

VILLAGE *of* LAWTON
VILLAGE COUNCIL MEETING
COMMITTEE OF THE WHOLE
125 S. MAIN STREET, LAWTON, MI 49065
TUESDAY, May 24, 2022 – 7:00 P.M.
please silence your cell phones

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSENT AGENDA**
 - A. Approval of the May 24, 2022 Council Agenda
 - B. Approval of the May 10, 2022 Council Meeting Minutes
- V. COMMUNICATIONS / CORRESPONDENCE / PRESENTATIONS**
- VI. CITIZENS' COMMENTS – (Please keep comments to 3 minutes)**
- VII. PUBLIC HEARINGS / APPOINTMENTS / PROCLAMATIONS**
- VIII. OLD BUSINESS**
 - A. Approve contract for demolition of 410 White Oak with Aleksich Excavating, LLC from Marcellus in the amount of \$12,000.00.....Staff Recommends Approval
- IX. NEW BUSINESS**
 - A. Approve contract for Well #9 Annual Maintenance Repair to Peerless Midwest, Inc from Mishawaka, IN in the amount of \$33,429.00.....Staff Recommends Approval
 - B. **Consideration of Resolution 10-22** A MDOT Performance Resolution required to issue individual Municipal permits on State Highways.....Staff Recommends Approval
 - C. **Consideration of Resolution 11-22** A Resolution to support and authorize submission of RAP Application.....Staff Recommends Approval

- D. **Consideration of Resolution 12-22** A Resolution to revise and adopt new Village Fee Schedule.....Staff Recommends Approval
- E. Zoning Review.....Discussion
- F. Process to add Agenda Items to Council Agenda.....Discussion

X. BOARD, COMMITTEE, AND STAFF REPORTS

XI. COUNCIL COMMENTS

XII. ADJOURNMENT - NEXT REGULAR MEETING DATE – *June 14, 2022*

There will be Special Joint Council Meetings with the Planning Commission on June 2nd at 7:00 pm & June 7th at 5:30 pm.



VILLAGE OF LAWTON

Regular Meeting Minutes – Tuesday May 10, 2022, 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:** President Appleby called the May 10, 2022, meeting of the Lawton Village Council to order at 7:00 p.m.
- II. **PLEDGE OF ALLEGIANCE RECITED**
- III. **ROLL CALL:** Present: President Appleby. Trustees: E. Dudek, G. Dudek, J. Peterson, and R. Turner, R. Tanis. Absent: N. Smith. Others present: Village Manager Imus, Village Clerk Rathbun, Chief Mack, Superintendent Hackenberg, and 2 guests.
- IV. **CONSENT AGENDA:** The Consent Agenda included the approval of the May 10, 2022 Council Agenda, the April 26, 2022 Council Meeting minutes, and approval of April 2022 Disbursements in the amount of \$134,970.08. Peterson made a motion to approve the Consent Agenda as presented, supported by E. Dudek. A unanimous roll call vote approved the motion.
- V. **COMMUNICATIONS, CORRESPONDENCE AND PRESENTATIONS:** Engineer Paul Harvey brought forth an update on the water and sewer extension, everything going according to plan thus far.
- VI. **CITIZENS' COMMENTS:** None
- VII. **PUBLIC HEARING/APPOINTMENTS/PROCLAMATIONS:** President Appleby recommended Paul Rathbun to Planning Committee. E. Dudek motions to appoint Paul Rathbun to Planning Committee, to fulfill an unexpired term through November 2023, seconded by Ren Turner. Voice vote taken, all in favor, none opposed. Motion carried.
- VIII. **EXISTING BUSINESS:** None
- IX. **NEW BUSINESS:**
 - A. Appleby brought to consideration Letter of Engagement from Siegfried Crandall Certified Public Accountants to perform the 2022 Financial Audit in an amount not to exceed \$15,750. Peterson moved to approve appointment of Siegfried Crandall CPA, seconded by Tanis. Roll call vote taken, all in favor, none opposed. Motion carried.
 - B. Imus brought yearly MML Liability Insurance renewal to consideration for approval. Discussion followed. E. Dudek motioned to approve annual MML Liability and Property Pool Insurance Premium for Village in the amount of \$41,307 seconded by G. Dudek. Roll Call vote was taken, all in favor, none opposed. Motion carried. Additional discussion to come at a future date for cyber attack coverage add on.
 - C. Appleby brought MML's Worker's Compensation Insurance renewal forward to be discussed. Turner motioned to approve Worker's Compensation Insurance renewal with the MML Workers Compensation Fund in the amount of \$18,839, Seconded by G. Dudek. Rollcall vote taken, all in favor, none opposed. Motion carried.
 - D. The meeting was moved to the Village Water Tower location on N Main. Peterson moved to direct village manager Imus to notify Dish that we would like to move forward with planned area utilization for equipment. Motion supported by E. Dudek, voice vote taken, all in favor, none opposed, motion carried.

X. BOARD, COMMITTEE, AND STAFF REPORTS:

- A.** Village Manager Imus reported that the next Master Plan Steering Committee meeting on June 7th would be a joint meeting between the Steering Committee, Planning Commission and the Village Council to discuss housing and industrial development. Imus reported that a 303 E Washington (on the corner of Freemont and Washington) is a legal non-conforming lot that has three structures on one lot that is up for sale. She has been requested to confirm in writing that it is a legal, non-conforming structure. Imus also reported that Blueberry Hill will be holding their Grand Opening soon, the County recently began survey for broadband expansion in Lawton with the results to be presented in July, the village is currently accepting applications for façade grants through the 16th, and the cemetery rates increase beginning June 1.
- B.** Hackenberg commented on his reports submitted to council, and that the DPW had remediated a complete sewer blockage on Hamilton street. Police
- C.** Chief Jeff Mack commented on his submitted reports. New hires still in process.
- D.** E. Dudek reported the Fire Department reports are in package.
- E.** Library Director Tone reported on Summer Reading Program, Libby, and that second graders will be coming to the library for the day.
- F.** Peterson reported Planning Commission did not meet.

XI. COUNCIL COMMENTS:

- A.** Meeting Location changed to Village of Lawton Water Tower parking lot (M-40N) to review parking layout and potential tower user equipment position. Council discussion followed. Potential new utilization possibilities for Village water tower parking lot to be discussed at a future meeting.

- XII. ADJOURNMENT:** Turner, supported by Tanis, made a motion to adjourn the meeting at 8:25 p.m. A voice vote was taken with unanimous approval of those present. The next regular scheduled meeting is May 24, 2022.

Respectfully Submitted by Brittany Rathbun,
Lawton Village Clerk

ALEKSICH EXCAVATING LLC

TOM ALEKSICH (Licensed and Insured)
11688 FLOWERFIELD ROAD
MARCELLUS, MI 49067
269-217-3975

Estimate/Quote

Date: May 15, 2022

TO: Village of Lawton
Todd Hackenberg

FOR: Demo of House

DESCRIPTION OF SERVICES:	AMOUNT
Demolition - 410 White Oak, Lawton, MI	
including removal of house, machine time landfill charges,	
basement removal, foundation and fill basement hole to grade	
with dirt, prep and seeding included	\$ 12,000.00
	\$ 12,000.00

AUTHORIZED SIGNATURE

Make all checks payable to Aleksich Excavating.
Please call Tom at 269-217-3975 with any questions.

Thank you for your business!



Mishawaka: Phone 574.254.9050 Fax 574.254.9650
 Ionia: Phone 616.527.0050 Fax 616.527.5508
 Westfield: Phone 317.896.2987 Fax 317.896.3748
 Grand Blanc: Phone 248.996.2721 Fax 616.527.5508

QUOTATION

Village of Lawton
ATTN: Todd Hackenberg
PO Box 367
Lawton, MI 49065
hackenbergt@lawtonmi.gov

OUR NO. ALG-042522
 YOUR NO. _____
 DATE April 25, 2022

REFERENCE Well #9 Well Repair Costs

QUANTITY	DESCRIPTION	PRICE
	Crew to pull the pump, bring to shop, and teardown:	\$2,170.00
	Normal wearing parts: new bearings, sleeves, couplings, and 100 Hp motor repair:	\$9,028.00
		OR
	All-new from the pump head down:	\$22,579.00
	Shop labor and machinist time to repair:	\$6,440.00
	Crew to reinstall pump in the well:	\$2,240.00
STATE SALES TAX, IF APPLICABLE, IS NOT INCLUDED		

Normal Wear \$19,878.00
All New \$33,429.00

TERMS NET 30
 START ASAP
 COMPLETE ASAP
 ACCEPTED BY _____

PEERLESS-MIDWEST, INC.

BY Adam L. Gerstbauer
 Adam L. Gerstbauer

10-22
**PERFORMANCE RESOLUTION FOR
MUNICIPALITIES**

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____ Village of Lawton
(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

- 6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This Resolution shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

Todd Hackenberg Director of Public Works

Lisa Imus Village Manager

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the Lawton Village Council
(Name of Board, etc.)
of the Village of Lawton of Van Buren
(Name of MUNICIPALITY) (County)
at a Regular meeting held on the 24th day
of May A.D. 2022.

Signed
Village President

Title
Joshua Appleby

Print Signed Name

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

RESOLUTION NO. 11-2022

A RESOLUTION TO SUPPORT AND AUTHORIZE SUBMISSION OF RAP APPLICATION

At a regular meeting of the Lawton Village Council, held at Lawton Village Hall – 125 S Main Street in Lawton, Michigan, on this 24th day of May 2022 at 7:00 p.m.

