

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, DECEMBER 11, 2023 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

I. Call to Order

Mayor Denison calls the meeting to order at 7:00pm.

II. Recognition

III. Pledge of Allegiance

Denison leads in the pledge of allegiance.

IV. Roll Call

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

Absent: None.

City Staff: City Clerk, Kalla Langston; Chief of Police, Harvey Burnett; Director of Public Safety, Tim Ganus; Director of Public Services, Mike Baker; Community Development Director, Rich Murphy; Assistant Community Development Director, Ashley Regal; Clerk Cashier, Jill Mondschein

V. Approve Agenda

Motion made by Swem, supported by Weedon, to approve the agenda as presented. Roll call vote carries unanimously.

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

Norma Ferris – New business, Dial-A-Ride agreement wanted more information.

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

A. Minutes

1) Consider approving the Special Meeting Minutes from November 20, 2022.

2) Consider approving the Regular Meeting Minutes from November 27, 2023.

3) Consider approving the Special Meeting Minutes from November 29, 2023.

B. Expenditures - Consider approving the expenditures in the amount of \$120,808.51 for December 11, 2023.

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

VIII. Scheduled Matters from the Floor (if any)

IX. Reports by: Departments, Committees, Boards

A. Community Development Report – Director Rich Murphy & Assistant Director/ Mainstreet Manager Ashley Regal

1) Cannavista Wellness Adult Use Retailer License 2023 Renewal

Murphy explains that they submitted their application for annual renewal, submitted fees, and we conducted background checks per the ordinance and the Buchanan PD. My recommendation is to move forward with approval. Vigansky brought up the mural that was painted on the back side of the Cannavista Building. Murphy clarified that the owner of the business is not the same as the owner of the building. Trend in the industry is dropping the medical license and pursuing retail. Murphy *talked with Michael Beck*

of Cannavista and is sitting down this week or next week to discuss a possible community benefit agreement that could replace the funds we are not receiving due to the license not being renewed. I can report more on that, could be an opportunity for Buchanan to have those discussions with all the operators that are not renewing their medical licenses.

Motion made by Swem, supported by Money to approve the Cannavista Wellness Adult Use Retailer License 2023 Renewal as presented. Roll call vote carries unanimously.

2) Schalon Foundation Grant of \$25,000 for Victory Park improvements

Murphy acknowledges the great work going on in the North side neighborhood. We were recently notified by the Schalon Foundation of their \$25,000 contribution toward improvements to Victory Park. Mr. James Busby's been instrumental in bringing this funding to Buchanan.

Mr. Busby addressed the commission. He thanked Mark Weedon, Patrick Swem, Sean Denison, and Larry Money for being supportive of this project since I wanted to get it started. A lot of you don't know I started meeting with Bill Marx years ago trying to get the Victory Park project started. It's very dear to me because it was my grandmother's property and it's been in our family since 1930. I've worked with the Schalon Foundation for 20 years and if things work out, I'll be the leading force behind more money coming in the future for Victory Park improvements.

3) Closing of 123 Days Ave to Lise Gustavsen for business expansion

Just a formality, as the commission authorized, we did close on the property, and it is final.

4) Hometown & Co. Grand Opening and Ribbon cutting on December 14th

Ashley Regal invites everyone to meet Buchanan's four new businesses. The opening event will be from 4-6pm and we will have a Santa from 5-6pm.

X. Unfinished Business

XI. New Business

A. City Manager Contract- *Consider approving the City Manager Contract with Timothy Lynch.*

Swem motions to approve the City Manager Contract with Timothy Lynch and authorize the mayor to negotiate non-compensation related items and sign to get him in this position and in the office as soon as possible, supported my Money.

