

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

II. Pledge of Allegiance

Denison led in the Pledge of Allegiance.

III. Roll Call

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, Richard Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Sergeant, Harvey Burnett, Sergeant John Leonard

IV. Approve Agenda

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

V. Scheduled Matters from the Floor (if any)

Grace briefly introduced the budget with a highlight of the millage rates reduction in the city due to Headlee tax act going from 17.6 mils to a reduction 16.9793, due to the growth in the city.

- A. 1) Open Public Hearing on Budget- Consider opening the public hearing to receive comment on the proposed City budget for fiscal year 2022 - 2023 (July 1, 2022 - June 30, 2023).

Motion made by Weedon, seconded by Swem to open the public hearing at 7:02 P.M. Roll call vote carried unanimously.

No public comment was made.

- 2) Close Public Hearing on Budget- Consider closing the public hearing to receive comment on the proposed City budget for fiscal year 2022 - 2023 (July 1, 2022 - June 30, 2023).

Motion made by Downey, seconded by Weedon to close the public hearing at 7:03 P.M. Roll call vote carried unanimously.

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

None.

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

- A. 1) May 9, 2022 Minutes- Consider approving Regular Meeting Minutes from 05/09/22.
- 2) May 6, 2022, Minutes- Consider approving Special Meeting Minutes from 05/06/22.
- B. 3) Expenditures- Consider approving expenditures for May 23, 2022, in the amount of \$ **158,653.96**
- C. 4) Street Closure- Consider approving a Street Closure on June 4th, 2022 at Smith Street from Chicago to High School Parking Lot, to help accommodate Baseball and Softball District games.
- D. 5) Authorization to Sign Agreement with Baker Tilly- Consider authorizing Manager Grace to sign the agreement with Baker Tilly to perform the water/sewer rate study at a cost of \$9,000 per fund, as was previously approved by the Commission.
- E. 6) Treasurer Employment Agreement- Consider authorizing Manager Grace to sign the employment agreement to formally hire Deborah Perez as the City Treasurer/Finance Director, as was previously approved by the Commission. Position advertised pay as \$65,000 - \$80,000+ DOQ, Manager Grace negotiated a contract with Ms. Perez for a starting salary of \$70,000 due to Ms. Perez having over ten years of experience as the City Treasurer for Fennville, MI.
- F. 7) Resolution 2022.05/436- Consider approving Resolution # 2022.05/436 to adopt the 80%/20% employer/employee health care cost option as set forth in 2011 public act 152, the publicly funded health insurance contribution act. This is a general housekeeping resolution that the city is required to complete annually in order to remain compliant with state law related to street funding.

Motion made by Downey, seconded by Swem to approve the consent agenda.

Swem asked for discussion pertaining to the expenditures for weed eaters and wanted clarification on why 6 were bought. Baker was able to go into more detail on why they were purchased.

Roll call vote carried unanimously.

VIII. Unfinished Business

IX. Reports by: Departments, Committees, Boards

A. Community Development Report- Director Rich Murphy

1) Redbud Roots Adult Use- Consider Redbud Roots 2022 renewal of Adult Use Processing License at 455 Post Rd.

Murphy stated that the application is in good order and permit fees have been paid.

Motion made by Weedon, seconded by Downey to approve the 2022 renewal of Adult Use Processing License at 455 Post Rd, contingent on background checks. Roll call vote carries unanimously.

2) Redbud Roots Medical- Consider Redbud Roots 2022 renewal of Medical Processing License at 455 Post Rd.

Murphy stated that the application is in good order and permit fees have been paid.

Motion made by Weedon, seconded by Swem to approve the 2022 renewal of Medical Processing License at 455 Post Rd, contingent on background checks. Roll call vote carries unanimously.

3) Walpole Microbusiness- Consider Walpole Limited Craft Market 2022 Renewal of Microbusiness Permit at 303 Carroll St.

Swem asked for a status update, Mr. Walpole able to provide that to the Commission. They currently waiting on the State to approve the mechanical inspection, their hope is to have everything up and going by late fall early winter.

Motion made by Swem, seconded by Money to approve the Walpole Limited Craft Market 2022 Renewal of Microbusiness Permit at 303 Carroll St. Roll call vote carries unanimously.

4) B&W Redevelopment Liquor License- Consider Resolution 2022.05/434 for Redevelopment Liquor License of B&W, SVV entertainment holding LLC at 116 Main St.

The owner of B&W, SVV entertainment holdings LLC has prepared the application for the State for Redevelopment Liquor License. Murphy is looking for approval of the resolution at the local level, then they may send the completed application to the state where they will decide if he is approved. This is the first application for this path.

Downey had questions about the application not being complete. The part he was referring to has to be done by the clerk after the vote for approval or denial, since it's a stock resolution.

The affidavit for his attempts to secure liquor licenses must be proven by him to the State. The owner has had to document the process of trying to secure a liquor license. Murphy is trying to give them everything he needs to be able to submit it to the state.

Swem asked for clarification from Murphy. The city's responsibility is to create the environment for him to apply and agree that his physical location is acceptable location. Any additional due diligence is on the State level, or do we have additional measures we have to take?

Murphy compared it to the Social District, it's a law that's written that gives the local unit of government a heads up that someone is applying for a liquor license and if you see any reason why they shouldn't the commission would have a say so.

Murphy is trying to bring in more restaurants and retail to the city. He is trying to use these tools for investors to bring in more to the city.

All the figures are included with sign off by the assessor and building inspector as well as Murphy and Grace.

Motion made by Swem, seconded by Weedon to approve resolution 2022.05/434 for Redevelopment Liquor License of B&W, SVV entertainment holdings LLC at 116 Main St.

Yes: Weedon, Swem, Money, Denison

No: None

Abstain: Downey, conflict business

Motion carries.

5) Zoning Update- Director Murphy will provide a brief update regarding the City's progress towards a new Zoning Code.

Murphy met all day this past Friday with Susan and Andrew from Placemakers. He had a series of meetings with the downtown stakeholders, Northside Neighborhood group, Buchanan

preservation society, and then a joint meeting with City Commission, Planning Commission and BARB members. They reviewed the objectives of the project, asked a lot of questions, introduced some ideas, got a feel of what everyone was feeling as a conscience. For those that were not able to attend Murphy is available to follow up with the Commission with any questions and more details.

People are open to ideas that will guide the vision. From here the team will create a first draft and will be back in 6 to 8 weeks. They will want feedback on that first draft. Murphy thought it was a great first meeting. The project could take anywhere from 6 to 9 months total.

B. City of Buchanan Municipal Building Authority- Kalla Langston

1) Recognition of Removal of Stephanie Powers from the City of Buchanan Municipal Building Authority- Consider recognizing Stephanie Powers' removal from the City of Buchanan Municipal Building Authority, due to her resignation from her position as Treasurer for the City of Buchanan. There is only a need for three members, so the remaining members of City Manager Heather Grace, Community Development Director Rich Murphy, and City Clerk Kalla Langston, all of whom were appointed to the Authority in February 2022, will continue to serve, and shall constitute a full board.

Motion made by Money, seconded by Downy to recognize the removal of Stephanie Powers from the City of Buchanan Municipal Building Authority. Roll call vote unanimously.

2) Set Terms for Municipal Building Authority- Consider a motion to establish terms of the Building Authority Commission members for the 3 appointed members, as follows: (i) City Clerk Kalla Langston shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending on June 30, 2022; (ii) Community Development Director, Rich Murphy shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending on June 30, 2023; and (iii) City Manager Heather Grace shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending June 30, 2024.

Motion made by Weedon, seconded by Money to establish terms of the Building Authority Commission members for the 3 appointed members, as follows: (i) City Clerk Kalla Langston shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending on June 30, 2022; (ii) Community Development Director, Rich Murphy shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending on June 30, 2023; and (iii) City Manager Heather Grace shall serve as a commissioner of the City of Buchanan Municipal Building Authority for a term ending June 30, 2024. Roll call vote carries unanimously.

