



Village of Lawton
VILLAGE COUNCIL
REGULAR MEETING
125 S. MAIN, LAWTON MI 49065 269.624.6407
Tuesday May 28, 2024
MINUTES

- I. **Call to Order:** President Appleby called the May 28 2024, meeting of the Lawton Village Council to order at 7:00 p.m.
- II. **Roll Call:** *Present:* Appleby, E. Dudek, Peterson, Turner, G. Dudek, Tanis, Smith *Absent:* None. *Others Present:* Village Manager Hackenberg, Clerk Rathbun, Police Chief Cordes, and six guests.
- III. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
- IV. **Consent Agenda:** The Consent Agenda included the approval of the May 28 Council Agenda, the April 23, 2024 Council Meeting Minutes, and approval of the April 2024 disbursements in the amount of \$196,771.81. Peterson made a motion to approve the Consent Agenda as presented supported by Turner. A unanimous roll call vote approved the motion.
- V. **Communications, Correspondence, and Presentations:**
- VI. **Citizen Comments:**
 - A. Wayne Nelson, the County Road Commission liaison to Antwerp, Almena, and Porter Townships, wanted to remind everyone that the county has placed a renewal of county wide road millage on the ballot. This is a distribution the county comes up with and they would love the support of the local communities. Nelson introduced Brett Witkowski, the road director for Van Buren County, who stated that the road millage is very important to the county. Witkowski stated there is a 6-billion-dollar gap between inflation and funding for our roads. He stated the County Road Commission is in a declining revenue stream, and that last year was the tied for the worst year for gas consumption since 1999, which directly affected the budget for the roads, because while Legislature has indexed gas tax to inflation, it did not index electric car registration. Witkowski stated the county road commission has done it's very best to budget with what they have, tabling a new planned building, and purchasing fewer items, however, this millage is very important. He stated most people will drive on a county road daily and not necessarily realize it, and this millage would make up 10% of the County Road Commission budget. Witkowski reiterated that they would love the Village Council's support for this endeavor.
 - B. County Commissioner Tina Leary stated that Van Buren County instituted a Parks and Recreation Department in 2022. The county voted to impose an Ad Valorem Tax for

these parks in order to help assist in not only funding, but also making the department more marketable for grants, and ensuring that the county will not charge a fee for entrance into county parks. This tax is 0.1 mill, and will generate \$400,000.00. Leary also stated that Geographic Information Services (GIS) is remarketing itself and becoming the Digital Information Department (DID). This department's new goal is to work with AI, which they hope will make things more effective and efficient. Leary stated that she would also like to let the Village of Lawton know that on the 4th Thursday of each month from 6-8PM, the VA is hosting a Veteran's Social at their office on Michigan Avenue in Paw Paw. She also stated that the Hope Center International has placed a location on the county fairgrounds. This is a daily drop in with transportation available to help with psychiatric rehabilitation. People go here to learn job skills, independent living, and socialization. Staff and members work together, and the goal is to make the staff and people taking advantage of the services indistinguishable. Finally, Leary stated that the next Conservation District Recycling Round up will be June 15th at 801 Hazen street in Paw Paw.

- C. Joe Magers, the owner of Longship Brewing company wanted to come in and talk to Council about Longship sponsoring a potential 2024 concert event in lieu of Summerfest, as this year Summerfest has been canceled due to the M-40 Project. Magers stated that he already reached out to the head of the Summerfest Crew, who stated that there were a few Summerfest Volunteers who would be willing to help with that this summer along with his personal experience with Festival planning, and his connections with a festival organizer in Battle Creek he feels confident that this is a task he can accomplish for July 20th. He stated that this event would have as many similar items to Summerfest as possible and would operate under Longship Brewing Company's liquor license and event insurance. After some discussion about potential concerns with timing and construction dangers, council stated they like the idea, and appreciate a business bringing something to the council to bring people downtown. They stated that they were not ready to issue a decision, but asked that Joe come back with a laid-out plan of what the event would look like, and a timeline to the June meeting in order for them to have time to further discuss with all of the details before them.

VI: Public Hearings/Appointments/Proclamations: None.

VII. Old Business: None.

VII: New Business:

- A. President Appleby brought the Quote from Booko Brothers for the Police Garage Door in the amount of \$26,178.07 to the floor for discussion. This was the low bid, as the other bid from Hall Builders came in at \$40,576.82. Appleby stated that this quote will also include the walls and a door for the police evidence room. E. Dudek made a motion to accept the quote from Booko Brothers for the Police Garage door and evidence room in the amount of \$26,178.07, seconded by Smith. A roll call vote was taken with all in favor, and none opposed. Motion carried.

- B.** President Appleby brought the quote from Tapper in the amount of \$49,280.00 for the new police vehicle to the floor for discussion. Village Manager Hackenberg stated that this is for next year's vehicle, however, paying now will put us on the waiting list for it, and save us about \$30,000 in equipment due to them changing the body style of the vehicle coming up. E. Dudek, and Smith motioned to approve the quote from Tapper in the amount of \$49,280.00 for next year's new police vehicle. A roll call vote was taken with all in favor and none opposed. Motion carried.
- C.** President Appleby brought Resolution 05-2024: A Resolution to Support the Village of Lawton's EGLE Community Energy Management Grant Application to the floor for discussion. Clerk Rathbun explained that this Grant is being hosted through EGLE, and communities can apply for up to \$100,000.00 each the grant goes toward being more energy efficient, and would include necessities for our buildings such as new doors, windows, and HVAC, all things that our outdated buildings need. Clerk Rathbun worked with Kate Madigan, who is helping with our RRC grant, and was able to submit the grant last Friday. After some discussion, trustee Smith made a motion to pass Resolution 05-2024: A Resolution to Support the Village of Lawton's EGLE Community Energy Management Grant Application, seconded by Tanis. A roll call vote was taken with all in favor, and none opposed. Resolution carried.
- D.** President Appleby brought Backyard Chickens to the floor for discussion. There have been several village residents asking if the Village will allow chickens, however none were present for this meeting. After much discussion, council determined that at this time it was in the best interest of the Village to keep things as they are currently; not allowing chickens due to smell and other issues it could cause for neighbors. Anyone who wishes to discuss chickens in the future is more than welcome to come to a council meeting to present their case.
- E.** President Appleby brought the new police policy book adoption to the floor for discussion. Chief Cordes stated that this will go into effect on June 1, 2024. He stated that the Police department will keep a physical copy in the office for the officers, as well as maintaining electronic copies for both computers and in the police vehicles that can be accessed at any time. He stated the Lawton police department did not have the policy book accredited, because the large expense did not make sense for our small; department at this time. He did state that should we wish to become accredited down the road, that this is a step in that direction. Peterson made a motion to support the adoption of the new police policy handbook as presented by Cordes, seconded by Smith. A roll call vote was taken with all in favor and none opposed. Motion carried.
- F.** President Appleby brought Ordinance 01 of 2024: An Ordinance to Amend Section 93.01 "Anti-Blight (Grass)" of Chapter 93 "Health and Sanitation; Nuisances" Title IX, "General Regulations" to the Lawton Village Code to the floor for discussion. This Ordinance has two key updates, one allowing the village to send either their own crew, or a third party on a premises 10 days after a notice has been issued that they are in violation of the ordinance, and another allowing the expense to be placed on the property owner's tax roll for the year. After some discussion, trustee Turner made a motion to pass Ordinance 01 of 2024 in order to amend Section 93.01 "Anti-Blight (Grass)" of Chapter 93 "Health and Sanitation; Nuisances" Title IX "General Regulations" to the Lawton Village Code, seconded by G. Dudek. A roll call vote was taken with all in favor and none opposed. Resolution passed.
- G.** President Appleby brought Removing Water Shut Off Notices in favor of Placing Overdue Amounts as a Property Lien to the floor for discussion. Village Manager Hackenberg

stated that Treasurer Leonard was looking into this as other communities have been switching to this method in lieu of shutoffs. What this would mean is rather than a shutoff notice, unpaid balances would go on a person's taxes at the end of the year. If council was in favor of this, we will look further into what other communities are placing in their ordinances, and bring one back to the June Council Meeting in a few weeks.

- H. President Appleby brought Summer Meetings to the floor for discussion. After some discussion the decision was made for Council to cancel June, July, and August second meetings except as need dictates.

VIII: Board, Committee, and Staff Reports:

- A. Village Manager Hackenberg reported that the Spring Cleanup was postponed due to the shortage of dumpsters after the tornados. He is waiting on hearing back from the dumpster company, they advised they would reach back out in a few weeks. They did have a demo for the vac trailer in order to maintain the storm drains to keep those cleared for the summer, and will be looking further into one of those. The Village pumped 2.35 million gallons that were treated at the waste water treatment plant. This month, water is down because Welch's was down for a while. They are now back up and running, and utilizing water. He also stated Ginger from MRWA came down in order to do an energy audit for the Waste Water Treatment Plant, and he will compile a summary of that report and get it to council for the next meeting. Hackenberg has been working on the Passport Grant. For that grant, we are still waiting on the grading to be done for the pickleball courts, and the tree to be taken out. Both are scheduled. The Village received a call from the FBI this weekend that we were targeted by AKIRA Ransomware. Village IT was in all day today to sweep all computers and laptops, and everything has come back clean. While we were fortunate not to be impacted, we do need to upgrade our spyware, we got a quote for \$571 to have that updated. The M-40 Project seems to be moving along according to schedule. On June 3 they will be starting the box culvert so the detour will be 66th Avenue to 32nd Avenue to White Oak to Walker. Three weeks is the estimated time for completion on the box culvert. MDOT does not know if Fourth Street will be open at any point during this summer, unfortunately. Hackenberg reported last week he had a Zoom meeting with attorney. The attorney would like to set up a meeting with Hackenberg, Appleby and Cordes. The current attorney suggested to us to still use them as needed, but advised him that there is another firm called Bloom & Slugget who specializes in municipalities and is cheaper per hour. Hackenberg reported he met with Welch's, which went well, but he is looking into a few things for them, such as there being no easement for lift station there. The new head of Lawton Welch's is from Allegan, and has been there about a year. Finally, Hackenberg reported he is now certified in asset management from his three-month program.
- B. Clerk Rathbun reported that the EGLE Grant was submitted last week, summer hours are now in effect for the Clerk's office, and she reached out to Suzanne Shultz to ensure we are still on track for a final Zoning Ordinance Recommendation for Planning Commission for next week, but, is still waiting on a response. She also reported that June 11 will be the Public Hearing for taxes.
- C. Chief Cordes Reported traffic stops, verbal warnings and tickets are up, and that goes hand in hand with the construction. Cordes reported blight hours are up because we are working on Zoning Solutions with cleanups. He also reported that he passed a policy a few weeks ago that every part time officer needs to work at least one shift every 60 days

otherwise they are off the schedule. This has led to at least one part time resignation, but it is necessary to keep the department functioning well. Cordes reported that the department ordered a NARCAN kit for their own protection in the evidence room. The police department found 11 guns they were able to take and resell thus far from the evidence room. Cordes also stated that the Police Department now has two patrol rifles for the first time. He also stated that on construction they are receiving lots of complaints, and we do have officers there quite a bit due to those. He would like residents to know that that they know there are issues with the detours, and they are doing the best they can to be there for those issues.

- D. Peterson Reported the Planning Commission did not meet.
- E. G. Dudek Reported the DDA did not meet.
- F. E. Dudek Reported that the fireboard met, but had nothing new to report.
- G. B. Rathbun Reported that the library board met and library Director Tone was doing an amazing job with all of the summer reading programs.

IX: Council Comments:

- A. N. Smith stated she wanted to give a shout out to the DPW, who have done an amazing job this summer.
- B. J. Peterson wanted to commend Library Director Tone because of what an amazing job she has done with the library, and how amazing she is for going above and beyond to help patrons.
- C. J. Appleby wanted to clarify the warning system for tornadoes with County Commissioner Leary present. Leary stated that the county does not have sirens, they just receive an email for bad weather. She stated the local communities that do set off an alarm have a manual person present that will hit the siren after receipt of that email. The county will not dispatch people to hit the siren. Appleby stated that since we have a volunteer fire department, we do not have someone on standby sitting at the fire station to press the button.
- D. J. Peterson stated that the second stop sign at 3rd and North street is hidden by tree branches. Village Manager Hackenberg stated that these secondary signs were placed by MDOT for construction and he will bring up to them that this sign is hidden.
- E. G. Dudek noted that one of the houses that was just a part of our blight cleanup now has a pile of rotted privacy fence.
- F. Tanis asked if we have gotten anywhere on getting surveyed and redrawn to sell the property on White Oak. Village Manager Hackenberg stated that he needs to call to have this done, and is planning to do so once the new Zoning Ordinance is finalized so that it is set for the new zoning.
- G. R. Turner stated that the members of the legion wanted to express their gratitude for all of the flags, and they were very impressed they were a size bigger than normal. He stated the plan is to save them and see if they can get multiple years out of them.

X. Adjournment: moved, with support from to adjourn the Village Council Meeting at 8:55 p.m. Next council meeting to take place on June 11, 2024 at 7:00 PM.

Respectfully Submitted by,

Brittany Rathbun
Village Clerk