

**VILLAGE *of* LAWTON**  
**VILLAGE COUNCIL MEETING**  
***HYBRED - BEING HELD VIRTUALLY and at LAWTON ELEMENTARY MUSIC ROOM***  
**702 E 2<sup>ND</sup> St, Lawton, MI 49065**  
**TUESDAY, JUNE 8<sup>TH</sup>, 2021 – 7:00 P.M.**

It has been determined by the Village of Lawton that an electronic meeting is necessary to protect public health. Public participation is encouraged and procedures facilitating that participation are outlined in supplemental materials attached.

**TO ACCESS THE MEETING REMOTELY:**

**BY PHONE:** Dial +1 (312) 626-6799 and ENTER Meeting ID# 223 344 0545

**BY COMPUTER:** <https://us02web.zoom.us/j/2233440545> & ENTER Meeting ID# 223 344 0545

**AGENDA**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSENT AGENDA**
  - A.** Approval of June 8<sup>th</sup>, 2021 Agenda
  - B.** Approval of May 11<sup>th</sup> and 25<sup>th</sup>, 2021 Council Meeting Minutes
  - C.** Approval of Disbursements in the amount of \$64,325.70
  - D.** Set Truth in Taxation Public Hearing for Council meeting on June 22 at 7:00 pm.
- V. COMMUNICATIONS AND CORRESPONDENCE**
- VI. CITIZENS' COMMENTS – (Please keep comments to 3 minutes)**
- VII. PUBLIC HEARINGS / APPOINTMENTS / PROCLAMATIONS**
- VIII. OLD BUSINESS**
  - A.** Village Council Rules of Procedure.....Discussion

**IX. NEW BUSINESS**

**X. BOARD, COMMITTEE, AND STAFF REPORTS**

- A. Planning Commission
- B. Downtown Development Authority (DDA)
- C. Community & Economic Development Committee (CEDC)
- D. Finance and Administration Committee
- E. Public Safety Committee
- F. Public Services Committee
- G. Water and Sewer Committee
- H. Police Department
- I. Department of Public Works
- J. Village Manager

**XI. COUNCIL COMMENTS**

**XII. ADJOURNMENT - NEXT REGULAR MEETING DATE – *June 22<sup>nd</sup>, 2021***

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 [bellj@lawtonmi.gov](mailto:bellj@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](mailto:imusl@lawtonmi.gov).



## SUPPLEMENTAL MATERIALS TO AGENDA

**PLEASE NOTICE:** It has been determined by the Village of Lawton that an electronic meeting is necessary to protect the public health. Public participation is encouraged and procedures facilitating that participation are outlined as follows:

### **To join the meeting by phone:**

- 1) Attend by phone, using your touchtone keypad
  - Dial +1 (312) 626-6799
  - Enter the Meeting ID# - 223 344 0545

### **To join the meeting by Zoom Video Conference:**

- 1) You will need a computer, tablet, or smartphone with speaker and headphones.
- 2) In your browser enter: <https://us02web.zoom.us/j/2233440545> Meeting ID# - 223 344 0545  
At the start time of the meeting, enter the link to join via computer. You may be instructed to download the Zoom application. You have an opportunity to test your audio at this point by clicking on "Test Computer Audio." Once you are satisfied that your audio works, click on "Join audio by computer."

**We recommend completing these steps ahead of time to assure you are able to connect.**

### **Electronic Meeting Rules for Public**

- 1) All public participants entering the meeting will automatically be muted upon entering.
- 2) All public participants should either turn off or leave off their video camera if recognized by Council and addressing Council. Only Village Council members and Village staff will be allowed to have their video cameras on. Your video camera will be turned off for you if you do not turn it off yourself.
- 3) Public comment:
  - a. Public only will be allowed to address the Council during Public Comments
  - b. Public is allowed three (3) minutes to speak.
  - c. Public must state the name and address slowly and clearly before they start to address the Council.
  - d. Public comments will be addressed in the following order:
    - i. Those provided in writing by 6 pm on the day of the meeting sent to [lmusl@LawtonMI.gov](mailto:lmusl@LawtonMI.gov) will be read aloud by President.
    - ii. Those requesting to speak during meeting, by providing name, address in by 6 pm on the day of the meeting sent to [lmusl@LawtonMI.gov](mailto:lmusl@LawtonMI.gov).
    - iii. Those using the Video Conference Portion (not calling on a telephone) will be asked to use the "Raise Your Hand" Feature in Zoom. The President will call on individuals to speak and they will be unmuted at that time.
    - iv. Participants that are available only by phone, after the President requests.
- 4) Inappropriate or disruptive participants will not be allowed/tolerated and will be removed from the meeting.
- 5) Due to the electronic nature of this type of meeting the President, at his discretion, may adjourn the meeting with or without notice for any reason. Every attempt will be made to remain connected to the meeting, however two examples of abrupt adjournment may be computer connectivity issues or lack of appropriate

participation. According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752.797) and/or Malicious Use of Electronics Communication (MCL750.540).

To comply with the **Americans with Disabilities Act (ADA)**, any citizen requesting accommodation to attend this meeting, and/or to obtain this notice in alternate formats, please contact Michigan Relay at <https://hamiltonrelay.com/michigan/index.html>.

