

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, JANUARY 08, 2024 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

AGENDA

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

II. Recognition

- A. ***Jerry Flenar to present a Certificate to the City of Buchanan on behalf of the Friends of Berrien County Trail Board.***

III. Pledge of Allegiance

IV. Roll Call

V. Approve Agenda

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

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

A. Minutes

1) Consider Special Hearing meeting minutes from December 11th, 2023.

1) Consider Regular Meeting minutes from December 11th, 2023.

B. Expenditures - Consider approving the expenditures in the amount of \$50,655.71 for January 8, 2024.

C. City Manager Contract Amendment- Consider approving the amendment to Timothy J Lynch, city manager contract.

D. Banking Authorization

1) Consider removing Benjamin Eldridge from all banking institutions -Honor Credit Union, United Federal Credit Union, Huntington Bank, 1st Source Bank, Sturgis Bank, Horizon Bank, UMB, and MI Class.

2) Consider adding Timothy J Lynch to all bank and investment accounts with -Honor Credit Union, United Federal Credit Union, Huntington Bank, 1st Source Bank, Sturgis Bank, Horizon Bank, UMB, and MI Class. As well as issue a city credit card to Timothy J Lynch with a spending limit of \$5,000.00 per the City Credit Card Policy.

- VIII. **Scheduled Matters from the Floor** *(if any)*
- IX. **Reports by: Departments, Committees, Boards**
- A. **Common Concert Series-** *Michael Rowland to present the Common Concert Series.*
- B. **Buchanan Tree Friends-** *Chair Brian Murphy to present an update.*
- X. **Unfinished Business**
- A. **Amendment No. 4 to owner-engineer agreement-***Consider approving Amendment No. 4; the purpose of this amendment is to finalize the easement acquisition costs that were estimated in Amendment No. 2 of the Owner-Engineering Agreement. The amendment is also to request approval for P&N 2024 hourly rates. **Postponed at the Regular Meeting on December 11, 2023.** City Manager Lynch has reviewed it as requested by the commission and recommends approval.*
- XI. **New Business**
- A. **Resolution 2024.01/01-** *Consider Resolution 2024.01/01, City Commission to authorize city personnel to execute documents replacing the environmental restrictive covenant on behalf of the City of Buchanan for the city-owned property at 401 River St.*
- B. **Resolution 2024.01/02-** *Consider Resolution 2024.01/02, a Resolution for the City Commission Censure of City Commissioner Dan Vigansky.*
- XII. **Communications** *(informational only, formal board action is not necessary for these items, unless so desired)*
- XIII. **Public Comment - Non-Agenda Items Only** *(3-minute limit)*
- XIV. **Executive Comments**
- A. Commissioner Comments
- B. Mayor Comments
- XV. **Adjourn**



SPECIAL MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, DECEMBER 11, 2023 – 5:30 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 special 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.*

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I. Call to Order

The meeting was called to order at 5:31pm.

II. Pledge of Allegiance

Denison led in the pledge of allegiance.

III. Roll Call

Present: Mayor Sean Denison, Mayor Pro Temp Mark Weedon, Commissioner Larry Money, Commissioner Patrick Swem

Absent: Commissioner Dan Vigansky

City Staff: City Clerk, Kalla Langston; City Attorney, Matt Derby; Chief of Police, Harvey Burnett; Director of Public Safety, Tim Ganus; Director of Public Services, Mike Baker; Community Development Director, Rich Murphy; Assistant Community Development Director, Ashley Regal; City Bookkeeper, Courtney Baham

IV. Opening of Hearing and Statement of the purpose of the hearing

A. *The purpose of this public hearing is to hear a complaint and take Commission action, if any, on the Complaint filed against Commissioner Vigansky, alleging violations of the Commission's Rules of Procedure, Code of Conduct and Ethics, and Misconduct and Discrimination Policy provisions as they apply to dealings with City staff and members of the public.*

V. Announcement of the Rules of the Hearing

A. *1) This is a public hearing being held for the purposes just stated. Before a final vote of the Commission to consider what actions, in any, to take on the Complaint, public comment only regarding the subject of this agenda will be accepted. One opportunity for public comment will be allowed to each person and limited to three minutes for each person.*

2) The person addressing the Commission shall stand, state his/her name, and direct their comments directly to the Commission.

3) *The Chairperson may, at his discretion, terminate comments which exceed the three minutes limit, are unrelated to the subject of the public hearing agenda, or that are disruptive to the order of the hearing.*

4) *When the Chairperson observes that there are no further public comments, he/she shall close that portion of the hearing.*

VI. Presentation by complainant

A. Presentation by Mayor:

1. Presentation by the Mayor on the Complaint:

A. Statements by the Mayor, witnesses, and submission of documents.

- **First Charge:** During the June 14th, 2023 meeting of the Buchanan Area Recreation Board Mr. Vigansky addressed members of the public audience which included African American individuals using the phrases, “you people,” and “those people.” This conduct resulting in the filing of a complaint with the Michigan Department of Civil Rights case #635831. This complaint is still under review by the civil rights department, has harmed citizen relations with the city, and caused the city to unnecessarily spend funds on attorney fees responding to the complaint. Please find attached, copies of the civil rights complaint, the attorney response, and the attorney billing for that response as evidence. At this time, I would like to call James Busby as a witness.

Denison calls forward witness James Busby who is sworn in under oath by City Clerk Kalla Langston.

Busby – Good afternoon, I am James Busby. I live on Elizabeth Street on the north side. Back to the incident, I believe it was on July 10th at the Buchanan Township Hall. It was the same evening as the incident between Dan Vigansky and Tony Houser. The incident between myself and Dan Vigansky occurred there was a private conversation between myself and Mrs. Harris and Paige I believe where I was referring to getting some money together for Victory Park improvements. At that time Mr. Vigansky rudely interrupted a conversation that was not pertaining to them which he proceeded to tell me what I need to do with my own money. I told Mr. Vigansky the conversation was not pertaining to him if I wanted to take my money and throw it in the trash then that was my business. Vigansky continued to talk, I then proceeded to ask Mr. Vigansky if he wanted to do something that why don't he stop being a sexist, using sexist language towards women, and I asked him to stop referring to minority groups as “those people” and “you people.” I told him everybody knows that's a racist term that's been used for years and years. Mr. Vigansky continued to laugh and thought it as funny; I didn't think it was funny. Mr. Vigansky then proceeded to tell me, in front of Mrs. Harris and the other lady, that was there that he refers to all minority groups – Mexicans, Indians, whoever is not white – as “you people.” I asked him what he refers to white people as he said, “whatever I want to,” and he laughed. Just as I turned to walk away and Mrs. Harris and myself were going outside the argument continued. I tried to ignore Mr. Vigansky. He then later got in my face and he was literally shaking his fist ball and he told me in his exact words that, “he was a tough old white man and I better watch my back.” I turned to him and I said, “I'm a young tough black man, and don't you ever threaten me. If you ever touch/threaten me you better hold true to it.” As that conversation was going on Mrs. Harris, Mrs. Joretta Bibbs, and John Brown they kind of intervened because they didn't want an altercation to erupt. The next day I went and told Chief Tim Ganus about the incident. He later forwarded the information over to St. Joe Sheriff's Department which they came down and interviewed me and interviewed several witnesses as to what happened at the incident. Mr. Vigansky gave a statement to the Sheriffs Department,

which I think all of you have, in which his comment at the end which he lied and said I threatened to put him in the hospital. That conversation never took place. Anybody who knows me knows I would never put my hands on somebody unless I am touched first. Especially an old man who's on oxygen and just likes to run his mouth. Mr. Vigansky later told the Sheriffs Department at the end of the all white people are racist, pigs, and bigots which you have a copy of the comment. He made this comment, not me. Dan Vigansky made that comment that all you white people are racist and bigots at the end of the day. I am sure we are all smart enough to know that every white person in Buchanan is not a racist. We have too many bi-racial kids running around, interracial couples of all races – I have two white grandkids of my own I have two bi-racial. All black people in Buchanan are not racist. And as you all know this isn't the first encounter with Mr. Vigansky I have had. Two summers ago, I have an altercation with him, a verbal argument and I told him then you know he sent women down here in city hall in tears and I asked him repeatedly "watch your mouth," and "stop using that language towards minorities and women." He has had ladies down here in tears. I'm sure all of you have witnessed at some point the insults must stop. As a City Commissioner you represent not one race but everybody that's in Buchanan. You don't have to like each other, but we need to respect and stop the insults. I tried to convey that to Mr. Vigansky as several other people have tried to. When you are a commissioner you represent, and you are supposed to be held to a higher standard. Just like that sign says in Buchanan life is better here, when you have an individual like Mr. Vigansky that spews hate in the language and the insults – what are we going to accomplish? If we try to do good things we got one person constantly trying to tear everybody down. Nothing will get accomplished. I believe when we were trying to, I was pushing to get the water fountain put back at the Victory Park. I believe he had a conversation with Monroe Lemay where he referred to again as those people don't need a water fountain. What does that bring when you hear somebody say stuff like that. The north side is not predominantly African American anymore like it used to be. I don't know if Mr. Vigansky is not smart enough to realize that but there's not just a lot of white people that's moved in, we've got other groups. I've seen Hispanics move in, a couple of Asians. Once again, we need to go into a different, we need people who are going to show love and respect, and that are going to put the community and issues first without out trying tear everything we do down. And that's what I have to say.

Denison calls forward witness John Brown who is sworn in under oath by City Clerk Kalla Langston.

Denison – Can you tell us, were you in the parking lot the night of that BARB meeting when Mr. Vigansky and Mr. Busby had their altercation in the parking lot? Can you tell us what you heard?

Brown – Yes, I was. Well, most of conversation was a back and forth between Mr. Busby and Mr. Vigansky. A lot of harsh words, of course I needed to standby and make sure that the altercation didn't develop into something else. I been hearing Mr. Vigansky making comments about being a tough old man and he was threatening Mr. Busby and only thing I was concerned about was Mr. Busby didn't overstep and hit him because that's what it was leading too because the ladies that were around Mrs. Harris, Mrs. Bibbs they all told me to step in and squash it. But I tried to encourage and let them know that Mr. Busby was not going to take it that far. He was not going to assault or hit Mr. Vigansky. I had a few words with Dan afterwards, I've known Dan a lot of years, and of course his attitude was the same.

Denison – Did you hear Mr. Vigansky say anything that could be construed as racist?

Brown – Well he did make that comment about “you people,” and related to some of the park equipment that it was going to be taken out of Kathryn Park and it was going to be given to you people at Victory Park. That’s awful bad, you know that’s the way it started.

Denison – Do you have anything else you’d like to add?

Brown – Well like I said, we say in a lot of park board meetings over the last years and I watch Mr. Vigansky put some of the ladies on the park board meeting into tears. You know Ashley walked out and quit, one of the other ladies walked out and quit because of Dan and of course, that’s what Mr. Busby referred to about his insensitivity towards women, how he talked to women. We asked Mr. Vigansky do you talk to you wife this way and of course he said yes.

