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**MINUTES****I. Call to Order**

Denison called the meeting to order at 7:00pm.

**II. Recognition**

A. *The City Commission, Staff, and Community would like to recognize Timothy Ganus, Director of Public Safety on his retirement.*

Officer Jason Cullum, Chief of Police Harvey Burnett, and Mayor Sean Denison honored Director Ganus and congratulated him on his retirement.

**III. Pledge of Allegiance**

Mayor Denison led in the pledge of allegiance.

**IV. Roll Call**

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

City Staff: City Manager, Tim Lynch; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Chief of Police Harvey Burnett. A number of Police officers retired and present.

**V. Approve Agenda**

Motion made by Weedon, supported by money to approve the agenda as presented. Voice vote carries 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**

1) *Consider approving the regular meeting minutes from April 8th, 2024.*

**B. Purchase Request**

1) *Purchase request for Director of Public Safety, Timothy Ganus to purchase his BPD-issued firearm.*

**C. Credit Card Change**

1) *Remove Director of Public Safety, Timothy Ganus and replace the Police issued credit card to Chief of Police, Harvey Burnett.*

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

**VIII. Scheduled Matters from the Floor** *(if any)***IX. Reports by: Departments, Committees, Boards**

**A. Buchanan Tree Friends, Chair Brian Murphy and Vice Chair Rich Martin**

*1) Tree City USA Status, update of grants, and Arbor Day plans.*

Murphy thanked the DPW for helping dig holes, for the planning of 30 trees. Deb who will now keep track of the city's tree inventory and work with DPW on a process for recording maintenance, removals, and planting. Courtney has created a separate account for Tree Friends to report better. Kalla helped us maintain our Arbor Day status, the application process is more than it needs to be.

Update on Tree Planting Downtown: We were asked to recommend trees for the downtown streetscape. Inventory of trees downtown; 15 Bradford Pear, 5 Red Maple, 1 Gingko. All doing well, especially the Red Maples. What is recommended for downtown; Gingko, Hackberry, Hawthorne, Cherry, and River Burch are more tolerant of root damage caused by sidewalks.

Tree City USA: Buchanan has been an Arbor Day Foundation designated Tree City USA for 30 years.

Arbor Day Plans: Denison proclaims Thursday April 25<sup>th</sup> Arbor Day for the city.

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, and

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS Arbor Day is now observed throughout the nation and the world, and

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, and

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, and

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Sean Denison, Mayor of the City of Buchanan, do hereby proclaim as ARBOR DAY In the City of Buchanan, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations. DATED THIS day of April, 22<sup>nd</sup>, 2024.

(See attachment A)

Update on DNR Grant: The city invested \$4,200 in a matching DNR grant for the tree inventory which exposed the need for a tree plant. We've planted 30 trees with are 110 more coming in May.

**B. Community Development Report-Director Rich Murphy**

*1) Consider approval of adult use retail permit renewal for High Profile, 804 E. Front St.*

Motion made by Weedon, supported by Money, to approve the adult use retail permit renewal for High Profile as presented. Voice vote carries unanimously.

**X. Unfinished Business**

**XI. New Business**

**A. Ordinance No. 2024.05/438- Consider the first reading of Ordinance No. 2024.05/438, an ordinance amending the City of Buchanan Zoning Ordinance; **ARTICLE VII - R-3 MULTI-FAMILY ZONING DISTRICT; ARTICLE XXI GROUP HOMES AND ADULT FOSTER CARE FACILITIES.****

Planning Commission chose to adopt the zoning amendments presented. This is the first or two readings in front of the city commission. The proposed amendment was reviewed by the city attorney, compared to other municipalities, and will retain the special use provision. See (Attachment B)

Motion made by Vigansky, supported by Swem, to approve Ordinance No. 2024.05/438 to amend the City of Buchanan Zoning Ordinance as presented. Voice vote carries unanimously.

**B. Resolution 2024.04/12 - Consider Resolution 2024.04/12 a resolution to negotiate the summer school tax collection fee.**

Motion made by Swem, supported by Weedon, to approve Resolution 2024.04/12 as presented. Voice vote carries unanimously. (See Attachment C)

**C. Expenditures - Consider the Expenditures in the amount of \$80,538.08 for April 22nd, 2024.**

Motion made by Vigansky, supported by Money, to approve the expenditures as presented. Voice vote carries unanimously.

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

None.

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

*George McMannes, 3825 E Britain Ave, Benton Harbor – Berrien County farmer recently retired, running for County Drain Commissioner.*

*Norma Ferris – Dial-a-Ride, we have a new bus. We had 77,000 riders.*

*Jerry Flenar – This Saturday is Buchanan Earth Day clean up. Also, Lions Club members will be taking donations in stores May 3<sup>rd</sup> and 4<sup>th</sup> for children’s glasses.*

**XIV. Executive Comments**

**A. City Manager Comments**

I’d like to take a minute to update the commission and citizens about the Days Ave and McCoy Creek sinkhole project. We retained an engineering firm in February to design a fix for that. The project is currently in the permitting process with EGLE. They developed three conceptual designs which we will review along with some cost opinions we haven’t received yet. We will choose one of those. We would like to do the one that’s most expeditious for getting the job done. We’ve made several visits to the site with the engineers, Mike, Sean, and we want to get this moving. As for the wall at Hoven Funeral Home, I had discussions with an engineering firm to design a fix and I’m working with them on that. We will move as quick as possible and have funds in the budget to address it. In our annual rights of spring last week, we submitted both our property and liability insurance and workers compensation fund renewals through the Michigan Municipal League.

**B. Commissioner Comments**

Weedon: First and foremost, Tim, thank you for everything. I think everybody said everything they need to say tonight, and I imagine everybody is going to say some really kind things but its been an honor to be associated with you for five years and the city of Buchanan is honored to have your for those number of years. I know that a lot of wonderful things can be said for your kindness and

generosity to the city so thank you so much. Tree Friends, thank you so much for everything that you do for bringing attention to the trees. It was wonderful, everybody in Buchanan the last week there was a hole being dug, trees being planted, planting on this street and that street, in front of the middle school. They are everywhere. There are some in my house that I would like to take down but every time I think of them I would have to deal with Richard but thank you for everything you do. 420-day, Chief, thank you so much. Traffic, to Dans point, was definitely down. I don't know the percentage, but it was up for our small town. It was good for the mercantile downtown and it was good for the food traffic. I think the dispensaries handled themselves with decorum. The community when I was in town and the visitors that came to town handled themselves with decorum. I think the police presence was well documented and spoke about online. Once again, we all are well aware of what New Buffalo is doing and that's all well and good but you know what, one thing they don't have is what Buchanan has, we offer the peace and tranquility of the kindness of not only our police department, our school systems, city commission, and just people in general. We welcome people to our town. People are moving in down the street from me, we have houses being sold all over the place. That means something and I know there's negativity and people have opinions but we have a Taco Bell that looks nice. I know that sounds cheap and I realize that may not mean something to some people. And I know its funny, but the dispensaries complement our town, Taco Bell complements our town. They are not gaudy, they are not unwelcoming, they are not cheap. When I saw dollar stores like Family Dollar and Dollar General I thought this is going to look cheap but it doesn't because what people bring to the city what we represent as a city and how we conduct ourselves. That thing is still clean, that's not normally indicative of what we see around Taco Bells. That's great news. All-in-all, thank you so much to everybody the town is fantastic. It's clean, it's picked up, it's a fun town to work in and hopefully Mike I'm sure nobody said anything about the trash but I'm sure you guys are on top of it the minute 420 was done. Thank you guys so much.