PRESENT:

ABSENT:

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

RESOLUTION

WHEREAS, the Michigan Strategic Fund (MSF) has invited General Local Units of Government to apply for its Revitalization and Placemaking (RAP) incentive program; and

WHEREAS, the goals of the RAP program include partnering with local Michigan communities to proactively address the negative economic impacts of the pandemic by investing in projects that promote population and tax revenue growth through the revitalization and repurposing of vacant, underutilized, and blighted properties and investment in place-based infrastructure; and

WHEREAS, the Village of Lawton desires to request \$1,000,000 in federal American Rescue Plan Act (ARPA) funds allocated to the State of Michigan for place-based infrastructure for the Downtown Lawton Vineyard Square Streetscape and Critical Infrastructure Project; and

WHEREAS, the Village of Lawton commits local matching funds from its fund balances, TAP Award, and committed MDOT funding in an amount that will exceed \$2,250,000; and

WHEREAS, the proposed project is consistent with the local Downtown “Enliven Lawton - Roadmap to the Future” Master Plan, the 2022 - 2031 Capital Improvement Plan and the 2021 – 2025 Parks and Recreation Master Plan as described in the application; and

WHEREAS, the proposed project will benefit all residents of the project area, including seasonal residents and visitors; and

NOW, THEREFORE, BE IT RESOLVED that the Village of Lawton hereby designates the Lisa Imus, Village Manager, as the person authorized to certify the Revitalization and Placemaking application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

THIS RESOLUTION is hereby approved by roll call vote:

YEAS: Council Members

NAYS: Council Members

ABSTAIN: Council Members

ABSENT: Council Members

VILLAGE OF LAWTON

BY: _____
Josh Appleby, President

BY: _____
Brittany Rathbun, Village Clerk

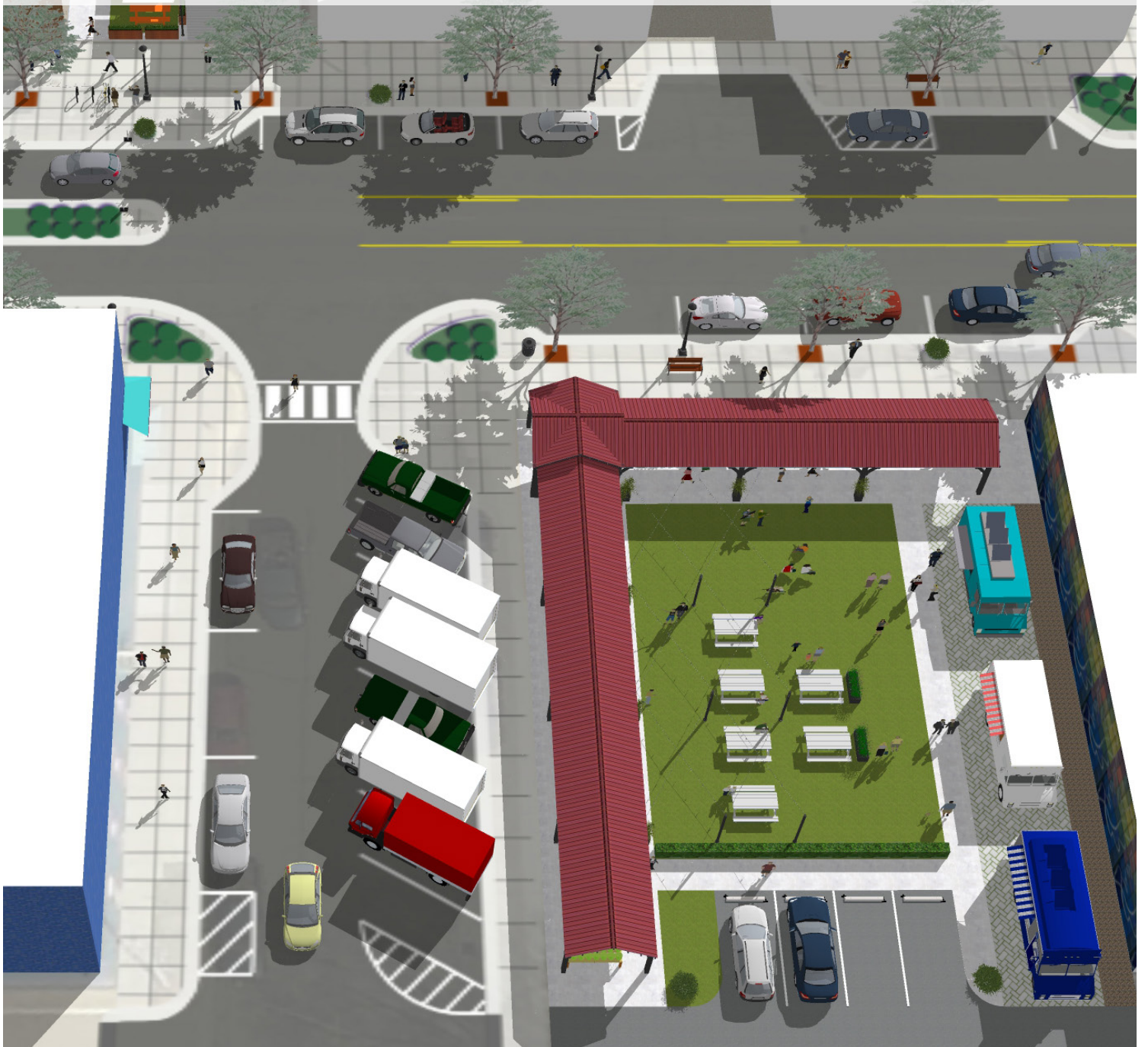
CERTIFICATION

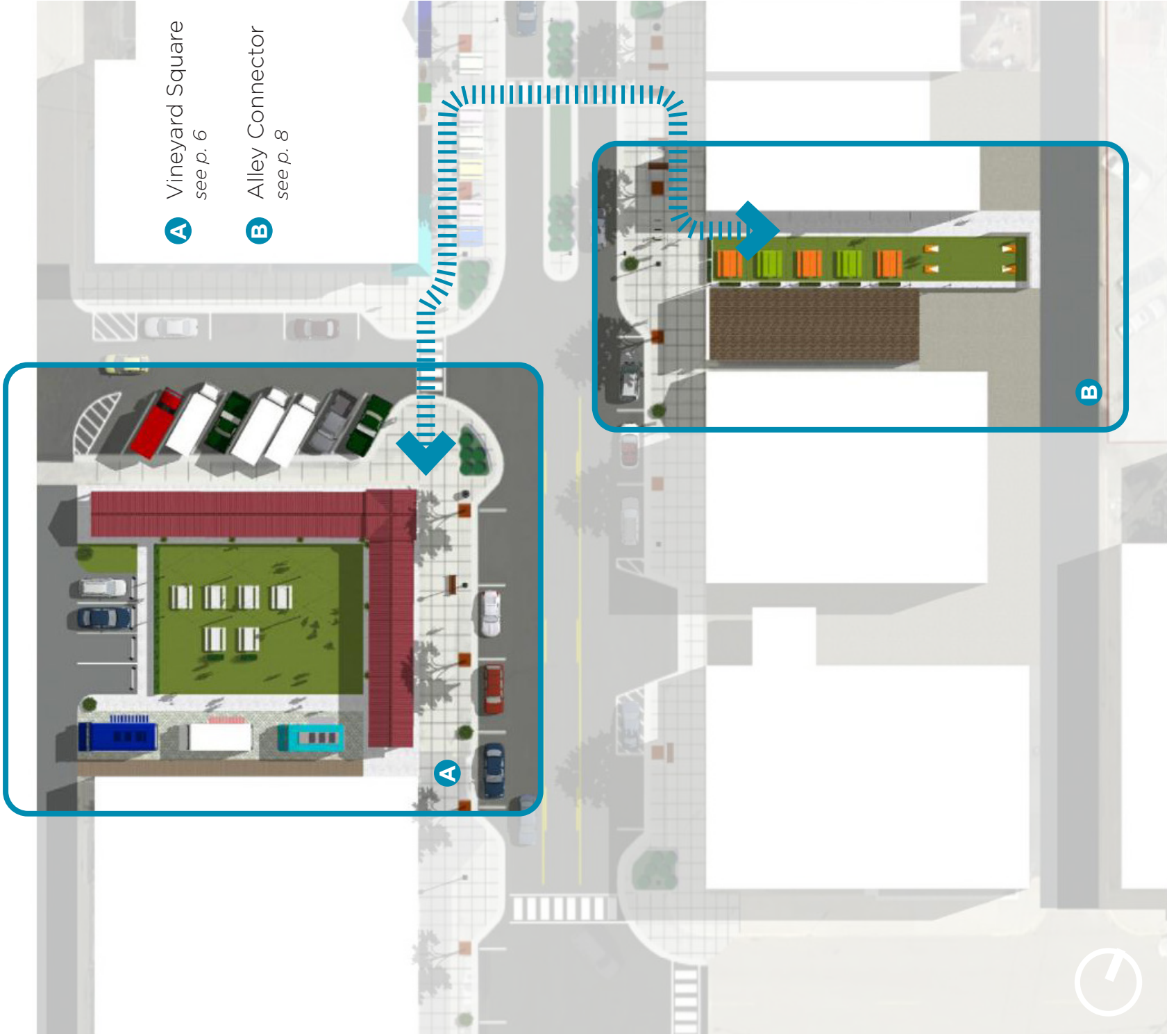
I, Brittany Rathbun, the duly appointed Clerk of the Village of Lawton, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Lawton Village Council at a regular meeting held on Tuesday, May 24th, 2022 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