3) Resolution 2022.05/435- Consider approving Resolution # 2022.05/435 approving the City to proceed with the Municipal Building Authority Project, which creates the funding mechanism for the new DPW building.

Motion made by Swem, seconded by Downey to approve Resolution # 2022.05/435 approving the City to proceed with the Municipal Building Authority Project, which creates the funding mechanism for the new DPW building. Roll call vote carried unanimously.

C. Public Safety Director Report- Tim Ganus

1) Naming of Acting Chief of Police & Transition of Ganus to Public Safety Director- Public Safety Director Tim Ganus and City Manager Grace both strongly recommend the naming of Dr. Harvey Burnett to the position of "Acting Chief of Police" for the City of Buchanan. Naming Burnett as "Acting Chief" will allow Ganus and Grace to formally post the open position of Police Chief (allowing formal applications from other interested parties) with a goal of having the Commission

vote on the permanent naming of a new Buchanan Chief of Police during our 06/27/22 meeting. In turn, this will enable the City Administration to begin the work of fully transitioning Ganus to the full-time role of dedicated Director of Public Safety, as was discussed during previous City Commission special meetings and work sessions.

Grace introduced the proposal of naming an acting “Chief of Police” in this instance we are seeking to name Dr. Harvey Burnett. Ganus and Grace strongly recommending Burnett that he be named “acting Chief of Police” effective immediately. This will allow Ganus and Grace to post the position for Chief of Police. As well as the transition for Ganus to be full Ganus Director of Public Safety.

Motion made by Money, seconded by Swem to appoint Dr. Harvey Burnett as the “Acting Chief of Police” for the City of Buchanan, and authorize Tim Ganus to continue serving in the role of “Director of Public Safety”.

Downey asked for discussion asking Swem to elaborate on the discussion Ganus and Swem had earlier on what his role would look like now.

The discussion was related to what the Commission had talked about on Saturday and what roles Ganus would be taking on as the Director full time. Noting more than what was discussed on Saturday was what Swem and Ganus had discussed.

Roll call vote carries unanimously.

2) SMCAS Ambulance Board- Ganus, who serves on the Southwest Michigan Community Ambulance Services (SMCAS) Board, will present to the Commission regarding an upcoming request by the SMCAS Director related to SMCAS funding approvals needed to continue the current provision of ambulance service within the City

Motion made by Weedon, seconded by Money to table until next meeting, when SMCAS Director Brian Scribner can present to explain exactly what he is requesting. Roll call vote carries unanimously.

D. Buchanan Area Recreational Board BARB Report

(1) Bylaws- Consider approving updated bylaws for the BARB committee, as recommended by the BARB during their 05/11/22 meeting.

Motion made by Downey, seconded by Swem to approve the amended Bylaws submitted by the BARB, as presented. Roll call vote carries unanimously.

(2) New Member Appointment- Consider approving the application of Cayde Heyliger to join the BARB, as was recommended during the 05/11/22 BARB meeting.

Motion made by Swem, seconded by Money to appoint Cayde Heyliger to join the BARB. Roll call vote carried unanimously.

E. Buchanan Area Fine Arts Committee Report

1) Budget Report- the BAFAC wanted to share their budget report with the City Commission.

Grace noted that BAFAC just wanted to share their budget report with the Commission and public.

F. Public Services Report- Mike Baker

1) Mike Baker will provide a Public Services Report, as well as an update regarding the Third Street Sewer Project. The Commission can consider any updated proposals that may be submitted by Selge in time for review during the meeting.

Baker and Selge have been going back and forth on numbers. Baker had asked Scott from Selge to be here tonight to answer questions. He is not present for the meeting. The numbers we are receiving now are \$20,000 higher than the first quote. There was confusion about the different quotes coming in from Selge. Commission asked for Grace to get into contact with Selge and get a clear view of what the cost is going to be.

X. New Business

- A. 1) Adoption of the FY 2022 - 2023 Buchanan City Budget- Consider adopting the FY 2022 - 2023 Budget for the City of Buchanan, as presented (keeping in mind that the budget needs to be adopted at this meeting to meet State requirements and could not be submitted earlier due to the City only just receiving vital budgetary data from Berrien County Equalization on 05/17/22, and also keeping in mind that the budget can always be amended at subsequent meetings, which is anticipated to occur once the new Treasurer/Finance Director comes aboard and gets a chance to further review the budget in collaboration with Manager Grace). FY 2022 - 2023 refers to the time period of July 1, 2022 - June 30, 2023. As presented, this budget represents a **REDUCTION IN TAXES** for the Citizens of Buchanan, as the effective tax rate millage is being reduced to **16.9793**.

Grace presented the Budget for 2022-2023.

The commission would like to 0 out of account 101-000.000-675.000 Sales of City Owned Property under revenue.

~~Swem would like a work session soon with edits they need to make. He's having a hard time wanting to approve all the staff wage increases. He wants to do wage increases, but it's hard to approve it with what they are given at the moment.~~

~~Grace let the commission know because it is tied to so many different line items, she would not be able to make all the changes in this meeting. However, if they could vote on it as it is and know that it won't go into effect until July 1. We can have that work session before then and make edits to it before it goes in effect.~~

~~Swem: Working through some of the figures noticed about a quarter of a million dollars in additional sale of equipment, does that sound correct? Essentially struggling with a million dollars' worth of sales. Our budget surplus at the moment is less than that, so that's a struggle. Help understanding that we have to approve this budget per state requirements and the ramifications of changes or anything like that before he makes any other commentary.~~

~~Grace: that particular number was recommended by Plante Moran for that figure. They pulled that figure rather than her inserting that number. She went with Juli's recommendation going back and reviewing historical numbers for that. You are accurate for tonight; State requirements would need a budget approved. That doesn't preclude us from even the very next meeting us amending that. And now that we do have the consent agenda approved, we will have a new treasurer for the public's awareness. Her first day will be May 31st, previous treasurer for over 10 years at the City of Fennville. Once we have more capacity in are fiancé department Grace would anticipate having more of a deep dive into items like that. And that would be priority number 1 to review that.~~

~~Swem: With that being said, he would like to get another work session on the calendars. I think a week or two weeks is too immediate, making sure Ms. Perez has sufficient time to dive into it along with edits you're going to want make. With Swem having a hard time wanting to approve adds to staff and wage increases, fully wanting to do raises because I know we need to, but it's hard to envision approving that with what we have at the moment.~~

Grace the only problem with that is it is tied to so many different line items. Grace on the fly can't in this meeting make all the changes. If the commission can vote as it is and just know it won't effectuate any of it, it does not go to effect until after July 1 anyways. We will just make a note that we will not effectuate any of it until we have the work session and a chance to further review it.

Denison: at the meeting Saturday we talked about having the City Attorney look at certain things.

Grace: that has been requested.

Denison: that way it can be part of our next work session and how we figure out what Mr. Swem is concerned with.

Grace: That was already in my mind that would be a pending effectuation.

Motion made by Swem to move to adopt the budget for the City of Buchanan, for the fiscal year 2022-2023, as presented, with the amendment of 101-000.000-675.000 Sales of City owned Property under revenue to equal \$0, and the pay raises won't effectuate until after a work session before July 1, with a general operating millage set at 16.9793 and the Dial-A-Ride millage set at .9846, seconded by Weedon. Roll call vote carried unanimously.

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

None

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

Shelly King- Comments made about the noise ordinance and other ordinance violations that are happening in the neighborhood.

Norma Ferris- Comments about comcast channel 17, Norma is reaching out on behalf of the residents.

Rita Hughes- Comments about her sewer lateral and issues with backups. Asking for the City to start a program for replacing the lateral lines. As well about the infrastructure on the Northside, asking for more attention given to the residents.

James Busby- Comments about the Elizabeth St. being redone. With multiple incidents of injury on the Street because of the dip. Just wondering why certain things are delayed for so long. Wants to know when it will be fixed. Also comments about the abundance of stray cats and trash being ripped open the garbage company won't pick up if it's ripped open or on the ground. Asking for them address the ordinance violations.

Jean Harris- Comments about code enforcement. When she is making a complaint for an ordinance violation, she is not getting a quick response back. Northside neighbors have created an advocate group to try and get some of these issues resolved. Is there a code enforcement officer? As a group can they have the authority to write a complaint and get it to the code enforcement officer.

Jim Cronin- Comments about Baker doing a good job since he has taken over the Public Works Department.

Steve Rothenberg- Comments about how to file a complaint against a Withrow Autobody.

Norma Ferris- Comments about having a meeting about the repair for streets.

Tony Houser- Comments about grant programs with water/sewer infrastructure.

XIII. Executive Comments

A. City Manager Comments

With so many public comments that require follow-ups, Grace is asking that everyone grab her card and contact with her through email so she can direct the concerns in the correct places. She doesn't want anyone to not get the follow-up they all deserve. Thanking the Commission for this evening. Excited to see the process of the liquor licenses redevelopment, additional restaurants are desired throughout the community, and this will increase are economic developments substantially to make us that destination to live, work and play. Thank you to everyone for all our contributions you give to the city.

B. Commissioner Comments

Money- It's good to see everyone coming out and expressing their concerns of Buchanan. We haven't had a lot of this and its good. This commission has talked about the Northside neighborhood and have discussed what we need to do at that end of town and what needs to be taken care of up there. Appreciate everyone expressing their concerns and to get the interaction from everyone. Wanted to thank Baker and the DPW for putting the new veterans' banners up. This commission has worked hard to help the residents of Buchanan and thanks to the staff and to the commission. Congrats to Harvey and Ganus.

Downey- Concerned about Channel 17. Grace explained that it's a Comcast problem nothing that we can do. Also wondering about the Plante Moran details, Grace will get him an answer. Had questions about utility billing on the DPW building would like the invoices.

Swem- Blight enforcement is a big focus of the commission. We will begin to start tackling those problems. Incredibly confident in Chief Burnett and Director Tim Ganus on getting that acted upon. The infostructure report that was referenced before we will make that available to everyone. As part of that there is phased strategy on to what areas to handle first. Therefore, were looking at the 24-million-dollar project for the downtown area. You are 100 percent right the northside needs to be addressed next. Unfortunately, there was no funds being saved in the past for this. When we make those enhancements, it will naturally affect your water/sewer bill. Congratulations to Harvey. Truly appreciate everyone for coming tonight.

Weedon- Thank you to everyone who came from the Northside, the more you come and the more we hear what the issues are that is gold to us. We have talked many nights about what can be done in the Northside. There is a lot of vacant lots and opportunity and truly believe that it's just going to be a couple of things where it starts to head to a positive thing. Appreciate Dr. Harvey's time and service, looking forward to your service as the Chief. Thanked Ganus very much.

C. Mayor Comments

Started by thanking everyone for coming tonight, it's great seeing the folks from the northside attending and giving us your thoughts. The eight percent raise in water/sewer rates every year is to pay for the oxidation ditch, that was the only way to get it done. The city is on a tight budget, we have a city that is aging, and it seems as if every time we turn around something is breaking, and we only have so much money. We are trying to find ways to stretch every dollar. We are doing everything we can to get grants and looking everywhere we can to find money to get all of these done. The street issue, we know they are bad, and a lot of these streets are going to be torn up in a few years because of work that needs to be done underground. We are trying to band aid them, so we are not wasting money to turn around and rip them up. Congratulations to Burnett and we expect some singing at some of these city meetings, much like the D.A.R.E graduations. I wanted to thank Grace for her work on the budget, she had a lot of work in the budget then in the middle of the week she got new information dumped on her that that made her pull an all nightery before the Saturday meeting. Thanked all the city staff for doing such a great job.

XIV. Adjourn

Motion made by Weedon to adjourn the meeting at 8:27 P.M., seconded by Money. Roll call vote carried unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison