

**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 removal of the library board appointments and the appointment of Dee Dee Duhn to the DDA:

Roll Call Vote:

AYES: Price, Robertson, Lijewski, Flanagan, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Consent Agenda:** Motion by Council member Robertson, seconded by Council member Price to approve the Consent agenda:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Price, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Public Comment:**

Matthew Roman

**Public Hearing**

**Fiscal Year 2023-2024 Truth in Taxation**

Mayor Humphrey opened the public hearing for the Fiscal Year 2023-24 Truth in Taxation at 6:33 p.m.

**Public Comment:**

None

Mayor Humphrey closed the public hearing for the Fiscal Year 2023-24 Truth in Taxation at 6:33 p.m.

**Fiscal Year 2023-24 Budget**

Mayor Humphrey opened the public hearing for the Fiscal Year 2023-24 Budget at 6:34 p.m.

**Public Comment**

None

Mayor Humphrey closed the public hearing for the Fiscal Year 2023-24 Budget at 6:35 p.m.

**Unfinished Business**

Motion by Council member Flanagan, seconded Robertson to remove the tabled amendments to City of New Buffalo’s Zoning Ordinance (Marijuana Facilities) – First Reading and the City of New Buffalo’s Code of Ordinances (Chapter 22) – First Reading

Roll Call Vote:

AYES: Flanagan, Price, Lijewski, Robertson, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

Council member Lijewski recused himself due to a conflict of interest and left the meeting.

**Amendment to City of New Buffalo’s Zoning Ordinance (Marijuana Facilities) – First Reading**

Motion by Council member Robertson, seconded by Mayor Humphrey to deny the first reading of the amendment to Appendix A “Zoning Ordinance” of the City of New Buffalo’s Code of Ordinances:

Roll Call Vote:

AYES: Robertson, Humphrey

NAYES: Flanagan, Price

ABSENT:

ABSTAINED:

Motion Failed due to a tie 2-2.

**Amendment to City of New Buffalo’s Code of Ordinances (Chapter 22)- First Reading**

Motion by Council member Robertson, seconded by Mayor Humphrey to deny the first reading of the amendment to Chapter 22 (Marihuana Establishments) of the City of New Buffalo’s Code of Ordinances:

Roll Call Vote:

AYES: Robertson, Price, Humphrey

NAYES: Flanagan

ABSENT:

ABSTAINED:

Motion Carried, 3-1.

Council member Lijewski returned to the meeting at 6:44 p.m. following the vote on the City of New Buffalo's Zoning Ordinance (Marijuana Facilities) – First Reading and the City of New Buffalo's Code of Ordinances (Chapter 22) – First Reading.

**New Business**

**Fiscal Year 2023-24 Millage Rates:** Motion by Council member Flanagan, seconded by Council member Lijewski to approve the council establishes the requested millage rates for the City of New Buffalo for the period of July 1, 2023 through June 30, 2024:

Roll Call Vote:

AYES: Price, Robertson, Lijewski, Flanagan, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Fiscal Year 2023-24 Annual Budget:** Motion by Councilmember Lijewski, seconded by Council member Flanagan to approve the annual budget for Fiscal Year 2023-24:

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Special Event Application – Southwestern Michigan Symphony “Pop-Up Concert”:** Motion by Council member Lijewski, seconded by Council member Flanagan to approve the Southwest Michigan Symphony “Pop-Up Concert at Lion’s Park Pavilion:

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Price, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Marina Water Heater Replacement:** Motion by Council member Flanagan, seconded by Council member Price to approve the replacement of the Marina water heater by City Plumbing and Heating in the amount of \$9,747.:

Roll Call Vote:

AYES: Lijewski, Robertson, Price, Flanagan, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Board Appointments:** Motion by Council member Flanagan, seconded by Council member Price to approve the recommended appointments to the Planning Commission and Downtown Development Authority:

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Streets Department Truck Repair:** Motion by Council member Price, seconded by Council member Flanagan to approve the repairs to Dump Truck #102 in the amount of \$6,114.96:

Roll Call Vote:

AYES: Price, Robertson, Lijewski, Flanagan, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Distribution System Materials Inventory Assistance:** Motion by Council member Price, seconded by Council member Flanagan to approve the council for assistance with the complete Distribution System Materials Inventory (DSMI) Assistance:

Roll Call Vote:

AYES: Lijewski, Robertson, Price, Flanagan, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

**Fire Station HVAC Work:** Motion by Council member Flanagan, seconded by Council member Flanagan to approve Boelcke Heating and Cooling for the HVAC work at the fire station in the amount of \$8,406:

Roll Call Vote:

AYES: Flanagan, Price, Robertson, Lijewski, Humphrey

NAYES:  
ABSENT:  
ABSTAINED:

Motion Carried, 5-0.

**Amendment to City of New Buffalo's Ordinance #236 (IPMC) – Second Reading:** Motion by Council member Robertson, seconded by Council member Flanagan to approve the second reading of the amendment Ordinance #236 (IPMC):

Roll Call Vote:  
AYES: Robertson, Lijewski, Flanagan, Price, Humphrey  
NAYES:  
ABSENT:  
ABSTAINED:

Motion Carried, 5-0.

**First Amendment to Settlement Agreement (218 S. Bronson):** Motion by Mayor Humphrey, seconded by Council member Flanagan to deny the First Amendment to Settlement Agreement (218 S. Bronson, LLC.):

Roll Call Vote:  
AYES: Price, Lijewski, Flanagan, Humphrey  
NAYES: Robertson  
ABSENT:  
ABSTAINED:

Motion Carried, 4-1.

**Closed Session:** Motion by Council member Flanagan, seconded by Council member Lijewski to approve going 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 Laura Murray vs. City of New Buffalo at 7:15 p.m.

Roll Call Vote:  
AYES: Flanagan, Price, Robertson, Lijewski, Humphrey  
NAYES:  
ABSENT:  
ABSTAINED: 5-0.

Motion Carried,

Mayor Humphrey stated the City Council is reconvening to open session at 7:40 p.m. and no action is needed from closed session.

**Adjournment:** Motion by Council member Flanagan, seconded by Council member Lijewski to approve adjourning the meeting at 7:40 p.m.

May 15, 2023

NEW BUFFALO REGULAR CITY COUNCIL MEETING

6:30 p.m.

Roll Call Vote:

AYES: Robertson, Lijewski, Flanagan, Price, Humphrey

NAYES:

ABSENT:

ABSTAINED:

Motion Carried, 5-0.

af

---

**John Humphrey, Mayor**

---

**Ann M. Fidler, City Clerk**