

**NEW BUFFALO TOWNSHIP BOARD
REGULAR MEETING
April 21st, 2025, 4:00 P.M.
17425 Red Arrow Hwy. New Buffalo, MI 49117
Minutes**

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

1. ROLL CALL & PLEDGE OF ALLEGIANCE

Present: Anderson, Hannon, Heit, Iazzetto, & Males

Not Present:

Pledge of Allegiance

2. ITEMS TOO LATE FOR PRINTED AGENDA

- Add to Consent Agenda:
 - Approve payment of Great Lakes Disc Invoice for disc golf baskets in the amount of \$7,710.00
 - Approve payment of Foster Swift invoice for legal services in the amount of \$6,910.50
- Item "7m" Closed Session is now item "7n"
- New Item 7m: Special Land Use Extension Approval – Bobeck Real Estate Company, Inc.

3. APPROVE AGENDA

Anderson moved, Hannon supported, approving the agenda as amended.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

4. REPORTS

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

Pokagon Fund
Police

5. **PUBLIC COMMENTS** --- Public comments were heard by the board.

6. **CONSENT AGENDA**

lazzetto moved, Heit supported, approving items on the consent agenda:

Minutes from the March 17th regular meeting
Treasurer's Report
Bills

1. General \$51,235.91
2. Public Safety Millage \$63,525.65
3. Park Millage \$20,847.71
4. Building \$16,470.63
5. LRSB Discretionary \$428.32
6. Sewer & Water \$81,462.43
7. Marina \$5,760.96
8. Payroll \$85,989.33
9. Trust & Agency \$0

Approve payment of \$1,000 to the Pleasure Isle Marina HOA fund.

Approve a quote and payment in the amount of \$12,325 from Gale Plumbing Hydronics Inc. for a 4" RPZ for the truck fill and a trap primer system for three floor drains.

Approve quote from The Edge in an amount not to exceed \$16,000 for a new server.

Approve payment of Great Lakes Disc Invoice for disc golf baskets in the amount of \$7,710.00.

Approve payment of Foster Swift invoice for legal services in the amount of \$6,910.50.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
lazzetto	Yes
Males	Yes

Motion CARRIED

7. NEW BUSINESS

a. Collaborative Economic Development Resolution

Heit moved, Hannon supported, adopting Resolution 20250421a which states that the township supports the economic development framework as developed by the CMC and declares New Buffalo Township’s commitment to participating in a collaborative effort with other municipalities in the Region to offer more robust economic development programs and services.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
lazzetto	Yes
Males	Yes

Resolution ADOPTED

b. Fire Incident Fees Resolution

Males moved, lazzetto supported, adopting Resolution 20250421b which amends the schedule of fire department incident costs.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
lazzetto	Yes
Males	Yes

Resolution ADOPTED

c. Employee Wage Increases

Hannon moved, Males supported, approving step increases of 2% per hour for Utility Dept. workers Forest Galanda & Matt Harfert effective March 23, 2025.

Motion CARRIED

d. Hire Seasonal Employees

Heit moved, lazzetto supported, approving hiring Michael Bombin at a rate of pay of \$16.00 per hour as a Park Department seasonal employee effective immediately.

Motion CARRIED

e. Budget Amendments

Hannon moved, lazzetto supported, approving the budget amendments as presented.

Motion CARRIED

f. Pay Estimate #5 – Pajay Inc.

lazzetto moved, Heit supported, approving pay estimate #5 in the amount of \$ 79,912.25 to Pajay Inc. and change order #2 which is an increase of \$32,797.25 for the US-12 water & sewer project.

Motion CARRIED

g. Outdoor Assembly Permit – Timber Cannabis Co.

Hannon moved, Heit supported, approving an Outdoor Assembly Permit for Timber Cannabis at 19615 US-12, New Buffalo on May 24th from the hours of 9:00 am to 8:00 pm with the following conditions:

- Applicant will provide Health Dept. certificate of food trucks prior to event/or make available day of event for inspection.
- Fire Dept. will conduct fire code inspection the morning of the event of the outdoor area/site.

Motion CARRIED

h. Special Land Use Extension Approval – 19325 US-12 LLC

Heit moved, Hannon supported, granting a six-month extension of a preliminary approval of a Special Land Use to 19325 US-12 LLC until November 20th, 2025.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
lazzetto	Yes
Males	Yes

Motion CARRIED

i. Special Land Use Extension Approval – New Buffalo US-12 Group LLC

Hannon moved, Heit supported, granting a six-month extension of a preliminary approval of a Special Land Use to New Buffalo US-12 Group LLC at 10227 US-12, New Buffalo until November 20th, 2025.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
lazzetto	Yes
Males	Yes

Motion CARRIED

j. Special Land Use Extension Approval – Harbor Country Drive LLC

Heit moved, lazzetto supported, grant a six-month extension of a preliminary approval of a Special Land Use to Harbor Country Drive LLC at 18910 Harbor Country Drive, New Buffalo until November 20th, 2025.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
lazzetto	Yes
Males	Yes

Motion CARRIED

k. Special Land Use Approval – AUM Investments LLC

Hannon moved, Heit supported, granting final approval of a Special Land Use to AUM Investments LLC to operate an Adult-Use Marihuana Retail Establishment at 18350 US 12, New Buffalo, Michigan 49117; being parcel number 11-13-0009-0004-01-0 with the following conditions:

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:

Anderson	<u>Yes</u>
Hannon	<u>Yes</u>
Heit	<u>Yes</u>
Iazzetto	<u>Yes</u>
Males	<u>Yes</u>

Motion CARRIED

I. Special Land Use Approval – Green Mountain Holdings NB 2 LLC

Heit moved, Iazzetto supported, granting final approval of a Special Land Use to Green Mountain Holdings NB 2 LLC to operate an Adult-Use Marihuana Retail Establishment at 11300 Harbor Country Drive, New Buffalo, Michigan 49117; being parcel number 11-13-0015-0004-09-0 with the following conditions:

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:

Anderson	<u>Yes</u>
Hannon	<u>Yes</u>

Heit	<u>Yes</u>
lazzetto	<u>Yes</u>
Males	<u>Yes</u>

Motion CARRIED

m. Special Land Use Extension Approval – Bobeck Real Estate Company, Inc.

Heit moved, Hannon supported, granting a two-month extension of a preliminary approval of a Special Land Use to Bobeck Real Estate Company, Inc. at 19563 US 12, New Buffalo until July 17, 2025.

Heit moved, Hannon supported, granting a four-month extension of a preliminary approval of a Special Land Use to Bobeck Real Estate Company, Inc. at 19563 US 12, New Buffalo until September 17, 2025.

Roll Call Vote:

Anderson	<u>Yes</u>
Hannon	<u>Yes</u>
Heit	<u>Yes</u>
lazzetto	<u>Yes</u>
Males	<u>Yes</u>

Motion CARRIED

n. Closed Session regarding pending litigation in the following matters: (1) 10299 US 12 LLC v New Buffalo Township et. al., Case No. 23-0309-CZ-H in the Berrien County Circuit Court, (2) 10299 US 12, LLC v New Buffalo Township, Case No. 25-000065-AA in the Berrien County Circuit Court, and (3) Gawron v New Buffalo Township, 24-000333-AA in the Berrien County Circuit Court.

Hannon moved, lazzetto supported, going into closed session at 5:05 p.m. pursuant to MCL 15.268(1)(e) in connection with the pending litigation in the following matters:

(1) 10299 US 12 LLC v New Buffalo Township et. al., Case No. 23-0309-CZ-H in the Berrien County Circuit Court,

(2) 10299 US 12, LLC v New Buffalo Township, Case No. 25-000065-AA in the Berrien County Circuit Court, and

(3) Gawron v New Buffalo Township, 24-000333-AA in the Berrien County Circuit Court as discussion of the matter in an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township.

Roll Call Vote:

Anderson	<u>Yes</u>
Hannon	<u>Yes</u>
Heit	<u>Yes</u>

lazzetto	<u>Yes</u>
Males	<u>Yes</u>

Motion CARRIED

Heit moved, lazzetto supported, reconvening in open session at 5:48 p.m.

Roll Call Vote:

Anderson	<u>Yes</u>
Hannon	<u>Yes</u>
Heit	<u>Yes</u>
lazzetto	<u>Yes</u>
Males	<u>Yes</u>

Motion CARRIED

8. BOARD COMMENTS

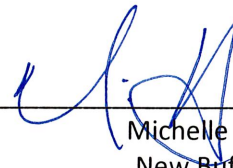
- The Berrien County Board of Commissioners be meeting at the Public Safety Building at 18959 US 12 on Thursday, May 1, 2025, at 6:00 p.m.
- The First Annual New Buffalo Township Earth Day Challenge is Tuesday, April 22, 2025
- The ribbon cutting for the Marquette Greenway will take place at the trailhead at the corner of Smith and Mechanic on Friday, April 25, 2025, at 10:30

9. ADJOURNMENT

Hannon moved, lazzetto supported, adjourning at 5:48 p.m.

Motion CARRIED

Submitted By:



Michelle Hannon, Clerk
New Buffalo Township