## ADDITIONAL ZOOM INSTRUCTIONS FOR PARTICIPANTS:

### ***Before a videoconference:***

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provided above. The details include a link to “Join via computer” as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

### ***To join the videoconference:***

1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application if you have not previously downloaded.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.” If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:
  - On your phone, dial the teleconferencing number provided above.
  - Enter the **Meeting ID number** when prompted using your touch- tone (DTMF) keypad.
  - If you have already joined the meeting via computer, you will have the option to enter your 2- digit participant ID to be associated with your computer.

### ***Participant controls in the lower left corner of the Zoom screen:***



Using the icons in the lower left corner of the Zoom screen, you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View Participant list – opens a pop-out screen that includes a **“Raise Hand”** icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” shows the active speaker. “Gallery view” tiles all of the meeting participants.



## VILLAGE OF LAWTON

Regular Meeting Minutes – Tuesday May 11, 2021 at 7:00 p.m.

*Hybrid Meeting was held in person and remotely*

Lawton Elementary School – 780 East Second Street, Lawton MI 49065

[WWW.LAWTONMI.GOV](http://WWW.LAWTONMI.GOV) 269.624.6407

### MINUTES

- I. **CALL TO ORDER** President Knudstrup called the May 11, 2021 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 Knudstrup. Trustees: E. Dudek, N. Smith, J. Peterson and R. Turner. Absent: Appleby, G Dudek. Others present: Village Manager Imus, Superintendent Hackenberg, and Chief Mack and 4 other guests.
- IV. **CONSENT AGENDA:** The Consent Agenda included the approval of the May 11, 2021 Council Agenda, the April 13, 2021 and April 27, 2021 Council Meeting Minutes, Disbursements in the amount of \$60,059.30, Annual MML Liability Insurance in the amount of \$41,074.00 and approval of Wightman GIS/Engineering services in the amount of \$6,651.50. Peterson made motion to approve the consent agenda as presented with support from E. Dudek. A unanimous roll call vote approved the motion.
- V. **COMMUNICATIONS AND CORRESPONDENCE:**
  - A. The family of Raymond Reed made presentation to council bestowing the corner lot owned by the Reid Family, located at 119 North Main Street, to the Village of Lawton and to memorialize said property in honor of John and Zella Reid.
- VI. **CITIZENS' COMMENTS:**
  - A. Commissioner Paul Schincariol gave an update on happenings in Van Buren County. The new website for the county is now <https://www.vanburencountymi.gov>
- VII. **PUBLIC HEARINGS / APPOINTMENTS:**
  - A. Motion made by Turner, supported by Smith to open the Public Hearing to hear comment on the Consumers Energy Gas Franchise. A unanimous roll call vote supported the motion. No public comments were heard. Since there is a 60 day opt out clause in the contract, there is not a concern with a 30-year contract per the Village Attorney. E Dudek made a motion to close the public hearing with support from Peterson. A unanimous roll call vote was taken.
  - B. **SECOND READING** of Ordinance 200 of 2021 and **APPROVAL:** Franchise to Consumers Energy Company to lay and maintain lines within the Village of Lawton. E. Dudek made motion to adopt Ordinance 200 of 2021, supported by Turner. A unanimous roll call vote approved this Ordinance.

**VIII. OLD BUSINESS: None**

**IX. NEW BUSINESS:**

- A. Resolution 10-2021 A Resolution in support for D. Coy Ducks to establish a Sidewalk Café. E. Dudek motioned to adopt Resolution 10-2021 with support from Turner. Motion Approved by a unanimous roll call vote.
- B. Resolution 11-2021 A Resolution to recommend approval of a Social District Permit from the Michigan Liquor Control Commission for D. Coy Ducks. Peterson with support from Smith made a motion to adopt Resolution 11-2021. Motion Approved by a unanimous roll call vote.
- C. Resolution 12-2021 A Resolution to recommend approval of a Social District Permit from the Michigan Liquor Control Commission for Big T's. E. Dudek motioned to adopt Resolution 12-2021, with support by Smith. Motion Approved by a unanimous roll call vote.
- D. Resolution 13-2021 A Resolution to recommend approval of a Social District Permit from the Michigan Liquor Control Commission for Barn Brewers. Turner motioned to adopt Resolution 13-2021, supported by E. Dudek. Motion Approved by a unanimous roll call vote.

**X. BOARD, COMMITTEE, AND STAFF REPORTS**

- A. **Planning Commission** – Peterson reported discussion on the Redevelopment Readiness Community program and the Master Plan. The 2019 RCC report was discussed, there was an update on the 2023 M-40 project and they talked about rezoning.
- B. **Downtown Development Authority (DDA)** - G. Dudek absent. No report.
- C. **Community & Economic Development Committee (CEDC)** – N. Smith reports they discussed several topics including White Oaks, the Laundromat, the Car Wash, code enforcement and the potential to get outside help on blight enforcement.
- D. **Finance and Administration Committee** – Knudstrup reported the committee met. They reviewed disbursements and talked about upcoming events. May 18<sup>th</sup> a virtual Town Hall Meeting to provide a 30% review update on the 2023 M40 project, they talked about Rules and Procedures that council can review and discuss at the May 25<sup>th</sup> meeting, Hydrant Flushing will be on May 27, 2021, the June budget workshop, and a Performance and Review process.
- E. **Public Safety Committee:** E. Dudek reports they met before the meeting tonight. A new form for blight complaints/investigation has been created, once it is finalized it will be on the website, it can be emailed or picked up at Village Hall. The form will be used by the Police Department and will track the progress of the complaint.
- F. **Public Services Committee** - G Dudek absent. Superintendent Hackenberg updated that they are contacting various communities to gather information on cemetery rates.

- G. Water and Sewer Committee** - E Dudek reports they have not met since the last meeting.
- H. Police Department** – Chief Mack reviewed his monthly report.
- I. Department of Public Works** – Superintendent Hackenberg presented the WWTP and Public Services monthly reports. He also mentioned Hydrant Flushing will take place on Thursday, May 27th, and gave an update on the 2nd Street house.
- J. Village Manager** – Manager Imus is sending invites to all downtown area business to let them know about the Town Hall Meeting being held virtually on Tuesday, May 18<sup>th</sup> at 6:00 pm, this will be a 30% review of the project. There will be a 60% review meeting in October 2021. Imus also gave an update on the 2<sup>nd</sup> Street house, the contract with Jeremy Shank is now complete. Landscaping still needs to be finished. She is waiting on a proposal from the realtor, Blaine Allen, he will be adding some virtual appliances and furniture staging as a marketing tool.

**XI. COUNCIL COMMENTS:**

Turner offered up an angled parking idea for the 2023 revamp of downtown. He proposed that West Union could be made a one-way street with angled parking and that would cut down on traffic. Council supported the suggestion.

**XII. ADJOURNMENT**

Smith, supported by Turner, made a motion to adjourn the meeting at 8:11 p.m. A roll call vote was taken with unanimous approval of those present. The next regular scheduled meeting is May 25, 2021.

Respectfully Submitted by Joni Bell, Village Clerk



## VILLAGE OF LAWTON

Regular Meeting Minutes – Tuesday May 25, 2021 at 7:00 p.m.

*Meeting was held in person and remotely*

Lawton Elementary School– 200 Second Street, Lawton MI 49065

[WWW.LAWTONMI.GOV](http://WWW.LAWTONMI.GOV) 269.624.6407

### MINUTES

- I. **CALL TO ORDER:** President Knudstrup called the May 25, 2021 Meeting of the Lawton Village Council to order at 7:05 p.m.
- II. **PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was recited.
- III. **ROLL CALL:** Present: President Knudstrup. Trustees: J. Appleby, G. Dudek, N. Smith, J. Peterson, R. Turner. Absent: E. Dudek. Others present: Village Manager Imus, 2 other guests.
- IV. **CONSENT AGENDA:** The Consent Agenda includes the approval of the May 25, 2021 Council Agenda. Peterson made a motion to approve the consent agenda, with support from G. Dudek. A voice vote was taken with unanimous approval.
- V. **COMMUNICATIONS AND CORRESPONDENCE:** None
- VI. **CITIZENS' COMMENTS:** None
- VII. **OLD BUSINESS:** None
- VIII. **NEW BUSINESS:**
  - A. Blaine Allen from the Allen Group gave a presentation to Council on marketing strategies for the 423 Second Street home. He is ready to move forward once the house is ready and a contract is signed. Manager Imus is waiting for final cost numbers from Van Buren ISD so that a selling price can be determined.
  - B. A preliminary Council Rules of Procedure draft was discussed. Additional suggestions, in-put and/or changes should be forwarded to Imus. Discussion and clarity will be necessary at additional meeting(s) before adopting.
  - C. Discussion on the Proposal from Baker Tilly on the Water Rate Study was held. Manager Imus expressed that this is a very comprehensive study and it will be very helpful in upcoming planning for water rates, the CIP and infrastructure. Appleby made a motion to approve the proposal in the amount of \$10,000. Smith supported. A unanimous roll call vote was taken.



**IX. BOARD, COMMITTEE, AND STAFF REPORTS:**

Manager Imus informed Council of a resident has requested that the Morrill St Right-of-Way be improved to a street. Currently, it is an unimproved public right of way closed to traffic. Council referred this matter to the Water and Sewer Committee for further discussion.

**X. COUNCIL COMMENTS:** None

**XI. ADJOURNMENT:** Appleby, supported by Turner, made a motion to adjourn the meeting at 8:53 p.m. A voice vote was unanimous. The next regular scheduled meeting is for June 8th, 2021.

