

**VILLAGE of LAWTON**  
**JOINT MEETING OF THE VILLAGE COUNCIL**  
**AND THE ZONING BOARD OF APPEALS**  
**125 South Main Street, Lawton MI 49065 PH 269.624.6407**  
**Tuesday, October 11, 2022 – 7:00 p.m.**

**AGENDA**

- I. CALL TO ORDER OF THE LAWTON VILLAGE COUNCIL**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. CALL TO ORDER OF THE LAWTON ZONING BOARD OF APPEALS**
  - A. President calls the ZBA meeting to order.
  - B. President opens the Public Hearing to hear comment. A request from residents Zachary and Quinn Daniels at 221 S. Hamilton Street parcel number 80-45-100-089-00. The variance request is to allow a fence 6' in height in a front yard.
  - C. President Receives Public Comment – Please limit comments to 3 minutes
  - D. President closes Public Hearing
  - E. Council Consideration of Variance Request (approve, approve with conditions, or deny)
  - F. President adjourns the ZBA Meeting
- V. PUBLIC HEARINGS**
- VI. CONSENT AGENDA**
  - A. Approval of the October 11, 2022 Agenda
  - B. Approval of the September 27, 2022 Council Meeting Minutes
  - C. Approval of Disbursements in the amount of \$141,050.13
- VII. COMMUNICATIONS AND CORRESPONDENCE**
- VIII. CITIZENS COMMENTS**
- IX. OLD BUSINESS**

- A. **Resolution 19-2022:** A Resolution to update Village Personnel Policies and Procedures Manual for sick time and COBRA Benefits.....Staff Recommends Approval

**X. NEW BUSINESS**

- A. **Resolution 20-2022:** A Resolution to authorize signator for the donation/acquisition of 119 N Main, Parcel #80-45-650-001-10.....Staff Recommends Approval
- B. Proposal from Wightman to serve as the Prime Professional for the Chancy Lewis Park Passport Grant Renovations in the amount of \$11,500.....Staff Recommends Approval
- C. Approve MML Liability and Property Pool Board of Directors Ballot to elect Jean Stegeman, Mayor of Menominee and Brenda Stumbo, Supervisor of Ypsilanti Township.....Staff Recommends Approval
- D. Proposal form Aleksich Excavating of Lawton MI to provide sewer repair at 622 & 624 Third Street in order to separate the combined sewer connections in the amount of \$12,000.....Staff Recommends Approval

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

- A. Village Manager – Lisa Imus
- B. Village Clerk – Brittany Rathbun
- C. Department of Public Works – Todd Hackenberg
  - 1. Union Street to One Way – review costs
- D. Police Department – Jeff Mack
  - 1. Police Department Policy Updates
- E. Planning Commission – Judy Peterson
  - 1. Master Plan Steering Committee Update (Future Land Use and Zoning)
- F. Downtown Development Authority – Gail Dudek
- G. Lawton Fire Board – Eric Dudek
- H. Lawton Library Board – Brittany Rathbun

**XII. COUNCIL COMMENTS**

**XIII. ADJOURNMENT – NEXT REGULAR MEETING DATE—*October 25, 2022***

The Village of Lawton follows the Americans w/ Disabilities Act of 1990. Individuals with disabilities planning to attend this meeting and require accommodations, or those who have questions regarding the accessibility of this meeting or the facilities, are requested to contact the Village Clerk, at (269) 624-6407 or [brathbun@lawtonmi.org](mailto:brathbun@lawtonmi.org) 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.org](mailto:imusl@lawtonmi.org).



### VILLAGE of LAWTON FENCE PERMIT

Permit No. \_\_\_\_\_ Date: 8/29/22  
 Owner Name: Zachary Daniels Phone: 269 436-0102  
 Address: 221 S Hamilton St Property Tax No: 80 45 100 134 00  
 \_\_\_\_\_ Email: zachdan@gmail.com  
 Zoning District: R3 (SF) Type of Fence: Wooden Privacy Fence  
 (i.e. Chain Link, Picket, Vinyl, etc.)

**NOTES:**

1. It shall be the responsibility of the applicant/property owner to identify the property line(s) and assume responsibility for the accuracy of that identification.
2. The finished side of any fence shall face the neighboring property, not the applicants.
3. See all fence regulations listed with this form.
4. A Lot Diagram of fence on lot is required. Indicate height of fence and any changes on diagram.

Contractor Info: self Phone No: \_\_\_\_\_  
 Address: N/A

**Property Owner's Affidavit:**

*I hereby certify that the work described above shall be installed in accordance with the local zoning code and will be inspected and approved by the Village. I will cooperate with the Inspector and assume the responsibility to arrange for necessary and timely inspections.*

Signed: [Signature] Date: 8/29/22

**Contractor's Affidavit/ Authorized Agent**

*I hereby certify that the proposed works is authorized by the owner of record and I have been authorized by the owner to make this application as his authorized agent.*

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**VILLAGE OF LAWTON  
ZONING BOARD OF APPEALS  
CONSIDERATION OF VARIANCE REQUEST**

The Village of Lawton Zoning Board of Appeals will hold a public hearing on Tuesday, October 11<sup>th</sup>, 2022 at 7:00pm to receive comments on a Variance Request for the height and placement of a fence for the property located at 221 S Hamilton Street in Lawton, MI parcel # 80-45-100-089-00 on behalf of the applicant, Zachary and Quinn Daniels. The public hearing will take place at the Village Hall, 125 South Main Street, Lawton MI 49065. Those who are unable to attend are encouraged to submit written comments to the Village Clerk in person or mailed to the address below. Written comments must be received before 4:00 pm October 6, 2022.

The Village will provide necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting upon four (4) days' notice to the Village Clerk. Individuals with disabilities requiring auxiliary aids or services should contact 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 in the Clerk's Office, located at 125 S. Main Street, PO Box 367, Lawton MI 49065, ph 269.624.6407, [clerk@LawtonMI.org](mailto:clerk@LawtonMI.org).

Brittany Rathbun, Village Clerk

Published: September 22, 2022



## LAWTON ZONING ORDINANCE – FENCE REGULATION EXCERPT

### 2.1.85 FENCE: FENCE, WALL, HEDGES, AND PRIVACY SCREEN REGULATIONS

- a. Fence shall mean a structure erected for the purpose of separating properties or protecting or screening property within its perimeter. Chain link fences shall fall under this definition. Fences, including chain link, for the containment of pets shall conform to the accessory structure requirements of this Ordinance.
- b. Ornamental fence shall mean a fence designed in such a manner and of such material so as to decorate or enhance the appearance of the front, side or rear setback in residential areas in addition to separating properties or protecting properties. Chain link, mesh, woven, or welded wire fences are excluded under this definition. Ornamental fences shall also include hedges.

**4.7 OBSTRUCTIONS TO VISION ON CORNER LOTS** No structure, wall, fence, shrubbery, parked vehicle, stored material, or trees shall be placed, erected, planted or maintained on any lot which will obstruct the view of the driver of a vehicle approaching an intersection; excepting that shrubbery and low retaining walls not exceeding three (3) feet in height above the curb level and trees where all branches are not less than eight (8) feet above the street level will be permitted. In the case of corner lots, this shall also mean that there shall be provided an unobstructed triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the pavement edge lines, or in the case of a rounded corner, from the intersection of the street property lines extended.

**4.8 FENCE, WALL AND PRIVACY SCREEN REGULATIONS** Fences, walls and privacy screens are permitted subject to the following:

4.8.1 The erection, construction or alteration of any fence, wall or privacy screen as defined herein, shall be constructed to meet all relevant codes

4.8.2 Fences shall not be taller than four (4) foot in a required front yard nor higher than six (6) foot in a required side or rear yard for parcels located in all single- and two-family residential districts.

4.8.3 Fences with barbed wire and electrical current are only permitted in the I-1 and I-2 Industrial Districts.

4.8.4 A four (4) foot fence shall surround all below ground swimming pools.

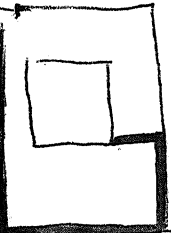
4.8.5 Parcels located in the AG Agricultural District shall be exempt from all fence height and use restrictions except for swimming pools.

4.8.6 Required obscuring walls and fences shall be placed inside and adjacent to the lot line except where underground utilities interfere with the placement of the wall or fence at the property line, in which case the fence or wall shall be placed on the utility easement line nearest the property line.

4.8.7 The height of the fence or the wall shall be measured from the lowest ground level elevation at a distance from five (5) from each side of the wall or fence.

4.8.8 All fences or walls in residentially zoned areas separating properties shall be of either chain link or ornamental type and maintain a completely finished appearance. Only new material or material having the appearance and structural integrity found to be acceptable to the building inspector shall be used. Fences or walls with a more finished appearance on one side, shall face the exterior of the lot.

4.8.9 Fences which enclose school grounds, playgrounds, tennis courts or other public areas may be erected to a height in excess of six (6) feet with the approval of the Zoning Board of Appeals.





**Village of Lawton**  
**VILLAGE COUNCIL**  
**SPECIAL MEETING**  
**125 S. MAIN, LAWTON MI 49065 269.624.6407**  
**Thursday, September 27, 2022**  
**MINUTES**

- I. **Call to Order:** President Appleby called the September 27, 2022, meeting of the Lawton Village Council to order at 7:00 p.m.
- II. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
- III. **Roll Call:** *Present:* Appleby, Tanis, E. Dudek, Peterson, Turner, G. Dudek *Absent:* Smith, *Others Present:* Village Manager Imus, Clerk Rathbun, and three guests.
- IV. **Consent Agenda:** The Consent Agenda included the approval of the September 27 Council Agenda, and minutes from the September 13 meeting. Peterson made a motion to approve the Consent Agenda with correction to minutes supported by G. Dudek. A unanimous roll call vote approved the motion.
- V. **Communications, Correspondence, and Presentations:** None.
- VI. **Citizen Comments:**
  - A. Residents Zachary and Quinn Daniels residents of 221 S. Hamilton, from whom a fence variance is being requested were present. Mr. Daniels wanted the Council to know the height of fence was not intentionally built against ordinance or out of malice. They believed they were going about it correctly. Discussion ensued, and council will follow up at October 11 ZBA meeting.
  - B. Dana DeWitt, the administrator at Blueberry Hill Assisted Living, wanted to introduce herself and let the community know that they are just waiting on licensing to go through. She said her email and phone number are listed if anyone has questions. Blueberry Hill is hoping to be open November 1<sup>st</sup>, but do not have a hard date as it is dependent on the State Licensing department.
- VII. **Public Hearings/Appointments/Proclamations:** None.
- VIII. **Old Business:** None.
- IX. **New Business:**
  - A. Village Manager Imus reported on the Wetland Evaluation and Environmental File Review at the former Wastewater Lagoon Property. Imus stated Fischbeck has made a proposal to evaluate the Village's property surrounding the abandoned sanitary sewer treatment ponds to determine if there could be housing placed in that area. Imus stated

the goal is to start as simple as possible to see whether or not housing is feasible. Fishbeck will FOIA the state to find out how the ponds were closed, and if there were environmental concerns. Discussion ensued, council agreed that it is in the village's best interest to find out more about the property, and how or whether it can be utilized. Peterson moved that we enter into a contract with Fishbeck to evaluate the wetlands area, support by Tanis. Roll Call Vote taken. All in favor, none opposed. Motion carried.

**B.** Village Manager Imus presented Resolution 19-2022 to review the employee handbook to eliminate the COBRA health care and consider the reduction of sick-time payout to retirement only (20 years of service at 50% of any accumulated and 10 years of service at 25% of any accumulated). Imus proposed reflection of what we have in the Police Department contract. Discussion ensued, tabled to be discussed further at the October meeting.

**X. Board, Committee, and Staff Reports:**

**A.** Imus presented several updates ongoing village projects. Council discussed items and updates.

**XI. Council Comments:** None.

**XII. Adjournment:** Turner motioned, and E. Dudek seconded to adjourn at 8:55 pm.

Respectfully Submitted by,

Brittany Rathbun  
Village Clerk



10/06/2022

CHECK REGISTER FOR VILLAGE OF LAWTON  
CHECK DATE FROM 09/01/2022 - 09/30/2022

Check Date	Bank	Check	App Vendor	Vendor Name	Description	Amount
Bank GEN GENERAL CHECKING						
09/16/2022	GEN	5858	PR TEAMSTERS	TEAMSTERS LOCAL #214		180.00
09/18/2022	GEN	5859	AP MISC	ALBERTO REYNA	ADDED TWO SHELVING UNITS TO FICTION AREA	100.00
09/18/2022	GEN	5860	AP 155	APPLIED IMAGING	LIBRARY COPIER CONTRACT NO CN3599-01 - A	156.57
09/18/2022	GEN	5861	AP 104	BAKER & TAYLOR, INC.	BOOK	956.82
09/18/2022	GEN	5862	AP 056	BLOOMINGDALE COMMUNICATIONS	PHONE LIBRARY	162.70
09/18/2022	GEN	5863	AP 101	CENGAGE LEARNING.	AUGUST THRILLER, ADVENTRUE AND SUSPENSE	310.69
09/18/2022	GEN	5864	AP 964	CLARK TECHNICAL SERVICES	LPL 2022 SUPPORT	570.00
09/18/2022	GEN	5865	AP 153	DEMCO, INC.	DESK CALENDAR, LABELS, BOOKMARKS	160.84
09/18/2022	GEN	5866	AP MISC	LIBRARY IDEAS, LLC	BOOKS	153.20
09/18/2022	GEN	5867	AP 264	PETTY CASH LAWTON PUBLIC LIBRARY	DOLLAR TREE, DOLLAR GENERAL, WALMART, ME	257.21
09/18/2022	GEN	5868	AP 079	QUILL CORPORATION	LYSOL, SWIFFER DUST REFILLS, TOWELS	345.69
09/18/2022	GEN	5869	AP 320	SYNCB/AMAZON	BOOKS	88.63
09/18/2022	GEN	5870	AP MISC	UNIQUE	8-15; 8-22; 8-29 PLACEMENTS	39.80
09/28/2022	GEN	5871	AP 030	ADAMS HARDWARE	CONSOLIDATED BILL	916.25
09/28/2022	GEN	5872	AP MISC	AUSTIN MAYFIELD	PARK RENTAL REFUND	50.00
09/28/2022	GEN	5873	AP 756	BADGER METER, INC	ORION CELL LTE SERV UNIT, BEACON MBL HOS	486.84
09/28/2022	GEN	5874	AP 048	BEAVER RESEARCH COMPANY	GEAR PLATE - LUBRICANT	149.95
09/28/2022	GEN	5875	AP 056	BLOOMINGDALE COMMUNICATIONS	TELEPHONE FOR ACCT NO 0032515-9	334.86
09/28/2022	GEN	5876	AP 975	BRUCE MARKS	MUMS	150.00
09/28/2022	GEN	5877	AP MISC	CAITLIN WILLIAMSON	PARK RENTAL REFUND	50.00
09/28/2022	GEN	5878	AP 964	CLARK TECHNICAL SERVICES	VOL 2022 SUPPORT	180.00
09/28/2022	GEN	5879	AP 026	CONSUMERS ENERGY	HEAT FOR ADDRESS 125 MAIN ST ACCT NO 100	38.28
09/28/2022	GEN	5880	AP 901	DALE W. HUBBARD, INC	CLOSED CIRCUIT TELEVISIONING SERVICE CALL -	2,207.55
09/28/2022	GEN	5881	AP 1069	DICKINSON WRIGHT PLLC	ECONOMIC DEVELOPMENT PROJECT	2,600.00
09/28/2022	GEN	5882	AP 088	FISHER AUTO PARTS	FILTERS	70.72
09/28/2022	GEN	5883	AP 1077	FLUID POWER ENGINEERING, INC	HYDRAULIC TUBING	55.10
09/28/2022	GEN	5884	AP 027	FRONTIER	TELEPHONE AND INTERNET FOR DPW AND WWTP	645.78
09/28/2022	GEN	5885	AP MISC	HITCH'S HOLSTERS LLC	MAGAZINE - DOUBLE MRD; HANDCUFF CASE	55.00
09/28/2022	GEN	5886	AP 017	INDIANA MICHIGAN POWER CO.	ELECTRIC	5,548.26
09/28/2022	GEN	5887	AP MISC	JAMES REEVES	PARK RENTAL REFUND	35.00
09/28/2022	GEN	5888	AP 437	JAMES STERMER	CLOTHING REIMBURSEMENT; MILEAGE; CDL/CHA	234.24
09/28/2022	GEN	5889	AP MISC	KARA SALINAS	PARK RENTAL REFUND	50.00
09/28/2022	GEN	5890	AP 107	LAWSON OIL COMPANY	C600 SAE30	3,404.37
09/28/2022	GEN	5891	AP 1028	LISA IMUS	LODGING FOR MANAGERS CONFERENCE	209.79
09/28/2022	GEN	5892	AP 1008	MELINA LEONARD	MILEAGE TO MMTA CONFERENCE - CRYSTAL MOU	259.38
09/28/2022	GEN	5893	AP 453	MENARDS	STRIPING MACHINE, PAINT	268.28
09/28/2022	GEN	5894	AP UBREFUND	Mroczek, Vicki	UB refund for account: 01-061	23.60
09/28/2022	GEN	5895	AP 551	ODP BUSINESS SOLUTIONS	INK TONER	340.35
09/28/2022	GEN	5896	AP 172	PEERLESS MIDWEST, INC.	ANNUAL WELL & PUMP MAINTENANCE	975.00
09/28/2022	GEN	5897	AP 1037	PRECISION PRINTER SERVICES INC	ON SITE SERVICE	109.70
09/28/2022	GEN	5898	AP 1034	PRIORITY HEALTH	INSURANCE GROUP ID 794824	6,845.37

09/28/2022	GEN	5899	AP 1032	PROGRESSIVE AE	PROJECT: 9005003.0 MASTER PLAN	4,991.86
09/28/2022	GEN	5900	AP MISC	RACHEL BOSWELL	PARK RENTAL REFUND	50.00
09/28/2022	GEN	5901	AP 009	REPUBLIC SERVICES OF	WASTE REMOVAL	344.81
09/28/2022	GEN	5902	AP 1068	SAFEBUILT	PERMITS FOR 716 DELAWARE, 517 WASHINGTON	1,178.95
09/28/2022	GEN	5903	AP MISC	SCOTT MCDAID	PARK RENTAL REFUND	50.00
09/28/2022	GEN	5904	AP 892	SLC METER, LLC	STYLE INSETTER, NO LEAD	524.19
09/28/2022	GEN	5905	AP 126	STEENSMA LAWN & POWER EQUIP.	PLUG	8.64
09/28/2022	GEN	5906	AP 007	THE CLOTHES BASKET	DRY CLEANING	424.00
09/28/2022	GEN	5907	AP 1036	THE STANDARD	LIFE INSURANCE ACCT NO 00 168051 0001	959.96
09/28/2022	GEN	5908	AP 685	VERIZON WIRELESS	MOBILE PHONE   TABLETS	324.56
09/28/2022	GEN	5909	AP 047	WIGHTMAN	PROJECT - 224009 GENERAL ENGINEERING	906.25
9/02/22	PR			Payroll Total		36,544.45
9/16/22	PR			Payroll Total		37,351.73
9/30	PR			Payroll Total		33,614.91
Total of 51 Checks						\$ 147,050.13
Less 0 Voided Checks						<u>0</u>
Total of 140 Disbursements:						\$ 147,050.13

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

**RESOLUTION NO. 19-2022**

**A RESOLUTION TO UPDATE THE VILLAGE OF LAWTON PERSONNEL POLICIES AND  
PROCEDURES MANUEL FOR SICK TIME AND COBRA BENEFITS**

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At a regular meeting of the Lawton Village Council, held at Lawton Village Hall – 125 S Main Street in Lawton, Michigan, on this 27<sup>th</sup> day of October 2022 at 7:00 p.m.

Present:

Absent:

The following Resolution was offered by Councilperson \_\_\_\_\_ and supported by Councilperson \_\_\_\_\_.

**RESOLUTION**

**WHEREAS**, personnel policies and procedures may be adopted and amended at the discretion of the Village Council and are subject and subordinate to applicable federal and state laws, rules, and regulations, and local ordinances; and

**WHEREAS**, purpose of the Village of Lawton Personnel Policies and Procedures Manual is to provide guidance regarding the fair and consistent administration of village personnel, but neither any contract nor implied contract rights are created hereby; and

**WHEREAS**, the Village Manager, Village Clerk, and Insurance Team have reviewed the proposed amendments of the Personnel Policies and Procedures Manual and recommend adoption by the Village Council; and

**WHEREAS**, the Village Council deems it in the best interest of the Village of Lawton and the Village of Lawton Employees to formally update the policies and procedures.

**NOW, THEREFORE, BE IT RESOLVED** that the following changes be adopted into the Lawton Policy and Procedures Manual to which:

1. The COBRA Act of 1985 states COBRA generally applies to all private sector group health plans maintained by employers that have at least 20 employees working no more than 50 percent of its typical business days in the previous calendar year. Both full- and part-time employees are counted to determine whether a plan is subject to COBRA;

**WHEREAS**, The Village of Lawton has less than 16 employees, and is therefore exempt from COBRA.

**NOW, THEREFORE, BE IT RESOLVED** that COBRA coverage and any reference to COBRA coverage be removed from the Village of Lawton Policy and Procedures Manual including:

**Insurance - Section A1 page 23: REMOVAL** The section of the Employee Handbook dated June 1, 2017, and attached hereto as EXHIBIT A, is hereby repealed. This includes any stipulations to offer or provide health insurance for any retired employees at the employee cost upon retirement.

2. The current sick time policy is being changed to the following:

**Paid Sick and Bereavement Leave - Section C10 page 16: UPDATE** The section of the Employee Handbook, dated June 1, 2017 attached hereto, is hereby repealed including any remaining sick leave payout, for retirement or separation due to any circumstances, and replaced with:

*Employees hired on or before January 1, 2002 shall be paid for accumulated sick leave up to a maximum of 480 hours at fifty percent (50%) of their value upon retirement, which is defined as having a minimum of 20 years of service and be in good standing. Employees hired on or before January 1, 2002 may accumulate up to 480 hours of sick leave.*

*Eligible employees hired after January 1, 2002 will be paid twenty-five percent (25%) of their remaining sick leave at the end of each calendar year, unless he or she opts to bank those days up to a maximum of four hundred twenty (420) hours. Employees hired after January 1, 2002 may accumulate up to 420 hours of sick leave.*

*The maximum amount of sick leave to be paid annually shall be ninety-six (96) hours at 25% of its current value. The Employer shall coordinate with each employee at the end of each calendar year to determine if the employee wishes to accumulate unused annual sick leave, or to be paid for any unused sick leave. Sick Leave payout shall be paid separate from regular payroll and payout shall occur no later than the second payroll of the new calendar year. There shall be no payout of any accumulated sick leave upon retirement or separation for employees hired after January 1, 2002.*

**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, October 11, 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. 20-2022**

**A RESOLUTION TO AUTHORIZE SIGNATOR FOR THE DONATION  
OF 119 N MAIN, PARCEL #80-45-650-001-10**

At a regular meeting of the Lawton Village Council, held at Lawton Village Hall – 125 S Main Street in Lawton, Michigan, on this 11<sup>th</sup> day of October 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 Council Members are organized and existing under the laws of the State of Michigan; and

**WHEREAS**, the Village Manager serves as the chief administrative and financial officer of the Village of Lawton and is the official signatory on all accounts and transactions; and

**WHEREAS**, the Village of Lawton Council Members and Village Clerk certify that this resolution is duly adopted at a public meeting on October 11, 2022 at which a quorum of the public body was present; and

**WHEREAS**, this resolution shall remain in full effect until revoked by the public body.

**NOW THEREFORE, BE IT RESOLVED**, that the Village of Lawton Council Members hereby authorize Lisa Imus, Village Manager to legally bind the Village of Lawton in the acquisition through donation of 119 N Main, parcel #80-45-650-001-10; and to sign for and perform any and all responsibilities in relation to such agreement.

**BE IT FURTHER RESOLVED**, that this resolution supersedes and revokes all previously adopted resolutions on this subject matter and this resolution is not intended to circumvent statutory authority of elected officials.

**THIS RESOLUTION** is hereby approved by roll call vote:

**YEAS:** Council Members

**NAYS:** Council Members

**ABSTAIN:** Council Members

**ABSENT:** Council Members

BY: \_\_\_\_\_  
Josh Appleby, Village President

BY: \_\_\_\_\_  
Eric Dudek, President Pro-Tem

BY: \_\_\_\_\_  
Gail Dudek, Trustee

BY: \_\_\_\_\_  
Judy Peterson, Trustee

BY: \_\_\_\_\_  
Nikki Smith, Trustee

BY: \_\_\_\_\_  
Ryan Tanis, Trustee

BY: \_\_\_\_\_  
Ren Turner, Trustee

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, October 11<sup>th</sup>, 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

**ALEKSICH EXCAVATING LLC**

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

**Estimate/Quote**

**Date:** September 12, 2022

**TO:** Village of Lawton  
125 S Main Street  
Lawton, MI 49065

**FOR:** Separate Sewer Lines

DESCRIPTION OF SERVICES:	AMOUNT
Separate sewer lines and run them individually into the main trunk line	\$ 12,000.00
under the street, cut roadway, move asphalt, dig and install lines,	
labor and material - not to exceed \$12,000	
Repayment of road to be complete by others	
Payment due upon completion	
	\$ 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!*





September 22, 2022

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

Attention: Lisa Imus, Village Manager

**RE: CHANCY LEWIS PARK RENOVATIONS**

Dear Lisa Imus:

Congratulations on being awarded a Recreation Passport grant through the Michigan Department of Natural Resources. We are excited for the opportunity to help you bring the vision for Chancy Lewis Park to reality.

Wightman is a full-service consulting firm. Services offered include Architecture, Civil Engineering, Environmental and Surveying. Additional specialty services offered include Planning, GIS, Landscape Architecture, Interior Design and Reality Capture. Our dynamic team of over 140 professionals works to analyze, advise, design, and deliver successful projects. Our unique approach is to offer comprehensive multi-disciplinary services, industry expertise, accurate scope of work, and a passion for listening. As such, Wightman is pleased to present the following proposal for the Village of Lawton.

### Section I – Project Goals

We understand that application for Chancy Lewis Park Renovations has been awarded for Recreation Passport (RP) funding through the Michigan Department of Natural Resources (MDNR). As such, you are seeking professional services to assist the Village in administering the grant and provide professional design services and construction administration. We understand that the park was granted \$100,000.00 which includes a 26% match equaling \$74,000.00 in grant funding and \$26,000.00 in Village match.

We understand the goals for this project are to complete the project per the Recreation Passport (RP) grant which includes the following scope items:

- Pickleball Court: Conversion of tennis courts into 4 pickleball courts including court resurfacing, net systems and striping
- Bench(es): Seven benches with companion seating
- Bike Rack(s): Five bike hoops
- Restroom Building: New ADA fixtures and painting
- Basketball Court: Adjustable basketball systems, crack sealing
- Fence: Repainting, New gate & gate upgrades
- Paved ADA Parking Space(s): Parking lot striping of 2 ADA parking spaces
- Signage: Update 1 entrance sign to reflect new park amenities, ADA accessibility and that the park is open to the public and add 1 RGP plaque sign to the park
- Trash Bin(s): Seven trash bins
- Landscaping: One tree removal
- Access Pathway 5'-6' wide: ADA surface between basketball and pickleball courts

## Section II – Scope of Services

We are very familiar with the requirements of RP funding through MDNR. Below you will find a scope of services will provide for the project as well as the scope of services to be provided by the Village. The services below are to be provided by Wightman except were stated otherwise. We understand the budget for engineering services is challenging and because of this the Village would like to take on as much of the scope of work as possible. For that reason, Wightman will communicate with the Village before starting tasks to ensure that the correct individual preforms each task.

### Phase 1: Design Grant Administration

#### Step 1 – Project Agreement

- Step one includes executing the project agreement, uploading the boundary map and legal description of the project area, and resolution. Step 1 has been completed by the Village and is not included in the scope of work of this proposal.

#### Step 2 - Plans, Specifications, Bid Documents and Bidding:

- Pre-Design site visit to gather site photos and review existing site grades.
- Plan sheets including a Cover Sheet, Layout Sheet, and Restroom Fixture Floor Plan & Elevation Sheet. The Layout sheet will be created with an aerial image, this proposal does not include survey.
- Prepare cost estimate(s), specifications, and bid documents
- Submit plans, specifications, and bid documents, to be uploaded to MI Rec Grants
- Submit cost estimate, to be uploaded to MI Rec Grants
- Project implementation schedule, to be uploaded to MI Rec Grants
- Post bid documents on Wightman's bidding website
- Host and attend one pre-bid meeting
- Prepare addenda and answer bidder questions

#### Step 3 - Contractor or Vendor Selection:

- Review and tabulate bids and provide recommendation to award
- Prepare contract for awarded bidder

#### Scope items in Step 3 to be performed by the Village:

- Award for Construction including contractor selection, entering of contract amount, entering project scope items, entering bid information including the bid tab and the bid proposal (Required Upload - MI Rec Grants System)

## Phase 2: Construction & Closeout

### Step 4 - Reimbursement Request (First and Final):

- Host and attend one pre-construction meeting
- Host and attend two site visits
- Prepare change order(s) and review submittals
- Pay application review(s)
- As Constructed Site Plan 11x17

#### Scope items in Step 4 to be performed by the Village:

- Final Compliance Onsite Inspection Report, to be uploaded to MI Rec Grants
- Pictures of Recreation Passport acknowledgement plaque & all scope items, to be uploaded to MI Rec Grants
- Development of reimbursement request details page in MI Rec Grants

#### General scope items to be performed by the Village:

- DNR Progress Reporting

**Additional Assistance:** Wightman can provide additional assistance with the following items at the request of the Village. This work will be billed at the cost of time and materials.

- Specification, drawing, and/or bid document updates per MDNR comments
- Additional site visits
- Project Changes such as adding or deleting scope or specifications, changing layout of scope items, changing size or location of project area, and/or lengthen the project period
- Assistance with any scope items above marked to be performed by the Village

## Section III - Fees

We propose to complete the above Scope of Services at the cost of time and materials, our estimated fee is **\$11,500.00**. We will proceed on an hourly basis according to our Standard Billing Rates and Reimbursable Expenses.

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

Lisa Imus, Village Manager

9/22/2022

Page 4

**Section VI – Terms and Conditions**

Our standard terms and conditions are attached.

We are excited by the opportunity to partner with you on this project. If our proposal is acceptable to you, please sign below to authorize us to begin work and return a copy to our office.

If you have any questions, please feel free to contact me.

Sincerely,



Laura Fredrickson, PLA  
lfredrickson@gowightman.com

cc. Ben Baker, Wightman

**This proposal is approved and accepted by:**

**By:** \_\_\_\_\_  
Signature

**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_  
Printed Name

**Title:** \_\_\_\_\_

\_\_\_\_\_  
Client/Company Name and Address (Billing)

**To:** Members of the MML Liability & Property Pool  
**From:** Michael J. Forster, Fund Administrator  
**Date:** September 12, 2022  
**Subject:** Pool Director Election

Dear Pool Member:

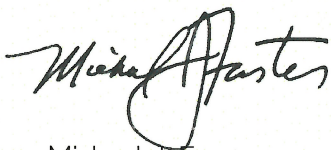
Enclosed is your ballot for this year's Board of Directors election. One (1) incumbent Director has agreed to seek re-election and one (1) appointee is seeking election to her first term. You also may write in one or more candidates if you wish.

A brief biographical sketch of the candidates is provided for your review.

I hope you will affirm the work of the Nominating Committee by returning your completed ballot in the enclosed return envelope, no later than November 5. You may also submit your ballot online by going to [www.mml.org](http://www.mml.org). Click on *Insurance*, then *Liability & Property Pool*; the link to the ballot form is in the yellow banner.

The MML Liability & Property Pool is owned and controlled by its members. Your comments and suggestions on how we can serve you better are very much appreciated. Thank you again for your membership in the Pool, and for participating in the election of your governing board.

Sincerely,



Michael J. Forster  
Pool Administrator  
[mforster@mml.org](mailto:mforster@mml.org)

We love where you live.



**THE CANDIDATES**  
**Three-year terms beginning January 1, 2023**



*Jean Stegeman, Mayor, City of Menominee*

Jean has more than ten years of experience as a municipal official, currently serving as Mayor in the City of Menominee. She was a member of and served as chair of the Menominee planning commission for several years prior to becoming mayor. She is also active in several local civic organizations. Jean is seeking re-election to her fourth term as director.



*Brenda Stumbo, Supervisor; Charter Township of Ypsilanti*

Brenda has been an elected public servant for more than 34 years and has been Ypsilanti Township's Supervisor since 2008. She previously served as the township's Clerk from 1992-98 and on its Board of Trustees from 1988-92. Brenda has also served on the Planning Commission, Zoning Board of Appeals, Ypsilanti Community Utilities Authority Board, Ann Arbor Spark, Destination Ann Arbor, Local Development Finance Authority Committee, and the Washtenaw Urban Executive Committee. Brenda also volunteers for many community events and attends Neighborhood Watch meetings regularly. Brenda has been a Ypsilanti Township resident since the age of five. She completed her bachelor's degree at Central Michigan University, majoring in Parks and Recreation. Brenda seeks election to her first term as director.

10-7-2022

I received bids for a sewer separation at 622 and 624 Third St. Their sewer leads are connected together and need to be separated. Three bids were received, with Aleksich excavating being the lowest at \$12,000.00 I would recommend approval.

Todd Hackenberg

Director of Public Works

# WATER/SEWER OPERATIONS REPORT

## September 2022

- 1) 13,966,000 Gallons of water were pumped during the month compared to 21,666,000 in 2021.
- 2) The average daily usage was 414,428 gallons.
- 3) Routine sampling was done with all samples being non detect.

Total hours for the month    Water – 46    Overtime – 10  
   Sewer – 142    Overtime – 20

Respectfully submitted,

Todd Hackenberg  
Superintendent of Public Works

**Village of Lawton WWTP**  
Operational report

### **Wastewater Treatment**

- In September a total of 1.96 million gallons of treated wastewater was discharged into the tributary to the South Branch of the Paw Paw River. The daily effluent flows averaged 65,000 gallons per day, which is approximately 26% 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**

1000 gallons of activated sludge was pumped over to the sludge storage tank.



# PUBLIC SERVICES REPORT

## September 2022

### CEMETERY

1) We had 0 interments in the month of September

Hours for the month – 114 Overtime – 0

### MOTORPOOL

1) General maintenance was performed on equipment

Hours for the Month – 13 Overtime – 0

### BUILDINGS & GROUNDS

1) No activity other than general maintenance

Hours for the month – 24 Overtime – 0

### CIVIC ACTIVITIES

1) put up fall banners

Hours for the month - 12

### PARKS

1) General maintenance and cleanup was performed.

Hours for the month – 56 Overtime – 8

### STREETS & SIDEWALKS

1) no activity other than general maintenance

Hours for the month

Major Preservation – 41 Local Preservation – 46

Major winter Maint. – 1 Local winter Maint. – 1

Streets (not act 51) – 80 Sidewalks –

Vacation hours – 118 Sick time – 23

Respectfully Submitted,

Todd Hackenberg  
Superintendent of Public Works

## Van Buren County File Class / Section Report

Number	Sub-Beat	Date	Offense	Location	Incident Code-Type	Officer
22-0734	LAWTON-1	09/08/2022	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	113 West Street	Long grass/weeds	Mack, J. Mowed
22-0766	LAWTON-1	09/14/2022	ZONING ORDINANCE 153.01 Zoning ordinance 153.01	116 Durkee Street	Front yard parking	Mack, J. Removed
22-0767	LAWTON-1	09/14/2022	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	124 Franklin Street	Long grass/weeds	Mack, Citation issued
22-0781	LAWTON-1	09/17/2022	BLIGHT ORDINANCE 93.01 Blight Ordinance 93.01	135 2nd Street	Long grass/weeds	Largen, J. Mowed
<b>Total:</b>	4					

# LAWTON POLICE DEPARTMENT – COUNCIL REPORT

## SEPTEMBER 2022

Calls for Service/Complaints-----**137**

Ordinance complaints-----**7**

    Blight **(3)**        Zoning **(1)**        Misc. **(3)**

Traffic stops-----**40**

    Citations issued **(9)**        Verbal warnings **(37)**

Arrests-----**7**

Accidents-----**2**

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

HOURS WORKED:    Scheduled (Full-time)    685

                    Scheduled (Part-time)    0

                    Overtime hours    15

                    Vacation hours    8

                    Sick leave hours    0

### COMMUNITY POLICING:

Officers made **(71)** field contacts and **(31)** business contacts.

LPD officer attended multiple Lawton H.S. sporting events

Officer Edwards and Chief Mack participated in training the Lawton school district staff on response to active assailants in the school. Officer Edwards instructed.

Chief Mack presented on crime scene investigation and procedure to the Lawton Libraries “Adult Murder Club”. Their title, not mine.

### **NOTABLE INCIDENTS:**

Officer Largen came across a motorist from Indiana, on N. Main at the tracks, pulling a boat trailer with significant damage to one of its wheels. The damage prevented the trailer from being pulled any further. Officer Largen was able to make calls, providing the owner with a tow and trailer repair the next day.

### **ADDITIONAL:**

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

27.83 hours – Main St.

16.58 hours – All other areas within the Village

Total hours – 44.41

LPD had 33 (Assist other agency calls): 4 medical/ambulance calls in the Village, 6 assist calls in Porter Twp., 5 in Antwerp Twp., 10 to Paw Paw PD, 1 to Mattawan, 6 within the Village and 1 assist to the Lawton Fire Department.

Respectfully,

Chief Jeffrey Mack