

**City of Buchanan Commission Minutes
January 11, 2021**

The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, January 11, 2021, and was called to order at 7:04 p.m. by Mayor Sean Denison. The Mayor led the Pledge of Allegiance.

Recognition

None

Roll Call

Present: Mayor Sean Denison, Commissioners Cameron Downey, Larry Money, Patrick Swem, Mark Weedon
Absent: None
City Staff: City Manager, Heather Grace; City Clerk, Barbara Pitcher; Interim Treasurer/Bookkeeper, Stephanie Powers; Director of Public Works, JT Adkerson; Police Chief, Tim Ganus; Assistant Fire Chief, Robert Blaylock; Water Department Operator, Scott Desenberg; Department of Public Works; Mike Baker; Building Inspector, Guy Lewis
Guests: 21 online guests

Agenda

Weedon moved, seconded by Downey to amend the agenda to include Unfinished Business item G – Consider selling 404 Elizabeth Street to Tyrone Hamilton, and to modify the consent calendar invoice/expenditure amount to \$222,558.43, reflecting the addition of tax disbursement flow-through. Roll call vote carried unanimously.

Weedon moved, seconded by Downey to approve the agenda as amended. Roll call vote carried unanimously.

Public Comments (agenda items)

- **Dan Vigansky** – Urged Commission not to spend \$5000 on the college as there are no plans; \$3800 is one thing but \$9000 is a completely different thing. Regarding Guys & Dolls in Ross Sanders building, we don't know how long she'll be there, even if it's month-to-month, it seems like she's been good at paying. Leave the DPW where it is. Water bill was a bad decision and payment arrangements should be made.

Public Hearings/Special Business

None

Consent Calendar

- Approve Minutes: Regular Meeting, December 28, 2020.
- Approve Invoices/Expenditures January 11, 2021 in the amount of \$45,805.95.

Weedon moved, seconded by Money to accept the consent calendar as presented. Roll call vote carried unanimously.

Scheduled Matters from the Floor

Andrew von Maur (introduced by Rich Murphy) – The City's new Community Development Director Rich Murphy first introduced himself and his plan to get acclimated to the community. He then introduced Andrew von Maur, Professor at the Andrews University School of Architecture & Interior Design, who presented an opportunity for the City of Buchanan. Professor von Maur's proposal is for the City to authorize Manager Grace to sign an MOU (memorandum of understanding) between the City and Andrews University whereby several architecture students at Andrews University would participate in a Planning & Design Study centered around the City of Buchanan and collaborating stakeholders to prepare multiple illustrative redevelopment scenarios to promote viable commerce and an increased tax base, along with several other goals, towards the development of a final illustrative report. The process would be guided by a stakeholder steering committee, chosen by the City Commission. Work would commence on January 13, 2021 and run through the end of the semester. The total cost to be born by the City would be a \$3,750 stipend to be paid to the University at the end of the project to cover the cost of supplies and digital rendering facilitation. An additional \$5,000 expenditure is also recommended, though not required, as a fee to engage a recommended expert sub-consultant in the field of pedestrian-friendly traffic engineering and street design, as a portion of the project intends to address the City's planning needs for our upcoming redesign and reconstruction of Front Street. Manager Grace strongly recommends approving the program and voting to authorize Manager Grace to sign the MOU as the return on investment in this scenario is extremely advantageous for the relatively small amount requested to be spent. The type of work performed is likely to serve as a catalyst for a great many projects, developments, and grant applications throughout the City if approved.

Swem moved, seconded by Downey to authorize City Manager Grace to sign the MOU with Andrews University. Roll call vote carried unanimously.

Reports by: Departments, Committees, Boards

Police Department – Chief Ganus presented the annual report for the department.

Water Department –Desenberg presented the annual report for the department.

Wastewater Department – Grace reviewed submitted annual report for the department.

Treasurer's Department – Powers indicated annual report was unavailable but stated the annual audit was completed with flying colors, and that RFPs from other banks are coming in, so a decision regarding choosing a new financial institution should be made soon.

