

**City of Buchanan Commission Minutes
February 22, 2021**

The regularly scheduled meeting of the City Commission was held via electronic meeting on Monday, February 22, 2021, and was called to order at 7:01 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; Acting Treasurer/Bookkeeper, Stephanie Powers; Director of Public Works, JT Adkerson; Fire Chief, Mike Adams; Community Development Director, Rich Murphy; Clerk-Cashier, Renee Cornwell; Cemetery Sexton, Klay Weaver; Administrative Assistant, Mandi Schanick
Guests: Approximately 30 guests including Don Ryman, Peter Lysy, Chris Gowen, Corilee Scanlon, Karol Behrle, Alan Robandt, Aimee Kronowicz, Mack Green, Dale Toerne, Monroe Lemay, Karin Falkenstein, Dan Vigansky, Kim Moyer, Jan Jacobs, Joe Paolucci, Janet Wartman, Thad Payne

Agenda

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

Public Comments (agenda items)

- **Chris Gowen** – Spoke regarding Relay for Life, tentatively scheduled for July 10, 2021. She challenged Commissioners and Staff to participate as teams.
- **Janet Wartman** – Regional lead for Relay for Life, stated she is looking forward to the event in Buchanan.
- **Dan Vigansky** – Questioned why the Fire Department was asking for money and why they didn't do fundraisers. Suggested that with a new refuse and recycling contract trash bills might be integrated with water/sewer bills.
- **Karol Behrle** – As a representative for Honor Credit Union, she thanked the Commission for the opportunity to bid on the banking RFP.

Public Hearings/Special Business

None

Consent Calendar

- Approve Minutes: Joint Meeting of the City Commission and Planning Commission, February 4, 2021; Regular City Commission Meeting, February 8, 2021
- Approve Invoices/Expenditures: for February 22, 2021 in the amount of \$929,040.24 * of which, major expenses include:
 - • \$385,405.57 to Davis Construction as a progress payment for the continued construction of the WWTP Oxidation Ditch
 - • \$323,590.00 to Capital One Public Funding for the wastewater treatment plant construction bond payment
 - • \$119,500.00 to Bank of New York Mellon for the semi-annual State Revolving Fund payment
- Approve Resolution #2021.2/217, as requested by the County, to name City Manager Heather Grace as the designated “primary emergency management liaison for the City of Buchanan,” including the delegated responsibility to “assign other municipal officials to emergency positions necessary to carry out the functions required by the county emergency management coordinator and the county emergency operations plan.”
- Approve Resolution # 2021.2/218 as requested by Berrien County Transit Coordinator Evan Smith, to authorize a FY 2022 MDOT Funding Application that would serve as a placeholder to allow for future submissions for State and Federal transit grants by Berrien County on the City of Buchanan Transit’s behalf, should that be necessary beyond FY 2021.
- Approve Name Change Request by the Buchanan Area Fine Arts Council to officially change the name of the group to the Buchanan “Performing Arts Council.” It has been noted that the requested name change is thought by the group to be more reflective of their activities.
- Approve Resolution # 2021.2/219 as requested by the Buchanan Area Fine Arts Council / Performing Arts Council, and as was previously approved to be drawn up and entered into during the last City Commission meeting on 02/08/2021.

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

Scheduled Matters from the Floor

None

Reports by: Departments, Committees, Boards

City Hall Administration – City Hall Administrative staff employees presented a report to the City Commission with the pros and cons of the City’s current municipal finance software, compared to a proposal from BS&A. They also be shared the pros and cons of the City’s current administrative processes, including web hosting and meeting preparation, compared to a proposal from Municode. The entire City Hall Administrative staff, along with Manager Grace, strongly recommended that the City Commission consider voting to authorize the City to contract with both BS&A and Municode to purchase the services presented, as enormous improvements in internal efficiencies are anticipated. Such authorizations are permitted without competitive bidding pursuant to City ordinance # Sec. 2-98 (1) and (2), as City Hall Administrative staff requested that the City Commission vote to approve the purchases via unanimous resolution for the reason that the product or material contracted for is not competitive in nature and no advantage to the City would result from requiring competitive bidding because the products offered by both BS&A and Municode are unique in that they both offer comprehensive integrated packages and also include professional services that other providers simply do not offer. Previous software solutions that do not offer full integration and accompanying professional services

have been quick to leave the City with poor service and no recourse for the staff when the product is not fully effective for all that we need it to do. However, approval of the packages offered by BS&A and Municode would give City Hall Administrative staff the tools needed to fully enter the 21st century in the most effective and transparent way possible.

- BS&A – Total Conversion Cost \$78,250, payable in three separate payments that can be spread out over two separate fiscal years, with Total Annual Service Fees of \$7,710
- Municode – Offers a “Circle of Governance” integrated package of solutions, of which we recommend considering purchasing the following:
 - Municode Meetings – Annual Subscription at \$3,600 per year (or \$3,400 per year if bundled with Municode Website), along with recommended add-ons of:
 - Board Management at \$1,000 per year
 - Email notifications (on demand + weekly digest) of \$600 per year
 - Import of historical PDF agendas/minutes (up to 10 years worth) a \$1,500 one-time fee
- Municode Website –
 - -Initial Design, Development, and Implementation- one time cost of \$4,600 (or \$8,100 for premium custom design)
 - -Annual Hosting, Maintenance, and Customer Support- yearly cost of \$1,800
- The final changeovers for both BS&A and Municode, if approved, would come with a total startup cost of \$82,850 and annual costs of \$16,910 annually—compared to our current annual costs of \$13,602 per year—However, the improved efficiencies cannot be overstated.

Weedon moved, seconded by Swem to adopt Resolution #2021.2/220 to authorize purchase of BS&A municipal accounting software and services pursuant to City Ordinance Sec. 2-98(1). Roll call vote carried unanimously.

Weedon moved, seconded by Money to adopt Resolution #2021.2/221 to authorize purchase of Municode Circle of Governance software and services pursuant to City Ordinance Sec. 2-98(1). Roll call vote carried unanimously.

Fire Department – Fire Chief Mike Adams presented a report to the Commission, including budgetary requests related to the following:

- SCBA packs – 10% match needed for grant, which is awarded, will provide 12 SCBA packs at the cost of just over one pack -- \$8,400 [12 packs X \$6,992.75 each divided by 10%]
- New Fire Station update
- Ladder 4640
- ISO rating of a 4 – possible 3 by end of next year
- Fire merge
- Firefighter pay
- 0.5 millage for large equipment purchase
- Fire Inspections

Chief Adams clarified that, providing the City of Buchanan is awarded, approval for the grant acceptance is not needed until some point this summer, as the grant is not awarded until the fall. Considerable discussion took place regarding fundraising.

Unfinished Business

Treasurer Position – On 02/11/2021 Manager Grace learned from our auditors, Plante Moran, that a contract for supplemental Treasurer services / accounting consultant services at the rate of \$120 per hour was already entered into by previous City Manager Bill Marx on 09/17/2020. This agreement states that it is to remain in effect at least through June 30, 2021, after which time it may be extended. The City could choose to terminate this agreement early; however, Manager Grace strongly recommends that we continue under this agreement, at least through June 30, 2021 (the end of our current fiscal year), as Plante Moran is already very familiar with all of the City's accounts and internal processes, and therefore best situated to help us move forward through the many transitions we continue to face—including having a new Treasurer. Manager Grace's recommendation to the City Commission was to vote to appoint Acting Treasurer Stephanie Powers as the City's official Treasurer. Manager Grace is extremely impressed with Ms. Powers' skills and work ethic, as well as her commitment to transparency. This appointment could be followed with a review during the next Commission meeting of what pay raise would be appropriate, given Ms. Powers' need for continued training. However, with said training, Manager Grace is confident that Ms. Powers will be an excellent Treasurer for the City, and the supplemental services that could be provided by Plante Moran in the meantime would allow for that training to take place without causing any loss of services to the City. In addition, it must be pointed out what an admirable job Ms. Powers has done of basically performing the duties of two full-time positions for the past several months, and a Commission vote to finalize the Treasurer appointment would enable Manager Grace to post the "Bookkeeper" position and get the City Hall administration staff back up to full-staffing levels.

