

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

Pledge of Allegiance was led by the council.

Roll Call: Flanagan, Robertson, Lijewski, Mayor Humphrey

Absent: O'Donnell

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

Approval of Agenda: Motion by Council member Brian Flanagan, seconded by Council member Roger 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 Roger Lijewski, seconded by Council member Brian Flanagan 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: Eric Kennedy
Ray Kirkus

Unfinished Business

Motion by Council Member Mark Robertson, seconded by Roger Lijewski to untable the purchase of Beach Concession Sunshade:

Roll Call Vote:

AYES: Flanagan, Lijewski, Robertson, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Purchase of Beach Concession Sunshade: Motion by Council Member Mark Robertson, seconded by Council Member Roger Lijewski to deny the purchase and installation of a sunshade at the beach concession building by Penchura in the amount of \$44,440:

Roll Call Vote:

AYES: Lijewski, Robertson, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Motion by Council Member Brian Flanagan, seconded by Roger Lijewski to untable Marijuana Facilities (Planning Commission Recommendations):

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Marijuana Facilities (Planning Commission Recommendations): Motion by Council Member Brian Flanagan, seconded by Council Member Roger Lijewski to approve the City Council conditionally accepts the recommendations of the Planning Commission. Additionally, the City Council directs the Planning Commission to begin working with the City Attorney to draft the necessary zoning amendments necessary to accommodate the establishment of marijuana facilities in the City of New Buffalo:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

New Business

Special Event Application – New Buffalo Community Halloween Parade: Motion by Council member Brian Flanagan, seconded Council member Roger Lijewski to approve the Special Event Application for the New Buffalo Community Halloween Parade to be held on October 30, 2022 at 3:00 P.M. Additionally, the City Council establishes Trick-or-Treat hours from 3:30 – 5:30 PM on October 30, 2022 in the City of New Buffalo:

Roll Call Vote:

AYES: Flanagan, Robertson, Lijewski, May Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Michigan Municipal League Voting Delegate Designee: Motion by Council member Mark Robertson, seconded by Council member Roger Lijewski to approve designating City Manager Darwin Watson as the voting delegate for the Michigan Municipal League:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Mayhew Street Sediment Basin Change Order #1: Motion by Council member Mark Robertson, seconded by Council member Brian Flanagan to approve Change Order #1 for the Mayhew Street Sediment Basin in the amount of \$9,473:

Roll Call Vote:

AYES: Lijewski, Robertson, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Zoning Board of Appeals Appointments: Motion by Council member Roger Lijewski, seconded by Council member Mark Robertson to approve the appointments to the Zoning Board of Appeals:

Roll Call Vote:

AYES: Flanagan, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Zoning Ordinance Construction Suspension Extension: Motion by Council Member Roger Lijewski, seconded by Council member Brian Flanagan to approve extending the suspension of any new residential dwellings in the city's General Commercial zoning district until April 30, 2023 or until the zoning ordinance update and review is complete:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Mayhew Street Sediment Basin Payment Request #2: Motion by Council member Mark Robertson, seconded by Council member Roger Lijewski to approve the payment to Payjay, Inc in the amount of \$25,290:

Roll Call Vote:

AYES: Lijewski, Robertson, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Fiscal Year 2023 Budget Amendments: Motion by Council member Mark Robertson, seconded by Council member Brian Flanagan to approve the recommend amendments to the 2023 City of New Buffalo Fiscal Year budget:

Roll Call Vote:

AYES: Flanagan, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Police Department Purchase – Car Camera and Computer: Motion by Council member Brian Flanagan, seconded by Council member Roger Lijewski to approve the purchase of a Getac Video Solutions from Midwest Public Safety, LLC in the amount of \$7,493:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Harbor Dredging Payment Request #1: Motion by Council member Roger Lijewski, seconded by Council member Mark Robertson to approve the payment to Viking Marine Construction, LLC in the amount of \$94,500:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Michigan Department of Natural Resources Waterways Grants: Motion by Council member Brian Flanagan, seconded by Council member Roger Lijewski to approve the acceptance of the two (2) 2021 Waterways Grants from the Michigan Department of Natural Resources (MDNR) in the total amount of \$689,481 (\$189,481 for marina electrical system upgrades and \$500,000 for broadside dockage and erosion control). Additionally, city staff is authorized to execute the necessary documentation to be submitted to the Michigan Department of Natural Resources (MDNR):

Roll Call Vote:

AYES: Flanagan, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Amendment to Code of Ordinances Chapter 18 (Streets and Sidewalks) – (1st Reading): Motion by Council member Brian Flanagan, seconded by Council member Mark Robertson to approve the first reading of the ordinance to amend Chapter 18 of the Code of Ordinances:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Amendment to Code of Ordinances Chapter 19 (Water) – (1st Reading): Motion by Council member Roger Lijewski, seconded by Council member Brian Flanagan to **table** the first reading of the ordinance to amend Chapter 19 of the Code of Ordinances:

Roll Call Vote:

AYES: Lijewski, Robertson, Flanagan, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAINED:

Motion Carried, 4-0.

Adjournment: Motion by Council member Brian Flanagan, seconded by Council member Roger Lijewski to adjourn the meeting at 7:38 p.m.:

Roll Call Vote:

AYES: Flanagan, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT: O'Donnell

ABSTAIN:

Motion Carried, 4-0.

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September 19, 2022

NEW BUFFALO REGULAR CITY COUNCIL MEETING

6:30 p.m.

John Humphrey, Mayor

Ann M. Fidler, City Clerk