

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, SEPTEMBER 23, 2024 – 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. Public Hearing

A. Call to Order the Public Hearing

The public hearing was called to order at 7:00 PM by Mayor Weedon.

B. Roll Call

Present: Mayor Weedon, Commissioner Vigansky, Commissioner Swem, Commissioner George

Absent: Commissioner Money

City Staff Present: City Manager Timothy Lynch, City Clerk Kalla Langston, Community Development Director Richard Murphy, Director of Public Services Mike Baker, Chief of Police Harvey Burnett

C. Opening of Public Hearing

Motion made by Vigansky, supported by Swem to open the public hearing. Roll call vote carries unanimously.

D. Statement of Purpose and Announcement of the Rules of the Hearing

The purpose of the Public Hearing is to hear and consider any objections to the proposed special assessment, the district, and all other matters relating to the Special Assessment District for Emergency Medical Services through Southwestern Michigan Community Ambulance Service.

The Commission heard public comments.

Norma Ferris: Asked if the Commission would have the public hearing and approve the resolution in the same meeting and for more information about the special assessment district.

Kim Bicard: Asked who qualifies as exempt from the special assessment district.

Randy Bicard: Commented on property tax bills increasing year after year.

Clerk Langston shared she had received phone calls from Scott King, Doyle Vergon, and Jan Walters in opposition to creating the special assessment district. She also received emails from Carla Johnson, Donald Ryman, Jennifer M, and Britni Wall in opposition to creating the special assessment district.

E. Close of the Public Hearing

Motion made by Swem, supported by Vigansky to close the public hearing. Roll call vote carries unanimously.

II. Call to Order the Regular Meeting

The meeting was called to order at 7:06 PM by Mayor Weedon.

III. Recognition

A. *A Proclamation for Dysautonomia Awareness Month has been submitted and will be presented to Emma Miller.*

Mayor Weedon read the proclamation and presented it to Emma Miller.

Emma Miller spoke about her experience with Dysautonomia and her desire to bring awareness to those who may go undiagnosed and treated otherwise.

IV. Pledge of Allegiance

Mayor Weedon led in the pledge of allegiance.

V. Roll Call

Present: Mayor Weedon, Commissioner Vigansky, Commissioner Swem, Commissioner George

Absent: Commissioner Money

City Staff Present: City Manager Timothy Lynch, City Clerk Kalla Langston, Community Development Director Richard Murphy, Director of Public Services Mike Baker, Chief of Police Harvey Burnett

VI. Approve Agenda

Motion made by Vigansky, supported by George to approve agenda as presented. Roll call vote carries unanimously.

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

None.

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

A. Minutes

1) Consider approving the Special Meeting Minutes from September 6th, 2024.

2) Consider approving the Regular Meeting Minutes from September 9th, 2024.

3) Consider approving the Closed Session Minutes from September 9th, 2024.

B. Road Closure- Consider approving the road closure submitted by Buchanan Area Chamber of Commerce for the White Saturday Christmas Parade on November 30th from 4:30 PM to 6:00 PM (Front St to Oak St).

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

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

A. Water Quality Presentation- Presented by Southwest Michigan Planning Commission (SWMPC) Marcy Hamilton.

Hamilton introduced herself and SMPC and the water quality presentation. Berrien County has abundant water resources. She then outlined the most common threats to our water resources,

which come from point sources such as factories or wastewater treatment plants and stormwater carrying pollutants, especially in agricultural and urban, car-dense areas. Our area is under permit for this program. What our area sees most in terms of pollution is sediment which carries contaminants. Hydrological changes have shifted how and where water flows as well. Communication and education are a priority for them as well. They provide information to municipalities every year, often displays and training materials. Our master plan includes some best practices they like to see.

X. Reports by: Departments, Committees, Boards

A. Community Development Department Report- *Director Rich Murphy*

1) Consider approval of the 2024 Permit Renewal for Redbud Roots LLC- Adult Use Class C Grow, 448 Post Rd. Buchanan.

Motion made by Swem, supported by Vigansky to approve the 2024 permit renewal for Redbud Roots LLC – Adult Use Class C Grow, 448 Post Rd. Buchanan as presents.

Vigansky asked for clarification as to what permits Redbud Roots has and has not renewed.

Roll call vote carries unanimously.

2) Consider approval of the 2024 Permit Renewal for Boone Labs- Adult Use Processor, 107 E. Alexander St. Buchanan.

Motion made by Swem, supported by Vigansky to approve the 2024 permit renewal for Boone Labs- Adult Use Processor, 107 E. Alexander St. Buchanan as presented.

Vigansky asked when Commissioner George could visit the facility. Boone Labs answered the Commission is always welcome.

Roll call vote carries unanimously.

3) Consider approval of the 2024 Permit Renewal for Kisa DBA Pinnacle Emporium-Adult Use Retailer permit renewal, Medical Retailer permit renewal, 221 E. Front St. Buchanan.

Motion made by Vigansky, supported by Swem to approve the 2024 permit renewals for Kisa DBA Pinnacle Emporium-Adult Use Retailer permit renewal, Medical Retailer permit renewal, 221 E. Front St. Buchanan as presented. Roll call vote carries unanimously.

XI. Unfinished Business

None.

XII. New Business

A. Resolution 2024.09/25- *Consider Resolution 2024.09/2, Special Assessment District for Emergency Medical Services through Southwestern Michigan Community Ambulance Service (SMCAS), District 1- Determination to make public improvements; approval of plans and estimate of costs; final determination of special assessment district; preparation of special assessment roll.*

Clerk Langston explained that the resolution creates the district as it had been in previous years. There will be two more meetings before the decision is made.

Vigansky asked if other communities were doing it the same way. Clerk Langston explained that not all were, with some paying all or some out of their general funds. A SMCAS representative answered Commission questions on how much the assessment was. It had been \$20 per year but SMCAS needed to increase it to \$50 per year over 5 years. When the municipalities didn't agree to that SMCAS charged per capita instead of per parcel, which for Buchanan was \$40.

Swem summarized the events that led to this point. Vigansky stated that getting information from SMCAS had been difficult going back to 2015 and this could have been pursued long before now. Clerk Langston clarified for the public that the county 911 millage from August did not include SMCAS or any municipal ambulance services.

Motion made by Swem, supported by Vigansky to approve Resolution 2024.09/2, Special Assessment District for Emergency Medical Services through Southwestern Michigan Community Ambulance Service (SMCAS), District 1- Determination to make public improvements; approval of plans and estimate of costs; final determination of special assessment district; preparation of special assessment roll as presented. Roll call vote carries unanimously.

B. Water Plant Improvement Proposal- Consider approval of a proposal to perform tasks for chemical feed system improvements at the Water Plant.

City Manager Lynch introduced the water plant improvement proposal from the firm Solberg Knowles and Associates.

Motion made by Swem, supported by George to approve the chemical feed improvements in the amount of \$6795 to Solberg Knowles and Associates. Roll call vote carries unanimously.

C. Expenditures - Consider approving the expenditures for September 23rd, 2024, in the amount of \$119,873.57.

Vigansky clarified some questions he had with Tim about travel expenditures.

Motion made by Vigansky, supported by Swem to approve the expenditures for September 23rd, 2024, in the amount of \$119,873.57 as presented. Roll call vote carries unanimously.

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

A. EGLE Grant Update

City Manager Lynch reported that the City of Buchanan had been awarded a grant from EGLE in the amount of \$558,500 with no matching funds required. The grant is related to locating and identifying lead service lines and developing a comprehensive inventory of the City's water distribution system. It is a federal grant administered by EGLE and must be used by September of 2026.

Clerk Langston explained to the public that the special hearing the following Monday at 8 am will discuss the cost of the SMCAS assessment and that the public hearing will take place at the regular meeting.

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

Al DiBrito – DiBrito is running for sheriff as an independent and introduced himself and his background in law enforcement.

Norma Ferris – Requested notice be posted at the intersection of Front St and Redbud Trail that the sidewalk by Hoven is under construction.

Randy Bicard – Presented bringing Pickleball to Buchanan in the past and hopes to keep it a possibility.

XV. Executive Comments

A. City Manager Comments

The design for repairing the retaining wall by Hoven is complete and he hopes to go out to bid soon.

The City received a rating of substantially compliant, requiring no corrective actions in the Michigan State Treasury's Public Act 660 Assessment Roll Audit. Lynch thanked Assessor Cole-Crocker for her diligence and hard work.

B. Commissioner Comments

Vigansky – Likes the idea of the Pickleball park but not the idea of establishing a new park on River st. He thinks the McCoy Creek Recreation Area or Ravish Park would be good options, and tasked BARB with presenting the idea and finding the funds.

George – Feels Pickleball courts would bring a lot of people to Buchanan and knows a lot of people who play.

Swem – Agrees that creating a new park is not the ideal path forward, but to instead focus on improving existing parks. Swem also spoke to the breakdown graphic posted to the website that illustrates where property taxes are disbursed to. The increase in taxes is due to millages passed by voters or the state inflation rate. Swem fully supports ambulance services but does not feel there's enough transparency with SMCAS regarding spending and accounting.

C. Mayor Comments

Mayor Weedon thanked Emma Miller for speaking tonight. He also thanked the cannabis companies who attended the meeting and understands it's a tough market at the moment but appreciates their staying in Buchanan. He also thanked Randy Bicard for bringing up Pickleball, his commitment, and the work he's put in. The Commission is working to spend tax money wisely, incrementally, and efficiently.

XVI. Adjourn

Motion made by Vigansky, supported by George to adjourn the meeting at 8:06 PM. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mark Weedon, Mayor