After recent events Commissioner Swem reached out to Timothy Lynch who served as our interim manager to see if he would be willing to come back while we look for another city manager. Through those discussions he was quick to respond to us that he was willing to come back to the city of Buchanan and he would do a minimum of a 1-year term. In addition to that, Swem reached out to the search firm Walsh Consulting because in our previous agreement we had a clause that if we did not fulfill a full year with our existing city manager their services would be free to us the next go around. They graciously agreed that if Tim does not decide to stay after the 1-year mark that they will honor that free arrangement for us for the next search as well. Tim is well respected by the staff and this commission.

Vigansky questioned the other commissioners about how the contract was written and when Swem had contacted him. He contacted him the day after Eldridge resigned to see his interest. Lynch had a previous contract that he wrote up and gave to Swem which was given to Denison to prepare it for the agenda tonight to discuss and vote.

The motion is moved to a roll call vote.

Yea: Money, Swem, Denison, Weedon

Nay: Vigansky

Motion carries 4-1.

B. Dial-A-Ride (Dart) Agreement- Consider approving the Dial-A-Ride (DART) Intergovernmental agreement for Transit Service.

Rick Huff of Niles is hoping to renew the transportation agreement before it expires 12/31/23.

Money moves to approve the DART Intergovernmental agreement for Transit Service as presented, supported by Weedon. Roll call vote carries unanimously.

C. Amendment No. 4 to owner-engineer agreement- Consider approving Amendment No. 4; the purpose of this amendment is to finalize the easement acquisition costs that were estimated in Amendment No. 2 of the Owner-Engineering Agreement. The amendment is also to request approval for P&N 2024 hourly rates.

Swem moves to postpone this until it has the opportunity to be reviewed by a city manager. Based on what has historically happened with Buchanan and our restructuring it should be reviewed by the next leader of Buchanan, supported by Vigansky.

Roll call vote carries unanimously.

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

A. City Commission Meeting- Please note that the next regular City Commission meeting will be held on Tuesday, December 26th, due to the holiday.

Swem motions, supported by Weedon, to cancel the next regular City Commission meeting Tuesday December 26th due to the holiday and authorize the city manager and or mayor to approve the bill run as needed.

Motion is moved to a roll call vote.

Yea: Denison, Weedon, Money, Swem

Nay: Vigansky

Motion carries 4-1.

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

Monroe Lemay, 118 Schirmer Pkwy – With the new city manager coming in, is there any chance that the commission can open up city hall like we used to have it before COVID? It's so much more personal to have a lobby for seniors to sit down, we just don't trust city hall anymore so it would be nice to be able to come in and repair that with our staff.

James Busby, 319 Elizabeth St – I just wanted to add one quick thing, I think there was some misunderstanding about the money for Victory Park. The money I got had nothing to do with the pavilion. Going forward I don't want to have anybody trying to insult Rich saying he didn't write any grants because he had nothing to do with it. Any money that I get moving forward has nothing to do with taxpayers, this is on me for Victory Park. And I forgot to mention one person, I wanted to thank Mike Baker because his crew has done a good job keeping the grass cut and looking good.

Jerry Flenar, 16485 Rynearson St – Chairperson for the McCoy Creek Trail and I keep coming up here about every meeting to tell you about something. It was brought to my attention again that when I stand up here and praise Mike Baker for the job, they do people could get the wrong idea that the city workers are working on my project which makes them not work not on their project. Every time they work for us Mike keeps a tab and charges the McCoy Creek Trail maintenance fund. Again, no money from the city, I wanted to make that clear.

Jeanie Harris, 320 Bluff St – I just wanted to say thank you to Rich for doing your due diligence in getting the pavilion built. Every step of the way you have kept the northside neighbors informed of funding and building. I appreciate it.

XIV. Executive Comments

A. City Manager Comments

B. Commissioner Comments

Weedon – No comment.

Swem – A couple things here, I'll start with a statement I made an OMA violation earlier I want to attest that is false. Because I have had a past relationship with Tim I took it upon myself to reach out to him for the benefit of this community. Upon receiving what he would ask for to come back I forwarded that on to the City Attorney and to the Mayor. There was no negotiation, he has not even seen our proposed contract yet because it would not be ethical for me to give that to him in advance. He will see that upon completion of this meeting so that it can now be negotiated. So, I just want to make that very clear. Major thank you to the Schalton Foundation, thank you Mr. Busby for all your work I can't say that enough. Then I did prepare a statement tonight as we move into the holiday season. I was watching a movie with my children last night, Genie a new movie, and a comment was made in that movie, "what more could a man ever wish for." That's an interesting phrase isn't it, I'm sure there's an endless amount of answers to that question. Well, this year what I wish for is grace. In times of turmoil, we find ourselves tested both individually and as a community. Today I stand before you not as a speaker speaking to provide answers but as a fellow member of this resilient community asking for a moment of grace. We are bound by shared experiences and moments of hardship its crucial we extend compassion, understanding and patience to one another. Turmoil may shape the foundations of our unity, but it is in these moments that strength in our community truly shines. Let us recognize that each person faces their own struggles and as we navigate this difficult period, empathy becomes our guiding light. Grace in its essence is an acknowledgment that we are imperfect beings grappling with challenges that may be invisible to others. And as we seek solutions and work towards rebuilding let us not forget the power of forgiveness and the healing it brings. Grace is not a sign of weakness but is a testament to our collective strength and it allows us to move forward together to mend the tears and the fabric of our community and build bridges of understanding. In the face of adversity let us resist the temptation to assign blame hastily and instead embrace the spirit of cooperation. By offering each other grace to learn from our mistakes we pave the way for growth and resilience. So in conclusion I ask you to join me in an environment where grace is not only sought but freely given. Let us be a community that rises above adversity united in our commitment to support one another through these challenging times and together with grace as our compass we will emerge stronger, more compassionate, bound by an unbreakable tie that defines our community. Thank you.

Vigansky – Your honor, the trash cans have been removed from downtown. I would ask that they be put back because we still got people in the city, and as long as I'm asking I want the sidewalks plowed. All of them, not just the ones they want to. I do have a question about a bonus. Is there anybody acting as city manager until the second of January? I guess can bonuses be given without the city manager, or who is sitting in the city manager's place? I have not had any communication with these commissioners whatsoever until I walked in here tonight so that's why I ask these questions publicly. It's humiliating for them because I have the guts to ask them publicly. So, I'm asking, I don't want bonuses paid because Bens is not going to give that bonus and I think you all know what bonus I'm talking about. I want the sidewalk the \$10,000 bonus to Rich, the sidewalk in front of Sweets restaurant, I want it cleaned off whether they have to use shovels or brooms and I want trash cans put back out. That's all I'm asking. As far as the bonus to Rich, whoever comes in to make that decision after they come in but Ben was not going to give it to him. As far as the pavilion, it looks great I drove by it a dozen times. Mr. Busby with all of our differences I do appreciate you raising money and that's not my argument with you at all, ever. Rich has not raised one red cent, that was still \$170,000 in taxpayer money. He could have went to other things and we could have maybe as much as a million dollars with that \$170,000 and build a pavilion and maybe redid the whole basketball court you want redone. So it's not like I'm against Rich, I just don't feel he earns his paycheck at all. Busby clarifies, "I need to verify, the money was not raised to let everybody know. The money was not raised." No, you got a grant, yes sir. Busby again clarifies, "No it was not a grant believe me. I'm the man behind the money, listen to me, it was not a grant. End of discussion. Thank you." Well thank you for giving it or whatever you did with it. Thank you very much, you know, I hope it goes to very good use up there because I know you need picnic tables and everything else. I've been out there with Mr. Brown looking at that park and what we need to do with that park. Jeanie's been out there with me too. So I'm looking forward to making it better like all the rest of them because we haven't done nothing to any of them for 20 years. Busby interjects, "And you were a commissioner last time and you did nothing." Well that's all I got.

Money – I want to say thanks to James and everything you folks have done up there to make this pavilion because when Patrick and I came on board that was one of our projects. We wanted to do something on the North side and we've done it. Thank you all for everything you've done up there. I want to thank Rich and Ashley for the incubator that they've done down there. You've started something down here in Buchanan, we are drawing people in. I think it's a great idea, I thought it was a great idea from the onset. I think you guys did a remarkable job and I appreciate everything you've done. Benn down there a few times to frequent everybody needs a taco at least a couple times a week. Once again, I always say this, this commission for the most part works hard to do what we're trying to do for the city. Patrick took it upon himself to reach out, gather the information, get Tim Lynch to come back, we are going to look at his contract regardless of what others may say and approve that. Once again, everybody have a great holiday and we will see you in January.

Vigansky – One more thing I got to add. I've gotten a couple of different things, committees to ask to join. They reached out to me in the last 30 days. I got accepted to this one, I'm kind of proud of this one, the Michigan Infrastructure Councils Asset Management Champion. I'm going to spend three months twice a week two hours a day, taking their tests and reading their stuff about infrastructure. So, I'm very happy that they accepted my application, and this is the acceptance of my application. That's all I wanted to add.

C. Mayor Comments

I just wanted to add that the pavilion at Victory Park was not funded with taxpayer money, that's factual. Secondly, in response to what Monroe said, I know that when Covid hit we put the window in out here so people could pay through the window. That was a good thing and I have heard some rumblings about the employees only sign on the door. Hopefully you can understand the way the folks in this office get treated. Maybe the doors will open again one day when people start being respectful. I don't know when it became okay to be disrespectful, to holler and yell, and act like a horses rear end in public and to be rude to people who just come to do their jobs. Maybe when the respect comes back we can open the doors back up and people will be allowed to come in. Lastly, I wanted to share a letter I got from representative Brad Paquette. When I had talked a couple weeks ago about revenue sharing Brad sent me a letter. It says, "I've always shared your concern pertaining to the depletion of revenue sharing funds between the state and local units of government and have supported and continue to support legislation which seeks to address the matter. Recently we passed house bills 4274 and 4275 which my colleagues and I believe will go a long way to address revenue shortfalls of local units of government. These bills create a revenue share trust fund within the Department of the Treasury. They are now winning a vote in the Michigan senate, and we will be tracking these dollars past the sign in of law. The bill creates a revenue sharing trust fund that will not lapse back to the state general fund at the end of the year. Under the new formula, 8% of state sales tax revenue taxed at a 4% rate will be deposited into the trust fund, generating a projected \$601 million for the fiscal year of 2025. Cities, townships, and villages will receive 52.87% of the fund while counties will receive 46%. Many across the state who represent local units of government came together to support this legislation including the Michigan township association, the Michigan association of counties, and the Michigan municipal league. The legislation was passed in the house and is now being considered in the senate and we will keep you updated, and I hope we can have a continue correspondence with the bolstering of revenue sharing in mind." So I want to thank Brad for being on top of that. That's all I have.

Flenar – Can I add one thing? Concerning the security of the hall, with all the stuff that goes on with shootings around the nation and whatever, I don't think I would open that up to the public. Somebody comes in at least we've got a stopping point now. I mean it might not be friendly, but the staff might like that also.

And the thing I will add, thank you Jerry, even though it says employees only city hall is open. You can call down here and make an appointment and they'd be more than happy to meet with you, sit with you, talk to you, answer your questions, go through whatever you want. I've said that before and I'll say it again, it's the absolute truth. There's no one in this building that doesn't want to help you.

Jill Mondschein – Can I just answer that sign on the door? We have extreme heat and extreme cold in here sometimes and sometimes we have to open the door to get fresh air in. When we do that we get an

influx of people. So, when we prop it open just enough I stuck a sign on there just saying hey we just can't have everyone wondering around so that's what that is. It's not meant to keep anyone out, only just for our safety.

Good to know, thank you. We have a motion by Weedon, supported by Money to adjourn. Roll call vote carries unanimously. Meeting adjourned at 7:44pm.

XV. Adjourn

Kalla Langston, City Clerk

Mayor Sean Denison