



LAWTON VILLAGE COUNCIL

Regular Meeting Minutes – Tuesday November 14, 2023, at 7:00 p.m.

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

WWW.LAWTONMI.ORG 269.624.6407

MINUTES

- I. **Call to Order:** President Appleby called the November 14, 2023, meeting of the Lawton Village Council to order at 7:00 p.m.
- II. **ROLL CALL** *Present:* Appleby, E. Dudek, Peterson, G. Dudek, Smith, Turner, Tanis *Absent:* None. *Others Present:* Interim Village manager Hackenberg, Clerk Rathbun, Library Director Tone, and seven other guests.
- III. **Consent Agenda:** The Consent Agenda included the approval of the November 14, 2023 Council Agenda, the October 10, 2023 Council Meeting Minutes, and approval of the October 2023 disbursements in the amount of \$361,541.45. Peterson made a motion to approve the Consent Agenda supported by E. Dudek. A unanimous roll call vote approved the motion.
- IV. **COMMUNICATIONS / CORRESPONDENCE / PRESENTATIONS:**
 - A. Heather Shannon presented a request from the Summerfest Committee to place the Christmas tree in Reid's Corner. She stated they would like it to coincide with Christmas in the Village, with a tree lighting on December 8 at 6:30PM. They would like to decorate the tree with lights, as well as decorate the square.
 - B. Library Director Tone presented communication from Lions Club member Vicki Mrozeck requesting to do Christmas in the Village on December 8, 2023 to begin at 7:00PM. The Lion's Club would like to host Santa in the Community Room, and the Library would host Christmas crafts. Peterson discussed having lights through the Village. Discussion ensued, and Turner made a motion to approve Christmas in the Village for December 8, 2023 to begin at 7:00PM, with use of the Community Room, and Library, as well as approve the Summerfest Committee's requests for tree and decorations to be placed in Reid's Corner, seconded by Smith. A unanimous voice vote approved the motion.
- V. **CITIZENS' COMMENTS:**
 - A. Library Director Tone presented a proposal to have local artist, Jackie McDowell paint non-licensed characters in the hallway on the way to the library. E. Dudek made a motion to allow the library to have the presented non-licensed characters painted in the hallway, supported by Tanis. A unanimous voice vote approved the motion. Director Tone also reported that Halloween was a success, and that our library is going to be a hub for Michigan Legal Self Help coming up. She reported Homeward Health is going to be at the library on November 21st from 2-4PM to assist with elderly community members needs.
- VI. **PUBLIC HEARINGS / APPOINTMENTS / PROCLAMATIONS:** None.
- VII. **OLD BUSINESS:**
 - A. Interim Manager Hackenberg brought Zoning Solutions to the floor for discussion. Hackenberg reported he heard from Zoning Solutions this afternoon and received updates as well as a new invoice. Council discussed setting a cap on Zoning Solutions, along with getting them into Silversmith Data so we have a better mode of communication between Village officers and staff and the blight company. Council members also discussed that Zoning Solutions is now the primary

blight enforcement in the Village of Lawton. Trustee Smith reported that we are at about half of our budget of \$5,000 for the year for them. Council is in favor of the work being done, however they would like to see more communication from Zoning Solutions going forward. Council would like to see Zoning Solutions reserve the budget that they have remaining for the rest of the year to finish out the current larger issues they are working on rather than starting on new issues.

VIII. NEW BUSINESS:

- A.** President Appleby brought Resolution 16-2023 to the floor for discussion. Interim Village Manager Hackenberg reported that with the DPW union increasing the amounts of clothing allowance for Full Time employees of the DPW, and the cost of inflation, this resolution will bring our handbook in compliance with the union contract. It will also give seasonal and part time more clothing allowance. E. Dudek made a motion, seconded by Turner to pass Resolution 16-2023, a resolution to update the Village of Lawton Personnel Policies to allow all Full-Time DPW employees to be allowed a \$325.00 clothing allowance per year, and all part time and seasonal DPW employees to be allowed a \$250.00 clothing allowance per year. A unanimous roll call vote approved the motion. Resolution Passed.
- B.** President Appleby brought the updated Library Lease Agreement to the floor. After council discussion, E. Dudek made a motion to accept the new Library Lease Agreement, seconded by Smith. Following a unanimous roll call vote approving the motion, Director Tone stated the Lease Agreement would go to this month's library board meeting for approval as well.
- C.** President Appleby brought Ordinance 03-2023 to the floor. Peterson reported that the Planning Commission held a public hearing at their last meeting in reference to this ordinance for 325 Walker St, and were making a recommendation to council. The current owner and tenants were in attendance. This property is a single-family home across the street from Welch's property. It is currently zoned industrial; however, our future land use map shows this as being a transitional strip of property, meaning it can be done between industrial and residential uses. This particular property is the only out outside of that strip because it has been a rental property and currently the people wish to buy it, they have an opportunity to get assisted financing. The residents have lived there approximately 10 years; however, the bank will not lend them the money if it is in an industrial zone because our zoning ordinance says if the property should be destroyed, the home cannot be rebuilt because it is a non-conforming property. After the public hearing, Planning Commission was unanimous in their support of rezoning this property. After discussion, E. Dudek made a motion to approve Ordinance 03-2023, an ordinance to amend the Zoning Map and modify the zoning map designation of 325 Walker Street (PP# 80-45-300-013-00 from I-1 Light Industrial to R-3 Single Family Residential, seconded by trustee G. Dudek. A unanimous roll call vote approved the motion.
- D.** President Appleby brought Ordinance 04-2023 to the floor. Interim Village Manager Hackenberg stated that our previous ordinance had a typo, with the International Property Maintenance Code (IMPC) code, and was out of date with what our building inspectors use anyway. The attorney was contacted, and suggested that we give the IMPC its own chapter in the codified ordinances. Turner motioned and E. Dudek seconded to pass Ordinance 04-2023: an ordinance to add a new Chapter 154, "Property Maintenance Code" of Title XV, "Land Usage", to the Lawton Village Code, as well as bring us up to date with the 2018 version currently in use by Safebuilt. A unanimous roll call vote approved the motion. Ordinance Passed.
- E.** President Appleby brought the contract with Van Buren Conservation District (VBCD) for Recovery and Recycling Program to the floor. President Appleby stated that we have in the past, provided a \$500 contribution to the program to help support with recycling in our community. Peterson motioned to enter into a contract with VBCD, with a contribution amount of \$500. Seconded by

- G. Dudek. Roll call vote taken, all in favor, none opposed. Motion carried.
- F. President Appleby brought office holiday hours to the floor for discussion. Clerk Rathbun reported that the office is looking at being closed for the afternoon of December 22, for the Christmas Staff Party from 2-5PM. The office would also be closed December 25, and 26 in observance of Christmas Eve and Christmas Holidays, and December 29-January 1 in observance of New Year's Eve and New Year's Day. Council was in unanimous approval of the holiday hours, and these reminders will be posted for residents physically as well as virtually.
- G. President Appleby made a motion to give Todd Hackenberg a raise of \$2.50/hour to be retroactive with effective date of 10/16/2023. E. Dudek seconded the motion, and a roll call vote was taken with all in favor, and none opposed. Motion carried. Appleby also stated that the hiring committee met in order to hire a new Village Manager, and was unanimous in recommending Interim Village Manager Todd Hackenberg to take the position permanently. Appleby reported we will discuss at the next meeting his contract, what the needs are, as well as things staff may continue to need help on. Smith made a statement that it will be good for village continuity to have someone as vested in the village for the long term. E. Dudek made a motion to offer Hackenberg the permanent Village Manager position with contract to come, seconded by Smith. A roll call vote was taken with all in favor and none opposed to permanently placing Todd Hackenberg into the role of Village Manager.
- H. President Appleby brought the remaining 2023 meeting schedules to the floor. Council was in unanimous agreement to cancel the December 26, 2023 meeting.

IX. BOARD, COMMITTEE, AND STAFF REPORTS

- A. Village Manager Hackenberg reported that MDOT has a planned start date of the 14th of April and planned completion date of the 23rd of August for the M-40 project. He stated he is planning to meet with the businesses and discuss concerns they may have about the project. Hackenberg stated there will be no wide load permits allowed during that time on M-40. In regards to cemetery property lines, he stated the title company is still researching the issues. Hackenberg stated that since the Village got the wellhead protection grant, the planned kickoff date is December 1, 2023. Hackenberg stated the attorney is working on the land swap with Moo Moos ice cream, and he has a meeting with the real estate attorney on Monday. Hackenberg also reported we have new bids for a new licensed and insured cleaning service we are looking at. In regards to the SPARK grant, Hackenberg reported that he had a meeting with the DNR representative for the park grant. He reported that the amendment is in for the drinking fountain purchased, and there will be a separate amendment for the pickleball courts. Once that secondary amendment has been finalized, we can proceed with the next steps. In speaking with those in charge of the grant, they stated getting an additional year extension on the grant in March will be possible if it is needed. Cameras should be going in the park soon, as well as restrooms. Hackenberg reported that Progressive should have updates to us soon on the Zoning Ordinance rewrite.
- B. Village Manager Hackenberg reported that the DPW had a few root blockages on sewer issues. One pipe was wearing out because it was put in in the 1930's. Hackenberg reported that with that they need to start going through and cleansing all of the lines with the root blockers.
- C. Clerk Rathbun reported that she had nothing new to discuss that was not already covered.
- D. Chief Mack was not in attendance.
- E. Peterson reported Planning commission met and all Planning Commission updates had already been discussed.
- F. G. Dudek reported DDA met, and they are doing Deck the house again, with the same guidelines as last year. Eligible homes will need to be within 2 miles of the Village Limit. Deadline to have

homes entered is December 11th, with judging to take place on December 14 between 7-9PM.

- G. E Dudek reported that the Fireboard met, but had no new updates.
- H. Clerk Rathbun reported the library board met, and there is nothing new to discuss that Director Tone did not discuss.

X. COUNCIL COMMENTS:

- A. E. Dudek and Smith both reported that they would like to see the second meetings become more discussion meetings and less formal meetings, to become more of a committee of a whole structure. Council was in unanimous agreement this should occur going forward.

XI. CLOSED SESSION:

- A. President Appleby made a motion to go into Closed session in accordance with the provisions of Section 8 of the Open Meetings Act to Consider a Zoning Moratorium at 8:22PM.
- B. President Appleby made a motion to end the Closed session and return to the regular meeting at 8:46PM.

- XII. ADJOURNMENT:** Turner supported by Tanis made a motion to adjourn the meeting at 8:46PM. The motion was approved by unanimous consent.

Respectfully Submitted by,

Brittany Rathbun
Village Clerk