



PUBLIC HEARING & REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, MARCH 10, 2025 – 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

A. Call to Order the Public Hearing

B. Roll Call

C. Statement of Purpose and Announcement of the Rules of the Hearing-The purpose of the public hearing is to hear public comments on a proposed Dwelling Unit Registration Ordinance (Ordinance 2025.03/441).

D. Close of Public Hearing

II. Call to Order

III. Recognition

IV. Pledge of Allegiance

V. Roll Call

VI. Approve Agenda

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

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

A. Minutes- Consider approving the Regular Meeting Minutes from February 24th, 2025.

B. Department Reports- receive monthly reports.

C. Excuse- Consider excusing Commissioner Raquell George from the February 24th Regular Meeting.

IX. Scheduled Matters from the Floor (if any)

X. Reports by: Departments, Committees, Boards

A. Community Development Report- Community Development Director, Rich Murphy

1) Consider approval of High Profiles QPS Holdings Adult Use Retail Renewal at 804 E. Front St.

2) Conser approval of 7 Engines, G2 Development Adult Use Renewals, as follows:

-Adult Use Retailer Permit at 1101 E Front St.

-Adult Use Grower Class C at 408 River St.

-Adult Use Processor at 408 River St.

XI. Unfinished Business

XII. New Business

A. Ordinance 2025.03/441-Consider the first reading of Ordinance 2025.03/441, an ordinance for dwelling unit registration- City Clerk, Kalla Langston

B. Resolution 2025.03/08- A Resolution opposing the proposed increases in Michigan Waste Disposal Tipping Fees.

C. Road Discussion- City Manager, Tony McGhee

D. Discussion & Consider Bond options for USDA project- City Manager, Tony McGhee

E. Consider approving the Jones & Henry Proposal for Water and Sewer Feasibility Study- City Manager Tony McGhee

F. Expenditures- Consider approving the expenditures for March 10th, 2025.

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

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

XV. Executive Comments

A. City Manager Comments

B. Commissioner Comments

C. Mayor Comments

XVI. Adjourn



Posted at City Hall 2/27/2025
And at www.cityofbuchanan.com

POSTED: 2/27/2025

**CITY OF BUCHANAN
CITY COMMISSION
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the City Commission of the City of Buchanan, Berrien County, State of Michigan will hold a public hearing at 7:00 p.m. on Monday, March 10th, 2025, at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan. The purpose of the public hearing is to hear public comments on a proposed Dwelling Unit Registration Ordinance (Ordinance 2025.03/441). At the hearing, all interested parties will be given the opportunity to be heard. The proposed Ordinance can be found on our website, or a copy can be obtained at City Hall 302 N. Redbud Trail Buchanan, MI 49107.

If you cannot attend the public hearing, written comments can be sent to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan 49107 or emailed to City Clerk Kalla Langston at Clerk@cityofbuchanan.com and must be received by noon on Monday, March 10th, 2025.

Kalla Langston
City Clerk



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, FEBRUARY 24, 2025 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

I. Call to Order

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

II. Recognition

III. Pledge of Allegiance

Mayor Weedon led in the pledge of allegiance.

IV. Roll Call

Present: Mayor Mark Weedon, Mayor Pro Tem Patrick Swem, Commissioner Dan Vigansky

Absent: Commissioner Larry Money & Commissioner Raquell George

City Staff: City Manager, Tony McGhee; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Chief Harvey Burnett; Chief Mike Adams

V. Approve Agenda

Motion made by Vigansky, supported by Swem to approve the agenda, as presented. Voice votes carry 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. Minutes- Consider approving the Regular Meeting Minutes from Feb. 10th, 2025.

B. Banking Accounts- Consider closing banking accounts at Huntington Bank and United Federal Credit Union.

C. Excuse- Consider excusing Commissioner Larry Money from the February 10th Regular Meeting and the February 24th Regular Meeting.

Motion made by Vigansky, supported by Swem to approve the consent agenda, as presented. Voice votes carry unanimously.

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

IX. Reports by: Departments, Committees, Boards

A. Compensation Commission Report -Chair Tony Houser *(the City Commission may choose to motion for the denial of the official document submitted by the Compensation Commission, if no denial no motion is needed for approval).*

Houser presented the findings of the Compensation Commission.

B. Community Development Department- Director Rich Murphy

1) Consideration of approval to proceed with Berrien County Bid Award and Demolition at 111 Railroad St./ 708 S. Redbud Trail.

Murphy has been collaborating with the County Land Bank and Shea Miller from Blue Point on this demolition project. The recommended bid was submitted by Melching Construction from Muskegon, and it came in under budget

Motion made by Vigansky, supported by Swem to proceed with the Berrien County Bid and Award and Demolition at 111 Railroad/708 S Redbud Trail. Roll call votes carry unanimously.

2) *Consider approval of Stranger Wine Company Local Government Approval for Social District Application at 201 Front St.*

Motion made by Swem, supported by Vigansky to approve the local government's approval for Stranger Wine Company, Resolution 2025.02/07, as presented. Roll call vote carry unanimously.

3) *Brief project updates.*

X. Unfinished Business

A. Ordinance 2025.02/440- *Consider the second reading and approval of Ordinance 2025.02/44- Fire Prevention and Protection. (See Attachment A)*

Motion made by Swem, supported by Vigansky to approve the second reading and approval of Ordinance 2025.02/440, as presented. Roll call votes carry unanimously.

XI. New Business

A. Parks Grant 2025 Discussion- *City Manager, Tony McGhee*

McGhee brought up two different park projects that the Commission and community have been actively discussing. The first project is Kathryn Park, which will feature new playground equipment and parking areas. The second project is the Riverfront, for which we have received two grants in the past year; we are now considering adding a pavilion and public restrooms.

McGhee is asking which park should be prioritized when it comes to grant matches. While we intend to apply for grants for both parks, he would like to know the Commission's priority. Kathryn Park has been a priority for the commission in the last two budget sessions. Would like to plan for both if it's able to be in the 2026-2027 FY budget.

B. Bendzinski & Co.- *Consider the engagement letter from Bendzinski & Co.*

Motion made by Vigansky, supported by Swem, to approve the engagement letter from Bendzinski & Co. as presented. Roll call votes carry unanimously.

B. Expenditures- *Consider approving the expenditures for February 24th, 2025 in the amount of \$39,010.27.*

Motion made by Vigansky, supported by Swem to approve the expenditures in the amount of \$39,010.27. Roll call votes carry unanimously.

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

A. Save the Date! Buchanan Downtown Project Update on March 3rd at 6:00 PM at Buchanan City Hall- *Everything you need to know about the Buchanan Downtown Project. Project Scope and Timeline, Communication Strategy, Q & A Session. The City Team, Engineers, and Contractors will all be present. This is a public meeting downtown residents and businesses are especially encouraged to attend.*

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

Randy Hendrixson- comments about offering public restrooms to the city at building 324.

Mike Zimmerman- comments about the dead limbs by the riverfront park.

XIV. Executive Comments**A. City Manager Comments**

Addressing the road by Bigby, the engineering team will be meeting to come up with options for repairs. They are actively working on that. The Rental Ordinance will be discussed at the next meeting. The trees were removed for the downtown project. Detour signage is typical when starting a project like this, and changes are being made in some areas, including near Moccasin School. The Request for Proposals (RFP) for roof repairs at the Tin Shop Theater will be sent out on Wednesday. During the snowstorm, the loader broke down, which slowed things down for the street crew, but they managed to get it fixed and back in operation. The closeout paperwork for DPW building is almost complete, and there is a little bit of contingency money coming back. We will be putting out an RFP to address the stained-glass window at the cemetery chapel.

B. Commissioner Comments

Vigansky commented on the detour signs and raised questions about the log boiler at the DPW building.

Swem expressed gratitude to everyone involved with the feed mill site and expressed high confidence in the Fire Department regarding their fire inspection program. He also made a few recommendations for improvements to the program.

C. Mayor Comments

Weedon made no further comments.

XV. Adjourn

Motion made by Vigansky, supported by Swem to adjourn the meeting at 7:49 PM. Roll call votes carry unanimously.

Kalla Langston, City Clerk

Mayor Mark Weedon



Buchanan Water Monthly Report for February 2025

- **We completed the M.O.R. and two sets of Bacti samples to stay in compliance with EGLE.**
- **Dylan and I inspected 150 houses for the CDSMI program from EGLE.**
- **We marked 75 different addresses for Miss Dig. Water, Sewer, and Storm Drains we marked at each address.**
- **We had two water main breaks and one water line that was leaking, we fixed them.**
 - **Responded to seven service calls from residents.**
- **I submitted our annual Cross Connection Report and the Service Line Replacement Report to EGLE for compliance.**
 - **Assisted DWP with River St filling potholes.**
 - **Repaired Chlorine gas injection system.**

Clerk Department- Feb 2025

City Meetings

In addition to participating in the meeting itself, time is spent scheduling, drafting/publishing the agenda, contributing supporting documentation, recording/creating/publishing minutes, creating/certifying/ publishing resolutions and ordinances, and proclamations, etc.

Meeting	Regular Mtg	Special Mtg
City Commission	2/10/2025 & 2/25/2025	2/4/2025
Planning Commission	2/11/2025	2/25/2025
DRC	2/19/2025	
Compensation Committee	2/11/2025	
Joint Water Sewer Board	2/3/2025	2/27/2025
Friends of the Trail	2/27/2025	2/13/2025
Resolutions	YTD	8
Ordinances	YTD	2

Elections

The November 2024 election is officially done with audits, with everything released into retention. The County was selected to perform Audits on random jurisdictions and pcts. located in the county. I helped perform the audits of St. Joseph City, Niles Township, Benton Harbor Charter, and Bainbridge Township. There is the possibility of an August & November 2025 Election. I will be reaching out to the election workers to see who has availability. Voter registration and voter rolls are updated weekly.

FOIA Requests & Notary

YTD-8 FOIA requests.
 YTD- 7 Notary.

Cemetery

Cemetery Sexton handling all aspects of the grounds and selling plots. The clerk's department handles the scheduling of burials, data entry, and cash handling for burials and plot purchases.

YTD- 4 sold plots
YTD- 11 burials

Administrative

- Ordinance reviews for Fire, Rental, ROW.
- Job posting for Water Operator.
- Inactive and Active personnel files.
- Inventory list
- Dedicated Election Closet organized and cleaned.
- Prepared Berrien County Clerks Association Meeting agenda, appointed as Chair of the Association in December of 2024.
- Day to Day assignments assigned by City Manager.
- Residents assisted as needed.

Offense Count Report

Report Criteria:

Start Offense	End Offense	Officer
01000	99009	ALL

OFFENSE COUNT

01/01/2025-02/28/2025

Offense	Description	OFFENSE COUNT
13001	NONAGGRAVATED ASSAULT	7
13002	AGGRAVATED/FELONIOUS ASSAULT	1
13003	INTIMIDATION/STALKING	4
23005	LARCENY - THEFT FROM MOTOR VEHICLE	3
23007	LARCENY - OTHER	5
24001	MOTOR VEHICLE THEFT	1
24002	MOTOR VEHICLE AS STOLEN PROPERTY	1
26001	FRAUD - FALSE PRETENSE/SWINDLE/CONF	1
26002	FRAUD - CREDIT CARD/ATM	2
26005	FRAUD - WIRE	2
26006	FRAUD - BAD CHECKS	1
26007	FRAUD - IDENTITY THEFT	1
29000	DAMAGE TO PROPERTY	2
38001	FAMILY - ABUSE/NEGLECT NONVIOLENT	1
38003	FAMILY - OTHER	1
42000	DRUNKENNESS	1
50000	OBSTRUCTING JUSTICE	4
53001	DISORDERLY CONDUCT	6
53002	PUBLIC PEACE - OTHER	8
54002	OUH OR OUID	1
54003	DRIVING LAW VIOLATIONS	9
55000	HEALTH AND SAFETY	8
57001	TRESPASS	1
70004	Juvenile Issues	5
91001	Juvenile -Incorrigible	1
93001	PROPERTY DAMAGE ACCIDENT/PI	6
93002	Private Property Accident	1
93004	Abandoned Vehicle	3
98005	Alarms	23
98006	Civil	17
98007	Suspicious Situation	32
98008	Lost & Found Property	3
99002	Accidental Death	1
99007	Medical Assist	60
99008	General Assist	54
99009	General Non-Criminal Assist	45
Totals:		322

Offense Count Report

Report Criteria:

Start Offense	End Offense	Officer
99010	99010	ALL

OFFENSE COUNT

01/01/2025-02/28/2025

Offense	Description	OFFENSE COUNT
99010	Ordinance Violation	58
Totals:		58



- 1107 Victory – Residential structure has been demolished. Contractor will grade and seed as weather conditions allow.
- 111 Railroad St./708 S. Redbud - Demo bid to be officially awarded by Berrien County. Project timeline to follow.
- Working on Michigan DNR grant applications for Kathryn Park and River projects. Expect to have resolutions before the Commission for consideration of approval at March 24 City Commission meeting.
- Downtown Project Communication Plan has been launched with regular updates on City's Facebook page. We are exploring other ideas to drive businesses and residents to the Project Website for interactive updates to access and parking.
- McCoy's Creek Trail Extension pre-construction meeting held on February 27, 2025. All neighbors adjacent to construction were invited to attend. Construction to commence mid-March with initial clearing and staging this week. Groundbreaking event will be held March 10, 2025 at 10:00 AM at River St. Joe Brewery.

