

**PUBLIC HEARING/REGULAR MEETING
JULY 15th, 2024 4:00 P.M.
17425 Red Arrow Hwy. New Buffalo, MI 49117
Minutes**

1. ROLL CALL & PLEDGE OF ALLEGIANCE

Present: Hannon, Heit, Iazzetto, Rahm, Rogers

Not Present:

Pledge of Allegiance

2. PUBLIC HEARING ON THE PUBLIC SAFETY SPECIAL ASSESSMENT

Heit moved, Rahm supported, opening the public hearing on the Public Safety Special Assessment.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

PUBLIC COMMENT ON THE PUBLIC SAFETY SPECIAL ASSESSMENT – None

Rahm moved, Iazzetto supported, closing the public hearing on the Public Safety Special Assessment.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

3. ITEMS TOO LATE FOR PRINTED AGENDA

Add Item 8(j) – Reconsideration of Outdoor Assembly Permit submitted by Michiana Humane Society

Add Item 8(k) – Reconsideration of Outdoor Assembly Permit submitted by URB Cannabis

4. APPROVE AGENDA

Rogers moved, Rahm supported, approving the agenda as amended.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	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, Heit supported, approving items on the consent agenda:

Minutes of the June 17th meeting and the June 17th closed session.

Treasurer's Report

Bills

1. General \$ 46,461.94
2. Public Safety Millage \$ 108,999.96
3. Park Millage \$ 13,172.39
4. Building \$ 12,003.36
5. LRSB Discretionary \$ 1,000.00
6. Sewer & Water \$ 203,735.25
7. Marina \$ 21,019.21
8. Payroll \$ 81,852.03
9. Trust & Agency \$ 0

Approve a quote from Arnt Asphalt in the amount of \$4,400 for parking lot sealing at the Public Safety Building.

Approve contracting with Lennon Lange for mowing services.

Approve the purchase of 2 new basketball hoops from Mega Slam Hoops not to exceed \$6,000 and installation by Nesci Landscaping not to exceed \$7,000.

Approve Building Official Bill Lambert's monthly stipend increased to \$1,500 and hourly wage to \$45.00, retroactive as of July 1st, 2024.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

8. NEW BUSINESS

a. Resolution – Dee Batchelder

Heit moved, Rogers supported, adopting Resolution 20240715 that honors long time Planning Commission member Dee Batchelder.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Resolution ADOPTED

b. Water Reliability Study Proposal

Rogers moved, Iazzetto supported, approving the quote from Wightman in the amount of \$18,350 for a water reliability study as required every 5 years by EGLE.

Motion CARRIED

c. Techxperience Quote

Rahm moved, Rogers supported, approving a quote from Techxperience in the amount of \$11,191.00 for audio/visual upgrade in the meeting room.

Motion CARRIED

d. Legal Services Agreement – Bauckman, Thall, Seeber, Kaufman & Koches P.C.

Hannon moved, Iazzetto supported, approving a legal services agreement with Bauckham, Thall, Seeber, Kaufman & Koches P.C. as a special legal counsel for representation creating and negotiating the terms of a fire authority with Chikaming Township, Three Oaks Township, City of New Buffalo.

Motion CARRIED

e. Park Truck Purchase

Rahm moved, Rogers supported, approving a quote Siemens in Bridgman for a new F-150 XL Super Cab 4x4 truck for the Park Dept. in the amount of \$44,751.00.

Motion CARRIED

f. Special Land Use Approval – JMS 75 LLC

Rogers moved, Rahm supported, granting preliminary approval of a Special Land Use to JMS 75 LLC to operate an Adult-Use Marijuana Retail Establishment at 19750 M239, New Buffalo, MI being 11-13-0023-0008-04-6 with condition the applicant obtains variance for proposed excess parking; lot split is approved; and the property is developed consistent with the site plan as presented

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

g. Special Land Use Approval – Constantine Products LLC

Hannon moved, Rogers supported, granting preliminary approval of a Special Land Use to Constantine Products LLC to operate an Adult-Use Marijuana Retail Establishment at 19415 & 19425 US 12, New Buffalo MI being 11-13-0019-0002-10-0 and 11-13-0019-0003-00-5 with condition a parking variance is obtained; approvals received from MDOT, Berrien County Health Department, and Berrien County Drain Commission; and the property is developed consistent with the site plan as presented.

Roll Call Vote:

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

h. Special Land Use Approval – Stash Ventures LLC

lazzetto moved, Rogers supported, granting preliminary approval of a Special Land Use to Stash Ventures, LLC to operate an Adult-Use Marihuana Retail Establishment at 19615 US 12, New Buffalo, MI being part of 11-13-0019-0014-02-1 with condition the applicant obtains variance for proposed excess parking and the property is developed consistent with the site plan as presented.

Roll Call Vote:

Hannon	Yes
Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

i. Special Land Use Approval – Securecann III

Heit moved, Rogers supported, granting preliminary approval of a Special Land Use to Securecann III to operate an Adult-Use Marihuana Retail Establishment at 19317 US 12, 19313 US 12, 19307 US 12, 19303 US 12 and 19297 US 12, New Buffalo, MI 49117 being 11-13-2700-0001-00-5, 11-13-2700-0002-00-1, 11-13-2700-0003-00-8, 11-13-2700-0004-00-4, and 11-13-2700-0005-00-1 with condition the applicant obtains variance for proposed excess parking; land combination is approved; and the property is developed consistent with the site plan as presented.

Roll Call Vote:

Hannon	Yes
Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes

Motion CARRIED

j. Outdoor Assembly Permit Reconsideration – Michiana Humane Society

Heit moved, Rogers supported, granting approval of an outdoor assembly permit for July 27, 2024, to be issued to Colleen Neubauer for the benefit of the Michiana Humane Society to be held at 9101 Krueger Rd, Union Pier between the hours of 5:30pm and 10:30pm.

Motion CARRIED

k. **Outdoor Assembly Permit Reconsideration – URB Cannabis**

Heit moved, Hannon supported, granting approval of an outdoor assembly permit for August 28, 2024, to be issued to Paul Roumaya of URB Cannabis located at 11539 O'Brien Ct, New Buffalo to be held between the hours of 9am and 9pm. Condition of approval to include day of event inspection by the New Buffalo Township Fire Department for the food trucks and food truck placement.

Motion CARRIED

9. **BOARD COMMENTS**

Public Safety Day is scheduled for August 4, 2024, from 11:00 am to 2:00 pm.
Absentee ballots are available for the State Primary Election on August 6, 2024.

10. **ADJOURNMENT**

Rahm moved, lazzetto supported, adjourning at 4:44 p.m.

Motion CARRIED

Submitted By:



Michelle Hannon, Clerk
New Buffalo Township