



Village of Lawton
VILLAGE COUNCIL
REGULAR MEETING
125 S. MAIN, LAWTON MI 49065 269.624.6407
Tuesday January 14, 2025
MINUTES

- I. **Call to Order:** President Appleby called the January 14 2025, meeting of the Lawton Village Council to order at 7:00 p.m.
- II. **Roll Call:** *Present:* Appleby, Tanis, E. Dudek, Peterson, Turner, G. Dudek *Absent:* Smith. *Others Present:* Village Manager Hackenberg, Clerk Rathbun, Police Chief Cordes, and three guests.
- III. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
- IV. **Consent Agenda:** The Consent Agenda included the approval of the January 14 Council Agenda, the December 10, 2024 Council Meeting Minutes, and approval of the December 2024 disbursements in the amount of \$1,190,702.64. Peterson made a motion to approve the Consent Agenda supported by Tanis. A unanimous roll call vote approved the motion.
- V. **Communications, Correspondence, and Presentations:**
 - A. Village Manager Hackenberg presented correspondence from Van Buren Conservation District stating that the annual tree seedling sale began January 1, 2025. More information can be found at their website <https://vanburencd.org/shop> . People can also email coordinator Jacob Diljak at outrach@vanburencd.org or reach out by phone at 269-633-9052 for more information.
- VI. **Citizen Comments:**
 - A. Charlene Raber from 403 Morrill Street wanted to ask if there are any planned extra handicapped parking spaces on Main Street, and also wanted to know what the formula was for the extra millage for Public Safety. President Appleby stated that there is no known handicapped parking within the plan, but if it is needed to be looked into, we can do that. He also stated that we are still looking into the public safety millage. We are looking at about three mills for this, which would bring in approximately 125k. Out of our general budget of over 800k, the police take up over 500k, leaving 300k for everything else. While we wholly support the police department, we have to be able to fund them better. We have been cutting away police positions and DPW positions in order to fund them. The amount each residence pays is dependent upon taxable value of a home, it does not begin at \$30 per residence per month. Appleby stated money from this millage would go wholly to the police department. Peterson wanted to suggest

to clarify with auditors when you have a special revenue like a special assessment for a specific person for a specific department we would have within the overall budget a fund for the money that comes in from this special assessment and it would be for police activities only. Chief Cordes stated the reality is we cannot afford another officer. We need this special assessment in order to be able to fund that.

VII. Old Business: None.

VII: New Business:

- A.** President Appleby brought Van Buren County 2025 Citizen Planner Program Classes to the floor for discussion. These classes are for both planning commission as well as village council. They are very informative. Appleby stated members should get with Village Manager Hackenberg for any classes that they would like to attend.
- B.** President Appleby brought the updated quote from Booko Brothers for the Police Office and Garage in the amount of \$32,352.47 to the floor for discussion. Village Manager Hackenberg stated that though the cost did go up, this is still under what was originally budgeted. Hackenberg stated this also includes some updates made to the project. E. Dudek made a motion to accept the updated quote from Booko Brothers for Lawton Police Department Office and Garage renovations in the amount of \$32,352.47, supported by G. Dudek. A unanimous roll call vote approved this motion.
- C.** President Appleby brought Midwest Electric Right of Way Permit for Fiber internet to the floor for discussion. Hackenberg stated that he approved this permit, and it is on the outskirts of the village, not yet within the village. Council asked how we get them into the Village, and Hackenberg stated he has spoken with them, and the biggest thing he is running into is that since we are AEP in the Village, and it is MEC doing the fiber they cannot come into the village due to contracts. Appleby stated that it is on the wish list to get fiber within the Village. Hackenberg stated he doesn't believe we are yet designated because they are working on underserved areas, which we do not qualify as since we have Xfinity and Frontier as providers. Appleby would like to see us look into whether the Franchise Fee from Comcast is worth it still, or if we have anyone else interested in coming into the village that would be more beneficial.
- D.** President Appleby brought potential Solar and Wind permitting ordinances to the floor for discussion. The Village currently has no ordinances to prevent these from going anywhere, and staff is starting to get questions from companies potentially interested. Peterson suggested this get sent to Planning Commission, and council agreed this would be a good starting place.
- E.** President Appleby brought an Attorney update for Public Act 33 to the floor for discussion. Village Manager Hackenberg stated this was for the Public Safety Special Assessment. The first thing on our list is to pass a special assessment ordinance because we do not currently have one. Hackenberg stated that the first time would be the most difficult due to two public hearings and several resolutions. Going the millage route with a special election would cost the Village approximately \$5k or more. After some

discussion, Council decided if possible, they would like to take it to a vote, rather than do the special assessment, however this will be dependent on timing and other factors research determines. After discussion, it was determined that council needs more information from staff prior to revisiting at the next meeting.

- F. President Appleby brought a proposal for Professional Planning Services for the Village of Lawton to Revise Cell Tower Language Contract to the floor for discussion. Hackenberg stated this will go over zoning in which cell towers are allowed as well as set precedents for when one is allowed. Currently cell towers are allowed in Commercial and Industrial zones without need of a site plan. The Village is looking to move it to Agriculturally zoned areas instead as that will be closer to the edges of town, and they will then pay the Village taxes rather than move it just outside of the Village to place it in the township where it is allowed. Peterson moved, supported by Tanis to hire Progressive for Professional Planning Services for the Village.

VIII: Board, Committee, and Staff Reports:

- A. For the Public Works Department, Village Manager Hackenberg reported that the DPW had a slow month for December, and picked up leaves where they could. For the month of December, 11 million gallons of water were pumped.
- B. Village Manager Hackenberg reported the kickoff meeting for the Community Energy Management grant took place that day. The Village can now begin at any point. It is a simple reporting process, and the plan is to begin with HVAC systems and water tanks. The Village is allowed to use it's own bidding system, and must be at prevailing wages. Hackenberg stated that will not be an issue, as the companies we utilize are union, and above prevailing wages. This project is in the budget for next year, but we can start the bidding process for this year, to get expenses begun in March. Hackenberg stated that Mattawan allowed us to borrow their leaf Vacuum as long as possible. Hackenberg stated that he is getting bids and current prices on a standalone machine for leaves. He also stated he is advertising with sealed bids to get rid of older equipment the village no longer has in use. Hackenberg stated the water and sewer extension is entering completion, but in the spring, there will be grading and placement of the lift station to be done. Hackenberg stated that ATT is doing some upgrades at the tower. Hackenberg stated he has not yet heard anything on the progress with the Welch's sewer plant. Hackenberg has been in talks with the township and they are interested in bringing some sewage to us, but this is still in the early stages of meetings no decisions have yet been made. Hackenberg also stated he met with someone the other day who is looking at purchasing the Jaspere's pizza property. He is just looking, hasn't put in an offer or anything. He has already been in talks with MEDC and looking into funding. The Village would love to keep a restaurant in town. The potential purchaser is looking at renovating the building and putting apartments upstairs.
- C. Clerk Rathbun Reported W2s and 1099s have gone out.
- D. Chief Cordes reported that complaints were down for the month of December. Largen has been doing events with the school. All officers made it through mandated training

for 2024 and are now beginning mandated officer trainings for 2025. There were 866 total reports for 2024, this number does not include all calls, as some calls such as traffic stops that do not require reports. Cordes stated that they are still working on the homicide investigation. Chief Cordes stated that the Lawton Police Department was able to recover a local stolen utility trailer that was found in Cassopolis. Cordes stated that there were no issues with the Christmas Parade. He also stated to keep an eye out for scams, as those are up. Cordes also stated the Lawton Police Department is working on the garage, and then will go onto working on the evidence room. The blight process has been started at a few problem homes within the Village.

- E. Peterson reported Planning Commission did not meet. They do now have site plans for alternative fuel technologies that the planning commission will be reviewing in February. That property they would be building on would be the five acres just north of the creek.
- F. G. Dudek reported that the DDA met and Deck the House was a success. They also discussed looking into other seasonal banners.
- G. E. Dudek reported that the Fireboard met and there has been continued discussion on the new truck purchase. Dudek stated that there is a good deal they are looking into..
- H. Rathbun reported that the Library Board met and has nothing new to report.

VIII. Council Comments:

- A. Tanis wanted to know if they were finished with the gas line fix on third street. Hackenberg stated that when Consumers was fixing the leak and found outdated piping and had to go back to Fourth and Nursery to tie in and update all of the outdated pipes in that area as well. They will be back in the spring to fix the curb and place the hot mix.
- B. Turner asked if the lights under the canopy in Reid's corner would be on year-round. Cordes stated that the lights being on all the time were a safety precaution.
- C. Peterson discussed concerns with where the speed limit signs have been moved during the MDOT project.

- IX. Adjournment:** E. Dudek moved, with support from Turner to adjourn the Village Council Meeting at 8:49p.m. Next regular council meeting to take place on January 28th, 2025.

Respectfully Submitted by,

Brittany Rathbun

Village Clerk