PREPARED BY: Mike Baker

PREPARED ON: 3/3/2025

SUBJECT: DPW Briefing

BACKGROUND:

- Salt Routes & a plow run
- Loaded J&M Excavating with dirt for Richards St demo project multiple days
- Jetted sewer main at Oak & Charles CT & 4th & Chippewa
- Checked sewer at 507 w 3rd st & checked sewer depth AT 111 Terre Coupe
- Michigan water asset management plan survey
- Attended virtual MS4 Meeting
- Repairing rear axle on Kubota F3990
- Worked on baler multiple days
- Replaced auger control switch on Western Star Salt Truck
- Took trash/items from city hall to dispose of and donate to RAM Love
- Cleaned snow out of downtown
- Cleaned salt truck and backhoe of salt
- Took down light strands downtown and Christmas decorations off of poles
- Took plows off the trucks
- Threw multiple loads of patch
- Called in MISSDIG for River st, 4th st, Terre coupe/Dug out/Replaced with millings
- Ordered and picked up "Stop/Slow" signs from Grainger
- Worked on legs for conference room table
- Chipper truck ALTEC yearly inspection done
- Cleaned offices/bathrooms
- Leaf season rental tractor was picked up by owner
- Picked through wood for boiler and cut some wood to load daily

Finance Department Report for the Month of February 2025

- Balance and post Cash Receipts
- Recording the remainder of 2024 Property tax collection
- Prepare final Property tax disbursements
- TMF grant administration
- Consult with Michael Schwartz (Prein & Newhof) regarding Pay draw requests for both the TMF grant and the USDA loans
- Consult with Andy Campbell regarding options to obtain financing for “streetscape” items not covered under the USDA loans
- USDA loans administration/ Pay draw requests
- Prepare payment of TMF invoices
- Prepare payment of UDSA invoices
- Collecting final invoices for the new DPW building
- Reinvesting CDs that matured during the month of February.
- Recording interest earned in February.
- Work out bugs/issues with the new credit card processor Point & Pay administration
- Budget
- Consult with Michael Shwartz regarding the project of identifying water line materials and preparing Letter #2 to be mailed to residents
- Meeting with Bob Burch and Leanne Brownfield from Sturgis Bank regarding banking options and alternative loan options
- Research and implement new sick time act effective 2/21/25
- Review with Tim Lynch new invoices received and assign account numbers

PREPARED BY: Terry Burns and Zoey Martin

PREPARED ON: 2/28/2025

SUBJECT: WWTP Activity Briefing

BACKGROUND: The following items were completed over the last few weeks by the WWTP staff:

- A pipe burst was discovered due to a frozen water line in the maintenance shop. Water Department personnel assisted in shutting off the supply until repairs could be made. The leak was repaired by installing a new section of pipe and water service was restored.
- The Berrien County Health Department conducted a facility and septage receiving program inspection on January 30th. The inspection covered staffing, odor control measures, maintenance of the septage receiving facilities, and records management. All areas were found to be in compliance. The wastewater plant received and treated 459,000 gallons of septage waste in Calendar Year 2024
- All Wastewater Treatment Plant personnel attended a virtual training program on total nitrogen removal design and operation modifications for oxidation ditches for wastewater treatment. The class was provided by Michigan Department of Environment, Great Lakes, and Energy (EGLE)).
- The Mixed Liquor Mixer motor was repaired by Fixall Electric in Grand Rapids. The repair work included the installation of new bearings, seals and motor windings. The equipment was picked up and returned to the wastewater plant. A plan is currently being developed to pump down the Mixed Liquor Tank to accommodate the installation of the mixer into the tank.
- A new pump head from spare inventory was installed on the polymer pump associated with the sludge press equipment.
- Snow removal has been a major item in the last few weeks. A good routine has been developed for plowing, snow blowing and spreading salt around the plant.
- The Final Clarifiers were sprayed down and cleaned to assist in maintaining optimal functionality and operation.
- The UV channels and lamps were cleaned by using a crane to lift the lamp racks, followed by applying cleaning solution. All the lamps appeared in good condition.
- A monthly safety meeting was conducted with the topic being slip, trips, and falls - to reinforce safety measures and prevent workplace injuries.
- Monthly sampling and testing was performed for effluent total chlorides, sulfate, and copper. This testing is a new requirement of the plant's NPDES discharge permit.
- Otsego Crane and Hoist performed the annual MIOSHA required inspection on the plant's three cranes on February 21st. One worn cable was replaced on a tripod hoist to ensure safe operation.
- Notification was provided to the plant's septage haulers that the septage receiving station will be closed from March 3rd-12th due to planned construction work in that area.
- The plant's pickup trucks were cleaned at the City's new Department of Public Works Building.
- In addition to the items listed above and daily operation of the lab and plant, 146 Preventative Maintenance (PM) work orders were performed. PM work orders can be as simple as checking fluid levels or greasing equipment, but they can also entail major maintenance tasks that take hours or even days to complete.

CITY OF BUCHANAN
COUNTY OF BERRIEN, STATE OF MICHIGAN
ORDIANCE 2025.03/441

THE CITY OF BUCHANAN ORDAINS THAT CHAPTER 14 BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX, DWELLING UNIT REGISTRATION-GENERALLY of the City of Buchanan Code of Ordinance is hereby amended by adding the following:

ORDIANCE 2025.03/441

Sec. 14-312. - Registration of rental dwellings required.

All owners of rental dwellings shall register the dwelling with the city on an application in a form provided by the city. At the time an application is filed a registration fee in an amount established from time to time by resolution of the city commission shall be paid in full.

(1) *Annual registration.* The annual registration date shall be July 1 of each year and all fees required by this [Ordinance](#) shall be paid on or before August 15 of each year.

(2) *Registry of new rental dwellings.* The owner of a new rental dwelling or of any dwelling newly converted to a rental dwelling shall register the rental dwelling prior to allowing occupancy. If indicated in the resolution establishing the registration fee, the fee may be prorated for a registration of less than one year. Otherwise, the established fee shall be due.

(3) *Change in register information.* The owner of a rental dwelling(s) already registered with the city shall reregister within sixty (60) days after any change occurs in registration information. A new owner of a registered dwelling shall re-register the dwelling within sixty (60) days of assuming ownership.

(4) *Register of rental dwellings.* Application for registration shall be made in accordance with such instructions as may be provided with the registration application which shall include:

a. The address of the rental dwelling.

b. The number of rental dwelling units. If the premises also provides for temporary dwelling, the application shall also state the number of rooming units and the number of hotel/motel units in the premises for purposes of distinguishing them from the rental dwelling units.

c. The name, residence address, business address, business phone number, and personal phone number of the owner and property manager, if applicable.

d. The address where the owner and the local agent and/or property manager, if applicable, will accept notices or orders from the city.

e. Verification that all state and city taxes levied and assessed against the rental dwelling that are due and payable at the time of the filing of the application have been paid. Delinquencies on such taxes may result in the denial of an application for registration under this section.

(5) *Inaccurate or incomplete register information.* It shall be a violation of this [Ordinance](#) for an owner to provide inaccurate information for the register of rental dwellings or to fail to provide information required by the application.

(6) *Designation of local agent.* If the owner of a rental dwelling does not reside within sixty (60) miles of the city, he or she shall designate a responsible local agent who shall be legally responsible for operating such rental dwelling in compliance with the law, including the International Property Maintenance Code as made part of the city's Code of Ordinances. All official notices may be served on the responsible local agent and any notice so served shall be deemed to have been served upon the owner of record.

(7) *More than one owner or ownership by entity.* Where more than one person has an ownership interest, the required information shall be provided for each owner. In those cases in which the owner is not a person, the information required for the register shall be provided for the organization owning the rental dwelling and for the president, general manager, or other chief executive officer of the organization.

(8) *Definitions.* As used in this [Ordinance](#), the following words and terms shall have the meanings respectively ascribed to them:

a. *Occupant* means any person, other than a legal or equitable title holder, occupying or possessing all or part of a short-term rental.

b. *Rental dwelling* or *rental property* means any residential dwelling which is in whole or in part occupied by one or more person(s) pursuant to an oral or written agreement for monetary or any other consideration, but which person(s) is not acquiring an ownership interest in the dwelling. This shall include single-family, two-family and multiple-family dwellings, short-term rentals, dwellings occupied on a temporary basis that do not qualify as short-term rentals, rooming or boarding houses, not including hotels, motels, bed and breakfasts or dwellings that are occupied only by members of the owner's immediate family.

c. *Short-term* rental means a dwelling unit providing transient accommodations for periods of less than one month, more than three (3) times per year.

d. *Tenant* means any person, other than a legal or equitable title holder, occupying or possessing all or part of a rental dwelling, not including a short-term rental.

Sec. 14-313. - Certification of rental dwellings required.

Rental dwellings shall not be occupied without a certificate of compliance or a temporary certificate of compliance.

(1) *Issuance of certificate of compliance.* The city shall issue a certificate of compliance for a rental dwelling when, following an inspection by the building inspector, zoning administrator, and fire inspector and/or their designees, it is determined that the rental dwelling complies with the requirements of the Inspections Section 14-315 below.

