

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, SEPTEMBER 13, 2021 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

I. Call to Order

Mayor Denison called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

II. Roll Call

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

ABSENT: None

STAFF: City Manager Heather Grace, City Clerk Barbara Pitcher, Treasurer Stephanie Powers, Community Development Director Rich Murphy, Director of Public Services Mike Baker, Director of Public Safety/Police Chief Tim Ganus, Water Department Operator Scott Dessenberg

GUESTS: Dan Benak, Dan Vigansky, Jason Washler, Fran Terry, Ralph McDonald, Wayne Writer, Jerry Flenar, Norma Ferris, Debra Haight, Dale Toerne, Rosa Salazar, Mitch Warnake

III. Approve Agenda

Motion made by Mayor Pro Tem Weedon, Seconded by Commissioner Swem to approve agenda as presented. Roll call vote carried unanimously.

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

Dan Vigansky - Spoke in opposition to the closed session, paying the Greater Niles Chamber of Commerce invoice, and the facade program. Believes more bids should be sought for asphalt and wants to know how much the City pays the Buchanan Area Chamber of Commerce.

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

A. Approve Minutes

August 23, 2021, Regular Meeting Minutes; August 30, 2021, Special Meeting Minutes

B. Set Halloween Trick or Treat Date and Hours

Sunday, October 31, from 6:00 - 7:30 p.m.

C. Approve Expenditures for September 13, 2021

D. Accept Staff Activity Briefing

Motion made by Mayor Pro Tem Weedon, Seconded by Commissioner Downey to approve the consent agenda as presented. Roll call vote carried unanimously.

VI. Scheduled Matters from the Floor (if any)

A. 2023 Front Street Project

Jason Washler from Prein & Newhof to present the scope of the project.

No action by the Commission.

VII. Reports by: Departments, Committees, Boards

A. Friends of the Trail - Trail Update

Jerry Flenar to provide an update on the trail expansion.

Flenar stated that the fundraising goal was \$106,000 and the current total now stands at \$129,000; they are over their goal and have an upcoming grant from AEP for \$50,000. He also discussed projects completed on the trail this year and future project plans. Urged the Commission and City Manager to ensure the Buchanan Area Recreation Board 5-year plan is completed by the end of the year, or the trail will lose out on \$400,000 in funding.

No action by the Commission.

B. Friends of the Trail - Trek-or-Treat

Jerry Flenar and Wayne Writer to discuss plans for this year's Trek-N-Treat.

Motion made by Mayor Denison, Seconded by Commissioner Swem to approve Trek-or-Treat for Saturday, October 30 from 12:30-2:00 p.m. Roll call vote carried unanimously.

C. Community Development Report

Community Development Director Rich Murphy will present drafts to the City Commission of the first two economic development incentive programs, the Buchanan Façade Program and the Restaurant Incentive Program.

Motion made by Commissioner Swem, Seconded by Commissioner Money to approve the Buchanan Façade Program and Restaurant Incentive Program. Roll call vote carried by majority. Voting Yea: Mayor Denison, Mayor Pro Tem Weedon, Commissioner Money, Commissioner Swem

Voting Abstaining: Commissioner Downey (due to conflict of interest as a restaurant owner)

D. Public Services Report

- Asphalt Bids

Location	Vendor	Bid
Mill Race Parking Lot	Affordable Asphalt	\$37,500.00
Ravish Park	Affordable Asphalt	\$17,800.00
Ravish Park	Arnt Asphalt Sealing Inc.	\$61,530.00
Third Street	Affordable Asphalt	\$19,350.00
Third Street	Arnt Asphalt Sealing Inc.	\$25,000.00

- DPW Building Update
- Third Street Update

Baker stated other bids were sought but not received and explained the difference in pricing on the Ravish Park bids is due to a different scope of work with Arnt being unwilling to merely repair and resurface. Discussion regarding waiting on the parking lot and Ravish since the asphalt season is nearly over, which will enable Baker to seek additional bids.

DPW steering team met and is moving at a good pace now. Buchanan Metal Forming is interested in purchasing the existing DPW building.

Wightman is starting the survey on Third Street tomorrow.

Motion made by Mayor Pro Tem Weedon, Seconded by Commissioner Money to accept the bid by Affordable Asphalt in the amount of \$19,350 for the Third Street paving. Roll call vote carried unanimously.

E. Treasurer Report

Powers reviewed the bank account balances and investment summaries, discussed the BS&A transition, stating she is learning about report options.

VIII. Unfinished Business

A. Greater Niles Chamber of Commerce

Consider payment of invoice from the Greater Niles Chamber of Commerce.

Lengthy discussion regarding the value, past and future, that the GNOC can provide, including access to the data from their software investment.

Mayor Denison moved to approve payment of the Greater Niles Chamber of Commerce invoice. Motion died due to lack of support.

B. Pinnacle Emporium 420 Event

Consider approval of the Pinnacle Emporium Event originally proposed during the August 23, 2021, City Commission meeting.

Prior to the meeting, it was determined there is some ambiguity in the language of the ordinance regarding consumption events stating that smoking or vaping are not allowed.

Motion made by Commissioner Swem, Seconded by Commissioner Money to authorize City Manager Grace to conduct due diligence for proposed ordinance amendment for temporary consumption events only. Roll call vote carried by majority.

Voting Abstaining: Mayor Pro Tem Weedon (conflict of interest due to his employment in the cannabis industry)

C. Days Avenue Trees

Motion made by Commissioner Swem, Seconded by Commissioner Money to grant administrative authority to City Manager Grace to address issues on a case by case basis. Roll call vote carried unanimously.

IX. New Business

A. Emergency Management Coordinator

Consider adopting Resolution 2021.09/235 to establish an Emergency Management Coordinator to liaise with the County. Tim Ganus, Director of Public Services and Chief of Police will serve in this capacity.

Motion made by Mayor Pro Tem Weedon, Seconded by Commissioner Money to adopt Resolution 2021.09/235 to establish Tim Ganus, Director of Public Services and Chief of Police as Emergency Management Coordinator to liaise with the County. Roll call vote carried unanimously.

B. Proposed Pay Period Update

Update the AFSCME Contract to revise the pay period.

Currently, staff is submitting timesheets with estimated hours for two days. The change, which is enabled by BS&A, will allow submission of actual time worked.

Motion made by Commissioner Swem, Seconded by Mayor Pro Tem Weedon to update the AFSCME Contract to revise the pay period. Roll call vote carried unanimously.

C. Liquor Control License Transfer

Consider the Local Government Approval for a liquor license transfer application from Robert Maynard for the property located at 116 Main St. (Maize & Brew Ltd. d/b/a B&W Old Village Inn.

Motion made by Mayor Pro Tem Weedon, Seconded by Commissioner Money Local Government Approval for a liquor license transfer application from Robert Maynard for the property located at 116 Main St. (Maize & Brew Ltd. d/b/a B&W Old Village Inn). Roll call vote carried unanimously.

D. Edgewater Counter Offer

Consider entering into Closed Session pursuant to MCL 15.268 Section 8 (h) to discuss matters subject to attorney-client privilege.

Motion made by Mayor Pro Tem Weedon, Seconded by Commissioner Money to enter into Closed Session pursuant to MCL 15.268 Section 8 (h) to discuss matters subject to attorney-client privilege. Roll call vote carried unanimously.

The Commission entered closed session at 9:21 p.m.

Motion made by Mayor Pro Tem Weedon, Seconded by Commissioner Swem to resume open meeting at 9:32 p.m. Roll call vote carried unanimously.

Motion made by Commissioner Swem, Seconded by Mayor Pro Tem Weedon to proceed with the recommendation of Commission with regard to Edgewater Bank as discussed in closed session. Roll call vote carried unanimously.

E. Performance Review of City Manager Grace

City Manager Grace's review is due to be completed and the contract states the evaluation process to be used shall be established by the City Commission at least 30 days prior to each evaluation.

Mayor indicated there are no records of the previous evaluation process and that the Commission must set up a new process. Swem suggested requesting assistance from the City Attorneys and added that the new Commissioners have not seen City Manager Grace's contract and would like to review it.

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

A. Homecoming Parade

The Buchanan High School Homecoming Parade will be held on October 8, 2021, at 6:00 p.m. and will feature an appearance by Hannah Roberts, Olympic Silver Medalists in Women's BMX.

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

Norma Ferris - spoke about Dial-a-Ride.

Dan Vigansky - stated most of the change that happened in the City was during the time he was on the City Commission, spoke regarding a tree ordinance, and that Buchanan Metal Forming already has access and the City shouldn't sell DPW building to them.

XII. Executive Comments

A. City Manager Comments

Thanked Commissioners for their guidance for being able to move forward administratively. We are making progress. By next summer there will be a drastically different downtown.

B. Commissioner Comments

Weedon - Addressed Powers regarding pay adjustments; the equations don't seem to work out.

Swem - Addressing the earlier question regarding payments to the Buchanan Area Chamber of Commerce, the Chamber gets no money from the City. Cautioned not to miss the deadline for the 5-Year Recreation Plan and would like to see communication seeking volunteers for the mass planting in October.

Money - Thanked Commission for the hard work they are putting in. The sludge is going to roll downhill and into our laps. Thanked staff for without what they do, the Commission couldn't do what they do. Thanked Mayor and City Manager for their participation in the 9-11 Remembrance Ceremony.

Commissioner Downey had no comment.

C. Mayor Comments

Thanked those who showed up for the 9-11 Remembrance Ceremony. Expressed his disappointment with the discussion regarding the Greater Niles Chamber of Commerce which he feels is short-sighted. Other than that, great things are happening.

XIII. Adjourn

Motion made by Mayor Pro Tem Weedon, Seconded by Commissioner Money to adjourn the meeting at 9:50 p.m. Roll call vote carried unanimously.

Barbara A. Pitcher, City Clerk

Mayor Sean Denison