Denison – Any questions from the commission for Mr. Brown? There are none.

- Second Charge:** On Nov 3, 2023, the City of Buchanan Mayor sent to all City Commission members by text message, a 6-page complaint made by city employees against the City Manager. The mayor specifically instructed to each commission member to keep the employees’ complaint confidential, and the complaints would be investigated by the City Attorney. Mr. Vigansky disregarded the confidentiality directive by producing the complaint to the City Manager and releasing a copy or the content of the complaint to the public before an investigation could even be started. Although the employee complaints would be available to the public release of the complaints before employees and the City Manager could be interviewed risked impeding the investigation of the complaints. The complaint has at least 5 allegations of misconduct against female employees. Mr. Vigansky’s actions were acts of retaliation for the reporting of conduct violation of the city’s Misconduct Harassment and Discrimination Policy. Please find attached in your packets printouts of my text messages asking for confidentiality, text messages from Mr. Vigansky to Mr. Eldridge, and a copy of the city’s Misconduct Harassment and Discrimination Policy and City Code of Conduct. As commissioners we have the responsibility to uphold the city’s Charter, Ordinances, and policies – we don’t get to pick and choose which ones we agree with. On page 3 of the Misconduct Harassment and Discrimination Policy it reads; “Upon submission of a complaint an impartial and confidential investigation of the complaint will be undertaken by the city or such other agent as the commission or City Manager may designate. The person against whom the complaint is filed will be notified of and provided with a copy of the complaint at an appropriate time.” Mr. Vigansky has admitted to this charge on several occasions. At the 11/13/23 meeting Mr. Vigansky stated, “I did not release anything confidential, what I gave to the City Manager is what this commission was going to railroad him our with.” On 11/29/23 at the City Commission Meeting Mr. Vigansky said, I did not give any confidential information, I gave him information that he was entitled to.” Are there any questions from the commission on this charge?

Swem – I guess from the procedure he’s not here who to ask the questions to, but I would have asked Dan why in this correspondence to the former City Manager he put, “do you have a private email, I am working on something,” to which the response was to send it to his wife’s email so I would have liked to get clarification on that communication.

Denison – Langston can you confirm that you did send Commissioner Vigansky all the materials necessary for this hearing?

Langston – I did, by email and mail on December 4th, 2023 and I have copies of that.

- Third Charge:** After receiving written employee complaints on 11/3/2023 against the City Manager Mr. Vigansky stated to me that the complaints were just a bunch of retaliatory B.S., this is a clear statement that Mr. Vigansky’s completely unconcerned with the investigation and resolution of

complaints concerning possible civil rights violations and this is a violation of the city's Misconduct Harassment and Discrimination Policy.

City Attorney – Mr. Mayor if I may, at this point you are testifying to things to your personal knowledge so you should be sworn in, in the same manner as all witnesses.

City Clerk Kalla Langston swears Sean Denison in under oath.

Denison – So on page 3 of the Misconduct Harassment and Discrimination Policy it states, "Upon submission of a complaint, an impartial and confidential investigation of the complaint will be undertaken by the City or such other agent as the Commission or City Manager may designate. The person against whom the complaint is filed will be notified of and provided with a copy of the complaint at the appropriate time." At a city meeting on 11/27/23 Mr. Vigansky stated, "when they were given to me I did call them B.S. because that's what they are they're B.S." At the conclusion of the 11/29/23 meeting I mentioned to Mr. Vigansky that he didn't understand his obligations and responsibilities to the city employees, and he stated repeatedly in front of myself and members of the press, "I don't give a crap about the employees." Based on these statements and actions from Mr. Vigansky its clear to me that he has no intention of upholding his obligations and responsibilities as a city commissioner even after signing the code of conduct acknowledgement form and taking an oath of office. In your packet you will find the code of conduct acknowledgement signed by Mr. Vigansky. It reads, "I hereby acknowledge that I have received a copy of the city of Buchanan's code of conduct and that I have further read and understand the saying. I also acknowledge that I've been given a physical copy of the code of conduct to keep for my records and I understand that I may ask my supervisor if I ever have any questions about the code of conduct. I understand that if I fail to comply with any part of the code of conduct I may be subject to disciplinary action up to and including termination as is deemed appropriate" – signed by Mr. Vigansky. Are there any questions from the commission on this charge?

There are none.

- **Fourth Charge:** On the morning of 11/8/23 Mr. Vigansky entered the city hall office and confronted City Bookkeeper Courtney Baham and Clerk Kalla Langston over their involvement in the employee complaints filed against the City Manager. The employee complaint contains allegations of misconduct against female employees. This incident was reported to the Berrien County Sheriff's Department where the incident is being investigated. Mr. Vigansky's actions were acts of retaliation for the reporting of conduct and violation of the city's Misconduct Harassment and Discrimination Policy. Please find attached copies of the Berrien County Sheriffs office report and statements from witnesses in City Hall. Page 3 of the Misconduct Harassment and Discrimination Policy reads, "The City not only prohibits abuse, discrimination and harassment as set out in this Policy, but also strictly prohibits any retaliation against any Covered Individual who, in good faith, has submitted a complaint under this Policy or who has participated in an investigation under this Policy. Any Covered Individual who, after investigation, is found to have engaged in retaliation prohibited under this Policy will be subject to such appropriate corrective action as the City is authorized in its sole discretion to implement." At this time, I would like to call City Clerk Kalla Langston as a witness.

Denison calls forward witness Kalla Langston, sworn in under oath by the City Attorney Matt Derby.

Langston – On Monday November 6th following the JWSB meeting Commissioner Vigansky entered my office while I was putting my work away from the meeting and closed my office door. He expressed that he was upset about the list of employee concerns regarding the former City Manager that he had received from Mayor Denison and questioned my

involvement. In this exchange Commissioner Vigansky was audibly aggressive and irritated about the suspension of the former city manager. He confirmed that he gave the former city manager the list of concerns and to a member of the public. Commissioner Vigansky visited City Hall two days later on November 8. He inquired about a phone number with the front desk staff and asked if I was in. Upon hearing him speaking to another employee. I exited my office because I was concerned about any employee getting cornered by Commissioner Vigansky due to the aggressive behavior he demonstrated on Monday. I saw Commissioner Vigansky in the Bookkeepers doorway, I approached and asked, "How can I help you?". At that point Commissioner Vigansky went into the bookkeeper's office and slammed her office door with only the 2 of them inside. Myself and other staff members insisted that he open the door, at that time the Bookkeepers door was broken, it locked automatically and could not be opened from the outside. After a few moments he did open the door and left the Bookkeepers office. Commissioner Vigansky and I had a verbal altercation about his actions. It was clear to me that he was not coming down here just for a phone number. He was coming down to intimidate and interrogate other staff members just as he did to me two days prior. His behavior in the workplace was disruptive, combative, and invasive. He routinely intimidates and harasses staff, the public, and his fellow commissioners when he disagrees or opposes them, both professionally and personally. This is a part of a pattern of behavior Commissioner Vigansky has continually demonstrated. I have had a good working relationship with Commissioner Vigansky in the past but since I opposed him, I have now been targeted by him. He has degraded me in public meetings as well as calling another jurisdiction "looking for complaints against me" and tearing down relationships I have built with the public.

Swem – For Mr. Derby, how procedurally for the public and for our implication is the city commission supposed to interact with the City Manager and the Staff? What's the hierarchy and is that question making sense? On a routine basis what should our expectation be?

City Attorney – Best practice is that any concerns that the commission have should go through the City Manager and the City Manager deal with the Staff.

Swem – And our role is more policy driven correct?

City Attorney – Yes, there's nothing wrong about you coming and asking for a document or something like that.

Swem – That answers my question, thank you.

At this time, I would like to call City Bookkeeper Courtney Baham as a witness, sworn in under oath by City Clerk Kalla Langston.

Baham – Good evening, I am Courtney Baham. I'm the Bookkeeper here at City Hall and I'm here tonight to give a statement on the incident between Commissioner Vigansky and myself. On November 8th Commissioner Vigansky came into City Hall. After a few minutes he came over to my office in the doorway with the intention of questioning the allegations about the former City Manager. I was already on edge from the entire situation. When Kalla came around and calmly asked him how she could help him, he slammed my office door with just me and him in it. Knowing how Commissioner Vigansky behaves and hearing the verbal altercation that took place with Kalla and Commissioner Vigansky on Monday I was uncomfortable being alone in his presence. When asked to leave, he did so. Following this incident, I was visually shaken up and unable to continue working through the day. This has made me and team members fearful of coming forward with concerns of the future due to the retaliation that has taken place by Commissioner Vigansky. We no longer feel as if we have a

safe working environment. His behavior has furthermore deteriorated the way the public views the city and its staff who working diligently to reverse the damage created by previous administration.

- **Procedure for the Commission’s Findings:** These charges are filed against Commissioner Vigansky under the city’s rules and procedures for city commission meetings code of conduct and ethics ordinance and the city’s Misconduct Harassment and Discrimination Policy. Depending on the factual findings of the commission if support is found for one or more of the above charges the city council may take one or a combination of the following actions;
 - 1) To accept and vote on a motion whether or not to adopt a resolution of censure.
 - 2) If two or more independent findings of misconduct in the office are found based on the above charges vote on a motion whether or not to adopt a resolution of censure that includes a request for the commissioner’s resignation from office.
 - 3) Take a commission vote on a resolution requesting Commissioner Vigansky to resign from his position as a city commissioner.

If Mr. Vigansky refuses to resign after request for resignation from office the commission may take any legal action necessary to terminate the commissioner’s right to remain a seated commissioner – including a resolution for the filing of charges with the government of the state of Michigan requesting an action for the removal of the commissioner from office under MCL #168327. At this time, we will take public comment.

City Attorney – Mr. Mayor, this is a point of order before you proceed to discussion. It should be again noted for the record that the clerk did in fact serve Mr. Vigansky with the charges and notified him of the date and time of this hearing both by email and by regular mail and that he’s failed to appear. Had he been here he would have been able to defend himself, had witnesses present, had representation if he so desired, and questioned and be questioned and he has forfeited that right. I think that should be noted.

B. Questioning by members of the Commission, Commissioner Vigansky, or his representative.

VII. Presentation by accused.

A. Presentation by Commissioner Vigansky.

1. Presentation by Commissioner Vigansky or his representative on the Complaint:

A. Presentation by Commissioner Vigansky or his representative, witnesses, submission of documents.

B. Questioning by members of the Commission.

VIII. Public Comment- One opportunity per person to comment (3-minute limit).

Alan Robandt, 114 E Front St – There are a couple of things that were said tonight that I kind of question. The city had an incident policy that employees were supposed to follow if they had a complaint. I don’t think any incident reports were ever filed on any of this. To retaliate you would have to know who the accusers were. To the best of my knowledge there were no signatures on the 42 charges so to say Dan was somehow retaliating against people is kind of a fallacy. I don’t see how you can retaliate when you don’t know who you would be retaliating against. Ben Eldridge was not the public Ben Eldridge was the City Manager. I think that’s a distinction that needs to be made. Releasing information to the City Manager or a city employee is different from releasing it to the public. Then finally, how do you investigate 42 anonymous complaints? That’s all I’ve got to say.

Monroe Lemay, 118 Schirmer Pkwy – We pledge allegiance to the flag at the beginning of every meeting, you will note that the last sentence was liberty and justice for all. This means we treat everyone the same where justice is concerned. The first charge against Commissioner Vigansky has to do with stereotyping a group of people and in this case its African Americans as “you people,” or “those people.” If you’re going to bring up charges against one person you should also include all the other persons on the commission who are guilty of the same action. One city commissioner sitting among you told a businesswoman in Buchanan in conversation that she was one of the original FIPS (?) in town. For those of you who do not know what the term FIPS stands for it is “Fucking Illinois People”. I myself have heard more than one of you sitting up there refer to the downtown merchants of Chicago “pansies,” and “faggots.” If you are ready to bring charges against one you must consider charging all. The second charge deals with Commissioner Dan Vigansky sharing confidential information with an employee, then City Manager Ben Eldridge. On Tuesday following the City Manager suspension by mayor Denison a citizen of Buchanan called me to ask me to please back away from the issue, not get involved, and remove my post about the suspension from Facebook. He proceeded in his conversation to tell me that this would really harm the employees who filed these grievances. He knew of the number of grievances and those who made those complaints I asked this individual how he knew this and since I was not allowed to know and he replied that because his company gives money to the city he needs to know these things and therefore information gets shared with him. So someone on this commission is sharing information, confidential information, the same information that Commissioner Vigansky shared with Ben Eldridge with a regular citizen business owner. Once again, if you are ready to bring charges against one you must consider charging all for the same action that has been taken place today. With liberty and justice for all.

IX. Commission Consideration and Vote on Actions, if any, Regarding the Commission's findings on the complaint.

- **First Charge:** On charge number one, I would entertain a motion that Commissioner Vigansky has committed or has not committed misconduct in office. Is there a motion?

Motion made by Money, supported by Weedon. Roll call vote carries unanimously.

- **Second Charge:** On charge number two, I would entertain a motion that Commissioner Vigansky has committed or has not committed misconduct in office. Is there a motion?

Motion made by Weedon, supported by Swem. Roll call vote carries unanimously.

- **Third Charge:** On charge number three, I would entertain a motion that Commissioner Vigansky has committed or has not committed misconduct in office. Is there a motion?

Motion made by Money, supported by Swem. Roll call vote carries unanimously.

- **Fourth Charge:** On charge number four, I would entertain a motion that Commissioner Vigansky has committed or has not committed misconduct in office. Is there a motion?

Motion made by Weedon, supported by Swem. Roll call vote carries unanimously.

City Attorney – I thought in the last call for the question you asked whether or not he had committed misconduct. The question posed in the motion should be whether anyone wants to bring a motion of an offense or non-offense for each one of these, so the record is more clear. You could ask whether or not anybody has a motion as to whether or not misconduct did or did not occur but the form of the motion has to be I make a motion that misconduct occurred or not, proceed with the second, entertain discussion, and vote.

The commission's consideration and vote on actions, if any, regarding the commission's findings on the complaint restarts to produce a clear record.

- **First Charge:** On charge number one, I would entertain a motion that Commissioner Vigansky has committed or has not committed misconduct in office. Is there a motion?

Motion made by Money, supported by Weedon, that Commissioner Vigansky did commit misconduct while in office. Roll call vote carries unanimously.

- **Second Charge:** On charge number two, I would entertain a motion that Commissioner Vigansky has committed or has not committed misconduct in office. Is there a motion?

Motion made by Weedon, supported by Money, that Commissioner Vigansky violated the city ordinance and conducted misconduct while in office. Roll call vote carries unanimously.

- **Third Charge:** On charge number three, I would entertain a motion that Commissioner Vigansky has committed or has not committed misconduct in office. Is there a motion?

Motion made by Weedon, supported by Money, that Commissioner Vigansky committed misconduct on charge number three while in office. Roll call vote carries unanimously.

- **Fourth Charge:** On charge number four, I would entertain a motion that Commissioner Vigansky has committed or has not committed misconduct in office. Is there a motion?

Motion made by Weedon, supported by Swem, that Commissioner Vigansky committed misconduct on charge number four while in office. Roll call vote carries unanimously.

Since at least two charges of misconduct have been agreed upon by this commission I would entertain a motion for a resolution of censure be presented and discussed at our next regular meeting and a request for Mr. Vigansky's resignation. If Mr. Vigansky refuses to resign I would ask this commission's approval to take any and all action necessary to terminate Mr. Vigansky's right to remain a city commissioner including contacting the state attorney general and the governor. I would entertain a motion for the commission to allow that.

Swem motions to proceed with the resolution as stated, supported by Weedon. Roll call vote carries unanimously.

X. **Close of Hearing/Adjourn**

Motion made by Weedon, supported by Money to adjourn the hearing. Roll call vote carries unanimously.

The meeting adjourned at 6:11pm.

Kalla Langston, City Clerk

Mayor Sean Denison



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, DECEMBER 11, 2023 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

I. Call to Order

Mayor Denison calls the meeting to order at 7:00pm.

II. Recognition

III. Pledge of Allegiance

Denison leads in the pledge of allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Temp Mark Weedon, Commissioner Dan Vigansky, Commissioner Larry Money, Commissioner Patrick Swem

Absent: None.

City Staff: City Clerk, Kalla Langston; Chief of Police, Harvey Burnett; Director of Public Safety, Tim Ganus; Director of Public Services, Mike Baker; Community Development Director, Rich Murphy; Assistant Community Development Director, Ashley Regal; Clerk Cashier, Jill Mondschein

V. Approve Agenda

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

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

Norma Ferris – New business, Dial-A-Ride agreement wanted more information.

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

A. Minutes

1) Consider approving the Special Meeting Minutes from November 20, 202.

2) Consider approving the Regular Meeting Minutes from November 27, 2023.

3) Consider approving the Special Meeting Minutes from November 29, 2023.

B. Expenditures - Consider approving the expenditures in the amount of \$120,808.51 for December 11, 2023.

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

VIII. Scheduled Matters from the Floor (if any)

IX. Reports by: Departments, Committees, Boards

A. Community Development Report – Director Rich Murphy & Assistant Director/ Mainstreet Manager Ashley Regal

1) Cannavista Wellness Adult Use Retailer License 2023 Renewal

Murphy explains that they submitted their application for annual renewal, submitted fees, and we conducted background checks per the ordinance and the Buchanan PD. My recommendation is to move forward with approval. Vigansky brought up the mural that was painted on the back side of the Cannavista Building. Murphy clarified that the owner of the business is not the same as the owner of the building. Trend in the industry is dropping the medical license and pursuing retail. Murphy talked with Michael Beck

of Cannavista and is sitting down this week or next week to discuss a possible community benefit agreement that could replace the funds we are not receiving due to the license not being renewed. I can report more on that, could be an opportunity for Buchanan to have those discussions with all the operators that are not renewing their medical licenses.

Motion made by Swem, supported by Money to approve the Cannavista Wellness Adult Use Retailer License 2023 Renewal as presented. Roll call vote carries unanimously.

2) Schalon Foundation Grant of \$25,000 for Victory Park improvements

Murphy acknowledges the great work going on in the North side neighborhood. We were recently notified by the Schalon Foundation of their \$25,000 contribution toward improvements to Victory Park. Mr. James Busby's been instrumental in bringing this funding to Buchanan.

Mr. Busby addressed the commission. He thanked Mark Weedon, Patrick Swem, Sean Denison, and Larry Money for being supportive of this project since I wanted to get it started. A lot of you don't know I started meeting with Bill Marx years ago trying to get the Victory Park project started. It's very dear to me because it was my grandmother's property and it's been in our family since 1930. I've worked with the Schalon Foundation for 20 years and if things work out, I'll be the leading force behind more money coming in the future for Victory Park improvements.

3) Closing of 123 Days Ave to Lise Gustavsen for business expansion

Just a formality, as the commission authorized, we did close on the property, and it is final.

4) Hometown & Co. Grand Opening and Ribbon cutting on December 14th

Ashley Regal invites everyone to meet Buchanan's four new businesses. The opening event will be from 4-6pm and we will have a Santa from 5-6pm.

X. Unfinished Business

XI. New Business

A. City Manager Contract- Consider approving the City Manager Contract with Timothy Lynch.

Swem motions to approve the City Manager Contract with Timothy Lynch and authorize the mayor to negotiate non-compensation related items and sign to get him in this position and in the office as soon as possible, supported my Money.

After recent events Commissioner Swem reached out to Timothy Lynch who served as our interim manager to see if he would be willing to come back while we look for another city manager. Through those discussions he was quick to respond to us that he was willing to come back to the city of Buchanan and he would do a minimum of a 1-year term. In addition to that, Swem reached out to the search firm Walsh Consulting because in our previous agreement we had a clause that if we did not fulfill a full year with our existing city manager their services would be free to us the next go around. They graciously agreed that if Tim does not decide to stay after the 1-year mark that they will honor that free arrangement for us for the next search as well. Tim is well respected by the staff and this commission.

Vigansky questioned the other commissioners about how the contract was written and when Swem had contacted him. He contacted him the day after Eldridge resigned to see his interest. Lynch had a previous contract that he wrote up and gave to Swem which was given to Denison to prepare it for the agenda tonight to discuss and vote.

The motion is moved to a roll call vote.

Yea: Money, Swem, Denison, Weedon

Nay: Vigansky

Motion carries 4-1.

B. Dial-A-Ride (Dart) Agreement- Consider approving the Dial-A-Ride (DART) Intergovernmental agreement for Transit Service.

Rick Huff of Niles is hoping to renew the transportation agreement before it expires 12/31/23.

Money moves to approve the DART Intergovernmental agreement for Transit Service as presented, supported by Weedon. Roll call vote carries unanimously.

C. Amendment No. 4 to owner-engineer agreement- Consider approving Amendment No. 4; the purpose of this amendment is to finalize the easement acquisition costs that were estimated in Amendment No. 2 of the Owner-Engineering Agreement. The amendment is also to request approval for P&N 2024 hourly rates.

Swem moves to postpone this until it has the opportunity to be reviewed by a city manager. Based on what has historically happened with Buchanan and our restructuring it should be reviewed by the next leader of Buchanan, supported by Vigansky.

Roll call vote carries unanimously.

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

A. City Commission Meeting- Please note that the next regular City Commission meeting will be held on Tuesday, December 26th, due to the holiday.

Swem motions, supported by Weedon, to cancel the next regular City Commission meeting Tuesday December 26th due to the holiday and authorize the city manager and or mayor to approve the bill run as needed.

Motion is moved to a roll call vote.

Yea: Denison, Weedon, Money, Swem

Nay: Vigansky

Motion carries 4-1.

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

Monroe Lemay, 118 Schirmer Pkwy – With the new city manager coming in, is there any chance that the commission can open up city hall like we used to have it before COVID? It's so much more personal to have a lobby for seniors to sit down, we just don't trust city hall anymore so it would be nice to be able to come in and repair that with our staff.

James Busby, 319 Elizabeth St – I just wanted to add one quick thing, I think there was some misunderstanding about the money for Victory Park. The money I got had nothing to do with the pavilion. Going forward I don't want to have anybody trying to insult Rich saying he didn't write any grants because he had nothing to do with it. Any money that I get moving forward has nothing to do with taxpayers, this is on me for Victory Park. And I forgot to mention one person, I wanted to thank Mike Baker because his crew has done a good job keeping the grass cut and looking good.

Jerry Flenar, 16485 Rynearson St – Chairperson for the McCoy Creek Trail and I keep coming up here about every meeting to tell you about something. It was brought to my attention again that when I stand up here and praise Mike Baker for the job, they do people could get the wrong idea that the city workers are working on my project which makes them not work not on their project. Every time they work for us Mike keeps a tab and charges the McCoy Creek Trail maintenance fund. Again, no money from the city, I wanted to make that clear.

Jeanie Harris, 320 Bluff St – I just wanted to say thank you to Rich for doing your due diligence in getting the pavilion built. Every step of the way you have kept the northside neighbors informed of funding and building. I appreciate it.

XIV. Executive Comments

A. City Manager Comments

B. Commissioner Comments

Weedon – No comment.

Swem – A couple things here, I'll start with a statement I made an OMA violation earlier I want to attest that is false. Because I have had a past relationship with Tim I took it upon myself to reach out to him for the benefit of this community. Upon receiving what he would ask for to come back I forwarded that on to the City Attorney and to the Mayor. There was no negotiation, he has not even seen our proposed contract yet because it would not be ethical for me to give that to him in advance. He will see that upon completion of this meeting so that it can now be negotiated. So, I just want to make that very clear. Major thank you to the Schalton Foundation, thank you Mr. Busby for all your work I can't say that enough. Then I did prepare a statement tonight as we move into the holiday season. I was watching a movie with my children last night, Genie a new movie, and a comment was made in that movie, "what more could a man ever wish for." That's an interesting phrase isn't it, I'm sure there's an endless amount of answers to that question. Well, this year what I wish for is grace. In times of turmoil, we find ourselves tested both individually and as a community. Today I stand before you not as a speaker speaking to provide answers but as a fellow member of this resilient community asking for a moment of grace. We are bound by shared experiences and moments of hardship its crucial we extend compassion, understanding and patience to one another. Turmoil may shape the foundations of our unity, but it is in these moments that strength in our community truly shines. Let us recognize that each person faces their own struggles and as we navigate this difficult period, empathy becomes our guiding light. Grace in its essence is an acknowledgment that we are imperfect beings grappling with challenges that may be invisible to others. And as we seek solutions and work towards rebuilding let us not forget the power of forgiveness and the healing it brings. Grace is not a sign of weakness but is a testament to our collective strength and it allows us to move forward together to mend the tears and the fabric of our community and build bridges of understanding. In the face of adversity let us resist the temptation to assign blame hastily and instead embrace the spirit of cooperation. By offering each other grace to learn from our mistakes we pave the way for growth and resilience. So in conclusion I ask you to join me in an environment where grace is not only sought but freely given. Let us be a community that rises above adversity united in our commitment to support one another through these challenging times and together with grace as our compass we will emerge stronger, more compassionate, bound by an unbreakable tie that defines our community. Thank you.

Vigansky – Your honor, the trash cans have been removed from downtown. I would ask that they be put back because we still got people in the city, and as long as I'm asking I want the sidewalks plowed. All of them, not just the ones they want to. I do have a question about a bonus. Is there anybody acting as city manager until the second of January? I guess can bonuses be given without the city manager, or who is sitting in the city manager's place? I have not had any communication with these commissioners whatsoever until I walked in here tonight so that's why I ask these questions publicly. It's humiliating for them because I have the guts to ask them publicly. So, I'm asking, I don't want bonuses paid because Bens is not going to give that bonus and I think you all know what bonus I'm talking about. I want the sidewalk the \$10,000 bonus to Rich, the sidewalk in front of Sweets restaurant, I want it cleaned off whether they have to use shovels or brooms and I want trash cans put back out. That's all I'm asking. As far as the bonus to Rich, whoever comes in to make that decision after they come in but Ben was not going to give it to him. As far as the pavilion, it looks great I drove by it a dozen times. Mr. Busby with all of our differences I do appreciate you raising money and that's not my argument with you at all, ever. Rich has not raised one red cent, that was still \$170,000 in taxpayer money. He could have went to other things and we could have maybe as much as a million dollars with that \$170,000 and build a pavilion and maybe redid the whole basketball court you want redone. So it's not like I'm against Rich, I just don't feel he earns his paycheck at all. Busby clarifies, "I need to verify, the money was not raised to let everybody know. The money was not raised." No, you got a grant, yes sir. Busby again clarifies, "No it was not a grant believe me. I'm the man behind the money, listen to me, it was not a grant. End of discussion. Thank you." Well thank you for giving it or whatever you did with it. Thank you very much, you know, I hope it goes to very good use up there because I know you need picnic tables and everything else. I've been out there with Mr. Brown looking at that park and what we need to do with that park. Jeanie's been out there with me too. So I'm looking forward to making it better like all the rest of them because we haven't done nothing to any of them for 20 years. Busby interjects, "And you were a commissioner last time and you did nothing." Well that's all I got.

Money – I want to say thanks to James and everything you folks have done up there to make this pavilion because when Patrick and I came on board that was one of our projects. We wanted to do something on the North side and we've done it. Thank you all for everything you've done up there. I want to thank Rich and Ashley for the incubator that they've done down there. You've started something down here in Buchanan, we are drawing people in. I think it's a great idea, I thought it was a great idea from the onset. I think you guys did a remarkable job and I appreciate everything you've done. Benn down there a few times to frequent everybody needs a taco at least a couple times a week. Once again, I always say this, this commission for the most part works hard to do what we're trying to do for the city. Patrick took it upon himself to reach out, gather the information, get Tim Lynch to come back, we are going to look at his contract regardless of what others may say and approve that. Once again, everybody have a great holiday and we will see you in January.

Vigansky – One more thing I got to add. I've gotten a couple of different things, committees to ask to join. They reached out to me in the last 30 days. I got accepted to this one, I'm kind of proud of this one, the Michigan Infrastructure Councils Asset Management Champion. I'm going to spend three months twice a week two hours a day, taking their tests and reading their stuff about infrastructure. So, I'm very happy that they accepted my application, and this is the acceptance of my application. That's all I wanted to add.

C. Mayor Comments

I just wanted to add that the pavilion at Victory Park was not funded with taxpayer money, that's factual. Secondly, in response to what Monroe said, I know that when Covid hit we put the window in out here so people could pay through the window. That was a good thing and I have heard some rumblings about the employees only sign on the door. Hopefully you can understand the way the folks in this office get treated. Maybe the doors will open again one day when people start being respectful. I don't know when it became okay to be disrespectful, to holler and yell, and act like a horses rear end in public and to be rude to people who just come to do their jobs. Maybe when the respect comes back we can open the doors back up and people will be allowed to come in. Lastly, I wanted to share a letter I got from representative Brad Paquette. When I had talked a couple weeks ago about revenue sharing Brad sent me a letter. It says, "I've always shared your concern pertaining to the depletion of revenue sharing funds between the state and local units of government and have supported and continue to support legislation which seeks to address the matter. Recently we passed house bills 4274 and 4275 which my colleagues and I believe will go a long way to address revenue shortfalls of local units of government. These bills create a revenue share trust fund within the Department of the Treasury. They are now winning a vote in the Michigan senate, and we will be tracking these dollars past the sign in of law. The bill creates a revenue sharing trust fund that will not lapse back to the state general fund at the end of the year. Under the new formula, 8% of state sales tax revenue taxed at a 4% rate will be deposited into the trust fund, generating a projected \$601 million for the fiscal year of 2025. Cities, townships, and villages will receive 52.87% of the fund while counties will receive 46%. Many across the state who represent local units of government came together to support this legislation including the Michigan township association, the Michigan association of counties, and the Michigan municipal league. The legislation was passed in the house and is now being considered in the senate and we will keep you updated, and I hope we can have a continue correspondence with the bolstering of revenue sharing in mind." So I want to thank Brad for being on top of that. That's all I have.

Flenar – Can I add one thing? Concerning the security of the hall, with all the stuff that goes on with shootings around the nation and whatever, I don't think I would open that up to the public. Somebody comes in at least we've got a stopping point now. I mean it might not be friendly, but the staff might like that also.

And the thing I will add, thank you Jerry, even though it says employees only city hall is open. You can call down here and make an appointment and they'd be more than happy to meet with you, sit with you, talk to you, answer your questions, go through whatever you want. I've said that before and I'll say it again, it's the absolute truth. There's no one in this building that doesn't want to help you.

Jill Mondschein – Can I just answer that sign on the door? We have extreme heat and extreme cold in here sometimes and sometimes we have to open the door to get fresh air in. When we do that we get an

influx of people. So, when we prop it open just enough I stuck a sign on there just saying hey we just can't have everyone wondering around so that's what that is. It's not meant to keep anyone out, only just for our safety.

Good to know, thank you. We have a motion by Weedon, supported by Money to adjourn. Roll call vote carries unanimously. Meeting adjourned at 7:44pm.

