



RESOLUTION 2026.02/02
A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF BUCHANAN AND
THE BUCHANAN FINE ARTS COUNCIL
FOR THE USE OF CITY-OWNED PROPERTY

WHEREAS, the City of Buchanan (“City”) desires to support arts, cultural development, and related community activities within the City; and

WHEREAS, the Buchanan Fine Arts Council (“Fine Arts Council”) is a nonprofit organization whose mission includes promoting cultural and artistic activities within the City of Buchanan; and

WHEREAS, the City is the owner of certain real property known as the Tin Shop Theater and located at the southwest corner of Roe Street and Days Avenue in the City of Buchanan, Berrien County, Michigan (“Property”); and

WHEREAS, the City desires to permit the Fine Arts Council to utilize the Property for arts, cultural, and related community purposes without conveying ownership or dedicating the Property to a permanent use; and

WHEREAS, the City and the Fine Arts Council have negotiated the terms of a Memorandum of Understanding (“MOU”) governing the use of the Property, including maintenance responsibilities, permitted use, term, termination rights, and conditions for improvements; and

WHEREAS, the proposed MOU provides for a term beginning February 1, 2026, and continuing for thirty-six (36) months, expiring on January 31, 2029, unless terminated earlier in accordance with its terms; and

WHEREAS, the MOU allows the Fine Arts Council to utilize up to sixty percent (60%) of the second floor of the facility for storage, requires the Fine Arts Council to perform routine cleaning and maintenance, and requires City approval for any work performed on the Property; and

WHEREAS, the MOU permits either party to terminate the agreement with one hundred twenty (120) days’ written notice, and preserves the City’s right to terminate the agreement if the Property is required for a municipal purpose, with reimbursement of approved expenditures as provided therein; and

WHEREAS, the Fine Arts Council shall have the first right of consideration for an extension of the MOU upon its expiration, subject to City Commission approval.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Buchanan hereby approves the Memorandum of Understanding between the City of

Buchanan and the Buchanan Fine Arts Council, substantially in the form presented to the Commission.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the Memorandum of Understanding on behalf of the City and to take any administrative actions necessary to implement the intent of this Resolution.

BE IT FURTHER RESOLVED that nothing in this Resolution or the MOU shall be construed as creating a lease, tenancy, or property interest in favor of the Fine Arts Council.

Adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on _____, 2026.

AYES:

NAYS:

ABSTAIN:

ABSENT: