

**NEW BUFFALO TOWNSHIP BOARD
REGULAR MEETING
July 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, and Males
Not Present: None
Pledge of Allegiance

2. PUBLIC HEARING ON THE PUBLIC SAFETY SPECIAL ASSESSMENT

Iazzetto moved, Males supported, opening the public hearing on the Public Safety Special Assessment.

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

Discussion was held surrounding the immediate need for two full-time firefighters and whether or not the Special Assessment should be adjusted to cover the additional costs of moving to a full-time Fire Department. Board members came to a consensus to utilize a portion of the Township's 2026 marijuana excise tax payment to cover the first year of the transition since the exact cost is unknown at this time. It was stated that paying for a full-time Fire Department is not sustainable using only marijuana money and that adjustments to the Special Assessment to pay for a full-time Fire Department will be revisited next year.

PUBLIC COMMENT ON THE PUBLIC SAFETY SPECIAL ASSESSMENT – None

Males moved, Anderson supported, closing the public hearing on the Public Safety Special Assessment.

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

3. ITEMS TOO LATE FOR PRINTED AGENDA

- Add to Consent Agenda: Approve 10% increase to Marina Manager wage, increase Marina Manager monthly stipend to \$250.00, and increase Deputy Clerk monthly stipend to \$800.00 effective July 1, 2025.
- Remove Item 8m: Public Safety Special Assessment Millage Resolution
- Board Comments (Item 9) will be given before going into closed session

4. APPROVE AGENDA

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

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	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

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

Minutes of the June 16th regular meeting & June 24th special meeting
Treasurer's Report
Bills

1. General \$111,375.37
2. Public Safety Millage \$735,610.05
3. Park Millage \$240,601.39
4. Building \$27,257.92
5. LRSB Discretionary \$14,667.50
6. Sewer & Water \$470,156.70
7. Marina \$20,337.05
8. Payroll \$143,762.65
9. Trust & Agency \$425.00

Approve a quote from Cornerstone Alliance in the amount of \$4,000 for a housing study specific to New Buffalo Township.

Approve the updated Pavilion Rental & Meeting Room Rental Agreement.

Approve the purchase of a storage container from ConGlobal in the amount of \$2,875.00 for the Parks Dept.

Approve a quote from Peerless Midwest Inc. in the amount of \$17,900 for a pump rebuild for the Water Dept.

Approve a quote from Goodyear Tire in the amount of \$2,700 for tires for Fire Truck 1320 for the Fire Dept.

Approve a quote for 2 battlefield cross sculptures from Veteran's Memorial Statues in the amount of \$18,200 and an upfront payment of \$9,100 for the Veteran's Park project.

Approve invoice from Jake Russel in the amount of \$2,700 for Galien River clearing for the Park Dept.

Approve lodging in the amount of \$442.48 plus mileage and meals for the Clerk and Deputy Clerk as they attend the Secretary of State Board of Elections training in Lansing.

Approve a quote from Wolverine Power Systems in the amount of \$4,783.25 for generator work at the Public Safety Building.

Approve 10% increase to Marina Manager wage, increase Marina Manager monthly stipend to \$250.00, and increase Deputy Clerk monthly stipend to \$800.00 effective July 1, 2025.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

8. NEW BUSINESS

a. General Finance & Public Comment Policies

Males moved, Anderson supported, approving the updated General Finance and Public Comment Policies as presented.

Motion CARRIED

b. Pension Fund Balance Policy

Heit moved, Males supported, approving the Pension Fund Balance Policy as presented.

Motion CARRIED

c. Assessor Contract

Hannon moved, Iazzetto supported, approving a 5-year contract with Northrop Assessing Inc.

Motion CARRIED

d. Park Equipment Quote

Males moved, Hannon supported, approving a quote and payment to Weaver Outdoors for a tractor with enclosed cab, 60" broom, bucket, pallet forks, blower and trailer in the amount of \$98,391.72 for the Park Department.

Motion CARRIED

e. Veteran's Park Quote

Heit moved, Iazzetto supported, accepting a quote from BG Construction in the amount of \$660,091.00 for a Veteran's Park at 17651 Clay Street.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

f. Disc Golf Course ADA Pad Quote

Hannon moved, Anderson supported, accepting a quote from Compton in the amount of \$225,271 for ADA disc golf pad and sidewalks at the Glassman Park Disc Golf Course.

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

g. Abandoned Vehicle Ordinance Resolution

lazzetto moved, Hannon supported, adopting Resolution 20250721a which adopts Ordinance 20250721a which amends the Abandoned Vehicle Ordinance.

Roll Call Vote:

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

Resolution ADOPTED

h. MDOT Traffic Study Resolution

Males moved, Heit supported, adopting Resolution 20250721b which requests a traffic study from MDOT for M239 from I94 to the Indiana state line.

Roll Call Vote:

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

Resolution ADOPTED

i. Open Buring Ordinance Resolution

Heit moved, lazzetto supported, adopting Resolution 20250721c which adopts Ordinance 20250721b which amends the Open Buring Ordinance.

Roll Call Vote:

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

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

Resolution ADOPTED

j. Speed Study Resolution

lazzetto moved, Males supported, adopting Resolution 20250721d which requests a speed study for Red Arrow Highway from Community Hall Road to Townline Road in Union Pier.

Roll Call Vote:

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

Resolution ADOPTED

k. Water Fill Station Quote

Heit moved, Hannon supported, approving a quote from Flow Point in the amount of \$61,626.99 for a water fill station to be installed at 17655 Clay Street for the Water Department.

Motion CARRIED

l. Pay Estimate #8, Change Order #3 – Pajay Inc.

Males moved, Heit supported, approving pay estimate #8 in the amount of \$97,379 and change order #3 to Pajay in the amount of \$104,600 for the US-12 Water/Sewer Extension Special Assessment District project.

Motion CARRIED

m. ~~Public Safety Special Assessment Millage Resolution~~ (Removed from Agenda)

n. Special Land Use Approval – Walters Dimmick Petroleum

Heit moved, lazzetto supported, granting final approval to Walters Dimmick Petroleum – New Buffalo Johnny's for a Special Land Use to operate a Gas Station and Convenience Store at 18913 Harbor Country Drive New Buffalo, MI 49117 being 11-13-0015-0007-09-0. Variance was obtained to allow parking in the required side yard setback.

Roll Call Vote:

Anderson	<u>Yes</u>
----------	------------

Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

o. Special Land Use Approval – HS PC Enterprises, LLC

Iazzetto moved, Heit supported, granting final approval of a Special Land Use to HS PC Enterprises, LLC to operate an Adult-Use Marihuana Retail Establishment at 19189 W US 12, New Buffalo, Michigan 49117; being parcel number 11-13-2700-0028-01-9 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	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

p. Special Land Use Approval – Oasis Wellness Center of Bangor Twp. LLC

Heit moved, Hannon supported, granting final approval of a Special Land Use to Oasis Wellness Center of Bangor Twp IV, LLC to operate an Adult-Use Marihuana Retail Establishment at 11430 Holiday Drive, New Buffalo, Michigan 49117; being part of parcel number 11-13-0015-0004-07-4 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	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

q. Special Land Use Approval – Simple AG New Buffalo LLC

Males moved, Iazzetto supported, granting final approval of a Special Land Use to Simple AG New Buffalo LLC to operate an Adult-Use Marihuana Retail Establishment at 13992 Grand Ave, New Buffalo, Michigan 49117; being parcel number 11-13-3100-0001-02-9 & 11-13-3100-0016-00-0 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	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

r. Special Land Use Approval – HODAI Bangor LLC

Hannon moved, Heit supported, granting final approval of a Special Land Use to HODAI Bangor, LLC to operate an Adult-Use Marihuana Retail Establishment at 19333 M239, New Buffalo, Michigan 49117; being parcel number 11-13-0022-0001-02-7 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	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

- s. **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.**

Heit moved, Hannon supported, going into closed session at 5:21 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	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

Hannon moved, Heit supported, reconvening in open session at 5:52 p.m.

Roll Call Vote:

Anderson	Yes
Hannon	Yes
Heit	Yes
Iazzetto	Yes
Males	Yes

Motion CARRIED

9. BOARD COMMENTS

- Remember to sign up for Property Alert through the Berrien County Register of Deeds at: <https://www.berriencounty.org/1938/Property-Alert>
- Public Safety Day will take place on Saturday, August 3, 2025, from 11:00 a.m. to 2:00 p.m. There will be kids' games, free hot dogs, and free school supplies thanks to a generous donation from the Pokagon Fund.
- MEC will begin construction of broadband within the next couple of months. Residents can check to see if their address is eligible at: <https://www.teammidwest.com/internet/sign-up-internet/>
- The Township is exploring the possibility of removing some of the trees at the intersection of Townline Road and Red Arrow Highway in Union Pier to increase visibility.
- Music in the Park will continue every Wednesday from 7:00 p.m. to 9:00 p.m. until August 27, 2025. Admission is free and food is offered at a reduced cost.

10. ADJOURNMENT

Iazzetto moved, Heit supported, adjourning at 5:53 p.m.

Motion CARRIED

Submitted By:



Michelle Hannon, Clerk
New Buffalo Township