



VILLAGE OF LAWTON

Regular Meeting Minutes – Tuesday August 10, 2021, at 7:00 p.m.

Hybrid Meeting was held in person and remotely

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

WWW.LAWTONMI.GOV 269.624.6407

MINUTES

- I. **CALL TO ORDER** President Knudstrup called the August 10, 2021, 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: President Knudstrup. Trustees: E. Dudek, N. Smith, G. Dudek, J. Peterson, and R. Turner. Absent: Appleby. Others present: Village Manager Imus, Superintendent Hackenberg, and 4 other guests.
- IV. **CONSENT AGENDA:** The Consent Agenda included the approval of the August 10, 2021, Council Agenda, the July 13, 2021, Council Meeting Minutes, Disbursements in the amount of \$36,950.63. Peterson made a motion to approve the Consent Agenda with additions and corrections, supported by Smith. A unanimous roll call vote approved the motion. Additions to Agenda include **VII. Public Hearings/Appointments**, A. Appointment to the Planning Commission, addition of Item E, under **IX New Business**, Consideration of Real Estate Listing for 423 E. Second Street, corrections under **Communications** date should read August 22, 2021, and correction of date Item D, Resolution #18-21 should read 2023 M-DOT Reconstruction Project. One correction to the July 13, 2021, minutes under **J. Manager's Comments** should read County Brownfield in place of County Brownstone.
- V. **COMMUNICATIONS, CORRESPONDENCE AND PRESENTATIONS:**
 - A. The Van Buren County Historical Society extended an invitation to an Ice Cream Social on August 22, 2021 (correction of date)
- VI. **CITIZENS' COMMENTS:** Michigan State Police, Post Commander Scott (Rusty) Ernstes introduced himself to the Council, to have a contact for the Village. Van Buren County Commissioner Paul Schincariol updated Council on the county happenings. He mentioned the American Recovery Plan Act, the county is receiving a large sum of money. They are in the process of creating a form for submitting a proposal on how to use the funds. More information to come. DPW Superintendent Hackenberg gave a brief update for the Department of Public Works (see Staff Reports) as he is attending a Conference in Mt. Pleasant, MI.

VII. PUBLIC HEARINGS / APPOINTMENTS: (Addition to Agenda)

- A. Appointment to Planning Commission. An application from Blaine Allen has been received expressing an interest in the Planning Commission. Turner made a motion to appoint Blaine Allen to the Planning Commission, with support from Smith. A voice vote confirmed the appointment.

VIII. OLD BUSINESS:

- A. Resolution #14-21 Establishing the Lawton Village Council Rules of Procedure. Discussion of changes in wording was made to fit the criteria of the Village Council.

Peterson moved to adopt, subject to clerical error and the changes suggested, Resolution #14-21 to establish the Lawton Village Council Rules of Procedure with support from G. Dudek. A unanimous roll call vote carried the motion.

IX. NEW BUSINESS:

- A. **Ordinance 201-2021** First reading of the International Property Maintenance Code for adoption by reference. This will go in the Code of Ordinances as its own Ordinance, this deals with more dangerous structures and more health effected issues rather than blight. This is the Standard used across the State of Michigan and across the United States. Council will need to adopt by reference, have a second reading, publish a summary, and then vote on adopting, it would then become effective. The Village will need to issue the fee schedule, and this will be revisited at the next meeting.
- B. **Resolution 16-21** Resolution declaring a local state of emergency for the purpose of permitting the Village Council and other public bodies of the Village to meet virtually through December 31, 2021. The current resolution ends August 31, 2021. No motion was made.
- C. **Resolution 17-21** Resolution authorizing Changes to the Village of Lawton Employee Retirement Plan. This resolution would allow employees to begin contributing to the retirement plan after 30 days of employment, rather than having to wait for a full year of employment. This affects only employee contributions. Employer contributions would begin after a full year of employment by the employee. E. Dudek made a motion to adopt Resolution 17-21 supported by Turner. A unanimous roll call vote supported this Resolution.
- D. **Resolution 18-21** Resolution Authorizing M-DOT to administer TAP funds on behalf of the Village during the 2023 MDOT Reconstruction Project. E. Dudek made a motion to adopt Resolution 18-21 with support from Smith. A unanimous roll call vote supported this Resolution.
- E. **Sales Agreement for Listing 423 Second Street.** Blaine Allen explained to council how the Appraised Value of the home will affect what the listing price of the house should be, and how it compares to comps in the area. He feels the asking price of \$220,000 is a good starting price.

Smith made a motion to allow the Village Manager to authorize the appropriate documents for the sale of the house. A favorable voice vote affirmed the motion.

President Knudstrup asked Council to revisit Resolution 16-21 extending the local state of emergency. To facilitate discussion, J Peterson moved to adopt Resolution 16-21 to extend the local state of emergency to meet virtually through December 31, 2021, however, the motion failed for lack of support.