THE VILLAGE OF LAWTON

BY: _____
Brittany Rathbun, Village Clerk

RAP APPLICATION '22 | VILLAGE OF LAWTON
DOWNTOWN ENHANCEMENT PROJECT





A Vineyard Square
see p. 6

B Alley Connector
see p. 8

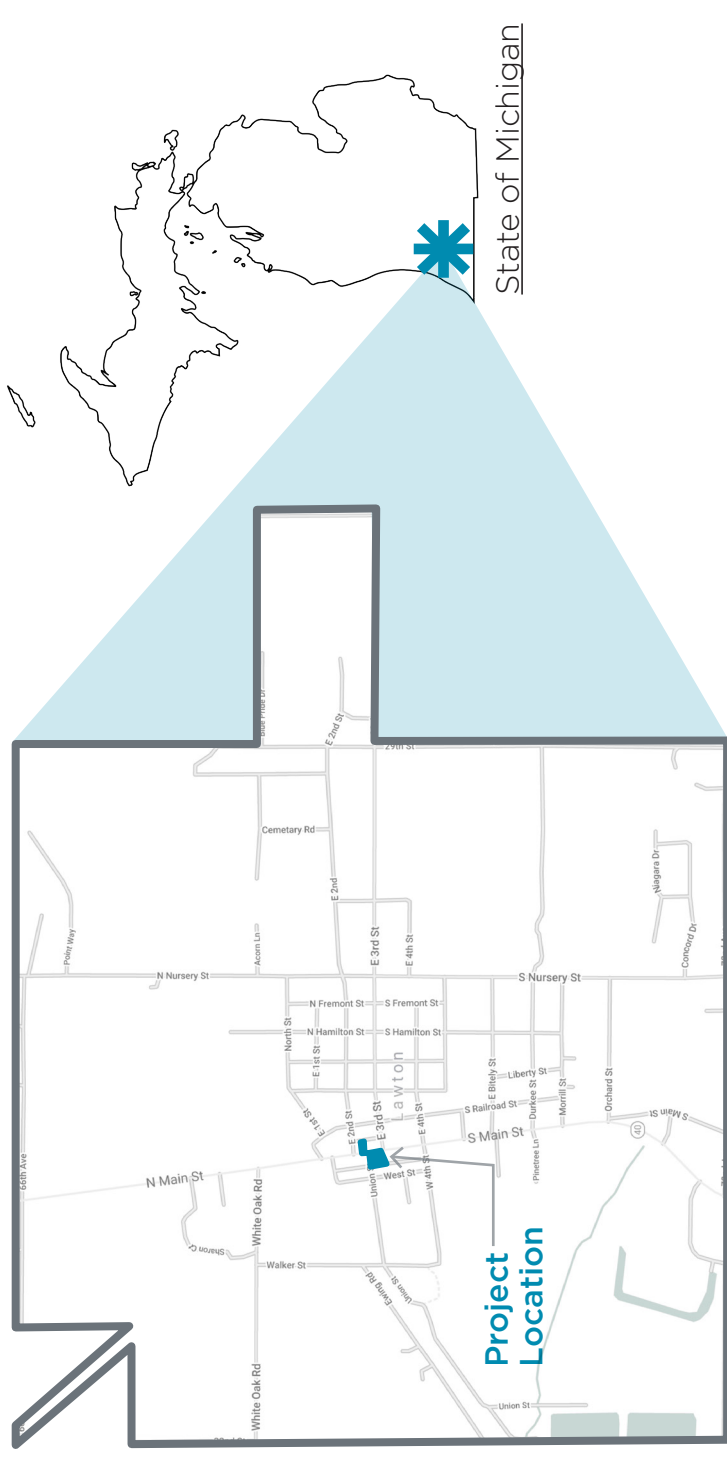
1"=40'

OVERALL PLAN

PROJECT OVERVIEW

Located in the southwest corner of the State of Michigan, the Village of Lawton is in Van Buren County. Approximately 2.34 square miles, it is a small, family-focused, rural community.

In the heart of this close-knit village is the proposed transformational project, which provides an opportunity for Lawton's residents to connect and celebrate their neighbors. Vineyard Square will be a featured space for the downtown core, showcasing local craftsman and artisans. The Alley Connector will activate circulation to nearby parking. Both provide much needed outdoor gathering places and extensions of interior shops and eateries.



Village of Lawton Map
N | NTS



VINEYARD SQUARE PLAN
1"=20'

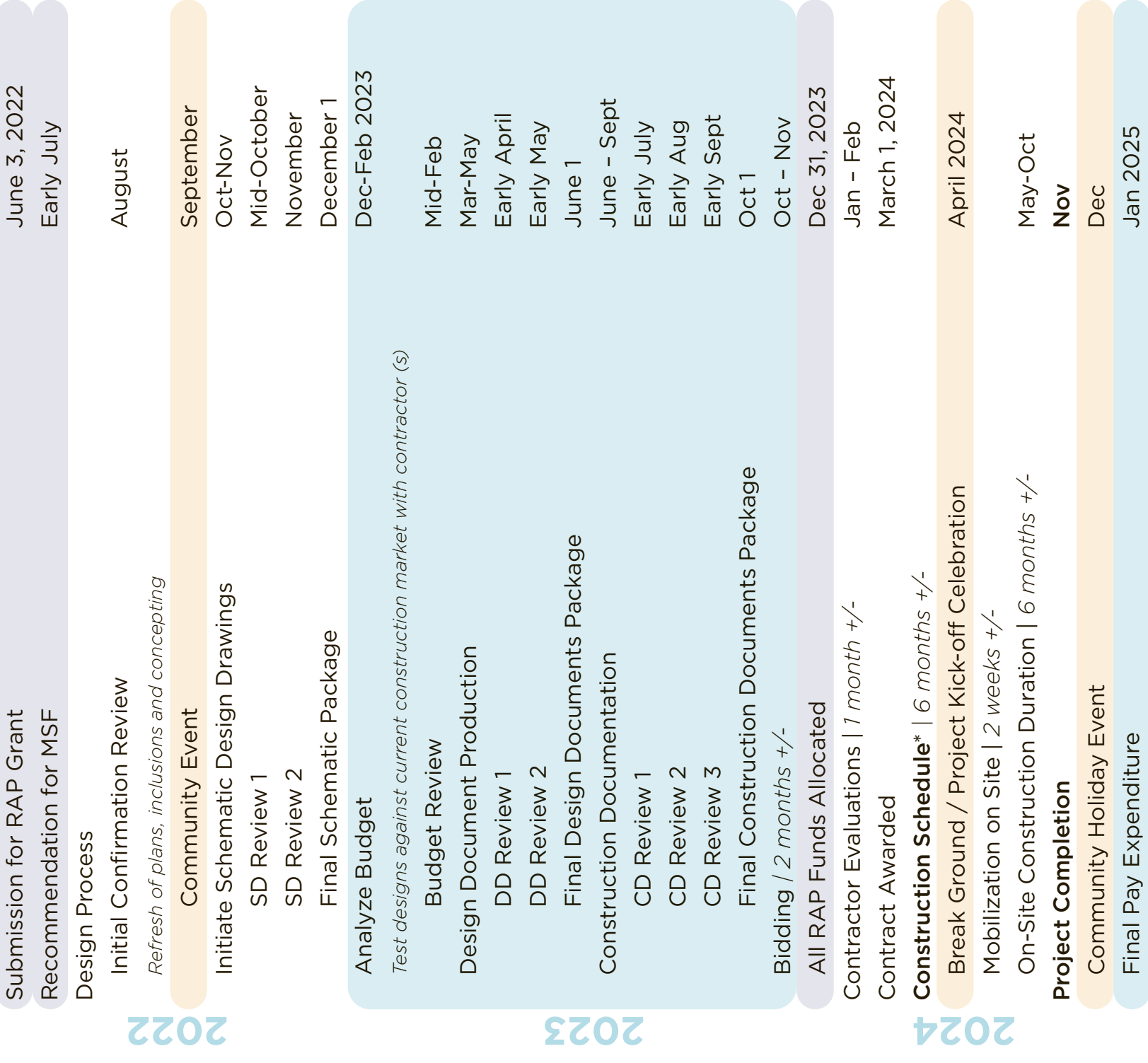


KEY

- 1 Flush curb for accessibility
- 2 Boxwood hedge
- 3 Concrete sidewalk
- 4 Unilock permeable pavers, flush at edge with concrete walk
- 5 Planter pots, typ
- 6 Accessible entrances typical throughout
- 7 Site furniture, typ
- 8 Festoon lighting above with pole supports
- 9 Synthetic turf, fully accessible throughout, permeable
- 10 Metal canopy roof on timber structure
- 11 ADA crosswalk

PERSPECTIVE

PRELIMINARY PROJECT SCHEDULE



VINEYARD SQUARE EYE LEVEL PERSPECTIVES

NOTE : Anticipated planning for Farmers Market and Alley work to be completed concurrently as one project.

*To be coordinated with selected Contractor, evaluated with current construction climate and material availability.

Signifies Public Engagement

Signifies RAP Grant Deadlines

NARRATIVE SUPPORT

1. Explain how this proposal will have a catalytic, long-term impact on the community. Please address how it will grow the tax base, activate vacant or underutilized space, grow the population and contribute to community resiliency.

Creating a social zone in the heart of Lawton brings life and vibrancy to the community through intentionally creating a destination that invites both locals and visitors to linger in the natural atmosphere within the downtown's expanding economic, cultural, and civic center. The Vineyard Square, on the corner of Union and Main Street, will activate an existing vacant lot further knitting together the downtown through the use of landscaping and architectural shaded canopies. The canopies provide shelter and visually define the public realm while increasing comfort by embracing the human scale. The space is designed to accommodate food trucks which will draw people from within the area and the surrounding region. Open vistas through the canopy encourage patrons to explore the neighboring stores and buy local bolstering local sales.

The Alley, perpendicular to Vineyard Square, encourages people to cross the street and enhance activation across the downtown. Overhead catenary lighting will pique visitors' interest and a memorable moment for locals to dwell in what once was a closed-off pass-through, to become an inviting beer garden supported by the adjacent shop.

2. How will this public space be programmed for use by businesses, for recreation, and accessibility for all? Identify how the space will be used, by whom, and how Universal Design will be incorporated throughout the entire project.

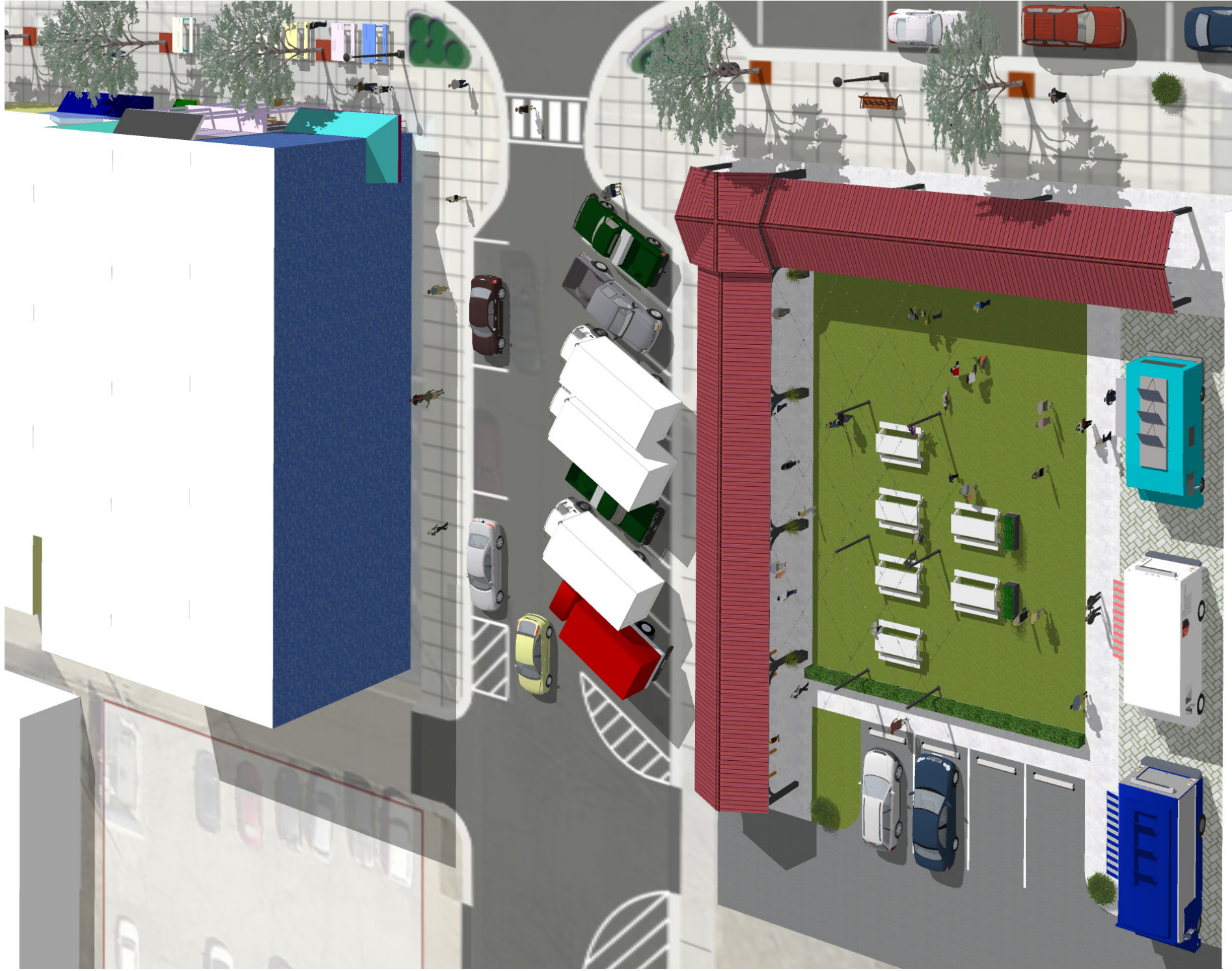
Equitable use with areas in front of businesses through outdoor dining, displays, and streetscape elements make the space inviting and comfortable for all users. These streetscape elements make the scale more approachable, and cars will perceive this as a social zone not to speed through. The benches are flexible so that people are able to move elements to enhance personal ownership within the space to make it more easily occupy the space longer as it is more comfortable. Making the space flexible allows for pockets of activity and tolerance for error.

The organization of the space is simple in the way the street section is segmented into zones for clear and distinct activities which elevate safety and navigation.

The pedestrian-scaled lighting adds safety and reduces light pollution through fixtures that focus light where people are inhabiting the space.

The use of detectable warning pavement is thoughtfully placed at intersections and street crossings to assist those who are visually impaired and mobility restricted to cross safely. The addition of a pedestrian refuge in the middle of North Main Street provides a physical barrier between pedestrians and cars, and shortens the walking distance from sidewalk to sidewalk making it a more comfortable experience.

Pavement colors with high contrast on the sidewalk and at intersections increase safe and distinct zones.



NARRATIVE SUPPORT (cont'd)

3. Describe how your project contributes to the community's vision and priorities as laid out in the local master plan, capital improvements plan and/or economic development strategy or other locally adopted plan that addresses COVID response and community resiliency.

The goals of the master plan have 4 themes for Lawton to Grow, Transform, Thrive, and be sustainable. These projects will support the communities desire to grow by enhancing the quality of the natural and built environment that will expand the economic and cultural purposes of the Village.

The transformation of the downtown through these projects enhances the goal to enhance mobility and increase safety, maximizing transit/bicycle/pedestrian access and other alternative methods of transportation. This will help the community to thrive as seen through the goal to create and maintain lovable places for all residents to connect, meet, play, and grow.

Finally, by using spaces already downtown and centralizing amenities, it is more sustainable for the village to support in the future and promotes being good stewards of the infrastructure already in place. The addition of street trees enhances the air quality, filters rainwater into the aquafer, and increases the biodiversity of the local ecology.

4. Describe how the site is served by non-motorized infrastructure.

The Vineyard Square's central location and the adjacent beer garden artfully connect exterior public space for greater activation and cross-pollination of users. The emphasis of the streetscape design elevates the pedestrian experience through walking, dining, and amenities made safer through the use of the pedestrian refuge connecting the business district, slowing traffic, while also softening the setting.

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

RESOLUTION NO. 12-2022

**A RESOLUTION TO REVISE
THE VILLAGE OF LAWTON FEE SCHEDULE**

At a regular meeting of the Lawton Village Council, held at Lawton Village Hall – 125 S Main Street in Lawton, Michigan, on this 24th day of May 2022 at 7:00 p.m.

PRESENT:

ABSENT:.

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

RESOLUTION

WHEREAS, the Village of Lawton is committed to delivering government services as efficiently as possible while being responsible with Village resources; and

WHEREAS, the Village of Lawton General Ordinance prescribes that the Village Council, by resolution, may periodically set and adjust fees to accommodate increased costs; and

WHEREAS, it has been found that due to new costs in delivery of services and operations the Fee Schedule must be revised to meet these needs; and

WHEREAS, the Village of Lawton has reviewed the attached Fee Schedule noted as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED, that the attached revised Lawton Village Fee Schedule is hereby adopted effective June 1, 2022; and

BE IT FURTHER RESOLVED, that any resolution or parts thereof in conflict with the provisions of this resolution are hereby repealed to the extent of such conflict.

THIS RESOLUTION is hereby approved by roll call vote:

YEAS: Council Members

NAYS: Council Members

ABSTAIN: Council Members

ABSENT: Council Members

VILLAGE OF LAWTON

BY: _____
Josh Appleby, President

BY: _____
Brittany Rathbun, Village Clerk

CERTIFICATION

I, Brittany Rathbun, the duly appointed Clerk of the Village of Lawton, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Lawton Village Council at a regular meeting held on Tuesday, May 24th, 2022 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

THE VILLAGE OF LAWTON

BY: _____
Brittany Rathbun, Village Clerk



EXHIBIT A
VILLAGE OF LAWTON
Fee Schedule

Property Rezoning (Application breakdown below)	\$125.00 + Costs Incurred
<i>Administration Fee</i>	<i>\$20.00</i>
<i>Mailing Costs</i>	<i>\$5.00</i>
<i>Publication Fee</i>	<i>\$100.00</i>
<i>Cost Incurred by Village</i>	<i>TBD</i>
Zoning Board of Appeals Application (Application breakdown below)	\$125.00 + Costs Incurred
<i>Administration Fee</i>	<i>\$20.00</i>
<i>Mailing Costs</i>	<i>\$5.00</i>
<i>Publication Fee</i>	<i>\$100.00</i>
<i>Cost Incurred by Village</i>	<i>TBD</i>
Planning Commission Application	\$20.00
Site Plan Review	\$20.00 + Cost Incurred
- <i>Costs Incurred by Village</i>	<i>TBD</i>
Special Land Use Permit	\$125.00 + Cost Incurred
- <i>Administration Fee</i>	<i>\$20.00</i>
- <i>Mailing Costs</i>	<i>\$5.00</i>
- <i>Publication Fee</i>	<i>\$100.00</i>
- <i>Cost Incurred by Village</i>	<i>TBD</i>
Special Meetings	
Planning Commission	\$300
Village Council	\$550
Additional Permitting	
Sign Permit	\$175
Peddlers Permit	\$75
Fence Permit	\$0
Yard / Garage Permit	\$0
Burning Permit	\$0
Occupying Sidewalk	\$50
Impound Bicycle	\$25

PUBLIC HEARING NOTICE
VILLAGE OF LAWTON

The Lawton Planning Commission AND Lawton Village Council will be holding a Special Joint Meeting on Thursday, June 2, 2022 at 7:00 pm at Lawton Village Hall, 125 S Main St, PO Box 367, Lawton MI 49065. A portion of the meeting will also be held on-site at 502 N Main Street, Lawton MI. During this special meeting, a Public Hearing will be held receive comments on a proposed site plan, variance request, and zoning ordinance amendment for 502 N Main Street, Lawton MI 49065.

Those who are unable to attend the meeting may submit written comments to the Village Manager at ImusL@LawtonMI.gov or the above-mentioned address. Written comments must be received before 4:00 pm on June 1, 2022. The Village will provide necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting upon four (4) business days' notice to the Village Clerk.

This notice is posted in compliance with the Open Meetings Act, Public Act 267 of 1976, as amended (MCL 41.72a (2)(3)) and the Americans with Disabilities Act. A copy of this notice is on file at Lawton Village Hall, located at 125 S. Main Street, PO Box 367, Lawton MI 49065, ph 269.624.6407 www.lawtonmi.gov

Brittany Rathbun, Village Clerk

Published: May 19, 2022

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 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 city/village or posted in three public places in the city/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 councilmembers 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.

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 I 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 Officers and 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 and compel attendance a manner prescribed by its ordinance.

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.

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 city/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 particular 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 city/village shall have the following standing committees: [Committees should be listed by name and with a definition of their purposes and scopes.]

- Water and Sewer
- Public Services
- Finance & Administration
- Public Safety
- Community & Economic Development

Committee members will be appointed by the President. They shall be members of the council. 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.

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 city/village attorney regarding municipal matters:

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