



**AGENDA FOR REGULAR MEETING OF THE BUCHANAN CITY COMMISSION
MONDAY, MARCH 8, 2021 – 7:00 PM**

ELECTRONIC MEETING

THE COMMISSION OF THE CITY OF BUCHANAN in compliance with Michigan’s Open Meetings Act, as amended, Public Act 254 of 2020, 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. Pledge of Allegiance

III. Roll Call

IV. Agenda

- A. *Additions to the Agenda* (if any)
- B. *Approval of the Agenda*

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

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

- A. *Approve Minutes:* Regular City Commission Meeting, February 22, 2021.
- B. *Approve Invoices/Expenditures:* for March 8, 2021 in the amount of **\$104,033.17**
 - Notable expenditures include- Dial-A-Ride Operations for October-December for \$40,153.60

VII. Scheduled Matters from the Floor (if any)

- A. *United Way of Southwest Michigan: Dolly’s Parton Imagination Library* – March is Reading Month and the United Way of Southwest Michigan is encouraging our community to rally around early childhood literacy by sponsoring children to participate in Dolly Parton’s Imagination Library. Dolly Parton’s Imagination Library brings books to children’s homes; from birth until they turn five years old, children enrolled in the program will receive a new, age-appropriate book mailed to their home each month. By the time they enter kindergarten, children will have their own library of books and be more prepared to enter school and become readers. Additional information about the program and sponsorship opportunities are available at <https://www.uwsm.org/dpil>.
- B. *Zen Leaf: Proposed 420 Celebration* – Marihuana retailer Zen Leaf would like to address the City Commission with a request to have the City consider approving a proposed “420 Celebration” event to take place on April 20, 2021. The proposal includes a request to set up a booth outside in front of the Zen Leaf shop to allow Zen and Redbud Roots to hand out non-THC “swag” (free gifts). Efforts to



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maintain social distancing are proposed, and a donation bucket for the humane society is also proposed. Other details of the proposed event include a photo booth, and the use of a local DJ playing local acoustic artists outside (or a stereo if the DJ option is not feasible).

VIII. Reports by: Departments, Committees, Boards

- A. *Oakridge Cemetery: Veterans Circle Policy* – The Commission is asked to consider the adoption of new rules and regulations regarding Veterans Circle at Oakridge Cemetery. These proposed new rules were formulated by and recommended by City Cemetery staff and members of the American Legion Post 51 Administrative Board, with the goal of uniformity. Details are in Commissioner packets and include the following: one Sheppard hood per grave starting one week prior to Memorial Day and ending one week after Labor Day, placement of a white cross and flag approved by the Legion and placed by the Legion are allowed but no other placement of any other artifacts allowed, and all burials in the Veterans Circle reserved for honorable serving members of the military, or those honorably discharged, and no others.
- B. *Finance Department* – Treasurer Stephanie Powers will update the Commission on the status of the City’s transfer of financial accounts from Chemical Bank/TCF/Huntington to Honor Credit Union. Treasurer Powers will also request the scheduling of a Budget Priority Setting Work Session for the City Commission and City Administration to discuss needed amendments to the current fiscal budget due to variances caused by the previous administration’s decision to code Covid-19 Relief revenues and anticipatorily eligible expenditures to a 101.101.919 Covid line item, which has created significant variances in the current budget that need addressing, in addition to allowing for priority-setting conversations that will help shape next fiscal’s budget proposal. A suggested date and time for the Work Session is **Saturday, March 13th at 10am**. City Administration hopes to offer a “hybrid” meeting style formal for the Work Session, and also hopes to offer such an option for future Commission meetings, in light of the State’s decision to loosen some of the imposed Covid-19 restrictions [which now allow non-residential indoor gatherings of up to 25 people if masking and social distancing is enforced]. Work is underway to optimize the Commission Chambers for hybrid meeting capabilities.
- C. *Master Meter Replacement at Chemical Feed Building* – Scott Desenberg, the Operator In Charge for the City’s Water Department, will present to the Commission his request to replace the Master Meter at the Chemical Feed Building. Operator Desenberg will also explain the two corresponding quotes he has received in relation to the project: (1) \$6,354.37 by Forberg; (2) \$8,214.81 by Gasvoda & Associates; and (3) \$6,290 by Peerless Midwest/SUEZ Advanced Solutions.

IX. Unfinished Business-

- A. *Guys & Dolls Lease* – City Attorney Rick Racht has prepared a proposed lease for the Guys & Dolls salon housed within the Ross Sanders building. The proposed lease is in Commissioner packets and includes “fill in the blanks” sections for the following: monthly amount of rent [previous rent was set at \$450 per month and the previous lease agreement called for a 5% increase in rent for any renewals, but since that previous agreement expired, the amount is now at the discretion of the Commission], and the security deposit amount [typically set at the same amount as one month’s rent]. A copy of the proposed lease, as drafted by the City Attorney, was shared with Virginia Reed, owner of Guys & Dolls, who indicated that she was not satisfied by the terms and was not open to signing it as drafted, regardless of the rent amount. Ms. Reed also stated that she was dissatisfied with several items related to the current state of repair of the location, including purported black mold within the building that she indicated would need to be addressed. Input from the Commission regarding how to proceed is sought.



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- B. *Treasurer Position* – Stephanie Powers was formally appointed as the City Treasurer for the City of Buchanan during the last City Commission meeting, held 02/22/21, with the decision of the issue of pay slated to be discussed on this meeting’s agenda. The most recent Treasurer pay was for Traci McGrath was \$64,000 as of 08/2020 and the most recent Treasurer pay for Juli O’Bryant was \$72,388.45 as of 05/2020. Proposed Treasurer pay approved for the posting of the position was \$65,000 - \$75,000 DOQ and requested Treasurer’s experience of 2 years or 5 years preferred. Manager Grace proposes drafting an at-will employment agreement for Ms. Powers with a proposed starting salary of \$57,417 (retroactive to date of appointment), along with pay step increases tied to experience, which would have Ms. Powers receiving the \$75,000 salary contemplated in the position posting once she has reached 5 years of Treasurer experience on 02/22/2026, which would be in line with the previously approved job posting. Incremental steps would be on February 22nd each year as follows: \$57,417 for 2021 [calculated as ¾ of the way between Ms. Powers’ current pay and the pay amount awarded to previous Treasurer Traci McGrath]; \$61,208 for 2022 [incremental calculation]; \$65,000 for 2023 [as contemplated in the previously approved job description for someone with two years’ experience]; \$67,250 for 2024 [incremental calculation]; \$71,250 for 2025 [incremental calculation]; and \$75,000 for 2026 [as contemplated in the previously approved job description for someone with five years’ experience]. If the Commission would like more time to review this proposal, it could be discussed during the proposed March 13th Budget Priority Setting Work Session.

X. New Business

- A. *March 2021: Restaurant Month* – Consider Resolution 2021.3/222, a resolution to declare March 2021 as restaurant month in the City of Buchanan, as recommended and previously approved by the Berrien County Commissioners on 02/25/2021.
- B. *G2 Development 2021 Marihuana Permit Renewals* – G2 Development (7Engines) has submitted renewal applications and fees for the following permits, which have been reviewed by Community Development Director Rich Murphy and found to be in proper order (details were sent to Commission on 03/01/21):
1. Medical Marihuana, PR 2, 408 River St., Processor, \$5,000.00, 01/27/2021
 2. Medical Marihuana, PC5, 1101 E. Front St., Provisioning Center Facility, \$5000.00, 01/27/2021
 3. Medical Marihuana, GCC4, 408 River St., Grower Class C, \$5,000.00, 01/27/2021
 4. Adult Use, AUMPR2, 408 River St., Processor Establishment, \$5,000.00, 03/23/2021
 5. Adult Use, AUMGC, 408 River St., Grower Class C, \$5,000.00, 03/23/2021
 6. Adult Use, AUMRE, 1101 E. Front St., Retailer Establishment, \$5,000.00, 03/23/2021
- C. *Finalization of DPW Building Plans* – Director of Public Services JT Adkerson has developed a proposed plan, included in the Commissioner Packets, attempting to encapsulate the Commission’s recent conversations regarding what is envisioned for the new DPW building. RFPs have already gone out for soil samples and surveys, and proposals will be on the agenda for the next meeting, but before RFPs go out for the design/build of the building, the administration was hoping for a final vote of the Commission to either approve Director Adkerson’s proposal, or make modifications as seen fit [including a final decision on whether the building walls should be all steel, or contain some amount of concrete—and if so, how high the Commission wants the concrete to go up].



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- D. *Proposal to Amend Personnel Policies Manual* – Manager Grace seeks approval to update the City’s Personnel Policies Manual, as the current policies are somewhat disjointed and out of date. Manager Grace also seeks approval to add a new section to the Personnel Policies Manual which would allow for 6 weeks of paid maternity/paternity leave following the birth or adoption of a child, to run concurrently with FMLA eligibility. This recommendation is based upon consultation with Ted Chase of Nulty, who assists the City with the administration of its employee benefits. This proposal is also based upon the consensus of opinions from other City Managers throughout Michigan that was recently solicited by the Village Manager of Decatur. Since a non-Union city employee will soon be having a child, Manager Grace is hoping that the Commission would be willing to vote on the proposed maternity/paternity leave issue now, and then allow for a vote on the rest of the proposed updates at a later date, once an entirely new draft of the manual has been completed and reviewed by the City Attorney to ensure that it is up to date with current employment law requirements.

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

- A. *2020 Tree City USA* – The City has received word that the City of Buchanan will be recognized as a 2020 Tree City USA. Formal recognition will take place prior at a future Commission meeting prior to Arbor Day, the last Friday in April.
- B. *Easter Egg Drive Thru* – Alice Kring has emailed Manager Grace on behalf of the Buchanan Leo’s requesting permission to hold a drive thru Easter Egg Hunt in the parking lot at the Buchanan Common on April 3, 2021. She indicated that students will hand out a bag of goodies to each vehicle that drives in and that they would enter from Roe Street behind the City Center into the City parking lot and exit the north driveway of the parking lot, similar to how the BAMA group did their food hand out in August of 2020. Manager Grace has reviewed this proposal with Chief Ganus, and he has indicated his support and approval of the proposed event parameters.
- C. *Updated Covid Restrictions* – The State has recently announced new Covid restrictions that are less strict and allow for food service at 50% capacity; indoor recreation up to 25 people or 50% of max occupancy, whichever is less, with masking and social distancing; and outdoor recreation of up to 50% of max occupancy and less than 1,000 with masking and social distancing. Consequently, Manager Grace proposes to re-open to the public the option to rent City spaces such as the Redbud City Center, with requirements that users agree to abide by then-existing state mandated Covid restrictions. However, Manager Grace is open to considering other alternatives, as per the directive of the Commission, if they disagree with Manager Grace’s plan to re-open City venue rentals, with restrictions.
- D. *Marihuana Revenue Update* – On 03/04/21, the State transferred to the City \$84,003.96 in marihuana revenues tied to three dispensary operations located within the City. This marks the first time that the City has receipted any money related to marihuana taxes, which has been promised from the State for some time. This figure is anticipated to increase over time, and the City budget will need to be amended to reflect the change, as the timing and amount of the payment was not anticipated. The Commission will also be asked to have a policy discussion regarding the planned use for the funds. It is recommended that such a conversation take place during a Work Session, possibly during the proposed March 13th Work Session date that has been suggested, or some other similar venue.

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



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XIII. Executive Comments

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

XIV. Adjourn