Respectfully Submitted by Joni Bell, Village Clerk

06/01/2021

CHECK REGISTER FOR VILLAGE OF LAWTON  
CHECK DATE FROM 05/01/2021 - 05/31/2021

Check Date	Check	Vendor Name	Description	
Bank GEN GENERAL CHECKING				
05/07/2021	4713	JCS CONSTRUCTION	24X24 GARAGE 8X10 BREEZEWAY	\$7,431.00
05/13/2021	4715	PATRICK CARLSEN	RETURNED DEPOSIT FEE FOR 5/8/21 - SMALL	\$50.00
05/13/2021	4716	ADAMS HARDWARE	CONSOLIDATED BILLS	\$304.79
05/13/2021	4717	ADVANCE POURED WALLS INC	GARAGE FLOORS AND BREEZEWAY	\$3,020.00
05/13/2021	4718	APPLIED IMAGING	CONTRACT NO CN5174-01 FOR ACCT NO KZ1828	\$298.50
05/13/2021	4719	BADGER METER, INC	BEACON MBL HOSSTING SERV UNIT; 12MTH SER	\$750.00
05/13/2021	4720	BEN W. JOHNSON	APRIL CLEANING X5	\$535.00
05/13/2021	4721	BLOOMINGDALE COMMUNICATIONS	TELEPHONE FOR ACCT NO 0003714	\$355.55
05/13/2021	4722	BOVEN TRADING POST	NEW TIRES	\$70.00
			NEW TUBE	\$60.00
05/13/2021	4723	BS & A SOFTWARE	ANNUAL SERVICE SUPPORT FEE FOR AP UB PR	\$3,164.00
05/13/2021	4724	CHARLES DONOVAN	CLOTHING	\$116.55
05/13/2021	4725	CONSOLIDATED ELECTRICAL CONTRACTORS	PERMIT TO BE PULLED THROUGH ANTWERP	\$155.00
05/13/2021	4726	CONSUMERS ENERGY	HEAT FOR ACCT NO 1000 0710 3904 202 JAME	\$302.02
			HEAT FOR ADDRESS 125 MAIN ST ACCT NO 100	\$89.70
			625 W UNION ST ACCT NO 1000 0710 4159	\$486.57
05/13/2021	4727	FREDRICKSON SUPPLY	MENDER 3/4 PIRANHA	\$108.96
05/13/2021	4728	FRONTIER	TELEPHONE AND INTERNET FOR DPW AND WWTP	\$613.45
05/13/2021	4729	GRAINGER	ACCT NO 853979989 - ADA PAD	\$201.10
05/13/2021	4730	INDIANA MICHIGAN POWER CO.	ELECTRIC	\$5,962.83
			ELECTRIC - STREET LIGHTING	\$951.76
			ELECTRIC - WATER TOWER	\$310.71
			ELECTRIC - DPW	\$26.72
05/13/2021	4731	KIMBALL MIDWEST	MATERIALS	\$44.41
05/13/2021	4732	LAWSON OIL COMPANY	PDF	\$49.68
			NO LEAD REGULAR	\$1,470.43
05/13/2021	4733	OFFICE DEPOT	PAPER PADS, PAPER	\$160.16
			ENVELOPE #10	\$67.19
05/13/2021	4734	PEERLESS MIDWEST, INC.	LABOR AND EQUIPMENT OT CHLORINATE WELL #	\$1,072.00
05/13/2021	4735	PRIORITY HEALTH	INSURANCE GROUP ID 794824	\$6,472.01
05/13/2021	4736	PROVIDENCE SEAMLESS GUTTERS	INSTALL NEW SEAMLESS 5' K-STYLE ALUM GUT	\$950.00
05/13/2021	4737	REPUBLIC SERVICES OF	WASTE CONTAINERS FOR SUMMER CLEANUP	\$130.00
			WASTE REMOVAL	\$266.75
05/13/2021	4738	SCA OF MI, LLC	BROOM SWEEPING	\$640.00
05/13/2021	4739	SIEGFRIED CRANDALL, P.C.	PROGRESS BILLING ON AUDITING SERVICES FO	\$15,500.00
05/13/2021	4740	STATE OF MICHIGAN	RENEWAL CERTIFICATION FOR TREATMENT PLAN	\$95.00
05/13/2021	4741	THAYER, INC.	BABY CHANGING TABLE	\$614.82
			TOWELS	\$295.76
05/13/2021	4742	THE CLOTHES BASKET	DRY CLEANING	\$313.00
05/13/2021	4743	THE STANDARD	LIFE INSURANCE ACCT NO 00 168051 0001	\$903.00
05/13/2021	4744	ULINE SUPPLY	MESSAGE CENTER SIGN X2	\$1,410.83
05/13/2021	4745	USA BLUE BOOK	CAP MEMBRANE KIT, CHART PENS, FOG DIGEST	\$533.56
05/13/2021	4746	VAN BUREN COUNTY	VERIZON AIRCARD - MAY	\$80.14
05/13/2021	4747	VERIZON WIRELESS	MOBILE PHONE   TABLETS	\$325.73
05/13/2021	4748	VILLAGE OF PAW PAW	WATER LAB ANALYSIS	\$175.00
05/13/2021	4749	WEST MICHIGAN CRIMINAL JUSTICE	MCOLES SPRING 2021 DISTRIBUTION	\$87.50
05/20/2021	4750	APPLIED IMAGING	LIBRARY COPIER CONTRACT NO CN3599-01 - A	\$106.92
05/20/2021	4751	BAKER & TAYLOR, INC.	BOOKS	\$66.12
			BOOKS	\$144.96
			DVDS	\$242.06
05/20/2021	4752	BLOOMINGDALE COMMUNICATIONS	PHONE	\$160.32
05/20/2021	4753	CDW GOVERNMENT	MINI PC AND MONITOR	\$4,895.64
05/20/2021	4754	CENGAGE LEARNING.	MAY THORNDIKE EDITORS CHOICE	\$32.29
			MAY CHRISTIAN FICTION	\$50.23
			MAY THORNDIKE EDITORS CHOICE	\$32.29
05/20/2021	4755	PETTY CASH LAWTON PUBLIC LIBRARY	DOLLAR GENERAL	\$51.95
05/20/2021	4756	QUILL CORPORATION	COLOR CODING LABELS, LYSOL, COPY PAPER	\$100.13
			GARBAGE, FACE MASKS, TAPE, LAM POUCHES,	\$103.63
			CABLES	\$34.27
05/20/2021	4757	SYNCB/AMAZON	BOOKS	\$113.71
05/20/2021	4758	US INTERNET	INTERNET	\$20.00
Total of 45 Disbursements:				\$63,175.70
Payroll Checks:				
05/14/2021	4714	GARNISHMENT	CHAPTER 13 TRUSTEE, BARBARA P. FOLEY	\$ 500.00
05/28/2021	4759	GARNISHMENT	CHAPTER 13 TRUSTEE, BARBARA P. FOLEY	\$ 500.00
05/28/2021	4760	TEAMSTERS	TEAMSTERS LOCAL #214	\$ 150.00
Payroll Disbursements:				\$ 1,150.00
<b>TOTAL DISBURSEMENTS</b>				<b>\$ 64,325.70</b>

**INSTRUCTIONS TO NEWSPAPERS**

**UNIT: VILLAGE OF LAWTON**

The following notice is required by MCL Section 211.24e which provides:

- 1) The body of the notice must be set in 12 point type or larger.
- 2) The headline "Notice of Public Hearing on Increasing Property Taxes" must be set in 18 point type or larger.
- 3) The notice cannot be smaller than 8 column inches by 4 horizontal inches.
- 4) The notice cannot be placed in the portion of the newspaper reserved for legal notices or classified advertising.

**NOTICE OF PUBLIC HEARING ON INCREASEING PROPERTY TAXES**

The Village Council of the Village of Lawton will hold a Public Hearing and subsequently make a decision on a proposed increase of .1459 mills in the operating tax millage rate to be levied on property in 2021. The hearing will be held at a Council Meeting on Tuesday, June 22, 2021 at 7:00 pm.

If adopted, the proposed additional millage will increase operating revenues from ad valorem property taxes .087% over such revenues generated by levies permitted without holding a hearing. If the proposed additional millage rate is not approved, the operating revenue will increase by 4.31% over the preceding year's operating revenue. The taxing unit publishing this notice, and identified below, has complete authority to establish the number of mills to be levied from withing its authorized millage rate.

The public hearing will take place both in person and remotely. The in-person meeting will be held at the Lawton Elementary Music Room, 702 E 2<sup>nd</sup> Street, Lawton MI 49065. To access remotely BY PHONE, dial 312 626 6799 and ENTER meeting ID #223 344 2545; BY COMPUTER, go to <https://us02web.zoom.us/j/2233440545> and ENTER meeting ID #223 344 2545. Those unable to attend may submit written comments to the Village Clerk (contact information below). Written comments must be received before 4:00 pm June 18, 2021.

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.

This notice is published by:

Village of Lawton  
125 S Main Street  
Lawton MI 49065  
269.624.6407  
www.LawtonMI.gov

# Rules of procedure for the Lawton Village Council

Rules of procedure help a council to run an efficient meeting and to interact with the public and the media in a positive manner. Accordingly, the Lawton Village Council hereby adopts the following rules:

## **A. Regular and Special Meetings**

All meetings of the Village Council will be held in compliance with state statutes, including the Open Meetings Act, 1976 PA 267 as amended, and with these rules.

### **1. Regular meetings**

Regular meetings of the Village Council will be held on second and fourth Tuesday (if necessary) of each month beginning at 7:00 p.m. at the Lawton Village Hall, 125 S Main, Lawton MI, unless otherwise rescheduled by the council. If any regularly scheduled meeting falls on a legal holiday, the regular meeting will be scheduled at the call of the President. Changes in the regular meeting schedule shall not be made except upon the approval of the majority of the members in session.

### **2. Special meetings**

A special meeting shall be called by the Clerk upon the written request of the President or any two members of the council on at least 18 hours' notice as required by the Open Meetings Act. Written notice to each member of council may be served personally or left at the councilmember's usual place of residence. Special meeting notices shall state the purpose of the meeting. No official action shall be transacted at the special meeting of the council unless the item has been stated in the notice of the meeting. Business conducted at a special meeting is limited to the business indicated in the request and included in the notice of the meeting.

### **3. Posting requirements for regular and special meetings**

- a. Within 10 days after the last meeting of the council in December public notice stating the dates, times and places of the regular monthly council meetings will be published and posted at Village Hall, in accordance with the Open Meetings Act.
- b. For a rescheduled regular meeting or a special meeting of the council, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting at Village Hall.
- c. The notice described above is not required for a meeting of the council in emergency session in the event of a severe and imminent threat to the health, safety, or welfare of the public when two-thirds of the members of the council determine that delay would be detrimental to the Village's efforts in responding to the threat.
- d. The Michigan Open Meetings Act requires that copies of the notice of public meetings be provided by first-class mail upon request and payment of a reasonable yearly fee for the costs of printing and postage, as determined by the council.

#### **4. Minutes of regular, special, or committee of the whole meetings**

The Clerk shall attend the council meetings and record all the proceedings and resolutions of the council in accordance with the Open Meetings Act. In the absence of the Clerk, a designee of the council may temporarily perform the Clerk's duties. Copies of minutes of all meetings except closed sessions shall be prepared and made available to the public in accordance with the Open Meetings Act.

Within 15 days of a council meeting a synopsis showing the substance of each separate decision of the council or the entirety of the council proceedings shall be prepared by the Clerk and shall indicate the vote of the councilmembers. After the President approves this document, it shall be published in a newspaper of general circulation in the village or posted in three public places in the Village.

A copy of the minutes of each regular or special council meeting shall be available for public inspection at the Village offices during regular business hours.

#### **5. Study sessions**

Upon the call of the President or the council and with appropriate notice to the council members and to the public, the council may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. No votes shall be taken on any matters under discussion, nor shall any councilmember enter a formal commitment with another member regarding a vote to be taken subsequently.

### **B. Conduct of meetings**

#### **1. Meetings to be public**

All regular and special meetings of the council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the council may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act MCL 15.267(l).

