



**City of New Buffalo**  
**SPECIAL COUNCIL MEETING AGENDA**  
**FEBRUARY 26, 2024 AT 4:30 PM**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Public Comment
6. Unfinished Business
  - a. Recognition of Non-Profit Status for Charitable Gaming License
  - b. Oselka Park Softball Field Lease Agreement with the New Buffalo Area Recreation Authority (NBARA)
7. New Business
8. Council Comments
9. Adjournment



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**TO:** Mayor Humphrey and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** February 26, 2024

**RE:** Nonprofit Recognition – New Buffalo Yacht Club

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**ITEM BEFORE THE COUNCIL:**

Approval of recognizing the New Buffalo Yacht Club as a local non-profit within the City of New Buffalo

**DISCUSSION:**

The New Buffalo Yacht Club (“the Club”) has been designated by the State of Michigan and the Internal Revenue Service as a 501(c)7 non-profit with a mailing address of 500 West Water Street, in New Buffalo, MI. As a non-profit, the Club can solicit charitable contributions.

The Club plans to host a couple fundraising events in the upcoming year. They plan to have a Gaming Football Games – Strip Cards (every weekend) and a bingo night (once or twice a year).

To do so, the Club must obtain a Charitable Gaming License from the State of Michigan required by MCL.432.1 03 (K) (ii). This is accomplished by obtaining recognition by the New Buffalo City Council as a 501(c)3 nonprofit operating within the City of New Buffalo.

**RECOMMENDATION:**

That the New Buffalo City Council approves recognizing the New Buffalo Yacht Club as a local non-profit within the City of New Buffalo.



**CITY OF NEW BUFFALO**

**RESOLUTION 24-\_\_\_\_\_**

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES**

At a special meeting of the City of New Buffalo City Council called to order by Mayor John Humphrey on February 26, 2024, at \_\_\_\_\_ PM the following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_ that the request from the New Buffalo Yacht Club of New Buffalo, MI county of Berrien, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for \_\_\_\_\_.

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 26<sup>th</sup> day of February 2024.

\_\_\_\_\_  
Ann M. Fidler, City Clerk



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**TO:** Mayor Humphrey and the New Buffalo City Council

**FROM:** Darwin Watson, City Manager

**DATE:** February 26, 2024

**RE:** Oselka Park Lease Agreement – Softball Field

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**ITEM BEFORE THE COUNCIL:**

Approval of a Lease Agreement of the softball field to the New Buffalo Area Recreation Authority (“NBARA”)

**DISCUSSION:**

In June 2021, the City of New Buffalo signed the Articles of Incorporation for NBARA. NBARA is an entity that is comprised of the City of New Buffalo, New Buffalo Township and New Buffalo Area Schools. These entities recognize they have a mutual interest in recreational facilities and in the potential of recreational facilities that may be acquired or developed in the future to serve the greater New Buffalo community. As a result of these shared benefits, the parties wish to provide for collaboration and joint oversight of existing facilities as well as possible cooperative efforts in other recreational endeavors as their respective governing bodies might subsequently approve.

In 2022, NBARA created their 5-year recreation plan, which would allow NBARA to apply for grant funding from various State of Michigan departments (i.e., Department of Natural Resources, Natural Resources Trust Fund). The recreation plan was submitted to and conditionally approved by the state in 2023. Finally, in January 2024, after discussions with the MDNR, the recreation plan was amended and received final approval by the state.

Currently, there exists a need to make certain improvements to the softball field at Oselka Park. The desire is for the NBARA to pursue grant opportunities this year, which have an application deadline of April 1<sup>st</sup>. To accomplish this, and allow for NBARA to pursue grant opportunities, there needs to be a lease agreement for the field.

**RECOMMENDATION:**

That the New Buffalo City Council approves the lease agreement with the New Buffalo Recreation Authority for the softball field at Oselka Park, subject to any non-material modifications approved by the City Manager, as to content, and the City Attorney, as to form, in the event NBARA wants any revisions.



**CITY OF NEW BUFFALO  
RESOLUTION 24-\_\_\_\_\_**

**LEASE AGREEMENT WITH THE NEW BUFFALO AREA RECREATION AUTHORITY  
("NBARA")**

**WHEREAS**, In June 2021, the City of New Buffalo signed the Articles of Incorporation for NBARA.

**WHEREAS**, NBARA is an entity that is comprised of the City of New Buffalo, New Buffalo Township and New Buffalo Area Schools.

**WHEREAS**, these entities recognize they have a mutual interest in recreational facilities and in the potential of recreational facilities that may be acquired or developed in the future to serve the greater New Buffalo community.

**WHEREAS**, as a result of these shared benefits, the parties wish to provide for collaboration and joint oversight of existing facilities as well as possible cooperative efforts in other recreational endeavors as their respective governing bodies might subsequently approve.

**WHEREAS**, in 2022, NBARA created their 5-year recreation plan, which would allow NBARA to apply for grant funding from various State of Michigan departments (i.e., Department of Natural Resources, Natural Resources Trust Fund).

**WHEREAS**, the recreation plan was submitted to and conditionally approved by the state in 2023.

**WHEREAS**, finally, in January 2024, after discussions with the MDNR, the recreation plan was amended and received final approval by the state.

**WHEREAS**, currently, there exists a need to make certain improvements to the softball field at Oselka Park.

**WHEREAS**, the desire is for the NBARA to pursue grant opportunities this year, which have an application deadline of April 1<sup>st</sup>.

**WHEREAS**, to accomplish this, and allow for NBARA to pursue grant opportunities, there needs to be a lease agreement for the field.

**NOW THEREFORE BE IT HEREBY RESOLVED** that the New Buffalo City Council approves the lease agreement with the New Buffalo Recreation Authority for the softball field at Oselka Park, subject to any non-material modifications approved by the City Manager, as to content, and the City Attorney, as to form, in the event NBARA wants any revisions.



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 26<sup>th</sup> day of February 2024.

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Ann M. Fidler, City Clerk