

VILLAGE of LAWTON
VILLAGE COUNCIL MEETING
125 S. MAIN STREET, LAWTON, MI 49065
TUESDAY, April 12, 2022 – 7:00 P.M.
please silence your cell phones

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSENT AGENDA**
 - A. Approval of the April 12, 2022 Council Agenda
 - B. Approval of the March 8, 2022 Council Meeting Minutes
 - C. Approval of March 2022 Disbursements in the amount of \$115,911.29
- V. COMMUNICATIONS / CORRESPONDENCE / PRESENTATIONS**
 - A. Master Plan Engagement Session “Spring Fling” on Thursday, April 14th 6:00 – 8:00 PM
 - B. Van Buren Youth Camp acknowledgment of donation to Paul Knudstrup Memorial Fund.
 - C. Lawton Summerfest – July 9, 2022..... Heather Shannon
- VI. CITIZENS’ COMMENTS – (Please keep comments to 3 minutes)**
- VII. PUBLIC HEARINGS / APPOINTMENTS / PROCLAMATIONS**
 - A. **Public Hearing** for consideration of the establishment of a Plant Rehabilitation District and consideration of an Industrial Facilities Tax Exemption for real and personal property for Welch’s Food, Inc. located at 400 Walker StreetHear Public Comment
 - 1. President opens Public Hearing with a motion..... Voice Vote
 - 2. Public offers comment.....please limit comments to 3 minutes per person
 - 3. President closes Public Hearing with a motion..... Voice Vote
- VIII. OLD BUSINESS**
 - A. **Consideration of Resolution 07-22** A Resolution to Set Rates for the Oak Grove Cemetery.....Staff Recommend Approval
 - B. **Consideration of Resolution 08-22** A Resolution to approve Traffic Control Order #01-22 and post “No Stopping, Standing or Parking” Signs.....Staff Recommends Approval

- C. **Consideration of Resolution 09-22** A Resolution to establish a Plant Rehabilitation District and approve an Industrial Faculty Tax Exemption for Welch’s Foods.....Decision
- D. Approve Morrill Street Sewer Extension contract with Balkema Excavating, Inc of Kalamazoo, MI in the amount \$45,505.00.....Staff Recommends Approval
- E. Approve proposal for engineering services from Wightman Engineering of Kalamazoo, MI to perform a Complete Distribution System Materials Inventory (CDSMI) in the amount not to exceed 14,000.....Staff Recommends Approval

IX. NEW BUSINESS

- A. Approve the inspection contract for Lawton’s 500,000 Spheroid Elevated Water Tank contract with Dixon Engineering of Lake Odessa, MI in the amount \$4,250.00.....Staff Recommends Approval
- B. Village of Lawton Planning Commission Annual Report.....Staff Recommends Approval

X. BOARD, COMMITTEE, AND STAFF REPORTS

- A. Village Manager – Lisa Imus
- B. Department of Public Works – Todd Hackenberg
- C. Police Department – Jeff Mack
- D. Fire Department – Eric Dudek
- E. Lawton Library Board – Lisa Imus
- F. Planning Commission – Judy Peterson
- G. Downtown Development Authority (DDA) – Gail Dudek
- H. Community & Economic Development Committee (CEDC) – Nicole Smith
- I. Finance and Administration Committee – Josh Appleby
- J. Public Safety Committee – Ren Turner
- K. Public Services Committee – Ryan Tanis
- L. Water and Sewer Committee – Eric Dudek

XI. COUNCIL COMMENTS

XII. ADJOURNMENT - NEXT REGULAR MEETING DATE – *April 26, 2022*

The Village of Lawton follows the Americans w/ Disabilities Act of 1990. Individuals with disabilities planning to attend this meeting and require accommodations, or those who have questions regarding the accessibility of this meeting or the facilities, are requested to contact the Village Clerk, at (269) 624-6407 or brathbun@lawtonmi.gov to allow the Village to make reasonable accommodations. If you have questions or comments, and you are unable to make the meeting, forward to the Village Manager at imusl@lawtonmi.gov.



VILLAGE OF LAWTON

Regular Meeting Minutes – Tuesday, March 8, 2022 - 7:00 p.m.

Village Hall – 125 S. Main Street, Lawton MI 49065

WWW.LAWTONMI.GOV 269.624.6407

MINUTES

- I. **CALL TO ORDER:** President Pro-Tem E. Dudek called the March 08, 2022 meeting of the Lawton Village Council to order at 7:00 p.m.
- II. **PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was recited.
- III. **ROLL CALL:** Present: President Appleby (via Zoom). Trustees: E. Dudek, N. Smith, G. Dudek, J. Peterson, R. Turner, R. Tanis. Others present: Village Manager Imus, Village Clerk Rathbun, Chief Mack, Superintendent Hackenberg and two guests.
- IV. **CONSENT AGENDA:** The Consent Agenda included the approval of the February 22, 2022 Council Meeting Minutes and Disbursements in the amount of \$72,306. Peterson made a motion to approve the Consent Agenda as presented, supported by Smith. A unanimous roll call vote approved the motion.
- V. **COMMUNICATIONS, CORRESPONDENCE AND PRESENTATIONS:**
 - A. Introduction of Brittany Rathbun, Lawton Village Clerk.
 - B. Local Government Economic Development Summit –March 11th from 8am – 1pm.
 - C. Van Buren Conservation District February 2022 Program Update.
- VI. **CITIZENS' COMMENTS:** None
- VII. **PUBLIC HEARINGS / APPOINTMENTS:** Paul Schincariol, Lawton's Van Buren County Commissioner, spoke to give a general discussion including update on County Commission Board structure reorganization, as well as proposed personnel changes. Also discussed was the County Commission's Committee of the Whole recommended approval of County ARPA funds for the Lawton/Porter Township Utility Feasibility Study.
- VIII. **EXISTING BUSINESS:** None
- IX. **NEW BUSINESS:**
 - A. **Resolution #6-2022:** Turner, supported by Smith, made a motion to adopt Resolution #6-2022, a resolution authorizing Lawton's participation in the MI Department of Health and Human Services Low Income Household Water Assistance Program to assist with residential utility relief. A unanimous roll call vote approved the motion.

X. BOARD, COMMITTEE, AND STAFF REPORTS:

- A. Village Manager** – Imus reported that Welch’s request for a Personal Property Tax exemption was received and granted. This eliminates \$9.1 million of taxable value from Lawton, resulting in approximately a \$150,000 loss (\$100,000 to General Fund, \$40,000 to the Street Fund, and \$10,000 to the Library Fund). \$30,000 from the ARPA funding is being placed in general fund to help subsidize the loss to general fund, but it will not be sustainable and require future budget cuts. Imus further reported that the 2020 Census data has been officially accepted and resulted in a 50-person reduction in population (1,900 to 1,850) for Lawton. This loss will reduce the Revenue Sharing and Act 51 funding from the State of Michigan. Imus also reported that the County ARPA funding for the water / sewer feasibility study for expansion into the township, was passed 4:3 at the County Commissioners Committee of the Whole meeting and will be forwarded to the Board for final approval.
- B. Department of Public Works** – Superintendent Hackenberg’s reports were submitted to Council. An increase in Cemetery fees were discussed and will be brought to vote at next month’s meeting. Paul Harvey with Wightman Engineering was also present and gave an update on the Engineering Services currently contracted with Wightman.
- C. Police Department** – Chief Mack’s report was submitted to Council. A threat to the school is being investigated.
- D. Fire Board** – E. Dudek summarized the February Fire Board meeting.
- E. Lawton Library Board** – The circulation report for December was provided to Council.
- F. Planning Commission** – Peterson reported that the Planning Committee did not have a quorum to meet. The Master Plan Steering Committee met before planning commission and had a productive meeting. There will be a public input session in April. Housing and Utility information will be presented at the meeting in May.
- G. Downtown Development Authority** – G. Dudek stated that DDA did not have quorum, however, they did have a ribbon cutting ceremony for The Modern Well.
- H. Community & Economic Development** – Smith reported that the committee did not meet.
- I. Finance and Administration Committee** –Appleby reported that the Finance and Administration Committee did not meet.
- J. Public Safety Committee** – Turner reported that the Public Safety Committee did not meet.
- K. Public Services Committee** - Tanis reported that the Public Services Committee did not meet.
- L. Water and Sewer Committee** – E. Dudek reported that the Water and Sewer Committee did not meet, however, the water bills with new rates were mailed.

- XI. COUNCIL COMMENTS:** Turner requested an update on parking concerns on 2nd Street near the elementary. Chief Mack suggested changes on signage and citations. Smith inquired about a permit for a Summerfest 5K in the village. Imus stated no permits were necessary as long as they avoided M-40 and that Superintendent Hackenberg approved the details.
- XII. ADJOURNMENT:** Turner, supported by Smith made a motion to adjourn the meeting at 8:02 p.m. A voice vote was taken with unanimous approval of those present. The next regular scheduled meeting is March 22, 2022.

Respectfully Submitted by Brittany Rathbun, Village Clerk

04/08/2022

CHECK REGISTER FOR VILLAGE OF LAWTON
CHECK DATE FROM 03/01/2022 - 03/31/2022

Check Date	Check	Vendor Name	Description	Amount
Bank GEN GENERAL CHECKING				
03/04/2022	5427	CHAPTER 13 TRUSTEE, BARBARA P. FOLEY	GARNISHMENT	500.00
03/04/2022	5428	BRONSON LAKEVIEW HOSPITAL	GARNISHMENT	297.00
03/01/2022	5451	FISHER AUTO PARTS	BALDWIN FILTERS	36.49
03/01/2022	5452	FRONTIER	TELEPHONE AND INTERNET FOR DPW AND WWTP	613.16
03/01/2022	5453	HS FLEET SERVICES LLC	MAINTENANCE ON WO 1711 FOR CAR 2	700.63
03/01/2022	5454	INDIANA MICHIGAN POWER CO.	ACCT #046-216-176-0-6 - 119 N MAIN ST, R	399.84
03/01/2022	5455	LAWSON OIL COMPANY	PDF	3,757.13
03/01/2022	5456	MICHIGAN RURAL WATER ASSOC.	CONFERENCE MEMBER REGISTRATION FOR JAMES	335.00
03/01/2022	5457	PREMIER SAFETY	GAS DETECTOR AND CALIBRATION UNIT	3,283.91
03/01/2022	5458	PRIORITY HEALTH	INSURANCE GROUP ID 794824	8,154.05
03/01/2022	5459	THE STANDARD	LIFE INSURANCE ACCT NO 00 168051 0001	987.37
03/01/2022	5460	VERIZON WIRELESS	MOBILE PHONE TABLETS	328.45
03/10/2022	5461	ADAMS HARDWARE	CONSOLIDATED BILL	438.43
03/10/2022	5462	ANTWERP TOWNSHIP TREASURER	PARCELS. DEED AND LEGAL VERIFICATION, SP	224.00
03/10/2022	5463	BADGER METER, INC	BEACON MBL HOSSTING SERV UNIT; 12MTH SER	939.85
03/10/2022	5464	BIG STATE INDUSTRIAL SUPPLY	GLOVES, HAND WARMERS, DE-ICER	690.07
03/10/2022	5465	BLOOMINGDALE COMMUNICATIONS	TELEPHONE FOR ACCT NO 0032515-9	334.86
03/10/2022	5466	BRONSON HEALTHCARE GROUP	DRUGSCREEN FOR BRITTANY RATHBUN	50.00
03/10/2022	5467	CONSUMERS ENERGY	HEAT FOR ACCT NO 1000 0710 3904 202 JAME	1,795.84
03/10/2022	5468	INDIANA MICHIGAN POWER CO.	ELECTRIC - STREET LIGHTING	8,642.80
03/10/2022	5469	KIMBALL MIDWEST	CAP SCREW, HEX NUTS, DRILL BITS	164.34
03/10/2022	5470	MALL CITY MECHANICAL	LIBRARY FURNACE DOWN	138.50
03/10/2022	5471	MUNICIPAL SUPPLY COMPANY	METER HORN TAILPIECE	493.08
03/10/2022	5472	REPUBLIC SERVICES OF	WASTE REMOVAL	282.95
03/10/2022	5473	STATE OF MICHIGAN	NPDES APPLICATION FORM	400.00
03/10/2022	5474	STYLE TRANSPORT	TRUCK START ISSUES, BATTERIES	442.00
03/10/2022	5475	VAN BUREN COUNTY	VERIZON AIRCARD - JANUARY	80.10
03/10/2022	5476	VAN BUREN COUNTY	NOTARY APPLICATION FEE BRITTANY RATHBUN	10.00
03/11/2022	5477	STATE OF MICHIGAN	BRITTANY RATHBUN COUNTY APPLICATION NOTA	0.00
03/11/2022	5478	STATE OF MICHIGAN	BRITTANY RATHBUN COUNTY APPLICATION NOTA	10.00
03/18/2022	5479	BRONSON LAKEVIEW HOSPITAL	GARNISHMENT	294.74
03/18/2022	5480	TEAMSTERS LOCAL #214	UNION DUES	150.00
03/23/2022	5481	APPLIED IMAGING	LIBRARY COPIER CONTRACT NO CN3599-01 - A	189.31
03/23/2022	5482	BAKER & TAYLOR, INC.	BOOKS	1,415.92
03/23/2022	5483	VOID	VOID	0.00
03/23/2022	5484	BLOOMINGDALE COMMUNICATIONS	PHONE	162.48
03/23/2022	5485	CENGAGE LEARNING.	FEB THORNDIKE EDITORS CHOICE 2 PLAN	251.46
03/23/2022	5486	DEMCO, INC.	LABELS AND BOOKMARKS	110.11
03/23/2022	5487	DEMCO, INC.	LABELS, STAMPS, LABEL PROTECTORS, AND NA	259.39
03/23/2022	5488	PENWORTHY COMPANY	KIDS BOOKS	435.65
03/23/2022	5489	PETTY CASH LAWTON PUBLIC LIBRARY	WALMART, DOLLAR STORES, USPS	346.15
03/23/2022	5490	SYNCB/AMAZON	DVDS, BOOKS, OFFICE	461.19
03/30/2022	5491	CHARLES DONOVAN	CLOTHING	250.00
03/30/2022	5492	FERGUSON WATERWORKS #3386	MATERIALS	96.75
03/30/2022	5493	FISHER AUTO PARTS	FLEET DISC BREAKPAD SET	74.60
03/30/2022	5494	FRONTIER	TELEPHONE AND INTERNET FOR DPW AND WWTP	613.16
03/30/2022	5495	LAWSON OIL COMPANY	CITGO 5W30	52.88
03/30/2022	5496	MENARDS	48" PX 2-DR TALL CAB-BLK	639.98
03/30/2022	5497	MICHIGAN SECTION AMERICAN WATER WOR	SPRING REGIONAL MEETING - JIM STERMER	310.00
03/30/2022	5498	OFFICE DEPOT	EASEL X2	371.29
03/30/2022	5499	PRIORITY HEALTH	INSURANCE GROUP ID 794824	8,154.05
03/30/2022	5500	TODD A HACKENBERG	MOTTER INSURANCE LUNCH REIMB	66.59
03/30/2022	5501	USA BLUE BOOK	CHART PENS, CHART PAPER, GLOVES	392.13
03/30/2022	5502	WAGONER'S	WWTP CONSOLIDATED	42.88
03/30/2022	5503	WIGHTMAN AND ASSOCIATES, INC.	PROJECT 214430 LAWTON SEWER EXTENSION	1,000.00
03/30/2022	5504	Wilson, Miriam	UB REFUND FOR ACCOUNT: 04-415	15.35
03/04/2022	DD5066(A)	EMPLOYEES	PAYROLL 2X	42,955.98
03/04/2022	EFT722(E)	FEDERAL TAX	IRS Tax	6,764.09
03/04/2022	EFT723(E)	MI STATE DISBURSEMENT UNIT	MISDU PR	680.86
03/04/2022	EFT724(E)	GWFS EQUITIES, INC.	RETIREMENT	2,559.94
03/18/2022	EFT725(E)	FEDERAL TAX	IRS Tax	6,628.10
03/18/2022	EFT726(E)	MI STATE DISBURSEMENT UNIT	MISDU PR	680.86
03/18/2022	EFT727(E)	GWFS EQUITIES, INC.	RETIREMENT	2,645.69
03/18/2022	EFT728(E)	STATE OF MICHIGAN	STATE PR TAX	2,309.86
Total of Disbursements:				115,911.29
(2 Checks Voided)				

SPRING FLING

when: THURSDAY APRIL 14, 6-8 PM

where: Red Brick Hall: 301 N Main

who: **YOU!**

what: Community residents are invited to attend and participate in engagement activities around the new Master Plan! There will be activities for the whole family, so come share in the excitement around the future of the Village of Lawton!





Van Buren Youth Camp

A non-profit organization for the benefit of youth

April 1, 2022

Dear Malina:

On behalf of the Board of Directors and the whole family of Van Buren Youth Camp, please, convey our thanks to the Village of Lawton Council staff for the generous donation of \$ 300.00 in support of the Paul Knudstrup Memorial Fund. We promise that we will maximize your gift to support the programs, experiences and services that we proudly offer our campers, counselors and staff. Through your kind stewardship, Van Buren Youth Camp continues to impact the lives of many people who cherish the supportive environment that we provide.

Thanks, again. Please come and visit us if you are ever in the area. We would be honored to host you.

Sincerely,

Debra S. Berkey
Van Buren Youth Camp
Board of Directors

Please note: VBYC did NOT give any goods or services in return for the contribution noted.



**VILLAGE OF LAWTON
PUBLIC HEARING NOTICE
INDUSTRIAL FACILITIES TAX EXEMPTION
APRIL 12, 2022 - 7:00 PM**

PUBLIC NOTICE IS HEREBY GIVEN that the Lawton Village Council will hold a public hearing on April 12, 2022, at 7:00 p.m. regarding a request for the establishment of a Plant Rehabilitation District and an application from Welch's Foods Inc., for an Industrial Facilities Tax (IFT) Exemption under the provisions of Act 198 of the Public Acts of Michigan of 1974, as amended ("Act 198"), for certain real and/or personal property located at 400 Walker Street (Parcel No. 80-45-700-084-01).

Following the public hearing, the Village Council may consider a resolution to establish the requested Plant Rehabilitation District and the Industrial Facilities Tax Exemption under the terms of Act 198. Written comments may be submitted to the Village office, to the attention of the Village Manager, at the above-stated address, up to the time of the public hearing. Those who are unable to attend in person are encouraged to submit written comments to the Village Manager at ImusL@LawtonMI.gov or the below-mentioned address. Written comments may be submitted up to the time of the public hearing.

The Village will provide necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting upon four (4) business days' notice to the Village Clerk. This notice is posted in compliance with the Open Meetings Act, Public Act 267 of 1976, as amended (MCL 41.72a (2)(3)) and the Americans with Disabilities Act.

A copy of this notice is on file at Lawton Village Hall, located at 125 S. Main Street, PO Box 367, Lawton MI 49065, ph. 269.624.6407 www.lawtonmi.gov

Brittany Rathbun, Village Clerk

Published: Thursday, March 31, 2022

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Grant Williams	13b. Telephone Number 517.605.2626	13c. Fax Number 248.879.2001	13d. E-mail Address williamsg@millercafield
14a. Name of Contact Person same	14b. Telephone Number same	14c. Fax Number same	14d. E-mail Address same
▶ 15a. Name of Company Officer (No Authorized Agents) Matthew Aufman			
15b. Signature of Company Officer (No Authorized Agents)		15c. Fax Number None	15d. Date
▶ 15e. Mailing Address (Street, City, State, ZIP Code) Welch's 300 Baker Avenue, Suite 101 Concord, MA 01742		15f. Telephone Number (978) 371-1000	15g. E-mail Address maufman@welchs.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. School Code	
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

For faster service, email the completed application and additional required documentation to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

**Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909**

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Application for Industrial Facilities Tax Exemption Certificate

Exhibit A

1. Legal Description (Used by Assessing Department)

989 32-3-13

THAT PART OF SEC 32 LYING WLY OF MAIN STREET, SLY OF WHITE OAK ROAD ELY OF WALKER STREET AND NLY OF RR ROW. ALSO LOTS 13,14 & 15 OF BLOCK 2 OF THE FURNACE ADD. BEING ALL OF BLOCK 1 OF FURNACE ADD, ALL OF HIGHT'S ADD, VACATED SEWARD STREET AND UNPLATTED LAND. COMBINATION OF: 80-45-300-001-00, 80-45-300-003-00, 80-45-300-005-00, 80-45-300-006-00, 80-45-300-007-00, 80-45-300-008-00, 80-45-300-014-00, 80-45-300-015-00, 80-45-300-016-00, 80-45-400-001-00, 80-45-700-084-00, 80-45-700-085-00 AND 80-45-700-085-10.

2. Equipment List

Not Applicable as Equipment will not be a part of the IFT, but will be Eligible Manufacturing Personal Property.

3. Real Property Requirements

Not applicable as no construction has started.

4. Lease

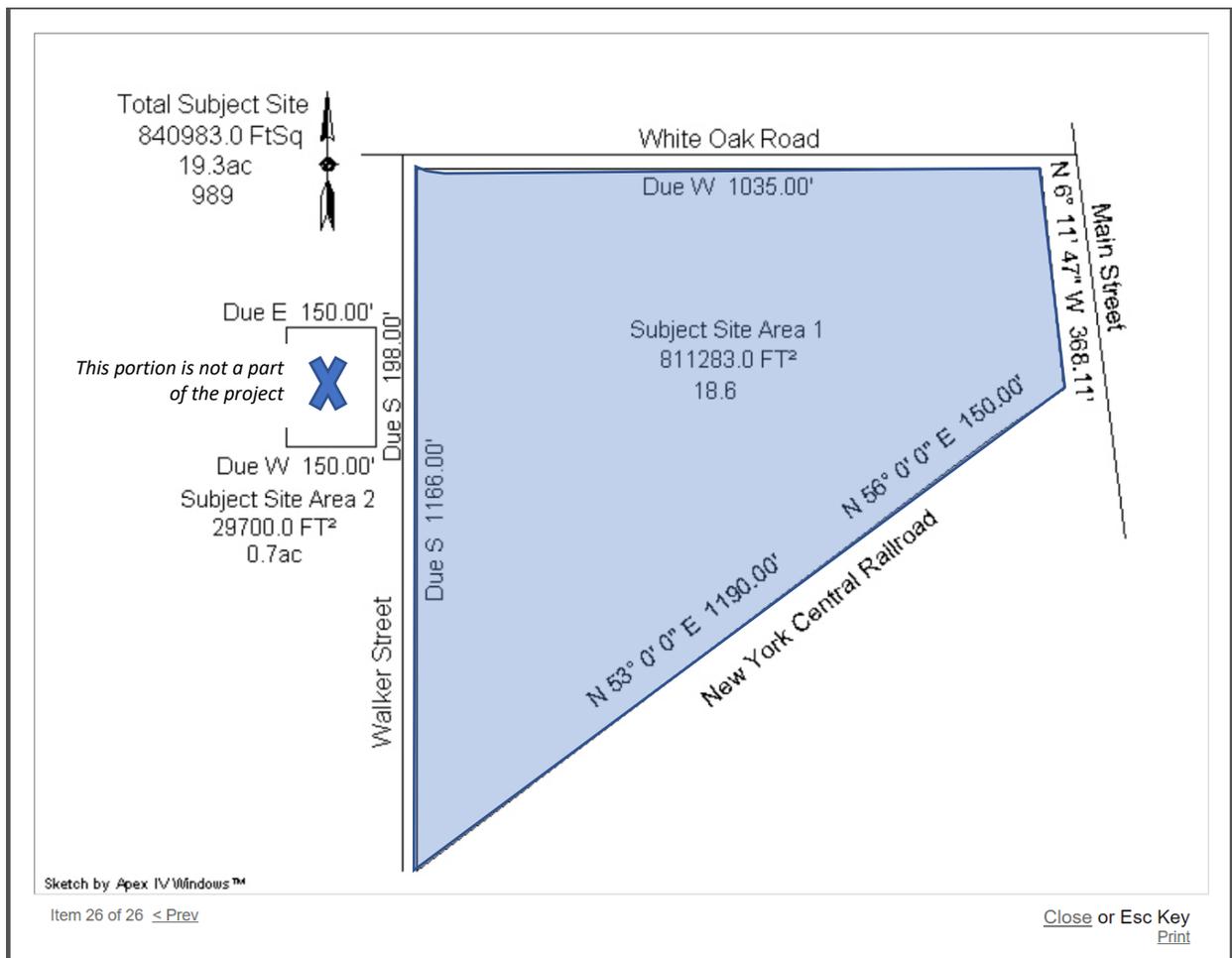
Not applicable as the property is owned

Schedule 5

The application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility.

