



AGENDA FOR REGULAR MEETING OF THE BUCHANAN CITY COMMISSION

MONDAY APRIL 12, 2021 – 7:00 PM

ELECTRONIC MEETING

THE COMMISSION OF THE CITY OF BUCHANAN in compliance with Michigan’s Open Meetings Act, as amended, B2103192 of 2021, hereby gives notice of a regular meeting of the Buchanan City Commission to be held electronically in order to protect the health and safety of our community due to the novel coronavirus (COVID-19).

Join Meeting via Computer
<https://zoom.us/j/2435931819>

Join Meeting via Mobile Phone
+16465588656,,2435931819#

Join Meeting via Land Line Telephone
+1 646 558 8656

Toggle #6 to mute / unmute. #9 to raise your hand. Meeting ID: 243 593 1819

-All members of the public will be muted by the moderator, except for during the public comment portions of the agenda. To minimize background noise and/or feedback, we ask that participants manually mute their phone or computer microphone during this portion of the agenda if not speaking. Anyone who speaks during the meeting must provide their full name to the Clerk for recording in the official minutes.

-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 bpitcher@cityofbuchanan.com.

I. Call to Order

II. Recognition

III. Pledge of Allegiance

IV. Roll Call

V. Agenda

A. Additions to the Agenda (if any)

B. Approval of the Agenda

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

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

A. Approve Minutes: Regular City Commission Meeting, March 22, 2021.*

B. Approve Invoices/Expenditures: for April 12, 2021 in the amount of **\$248,529.14***

- Inclusive of tax disbursements that had to be dated for 3/31/21 of \$120,593.46
- The total for checks dated 4/12/21 is \$127,935.68.

C. Authorize Manager Grace to Approve BCBS Renewal: Authorize Manager Grace to sign the approval for the renewal of the City’s Health Insurance Coverage by Blue Cross Blue Shield through Nulty Insurance (3.4% increase in premium over previous year).*

VIII. Scheduled Matters from the Floor (if any)

A. Update on the Proposed McCoy Creek Trail Expansion- Suzannah Deneau of Wightman and Jerry Flenar of the Friends of the McCoy Creek Trail have a brief update to share regarding the trail.

- B. Proposed Letter of Resignation- JT Adkerson, the City’s current Director of Public Services, has submitted a conditional letter of resignation that he is requesting be considered by the City Commission.

IX. Reports by: Departments, Committees, Boards

- A. Water Department Trailer Proposal – During preparations for this current year’s fiscal budget, the Water Department had asked for and had approved the inclusion of an enclosed trailer to house our protective dig box, as well as all the fittings and repair bands necessary for repairing water main breaks, installing service taps, and repairing curb stops. The trailer will aid greatly in response time and efficiency, as it will house all our needs in one mobile station. As it stands, none of our vehicles or trailers have this capacity.

We received three quotes from trailer dealers in the area for a 7’ by 18’ enclosed trailer with a ramp door as follows:

- | | | |
|-------------------------|----------------|-----------|
| • Trailers Midwest Inc. | Elkhart, IN | \$6080.00 |
| • Mid City Trailers | Elkhart, IN | \$7000.00 |
| • Cargo Plus Sales | Middlebury, IN | \$6310.00 |

We recommend acceptance of the quote from Trailers Midwest for \$6,080.00, and order very soon, as trailers are selling quickly and we are nearing the end of the fiscal year.

- B. Community Development Director – Rich Murphy would like to brief the Commission on the potential economic benefits of creating a “Social District” pursuant to MCL 436.1551, which allows cities to designate a specific area within the city limits as a “Social District” whereby businesses within are able to then be granted a “Social District Permit” to sell alcohol on their licenses premises in a special way so that they may then consume that alcohol within the boundaries of where the Social District was drawn on the map approved by the City. The law was created during the pandemic and its intent is to spur economic activity and provide flexibility for businesses, especially during times when Covid-19 safety protocols put limits on indoor capacity for bars and restaurants. Specifics regarding exactly where the boundaries would be proposed have not yet been developed, but can be presented at the next City Commission meeting, if so desired.

Also, on **April 28th 5pm at The Common**, the Andrews University Urban Design Studio has its presentation! All are invited and are encouraged to attend and participate. Comments before and after can be emailed to rmurphy@cityofbuchanan.com

X. Unfinished Business-

- A. Edgewater Bank- Correspondence was submitted by Edgewater Bank CEO Richard E. Dyer, which was reviewed at the last City Commission meeting. Questions were raised about the title work for the property. Upon further review of the updated title work, the City Attorney has opined that there appears to be no new restrictions since the City purchased the property in 2013. The full title work performed is included in the Commissioner packets. A sample resolution of sale has been prepared by the City Attorney, should the City decide to go forward with the prospect of a sale. However, it is worth noting that the City Police Department’s current location is one that both the PD and Chief Ganus are happy with, and both Chief Ganus and Manager Grace agree that recently discussed proposals to move the PD back to Ross Sanders, or to merge the PD with the current City Hall, would prove costly and present some substantial difficulties (for example, the Current City Hall building and parking lot are simply not large enough to accommodate the staff and vehicles for each facility, and the Ross Sanders building would require substantial renovations to make the building secure enough for it to be safely used as a police department.

XI. New Business

- A. High Profile 2021 Marijuana Permit Renewals - High Profile has submitted renewal applications and fees for the following permits:

1. Medical Marijuana, 804 E. Front St., Provisioning Center, \$5000, PC1, 04.12.2020

2. Adult Use, 804 E. Front St., Retailer Establishment, ALUMRE1, \$5000, 04.12.2020

I have reviewed each application and the accompanying documentation including any updates to the applicant's original application and all documentation is in proper order. The required background checks have been performed by Buchanan Police Department and there are no issues with renewal. All permit fees have been collected. The Buchanan City Department Heads have reviewed the applications and find them to be in proper order and have signed off with their approval. Therefore, approval of the above permit renewals is recommended.

- B. Portable Toilet Bid Proposal – Bid opening for placement of portable toilets at designated parks for 2021 season took place on March 5, 2021. Pride Portable Toilet Co. was the sole bidder. Consider acceptance of the Pride Portable Toilet Co. bid for \$3,796.00.*
- C. City Attorney Services Bid Proposals – Review and consider proposals for City Attorney Services. Bid opening for the City Attorney Services request for proposals took place on March 5, 2021. Three proposals were received:
1. **Bittner Jennings; Atty. Richard Racht**
\$48,000 / year for contracted scope of work
\$195 / hour for non-contracted work
\$42,000 for ordinance prosecution services (not part of RFP)
 2. **Kotz, Sangster Wysocki, PC; Atty. Mowitt Drew**
\$215 / hour general services
\$185 / hour court services
 3. **Foster Swift Collins & Smith PC; Atty. Michael Homier**
\$250 / hour for general and/or specialty work
\$200 / hour prosecution
Expenses invoiced separately

Proposals and bid sheet with additional remarks provided to Commission for review.

- D. CEDAM Community Development Fellowship 2021-22 Program - The Community Economic Development Association of Michigan (CEDAM) is a nonprofit membership association of community development corporations (CDCs), individuals, and other organizations interested in promoting and expanding community-based economic development across Michigan. CEDAM provides advocacy, resources, and training to organizations working to create vibrant communities. In partnership with MEDC, CEDAM seeks communities engaged in the RRC process to host a community development fellow for a fifteen-month placement, beginning October 2021. Fellows will support and advance community economic development goals. Fellow projects will improve organizational capacity, increase local collaboration, remove barriers to development, and help communities reach their RRC goals (which allows them greater access to grants). The cost of hosting the Fellow, if selected to participate, is \$3,000 in FY 2021 and a final \$3,000 payment in FY 2022. The rest of the \$60,000+ cost of the Fellow is paid for in full by the MEDC. Manager Grace supervised a CEDAM Fellow while she was City Manager in her previous community, and she found the program extremely beneficial and exponentially worth the small cost, especially since in her experience the resulting grants more than recoup the \$3,000 per year cost of the program, which is a great deal for essentially getting a full-time employee for 15 months. Manager Grace seeks approval to apply.
- E. Complete Streets -Adoption of a "Complete Streets Plan" by the City is highly recommended by the advisors from MDOT assisting Manager Grace in the City's multiple applications for grants for the McCoy Creek Trail, as we hope to use the technique of financial layering to stack multiple grants on top of each other to maximize the local match contributions we make towards the project. The Complete Streets Plan

proposed essentially indicates that the City will commit to making efforts to plan for and provide for the needs of non-motorized pedestrian such as walkers, runners, and bikers, as well as the needs of the elderly and disabled, when looking at street improvements within the City. A proposed Resolution has been prepared for the Commission's consideration, as approval helps us get more trail grants.

- F. CLOSED SESSION- Potential Purchase of Real Property – A motion is requested to have the City Commission enter “Closed Session” to discuss the potential purchase or lease of real property, pursuant to MCL 15.268(8)(d).” [A 2/3 roll call vote is required].

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

- A. Master Plan Update- The Buchanan Planning Commission has a draft of the updated Master Plan and is seeking comments, which can be sent to the Clerk via email, or dropped off at City Hall. The draft is available on the City's website by clicking the following link:
<https://www.cityofbuchanan.com/file/722/Master+Plan%2C+Draft+Update.pdf>
- B. Marketing Opportunity – The Buchanan Chamber of Commerce, in partnership with Leader Publications, is producing a full-color glossy Visitors Guide to celebrate the Red Bud City, promote area businesses and connect them with new customers, and raise funds for important Chamber initiatives. Members receive a complimentary business listing. Additionally, members are encouraged to purchase advertising sponsorships (at special rates!) to support this important project that will celebrate the events, attractions and offerings that make Buchanan unique. This comprehensive guide will be used throughout the year to promote your business. More than 5,000 copies will be distributed throughout Michiana. An electronic version will also be made available for the Chamber and participating businesses to use.
- C. Board Application Process – The City has been working to develop a robust Board, Committee & Council application and appointment process in compliance with the Redevelopment Ready Communities (RRC) certification standards. Best practices are to provide a clearly defined board application process, as well as complete and accurate information regarding each board's purpose, structure, terms, and the desired skills/experience necessary as well as any special qualifications to serve on that board. This enables all parties to make their best effort in assuring a mutual good fit. Defined board training is also included as a best practice.

Given that the sense of urgency to fill open board seats, we are implementing a phased approach which should align the City of Buchanan very well with RRC best practices as we work towards certification:

- Phase I – Expand upon and replace the Citizen Volunteer Form with a simplified version of the Board Application which provides links to current board pages on the City's website. Add the Board Application and Appointment Process document content to the City's website. (Currently live at <https://www.cityofbuchanan.com/city-government/boards-councils>.)
 - Phase II – Collaborate with boards to fully document and update board information. Once all board information is gathered, expand the Board Application to include pertinent information and/or links directly on the application.
 - Phase III – As part of the Municode website design, we have opted for a Board Management module which houses such content and helps us to track board terms, vacancies and appointments. Rather than redesigning web pages on the current website platform, we will build new board pages on the new platform as part of the Municode website design.
 - Phase IV – Ensure at least one officer of each board is trained on the Meeting Management/Board Management modules of the Municode website. Design, develop and deliver basic board training modules for all board members.
- D. Senior Prom at McCoy's Creek Recreational Area/Centennial Park – Serynn Nolan a senior at Buchanan High School inquired about renting the Centennial Park Pavilion for their Senior Prom and asked if they would be allowed to have outdoor gas fire pits across from the pavilion and creek, with tarps under them.
- E. Safety Concern – Deb Brown, Manager of the Rail Safety Section of the Michigan Department of Transportation's Office of Rail indicated they have been contacted by Amtrak locomotive engineers

expressing concerns about the condition of a grain elevator facility on the south side of Buchanan, just west of Red Bud Trail. They are concerned that parts of the structure seem unstable and are leaning toward and in close proximity to the track traversed by higher-speed passenger trains. Although certain parties have expressed interest in preserving the facility, written business plans have been requested and after several weeks have still not been received.

- F. *Food Carts / Food Trucks Communications*- Manager Grace has received inquiries from multiple parties asking about whether food carts and/or food trucks can be used within the City. Manager Grace is not aware of any particular rule or ordinance that would prohibit such an activity, so she intends to work on developing a proposal for an administrative policy to allow for such use in a regulated manner, which will be presented to the Commission for review. Members of the public with opinions on the matter are strongly encouraged to email their opinions to the City Clerk at bpitcher@cityofbuchanan.com so that such views may be considered during the development of the policy proposal.
- G. *Buchanan Summer Concert Series*- Manager Grace has been contacted by multiple individuals interested in donating both time, talent, and money towards a more robust summer concert series in Buchanan to be held on various Fridays, Saturdays, and Sundays, depending upon the availability of the artists we can attract, with plans to aim for getting larger acts who might consider playing The Common on their way through to Chicago. Grace has begun providing assistance to these individuals in the hopes of creating a more formal group that can work strategically to combine resources from various individuals and organizations, including generous endowment fund donations that can help provide for maintenance and upkeep at The Common. Grace's plan is to provide administrative assistance, in collaboration with The Common Committee and the Performing Arts Committee, to create a yearly calendar of events for The Common that encourages concerts, plays, productions, farmer's markets, and festivals, aimed at increasing visitors to our area to help with tourism and economic development. Administrative policies will be created to manage these events, and assistance will also be provided by the City's Community Development Dep't.

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

XIV. Executive Comments

- A. *City Manager Comments* –
- B. *Commissioner Comments* –
- C. *Mayor Comments* –

XV. Adjourn