Swem: I have had the honor of knowing Tim since I was a little boy growing up with his son Tyler so I've gotten to see him from more than just his position at the city. I don't think anybody could compliment him more than what he received from his staff today. Thank you so much Tim for all your years and the time you put in. I hope you have the absolute best time in retirement, and best of luck. I appreciate it. A couple of topics today, the chamber we are coming up on our annual raffle here soon as well as our annual golf outing coming up in May. Be on the lookout for that, please participate. Two of the major funding sources for the Buchanan chamber for the entire year. Tree Friends, you guys get all the compliments in the world, another huge success. Keep up the great work, I'm looking forward to hearing what the fall planting number comes up as. The Trail, I drug my kids for 8miles across that entire trail on Sunday. Stopped at many local merchants along the way. We have the absolute best trail, it's looking fantastic. It's such a huge asset to this community and the amount of time and effort that goes into it. We saw ton of people out there. Our finance team, we had a finance meeting last week. Really impressed with our progress that we continue to make. Tim and the team are on top of the books. I think we will be really excited when we finally see our year end budget amendments. I don't want to let the cat out of the bag but that spending control topic that we've been talking about for a while, Tim is on it. He's working hard on it and the numbers are getting cleaner and easier to understand everyday. While I'm on the topic of Tim, he's just been busting his tail between the water treatment plant and everything else he's juggling out here. Just wanted to continue express my appreciation.

Vigansky: I really don't have to explain why I laughed because the argument in my house, my wife loves Taco Bell. I was raised and spent a lot of time in Wyoming there was a mamas on every corner so Tex-Mex is not Taco Bell, I'm sorry. 420 I want to congratulate but I want to reiterate the

city should do more. Tim obviously I talked to you, I'll leave it at that. The election rules, Kalla ran off, but can you, the deadline is the 23<sup>rd</sup> of July is there anything prospective people need to know or do you know or do I need to call Kalla? I wanted to say thank you to the petition people that went and collected petition signatures. I am not going to touch on it too hard but I am ashamed of some of the people in this community that call themselves leaders. I mean when the recall was out there against me, you never see me. You never see me on Facebook, you didn't see nothing. You did hear any complaints from nobody. The charges were not anything close to being sane. So, it really bothers me that a little old lady can't be not harassed by the police, can't be harassed by school board members, cannot be harassed by school leaders, by commission leaders. I think it's very sad and I'm going to leave it at that. Thank you.

Money: I'll start by saying congratulations and all the other kudos to Tim. You've done a great job since you've been here. Everyone appreciates you, I cant say any more than what your staff has said for you and the people of Buchanan. Thank you very much for all your hard work and everything. Its always been a pleasure working with you. I am fortunate enough you weren't here when I was younger and didn't have to arrest me for something. Thanks to Brian and Rich and the Tree Friends for what you do. You guys are busy, I know when I drove into town a couple weeks ago and you guys were out there along with the city crews punching holes in the ground along Front St. Its really great to see. Its kind of exciting, this Arbor Day program, that you've put together at the school. It sounds pretty cool and thanks for including us in that. Tim and to all the staff here at city hall once again, we all know that you guys do a great job and stay busy. We just cant say enough for coming on board and helping us when we needed help. Once again, this commission for all the work that they do. I truly appreciate it and it's a pleasure working with every one of them. Thank you.

### C. Mayor Comments

I want to thank Tim too, you're doing a hell of a job and we are lucky to have you. The Tree Friends, thank you. You guys are a hoot and if you ever get the chance to volunteer on a tree planting day just do it because it's fun. Jerry, thank you, you saved me from doing a bunch of comments on trail clean up this weekend, but I did want to say there is a sign-up sheet on the city website and there's a sign-up sheet on Facebook. When you sign up you can list if you have any rakes or leaf blowers that you can bring. Please do it as soon as you can because we are going to meet Wednesday to try to figure out who's going to what park and what equipment. If you haven't been in the business incubator in the Hometown video store recently you should make your way there, it's really cool. There's a great plant shop in there now, and the leather work store is still there, and she creates amazing products but now there is a skate shop there with skateboards and skateboarding gear. Go down and check that out. Mr. Ganus, you're a good cop but you're a better human being and I appreciate you.

### **XV. Adjourn**

Motion made by Weedon, supported by Money, to adjourn the meeting at 7:56pm. Voice vote carries unanimously.

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Isabelle Adnson, Deputy Clerk

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Mayor Sean Denison