

**NEW BUFFALO TOWNSHIP BOARD
PUBLIC HEARINGS/REGULAR MEETING
MARCH 18th, 2024 4:00 P.M.
17425 Red Arrow Hwy. New Buffalo, MI 49117
Minutes**

The meeting was called to order at 4:00 p.m.

1. ROLL CALL & PLEDGE OF ALLEGIANCE

Present: Hannon, Heit, Iazzetto, Rahm & Rogers

Not Present:

Pledge of Allegiance

2. PUBLIC HEARING ON THE MNRTF GRANT – MARQUETTE GREENWAY

Rahm moved, Rogers seconded, opening the public hearing on the Marquette Greenway MNRTF grant application.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

PUBLIC COMMENT ON THE MARQUETTE GREENWAY MNRTF GRANT – None

Rahm moved, Rogers seconded, closing the public hearing on the Marquette Greenway MNRTF grant application.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

3. ITEMS TOO LATE FOR PRINTED AGENDA

- Remove Item (j) – Pool Fill Policy and Agreement
- Add Item (o) – Community Funding Project Request

4. APPROVE AGENDA

lazzetto moved, Hannon seconded, approving the agenda with the addition of Item (o) and removal of Item (j).

Roll Call Vote:

Hannon	Yes
Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

5. REPORTS

Building
Park
Pine Grove Cemetery
Galien River Sanitary District
Fire
Library
LRSB
Marina
Pokagon Fund
Police

6. PUBLIC COMMENTS

Public Comments were heard by the board.

7. CONSENT AGENDA

Rogers moved, Rahm seconded, approving the following items on the consent agenda:

Minutes of the February 20th regular meeting, minutes of the March 11th and March 14th special meetings.

Treasurer's Report

Bills

1. General \$23,786.28
2. Public Safety Millage \$91,262.49
3. Park Millage \$32,629.91
4. Building \$13,794.58
5. LRSB Discretionary \$23,805.60
6. Sewer & Water \$309,370.97
7. Marina \$8,030.95
8. Payroll \$73,399.61
9. Trust & Agency \$7,741.25

Quote from Arnt Asphalt in the amount of \$5,000 for resealing the Pleasure Isle Marina parking lot and portion of Landings Road.

Engagement Letter with Baker Tilly for advisory services in the amount of \$1,000 for 2024.

Invoice from Team Viewer in the amount of \$1,354.80.

Quote from Tuscan Valley Landscaping in the amount of \$1,597.90 for landscape work at the Public Safety Building.

Invoice from City of New Buffalo in the amount of \$704.00 to Pleasure Isle Marina for a contribution to the dredging fund.

Clerk Bootcamp training for Clerk Hannon in the amount of \$300.00, MAMC membership for \$75.00, \$474.80 for 2-night stay, plus lodging and meals.

Sale of used SCBA equipment to JSS in the amount of \$6,500.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

8. NEW BUSINESS

a. Exit 4 Water & Sewer Special Assessment Resolution #2

Heit moved, Rogers seconded, adopting Special Assessment Resolution #2 which confirms the estimated costs of the project on the Special Assessment Roll.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Resolution ADOPTED

b. Exit 4 Water & Sewer Special Assessment Resolution #3

lazzetto moved, Rogers seconded, adopting Special Assessment Resolution #3 which sets the date of the hearing on the Special Assessment Roll and provides for publication and mailing of the notice.

Roll Call Vote:

Hannon	Yes
Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes

Resolution ADOPTED

c. MNRTF Grant Resolution

Heit resolved, Hannon seconded, adopting Resolution #2024-03-18 for the submission of a Michigan Natural Resources Trust Fund Grant for the Marquette Greenway.

Roll Call Vote:

Hannon	Yes
Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes

Resolution ADOPTED

d. Road Department Agreement

Rahm moved, Rogers seconded, approving an agreement with the Berrien County Road Dept. for road work on Rose City and Lubke roads in the amount of \$210,668.

Motion CARRIED

e. Budget Amendments

Hannon moved, Rahm seconded, to approve amendments to the 2023-2024 budget as presented.