Clerk's Department – Pitcher presented annual report for the department.

Department of Public Works – Adkerson presented annual report for the department.

Building Department – Lewis presented annual report for the department.

Assessing Department – No report

Fire Department – Blaylock indicated annual report will be postponed due to Chief Adams' work schedule.

Unfinished Business

Kim Moyer – Proposed Sale of Property to City – Mr. Moyer requested that the City Commission consider buying property that he has for sale located at 1207 N. Redbud Trail for use as a proposed site for the DPW or a municipal campus. This issue was postponed from a previous meeting to allow City Administration time to more fully vet the feasibility of the site for comparison to other available options and participate in a Joint Work Session for the City Commission and Planning Commission on January 5th.

Weedon indicated no interest and stated the property is better suited for other investment, either commercial or residential.

Weedon moved, seconded by Money to decline purchase of the property located at 1207 N. Redbud Trail. Roll call vote carried by majority with Swem abstaining due to a conflict of interest.

Jan Jacobs – Proposed Purchase of City-Owned Property – Ms. Jacobs is requesting that the City Commission consider selling 3 to 4 lots on Elizabeth and Bluff Street, in addition to considering possibly selling 405 Elizabeth Street. This issue was postponed from a previous meeting to allow City Administration time to gather more information and participate in a Joint Work Session for the City Commission and Planning Commission on January 5th.

Swem moved, seconded by Downey to authorize posting lots on Elizabeth and Bluff Streets for public offering at a minimum price, with the right to accept or refuse any and all offers and bids must include name of bidder and intended use for the property. Roll call vote carried unanimously.

Request to Purchase City Property – Consider authorizing the City Manager to enter into negotiations with the Paturalski Family regarding purchase of the Buchanan Feed Mill at 109 Railroad Street. This issue was postponed from a previous meeting to allow City Administration time to gather more information and participate in a Joint Work Session for the City Commission and Planning Commission on January 5th.

Due to the unique circumstances of this property Swem indicated a desire for proof of liquidity/financing, a business plan and a credit check. A significant amount of due diligence is needed for this property.

Weedon moved, seconded by Money to authorize posting Buchanan Feed Mill at 109 Railroad Street for public bid. Roll call vote carried unanimously.

Request to Purchase Real Property – Dale Payeur, property owner at 402 Michigan Street, is requesting that the City consider selling him city-owned property near his parcel. This issue was postponed from a

previous meeting to allow City Administration time to gather more information and participate in a Joint Work Session for the City Commission and Planning Commission on January 5th.

Downey indicated he had looked at the property and asked the Commission to postpone the decision until they could all look at the property as well.

Swem moved, seconded by Money to not move forward with the sale of 402 Michigan Street. Roll call vote carried by majority:

Yea – Denison, Money, Swem, Weedon

Nay – Downey

Bill & Mack Green Request RE 500 E. Third St. for DPW Building – Bill and Mack Green are asking the City Commission to consider their proposal for the City to either purchase or lease their newly built spec building located at 500 E. Third St for use as a DPW building. Rough terms have been submitted to start a basis for negotiation. This issue was postponed from a previous meeting to allow City Administration time to gather more information and participate in a Joint Work Session for the City Commission and Planning Commission on January 5th.

City Manager Grace shared the results of a survey of the Commission and Planning Commission regarding the location of City facilities building which indicated most interest was in improving/rebuilding facilities in their current locations.

Several Commissioners expressed an interest in bringing this issue to closure.

Weedon moved, seconded by Downey to authorize City Manager Grace to negotiate a potential lease only with the Greens for the property at 500 E. Third Street. Roll call vote carried unanimously.

Computer Quotes – Previous quotes for computers have been followed up with quotes for mobile workstations, to include laptops and docking stations. Manager Grace is seeking approval to purchase 8 laptops and 8 docking stations with a not-to-exceed price of \$19,102.56 (the quoted price from Edge IT), though other bids have already been sought and are being compiled for presentation during the meeting Monday night.

Weedon was quite displeased with the price quoted by Edge IT, stating that not have they given us sub-par support, but now a sub-par quote not only in terms of pricing, but also rock bottom hardware that is insufficient for our needs. Denison stated and Weedon concurred, that just this evening's technical difficulties were proof that the City needs new equipment.

Weedon moved, seconded by Downey to authorize City Manager Grace to entertain quotes for computers not to exceed \$19,102.56. Roll call vote carried unanimously.

Request to Purchase Property – Postponed from a previous meeting, Tyrone Hamilton's requests that the City consider selling to him 404 Elizabeth St, which is the empty parcel behind the house he currently owns at 405 Artic St.

Swem moved, seconded by Weedon to authorize posting 404 Elizabeth for public offering at a minimum price, with the right to accept or refuse any and all offers and bids must include name of bidder and intended use for the property. Roll call vote carried unanimously.

New Business

Summer School Tax Collection Resolution – Buchanan Community Schools has submitted a request for the City Commission to approve a Resolution authorizing City Administration to begin negotiations regarding a per parcel price for collection of the School's summer tax levy. This is a standard practice that happens annually.

Weedon moved, seconded by Downey to approve the Summer School Task Resolution 2021.1/215 to begin negotiations. Roll call vote carried unanimously.

Tin Shop Lease Request from Buchanan Fine Arts Council – The Buchanan Fine Arts Council has submitted a request for the City Commission to consider extending their lease of the Tin Shop Theatre under the same terms as previous years. The lease expired in April of 2020. The current terms indicate a term of 60 months and do not seem to include an amount of rent or consideration. Manager Grace strongly recommended postponing this matter until such time as the City Attorney has a chance to review the contract and make a recommendation regarding the terms.

Guys and Dolls Lease Extension Request – Virginia Reed of Guys and Dolls has requested a one-year extension on her lease at Ross Sanders, which expired on August 31, 2020. She wants to continue the current terms, which are rent of \$450 per month, tenant to pay for water and electric, and the City to pay for heat and replacement or repair of HVAC units. Manager Grace strongly recommended postponing this matter until such time as the City Attorney has a chance to review the contract and make a recommendation regarding the terms.

Weedon moved, seconded by Swem to postpone the Tin Shop Lease Request from Buchanan Fine Arts Council and the Guys and Dolls Lease Extension Request pending review by City Attorney. Roll call vote carried unanimously.

Midwest Escapes Lease Request – Midwest Escapes seeks to get permission from the City to assign their lease to another escape room company. Manager Grace recommended postponing a decision on this matter until the City Attorney has time to review the lease terms, as well as the compounding facts that there have been multiple missed payments from the underlying tenant, in addition to terms that appear to not grant a right of assignment.

Commission discussed terms of lease and missed payments. Money stated that one area of the Ross Sanders building contains books for the Little Free Library and they need to be moved. Downey suggested DPW offices could be moved to the Ross Sanders building temporarily.

Denison moved, seconded by Weedon to terminate the Midwest Escapes lease immediately. Roll call vote carried unanimously.

Location of DPW Building – Consider the location of the DPW building based on the many options were discussed during the recent Joint City Commission and Planning Commission Joint Work Sessions.

Downey asked about requests for funding from the State. Grace indicated that USDA grants have a 2 year lead time so not feasible in this case. Downey also asked Murphy to look for grants and other funding to aid in reconstruction of the DPW building.

Weedon moved, seconded by Swem to keep the DPW building at the current location. Roll call vote carried unanimously.

'One Buchanan' Request – The group 'One Buchanan' is requesting to become an official city board/committee. 'One Buchanan' promotes a welcoming and inclusive community and intends to host forums on topics such as Mental Health, Black History, LGBTQ issues, etc.

Swem stated his excitement to see this on the agenda but asked about funding. Grace clarified that the City would assist potentially getting the group set up as a 501C3 status and identifying grants. Monroe Lemay concurred that the group has a board in place and support, but they need the nonprofit status in order accept funding.