All official meetings of the council and its committees shall be open to the public and media who may record or transmit its proceedings by radio, television, and photographic services, provided that such arrangements do not interfere with the orderly conduct of the meeting. Council may establish additional rules and regulations governing recording and broadcasting to minimize disruption.

#### **2. Agenda preparation**

Pending matters and requests for agenda items of business for regularly scheduled Council meetings, shall be compiled by the Village Clerk and/or Manager. The Village Clerk and/or Manager shall prepare the agenda together with copies of meeting minutes, contracts, resolutions, reports, explanations, and supporting documentation, etc., that relate to the matters of business on the agenda, and distributed to all Council Members, and posted for public inspection.

Any Council Member, department head, organization or person desiring to place a matter on the agenda shall notify the Village Clerk and/or Manager of such item by the close of business a 5:00 p.m. on the Wednesday of the week preceding the next regular meeting.

Items that the Village Manager/Clerk do not receive by the stated deadline shall not be considered by the Council except upon the consent of members present. Any council member shall have the right to add items to the regular agenda before it is approved at the council meeting.

The council agenda shall be prepared with the following order of business

- a. Call to Order and Roll Call
- b. Pledge of Allegiance
- c. Approval of Consent Agenda
- d. Approval of Agenda
- e. Approval of Minutes
- f. Approval of Invoices | Payroll
- g. Public Communications
- h. Verbal comments
- i. Written communications
- j. Appointments / Resignations/ Proclamations
- k. Public Hearings / Presentations / Resolutions
- l. Unfinished Business
- m. New Business
- n. Reports from Commission/Committee/Boards
- o. Reports from Staff
- p. President's Report
- q. Council Reports
- r. Adjournment

### **3. Consent agenda**

A consent agenda is used to allow the council to act on multiple administrative and noncontroversial items in a single motion. Included on this agenda can be approval of the agenda, approval of minutes, payment of bills, approval of recognition resolutions, etc. Upon request of a member, an item shall be removed from the consent agenda and placed on the regular agenda for discussion.

### **4. Agenda distribution**

Council members should receive agenda packets no less than 48 hours prior to any scheduled regular or special meetings via each member's Village-issued email address. If available, agenda packets will accompany the notice of the meeting.

### **5. Quorum**

A majority of the entire elected or appointed and sworn members of the council shall constitute a quorum for the transaction of business at all council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice. When council members are unable to attend a scheduled council meeting, notification within a reasonable

time, via phone call, text or email to the President, Village Manager and Village Clerk should be given.

Remote Attendance. Members of the Village Council may be connected by means of a two-way communication device for the purpose of participating in any Regular or Special Village Council meeting provided a quorum is physically present at the posted meeting place and the communication equipment allows everyone in the meeting to hear each other. Any votes taken during the meeting shall be by roll call. Remote participation shall not be considered attendance for the purpose of establishing a quorum or receiving per diem. Such participation shall be approved in advance by the President and limited to two (2) consecutive meetings and no more than six (6) meetings total in any fiscal year of the Village.

## **6. Attendance at council meetings**

Election to the Village Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in council activities and represent the residents of the village. Attendance at council meetings is critical to fulfilling this responsibility. A general law Village Council is empowered by Section 65.5 of the General Law Village Act as amended to adjourn a meeting if a quorum is not present.

The council may excuse absences for cause. If a councilmember has more than three unexcused successive absences for regular or special council meetings, the council may enact a resolution of reprimand. If the member's absences continue for more than three additional successive regular or special meetings of the council, the council may enact a resolution of censure or request the councilmember's resignation or both.

## **7. Presiding officer**

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The President is ordinarily the presiding officer. The council shall appoint one of its members President pro tempore, who shall preside in the absence of the President. In the absence of both the President and the President pro tempore, the member present who has the longest consecutive service on the council shall preside.

## **8. Disorderly conduct**

The President may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the chair determines whether the person is in order.

If the person so engaged in presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the council. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the sergeant at arms to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

## **C. Closed meetings**

## **1. Purpose**

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, which are the following

- a. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent when the named person requests a closed meeting.
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- d. To consult with the municipal attorney or another attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the council.
- e. To review the specific contents of an application for employment or appointment to a public office when a candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting.
- f. To consider material exempt from discussion or disclosure by state or federal statute.

## **2. Calling closed meetings**

At a regular or special meeting, any councilmembers, elected or appointed and serving, by a two-thirds roll call vote may call a closed session under the conditions outlined in Section C.1 of the Open Meetings Act. The roll call vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

## **3. Minutes of closed meetings**

A separate set of minutes shall be taken by the Clerk or the designated secretary of the council at the closed session. These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

## **D. Discussion and voting**

### **1. Rules of parliamentary procedure**

The rules of parliamentary practice as contained in the latest edition of Robert's Rules of Order - Revised shall govern the council in all cases to which they are applicable, provided that they are not



in conflict with these rules, Village ordinances or applicable state statutes. Council may at any time vote to suspend the rules or proceeding and a failure to follow “Roberts Rules of Order” or any other published rules shall not invalidate any action by council taken in accordance with the Village charter and state law.

The chair shall preserve order and decorum and may address points of order in preference to other councilmembers. The chair shall decide all parliamentary questions subject to appeal and reversal by a majority of the councilmembers present.

Any member may appeal to the council a parliamentary ruling of the chair. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the chair may briefly defend the ruling. There shall be no debate on the appeal. The question shall be, “Shall the decision of the chair be sustained?” If the majority of the members present vote “aye,” the ruling of the chair is sustained; otherwise it is overruled.

## **2. Conduct of discussion**

During the council discussion and debate, no member should speak until recognized for that purpose by the chair. After such recognition, the member should confine discussion to the question at hand and to its merits and should not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone and avoid interjecting a personal note into debate.

No member will be permitted speak more than once on the same question until every other member desiring to speak to that question has had the opportunity to do so.

The chair, at his or her discretion and subject to the appeal process, may permit any person to address the council during its deliberations.

## **3. Ordinances and resolutions**

No ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call vote is required by law or by council rules.

## **4. Roll call**

In all roll call votes, the names of the members of the council shall be called in an order at the discretion of the Village Clerk. In all roll call votes, the Village Council President votes last.

## **5. Duty to vote**

Election to council carries with it the duty to vote on all matters properly brought before it. Councilmembers present at a council meeting shall vote on every matter before the body, unless

otherwise excused or prohibited from voting by law. A councilmember who is present and abstains or does not respond to a roll call vote shall be counted as voting with the prevailing side and shall be so recorded, unless otherwise excused or prohibited by law from voting.

Conflict of interest, as defined by law, shall be the sole reason for a member to abstain from voting. The opinion of the Village Attorney shall be binding on the council with respect to the existence of a conflict of interest. A vote may be tabled, if necessary, to obtain the opinion of the Village Attorney.

The right to vote is limited to the members of council present at the time the vote is taken. Voting by proxy or by telephone is not permitted. All votes must be held and determined in public; no secret ballots are permitted.

## **6. Results of voting**

In all cases where a vote is taken, the chair shall declare the result. Any council member voting in the majority may move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the council. When a motion to reconsider fails, it cannot be reconsidered.

Except as otherwise provided by Public Act 317 of 1968, as amended, being MCL 15.321 et seq., regarding public contracts involving members of the Council, no member of the Council shall vote on any question in which he or she has a financial interest, or on any question concerning his or her own conduct.

Roll Call Votes. The names and votes of members shall be recorded on all actions to adopt ordinances and resolutions, to appoint or elect officers, financial matters, and all other final actions. Procedural questions may be decided by voice vote. Upon the request of any Council Member, a roll call vote shall be taken on other motions and actions.

When a roll call vote is required on a question, and after the President has stated the question, the Clerk is directed to call the roll. No motion shall be in order until such roll call is completed, and the result is announced by the President.

In all cases where a non-roll call vote is taken, the President shall decide the results. Any member may call for a division and the "yes" and "no's" shall be called upon by the request of the President or any member.

## **E. Citizen participation**

### **1. General**

Each regular council meeting agenda shall provide for reserved time for public comment. If requested by a member of the council, the chair may allow a member of the audience to speak at times other than reserved time for public comment.

### **2. Length of presentation**

Any person who addresses the council during a council meeting under public comment or for a

public hearing shall be limited to 3 minutes in length per individual presentation. The Clerk will maintain the official time and notify the speakers when their time is up.

### 3. Addressing the council

Persons addressing the council shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

## F. Miscellaneous

### 1. Adoption and amendment of rules of procedure

A copy of these rules, as and when adopted by council, shall be distributed to each council member. The council may alter or amend its rules at any time by a vote of a majority of its members serving.

### 2. Suspension of rules

These rules may be suspended for a specified portion of a meeting by an affirmative vote of a majority of the members present, with the exception that council actions shall conform to state statutes and to the Michigan and the United States Constitutions.

### 3. Bid awards

Bids will be awarded by the council during regular or special meetings. A bid award may be made at a special meeting of council if that action is announced in the notice of the special meeting.

### 4. Committees

a. The Village shall have the following standing committees:

- **Water and Sewer Committee** – oversees essential water and sewer utility services to Village residents. The Committee serves the public interest by protecting consumers and ensuring the provision of safe, reliable utility service and infrastructure at reasonable rates, with a commitment to environmental enhancement and a healthy Village economy. The committee recommends project priority lists and committee goals each year.
- **Public Services Committee** - provides support to the department of public works in its activities to improve and maintain the Village's public lands and infrastructure. The committee monitors projects involving major and local street construction as well as general maintenance, park infrastructure, buildings and grounds, sanitation, cemetery, street lighting and general stormwater management issues. The committee also assists in the formation and implementation of the Capital Improvement Plan (CIP), staffing needs and the review and recommendation of departmental policies. The committee recommends project priority lists and committee goals each year.
- **Finance & Administration Committee** – provides financial oversight for the Village,

including reviewing and recommending the payment of monthly bills, regular monitoring of the annual budget, financial reporting and the creation and monitoring of internal controls and accountability policies.

The Committee is also responsible for a wide variety of topics centered upon subjects applicable to Village operations, all employees, and elected officials. The Administrative Committee discusses, reviews, and provides recommendations on Village ordinances and resolutions, contracts and other duties associated with municipal government. It is responsible for the overview of operations to maximize efficiencies, including but not limited to, communications, human resource and employee benefits administration, contract management, computer, and technology administration. The committee recommends project priority lists and committee goals each year.

- **Public Safety Committee** - oversees the Police Department including management and personnel. The Police Committee provides support to advance department operational policies, objectives, and procedures, liquor licenses and regularly monitors departmental activities. The Police Committee reviews readiness, including but not limited to, officer training, equipment procurement and staffing requirements. The committee recommends project priority lists and committee goals each year.
- **Community & Economic Development Committee** – assists in the preparing, administering and implementation of community development and housing plans, policies and ordinances that result in the highest quality standards of growth, appearance and convenience for the Village and its residents. The committee is responsible for participation in the Redevelopment Ready Community (RRC) planning program and implementation of the Village's Master Plan and all development regulations.

The committee assists in the retention, growth, promotion, and attraction of businesses to create a more diversified, sustainable economy, to increase and extend the tax base of business and industry and to increase employment opportunity in the Village. The committee recommends project priority lists and committee goals each year.

The Village Council Committees are appointed by the President, with a different council member assigned to head each committee. The committees will include 3 Council members. The President shall fill any committee vacancies. Committee members shall serve for a term of one year and may be reappointed.

Special committees may be established for a specific period of time by the President or by a resolution of the council which specifies the task of the special committee and the date of its dissolution.

A member of Council, appointed by the President and confirmed by the Council, must also serve ex-officio on the Downtown Development Authority and the Planning Commission.

b. Citizen task forces

Citizen task forces may be established by the council which specifies the task to be accomplished and the date of its dissolution. Members of such committees will be appointed by the President,

subject to approval by a majority vote of the council and must be residents of the Village, unless special skills or experience are useful to the task force in which case up to two non-residents may be appointed to a citizen task force. Vacancies will be filled by majority vote of the council in the same way appointments are made.

**5. Authorization for contacting the Village Attorney**

The following officials (by title) are authorized to contact the Village Attorney regarding municipal matters:

- a. Village President
- b. Village Manager
- c. those approved by the Village Manager

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# LAWTON POLICE DEPARTMENT – COUNCIL REPORT

## MAY 2021

Calls for Service/Complaints-----**142**

Ordinance complaints-----**15**

    Blight **(8)**        Zoning **(1)**        Misc. **(6)**

Traffic stops-----**27**

    Citations issued **(13)**        Verbal warnings **(31)**

Arrests-----**13**

Accidents-----**0**

Parking citations-----**0**

HOURS WORKED:    Scheduled (Full-time)        744

                    Scheduled (Part-time)        36

                    Overtime hours                22

                    Vacation hours                8

                    Sick leave hours              12

### COMMUNITY POLICING:

Officers made **(173)** field contacts and **(54)** business contacts.

Officer Hitchcock and Chief Mack represented the police department at the 2<sup>nd</sup> grade field trip, held at the Lawton Elementary.

Chief Mack assisted the Lawton Fire Department with fire prevention with the Kindergarteners at the elementary.

Officers were present during High School sporting events.

**NOTABLE INCIDENTS:**

Lawton Officers investigated (2) separate stolen vehicle complaints involving the same juvenile. The first, involving a stolen golf cart from Adam's Hardware. The vehicle was recovered and the juvenile was taken to the juvenile detention facility in Allegan. Approx. 1 week later, the juvenile stole a front end loader from the Semi Academy and drove it up Main St. and onto Bitely, while pushing a 12 foot I-beam. The juvenile was again taken to the detention facility in Allegan, and proper treatment is being sought.

S. Main @ Third St. - Officer Weekly stopped a vehicle after observing a traffic violation and noticing the vehicle did not have taillights. After contacting the driver, an OWI investigation was started and the driver was arrested for drunk driving.

**ADDITIONAL:**

For the month of May, 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:

19.33 hours – Main St.

14.25 hours – All other areas within the Village

Total hours – 33.58

## Van Buren County File Class / Section Report

Number	Sub-Beat	Date	Offense	Location	Incident Code-Type	Officer
21-0494	LAWTON-1	05/01/2021	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	325 Walker Street	- <i>Couch in yard</i>	Hitchcock, S. <i>Removed</i>
21-0569	LAWTON-1	05/20/2021	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	421 Third Street	- <i>long grass</i>	Mack, J. <i>mowed</i>
21-0571	LAWTON-1	05/20/2021	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	435 Main Street	- <i>long grass</i>	Mack, J. <i>Mowed</i>
21-0572	LAWTON-1	05/20/2021	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	434 Liberty Street	- <i>long grass</i>	Mack, J. <i>Mowed</i>
21-0573	LAWTON-1	05/20/2021	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	318 Adams Street	- <i>long grass</i>	Mack, J. <i>Mowed</i>
21-0574	LAWTON-1	05/20/2021	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	202 Railroad Street	- <i>long grass</i>	Mack, J. <i>Mowed</i>
21-0577	LAWTON-1	05/20/2021	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	216 Third Street	- <i>Steps by road</i>	Hitchcock, S. <i>Removed</i>
21-0580	LAWTON-1	05/21/2021	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	118 Main Street	- <i>long grass</i>	Mack, J. <i>Mowed</i>
21-0600	LAWTON-1	05/26/2021	ZONING ORDINANCE 153.01 Zoning ordinance 153.01	402 Durkee Street	- <i>long grass</i>	Largen, J. <i>Mowed</i>
<b>Total:</b>	9					



# WATER/SEWER OPERATIONS REPORT

## May 2021

- 1) 12,947,000 Gallons of water were pumped during the month compared to 8,521,000 in 2020.
- 2) The average daily usage was 417,645 gallons.
- 3) Routine sampling was done with all samples being non detect.
- 4) we flushed hydrants on the 27th

Total hours for the month	Water – 51	Overtime – 14
	Sewer – 166	Overtime – 26

Respectfully submitted,

Todd Hackenberg  
Superintendent of Public Works