

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

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

- A. Approval of the July 12, 2022 Council Agenda
- B. Approval of the June 14 and June 28, 2022 Council Meeting Minutes
- C. Approval of June 2022 Disbursements in the amount of \$171,456.59

V. COMMUNICATIONS / CORRESPONDENCE / PRESENTATIONS

VI. CITIZENS' COMMENTS – (Please keep comments to 3 minutes)

VII. PUBLIC HEARINGS / APPOINTMENTS / PROCLAMATIONS

VIII. OLD BUSINESS

- A. **Consideration of Resolution 16-22** A Resolution approving the conversion of Union Street to one-way between M-40 and West Street.....Staff Recommend Approval

IX. NEW BUSINESS

- A. **Consideration of Ordinance 203 of 2022** An Ordinance to Authorize the Sale of Village owned Real Property.....Staff Recommends Approval

- B. Consideration of Resolution 15-22** A Resolution granting the Michigan Department of Transportation (MDOT) consent to grade Village property.....Staff Recommend Approval

X. BOARD, COMMITTEE, AND STAFF REPORTS

- A. Village Manager – Lisa Imus
- B. Village Clerk – Brittany Rathbun
- C. Department of Public Works – Todd Hackenberg
- D. Police Department – Jeff Mack
- E. Planning Commission – Judy Peterson
- F. Downtown Development Authority – Gail Dudek
- G. Fire Department – Eric Dudek
- H. Lawton Library Board – Brittany Rathbun

XI. COUNCIL COMMENTS

XII. ADJOURNMENT - NEXT REGULAR MEETING DATE – *August 9, 2022*

The Village of Lawton follows the Americans w/ Disabilities Act of 1990. Individuals with disabilities planning to attend this meeting and require accommodations, or those who have questions regarding the accessibility of this meeting or the facilities, are requested to contact the Village Clerk, at (269) 624-6407 or 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 June 28, 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 June 28, 2022, meeting of the Lawton Village Council to order at 7:00 p.m.
- II. **ROLL CALL:** Present: President Appleby. Trustees: G. Dudek, Peterson, Turner, E. Dudek. Absent: Tanis, Turner, Smith. Others present: Village Manager Imus, Village Clerk Rathbun.
- III. **CONSENT AGENDA:** The Consent Agenda included the approval of the June 28, 2022, Council Agenda Peterson made a motion to approve the Consent Agenda supported by E. Dudek. A unanimous voice vote approved the motion.
- IV. **COMMUNICATIONS, CORRESPONDENCE AND PRESENTATIONS:** None.
- V. **CITIZENS' COMMENTS:** None.
- VI. **PUBLIC HEARINGS/APPOINTMENTS/PROCLAMATIONS:**
 - A. Truth in taxation public hearing. President Appleby opened the public hearing to comment on the establishment of the 2022 millage rates at 7:04PM. The proposed millage rate is equal to the previous year's millage rates (a total of 16.9595) and will generate a 2.66% increase of the net operating revenues for the Village of Lawton at pm.
 - B. Hear Public Comment: No Public present. No comments made.
 - C. President Appleby closed public hearing at 7:05 pm due to no comments.
 - D. E. Dudek moved to adopt Resolution No. 14 – 22: A Resolution to Establish the Village of Lawton 2022 Millage Rates at a total of 16.9595 Mills. Seconded by G. Dudek. Roll Call Vote Taken: all in favor, none opposed. Resolution adopted.
- VII. **COUNCIL COMMENTS:** None
- VIII. **ADJOURNMENT:** Peterson supported by, E. Dudek made a motion to adjourn the meeting at 7:06p.m. A voice vote was taken with unanimous approval of those present. The next Village Council Meeting will take place on July 12, 2022 at 7pm.

Respectfully Submitted by

Brittany Rathbun, Lawton Village Clerk



VILLAGE OF LAWTON

Regular Meeting Minutes – Tuesday June 14, 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 June 14, 2022, meeting of the Lawton Village Council to order at 7:01 p.m.
- II. **PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was recited.
- III. **ROLL CALL:** Present: President Appleby. Trustees: Tanis, Smith, Turner, E. Dudek, G. Dudek, Peterson, Turner Others present: Village Manager Imus, Village Clerk Rathbun, Chief Mack, Library Director Tone, and Superintendent Hackenberg.
- IV. **CONSENT AGENDA:** The Consent Agenda included the approval of the June 14, Council Agenda, the May 24, 2022 Council Meeting minutes, the approval of the June 2, 2022 Council Meeting Minutes, the approval of the June 7, 2022 Council Meeting Minutes, and approval of the May 2022 disbursements in the amount of \$116,679.02. Peterson made a motion to approve the Consent Agenda with amendment to section 7a, to be a discussion rather than a public hearing. Public hearing to be rescheduled to June 28, 2022, supported by Smith. A unanimous roll call vote approved the motion.
- V. **COMMUNICATIONS, CORRESPONDENCE AND PRESENTATIONS:** None.
- VI. **CITIZENS' COMMENTS:** Library director Tone thanked Superintendent Hackenberg for moving the shelves in the library to make room for the summer programs.
- VII. **EXISTING BUSINESS:**
- VIII. **NEW BUSINESS:**
 - A. Truth in taxation hearing will take place on June 28th, 2022. Imus reported that we have been at 16.9595 mills since 2010. Our taxable value has only increased from \$39,343,673 to \$39,484,957 a total of 50,284. Over the past ten years.
- IX. **BOARD, COMMITTEE, AND STAFF REPORTS:**
 - A. Imus reported that the village is currently undergoing email updates, to include Village council members, Clark's technical can come during next Village Council meeting to help. The village is moving forward with closing on the Reid's property next to Wagoner's. The village is no longer waiting on a grant. The Lawton Farmer's Market is looking at options between moving there this summer and the Fire Department Parking Lot, which has been okayed with the Fire Chief. An Ad Hoc Committee was created including Appleby, Smith, and Turner to review any purchase agreements moving forward.
 - B. Rathbun reported that candidates that are up for election need to go get filing paperwork from Chantel Reyna located at 24821 Front Ave in Mattawan, the deadline to have signatures and have these returned to Reyna by the July 26th deadline. Candidates up for election this year are

Appleby, E. Dudek, Turner, and Tanis. Broadband and internet service concerns are aging being reported at James Street and the Wastewater Treatment Plants. Staff is looking into upgrading our internet or getting Comcast.

- C. Hackenberg reported that the Department of Public Works reports are attached. The department had overtime due to the spring cleanup. Three dumpsters were used in Spring Cleanup, less than usual. The splash pad was closed at the beginning of this week because the button was broken due to vandalism. The Department of Public Works has ordered automatic locks for the park bathroom doors, and a timer installed on the Splash Pad. Looking into getting cameras for the park due to safety concerns. The house demolition on White Oak is scheduled to have the gas disconnected, and the contractor is ready to go as soon as that is disconnected. The village's power washer that has been ordered is 6-8 weeks behind it's delivery schedule due to shipping delays.
- D. Mack reported that the Police Department reports are attached. There are still 2 full-time positions available. There has been a conditional offer given for one full time position based on physical and psychological evaluations set to happen next week.
- E. E. Dudek reported that the Fire Department had an average month for both QR and fire reports.
- F. G. Dudek reported that the Downtown Development Authority have placed the flowers out downtown.
- G. Rathbun reported that director Tone has a lot lined up for Summer Reading programs and has done a great job getting local donations for the program. Lots of good programs lined up.
- H. Peterson reported that the Planning Commission has nothing new to report since last week's June meetings.

X. **COUNCIL COMMENTS:** Jim Turner has contacted the Village and would like to build a pole barn across the street from the elementary school. A Zoning Board of Appeals meeting may be necessary.

XI. **CLOSED SESSION:** The council decided not to enter a closed session.

XII. **ADJOURNMENT:** E. Dudek, supported by Turner, made a motion to adjourn the meeting at 8:31 p.m. A voice vote was taken with unanimous approval of those present. The next Village Council Meeting will take place on June 28, 2022 at 7pm.

Respectfully Submitted by

Brittany Rathbun, Lawton Village Clerk

06/28/2022	GEN	5670	AP	1080	ABONMARCHE CONSULTANTS, INC	21-1783 - LAWTON VILLAGE HALL FEASIBILT	498.50
06/28/2022	GEN	5671	AP	MISC	BALKEMA EXCAVATING, LLC	EXCAVATING	37,266.00
06/28/2022	GEN	5672	AP	1072	COURIER-LEADER & FLASHES	PUBLIC HEARING- MEETING	145.00
06/28/2022	GEN	5673	AP	1069	DICKINSON WRIGHT PLLC	WELCH'S INDUSTRIAL FACILITY TAX AGREEMEN	2,520.00
06/28/2022	GEN	5674	AP	027	FRONTIER	TELEPHONE AND INTERNET FOR DPW AND WWTP	647.36
06/28/2022	GEN	5675	AP	166	GRAINGER	ACCT NO 853979989 - AIR FILTERS	114.11
06/28/2022	GEN	5676	AP	017	INDIANA MICHIGAN POWER CO.	ACCT #046-216-176-0-6 - 119 N MAIN ST, R	199.45
06/28/2022	GEN	5677	AP	MISC	JACKI MOSBARGER	PARK DEPOSIT REFUND	50.00
06/28/2022	GEN	5678	AP	107	LAWSON OIL COMPANY	PDF	3,275.88
06/28/2022	GEN	5679	AP	MISC	LEON WELCH	PARK RENTAL REFUND	35.00
06/28/2022	GEN	5680	AP	MISC	LIBBY FREER	PARK DEPOSIT REFUND	35.00
06/28/2022	GEN	5681	AP	MISC	MARY COVELL	PARK RENTAL REFUND	50.00
06/28/2022	GEN	5682	AP	021	MICHIGAN MUNICIPAL LEAGUE	WORKER'S COMP FUN POLICY PREM 7/1/2021 T	8,359.00
06/28/2022	GEN	5683	AP	145	MICHIGAN RURAL WATER ASSOC.	MEMBER REGISTRATION FOR TODD HACKENBERG	520.00
06/28/2022	GEN	5684	AP	1037	PRECISION PRINTER SERVICES INC	TONER FOR CLERK'S OFFICE PRINTER	1,756.70
06/28/2022	GEN	5685	AP	1034	PRIORITY HEALTH	INSURANCE GROUP ID 794824	6,187.89
06/28/2022	GEN	5686	AP	MISC	RACHEL BOSWELL	PARK RENTAL REFUND	50.00
06/28/2022	GEN	5687	AP	1068	SAFEBUILT	PERMITS FOR 99 WALKER; 712 CONCORD	380.00
06/28/2022	GEN	5688	AP	MISC	SUE SCHUSTER	PARK DEPOSIT REFUND	50.00
06/28/2022	GEN	5689	AP	MISC	TAYLOR SHANNON	PARK RENTAL REFUND	35.00
06/28/2022	GEN	5690	AP	161	THAYER, INC.	CAR WASH 5 GAL, MOUNTING BRACKET, FOAM H	119.10
06/28/2022	GEN	5691	AP	1036	THE STANDARD	LIFE INSURANCE ACCT NO 00 168051 0001	824.79
06/28/2022	GEN	5692	AP	MISC	US. POSTAL SERVICE	VILLAGE OF LAWTON BOX 367	166.00
06/28/2022	GEN	5693	AP	MISC	VALERIE TAPIA	PARK DEPOSIT REFUND	50.00
06/28/2022	GEN	5694	AP	685	VERIZON WIRELESS	MOBILE PHONE TABLETS	324.94
06/28/2022	GEN	5695	AP	255	WAGONER'S	WWTP CONSOLIDATED	36.11
06/28/2022	GEN	5696	AP	047	WIGHTMAN	PROJECT 214444 CDSMI PROJECT	10,012.50
06/28/2022	GEN	5697	AP	885	WOLVERINE POWER SYSTEMS	WATER TOWER MAINTENANCE, MINOR	745.00
06/28/2022	GEN	5698	AP	921	WYOMING ASPHALT PAVING CO, INC	COMMERCIAL TOP	755.79
06/30/2022	GEN	5699	AP	030	ADAMS HARDWARE	CONSOLIDATED BILL	994.62
06/01/2022	GEN	DD52.17(A)	PR		PAYROLL (2X)		47,669.32
06/01/2022	GEN	EFT750(E)	PR	IRS	FEDERAL TAX		405.46
06/01/2022	GEN	EFT751(E)	PR	STATE	STATE OF MICHIGAN		31.88
06/10/2022	GEN	EFT752(E)	PR	IRS	FEDERAL TAX		6,888.94
06/10/2022	GEN	EFT753(E)	PR	MISDU	MI STATE DISBURSEMENT UNIT		601.35
06/10/2022	GEN	EFT754(E)	PR	RETIREMENT	GWFS EQUITIES, INC.		2,750.94
06/15/2022	GEN	EFT755(E)	PR	IRS	FEDERAL TAX		144.28
06/16/2022	GEN	EFT756(E)	PR	IRS	FEDERAL TAX		80.54
06/24/2022	GEN	EFT757(E)	PR	IRS	FEDERAL TAX		6,601.52
06/24/2022	GEN	EFT758(E)	PR	MISDU	MI STATE DISBURSEMENT UNIT		290.58
06/24/2022	GEN	EFT759(E)	PR	RETIREMENT	GWFS EQUITIES, INC.		2,722.17
06/24/2022	GEN	EFT760(E)	PR	STATE	STATE OF MICHIGAN		2,377.84

(1 Check Voided)
Total of 133 Disbursements: 171,456.59

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

RESOLUTION NO. 16 - 2022

**A RESOLUTION TO AUTHORIZE
MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) TO CONVERT UNION STREET
BETWEEN M-40 AND WEST STREET TO ONE-WAY TRAFFIC**

At a regular meeting of the Lawton Village Council, held at Lawton Village Hall – 125 S Main Street in Lawton, Michigan, on this 12TH of July, 2022 at 7:00 p.m.

PRESENT:

ABSENT:.

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

RESOLUTION

WHEREAS, the Michigan Department of Transportation (MDOT), in conjunction with the Village of Lawton, will reconstruct M-40 through the length of the Village as MDOT project JN 200641; and

WHEREAS, as a part of MDOT project JN 200641, and by request of the Village, MDOT will convert Union Street between M-40 and West Street from the existing two-way operation to one-way operation; and

WHEREAS, the proposed design has been attached to the resolution as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the Village of Lawton hereby approves MDOT to convert Union Street between M-40 and West Street from the existing two-way operation to one-way operation; and as part of the MDOT project JN 200641.

:

THIS RESOLUTION is hereby _____ 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

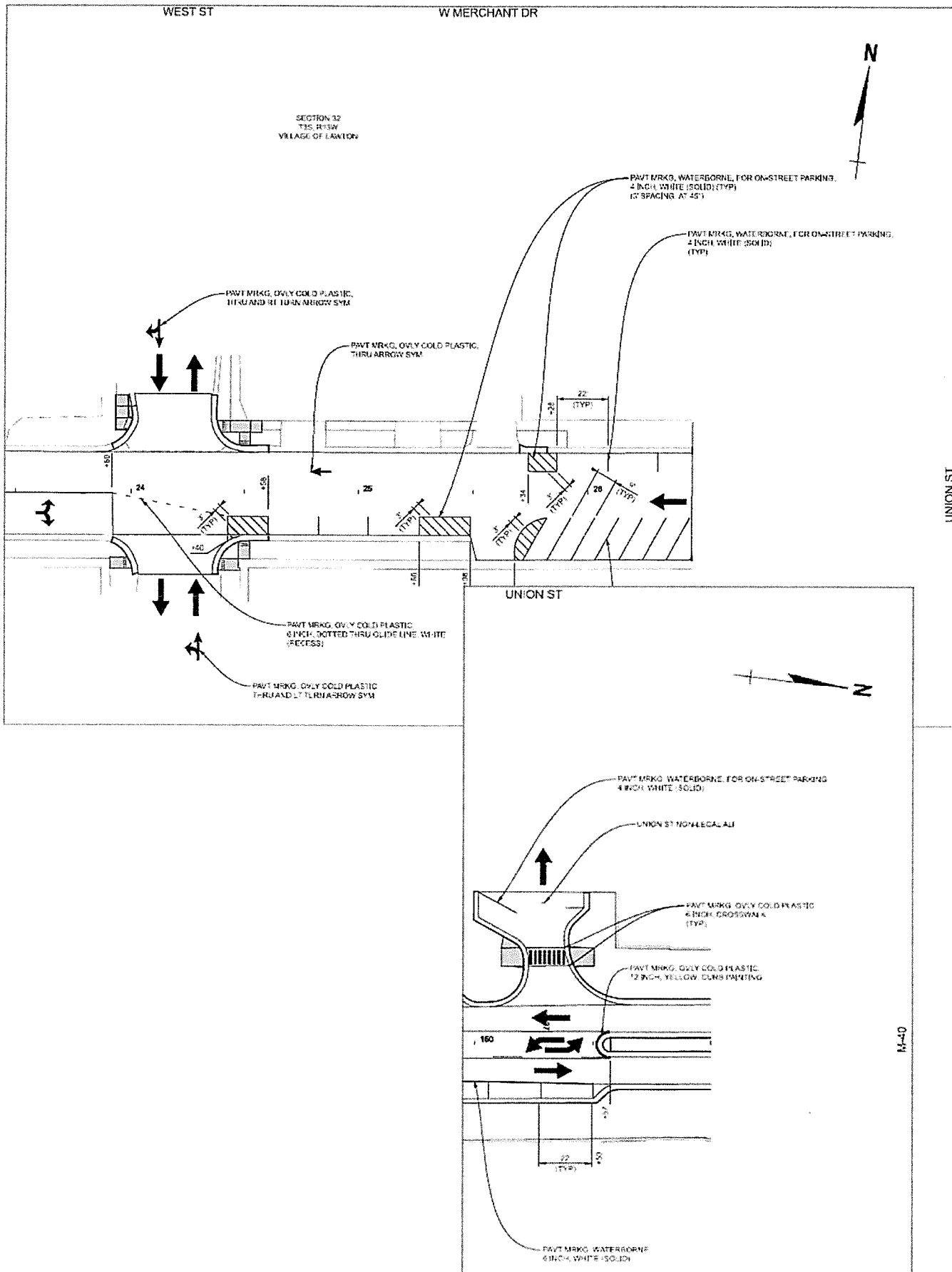
CERTIFICATION

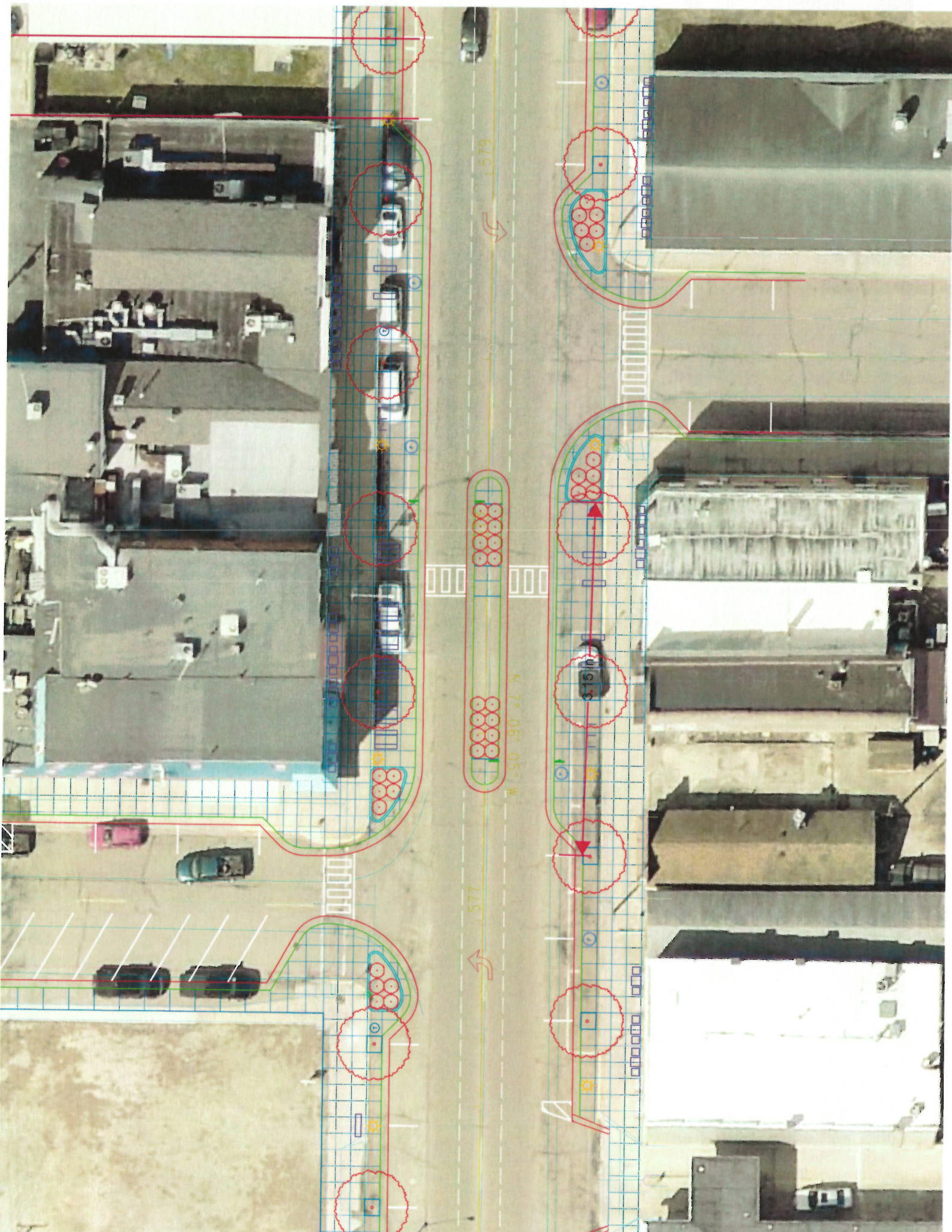
I, Brittany Rathbun, the duly appointed Clerk of the Village of Lawton, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Lawton Village Council at a regular meeting held on Tuesday, July 12, 2022 in compliance with the Open Meetings Act, Act No. 267 of the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

THE VILLAGE OF LAWTON

BY: _____
Brittany Rathbun, Village Clerk

EXHIBIT A





VILLAGE OF LAWTON COUNTY OF VAN BUREN STATE OF MICHIGAN

ORDINANCE NO. 203 of 2022

An Ordinance to Authorize the Sale of Certain Village-Owned Real Property

The Village of Lawton hereby ordains:

1. Pursuant to the provisions of Chapter VII, Section 4 of 1895 P.A. 3, as amended by 1974 PA 67 and 1998 PA 254 and 1998 PA 255 (M.C.L. 67.4, M.S.A.A. 5.1288), the Council of the Village of Lawton determines to make a private sale of the real property described on the terms and conditions herein set forth to the Michigan Department of Transportation, as purchaser.

2. Acceptance of Preliminary Agreement. The written "Good Faith" offer to purchase dated June 29, 2022 and presented by the purchaser is accepted and the village president and village clerk are authorized and directed to sign the agreement on behalf of the village and to take the necessary steps to perform the obligations of the village. The officers and their successors in office are further authorized to sign contracts and deeds of conveyance as may be required pursuant to the preliminary agreement upon fulfillment of the preliminary agreement. The earnest money paid by the purchaser shall be deposited by the village treasurer for the account of the village pending closing of this sale.

3. Description of Land. The land hereby authorized to be sold is described as follows:

PARENT PARCEL LEGAL DESCRIPTION (FROM TITLE COMMITMENT 801166848NBU, CHICAGO TITLE INSURANCE COMPANY)

Land Situated in the State of Michigan, County of Van Buren, Village of Lawton. The South 112 of Lot 4, Lot 5 and Lot 8, Block 3, of Dodge's Addition to the Village of Lawton, according to the recorded Plat thereof.

MDOT FEE ACQUISITION PARCEL LEGAL DESCRIPTION - MDOT PARCEL 7005, CONTROL SECTION 80111

A parcel of land in the West 1/2 of the Northeast 1/4 of Section 32, T.3 S.-R.13 W., Village of Lawton, Van Buren County, Michigan, more particularly described as follows:

The West 8.00 feet of Lot 5 and the South 1/2 of Lot 4, and the West 7.00 feet of Lot 8, Block 3, Dodge's Addition to the Village of Lawton, according to the plat thereof recorded on Uber K, Page 177, Van Buren County Records. The lands above described in fee contain 1250 square feet (0.029 acres), more or less. Subject to easements, rights of way, reservations, and restrictions, if any, of record. State Plane Grid and Distances with a Combined Scale Factor of 0.999949622289.

REMAINDER PARCEL LEGAL DESCRIPTION - CONTROL SECTION 80111

A parcel of land in the West 1/2 of the Northeast 1/4 of Section 32, T.3 S.-R.13 W., Village of Lawton, Van Buren County, Michigan, more particularly described as follows:

Lot 5 and the South 1/2 of Lot 4, EXCEPT the West 8.00 feet thereof, AND Lot 8 EXCEPT the West 7.00 feet thereof, Block 3, Dodge's Addition to the Village of Lawton, according to the recorded plat thereof recorded on Uber L, Page 177, Van Buren County Records.

The lands above described in fee contain 20590 square feet (0.473 acres), more or less. Subject to easements, rights of way, reservations, and restrictions, if any, of record. State Plane Grid and Distances with a Combined Scale Factor of 0.999949622289.

4. This ordinance shall be immediately effective upon publication in accordance with the law.

Ordinance Offered by:

Ordinance Supported by:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

Adopted: July 12, 2022

Published: July 21, 2022

Effective: July 21, 2022

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, July 12, 2022 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

THE VILLAGE OF LAWTON

BY: _____
Brittany Rathbun, Village Clerk

VILLAGE OF LAWTON
COUNTY OF VAN BUREN
STATE OF MICHIGAN

RESOLUTION NO. 14-2022

A RESOLUTION TO AUTHORIZE
MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) CONSENTS TO GRADE

At a regular meeting of the Lawton Village Council, held at Lawton Village Hall – 125 S Main Street in Lawton, Michigan, on this 12TH of July, 2022 at 7:00 p.m.

PRESENT:

ABSENT:.

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

RESOLUTION

WHEREAS, the Michigan Department of Transportation (MDOT), in conjunction with the Village of Lawton, will reconstruct M-40 through the length of the Village, and

WHEREAS, MDOT desires to purchase additional land along the east M-40 Right-of-Way in order to maintain a consistent property line the length of the new downtown streetscape; and

WHEREAS, MDOT will purchase the property if there will be sidewalk installed, or obtain a consent to grade where there will be construction activity taking place, but no permanent structure (sidewalk, curb, lighting, planters, etc.) will be located; and

WHEREAS, MDOT desires to have all of the property purchase and consent orders complete by July 31, 2022; and

WHEREAS, there are no detrimental causes to the Village not to consent to MDOT's Good Faith Offer requests.

NOW, THEREFORE, BE IT RESOLVED that the Village of Lawton hereby authorizes the President and Clerk to sign the necessary documents in order to execute the 4 MDOT agreements with the following details as outlined in the Good Faith Offer dated June 29, 2002:

Parcel	Purchase or Consent	Area	Compensation Value	Estimated Just Compensation
7027	Consent	113 Sq Ft	\$17.00	\$300.00
7047	Consent	2,067 Sq Ft	\$308.00	\$400.00
7022	Consent	125 Sq Ft	\$19.00	\$300.00
7005	Consent	1,314 Sq Ft	\$196.00	\$300.00
7005	Purchase	1,250 Sq Ft	\$1,863.00	\$1,900.00

THIS RESOLUTION is hereby _____ 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, July 12, 2022 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

THE VILLAGE OF LAWTON

BY: _____
Brittany Rathbun, Village Clerk