

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, NOVEMBER 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

City Manager Grace called the meeting to order at 7:00 P.M.

II. Recognition

A. [**Special Note**--City Manager Heather Grace shall lead the meeting until such time as a Mayor is selected amongst and by the City Commissioners later in the agenda.]

Recognition #1- On behalf of the City of Buchanan, City Manager Heather Grace hereby recognizes and thanks our City Clerk Kalla Langston, along with her Team of dedicated Election Workers. Their hard work work is appreciated, and I hope that you will all join me in congratulating them on a well-run election.

Recognition # 2- City Manager Heather Grace hereby recognizes and congratulates our newly-elected, and re-elected, City Commissioners: Sean Denison, Mark Weedon, and Dan Vigansky. You have been selected by members of your community to join Commissioners Larry Money and Patrick Swem to makeup our new Commission for the City of Buchanan. As such, you are now entrusted with the sacred duty of leadership through service to your City and its People. May truth and wisdom guide you, as you chart the course for Buchanan's bright future!

-City Clerk Kalla Langston will now administer your Oaths of Office:

Oaths of Office

Clerk Langston administered the Oaths of Office to Sean Denison, Daniel Vigansky, and Mark Weedon.

III. Pledge of Allegiance

City Manager Grace led in the Pledge of Allegiance.

IV. Roll Call

City Manager Grace asked for roll call.

Present: Commissioner Sean Denison, Commissioner Mark Weedon, Commissioner Dan Vigansky, Commissioner Patrick Swem, Commissioner Larry Money

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; City Treasurer, Deborah Perez; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director Public Safety, Tim Ganus; Chief of Police Harvey Burnett; Fire Chief Mike Adams, Clerk Cashier, Jill Mondschein; Bookkeeper, Courtney Baham; Administrative Assistant; Emma Lysy

V. Approve Agenda

Motion made by Weedon, supported by Denison to amend the agenda to remove the notation in section VIII., as the City Attorney now recommends that nominations and appointments for the offices of Mayor and Mayor Pro Tem be conducted via nomination and vote, with no requirement for a formal motion and support. Roll call carries unanimously.

Motion made by Denison, supported by Money to approve the amended agenda, as presented. Roll call vote carries unanimously.

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

Dr. Patricia Moore thanked all the candidates that ran for City Commission and congratulated those that were successful. Thanked Mayor Denison for the helping hand with the tree planting that was held on Saturday.

Tony Houser, congratulated the candidates that won. Recommends that the Mayor should have more than two years in his position.

Monroe Lemay, thanked all the voters. The two of us that did not win will continue to support and work with the current commissioners. Lemay has petitioned for a recount due to only losing by 1 vote. Recommends that Sean Denison stay as Mayor. Lemay invited everyone to the Stephens Memorial Sunroom Dedication on November 17 from 4-6 p.m. at the Buchanan Area Senior Center.

Chief Burnett, introduced new police officer Cory Reed.

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

A. Nominations and Appointments- *Consider nominating, via motion and support, and then voting, on the following nominations and appointments:*

(A) Currently Existing Boards:

(1) Mayor (1 seat)

Grace called for Nominations for Mayor.

Commissioner Weedon nominated Commissioner Patrick Swem

Commissioner Money nominated Commissioner Sean Denison

Nominations closed with two nominations.

Votes were read aloud by Langston

Commissioner Patrick Swem received two (2) votes from Commissioner Mark Weedon & Commissioner Patrick Swem

Commissioner Sean Denison received three (3) votes from Commissioner Larry Money, Commissioner Sean Denison, and Commissioner Dan Vigansky

Majority has spoken Grace welcomed Newly Elected Mayor Sean Denison.

(2) Mayor Pro Tem (1 seat)

Denison called for Nominations for Mayor Pro Tem.

Commissioner Money nominated Commissioner Mark Weedon

Commissioner Dan Vigansky nominated Commissioner Patrick Swem

Nominations were closed with two nominations

Commissioner Mark Weedon received four (4) votes from Commissioner Money, Commissioner Patrick Swem, Commissioner Mark Weedon, Mayor Sean Denison

Commissioner Patrick Swem received one (1) vote from Commissioner Dan Vigansky

Majority has spoken Denison welcomed newly elected Mayor Pro Tem Mark Weedon

(3) **Planning Commission** (1 seat)

[as per Act 33 of 2008, state statute dictates that members of the Planning Commission must be appointed by the Mayor, subject to approval of a majority vote of the City Commission. Also, one member of the Planning Commission shall be the mayor, or the Mayor's designee, who may be another City Commissioner].

Motion made by Denison, supported by Money to appoint Denison to Planning Commission. Roll call vote carries unanimously.

(4) **Zoning Board of Appeals** (1 seat, with alternate- or five seats--see below)

[Pursuant to Public Act 110 of 2006, state statute dictates that members of a Zoning Board of Appeals must be approved by a majority vote of the City Commission - OR - the entire City Commission may choose to serve as the Zoning Board of Appeals].

Motion made by Denison, supported by Vigansky to appoint Denison to the Zoning Board of Appeals. Roll call vote carries unanimously.

(5) **Joint Water/Sewer Board** (2 seats)

Motion made by Money, supported by Denison to appoint Swem and Vigansky to the Joint Water/Sewer Board. Roll call vote carries unanimously.

(6) **Buchanan Area Recreation Board** (1 seat)

Motion made by Denison, supported by Swem to appoint Weedon to Buchanan Area Recreation Board.

Yea: Weedon, Money, Swem, Denison

Nay: Vigansky

Motion carries

(7) **Landfill Board** (1 seat)

Money motioned, supported by Weedon to appoint Swem to Landfill Board. Vigansky asked for discussion, there are 2 seats one currently filled by Grace. Vigansky would like to take Graces place to allow her more time.

Money amended his motion to appoint Grace and Swem to the Landfill Board.

Yea: Money, Swem, Weedon

Nay: Denison, Vigansky

Motion carries.

(8) **One Buchanan** (1 seat)

Motion made by Swem, supported by Denison to appoint Money to One Buchanan. Roll call vote carries unanimously.

(9) **Buchanan Area Fine Arts Committee** (1 seat)

Motion made by Denson, supported by Swem to appoint Denison to Buchanan Area Fine Arts Committee. Roll call vote carries unanimously.

(10) **Common Committee** (1 seat)

Currently Ashley Regal sits as the city rep. Commission agrees to keep that placement.

(11) **Board of Review** (1 seat)

Motion made by Vigansky, supported by Swem to appoint Money to Board of Review. Roll call vote carries unanimously.

(12) **Election Board/Commission** (1 seat) [should include Mayor, as per Buchanan City Charter Sect. 3.13]

Mayor Denison will continue as Mayor.

(13) **Cemetery Committee** (1 seat)

Motion made by Swem, supported by Weedon to appoint Money to Cemetery Committee. Roll call vote carries unanimously.

--OPTIONAL, BUT RECOMMENDED:

-City Manager Heather Grace recommends the formation of the following Boards/Commissions/Committees/Task Forces:

[Note that Manager Grace recommends that at least one, but no more than two, Commissioners serve on each of the following Committees. Also note that the following recommended committees are not intended to be "standing committees" in violation of Charter Sect. 6.7 because they are intended to only meet 'as needed' and also not be permanent, and only exist as long as is deemed necessary--and shall cease operations once their assigned task is completed].

(B) Recommended to Be Created Boards:

(1) **Compensation Commission** (2 seats)

-As noted in the Buchanan City Charter, at Sec. 4.4, the Home Rule City Act, Public Act 279 of 1909, allows for the creation of a Compensation Commission by ordinance. Manager Grace strongly recommends creating this Commission to assess the compensation given to members of City Boards/Commissions/Committees to ensure that we are continuing to attract the talent necessary to have well-functioning boards and committees, which is vital for the City's operations. This Committee shall meet as needed and cease operations once the City Commission has voted upon any recommendations related to committee compensation created by said committee.

(2) **Finance Committee**- In conjunction with the City's Auditor, Manager Grace also strongly recommends the creation of a Finance Committee. While not required by statute, a Finance Committee would be an ideal way to further improve the City's financial oversight, as well as provide an additional mechanism for enhanced transparency. This committee shall only meet as needed, and will cease operations once the committee is comfortable with the City's financial oversight processes, as presented to the entire City Commission during regular meetings.

(3) **Board of Public Works**- Pursuant to Buchanan City Charter, Manager Grace also strongly recommends the creation of a Board of Public Works, to include one to two members from the City Commission, plus three other members (five members total), with the three other members being "freeholders and electors of the City" [aka, a registered voter who owns property in the City], as per the Charter--in addition to seeking out members with experience in construction or related fields. The Charter also indicates that the Board of Public Works, if created, shall be charged and entrusted with the following duties, powers and responsibilities subject to the direction of the Commission:(1) The construction, management, supervision, and control of the City water works. (2) The construction, management, supervision, and control of any municipal electric system [doesn't apply in our situation]. (3) The construction, management, supervision, and control of such other public improvements or works as are designated by ordinance. This Board would only meet as needed, and would cease operation upon a vote of the City Commission, once the City Commission believes that the City has completed the majority of its needs related to construction and capital improvements.

-It is worth noting that if a Board of Public Works is created, such Board would still need approval from the City Commission to make expenditures--So, in essence, the Board of Public Works would review issues related to Public Works and then make recommendations to the full City Commission for review and requested approval. Manager Grace thinks that this would be a great benefit, given the many large construction projects in the City's near future.

(4) **Community Development Implementation Committee**- *Manager Grace also recommends the creation of a Committee to help guide and oversee our Community Development Department's implementation of the the City's stated goals and visions related to community development, including certification in the Redevelopment Ready Communities Program, creation of a successful Main Street program, creation of an updated zoning code, and implementation of the Andrew's University 'Vision for Buchanan' plan. This committee would meet as needed and would cease after it achieves the above stated goals, as decided by either the Committee itself, or by the City Commission.*

(5) **Economic Development Committee**- Manager Grace also recommends the creation of an Economic Development Committee to help guide City staff regarding items pertaining to economic development, such as façade grant programs, tax incentive programs, the sale of City-owned property, marihuana permit-related matters, and other issues relating to economic development.

(6) **Compliance Committee**- *Manager Grace also recommends the creation of a Compliance Committee, which would be charged with providing additional oversight in the areas of legal and ethical compliance. Manager Grace believes that this Committee will be important to help ensure that all City officials, including members of staff and all members of City boards and committees, are meeting all legal and ethical compliance standards. This committee would be charged with creating recommendations for best practices, would meet as needed, and would cease to exist once it has accomplished its stated goals, as decided by either the Committee itself, of the City Commission.*

(7) **Public Safety Committee**- *Manager Grace also strongly recommends the creation of a Public Safety Committee, which would be charged with all matters related to Public Safety, including the creation and implementation of a new blight remediation and code enforcement program--to include rental inspections, etc. The Committee would meet as needed and would cease to exist once it achieves its stated goals, as determined by either the Committee itself or the City Commission.*

(8) **Governance & Administration Committee**- Manager Grace also recommends the creation of a Governance & Administration Committee, which would be charged with the development of best practices related to matters pertaining to governance and administration, including things such as elections, public communications, interactions with the public, social media policies, and much more. This Committee would meet as needed, and would cease to exist once it achieves its goals, as decided by the Committee itself or the City Commission.

Motion made by Weedon, supported by Vigansky to postpone all items under VIII. B. Roll call vote carries unanimously.

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

A. Meeting Minutes- Consider approving the Regular Meeting Minutes from October 24, 2022.

B. Expenditures- Consider approving the expenditures for November 14, 2022, in the amount of \$143,046.11

C. Street Closure- Consider approving a Street Closure requested by the Buchanan Area Chamber of Commerce for the Christmas Parade being held on November 26, 2022, from 5-6:30 p.m.

Motion made by Vigansky, supported by Money to approve the Consent Agenda as presented. Roll call vote carries unanimously.

IX. Scheduled Matters from the Floor (if any)

A. Audit Presentation- Representatives from Kruggel Lawton will provide a brief presentation related to the City's most recent financial audit.

Kruggel Lawton gave a presentation of the Audit and gave the Commissioners its final draft.

X. Reports by: Departments, Committees, Boards

A. Clerk Report- Clerk Langston will give the public and commission a brief update on the November 8th, 2022, General Election.

Langston updated the Commission on election turnout with the City of Buchanan having a 41.62% turnout. Langston also explained recall and recount procedures. Langston also thanked all the election workers for their hard work.

Motion made by Denison, supported by Vigansky to allow Clerk and City Manager to explore other ways for the Election of Mayor to give the choice to the voters and not the Commission.

Yea: Denison, Vigansky

Nay: Weedon, Swem, Money

Motion does not carry.

B. Community Development Report- Director Murphy

A) **Resolution #2022.11/432**- Consider approving a Resolution to approve the Spark Grant Application for the St. Joseph River Access Project.

Motion made by Vigansky, supported by Weedon to approve Resolution 2022.11/432. Roll call vote carries unanimously.

B) **Façade Grant for 101-103 Days**- Consider approving a Façade Grant Application from Rowland Property Group for 101-103 Days Ave.

Motion made by Money, supported by Weedon to approve the Façade Grant for 101-103 Days, as presented.

Yea: Denison, Weedon, Vigansky, Money

Nay: None

Abstain: Swem (business interest)

C) Restaurant Improvement Grant- Consider approving a *Restaurant Improvement Grant Application from Rowland Property Group for 101-103 Days Ave.*

Motion made by Denison, supported by Money to approve the Façade Grant for 101-103 Days, as presented.

Yea: Denison, Weedon, Vigansky, Money

Nay: None

Abstain: Swem (business interest)

D) City-Owned Properties- *Murphy will provide an update on where we stand regarding the potential sale of City-Owned Properties.*

Murphy will be bringing a full plan and list of properties to the Commission for recommendation.

E) Zoning Ordinance Project- *Murphy will provide an update regarding our Zoning Ordinance project.*

The Zoning Ordinance Project is underway with 1st draft revisions. The group will be having round table discussions all day on December 6th with a Joint meeting at 5 PM on that day, between City Commission, Planning Commission and BARB.

F) Grants Update- *Murphy will provide a general status update regarding some of the many grant opportunities the City is currently exploring.*

Murphy gave the Commission an update on where some of the grants he has applied for and working on stand.

C. Public Services Report- *Director Mike Baker*

Baker updated the Commission with concerns about more failing equipment. Sweeper is still being looked at, the baler is currently out of order now. They are prepped for snow as of today.

D. Public Safety Report- *Director Tim Ganus*

Fire Chief Mike Adams gave the commission an update on some of the Community events that were held in October between doing school practice drills, Trek or Treat, Trick or Treat, as well as library events.

E. Finance Department Report- *Director Deb Perez*

Perez offered her support for any commissioner needing help deciphering the audit. She is continuing with the update of the chart of accounts.

XI. Unfinished Business

XII. New Business

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)*

Don Ryman- talked about changes in the city charter, doesn't think it should be messed with and believes it has held up well.

Stacy Denison- Gave thanks to the Fire Department for the programs that they bring to the school. Also made some comments about Leadership; while it can be fantastically rewarding it can also be a very lonely and thankless positions. Most people do not realize the sacrifices the commission puts into representing the community. Thanked them for all they do and the families of the commissioners.

XV. Executive Comments

A. City Manager Comments

Thanked everyone in attendance, for the people that participated in the elections as well as for being a citizen and a community member. We have a great community; everyone is a neighbor to each other. Thank you to the commissioners re-elected and newly elected. Would like everyone to keep in mind when the commission is asked to make difficult decisions that they are difficult and that we can respectfully disagree with each other but that bottom line of being respectful and being a neighbor needs to stay in our hearts.

B. Commissioner Comments

Weedon- Congratulations to the individuals that won. To the individuals that ran but did not get a seat, you did a great job running, by putting their name out there. They could have easily been sitting up here. Looking forward to the next 4 years. Congratulations to Officer Reed. Chief Adams, thank you for your work with the school. Thanks to everyone that attended tonight's meeting and the comments that were made about leadership.

Swem- Congratulations to the election winners, looking forward to working with this group. Let's get more accomplished next year.

Vigansky- Thanked his wife and family for handing out doorhangers during campaign time. Thanked Joe and Alan for their time. Thanked city hall for making him so mad that against all odds he won a seat. Thanks to the city staff for coming to the meeting on their own dime.

Money- Congratulations to Denison, Weedon, Vigansky, Houser and Lemay on a job well done. Hope we keep working in agreement as time goes on. Thanks to Langston for a well-run election. And for all the city staff. Thanked Baker and DPW for all their hard work. As well as Police and Fire Departments. Congratulations to Officer Reed. Appreciate this Commission and everyone that comes out to supports us.

C. Mayor Comments

Denison- The Buchanan City app that will alert you about things going on in the city will hopefully be up and running in the next few weeks. Thanked the Tree Friends for their hard work. Thanked Clerk Langston and the election worker team for their hard work. Wished good luck to his other commissioners and looks forward to working with them.

XVI. Adjourn

Motion made by Vigansky, supported by Money to adjourn the meeting at 9:15 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison