



City of New Buffalo
REGULAR COUNCIL MEETING
OCTOBER 20, 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: September 15, 2025 (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. Public Hearings
 - a. Vacating a portion of right-of-way between 105 S. Townsend Street and 104 S. Taylor Street
8. Unfinished Business
9. New Business
 - a. Board Appointments (Downtown Development Authority)
 - b. Board Appointments (Harbor Commission)
 - c. Board Appointments (Parks and Recreation)
 - d. Resolution Opposing a Petition Initiated Constitutional Amendment to End Property Taxes in Michigan
 - e. Contracted Services Agreement (Spicer Engineering)
 - f. City of New Buffalo Chamber Growth Alliance (CGA) Agreement
 - g. Equipment Purchase for Parks Department (Winter Equipment)
 - h. Equipment Purchase for Police Department (Parking Enforcement)
 - i. Equipment Rental for Streets Department (Front-end Loader)
 - j. Vacating a portion of right-of-way between 105 S. Townsend Street and 104 S. Taylor Street
 - k. Special Use Permit Request (10 N. Whittaker Street)
 - l. Request for rezoning (16 N. Smith Street)
 - m. Site Plan Review (115 S. Whittaker Street)
 - n. Amendment to Restated Employment Agreement
 - o. First Reading of an Ordinance to Amend Chapter 7, Article 2, Section 7-10; and Chapter 14, Article 1, Section 14-8 of the City of New Buffalo's Code of Ordinances
 - p. First Reading of an Ordinance to Amend Chapter 18, Article 1, Section 18-7 of the City of New Buffalo's Code of Ordinances



- q. First Reading of an Ordinance to Amend Article 3, Section Z3-04 (B) and Article 4, Section Z4-01 (A) of the City of New Buffalo's Zoning Ordinance
- r. First Reading of an Ordinance to Amend Article 6, Section Z6-06 (A) of the City of New Buffalo's Code of Ordinances

10. Discussion(s)

- a. Vacating of a portion of S. Smith Street (219 W. Madison)

11. Pokagon Fund Update

12. City Manager Comments

13. City Council Comments

14. Adjournment



NOTICE OF PUBLIC HEARING

In accordance with the Michigan Open Meetings Act, Public Act 267 of 1976, MCL 15.261, et. seq., the City Council will hold a public hearing at the regular meeting on Monday, October 20, 2025, at 6:30 PM.*

The purpose of the public hearing is for the following:

- Vacating a portion of alley in block 10 Rose addition proposed right of way abandonment City of New Buffalo, Berrien County, Michigan (between 104 S Taylor St and 105 S Townsend St).

The file for the vacation request is available for viewing at New Buffalo City Hall, 224 W. Buffalo Street, New Buffalo, MI 49117.

Written comments can be submitted to the Clerk's office prior to the meeting to the addresses listed below.

**This is an in-person meeting only and there will be no video participation options. The public is welcome to attend the meeting at 224 W. Buffalo Street, New Buffalo, MI 49117.*

Per the Americans with Disabilities Act, individuals with disabilities requiring auxiliary aids should contact the City Clerk by writing or calling the following:

City Clerk's Office
224 W. Buffalo Street
New Buffalo, MI 49117
(269) 469-1500
aschroeder@cityofnewbuffalomi.gov

Amber Schroeder, Deputy Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Board Appointments – Downtown Development Authority

ITEM BEFORE THE COUNCIL:

Approval of board appointments to the City of New Buffalo's Downtown Development Authority

DISCUSSION:

Per the New Buffalo City Charter and Code of Ordinances, the Mayor makes recommendations for board appointments with final approval by the City Council.

The city has received applications from interested community members to serve on the Downtown Development Authority. The mayor recommends the following:

- Marc Danesi – term ending November 2028
- Chad Gradowski – term ending 2029
- Diane Pyshos – term ending November 2029
- Pete Rahm – term ending November 2028

RECOMMENDATION:

That the New Buffalo City Council approves the appointments to the City of New Buffalo's Downtown Development Authority.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

DOWNTOWN DEVELOPMENT AUTHORITY APPOINTMENTS

WHEREAS, per the New Buffalo City Charter and Code of Ordinances, the Mayor makes recommendations for board appointments with final approval by the City Council; and

WHEREAS, the city has received applications from interested community members to serve on the Downtown Development Authority; and

WHEREAS, the mayor recommends the following:

- Marc Danesi – term ending November 2028
- Chad Gradowski – term ending 2029
- Diane Pyshos – term ending November 2029
- Pete Rahm – term ending November 2028

NOW THEREFORE BE IT RESOLVED, that the New Buffalo City Council approves the appointments to the City of New Buffalo's Downtown Development Authority.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Board Appointments – Harbor Commission

ITEM BEFORE THE COUNCIL:

Approval of board appointments to the City of New Buffalo's Harbor Commission

DISCUSSION:

Per the New Buffalo City Charter and Code of Ordinances, the Mayor makes recommendations for board appointments with final approval by the City Council.

The city has received applications from interested community members to serve on the Harbor Commission. The mayor recommends the following:

- Brian Campbell – term ending November 2026
- Doreen Kral – term ending November 2027
- Josh Lantz – term ending November 2028

Alternate members

- Conrad Rieckhoff – first alternate

RECOMMENDATION:

That the New Buffalo City Council approves the board appointments to the City of New Buffalo's Harbor Commission.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

HARBOR COMMISSION APPOINTMENTS

WHEREAS, per the New Buffalo City Charter and Code of Ordinances, the Mayor makes recommendations for board appointments with final approval by the City Council; and

WHEREAS, the city has received applications from interested community members to serve on the Harbor Commission; and

WHEREAS, the mayor recommends the following:

- Brian Campbell – term ending November 2026
- Doreen Kral – term ending November 2027
- Josh Lantz – term ending November 2028

Alternate members

- Conrad Rieckhoff – first alternate

NOW THEREFORE BE IT RESOLVED, that the New Buffalo City Council approves the appointments to the City of New Buffalo's Harbor Commission.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Board Appointments – Parks and Recreation Board

ITEM BEFORE THE COUNCIL:

Approval of board appointments to the City of New Buffalo's Parks and Recreation Board

DISCUSSION:

Per the New Buffalo City Charter and Code of Ordinances, the Mayor makes recommendations for board appointments with final approval by the City Council.

The city has received applications from interested community members to serve on the Parks and Recreation Board. The mayor recommends the following:

- Mary Cooper – term ending November 2027
- Pat Fisher – term ending November 2027
- Mark Gabryszewski – term ending November 2026
- Jennifer Rowland – term ending November 2028
- Kelsey Yech – term ending November 2028

Alternate

- Kristin Survoy

RECOMMENDATION:

That the New Buffalo City Council approves the board appointments to the City of New Buffalo's Parks and Recreation Board.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

PARKS AND RECREATION BOARD APPOINTMENTS

WHEREAS, per the New Buffalo City Charter and Code of Ordinances, the Mayor makes recommendations for board appointments with final approval by the City Council; and

WHEREAS, the city has received applications from interested community members to serve on the Parks and Recreation Board; and

WHEREAS, the mayor recommends the following:

- Mary Cooper – term ending November 2027
- Pat Fisher – term ending November 2027
- Mark Gabryszewski – term ending November 2026
- Jennifer Rowland – term ending November 2028
- Kelsey Yech – term ending November 2028

Alternate

- Kristin Survoy

NOW THEREFORE BE IT RESOLVED, that the New Buffalo City Council approves the appointments to the City of New Buffalo's Parks and Recreation Board.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Resolution in Opposition of the AxMiTax Initiative to End Property Taxes in Michigan

ITEM BEFORE THE COUNCIL:

Approval of a resolution in opposition of a petition initiated constitutional amendment to end property taxes in the State of Michigan

DISCUSSION:

There is an effort known as Ax MI Tax which aims to eliminate all real and personal property taxes in Michigan. The initiative would cut over \$17 billion in funding for schools, roads, recreation, and public safety. Simultaneously, the proposal provides fractional and restricted replacement funding to cities, villages, townships, and counties with no replacement revenue to schools or other authorities.

While it is being taunted as tax reform, it is far from it. The proposal is an assault on Michigan communities, schools, parks, libraries, community colleges, elections, trash collection, and public safety. These services are provided to every resident in municipalities throughout the state. The elimination of these localized services will reduce homeowners' and business property values; therefore, making the state much less desirable place to live.

Michigan currently has two constitutional property tax limitations, and this proposal will cut more than \$17 billion in funding for essential services. If this legislation is enacted, AxMiTax will be responsible for the elimination of tens of thousands of jobs, directly resulting in an increase in unemployment. It only provides fractional and restricted replacement funding to cities, villages, townships, and counties. The initiative provides NO replacement revenue for any other millage, including local school millages, state education tax, libraries, parks authorities, community colleges, garbage pick-up, roads, public safety authorities, transit, etc. Moreover, AxMiTax seeks to establish minority rule by requiring super majorities for any future revenue proposals. All in all, this is terrible public policy.

Regarding ballot question committees, Michigan law significantly limits the types of activity that a public body can undertake. A governmental entity is essentially limited to:

- Taking a position on a ballot question; and
- Doing analysis on the impact of a ballot question.

Individual officers of a public body may also communicate a position on a ballot question. Outside of these exceptions, section 57 of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, as amended, MCL 169.257, strictly prohibits activities related to the support or opposition of a ballot



question committee. The MCFA does allow for a public body to adopt a resolution supporting or opposing a ballot question.

RECOMMENDATION:

That the New Buffalo City Council approves adopting a resolution in opposition of a petition initiated constitutional amendment to end property taxes in the State of Michigan.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

**A RESOLUTION OPPOSING A PETITION-INITIATED CONSTITUTIONAL AMENDMENT TO
END PROPERTY TAXES IN MICHIGAN**

WHEREAS, the City of New Buffalo is dedicated to fiscal responsibility and the fiscal health and general welfare of all residents and businesses; and

WHEREAS, the City of New Buffalo levies 9.2943 mills to provide the essential services to its constituents (fire, police, streets), a 2.4249 allocated millage which funds road maintenance, and a 0.4179 allocated millage which funds parks; and

WHEREAS, the petition-initiated constitutional amendment, known as the **AxMiTax initiative** is seeking to eliminate all real and personal property taxes in Michigan—cutting over \$17 billion in local government funding for critical public services; and

WHEREAS, local property tax revenue is the primary source of funding for local government and schools, this proposal (with no replacement revenue plan) will devastate classrooms by cutting nearly \$10 billion from schools; and

WHEREAS, this proposed initiative removes local control and a citizen's right to vote for desired public services in the community and relegates all revenue decisions to State Legislators in Lansing and bureaucrats; and

WHEREAS, past history shows that there is no guarantee the State Legislature will provide sufficient revenue for critical public services, has reduced statutory revenue sharing, implemented costly unfunded mandates and, in the current approved budget, has voted to reduce constitutional revenue sharing of funds received in Lansing from a variety of tax sources; and

WHEREAS, replacement revenue is only fractional with restricted revenue funding to local governments with no replacement for school millages, community colleges, libraries, park authorities, rubbish pickup and other essential community services; and

WHEREAS, replacement revenue is meant to come from increases in sales tax, income tax, marihuana taxes and other taxes and this proposal would establish minority rule by requiring a 60% super majority for any tax proposal.

NOW, THEREFORE BE IT RESOLVED, that the City of New Buffalo City Council is opposed to any initiative that would eliminate local property taxes and remove local control of revenue and finances; and

BE IT FURTHER RESOLVED, that the City Clerk of the City of New Buffalo, Berrien County, Michigan shall send a copy of this resolution to the Michigan Township Association, the Michigan Municipal League, the Michigan Association of Counties, area State Legislators, Berrien County Board of



Commissioners and to all City, Township and Village Clerks in Berrien County — urging them to oppose AxMiTax.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Contracted Services Agreement for City of New Buffalo's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit

ITEM BEFORE THE COUNCIL:

Approval of a Contracted Services Agreement with Spicer Engineering for the preparation of the City of New Buffalo's MS4 NPDES Permit

DISCUSSION:

In February 2025, the city received correspondence from the Michigan Department of Environment, Great Lakes and Energy (EGLE) because all or part of the city's MS4 was identified as being located within a regulated area with a population of 50,000 or more people according to the census. Accordingly, the city is required to obtain a NPDES permit, issued by EGLE in accordance with Rule 323.2161(3) and with Part 21, Wastewater Discharge Permits (Part 21 Rules), promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. This is a new requirement of the city and will require significant assistance with its preparation.

The city reached out to Spicer Engineering to request assistance with the preparation of the permit. Spicer provided a quote for preparing the city's MS4 NPDES permit, and submittal to EGLE in the amount of \$13,000. Additionally, the city has applied to become a part of the Berrien and Cass County MS4 group. If approved to join, as a part of the cost of membership, the city would receive all of Spicer's costs for ongoing compliance with the permit

RECOMMENDATION:

That the City Council approves the Contracted Services Agreement with Spicer Engineering for the preparation and submittal of the city's MS4 NPDES permit to EGLE in the amount of \$13,000.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

**APPROVAL OF CONTRACTED SERVICES AGREEMENT WITH SPICER ENGINEERING FOR THE
PREPARATION AND SUBMITTAL OF THE CITY'S MS4 NPDES PERMIT TO EGLE**

WHEREAS, in February 2025, the city received correspondence from the Michigan Department of Environment, Great Lakes and Energy (EGLE) because all or part of the city's MS4 was identified as being located within a regulated area with a population of 50,000 or more people according to the census; and

WHEREAS, accordingly, the city is required to obtain a NPDES permit, issued by EGLE in accordance with Rule 323.2161(3) and with Part 21, Wastewater Discharge Permits (Part 21 Rules), promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

WHEREAS, this is a new requirement of the city and will require significant assistance with its preparation; and

WHEREAS, the city reached out to Spicer Engineering to request assistance with the preparation of the permit; and

WHEREAS, Spicer provided a quote for preparing the city's MS4 NPDES permit, and submittal to EGLE in the amount of \$13,000; and

WHEREAS, additionally, the city has applied to become a part of the Berrien and Cass County MS4 group; and

WHEREAS, if approved to join, as a part of the cost of membership, the city would receive all of Spicer's costs for ongoing compliance with the permit.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the Contracted Services Agreement with Spicer Engineering for the preparation and submittal of the city's MS4 NPDES permit to EGLE in the amount of \$13,000.

DATED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED:

CERTIFICATE

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Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Chamber Growth Alliance (CGA) Agreement

ITEM BEFORE THE COUNCIL:

Approval of Chamber Growth Alliance (CGA) Agreement with the Southwest Michigan Regional Chamber of Commerce

DISCUSSION:

In September 2025, the City Council approved participating in a collaborative effort with other municipalities in the region to offer more robust economic development programs and services. The City Council also approved using the city's municipal allocation from the Pokagon Fund, up to \$52,542, to be designated for projects approved by the City Council, to support these collaborative economic development efforts.

Leaders from the City of New Buffalo, Chikaming Township, New Buffalo Township and Three Oaks Township have been participating in a Cross Municipal Collaborative (CMC) group. This group has identified a significant number of characteristics, needs, and opportunities related to economic development, shared by municipalities in the region. Based on these characteristics, the CMC received presentations from Cornerstone Alliance, Southwest Michigan First and the Southwest Michigan Regional Chamber of Commerce. After the presentations, the group decided to enlist the Southwest Michigan Regional Chamber of Commerce to provide these services. The group met with the Southwest Michigan Regional Chamber's President and CEO to review a proposed services agreement in September 2025.

Following the review and presentation of the proposed agreement, the document was forwarded to the City Attorney for a final review.

RECOMMENDATION:

That the City Council approves the agreement with the Southwest Michigan Regional Chamber of Commerce to provide economic development programs and services to the City of New Buffalo, Chikaming Township, New Buffalo Township and Three Oaks Township.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

APPROVAL OF CHAMBER GROWTH ALLIANCE (CGA) AGREEMENT WITH THE SOUTHWEST MICHIGAN REGIONAL CHAMBER OF COMMERCE TO PROVIDE ECONOMIC DEVELOPMENT SERVICES TO THE CITY OF NEW BUFFALO, CHIKAMING TOWNSHIP, NEW BUFFALO TOWNSHIP AND THREE OAKS TOWNSHIP

WHEREAS, in September 2025, the City Council approved participating in a collaborative effort with other municipalities in the region to offer more robust economic development programs and services; and

WHEREAS, the City Council also approved using the city's municipal allocation from the Pokagon Fund, up to \$52,542, to be designated for projects approved by the City Council, to support these collaborative economic development efforts; and

WHEREAS, leaders from the City of New Buffalo, Chikaming Township, New Buffalo Township and Three Oaks Township have been participating in a Cross Municipal Collaborative (CMC) group; and

WHEREAS, this group has identified a significant number of characteristics, needs, and opportunities related to economic development, shared by municipalities in the region; and

WHEREAS, based on these characteristics, the CMC received presentations from Cornerstone Alliance, Southwest Michigan First and the Southwest Michigan Regional Chamber of Commerce; and

WHEREAS, after the presentations, the group decided to enlist the Southwest Michigan Regional Chamber of Commerce to provide these services; and

WHEREAS, the group met with the Southwest Michigan Regional Chamber's President and CEO to review a proposed services agreement in September 2025; and

WHEREAS, following the review and presentation of the proposed agreement, the document was forwarded to the City Attorney for a final review.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the agreement with the Southwest Michigan Regional Chamber of Commerce to provide economic development programs and services to the City of New Buffalo, Chikaming Township, New Buffalo Township and Three Oaks Township.



DATED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED:

CERTIFICATE

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Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Parks Department Equipment Purchase

ITEM BEFORE THE COUNCIL:

Approval of the purchase and installation of a plow and salt spreader for Parks Department's Utility Task Vehicle (UTV) from Wolf Kubota

DISCUSSION:

The Parks Department has requested the purchase and installation of a plow and salt spreader for Parks Department's UTV. The basis for this purchase is to provide efficiency to ice and salt removal operations.

A quote was received from Wolf Kubota in the amount of \$9,671.53 and funding is available in the Parks Department's Equipment budget.

RECOMMENDATION:

That the New Buffalo City Council approves the purchase and installation of a plow and salt spreader for Parks Department's Utility Task Vehicle (UTV) from Wolf Kubota in the amount of \$9,671.53.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

**PURCHASE AND INSTALLATION OF A PLOW AND SALT SPREADER FOR THE PARK'S
DEPARTMENT'S UTILITY TASK VEHICLE FROM WOLF KUBOTA**

WHEREAS, the Parks Department has requested the purchase and installation of a plow and salt spreader for Parks Department's UTV; and

WHEREAS, the basis for this purchase is to provide efficiency to ice and salt removal operations; and

WHEREAS, a quote was received from Wolf Kubota in the amount of \$9,671.53 and funding is available in the Parks Department's Equipment budget.

NOW THEREFORE BE IT HEREBY RESOLVED that the New Buffalo City Council approves the purchase and installation of a plow and salt spreader for Parks Department's Utility Task Vehicle (UTV) from Wolf Kubota in the amount of \$9,671.53.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Equipment Purchase for the Police Department

ITEM BEFORE THE COUNCIL:

Approval of purchases for a vehicle, outfitting and license plate recognition software and installation for the Police Department

DISCUSSION:

The City Council approved the expansion of three-hour parking and implementation of expanded paid parking. As a result, equipment is needed to enforce these initiatives and improve the overall efficiencies of parking enforcement.

The Police Department is requesting the following equipment:

- A vehicle to house the Automatic License Plate Reading (ALPR) equipment and technology
- Necessary outfitting equipment (emergency lights, radios, etc.)
- ALPR computer, system hardware, cameras and first year initial training for personnel on system operations.

Staff received a quote for the vehicle from LaPorte Chrysler, Inc., in the total amount of \$53,328 (\$43,328 for the vehicle and outfitting by a separate company, not to exceed \$10,000).

Additionally, staff has received a proposal for the installation and training of the license plate recognition software in the amount of \$69,700 (which includes a 1-year warranty). Beginning the second year, the annual maintenance will be \$15,334 in-perpetuity.

This purchase is being proposed now to allow adequate time to complete this portion of the project, prior to next year's parking season. The equipment has a substantial lead time, and time is needed to train staff, along with time to work out any system issues.

RECOMMENDATION:

That the New Buffalo City Council approves the purchases for parking enforcement from LaPorte Chrysler, Inc, autoChalk Software installation and training, and vehicle outfitting in the total amount of \$123,028 (\$43,328 for vehicle, \$10,000 for outfitting and \$69,700 for software installation and training).



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

PURCHASE OF EQUIPMENT FOR PARKING ENFORCEMENT

WHEREAS, the City Council approved the expansion of three-hour parking and implementation of expanded paid parking; and

WHEREAS, as a result, equipment is needed to enforce these initiatives and improve the overall efficiencies of parking enforcement; and

WHEREAS, the Police Department is requesting the following equipment:

- A vehicle to house the Automatic License Plate Reading (ALPR) equipment and technology
- Necessary outfitting equipment (emergency lights, radios, etc.)
- ALPR computer, system hardware, cameras and first year initial training for personnel on system operations.; and

WHEREAS, staff received a quote for the vehicle from LaPorte Chrysler, Inc., in the total amount of \$53,328 (\$43,328 for the vehicle and outfitting by a separate company, not to exceed \$10,000); and

WHEREAS, additionally, staff has received a proposal for the installation and training of the license plate recognition software in the amount of \$69,700 (which includes a 1-year warranty); and

WHEREAS, beginning the second year, the annual maintenance will be \$15,334 in-perpetuity; and

WHEREAS, this purchase is being proposed now to allow adequate time to complete this portion of the project, prior to next year's parking season; and

WHEREAS, the equipment has a substantial lead time, and time is needed to train staff, along with time to work out any system issues.

NOW THEREFORE BE IT HEREBY RESOLVED that the New Buffalo City Council approves the purchases for parking enforcement from LaPorte Chrysler, Inc, autoChalk Software installation and training, and vehicle outfitting in the total amount of \$123,028 (\$43,328 for vehicle, \$10,000 for outfitting and \$69,700 for software installation and training).

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Streets Department Equipment Rental

ITEM BEFORE THE COUNCIL:

Approval of the rental of a front-end loader for the Streets Department from MacAllister Rentals

DISCUSSION:

The Streets Department has requested to rent a front-end loader to assist with leaf collection. The front-end loader will allow the crew to stack leaves in the stock yard along with some other cleaning that needs to be addressed. A quote was received from MacAllister Rentals in the amount of \$7,215 for a month's rental.

RECOMMENDATION:

That the New Buffalo City Council approves the rental of a front-end loader for the Streets Department from MacAllister Rentals in the amount of \$7,215.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

RENTAL OF EQUIPMENT FOR THE STREETS DEPARTMENT FROM MACALLISTER RENTALS

WHEREAS, the Streets Department has requested to rent a front-end loader to assist with leaf collection; and

WHEREAS, the front-end loader will allow the crew to stack leaves in the stock yard along with some other cleaning that needs to be addressed; and

WHEREAS, a quote was received from MacAllister Rentals in the amount of \$7,215 for a month's rental.

NOW THEREFORE BE IT HEREBY RESOLVED that the New Buffalo City Council approves the rental of a front-end loader for the Streets Department from MacAllister Rentals in the amount of \$7,215.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Vacating of City Right-of-Way

ITEM BEFORE THE COUNCIL:

Approval of a portion of right-of-way (ROW) between 105 S. Townsend Street and 104 S. Taylor Street

DISCUSSION:

The city received a request from Matthew Mapes, the owner of 105 S. Townsend Street and 104 S. Taylor Street to vacate a portion of the ROW that exists between the two (2) properties. The applicant is requesting the vacation due to their dwelling occupying the portion of the plotted ROW between the properties. In the application, it is explained that a structure (a garage) was constructed in the ROW several years ago. The city does not have any utilities existing in the alley and it is not anticipated that there would be a need to install any in the future.

The vacating of the ROW would correct a couple of situations:

1. The dwelling encroaches upon the city's ROW.
2. In its current state, 104 S. Taylor is in a nonconforming state, as there is an accessory structure (garage) without a principal dwelling.
3. Vacating of the ROW would allow the applicant to combine the lots into a conforming state.

The Planning Commission held an initial Public Hearing on September 2, 2025 and voted to recommend the vacating to the City Council.

RECOMMENDATION:

That the New Buffalo City Council approves vacating the portion of ROW that exist between 105 S. Townsend Street and 104 S. Taylor Street.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

APPROVAL OF VACATING A PORTION OF CITY RIGHT-OF-WAY THAT EXISTS BETWEEN 105 S. TOWNSEND AND 104 S. TAYLOR STREET

WHEREAS, the city received a request from Matthew Mapes, the owner of 105 S. Townsend Street and 104 S. Taylor Street to vacate a portion of the ROW that exists between the two (2) properties; and

WHEREAS, the applicant is requesting the vacation due to their dwelling occupying the portion of the plotted ROW between the properties; and

WHEREAS, in the application, it is explained that a structure (a garage) was constructed in the ROW several years ago; and

WHEREAS, the city does not have any utilities existing in the alley and it is not anticipated that there would be a need to install any in the future; and

WHEREAS, The vacating of the ROW would correct a couple of situations:

1. The dwelling encroaches upon the city's ROW.
2. In its current state, 104 S. Taylor is in a nonconforming state, as there is an accessory structure (garage) without a principal dwelling.
3. Vacating of the ROW would allow the applicant to combine the lots into a conforming state; and

WHEREAS, the Planning Commission held an initial Public Hearing on September 2, 2025 and voted to recommend the vacating to the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves vacating the portion of ROW that exist between 105 S. Townsend Street and 104 S. Taylor Street.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Special Use Permit – 10 N. Whittaker Street

ITEM BEFORE THE COUNCIL:

Approval of Special Use Permit for a multi-family dwelling at 10 N. Whittaker Street

DISCUSSION:

The city received a Special Use Permit application for the property located at 10 N. Whittaker Street. The applicant is Mark Miller, on behalf of the owners James and Jeff Glik, who request a Special Use Permit for a Short-Term Rental for the upper apartment on the property.

On October 7, 2025, the Planning Commission recommended the approval of the special use permit request, at their regular meeting, to the City Council.

RECOMMENDATION:

That the New Buffalo City Council approves the special use permit for a Short-Term Rental for the upper apartment located at 10 N. Whittaker Street.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

SPECIAL USE PERMIT FOR A MULTI-FAMILY DWELLING AT 10 N. WHITTAKER STREET

WHEREAS, the city received a Special Use Permit application for the property located at 10 N. Whittaker Street; and

WHEREAS, the applicant is Mark Miller, on behalf of the owners James and Jeff Glik, who request a Special Use Permit for a Short-Term Rental for the upper apartment on the property; and

WHEREAS, on October 7, 2025, the Planning Commission recommended the approval of the special use permit request, at their regular meeting, to the City Council.

NOW THEREFORE BE IT RESOLVED, that the New Buffalo City Council approves the special use permit for a Short-Term Rental for the upper apartment located at 10 N. Whittaker Street.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Request for Rezoning – 16 N. Smith

ITEM BEFORE THE COUNCIL:

Denial of request for rezoning of 16 N. Smith Street from R-2 Lakefront Residential District to General Commercial District

DISCUSSION:

The city received an application from the owners of the property located at 16 N. Smith Street. The applicants, Elizabeth and Jacob Moore, requested the rezoning of the property from R-2 Lakefront Residential District to General Commercial District.

On October 7, 2025, the Planning Commission recommended the denial of the rezoning of 16 N. Smith Street from R-2 Lakefront Residential District to General Commercial District.

RECOMMENDATION:

That the New Buffalo City Council affirms the recommendation of the Planning Commission to deny the rezoning of 16 N. Smith Street from R-2 Lakefront Residential District to General Commercial District.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

REZONING REQUEST DENIAL FOR 16 N. SMITH STREET

WHEREAS, the city received an application from the owners of the property located at 16 N. Smith Street; and

WHEREAS, the applicants, Elizabeth and Jacob Moore, requested the rezoning of the property from R-2 Lakefront Residential District to General Commercial District; and

WHEREAS, October 7, 2025, the Planning Commission recommended the denial of the rezoning of 16 N. Smith Street from R-2 Lakefront Residential District to General Commercial District.

NOW THEREFORE BE IT RESOLVED, that the New Buffalo City Council affirms the recommendation of the Planning Commission to deny the rezoning of 16 N. Smith Street from R-2 Lakefront Residential District to General Commercial District.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Site Plan Approval

ITEM BEFORE THE COUNCIL:

Approval of site plan for construction of a multi-family dwelling at 115 S. Whittaker

DISCUSSION:

The city received a site plan application from Hardeep Minhas, the owner of 115 S. Whittaker. The owner is requesting site plan approval for the construction of a multi-family dwelling on the property.

On October 7, 2025, the Planning Commission approved the site plan at its regular meeting and recommends the approval to the City Council.

RECOMMENDATION:

That the New Buffalo City Council approves the site plan for 115 S. Whittaker.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

SITE PLAN APPROVAL FOR 115 S. WHITTAKER

WHEREAS, the city received a site plan application from Hardeep Minhas, the owner of 115 S. Whittaker; and

WHEREAS, the owner is requesting site plan approval for the construction of a multi-family dwelling on the property; and

WHEREAS, on October 7, 2025, the Planning Commission approved the site plan at its regular meeting and recommends the approval to the City Council.

NOW THEREFORE BE IT HEREBY RESOLVED that the New Buffalo City Council approves the site plan for 115 S. Whittaker.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: Amendment to Restated Employment Agreement

ITEM BEFORE THE COUNCIL:

Approval of Amendment to City Manager's Restated Employment Agreement

DISCUSSION:

In April 2024 the City Council approved a Restated Employment Agreement for City Manager Watson, with provisions for an annual evaluation. The timing of the evaluation was an issue, specifically during an election year.

Recently, discussions have taken place on modifying the timing of the evaluation to allow for better efficiencies. The City Attorney has drafted an amendment to address the timing conflict in the agreement.

RECOMMENDATION:

That the New Buffalo City Council approves the Amendment to City Manager's Restated Employment Agreement.



**CITY OF NEW BUFFALO
RESOLUTION 25-_____**

AMENDMENT TO CITY MANAGER'S RESTATED EMPLOYMENT AGREEMENT

WHEREAS, in April 2024 the City Council approved a Restated Employment Agreement for City Manager Watson, with provisions for an annual evaluation; and

WHEREAS, the timing of the evaluation was an issue, specifically during an election year; and

WHEREAS, recently, discussions have taken place on modifying the timing of the evaluation to allow for better efficiencies; and

WHEREAS, the City Attorney has drafted an amendment to address the timing conflict in the agreement.

NOW THEREFORE BE IT RESOLVED, that the New Buffalo City Council approves the Amendment to City Manager's Restated Employment Agreement.

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 20th day of October 2025.

Ann M. Fidler, City Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: City of New Buffalo's Code of Ordinance Amendments – First Reading

ITEM BEFORE THE COUNCIL:

First reading of an ordinance to amend Chapter 7, Article 2, Sections 7-10 and Chapter 14, Article 1, Section 14-8 of the City of New Buffalo's Code of Ordinance Regarding Breakwaters

DISCUSSION:

In recent years, the city has encountered several situations involving water safety, specifically around the breakwaters. These ordinance amendments are an attempt to ensure water safety for the public.

RECOMMENDATION:

That the New Buffalo City Council approves the first reading of an ordinance to amend Chapter 7, Article 2, Sections 7-10 and Chapter 14, Article 1, Section 14-8 of the City of New Buffalo's Code of Ordinance Regarding Breakwaters

**CITY OF NEW BUFFALO
BERRIEN COUNTY, MICHIGAN
(Ordinance No. ____)**

At a _____ meeting of the City Council for the City of New Buffalo held on _____, 2025, beginning at _____ p.m., a motion was made by City Council Member _____, and was seconded by City Council Member _____ to enact and adopt the following ordinance:

**AN ORDINANCE TO AMEND SECTIONS 7-10 AND 14-8 OF THE NEW
BUFFALO CITY CODE WITH REGARD TO BREAKWATER
STRUCTURES.**

THE CITY OF NEW BUFFALO (the "City") ORDAINS:

Section 1. Amendment to Chapter 7, Article II, Section 7-10. That Section 7-10, entitled "Rules and regulations," of the New Buffalo City Code is amended to read in its entirety as follows:

- A. The City hereby adopts by reference Sections 2 through 8, 31 through 33, 36, 61, 62, 71 through 101, 151, 161 through 166, and 191, inclusive of the Michigan Marine Safety Act of 1967, that being Act No. 303 of the Public Acts of 1967, as amended or replaced. The purpose of said regulations are to provide for rules relative to the operation of vessels and motorboats, the carrying of equipment on such waters and to the use of waters for boating, to prescribe the duties and responsibilities of owners and operators of vessels and motorboats. A complete copy of the applicable regulations shall be kept in the office of the City Clerk and/or Chief of Police and shall be there available for public use and inspection.
- B. All swimming and wading within fifty feet (50') of a breakwater or in the Galien River up to the easterly boundary of the City limits is hereby prohibited.
- C. All jumping and diving off of or from the North Whittaker Street bridge is hereby prohibited.
- D. Pushing, shoving, or causing any person to fall, dive or jump from the North Whittaker Street bridge is hereby prohibited.
- E. All jumping and diving off of or from a breakwater is hereby prohibited.
- F. Pushing, shoving, or causing any person to fall, dive or jump from any portion of a breakwater is hereby prohibited.
- G. Entering onto or remaining upon a breakwater or any part thereof that has been closed by the city manager, police chief, harbormaster, or parks director is hereby prohibited. During such closures, the entrance of the breakwater or any part thereof shall be barricaded, and notice of the closure shall be posted in a conspicuous manner.
- H. Any person who violates any provision of this section shall be responsible for a municipal civil infraction and subject to such fines and other measures as set forth in Section 1-6 of this Code.

- I. As used in this Section, breakwater shall mean a permanent offshore structure or barrier constructed at a coastal area for the purpose of protecting harbors, beaches or other vulnerable coastlines. This includes the structures located off the coastal area of New Buffalo Beach and the Galien River.

Section 2. Amendment to Chapter 14, Article I, Section 14-8. That Section 14-8, entitled “Swimming near and diving off breakwater prohibited,” of the New Buffalo City Code is amended to read in its entirety as follows:

- A. It shall be unlawful for any person to:
 1. Dive or jump off of or from a breakwater.
 2. Swim or wade within fifty feet (50') of a breakwater.
 3. Push, shove, or cause any person to fall, dive or jump from any portion of a breakwater into the harbor, Lake Michigan or the Galien River.
 4. Enter onto or remain upon a breakwater or any part thereof that has been closed by the city manager, police chief, harbormaster, or parks director. During such closures, the entrance of the breakwater or any part thereof shall be barricaded, and notice of the closure shall be posted in a conspicuous manner.
- B. Any person who violates any provision of this section shall be responsible for a municipal civil infraction and subject to such fines and other measures as set forth in Section 1-6 of this Code.
- C. As used in this Section, breakwater shall mean a permanent offshore structure or barrier constructed at a coastal area for the purpose of protecting harbors, beaches or other vulnerable coastlines. This includes the structures located off the coastal area of New Buffalo Beach and the Galien River.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of any such conflict.

Section 4. Conflict.

- A. Nothing in this Ordinance will be construed in such a manner so as to conflict with existing City ordinances except as otherwise explicitly stated herein.
- B. Nothing in this Ordinance will be construed in such a manner so as to conflict with any State law.

Section 5. Savings Clause. The provisions of this Ordinance are severable. If any article, chapter, paragraph, sentence, or clause is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration shall not void any or render inoperable other part or portion of this Ordinance.

Section 6. Effective Date. This Ordinance is effective 7 days following its publication in the manner required by the City Charter, or 20 days after its enactment, whichever is later.

The vote to approve and enact this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

ORDINANCE NO. _____ ADOPTED AND ENACTED.

By _____

Vance Price
Mayor, City of New Buffalo

By _____

Amy Fidler
Clerk, City of New Buffalo

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance adopted by the City Council for the City of New Buffalo on the date and time specified above pursuant to the required statutory procedures.

By _____

Amy Fidler
Clerk, City of New Buffalo

First Reading:

Initial Publication:

Adopted:

Final Publication:

Effective:



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: City of New Buffalo's Code of Ordinance Amendments – First Reading

ITEM BEFORE THE COUNCIL:

Approval of the first reading of an ordinance to amend Chapter 18; Article 1; Section 18-7 of the City of New Buffalo's Code of Ordinances

DISCUSSION:

In February 2005, the city enacted an ordinance requiring each property owner in a commercial zone to construct a sidewalk under certain criterion. Afterwards, the city updated the ordinance to require any new construction to install sidewalks, regardless of zoning designation. The ordinance also provided for an appeal process for the property owner.

Due to some recent concerns, it has become necessary to modify the ordinance to provide some discretion. While the proposed modification allows for flexibility, it is designed to move towards the goal of the installation of and restoration of sidewalks in the city.

RECOMMENDATION:

That the New Buffalo City Council approves the first reading of an ordinance to amend Chapter 18; Article 1; Section 18-7 of the City of New Buffalo's Code of Ordinances.

**CITY OF NEW BUFFALO
BERRIEN COUNTY, MICHIGAN**

(Ordinance No. ____)

At a _____ meeting of the City Council for the City of New Buffalo held on October 20, 2025, beginning at 6:30 PM, a motion was made by City Council Member _____, and was seconded by City Council Member _____ to enact and adopt the following ordinance:

**AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE I, SECTION 18-7, OF THE CODE OF THE CITY
OF NEW BUFFALO, MICHIGAN.**

THE CITY OF NEW BUFFALO (the "City") ORDAINS:

Section 1. Amendment of Chapter 18, Art I, Sec. 18-7. That Chapter 18, Article I, Section 18-7 of the Code of the City of New Buffalo, Michigan is hereby amended to read in its entirety as follows:

- A. Each owner of property on a public street within the City of New Buffalo is required to construct a sidewalk in accordance with the specifications of the City of New Buffalo, at the owner's expense, and within one year of the issuance of a building permit, if any of the following conditions exist:
 - 1. The owner of a vacant lot or parcel applies for a building permit to build a 100% new structure.
 - 2. The owner of a lot or parcel applies for a building permit to build an addition to a main structure, if said proposed construction is to comprise more than 30% of the floor area of the building, as it existed prior to the construction permit.
 - 3. The owner of a lot or parcel applies for a permit to renovate a structure, if said proposed construction is to comprise more than 30% of the floor area of the building, as it existed prior to the permit.
- B. An owner who is required to construct a sidewalk in accordance with subsection 18-7(A) may apply to the City Manager, or his or her designee, to seek permission for the owner to delay the construction of a sidewalk, according to the following terms:
 - 1. The City Manager, or his or her designee, is authorized to grant delays for the installation of sidewalk improvements under this Section. In considering whether to grant a delay requested by an owner of property, the City Manager or designee shall consider such factors as the conditions present on the owner's property, the configuration of the streets abutting the owner's property, the nature of the construction to be done according to the building permit application or issued permit, the proportionality between the impact of the proposed construction and the imposition of the sidewalk construction requirement, and any other factors that the City Manager or designee determines to be relevant.
 - 2. The City Manager, or his or her designee, may permit the owner of the lot or parcel to delay the requirement of this Section to install a sidewalk, if the City Manager determines that the balancing of the factors favors allowing the owner to delay the construction of sidewalk improvements.
 - 3. A delay authorized under this subsection is conditioned upon the owner executing a future property improvement agreement that shall permit the City to require the owner,

or a future owner of the same property, to require the installation of a sidewalk under this Section upon an order of the City, should the City later determine that the construction of the sidewalk is necessary and in the best interests of the City (e.g., where adjacent property is being improved). Such future property improvement agreement must be recordable and, in a form, acceptable to the City.

- C. An owner of property shall have the right to appeal a denial under this Section as follows:
1. An appeal by the owner of property on a public street required to construct a sidewalk may be made to the City Council if a sidewalk cannot be built due to topography, unusual expense, or other documented problem which will preclude sidewalk construction. Said appeal will be made to the Building Official who shall report the appeal and his recommendation to the City Council. The City Council shall then grant or deny the appeal.
 2. If the owner of property is denied a delay by the City Manager under subsection 18-7(B), the owner may appeal to the City Council to seek a delay. Upon an appeal of the City Manager's denial under subsection 18-7(B), the City Council shall grant or deny the appeal based on the standards of that subsection, and the grant of a delay shall be subject to the same conditions as that subsection.

The vote to approve and enact this Ordinance was as follows:

YEAS: _____
NAYS: _____
ABSTAIN: _____
ABSENT: _____

THIS ORDINANCE IS HEREBY DECLARED ADOPTED AND ENACTED.

CERTIFICATION

I certify that the above is a true copy of an ordinance adopted by the City Council for the City of New Buffalo on the date and time specified above pursuant to the required statutory procedures.

Respectfully submitted,

By _____
Ann M. Fidler
City of New Buffalo Clerk



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: City of New Buffalo's Zoning Ordinance Amendment – First Reading

ITEM BEFORE THE COUNCIL:

First reading of an ordinance to amend Article 3, Section Z3-04 (B) and Article 4, Section Z4-01 (A) of the City of New Buffalo's Zoning Ordinance

DISCUSSION:

Earlier this year, the Planning Commission had discussion regarding the nonconformities that exist in the General Commercial District (GCD). This discussion specifically centered on residential dwellings within the district. Additionally, the Planning Commission wanted language to address residential structures that are being used commercially (i.e., offices).

City staff worked with the City Attorney to draft amendments to the Zoning Ordinance that address these matters.

RECOMMENDATION:

That the New Buffalo City Council approves the first reading of an ordinance to amend Article 3, Section Z3-04 (B) and Article 4, Section Z4-01 (A) of the City of New Buffalo's Zoning Ordinance.

**CITY OF NEW BUFFALO
BERRIEN COUNTY, MICHIGAN
(Ordinance No. ____)**

At a _____ meeting of the City Council for the City of New Buffalo held on _____, 2025, beginning at _____ p.m., a motion was made by City Council Member _____, and was seconded by City Council Member _____ to enact and adopt the following ordinance:

**AN ORDINANCE TO AMEND ARTICLE 3, SECTION Z3-04B,
AND ARTICLE 4, SECTION Z4-01A OF THE ZONING
ORDINANCE OF THE CITY OF NEW BUFFALO, MICHIGAN,
TO AUTHORIZE AS A SPECIAL USE DESIGNATED SINGLE-
FAMILY DWELLINGS IN THE GENERAL COMMERCIAL
ZONING DISTRICT.**

THE CITY OF NEW BUFFALO (the “City”) ORDAINS:

Section 1. Amendment to Article 3, Section Z3-04B, Table 3-04(B) of the New Buffalo Zoning Ordinance. That Article 3, Section Z3-04B, Table 3-04(B), of the New Buffalo Zoning Ordinance, is hereby amended to add the use entitled “Dwelling, single-family detached existing prior to October 5, 2025 or single-family detached previously converted to use for office or similar purposes” as a special use in the General Commercial Zoning District (“GCD”), under the category of “Residential” uses. Table 3-04(B) shall be further amended to state that the new use category entitled “Dwelling, single-family detached existing prior to October 5, 2025 or single-family detached previously converted to use for office or similar purposes” shall be subject to “Z4-01A” in the column of Table 3-04(B) entitled “Additional Regulation.”

Section 2. Amendment to Article 4, Section Z4-01A of the New Buffalo Zoning Ordinance. That Article 4, Section Z4-01A of the New Buffalo Zoning Ordinance, is hereby amended to add a Subsection 3, and to read in its entirety as follows:

- A. Single-family detached dwellings and duplexes.
 - 1. Duplexes shall be oriented with their primary entrances toward the designated front lot line.
 - 2. Attached garages located on a front façade shall be set back as follows.
 - a. At least 20 feet from the front lot line; and
 - b. At least five feet behind the front façade of the principal building.
 - 3. For purposes of interpreting the category entitled “Dwelling, single-family detached existing prior to October 5, 2025 or single-family detached previously converted to use for office or similar purposes”

this shall only apply to detached, single-family residential dwellings located in the General Commercial Zoning District which are lawfully used as single-family residences as of October 5, 2025 or single-family detached previously converted to use for office or similar purposes. Notwithstanding the regulations as to lawful nonconforming uses of structures found in Sections Z9-05, Z9-06, and Z9-07, a single-family dwelling which meets the requirements of this subsection shall be a special use in the General Commercial Zoning District. A single-family dwelling which meets the requirements of this subsection may be repaired or rebuilt if damaged, consistent with other single-family dwelling restrictions.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of any such conflict.

Section 4. Conflict.

- A. Nothing in this Ordinance will be construed in such a manner so as to conflict with existing City ordinances except as otherwise explicitly stated herein.
- B. Nothing in this Ordinance will be construed in such a manner so as to conflict with any State law.

Section 5. Savings Clause. The provisions of this Ordinance are severable. If any article, chapter, paragraph, sentence, or clause is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration shall not void any or render inoperable other part or portion of this Ordinance.

Section 6. Effective Date. This Ordinance is effective 7 days following its publication in the manner required by the City Charter, or 20 days after its enactment, whichever is later.

The vote to approve and enact this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

THIS ORDINANCE NO. _____ IS HEREBY DECLARED ADOPTED AND ENACTED.

CERTIFICATION

We certify that the above is a true copy of an ordinance adopted by the City Council for the City of New Buffalo on the date and time specified above pursuant to the required statutory procedures.

By _____
Vance Price
Mayor, City of New Buffalo

By _____
Amy Fidler
Clerk, City of New Buffalo

First Reading:
Initial Publication:
Adopted:
Final Publication:
Effective:



TO: Mayor Price and the New Buffalo City Council

FROM: Darwin Watson, City Manager

DATE: October 20, 2025

RE: City of New Buffalo's Zoning Ordinance Amendment – First Reading

ITEM BEFORE THE COUNCIL:

First reading of an ordinance to amend Article 6, Section Z6-06 (A) of the City of New Buffalo's Zoning Ordinance

DISCUSSION:

In September, the Planning Commission was presented with a matter, centered around the time of placement for temporary signage. This discussion specifically centered on signage for non-residential construction.

City staff worked with the City Attorney to draft amendments to the Zoning Ordinance that address this matter.

RECOMMENDATION:

That the New Buffalo City Council approves the first reading of an ordinance to amend Article 6, Section Z6-06 (A) of the City of New Buffalo's Zoning Ordinance.

**CITY OF NEW BUFFALO
BERRIEN COUNTY, MICHIGAN
(Ordinance No. ____)**

At a _____ meeting of the City Council for the City of New Buffalo held on _____, 2025, beginning at _____ p.m., a motion was made by City Council Member _____, and was seconded by City Council Member _____ to enact and adopt the following ordinance:

**AN ORDINANCE TO AMEND ARTICLE 6, SECTION Z6-06(A)
OF THE ZONING ORDINANCE OF THE CITY OF NEW
BUFFALO, MICHIGAN, TO EXTEND THE ALLOWED TIME TO
DISPLAY TEMPORARY SIGNS AT CONSTRUCTION SITES.**

THE CITY OF NEW BUFFALO (the “City”) ORDAINS:

Section 1. Amendment to Article 6, Section Z6-06(A) of the New Buffalo Zoning Ordinance.
That Article 6, Section Z6-06(A) of the New Buffalo Zoning Ordinance is hereby amended to read in its entirety as follows:

A. General standards temporary signs.

1. Temporary signs requiring a permit.

a. Single-tenant building. A maximum of two permitted temporary signs, as permitted per district in Table 6-04(B), may be displayed concurrently on a lot with a single-tenant building.

b. Multi-tenant building.

[1] A maximum of one permitted temporary sign, as permitted per district in Table 6-04(B), may be displayed per unit on a lot with a multi-tenant building concurrently.

[2] In no instance shall more than two freestanding temporary signs be displayed concurrently.

2. Display period. No temporary sign shall be displayed on any one lot or parcel for more than 30 consecutive days for any one permit period and no more than two non-consecutive display periods shall be allowed for any lot or parcel during any calendar year. However, on a lot or parcel in a nonresidential or mixed-use district for which a building permit has been issued but on which construction related to such building permit is incomplete, one temporary freestanding sign may be displayed for not more than 12 months, or until issuance of

the initial occupancy permit, whichever shall occur first. If construction is still incomplete after 12 months, the display period may be extended by the City Manager for good cause.

3. Temporary freestanding signs. Temporary freestanding signs shall include ground-mounted banner, feather, post, and yard signs.
 - a. Temporary freestanding signs shall be securely anchored into the ground or secured in a portable base designed for such function.
 - b. Temporary freestanding signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

Section 2. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of any such conflict.

Section 3. Conflict.

- A. Nothing in this Ordinance will be construed in such a manner so as to conflict with existing City ordinances except as otherwise explicitly stated herein.
- B. Nothing in this Ordinance will be construed in such a manner so as to conflict with any State law.

Section 4. Savings Clause. The provisions of this Ordinance are severable. If any article, chapter, paragraph, sentence, or clause is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration shall not void any or render inoperable other part or portion of this Ordinance.

Section 5. Effective Date. This Ordinance is effective 7 days following its publication in the manner required by the City Charter, or 20 days after its enactment, whichever is later.

The vote to approve and enact this Ordinance was as follows:

YEAS: _____

NAYS: _____
ABSENT/ABSTAIN: _____

THIS ORDINANCE IS HEREBY DECLARED ADOPTED AND ENACTED.

CERTIFICATION

We certify that the above is a true copy of an ordinance adopted by the City Council for the City of New Buffalo on the date and time specified above pursuant to the required statutory procedures.

Respectfully submitted,

By _____
Vance Price
Mayor, City of New Buffalo

By _____
Amy Fidler
Clerk, City of New Buffalo

First Reading:
Initial Publication:
Adopted:
Final Publication:
Effective: