

VILLAGE *of* LAWTON
VILLAGE COUNCIL MEETING
125 S. MAIN STREET, LAWTON, MI 49065
TUESDAY, OCTOBER 12TH, 2021 – 7:00 P.M.

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSENT AGENDA**
 - A. Approval of the October 12th, 2021, Agenda
 - B. Approval of the September 14th, 2021, Minutes
 - C. Approval of Disbursements in the amount of \$51,028.49
 - D. Approve payment of Michigan Municipal League Membership annual renewal in the amount of \$1,463.
- V. COMMUNICATIONS / CORRESPONDENCE / PRESENTATIONS**
- VI. CITIZENS' COMMENTS – (Please keep comments to 3 minutes)**
- VII. PUBLIC HEARINGS / APPOINTMENTS / PROCLAMATIONS**
 - A. **Second Reading and Public Hearing:** hear comment on proposed **Ordinance 201 of 2021 – the International Property Maintenance Code** (2015 Edition) to be adopted by reference as the Property Maintenance Code of the Village of Lawton...**Hear Comment**
 - 1. **President opens Public Hearing**.....**Voice Vote**
 - 2. **Public offers comment**.....**please limit comments to 3 minutes per person**
 - 3. **President closes Public Hearing**.....**Voice Vote**
- VIII. OLD BUSINESS:**
 - A. **Ordinance 201 of 2021:** Adopt the International Property Maintenance Code (2015 Edition) by reference as the Property Maintenance Code of the Village of Lawton.....**Staff Recommends Approval by Roll Call Vote**

IX. NEW BUSINESS

- A. Resolution #20-2021:** A Resolution Approving a Land Division at 301 72nd Street Parcel #80-45-700-130-00.....**Staff Recommends Approval by Roll Call Vote**
- B. Resolution #21-2021:** A Resolution Authorize the sale of Real Property and Execution of Sale Documents.....**Staff Recommends Approval by Voice Vote**
- C. Resolution #22-2021:** A Resolution Approving a Charitable Gaming License for the Lawton Athletic Boosters.....**Staff Recommends Approval by Roll Call Vote**

X. BOARD, COMMITTEE, AND STAFF REPORTS

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

XI. COUNCIL COMMENTS

XII. ADJOURNMENT - NEXT REGULAR MEETING DATE – *October 26th, 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 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 September 14, 2021, at 7:00 p.m.

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

WWW.LAWTONMI.GOV 269.624.6407

MINUTES

- I. **CALL TO ORDER** Pro Tem President Appleby called the September 14, 2021, meeting of the Lawton Village Council to order at 7:00 p.m.
- II. **A MOMENT OF SILENCE** was held in Remembrance of Paul Knudstrup.
- III. **PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was recited.
- IV. **ROLL CALL:** Present: Pro-Tem President Appleby. Trustees: E. Dudek, N. Smith, G. Dudek, J. Peterson, and R. Turner. Others present: Village Manager Imus, Chief Mack, and 2 other guests.
- V. **CONSENT AGENDA:** The Consent Agenda included the approval of the September 14, 2021, Council Agenda, the August 10, 2021, Council Meeting minutes, and the August 26, 2021, special Council Meeting minutes, disbursements in the amount of \$48,894.76, and correspondence with the County Resource Recovery program. Peterson made a motion to approve the Consent Agenda with submitted corrections, supported by E. Dudek. A unanimous roll call vote approved the motion.
- VI. **COMMUNICATIONS, CORRESPONDENCE AND PRESENTATIONS:**
 - A. New Community Church, 74675 CR 652 in Lawton, MI requested to have the Park Rental fees waived for the use of the Pavilion at Chancey Lewis Park for the Church's use. Discussion was had and it was brought up that the Church has volunteered numerous times to help in the community and at the park. Turner made motion to waive the rental fees with support from Smith. A unanimous roll call vote was taken in favor.
- VII. **CITIZENS' COMMENTS: None**
- VIII. **PUBLIC HEARINGS / APPOINTMENTS:**
 - A. Due to the passing of Lawton Village President Paul Knudstrup, a new presidential appointment was required. President Pro-Tem Appleby confirmed interest in the office. E. Dudek, with support from Smith, made the motion to appoint Pro-Tem President Appleby as President to replace Paul Knudstrup in his unexpired term of President ending November 22, 2022. A unanimous voice vote confirmed the appointment.
 - B. President Appleby recommended to Council to appoint Eric Dudek as President Pro-Tem for the unexpired term of Josh Appleby ending November 2022. Turner, supported by Smith, made the

motion to appoint E. Dudek as President Pro-Tem as nominated by President Appleby. A unanimous voice vote confirmed the appointment.

