Expenditures for December 28, 2021, in the amount of \$111,143.85.

Motion made by Downey, Seconded by Swem 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. Community Development Report- Community Development Director Rich Murphy provided a brief report for his department.

B. One Buchanan Appointments- Consider appointing Deborah Hendrix, Ruth Writer, Adam Burck, and Robert White to become members of One Buchanan as recommended by the One Buchanan Committee on December 15, 2021.

Motion made by Swem, Seconded by Weedon to approve appointing Deborah Hendrix, Ruth Writer, Adam Burck, and Robert White to become members of One Buchanan.

C. Friends of the McCoy Creek Trail- Consider approving a Resolution to award the *Friends of the McCoy Creek Trail* group \$5,000 annually for the next three years to be spent on their currently proposed trail expansion project.

Motion made by Swem, Seconded by Money to approve Resolution 2021.12.236, as presented. Roll call vote carried unanimously.

X. Unfinished Business

A. Second Reading and Approval of Ordinance 2021.12/425- Consider ordinance amendments for additional Marihuana Class C Grow and Processing permits, 5 each for medical use. Note that this does not increase the number of permits for retail establishments, meaning an increase in the number of marihuana stores is not currently being considered. **(Attachment A)**

Motion made by Weedon, Seconded by Swem to approve Ordinance 2021.12/425, as presented, with said ordinance to take effect in 15 days, as per Section 7.4 of the Buchanan City Charter. Roll call vote carried unanimously.

B. Second Reading and Approval of Ordinance 2021.12/426- Consider ordinance amendments for additional Marihuana Class C Grow and Processing permits, 5 each, for adult use. Note that this does not increase the number of permits for retail establishments, meaning an increase in the number of marihuana stores is not currently being considered. **(Attachment B)**

Motion made by Money, Seconded by Weedon to approve Ordinance 2021.12/426, as presented, with said ordinance to take effect in 15 days, as per Section 7.4 of the Buchanan City Charter. Roll call vote carried unanimously.

C. Second Reading and Approval of Ordinance 2021.12/427-Consider the creation of a City of Buchanan Code of Conduct via enactment of an Ethics Ordinance, as drafted by the City Attorney. **(Attachment C)**

Motion made by Swem, Seconded by Money to approve Ordinance 2021.12/427, as presented, with said ordinance to take effect in 15 days, as per Section 7.4 of the Buchanan City Charter. Roll call vote carried unanimously.

D. Second Reading and Approval of Ordinance 2021.12/423- Consider ordinance amendments to allow for smoking/vaping during permitted temporary marijuana events. (Attachment D)

Motion made by Weedon, Seconded by Money to approve Ordinance 2021.12/423, as presented, with said ordinance to take effect in 15 days, as per Section 7.4 of the Buchanan City Charter. Roll call vote carried unanimously.

XI. New Business

A. Restaurant Incentive Program Application- Consider approving a Restaurant Incentive Program Application for the Sweet Shop at 205 E. Front St.

Murphy gave summary of Restaurant Incentive Program Application stating they are eligible for the full \$10,000.00 reward.

Motion made by Swem, Seconded by Weedon to approve the Restaurant Incentive Program Application for the Sweet Shop at 205 E. Front St. in the amount of \$10,000.00. Roll call vote carried unanimously.

B. Cannavista Renewal Permit Application- Consider approval for Cannavista Wellness to transfer existing city marijuana permits to a newly named permittee, as part of their permit renewal application.

Murphy gave a summary of the Renewal Permit Application. Asking for approval pending the background check coming back in good standing.

Motion made by Downey, Seconded by Swem to approve the Cannavista Wellness renewal application, including the transfer of existing permits to a newly named permittee as presented pending final background check approvals. Roll call vote carried unanimously.

C. Floodplain Assistance Application for Rowland Property Group- Consider approval for a Floodplain Assistance Program Application for Rowland Property Group LLC.

The largest vacant building on Front St. was purchased by the Rowland Property Group. The application is complete, and Murphy is asking for approval for the Floodplain Assistance Application.

Motion made by Money, Seconded by Downey to approve the Floodplain Assistance Application for the Rowland Property Group as presented.

Yes: Money, Downey, Weedon, Denison.

Abstain: Swem; for business interest.

D. Redevelopment Technical Assistance Application for 3234 E. Dewey St.- Consider approving a Redevelopment Technical Assistance Program Application for "Building 324/Clark Campus."

Murphy gave a summary of the Application. The commission had the chance to tour the building. They have identified an opportunity to nominate the Clark Campus to be put on the National Register of Historic Places. With that it will open funding for historic tax credits.

Motion made by Downey, Seconded by Swem to approve the Redevelopment Technical Assistance Application for Building 324/Clark Campus, as presented. Roll call vote carried unanimously.

E. Aloft Processing Permit Application- Consider approving processing permit applications submitted by Aloft Processing for 317 Post Rd.

Murphy gave a summary of the Application, Aloft was approved for a special use permit by the Planning Commission. This is a significant investment which creates 10 to 20 jobs.

Motion made by Downey, Seconded by Weedon to approve the Aloft Processing permit application, as presented, pending final background check approvals. Roll call vote carried unanimously.

F. Proposed Contracts, Prein & Newhof- Consider approving the contracts proposed by Prein & Newhof to continue their ongoing work on our Streetscape project and our water/sewer projects.

Grace is asking for the authority to execute the contracts by Prein & Newhof for Streetscape and water/sewer projects.

Swem asked when the city anticipates funding or a group being put together to guide that project.

Grace stated as soon as the contracts are approved, they will be ready to put the group together for visioning sessions. Then bring in the water/ sewer engineers.

Nothing made by Swem, Seconded by Money to authorize the City Manager to execute the contracts proposed by Prein & Newhoff for the Streetscape and water/sewer projects, pending final review and acceptance by the City Attorney.

G. Consider Approving Resolution 2021.12/239- DPW Building Authority Bond

Grace gave a summary on the proposed Resolution. The number that is proposed does not mean that is the amount the city will borrow; it just sets a maximum. The resolution passing gives the city the opportunity to go out for the bonds. Grace is still working diligently on finding grants and low interest loans. As they further mesh out what the new infrastructure bill passed by the federal government will provide for the City, they hope and anticipate it will lessen the financial obligation. Grace is recommending approval to keep moving forward and having that back up funding if needed.

Motion made by Money, Seconded by Dennison to approve Resolution 2021.12/239.

Discussion opened between Commissioners.

Swem expressed concern with the spending of the project. He does not feel comfortable with 5.7 million. He respects putting more in the budget for spending, but it is about 2.5 million more than his comfort level. Before he can vote he would like to understand where the commission stands on financially where this project should be.

Denison stated that we are having a work session at the end of January to meet with the construction consultants and the commission to give them our target number for the building. Denison has stated he trusts Grace and that no one is out to spend 6 million dollars.

Swem asking why such a high dollar amount then.

Grace added that the numbers came after discussion with Barton Group and Bergman, wanted to make sure that if the city committed to this project, which they did by hiring AVB as the Construction Manager, that ultimately if construction prices rise, they have a contingency plan built in so that the project does not stall for lack of funding. Many of the grants that the city is looking at is along the lines

of a reimbursement style grant. If the city receives the grant, they would be able to pay the bond off right away after the building was complete.

Downey with Swem, stating that three years ago it was a 1.1-million building. Now it went from 3 million to 4.7 million and now the bond is 5.7 million. Worried that were giving to much lead.

Downey concerned about the price and does not believe the Commissioner's opinions were asked as far as a dollar amount until the last 2 meetings.

Denison disagrees, all the recommendations from Bergman and The Barton Group were brought to the Commission. And so far, the Commission has approved everything that's been recommended.

Downey stated because there was still no final dollar amount.

Dennison stating and that there still is no final amount, that the session at the end of January is the time for the commission to say where they want the number to be.

Swem asking what the downside is to approve a lower dollar amount.

Grace answered, the downside is if we are not able to find a lower construction number to build the building that is suitable to are needs and we don't have grant funding at that time and but know grant funding in coming later and we don't have another source for those numbers the whole project could stall out.

Swem stating grant funding is not a guarantee, and if it costs 5.7 million to get the DPW what they want, were going to spend it and he can't support that. He would support the bond at 4.5 million knowing the group wants to be below that. Swem would like to see 3 to 3.5 million.

Downey concerned about the footprint of the building, with the footprint getting larger.

Grace let the commission know that they did approve the figures of the footprint that were presented in past meetings, with the option of reducing price with downsizing the footprint.

Denison is concerned about stalling the project, since they are moving the DPW out of the building and would rather see it keep moving. Since they have the final say when the time comes.

Commissioners continued to discuss about the cost and footprint.

Money agrees we need to sit down and if there are areas that can be scale back to reduce the cost, we should do discuss it. We need to look at different options in the work session.

Weedon sees it as a line of credit, the reason why were so hesitant is because we do not want to spend that amount of money. This is the limit. Wants a solid building that's safe for the crew and equipment.

End of discussion, Denison asked for roll call since they had a motion,

Yes: Denison, Weedon, Downey, Money

No: Swem

H. Year-End and Housekeeping Issues.

Nothing now.

I. Proposed Lease Agreement for DPW

Authorizing the City Manager to execute the proposed lease agreement for the DPW, as presented. That would allow the DPW to move on January 6th or after. Until it is executed it won't be available to the public.

Motion made by Downey, Seconded by Swem to authorize the City Manager to execute the proposed lease agreement for the DPW, as presented. Roll call vote carried unanimously.

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

A. Update on AEP Foundation Christmas Lights Contest

Grace gave an update, letting her 10-year-old son to choose the winner of the light contest. Tomorrow morning you will see some pictures and the winners will be contacted. There was a lot of beautiful lights.

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

None

XIV. Executive Comments

A. City Manager Comments

To echo Community Development Director Murphy statements, the leadership is putting Buchanan in a great situation to benefit positively. Commends the Commission for that and the public's support for the new financial incentives. Also, the great business leadership were seeing in Buchanan, by bringing vitality and jobs.

B. Commissioner Comments

Weedon- Thanked Rich Murphy, in the beginning everyone was hesitant in dealing with a new economic development director. Anything with economic advancement hadn't been talked about in decades. We have a lot of activity and discussion, and a lot of the responsibility is a reflection of your dedication to the city.

Swem- Wanted to clarify that the funding for the programs that were approved came from cannabis funds and ARPA funds. Let Murphy know that he's doing an excellent job so far a lot of the investment groups are reaching out and asking questions about Buchanan. Thanked the Commission for the discussion earlier on the DPW bond.

Downey- None

Money- Reiterated what Weedon and Swem stated about Murphy. Thanks to his diligence in moving Buchanan forward. It's refreshing to see all the work being done on buildings, it's something we haven't seen in a while. Also, a thank you to Randy for what he's doing with building 324, it's very impressive. Sargent Leonard was nominated as the Police officer of the year for the City of Buchanan. He congratulated Leonard on the recognition.

C. Mayor Comments

Wanted to hit highlights of the year.

Memorial Day Parade which after 2020 was a really nice thing to have.

Celebrating Hannah Roberts and her watch party was an event in itself.

Great season of concerts and events at the Common.

Buchanan High School Baseball and Softball teams had great success this year.

Opened the new Wastewater treatment plant which is a state-of-the-art gem.

New Businesses in town.

The master plan was completed, the 5-year park and rec plan is nearly complete.

And that's all due to the Commissioners. Denison thanked the Commissioners stating it's not always a glorious job but appreciates each one of them and the time they put in.

Thanked City Manager Grace for getting her first calendar year under her belt and is very proud of what she has done. Considering new website, new accounting software, a ton of new staff she has really juggled it all, congratulations to her. Thanked Rich Murphy started this is exactly what he was envisioning happening, super proud of the work he has done. City Staff have put in a ton of hours, and it is appreciated. Thanked the Tree Friends for nearly 100 trees planted this year and couldn't have gotten it done without the DPW staff. Thanked the DPW staff and the volunteers of the community. Thanked the Chamber of Commerce, by adding Ashley Regal is a win for the city and the chamber. He could not be happier with the progress that is being made. Finally wanted to thank Jerry Flenar. He is the energizer bunny, he raised almost 200,000 by himself this year to expand the trail, he is a great asset to our community. Also wanted to give a thank you to the organizers and merchants of the Farmer's Market, they had an outstanding year this year.

Happy New Year and let's keep up the good work.

XV. Adjourn

Motion made Weedon, Seconded by Money to Adjourn at 8:02 p.m. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison