



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, MARCH 14, 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

Mayor Denison called meeting to order at 7:00 PM.

II. Recognition

None

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance of the United States of America.

IV. Roll Call

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

City Staff Present: City Manager, Heather Grace; Community Development Director, Rich Murphy; Treasurer, Stephanie Powers; Bookkeeper, Courtney Baham; Public Service Director Mike Baker, Public Work

V. Approve Agenda

Motion made by Swem, Seconded by Weedon to add Item D, under Consent Agenda to excuse Downey from Feb 14, 2022, regular meeting. Roll call vote carried unanimously.

Motion made by Weedon, Seconded by Money to approve the amended agenda. Roll call vote carried unanimously.

VI. Open Public Hearing

A. The purpose of the Public Hearing is for the City Commission to receive public comment regarding the submittal of a Michigan Department of Natural Resources (DNR) Michigan Natural Resources Trust Fund (MNRTF) grant application to fund the McCoy's Creek Trail Extension Project in Buchanan.

Public Hearing was opened at 7:02 P.M.

Motion made by Downey, Seconded by Money to open the public hearing. Roll call vote carried unanimously.

Murphy gave a brief statement about the MNRTF grant.

Jerry Flenar spoke in favor of the trail. Denison gave him recognition for working so hard on the trail.

VII. Close Public Hearing

Motion made by Money, Seconded by Downey to close the public hearing at 7:10 P.M. Roll call vote carried unanimously.

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

Don Ryman expressed his concerns about not being chosen for the Michigan Main Street Board of Directors.

Norma Ferris would like something in writing about the golf carts.

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

A. Consider Approving Expenditures for March 14, 2022, in the amount of \$231,691.03

B. Consider Approving Regular Meeting Minutes for February 28th, 2022.

C. Consider Accepting Staff Activity Reports.

D. Excuse Cameron Downey from the February 14, 2022, Regular Meeting.

Motion made by Downey, Seconded by Swem to approve the amended Consent Agenda including the expenditures in the amount of \$231,691.03. Roll call vote carried unanimously.

X. Scheduled Matters from the Floor (if any)

A. Prein & Newhof update on Downtown Reconstruction and Wellhouse and Treatment Facility Projects.

Mike Schwartz gave a brief update on the USDA project. Gave a brief presentation to the Commission. The construction will begin hopefully in the fall of 2023, communication with the community will be key. Working with Murphy and the team about design aspects to make sure we are hitting the bid date.

B. Mike Summers would like to propose the use of Golf Carts in the City of Buchanan.

Mike Summers presented to the Commission about the use of Golf Carts in the city. He thinks it would provide old fashion communication, attend more activities, free parking, more sales at the farmers market, allow tours for new residents.

Commissioner's discussed different rules and requirements that this would require.

Motion made by Swem, Seconded by Money to authorize city administration to further review the proposed use of golf carts in the city of Buchanan with a goal of presenting further details at a future meeting for consideration by the commission. Roll call vote carried unanimously.

XI. Reports by: Departments, Committees, Boards

A. Community Development Director Report- Rich Murph- Consider Resolution No. 2022.03/425 of Support for Local Match for DNR MNRTF Grant for the McCoy's Creek Trail Extension.

Motion made by Weedon, Seconded by Swem to approve resolution no. 2022.03/425 to support local match for DNR MNRT Grant for McCoy's Creek Trail Extension. Roll call vote carried unanimously.

B. Chamber Executive Director/ Main Street Manager, Ashley Regal

1. Consider Michigan Main Street Board of Directors Applications recommended by the Buchanan Area Chamber of Commerce Board of Directors.

Tracy Dippo (BACC Board Representative; position to be filled upon a vacancy), Jennifer Moutsatson Garry, Randy Hendrixson, Anthony "Tony" Houser, April Jonatzke, Amanda Miller Kelley, Ulrike McCarty, Elizabeth Martin, Meg Paulette, John Shaver, Ann Tuite, Kathy Virgil, Mark Weedon.

Regal reported that they had many applications for the program and is thankful for the community.

Motion made by Money, Seconded by Downey, to approve the recommendation of Buchanan Area Chamber of Commerce regarding board appointments to the City of Buchanan Main Street Board of Directors with the following changes, to include Jeff Griffin, Tracy Dippo (BACC Board Representative; position to be filled upon a vacancy), Jennifer Moutsatson Garry, Randy Hendrixson, Anthony "Tony" Houser, April Jonatzke, Amanda Miller Kelley, Ulrike McCarty, Elizabeth Martin, Meg Paulette, John Shaver, Ann Tuite, Kathy Virgil, Mark Weedon.

Yes: Denison, Downey, Money, Swem

Abstain: Weedon, board appointment.

Swem- the amount of time that was put in to reviewing every person that was selected for this committee. Every single person that applied had significant support for as to why they are a great applicant and all the attributes they have and all the good things they can do for this board. With that said not every single person can be on that board and we must recognize that as the board grows, it's harder to decide. They did make sure that every single person could be heard by creating 5 different subcommittees so they could be involved.

2. Common Rental Draft Policy.

Motion made by Swem, Seconded by Money to the table the rental draft policy decision until next meeting 3/28/2022.

Discussion: Political/Religious events: what legal position do we take if we deny a group that does not represent the city. Grace said it's not a clear answer. Trying to use vague verbiage to make it as objective as possible is the start. Regal would like to set the precedence now.

C. Treasurer's Report- Stephanie Powers will provide the Commission with a brief update.

Powers provided a brief report to the Commission.

D. Board Appointments- Consider an appointment of John Shaver to The Buchanan Tree Friends, who was recommended and approved by the Buchanan Tree Friends on February 9th.

Motion made by Swem, Seconded by Weedon to appoint John Shaver to the Buchanan Tree Friends. Roll call vote carried unanimously.

XII. Unfinished Business

- A. *Seconded reading and consideration of Ordinance 2022.02/428* - Ordinance for Land Development Policy. *Attachment A*

Motion made by Money, seconded by Downey to approve the second reading of Ordinance 2022.02/428 to authorize the ordinance for land development to take place after publication. Roll call vote carried unanimously.

- B. *Second reading and consideration of Ordinance 2022.02/429*- Food Truck Ordinance

Motion made by Weedon, Seconded by Swem to approve the second reading of ordinance 2022.02/429 the food truck ordinance to take effect after publication. Roll call vote carried unanimously. *Attachment B*

- C. *Berrien County Trail Master Plan*

Grace has had conversation with Gary Wood one of the Berrien County Planning Commissioners, who is also the lead with Friends of the Trails for Berrien County. He is requesting for the City of Buchanan to contribute toward the Friends of the Berrien County Trails.

Motion made by Swem, Seconded by Money to approve the expenditure \$1500 to be paid to the Friends of Berrien County Trails group as payment for services rendered toward the completion of a county wide trail master plan. Roll call vote carried unanimously.

XIII. New Business

- A. *First reading of ordinance 2022.03/430- IPMC Adoption Ordinance, Property Maintenance Code*

Motion made by Swem, Seconded by Weedon to approve the first reading of Ordinance 2022.03/430. Roll call vote carried unanimously.

- B. *USDA bond work contract for legal services.*

Motion made by Money, Seconded by Downey to authorize City Manager Grace to sign the USDA bond work contract for legal services, as presented. Roll call vote carried unanimously.

Brief recess to wait for city attorney. Motion made by Weedon, Seconded by Money voice vote call carries unanimously.

Motion made by Weedon, Seconded by Money to Re-open regular meeting at 8:06 PM voice vote carries unanimously.

- C. *Closed Session*- matters subject to attorney-client privilege and to discuss the potential purchase of real property.

Motion made by Swem, Seconded by Money to enter closed session in pursuant of MCL 15.268 (h) and (d) at 8:06 PM. Roll call vote carried unanimously.

Motion made by Weedon, Seconded by Money to re-enter open session at 9:39 P.M. Voice call vote carried unanimously.

- D. *Consider taking action based on Closed Session Discussions.*

Motion made by Swem, Seconded by Weedon to authorize the City Administration to take the actions discussed in Closed Session. Roll call vote carried unanimously.

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

- A. *2022 Oakridge Cemetery Clean Up*- Remove all decorations by April 1; Maintenance clean-up: April 4 thru April 14; New Decorations: April 15th. If you have a loved one interned at the Veteran's

Circle, we are asking you to please read the Rules and Regulations regarding the Veteran's Circle that is available on the City Website.

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

Norma Ferris complimented the Commission.

XVI. Executive Comments

A. City Manager Comments

Thank you to everyone.

B. Commissioner Comments

None

C. Mayor Comments

None

XVII. Adjourn

Motion made by Weedon, Seconded by Money to Adjourn the meeting at 9:41 P.M. Roll call vote carried unanimously.

Courtney Baham, Bookkeeper

Mayor Sean Denison