VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, JANUARY 8, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) December 26, 2023

Steve Crothers moved to approve the minutes of the Regular Council meeting of December 26, 2023 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

Fleis & VandenBrink has reviewed the Water and Sewer Ordinances and their comments have been sent to the attorney for continued discussion. Once this process is completed, the information will be placed on the Village Council agenda for consideration.

VA Selner and Clerk/Treasurer Budde will be spending much of the upcoming week finishing the draft budget to present to both the Finance and Insurance Committee and the full Village Council. Meetings will be scheduled at the end of January to review the draft budget. The Village Council will also discuss the Capital Improvement Plan.

Due to the delay in getting the power disconnected at Getty Park, McCormick Sand will not be able to demolish the building until early March. This will also delay the construction of the pavilion and

bathroom. The Parks, Recreation, and Buildings Committee met on Friday, January 5th to finalize the fundraising plan. VA Selner will put together the information needed to reach out to potential donors and begin to reach out to them.

The Village is nearing the completion of the Redevelopment Ready Community (RRC) certification process. The Village must conduct a joint meeting with the Planning Commission and the Village Council. This will be scheduled as soon as possible. The last item to review and update is the Village fee schedule. VA Selner plans to incorporate this into the budget process to satisfy the requirement.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that the crew is preparing for the upcoming snow events. Darryl Frees is back to work after his surgery, but he is on light duty for the next few weeks.

Chief Roesler reported that the new school zone seems to be working well. He gave a lot of credit to the Shelby Public Schools for putting a great plan together.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Planning Commission Appointments

Three terms on the Planning Commission expired on December 31, 2023. One of the three members indicated an interest in continuing to serve another term. If approved by the Village Council, Ross Field's term would be effective from January 1, 2024 to December 31, 2026. As part of the Ordinance update project, VA Selner is proposing to reduce the Planning Commission from seven to five members. If/when the new ordinance is adopted, it would leave one vacancy on the Planning Commission.

Steve Crothers moved to re-appoint Ross Field to the Village of Shelby Planning Commission for the term January 1, 2024 to December 31, 2026.
Seconded by: Damian Omness.

Voice Vote: All in favor.
Motion Carried.

b.) Non-Discrimination on Basis of Handicap Policy

Since the Michigan Economic Development Corporation (MEDC) Water Related Infrastructure (WRI) grant is funded through a Community Development Block Grant (CDBG), there are specific policies and procedures that must be implemented by the local unit of government prior to grant close out. Most of these policies have been approved by the Village Council, but there are more. The policy up for

consideration tonight will be filed with the other general Village Council Policies including, but not limited to, the Investment Policy and Fund Balance Policy.

Steve Crothers moved to approve the Non-Discrimination on Basis of Handicap Policy for the Village of Shelby.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

c.) DPW Garage Door

Monday, January 1st, the back garage door on the DPW building bound up and the chain snapped, and the door came crashing down. The previous week, the door would not close due to being damaged over the years. The track shifts frequently due to the track being out of alignment. The staff has had issues with the doors for years and have limped them along. The door is unable to be used until it is fixed. The Village received one written quote and two verbal quotes to replace the door and repair the track. The written quote in the amount of $3,573.00 is for a new vinyl door, installation of the door, and repair of the track. The two verbal quotes were both in the amount of $6,000.00 and both included the purchase of a new motor for the garage door opener. The current motor for the garage door is in good working condition.

Mike Termer moved to approve the quote from Enterprise Door LLC, Fruitport, Michigan in the amount of $3,573.00 to replace the garage door and repair the track at the DPW Garage.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

d.) Façade Grant Recommendation of Awards

The Façade Grant Review Committee met on October 19th and October 30th respectively. On November 13th, the Village Council accepted the Committee's recommendation and approved four applications totaling $39,700.00 leaving a balance of $12,800.00. After seeking additional clarification from the remaining applicants, the Committee met again on January 5th and recommended that the Village Council approve funding for the following two applications:

1. West Michigan Insurance – 150 N. Michigan Avenue $7,700.00
2. Village Plaza Company, LLC – 198 N. Michigan Avenue $5,100.00

West Michigan Insurance is unable to be funded for their full request of $10,000.00 due to the lack of remaining ARPA funds.

Damian Omness moved to award $12,800.00 in ARPA funds for the following two (2) façade grant applications:

1. West Michigan Insurance – 150 N. Michigan Avenue $7,700.00
2. Village Plaza Company, LLC – 198 N. Michigan Avenue $5,100.00

Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

Nothing to report.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Met on January 5th for an update on the Getty Park Project and to discuss future fundraising efforts for the Park.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of January 8, 2024 in the amount of $80,870.55.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Sutton, Trott, and Inglis.

Motion Carried 7-0.

16. ADJOURNMENT: Damian Omness moved to adjourn the meeting at 6:50 P.M.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the January 22, 2024 Council meeting.

Approved ☑

Crystal Budde _____ January 22, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, JANUARY 22, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:01 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, and John Sutton.
Absent: Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) January 8, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of January 8, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.
Absent: Curt Trott.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

VA Selner reported that the Finance and Insurance Committee met prior to the Village Council meeting to review the draft 2024/2025 Fiscal Year Budget. A budget work session will be scheduled for next week for the Council to review the draft budget prior to the Public Hearing on and adoption of the same.

The Village of Shelby has received a very generous donation of $100,000.00 for the Getty Park Project from Earl and Linda Peterson. Additional contributions of $5,000.00 were received from Peterson Farms and $2,000.00 from Richard Raffaelli. VA Selner will continue fundraising efforts over the next several weeks to continue to close the funding gap.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that the new well and pump have been installed at the Deming well site and the necessary testing will be performed this week. The project should be completed within the next month.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION:

Phil Morse, District 2 Oceana County Commissioner, suggested that the Village Council send thank you notes to all donors to the Getty Park Project. He shared that the Oceana County Board is in support of the proposed tunnel near Lewis Farms on M20. Mr. Morse reported that he will be hosting a workshop on February 24, 2024 at the Hart Wesleyan Church from 9:00 A.M. to 11:00 A.M.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Planning Commission Appointment – Samantha Gottschalk

Three terms on the Shelby Village Planning Commission expired on December 31, 2023. Ross Field was appointed to another three-year term at the January 8, 2024 Village Council meeting, leaving two of the three terms open. Since the last Village Council meeting, the remaining two Planning Commissioners responded. Samantha Gottschalk is interested in serving another term, but Tara Kelley has indicated she is unable to commit to another term. If approved by the Village Council, Samanatha Gottschalk's term would be from January 1, 2024 to December 31, 2026.

Damian Omness moved to re-appoint Samantha Gottschalk to the Village of Shelby Planning Commission for the term January 1, 2024 December 31, 2026.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Zaverl, Sutton, and Inglis.
Motion Carried 6-0.
Absent: Curt Trott.

b.) Set 2024/2025 Fiscal Year Public Hearing

Section 15 of the Uniform Budgeting and Accounting Act (MCL 141.435) requires cities and villages to adopt a budget prior to the beginning of each fiscal year. Cities and villages are also required to conduct a public hearing on the proposed budget. Publishing the notice of the public hearing is required 6 days prior to the hearing. The notice must include the time, place, and where a copy of the proposed budget is available for public inspection. The Public Hearing on the budget and budget adoption will take place on Monday, February 26, 2024, at approximately 6:10 P.M.

Mike Termer moved to set the Public Hearing for the purpose of receiving comments on the 2024/2025 Fiscal Year Budget on Monday, February 26, 2024 at 6:10 P.M.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 6-0.
Absent: Curt Trott.

14. COMMITTEE REPORTS:

a. **PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

Nothing to report.

b. **WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

c. **STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott**:

Nothing to report.

d. **PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Committee Chair Damian Omness reported that a fundraiser packet has been created for the Getty Park Project. VA Selner is creating a list of possible donors to visit in order to fill the funding gap.

e. **FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

f. **PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

g. **ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of January 22, 2024 in the amount of $34,790.35.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Sutton, and Inglis.

Motion Carried 6-0.
Absent: Curt Trott.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 6:33 P.M.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.
Absent: Curt Trott.

Council minutes are not official until approved at the February 12, 2024 Council meeting.

Approved ☑

Crystal Budde _____ February 12, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, FEBRUARY 12, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, and John Sutton.
Absent: Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) January 22, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of January 22, 2024 as corrected.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.
Absent: Curt Trott.

b.) January 29, 2024 – Budget Work Session

Steve Crothers moved to approve the minutes of the Special Council Budget Work Session of January 29, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.
Absent: Curt Trott.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

VA Selner reported that the draw down test to determine the appropriate pump size for the new Well has been completed. The pump will be ordered following EGLE approval. Once it arrives, Northern Pump will be on site to perform the installation and complete the internal piping into the Well House.