Motion CARRIED

f. Bid Acceptance – US 12 Water & Sewer Extension

Rahm moved, lazzetto seconded, accepting a bid from Pajay, Inc. in the amount of \$1,396,292.50 for the US-12 water & sewer extension special assessment district, as recommended by Wightman.

Roll Call Vote:

Hannon	Yes
Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes

Resolution ADOPTED

g. Kruggle Lawton Proposal

Rogers moved, Heit seconded, accepting a proposal from Kruggle Lawton CPA for auditing services in the amount of \$23,000 for 2024, \$23,500 for 2025 and \$24,000 for 2026.

Motion CARRIED

h. Non-Certified Firefighter

lazzetto moved, Rogers seconded, moving Fire Cadet Audrey Proctor to a Non-Certified Firefighter and increasing her pay to the non-certified pay rate effective March 1st, 2024.

Motion CARRIED

i. Pay Increase

Heit moved, Hannon seconded, approving a step increase to the Code Enforcement Officer's rate of pay to \$28.00 per hour for 35 hours a week effective March 18, 2024.

Motion CARRIED

j. REMOVED FROM AGENDA – Pool Fill Policy and Agreement

k. Fire Truck Purchase

lazzetto moved, Heit seconded, approving the purchase of a new Rosenbauer fire truck for the Fire Dept. in the amount of \$1,264,642.00 from Emergency Vehicles Plus.

Roll Call Vote:

Hannon	Yes
Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

i. Outdoor Assembly Permit – Urb Cannabis

Rogers moved, Heit seconded, approving an Outdoor Assembly Permit for Urb Cannabis at 11539 O'Brien Ct. on April 20th, 2024 for a grand opening/customer appreciation day between the hours of 9:00 am-7:00 pm.

Motion CARRIED

Heit moved, Rahm seconded, approving Code Enforcement Officer's rate of \$30.00 to be onsite during Urb Cannabis' Outdoor Assembly at 11539 O'Brien Ct. on April 20th, 2024.

Motion CARRIED

m. Water Meter Replacement

Rahm moved, Rogers seconded, approving the purchase of related materials for a water meter replacement project in the amount of \$22,093.40 from ETNA Supply.

Motion CARRIED

n. SLU Approval - Bloomery Cannabis New Buffalo

Rahm moved, Rogers seconded, granting Final Approval of a Special Land Use to Bloomery Cannabis New Buffalo to operate an Adult-Use Marihuana Retail Establishment at 11429 O'Brien Ct, New Buffalo, MI being 11-13-0015-0011-22-4 with the following conditions:

- Downlighting must be maintained to prevent light spillage onto neighboring properties.
- The applicants must adhere to the standards detailed in the New Buffalo Township Zoning Ordinance Article 455-5.22 Marihuana Businesses.
- Copy of license from the State of Michigan Cannabis Regulatory Agency will be provided yearly upon renewal.
- \$5,000 annual administrative fee to be provided to New Buffalo Township by the renewal date of the State of Michigan license.
- Maintain current business license registration with the New Buffalo Township Building Department which includes an annual Fire Code Inspection of the premises.
- The SLU development agreement and final site plan must be recorded with the Register of Deeds Office with evidence of recording submitted to New Buffalo Township within 45 days.
- The SLU is attached to, and shall run with the land for which the permit is granted, and shall be binding upon, and ensure benefit of, all subsequent owners and all occupants of the subject land provided that the new occupant/owner provide proper application for

Marihuana Establishment w/supplemental information required, applicable fee, and copy of their State of Michigan Cannabis Regulatory Agency license.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

o. Community Project Funding Request

Heit moved, Hannon seconded, adopting Resolution #2024-03-18a supporting the submission of a Community Project Funding Request to Congressman Tim Walberg in the amount of \$7,020,000.00, with a 20% local match, to replace the GRSD's tertiary filter.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Resolution ADOPTED

9. BOARD COMMENTS

The Marquette Greenway Groundbreaking will take place on April 3, 2024, at 11:30 a.m. at the corner of N. Smith Street and W. Mechanic Street in the City of New Buffalo.

10. ADJOURNMENT

Rahm moved, Rogers seconded, adjourning at 4:59 p.m.

Motion CARRIED

Meeting adjourned at 4:59 p.m.

Submitted By:



Michelle Hannon, Clerk