



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, FEBRUARY 14, 2022 – 7:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

* Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.

* Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.

* Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.

* Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com

I. Call to Order

Mayor Dennison called to order at 7:00 PM

II. Pledge of Allegiance

Mayor Dennison led in the Pledge of Allegiance.

III. Roll Call

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

Absent: Commissioner Cameron Downey

IV. Approve Agenda

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

V. Open Public Hearing 1

Motion made by Money, Seconded by Weedon to open Public Hearing 1 on the requested removal of Dan Vigansky from City Boards. Voice vote carried at 7:02 PM.

City manager Grace read the below statement to the public.

A. Public Hearing on Requested Removal of Dan Vigansky from City Boards- A public hearing will be held to accept comments and input related to an item on tonight's agenda under new business whereby the City Commission shall consider the request of Mayor Denison and Commissioner Money to have Dan Vigansky removed from all City Boards, including the Buchanan Area Recreation Board (BARB) for alleged misfeasance, namely, repeated disruptive behavior during a January 12, 2022 BARB meeting, which negatively impacted the City's ability to conduct its business during said meeting.

No public comment was made. No written comments were made.

VI. Close of Public Hearing 1

Motion made by Weedon, Seconded by Swem to close public hearing 1 at 7:04 PM. Voice vote carried.

VII. Open Public Hearing 2

Richard Murphy addressed the Commission on the Public Hearings for OPRA.

A. Public Hearing and Public Comment on Establishing an Obsolete Property Rehabilitation (OPRA) District for Rowland Property Group LLC, 101-103 Days Ave. Buchanan, MI 49107.

-P.A. 146 of 2000, as amended- The Obsolete Property Rehabilitation Act (OPRA), PA 146 of 2000, as amended, provides property tax exemptions for commercial and commercial housing properties that are rehabilitated and meet the requirements of the Act. Properties must meet eligibility requirements including a statement of obsolescence by the local assessor. The property must be located in an established Obsolete Property Rehabilitation District. Exemptions are approved for a term of 1-12 years as determined by the local unit of government. The property taxes for the rehabilitated property are based on the previous year's (prior to rehabilitation) taxable value. The taxable value is frozen for the duration of the exemption. Additionally, the State Treasurer may approve reductions of half of the school operating and state education taxes for a period not to exceed 6 years for 25 applications annually. Applications are filed, reviewed and approved by the local unit of government, but are also subject to review at the State level by the Property Services Division. The State Tax Commission (STC) is responsible for final approval and issuance of OPRA certificates. Exemptions are not effective until approved by the STC.

Motion made by Weedon, Seconded by Money to Open Public Hearing at 7:06 PM, voice vote carried.

Public Comment was given by the following.

Michael Rowland- Rowland property group, wanted to invest in the community. being a native to Buchanan wanted to give his kids the same thing he had. They are sharing this risk with the city.

Zachary Vaughn from Cornerstone Alliance spoke on behalf of the project.

No correspondents on behalf.

No opposition for public or written comment.

VIII. Close Public Hearing 2

Motion made by Weedon, seconded by Money to close Public Hearing 2 at 7:13 PM. Voice vote carried.

IX. Open Public Hearing 3

A. Public Hearing and Public Comment on Establishing an Obsolete Property Rehabilitation (OPRA) District for Claremont Stark LLC, 502 Claremont St. Buchanan, MI 49107.-

Motion made by Swem, seconded by Money to open Public Hearing 3 at 7:15 PM. Voice vote carried.

Public Comment was given by the following.

Jen Tabor- The plan is to make a community venue for small bands and acts to play at. As well as a recording studio and a future music school. Bringing them all to a home and involving the community and bringing students together.

Michael Rowland- spoke in favor of Jen and her vision. Supporting a business that is already in the community.

Monroe Lemay- spoke in favor of Jen and her business. Would love to have it in the community.

No written correspondence.

No public or written opposition correspondence.

X. Close Public Hearing 3 *(Regular meeting continues after close of Public Hearing 3)*

Motion made by Weedon, Seconded by Swem to close Public Hearing 3 at 7:20 PM. Voice vote carried.

