



**E.
Village of Lawton
VILLAGE COUNCIL
REGULAR MEETING**

125 S. MAIN, LAWTON MI 49065 269.624.6407

**Tuesday June 11, 2024
MINUTES**

- I. **Call to Order:** President Appleby called the June 11, 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, Smith *Absent:* Tanis. *Others Present:* Village Manager Hackenberg, Clerk Rathbun, Police Chief Cordes, and four guests.
- III. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
- IV. **Consent Agenda:** The Consent Agenda included the approval of the June 11 Council Agenda, the May 28, 2024 Council Meeting Minutes, and approval of the May 2024 disbursements in the amount of \$296,429.26. 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:**
 - A. Village Manager Hackenberg presented the 2023/24 audit done by Siegfried and Crandall to Council. He stated that we did have more money come in than what was spent last year, which is exactly what we want to see. Hackenberg reported that at the end of the year, we ended up with a healthy fund balance due to a blend of investments, savings, and grants.
 - B. Village Manager Hackenberg stated that there is a Veteran's Association Meeting at Porter Township Hall coming up on Thursday, June 27. This will help local Veterans learn about benefits and programs, and is open to veterans' friends, family, and anyone else who may be interested. This event will take place at 1:00PM, following Thursday's senior luncheon.
- VI. **Citizen Comments:**
 - A. Owner of Longship Brewing Company, Joe Magers proposed an event sponsored by Longship Brewing in lieu of Summerfest to take place on August 31 between 12PM-10PM, on 2nd and 3rd between Main St and Railroad, as well as in the Village owned Parking lot between Moo Moo's and Adams. Magers he stated that this event would be privately funded through donations and grants. Also, per Magers, Longship would provide event insurance. He stated he would like to utilize the school parking lot to have people park and run shuttles downtown. He stated he would organize bounce houses, and a Motown concert in the Village Parking lot, and that he would like to have food trucks come in for the event as well, with only snack-type food, as not to directly compete with the downtown restaurants. Magers stated that the event would be

staffed entirely by Longship Brewing Company employees, and community volunteers who are willing to help. Council asked if Magers had yet reached out to schools or other businesses to see how they felt, he stated that he had not, and that he was willing to reach out to the other businesses as well as the school, but felt that other businesses should not be able to veto the decision. Magers stated that he felt this would be a good event for all of the businesses to attract people down town to help as they are suffering with loss of business due to construction. President Appleby mentioned that he loves seeing a business taking the initiative to do something fun for the community. Appleby stated we have never had something like this done before, and he loves the concept. If Main street remains on schedule, he would like to avoid re-shutting it down immediately after it opens for an event with the impact the shut down has already had on businesses, so the event would need to avoid staging things on that road. Council wondered if with that date being Labor Day weekend, and being the week prior to Wine and Harvest Festival, Magers would be willing to move it to a fall festival. Magers stated he was not open to that concept, because he really wants to be able to include not only our Village residents, but the summer vacationers that bring in revenue to our town in the summer. Magers also asked about the potential for a social district. While Hackenberg agreed the Village, application is good until 2025, G. Dudek stated with how many requirements are needed social district, even if Magers were to get the required second establishment on board, August 31st would not be enough time to get a social district together. Trustee J. Peterson stated that while she loves the idea of this event, a lot of work and planning goes into Summerfest, and that she is concerned that within the timeframe, the proposed area would take all of the parking away from The Breakfast Place, so she would prefer to see it done later so that they would be less affected. Several Council Members agreed, and asked Magers if he would be willing to reframe the timing to be between 4PM and 10PM, Magers stated that this would be too narrow of a time frame for everything he would like to see fit into this event, as he would like to see it include several staggered events to keep people downtown. Magers did agree that starting at 1PM rather than 12PM in order to less effect the Breakfast Place could certainly work. Village Manager Hackenberg also stated that we have no power available in that parking lot, and it would be up to the person playing the concert or Longship to provide a generator truck, which Magers stated would not be a problem. E. Dudek stated that Longship will need to be willing to be fluid and adaptable in case something happens and both streets cannot be shut down. Overall, after a few suggestions' council agreed the Village has nothing to lose in trying this, and would love to see an event that helped our local business, and they appreciated the initiative Magers was taking to help our local community come together. R. Turner motioned to allow Longship to shut down E 2nd St, and E 3rd St, between Main Street and Railroad Avenue, as well as utilize the public parking lot between them on August 31, 2024 between the hours of 1pm and 11pm. A voice vote was taken, with all present in favor, and none opposed. Motion carried.

VI: Public Hearings/Appointments/Proclamations:

B. Truth in Taxation Public Hearing: President Appleby opened the public hearing at 7:53 pm to receive comment on the establishment of the 2024 millage rates. The proposed millage rate is less than to the previous year's millage rates (a total of 16.9595), at 16.9322 due to the Headlee Amendment, and will generate a 5.09% increase of the net operating tax revenues for the Village of Lawton. President Appleby commented that the Truth in Taxation Hearing is completed each year in order to allow for the inflationary increase which will total \$35,728.00.

C. Hear Public Comment:

1. One citizen, who did not provide a name, wanted to come in and better understand the reason for the tax increase. Village Manager Hackenberg, Clerk Rathbun, and the council worked together to explain the Headlee Amendment. The purpose of this amendment is to ensure that the municipal tax revenue can only increase at the rate of inflation plus new construction. As of 1978, it became state mandated to hold these annual hearings in order to ensure that we only adjust the amount charged for Village Taxes by inflation, which this year, at 5.09%. What this means is that we are still being taxed the same number of mills, the amount is just adjusted to take inflation into consideration.

D. President Appleby closed the public hearing at 8:05 PM with no further citizen questions or comments.

E. Council Consideration of Resolution 06-2024: Peterson moved, supported by G. Dudek, to make a motion to adopt Resolution 06-2024 to establish the Village of Lawton 2024 Millage Rates at a total of 16.9595 Mills. A Roll Call vote was taken with all in favor, none opposed. Resolution adopted.

VII. Old Business: None.

VII: New Business:

A. President Appleby brought an invoice from MML for the Village of Lawton's annual Worker's Compensation to the floor. Clerk Rathbun stated that after reaching out to the underwriter this year's increase is due solely to the amount of Worker's Compensation claims filed and paid out on in the previous year. After discussion, E. Dudek made a motion, and Smith seconded to approve the MML Workers' Compensation Invoice for 2024 in the amount of \$13,183.00

B. President Appleby brought Resolution 07-2024 to the floor for discussion. This resolution would show council support to renew Van Buren County's Road Commission millage for the year 2024. Discussion ensued. E. Dudek made a motion, seconded by Turner to adopt Resolution 07-2024: A resolution to support the renewal of the county-wide road millage in Van Buren County, so as to continue to maintain a safe and reasonable road system for the travelling public.

VIII: Board, Committee, and Staff Reports:

A. Village Manager Hackenberg reported that for the month of May, the cemetery had two internments. He also reported the tree has been removed from Kid's Dream, and that the new Pickleball court is just waiting on having the concrete poured. Hackenberg

stated that the waste water treatment plant was up to 3.04 Million gallons of water treated, putting the plant at approximately 39% capacity. Hackenberg stated that IT was in to scan the computers, and update our firewall software. We were victims of a ransomware attempted attack, however, IT was able to catch it immediately, update our firewalls, and install two factor authentications for everyone. Since these places have been over chlorinating the water when they get in, we were not affected as we do not treat our water supply in the Village. Hackenberg stated the Main street project is moving along according to schedule. He stated he is waiting on an update for the Reid's Corner project, as the current project manager we have been working with is no longer with Progressive, so we are working with a new contact. The project was going to be ready to bid out by mid-July, and he is just waiting to hear whether that is still the case with the new person. Village Manager Hackenberg also stated that we did get an EGLE reporting violation for the month of April. He stated that we did take samples the day the Main Street project started, but did not get them to EGLE by the deadline. The water has been tested, and is fine, it is just a simple reporting violation. Everyone who is on the water supply will be receiving a letter letting them know what is going on with their water bill. Finally, Village Manager Hackenberg stated that he would like to look into laptops for the Village Council rather than printing the agenda packets for everyone. This would help the Village save on paper and printer costs.

- B.** Chief Cordes reported that calls for service are beginning to climb, which the police department anticipated for the summer months. Cordes reported that they received a call from No Fences Inc asking if our police department would like to donate any bikes. This company takes bikes, fixes them up, and donates them to needy kids. The Lawton PD felt that this would be a perfect way to utilize the bikes from the evidence cleanup. Cordes reported increased hours were spent at the school last month, and that they are still doing radar patrol at Nursery and Walker. He also reported that the police department has done lots of training this month, including CPR training, as well as qualifications training for handguns and rifles at the Paw Paw Conservation Club. He reported that the new guns are serviced and ready to go, as well as providing an update on the new Patrol car. Finally, Cordes reported that the PD took 76 calls for service this month, as well as 7 calls from the county.
- C.** Clerk Rathbun reported that she will be at the yearly Clerk's conference next week.
- D.** Peterson Reported the Planning Commission met, and the intent was for council to be approving the zoning ordinance, however, we missed the public hearing, which is now scheduled for the July Planning Commission meeting.
- E.** G. Dudek Reported the DDA has not met.
- F.** E. Dudek Reported that the fireboard has nothing new to report.
- G.** B. Rathbun Reported that the library board has not met.

IX: Council Comments:

- A.** President Appleby commented that the town is looking good, and he can tell that a significant amount of blight has been cleaned up. He also commented that there are several old MISSDIG Flags out, and while some are necessary for the project, the rest can be pulled.
- B.** J. Peterson made a comment that she still cannot see the stop sign at Railroad at Third street. Peterson also stated that there are a lot of signs in the right of way, and while she understands this during construction, there are many signs that are not for businesses in town that she would like to see us make sure we revisit after construction.

X. Adjournment: E. Dudek moved, with support from Turner to adjourn the Village Council Meeting at 8:49p.m. Next council meeting to take place on July 9, 2024 at 7:00 PM.

Respectfully Submitted by,

Brittany Rathbun
Village Clerk