General Description of the Facility:
Beverage Production Facility
Tax Parcel ID: 80-45-700-084-01

<https://bsaonline.com/SiteSearch/SiteSearchDetails?SearchFocus=All+Records&SearchCategory=Name&SearchText=welch+foods+inc.&uid=310&SearchOrigin=0&PageIndex=1&ReferenceKey=80-45-700-084-01&ReferenceType=0&SortBy=&RecordKeyDisplayString=80-45-700-084-01&RecordKey=80-45-700-084-01&RecordKeyType=0>



The Lawton plant was originally established in the first half of the 20th Century, and the current constructed plant has undergone various expansions and renovations over the year. Over 10 years ago, the company limited its operations at the plant and the portions in the facility where production continued

was significantly reduced. Since that time with changes in technology, production processes and design, lack of modern construction and other factors have created an obsolescence within the facility, and in order to bring in the single serve production operations, the facility will require significant updates and renovations. Renovations for Project Impact will mainly take place within approximately 80,000 s/f of the facility and current estimates for the renovations exceed \$14 million.

Personal Property: Not Applicable:

An additional \$13.4 million will be invested in manufacturing equipment, machinery and trade fixtures. However, Welch's is not requesting the IFT cover this personal property as it will generally be Eligible Manufacturing Personal Property.

ANTWERP TOWNSHIP

24821 FRONT AVENUE

MATTAWAN, MI 49071-9598

Phone: 269.668.2615

Fax: 269.668.5233

www.antwerptownship.com

CERTIFICATION OF FUNCTIONAL OBSOLESCENCE

Parcel number: 80-45-700-084-01

Address: 400 Walker St. Lawton, MI 49065

Owner: Welch Foods INC.

Welch's Michigan production facility is located at 400 Walker Street, Lawton, Michigan ("Plant"). The Lawton Plant was originally established in the first half of the 20th Century, and the currently constructed plant has undergone various expansions and renovations over the years. Since 2011, Welch's has limited its operations at the Plant. The footprint within the Plant where production continued to occur was significantly reduced.

With the passage of time, many areas within the facility are now impaired as a result of the changes in technology, production processes and design, lack of modern construction and other factors making those portions of the property less desirable and valuable for continued use for modern bottling operations. These include the following areas which Welch's has designated for future Project Impact operations: wet packaging area, dry packaging area, utility rooms, key storage areas, areas for ingredient stage operations and areas for multi-packing operations. All of these areas require significant renovations and investment in order to receive the certification required under the applicable GMP standards for food manufacturing including fruit spreads and beverage production. Further, given the age and current condition of portions of the Plant, the Plant requires extensive renovation and modernization to enable production to meet the contemporary demand for single serve beverages. All these factors lead to and support the opinion of this assessor that the Plant suffers in excess of 50% functional obsolescence.

Sincerely,



02.10.2022

Ben Brousseau

MAAO, MCPPE

Antwerp Township Assessor

INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE LETTER OF AGREEMENT

THIS LETTER OF AGREEMENT (“Agreement”), by and between the Village of Lawton (“Village”), a Michigan municipal corporation, with an office at 125 S. Main Street, Lawton, Michigan 49065, and Welch Foods, Inc., a Cooperative (“Applicant”), a Michigan Corporation, with an office at 300 Baker Avenue, Suite 101, Concord, Massachusetts 01742 is made this 12th day of April, 2022.

WITNESSETH:

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq. (“Act”), (1) provides for the establishment of plant rehabilitation and industrial development districts by local governmental units, (2) provides for the abatement or exemption from certain taxes for facility owners or lessees in a qualified district, and (3) allows local governmental units to levy and collect a specific tax from owners or lessees of certain qualified facilities, among other provisions; and

WHEREAS, Applicant has submitted an Application for Industrial Facilities Tax Exemption Certificate (“Application”) for the facility and equipment located within the Village, commonly known as 400 Walker Street (“Property”). A copy of the Application is attached hereto as Exhibit A and made a part hereof; and

WHEREAS, after a duly noticed public hearing held on April 12, 2022, this Village Council by resolution established the Village of Lawton Plant Rehabilitation District (“Lawton PRD 2022”) and the Property is located in such district; and

WHEREAS, the Applicant shall complete a Restoration, Replacement, or Construction program that creates a New Facility on the Property within the meaning of the Act and the Applicant shall hire and retain a certain amount of full-time employees within the Village during the term of the Industrial Facilities Exemption Certificate (“IFE Certificate”); and

WHEREAS, the Village has approved the Application by adopting a resolution granting the IFE Certificate, pending approval by the Michigan State Tax Commission (“Commission”). A copy of the Village resolution approving the IFE Certificate application is attached hereto as Exhibit B and made a part hereof; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. General.
 - a. Unless earlier revoked as provided for in Section 15 of the Act, being MCL 207.565, or as provided for in this Agreement, the IFE certificate

term and the term of this Agreement shall be a period of twelve (12) years from the completion of the New Facility.

- b. The Applicant will complete a Restoration, Replacement, or Construction of a New Facility on the Property as defined in the Act and as set forth in the Application by July 31, 2022.
- c. The Applicant shall retain 82 current full time employee positions and create, or cause to be created, at least an additional fifty seven (57) full time employee positions at the Property within two (2) years of completion of the Restoration, Replacement, or Construction of a New Facility on the Property.
- d. For purposes of this Agreement, a “full-time employee” shall include a person: who is employed by the Applicant or its affiliates on a salary, wage, commission, or other basis, for a minimum period of forty (40) hours a week. Affiliates may include Applicant’s tenants that lease space at the Property.

2. Applicant Representations and Commitments.

In compliance with the Act and intending to induce the Village to grant an IFE Certificate to the Applicant, the Applicant represents and agrees that:

- a. The Applicant is the owner of the Property, or is leasing the Property and has a signed lease with the Property owner, at the time of the Application.
- b. The Property is or will be used as “Industrial Property” as defined under the Act.
- c. The IFE Certificate is a material inducement to the Applicant to undertake the New Facility described in the Application.
- d. The Restoration, Replacement, or Construction of a New Facility on the Property did not start earlier than six (6) months before the Applicant filed the application.
- e. There are no delinquent taxes owed on the Property.
- f. The Applicant will pay any applicable taxes on the Property as they become due.
- g. The Restoration, Replacement, or Construction of a New Facility on the Property and the Applicant’s operation of the Property is in compliance with the Village Zoning Ordinance and Master Plan.

- h. Applicant agrees that in lieu of an Application fee, Applicant shall reimburse and pay to the Village the costs and fees incurred by the Village that result from, or are incurred so as to process, the Application, including but not limited to attorneys' fees, public notice mailing and postage costs and advertising fees. Such will be paid within 30 days of the Village sending a statement to the Applicant. Such fees and costs shall not exceed 2% of the total property costs abated.
- i. Consistent with MCL 207.561 Applicant acknowledges that an administrative fee may be imposed on the industrial facilities tax roll, calculated in the same manner and at the same rate that the local tax collecting unit imposes on ad valorem taxes collected under the general property tax act.
- j. Applicant agrees that to the extent that Applicant seeks any additional improvements to the Property which Applicant intends to be included or considered for abatement as part of the PRD 2022, Applicant shall inform the Village and present such improvements for Village review and approval through the standard abatement process.

3. Reporting by the Applicant to the Village.

Applicant agrees to provide the Village with sufficient information, which is subject to review and audit by the Village, in order to determine compliance with this Agreement. At a minimum, the Applicant shall provide the Village with the following during the IFE Certificate term:

- a. Upon request, the Applicant shall provide the Village with copies of all construction plans, building permits, and certificates of occupancy related to the Restoration, Replacement, or Construction of a New Facility on the Property as reasonably required to evidence the Applicant's investment in and completion of the New Facility. These documents, along with periodic site visits to the Property by the Village with reasonable notice to the Applicant will serve to establish whether the Applicant is making the Restoration, Replacement, or Construction of a New Facility on the Property as required by the Act and this Agreement.
- b. Commencing with the October 15 following the first year of the IFE Certificate term and for each year of the IFE Certificate term thereafter, Applicant will submit to the Village a certified status report ("Status Report") signed by an authorized officer of the Applicant. The Status Report shall set forth for the previous year: (1) the Restoration, Replacement, or Construction work completed towards a New Facility at the Property and the applicant's financial investment in the Property for that year and (2) the number of full-time employees at the Property for that year.

4. Revocation of the IFE Certificate and Termination Agreement.

This Agreement shall automatically terminate if the IFE Certificate automatically terminates pursuant to Section 13 of the Act, being MCL 207.563.

Furthermore, the Village may by resolution of the Village council request that the Commission revoke the IFE Certificate on any of the grounds provided for in Section 15(2) of the Act, being MCL 207.565, which includes a finding by the Village that the:

- a. Completion of the New Facility has not occurred within 2 (two) years of the effective date of the IFE Certificate, unless a greater time has been authorized by the Commission for good cause;
- b. Replacement, Restoration, or Construction of the New Facility has not occurred within 6 (six) years of the effective date of the IFE Certificate, unless a greater time has been authorized by the Commission for good cause; or
- c. Purposes for which the IFE Certificate was issued are not being fulfilled as a result of a failure of the holder to proceed in good faith with the replacement, restoration, or construction and operation of the New Facility in a manner consistent with the purposes of the Act and in the absence of circumstances that are beyond the control of the holder.

5. Payment of Exempted Taxes for Shortfall of Employment.

If after two (2) years of completion of the Restoration, Replacement, or Construction of a New Facility on the Property the average number of full-time employees at the Property for any given year is less than the number of full-time employees set forth in section 1.c. above, the Applicant agrees to pay the Village, in addition to the Industrial Facilities Tax due under the IFE Certificate on the Property, an amount equal to the difference between the amount of ad valorem tax otherwise due on the Property without the IFE Certificate, and the amount of Industrial Facilities Tax due on the Property under the IFE Certificate, for that given year, multiplied by a fraction, the numerator of which is the shortfall in the number of full-time employees indicated in the status Report, and the denominator of which is the total number of full-time employees set forth in Section 1.c. above. Prior to taking any action to require the Applicant to pay the amount to the Village in addition to the Industrial Facilities Tax pursuant to this Section, the Village will afford the Applicant an opportunity to present at a public hearing reasons for the employment shortfall.

In the event that the Applicant fails to report the number of full-time employees at the Property for a given year in either the Status Report by October 15, as set forth in section 3.b., the Village shall provide written notice to the Applicant that the number of full-time employees at the Property has not been reported. If the Applicant does not report the number of full-time employees at the Property within thirty (30) days of receipt of such notice, the number of full-time employees at the Property for purposes of this Section shall be deemed zero (0).

6. Notice to the Village of Discontinuance of Operations.

If during the term of the IFE Certificate the Applicant discontinues operations at the Property, the Applicant will take affirmative steps to provide thirty (30) days prior written notice of such shutdown of operations to the Village Manager.

In the event that Applicant relocates, closes the New Facility at the Property, or discontinue operations, the Applicant shall pay to the affected taxing units an amount equal to the taxes Applicant would have paid had the IFE Certificate not been in effect.

7. Reservation of Remedies.

Furthermore, pursuant to Section 22 of the Act, being MCL 207.572, the IFE Certificate is revoked if the eligible next Michigan business is determined to be in violation of the provisions of the written agreement, and the eligible next Michigan business may be required to repay all or part of the benefits received under the Act if the eligible next Michigan business is determined to be in violation of the provisions of the written agreement.

Invalidation of any of the provisions contained in this Agreement by operation of law, judgment, court order, or otherwise shall not invalidate any of the other provisions of this Agreement.

The Village and the Applicant agree that the provisions of this Agreement are for the sole benefit of the Village and the Applicant. Nothing in this Agreement shall be deemed to create any right in a person not a party hereto and this Agreement shall not be construed in any respect to be a contract in whole or in part for the benefit of any third party. This Agreement is not intended, nor shall it be deemed or construed to, amend, alter, or affect any labor agreement to which the Applicant is a party.