XI. Recognition

A. Recognition of Mike Adams- The City Commission would like to recognize Buchanan City Fire Chief Mike Adams for 30 years of service to our community.

Chief Ganus introduced Chief Adams to the public. He stated Mike is a dedicated firefighter and is very well respected among his crew and the area, it is honor to work with him.

Commissioner Money presented a 30-year plaque for his hard work and dedication to the City of Buchanan. Commissioner Money shared the memory of Mike's first fire.

B. Recognition of Dave Capron- The City Commission would like to recognize Dave Capron of the Buchanan City Police Department for his 26 years of service to our community.

Dave Capron was unable to make it tonight.

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

None

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

A. Consider Approving Special Meeting Minutes from January 31, 2022.

B. Consider Approving Expenditures for February 14th, 2022, in the amount of \$132,125.56.

Motion made by Weedon, Seconded by Swem to approve the consent agenda as presented. Roll call vote carried unanimously.

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

A. "March for Band" Resolution- Jen Tabor will give a brief presentation regarding her request to have the City Commission resolve to declare that March is officially the "March for Band" month in the City of Buchanan. "March for Band" is a newly created organization, spearheaded by Ms. Tabor, that helps bring financial and community support to our Buchanan Area School District Band.

-Consider approving the Resolution declaring March as "March for Band" month in Buchanan.

Jen Tabor addressed the Commission. After touring with the Marching Band, it became obvious that the Marching Band was in need of replacements. Jen thought it would be a great idea to bring it up to the community and may rally together to find away to help the students. She came up with "March for Band" to have a city-wide fundraiser for the Buchanan Marching Band. For the community to come together and raise funds to help purchase. They are trying to raise 60 plus thousand dollars through local businesses. They have a host of different events lined up. The city created a resolution to help bring awareness to the Marching Band and everything they contribute to the city for community events.

Motion made by Money, Seconded by Swem to approve the Resolution declaring March as "March for Band" month in Buchanan. Roll call vote carried unanimously.

XV. Reports by: Departments, Committees, Boards

A. Community Development Director Report- Richard Murphy has several items to be considered by City Commission.

I. Consider Approving Redbud Roots 2022 Marihuanan Permit Renewal applications and fees for the following permits:

1. Medical Marihuana, Lab II, 208 Post Rd., Grower Class C, \$5,000.00
2. Medical Marihuana, Lab II, 215 Post Rd., Grower Class C, \$5,000.00
3. Medical Marihuana, Lab II, 448 Post Rd., Grower Class C, \$5,000.00
4. Medical Marihuana, Lab II, 448 Post Rd., Grower Class C stacked, \$1,500.00 (Red Bud Roots will not renew this license for 2022)
5. Medical Marihuana, Lab IV, 215 Post Rd., Processor, \$5,000.00
6. Adult Use, Lab II, 835 Terre Coupe St., Grower Class C, \$5,000.00
7. Adult Use, Lab II, 835 Terre Coupe St., Grower Class C stacked, \$1,500.00 (Red Bud Roots will not renew this license for 2022)
8. Adult Use, Lab IV, 215 Post Rd., Processor, \$5,000.00
9. Adult Use, Lab II, 215 Post Rd., Grower Class C, \$5,000.00

Murphy has accepted the permits and believes everything is order.

Motion made by Money, Seconded by Swem to approve the permits listed in agenda items I. 1-9 Red Bud Roots, pending receipt of satisfactory background checks (amended motion by Denison) Roll call vote carried unanimously.

II. Consider Approving 7Engines/G2 Development 2022 Marihuanan Permit Renewal applications and fees for the following permits:

1. Medical Marihuana, PR 2, 408 River St., Processor, \$5,000.00
2. Medical Marihuana, PC5, 1101 E. Front St., Provisioning Center Facility, \$5000.00
3. Medical Marihuana, GC4, 408 River St., Grower Class C, \$5,000.00
4. Adult Use, AUMPR2, 408 River St., Processor Establishment, \$5,000.00
5. Adult Use, AUMGC, 408 River St., Grower Class C, \$5,000.00
6. Adult Use, AUMRE, 1101 E. Front St., Retailer Establishment, \$5,000.00

Murphy has accepted the permits and believes everything is in order.