Downey stated the City had wasted time and opportunity by not extending the job posting another month to which Grace reminded the Commissioner that the Commission had previously decided not to extend the job posting and reiterating the recruiter not only posted the job through the Michigan Municipal League, but through other organizations, in other states, and made personal asks. At this time, no one with the experience we seek is able or willing to make the move. Downey also stated that the Commission's last treasurer appointment was essentially vetoed by the previous City Manager. Denison likened City Manager Grace to a coach who is selecting her team and we must trust and expect that she's going to select a team that can perform.

Denison moved, seconded by Money to appoint Stephanie Powers as Treasurer. Roll call vote carried by majority with Downey voting Nay.

Edgewater Bank Lease – The City Commission previously voted to postpone this matter until the City Attorney could conduct further research to determine whether any restrictive covenants exist. The City Attorney has determined that, based on his research, no restrictive covenants appear to exist regarding this property. However, he also indicates that title work would be the only way to know for certain, and that such title work would typically range between \$400 and \$500. He further indicated that another option could be to have the City retain a realtor to consider selling or leasing the space, and then asking the realtor to request a preliminary commitment as part of their analysis to determine and discuss with the City as to setting the listing price. Consequently, the City Attorney would like to know how the Commission would like to proceed.

Commission took no action on the issue.

Banking RFP's – City Administration submitted Requests for Proposals to all of the City's local financial institutions, seeking proposals as to whether the City should consider re-locating their financial banking

accounts, which are currently housed with TCF Bank / Huntington. Three submissions were received, one from Honor Credit Union, one from TCF Bank, and one from United Federal Credit Union. After submission, TCF informed City Administration that they would be closing their local branch. The remaining choice between Honor and United is a very close call, with a breakdown of pros and cons prepared by City Hall Administrative staff shared with Commissioners in their packets.

Money moved, seconded by Downey to select Honor Credit Union for the City's future banking needs. Roll call vote carried unanimously with Swem abstaining due to conflict of interest as an employee of one of the bidders (Honor Credit Union).

New Business

Removal of "No Parking" Signage at Victory Park – During a recent meeting of the Northside Reunion Community Stakeholder Group, the consensus of the group was to request that the City Commission consider authorizing the removal of the "No Parking" signs along the street immediately adjacent to Victory Park. It was noted that the signs were necessary in the past, when the park was much busier, but that now they cause more problems than they solve, as people park on the grass or the basketball court itself to avoid parking in front of the signage. Both Police Chief Tim Ganus and Director of Public Services J.T. Adkerson are in favor of the removal.

Swem moved, seconded by Money to remove "No Parking" signs at Victory Park. Roll call vote carried unanimously.

Republic (Reliable) Waste Services Contract – The City Commission was asked to decide whether they would like to continue services with Republic (Reliable) Waste Services, as per their most recent service contract renewal request. The current contract runs through May 31, 2021, and a 5-year renewal is proposed with the rates staying as they are for the first year, followed by 3% annual rate increases for the following four years.

Weedon moved, seconded by Money to post an RFP for waste service contracts. Roll call vote carried unanimously.

Redbud Roots 2021 Marihuana Permit Renewal – Redbud Roots has submitted renewal applications and fees for the following permits:

1. Medical Marihuana, Lab II, 208 Post Rd., Grower Class C, \$5,000.00
2. Medical Marihuana, Lab II, 215 Post Rd., Grower Class C, \$5,000.00
3. Medical Marihuana, Lab II, 448 Post Rd., Grower Class C, \$5,000.00
4. Medical Marihuana, Lab II, 448 Post Rd., Grower Class C stacked, \$1,500.00
5. Medical Marihuana, Lab IV, 215 Post Rd., Processor, \$5,000.00
6. Adult Use, Lab II, 835 Terre Coupe St., Grower Class C, \$5,000.00
7. Adult Use, Lab II, 835 Terre Coupe St., Grower Class C stacked, \$1,500.00
8. Adult Use, Lab IV, 215 Post Rd., Processor, \$5,000.00

Swem moved, seconded by Downey to approve Redbud Roots 2021 permit renewals for Medical Marihuana, Lab II, 208 Post Rd., Grower Class C; Medical Marihuana, Lab II, 215 Post Rd., Grower Class C; Medical Marihuana, Lab II, 448 Post Rd., Grower Class C; Medical Marihuana, Lab II, 448 Post Rd., Grower Class C stacked; Medical Marihuana, Lab IV, 215 Post Rd., Processor; Adult Use, Lab II, 835 Terre Coupe St., Grower Class C; Adult Use, Lab II, 835 Terre Coupe St., Grower Class C stacked; Adult Use, Lab IV, 215 Post Rd., Processor. Roll call vote carried unanimously with Weedon abstaining due to a conflict of interest as an employee of the applicant, Redbud Roots.

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

Spring/Summer Events and Covid-19 Restrictions - Questions – Several different requests are starting to come in for events, reservations, etc. for activities planned to take place involving group gatherings for this Spring/Summer. City Manager Grace was planning on beginning approvals of such events, with caveats that organizers agree to abide by whatever mandated Covid-19 restrictions might be in place at the time. However, given the fluid nature of this issue, and its clear public health implications, Manager Grace wanted to update the Commission about her suggested thoughts on how to proceed—especially for City-sponsored events, like Thrill on the Hill.

- *Michiana Cruisers* – Gary Shindeldecker wants to get permission to host the Michiana Cruisers at Centennial Park on July 22, 2021.
- *Relay for Life* – Chris Gowen of Relay for Life wants to get permission to host the Relay for Life this July 10th at noon at the Commons.
- *Thrill on the Hill* – Chris Szajko of Grand Master LLC wants to know if we want to book the band this year for Thrill on the Hill or any other date.
- *Annual Community Wide Yard Sale* – This is a City Event that is normally held on the 3rd week of June and was canceled last year.
- *Annual Spring Clean Up* – This is a City Event that was postponed to the fall last year.

Commission expressed desire and hope that we would soon be in a situation where such events could take place, stating that the community needs to be able to come together.

Volunteers and Interns – Manager Grace has been working to create relationships with area colleges, and recently was able to forge a partnership with Southwestern Michigan College whereby the City could host a number of interns who could potentially provide a wide range of services for the community. Manager Grace has also been in conversation with several individuals willing to volunteer their time to serve the City. Services proposed to be provided by interns and/or volunteers run the gamut from record archiving to accounting to graphic design.

Public Comment (non-agenda items)

- **Don Ryman** – Spoke favorably about his attendance at a community development steering team meeting with the Andrews University Urban Design Studio.
- **Alice Kring** – Thanked the Commission for approving the name change for the Buchanan Performing Arts Council as it is more representative of what they do. She will ensure the City receives updated bylaws for the Council. Gave City Manager Grace kudos for plans to establish an intern program. Spoke regarding her experience on the board of the Bertrand Township Fire Department emphasizing that large purchases come from taxes, not fundraisers.
- **Dan Vigansky** – Asked if the City sold the snow machine, the sale price, and if there is any additional equipment remaining from the Winter Thrill on the Hill. Also suggested Comcast update Channel 17.

Executive Comments

- **City Manager Grace** – Thanked the Commission for entrusting her to invest in the system upgrades – she is sure staff will make great strides. Stated the snow machine had been sold for slightly more than \$7,000 to Swiss Valley.
- **Commissioner Swem** – Thanked everyone for their time. Stated he was looking forward to planning session and would be hitting budget hard. He wants more clarity.
- **Commissioner Weedon** – None.
- **Commissioner Money** – Thanked everyone for getting on the call – great community involvement. Thanked Chris Gowen for her introduction regarding Relay for Life and challenged the Commission to form a team.
- **Commissioner Downey** – Stated that his negative vote for treasurer was based on principle. Congratulated Powers and thinks she will be a great treasurer.
- **Mayor Denison** – Stated that the Fire Department fundraiser discussion went a little askew. He then read a prepared statement about change and the future of Buchanan.

Adjourn

Downey moved, seconded by Money to adjourn. Roll call vote carried unanimously. Mayor Denison adjourned the meeting at 9:05 p.m.

Barbara A. Pitcher, City Clerk

Mayor Sean Denison