The Village has received additional donations for the Getty Park project. Shelby State Bank has committed $40,000.00 and Shelby Rotary Club has committed $15,000.00. Mishelle Comstock has also committed to personally donating $1,000.00.

The bid opening for the First Street project will be on March 12, 2024. This is the collaborative road project with the Oceana County Road Commission and Shelby Township.

VA Selner reported that he has officially submitted his letter of resignation as the Village Administrator. His last day of employment with the Village of Shelby will be on March 13, 2024. He thanked the Village Council and the community for the opportunity to serve the Village of Shelby. VA Selner has accepted a position with the Village of Spring Lake.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse and Chief Roesler had nothing to report.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION:

Richard Raffaelli, Shelby Township Supervisor, stated that he will miss working with Brady Selner. He has done many great things for the Village of Shelby. Mr. Raffaelli stated that Shelby Township has written a letter addressed to the Hart-based VFW stating that there is no objection to the removal of the tank that is currently located at Tank Park in the Village of Shelby. He requested that the Village also write a letter stating there is no objection to the removal of the tank and that there will be no financial commitment for the move. The VFW owns the tank and is planning to move the tank from the current location in the Village of Shelby to the Veterans Memorial area in the City of Hart.

12. OLD BUSINESS:

a.) <u>Fiscal Year 2024/2025 Draft Budget Review</u>

The proposed Fiscal Year 2024/2025 Draft Budget has been updated based on comments received from the Village Council Budget Work Session held on January 29th:

1. The updated budget includes both revenue and expenses in the Water Fund for the completion of Well 2.

2. The full-time park maintenance employee is budgeted to work half the year-from August to the end of the fiscal year.

3. Money was added to the Police Department budget for the purchase of the in-car

cameras and updated body cameras.

4. Funds were added to have Fleis & VandenBrink complete a Project Plan for the EGLE DWSRF process and Wellhead Protection Program.

5. Repaving Sixth Street was removed from the budget. The money remains in the budget for the purpose of adding a sidewalk/pathway from the Hart-Montague Trail to Getty Park.

6. Add the cost of the Lagoon Mixer replacement in the Sewer Fund.

7. Getty Park project has been updated to account for the first contractor pay request received from McCormick Sand.

8. Money has been added to cover the cost of finalizing the Water and Sewer Ordinance rewrite.

9. Added money for the purchase of School Zone signage.

10. Interest revenue was adjusted to be 10% less from the previous fiscal year.

13. NEW BUSINESS:

a.) <u>SCADA System Dialer Upgrade</u>

A more thorough update to the entire SCADA system was planned for the current fiscal year but attempts to receive proposals and quotes were unsuccessful. In addition, the anticipated costs are substantially more than originally budgeted. Updating the dialer will provide a much-needed upgrade as the current callout SCADA system is obsolete. A new system would be more effective and more accurate in letting the on-call employee know exactly where the alarm is occurring. A more thorough update to the system can be postponed and researched over the next couple of years.

Mike Termer moved to approve the quote from King Services LLC of Hudsonville, Michigan to purchase a Sentinel Cellular Dialer in the amount of $3,434.00 plus any shipping and handling charges. Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Termer, Omness, Crothers, Zaverl, Sutton, and Inglis.
Motion Carried 6-0.
Absent: Curt Trott.

b.) <u>Lagoon Mixer Replacement</u>

Mixer 1 is currently down due to a nonfunctional motor and bad pilot bearing. It would be replaced with everything new besides the prop which is still in working condition. This mixer is responsible for making sure no solid materials pass from pond 1 to pond 2. Mixer 2 needs a complete rebuild. That

mixer is responsible for mixing Ferric before it enters the final pond for discharge. The improvements were identified in the 2018 Asset Management Plan for Wastewater Treatment Plants and Lift Stations and budgeted for in the current Fiscal Year.

Mike Termer moved to approve quote 0055585 from Kennedy Industries of Wixom, Michigan in the amount of $49,987.00 to replace and/or rebuild Mixers 1 and 2 at the Wastewater Treatment Plant.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 6-0.
Absent: Curt Trott.

c.) Computer Replacement

The computers at the Village Hall and the DPW garage are well past their useful life. Over the last couple of years, staff has noticed the computers are processing much slower. This was a budgeted capital improvement item for Fiscal Year 2023/2024. A single quote was received from the Village's IT provider for ease of purchase and installation.

Steve Crothers moved to approve quote VC3Q28358 from VC3 of Columbia, South Carolina to purchase five workstations, two laptops, a wireless keyboard, and mouse in the amount of $11,469.00.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Termer, Zaverl, Sutton, and Inglis.
Motion Carried 6-0.
Absent: Curt Trott.

d.) Police Department Mobile Radios

Police radios will soon need to be encrypted. Only two of the four that the Police Department has have that ability. This was a planned capital expense within the Police Department budget for Fiscal Year 2023/2024.

Damian Omness moved to approve quote 2514069 for the purchase of two Motorola mobile radios and a three-year subscription in the amount of $9,871.02.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Zaverl, Sutton, and Inglis.
Motion Carried 6-0.
Absent: Curt Trott.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

Nothing to report.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of February 12, 2024 in the amount of $417,719.38.
Seconded by: John Sutton.

Roll Call Vote:
Ayes: Crothers, Sutton, Termer, Zaverl, Omness, and Inglis.
Motion Carried 6-0.
Absent: Curt Trott.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:28 P.M.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.
Absent: Crut Trott

Council minutes are not official until approved at the February 26, 2024 Council meeting.

Approved ☑

Crystal Budde February 26, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, FEBRUARY 26, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) February 12, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of February 12, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

VA Selner reported that the Village staff continues to struggle to get Consumers Energy to properly disconnect the power at Getty Park. Until the issue is resolved, it will unfortunately cause further delays.

VA Selner will be presenting an amendment to the Village Council regarding the installation of the playground equipment. In a meeting with the MEDC CDBG staff, it was made clear that the Village would be unable to move forward with the community build. This will increase the cost of the project by $41,950.00.

Bid opening for the First Street project is scheduled for March 12, 2024 at 2:00 P.M.

The new computers at the Village Hall and DPW garage will be installed in late March. They have received the new computers but have not yet provided a firm installation date.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse had nothing to report.

Chief Roesler had nothing to report.

10. CORRESPONDENCE:

a.) Community Foundation

A statement was received from the Community Foundation regarding funds for the Getty Park project. The current balance of the funds donated for the Getty Park Renovation project through the Community Foundation for Oceana County (CFOC) is $126,755.00.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. PUBLIC HEARING:

a.) Proposed 2024/2025 Fiscal Year Budget

President Inglis opened the Public Hearing for the proposed 2024/2025 Fiscal Year Budget at 6:10 P.M. The proposed 2024/2025 Fiscal Year Budget was reviewed by the Village Council at the Special Work Session as well as at the Regular Council meeting of February 12, 2024. Some key adjustments that have been made are:

1. The updated budget includes both revenue and expenses in the Water Fund for the completion of Well 2.

2. The fulltime park maintenance employee is budgeted to work half the year-from August 2024 to the end of February 2025.

3. Money was added to the Police Department budget for the purchase of the in-car cameras and updated body cameras.

4. Funds were added to have Fleis & VandenBrink complete a Project Plan for the EGLE DWSRF process and Wellhead Protection Program.

5. Repaving Sixth Street was removed from the budget. The money remains in the budget for the purpose of adding a sidewalk/pathway from the Hart-Montague Trail to Getty Park.

6. Add the cost of the Lagoon Mixer replacement in the Sewer Fund.

7. The Getty Park project has been updated to account for the first contractor pay request

from McCormick Sand.

8. Money has been added to cover the cost of finalizing the Water and Sewer Ordinance rewrite.

9. Added money for the purchase of School Zone signage.

10. Interest revenue was adjusted to be 10% less from the previous fiscal year.

President Inglis closed the Public Hearing at 6:15 P.M.

13. OLD BUSINESS: No Old Business.

14. NEW BUSINESS:

a). 2024/2025 Fiscal Year Budget Adoption

Steve Crothers moved to adopt Resolution 11-24. (See Attached)
Seconded by: John Sutton.

Roll Call Vote:
Ayes: Crothers, Sutton, Termer, Omness, Trott, and Inglis.
Nays: Zaverl.
Motion Carried 6-1.

Councilman Zaverl noted that he voted against the 2024/2025 Fiscal Year Budget due to the fact that he is not in agreement with adopting a Budget reflecting a deficit fund balance.

b.) Fourth Quarter Budget Amendments

The Village's 2023/2024 Fiscal Year Budget has been completed and final budget amendments are needed. Some of the major budget items to note for the fourth quarter include:

1. Final adjustments to interest revenue.
2. Getty Park project adjustments. Most of the work will be completed in the 2024/2025 fiscal year.
3. Water and Sewer revenue adjustments. Higher than originally budgeted.

Mike Termer moved to approve the 2023/2024 Fiscal Year Fourth Quarter Budget Amendments as presented.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

c.) Utilities Ordinance Adoption

The Village agreed to a Cost Sharing Agreement with Perdue Farms to set up an Industrial Pretreatment Program (IPP). A portion of this project included amending the Village's Sewer Ordinance to add the necessary IPP language. Since the entire Utilities Ordinance was outdated and in need of a rewrite, the Village committed to hiring an attorney to rewrite both the Water and Sewer Ordinances. The updated ordinances now include the necessary IPP language, but also better reflect the Village's day-to-day operations regarding the utilities. The Village staff worked with George Davis, an attorney who specializes in water and sewer matters, to draft new chapters. The Ordinance Committee also had a chance to review the draft of the Ordinance and did not have any major questions or concerns. If the language is adopted, the next step will be to create the necessary forms and fee schedules that are noted in the new language.

To move the larger Ordinance Rewrite project with the General Code forward, there is a section of the Sewer Ordinance on pages 87 and 88 that will need to be updated with the actual numbers once the engineer is further along with the IPP process.

Damian Omness moved to adopt Ordinance 01-2024. (See Attached)
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Omness, Trott, Termer, Crothers, Zaverl, Sutton, and Inglis.
Motion Carried 7-0.

d.) <u>General Code Legal and Editorial Analysis</u>

The Village of Shelby has completed its review of the Legal and Editorial Analysis portion of the General Code Project. The purpose of this analysis was to identify duplications and inconsistencies between or within various sections of the Code or Michigan Statues; to provide for practical recommendations to make the Village legislation more enforceable; to suggest appropriate fines, fees, penalties; and, to suggest ways to modernize the Village's legislation.

The Ordinance Committee met multiple times to review all responses to the Legal and Editorial Analysis and recommended moving forward in the process. Once the Village's responses are submitted, the next step in the process is the final edit of the manuscript and submission of the draft. Using the online platform, General Code will submit a draft of the Code for final review by the Village Council. With this submission, the editorial work on the project will be complete. If the Village requires additional changes, further charges will apply. After the draft is received, a comprehensive index, disposition list, derivation table, and code adoption legislation will be provided. Once approved by the Village Council, the newly adopted Code will be online using ECode360. This will be accessible through the Village Website. Once the new Code is complete and online, the next phase of the project will be to update all forms and fees referenced in the Code.

John Sutton moved to authorize Village Administrator Brady Selner to submit the Legal and Editorial Analysis for the General Code Project.
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Termer, Zaverl, Omness, Trott, and Inglis.
Motion carried 7-0.

e.) Encroachment Agreement

The owner of the building located at 179 N. Michigan Avenue requested authorization to construct an ADA ramp in front of his building. An Encroachment Agreement has been drafted by Parmenter Law to allow for the construction of the ramp under specific parameters, some of which are highlighted below:

1. Maintenance and its associated costs would be the responsibility of the Grantee.
2. No further encroachments except those identified in the site plan would be allowed.
3. Upon termination of the Agreement, the Grantee is responsible for the removal of the improvements at his sole cost and expense.
4. The Grantee must indemnify and hold the Grantor harmless for any liability for damages arising and must carry liability insurance and name the Village of Shelby as additional insured.

Mike Termer moved to approve the Encroachment Agreement by and between the Village of Shelby and Marco Suarez, of 179 North Michigan Avenue, Shelby, Michigan 49455. Be it further resolved to authorize the Village President and the Village Clerk to sign the Encroachment Agreement.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

f.) EGLE DWSRF Project Plan and Well Head Protection

The Village of Shelby submitted its Intent to Apply for the 2025 funding round of the EGLE Drinking Water State Revolving Fund (DWSRF) Program. The next step in the process would be to have Fleis & VandenBrink submit a Project Plan by June 1, 2024. The Water and Sanitation Committee met with Don DeVries on Wednesday, February 21, 2024, to discuss the process. The Committee is recommending that the Village Council authorize Fleis & VadenBrink to submit a Project Plan and updated Wellhead Protection Plan for the 2025 EGLE DWSRF funding round. If the Village's project were to be funded, construction would not occur until Spring of 2026.

Damian Omness moved to authorize Fleis & VandenBrink Engineering to submit a Project Plan and updated Wellhead Protection Plan for the 2025 EGLE DWSRF Program.
Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Omness, Termer, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

g.) Household Hazardous Waste Contribution

The Household Hazardous Waste Disposal Program is a cyclical cost that the Village has been a part of since approximately 2014. The goal is to provide a way for residents to dispose of hazardous material safely and easily so that they do not end up in lakes, streams, groundwater, or public water supplies. The requested amount from the Village of Shelby is based on the following calculation: Population Based on 2020 Census: 1964 people x .40/person = $785.60. Last year the Village committed $550.00.

Dan Zaverl moved to participate in the 2024 Manistee, Mason, and Oceana County Household Hazardous Waste Program and to authorize Crystal Budde, Village Clerk/Treasurer, to make payment in the amount of $550.00 to support the event. Be it further resolved to authorize Village Administrator Brady Selner to sign the 2024 Contract and Agreement for Services by and between the Village of Shelby and the Manistee, Mason, and Oceana Conservation Districts.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Zaverl, Omness, Termer, Crothers, Sutton, Trott, and Inglis.
Motion Carried 7-0.

h.) Interim Manger Contract

To assist with the Village Administrator transition, VA Selner reached out to three managers that provide Interim Manager Services. Two of the three were not available and did not submit a proposal. The one proposal the Village received was from Gregg Guidance LLC. The Village President and Personnel Committee Chair met with Gregg and Jae Guetschow to discuss the proposal. Following the meeting, they requested that a formal contract be drafted for consideration by the Village Council. The formal start date of the contract is March 11, 2024. It is anticipated that Jae Guetschow will work between 16 and 24 hours a week at $90.00 per hour, plus round-trip mileage reimbursement. Additional hours could be approved by written consent of the Village President.

John Sutton moved to approve the Interim Manager Agreement by and between the Village of Shelby and Gregg Guidance LLC, 720 High Street, Charlotte, Michigan 48813.Be it further resolved to authorize the Village President and the Village Clerk to sign the Agreement.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Sutton, Termer, Crothers, Zaverl, Omness, Trott, and Inglis.
Motion Carried 7-0.

15. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

Nothing to report.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

The Parks, Recreation, and Buildings Committee met to discuss fund-raising efforts for the Getty Park project and some ideas for upgrades that could be made at some of the smaller parks in the Village.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

16. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of February 26, 2024 in the amount of $81,237.20.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 7-0.

17. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:38 P.M.
Seconded by: Damian Omness.

Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the March 11, 2024 Council meeting.

Approved ☑

Crystal Budde March 11, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, MARCH 11, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) February 26, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of February 26, 2024 as corrected.
Seconded by: John Sutton.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

VA Selner reported that Consumers Energy disconnected the power at Getty Park on Friday, March 8th. McCormick Sand will be back on site to continue work.

Apex will be mobilizing next week to continue the lead service line project after pausing work over the winter months.

VA Selner reported that his last day in the office will be Wednesday, March 13, 2024. Jae Guetschow will be contacting Village Council members to schedule times to meet with him individually over the first couple of weeks.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse had nothing to report.

Chief Roesler had nothing to report.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION:

a.) Micheal O'Keefe with Frontier shared information with the Village Council regarding the upcoming installation of fiber optic phone lines within the Village of Shelby. Residents can expect to see door hangers in the near future with information on how to register for the service with Frontier.

b.) Mark Olmstead, Shelby Public Schools Superintendent, stated he was in attendance on behalf of the Shelby Schools to answer any questions regarding the Intergovernmental Agreement (IGA) by and between Shelby Schools and the Village of Shelby.

c.) Phil Morse, District 2 Oceana County Commissioner, reported that the Oceana County Board recently approved an 8-year millage renewal request to be placed on the August Primary ballot for the Oceana County Council on Aging. The Board asked that the agency work with other local agencies providing senior programs within Oceana County in order to help with the funding of these programs.

12. OLD BUSINESS:

a.) Village of Shelby Public Participation Plan

The Village Council adopted the Village of Shelby Public Participation Plan in April of 2021. A few minor amendments to the language of the Participation Plan were required for CDBG grant funding.
Steve Crothers moved to amend the Village of Shelby Public Participation Plan to include language required for CDBG grant funding.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 7-0.

13. NEW BUSINESS:

a.) TruGreen Field Maintenance

On October 24, 2023, a joint meeting was held between Shelby Public Schools and the Village of Shelby. Each organization verbally agreed to amending their existing Intergovernmental Agreements (IGA) regarding the use and care of the soccer field at Getty Field. VA Selner sent an amended Getty Field IGA to Shelby Public Schools Superintendent Mark Olmstead on November 2, 2023. VA Selner and Mr. Olmstead met on Monday, November 20, 2023 to discuss the proposed amendments. At the School Board's November 20, 2023 meeting, the Board approved an amendment to the Shelby Township IGA for use of the Shelby Township Park and Mark Olmstead informed the School Board that

he had met with VA Selner to have a preliminary conversation regarding the restructuring of the Getty Field IGA. It was communicated to VA Selner on February 29, 2024 that the School Board decided that they would not be moving forward with amending the Getty Field IGA until the field was in better condition. TruGreen submitted a quote for servicing the Getty Field for a cost of $2,063.66 as well as an additional cost of $1,425.00 for a Spring slit seeding of the field. Much discussion ensued. Village staff will work to gather quotes from other lawn service providers for the care of Getty Field and bring them to Council at a later date.

Damian Omness moved to deny the TruGreen Quote for Lawn Service and Grub Preventative applications in the amount of $2,063.66 as well as the quote for slit seeding of the goal boxes in the amount of $1,425.00.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

b.) Getty Park Playground Installation Change Order

After meeting with MEDC staff regarding the Getty Park Public Gathering Spaces grant, it was determined that, due to CDBG requirements, no volunteer labor is allowed during the Getty Park project. The Village cannot move forward with the original plan of the community build for the playground equipment. The Sinclair Change Order moves the playground community build to full installation and includes a price increase for the poured in place installation due to the prevailing wage rate requirement.

Damian Omness moved to approve quote number 101102-01-14 from GameTime (Sinclair Recreation) to install the poured in place surfacing and playground in the amount of $41,950.00.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

c.) Radio Read Purchase

At the December 11th and 26th Village Council meetings, the Village Council determined how to allocate the Village's remaining ARPA dollars. Although the Village Council did not allocate any money to purchasing radio reads, there was discussion regarding the use of General Fund dollars if the Village ended the fiscal year in a strong position. The projected unassigned fund balance in the General Fund at the 2023/2024 Fiscal Year End is $692,997.00. The total fund balance is just over $1 million, but $205,000.00 is committed ARPA dollars and $110,000.00 is committed to Getty Park from donations received. The projected unassigned fund balance in the Water Fund for the 2023/2024 Fiscal Year End is $445,611.00. This puts the Water Fund $70,291.00 over the maximum fund balance established by the Village Council. Looking ahead to the current fiscal year, it is estimated that the Water Fund will have a $478,122.00 surplus. This substantial amount is in large part due to being reimbursed by the EGLE bond for expenses that have occurred over previous fiscal years. In reviewing the financial

position of both the General Fund and the Water Fund, VA Selner recommended that the purchase of the radio reads be made out of the Water Fund.

Mike Termer moved to approve quote number S105566823 from Etna Supply, Grand Rapids Michigan for the purchase of 600 radio reads in the amount of $102,000.00.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Termer, Omness, Crothers, Sutton, Trott, and Inglis.
Nays: Zaverl.
Motion Carried 6-1.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission will not be meeting in March due to lack of agenda items.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of March 11, 2024 in the amount of $191,462.56.
Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Crothers, Zaverl, Termer, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:49 P.M.
Seconded by: Steve Crothers.
Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the March 25, 2024 Council meeting.

Approved ☑

Crystal Budde March 25, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, MARCH 25, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Paul Inglis, Dan Zaverl, John Sutton, and Curt Trott.
Absent: Steve Crothers and Damian Omness.

Staff present: Interim Village Administrator Jae Guetschow; Village Clerk/Treasurer Crystal Budde; and, Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) March 11, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of March 11, 2024 as presented.
Seconded by: Curt Trott.

Voice Vote: All in favor.
Motion Carried.
Absent: Steve Crothers and Damian Omness.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that Consumers Energy has completed the disconnection of electric service at Getty Park. McCormick Sand has resumed demolition at the park. Though it will be some time before it is needed, Consumers Energy has submitted documents pertaining to the connection of the new electric service.

Councilman Damian Omness has engaged with Shelby Public Schools Superintendent Mark Olmstead regarding the school's use of the Getty Soccer Field. Both the Shelby Public Schools and the Village have been less than satisfied with the chemical application which was reflected in the rejection of the TruGreen quote at the March 11, 2024, Village Council meeting. Additional quotes will be solicited before the Village Council will consider a contract for the 2024 season.

Apex Contracting has not resumed work to replace the lead service lines in the Village, but they are expected to begin sometime this week.

Interim VA Guetschow contacted the Oceana Building Inspector Randy Miller regarding the need to demolish the existing Wesco buildings. He requires revised, stamped plans to include this change, which is in process. Since the footprint for the new building remains unchanged, it does not impact the previously approved setback variance. The only applicable section of the Zoning Ordinance states that the cost of new construction cannot exceed 75% of the original value of the property without requiring a Site Plan Review. The contractor has indicated that, by removing the remaining walls, this will generate a cost reduction since use of heavy equipment will eliminate the need for labor intensive manual demolition.

The Village's IT contractor, VC3, will begin installing new computers on Monday, March 25th.

The 2023/2024 Fiscal Year Audit will begin the week of May 6, 2024.

For the week of March 25 – 29, Interim VA Guetschow plans to be in the office on Monday, Thursday, and Friday.

9. DEPARTMENT HEADS' REPORTS:

Chief Roesler had nothing to report.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION:

Karen Martin, Vice President of the Shelby Area Chamber of Commerce stated that the Chamber was not dissolving. The Chamber will be holding the next meeting on May 2, 2024 at 4:00 P.M at the Shelby Area District Library. Ms. Martin shared that an Oceana County Book Walk will be held on Saturday, April 20, 2024 from 1:00 to 3:00 P.M. This is a .5 mile walk with fun interactive activities. The walk will begin at Shelby Pocket Park.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) <u>Getty Park Underground Electrical Service</u>

Consumers Energy has removed the existing electrical service at Getty Park to enable demolition and construction to start for the renovation project. To accommodate scheduling by Consumers Energy, the Village Council is asked to approve the Agreement for Installation and the invoice for the total estimated cost for the installation of the new electrical service.

The agenda item was tabled until the April 8, 2024 Council meeting. The Council requested confirmation of whether the cost of the new electrical service is included in the overall project scope and cost for Getty Park.

b.) MDOT Resolution for Designation of Street Administrator

Historically, the Village Administrator has been designated the Street Administrator for the Village of Shelby. MDOT requires a specific individual to be named. As such, Interim VA Guetschow should be designated the Street Administrator to enable submission of the current street map to MDOT which allows the Village to continue to receive Act 51 funding for the Major and Local Street Funds from the State of Michigan comprising a portion of fuel taxes.

Dan Zaverl moved to designate Interim Village Administrator Jae Guetschow as the single Street Administrator for the Village of Shelby in all transactions with the State Transportation Department as provided in Section 13 of Act 51.
Seconded by: John Sutton.

Roll Call Vote:
Ayes: Zaverl, Sutton, Termer, Trott, and Inglis.
Motion Carried 5-0.
Absent: Steve Crothers and Damian Omness.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission will be meeting on Tuesday, April 16, 2024 at 6:00 P.M.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Audit will begin the week of May 6, 2024.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Interim VA Guetschow will be meeting with DPW Supervisor Jeremiah Helenhouse to update the job description for the vacant DPW Laborer position.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Mike Termer moved to approve the payment of the bills of March 25, 2024 in the amount of $229,477.14.
Seconded by: Dan Zaverl.

Roll Cal Vote:
Ayes: Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 5-0
Absent: Steve Crothers and Damian Omness.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:05 P.M.
Seconded by: Curt Trott.

Voice Vote: All in favor.
Motion Carried.
Absent: Steve Crothers and Damian Omness.

Council minutes are not official until approved at the April 8, 2024 Council meeting.

Approved ☑

Crystal Budde _____ April 8, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, APRIL 8, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:01 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Damian Omness, John Sutton, and Curt Trott.
Absent: Dan Zaverl.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) March 25, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of March 25, 2024 as presented.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.
Absent: Dan Zaverl.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that the joint meeting between representatives from the Village of Shelby and the Shelby Public Schools has been confirmed for April 18, 2024 at 7:00 P.M. to discuss the soccer field at Getty Park.

Interim VA Guetschow has been in contact with Shelby Township Supervisor Richard Raffaelli pertaining to the change in streetlights within the Shelby Acres development. Great Lakes Energy will be serving the development and he trusts that the electricity rates will be comparable to that of other streetlights in the Village.

The First Street resurfacing project is included in the 2024/2025 Fiscal Year budget with the project being administered by the Oceana County Road Commission as part of the work on Shelby Road. This will be a “mill and fill” which may commence prior to the end of April. The County’s part of the project will include a turn lane from the Southbound U.S. 31 exit ramp into the facility owned by Peterson Farms to improve safety along with other improvements at that junction.

Demolition of both Wesco buildings has been completed and installation of footings for the new building is in process. The Village received a request for a Right-of-Way Permit to install new water and sewer service to the building. This will require closing North Elm Street for a day for the sewer connection which may impact school transportation if the work occurs prior to the end of the school year.

The Planning Commission meeting scheduled for April 16, 2024 for the Site Plan Review and Special Land Use for Blue Photon has been cancelled since the Public Hearing requires a 15-day lead time for publication. A Special Planning Commission meeting has been scheduled for April 30, 2024 and it appears that the engineer’s review of the documents will be completed by that time.

Work continues at Getty Park. A water leak was discovered last week in the service lead. The DPW shut off the service which will be replaced as part of the project.

Apex Contractors are expected to resume work on the lead service lines within the next week.

The 2023/2024 Fiscal Year Audit is scheduled to begin the week of May 6, 2024. An intake meeting with the auditors is scheduled for Aprill 11, 2024 at noon with Interim VA Guetschow and Clerk/Treasurer Crystal Budde.

9. DEPARTMENT HEADS’ REPORTS:

Police Chief Roesler reported that the Speed Study for State Street has not yet been scheduled. It was brought to his attention that an additional Speed Study will need to be performed once the Shelby Acres Development is completed. The Speed Study is now planned for completion once the development is completed. The current speed restrictions will stay in place until that Speed Study is done.

DPW Supervisor Jeremiah Helenhouse reported that Apex will be in town within the next week and Hallack will be resuming work in the next two to three weeks.

10. CORRESPONDENCE:

a.) <u>Supreme Court Decision Impacting Elected Officials and Use of Social Media</u>

Interim VA Guetschow shared an informative article with the members of the Council regarding elected officials and the use of social media. When an elected official is using his/her own personal social media page, he/she has the right to share opinions and thoughts on matters as part of their First Amendment Rights.

11. CITIZEN PARTICIPATION:

Phil Morse, District 2 Oceana County Commissioner, reported that the Oceana County Board will be meeting to approve the L4024 and L4037 Equalization Reports for the 2024 Tax Year. Property values are still increasing significantly. The Oceana Workforce Study is now complete, and the Oceana Economic Alliance (OCEA) will soon begin to review the results from that study.

12. OLD BUSINESS:

a.) Getty Park Underground Electrical Service

Interim VA Guetschow reviewed the budget for the Getty Park project to determine the funding source(s) for Consumers Energy's installation of the new electrical service. The budget specifies separate line items for site lights, electrical distribution and relocation of electrical transformer/utility work consisting of a total estimate of $118,560.00. Of that, the Village's match amount would be $15,120.00. The remainder would be reimbursed from grant funds which are included in the 2024/2025 Fiscal Year budget.

Damian Omness moved to authorize Crystal Budde, Village Clerk/Treasurer, to make payment to Consumers Energy for the Electric Distribution System Line Extension at Getty Park in the amount of $22,433.00. Be it further resolved to authorize Interim Village Administrator Jae Guetschow to sign the Agreement for Installation of Electrical Facilities by and between the Village of Shelby and Consumers Energy.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.
Motion Carried 6-0.
Absent: Dan Zaverl.

13. NEW BUSINESS:

a.) Getty Park Soccer Field Maintenance

Village Council denied the quote from TruGreen ($2,063.66 for chemical applications and $1,425.00 for overseeding) during the March 11, 2024 Council meeting. Since then, Interim VA Guetschow met with Shelby Public Schools Superintendent Mark Olmstead and has scheduled a joint meeting with the Village of Shelby and Shelby Public School officials on April 18, 2024 at 7:00 P.M. to seek a mutually acceptable agreement for the maintenance of the soccer field.

Damian Omness moved to approve the TruGreen Quote in the amount of $2,63.66 for Lawn Service and Grub Preventative applications in 2024.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.
Motion Carried 6-0.
Absent: Dan Zaverl.

b.) Shelby Acres Lighting Plan

Previously, VA Selner had conducted a discussion with the developer for Shelby Acres regarding a change in the lighting plan from that which had been approved by the Planning Commission and the Village Council. According to Shelby Township Supervisor Richard Raffaelli, the proposed lighting change would not increase the number of streetlights. The proposed lights are the only decorative lighting available from Great Lakes Energy, the power company that would serve the development. Great Lakes Energy would assume responsibility for maintenance of the lights. As with other streetlights, the Village would be responsible for the cost of the electricity.

Interim VA Guetschow reviewed the Zoning Ordinance pertaining to street lighting and, given the specifications, the revised lighting plan complies with the Zoning Ordinance.

Damian Omness moved to authorize Interim Village Administrator Jae Guetschow to provide written authorization to Great Lakes Energy to proceed with installation of streetlights within the Shelby Acres Development at the direction of the developer.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.
Motion Carried 6-0.
Absent: Dan Zaverl.

c.) DPW Building Quotes

Following the purchase of the new backhoe, the 2024/2025 Fiscal Year budget included an appropriation of up to $40,000.00 for construction of a pole building to house the backhoe. Two quotes were received to include the option for a door rather than leaving the building exposed on one side. Since the recent vandalism to the school buses and construction equipment at Getty Park, Interim VA Guetschow asked Council to consider the addition of a door to the structure for security. This would also make it feasible to store other items in the building.

Damian Omness moved to approve the estimate and sign the agreement with Beyer Builders, Shelby, Michigan in the amount of $37,425.00 pending verification of the estimate for the construction of the DPW pole building.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Omness, Trott, Termer, Crothers, Sutton, and Inglis.
Motion Carried 6-0.
Absent: Dan Zaverl.

d.) First Street Resurfacing

Interim VA Guetschow met with Mark Timmer, Manager, Oceana County Road Commission regarding the First Street resurfacing project. This project is included in the construction/resurfacing of Shelby Road from South of 64Th Avenue to the Village limits. The Village will benefit from the economy of

scale with the cost to the Village estimated at $34,000.00 but with a substantial amount to be covered by a grant obtained by Oceana County. The road project will also include the replacement of a water main under First Street. Construction could conceivably commence prior to the end of April.

Mike Termer moved to authorize Interim VA Guetschow to sign the contract by and between the Village of Shelby and the Oceana County Road Commission for the First Street resurfacing project. Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Omness, Sutton, Trott, and Inglis.
Motion Carried 6-0.
Absent: Dan Zaverl.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission meeting of April 16, 2024 has been cancelled and a Special Planning Commission meeting has been scheduled for April 30, 2024 at 6:00 P.M. for the Site Plan Review and Special Land Use request from Blue Photon.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of April 8, 2024 in

the amount of $51,644.60.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Omness, Sutton, Trott, and Inglis.
Motion Carried 6-0.
Absent: Dan Zaverl.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:37 P.M.
Seconded by: Curt Trott.

Voice Vote: All in favor.
Motion Carried.
Absent: Dan Zaverl.

Council minutes are not official until approved at the April 22, 2024 Council meeting.

Approved ☑

Crystal Budde _____ April 22, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, APRIL 22, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by Council Trustee Steve Crothers.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Dan Zaverl, Damian Omness, and Curt Trott.
Absent: Paul Inglis and John Sutton.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) April 8, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of April 8, 2024 as presented.
Seconded by: Damian Omness.

Voice Vote: All in favor.
Motion Carried.
Absent: Paul Inglis and John Sutton.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that the joint meeting between the Village of Shelby and the Shelby Public Schools occurred on Thursday, April 18, 2024, at the Shelby Public Schools' Superintendent's office. The current Intergovernmental Agreement (IGA) between the Village of Shelby and the Shelby Public Schools could expire or automatically extend on October 30, 2024. Ultimately, the school will need to determine if they intend to continue to use Getty field for soccer practice and/or games. Presumably, the school is anticipating using the new field in Shelby Township for soccer games and continuing the use of Getty Field for practices.

