

Mayor Humphrey called the meeting to order at 6:30 pm

The City Council led the Pledge of Allegiance

Roll Call: Council Members Flanagan, Humphrey, Lijewski, Price, Robertson

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 with the addition of two discussion items Bathroom trailer at the beach and digital sign at City Hall:

Roll Call Vote:

AYES: Price, Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

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

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Price, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Public Comment: None

Unfinished Business

Strategic Planning Proposal: Motion by Council member Price, seconded by Council member Lijewski to untable the strategic planning proposal:

Roll Call Vote:

AYES: Flanagan, Price, Lijewski, Robertson, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Strategic Planning Proposal:

The council had a discussion and would like to meet with Mr. Bender on zoom before deciding if they would like to approve his proposal.

Public Hearing

Right-of-Way Vacation (S. Clinton between W. Detroit and the City Limits):

Mayor Humphrey opened the public hearing right-of-way vacation (S. Clinton between W. Detroit and the city limits) at 6:45 p.m.

Public Comment:

Val Motycka

Mayor Humphrey closed the public hearing right-of-way vacation (S. Clinton between W. Detroit and the city limits) at 6:47 p.m.

Right-of-Way Vacation (S. Kenzie between E. Detroit and the City Limits):

Mayor Humphrey opened the public hearing right-of-way vacation (S. Kenzie between E. Detroit and E. Clay) at 6:47 p.m.

Public Comment:

Bob Gino

Mayor Humphrey closed the public hearing right-of-way vacation (S. Kenzie between E. Detroit and E. Clay) at 6:53 p.m.

New Business

Right-of-Way Vacation (S. Clinton between W. Detroit and the City Limits): Motion by Council member Flanagan, seconded by Council member Lijewski to approve the vacating of a portion of the South Clinton right-of-way W. Detroit to the city limits and convey the land to 1119 West Detroit and 315 South Clinton. Additionally, city staff is authorized to execute the necessary documentation and to facilitate the request:

Roll Call Vote:

AYES: Lijewski, Flanagan, Price, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED: Robertson

Motion Carried, 4-0.

Right-of-Way Vacation (S. Kenzie between E. Detroit and the City Limits): Motion by Council member Price, seconded by Council member Robertson to approve the vacating of the undeveloped right-of-way

between E. Detroit and E. Clay. Additionally, city staff is authorized to execute the necessary documentation and to facilitate the request.

Roll Call Vote:

AYES: Robertson, Price, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Special Event Application – Spring into Summer 2023: Motion by Council member Robertson, seconded by Council member Price to approve the Special Event Application for the New Buffalo Business Association’s “Spring into Summer 2023” event to be held on June 10, 2023, from 12:00-10:00 PM:

Roll Call Vote:

AYES: Price, Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Special Event Application – Farmer’s Market: Motion by Council member Robertson, seconded by Council member Lijewski to approve the Special Event Application for the New Buffalo Business Association’s Farmer’s Market:

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

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

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Price, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Poverty Exemption Resolution (2023): Motion by Council member Price, seconded by Council member Lijewski to approve the resolution establishing the Poverty Exemption Income Guidelines and Asset Level Test:

Roll Call Vote:

AYES: Lijewski, Robertson, Price, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

July Board of Review Date Resolution: Motion by Council member Flanagan, seconded by Council member Price to approve the resolution allowing for an alternate July 2023 Board of Review date:

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

December Board of Review Date Resolution: Motion by Council Member Robertson, seconded by Council Member Lijewski to approve the resolution allowing for an alternate December 2023 Board of Review date:

Roll Call Vote:

AYES: Price, Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Purchase of Tables for Lion's Park and Municipal Marina: Motion by Council member Robertson, seconded by Council member Price to approve the purchase picnic tables for the municipal marina and Lion's Park from Penchura, LLC in the amount of \$24,970:

Roll Call Vote:

AYES: Lijewski, Robertson, Price, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Public Relations Firm Proposal (Civic Savvy): Motion by Council member Lijewski, seconded by Council member Flanagan to table Civic Savvy Public Relations Firm Proposal:

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Water Filtration Plant Repair – High Service Pump #1: Motion by Council member Flanagan, seconded by Council member Robertson to approve contracting with Peerless Midwest, Inc. for the pulling and servicing of high service pump #1 at the water filtration plant in the amount of \$36,525:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Price, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Maintenance Soundings for New Buffalo Harbor: Motion by Council member Flanagan, seconded by Council member Robertson to approve contracting with Seaworks to perform harbor maintenance soundings in the amount of \$8,600:

Roll Call Vote:

AYES: Price, Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Berrien County Hazard Mitigation Plan: Motion by Council member Robertson, seconded by Council member Flanagan to approve the adoption of the Berrien County Hazard Mitigation Plan:

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

USDA Resolution: Motion by Council member Price, seconded by Council member Flanagan to approve the submission of an application to the USDA's Community Facilities Loan Program in the amount of \$1,821,079.32 and authorizes staff to submit the necessary documents to the USDA:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Price, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Amendment to Code of Ordinances Chapter 12 (Dangerous and Uninhabitable Structures) – Second Reading: Motion by Council member Flanagan, seconded by Council member Lijewski to approve the second reading of the amendment to Chapter 12 of the Code of Ordinances:

Roll Call Vote:

AYES: Lijewski, Robertson, Price, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Discussion: The council had brief discussions regarding the following topics LeTour De Shore and Beach Restrooms, and a digital sign for City Hall.

Closed Session: Motion by Mayor Humphrey, seconded by Council member Robertson to approve to go into closed session under MCL 15.268 of the Open Meetings Act section 8 (e) to consult with its attorney regarding trial or settlement strategy in connection with Moskovic vs. City of New Buffalo and Nofziger vs. City of New Buffalo at 8:03 p.m.

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Mayor Humphrey stated the City Council is reconvening to open session at 8:19 p.m.

Motion by Council member Flanagan, seconded by Council member Lijewski to accept the recommendation of the City Attorney via discussion in closed session in connection with Moskovic vs. City of New Buffalo and Nofziger vs. City of New Buffalo:

Roll Call Vote:

AYES: Price, Robertson, Lijewski, Flanagan, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Adjournment: Motion by Council member Flanagan, seconded by Council member Robertson to approve adjourning the meeting at 8:20 p.m.

February 21, 2023

NEW BUFFALO REGULAR CITY COUNCIL MEETING

6:30 p.m.

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Mayor Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

af

John Humphrey, Mayor

Ann M. Fidler, City Clerk