

**REGULAR MEETING OF THE BUCHANAN CITY COMMISSION**  
**MONDAY, JANUARY 23, 2023 – 7:00 PM**  
**CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI**

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**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](mailto:clerk@cityofbuchanan.com)

**I. Call to Order**

Meeting was called to order at 7:00 P.M. by Mayor Sean Denison.

**II. Recognition**

**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

**Absent:** None

**City Staff:** City Manager, Heather Grace; 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; City Attorneys Matt Derby; Main Street Manager/ Chamber Director, Ashley Regal; Operator in charge (Water Department), Craig Miller

**V. Approve Agenda**

**Motion made by Vigansky, supported by Money to approve the amended agenda to add item (4) Opening of Lift Station at the Fifteen-2-Twelve Restaurant under section XI New Business B. Roll call vote carries unanimously.**

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

*Marv Jackson-* in support for Mr. Lockett (Owner of Fifteen-2-Twelve Restaurant) to open the lift station for them to open.

*Tracey Dippo-* in support of Ashley Regal.

*Tony Houser-* in support of Ashley Regal and opening the Fifteen-2-Twelve Restaurant.

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

**A. (1) Minutes- Consider approving the Regular Meeting Minutes from January 9, 2023.**

- B. (2) Expenditures- Consider approving expenditures for January 23, 2023, in the amount of \$67,641.26

**Motion made by Swem, supported by Money to approve the consent agenda with the amended minutes as presented to the commission. Roll call vote carries unanimously.**

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

- A. Resolution #2023.01/03- Consider approving a resolution to support the Berrien County Trails Master Plan.**

**Motion made by Swem, supported by Weedon to approve resolution # 2023.01/03 to support the Berrien County Trails Master Plan. Motion carries unanimously.**

**IX. Reports by: Departments, Committees, Boards**

- A. Buchanan Tree Friends Report: Vice-Chair, Richard Martin.**

1) Water Trailer- Consider the purchase of a water trailer. BTF was recently awarded a grant from Berrien Community Foundation in the amount of \$4,000.00. The total project cost is \$6,349.00, BTF is requesting \$2,349.00 to cover the cost from their budget.

**Motion made by Vigansky, supported by Money to approve of the purchase of the water trailer, as presented. Roll call vote carries unanimously.**

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

(1) 2022 Annual Building Inspector Report- No action needed.

(2) Cannavista Wellness 2023 Marihuana Permit Renewals- Consider approving.

**Motion made by Weedon, supported by Vigansky to approve the Cannavista Wellness, 2023 Marihuana Permit Renewals, as presented. Roll call vote carries unanimously.**

(3) High Profile 2023 Marihuana Permit Renewals- Consider approving.

**Motion made by Vigansky, supported by Swem to approve the High Profile 2023 Marihuana Permits Renewals, as presented. Roll call vote carries unanimously.**

(4) AEP Grant Award to the City of Buchanan for the St. Joseph River Public Access Strategic Plan- Consider approving.

**Motion made by Weedon, supported by Money to approve the City Administration accepting the AEP Grant Award to move forward with the St. Joseph River Public Access Strategic Planning process. Roll call vote carries unanimously.**

- C. Water Department Report- Water Operator in Charge (OIC) Craig Miller**

(1) Wellhead Protection Plan Update- A status report will be provided; no action needed at this time.

Miller has updated the wellhead protection plan, as well as continuing his work with Prein & Newhoff on the USDA project.

(2) SCATA System- A status report will be provided; no action needed at this time.

Miller updated the commission about the SCATA system. The water department had issues with the system, at the moment it is working. Miller will be bringing back different quotes and options for a newer system or options for fixing the current system.

- D. Public Safety Report- Director Tim Ganus & Chief Harvey Burnett**

(1) Budget Amendment Request for Patrol Vehicle Purchase- Consider approving a budget amendment to effectuate a cash purchase of a new patrol vehicle, as discussed during last mtg. (See attachment A)

**Motion made by Swem, supported by Money to approve Budget Amendment #01-23-23-D to authorize cash purchase of a new police patrol vehicle. Roll call vote carries unanimously.**

(2) School Resource Officer Funding Update- A funding report has been provided by the Buchanan Community School District, in addition to a letter indicating that the first grant application was approved.

The funding will help pay for the officer for the next 3-years. Burnett will be looking into a long term situation for the SRO.

**E. Public Services Report- Director Mike Baker**

(1) New DPW Bldg Municipal Bonds Update- Baker Tilly has provided an updated timeline for the municipal bonds to be sold for the new DPW bldg project; no action needed.

Commission was given the bond schedule in their packets. The commission can contact Baker Tilly with any questions on the schedule that was provided.

(2) DPW Bldg. Construction Committee Update- An update will be provided regarding recent activities of the DPW Bldg Construction Committee mtg held on 01/20/2023.

Preliminary bids have started. Optimistically hoping the price will go down with work slowing down.

(3) General Public Services Updates-

Actively picking up garbage around the city while the sweeper is still down. Patching holes throughout the city, building a new railing for the trail for the overlook to help stop vandalism. Continuing to maintenance vehicles. DPW also worked on a sewer backup.

**F. Clerk Report**- City Clerk Kalla Langston will give a brief update on the May 2nd, 2023, Special Election.

Langston is moving forward with the upcoming election. There will be no 9 days of in person early voting for the special election. The biggest change is there is no Permanent Application List anymore. It is simple a Permanent AV Ballot List, meaning if you sign up you will automatically be delivered a ballot for every election. The sign-up sheet will be on the website. Langston concerned with the added cost Prop-2 brings.

**G. Joint Water/Sewer Board Report**

(1) Update Regarding Lift Station at Former Wheatberry Location-

Will be addressed later in the meeting.

**X. Unfinished Business**

**A. Alternate Appointments**

(1) City Commission Alternates for Various City Boards/Commissions- Consider appointing select City Commissioners to serve as "alternates" on various City Boards/Commissions.

**Motion made by Swem, supported by Weedon, to postpone till the list can be distributed. Roll call vote carries unanimously.**

**B.** ***RFP for Ross Sanders Bldg-** Consider a First Draft RFP to Advertise the Potential Future Sale of the Ross Sanders Bldg.*

**Motion made by Swem, supported by Weedon to approve the creation of a First Draft RFP to advertise the Potential Future Sale of the Ross Sanders Building, with the notice to go out within 30 days, and to include the following requirements: Submitting proof of financing or bank statements demonstrating ability to pay full amount of bid within 60 days of being awarded the bid, agree to enter into a Historic Preservation Easement with the Buchanan Historical Society, agreeing to work with the City to develop a “split” of the property from the Fire Hall by Buchanan Fire Department.**

**Yea: Swem, Denison, Weedon, Money**

**Nay: Vigansky**

**Motion carries 4-1**

**XI. New Business**

**A.** ***Waiver of Conflict of Interest RE Former Wheatberry Lift Station-** Consider approving a waiver submitted by the City Attorney, through which the City of Buchanan, if approved, agrees to waive any conflict of interest on the part of the City Attorney (Kotz Sangster) relating to the former Wheatberry Lift Station matter.*

**Motion made by Weedon, supported by Money to approve, as presented, the Waiver of Conflict of Interest submitted by the City Attorney; and hereby authorize the City Manager and Mayor to sign said Waiver.**

**Yea: Denison, Weedon, Money, Swem**

**Nay: Vigansky**

**Motion carries 4-1**

**B.** ***Closed Session***

*(1) Enter Closed Session- Consider entering Closed Session pursuant to MCL 15.268 Sec. 8 (1) (d) and (h), to discuss legal memos pertaining to the following attorney-client privileged matters: (i) the former Wheatberry Lift Station, a contractual matter, and a matter of employment law; in addition to also discussing the potential purchase or lease of real property.*

**Motion made by Weedon, supported by Money enter Closed Session pursuant to MCL 15.268 Sec. 8 (1) (d) and (h), to discuss legal memos pertaining to the following attorney-client privileged matters: (i) the former Wheatberry Lift Station, a contractual matter, and a matter of employment law; in addition to also discussing the potential purchase or lease of real property, at 8:16 P.M. Roll call vote carries unanimously.**

*(2) Re-Enter Open Session- Consider re-entering Open Session.*

**Motion made by Vigansky, supported by Money to Re-Enter Open Session at 9:43 P.M. Roll call vote carries unanimously.**

*(3) Action- Consider authorizing action based on conversations held in Closed Session.*

**Motion made by Swem, supported by Money to authorize action, as discussed in Closed Session. Roll call vote carries unanimously.**

*(4) Opening of Lift Station at the Fifteen-2-Twelve Restaurant.*

**Motion made by Vigansky, supported by Money to allow fifteen-2-twelve restaurant to open the lift station up to come back on to city sewer, with a 90-day report to the commission for the next 12 months. Roll call vote carries unanimously.**

**C. Budget Amendments**

(1) Option A- Consider approving Budget Amendment Option B, to remove previously anticipated revenues formerly associated with the Buchanan Area Chamber contract, to effectuate a transition of the "Executive Director/Main Street Manager" position to one that is instead "Main Street Manager/Assistant Director of Community Development." This would allow Ashley Regal, who is already a full-time employee of the city, to remain as a full-time City employee, just with a slightly different role. **(See Attachment B)**

**Motion made by Money, supported by Weedon to approve Budget Amendment 01-23-23-A.**

**Yea: Denison, Weedon, Money**

**Nay: Vigansky, Swem**

**Motion carries 3-2**

(2) Option B- Consider approving Budget Amendment Option C, which does everything listed above in Option A, plus authorizes the effectuation of an updated employment agreement for the new Main Street Manager/ Assistant Director of Community Development, which would include a pay increase, to help compensate for the additional duties that will be taken on due to the changed role (along with recognizing her for a job well done). City Administration strongly recommends the approval of this budget amendment, particularly in light of the fact that it costs more to attract and train new staff than it does to retain qualify staff who are already trained.

**No motion made.**

(3) Option C- Consider approving Budget Amendment Option D, which authorizes the effectuation of an updated employment agreement, which would include a 5% pay increase for Clerk Kalla Langston, to help compensate for the additional duties the Clerk must take on now due to the passing of Proposition 2 (along with recognizing her for a job well done). City Administration strongly recommends the approval of this budget amendment, particularly in light of the fact that it costs more to attract and train new staff than it does to retain qualify staff who are already trained. **(See Attachment C)**

**Motion made by Swem, supported by Money to approve Budget Amendment 01-23-23-C, as presented. Roll call vote carries unanimously.**

**D. IT Services Agreement**

(1) Exemplar IT Services Agreement- Consider approving a proposed agreement for IT services to be provided by Exemplar IT Services. City Administration tried a "soft transition" to utilizing Exemplar to "try them out," so to speak, and their services have been very helpful, so approval is highly recommended.

**Motion made by Vigansky, supported by Money to approve the Exemplar IT Services Agreement, as presented.**

**Yea: Vigansky, Money, Denison, Weedon**

**Nay: Swem**

**Motion carries 4-1.**

**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)*

None

**XIV. Executive Comments**

**A. City Manager Comments**

None.

**B. Commissioner Comments**

*Money-* Congratulated Mr. Lockett and Ashley. Thanked everyone that is here and thanks to the commission for their work.

*Vigansky-* asking the residents to participate in the school board meetings pertaining to the bonds.

*Swem-* Excited for Mr. Lockett

*Weedon-* Congratulations to Ashley.

**C. Mayor Comments**

Congratulations to the new Miss. Buchanan, Arianna Hankins and congratulations to Lily Waggoner for her reign as Miss. Buchanan and Miss. Blossomtime.

**XV. Adjourn**

Motion made by Vigansky, supported by Weedon to adjourn the meeting at 9:59 P.M. Roll call vote carries unanimously.

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Kalla Langston, City Clerk

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Mayor Sean Denison