IX. EXISTING BUSINESS:

- A. Paul Harvey, Wightman and Associates Engineer, presented a first draft of the preliminary Capital Improvement Plan (CIP). The CIP was broken down into three groups – Sewer, Water and Streets (both Major and Local). The prioritization of the projects was based on information from the Storm/Sanitary Wastewater Asset Management (SAW - 2019) Report, the Water Asset Management Plan (WAMP – 2017), the 2021 Water Reliability Study, EGLE guidance regarding the Lead Copper Rule (LCR), and the Placement Surface Evolution and Rating (PASER) study for streets. Current budgets and fund balances helped guide the prioritization of projects. Projects were bundled by area and then categorized as Absolute Need, Need, and Want.

The total of included projects over the next 10 years was \$8 million, including approximately one-third of the lead and copper replacements. The CIP will be sent to Baker-Tilly to help in completion of the water/sewer rate study they are finishing

Council noted on the project list was the extension of Morrill Street. In past discussion it was decided it was not in the best interest of the Village to move forward with this project. Paul Harvey will reach out to BakerTilly and this will be taken off from the CIP.

X. NEW BUSINESS:

- A. E. Dudek, supported by Smith made a motion to establish Halloween Trick or Treating hours within the Village of Lawton for Sunday, October 31, 2021, from 5:30 pm to 7:30 pm. These are the same hours as in years past. Motion was approved by unanimous voice vote.

XI. BOARD, COMMITTEE, AND STAFF REPORTS

- A. **Planning Commission** – Peterson reports Planning Commission met on 9/7/21. Everyone was present in person. They listened to a presentation on the Master Plan and then reviewed the Request for Proposals for the Master Plan that the Manager was sending out.
- B. **Downtown Development Authority (DDA)** - G. Dudek reports no meeting in July.
- C. **Community & Economic Development Committee (CEDC)** – Smith reports no meeting in August; however, Smith, Manager Imus and Sharon Woods met briefly regarding a Residential Target Market Analysis and rescheduled the meeting for 8:00 am on September 22, 2021.
- D. **Finance and Administration Committee** –Appleby reports the committee is down one member. They will be meeting for the Manager’s Review, it will be done the same format, just set back one month.
- E. **Public Safety Committee:** Appleby reports they met before tonight’s meeting. They discussed the Police Department Accreditation though the Michigan Law Enforcement Accreditation

Commission (MLEAC). Ren Turner will join this committee as the Chairperson. The Police Department is having a few issues with some of the vehicle equipment. Chief is seeking information on updates and or replacement.

- F. Public Services Committee** – G. Dudek reports they met 9/1/21 at 7:30 am with DPW Superintendent Hackenberg. Items of topic were filling cracks at Tennis Courts @ Kids Dream, Power Company partially taking down trees and the DPW will finish cleaning up. Hackenberg is searching for a shipping container for additional storage. The Splash Pad will be shut down on September 20, 2021, by My-Splash Pad. Discussion also included the Chip & Seal for streets, Cemetery plotting, and an easement for the drive at Kids Dream.
- G. Water and Sewer Committee** – E. Dudek reports the presentation from Paul Harvey summed up the committee report. He does feel that they are making progress.
- H. Police Department** – Chief Mack's Reports were included in the agenda packet. He added they had several drunk driving arrests that were probably attributed to the Paw Paw Wine & Harvest Festival. R. Turner has been riding along with our different officers.
- I. Department of Public Works** – Superintendent Hackenberg was at a conference. The WWTP and Public Service Reports were included in the agenda packet.
- J. Village Manager** – Manager Imus wanted to send a HUGE thank you to David Dudek for installing the appliances at the Hamilton Street house! Resource Recovery would like us to hold a collection site for both electronics and tires in either May, July or September. This would be a one-day event preferably in a fence in area. Request for proposals of the Master Plan have been sent out last Wednesday (9/8/21) Bids are due October 7, 2021 and she would like Council to hold a joint meeting with the Planning Commission on Thursday October 14, 2021 to hold interviews with the top finalists and have a 2nd meeting in October to award the Contract. The Van Buren County Redevelopment Authority (VBCBRA) approved a Grant for the Phase II Environmental Assessment in the amount of \$13,500. The Village has recorded the deed for ownership of 410 White Oak. The Village must pay the back taxes, and demolition is being scheduled after an asbestos survey is complete. Imus mentioned the newsletter went out last week with a notice seeking interested candidates for the open Village Council Position.

XII. COUNCIL COMMENTS: E. Dudek talked with a recruiter at the football game on Friday and he had many kind things to say about the Lawton community.

XIII. CLOSED SESSION:

- A.** Turner, supported by G. Dudek, made a motion to go into Closed Session at 8:00pm in accordance with the provisions of Section 8 of the Open Meetings Act to consider the sale of real property. A unanimous roll call vote carried the motion.

XIV. RETURN TO OPEN SESSION:

- A. Council returned to open session at 8:20 pm
- B. Peterson, supported by Turner, made a motion to grant authority to Smith and Imus to work with the Realtor to negotiate a fair and reasonable price for the house at 432 Second Street. A unanimous roll call vote carried the motion.

XV. ADJOURNMENT:

Turner, supported by E. Dudek, made a motion to adjourn the meeting at 8:23 p.m. A voice vote was taken with unanimous approval of those present. The next regular scheduled meeting is October 12, 2021.

Respectfully Submitted by Joni Bell, Village Clerk

Check Date	Check	Vendor Name	Description	Amount
Bank GEN GENERAL CHECKING				
09/13/2021	4976	ADAMS HARDWARE	CONSOLIDATED BILLS	1,596.06
09/13/2021	4977	ANTWERP TOWNSHIP TREASURER	119 N MAIN ST - RAYMOND REID PROPERTY	404.25
09/13/2021	4978	BADGER METER, INC	BEACON MBL HOSSTING SERV UNIT	38.07
09/13/2021	4979	BEN W. JOHNSON	AUGUST CLEANING X4	440.00
09/13/2021	4980	BLOOMINGDALE COMMUNICATIONS	TELEPHONE FOR ACCT NO 0003714	334.86
09/13/2021	4981	CAROLINE BERGEON	RETURNED DEPOSIT FEE FOR 9/11 S PAVILLIO	35.00
09/13/2021	4982	CONSORT DISPLAY GROUP	SCREW GEAR BAND	86.25
09/13/2021	4983	CONSUMERS ENERGY	625 W UNION ST ACCT NO 1000 0710 4159	22.55
			HEAT FOR ADDRESS 125 MAIN ST ACCT NO 100	16.01
			HEAT FOR ACCT NO 1000 0710 3904 202 JAME	19.03
				<u>57.59</u>
09/13/2021	4984	CYNTHIA PYARD	RETURNED DEPOSIT FEE FOR 8/28- S PAVILIO	50.00
09/13/2021	4985	DICKINSON WRIGHT PLLC	ECONOMIC DEVELOPMENT PROJECT	4,560.00
09/13/2021	4986	FERGUSON WATERWORKS #3386	MATERIALS	228.72
09/13/2021	4987	FISHER AUTO PARTS	TAILGATE SUPPORT CABLE	22.18
09/13/2021	4988	FRONTIER	TELEPHONE AND INTERNET FOR DPW AND WWTP	617.59
09/13/2021	4989	HS FLEET SERVICES LLC	LED HEADLIGHTS FOR F250	495.08
			MAINTENANCE ON WO 1550	100.62
				<u>595.70</u>
09/13/2021	4990	INDIANA MICHIGAN POWER CO.	ELECTRIC - STREET LIGHTING	950.82
			ELECTRIC - DPW	26.89
			ELECTRIC - WATER TOWER	161.77
			ELECTRIC	5,949.99
				<u>7,089.47</u>
09/13/2021	4991	KIMBALL MIDWEST	CAP SCREW, SOCKET ADA	68.32
09/13/2021	4992	LAURA NIVEN	RETURNED DEPOSIT FEE FOR 8/29 - S PAVILI	50.00
09/13/2021	4993	LAWSON OIL COMPANY	1 CASE SG 5W30	43.80
			PDF	717.93
			NO LEAD REGULAR	2,537.34
				<u>3,299.07</u>
09/13/2021	4994	LISA IMUS	MILEAGE FOR MME SUMMER WORKSHOP	211.68
09/13/2021	4995	MAP	RFP ADVERTISEMENT ON WEBSITE	75.00
09/13/2021	4996	MICHIGAN MUNICIPAL LEAGUE	WORKER'S COMP FUN POLICY PREM 7/1/2021 T	8,141.00
09/13/2021	4997	NARCISSA MARING	RETURNED DEPOSIT FEE FOR 9/11 L PAVILLIO	50.00
09/13/2021	4998	NCL OF WISCONSIN, INC.	PHOSPHORUS TEST N TUBE, BUFFER SOLUTIONS	387.79
09/13/2021	4999	PEERLESS MIDWEST, INC.	ANNUAL WELL & PUMP PERFORMANCE TESTING A	1,300.00
09/13/2021	5000	PRECISION PRINTER SERVICES INC	TONER FOR CLERK'S OFFICE PRINTER	799.75
09/13/2021	5001	PRESTON VOSS	RETURNED DEPOSIT FEE FOR 8/28 - L PAVILI	50.00
09/13/2021	5002	PRIORITY HEALTH	INSURANCE GROUP ID 794824	7,386.03
09/13/2021	5003	QUALITY AIR SERVICE, INC	LABOR, MILEAGE, MSA SMOKE TUBE	402.25
09/13/2021	5004	RACHEL BOSWELL	RETURNED DEPOSIT FEE FOR 9/12 - L PAVILI	50.00
09/13/2021	5005	REPUBLIC SERVICES OF	WASTE CONTAINERS FOR SUMMER CLEANUP	962.00
			WASTE REMOVAL	282.95
			WASTE REMOVAL	287.95
				<u>1,532.90</u>
09/13/2021	5006	SAFEBUILT	PERMITS FOR 715 N MAIN, 712 CONCORD, 99	1,691.00

Check Date	Check	Vendor Name	Description	Amount
09/13/2021	5007	THE STANDARD	LIFE INSURANCE ACCT NO 00 168051 0001	987.37
09/13/2021	5008	USA BLUE BOOK	SEWAGE PUMP MAN GLOVES, HYDROCHLORIC ACID CIRCULAR CHART, CHART PAPER, CHART PENS	403.09 68.29 524.17
				<u>995.55</u>
09/13/2021	5009	VAN BUREN CONSERVATION DISTRICT	2021 HOUSEHOLD HAZARDOUS WASTE RECYCLING	500.00
09/13/2021	5010	VILLAGE OF PAW PAW	WATER LAB ANALYSIS WATER LAB ANALYSIS	150.00 150.00
				<u>300.00</u>
09/13/2021	5011	WAGONER'S	WWTP CONSOLIDATED	17.88
09/13/2021	5012	WYOMING ASPHALT PAVING CO, INC	COMMERCIAL TOP	833.00
09/13/2021	5013	CHELSEY LASINSKI	RETURNED DEPOSIT FEE FOR 8/22 S PAVILLIO	35.00
09/23/2021	5014	ALBERTO REYNA	WOOD COMPUTER PROTECTOR	50.00
09/23/2021	5015	APPLIED IMAGING	LIBRARY COPIER CONTRACT NO CN3599-01 - A	120.43
09/23/2021	5016	BAKER & TAYLOR, INC.	BOOKS BOOKS BOOKS BOOKS BOOKS	188.65 226.67 304.20 1,203.77 1,305.40
				<u>3,228.69</u>
09/23/2021	5017	BLOOMINGDALE COMMUNICATIONS	PHONE	164.64
09/23/2021	5018	CENGAGE LEARNING.	AUGUST WESTERN 2 PLAN	44.23
09/23/2021	5019	CLARK TECHNICAL SERVICES	LPL 2021 SUPPORT	1,410.00
09/23/2021	5020	PETTY CASH LAWTON PUBLIC LIBRARY	MENARDS, DOLLAR TREE	46.86
09/23/2021	5021	QUILL CORPORATION	SOFT-COVER MONEY.RENT RECEIPTS MARKERS, TAPE COPY PAPER MARKERS	11.67 47.99 61.98 58.97
				<u>180.61</u>
09/23/2021	5022	SYNCB/AMAZON	BOOKS, CRAFTS	437.75
09/23/2021	5023	US INTERNET	INTERNET	10.00
09/23/2021	5024	VAN BREN DISTRICT LIBRARY	JOHNSON, GREGORY - PUT YOUR LIFE ON A DI	15.95

GEN TOTALS:

Total of 49 Disbursements: 51,028.49



michigan municipal league

MICHIGAN MUNICIPAL LEAGUE
MEMBERSHIP RENEWAL INVOICE

2021 - 2022

Lawton

ID: 277

Date: 10/01/2021

Membership Period: 12/01/2021 - 11/30/2022

	<u>Current Balance</u>	
* MML Dues	1,463.00	
** Legal Defense Fund	146.00	optional
	\$1,609.00	<u>\$1463.</u>

Total Due by December 01, 2021:
~~\$1,609.00~~ \$1463.

Please sign, date and return one invoice copy with your payment.

Make checks payable to the Michigan Municipal League and mail to the address below. Thank you.

(Signature)

(Date)

* MML dues include annual subscriptions to *The Review* for your officials at \$12.00 per subscription, which is 50% of the regular subscription rate.

** The Legal Defense Fund is an optional charge. The purpose of the Fund is to provide specialized legal assistance to member municipalities in cases that have significant statewide impact.

See what the League can do for you by visiting www.mml.org

Ms. Joni Bell
Village Clerk
Lawton

Dear Ms. Joni Bell,

On behalf of the Michigan Municipal League, we hope you and your fellow civil servants are doing well as you continue providing essential services during this unchartered time. The COVID-19 pandemic has caused physical illness of residents and employees, mental anguish and isolation, economic loss, and uncertainty about the future. Like you, we have experienced these deeply troubling concerns while also striving to be an essential resource for our constituents—that includes you and the family of communities in Michigan.

