



REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY, DECEMBER 12, 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

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

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 Larry Money, Commissioner Patrick Swem, Commissioner Dan Vigansky

Absent: None

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 of Public Safety, Tim Ganus, Chief of Police Harvey Burnett; Mainstreet Manager/ Chamber Executive, Ashley Regal

V. Approve Agenda

Motion made by Vigansky supported by Weedon, to amend the agenda to add item for Credit Card Discussion under Section IX. Reports by Departments, item E. Finance Department Report number 2. Motion carries 4-1.

Yea: Weedon, Vigansky, Swem, Money

Nay: Denison

Motion made by Vigansky, supported by Weedon to amend the agenda to add item for a presentation about the removal of the silos as item A. under Section XI. New Business. Motion carries 4-1

Yea: Weedon, Money, Swem, Vigansky

Nay: Denison

Motion made by Weedon, supported by Vigansky to approve the amended agenda. Roll call vote carries unanimously.

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

Don Ryman- Comments about Zoning Code, does not believe we need a completely new zoning code.

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

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

A. Minutes- Consider approving the Regular Meeting Minutes for November 28, 2022.

B. Expenditures- Consider approving the expenditures for December 12, 2022, in the amount of \$42,614.06

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

IX. Reports by: Departments, Committees, Boards

A. Public Safety Report- Chief Harvey Burnett

1) Shop with a Cop 2022

Burnett gave the Commission an update about Shop with a Cop on December 3rd. The PD took a total of 14 children, 12 in person to shop at Wal-Mart in Niles, with 2 children not being able to be present a school representative was able to shop for them. With the gracious donations that were given each child was able to spend \$200.00, in past years it was \$100.00. The event was a huge success, with the Mayor and Courtney from City Hall helping in the event. He gave a giant thank you to The American Legion, Buchanan Scarecrow Charities, the Buchanan-Galien Lions Club, and other private and businesses that were able to donate. It's a great event to give back to the community.

Denison also wanted to give a thank you to the Sweet Shop for hosting the kids for snacks after the shopping.

B. Community Development Director Report- Rich Murphy

1) Microbusiness Ordinance- Consider First Reading of Proposed Amendments to the Adult Use Microbusiness Ordinance to include Class A Microbusinesses, as is newly allowed via recently updated state law.

Murphy brought forth an amendment to the Adult Use Microbusiness Ordinance (2019.11/214). The state has made changes regarding Microbusiness. For public knowledge, Microbusiness was a concept developed for a smaller business to be able to compete. Buchanan had opted into one microbusiness license in 2019. The class A has a few changes that Murphy outlined on the ordinance. *See attachment A*

Denison wanted to clarify that the city is not adding any more dispensaries that were not already approved. Murphy is requesting to change our ordinance to mirror the states rules.

Vigansky wanted to get a better understanding of the Microbusiness.

Weedon commended the Walpole Brothers for sticking with it.

Motion made by Weedon, supported by Money to approve the first reading of proposed amendments to the Adult Use Microbusiness Ordinance, as presented. Motion carries 4-1.

Yea: Denison, Weedon, Money, Swem

Nay: Vigansky

C. Main Street Winter 2022 Progress Report- *Main Street Manager/Buchanan Chamber of Commerce Director, Ashley Regal & Main Street Board Chairperson Tony Housand will provide an update on recent progress.*

Regal gave an update on The Michigan Main Street Board and what they have been working on. With the training complete in November, the four components of Main Street is Design, Economic Vitality, Promotion, and Organization.

The board has subcommittees in the four components. Regal went through the committees and the people that serve on them as well as their priorities. Regal is extremely proud of the project and all the work the boards have put in.

D. Board of Review Appointments- Clerk Kalla Langston

-Note that both items above are recommended for approval by City Assessor Mindy Cole-Crocker.

1) Emma Lysy Application- Consider the application of Emma Lysy to join the Board of Review due to the vacant position in 2023 with the term beginning in January of 2023- term ending in January 2025

Motion made by Vigansky, supported by Money, to appoint Emma Lysy to the Board of Review, as presented. Roll call vote carries unanimously.

2) Jeff Griffin Re-Appointment Request- Consider Re-appointing Jeff Griffin to the Board of Review with a 2-year term beginning in January 2023- term ending in January 2025

Motion made by Swem, supported by Money to appoint Jeff Griffin to the Board of Review, as presented. Roll call vote carries unanimously.

E. Finance Department Report- Deborah Perez

1) ~~Finance Dep't Update, including discussion by Financial Advisor Andy Campbell of Baker Tilly~~

Perez had supplied a revenue and expenditure report as well as the bank reconciliation for October. Revenue and expenditure for the General Fund were at just about 40% revenue collected and 40% expenses. 501 water/sewer is at 52% collected and 40% for expenditures.

2) Credit/ Purchasing Card

Perez updated the Commission as to why the Purchasing Cards were removed from the agenda. The agenda before had asked the Commission for 3 additional purchasing cards, two of which were replacements due to staff changes, the other was for a newly issued card. Which if the three had been approved it would have given the city a total of 15 cards. Perez is looking to revamp that policy as she does not see the need to have that number of cards, nor does the city have a policy on purchasing cards for employees. Perez will be creating one to bring in front of the Commission and would like to move forward with having corporate cards with authorized signatures.

Perez also updated the commission that she was nominated by Grace to AM Champion program for the Asset Management and will begin that in January. Winter taxes are being collected now through February.

F. Public Services Report - Director Mike Baker

1) New DPW Bldg. Construction Bids- Consider approving AVB to go out to bid on the upcoming project to construct a new DPW bldg.

Motion made by Vigansky, supported by Money to AVB going out to bid on the new DPW building, as per AVB's presented recommendations.

Swem asked for discussion.

In the agenda Andy Campbell was supposed to be here to talk about how the city is going to fund the project. Grace was asked to go over the expectation of how we are paying for this.

Grace had a meeting with Campbell and decided that \$45,000 would come out of 101 General Fund and \$45,000 would come out of streets between local and major to be determined by the Commission. The water/sewer rates would be raised as previously discussed to cover the other half of the bond payment.

Swem has been against a project this large the entire time. But he did want to thank the team that has done all the work into this project, it was a huge commitment that was made. He urges his colleges not to handcuff the community with the financial baggage that comes along with a 5-million-dollar project. It does not provide enough efficiency or economic impact to justify this level of expense. The city is not in a position to absorb this level of cost. The concept of having our water/sewer bills carry much of that load is one that's a significant concern. With our \$20 million bond on the horizon, this proposal essentially becomes a tax that hurts the people in this community that can afford it the least. The fear of \$200 water bills for a family is already knocking on our door and he's already consistently paying over \$150 a month. He won't vote yes for a project that's going to have that level of negative financial impact on households in this community and crush our ability to fund projects through the financial burden. It's just too much money.

Vigansky agrees with Swem but now we're between a rock and a hard spot. The building is gone and about three years behind schedule. He's going to be complaining a lot about the water bills because there should have been a lot more work put into this on the financial side.

Discussion between commission about cost of the building and alternative options.

Roll call

Yea: Money, Denison, Vigansky

Nay: Swem, Weedon

Motion carries 3-2.

2) General Public Services Dep't Update

Street Sweeper is still broken down, parts have still not come in yet. If we don't have a timeline, we will need to be on a list to rent one out.

Anticipating snow this weekend the DPW got the trucks ready to go.

Concerns about trash, even though it takes time to pick up the trash. Vigansky would like the trashcans left out downtown. Baker removed them due to snow fall and not being able to maneuver the equipment on the sidewalks to clear snow. Vigansky would like to know if there is anything we can do about the dumping of wood and other materials. Baker is a proponent of fences around the dumpsters.

X. Unfinished Business

- A. Items X. A was postponed at the November 28th meeting for all the Commissioners to be present on deciding (Items VIII. B. was postponed at the City Commission meeting on November 14th. until the entire City Commission could have a further review of said boards.)**

--OPTIONAL Boards for the City Commission to consider for potential creation:

-After further one-on-one conversations with City Commissioners, Manager Grace does not necessarily recommend the creation of these optional boards, unless the City Commissioners so desire:

(B) Boards to Consider for Possible Creation:

(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.

(2) Finance Committee- While not required by statute, a Finance Committee could be a way to further improve the City's financial oversight, as well as provide an additional mechanism for enhanced transparency.

(3) Board of Public Works- Pursuant to Buchanan City Charter, a Board of Public Works could be created, which could 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.

(4) Community Development Implementation Committee- Could be created to help oversee and guide 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.

(5) Economic Development Committee- an Economic Development Committee could be created 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, marijuana permit-related matters, and other issues relating to economic development.

(6) Compliance Committee- a Compliance Committee, if created, could be charged with providing additional oversight in the areas of legal and ethical compliance, as well as statutory and regulatory compliance.

(7) Public Safety Committee- a Public Safety Committee could be charged with all matters related to Public Safety, including the creation and implementation of a new blight remediation and code enforcement program--to including rental inspections, etc.

(8) Governance & Administration Committee- a Governance & Administration Committee could 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, etc.

(9) Any other Alternate and Board Appointments

Motion made by Vigansky to take no action on all items under Unfinished Business at this time, no support to motion. Motion fails.

Motion made by Swem, supported by Weedon to create the finance committee, with Commissioner Swem, Mayor Pro Tem Weedon, City Manager Heather Grace, and City Treasurer Deborah Perez.

Yea: Swem, Denison, Weedon, Money

Nay: Vigansky

Motion carries 4-1.

XI. New Business

A. Removal of Silos

Mario Palmisano representing South Bend Chocolate Factory. The SBCF is building a complex by the South Bend Airport, they are wanting the silos that have the domed top to create a golden dome. Ultimately, they are willing to take the equipment down at their cost.

The Commission would like to set a meeting with the other company that was interested in the silos and with Mario.

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

A. GoGov App Soft Launch- Manager Grace will share a communication related to the soft launch of a new City app from GoGov called "My Buchanan Go" in the app store.

The city is looking for feedback on the app during this soft launch, to tweak anything that may need to be added. Then we will market it in full force.

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

William Hass- Works in the Marihuana Industry, questioned the 6th marihuana retail permit. He would also like to have the opportunity for Microbusiness Class A Permit.

Kelly Lesh- Christmas parade was beautiful, and just wanted to give thanks to the DPW crew for coming out the next morning and doing a trash run. Also wanted to praise to Mike Baker for always being readily available and professional with any incidents that occur.

XIV. Executive Comments

A. City Manager Comments

It was mentioned in the finance department report that I have recommended for our treasurer to join the asset management champions program. I just finished my own training - it's about a 3 1/2-month long program, it's very intensive, there's a little over 40 hours' worth of online modules that you have to do as well as six interactive facilitated zoom meetings plus two in person meetings in Lansing. I wanted to discuss it this evening to impress upon the community the importance of this endeavor and the fact that it's going to be very intensive timewise for staff but in the end, it has huge dividends. Just to touch on some of the points from the program; essentially what they're asking us to do is inventory every foot, every yard of infrastructure throughout this entire community and if you can imagine the thousands of miles of water and sewer, storm sewer pipe, in addition to streets sidewalks they must inventory. Every single publicly

owned building they want us to inventory, absolutely everything that we have, every playground structure associated with the replacement cost and life expectancy, and you know there was vandalism at this site you just have to do that ,there's a service line that needs replacement. It's extremely complicated. We'll ultimately result in literally millions of data inputs by staff. They estimate that it will probably take approximately five years to fully complete but, in the end, once you do that it creates a system, and that system allows you to have extremely accurate budgeting both short term and long term. It really allows citizens of Buchanan to have their elected representatives make the most well-informed decisions for future generations to come. It's a system that's a breathing documented system, constantly updated and evolving, and I'm looking forward to bringing that to the community. I did want to share that I would be certified in that program. There's a very small amount of folks certified in it so I'm excited to bring that. You'll probably hear me discussing that over the next several years.

B. Commissioner Comments

Weedon - Thank you for everybody here. We put a lot of pressure on Mike in particular, I wanted to thank you for bringing answers. He know it was quite a different thing for you to have to be at the forefront of the DPW and give presentations, but I think now you understand those expectations and you bring answers, not just what we needed. We should bring justifiable reasons for actions that are taken out there. Ashley explained the Main Street program exceptionally well. I know that there's always a lot of questions about what it is. It's going to improve itself and with the work that you've already done. Rich, thank you so much for bringing that microbusiness and attention to detail about what that is and the changes that have come with it. Shop with a Cop, you guys always knock it out of the park. I'd like to say thanks to Joe and Tom for having the kids down at the Sweet Shop, very cool to see Sean down there, officers, and the kids. The recount is tomorrow, and I wish the best of luck to Monroe. I realize it's not just necessarily directed at me, but we are within one vote so this could be my last meeting. If it is, thank you for the last four years; if it isn't, then I'll see you in two weeks. Best of luck at the recount tomorrow.

Swem - Thanked his peers for a good discussion. Looks forward to the next meeting.

Vigansky – Donated to the library for their fundraiser. Touched on the his participation in the Republican delegate meetings. The Republican Party have 150 plus delegates now if anybody's interested delegates throughout the county and I know this is on the republican side - with the Democrats I'm sure it's the same thing and I don't do this very often it's just to get involved and to get educated. so, he could bring this education down here as far as Roberts Rules and how to conduct the meetings and I learned how not to do it.

Money – Thanked Regal for her introduction to the Main Street program, Baker for improving and doing a great job, and the police department for their Shop with a Cop program. He thanked everyone involved. He recognized the commission for the work they put in to make the City a better place and it's a privilege to serve with them.

C. Mayor Comments

Denison thanked everyone for attending and participation. He wished the City staff good health.

XV. Adjourn

Motion made by Weedon supported by Money to adjourn the meeting at 8:52 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison