

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 uniformed 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