



**City of New Buffalo
224 W. Buffalo Street
New Buffalo MI 49117
CITY COUNCIL SPECIAL MEETING
July 13, 2022 at 5:00 p.m.**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of Minutes – June 20, 2022
6. New Business
 - a. Dickenson Wright Interview
 - b. Foster Swift Interview
7. Public Comment
8. Council Comments
9. Adjournment

Mayor Humphrey called the meeting to order at 6:30 p.m.

Pledge of Allegiance was led by the council.

Roll Call: Council members Flanagan, Robertson, Lijewski, Mayor Humphrey

Absent: Council member O'Donnell

Staff Present: City Manager Watson, City Clerk; Amy Fidler

Approval of Agenda: Motion by Council member Flanagan, seconded by Council member Lijewski to approve the agenda:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Approval of Consent Agenda: Motion by Council member Flanagan, seconded by Council member Lijewski to approve the consent agenda:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Public Comment:

Nick Holevas

Public Hearings

2022-2023 Millage Rate Public Hearing

Mayor Humphrey opened the 2022-2023 Millage Rate public hearing at 6:30 p.m.

Public Comment: None

Mayor Humphrey closed the 2022-2023 Millage Rate public hearing at 6:35 p.m.

2022-2023 Fiscal Year Budget Public Hearing

Mayor Humphrey opened the 2022-2023 Fiscal Year Budget public hearing at 6:35 p.m.

Public Comment: None

Mayor Humphrey closed the 2022-23 Fiscal Year Budget public hearing at 6:37 p.m.

New Business

2022-2023 Millage Rates: Motion by Council member Robertson, seconded Council member Flanagan to approve that the City Council establishes the requested millage rates for the City of New Buffalo for the period of July 1, 2022 through June 30, 2023 as presented:

Roll Call Vote:

AYES: Council members Flanagan, Lijewski, Robertson, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

2022-2023 Fiscal Year Budget: Motion by Council Member Robertson, seconded by Council member Flanagan to approve the adoption of the annual budget for the fiscal year 2022/23:

Roll Call Vote:

AYES: Council members Lijewski, Robertson, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Water and Sewer Rates: Motion by Council member Lijewski, seconded by Council member Flanagan to approve updating the existing schedule of water and sewer rates as presented by Baker Tilly Municipal Advisors, LLC effective August 1, 2022:

Roll Call Vote:

AYES: Council members Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Planning Commission Request Resolution (Zoning Board of Appeals): Motion by Council member Flanagan, seconded by Council member Robertson to approve the planning commission request resolution to reducing the Zoning Board of Appeals from seven members to five members:

Roll Call Vote:

AYES: Council members Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Appointment of Hearing Officer: Motion by Council member Flanagan, seconded by Council member Lijewski to table appointing Randy Hyrns as the Hearing Officer for the City of New Buffalo:

Roll Call Vote:

AYES: Council member Flanagan, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

All-Terrain Vehicle Purchase (Police Department) Motion by Council member Robertson, seconded by Council member Flanagan to table the purchase of a Polaris Ranger XP 1000 NorthStar Premium All-Terrain Vehicle for the Police Department in the amount of \$24,528.64:

Roll Call Vote:

AYES: Council member Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Dune Walk Reconstruction Payment Requests (TJM Services): Motion by Council member Flanagan, seconded by Council member Lijewski to approve the payment to TJM Services, LLC for Pay Requests in #1 and #2 in the amount of \$249,210.:

Roll Call Vote:

AYES: Council member Lijewski, Robertson, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Concrete Installation at the Beach Concessions Building (Stark Solid Concrete): Motion by Council member Robertson, seconded by Council member Lijewski to approve the payment to Stark Solid Concrete in the amount \$17,840 for concrete for concrete work the beach concession building:

Roll Call Vote:

AYES: Council member Flanagan, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Concession Agreement – 1st Amendment: Motion by Council member Lijewski, seconded by Council member Flanagan to approve the 1st Amendment to the concession agreement with Kona Dunes Leasing Inc.:

Roll Call Vote:

AYES: Council member Lijewski, Flanagan, Mayor Humphrey

NAYES: Council member Robertson

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 3-1.

Public Works and Water Department Equipment Purchase: Motion by Council member Robertson, seconded by Council member Lijewski to approve the purchase of a flatbed trailer from Trailer Sales of Michigan in the amount of \$9,490.:

Roll Call Vote:

AYES: Council member Lijewski, Robertson, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Dredging Contractor Award – Viking Marine Construction, LLC: Motion by Council member Robertson, seconded by Council member Flanagan to approve awarding the dredge project to Viking Marine Construction, LLC in the amount of \$105,000:

Roll Call Vote:

AYES: Council member Flanagan, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

First Reading of Ordinance Amendment – Chapter 23 (Rental Housing): Motion by Council member Robertson, seconded by Council member Lijewski to approve the first reading of the amendments to the New Buffalo Code of Ordinances – Chapter 23 (Rental Housing):

Roll Call Vote:

AYES: Council members Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Amended Pokagon Fund Request - Dune Walk Reconstruction: Motion by Council member Flanagan, seconded by Council member Lijewski to approve requesting an extension from The Pokagon Fund for the September 2020 grant and amending the request from \$110,000 to \$286,092 to cover the funding shortfall:

Roll Call Vote:

AYES: Council member Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 4-0.

360 Risk Management Consulting Agreement: Motion by Council member Lijewski, seconded by Council member Flanagan to approve entering into a 3-month trial by Consulting Agreement with 360 Risk Management for Human Resource and Risk Management Services in the amount of \$6,270. Additionally, staff is authorized to execute the necessary documents related to this agreement:

Roll Call Vote:

AYES: Council member Flanagan, Lijewski, Mayor Humphrey

NAYES: Council member Robertson

ABSENT: Council member O'Donnell

ABSTAINED:

Motion Carried, 3-1.

Discussions

Marquette Greenway Contribution- Marcy Hamilton, representative from the Southwest Planning Commission updated the council on the Marquette Greenway Project fundraising campaign, which starts next month. They are hoping that the City Council could inform them in the next month or two on how much they could contribute. They are hoping to bid project out by the end of the year and hoping to start the project in Spring of 2023.

City Attorney Proposals- City Manager Watson received two proposals for City Attorney Dickinson Wright/ Foster Swift. He suggested the council have a special meeting in July before the Regular July meeting to hold interviews with the two firms with the full council present. At the Regular July meeting the council would consider the proposals and entertain a recommendation for City Attorney.

Adjournment: Motion by Council member Flanagan, seconded by Council member Robertson to adjourn the meeting at 7:28 p.m.:

Roll Call Vote:

AYES: Council members Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: Council member O'Donnell

ABSTAIN:

Motion Carried, 4-0.

af

John Humphrey, Mayor

Ann M. Fidler, City Clerk