Weedon and Downey also spoke favorably of the group, although Downey cautioned its members that they must realize they now represent the City of Buchanan and some past behaviors of group members could be considered bullying and contrary to the mission of the group.

Swem moved, seconded by Weedon to recognize One Buchanan as an official board/committee of the City of Buchanan. Roll call vote carried unanimously.

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

Water Bill Shut Off Issue – The Michigan Legislature passed a new statute extending the moratorium on shutting off water service for non-payment through March 31, 2021, after which time shut offs resume, unless there is a subsequent state law or other ordinance.

Newly Elected Official Training – The Michigan Municipal League is offering a training for any interested elected officials on January 23rd at 8:30 a.m.

Pinnacle Emporium DLARA Letter – The Michigan Department of Licensing and Regulatory Affairs submitted a letter to confirm to the City that Dr. Silver of KISA (Pinnacle Emporium) has submitted an application with the State for a Marihuana Retailer license. No action is required, unless there is a desire to contest the application.

RRC Welcome Letter – The Michigan Economic Development Corporation (MEDC) has sent a letter welcoming the City of Buchanan into the Redevelopment Ready Communities (RRC) Program.

Tree Friends Communication – The Buchanan Tree Friends has submitted communications making recommendations regarding the Trees along Days Avenue. No action is required as this time, and Manager Grace recommends no action until information has been received from the property owners in the area (which will be solicited via a form developed by City Administration).

Treasurer Position – Manager Grace is still waiting to hear back from Larry Nielsen regarding the Treasurer's position posting, but hopes to share an update during the meeting, if one is received.

Grace explained that a CPA firm specializing in municipal finance could supplement the Interim Treasurer as she becomes fully trained and immersed in the role and that there can be substantial cost savings in terms of audit costs and efficiencies.

Swem moved, seconded by Money to authorize City Manager Grace to explore CPA firms through the RFP process to potentially fill the Treasurer opening. Roll call vote carried unanimously.

Public Comment (non-agenda items)

- **Nick Gasorek** – Had tax tribunal on December 7, 2020. The Assessor provided to the State of Michigan a document stating home value at \$272,000 rather than the \$300,000 it was assessed for. Tax bill was still assessed at \$300,000. Assessor stated the Tribunal had not yet made their final decision, which he feels is ridiculous since she
- **Xavier Carroll** – Stated he has been covering these meetings for The Paper. The editors are retiring which means the publication is discontinued. He would like someone to step in to continue their work because it would be a loss for the community if they lose the small-town newspaper. Thanked everyone for creating a welcoming community.

Executive Comments

- **City Manager Grace** – Appreciates the staff and public who are willing to remain engaged for the duration of the meeting. Excited to work with the Andrews University students.
- **Commissioner Downey** – Toured the City over the past week. The Commission should look at the Edgewater building which the Police Department currently occupies a portion of. He suggested that the Police Department expand into the remainder of the building.
- **Commissioner Weedon** – None
- **Commissioner Money** – Thanked Commission, staff and City Manager for all the hard work for everything that goes into the agenda. Thanked department heads for all the good work they do for the City. Stated he only sees good things happening for the City and hopes that citizens also see we're trying to do the best for them. Thanked Murphy for coming on boards, he'll be a great asset.
- **Commissioner Swem** – Appreciated the updates from the department heads and appreciate what they do. Thanked the Buchanan Tree Friends for the detailed report so the Commission can do a good job making a decision. Saddened to see The Paper end and suggested to opportunities that the work can continue.
- **Mayor Denison** – Following up on Swem's comment regarding Buchanan Tree Friends, he is amazed that every time the City has a problem, we also have experts in the community to help solve it. Shared appreciation for Commissioners, it's a pleasure to serve with them. We're getting it done.

Adjourn

Weedon moved, seconded by Money to adjourn. Roll call vote carried unanimously. Mayor Denison adjourned the meeting at 9:52 p.m.