Over the past year, we hope you've found value in our Coronavirus resource page accessible at mml.org. While the initial onslaught of regulatory orders are behind us, there are still many useful webinars and resource guides that answer critical questions communities are facing now. Front and center in this moment are the various funding opportunities every community in Michigan, including yours, will have access to because of our collective effort to shape and make law the American Rescue Plan Act. This federal relief package is historic in size and scope; it delivers major investments in our communities that will improve the quality of life for Michigan residents.

Supporting your stewardship of this funding is a top priority of ours for the coming years. That support extends beyond helping you access resources within varying government agencies. We are also facilitating learning and idea exchanges of the most impactful public service ventures and partnerships that provide lasting, positive change for your residents. We refer to this approach as community wealth building, an intentional, block-by-block strategy that builds shared and individual assets, creating resilient and adaptable systems that address social and economic needs.

Developing cutting edge solutions that help secure a prosperous future, like community wealth building, while continuing to provide the services constituents need right now through blue skies and dark storms is simply who we are. And to be clear, who we are is a reflection of you and your impact.

That's why the League Board of Trustees comprised of municipal leadership from across the state have worked very hard to ensure dues remain low. As result, this year we are passing along a modest 1.4 percent inflationary adjustment to League dues.

The true power of the League comes from you and the combined voices and actions of communities that make Michigan the place nearly 10 million people call home. Your Michigan Municipal League membership is one of the best investments your community can make. We hope you will maximize your membership by contacting us with your questions, and by actively participating in League webinars and future events. Thank you for your support and for your leadership. Because of you, we are confident brighter days are ahead.

Sincerely,



Daniel P. Gilmartin
Executive Director & CEO



William Wild
President, 2020-2021

We love where you live.



Insurance & Employee Benefits *(premiums apply)*

League Workers' Compensation Fund: Group self-insurance fund offering affordable workers' compensation coverage.

League Liability and Property Pool: Covers community property and offers liability protection against most municipal exposures.

League Sponsored BCBSM Program: Provides access to BCBS health insurance for our member communities of under 100 employees.

Unemployment Compensation Fund: Helps members deal more effectively with unemployment claims.

Leadership & Professional Development Opportunities

League Leadership Positions: Opportunity to hold a League leadership position or serve on a board for the Elected Officials Academy, insurance programs, or the Michigan Municipal League Foundation.

Committees: Serve on a committee or taskforce.

Affiliate Organizations: Join one of several tailored organizations for leadership, networking, and training.

Voting Privileges: Voting Privileges Voting privileges at the League's annual business meeting *(full members only)*.

Savings, Vendor & Additional Services

Telecommunications: Cut telecom costs by partnering with Abilita, a telecommunications consulting leader.

CDL Drug and Alcohol Testing Consortium: Random testing program in accordance with DOT regulations.

Classified Ads: Municipal job openings, as well as items for sale, on the League's website.

Business Alliance Program: Vendors providing services to the municipal market.

RFP Sharing Service: Access the companies in the League's Business Alliance Program to help get your RFPs to more prospective bidders.

MML Foundation

John Barr Scholarship: For local elected and appointed officials to use for leadership training.

Tim Doyle Scholarship: Helps newly elected officials attend the Elected Officials Academy Core Weekender seminar.

George and Judith Goodman Scholarship: Encourages high school and college students to pursue careers in public service.

Youth Scholarship Fund: Covers expenses for young people to attend the National League of Cities Summit.



We love where you live.

Membership Benefits at a Glance

Legislative Advocacy

Legislative Advocacy: Expert advocacy and dedicated representation at the state and federal levels on municipal issues, with a newsletter and blog to keep members informed.

Legal Advocacy

Legal Advocacy: Legal assistance on community issues, and advocacy for the interests of municipalities in the courts.

Legal Defense Fund: Advocacy program for municipalities in the state and federal appellate courts (member rates apply).

Placemaking Research & Placemaking Assistance

Redevelopment Ready Communities® Support: Assistance navigating the RCC program through support from Michigan Economic Development Corporation.

Crowdfunding: Information about crowdfunding and investment crowdfunding and how it may apply to your community, as well as expertise on programs available in Michigan.

Michigan Green Communities Network: Collaborative effort to share resources and knowledge around clean energy and environmental sustainability.

Opportunity Zones: Resources to help you understand opportunity zones and how to best leverage those incentives to benefit low and moderate-income communities.

Development Code Reform: Project that developed resources for communities that want to make tactical, incremental changes to their code ordinances in support of better development.

Information, Resources & Consulting

E-books: *Ethics Handbook for Michigan Municipalities*; *Restoring Michigan Communities*; *Handbook for Municipal Officials*.

One-Pager Plus Fact Sheets: Summaries of common municipal topics available online.

Sample Documents: Contracts, ordinances, policies, resolutions, and Request for Proposals (RFPs) available on our website.

Inquiry Service: Information and custom research on your municipal questions.

Directory of Michigan Municipal Officials: Annual listing of elected and key appointed city and village officials.

The Review: Bi-monthly magazine geared specifically to the municipal audience.

Wage and Salary Database: Searchable database of 143 titles, available to respondents of the annual online survey.

Executive Search Service: Recruit the League to facilitate your executive search process.

Consulting Services: Draw on the League's expertise for your management consulting.

Education & Events

Elected Officials Academy: Certification program designed to help elected officials lead in the 21st century.

Seminars and workshops: On-site and online training opportunities.

Convention and Capital Conference: Gain tools to improve your community and receive the latest Lansing updates.



We love where you live.

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

ORDINANCE NO 201 of 2021

**AN ORDINANCE TO ADOPT A PROPERTY MAINTENANCE CODE
OF THE VILLAGE OF LAWTON BY REFERENCE FROM THE
INTERNATIONAL PROPERTY MAINTENANCE CODE (2015 Edition)**

The International Property Maintenance Code (2015 Edition) is being adopted by reference as the Property Maintenance Code of the Village of Lawton, and will regulate and govern the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Village of Lawton; providing for the issuance of permits and collection of fees therefor; and repealing all other ordinances or parts of laws in conflict therewith.

The Village Council of the Village of Lawton does ordain as follows:

Section 1. A copy of the International Property Maintenance Code is on file in the office of the Lawton Village Clerk, being marked and designated as the International Property Maintenance Code, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Village of Lawton, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village of Lawton are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. is amended to read in its entirety as follows:

Title. These regulations shall be known and may be cited as the "Property Maintenance Code of the Village of Lawton," and will be referred to in this article as this "Code."

Section 102.3 is amended to read in its entirety as follows:

102.3. Application of other codes. Repairs, additions, or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical Code, the Michigan Plumbing Code, the Michigan Electrical Code and the Village of Lawton Fire Code. Nothing in this Code shall be construed to cancel, modify or set aside any provision of the Village of Lawton Zoning Ordinance.

Section 103.5 is amended to read in its entirety as follows:

103.5. Fees. The Village Council shall by resolution from time to time, establish a fee schedule for permits under this Code.

Section 106.3 is amended to read in its entirety as follows:

106.3. Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed responsible for a municipal civil infraction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant to this Code. Any action taken by the Village of Lawton on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Section 106.4 is amended to read in its entirety as follows:

106.4. Violation penalties. Any violation of this Code shall be punishable as a municipal civil infraction as provided in and subject to the fines and penalties provided under the Code of Ordinances of the Village of Lawton.

Section 112.4 is amended to read in its entirety as follows:

112.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this Code.

Section 302.4. Insert: 8 Inches

Section 304.14 insert "May 1 to October 31."

Section 602.2 is amended to read in its entirety as follows:

602.2. Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature as provided within the Michigan Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Section 602.3 is amended to read in its entirety as follows:

602.3. Heat supply. Every owner or operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish a heating system to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of not less than 65 degrees F. (18 degrees C.) in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for Lawton shall be 6 degrees F.

Section 602.4 is amended to read in its entirety as follows:

602.4. Occupiable workspaces. Indoor occupiable workspaces shall be supplied with heat during the period from October 1 to May 1 to maintain a temperature of not less than 65 degrees F during the period the spaces are occupied.

Exceptions: Processing, storage and operation areas that require cooling or special temperature conditions or areas in which persons are primarily engaged in vigorous physical activities.

Section 3. That Village of Lawton Ordinance No. 201 of 2021 entitled International Property Maintenance Code 2015 Edition and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Village of Lawton hereby declares that it would

have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the Lawton Village Clerk is hereby ordered and directed to cause this legislation to be published in a paper of general circulation and post as legislatively required.

Section 7. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 20 days upon publication after the date of its final passage and adoption.

Ordinance Offered by:

Ordinance Supported by:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

ADOPTED _____

Josh Appleby, President

Joni Bell, Village Clerk

CERTIFICATION

I, Joni Bell, the duly appointed Clerk of the Village of Lawton do hereby certify the foregoing is a true and complete copy of an ordinance adopted by the Lawton Village Council at a regular meeting held on October 20, 2021, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976 as amended.

Joni Bell, Village Clerk

First Reading: August 10, 2021
Second Reading: October 12, 2021
Adopted:
Published: October 21, 2021
Effective: November 10, 2021

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

RESOLUTION NO. 20-2021

**RESOLUTION APPROVING LAND DIVISION OF 301 72ND AVENUE
LAWTON, MICHIGAN PARCEL #08-45-700-130-00**

At a regular meeting of the Lawton Village Council, held virtually via Lawton Village Hall, Lawton, Michigan, on the 12th day of October 2021, at 7:00 p.m.

PRESENT:

ABSENT:

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

RESOLUTION

WHEREAS, Lawton has received an application for a Land Division from Paul and Mary Juriga of 301 72nd Avenue - Parcel #08-45-700-130-00 in Lawton Michigan, of which an official survey of has been attached as Exhibit A; and

WHEREAS, the land division creates two conforming lots that meet the requirements of the R-1 Residential zoning district; and

WHEREAS, the lots resulting in the land division will be occupied by an existing residential building constructed in conformance with the zoning ordinance, and

WHEREAS, the resulting lots are in conformance with consolidations permitted by the Land Division Act, P.A. 288 of 1967 and

WHEREAS, the resulting lots do not involve an out-lot intended for a future street access, has access to a public road, and is not a flag lot, and

WHEREAS, the resulting lots do not have a lot width-to-depth ratio greater than 1:4.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Village of Lawton Council approves the lot consolidation of 301 72nd Avenue - Parcel #08-45-700-130-00, to be commonly known as 301 72nd Street and 407 72nd Street, Lawton Michigan
2. That any resolutions in conflict with this Resolution are deemed rescinded and revoked by the adoption of this Resolution.

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 12th day of October, 2021.

VILLAGE OF THE VILLAGE OF LAWTON

BY: _____
Josh Appleby, President

BY: _____
Joni Bell, Village Clerk

CERTIFICATION

I, Joni Bell, 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 October 12th, 2021 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: _____
Joni Bell, Village Clerk

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

RESOLUTION NO. 21-2021

**RESOLUTION TO AUTHORIZE SALE OF REAL PROPERTY
AND EXECUTION OF SALE DOCUMENTS**

At a regular meeting of the Village Council for the Village of Lawton, Michigan, held on the 12th day of October, 2021 at 7:00 p.m.

PRESENT:

ABSENT:

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

RESOLUTION

WHEREAS, the Village of Lawton ("Lawton") is authorized by statute to buy, own and sell real property (MCL 67.4), and under Section 31.03 of the Village Code of Ordinance, the Village, by a majority vote of the Council, may sell, dispose of or rent any public grounds or buildings, or any part or parts thereof, within the Village; and

WHEREAS, the disposal of such the buildings and/or grounds may be sold at public or private sale or may be leased; and

WHEREAS, on or about September 17, 2021, the Village and James Blanchard "purchaser" entered into an agreement (the "Sale Agreement") pursuant to which the Village agreed to sell a parcel of approximately 1,404 square feet commonly known as 423 E Second Street, Tax Parcel Number 80-45-100-141-00 (the "Real Property"), and

WHEREAS, before any building and/or grounds are sold, notice of the intent shall be posted in three public places within the Village, one being on the bulletin board at the Village Hall, and by publishing one time in a publication of general circulation within the village, at least ten days prior to the Council action on the same, and

WHEREAS, notice of intent to sell was published and posted in the appropriate places by October 7, 2021.

NOW, THEREFORE, it is hereby resolved by the Lawton Village Council:

1. The Village wishes to close on the sale of the Real Property in accordance with the terms of the Sale Agreement and hereby authorizes the President and the Village Manager, or either one of them acting alone, to sign all documents, and to take any and all other actions, as may be necessary or appropriate to close upon the sale.
2. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

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 October 2021.

VILLAGE OF LAWTON

Josh Appleby, President

Joni Bell, Village Clerk

CERTIFICATION

I, Joni Bell, 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 on October 12, 2021 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

Joni Bell, Village Clerk



State of Michigan
 Michigan Gaming Control Board
 Millionaire Party Licensing
 3082 W. Grand Blvd, Suite L-700
 Detroit, MI 48202-6062
 Phone: (313) 456-4940
 Fax: (313) 456-3405
 Email: Millionaireparty@michigan.gov
 www.michigan.gov/mgcb

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(k)(ii))

At a Regular meeting of the Village of Lawton
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by President Josh Appleby on Tuesday, October 12, 2021
DATE

at 7:00 pm a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from Lawton Athletic Boosters of Lawton
NAME OF ORGANIZATION CITY

county of Van Buren, asking that they be recognized as a nonprofit
COUNTY

organization operating in the community, for the purpose of obtaining charitable gaming licenses, be

considered for _____
APPROVAL/DISAPPROVAL

<u>APPROVAL:</u>	Yeas: _____	<u>DISAPPROVAL:</u>	Yeas: _____
	Nays: _____		Nays: _____
	Absent: _____		Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted

by the Village of Lawton at a Regular
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on Tuesday, October 12, 2021
DATE

SIGNED:

TOWNSHIP, CITY, OR VILLAGE CLERK
 Joni Bell, Villiage Clerk

PRINTED NAME AND TITLE
 125 S Main, PO Box 367, Lawton MI 49065

ADDRESS

Organization Information: Lawton Athletic Boosters, PO Box 39, Lawton MI 49065
ORGANIZATION'S MAILING ADDRESS, STREET, CITY, ZIP

Martha Lull, President (269) 998-2047
ORGANIZATION'S PRINCIPAL OFFICER NAME AND TITLE PHONE NUMBER

PUBLIC SERVICES REPORT

September 2021

CEMETERY

1) We had 5 interments in the month of September

Hours for the month – 189 Overtime – 2

MOTORPOOL

1) General maintenance was performed on equipment

2) the 2006 1 ton Dump truck has been taken out of service the box has rusted beyond repair.

3) getting equipment ready for leaf season.

4) I am Working on an equipment replacement schedule.

Hours for the Month – 7 Overtime – 0

BUILDINGS & GROUNDS

1) No activity other than general maintenance

Hours for the month – 20 Overtime – 0

CIVIC ACTIVITIES

1) put up Fall banners

Hours for the month - 19

PARKS

1) General maintenance and cleanup was performed.

2) Splash pad has been winterized.

Hours for the month – 121 Overtime – 9

STREETS & SIDEWALKS

1) Roads have been crack sealed

2) have been out with hot mix asphalt patching holes and bad spots in roads.

Hours for the month

Major Preservation – 54 Local Preservation – 42

Major winter Maint. – Local winter Maint. –

Streets (not act 51) – 157 Sidewalks – 4

Vacation hours – 58 Sick time – 10

Respectfully Submitted,

Todd Hackenberg
Superintendent of Public Works

WATER/SEWER OPERATIONS REPORT

September 2021

- 1) 21,666,000 Gallons of water were pumped during the month compared to 21,986,000 in 2020.
- 2) The average daily usage was 722,200 gallons.
- 3) Routine sampling was done with all samples being non detect.
- 4) yearly sampling has been completed and results are back they will be in next years consumer confidence report.

Total hours for the month	Water – 58	Overtime – 10
	Sewer – 168	Overtime – 22

Respectfully submitted,

Todd Hackenberg
Superintendent of Public Works

October 12, 2021

Village of Lawton WWTP

Operational report

Wastewater Treatment

- In September a total of 0.99 million gallons of treated wastewater was discharged into the tributary to the South Branch of the Paw Paw River. The daily effluent flows averaged 33,000 gallons per day, which is approximately 17% of the hydraulic capacity of the plant.

Regulatory Matters

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

Land Application Program

3,000 gallons of activated sludge was pumped over to the sludge storage tank.



Below are summaries and project updates for the various projects we are working on for the Village. If you have any questions, need revisions or additional information, please feel free to contact me.

Sewer / Water Rate Updates:

- The Village, Wightman, and Baker Tilly met today (2021.10.07) and discussed water/sewer rates and the proposed CIP. Baker Tilly to clean up spreadsheet and proposed rate options. Another meeting scheduled for October 20th.
- Village to discuss rate options with Committee after October 20th meeting.
- Invoice – No invoice/billing for this work from Wightman.

Communitywide Capital Improvement Plan (CCIP):

- Status – Once we work thru the rate updates, I can finalize the CIP with updated timing. The Report is about 80% complete and will be finalized with the CIP including cost estimates and resources as appendices. Once CIP is finalized, our GIS team will finalize the GIS module which shows our proposed projects on an interactive map.
- Invoice – Invoice to be sent later this month.

GIS Services:

- GIS Zoning Map – Zoning Map is complete showing the updated parcel splits near Morrill. If there are no comments or questions from the Village, we can publish the zoning map.
- GIS Water Map – The GIS water map is approximately 90% complete. Our team is doing a final review the GIS map finishing up the linking of record drawings. We are shooting to finalize this next week.
- Once complete, we can close these two projects out.

Other Projects / Proposals:

- Cemetery – Ryan Miller (GIS Team) met with Todd to review records and maps. Proposal to be submitted before Thanksgiving for Cemetery work. The work will consist of engineering, surveying, and GIS services.
- Facility Analysis – Proposal submitted
- Master Plan – Proposal submitted

Thank you very much,

Paul Harvey PE

OFFICE [269.605.4103](tel:269.605.4103) MOBILE [269.760.5082](tel:269.760.5082)
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GOWIGHTMAN.COM