(2) *Temporary certification authorized.* Where a certificate of compliance is required, the city may issue a temporary certificate of compliance for the following reasons:

a. For a newly registered rental dwelling until such time as the city is able to make a compliance inspection.

b. To enable the city to balance its compliance inspection workload.

c. To coincide with compliance time periods set forth in a notice citing violations of the city's Code of Ordinances if such periods extend beyond the expiration date of a certificate.

(3) *Validity of certificate of compliance.* A certificate of compliance shall be valid for two (2) years for all rental dwellings, unless suspended as set forth below.

(4) *Expiration of certificate of compliance.* Certificates of compliance and temporary certificates of compliance may not be extended beyond their expiration dates except as may be permitted in subsections (2) and (3) above to enable the building inspector to balance inspection workloads.

(5) *Revocation.* A certificate of compliance and/or a temporary certificate of compliance may be revoked subsequent to its issuance by the building inspector upon findings that the rental dwelling(s) fails to comply with **two or more** sections of this **Ordinance** and/or for repeated violations of sections of the city's property maintenance code, fire code, zoning ordinance, this **Ordinance**, or other applicable laws and regulations. An owner aggrieved by such revocation may appeal such action to the city's construction board of appeals in the same manner that a **citation for** violation of the property maintenance code may be appealed. Enforcement of such revocation shall be stayed while the appeal is pending before the construction board of appeals. An owner may petition the building inspector for reinstatement of a certificate of compliance and/or a temporary certificate of compliance revoked pursuant to this section no sooner than twelve (12) months after revocation.

(6) *Transfer prohibited.* No certificate issued under this [Ordinance](#) shall be transferred without the written consent of the building inspector, zoning administrator, and fire inspector.

Sec. 14-314. - Violations.

(a) A violation of this [Ordinance](#) shall be punishable as a municipal civil infraction. Any person, including, without limitation, an owner, property manager, local agent, tenant or occupant, who is found responsible for a violation of this [Ordinance](#) shall be subject to fines and penalties as follows:

(1) For the first violation within any thirty-six-month period, the penalty shall be a fine not to exceed two hundred fifty dollars (\$250.00).

(2) For a second violation within any thirty-six-month period, the penalty shall be a fine not to exceed five hundred dollars (\$500.00).

(3) For a third violation within any thirty-six-month period, the penalty shall be a fine not to exceed one thousand dollars (\$1,000.00) and/or suspension of a certificate of compliance and/or a temporary certificate of compliance.

Sec. 14-315. - Inspections.

(a) Before issuing a certificate of compliance, the city shall inspect all rental dwellings in order to determine whether they are in compliance with the city's property maintenance code, fire code, zoning ordinance, this [Ordinance](#), and other applicable laws and regulations.

(b) Upon written notice from the city, it shall be the owner's responsibility to schedule and allow the city's inspection of the rental dwelling. When an inspection is required for the renewal of an existing certificate, the owner shall schedule and permit that inspection prior to the expiration of that permit, except as otherwise permitted within section 14-313 above. Inspections shall occur during the city's regular business hours unless the city agrees to other arrangements, and all fees shall be paid prior to the inspection.

(c) If an inspection reveals that the rental dwelling is not in compliance with the city's property maintenance code, fire code, zoning ordinance, this [Ordinance](#), or other applicable laws or regulations, the owner shall be provided a written list of deficiencies or violations that must be corrected before a permit is issued. If the city determines that the deficiencies or violations do not render the rental unit uninhabitable, the city may issue a temporary certificate of compliance for that rental dwelling.

(d) The city may conduct additional inspections as it deems necessary, upon reasonable notice to the owner or agent, such as when (i) a temporary certificate of compliance has been issued, (ii) when a complaint is filed with the city, or (iii) the city otherwise has

reasonable cause to believe a rental dwelling is in violation of any city ordinance or other applicable laws and regulations.

(e) For purposes of this [Ordinance](#), the term "inspection" shall include re-inspections and/or additional inspections.

Sec. 14-316. - Record keeping.

(a) For all short-term rentals the owner or local agent shall obtain and maintain for the purpose of city inspection and copying the name, address, and other contact information of each occupant.

(b) For all short term rentals the owner or local agent shall obtain and maintain for the purpose of city inspection and copying a document signed by the person responsible for renting the rental dwelling acknowledging the occupancy limit of the rental property, certifying the number of persons who will be occupying the rental property and acknowledging city regulations applicable to the rental property.

(c) Each tenant of a rental dwelling shall sign a document acknowledging the occupancy limit and city regulations applicable to the rental property, which document shall be maintained by the owner or local agent for inspection and copying by the city. Compliance with this subsection may be achieved through the inclusion of the required information into a rental agreement (lease) signed by each tenant.

(d) The owner or local agent shall maintain such documents and any other records required under this [Ordinance](#) for at least two (2) years. An owner or local agent shall convey such documents to any successor owner or local agent.

(e) The information required under this section shall be updated by the owner or local agent for each rental to different tenants or occupants.

(f) It is the intent of the city to inspect and copy the documents and information required under this section in response to a complaint or a violation of this [Ordinance](#), city ordinance or other applicable law or regulation.

Sec. 14-317 Effective Date

This Ordinance shall become effective fifteen (15) days after its adoption and publication as required by Section 7.4 of the City Charter.

MADE, PASSED, AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN ON THE ____ DAY OF MARCH 2025 AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD NEWSPAPER ON ____ DAY OF MARCH, 2025

BY

MARK WEEDON, MAYOR _____

KALLA LANGSTON, CITY CLERK _____

CERTIFICATION, I herby certify that the above is a true and complete copy of an ordinance adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on _____day of March, 2025, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 as required by said act.

Kalla Langston, City Clerk



CITY OF BUCHANAN, COUNTY OF BERRIEN, STATE OF MICHIGAN
RESOLUTION 2025.03/08

A RESOLUTION OPPOSING THE PROPOSED INCREASES IN MICHIGAN WASTE DISPOSAL TIPPING FEES

PRESENT:
ABSENT:

The following preamble and resolution were offered by Commissioner _____ and supported by Commissioner_____.

WHEREAS, Governor Witmer has presented a proposal to increase waste disposal state tipping fee to dissuade out-of-state and Canada provinces from dumping trash in Michigan landfills; and,

WHEREAS, the proposed fee increase from \$0.36 per ton of solid waste to \$5 per ton would be used for recycling programs and clean contaminated waste sites; and,

WHEREAS, the 1,289% fee increase is said to be in line with the average fee rates in Midwest states; however, the statistical average can be deceiving. While neighboring states average \$5.32 per ton, Indiana's tipping fee is at \$0.60 per ton; and,

WHEREAS, this tax on trash will disproportionately affect Southeast Berrien County Landfill by encouraging Michigan waste haulers to go across Stateline; and,

WHEREAS, the increase fee would be transferred to Michigan residents and businesses; and,

NOW THEREFORE BE IT RESOLVED, that the Buchanan City Commission strongly opposes the proposed increase in state tipping fees. The increase would fail to generate sufficient funds to effectively remediate the state's waste sites, while also causing a considerable financial impact to the landfills operations.

AYES:
NAYS:
ABSTAIN:
ABSENT:

Kalla Langston, City Clerk

CERTIFICATE

I, Kalla Langston, Clerk of the City of Buchanan, Michigan, do hereby certify that the above is a true and correct copy of the Resolution which was adopted by the City Commission at a meeting held on Monday January 27th at 7:00p.m. at the Buchanan City Hall located at 302 N. Redbud Trail Buchanan, Michigan, with a quorum present.

Kalla Langston, City Clerk



February 10, 2025

Mr. Tony McGhee
City Manager
City of Buchanan, Michigan
302 N. Redbud Trail
Buchanan, Michigan 49107

Subject: City of Buchana, MI
Water & Sewer Utility Extension Feasibility Study

Dear Mr. McGhee:

Jones & Henry Engineers (J&H) is pleased to submit this proposal to the City of Buchanan (City) to produce a study to review the challenges, opportunities, and likely costs associated with providing water and sewer services to areas outside of the City limits currently served by the City of Niles, Michigan.

The City of Buchanan wishes to provide water and sewer service to an area to the south and east of the City limits. Currently, the area includes quarry parcels and the Bertrand Crossing Industrial Campus. The areas of interest, particularly the industrial park, are serviced by the neighboring City of Niles, Michigan. The City would like a perfunctory review of the challenges, opportunities, and costs associated with the extension of utilities to these areas to provide water and sanitary sewerage services. To achieve that goal, J&H proposes the following tasks.

Scope of Services

- J&H will hold a project kickoff meeting with City staff to review project goals and timelines.
 - Information will be requested in advance of this meeting and this information will be discussed.
 - A visit to the areas to be served will be performed.
- J&H will evaluate the service goals of the City and determine the likely water system flow demand to the proposed service areas.
- J&H will determine the likely sanitary sewerage flows based on current and proposed land usage for the parcels/areas to be served.
 - The current zoning plan will be used to determine likely flow contributions per parcel.
- J&H will review the existing water distribution and sewerage collection system maps to establish the most likely system connection points and routes.

Mr. Tony McGhee
 Water & Sewer Extension Feasibility Study
 February 10, 2025
 Page 2

- The review will include system maps, record drawings, and discussions with City staff regarding likely areas of connection.
 - No survey is included in this proposal. Should a formal survey be necessary it can be provided under separate proposal.
- J&H will review existing water distribution system general hydraulics to identify system suitability to deliver water to the existing onsite water tower at the Bertrand Crossing Campus.
 - The review will be limited to available information related to elevated storage elevations and any pressure-boosting pumping equipment.
 - Booster pumping equipment pump curves will be reviewed if available. If not, J&H will contact the manufacturer to retrieve a copy of the test curve for the equipment onsite.
- J&H will review the existing sanitary sewer collection system elevations to ensure suitability for gravity flow. If gravity flow is not possible, J&H will develop baseline pump station requirement and likely siting.
- J&H will produce a feasibility study outlining the findings of our reviews as outlined above. Feasibility Study will include the following:
 - Proposed service area maps.
 - Proposed water demand and likely sanitary sewerage flows.
 - Review of existing systems related to suitability to provide and/or receive the proposed flows.
 - General hydraulic limitations of the water and sewerage systems.
 - Most advantageous routing of piping, including constructability review.
 - Anticipated construction costs for extension of water and sewerage systems.
- Review Meeting – A review meeting will be held with the City to review the findings of our investigation as detailed in the Feasibility Study. Should edits be necessary, they will be made following the review meeting.
- J&H will deliver three (3) hard copies and one digital (pdf) copy of the final Study for City use.

Fee

The fee for providing the scope of services described above is estimated to be **\$20,000.00** based on man-hour estimates and Jones & Henry's current rates (attached). This fee includes all reimbursable expenses including travel, printing costs, etc. The City will be invoiced on a time and materials basis. Any unused budget at the end of the project will not be charged to the City.

Engineering services will be performed by or under the direct supervision of a professional engineer. The standard of care for all professional engineering performed by Jones & Henry Engineers, Ltd. will be the care and skill ordinarily used by members of the profession practicing under similar circumstances at the same time and in the same locality. Jones & Henry makes no warranties, express or implied, in connection with the services described in our agreement.



Mr. Tony McGhee
Water & Sewer Extension Feasibility Study
February 10, 2025
Page 3

Please feel free to contact me regarding any aspect of the project and/or our submittal. Thank you for your consideration and we look forward to working with the City of Buchanan on this project. The City can authorize this proposal by countersigning below.

JONES & HENRY ENGINEERS, LTD.

Aaron J. Davenport, PE
Senior Vice President, Kalamazoo Office Director

Signature

Date

Printed Name

Title

Digitally signed by Jakob Meinerding, PE
DN: C=US, E=jmeinerding@jheng.com, O=Jones & Henry Engineers, OU=Principal, CN="Jakob Meinerding, PE"
Date: 2025.02.12 07:14:07-05'00'

Copy: Rick Eshlaman, PE – Jones & Henry

Typical Hourly fee, including overhead – 2025

Schedule of Charges

Classification	Hourly Rate
Principal	\$210 - \$285
Senior Project Manager	\$200 - \$275
Project Manager	\$155 - \$195
Consultant	\$180 - \$205
Senior Engineer	\$185 - \$260
Project Engineer	\$135 - \$180
Engineer	\$120 - \$175
O&M Specialist	\$130 - \$145
Senior Construction Services Specialist	\$105 - \$145
Construction Services Specialist	\$105 - \$145
Information Systems Specialist	\$110 - \$160
Senior CAD Modeler	\$105 - \$170
CAD Modeler	\$ 90 - \$120
Project Assistant	\$ 90 - \$110
Administrative Assistant	\$ 75 - \$105

For expenses incurred in the work for travel, subsistence, subcontractors, toll telephone calls, fax, printing, copying, etc., the actual cost plus ten percent (10%) thereof.

Computer modeling and CAD charges are based on \$10.00 per hour of use.

For services and supplies furnished by others at the expense of the Engineers beyond typical services, the actual cost plus thirty percent (30%) thereof.

The time and expense fees shall be payable monthly, each payment being equal to the amount earned during the preceding month.

Engineering services will be performed by or under the direct supervision of a professional engineer. The standard of care for all professional engineering performed by Jones & Henry Engineers, Ltd. will be the care and skill ordinarily used by members of the profession practicing under similar circumstances at the same time and in the same locality. Jones & Henry makes no warranties, express or implied, in connection with the services described in our agreement.