

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

The meeting was called to order at 7:00pm.

**II. Recognition**

**A. Recognition of Officer Corey Reed and Officer Jason Cullum** – The City of Buchanan proudly recognizes Officer Reed, Officer Cullum, and the city cadet firefighter Christian Fellows. Christian administrated CPR to his father before officers Reed and Cullum arrived. The three gentlemen were awarded with the life-saving award.

**III. Pledge of Allegiance**

Denison led 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

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

**V. Approve Agenda**

Motion made by Swem, supported by Money, to approve the amended agenda including postponing Item VI. Public Hearing #1 to February 12<sup>th</sup>, 2024, and postponing Item VIII. Public Hearing #2 and item XIII. A-3 to the January 31<sup>st</sup>, 2024 Special Public Hearing Meeting.

Roll call vote to approve the agenda with these amendments carries unanimously.

**VI. ~~Open Public Hearing #1~~ → POSTPONED TO FEBRUARY 12<sup>TH</sup>, 2024 REGULAR MEETING**

~~**A. Public Hearing for the possible sale of City Property at 401 River St.** – The public hearing is being held pursuant to Section 8.7 of the City Charter for the purpose of the City Commission, considering, accepting public comment on, and deciding upon the possible sale of City Property located at 401 River St. Buchanan, MI 49107.~~

**VII. ~~Close Public Hearing #1~~****VIII. ~~Open Public Hearing #2~~ → POSTPONED TO JANUARY 31<sup>ST</sup>, 2024 SPECIAL MEETING**

~~**A. Public Hearing for Michigan Community Development Block Grant (CDBG) for Project Northstar** – The purpose of this public hearing is to allow citizens to submit comments on the proposed application for a CDBG grant. The City of Buchanan proposes to use \$300,000.00 CDBG funds to support homeowner improvement, demolitions/reconstruction/resale activities in Buchanan's Northside Neighborhoods. All activities, upon completion, will benefit low to moderate income households. 0 person will be displaced as a result of the proposed activities.~~

**IX. ~~Close of Public Hearing #2~~****X. Public Comment – Agenda Items Only (3-minute limit)**

*Carla Jackson Johnson – What a lovely way to start the meeting with the wonderful police being honored. I support them greatly and that’s basically what I was thinking about. I have been thinking about wanting more positivity in our meetings and in our discourse and in our city. So tonight, what I’m asking is for a hearing on this complaint, but truth is not mine to ask for and its not yours to give. It’s already here, it’s done. I hold this up as a light, that’s my intent. To illuminate the word of law. I’ve delt with the truth as I see it and now it’s for you to see it and respond. Face the facts, accept responsibility, it’s your opportunity to reflect the light of truth and to shine. Respect the self-governance the city charter decrees for our citizens, and you won’t have to worry all the time about salvaging your name. Live up to the light of the law and do something noble and beautiful while you’re in that light.*

*Norma Ferris, 304 N Oak– If I can remark on that, I will. No. Nothing has been done wrong. Our ladder of government here we are first. We vote for our commissioners. Dan you are ahead of the manager, the employees are below the manager. You did nothing wrong by firing that employee.*

Denison clarifies that he did not fire anybody.

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

**A. Minutes** – Consider approving regular meeting minutes from January 8th, 2024.

~~**B. Expenditures** – Consider approving the expenditures for January 22nd, 2024 in the amount of \$176,165.74~~

Vigansky motions to move Consent Agenda Item B. Expenditures to New Business Item A.

Motion made by Swem, supported by Vigansky, to approve the amended consent agenda as presented.

Roll call vote carries unanimously

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

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

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

Murphy – Annual renewals for cannabis operators for 2024. There are two licenses for Zen Leaf, and five licenses for Redbud Roots. I received the applications, fees, and have forwarded the background checks to Buchanan Police. All the paperwork is in order, and I recommend approval.

1. Consider Zen Leaf Buchanan Marihuana Permit Renewals (1) Adult Use Retail License Renewal, 259 E. Front St. (2) Medical Use Retail License Renewal, 259 E. Front St.

Vigansky motions, supported by Swem, to approve the Zen Leaf Buchanan Marihuana Permit Renewals, as presented.

Roll call vote carries unanimously.

2. Consider Redbud Roots Marihuana Permit Renewals (1) Redbud Roots Lab II, LLC- Class C Grow- 215 Post Rd- Adult Use; (2) Redbud Roots Lab II, LLC- Class C Grow- 835 Terre Coupe- Adult Use; (3) Redbud Roots Lab II, LLC- Class C Grow- 835 Terre Coupe (STACKED) Adult Use;(4) Redbud Roots Lab IV, LLC- Processor - 215 Post Rd- Adult Use; (5) Redbud Roots Lab IV, LLC- Processor- 215 Post Rd- Medical

Swem motions, supported by Money, to approve the Redbud Roots Marihuana Permit Renewals, as presented.

Roll call vote carries unanimously.

~~3. Consider Resolution 2024.01/03, authorizing resolution for CDBG Program.~~

4. Consider Resolution 2024.01/04, a resolution for local support without financial commitment for LIVEBUCHANAN application for Michigan Main Street Designation.

Regal – This is the last step before we submit our application. With your approval we can submit and find out if we receive designation from the state as a Michigan Main Street.

Peter Lysy presented on behalf of LiveBuchanan is a 501C-3 non-profit group created to fulfill the commissions 2021 plan to get the Michigan Main Street status for Buchanan. That process began when we hired Main Street Manager, Ashley Regal, in Fall 2021. Every three years the MEDC picks no more than three communities in Michigan to advance to the select level of the Main Street program. This status opens technical assistance and potential grant funding. This is the application we are submitting. We ask for the commission’s approval which is a requirement for the application.

Motion made by Weedon, supported Money, to approve resolution 2024.01/04 to support the LIVEBUCHANAN application for Michigan Main Street Designation, as presented.

Roll call vote carries unanimously.

#### XIV. Unfinished Business

A. Appointments – Consider appointing Commissioner Larry Money to the Joint Water Sewer Board as one of the City Commission representatives. As well as considering Mayor Sean Denison to Buchanan Area Recreational Board (BARB) as the City Commission Rep.

Motion made by Swem, supported by Weedon, to approve appointing Commissioner Money to the Joint Water and Sewer Board, and Mayor Denison to the Buchanan Area Recreational Board.

Motion is moved to a roll call vote.

Yea: Weedon, Money, Swem, Denison

Nay: Vigansky

Abstain:

Motion carries 4-1.

#### XV. New Business

A. Complaint Consideration – Consideration of the complaint filed against Mayor Sean Denison and vote on whether or not to proceed with a hearing, pursuant to the Rules of Procedure for City Commission Meetings and City Code of Conduct and Ethics.

The commission discussed next steps with the city attorney reviewing the complaint for an option. The 2 complaints that were filed before were given the same action.

Motion made by Swem, supported by Money, to refer this to the city council for a written review and memo to be provided to the commission for discussion at the next commission meeting.

Roll call vote carries unanimously.

B. Expenditures – Consider approving the expenditures for January 22nd, 2024, in the amount of \$176,165.74.

Please point out the checks that you have questions about.

Vigansky asked city manager Lynch for a breakdown on the \$20,000 for the lawyer.

Lynch broke down the invoice as follows; USDA, commission, city manager, and FOIA expenses.

LEGAL FEES.....	\$8,050.00	LEGAL FEES.....	\$7,325.00
USDA PROJECTS.....	\$3,450.00	LEGAL FEES.....	\$1,175.00 = \$20,000.00

There were some legal questions regarding the execution of the FOIA's.

Other bills were brought up for discussion and answer questions about the items Vigansky was wanting more information on such as cemetery plaques, tractor rental, cold patch, and a invoice for a videographer.

Motion made by Vigansky, supported by Weedon, to approve the expenditures for January 22nd, 2024, in the amount of \$176,165.74.

Roll call vote carries unanimously.

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

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

*Terry Sulak, 3209 Niles Buchanan Rd – I am worried about the traffic by High Profile. The night before Christmas Eve we went to Dollar General to finish up our Christmas shopping and we pulled into the handicapped parking, and we couldn't get out. There was traffic from High Profile down to where Hilltop was, it was everywhere. McDonalds was blocked off, you couldn't get into Dollar General. The police, if there was an emergency, wouldn't have gotten out to be there. I'd like to see something done because this is not the first time. Could they get parking in the back and how many more pot shops do we need? We are going to have to rename this town Buchannabis. Thank you very much.*

*Monroe Lemay, 118 Schirmer Parkway – Good evening commissioners. I want to talk about FOIA's. In 2010 I was nicknamed the FOIA queen and the reason I was nicknamed that was because we had a city manager who was embezzling money and doing some things that were really questionable. And it took me many FOIA's to finally prove that whatever I was saying was correct. It did not cost \$8,000. I am telling you that \$8,000 at \$250 an hour is 32 hours. I don't think \$230 is a lot for a lawyer, not around here that's what they take, but the fact that he takes so long to get something done made me more questionable about the attorney that we have because most attorneys, and I know that definitely Kotz does, they have a lot of paralegals that help them do that work. So I don't know how we can justify \$8,000 for FOIA. Now, back to the FOIA. I spoke to Tim and there are a lot of things that I have questions for that I would rather not FOIA because it does take time to FOIA. And it bothers her and it bothers everyone. If we can come into the office and look at the files that you feel are not FOIA-able or that nothing to do with staff or anything like that we would be happy to come in and do that. I can't speak for everybody, but I know I would. I'd much rather sit there and look at the paperwork to try and figure out what it is I am looking for and what it is that will answer my questions regarding certain things in this community. So, if that's possible we would definitely take that route, I would definitely take that route and save us a lot of money. But \$8,000 for FOIA's I know how many FOIA's you've had, I gave you three of them and they did not need a lawyer to get this. But I know it has to go through the lawyer because that's the law. So, if it goes through the lawyer and he says yes you can give him that. That should not cost you more than hour for him to say that. Please, be honest with us and find out why the lawyer is charging you \$8,000 for FOIA.*

**XVIII. Executive Comments**

**A. City Manager Comments (47:33)**

Lynch: It's great to see so many familiar faces here. I am looking forward to great things here in the City of Buchanan. We are currently wrapping up our financial audit for submittal to the state next week and I am working with Mike Baker in submitting a grant application to EGLE seeking funding for technical, managerial, and financial support for lead service line replacement. We are practicing together trying to get this grant application out and hopefully we will be successful. It is due at the end of the month and there are no local matching funds required.

#### B. Commissioner Comments

Weedon: First of all, Dan thank you for bringing up the questions about the checks and about the expenditures. I think that is something that the public needs to be aware of it is something that is easily passed over and easily forgotten about. To Monroes point, there were some unethical things happening in 2010 and it did become a FOIA issue and they uncovered it. I don't think its unusual for somebody to do that and Dan might have a delivery that doesn't sound like its going to be calm and reasonable but he has questions you guys need to hear and answers that you need to get. Theres nothing wrong with that so thank you Dan for bringing that up. Number two, its very interesting when we get to FOIA's and we immediately think oh gosh what do we have, what do I need to find and the new look at what the request is and the majority of the time there is none. And its interesting because I know they are trying to find something, it doesn't mean anything is there, they want answers, but when you get the requests the first thing I get to email back to Kalla is nope no documentation. Not for the fear of somebody finding anything out or somebody uncovering some kind of mystery or secretive thing that's happen within the society they are creating. It doesn't exist. So the FOIA's only happen because people think there is something to uncover. In five years I have seen multiple and it is very interesting to me to send those in and wonder what is it they think they're going to find when I get to have the luxury of saying none. That's wonderful, that's what it should be. That means we are being transparent that means that the information they are requesting doesn't exist good, bad, or indifferent. So, I thank you for those because it does prove things are being done correctly.

Swem: I had FOIA on my list of topics to chat about as well. As we talked in the beginning, it puts a ton on the city hall staff and if we are trying to be efficient with our time and what we are spending taxpayer dollars on just keep in mind it takes a lot out of them to do that work. Half the time I know, much like Marks response, my response is there's no documents or communication associated with that. It kind of hurts my heart to see what people thinks is going on that's not really going on. It is what it is, we have to write checks to pay for those bills. The High-Profile piece Terry, I agree with you. Our team has been having a conversation because that was not a great day for the community and there was a lot of Facebook advertising things on that which didn't put us in the best light. Then I read a news story that was shared by some individuals in this community put out there by WSBT and I am really disappointed in it. That said, four commissioners were trying to remove the mayor which is not a true statement at all. The news is going to be down here, my expectation out of you is the factual reporting you have an ethical standard. Don't misquote me when you have everything on video, do your research. You have to do better than that.

Vigansky: With that being said I want to thank all of you guys in the media because you've been doing a damn good job I just wish you did a little more investigative reporting. You've been quoting me quite well and you have to back track because things have been said down here. As far as embarrassing people, I have a high expectation for people earning their paychecks. I have a city manager, I had a city manager now. Was he put in the seat right correctly? No. He understands that, according to your charter. You guys want to think you can do what you want to do but you want to shout me down and act pompous. Just sitting there you look pompous. Then telling me I shouldn't even be sitting here.

Denison asks: But you're not trying to embarrass anybody right? No. He sits there and he's pompous I

don't care he's pompous as hell. The thing about it is, I voted you in. I won't vote for him but you catered to him and you couldn't stand him three years ago. You wanted to deal with him but none of that's ever said and this is your politics folks. This is what your politics really are. And whether you like them or not were not catering. I'm not going to cater to the carpetbaggers the shyster or the snake oil salesman and you still have them in this town. This town has spent 100 years trying to get ahead of itself and it hasn't. It brought Clarks to town and then it laid down. It's laid down ever since. We brought marijuana into town and all anybody can do is bitch about it. It's shot life into town, we haven't dealt with it well in some ways. The antique dealers come into town, everybody complains they are only open on the weekends because they don't cater to the locals but they still bring money and business into town. So you need to wrap your arms around the businesses because the locals have never, including Clark Equipment going that far back. Clark Equipment was a great enabler, it was a sugar daddy. And when it got tired of being a sugar daddy it left. That being said, and I love this city I've lived in this city twice. I moved out and I moved back. So, I love this city and I'm looking out for your dollar, every one of your dollars nonstop because nothing else matters but your dollars. Thank you.

Money: Well on a brighter note, thank you Cory and thank you Jason for the work you did. It's well deserved. Enough can't be said for the police department that we have here. Supposedly we wanted out of here but that was never the case. And I'm quite sure that the people that are here really appreciate what you do for this city. And to include Mr. Burnett and Mr. Ganus too. Thanks to Mike Baker and his crew for keeping our city streets clean. I see there was a lot of stuff on Facebook and we all know how that goes because social media is the grace of Buchanan. You know they want to complain that you didn't get somebody's ally but I see you folks going out there, I see you doing a lot of good stuff. I'm quite sure that the citizens of Buchanan other than a few which probably don't even live in the city of Buchanan. Once again we don't need to talk about the FOIA information, it is what it is. We'll all take care of that as we see fit. Thank you to this commission once again for doing all the hard work that they put in. Thank you to our staff out there that put in a lot of hours. Welcome aboard Tim, its good to have you back.

### C. Mayor Comments

Tim, it is good to have you back. I too want to thank Officer Reed and Officer Cullum. Those kinds of things are the reason that community's organizations should be here following because those are the stories you should be watching. That along with the other great things that happen in this town like the huge number of volunteers we have at the scarecrow charities, and the trail friends, and ram love. There are so many good things you could be reporting on, but you only show up when we seem to be yelling at one another unfortunately. If you can drive through this town and not tell you there's economic development happening, you're driving through town with your eyes closed because there is so much happening in this town it's remarkable. And it's due to the hard work of people like Ashley, Rich, Julie, Anne Tuite, Peter Lysy, Rich Martin, and it goes on and on. There's a ton of people working to good in this town and it's working and it's only going to get better. As Peter mentioned in his statement, once we get the Main Street designation it opens the doors to enormous amounts of funds and information. You get to work with other people who are doing the same things and you get to find what works in their neighborhoods and in their cities. It's worth all the effort you've put in, thank you.

## **XIX. Adjourn**

Motion made by Weedon, supported by Money, to adjourn the meeting at 7:58 PM.

Roll call vote carries unanimously.

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Kalla Langston, City Clerk

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Mayor Sean Denison