



**City of New Buffalo**  
**REGULAR COUNCIL MEETING AGENDA**  
**JANUARY 21, 2025 AT 6:30 PM**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Consent Agenda
  - a. City Council Minutes: December 16, 2024 (regular); Library Board
  - b. Receive Monthly Reports: Police, Fire, Water, Park, Building, Streets, Code Enforcement and Treasurer
  - c. Monthly Account Payable
6. Public Comment
7. Fiscal Year 2024 Audit Presentation (Gabridge & Company)
8. New Business
  - a. Publicly Funded Health Insurance Contribution Act (Public Act 152 of 2011)
  - b. Poverty Exemption Resolution (2025)
  - c. July Board of Review Date Resolution (2025)
  - d. December Board of Review Date Resolution (2025)
  - e. City of New Buffalo Channel Maintenance Proposal
  - f. Vehicle Purchase (Police, Water & Parks)
  - g. Michigan Department of Transportation Traffic Study Request Resolution
  - h. Awarding of Auditing Services Agreement
  - i. Engineer of Record (EOR) Services Proposal
  - j. Michigan Economic Development Corporation Revitalization & Placemaking (RAP) Grant
9. Discussion/Appeals
  - a. 2024 Planning Commission Annual Report
  - b. St. John's Church (200 West Buffalo)
  - c. Vacating of Clay Street (Between S. Eagle and S. Monroe)
10. City Manager Comments
11. City Council Comments
12. Adjournment



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**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** Publicly Funded Health Insurance Contribution Act (Public Act 152 of 2011)

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**ITEM BEFORE THE COUNCIL:**

Approval of adopting the 80%/20% Cost Sharing Model Plan for Health Insurance Compliance as identified in Public Act 152 of 2011

**DISCUSSION:**

The purpose of this agenda item is to formally adopt a compliance plan forth in the State of Michigan Publicly Funded Health Insurance Contribution Act (Act 152 of 2011) which was designed to lessen the burden of employee healthcare costs on public employers.

Public employers must comply annually in one of four ways:

- 1) Apply the Hard Cap-which places a limit on how much the government can pay towards employee health insurance
- 2) Adopt by majority vote the 80%/20% cost sharing model
- 3) Elect not to follow the statute-which *places the City in non-compliance*
- 4) Opt-out of the cost-sharing model as set forth in the bill and revisit the model prior to the next plan year (*believed to be intended as an option only in the first year*)

It is important to note that after 2014, compliance with PA 152 is tied directly to Michigan Transportation Fund (MTF) monies rather than state statutory and constitutional revenue sharing. In addition to the penalties noted in the attached annual Act 51 Certification form, Act 51 is the State's most authoritative guidance on road funding and spending. Additionally, the State Treasury department notes as a penalty for non-compliance in its annual PA 152 Frequently Asked Questions document, "if the public employer is found not to be in compliance with 2011 Public Act 152, the public employer would face all sanctions generally available to enforce a law."

**RECOMMENDATION:**

That the New Buffalo City Council adopt the 80%/20% cost sharing model for all employee groups (non-union, POLC and AFSCME Union).



**RESOLUTION 25-\_\_\_\_\_**

**RESOLUTION TO ADOPT THE ANNUAL 80/20 OPTION AS SET FORTH IN PUBLIC ACT 152 OF 2011 (THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT)**

**WHEREAS**, Public Act 152 of 2011 (the "Act") was passed by the State legislature and signed by the Governor on September 24, 2011; and

**WHEREAS**, the Act contains three options for complying with the requirement of the Act; and

**WHEREAS**, the three (3) options are as follows:

- 1) Section 3 - "Hard Caps" Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - "80/20" Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - "Exemption" Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body; and

**WHEREAS**, the City Council has decided to adopt the annual 80/20 option as its choice of compliance under the Act.

**NOW THEREFORE BE IT RESOLVED** the New Buffalo City Council elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual 80/20 option for the medical benefit plan coverage year of January 1, 2025 through November 30, 2025.

**Dated:** January 21, 2025

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

**RESOLUTION DECLARED:**

**CERTIFICATION**

I, Ann M. Fidler, duly appointed City Clerk of the City of New Buffalo, does hereby certify that the above is true and correct copy of a resolution passed and approved by the City Council of the City of New Buffalo, Michigan, on this 21<sup>st</sup> day of January, 2025.

\_\_\_\_\_  
Ann M. Fidler, City Clerk



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**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** Poverty Exemption Income Guidelines and Asset Level Test

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**ITEM BEFORE THE COUNCIL:**

Approval of the Poverty Exemption Income Guidelines and Asset Level Test for the City of New Buffalo

**DISCUSSION:**

MCL 211.7u of the General Property Tax Act, MCL 211.1, et. seq., allows a property tax exemption for the principal residence of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute to the public charges.

To be eligible for the exemption, a person must own and occupy the principal residence for which the exemption is requested, file a claim (each year the exemption is sought) with the supervisor or board of review on the city/township's form, along with federal and state income tax returns for all persons residing in the principal residence, show proof of ownership, and meet federal income standards annually determined by the U.S. Office Department of Health and Human Services or standards adopted by the local assessing unit's governing body (if the local assessing unit's standards are less strict than the federal guidelines).

MCL 211.7u was significantly altered by PA 390 of 1994 and was further amended by PA 620 of 2002 and PA 104 of 2003. Pursuant to MCL 211.7u(2)(e), local governing bodies are required to adopt guidelines that set income levels for their exemption guidelines and those income levels **shall not be set lower** by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services.

In order to determine a taxpayer's eligibility for poverty exemption guidelines, PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit **shall** also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes for the year the property exemption claim was filed. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available.

**RECOMMENDATION:**

That the New Buffalo City Council approves the establishment of the Poverty Exemption Income Guidelines and Asset Level Test.



**CITY OF NEW BUFFALO  
RESOLUTION 25-\_\_\_\_\_**

**POVERTY EXEMPTION INCOME GUIDELINES AND ASSET TEST**

**WHEREAS**, the adoption of guidelines for poverty exemptions is required of the New Buffalo City Council; and

**WHEREAS**, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

**WHEREAS**, pursuant to PA 390 of 1994, the City of New Buffalo, Berrien County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year; and

**WHEREAS**, to be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence.
- 3) Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal; and

**WHEREAS**, the following are the 2025 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services; and

**WHEREAS**, the annual allowable income includes income for all persons residing in the principal residence as follows:



**Federal Poverty Guidelines 2025**

Size of Family Unit	Poverty Guidelines
1	\$15,060
2	\$20,440
3	\$25,820
4	\$31,200
5	\$36,580
6	\$41,960
7	\$47,340
8	\$52,720
Each additional person, add	\$5,140

**WHEREAS**, an Asset Test will also be considered. The guidelines are as follows:

- Assets to the total household may not exceed an amount of \$15,160 (\$30,240 if married).

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

**DATED:** January 21, 2025

AYES:

NAYS:

ABSENT:

ABSTAIN:

DECLARED:

**CERTIFICATE**

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the City Council of the City of New Buffalo, Michigan, at a regular meeting thereof held on the 21<sup>st</sup> day of January 2025.

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Ann M. Fidler, City Clerk



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**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** Alternate Date for July Board of Review meeting

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**ITEM BEFORE THE COUNCIL:**

Approval of resolution setting an alternate date for the July Board of Review meeting

**DISCUSSION:**

The City of New Buffalo's Board of Review ("the Board") is established by the City's Charter, Chapter 9 and the Michigan General Property Tax Law Act 206, 1893, as amended. The Board reviews the annual assessment roll and hears appeals of real and person property assessments. The Board also corrects "clerical errors, mutual mistakes of fact, and homestead status" relative to the current and prior year's assessment rolls.

The Board meets three (3) times annually (March, July and December). The March meeting is to review the annual assessment roll and to hear real and personal property assessment appeals. The July and December meetings are for the purpose of correcting "clerical errors and mutual mistakes of fact". Since the passage of Proposal A in 1993, the Board's responsibilities have been expanded to address the Principal Residence Exemption Program.

According to MCL 211.53b, cities are required to hold July's Board of Review meetings on the Tuesday following the third Monday of July. Public Act 122 of 2008 Section 53b, 7b amended PA 206 to allow for the City to pass a resolution for alternate starting dates for the July meeting to be an alternative meeting date during the week of the third Monday in July.

**RECOMMENDATION:**

That the New Buffalo City Council approves the resolution allowing for an alternate July 2025 Board of Review date.



**CITY OF NEW BUFFALO  
RESOLUTION 25-\_\_\_\_**

**ALTERNATE DATE FOR THE JULY BOARD OF REVIEW**

**WHEREAS**, Section 53b of the General Property Tax Act, MCL 211.53b, requires a Board of Review that meets in July to meet on Tuesday following the third Monday in July; and

**WHEREAS**, assessors who work for multiple units are not always able to attend the Board of Review meeting for each unit when they meet on the same day; and

**WHEREAS**, Public Act 122 of 2008, effective February, 2022, allows an alternate July Board of Review meeting date during the week of the third Monday in July; and

**WHEREAS**, it will benefit the residents of the City of New Buffalo to have the assessor available to assist the Board of Review and taxpayers in processing tax appeals and poverty exemptions;

**NOW, THEREFORE, BE IT RESOLVED** that any day the week of the third Monday of July has been selected as the meeting date of the July Board of Review by the City of New Buffalo City Council.

The foregoing resolution offered by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_.

DATED: January 21, 2025

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED: ADOPTED

**CERTIFICATE**

I, Ann M. Fidler, duly appointed City Clerk of the City of New Buffalo, does hereby certify that the above is true and correct copy of a resolution passed and approved by the City Council of the City of New Buffalo, Michigan, on this 21<sup>st</sup> day of January 2025.

\_\_\_\_\_  
Ann M. Fidler, City Clerk



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**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** Alternate Date for December Board of Review meeting

---

**ITEM BEFORE THE COUNCIL:**

Approval of resolution setting an alternate date for the July Board of Review meeting

**DISCUSSION:**

The City of New Buffalo's Board of Review ("the Board") is established by the City's Charter, Chapter 9 and the Michigan General Property Tax Law Act 206, 1893, as amended. The Board reviews the annual assessment roll and hears appeals of real and person property assessments. The Board also corrects "clerical errors, mutual mistakes of fact, and homestead status" relative to the current and prior year's assessment rolls.

The Board meets three (3) times annually (March, July and December). The March meeting is to review the annual assessment roll and to hear real and personal property assessment appeals. The July and December meetings are for the purpose of correcting "clerical errors and mutual mistakes of fact". Since the passage of Proposal A in 1993, the Board's responsibilities have been expanded to address the Principal Residence Exemption Program.

According to MCL 211.53b, cities are required to hold December's Board of Review meetings on the Tuesday following the second Monday of December. Public Act 122 of 2008 Section 53b, 7b amended PA 206 to allow for the City to pass a resolution for alternate starting dates for the December meeting to be an alternative meeting date during the week of the second Monday in December.

**RECOMMENDATION:**

That the New Buffalo City Council approves the resolution allowing for an alternate December 2025 Board of Review date.



**CITY OF NEW BUFFALO  
RESOLUTION 25-\_\_\_\_**

**ALTERNATE DATE FOR THE DECEMBER BOARD OF REVIEW**

**WHEREAS**, Section 53b of the General Property Tax Act, MCL 211.53b, requires a Board of Review that meets in July to meet on Tuesday following the third Monday in July; and

**WHEREAS**, assessors who work for multiple units are not always able to attend the Board of Review meeting for each unit when they meet on the same day; and

**WHEREAS**, Public Act 122 of 2008, effective February 2022, allows an alternate December Board of Review meeting date during the week of the third Monday in December; and

**WHEREAS**, it will benefit the residents of the City of New Buffalo to have the assessor available to assist the Board of Review and taxpayers in processing tax appeals and poverty exemptions;

**NOW, THEREFORE, BE IT RESOLVED** that any day the week of the third Monday of December has been selected as the meeting date of the 2023 December Board of Review by the City of New Buffalo City Council.

The foregoing resolution offered by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_.

DATED: January 21, 2025

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED: ADOPTED

**CERTIFICATE**

I, Ann M. Fidler, duly appointed City Clerk of the City of New Buffalo, does hereby certify that the above is true and correct copy of a resolution passed and approved by the City Council of the City of New Buffalo, Michigan, on this 21<sup>st</sup> day of January 2025.

\_\_\_\_\_  
Ann M. Fidler, City Clerk



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**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** City of New Buffalo Channel Maintenance Proposal

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**ITEM BEFORE THE COUNCIL:**

Approval of the channel maintenance proposal from Donkersloot & Sons

**DISCUSSION:**

The US Army Corps of Engineers (USACE) has informed the city that it will have funding for dredging in New Buffalo in 2025. The city had a meeting with USACE on November 14, 2024 to discuss the logistics of the harbor dredging scheduled to occur mid-summer (July to August). Given that time is during the height of the boating season and the semi-mild winter, there needs to be an interim solution. The recommendation is to “drag” areas of accumulation in advance of the USACE’s dredging. This will minimize the city’s costs within the federal channel, given the USACE’s funding for its maintenance.

Donkersloot & Sons has provided a proposal in the amount of \$17,300 for the “dragging” of the channel. This amount was proposed in advance of the mild winter that the area has experienced. It would be recommended that this amount be increased to a maximum of \$24,500.

**RECOMMENDATION:**

That the New Buffalo City Council approves the proposal from Donkersloot & Sons in an amount not to exceed \$24,500.



**CITY OF NEW BUFFALO  
RESOLUTION 25-\_\_\_\_\_**

**APPROVAL OF CHANNEL MAINTENANCE PROPOSAL FROM DONKERSLOOT & SONS FOR  
CHANNEL MAINTENANCE**

**WHEREAS**, the US Army Corps of Engineers (USACE) has informed the city that it will have funding for dredging in New Buffalo in 2025; and

**WHEREAS**, the city had a meeting with USACE on November 14, 2024 to discuss the logistics of the harbor dredging, scheduled to occur mid-summer (July to August); and

**WHEREAS**, given that time is during the height of the boating season and the semi-mild winter, there needs to be an interim solution; and

**WHEREAS**, the recommendation is to “drag” areas of accumulation in advance of the USACE’s dredging; and

**WHEREAS**, this will minimize the city’s costs within the federal channel, given the USACE’s funding for its maintenance; and

**WHEREAS** Donkersloot & Sons has provided a proposal in the amount of \$17,300 for the “dragging” of the channel; and

**WHEREAS**, this amount was proposed in advance of the mild winter that the area has experienced; and

**WHEREAS**, it would be recommended that this amount be increased to a maximum of \$24,500.

**NOW THEREFORE BE IT HEREBY RESOLVED** that the New Buffalo City Council approves the proposal from Donkersloot & Sons in an amount not to exceed \$24,500.

DATED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED:

**CERTIFICATE**

I, Ann M. Fidler, duly appointed City Clerk of the City of New Buffalo, does hereby certify that the above is true and correct copy of a resolution passed and approved by the City Council of the City of New Buffalo, Michigan, on this 21<sup>st</sup> day of January 2025.

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Ann M. Fidler, City Clerk



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**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** Purchase of Leased Vehicles

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**ITEM BEFORE THE COUNCIL:**

Approval of the purchase of leased vehicles (Parks, Water and Police)

**DISCUSSION:**

Prior to the COVID pandemic, the city leased four (4) vehicles through the Enterprise program, one of which we have already purchased. Staff is requesting to purchase the remaining three (3) vehicles.

The pandemic severely impacted the automobile industry, causing vehicle prices to nearly double. Additionally, municipal discounts that once made leasing programs a solid financial option, barely exist. The three (3) vehicles in question all have very low mileage and can be purchased for a fraction of the cost of new replacement vehicles would lease out at.

Vehicle	Mileage	Purchase Price	KBB Trade-In Value
2021 Ford F150	< 10,000	\$13,737.38	\$21,795.00
2021 Ford F150	<10,000	\$13,940.93	\$30,648.00
2020 Dodge Durango	43,919	\$14,643.97	\$21,609.00
		<b>\$42,322.28</b>	

Funding for these purchases is available in the 2024-2025 approved City of New Buffalo budget.

**RECOMMENDATION:**

That the New Buffalo City Council approves the purchase of three (3) leased vehicles in the amount of \$42,322.28.



**CITY OF NEW BUFFALO  
RESOLUTION 25 - \_\_\_\_\_**

**PURCHASE OF ENTERPRISE LEASED VEHICLES**

**WHEREAS**, prior to the COVID pandemic, the city leased four (4) vehicles through the Enterprise program, one of which we have already purchased; and

**WHEREAS**, staff is requesting to purchase the remaining three (3) vehicles; and

**WHEREAS**, the pandemic severely impacted the automobile industry, causing vehicle prices to nearly double; and

**WHEREAS**, municipal discounts that once made leasing programs a solid financial option, barely exist; and

**WHEREAS**, the three(3) vehicles in question all have very low mileage and can be purchased for a fraction of the cost of new replacement vehicles would lease out at; and

Vehicle	Mileage	Purchase Price	KBB Trade-In Value
2021 Ford F150	< 10,000	\$13,737.38	\$21,795.00
2021 Ford F150	<10,000	\$13,940.93	\$30,648.00
2020 Dodge Durango	43,919	\$14,643.97	\$21,609.00
		<b>\$42,322.28</b>	

**WHEREAS**, funding for these purchases is available in the 2024-2025 approved City of New Buffalo budget.

**NOW THEREFORE BE IT HEREBY RESOLVED** that the New Buffalo City Council approves the purchase of 3 leased vehicles in the amount of \$42,322.28.

DATED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED:

**CERTIFICATE**

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\_\_\_\_\_  
Ann M. Fidler, City Clerk



**RESOLUTION 25-\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF NEW BUFFALO COUNCIL REQUESTING THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) TO CONDUCT A STUDY OF U.S. HIGHWAY 12 FROM RED ARROW HIGHWAY TO THE INDIANA STATE LINE IN RESPONSE TO INCREASED NON-MOTORIZED TRAFFIC AND BUSINESS ACTIVITY**

WHEREAS, City of New Buffalo, located in Berrien County, Michigan, is committed to fostering a safe and accessible environment for all residents and visitors; and

WHEREAS, U.S. Highway 12 (US-12) is a vital transportation corridor for the region, connecting local communities and serving as a key route for commuters, tourists, and commerce; and

WHEREAS, the completion and ongoing development of the Marquette Greenway has led to a significant increase in non-motorized traffic, including pedestrians and cyclists, along the US-12 corridor; and

WHEREAS, there is a need to connect the Marquette Greenway to the Red Arrow Linear Path to ensure a seamless and connected non-motorized transportation system for pedestrians and cyclists; and

WHEREAS, the area along US-12 between Red Arrow Highway and the Indiana State Line has experienced notable growth in business activity, contributing to increased vehicular traffic and the need for enhanced roadway safety and accessibility; and

WHEREAS, it is in the best interest of the City of New Buffalo to explore opportunities to enhance safety and functionality along US-12 to address the changing transportation needs of the community.

NOW, THEREFORE, BE IT RESOLVED, that the New Buffalo City Council hereby requests that the Michigan Department of Transportation (MDOT) conduct a comprehensive study of U.S. Highway 12 from Red Arrow Highway to the Indiana State Line; and

BE IT FURTHER RESOLVED, that the City of New Buffalo Council directs the City Manager to transmit this resolution to MDOT, as well as to state and local officials, to advocate for the study and necessary improvements to US-12; and

BE IT FINALLY RESOLVED, that the City of New Buffalo Council expresses its commitment to working collaboratively with MDOT, neighboring communities, and other stakeholders to ensure the safety and well-being of all who use the US-12 corridor.

DATED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED:



CERTIFICATE

I, Ann M. Fidler, duly appointed City Clerk of the City of New Buffalo, do hereby certify that the above is true and correct copy of a resolution passed and approved by the City Council of the City of New Buffalo, Michigan, on this 21<sup>st</sup> day of January 2025.

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Ann M. Fidler, City Clerk



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**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** Awarding of Auditing Services Agreement

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**ITEM BEFORE THE COUNCIL:**

Approval of awarding an Auditing Services Agreement to Lauterbach & Amen.

**DISCUSSION:**

In Michigan, the Uniform Budgeting and Accounting Act (Act 2 of 1968) requires municipalities to file an annual audit report with the department within six months of the end of their fiscal year. The purpose of a municipal annual audit is to help identify areas for improvement and to ensure that the organization is functioning properly. The previous auditing agreement expired in 2023 and the city entered into a 1-year agreement for 2024.

The city issued a Request for Proposal (RFP) to secure a multi-year agreement with an auditing firm. Quotes were received from Gabridge & Co., Kruggel Lawton, Lauterbach & Amen, and Maner Costerisan. Based on review by city staff and checking of references, it is recommended that the city enter a three (3) year agreement with Lauterbach & Amen.

**RECOMMENDATION:**

That the New Buffalo City Council approves awarding an Auditing Services Agreement to Lauterbach & Amen for three (3) years.



**CITY OF NEW BUFFALO  
RESOLUTION 25-\_\_\_\_\_**

**AWARDING OF AUDITING SERVICES AGREEMENT WITH LAUTERBACH & AMEN**

**WHEREAS**, in Michigan, the Uniform Budgeting and Accounting Act (Act 2 of 1968) requires municipalities to file an annual audit report with the department within six months of the end of their fiscal year; and

**WHEREAS**, the purpose of a municipal annual audit is to help identify areas for improvement and to ensure that the organization is functioning properly; and

**WHEREAS**, for the previous 3 years, the city was in an agreement with Lauterbach & Amen to perform its annual audit and file it with the state; and

**WHEREAS**, the city issued a Request for Proposal (RFP) to secure a multi-year agreement with an auditing firm; and

**WHEREAS**, quotes were received from Gabridge & Co., Kruggel Lawton, Lauterbach & Amen, and Maner Costerisan; and

**WHEREAS**, based on review by city staff and checking of references, it is recommended that the city enter a three (3) year agreement with Lauterbach & Amen.

**NOW THEREFORE BE IT HEREBY RESOLVED** that the New Buffalo City Council approves awarding an Auditing Services Agreement to Lauterbach & Amen for three (3) years.

DATED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED:

**CERTIFICATE**

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\_\_\_\_\_  
Ann M. Fidler, City Clerk



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**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** Engineers of Record Proposal

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**ITEM BEFORE THE COUNCIL:**

Approval of Engineers of Record proposal from Abonmarche

**DISCUSSION:**

Abonmarche has historically provided general engineering services to the city and staff would like to continue this service. The proposal is for an amount not to exceed \$10,000, without prior approval by the City Manager. Services under the agreement include plan reviews, providing general technical advice, opinions of probable cost, and similar tasks. It is anticipated that generally small scope assignments will be accomplished under this agreement. Larger projects, if any are assigned, would be accomplished under separate agreements.

**RECOMMENDATION:**

That the New Buffalo City Council approves the Engineers of Record proposal from Abonmarche.



**CITY OF NEW BUFFALO  
RESOLUTION 25-\_\_\_\_\_**

**AWARDING OF ENGINEERS OF RECORD PROPOSAL FROM ABONMARCHÉ**

**WHEREAS**, Abonmarche has historically provided general engineering services to the city and staff would like to continue this service; and

**WHEREAS**, the proposal is for an amount not to exceed \$10,000, without prior approval by the City Manager; and

**WHEREAS**, services under the agreement include plan reviews, providing general technical advice, opinions of probable cost, and similar tasks; and

**WHEREAS**, it is anticipated that generally small scope assignments will be accomplished under this agreement; and

**WHEREAS**, larger projects, if any are assigned, would be accomplished under separate agreements.

**NOW THEREFORE BE IT HEREBY RESOLVED** that the New Buffalo City Council approves the Engineers of Record proposal from Abonmarche.

DATED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED:

CERTIFICATE

I, Ann M. Fidler, duly appointed City Clerk of the City of New Buffalo, does hereby certify that the above is true and correct copy of a resolution passed and approved by the City Council of the City of New Buffalo, Michigan, on this 21<sup>st</sup> day of January 2025.

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Ann M. Fidler, City Clerk



**TO:** Mayor Price and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** January 21, 2025

**RE:** Resolution of Support and Match for South Whittaker Street MEDC RAP Grant

**ITEM BEFORE THE COUNCIL:**

Resolution of support and match commitment for South Whittaker Street place-making project to be submitted to the Michigan Economic Development Corporation's RAP Grant program. Below is an overview of the impacted area should the project be funded.



**DISCUSSION:**

The redevelopment of South Whittaker Street has long been a priority for the community highlighted in both the City's Master Plan as well as the draft Downtown Development Authority Tax Increment Financing Plan.



This portion of the community has seen a fraction of the economic activity and investment experienced just 4/10ths of a mile away along Buffalo Street and North Whittaker Street. The vacant former hardware store property which the City owns represents an opportunity to both further expand the community's public parking system while providing a "shot in the arm" to create additional activity within the South Whittaker Street commercial district.

If the City were to undertake the proposed parking and streetscape improvements in South Whittaker Commercial District this would also present the community with the opportunity to develop new identity and brand for this part of the community. A brand and identity which reflects what the community wants this area to be. An

example could be something such as "Uptown New Buffalo". This specific name is not meant as a suggestion for the identity of the area, that is something for the community to come together to decide through public visioning. It is intended to present an idea of what could be done with this portion of the community

to create an almost neighborhood commercial district to serve the needs of both residents and visitors alike.



The former hardware store property parallel to the railroad tracks is an underutilized City asset that is well positioned to be developed to support parking needs during the community's busy season without taking up valuable property in the central business district or along the waterfront. A shuttle would be able to easily move people between this new public parking lot and the downtown and lakefront areas. An additional benefit is the likelihood that the people parking in this lot would frequent the businesses in the area either before or after using the shuttle.

The scope of the project would be replacing the sidewalks, incorporating landscaping improvements, creating new on-street parking and the development of the parking lot referenced above. Below is a conceptual rendering of what the area could look like should the City be successfully in securing the subject grant.



**RECOMMENDATION:**

That the New Buffalo City Council supports the submission of the RAP grant to the Michigan Economic Development Corporation and commits to the required match in the amount of \$416,406.25



**CITY OF NEW BUFFALO  
RESOLUTION 25-\_\_\_\_\_**

**RESOLUTION OF SUPPORT AND COMMITMENT OF MATCH FOR THE SOUTH WHITTAKER  
STREET PLACEMAKING PROJECT**

**WHEREAS**, the Revitalization and Placemaking provides access to gap financing for place-based infrastructure development, real estate rehabilitation and development, and public space improvements; and

**WHEREAS**, eligible applicants are individuals or entities working to rehabilitate vacant, underutilized, blighted and historic structures and the development of permanent place-based infrastructure associated with traditional downtowns, social-zones, outdoor dining and placed-based public spaces; and

**WHEREAS**, the project has been identified as a priority in the community's Master Plan as well by the Downtown Development Authority; and,

**WHEREAS**, the project would have a significant positive impact on relieving parking congestion in the downtown and waterfront as a result of the community's tourism based economy; and,

**WHEREAS**, the South Whittaker Street portion of the community is an underinvested and underutilized commercial area with significant opportunity for growth as a gateway to the community.

**NOW THEREFORE BE IT RESOLVED**, that the New Buffalo City Council approves the submission of the subject RAP grant application of the Michigan Economic Development Corporation and commits to matching funds in the amount of \$416,406.25.

DATED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED:

**CERTIFICATE**

I, Ann M. Fidler, duly appointed City Clerk of the City of New Buffalo, does hereby certify that the above is true and correct copy of a resolution passed and approved by the City Council of the City of New Buffalo, Michigan, on this 20<sup>th</sup> day of January 2025.

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Ann M. Fidler, City Clerk