



**PUBLIC HEARING, JOINT MEETING WITH BUCHANAN CITY
COMMISSION AND BUCHANAN TWP BOARD OF TRUSTEES,
REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, JANUARY 24, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI**

MINUTES

The entire Joint 5-Year Recreation Plan is available on the City website and can be found at the following link: <https://tinyurl.com/4baehab8> . Printed copies are also available at Buchanan City Hall.

I. City Call to Order Joint Meeting

Mayor Denison called to order at 7:00 P.M.

II. Township Call to Order Joint Meeting.

Supervisor Cole-Crocker called to order at 7:00 P.M.

III. City Roll Call

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

Absent: None

IV. Township Roll Call

Present: Supervisor Mindy Cole-Crocker, Township Trustee Lynn Ferris, Treasurer Rachel Plank, Clerk Wendi Heyliger

Absent: Brad Huebner

V. City Approve Agenda

Motion made by Weedon, seconded by Downey to approve the agenda. Roll call vote carried unanimously.

VI. Township Approve Agenda

Motion made by Heyliger, seconded by Ferris to approve the agenda. Roll call vote carried unanimously.

VII. City Open Public Hearing

Motion made by Swem to the City of Buchanan Joint Public Hearing on the draft “Joint Five-Year Recreation Plan”, to accept public comment regarding the plan, Seconded by Weedon. At 7:02 PM.

Yea: Denison, Weedon, Downey, Money, Swem.

Nay: None

VIII. Township Open Public Hearing

Motion made by Plank to the City of Buchanan Joint Public Hearing on the draft “Joint Five-Year Recreation Plan”, to accept public comment regarding the plan, Seconded by Ferris. At 7:02 PM.

Yea: Cole-Crocker, Ferris, Plank, Heyliger.

Nay: None

Public Comments were made.

Dan Vigansky Wanted to say thank you to Marcy Hamilton, the time limit was very constrained on this. Heyliger and Plank were a lot of help on this, with lots of time going into proofreading the plan. Dan is very excited to be working with the township collectively.

Juanita Lewis New Resident to Buchanan, happy to be here. Believes we can all work together.

Marcy Hamilton with Southwest Michigan Planning Commission- Been a pleasure to work with the City and Township on a Joint Plan. SMPC serves Berrien, Cass, and Van Buren Counties. Buchanan City and Township are one of the few that chose to work with their neighbors on Joint Plans and wanted to commend the City and Township on that effort. No other communities in Berrien County have done a joint plan. Offered Congratulations to City and Township.

Mayor Denison thanked Marcy Hamilton for all her work making this happen.

IX. City Close Public Hearing

Motion made by Denison, seconded by Swem to close the City of Buchanan’s joint public hearing on the draft ‘Joint Five-Year Recreation Plan’. At 7:08 PM.

Yea: Denison, Weedon, Downey, Money, Swem.

Nay: None

X. Township Close Public Hearing

Motion made by Cole-Crocker, seconded by Plank to close Buchanan Township’s joint public hearing on the draft ‘Joint Five-Year Recreation Plan’. At 7:08 PM.

Yea: Cole-Crocker, Ferris, Plank, Heyliger.

Nay: None

XI. Joint New Buisness

A. City of Buchanan to Consider a Resolution to Adopt the Buchanan Community Recreation Plan 2022-2026.

Motion made by Money, seconded by Downey, to Approve Resolution #2022.01/240 to adopt the “Joint Five-Year Recreation Plan” as presented. Roll call vote carried unanimously.

B. Buchanan Township to Consider a Resolution to Adopt the Buchanan Community Recreation Plan 2022-2026.

Motion made by Plank, seconded by Heyliger, to Approve Resolution #2022-06 to adopt the “Joint Five-Year Recreation Plan” as presented. Roll call vote carried unanimously.

Discussion opened with Plank, echoing the comments about Marcy, as well as City Manager Grace. Township happy to be involved.

XII. Township Public Comment

None.

XIII. Township Executive Comments

Cole-Crocker thanked everyone for coming out, as well as thanking City Manager Grace and Marcy Hamilton. Stating this is a huge endeavor and will bring people in to enjoy our parks. Believes it's a fantastic move for the City and Township to work together.

XIV. Township Adjourn- *End of Joint Session, Regular meeting of the Buchanan City Commission Continues.*

Motion made by Plank, seconded by Ferris, to adjourn the Buchanan Township Board of Trustees Meeting. Roll call vote carried unanimously. (*Regular meeting of the Buchanan City Commission continues.*) At 7:09 PM.

XV. Recognition

None

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

Dan Vigansky- Concerned about a written comment that was turned in. Voiced his concern about closed session.

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

A. Approve Expenditures for January 24, 2022, in the amount of \$85,417.63.

B. Consider Approving Minutes for the January 10th, 2022, Regular Meeting of the City Commission.

C. Consider approving Minutes from the January 12, 2022, Special Meeting of the City Commission.

Motion made by Money, seconded by Downey to approve the consent agenda, as presented, including the approval of the 1/24/2022 bill run in the amount of \$85,417.63. Roll call vote carried unanimously.

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

XIX. Reports by: Departments, Committees, Boards

A. *Treasurers Report-* *Treasurer Stephanie Powers will give a brief report and will introduce Tim Bailey of Bailey Investments Group and LPL Financial for Honor Credit Union. Consider the request to move 2 million dollars in the city investment account to an indexed annuity with 4% growth and no downside on returns.*

Powers gave a brief report to the Commission.

Weedon wanted an update on the new current software. Powers stated it's fantastic, there is a lot to it and we are still learning how to use its full ability.

Weedon also asked for an update with Plante Moran assisting at City Hall with the finance department and audit. Powers believes with the audit starting today that the assistance will be completed by the end of February.

Powers introduced Tim Bailey to talk about the investment account. Bailey is the advisor on the investment accounts for the city.

Swem asked about "no downsize on returns" and wanted to make sure this is compliant with the city's investment policy.

Bailey explained how the account works.

Grace said it is compliant with the investment policy.

Swem would like to see a side by side with investment account of what the city is currently at and what Bailey is proposing. Commission decided to table the item till the Special Meeting on January 31, 2022.

B. Community Development Director Report- Rich Murphy will discuss two additional economic development incentive programs:

1. *Redevelopment Liquor Licenses*- Director Murphy, Manager Grace, Assessor Cole, and Building Inspector Lewis have been working together, along with the City Attorneys, to try to make the City of Buchanan eligible for additional liquor licenses through a special "redevelopment liquor license" program offered through the State of Michigan. Murphy shared details regarding the program and asked for Commission support in the form of a resolution-- Consider Approving a Resolution to Create a City Redevelopment Project Area, which is proposed to encompass the entire City. [Note that an establishment would still need to satisfy zoning requirements for any specific location wanting to utilize a liquor license]. This process is the first step for the path forward. As a municipality we're doing everything we can to provide the tools, but the State must approve it and the applicant. But they can't do either one unless we have the tools for redevelopment.

Motion made by Swem, Seconded by Weedon, to adopt Resolution # 2022.01/241 which authorizes the creation of a City Redevelopment Project Area.

Yea: Denison, Weedon, Money, Swem

Nay: None

Abstain: Downey- Conflict

2. *Tax Abatements*- Director Murphy, Manager Grace, and Assessor Cole, along with generous assistance from Cornerstone Alliance, are working to have a tax abatement program ready to discuss in more detail during the February 14th City Commission meeting, but a brief preview explanation of the planned program will be discussed at this time.

OPRA is the Obsolete Property Rehabilitation Act- this provides a reduction in future taxes on improvements made on an eligible building in an established OPRA district. Murphy will be bringing the resolution to the commission to create the districts.

Murphy is trying to create buzz and find a sense of self for Buchanan, starting with building blocks to redevelop the city. There is interest in the city and he feels we need to keep doing what were doing and would like to hear the goals from the leadership on what they want to see next.

XX. Unfinished Business

None.

XXI. New Business

A. Consider Entering Closed Session to discuss matters subject to attorney-client privilege, pursuant to MCL 15.268 Sec. 8(1)(h).

1. *Draft Harassment and Discrimination Policy*
2. *Draft Land Redevelopment Program*
3. *Draft Parking Ordinance*
4. *DDA Loan Follow-up*

5. *USDA Project Follow-up*
6. *Architect Contract Follow-up*
7. *Zoning Questions Follow-up*
8. *Blight Enforcement Questions Follow-up*
9. *Draft Mobile Food Vending Ordinance*

Motion made by Weedon, seconded by Money to enter Closed Session to discuss matters subject to attorney-client privilege, pursuant to MCL 15.268 Sec. 8(1)(h) at 7:44 PM. Roll call vote carried unanimously.

B. Consider Re-Entering Open Session

Motion made by Downey, Seconded by Swem to re-enter Open Session at 7:58 PM. Roll call vote carried unanimously.

C. Consider taking action, if any, on items discussed in Closed Session

None currently.

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

None

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

City Manager Grace made note of a written comment that was received prior to this meeting. There was a written communication that requested to be shared as a public comment at tonight's meeting. The communication was distributed to the Commission and there is a public copy available in the binder at the table. If anyone would like to review it, please do so or we would be happy to provide you with a copy. Thank you. (Summary provided below)

"Alan Robandt (written comments)- Shared concerns regarding perceived issues of transparency and favoritism, alleging a lack of public input. Indicated that he felt that the City should not share handouts with certain property developers, and that tax abatements should not be considered for particular projects. He also shared concerns regarding the past dissolution of the DDA and current expenditures."

Dan Vigansky - would like to know why the written comment was not read.

Rhett Johnson - has been developing the properties at 402, 404, 408 Oak St. They have been working around the clock and happy to be in Buchanan.

XXIV. Executive Comments

A. City Manager Comments

Thanked everyone in attendance, welcomed new residents, thanked individuals sharing their comments and concerns, as well as new businesses investing in our community. It's an exciting time in our community. Regards to the procedures that are used for closed session, in Michigan we are subject to follow the OMA. There is a section of that legislative act that governs proceedings for closed sessions. When we discuss matters that are subject to attorney client privilege with the City Attorney as we did this evening, we go to a private location and discuss those matters. Those matters are not made public until a decision is going to be made. Anytime a decision is going to be made, they are made during open session with the public willing and able to

participate. We are having conversations, but no decision are being made behind closed doors. Every decision that's made and any expenditure using city taxpayer money is done publicly. A big part of why we have some of those discussion in closed session, there a certain things that are not appropriate for legal reasons to discuss publicly. Confidentiality issues with staff or real estate transactions of developers, so very important things we work hard on to make sure it's in the best interest of the Buchanan city residents. And again, we are always as transparent as possible. Anyone who has further questions on it, Grace would be happy to answer after the meeting. Thank you.

B. Commissioner Comments

Commissioner Weedon- If you haven't had a chance to go downtown and visit the Sweet Shop, he cannot encourage you enough. Weedon took the family down and the kids were smiling the whole time and of course wanted everything. They have a lot of pride. Joe and Tom are excited to show you the business. Once again a lot of great things coming. It's a beautiful place and they have put their heart and soul into it. Please take an opportunity to go down and see it. Thanked Marcy and Heather for the 5 year-Rec Plan. It's fantastic to hear that we're the only one in the county working with their Township. Really enjoyed their presence and would be a great thing to see more often.

Commissioner Swem- Thanked Buchanan Township for all the work that went in the Joint Rec-Plan. As well as BARB, it's important to set an example for our neighbors to work together. Commended Murphy on his work on the Liquor License program, with Heather, Guy and Mindy. Appreciate everyone coming out.

Commissioner Downey- No comment.

Commissioner Money- Welcomed Juanita, thanked Murphy on all the work he's been doing downtown. Thanked Chief Ganus and Sargent Leonard for their presence downtown, as it seems to have made a difference. Thanked Mike Baker for doing a great job on keeping the roads clear.

C. Mayor Comments

Thanked Fran and The Chamber for doing a phenomenal job. Thanked all of the staff for their hard work. Congratulations to Lily Wagner on becoming our new Miss. Buchanan, and thanked Jade Smith for her historic 2 year run of Miss. Buchanan; she did a great job and very proud of her. Thanked the Commission and the public.

XXV. Adjourn

Motion made by Weedon, Seconded by Money to adjourn the meeting at 8:12 PM. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison