

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

The 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

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Dan Vigansky, Commissioner Larry Money, Commissioner Patrick Swem

Absent: None

City Staff: Interim City Manager, Tim Lynch; City Manager, Benjamin Eldridge; City Clerk, Kalla Langston; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Chief of Police Harvey Burnett; Bookkeeper Courtney Baham

V. Approve Agenda

Motion made by Vigansky to remove IX. C. 1. Consider the Draft RFP for 123 Days Ave. motion was not supported.

Motion made by Weedon, supported by Money to approve the agenda as presented.

Yea: Weedon, Money, Swem, Denison

Nay: Vigansky

Motion carries 4-1

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

Don Ryman- Comments about the complaint filed against Commissioner Vigansky.

Carla Johnson- Comments about a Facebook post with Commissioner Vigansky.

Freida Hughes - Apologized to the Commission for being out of order at the last meeting. But not apologize for standing up for her neighborhood.

Email Correspondence from Alan Robandt- Asking for the Commission to reject tonight's proposal in favor of a new RFP encompassing the entire developable stretch of Days Ave.

Dan Vigansky- Comments about the complaint that was filed against himself.

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

A. Minutes- *Consider approving the Regular Meeting Minutes from June 12, 2023.*

B. Expenditures- *Consider approving the expenditures for June 26th, 2023, in the amount of \$80,735.46*

Motion made by Swem, supported by Money 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. B.A.R.B Report- Chairperson/ Buchanan Township Treasurer, Rachel Plank

1) BARB recommends to the City Commission to request DPW to remove the broken plastic seat swing at McCoy Creek Recreational Area due to safety concerns.

2) BARB recommends to the City Commission to not purchase metal/chain basketball nets for any parks in the future as they pose a significant safety risk.

3) BARB recommends to the City Commission to request DPW to place an additional picnic table at Victory Park.

4) BARB recommends to the City Commission to remove broken/bad condition picnic tables from Kathryn Park.

Point of discussion on item 3. With there being picnic tables at Centennial Park the commission would like to move 1 to Victory Park. Baker would need to find out if the Lions Club owns those picnic tables. Baker will discuss with the Lions Club with Jess Hendrixson assisting.

Motion made by Swem, supported by Weedon approve the City Manager to work with BARB on items 1 through 4 and facilitate them as he sees fit. Roll call vote carries unanimously.

Motion made by Vigansky, supported by Money to stop the contract with the State of Play (playground equipment) and for the roofed picnic tables.

Discussion took place about different grants and public outcry with price of the roofed picnic tables, as well as the role the marijuana excised tax played in purchasing the playground and picnic tables.

Yea: Vigansky

Nay: Swem, Weedon, Denison, Money

Motion fails 1-4.

B. Clerk Report- City Clerk, Kalla Langston

1) August 8, 2023, Election

Sample ballots are posted on the website and posted at City Hall. Absentee Voter Ballots should be going out within the next 14 days.

2) Election Legislation Update

Election Legislation is being worked on in the House and Senate with the passage of Prop-2 of 2022. Langston updated the commission on a few bills.

3) Consider approving Commissioner Alternate Appointments for boards/committees/commissions.

Motion made Vigansky, supported by Money, approve the Commissioner Alternate Appointments.

Discussion about possible postponement for time to look over who would be best suited for each board.

Roll call was called.

Yea: Denison, Money, Vigansky

Nay: Swem, Weedon

Motion carries 3-2.

4) Consider approving the policy for communications between the City Attorney, City Commission, and City Staff.

Motion made by Vigansky, supported by Denison to approve the policy for communications between the City Attorney, City Commission and City Staff.

Discussion took place about the policy. Concerns about if it should be a policy or as best practice.

Roll call was called.

Yea: Money, Vigansky

Nay: Weedon, Swem, Denison

Motion fails.

C. Community Development Department- Director Rich Murphy

1) Consider the Draft RFP for 123 Days Ave.

Murphy was unable to attend the meeting. Denison presented the first step of requesting to approve the appraisal for 123 Days Ave.

Motion made by Denison, supported by Weedon to approve the appraisal for 123 Days Ave in the estimated amount of \$1500.00. Roll call vote carries unanimously.

Motion made by Weedon, supported by Money to postpone the draft RFP pending the appraisal. Roll call vote carries unanimously.

X. Unfinished Business

- A. Ordinance 2023.06/436:** *Consider the Second Reading of Ordinance 2023.06/436. An ordinance to amend the Buchanan City code of ordinances to provide for prohibition and abatement of nuisances and to repeal and replace ordinance sections 38-26, 38-29 subsection 3, and sections 38-47, 38-54, 38-55, Article III, and parts thereof in conflict herewith. If passed at the second reading, the ordinance will take effect 15 days after enactment and publication. (See Attachment A)*

Motion made by Weedon, supported by Vigansky to 2023.6/436, as presented. Roll call vote carries unanimously.

XI. New Business

- A. Budget Amendments** - Consider approving the budget amendments as recommended by the City Manager and City Treasurer.

Motion made by Vigansky, supported by Swem to approve the Budget Amendments, as presented. Roll call vote carries unanimously.

- B. Complaint Review**- Review the Complaint filed against Commissioner Vigansky and vote on whether or not to proceed with a hearing, pursuant to the Rules of Procedure for City Commission Meetings and City Code of Conduct and Ethics.

The Commission is in receipt of a four-item complaint filed by Mr. Tony Houser against Commissioner Vigansky, alleging violations of the City's Code of Conduct and Ethics. Code of Conduct and Ethics Section 2-137(b) states, 'Hearings under subsection (a) may also be held upon the commission's receipt of a detailed, signed complaint filed against a covered individual by a citizen or other third party.' Accordingly, the Commission must consider and vote on whether or not it wishes to proceed with a public meeting hearing on the Complaint, to be held consistent with the requirements of the Code of Conduct and Ethics, and the Rules of Procedure for City Commission Meetings.

Motion made by Swem, supported by Weedon to move that the Commission hold a special public meeting for a hearing on the Complaint under the Commission's Rules of Procedure, and the Code of Conduct and Ethics Sections 2-133(j), 2-134(2) and Sections 2-137 and 2-138, to be held on an evening session on a date to be scheduled by the Clerk and Commissioner Vigansky, such hearing to occur no later than 30 calendar days from the date of this Regular Meeting, with notice of hearing to be issued by the Clerk.

Yea: Denison, Weedon, Swem, Money

~~Abstain: Vigansky~~

~~Not allowed to vote: Vigansky~~

Motion carries.

- 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)

Michael Rowland & Jess Hendrixson- Comments made about holding a beer garden for special events at the common concert series, also comments about the use of the city center.

Norma Ferris- Comments about the benefits of the city.

Email Correspondence from Stephanie Fain- Comments concerning bullying residents and comments about Commissioner Vigansky being used as a punching bag.

- XIV. Executive Comments**

- A. City Manager Comments**

Eldridge spent the morning driving around the city seeing what the city has to offer. First impression is that Buchanan has so much potential. With his "why not Buchanan" approach, it was a great, productive first day.

- B. Commissioner Comments**

Weedon- No Comment

Swem- Welcomed Ben. Recognize the work that the Common Committee does.

Vigansky- Questions about the Playground equipment at Victory Park. Comments about making straight forward questions. As well as the breakdown with the communications between different committees and the commission.

Money- Welcomed Ben. Comments about people coming to make public comments and raising their voices to be heard. Comments made about Victory Park and making sure the project gets completed. Appreciate the Commission.

C. Mayor Comments

Thank you everyone for coming. Comments about Lynch's success and welcomed Ben on his first day. Congratulated Maya Schuknecht for winning Miss. Michigan 2023. Congratulations to Redbud Motocross on their 50th year anniversary. The Chamber of Commerce held their perc breakfast at the First United Methodist church, the focus of the morning was on Red Bud Area Ministries. A fundraiser will be taking place in July, Mayor challenged the other Commissioners to see who could raise the most. Comments about defending himself for "being too nice". Mayor read his comments for the record.

"It's been almost six years since Commissioner Weedon, and I entered office. When we got here for all intents and purposes, in my opinion this city was fundamentally broken, it had no clear direction it had no strategies in place for making improvements to blighted empty or strategic city owned properties. many of the volunteer boards were ineffective if not dysfunctional. Best practices were not being followed in any real economic development strategies were not even being planned let alone implemented. since 2018 commissioner Weedon and I alongside the previous Commission and with the sitting Commission have dissolved the DDA, which had outlived its purpose and its ability to make effective contributions to the city. It's since been replaced with LiveBuchanan who's making remarkable strides in becoming an incredibly effective Michigan Main Street program doing large part to it's incredibly selfless intelligent and committed board members and the leadership of Ashley Regal. We created the economic development position held by Mr. Rich Murphy which is generating interest investment and growth in the city that hasn't been seen in 40 years. We have a plan in place and we're making progress towards selling vacant lots throughout our neighborhoods that will provide new affordable homes in our community and get the properties back on the tax roll. we've updated computer hardware and software in the city and in City Hall to make our staff more efficient and effective but most importantly we've very deliberately created an environment in City Hall that requires the highest ethical standards of its employees and volunteer board we've created an environment that promotes and demands transparency honesty civility and the fair treatment of every individual in our community. I believe the best example of that is our passing of the code of conduct that requires city employees and volunteers to act in a way that is honest, kind, respectful. Believe me, when I tell you I'm not always nice you can ask my wife. But as a commissioner and especially as mayor, being nice is a choice I choose to be nice. I believe it's our responsibility as leaders and our duty as commissioners to lead by example to respond in situations in a calm levelheaded thoughtful manner and I will unapologetically continue to do so until my time on this board is over but thank you again for coming."

XV. Adjourn

Kalla Langston, City Clerk

Mayor Sean Denison