Weedon would like to know about the plan on River St. trying to gage a timeline. Since they have occupied a license for some time. Mr. Patel spoke to the commission, explaining the 3 phases of opening the company. The last phase which they are on is the grow, they are making progress with starting phase 3 of the project this past December. Hopefully in spring/summer you will see more progress.

Motion made by Swem, Seconded by Weedon, to approve the permits listed in agenda items II. 1-6 for 7 Engines/G2 Development, pending receipt of satisfactory background checks.

III. Consider Approving Designated Consumption Establishment License Application submitted by Cannavista Wellness, 120 E. Front St. Special Use Permit for Designated Consumption Establishment was approved by the Planning Commission in December of 2021.

Motion made by Swem, Seconded by Money to approve the designated consumption establishment license application permit for Cannavista Wellness, pending receipt of satisfactory background checks. Roll call vote carried unanimously.

Murphy thanked the 3 businesses for the investment and job creation in the community.

B. Community Development Report:

Chamber Executive Director/Main Street Manager Ashley Regal will provide a report on her recent progress on the creation of the Main Street program's Board of Directors.

Regal is pleased to report on the progress of the Main Street programs Board of Directors, applications are now available on the website, city hall, and the chamber. Applications will be accepted till the end of the month. The Chamber board will then review the application and make their recommendations to the Commission.

Weedon just wanted to bring to the public's attention to this program is. It offers us an opportunity in to be Lansing's ear more often. Weedon encourages individuals to look into this program if they want to help.

Director Regal provided a brief report regarding the issue of renting out The Common and ask the Commission to consider making a policy decision regarding how such rentals should be managed.

Commission asked for Regal to come up with a draft as a place to start.

C. Public Services Report- Director Mike Baker will provide a brief report and request the Commission to consider demolition quotes for the DPW demo at 606 Clark, the Victory Park expansion demo at 906 Victory, and the Old Feed Mill demo at 190/111 Railroad.

Baker reported to the Commission about the different quotes that were included in the packet.

Swem is concerned about the demo at 190/111 Railroad and wanting to make sure that the right certifications to work near the Railroad are in place.

Denison asked Baker for his recommendation. Baker said he would go with Payne's just for the fact they will back haul the sand.

Swem does not want to move forward on the Railroad demo even though he wants it gone.

Denison wanted clarity on the Withrow quote with the back hauling of sand.

Motion made by Swem, Seconded by Money, to proceeding to hiring Payne's Excavating for the price of \$8,000.00 for 906 victory and for the price of \$44,500.00 plus sand for 606 Clark. Roll call vote carried unanimously.

D. Treasurers Report - City Treasurer Stephanie Powers will provide a brief update.

Powers went briefly over her reports given to the Commission. City audit was completed and submitted to the State and the audit will be presented at the next meeting. New bookkeeper is working on a tax review for the Commission.

E. Clerk Report- City Clerk Kalla Langston provided an update on upcoming Elections, including recent news regarding the new redistricting maps.

Langston briefly updated the Commission on the upcoming election year. As well as sending out new voter ID cards, to every registered voter due to the redistricting commission finalizing their maps.

F. Board Appointments- Consider appointments to One Buchanan Board for Meg Paulette, Monroe Lemay, and Sonia Rodriguez, each of whom was recommended for approval during the January 2022 One Buchanan Meeting.

Motion made by Money, Seconded by Weedon to appoint Meg Paulette, Monroe Lemay, and Sonia Rodriguez to the One Buchanan Board. Roll call vote carried unanimously.

XVI. Unfinished Business

None

XVII. New Business

A. Consider a Purchase Request from Dave Capron for his BPD issued firearm as well as his duty leather belt.

In previous years this has been approved since Capron retired in good standings. This would allow him to come back as part time officer for the city City.

Motion made by Money, seconded by Weedon to approve the purchase regarding his BPD issued firearm and duty leather belt. Roll call vote carried unanimously.

B. Consider Resolution 2022.02/242-Resolution Establishing an Obsolete Property Rehabilitation (OPRA) District for Rowland Property Group 101-103 Days Ave, Buchanan, MI 49107

Motion made by Weedon, Seconded by Money to approve the Resolution Establishing an Obsolete Property Group 101-103 Days Ave.

Yes: Money, Denison, Weedon

No: none

Abstain: Swem- business interest.

C. Consider Resolution 2022.02/243-Resolution Establishing an Obsolete Property Rehabilitation (OPRA) District for Claremont Stark LLC, 502 Claremont St., Buchanan, MI 49107

Motion made by Swem, Seconded by Weedon to approve the Resolution establishing an obsolete Property Rehabilitation District for Claremont Stark LLC, 502 Claremont St. Roll call vote carried unanimously.

D. Consider appointments to the "Municipal Building Authority". Bond counsel Roger Swets, who is leading the City's Municipal Building Authority bond project, is recommending that the City Commission make the following appointments to the City's newly created Municipal Building Authority: appoint 4 members from internal City staff, including (1) City Manager Heather Grace, (2) Community Development Director Rich Murphy, (3) City Clerk Kalla Langston, and (4) City Treasurer Stephanie Powers.

Motion made by Money, Seconded by Weedon to appoint Heather Grace, Rich Murphy, Kalla Langston, and Stephanie Powers to the Buchanan Municipal Building Authority. Roll call vote carried unanimously.

E. City Credit Card Changes- Consider the following City credit card changes, as requested by City administration:

-Close the City Credit Card issued to Marcia Johnson (previous bookkeeper)

-Approve a City Credit Card for Courtney Baham (current bookkeeper) with a \$2,000.00 limit [same as previous level for Bookkeeper].

-Approve a City Credit Card for Klay Weaver (sexton) with a \$2,000.00 limit.

This is more for best practice so that the signature matches on who purchases what. Ultimately still goes through the City Manager and Commission.

Motion made by Money, Seconded by Swem to approve the closure of the City credit card for Marcia Johnson and the opening of a new City credit card for Courtney Baham with a \$2,000 credit limit, as well as a City credit card for Klay Weaver, also with a \$2,000 credit limit. Roll call vote carried unanimously.

F. Misconduct, Harassment and Discrimination Policy

Grace addressed the public about this item. Stating this is something the city has been working on in closed session and now discussing it publicly if the commission is favorable in wanting to proceed with this as a policy.

The purpose of the policy is that the city is being a model employer and also a model representative for our community. It shows that we are taking a stand against any kind of discrimination or harassment. This would apply to staff and members of boards and commissions to make sure were upholding the high standards that we should be.

Denison addressed the public stating that we need to lead by example and thought it should start here.

Motion made by Weedon, Seconded by Money to approve the Misconduct, Harassment, and discrimination Policy, as presented, to be a formal City Policy.

G. Removal of Dan Vigansky from City Boards- Consider the removal of Dan Vigansky from all City Boards for alleged misfeasance related to his disruptive behavior during a January 12, 2022, BARB meeting, which negatively affected the City's ability to conduct its business.

Denison addressed the public with his comments on the matter. Our children are watching us, and they see how we interact with one another and we have a responsibility to show them that it's okay to ask tough questions, that it's okay to stand up for one's convictions and it's honorable to serve one's community. But we also have the responsibility of showing them that all of those things can be done with integrity, character, and ethic. If we don't teach them how to be respectful who will? Secondly, we as a community have trouble trying to fill board vacancies and get participants to show up for meetings without having drama and making them feel intimidated or anxious about attending a meeting. We cannot afford to have people sitting on boards that are making others not want to participate. We need community voices that are willing to collaborate and compromise, who wants to make the community better and realize that the only way to do that is by working together in an atmosphere that promotes healthy respectful dialogue, even on

the toughest subject matters. We as a Commission need to lead by example. We recently adopted an ethics policy in effort to promote integrity, civility, and transparency. We cannot allow someone to represent the city in any way that is knowingly and repeatedly acted in a way that violates those policies. Acting in an aggressive manner, raising your voice, misogynistic statements and being rude to the public that attends the meeting is no way to represent this community and what it stands for. It's for those reasons and those reasons alone do I would ask the Commission for the removal of Mr. Vigansky from the Buchanan Area Recreational Board and Zoning Board of Appeals effective immediately.

Money added his comments. Commissioner Money was in attendance to see what happened at the last BARB meeting. Money also stated that there are others at the meeting that would be willing to join if changes were made to that board. The name calling that transpired at that meeting was very upsetting to him. For the mayor to be chastised in that way was insulting to him as a commissioner.

Motion made by Money, Seconded by Swem to remove Dan Vigansky from all City boards, including the Buchanan Area Recreation Board and Zoning Board of Appeals. Roll call vote carried unanimously.

Swem wanted to know if this was an indefinite bar or a removal. Grace was able to answer that this was just a removal at this time, if there is a permanent bar requested, they could discuss at a future point in time. Her understanding is that it was just a removal currently. Swem doesn't believe it should be an indefinite bar, that Vigansky has a right to apply at any time then it would be reviewed by the city commission. He thanked Dan for what he has done, but it his recommendation as well that he be removed.

Weedon believes the commission is trying to set a precedence in doing the right thing. And as much as we appreciate Dan's desire to work for what's right for Buchanan unfortunately the way he conducted himself on the board at this time in this particular situation, we have to act in the manner. It can't be tolerated from this commission now and going forward. To all the boards, this is not something we accept.

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

A. Michigan Municipal League- Capital Conference 2022, March 15-16 in Lansing- "Partnerships and Policy: Fueling a Community Revival." Please let Administrative Secretary Britni Wall know if you would like to attend.

Grace asked the public to share any state issue to share with her to take with her to the conference.

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

Dale Torrne- wanted to thank Heather Grace and Mike Baker for their help with a few large trees about to fall.

Monroe Lemay – Stated the staff at city hall is amazing. Monroe is also here on behalf of her sister; she is a baker and designer and has brought in special treats for Valentine's Day for the Commission and public.

Sis Davis- Brought up that there are feral cats about a block away. She brought her concern to the Commission and Chief Ganus asked her to stay after the meeting and talk to him.

XX. Executive Comments

A. City Manager Comments

Happy Valentine's Day to everyone. There were a lot of great projects discussed at tonight's meeting and super excited to see what becomes of them. The group of people contributing towards our community right now are very energized and everyone rowing in the same direction.

B. Commissioner Comments

Commissioner Money wished everyone a Happy Valentine's Day. He thanked Grace and the city staff for everything that they do. They bring all of this to the table and do an outstanding job. Also thanked the Commission. Thanked Mr. and Mrs. Rowland and Jen Tabor for their projects and bringing it to Buchanan. Congratulations to Chief Adams for his outstanding 30 years of service to the city.

Commissioner Swem offered his condolences to the Weaver family. Mr. Weaver was a vital part of this community. He was a great man that will be missed. Thanked Chief Adams for his 30 years of service. Railroad street would like it gone, but think we made the right choice on holding off for now. Thank you to the Rowland family and Tabor family for taking a risk on the city. Hopefully your projects sparks the next level of investment.

Commissioner Weedon Thanked Murphy for all his hard work. These programs didn't exist before Murphy. Welcomed new residents Enjoys seeing all the new businesses and seeing downtown light up again. Please check out the Sweetshop, congrats once again to the Rowlands and Tabors. Thank you, Chief Adams, proud to have you on the team.

C. Mayor Comments

Thanked Chief Adams for his service. 30 years is a long time and it's something you should be proud of, we are proud of you. Thanked the Rowlands and Jen Tabor, we are very lucky to have you in our community and we support you. Also wanted to send his condolences to the Weaver family. Thanked Baker and his crew for the great job with the snow. As well as to the city staff.

XXI. Adjourn

Motion made by Weedon, Seconded by Money meeting adjourn the meeting at 8:48 PM.

Kalla Langston, City Clerk

Mayor Sean Denison