XV. Adjourn

Kalla Langston, City Clerk

Mayor Sean Denison

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	ALEXANDER CHEMICAL CORP CHEMICALS Vnd: 2293 Invoice: 76123	Invoice: 76123 Ref#: 27577(CHEMICAL DRUM RENTALS) 592-591.000-743.000 592-000.000-202.000	119.00	119.00
		Expected Check Run: 01/08/2024		119.00	119.00
12/31/2023	AP	AT&T TELEPHONE, INTERNET, CABLE 269 695-4028 269 409-8372 Vnd: 0153 Invoice: 11.17.23-12.16.23 Vnd: 0153 Invoice: 11.17.23-12.16.23	Invoice: 11.17.23-12.16.23 Ref#: 27578(MONTHLY BILLING) 101-753.000-853.000 592-590.000-853.000 592-591.000-853.000 101-000.000-202.000 592-000.000-202.000	155.14 33.10 41.95	155.14 75.05
		Expected Check Run: 01/08/2024		230.19	230.19
12/31/2023	AP	BAR 4 ENTERPRISES LLC GRANTS & SPECIAL PROJECTS Vnd: 2336 Invoice: 12.12.23	Invoice: 12.12.23 Ref#: 27627(FACADE GRANT AWARD - MCCOYS CREEK TAVERN) 101-101.000-967.002 101-000.000-202.000	4,037.00	4,037.00
		Expected Check Run: 01/08/2024		4,037.00	4,037.00
12/31/2023	AP	BOBBY E BLAYLOCK MAINT. - OFFICE EQUIPMENT Vnd: 1820 Invoice: 12.11.23	Invoice: 12.11.23 Ref#: 27579(REIMBURSEMENT FOR AWARDS - 2023 BANQUET) 101-336.000-934.000 101-000.000-202.000	30.13	30.13
		Expected Check Run: 01/08/2024		30.13	30.13
12/31/2023	AP	CHERIE COZADD CITY CENTER/UTIL./REFUNDS Vnd: MISC Invoice: 12.23.23	Invoice: 12.23.23 Ref#: 27576(CITY CENTER RENTAL DEPOSIT REFUND) 101-265.000-922.000 101-000.000-202.000	50.00	50.00
		Expected Check Run: 01/08/2024		50.00	50.00
12/31/2023	AP	CINTAS CORPORATION CONTRACTUAL Vnd: 1272 Invoice: 4175977833	Invoice: 4175977833 Ref#: 27584(MATS) 101-441.000-818.000 101-000.000-202.000	83.94	83.94
		Expected Check Run: 01/08/2024		83.94	83.94
12/31/2023	AP	CINTAS CORPORATION CONTRACTUAL Vnd: 1272 Invoice: 4178773479	Invoice: 4178773479 Ref#: 27585(MATS) 101-441.000-818.000 101-000.000-202.000	83.94	83.94
		Expected Check Run: 01/08/2024		83.94	83.94

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	CINTAS CORPORATION CONTRACTUAL Vnd: 1272 Invoice: 4176668933	Invoice: 4176668933 Ref#: 27586 (MATS & SHOP TOWELS) 101-441.000-818.000 101-000.000-202.000	154.17	154.17
		Expected Check Run: 01/08/2024		154.17	154.17
12/31/2023	AP	CO-ALLIANCE LLP - BUCHANAN GAS AND OIL Vnd: 0366 Invoice: 765317	Invoice: 765317 Ref#: 27580 (PROPANE) 101-567.000-751.000 101-000.000-202.000	297.49	297.49
		Expected Check Run: 01/08/2024		297.49	297.49
12/31/2023	AP	COMCAST BUSINESS CITY CENTER/UTIL./REFUNDS TELEPHONE, INTERNET, CABLE TELEPHONE, INTERNET, CABLE TELEPHONE, INTERNET, CABLE UTILITIES - CITY HALL Vnd: 1722 Invoice: 12.25.23-01.24.24 Vnd: 1722 Invoice: 12.25.23-01.24.24	Invoice: 12.25.23-01.24.24 Ref#: 27583 (MOTHLY CYCLE) 101-265.000-922.000 101-336.000-853.000 592-591.000-853.000 101-301.000-853.000 101-265.000-921.000 101-000.000-202.000 592-000.000-202.000	249.72 367.77 124.85 587.22 672.17	1,876.88 124.85
		Expected Check Run: 01/08/2024		2,001.73	2,001.73
12/31/2023	AP	COREY REED UNIFORMS Vnd: MISC Invoice: 12.09.23	Invoice: 12.09.23 Ref#: 27582 (REIMBURSEMENT FOR BOOTS) 101-301.000-768.000 101-000.000-202.000	200.00	200.00
		Expected Check Run: 01/08/2024		200.00	200.00
12/31/2023	AP	CUSTOM COMPUTER COMPANY LLC CONTRACTUAL Vnd: 0895 Invoice: 3162	Invoice: 3162 Ref#: 27581 (RING CENTRAL PHONE PLAN CITY HALL) 101-265.000-818.000 101-000.000-202.000	817.50	817.50
		Expected Check Run: 01/08/2024		817.50	817.50
12/31/2023	AP	DANIEL HOSFORD ECONOMIC DEVELOPMENT Vnd: 2125 Invoice: 2023066	Invoice: 2023066 Ref#: 27588 (SHORT FILM - MADE IN BUCHANAN OCTOBER 20) 101-700.000-735.000 101-000.000-202.000	3,800.00	3,800.00
		Expected Check Run: 01/08/2024		3,800.00	3,800.00

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	DYLAN THOMAS EDUCATION AND TRAINING Vnd: 2304 Invoice: 12.18.23	Invoice: 12.18.23 Ref#: 27587 (REIMBURSEMENT FOR CDL) 592-591.000-960.000 592-000.000-202.000	35.73	35.73
		Expected Check Run: 01/08/2024		35.73	35.73
12/31/2023	AP	ELECTION SOURCE CONTRACTUAL Vnd: 0532 Invoice: 01.01.24	Invoice: 01.01.24 Ref#: 27589 (ANNUAL MAINTENANCE CONTRACT) 101-262.000-818.000 101-000.000-202.000	1,230.00	1,230.00
		Expected Check Run: 01/08/2024		1,230.00	1,230.00
12/31/2023	AP	EXEMPLAR IT SOLUTIONS CONTRACTUAL - EXEMPLAR Vnd: 2228 Invoice: 1217	Invoice: 1217 Ref#: 27590 (2 TB SOLID STATE DRIVES FOR PRIMARY SERV) 101-265.000-818.000 101-000.000-202.000	1,458.00	1,458.00
		Expected Check Run: 01/08/2024		1,458.00	1,458.00
12/31/2023	AP	FERGUSON WATERWORKS #1934 ROAD MAIN. MATERIAL & SUPPLIES Vnd: 1536 Invoice: 0350897	Invoice: 0350897 Ref#: 27592 (MAN HOLE LID FOR FRONT ST & DETROIT ST) 202-463.000-782.000 202-000.000-202.000	144.69	144.69
		Expected Check Run: 01/08/2024		144.69	144.69
12/31/2023	AP	FOX FIRE SAFETY SALES & SERVICE MAINTENANCE-BUILDINGS Vnd: 2127 Invoice: 139660	Invoice: 139660 Ref#: 27591 (FIRE EXTINGUISHERS AT WWTP) 592-590.000-931.000 592-000.000-202.000	121.00	121.00
		Expected Check Run: 01/08/2024		121.00	121.00
12/31/2023	AP	GENE WESNER AUTOMOTIVE MAINTENANCE - VEHICLE Vnd: 1887 Invoice: 09302	Invoice: 09302 Ref#: 27597 (OIL FOR 46-1) 101-301.000-939.000 101-000.000-202.000	4.00	4.00
		Expected Check Run: 01/08/2024		4.00	4.00
12/31/2023	AP	GENE WESNER AUTOMOTIVE MAINTENANCE - VEHICLE Vnd: 1887 Invoice: 20899	Invoice: 20899 Ref#: 27598 (OIL CHANGE ON CAR 46-4) 101-301.000-939.000 101-000.000-202.000	57.55	57.55
		Expected Check Run: 01/08/2024		57.55	57.55

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	GRAINGER MAINTENANCE - EQUIPMENT Vnd: 0248 Invoice: 9946240190	Invoice: 9946240190 Ref#: 27594(UV AIR COMPRESSOR) 592-590.000-933.000 592-000.000-202.000	79.76	79.76
		Expected Check Run: 01/08/2024		79.76	79.76
12/31/2023	AP	GRAINGER GAS AND OIL Vnd: 0248 Invoice: 9940394829	Invoice: 9940394829 Ref#: 27595(UV AIR COMPRESSOR) 592-590.000-751.000 592-000.000-202.000	65.71	65.71
		Expected Check Run: 01/08/2024		65.71	65.71
12/31/2023	AP	GRAINGER MAINTENANCE - EQUIPMENT Vnd: 0248 Invoice: 9933818123	Invoice: 9933818123 Ref#: 27596(UV COMPRESSOR FUSES) 592-590.000-933.000 592-000.000-202.000	75.87	75.87
		Expected Check Run: 01/08/2024		75.87	75.87
12/31/2023	AP	GUY EDWARD LEWIS CONTRACTUAL Vnd: 0023 Invoice: 12.31.23	Invoice: 12.31.23 Ref#: 27593(DECEMBER 2023 MIELAGE) 101-371.001-818.000 101-000.000-202.000	55.27	55.27
		Expected Check Run: 01/08/2024		55.27	55.27
12/31/2023	AP	HEIN ELECTRIC INC. MAINTENANCE - EQUIPMENT Vnd: 2175 Invoice: J23-206	Invoice: J23-206 Ref#: 27599(DISCONNECT POWER TO BOILER) 592-590.000-933.000 592-000.000-202.000	260.00	260.00
		Expected Check Run: 01/08/2024		260.00	260.00
12/31/2023	AP	HONOR CREDIT UNION CODE BOOKS BANK FEES AND CHARGES NILLA FOLDERS Vnd: 1948 Invoice: 11.30.23 - 0648	Invoice: 11.30.23 - 0648 Ref#: 27636(CITY CARD NOVEMBER & DECEMBER 2023) 101-371.001-150.000 101-267.000-956.000 101-265.000-756.000 101-000.000-202.000	160.00 27.16 37.98	225.14
		Expected Check Run: 01/08/2024		225.14	225.14
12/31/2023	AP	HONOR CREDIT UNION TWIN FOR BALER BANK FEES AND CHARGES Vnd: 1948 Invoice: 11.30.23 - 6104	Invoice: 11.30.23 - 6104 Ref#: 27637(BAKER NOVEMBER & DECEMBER 2023 CC) 101-441.000-933.000 101-267.000-956.000 101-000.000-202.000	147.00 26.97	173.97
		Expected Check Run: 01/08/2024		173.97	173.97