8. Force Majeure.

After the completion of construction of the New Facility, the Applicant shall not be considered to be a default under this Agreement as a result of any force majeure event that is beyond the reasonable control of the Applicant, including, severe and unusual weather, acts of God, war, explosion, riot, acts of civil

disobedience or sabotage, strikes or work stoppages, or natural disaster catastrophe. For purposes of this Agreement, the COVID 19 pandemic is not considered a force majeure event.

9. Transfer.

The IFE Certificate may be transferred and assigned by the Applicant to a new owner of the Property if the Village, in its sole discretion, approves the transfer of the IFE Certificate after application by the new owner, for purposes of this section, a transfer of the Property shall include any sale of the property or lease of more than fifty percent (50%) of the total usable space of the Property for a period longer than five (5) years.

10. Headings.

The headings contained in this Agreement are for descriptive purposes only, and do not alter or govern the substantive content of the provisions of this Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the Village and the applicant, by and through its officers and representatives, have executed this Agreement as follows:

APPLICANT:
WELCH FOODS, INC., a COOPERATIVE

By: _____
Print: _____
Its: _____

VILLAGE OF LAWTON:

By: _____
Print: _____
Its: _____

THIS AGREEMENT IS NOT EFFECTIVE OR VALID UNTIL AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE IS APPROVED BY THE MICHIGAN STATE TAX COMMISSION

4882-1982-3898 v1 [94618-1]

**VILLAGE OF LAWTON
COUNTY OF VAN BUREN
STATE OF MICHIGAN**

RESOLUTION NO. 07-2022

RESOLUTION TO SET RATES FOR OAK GROVE CEMETERY

At a regular meeting of the Village Council for the Village of Lawton, Michigan, held virtually from the Lawton Village Hall in Lawton, Michigan, on the 12th of April 2022, at 7:00 p.m.

PRESENT:

ABSENT:

The following Resolution was offered by Councilperson _____ and supported by Councilperson _____.

RESOLUTION

WHEREAS, the Village operates and maintains one cemetery, Oak Grove Cemetery, located in the Village of Lawton at the corner of E Second Street and 29th Street; and

WHEREAS, the Village of Lawton Cemetery Ordinance prescribes that the Village Council, by resolution, may periodically set and adjust the fee for burial spaces to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition; and

WHEREAS, the Village of Lawton Cemetery Ordinance Cemetery Ordinance also prescribes that any fee for the opening and closing of any burial space shall be determined from time to time by resolution of the Village Council; and

WHEREAS, the current rates for burial spaces and opening and closing of burial spaces have been in effect for a lengthy period of time and should be increased to keep pace with the rising cost of providing cemetery services; and

NOW THEREFORE BE IT RESLOVED, the that the following rates shall be in effect for cemetery services upon the adoption of this resolution:

1. The cost of each burial space shall be \$500.00 for a Village of Lawton resident and \$1,200 for a non-resident.
2. The cost of interment of a standard burial (casket) for a resident of the Village of Lawton (opening and closing of grave) shall be \$500.00, and the cost of interment of a standard burial (casket) for a non-resident of the Village (opening and closing of grave) shall be \$600.00. The cost of interment of a standard burial (casket) for a child (opening and closing of grave) shall be \$350.00.

3. The cost of interment of cremains (opening and closing of grave) for a resident of the Village of Lawton shall be \$200.00, and the cost of interment of cremains (opening and closing of grave) for a non-resident of the Village shall be \$300.00,
4. Any burial held on a Saturday or Sunday will have an additional cost of \$200.
5. Any burial held on a Holiday will have an additional cost of \$400.
6. There is an additional Winter Charge of \$300 to hold a burial between December 1 to April 1.
 1. No winter burials will occur after 2:00 pm.
7. Foundations for headstones are set by the Village of Lawton and are .65 cents per square inch and require a 2” outside boarder beyond the headstone.

THIS RESOLUTION is hereby approved by roll call vote:

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 12th day of April, 2022

VILLAGE OF LAWTON

BY: _____
 Josh Appleby, Village President

BY: _____
 Brittany Rathbun, Village Clerk

CERTIFICATION

I, Brittany Rathbun, the duly appointed Clerk of the Village of Lawton, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Lawton Village Council at a regular meeting held April 12, 2022, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

VILLAGE OF LAWTON

BY: _____
 Brittany Rathbun, Village Clerk

CHAPTER 90: CEMETERIES

Section

90.01 Authority to establish

90.02 Cemetery regulations

90.99 Penalty

§90.01 AUTHORITY TO ESTABLISH.

(A) The Village Council shall, from time to time, make and adopt rules and regulations for the management and control of Oak Grove Cemetery to effectuate the purposes expressed herein.

(B) These rules and regulations shall be known as "cemetery regulations" and are set out in §90.02.

(C) The Village Clerk shall keep copies of the cemetery regulations available for distribution to the public, as well as keep a permanent copy of the cemetery regulations open to inspection by the public at all times.

(D) Any alterations, amendments or other changes to the cemetery regulations shall be published, once, in a newspaper having a general circulation in the Village.
(Ord. 45, passed 2-14-1995) Penalty, see §90.99

§90.02 CEMETERY REGULATIONS.

(A) *General.*

(1) These regulations are for the management and control of Oak Grove Cemetery and are subject to change as revisions are deemed appropriate by the Village Council under the terms hereof.

(2) The intent is to guard and preserve the rights and interest of all grave owners and to keep attractive the grounds, where, in quiet dignity, are placed the mortal remains of loved ones.

(B) *Forward.*

(1) Oak Grove is a perpetual care cemetery. The term **PERPETUAL CARE** is intended to cover the basic care of the graves therein: cleaning in the spring, mowing and trimming the grass at reasonable intervals during the summer, removing leaves in the fall and the care of shrubs and trees as may be necessary.

(2) It is intended that this care shall continue forever without further charge to any grave owner(s), unless changed by the Village Council at some future date.

(3) At the present time, the cost of this perpetual care is partially covered by the grave charge and the grave opening fees, with the village contributing the remainder.

(C) *Graves.*

(1) The price of graves shall be as established by the Village Council from time to time.

(2) Resident price applies for personal use only by a Village resident and/or an immediate family member and is limited to the number of persons living in the household at the time of purchase.

(3) Graves are sold only on a cash basis and purchases are made through the Village Clerk's office.

(4) Graves may be conveyed by deed, issued by the Cemetery Board (consisting of the Village Clerk and the Village President), which shall secure to the purchaser, their families or heirs, a burial place forever, subject to the rules and regulations as are now in force or may be adopted from time to time by the Cemetery Board or Village Council.

(5) The cost of each deed, for a single grave site or multiple grave sites, shall be as established by the Village Council from time to time and on file at the office of the Village Clerk.

(6) Any owner, having no further use for any grave(s), may dispose of the same only through the Cemetery Board at the original purchase price.

(7) Owners of graves shall have the right to give permission, by written order, for the burial of the remains of other than their immediate families, but not for profit.

(8) No more than one regular burial shall be made in the same grave, except of an adult and an infant. Additionally, cremations may be interred as space allows.

(9) No grave site shall be used for other than the burial of human remains.

(D) *Grave openings.*

(1) Grave openings are priced as established by the Village Council from time to time.

(2) Fees must be paid at the time of burial.

(3) When a grave opening is ordered, it is important that the precise location be given by either a family member or the Funeral Director handling arrangements; the Cemetery Board cannot be held responsible for any misunderstanding.

(4) Notice for grave openings should be given at least 24 hours in advance of the time scheduled for the burial.

(5) No burial shall be made in Oak Grove Cemetery (other than for cremation) without the use of an outer burial receptacle that meets national standards.

(6) No person other than a Village employee or a Village contractor shall open any grave site or do any excavating within the cemetery.

(E) *Monuments and markers.*

(1) The use of granite, marble or bronze for monuments is suggested and strongly urged, since they are highly durable and long-lasting materials. The choice, however, of the material used remains the prerogative of the purchaser.

(2) Upright grave markers shall be limited to one per grave; placed at the head of the grave and in alignment with all others. Any additional markers for multiple burials on one grave site shall be flush with the turf.

(3) The placement of a family monument for multiple graves is subject to approval by the Cemetery Sexton.

(4) All monuments and grave markers must be located on a suitable foundation, two inches on all sides larger than the monument or marker's base.

(5) All foundations will be built by the Village or monument company. Village-built foundations will be billed per square inch at a price that is determined from time to time.

(F) *Ground maintenance.*

(1) The Village-appointed Sexton will supervise all maintenance work, burials, setting of memorial markers and the general care of the cemetery such as mowing, pruning and removal of trees/shrubs and ground clean up.

(2) Any improvement contemplated by a grave owner shall be first discussed with the Sexton for consideration and approval.

(3) No grave, lot or parcel of land shall be defined by any fence, railing, edging, hedge, flower-border, embankment or depression. No grading, leveling or excavation upon any grave is allowed.

(G) *Plantings, decorations and displays.*

(1) The following restrictions apply.

(a) No ground plantings, decorative stone, wood chips or loose artificial material will be allowed.

(b) Wreaths, flower urns, single hooks holding one basket and ornamental statues shall be limited to one per grave and must be placed on either side or immediately in front of the marker. Two flower urns may be used, one on each side, or directly in front of a marker designating multiple burials.

(c) Bouquets of cut flowers in an appropriate receptacle, not directly in the soil, shall be limited to one per grave and must be aligned with or immediately in front of the marker.

(d) Plantings, decorations and displays in excess of these restrictions will be removed and disposed of by village personnel.

(2) As soon as flowers, wreaths, displays and the like used at funerals or placed on graves at other times become faded or unsightly, they will be removed. Responsibility for the same will not be assumed by the village or its personnel. All winter wreaths and decorations must be removed by April 15 each year to allow for the spring clean up of cemetery grounds. After that date, the winter decorations will be removed by the village personnel.

(H) *Miscellaneous.*

(1) There shall be no loitering on the cemetery grounds. Pets are not permitted within the cemetery.

(2) The diamond-shaped sections between the circles or part-circles are not platted and are reserved by the village for the planting of shrubbery and trees.

(3) The possession of firearms and air-rifles within the cemetery grounds is forbidden, except that military or other patriotic organizations may carry arms for the purpose of firing a salute over the grave at the burial of a member, or in the observance of an appropriate national holiday.

(4) The use of recreational vehicles within the cemetery is prohibited.

(5) The Sexton and his or her assistants shall have the right to trap and dispose of dogs, cats and other predatory animals within the cemetery grounds when, in their judgment, such is necessary for the best interests of the cemetery.

(6) Cemetery records shall be complete in detail and open to public inspection during normal working days upon sufficient notification. They shall contain information as to the ownership of lots and all grave locations.

(7) The Village Clerk and the Sexton shall have complete records and the Sexton shall be responsible for keeping the same up-to-date.
(Ord. passed 3-12-2007) Penalty, see §90.99

§90.99 PENALTY.

(A) Any person violating the provisions of this Chapter shall, upon being determined responsible, be guilty of a municipal civil infraction.

(B) The Village may also enforce the provisions of this Chapter in an appropriate Court by injunctive relief or other available equitable or legal remedy.

(C) Each day on which a violation shall occur, or continue to occur, shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Village may recover reasonable attorney fees, court costs, court reporter's fees and other expenses of litigation by appropriate Court action against the person found to have violated the chapter or the orders, rules, regulations and permits issued thereunder.

**VILLAGE OF LAWTON
COUNTY OF VAN BUREN
STATE OF MICHIGAN**

RESOLUTION NO. 08-2022

A RESOLUTION TO APPROVE TRAFFIC CONTROL ORDER #01-22

**AUTHORIZING “NO STOPPING, STANDING OR PARKING” SIGNS BETWEEN THE
HOURS OF 7:30 AM AND 3:30 PM ON SCHOOL DAYS” ON THE NORTH SIDE OF E.
SECOND STREET FROM NURSERY STREET TO QUINCY STREET**

At a regular meeting of the Village Council for the Village of Lawton, Michigan, held virtually from the Lawton Village Hall in Lawton, Michigan, on the 12th of April 2022, at 7:00 p.m.

PRESENT:

ABSENT:

The following Resolution was offered by Councilperson _____ and supported by Councilperson _____.

RESOLUTION

WHEREAS, the Uniform Traffic Code allows for placement of “No Stopping, Standing or Parking Signs” under section 257.606 and 257.71 of the Michigan Vehicle Code, Act 300 of 1949 et al.; and

WHEREAS, the Village of Lawton Police Chief has responded to concerns regarding traffic and parking near the elementary school and is recommending Traffic Control Order #01-22; and

WHEREAS, Traffic Control Order #01-22 provides that “No Stopping, Standing or Parking Signs between the hours of 7:30 am and 3:30 pm on school days” will be placed on the north side of E. Second St. from Nursery Street to Quincy Street; and

WHEREAS, the purpose of these signs will be to provide greater visibility for school children crossing E. Second Street and to facilitate a smooth traffic flow during school drop-off times; and

NOW, THEREFORE, BE IT RESOLVED, the Village Council does hereby authorize the Police Chief to issue Traffic Control Order #01-22, of which it will become effective immediately upon signage placement; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that any previous traffic control orders conflicting with Traffic Control Order #01-22 are hereby rescinded and superseded.

THIS RESOLUTION is hereby _____ by roll call vote:

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 12th day of April 2022

VILLAGE OF LAWTON

BY: _____
Josh Appleby, Village President

BY: _____
Brittany Rathbun, Village Clerk

CERTIFICATION

I, Brittany Rathbun, the duly appointed Clerk of the Village of Lawton, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Lawton Village Council at a regular meeting held April 12, 2022, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

VILLAGE OF LAWTON

BY: _____
Brittany Rathbun, Village Clerk

**VILLAGE OF LAWTON
COUNTY OF VAN BUREN
STATE OF MICHIGAN**

RESOLUTION NO. 09-2022

**ESTABLISHMENT OF VILLAGE OF LAWTON PLANT REHABILITATION DISTRICT
("LAWTON PRD 2022") AND APPROVAL OF INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE FOR WELCH FOODS, INC.,**

At a regular meeting of the Village Council for the Village of Lawton, Michigan, held virtually from the Lawton Village Hall in Lawton, Michigan, on the 12th of April 2022, at 7:00 p.m.

PRESENT:

ABSENT:

The following Resolution was offered by Councilperson _____ and supported by Councilperson _____.

RESOLUTION

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on April 12, 2022, this Village Council by resolution established the Lawton Plant Rehabilitation District ("**Lawton PRD 2022**"); and

WHEREAS, Welch's has filed an application for an Industrial Facilities Exemption Certificate with respect to facility improvements and equipment to be constructed and installed within the Lawton PRD 2022; and

WHEREAS, before acting on said application, the Village of Lawton, Michigan ("**Village**") held a hearing on April 12, 2022, at the Village Council Meeting 125 S. Main Street, Lawton, MI at 7:00 pm, at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of the facility improvements and installation of new machinery and equipment had not begun earlier than six (6) months before April 12, 2022, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create and prevent the loss of employment in the Village of Lawton; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Village of Lawton, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Village Council of the Village of Lawton, Michigan that:

1. The Village Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act

No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the Village, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in Village of Lawton.

2. The application from Welch’s for an Industrial Facilities Exemption Certificate, with respect to a New Facility on the following described parcel of real property situated within the Industrial Development District, to wit:

989 32-3-13 THAT PART OF SEC 32 LYING WLY OF MAIN STREET, SLY OF WHITE OAK ROAD ELY OF WALKER STREET AND NLY OF RR ROW. ALSO, LOTS 13,14 & 15 OF BLOCK 2 OF THE FURNACE ADD. BEING ALL OF BLOCK 1 OF FURNACE ADD, ALL OF HIGHT'S ADD, VACATED SEWARD STREET AND UNPLATTED LAND. COMBINATION OF: 80-45-300-001-00, 80-45-300-003-00, 80-45-300-005-00, 80-45-300-006-00, 80-45-300-007-00, 80-45-300-008-00, 80-45-300-014-00, 80-45-300-015-00, 80-45-300-016-00, 80-45-400-001-00, 80-45-700-084-00, 80-45-700-085-00 AND 80-45-700-085-10.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of twelve (12) years after completion.

THIS RESOLUTION is hereby _____ by roll call vote:

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 12th day of April 2022

VILLAGE OF LAWTON

BY: _____
Josh Appleby, Village President

BY: _____
Brittany Rathbun, Village Clerk

CERTIFICATION

I, Brittany Rathbun, the duly appointed Clerk of the Village of Lawton, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Lawton Village Council at a regular meeting held April 12, 2022, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

VILLAGE OF LAWTON

BY: _____
Brittany Rathbun, Village Clerk



March 18, 2022

Village of Lawton
125 S. Main Street
Lawton, MI 49065

Attention: Lisa Imus, Village Manager

**RE: MORRILL STREET SEWER EXTENSION
RECOMMENDATION FOR AWARD**

Dear Ms. Imus:

I have tabulated the bids for the above-mentioned project and have found Balkema Excavating, Inc. to be the low responsive bidder, with a base bid in the amount of \$45,505.00. It is our recommendation that the Village of Lawton accept this bid contingent upon the receipt of the required bonding and insurance.

In addition, Balkema Excavating, Inc. has provided all required bid documents per the contract requirements. Please find the bid tabulation of the three low bids for this project enclosed for your records.

If you have any questions concerning this matter, please feel free to call.

Very truly yours,

Paul Harvey, P.E., Project Manager
pharvey@gowightman.com

ALLEGAN

- ▲ 1670 LINCOLN RD. (M-40)
ALLEGAN, MI 49010
- 269.673.8465

BENTON HARBOR

- ▲ 2303 PIPESTONE RD.
BENTON HARBOR, MI 49022
- 269.927.0100

KALAMAZOO

- ▲ 433 E. RANSOM ST.
KALAMAZOO, MI 49007
- 269.327.3532

ROYAL OAK

- ▲ 306 S. WASHINGTON AVE., SUITE 200
ROYAL OAK, MI 48067
- 248.791.1371

Village of Lawton
Morrill Street Sewer Extension Project

PART 8
PROPOSAL

To the Owner: Village of Lawton
125 S. Main Street
Lawton, MI 49065

Contractor: Balkema Excavating, Inc
Contact: Timothy J Balkema
Official Address: 1500 River Street
Kalamazoo, MI 49048
Phone: 269.345.5289
Fax: 269.345.1137
Email: tbalkema@balkemaexc.com

The undersigned, having familiarized himself with the local conditions affecting the cost of the work, and with the Contract documents, including the Advertisement for Bids, Instructions to Bidders, General Conditions, Plans, General Specifications, Project Specifications, Contract, Proposal, Performance Bond, and Addenda and exhibits issued and attached to the specifications on file in the office of the ENGINEER, hereby propose to perform everything required to be performed and to provide and furnish all of the labor, materials, necessary tools, expendable equipment, and all utility and transportation services necessary to perform and complete in a workmanlike manner all work required for the construction and completion of this project for the ENGINEER, all in accordance with the above, including Addenda Nos. _____, issued thereto, for the prices, to wit:

(the proposal section follows)

**Village of Lawton
Morrill Street Sewer Extension Project**

PROPOSAL BID SHEET

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	1	LS	Mobilization, Max \$3,500	\$3,500.00	\$3,500.00
2	180	SYD	Aggregate Base, 8 inch	\$13.00	\$2,340.00
3	10	TON	Maintenance, Gravel	\$30.00	\$300.00
4	180	SYD	HMA Surface, Rem	\$25.00	\$4,500.00
5	35	TON	HMA, 4EL	\$210.00	\$7,350.00
6	1	LS	Maintaining Traffic	\$2,600.00	\$2,600.00
7	120	SYD	Slope Restoration, Non-Freeway, Type B	\$5.00	\$600.00
8	50	FT	Copper Water Service Pipe, 1 inch	\$22.00	\$1,100.00
9	1	EA	Water Service, 1 inch	\$2,120.00	\$2,120.00
10	1	EA	Sanitary Structure, 48 inch dia	\$3,850.00	\$3,850.00
11	3	FT	Sanitary Structure, Add Depth of 48 inch dia, 8 foot to 15 foot	\$155.00	\$465.00
12	1	EA	Sanitary Structure Cover, Type Q	\$900.00	\$900.00
13	40	FT	Sanitary Sewer, Serv Lead, PVC, 6 inch	\$70.00	\$2,800.00
14	120	FT	Sanitary Sewer, PVC, 8 inch, Tr Det B2	\$100.00	\$12,000.00
15	1	EA	Sanitary Sewer, Cleanout, 6 inch	\$1,080.00	\$1,080.00
TOTAL BID ENTERED				\$	45,505.00

Village of Lawton
Morrill Street Sewer Extension Project

Accompanying this Proposal is a (Bid Bond, Certified Check, Bank Draft) in the amount of Five Percent (5%) payable to the Village of Lawton required by the Advertisement for Bids.

In submitting this bid, it is understood that the right is reserved for the ENGINEER to reject any and all bids. It is agreed that this bid may not be withdrawn for a period of ninety (90) days from the opening thereof.

If awarded a Contract, the undersigned agrees to begin work within 10 days of the effective date of Contract or a date agreed upon with the OWNER and further agrees to proceed with all possible dispatch, and fully complete the work as detailed in the Progress Schedule.

March 18, 2022

DATE

OFFICIAL ADDRESS:

1500 River Street

Kalamazoo, MI 49048

Balkema Excavating, Inc.

FIRM NAME


BY: President

(Note: Bidders should not add any conditions or qualifying statements to the bid as otherwise the bid may be declared irregular as being not responsive to the Advertisement for Bids.)

Village of Lawton
Morrill Street Sewer Extension Project

NON-COLLUSION AFFIDAVIT

STATE OF Michigan)
) SS
COUNTY OF Kalamazoo)

The undersigned bidder or agent being duly sworn on oath says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or Agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding and that this bid is made without reference to any other bid and without any Agreement, understanding or combination with any other person in reference to such bidding in any way or manner whatever.

Daniel Balkema President

BIDDER OR AGENT

Balkema Excavating, Inc.

FIRM OR CORPORATION

Subscribed and sworn to before me this 18th day of March, 2020.

KENNETH J. HAAN
NOTARY PUBLIC, STATE OF MI
COUNTY OF KALAMAZOO
MY COMMISSION EXPIRES Apr 2, 2026
ACTING IN COUNTY OF Kalamazoo

Kenneth J. Haan, Notary Public
My Commission Expires: 4/2/2026



BID BOND

KNOW ALL MEN BY THESE PRESENTS: That we Balkema Excavating, Inc , 1500 River Street , Kalamazoo, MI 49048 hereinafter referred to as the Principal, and Western Surety Company as Surety, are held and firmly bound unto Village of Lawton, 125 S Main Street, Lawton, MI 49065 hereinafter referred to as the Obligee, in the amount of **Five Percent of Bid (5% of Bid)** for the payment of which we bind ourselves, our legal representatives, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has submitted or is about to submit a proposal to Obligee on a contract for
Morrill Street Sewer Extension Project

NOW, THEREFORE, if the said contract be awarded to Principal and Principal shall, within such time as may be specified, enter into the contract in writing and give such bond or bonds as may be specified in the bidding or contract documents with surety acceptable to Obligee; or if Principal shall fail to do so, pay to Obligee the damages which Obligee may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall be void; otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED this **18th** day of **March , 2022**

Principal
Balkema Excavating, Inc

BY: Daniel Bellman PRESIDENT

Surety
Western Surety Company

BY: Marcia J. Miller
Marcia J Miller Attorney-in-Fact

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

David G Chapman, Robert G Chapman, Cloyd W Barnes, Nathan G Chapman, Marcia J Miller, Curtis M Peterson, Ryan Peterson, Individually

of Lansing, MI, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 24th day of February, 2022.



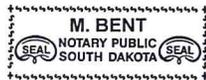
WESTERN SURETY COMPANY

Paul T. Bruflat
Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 24th day of February, 2022, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
March 2, 2026



M. Bent
M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 18th day of March, 2022.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary



December 28, 2021

Village of Lawton
125 S. Main Street
Lawton, MI 49065

Attention: Ms. Lisa Imus, Village Manager

RE: PROPOSAL FOR ENGINEERING SERVICES – CONTRACT DOCUMENTS FOR CDSMI VERIFICATION PROJECT

Dear Ms. Imus:

Wightman is a full-service consulting firm that exists to serve people and the communities we live in. Our dynamic team of over 140 professionals works to analyze, advise, design, and deliver successful projects in partnership with governments, businesses, and institutions in our communities. Becoming trusted advisors and true partners guides our actions.

Section I – Project Goals

The goal of this project is to select, investigate, and document 20% of the Village’s drinking water service lines of “unknown” material in accordance with the Complete Distribution System Materials Inventory (CDSMI) administered by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

Section II – Scope of Services

The water services to be investigated will be chosen randomly and undergo a three (in some cases, four) point inspection. To accomplish the investigations; specifications, a system of documentation, bidding documents, and a project contract are required.

Wightman will begin creation of project specifications which will describe how water services are to be investigated, including excavation, inspection, and restoration. In addition, data collection requirements will be defined, and a detailed inspection location map will be created. Bidding and contract documents will be created for the procurement of a contractor via the typical public bidding process.

Wightman will coordinate and attend a Pre-Inspection Meeting with the Village and Contractor. Any troubleshooting and/or training of the Data Collection System (Survey123) is included in the Scope of Services. Lastly, investigation findings will be organized and provided to the Village.

Additional work is expected to accommodate EGLE’s requirements and subsequent submittals in the future. Unfortunately, the extent of these requirements has not yet been announced by the State. At the completion of the above Scope of Services, Wightman will continue to serve the Village on a Time and Materials (T&M) basis until a new proposal reflecting EGLE requirements can be submitted for consideration.

ALLEGAN

▲ 1670 LINCOLN RD. (M-40)
ALLEGAN, MI 49010

○ 269.673.8465

BENTON HARBOR

▲ 2303 PIPESTONE RD.
BENTON HARBOR, MI 49022

○ 269.927.0100

KALAMAZOO

▲ 433 E. RANSOM ST.
KALAMAZOO, MI 49007

○ 269.327.3532

ROYAL OAK

▲ 306 S. WASHINGTON AVE., SUITE 200
ROYAL OAK, MI 48067

○ 248.791.1371

Section III - Fees

We propose to complete the above scope of services for the following fees:

Distribution Materials Inventory (Lump Sum): \$11,600
Project Documents for Service Investigations
Data Collection System Utilizing Survey123
Bidding Documents and Administration

Construction Administration (Estimated Fee, T&M): \$1,500
Pre-Inspection Meeting
Reporting Results, Training, and Troubleshooting

You should budget an additional 4% to 6% of the fee listed above for reimbursable expenses. A schedule of eligible expenses is listed in the attached Terms and Conditions document.

Section IV – Schedule

Wightman can begin work immediately upon receipt of approval to proceed. Wightman and the Village shall determine appropriate schedule to ensure the project is complete in 2022.

Section V – Terms and Conditions

Our Standard Terms and Conditions are attached.

If you have any questions, please feel free to contact the undersigned at your convenience.

Sincerely,

WIGHTMAN



Paul Harvey, P.E.
pharvey@gowightman.com

This proposal is approved and accepted by:

By: _____
Signature

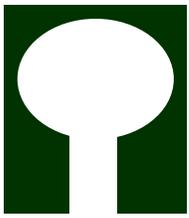
Date: _____

By: _____
Printed Name

Title: _____

Client/Company Name and Address (Billing)





DIXON

**ENGINEERING & INSPECTION SERVICES
FOR THE COATING INDUSTRY**

1104 Third Avenue
Lake Odessa, MI 48849
Telephone: (616) 374-3221
Fax: (616) 374-7116

December 22, 2021

Mr. Todd Hackenberg, Supt. of Public Works
City of Lawton
287 E Huron Ave
Lawton, MI 49065

Subject: Inspection Services Proposal for 500,000 Gallon Spheroid Elevated Tank

Dear Mr. Hackenberg:

Enclosed is a maintenance proposal for a drained inspection of the 500,000 gallon spheroid. With a drained inspection, the fee is estimated because the amount of cleaning required is unknown. A typical estimate for cleaning time is based on our experience with similar sized tanks.

Our Proposal/Contract form consists of the Contract Provisions and Schedules A, B, and C. Schedule A includes a detailed Scope of Services for both the Owner and DIXON. Schedule B includes fees and terms of payment. Schedule C provides billing rates for additional services that may be provided during the inspection. The Proposal/Contract form becomes a Contract when the proposal is accepted and signed by the Owner, and then signed by DIXON.

We appreciate the opportunity to submit this proposal. If you have any questions, please feel free to contact me at (616) 292-1288 or eric.binkowski@dixonengineering.net.

FOR DIXON ENGINEERING, INC.,

Eric Binkowski
Project Manager

Enclosure



DIXON

**ENGINEERING & INSPECTION SERVICES
FOR THE COATING INDUSTRY**

1104 Third Avenue
Lake Odessa, MI 48849
Telephone: (616) 374-3221
Fax: (616) 374-7116

**SHORT FORM OF AGREEMENT
BETWEEN OWNER AND DIXON
FOR PROFESSIONAL SERVICES
500,000 Gallon Spheroid, #22-80-04-02**

THIS IS AN AGREEMENT effective as of _____ (“Effective Date”) between City of Lawton, Michigan (“Owner”) and Engineer (“Dixon Engineering, Inc.”).

1.01 SIGNATURES:

Eric Binkowski, Project Manager

December 22, 2021

PROPOSED by DIXON (not a contract until approved by Project Manager or Officer)

Proposal Date

CONTRACT Approved by Owner

Position

Date

CO SIGNATURE (If Required)

Date

CONTRACT APPROVED by DIXON PROJECT MANAGER

Date

Address for OWNER’S receipt of Notices

Address for DIXON’S receipt of Notices

1104 Third Avenue
Lake Odessa, MI 48849

1.02 CONTRACT/PROPOSAL:

- A. Signatures acknowledge that this Contract consists of **10** pages.
- B. Owner’s Project, of which DIXON’s services under this Agreement are a part, is generally identified as follows: **500,000 Gallon Spheroid Elevated Tank** (“Project”).
- C. DIXON’s services under this Agreement are generally identified as follows, and further definition of Services by both Owner and DIXON are included as **Maintenance Inspection Services (Dry) per Schedule A**

SCHEDULE A
Maintenance Inspection (Dry)
500,000 Gallon Spheroid, #22-80-04-02
Lawton, Michigan

A. Scope of Services Performed by Owner (Drained):

1. Provide scheduling for mutually agreeable inspection date.
2. Provide access to DIXON personnel to all areas scheduled for inspection.
3. Provide insurance for Owner's personnel. They are not covered by DIXON's insurance.
4. Drain the water storage tank (hereinafter referred to as tank) prior to the arrival of DIXON. (Arrival time to be mutually agreed upon by the Owner and DIXON.)
5. Provide for the use of the Inspector a source of water. This can either be a hydrant or hose bib supply. A community fire truck can be provided if needed. (Fire truck does not reduce time, unless tank is a large reservoir.)
6. The Owner is not required to provide personnel to climb the tank; however, a hard hat is required on this employee and any employee on the ground. DIXON does carry additional safety harnesses which can be used by the Owner's personnel; however, if the tank contains a fall prevention device, that device should be used. DIXON personnel carry their own personal safety equipment for that purpose. DIXON will assist the Owner's personnel in inspecting the exterior of the tank on the roof. If there is a bottom manhole into the wet interior, or a ladder from the roof manhole, the Owner's personnel may enter. If DIXON is required to rig the tank using their own rope ladder and/or rigged line for descent, the Owner's personnel will not be allowed access.
7. Perform bacteriological testing after completion of the inspection. Two (2) consecutive samples are recommended at 24-hour intervals per AWWA C-652 Chlorination Method No. 3
8. Operate the system without the tank in-service. This includes operation and monitoring of pressure relief valves, if necessary.

B. Scope of Services Performed by DIXON (Steel – Drained):

1. Clean interior surfaces of the tank with high pressure water. Cleaning is necessary for the inspector to be able to remove sediment. This allows DIXON the ability to see any deterioration of the steel, pitting, etc. High pressure water also enables DIXON to perform a very low-cost adhesion test on the remaining coating. DIXON would notice if the coating were wavering, etc., which would indicate very poor adhesion and anticipated failure. The amount of sediment and water removed from a torus tank depends upon the Owner's preference.

2. Inspect the tank's interior coating for remaining intactness and anticipated life. Review all interior girders and appurtenances for possible structural damage from icing or corrosion.
3. Review all interior surfaces for corrosion and/or damage and quantify damage for repairs. All repairs are to be quantified by extrapolation of a measured area. All quantities are estimates (usually high) because corrosion will continue between inspection and repair.
4. Inspect the exterior coating and perform ASTM adhesion tests where coating adhesion is questionable. If it is evident that repainting is not necessary for several years, no destructive adhesion tests will be performed.
5. Review all exterior appurtenances for damage due to corrosion.
6. Review the exterior of the exposed foundations.
7. Review all safety requirements for ladders, cages, etc.
8. Review all health requirements of the tank, including screening of the vent, overflow pipe, and other possible contamination sources. Notification of failed areas will be provided to the Owner on site.
9. Prepare a report documenting all items found and recommendations for repair, including budgetary items. The engineering report is to include: Conclusions and recommendations, base report, and digital photographs with descriptions.
10. Chlorinate the tank per AWWA Method No. 3 C-652. Reinstall manhole cover. This item may be relocated to the Scope of Services Performed by Owner, if thus contracted.

SCHEDULE B
Maintenance Inspection (Dry)
500,000 Gallon Spheroid, #22-80-04-02
Lawton, Michigan

1. Payment for cleaning the interior of the tank as described in Schedule A, Item 1, Scope of Services Performed by DIXON is **\$325.00** per hour with an estimate of **2** hours (**\$650.00**). Time will not be exceeded without authorization of the Owner. This is estimated because DIXON cannot estimate the amount of sediment or time necessary for removal. The degree of cleanliness (i.e. 95% removal of the sediment, etc.) will be established between DIXON and the Owner prior to cleaning of the tank. DIXON will supply personnel based on the anticipated work and time.
2. Payment for Schedule A, Items 2 through 9, travel time, and preparation of report is a lump sum amount of **\$3,550.00**.
3. Payment for furnishing and applying the chlorine, Schedule A, Item 10 is **\$50.00**.
4. All DIXON service invoices which are outstanding more than sixty (60) days from invoice date shall be assessed (DIXON's favor) one percent (1%) per month interest from date thirty days after invoice date.

SCHEDULE C
Michigan
Employee Billable Rates and Terms

<u>Labor Class</u>	<u>Per Hour</u>	<u>Overtime Rate</u>
Principal.....	\$265.00	
Project Manager.....	\$160.00	\$240.00
Engineer.....	\$165.00	\$248.00
CWI Welding RPR.....	\$160.00 – \$175.00	\$240.00 – \$263.00
DIXON Level 3 or NACE certified Level 3 RPR	\$110.00 – \$145.00	\$165.00 – \$217.00
DIXON Level 2 or NACE Level 2 RPR	\$100.00 – \$125.00	\$150.00 – \$188.00
DIXON Level 1 or NACE Level 1 RPR	\$90.00 – \$109.00	\$135.00 – \$164.00
Contract Support Staff.....	\$115.00 – \$140.00	\$173.00 – \$210.00

<u>Expenses</u>	<u>Metropolitan</u>	<u>Out-State</u>
Mileage.....	\$0.75/mile + tolls	\$0.65/mile
Lodging.....	\$148.00 per diem	\$138.00 per diem
Meals.....	\$48.00 per diem	\$41.00 per diem

FEES EFFECTIVE THROUGH: December 31, 2021

(Revised: 8/6/2020)

PLANNING COMMISSION ANNUAL REPORT



2021

MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION

1. Introduction

The Planning Commission is an administrative body of seven residents comprised of six appointed officials and one elected official. The Planning Commission (PC) holds regular monthly meetings on the first Tuesday of the month at 7 pm and is tasked with reviewing applications for site plan review, special land uses, planned unit developments, and rezoning's. The PC also is required to hold the necessary public hearings for zoning text amendments and is entrusted to incorporate the application of policies initiated in the Zoning Ordinance while reviewing development decisions.

2. Purpose of Annual Report

- The Michigan Planning Enabling Act contains language of the requirement of the Planning Commission to prepare an annual report to the Village Council: "A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development."
- Increases information-sharing between staff, boards, commissions, and the governing body.
- Allows for anticipation of upcoming issues and priorities, in order to prepare and budget.
- The Village staff would like to thank all members of the Planning Commission for their hard work and dedication to the Village.