X. BOARD, COMMITTEE, AND STAFF REPORTS

- A. Planning Commission** – Peterson reports that they met on 8/3/21. They looked at the Planning Commission by-laws, they went through some that have been partially done and are not sure if they have been adopted. These are By-laws which is required of the Planning Commission as part of Redevelopment Ready community process. The changes will come back next month. They talked about and reviewed the IMPC, which is a tool the Planning Commission can use as well as the Redevelopment Ready Community.
- B. Downtown Development Authority (DDA)** - G. Dudek reports no meeting in July.
- C. Community & Economic Development Committee (CEDC)** – Smith reports they met and talked about potentially working with a consultant to determine what types of housing market the Village needs for the future. Smith said the Village has a lot of capacity for water and sewer so they talked about how they could extend that, possibly American Rescue Plan Act, and they also talked about the land for sale in the Village.
- D. Finance and Administration Committee** – Knudstrup reports the committee met on 8/4/21 and reviewed disbursements as usual, under Administration they talked about the current spread of the Delta Covid 19 variant and F&A Committee recommends wearing masks when inside public buildings. They also discussed major project updates, the Second Street House, Brownfield Redevelopment Authority, Phase I and II for the Reid Property. Manager Imus has made arrangements through the County for Phase I and Phase II. Envelopes with the performance review for the Village Manager were handed out.
- E. Public Safety Committee:** No Meeting
- F. Public Services Committee** – G. Dudek reports they talked about the American Rescue Plan Act funds and what the best use for these funds might be, the Second Street house and Safebuilt (see Managers Comments)
- G. Water and Sewer Committee** – E. Dudek reports they did not meet as they continue to wait for answers from Baker Tilly and Wightman.

- H. Police Department** – Appleby was out of town and Chief Mack is on vacation, his reports were in the agenda packet. No Meeting tonight. However, Manger Imus attended a conference and watched a presentation on Police Certification, and she is very excited for this. Imus thinks this presents a lot of opportunity for our police department!
- I. Department of Public Works** – Superintendent Hackenberg ZOOMED this meeting reporting that the Splash Pad had been cleaned on Monday 8/09/21, after receiving the chemicals needed, however it will need 2 or 3 more cleanings. The DPW is hauling trees out of the park, they were going to take down the pine trees, but the Power Company said they were too close to the lines, so the Power Company is taking them down. The WWTP and Public Service reports were included in the agenda packet. The Wastewater Treatment Plant is running as normal. He is waiting on bottles for PFAS, Lead/Copper testing that will be done within the next couple of weeks and was told they are on their way. Peterson did ask why the water usage is up and was assuming it is due to the Splash Pad. Superintendent Hackenberg confirmed.
- J. Village Manager** – Manager Imus let Council know that she will be taking a vacation beginning Wednesday 8/11 through the following Tuesday 8/17/21. She also reminder Council on the upcoming MML Conference in Grand Rapids September 22-24th. Registration is required. Imus touched base on 504 E Fourth Street, code violations and issues of not maintaining the property. The house is for sale and on the listing the code violations are noted. At the County Brownfield Redevelopment Authority’s last meeting we were approved for a Phase 1 environmental assessment for the Reid property. This should be done in approximately 3 more weeks. The County still has grant funds for assessments, but the grants end in September. Imus contacted Sterns and Stafford owners and the Diocese in Chicago who were interested in working with Envirologic as well as the new property owners of the land south of Dollar General. Hopefully some of these county funds will be utilized in the assessments for these properties. As far as Code Enforcement, Imus had a meeting with Safebuilt after the last Council Meeting and the \$550 monthly fee *does not* include Structural Code enforcement, that is an additional \$82.00 an hour fee. Imus is attempting to get quotes from other companies. There are a couple of options going forward. One is hiring someone inhouse working under the manager, the second is to hire or outsource from another agency. Water and Sewer, Imus talked with Baker Tilly, and they are waiting on Wightman to finish up and get the CIP report. A meeting is scheduled for August 19th with both companies. Imus talked about the conference she attended, they talked about the American Rescue Plan Act, and she learned that the township to the south maybe interested in talking with the Village about expansion. Imus is hoping to start discussion with Wightman regarding the best utility sharing options i.e., land share, tax share, several Acts that you can

incorporate to share the resources. We would then start meeting with the Townships. Imus would also like our County Commission to attend to coordinate with the townships and then go to the county and ask them to fund a study on how to extend water and sewer in these areas to the best use. By them funding the study it brings them into the game and saves the township and village dollars and makes us ready for when the funds become available for grant applications.

XI. COUNCIL COMMENTS: President Knudstrup asks when the current state of emergency expire? It ends August 31, 2021. He then asks if we can still have hybrid meetings because we are not extending the state of emergency. We must have a physical quorum in person. More discussion is needed. President Knudstrup also asked because Finance and Admin Committee recommends wearing masks, should we have a mask policy? Discussion sided that it was to soon to put a mask policy in place.

XII. ADJOURNMENT:

Turner, supported by E. Dudek, made a motion to adjourn the meeting at 8:51 p.m. A voice vote was taken with unanimous approval of those present. The next regular scheduled meeting is September 14, 2021.

Respectfully Submitted by Joni Bell, Village Clerk