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	HONOR CREDIT UNION			
		VONAGE	101-301.000-853.000	826.08	
		GLOCK 22 MAGAZINES FOR RIFLES	101-301.000-729.000	55.66	
		BLOOD PATHOGEN KITS	101-301.000-756.000	214.16	
		SIGHTS AND MOUNTS FOR SHOTGUNS	101-301.000-729.000	154.50	
		PAPER FOR OFFICE	101-265.000-756.000	137.97	
		BANK FEES AND CHARGES	101-267.000-956.000	41.18	
		Vnd: 1948 Invoice: 11.30.23- 6070	101-000.000-202.000		1,429.55
		Expected Check Run: 01/08/2024			
				1,429.55	1,429.55
12/31/2023	AP	HONOR CREDIT UNION			
		MEMBERSHIP & DUES	101-215.000-831.000	775.00	
		LIVE BUCHANAN - REIMBURSED US FOR PUR.	101-700.000-735.000	423.14	
		BANK FEES AND CHARGES	101-267.000-956.000	41.02	
		Vnd: 1948 Invoice: 11.30.23	101-000.000-202.000		1,239.16
		Expected Check Run: 01/08/2024			
				1,239.16	1,239.16
12/31/2023	AP	HONOR CREDIT UNION			
		WEBSITE - NOV & DEC	248-754.000-851.000	27.48	
		ECONOMIC DEVELOPMENT	101-700.000-735.000	79.00	
		LABELS	101-265.000-756.000	16.99	
		INK	592-591.000-728.000	39.99	
		CLICK & SHIP FOR CHECK	101-253.000-728.000	28.75	
		MGFOA MEMBERSHIP	101-253.000-864.000	130.00	
		INK	101-371.001-728.000	129.32	
		CONTRACTUAL - PRIME NOV & DEC	101-265.000-818.000	29.98	
		OFFICE SUPPLIES	101-265.000-756.000	172.15	
		CORD FOR FRONT DESK	101-265.000-931.000	12.99	
		STAMPS	101-253.000-728.000	626.30	
		BLACK RIBBON FOR PRINTER UPFRONT	101-265.000-756.000	38.27	
		GFOA DUES	101-253.000-864.000	149.00	
		NEW CASH DRAWER UPFRONT	101-265.000-756.000	238.23	
		REFUND FOR SINK & SUPPLIES FOR B.I.	101-700.000-735.000		947.50
		BANK FEES AND CHARGES	101-267.000-956.000	46.89	
		DYMO LABELS	101-262.000-728.000	63.97	
		PAPER & HAND TOWELS/ HAND SOAP	101-265.000-756.000	49.73	
		PAPER & HAND TOWELS/ HAND SOAP	101-265.000-922.000	49.73	
		OFFICE PAPER	101-265.000-756.000	113.94	
		FELT PENS & CARD STOCK	101-215.000-728.000	26.09	
		TOILET PAPER	101-265.000-756.000	81.78	
		2 NAME PLATES	101-172.000-728.000	15.98	
		INK & PULL TOWELS	592-591.000-728.000	103.00	
		STORAGE RACK FOR IT ROOM	101-265.000-931.000	249.99	
		NEW IPAD FOR METERS	592-591.000-938.000	607.98	
		Vnd: 1948 Invoice: 11.30.23 - 0678	248-000.000-202.000		27.48
		Vnd: 1948 Invoice: 11.30.23 - 0678	101-000.000-202.000		1,401.58
		Vnd: 1948 Invoice: 11.30.23 - 0678	592-000.000-202.000		750.97
		Expected Check Run: 01/08/2024			
				3,127.53	3,127.53

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	JERRY FLENOR TRAIL GRANT EXPENDITURES Vnd: 1375 Invoice: 12.31.23	Invoice: 12.31.23 Ref#: 27600 (REIMBURSEMENT ON STAMPS & LLOYD MILLER P) 401-000.000-970.031 401-000.000-202.000	84.67	84.67
		Expected Check Run: 01/08/2024		84.67	84.67
12/31/2023	AP	KEN SIMPSON ELECTRICAL PERMITS Vnd: 0194 Invoice: 240110	Invoice: 240110 Ref#: 27602 (ELECTRICAL PERMITS FOR DECEMBER 2023) 701-000.000-491.000 701-000.000-202.000	605.60	605.60
		Expected Check Run: 01/08/2024		605.60	605.60
12/31/2023	AP	KOSHAR COMMERCIAL APPRAISAL SERVICE ECONOMIC DEVELOPMENT Vnd: MISC Invoice: 24-004	Invoice: 24-004 Ref#: 27601 (APPRAISAL REPORT FOR 401 RIVER ST) 101-700.000-735.000 101-000.000-202.000	1,500.00	1,500.00
		Expected Check Run: 01/08/2024		1,500.00	1,500.00
12/31/2023	AP	LEANNA GROTT CITY CENTER/UTIL./REFUNDS Vnd: MISC Invoice: 12.9.23	Invoice: 12.9.23 Ref#: 27575 (CITY CENTER RENTAL DEPOSIT REFUND) 101-265.000-922.000 101-000.000-202.000	50.00	50.00
		Expected Check Run: 01/08/2024		50.00	50.00
12/31/2023	AP	MARK FARM SUPPLY DUCK FEEDER Vnd: 2068 Invoice: 79212	Invoice: 79212 Ref#: 27630 (DUCK FEED) 701-000.000-582.067 701-000.000-202.000	57.47	57.47
		Expected Check Run: 01/08/2024		57.47	57.47
12/31/2023	AP	MICHIGAN STATE FIREMEN'S ASSOC MEMBERSHIP AND DUES Vnd: 0167 Invoice: 2024	Invoice: 2024 Ref#: 27632 (ANNUAL MEMBERSHIP FOR THE FIRE DEPARTMEN) 101-336.000-831.000 101-000.000-202.000	75.00	75.00
		Expected Check Run: 01/08/2024		75.00	75.00
12/31/2023	AP	MPEC GAS AND OIL Vnd: 2315 Invoice: 726334	Invoice: 726334 Ref#: 27634 (ANTI-GEL) 592-590.000-751.000 592-000.000-202.000	125.88	125.88
		Expected Check Run: 01/08/2024		125.88	125.88

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	MPEC MAINTENANCE - VEHICLE Vnd: 2315 Invoice: 726454	Invoice: 726454 Ref#: 27635 (BATTERIES FOR HOT PATCH WAGON - LIGHTS F) 101-441.000-939.000 101-000.000-202.000	388.56	388.56
		Expected Check Run: 01/08/2024		388.56	388.56
12/31/2023	AP	NFPA MEMBERSHIP AND DUES Vnd: 0216 Invoice: 01.19.23	Invoice: 01.19.23 Ref#: 27629 (RENEWAL OF YEARLY MEMBERSHIP FOR ROBERT) 101-336.000-831.000 101-000.000-202.000	175.00	175.00
		Expected Check Run: 01/08/2024		175.00	175.00
12/31/2023	AP	OFFICE DEPOT OFFICE SUPPLIES Vnd: 0019 Invoice: 341240098001	Invoice: 341240098001 Ref#: 27604 (PD OFFICE SUPPLIES) 101-301.000-728.000 101-000.000-202.000	157.22	157.22
		Expected Check Run: 01/08/2024		157.22	157.22
12/31/2023	AP	OMNISITE CONTRACTUAL Vnd: 0299 Invoice: 91862	Invoice: 91862 Ref#: 27603 (ANNUAL ALARM CALL MONITORING) 592-590.000-818.000 592-000.000-202.000	2,784.00	2,784.00
		Expected Check Run: 01/08/2024		2,784.00	2,784.00
12/31/2023	AP	PARRETT COMPANY PRINTER PRINTER PRINTER PRINTER Vnd: 1596 Invoice: 75132 Vnd: 1596 Invoice: 75132	Invoice: 75132 Ref#: 27607 (PRINTERS FOR CITY HALL, PD & WWTP) 592-590.000-818.000 101-301.000-818.000 101-265.000-818.000 101-265.000-818.000 592-000.000-202.000 101-000.000-202.000	3.96 69.29 154.25 21.75	3.96 245.29
		Expected Check Run: 01/08/2024		249.25	249.25
12/31/2023	AP	PRIDE THE PORTABLE TOILET CONTRACTUAL Vnd: 0866 Invoice: 37161	Invoice: 37161 Ref#: 27605 (COMMONS, BOAT LAUNCH, KATHRYN PARK, CENT) 101-755.000-818.000 101-000.000-202.000	860.00	860.00
		Expected Check Run: 01/08/2024		860.00	860.00
12/31/2023	AP	PRO SAFETY INNOVATIONS LLC RADIO MAINTENANCE Vnd: 1813 Invoice: 3214	Invoice: 3214 Ref#: 27606 (HYDROSTATIC TESTING OF SCBA BOTTLES & EX) 101-336.000-851.000 101-000.000-202.000	410.65	410.65
		Expected Check Run: 01/08/2024		410.65	410.65

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	REDBUD HARDWARE	Invoice: 12.31.23 Ref#: 27610 (DECEMBER 2023 PURCHASES)		
		BRAKE LIGHT BULB	592-591.000-939.000	5.49	
		AIR NOZZLER & AIR FRESHNER	592-591.000-756.000	14.98	
		SILICONE	592-590.000-933.000	11.97	
		BATTERY FOR DETECTOR	592-591.000-962.000	41.98	
		O-RING	592-591.000-962.000	0.94	
		TRASH RUN	101-441.000-756.000	21.49	
		SPRAY PAINT	101-441.000-756.000	10.99	
		LIGHT FOR LOADER - MULTITIMER BATTERY	101-441.000-933.000	13.08	
		MAINTENANCE-BUILDINGS	592-590.000-931.000	12.79	
		MISCELLANEOUS SUPPLIES	101-567.000-756.000	2.99	
		Vnd: 0141 Invoice: 12.31.23	592-000.000-202.000		88.15
		Vnd: 0141 Invoice: 12.31.23	101-000.000-202.000		48.55
		Expected Check Run: 01/08/2024		136.70	136.70
12/31/2023	AP	RICHARD WONACOTT	Invoice: 12.31.23 Ref#: 27574 (WORKED 2 BASKETBALL GAMES - 6 HRS)		
		CONTRACTUAL	101-301.000-818.000	72.00	
		Vnd: 0034 Invoice: 12.31.23	101-000.000-202.000		72.00
		Expected Check Run: 01/08/2024		72.00	72.00
12/31/2023	AP	RMC PROPERTIES LLC	Invoice: 25 Ref#: 27609 (DPW BUILDING LEASE)		
		CONTRACTUAL - LEASE	101-441.000-818.000	5,000.00	
		Vnd: 2153 Invoice: 25	101-000.000-202.000		5,000.00
		Expected Check Run: 01/08/2024		5,000.00	5,000.00
12/31/2023	AP	ROSE PEST SOLUTIONS	Invoice: 15004818 Ref#: 27611 (PEST CONTROL PD)		
		CONTRACTUAL - PEST CONTROL	101-301.000-818.000	78.00	
		Vnd: 0304 Invoice: 15004818	101-000.000-202.000		78.00
		Expected Check Run: 01/08/2024		78.00	78.00
12/31/2023	AP	ROSE PEST SOLUTIONS	Invoice: 150604556 Ref#: 27612 (CITY CENTER PEST CONTROL)		
		CITY CENTER/UTIL./REFUNDS	101-265.000-922.000	55.00	
		Vnd: 0304 Invoice: 150604556	101-000.000-202.000		55.00
		Expected Check Run: 01/08/2024		55.00	55.00
12/31/2023	AP	ROWLAND PROPERTY GROUP LLC	Invoice: 01.03.23 Ref#: 27608 (2021 FLOODPLAIN ASSISTANCE PROGRAM GRANT)		
		GRANTS & SPECIAL PROJECTS	101-101.000-967.002	5,000.00	
		Vnd: 2150 Invoice: 01.03.23	101-000.000-202.000		5,000.00
		Expected Check Run: 01/08/2024		5,000.00	5,000.00

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	S.E BERRIEN COUNTY LANDFILL SLUDGE REMOVAL Vnd: 1746 Invoice: 0163239-IN	Invoice: 0163239-IN Ref#: 27624(SLUDGE DISPOSAL) 592-590.000-936.000 592-000.000-202.000	342.20	342.20
		Expected Check Run: 01/08/2024		<u>342.20</u>	<u>342.20</u>
12/31/2023	AP	S.E BERRIEN COUNTY LANDFILL SLUDGE REMOVAL Vnd: 1746 Invoice: 0163350-IN	Invoice: 0163350-IN Ref#: 27625(SLUDGE DISPOSAL) 592-590.000-936.000 592-000.000-202.000	342.20	342.20
		Expected Check Run: 01/08/2024		<u>342.20</u>	<u>342.20</u>
12/31/2023	AP	SBF ENTERPRISES CONTRACTUAL Vnd: 1943 Invoice: 0138467	Invoice: 0138467 Ref#: 27623(TAX SETTLEMENT FUFILLMENT NOTICES) 101-253.000-818.000 101-000.000-202.000	436.06	436.06
		Expected Check Run: 01/08/2024		<u>436.06</u>	<u>436.06</u>
12/31/2023	AP	SOUTHWESTERN SUPPLY MAINTENANCE - EQUIPMENT Vnd: 1860 Invoice: 03/86237	Invoice: 03/86237 Ref#: 27621(NOZZLE FOR VACTOR) 592-591.000-933.000 592-000.000-202.000	362.45	362.45
		Expected Check Run: 01/08/2024		<u>362.45</u>	<u>362.45</u>
12/31/2023	AP	SOUTHWESTERN SUPPLY MAINTENANCE - VEHICLE Vnd: 1860 Invoice: 03/86434	Invoice: 03/86434 Ref#: 27622(HOSE FOR WESTERN STAR WING BLADE) 101-441.000-939.000 101-000.000-202.000	43.71	43.71
		Expected Check Run: 01/08/2024		<u>43.71</u>	<u>43.71</u>
12/31/2023	AP	STATE OF MI - DEPT OF TECHNOLOGY RADIO MAINTENANCE Vnd: 2275 Invoice: 24-000254	Invoice: 24-000254 Ref#: 27626(STATE PROGRAMMING OF NEW 800 MHZ RADIOS) 101-336.000-851.000 101-000.000-202.000	750.00	750.00
		Expected Check Run: 01/08/2024		<u>750.00</u>	<u>750.00</u>
12/31/2023	AP	STATE OF MICH.-DEPT OF TRANSP. AUDIT EXPENSES Vnd: 1826 Invoice: 591-11170842	Invoice: 591-11170842 Ref#: 27628(BUS OPERATING FINAL AUDIT) 588-000.000-807.000 588-000.000-202.000	859.00	859.00
		Expected Check Run: 01/08/2024		<u>859.00</u>	<u>859.00</u>

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	STATE OF MICHIGAN MAINTENANCE - EQUIPMENT Vnd: 0376 Invoice: BLR485779	Invoice: BLR485779 Ref#: 27631(BOILER INSPECTION) 592-590.000-933.000 592-000.000-202.000	75.00	75.00
		Expected Check Run: 01/08/2024		75.00	75.00
12/31/2023	AP	STATE OF MICHIGAN CONTRACTUAL Vnd: 1492 Invoice: 551-628003	Invoice: 551-628003 Ref#: 27633(LEIN TOKEN ACCESS) 101-301.000-818.000 101-000.000-202.000	33.00	33.00
		Expected Check Run: 01/08/2024		33.00	33.00
12/31/2023	AP	SWEET C. ROBINSON CONTRACTUAL Vnd: 1784 Invoice: 12.31.23	Invoice: 12.31.23 Ref#: 27573(WORKED 8 BASKETBALL GAMES - 23.5 HOURS) 101-301.000-818.000 101-000.000-202.000	282.00	282.00
		Expected Check Run: 01/08/2024		282.00	282.00
12/31/2023	AP	T MOBILE TELEPHONE, INTERNET, CABLE TELEPHONE, INTERNET, CABLE Vnd: 1963 Invoice: 01.01.24	Invoice: 01.01.24 Ref#: 27615(SOM AGENCY AND EMPLOYEE - PHONE) 101-301.000-853.000 101-336.000-853.000 101-000.000-202.000	7.00 7.00	14.00
		Expected Check Run: 01/08/2024		14.00	14.00
12/31/2023	AP	THE BARTON GROUP CONTRACTUAL Vnd: 1683 Invoice: 01032024-21	Invoice: 01032024-21 Ref#: 27613(CONSTRUCTION ADMINISTRATION SERVICES FC 469-000.000-818.000 469-000.000-202.000	5,000.00	5,000.00
		Expected Check Run: 01/08/2024		5,000.00	5,000.00
12/31/2023	AP	TREE TOP PRODUCTS TRAIL GRANT EXPENDITURES Vnd: 2330 Invoice: INVTRE25256	Invoice: INVTRE25256 Ref#: 27614(LARGE MESSAGE CENTER VERTICAL WITH POS 401-000.000-970.031 401-000.000-202.000	1,314.22	1,314.22
		Expected Check Run: 01/08/2024		1,314.22	1,314.22
12/31/2023	AP	USA BLUE BOOK CHEMICALS Vnd: 0388 Invoice: INV00227126	Invoice: INV00227126 Ref#: 27616(FLOURIDE TESTING) 592-591.000-743.000 592-000.000-202.000	289.89	289.89
		Expected Check Run: 01/08/2024		289.89	289.89

PROOF ONLY - JOURNAL ENTRIES NOT CREATED

Post Date	Journal	Description	GL Number	DR Amount	CR Amount
12/31/2023	AP	UTILITY SUPPLY COMPANY MAINTENANCE - SYSTEM Vnd: 2332 Invoice: 1467130	Invoice: 1467130 Ref#: 27617(6IN. REPAIR CLIP) 592-591.000-938.000 592-000.000-202.000	306.84	306.84
		Expected Check Run: 01/08/2024		306.84	306.84
12/31/2023	AP	VITAL RECORDS CONTROL CONTRACTUAL - SHREDDING Vnd: 0595 Invoice: 3912060BEH1	Invoice: 3912060BEH1 Ref#: 27618(SHREDDING CONTRACT) 101-265.000-818.000 101-000.000-202.000	140.27	140.27
		Expected Check Run: 01/08/2024		140.27	140.27
12/31/2023	AP	WEST SHORE FIRE SERVICES, INC. MAINTENANCE-BUILDINGS Vnd: 1810 Invoice: 31658	Invoice: 31658 Ref#: 27619(NEW C.O. CYLINDERS FOR SCBA FILL STATION) 101-336.000-931.000 101-000.000-202.000	316.67	316.67
		Expected Check Run: 01/08/2024		316.67	316.67
12/31/2023	AP	WEST SIDE TRACTOR MAINTENANCE - EQUIPMENT Vnd: 2061 Invoice: B13846	Invoice: B13846 Ref#: 27620(CHECKED LOADER/SHIFTING HEAD) 101-441.000-933.000 101-000.000-202.000	195.18	195.18
		Expected Check Run: 01/08/2024		195.18	195.18
				50,655.71	50,655.71
Cash/Payable Account Totals:					
		ACCOUNTS PAYABLE	101-000.000-202.000		35,186.57
		ACCOUNTS PAYABLE	202-000.000-202.000		144.69
		ACCOUNTS PAYABLE	248-000.000-202.000		27.48
		ACCOUNTS PAYABLE	401-000.000-202.000		1,398.89
		ACCOUNTS PAYABLE	469-000.000-202.000		5,000.00
		ACCOUNTS PAYABLE	588-000.000-202.000		859.00
		ACCOUNTS PAYABLE	592-000.000-202.000		6,428.51
		ACCOUNTS PAYABLE	701-000.000-202.000		663.07
		TOTAL INCREASE IN PAYABLE:			49,708.21

ADDENDUM TO CITY MANAGER EMPLOYMENT AGREEMENT

THIS ADENDUM TO CITY MANAGER EMPLOYMENT AGREEMENT (hereinafter "Addendum") is entered into on January 8, 2024, and is effective as of the 12th day of December 2023, by and between the City of Buchanan (hereinafter "City"), a Michigan public body corporate established and operated pursuant to Michigan law, and Timothy J. Lynch (hereinafter "Employee"). It is hereby agreed as follows:

1. Effective December 12, 2023 and during the Term of the City Manager Employment Agreement entered into between the City and Employee, Employee shall be paid an automobile allowance of Five Hundred Dollars (\$500) per month, less all applicable deductions and withholdings, which compensation shall be paid in accordance with the City's established payroll periods and practices. If the Employee's employment is terminated pursuant to Section 5 of this Agreement, Employee shall only be entitled to receive his accrued and unpaid automobile allowance through the effective date of termination.

2. This Addendum contains the entire understanding of the parties hereto with respect to the subject matter of this Addendum and this Addendum supersedes and completely nullifies any prior discussions, negotiations or agreements that in any way concern or relate to the City's employment of Employee. No provision of this Addendum may be altered, amended, modified, waived or discharged in any way whatsoever except by dated written agreement executed by both Employee and the City. No delay or failure of either party to insist, in any one or more instances, upon performance of any of the terms and conditions of this Addendum or to exercise any rights or remedies hereunder constitute a waiver or a relinquishment of such rights or remedies or any other rights or remedies hereunder.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to be duly executed on the date and year first above written.

Employee

Timothy J. Lynch
[Signature]

City of Buchanan

By: _____
Sean Denison
[Signature]

Its: Mayor

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated September 16, 2020

**AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 4**

The Effective Date of this Amendment is: January 1, 2024.

Background Data

Effective Date of Owner-Engineer Agreement: September 16, 2020

Owner: City of Buchanan

Engineer: Prein&Newhof

Project: Storm Sewer System Improvements, Water System Improvements, and Wastewater System Improvements

Nature of Amendment:

- X Additional Services to be performed by Engineer
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

The purpose of this amendment is to finalize the easement acquisition costs that were estimated in Amendment No. 2 of the Owner-Engineering Agreement.

This amendment is also to request approval of our 2024 hourly rates, as shown on the attached.

In summary, the above referenced scope changes will impact the engineering fees as follows:

Project	Basic Services	Resident Project Representative	Additional Services	Subtotal
Wastewater			\$31,650	\$31,650
Water			\$27,668	\$27,668
Non-Participating				
			Total	\$59,318

Agreement Summary:

Original agreement amount:	\$ 2,645,000
Net change for prior amendments:	\$ 525,545
This amendment amount:	\$ 59,318
Adjusted Agreement amount:	\$ 3,229,863

Change in time for services (days or date, as applicable): N/A

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER:

ENGINEER:

City of Buchanan _____

Prein&Newhof _____

By: _____
 Print name: Sean Denison _____

By: _____
 Print name: Jason Washler _____

Title: City Mayor _____

Title: Vice President _____

Date Signed: _____

Date Signed: _____

Fee Schedule

Effective January, 2024

Unless otherwise agreed, Prein&Newhof bills for time spent on a project at the hourly rate of the employees assigned. Identified below are the hourly rates for various employee classifications. Hourly billing rates include overhead, fringe benefits, and profit.

<u>Employee Classification</u>	<u>Hourly Billing Rate</u>
Senior Project Manager II, Senior Professional V	\$194
Senior Project Manager, Senior Professional IV	\$179
Project Manager, Senior Engineer III, Senior Professional III, Landscape Architect III, Senior Technician V	\$164
Senior Engineer II, Senior Professional II, Surveyor IV, Senior Technician IV, Geologist, Lab Manager	\$153
Senior Engineer, Senior Professional, Landscape Architect II, Surveyor III, Senior Technician III	\$143
Engineer II, Surveyor II, Senior Technician II, Senior Office Technician	\$134
Engineer, Surveyor, Senior Technician	\$124
Landscape Architect, Technician IV	\$114
Technician III, Lab Technician, Office Technician	\$104
Technician II	\$91
Technician	\$78

<u>Project Expenses</u>	<u>Billing Rate</u>
Mileage	\$0.70/mile
Direct expenses and sub-consultant costs	Invoice amount plus a 10% handling charge

City of Buchanan, County of Berrien, State of Michigan
RESOLUTION NO. 2024.01/01

RESOLUTION OF THE BUCHANAN CITY COMMISSION TO AUTHORIZE CITY PERSONNEL TO EXECUTE DOCUMENTS REPLACING THE ENVIRONMENTAL RESTRICTIVE COVENANT ON BEHALF OF THE CITY OF BUCHANAN FOR THE CITY OWNED PROPERTY AT 401 RIVER ST BUCHANAN, MI 49107.

WHEREAS, the City of Buchanan City Commission believes it is in the best interest of the City of Buchanan to replace the existing environmental restrictive covenant on the city owned property at 401 River Street, Buchanan, MI 49107 (recorded by the Register of Deeds on May 1, 2006, at Liber 2707, Pages 609-632)

WHEREAS, The City’s objective is to replace the environmental restrictions on the property consistent with current law and enable the redevelopment of the 401 River Street property in order to build our tax base and retain and create good jobs.

WHEREAS, there are certain documents that will need to be signed and recorded on behalf of the city in order to replace the existing restrictive covenant.

NOW THEREFORE, BE IT RESOLVED, the City Commission authorizes City Manager Timothy J. Lynch and City Clerk Kalla Langston to execute the updated restrictive covenant for 401 River St. Buchanan, MI 49103 and to execute documents to rescind the existing restrictive covenant and record both with the register of deeds.

AYES:

NAYES:

ABSENT:

RESOLUTION DECLARER AND ADOPTED.

Kalla Langston, City Clerk

I HEREBY CERTIFY that the foregoing is a Resolution duly made and passed by the City Commission of the City of Buchanan at their regular meeting held on January 8th, 2024, at 7:00 p.m. in City of Buchanan, City hall, with a quorum present.

Kalla Langston, City Clerk

Dated: _____

PROPOSED RESOLUTION

CITY OF BUCHANAN
COUNTY OF BERRIEN, STATE OF MICHIGAN
RESOLUTION NO. 2024.01/02

A RESOLUTION FOR CITY COMMISSION CENSURE OF CITY COMMISSIONER DAN VIGANSKY

WHEREAS, the City of Buchanan has adopted the City Code of Conduct, Ordinance 2021.12/427 (hereinafter “Code”); City's Misconduct Harassment and Discrimination Policy ("Policy"); and Rules of Procedure for City Commission Meetings (hereinafter Rules)

WHEREAS, based on the Code, Policy and Rules, the City Mayor, filed proposed charges against Commissioner Vigansky (hereinafter “Proposed Charges”) attached hereto;

WHEREAS, a notice of the Proposed Charges and a hearing thereon, set for December 11, 2023, commencing at 5:30p.m., was served on Commissioner Vigansky by email and regular mail on December 4, 2023 (hereinafter “Notice of Charges”);

WHEREAS, the Proposed Charges presented at the December 11, 2023 hearing contain four (4) specifications, as follows:

1. During a June 14, 2023, public meeting of the Buchanan Area Recreation Board, Mr. “Vigansky" addressed members of the public audience, which included African-American individuals, using the phrases "you people" and "those people." This conduct resulted in the filing of a Complaint with the Michigan Department of Civil Rights (MDCR), Case # 635831. This Complaint is still under review by the Civil Rights Department, has harmed citizen relations with the City, and caused the City to unnecessarily spend funds on attorney's fees responding to the MDCR Complaint.

2. On November 3, 2023, the City of Buchanan Mayor sent to all City Commission members, by text message, a six-page complaint made by City employees against the City Manager. The Mayor specifically instructed each Commission Member to keep the employees' complaint confidential and that the complaints would be investigated by the City Attorney. Mr. Vigansky disregarded the confidentiality directive by producing the complaint to the City Manager and releasing a copy or contents of the Complaint to the public, before an investigation could even be started. Although the employee complaints would be available to the public, release of the complaints before employees and the City Manager could be interviewed risked impeding investigation of the complaints. The complaint has at least five allegations of misconduct against female employees. Mr. Vigansky's actions were acts of retaliation for the reporting of conduct in violation of the City's Misconduct, Harassment and Discrimination Policy ("Policy").

3. After receiving an envelope containing written employee complaints on November 3, 2023 against the City Manager, Mayor Denison explained to Mr. Vigansky that the City had received multiple employee complaints from different City departments concerning the City Manager. Without reading the complaints, Mr. Vigansky immediately stated to

PROPOSED RESOLUTION

Mayor Denison that the complaints were "just a bunch of retaliatory b_ sh_ ." This is a clear statement Mr. Vigansky is completely not concerned with the investigation and, if needed, resolution of employee concerns.

4. On the morning of November 8, 2023, Mr. Vigansky entered the City Hall office and confronted City Bookkeeper Courtney Baham and Clerk Kalla Langston over their involvement in the employee complaints filed against the City Manager. The employee complaint contains allegations of misconduct against female employees. This incident was reported to the Berrien County Sheriff’s Department, where the incident is being investigated. Mr. Vigansky's actions were acts of retaliation for the reporting of conduct in violation of the City's Misconduct Harassment and Discrimination Policy ("Policy").

WHEREAS, at the December 11, 2023 hearing, the following witnesses testifying under oath, James Busby, John Brown, Mayor Sean Denison, City Clerk Kalla Langston, and City Bookkeeper Courtney Baham, presented witness testimony and/or documents that substantiated all four (4) specifications of the Proposed Charges and Commissioner Vigansky did not appear at the hearing, either in person or through a representative, and did not otherwise in any manner respond to the Charges at the December 11, 2023 hearing;

WHEREAS, at the November 27, 2023, Regular Meeting of the City Commission, Commissioner Vigansky commented on the record on the City Commission’s vote to hold a special hearing on the Proposed Charges and stated “don’t expect me to show up at your stupid hearing-contact the Governor.”

WHEREAS, at the December 11, 2023, Hearing, the Commission confirmed that the City Clerk served the Notice of Charges, set for a hearing on December 11, 2023, commencing at 5:30p.m., on Commissioner Vigansky by email and regular mail on December 4, 2023, attached hereto;

WHEREAS, the City Commission has completed the hearing process on the Charges, as required under Code and Rules, and at the December 11, 2023 hearing voted unanimously that all four (4) specifications of the Charges have been substantiated and that a resolution of censure be presented and discussed at the Commission’s next regular meeting to request Mr. Vigansky’s resignation, and if Mr. Vigansky refused to resign that the Commission approve any and all actions necessary to terminate Mr. Vigansky’s right to hold the office of a City Commissioner, including the filing of charges with the Governor of the State of Michigan requesting an action for the removal of Commissioner Vigansky from office on the City Commission pursuant to MCL 168.327.

NOW, THEREFORE, IT IS RESOLVED THAT, by the unanimous vote of Commissioners Weedon, Money, Swem, and Mayor Denison, the Commission finds that all of the statements of fact contained in all four (4) of the specifications contained in the Proposed Charges have been substantiated by the sworn testimony of witnesses James Busby, John Brown, City Clerk Kalla Langston, City Bookkeeper Courtney Baham and the sworn testimony of Mayor Denison and the documents submitted by Mayor Denison to the Commission at the December 11, 2023 hearing, and Commissioner Vigansky’s conduct as set out in the specifications constitutes misconduct in office in violation of the Code and Policy;

PROPOSED RESOLUTION

IT FURTHER RESOLVED THAT, a resolution of censure is hereby adopted against Commissioner Vigansky based on the Commission’s findings that all four (4) of the specifications of the Proposed Charges have been substantiated.

IT FURTHER RESOLVED THAT, pursuant to the Code and effective immediately, Commissioner Vigansky is removed from his appointed positions on the Board of Directors of the Buchanan Area Recreation Board and the Joint Board of the Joint Water Sewer Board.

IT FURTHER RESOLVED THAT, because two or more independent findings of misconduct in office are found based on the Proposed Charges, the Commission requests that Commissioner Vigansky tender to the Commission his written resignation from his Commission office on or before January 9th, 2024.

IT FURTHER RESOLVED THAT, if Commissioner Vigansky fails or refuses to tender his written resignation from Commission office to the Commission on or before January 9th, 2024, the Commission hereby authorizes the Mayor, on behalf of the Commission, to take any legal actions necessary to terminate Commissioner Vigansky’s right to remain a seated City Commissioner of the City of Buchanan, including the filing of charges with the Governor of the State of Michigan requesting an action for the removal of Commissioner Vigansky from office on the City Commission pursuant to MCL 168.327.

IT FURTHER RESOLVED THAT, a copy of this Resolution NO. 2024.01/02 be served upon Commissioner Vigansky either in person or by regular and certified mail at the earliest possible time, filed with the City Clerk, and published consistent with all applicable provisions of the City’s Charter, ordinances, rules, policies and procedures.

AYES: Commissioners _____

NAYS: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED

Sean Denison, Mayor _____

Kalla Langston, City Clerk _____

CERTIFICATION

The foregoing resolution was certified at a regular meeting of the City Commission of the City of Buchanan, Michigan, held on January 8, 2024, at 7:00 p.m.

Kalla Langston, City Clerk, City of Buchanan _____