3. Membership

Planning commission member	Term expiration
Michael Dudek, Chairperson	November 2024
Philip J Chmiel, Vice Chairperson	November 2024
Judy Peterson, Council Representative	Runs with Council Term
Joshua Doster	November 2025
Connie Knapp	November 2025
Kevin Hellman	November 2025
Blain Allen	November 2024

4. Meetings

The Village of Lawton Planning Commission met 8 times in 2021. This meets the requirements of the MPEA to hold a minimum of four meetings per year.

5. Master Plan Review

A Master Plan is a document that is used as a policy guide to help communities create a vision of what they want to look like in the future. Master Plans help guide communities in their decisions on land use development and preservation. Master Plans are written and adopted the Planning

Commission and Village Council. Master Plans are not laws on their own, but must have a zoning ordinance which creates the laws related to land use for the community.

During September 2021, the Village Council and Planning Commission jointly issued a Request for Proposal (RFP) to undertake the creation of a Master Plan and a Zoning Ordinance revision for the Village of Lawton. 12 firms submitted proposals and 3 were interviewed in October. Ultimately the firm chosen to undertake the Master Plan was Progressive A|E of Grand Rapids, MI. The Village was awarded a \$30,000 Technical Assistance Grant from the Michigan Economic Development Corporation’s (MEDC) Redevelopment Ready Communities (RRC) program. Without this assistance, the Village would not have been able to undertake both the Master Plan and Zoning Ordinance Revision.

The Master Plan process will be completed in 2022. The goal for the Master is to incorporate the recently adopted Downtown “Roadmap”, the Parks and Recreation Master Plan, and the 10-year Capital Improvement Plan (CIP) for infrastructure (streets, sewer, water, sidewalk, facilities, parks, and vehicles).as components of the Master Plan.

6. Zoning Ordinance Amendments

- Blight continues to be a concern for the Village, Ordinances continue to be reviewed, highlighting contradictory regulations. Considering an outside contract for zoning enforcement and blight regulation.
- The parking regulations in the zoning ordinance were reviewed and items needing revisions were noted, especially pertaining to blight enforcement and storage of vehicles/trailers in front yards.
- The Zoning ordinance will be reviewed and rewritten after the Master Plan is complete. Expected timeline to begin is November 2022.

7. Development Reviews

Project type	Location	Description	Status	Recommendation to legislative body	Date of action
Storage Unit Development by Safe and Easy Storage, LLC	523 N Main	Construction of new bldg. w/ landscaping	Approved with conditions	N/A	11/2/21

8. Variances

Variance type	Location	Description	Status	Recommendation to legislative body	Date of action
NA					

9. Actions by Village Council

- Adopted the Enliven Lawton Downtown Master Plan 2023 “Road Map” – Jan 12
- Held a public hearing and approved the 2021–2025 Parks and Recreation Master Plan – Jan 26
- Approved applications for 3 Social District participants and 1 sidewalk café - April 11
- Adopted Village Council Rules of Procedure – August 10
- Held public hearing and adopted the International Property Maintenance Code (2015 Edition) as the Property Maintenance Code for the Village – Oct 12
- Approved Land Division at 301 72nd Street Parcel #80-45-700-130-000 – Oct 12
- Approved contract with Progressive A|E to complete Village Master Plan and revised zoning ordinance in the amount of \$42,980 – Nov 9
- The Village Council, upon recommendation by the Planning Commission contracted with SAFEbuilt inspections services for all building, electrical, mechanical and plumbing permits.
- Approved issuance of Senior Living Revenue Bonds for White Oaks Randall Residence Hall located at 300 White Oak Road – Nov 23
- Accepted MEDC RRC Technical Assistance Award in the amount of \$30,000 for the Master Plan and Zoning Ordinance Revision.

10. Zoning Map

- Review continues to ensure all zoning districts are represented on Map and that the zoning ordinance reflects goals of Downtown Master Plan (parking, outdoor seating, infill development)
- Irregularities have been noted to be addressed during Master Plan and Zoning Ordinance revision:
 - ✓ Parcel 80-45-700-044-00 and Parcel 80-45-700-032-00 (828 N M40) are both industrial operations in R-1 zoning.
 - ✓ Parcel 80-45-100-080-00 is zoned R-3 and has 5 rental units between 3 primary buildings located on site

11. Trainings Attended

Topic /description	Date
Blight Enforcement Presentation – Brian Knotek, attorney	March 9
Redevelopment Ready Communities 2.0 – Planning Commission Presentation	April 6
M-40 2023 Road Reconstruction Project Update	May 18

Topic /description - Potential training topics in the upcoming year, based on goals and priorities
Master Plan Development / Zoning Ordinances
Brownfield Redevelopment Authorities

12. Joint meetings

- The Planning Commission and Village Council held a joint meeting to interview Master Plan Consultants on October 7, 2021
- The Planning Commission and Village Council held a joint meeting on December 10, 2021 to attend an open house to kick-off the Master Plan process.

13. Notable Items

- The proposed 2021 – 2025 Parks and Recreation Master Plan was reviewed in January, and the Planning Commission recommended approval to the Village Council.
- In August / September the Planning Commission reviewed and adopted new By-Laws.
- In September, the Planning Commission reviewed the International Property Maintenance Code that the Village Council is reviewing for adoption and integration into the code of ordinances.
- 3 new members were appointed to the Planning Commission in 2021 – Judy Peterson (Council Representative), Kevin Hellman (Architect) and Blaine Allen (Realtor)

Village of Lawton 2021 Permits Issued								
Category	Permit Type	Property Address	Total Square Footage	Permit Issuance Date	Permit Status	Valuation	Total Fees Paid	Description of Work
Residential Miscellaneous	Siding - Residential	123 East 4th Street, Lawton, MI 49065	0.	12/29/2021	In Progress	\$0.00	\$100.00	Siding only
Residential Miscellaneous	Electrical - Residential	423 East 2nd Street, Lawton, MI 49065	0.	12/21/2021	In Progress	\$0.00	\$251.00	Circuits - Light fixtures -
Residential Miscellaneous	Mechanical - Residential	510 Durkee Street, Lawton, MI 49065	1,764.	12/17/2021	Completed	\$168,180.00	\$260.00	Gas Piping / AC Unit /
Residential Miscellaneous	Plumbing - Residential	750 Point Way, Lawton, MI 49065	0.	12/14/2021	Completed	\$227,900.00	\$160.00	New Single Family Home
Residential Miscellaneous	Plumbing - Residential	518 Durkee Street, Lawton, MI 49065	0.	12/09/2021	In Progress	\$0.00	\$319.00	Fixtures - Floor Drains - Special Drains - Water connected appliances - stacks - Sewage- Sewers Less than 6" - 3/4 Water Dist - Water Heater -
Residential Miscellaneous	Plumbing - Residential	403 Morrill Street, Lawton, MI 49065	0.	12/09/2021	In Progress	\$0.00	\$379.00	Fixtures - Stacks - Sewage - Connection - 3/4 Water Dist - Water Heater
Residential Miscellaneous	Mechanical - Residential	750 Point Way, Lawton, MI 49065	0.	12/08/2021	Completed	\$0.00	\$290.00	New Manufactured Home - Gas Piping - AC Unit - Duct work
Residential Miscellaneous	Mechanical - Residential	239 North Main Street, Lawton, MI 49065	0.	12/06/2021	In Progress	\$0.00	\$180.00	Gas/Oil Burning Equipment
Residential Miscellaneous	Electrical - Residential	750 Point Way, Lawton, MI 49065	0.	12/02/2021	Completed	\$0.00	\$156.00	K.V.A. or H.P.
Residential Miscellaneous	Plumbing - Residential	1130 East 3rd Street, Lawton, MI 49065	0.	12/02/2021	Completed	\$0.00	\$155.00	Water Heater
Commercial Miscellaneous	Electrical - Commercial	119 North Main Street, Lawton, MI 49065	0.	11/22/2021	Completed	\$0.00	\$190.00	200 Amp service & 6 Circuits #041230406
Residential New	Commercial w/UF Basement & residential new work	518 Durkee Street, Lawton, MI 49065	0.	11/19/2021	In Progress	\$247,121.28	\$731.00	New Single Family Home w/ Unfinished Basement & Attached Garage ***Rolled Prints*** (Iset)
Residential New	Residential w/UF Basement & residential new work	403 Morrill Street, Lawton, MI 49065	0.	11/19/2021	In Progress	\$231,333.00	\$699.00	New Single Family Home w/ Unfinished Basement & Attached Garage ***Rolled Prints*** (Iset)
Residential Miscellaneous	Plumbing - Residential	504 East 4th Street, Lawton, MI 49065	0.	11/18/2021	Completed	\$0.00	\$160.00	Kitchen Sink - Dish washer
Residential Miscellaneous	Electrical - Residential	510 Durkee Street, Lawton, MI 49065	1,764.	11/17/2021	Completed	\$168,180.00	\$354.00	Manufactured Home Set up / 20 AMP Service - Circuits - Fixtures - Power Outlets - Feeders
Residential Miscellaneous	Electrical - Residential	504 East 4th Street, Lawton, MI 49065	0.	11/15/2021	Completed	\$0.00	\$269.00	Service 200 AMP - Circuits - Dishwasher -
Residential Miscellaneous	Mechanical - Residential	312 East Bitley Street, Lawton, MI 49065	0.	11/08/2021	Completed	\$0.00	\$210.00	Gas/Oil burning - AC Unit
Residential Miscellaneous	Electrical - Residential	608 East Bitley Street, Lawton, MI 49065	0.	10/27/2021	Completed	\$0.00	\$155.00	Circuits
Residential Alteration	Remodel/Alteration - Electrical - Residential	504 East 4th Street, Lawton, MI 49065	0.	10/26/2021	In Progress	\$0.00	\$500.00	Kitchen Remodel & Full Bathroom Expansion
Residential New	Residential - New Mobile Home	1105 Niagara Drive, Lawton, MI 49065	0.	10/22/2021	Completed	\$0.00	\$421.00	200 AMP Service - Circuits - Fixtures - Dishwasher - Furnace - Power Outlets - HVA - Wind Turbines
Residential Miscellaneous	Electrical - Residential	312 East Bitley Street, Lawton, MI 49065	0.	10/19/2021	Completed	\$168,180.00	\$573.00	New Mobile Home w/ Attached Garage
Residential New	Manufactured Home	750 Point Way, Lawton, MI 49065	0.	10/09/2021	Completed	\$0.00	\$160.00	200 Amp Service
Residential Miscellaneous	Electrical - Residential	750 Point Way, Lawton, MI 49065	0.	10/07/2021	Completed	\$227,900.00	\$691.00	New Single Family Home
Residential Alteration	Roof - Reshingle - Residential	1105 Niagara Drive, Lawton, MI 49065	0.	10/06/2021	Completed	\$0.00	\$400.00	Through 200 AMP - Circuits - Lighting Fixtures - Power Outlets - Feeders Bus Ducts - KVAHP wind Turbine
Residential Alteration	Roof - Reshingle - Residential	411 East 3rd Street, Lawton, MI 49065	0.	10/05/2021	Completed	\$0.00	\$200.00	Heating System - Gas Piping - AC Unit - Dryer-Bath-Kitchen Exhaust -
Residential Miscellaneous	Mechanical - Residential	324 Washington Street, Lawton, MI 49065	0.	09/24/2021	Completed	\$0.00	\$200.00	Roofing Shingles only
Residential Miscellaneous	Mechanical - Residential	321 South Hamilton Street, Lawton, MI 49065	0.	09/15/2021	Completed	\$0.00	\$230.00	Water Heater
Residential Alteration	Roof - Reshingle - Residential	712 Concord Drive, Lawton, MI 49065	0.	08/30/2021	In Progress	\$0.00	\$200.00	Roofing Shingles Only
Commercial Miscellaneous	Mechanical - Commercial	99 Walker Street, Lawton, MI 49065	44,816.	08/19/2021	Expired	\$3,100,000.00	\$310.00	Gas/Oil Burning Eq - Duct - Heat Pumps -
Commercial Alteration	Roof - Commercial	715 North Main Street, Lawton, MI 49065	0.	08/12/2021	In Progress	\$0.00	\$700.00	Metal Roofing
Residential Miscellaneous	Mechanical - Residential	517 Washington Street, Lawton, MI 49065	0.	08/09/2021	Completed	\$0.00	\$155.00	Water Heater
Residential Alteration	Roof - Reshingle - Residential	700 South Nursery Street, Lawton, MI 49065	0.	07/28/2021	Expired	\$0.00	\$200.00	Roofing Shingles only
Residential Miscellaneous	Mechanical - Residential	776 Niagara Court, Lawton, MI 49065	0.	07/26/2021	Completed	\$0.00	\$155.00	Water Heater

Village of Lawton 2021 Permits Issued (pg 2)

Residential New	Residential - New Mobile Home	920 North Nursery Street, Lawton, MI 49065	1,344.	07/21/2021	Completed	\$64,069.00	\$330.00	New Mobile Home
Commercial Miscellaneous	Electrical - Commercial	726 North Main Street, Lawton, MI 49065	0.	07/20/2021	Completed	\$0.00	\$246.00	Circuits & Power Outlets
Residential Alteration	Roof - Reshingle - Residential	415 East 4th Street, Lawton, MI 49065	0.	07/19/2021	Expired	\$0.00	\$200.00	Roofing Shingles Only
Residential Miscellaneous	Plumbing - Residential	503 East Second Street, Lawton, MI 49065	0.	07/09/2021	Completed	\$0.00	\$288.00	SFH Alterations
Residential Miscellaneous	Plumbing - Residential	423 East 2nd Street, Lawton, MI 49065	0.	07/08/2021	Completed	\$0.00	\$196.00	Fixtures, Floor Drains, Stacks, Sewage, Water Less than 2" - Final Inspection
Residential Miscellaneous	Electrical - Residential	503 East Second Street, Lawton, MI 49065	0.	06/29/2021	In Progress	\$0.00	\$407.00	Interior & Exterior Alterations
Residential Miscellaneous	Mechanical - Residential	357 Union Street, Lawton, MI 49065	0.	06/25/2021	Expired	\$0.00	\$180.00	SFH Alterations
Commercial Miscellaneous	Mechanical - Commercial	715 North Main Street, Lawton, MI 49065	0.	06/24/2021	Expired	\$0.00	\$155.00	Gas Piping
Residential Miscellaneous	Mechanical - Residential	1110 East 3rd Street, Lawton, MI 49065	0.	06/23/2021	Expired	\$0.00	\$220.00	Alterations
Residential Alteration	Remodel/Alteration - Residential	503 East Second Street, Lawton, MI 49065	0.	06/22/2021	In Progress	\$0.00	\$600.00	Interior & Exterior Alterations
Commercial Miscellaneous	Demolition - Commercial	118 South Main Street, Lawton, MI 49065	0.	06/14/2021	Expired	\$0.00	\$300.00	Demolition
Residential Miscellaneous	Plumbing - Residential	1105 Niagara Drive, Lawton, MI 49065	2,442.	06/04/2021	Completed	\$232,820.00	\$375.00	New SFH
Residential Miscellaneous	Electrical - Residential	423 East 2nd Street, Lawton, MI 49065	0.	05/27/2021	Completed	\$0.00	\$166.00	Circuits & Lighting Fixtures
Residential Miscellaneous	Mechanical - Residential	503 East Second Street, Lawton, MI 49065	0.	05/25/2021	Completed	\$0.00	\$295.00	A/C & Duct
Residential Miscellaneous	Mechanical - Residential	628 South Main Street, Lawton, MI 49065	0.	05/25/2021	Completed	\$0.00	\$180.00	Boiler
Residential Miscellaneous	Mechanical - Residential	415 South Main Street, Lawton, MI 49065	0.	05/20/2021	Completed	\$0.00	\$155.00	Water Heater
Residential New	Roof - Residential w/ Finished Basement	1105 Niagara Drive, Lawton, MI 49065	2,442.	05/18/2021	Completed	\$232,820.00	\$701.00	New Single Family Home
Commercial Alteration	Roof - Commercial	114 North Main Street, Lawton, MI 49065	432.	05/14/2021	Completed	\$48,825.00	\$400.00	Exterior Alterations
Residential Alteration	Foundation Only - Residential	632 South Main Street, Lawton, MI 49065	0.	05/11/2021	Expired	\$0.00	\$200.00	Egress Window Install
Residential Alteration	Roof - Residential	971 Niagara Drive, Lawton, MI 49065	0.	05/10/2021	Expired	\$0.00	\$200.00	Residential - Roofing
Residential Alteration	Roof - Residential	325 South Hamilton St, Lawton, MI 49065	0.	05/04/2021	Completed	\$0.00	\$300.00	Roofing Re-Deck & Shingles
Residential Miscellaneous	Solar Unit - Residential	223 South Railroad Street, Lawton, MI 49065	0.	04/22/2021	Completed	\$0.00	\$200.00	Roof Mounted Solar Panels
Residential Miscellaneous	Electrical - Residential	223 South Railroad Street, Lawton, MI 49065	0.	04/19/2021	Completed	\$0.00	\$202.00	Roof Mounted Solar Panels
Commercial Miscellaneous	Electrical - Commercial	110 E Third St, Lawton, MI 49065	0.	04/08/2021	Expired	\$0.00	\$160.00	Sign
Commercial Miscellaneous	Electrical - Commercial	99 Walker Street, Lawton, MI 49065	0.	03/10/2021	Expired	\$0.00	\$1,494.00	Converting what was a nursing home into assisted living. Resident count will be 1/2 the original due to what a 2-person room, becoming a single resident room.
Commercial Miscellaneous	Mechanical - Commercial	99 Walker Street, Lawton, MI 49065	0.	03/10/2021	In Progress	\$0.00	\$335.00	Air Handlers/Heat Wheels - Heat Recovery Units - Water Heater (gas-piping & Venting direct) Fuel Gas Piping
Commercial Miscellaneous	Plumbing - Commercial	99 Walker Street, Lawton, MI 49065	0.	03/10/2021	Completed	\$0.00	\$582.00	Fixtures - Floor drains - stacks - 2" Water Pipe
Residential Miscellaneous	Electrical - Residential	324 S. Hamilton Street, Lawton, MI 49065	0.	03/09/2021	Completed	\$0.00	\$75.00	Final Inspection - Solar Installation
Commercial Miscellaneous	Electrical - Commercial	99 Walker Street, Lawton, MI 49065	0.	03/01/2021	Expired	\$0.00	\$1,048.00	Fire Suppression
Commercial Alteration	Remodel/Alteration - Commercial	99 Walker Street, Lawton, MI 49065	44,816.	02/17/2021	In Progress	\$3,100,000.00	\$11,539.00	Converting what was a nursing home into assisted living. Resident count will be 1/2 the original due to what a 2-person room, becoming a single resident room.

PUBLIC SERVICES REPORT

March 2022

CEMETERY

1) We had 1 interment in the month of March.

2) We have been cleaning up the leaves from last fall

Hours for the month – 156 Overtime – 0

MOTORPOOL

1) General maintenance was performed on equipment

Hours for the Month – 94 Overtime – 0

BUILDINGS & GROUNDS

1) No activity other than general maintenance

Hours for the month – 30 Overtime – 0

CIVIC ACTIVITIES

1) Spring cleanup will be 3rd week in may the 16th to 21st

Hours for the month - 0

PARKS

1) General maintenance and cleanup was performed.

Hours for the month – 25 Overtime –

STREETS & SIDEWALKS

1) no activity other than general maintenance

Hours for the month

Major Preservation – 36 Local Preservation – 58

Major winter Maint. – 3 Local winter Maint. – 13

Streets (not act 51) – 45 Sidewalks – 12

Vacation hours – 12 Sick time – 27

Respectfully Submitted,

Todd Hackenberg
Superintendent of Public Works

WATER/SEWER OPERATIONS REPORT

March 2022

- 1) 11,380,000 Gallons of water were pumped during the month compared to 9,678,000 in 2021.
- 2) The average daily usage was 367,096 gallons.
- 3) Routine sampling was done with all samples being non detect.
- 4) results for the asbestos testing done by the state were non detect.
- 5) we have been out locating valves on main-street preparing for the m-40 project.

Total hours for the month Water – 108 Overtime – 6
 Sewer – 230 Overtime – 16

Respectfully submitted,

Todd Hackenberg
Superintendent of Public Works

April 12, 2022

Village of Lawton WWTP

Operational report

Wastewater Treatment

- In March total of 3.0 million gallons of treated wastewater was discharged into the tributary to the South Branch of the Paw Paw River. The daily effluent flows averaged 97,000 gallons per day, which is approximately 39% of the hydraulic capacity of the plant.

Regulatory Matters

- The Discharge Monitoring Report for March has been electronically submitted to the MDEQ.

Land Application Program

2,500 gallons of activated sludge was pumped over to the sludge storage tank.

LAWTON POLICE DEPARTMENT – COUNCIL REPORT

MARCH 2022

Calls for Service/Complaints-----78

Ordinance complaints-----5

 Blight **(4)** Zoning **(0)** Misc. **(5)**

Traffic stops-----16

 Citations issued **(8)** Verbal warnings **(7)**

Arrests-----3

Accidents-----2

Parking citations-----0

HOURS WORKED: Scheduled (Full-time) 517

 Scheduled (Part-time) 24

 Overtime hours 4

 Vacation hours 24

 Sick leave hours 180

COMMUNITY POLICING:

Officers made **(42)** field contacts and **(23)** business contacts.

Officers assisted with an escort out of town for the State Championship bound Lawton Cheer Team.

Chief Mack participated in March reading month, reading to Mrs. Martin's class in the elementary.

NOTABLE INCIDENTS:

Chief Mack responded to a residence on Morrill St. regarding a subject threatening another with a knife. All involved parties were contacted and interviewed. The subject who had the knife was arrested for felonious assault and lodged at the VBC jail. The knife was recovered as evidence.

Officer Hitchcock responded to a home on Third St. to assist regarding a subject there apparently needing assistance. The subject was contacted and found to have a felony warrant for assault with a dangerous weapon out of Kalamazoo County. The subject resisted while being arrested and a warrant sought. The subject was lodged at the VBC jail on the Kalamazoo warrant. The resisting and obstructing warrant was authorized by our prosecutors a few days later. The subject was then arrested in Kalamazoo on our warrant, and Officer Gibbs picked up the subject and lodged him again in the VBC jail.

Update on 500 block of Bitely. The MSP lab results came back positive for methamphetamine. The suspect has been charged and the warrant was authorized.

ADDITIONAL:

For the month of March, Lawton officers spend many hours of directed traffic patrol, specifically targeting speed violations. The number of hours spent in the following locations is as follows:

5.67 hours – Main St.

6.92 hours – All other areas within the Village

Total hours – 12.59

LPD had 18 (Assist other agency calls): 7 were medical/ambulance assists, 3 within the Village, 1 to Paw Paw, 1 to Mattawan, and 6 in Porter Twp.

Respectfully,

Chief Jeffrey Mack

Van Buren County File Class / Section Report

Number	Sub-Beat	Date	Offense	Location	Incident Code-Type	Officer	
22-0193	LAWTON-1	03/11/2022	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	204 Third Street	- Junk Auto	Mack, J.	Removed
22-0194	LAWTON-1	03/11/2022	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	205 Railroad Street	- Junk Auto	Mack, J.	Removed
22-0240	LAWTON-1	03/29/2022	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	132 Morrill Street	- Furniture set myard	Mack, J.	Removed
22-0241	LAWTON-1	03/29/2022	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	421 Third Street	- Sink basin and stand at curb	Mack, J.	Removed
Total:	4						

Circulation Report for February 2022

We had 496 visitors and checked out a total of 1,297 in materials.

Adult Fiction	233
Audio Books	10
Children Easy Books	589
Junior Fiction	108
Junior Non-Fiction	17
Large Print	170
Non-fiction	53
Play-Aways	0
Periodicals	26
Videos	68
Young Adult fiction	<u>23</u>
Total	1,297

Computer Usage	32 uses
Michigan total checkouts	18,282
Michigan total holds	6,970
Michigan total users	5,340
New Items Processed	51
Our Mel Items Received	97
Our Mel Items Sent	94
Overdrive downloads	216
Southwest MI Overdrive holds	110

Lawton Website visited, 2,790 last 30 days

Facebook visited 2,814 last 30 days

Knitters: 17

Story time: 78

Bookclub: 10

Snow Day Feb 2nd, 2022

Valentines Reading Contest 22 participated gave books away to 9 that finished.

Respectfully Submitted,

Lyn Tone, Director