Shelby Public Schools Superintendent Mark Olmstead and Interim VA Guetschow are prepared to

meet to reach an agreement on amending the IGA. Should the School elect to continue using Getty Field for either practice or games, a new IGA should be implemented. If the School elects to discontinue the use of Getty Field after June 2024, the Village Council will need to require the school to remove the press box and concession stand. The status of the other building, currently being used for storage by the school, is uncertain. Interim VA Guetschow has inquired of the State Historical Preservation Office (SHPO) whether the structure is considered a historic building since it may have been part of the WWII POW camp. If the storage building remains, the exterior needs extensive attention.

If a new IGA is reached, it will need to include specific terms for the upkeep and maintenance of Getty Field. Though Getty Field, as part of Getty Park, must be open to the public, the DPW cannot subsidize the school's use of Getty Field by providing more upkeep and maintenance than is given to the Village's other parks. Further, if the condition of Getty Field is compromised by the school's use, the school should either contribute financially to the care of Getty Field and/or provide upkeep and maintenance in addition to that provided by the DPW.

MDOT has agreed to handle any upgrades to the exit/entrance ramps at U.S 31 and Shelby Road as part of the Oceana County Road Commission project that includes resurfacing First Street. Hallack Construction has been in contact with the County's contractor regarding the replacement of the water main under First Street within the next couple of weeks. The entire project is slated for completion during the month of June.

Hallack Construction has completed the milling of Elliot Street and has been working to replace the water main. Milling of Fourth Street also started on Wednesday, April 17th.

Construction continues on the new Wesco building. The new water and sewer leads will be installed next week. The sewer lead from the former car wash had previously been capped.

The Village will need to determine if a separate written agreement with Shelby Township is needed pertaining to routine bacteria testing and periodic hydrant flushing of the water main outside the Village. The Intergovernmental Agreement states (3.2), "Shelby Township, at its sole cost and expense, shall construct, maintain, and repair…" in reference to the booster station and water main outside of the Village. Further, paragraph 3.8 states, "It shall be the responsibility of Shelby Township to maintain the water quality and purity…" The agreed upon water rate to Shelby Township does not include these services. Shelby Township could contract with DPW Supervisor Jeremiah Helenhouse or another licensed entity to provide testing and hydrant flushing. However, DPW employees' priorities are limited to the Village during regular business hours as well as during an emergency. One additional concern regarding the DPW Supervisor providing services outside of the Village; even though it may be on his own time and as a private contractor to Shelby Township, is whether this would subject the Village to liability through any act of commission or omission while providing service to Shelby Township. This may be remedied if the contractor maintains liability insurance, but a review by the Village's attorney would be appropriate.

Apex has resumed work on the lead service line replacements. The Village has received numerous complaints pertaining to the quality of ground restoration which are to be addressed by the project engineer.

Interim VA Guetschow reported that he has submitted two 8-C Single Certification forms for the CDBG grants. Individually, expenditures for each grant did not exceed the $75,000.00 federal threshold requirement for a single audit. However, the Michigan Economic Development Corporation (MEDC) has confirmed that the two amounts must be considered together and, therefore, will require a single audit to be completed.

Interim VA Guetschow anticipates having a draft of the Community Profile and Village Administrator job posting available for the Personnel Committee to review by next week. He wants to review these documents with the Personnel Committee, along with some other personnel related issues, prior to the May 13 Village Council meeting.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that Apex is back in town and beginning to work on the remaining water line replacements under their contract. Hallack has completed the watermain installation on Elliot Street.

Chief Roesler had nothing to report.

10. CORRESPONDENCE:

a.) Governor Whitmer Funding Announcement

Interim VA Guetschow provided a copy of Governor Whitmer's announcement of the funding for infrastructure in Oceana County for the Village Council. The announcement stated that a $790,000.00 State Transportation Economic Development Fund (TEDF) grant was awarded to upgrade Shelby Road (First Street) to an all-seasons roadway, so that Perdue Farms and Peterson Farms can expand their businesses. That announcement included that a new turn lane that will also be constructed to accommodate the traffic increases.

11. CITIZEN PARTICIPATION:

a.) Eric Fox stated that he is running for Probate Court Judge. He raised his family in Oceana County and loves living in the area. He stated that he would appreciate the support of and votes from Council members in the August Primary and November General elections.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Monitoring Well

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) requires municipalities requesting new National Pollutant Discharge Elimination Systems (NPDES) permits to install monitoring

wells at specific locations. EGLE is requiring the Village to install one near Piper Creek. DPW Supervisor Jeremiah Helenhouse contacted the following companies for quotes:

Rosendall Well Drilling, LLC
E & G Drilling
Gustufsons Well Drilling
Hecksel Bros. Drilling
Material Testing
Soils and Structures
Johnsons Well Drilling

Rosendall Well Drilling, LLC, was the only quote received. Gustufsons Well Drilling responded that they do not have sufficient experience with monitoring wells. Though the bid policy is to solicit a minimum of three quotes, there is a limited number of qualified contractors providing this service. The monitoring well is required by EGLE and there is a deadline for installing the monitoring well.

Mike Termer moved to approve Proposal number 100-2751 from Rosendall Well Drilling, LLC, Lowell, Michigan for the installation of two (2) monitoring wells in the amount of $5,048.50. Be it further resolved to authorize Interim Village Administrator Jae Guetschow to sign Proposal number 100-2751. Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Termer, Trott, Zaverl, Omness, and Crothers.
Motion Carried 5-0.
Absent: Paul Inglis and John Sutton.

b.) Xerox Multi-function Printer

Currently, the Village office has four printers, not including one for the Police Department. During the previous calendar year, printer supply costs totaled approximately $2,074.00 which included toner and drums. Desktop printers are relatively inexpensive to purchase; however, the cost of toner, replacement drums, and waste cartridges are notoriously expensive. Interim VA Jae Guetschow found the government lease program through Xerox (a supplier through the MiDeals program) to be cost effective, reliable, and provide greater printing options with a multi-function printer/copier/fax machine. Xerox provides the machine and everything else except paper. The machine is linked via the internet with Xerox to monitor the status of the machine. Toner, drums, and waste cartridges are all shipped to the Village office automatically. Any issues with the machine's function are also automatically reported and service is generally received within four hours.

Interim VA Guetschow recommended the C7120/C7125/C7130 Xerox Versalink Color Multifunction Printer with a three-tray module that will hold letter, legal, and ledger size paper. Ledger paper is invaluable when drafting annual budgets and allows for printing of four-page documents on a single sheet, such as a newsletter. The base lease is $193.05 per month which includes the allowance for 1500 black and white pages and 100 color pages. Additional pages are $0.01 and $0.0471, respectively. The lease also allows the Village to upsize/downsize the printer at any time. The current budget includes $2,500.00 for the purchase of a printer.

Damian Omness moved to approve the lease of the C71525 Xerox Versalink Color Multifunction Printer for the cost of $193.05 per month.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Termer, Omness, Zaverl, Trott, and Crothers.
Motion Carried 5-0.
Absent: Paul Inglis and John Sutton.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

A Special Meeting of the Planning Commission is scheduled for April 30, 2024 at 6:00 P.M. for a Site Plan Review and Special Land Use Request from Blue Photon.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

A meeting will be scheduled next week to meet with the Village's Auditor.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

A Personnel Committee meeting will be scheduled within the next week to review the Village Administrator job description and posting.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Mike Termer moved to approve the payment of the bills of April 22, 2024 in the amount of $59,278.95.
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Termer, Omness, Zaverl, Trott, and Crothers.
Motion Carried 5-0.
Absent: Paul Inglis and John Sutton.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 6:55 P.M.
Seconded by: Curt Trott.

Voice Vote: All in favor.
Motion Carried.
Absent: Paul Inglis and John Sutton.

Council minutes are not official until approved at the May 13, 2024 Council meeting.

Approved ☑

Crystal Budde — May 13, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer — Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, MAY 13, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) April 22, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of April 22, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that he has finished the draft revision to the Intergovernmental Agreement (IGA) with the Shelby Public Schools. A copy has been sent to Shelby Public Schools Superintendent Mark Olmstead for comments or changes.

Carol Waller has submitted a letter of resignation effective June 7, 2024, after the completion of 45 years of work for Shelby Public Schools. She is also quite adamant that the signage issue for the school zone needs to be resolved prior to the next school year.

Interim VA Guetschow spoke with Mark Timmer from the Oceana County Road Commission regarding this matter. Assuming his office has a Traffic Engineer on board, Interim VA Guetschow would recommend allowing them to determine what should be installed as to crosswalks, lighted signs, and

regular signage.

The Village's engineer met with Blue Photon's engineer at Blue Photons's site on May 3. Don DeVries provided several specific requirements that Blue Photon's engineer is working on. Once those have been approved by Mr. DeVries, Interim VA Guetschow will approve the planning and zoning application.

The Village's annual audit took place last week. The audit report will be presented to the Council in July. The audit report is due to Michigan Department of Treasury by August 31.

Michigan State Housing Development Authority (MSHDA) announced the availability of grants to municipalities, nonprofit organizations, and some for-profit organizations to address housing issues. Approximately $12.064 million is available in the 13-county region that includes Oceana County. VA Guetschow was informed that a second round of grant funds is anticipated in October in the event a grant from Shelby is not submitted for the first round of funding.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse had nothing to report.

Chief Roesler had nothing to report.

10. CORRESPONDENCE:

a.) Carol Waller – Letter of Retirement

Carol Waller submitted a copy of her letter of retirement from Shelby Public Schools effective June 7, 2024 after 45 years of service. Also, a letter of concern addressed to the Village Council and Interim VA Guetschow regarding the signage and flashing lights needed on the corner of Fifth Street was included.

b.) Shelby Township Notice of Intent to Conduct Master Planning

In accordance with the requirements of Michigan's PA 33 of 2008, a letter was received to notify the Village Council that Shelby Township is initiating the process to complete a Master Plan Update. McKenna Associates will be assisting them with the planning process.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Hazard Mitigation Plan

The Oceana County Board of Commissioners recently adopted the Oceana County Hazard Mitigation Plan. The plan was developed by Oceana County with the help of the West Michigan Shoreline Regional Development Commission, the Michigan State Police, affected businesses, local

governments, and interested members of the public. The plan provides the process for the evaluation of land use and development in the county from a hazard mitigation perspective which will help protect lives and property in the community. By adopting the plan by resolution, the Village of Shelby will qualify for certain types of hazard mitigation funds, especially those that become available following a disaster.

No action was taken. The Council requested that Troy Maloney, Oceana County Emergency Manager, present more information regarding the benefits that the Village would receive by adopting the Hazard Mitigation Plan at a future Council meeting.

b.) Set Public Hearing for 2024 Tax Millage Rates

Pursuant to the General Property Tax Act, 206 of 1893, the Village of Shelby is required to conduct a public hearing to adopt its allowable tax millage for the 2024 tax year.

Damian Omness moved to set a Public Hearing to receive comments regarding the 2024 Tax Millage Rates for Monday, June 10, 2024 at 6:15 P.M. at the Shelby Village Hall, 218 N. Michigan Ave., Shelby, Michigan 49455.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Omnes, Termer, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission met on Tuesday, April 30, 2024 to review and approve the Site Plan and Special Land Use Permit for Blue Photon. The company requested to build a 15,000 square foot steel building to be used for offices and manufacturing. The additional building will also bring 10 new jobs. The Planning Commission approved the Site Plan and Special Land Use Permit contingent on meeting the Village's engineer's recommended minor changes. Once those have been made Interim VA Guetschow will sign the permits.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

The Finance and Insurance Committee met with the Auditors the previous week. This is a standard annual meeting.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

The Personnel Committee met prior to the Council meeting to review the Village Administrator job profile and position. The open DPW Laborer position posting has been posted and applications will be accepted until May 17. The Police Department still has a vacant full-time position to fill.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of May 13, 2024 in the amount of $318,409.71.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:03 P.M.
Seconded by: Damian Omness.

Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the May 28, 2024 Council meeting.

Approved ☑

Crystal Budde _____ May 28, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, MAY 28, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:01 P.M. by President Pro-Tem John Sutton.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, John Sutton, Dan Zaverl, Damian Omness, and Curt Trott.
Absent: Paul Inglis.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) May 13, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of May 13, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.
Absent: Paul Inglis.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that he met with Shelby Public Schools Superintendent Mark Olmstead; Mark Timmer with the Oceana County Road Commission; Chief Roesler; and, DPW Supervisor Jeremiah Helenhouse to discuss plans for the School Zone. The primary crosswalk will remain at Fifth Street. Two sets of flashing signs are proposed. Shelby Township has committed $5,000.00; Shelby Acres HOA, $6,000.00; and, Shelby Public Schools, $11,000.00. The Oceana County Road Commission will develop the current costs of signage. The Village's contribution is yet to be determined.

The Village Council will tentatively recognize Carol Waller's contributions to the community as crossing

guard via a proclamation at the June 10, 2024 Council meeting, provided she is available.
Interim VA Guetschow located the email approval from the State of Michigan dated February 5, 2024, as the documentation that the annexation of the parcels comprising the Shelby Acres Development was properly recorded by the Office of the Great Seal. Once the streets have been completed and the Village Council has accepted them, MDOT will be notified so that the ACT 51 map for the Village will reflect those changes for the subsequent year.

The Village is waiting for a timetable from Reith-Riley regarding street paving. Interim VA Guetschow has been contacted weekly by MDOT pertaining to closing out the street project that was awarded in 2021. The paving of Fourth Street is the remaining element before the grant can be closed out.
Don DeVries with Fleis & VandenBrink has approved the latest revision of the Site Plan for Blue Photon. Interim VA Jae Guetschow signed the approval of the Site Plan Review and Special Land Use application. The contractor has applied for the necessary building permits from the Oceana County Building Department.

Interim VA Guetschow has submitted a request for an update from the Michigan State Historic Preservation Office pertaining to the status of the "Tiger Building" at Getty Field. Progress is being made at Getty Park. The roof for the restrooms/pavilion will be installed next week. Concrete curbs for the parking area are being installed and decorative lights have been installed. A timer will need to be installed for the gas fireplace to shut down when the park closes.

The new copier/printer is due to be delivered this week, but the Village has not received an installation date yet.

The revised posting and profile for the Village Administrator position has been submitted to the Oceana's Herald Journal, Michigan Municipal Leage, International City/County Management Association (ICMA) and LinkedIn. The application deadline is 4:00 P.M. on Friday, June 14th.

The proposed job descriptions for DPW Laborer (Park maintenance), DPW Laborer (Generalist), DPW Utility Worker and DPW Lead Worker have been reviewed by Jeremiah. Following several revisions, the draft job descriptions have been forwarded to the Personnel Committee for review. The application deadline for the current DPW vacancy was last Friday, at which time four applications had been received. DPW Supervisor Jeremiah Helenhouse and Interim VA Guetschow will review applications next week.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that as long as the weather stays dry, street paving will begin this week.

Chief Roesler had nothing to report.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. PUBLIC HEARING:

a.) Proposed Drinking Water State Revolving Fund Water System (DWSRF) Improvements

John Sutton opened the Public Hearing at 6:12 P.M. for the purpose of hearing comments regarding the DWSRF Project Plan.

The Village of Shelby submitted an intent to apply for the 2025 funding round of the EGLE DWSRF program in February 2024. The next step is submitting the project plan by the deadline of June 1, 2024. The proposed project will include replacing 9,250 feet of watermain and 60 lead service line replacements. The total project cost is estimated at $3.5 million. After the submission of the project plan, the Village's engineer will submit the preliminary design and specifications in December of 2024. Final plans will be submitted in February of 2025. If the Village is in fundable range to receive grant assistance, the next step is to open the project for bidding in May of 2025. Construction for the project is most likely to begin in the Spring of 2026. The proposed project would replace the watermain on Sunset Terrace, Runner Street, Lesada Avenue, Cherry Street, and Bennet Street. The Village is not committed to anything but submitting the application for funding. If the Village is not selected for funding or is not happy with the grant award, there is no commitment to move forward.

John Sutton closed the Public Hearing at 6:34 P.M.

13. OLD BUSINESS: No Old Business.

14. NEW BUSINESS:

a.) Shared Service Agreement with Oceana County Sheriff's Office

The Shelby Public Schools was awarded a grant in early 2023 to help fund a School Resource Officer for the Shelby School District. Due to staffing challenges, Shelby Police was unable to provide an officer and a partnership with the Oceana County Sheriff's office was developed. Deputy Tim Simon was assigned to the school through the Sheriff's staff. The 2023 -2024 school year is ending, and Deputy Simon will be assigned to work in the Village of Shelby for the summer months during the weekdays. The Village of Shelby will be responsible for reimbursing the Sheriff's Office at a rate of $43.26 per hour. The figure is based on Deputy Simon's hourly wage and benefits total. Holiday rate (i.e., Fourth of July) is regular rate plus one half times for the holiday. Deputy Simon anticipates using at least 10 days of vacation and will be in School Resource Officer related training for at least six days during the summer. Deputy Simon will not be working on the Fourth of July holiday.

Chief Roesler anticipates Deputy Simon will cover a total of 40 shifts (subject to change). Total cost based on the anticipated 40 shifts at the current rate of $43.26 per hour, equals a total reimbursement (base) of $13,843.20. Overtime due to complex investigations, court and so forth. is difficult to anticipate but would be paid at one and one-half times the hourly rate. There is money in the budget to allow for approval of the agreement due to the open full-time Shelby Police Officer position, as well as lower than anticipated use of part-time staff. There are identifiable benefits to the agreement. It will allow for Chief Roesler to focus on administrative functions more consistently, "blight enforcement" efforts, attendance to training and meetings outside of the Shelby area if appropriate and, adjusting his schedule to cover open afternoon and/or weekend shifts, vacations (both utilization of his vacation days and coverage for Officer Krause). The Shared Services Agreement is not to exceed $18,187.60.

Steve Crothers moved to authorize Police Chief Dean Roesler to enter into a Shared Services Agreement with the Oceana County Sheriff's Office effective June 9, 2024 and allowing Deputy Tim Simon to cover a total of 40 shifts in the Village of Shelby for a cost not to exceed $18,187.60.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Trott, and Sutton.
Motion Carried 6-0.
Absent: Paul Inglis.

b.) Resolution Adopting DWSRF Final Project Planning

The Village Council will need to adopt a resolution for the Final Project Planning document and implement the selected alternative of watermain and water services replacement. This resolution will also designate Interim VA Jae Guetschow as the authorized representative for all activities associated with the project. This is a necessary step in applying for the State of Michigan Drinking Water State Revolving Fund Loan.

Mike Termer moved to adopt Resolution 32-24. (See Attached)
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Trott, and Sutton.
Motion Carried 6-0.
Absent: Paul Inglis.

15. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission meeting did not meet in May due to lack of agenda items.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

16. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of May 28, 2024 in the amount of $68,746.85.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Trott, and Sutton.
Motion Carried 6-0.
Absent: Paul Inglis.

17. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:10 P.M.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.
Absent: Paul Inglis.

Council minutes are not official until approved at the June 10, 2024 Council meeting.

Approved ☑

Crystal Budde _____ June 10, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF JUNE 10, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, John Sutton, and Curt Trott.
Absent: Damian Omness.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) May 28, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of May 28, 2024 as presented.
Seconded by: Curt Trott.

Voice Vote: All in favor.
Motion Carried.
Absent: Damian Omness.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: President Inglis shared with the Council an invitation to the Oceana County Historical and Genealogical Society open house at the new barn at the Mears Historical Park on Saturday, June 15, 2024 from 1:00 P.M. to 3:00 PM. The barn is located at 5772 West Fox Road in Mears.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that Fire Chief Jack White will mark where the proposed storm drain will need to be located and determine if a right-of-way permit may be sufficient rather than pursing an Easement Agreement at the Fire Department on Industrial Drive. If an Easement Agreement is necessary, it will be the Fire Department's responsibility to have it created.

A letter covering Interim VA Guetschow's findings pertaining to a rear yard setback for the Devonwood

Development will be retained in the Clerk's office for future reference as the developer builds additional duplexes.

Interim VA Guetschow reviewed a summary of the proposed legislation pertaining to School Zones. It appears to address the use of digital speed signs with cameras that would allow local law enforcement to mail citations to violators who exceed 10 mph over the posted School Zone speed. The signs will be optional and there is no mention of funding being available to assist municipalities or school systems with the purchase of such signs. This legislation will not prevent the Village and Shelby Schools from proceeding with the plan crafted by the Oceana County Road Commission. The current Village budget includes $6,000.00 for new signage. Shelby Schools, Shelby Township, and the Shelby Acres' Developer have committed to $22,000.00 (combined) to this project.

A draft of the State proclamation to honor the service of Carol Waller should be available for review by June 24, 2024, though presentation would be delayed until July.

Though significant paving began last week, Elliot Street paving has not been completed. MDOT has started the process to close out the project grant that includes the resurfacing of Fourth Street that has been open since 2021. The Shelby Road project began on June 3, 2024 between 64th Avenue and U.S. Business 31. The First Street segment of this project will start on June 24. Hallack Construction will need to complete the water main upgrade under First Street prior to this.

Significant progress has been made on the Getty Park improvements. Interim VA Guetschow has not completed exploration of potential contractors and costs to conduct an architectural or historical assessment of the "Tiger Building." He continues discussion with Shelby Public Schools Superintendent Mark Olmstead regarding the Intergovernmental Agreement (IGA) pertaining to the use of Getty Field. The Village received an invoice from one resident for expenses incurred to restore their yard following Apex's replacement of the service lead line. VA Guetschow emailed a copy of the documents, along with the list of residents who have contacted the Village with complaints against Apex, to Don DeVries at Fleis & VadenBrink. Interim VA Guetschow has asked that the Village be able to access the 5% retainage to cover expenses to restore residents' properties to include subcontracting with Hallack Construction to hydroseed the properties. It may be necessary to contact the Village's attorney if legal action is required.

Since the Village Administrator position was posted on May 22, six applications have been received. The deadline for applications is Friday, June 14 at 4:00 P.M. The Personnel Committee will review the applications to determine which applicants will be interviewed.

DPW Supervisor Jeremiah Helenhouse and Interim VA Guetschow interviewed two applicants for the DPW Laborer position on Wednesday, May 22; a third applicant failed to show. They agreed to offer the position to the applicant who has three years' experience at North Muskegon DPW. He would be eligible to test for water and sewer licenses immediately. He will also be available to start the first week of July. The remaining applicant would be considered for the additional DPW position when the Getty Park project has been completed.

The Personnel Committee will meet prior to the June 24th Village Council meeting to finalize the revised job descriptions for the DPW Laborer (Park Maintenance), DPW Laborer (Generalist), DPW Utility Worker and DPW Lead Worker.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse had nothing to report.

Police Chief Roesler had nothing to report.

Clerk/Treasurer Crystal Budde reported that the Cash Summary report for the month of May indicates that the General Fund Cash Investment account shows a deficit of $216,869.18. The payments made to McCormick Sand for their pay request were made in May and though the reimbursement request has been sent to the CDBG for the reimbursement, funds will not be received until June. Clerk/Treasurer Budde has spoken with the Village's auditor, and he related that there is no need to move money from the Village's MiClass investment account since the reimbursements are in process. This is an accounting technicality with expenses accruing in one month and reimbursement funds being received in another month. The Village has not yet met the requirements to request reimbursement from RAP or MDNR. The Village must incur 50 % of the project cost before submitting a reimbursement request.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION:

Phil Morse, District 2 Oceana County Commissioner, reported that the Oceana County Board will be discussing the possibility of making the "Dog at Large" Law a Civil Infraction.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) <u>Set Public Hearing for Proposed Tax Millage Rates</u>

Unfortunately, the posting for the Public Hearing for the proposed 2024 tax millage notice did not get posted in the Oceana's Herald-Journal by the deadline and the Council will need to reset the Public Hearing. Pursuant to the General Property Tax Act, Act of 1893, the Village of Shelby is required to conduct a Public Hearing to adopt its allowable tax millage for the 2024 tax year.

Steve Crothers moved to set the Public Hearing to receive comments regarding the 2024 Tax Millage Rates for Monday, June 24, 2024 at 6:15 P.M. at the Shelby Village Hall, 218 N. Michigan Ave., Shelby, Michigan 49455.
Seconded by: John Sutton.

Roll Call Vote:
Ayes: Crothers, Sutton, Termer, Zaverl, Trott, and Inglis.
Motion Carried 6-0.
Absent: Damian Omness.

b.) <u>Getty Park Village Purchased Items</u>

In November of 2023, the Village Council approved modifications to the contract with McCormick

Sand. The modifications included removing several small items from the bid document to reduce the cost of the renovation project. The items would be purchased by the Village and installed by the DPW staff. RFP's were sent out and the only response received was from R. J. Thomas Manufacturing Company. Pannier Corporation also responded with a quote for the interpretive signs. Both companies have agreed to honor the quotes that they previously provided until the end of June.

Discussion ensued and no action will be taken until the Regular Council meeting of June 24, 2024.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission meeting scheduled for June 18, 2024 will be cancelled due to lack of agenda items.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

The Personnel Committee met prior to the Council meeting to discuss the creation of different DPW positions and pay scales. The new positions and pay scales will be brought to the Council for consideration on June 24, 2024.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of June 10, 2024 in the amount of $357,513.83.
Seconded by: Crut Trott.

Roll Call Vote:
Ayes: Crothers, Trott, Termer, Zaverl, Sutton, and Inglis.

Motion Carried 6-0.
Absent: Damian Omness.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 6:52 P.M.
Seconded by: Dan Zaverl.
Voice Vote: All in favor.
Motion Carried.
Absent: Damian Omness.

Council minutes are not official until approved at the June 24, 2024 Council meeting.

Approved ☑

Crystal Budde — June 24, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer — Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, JUNE 24, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) June 10, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of June 10, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that he met with Fire Chief Jack White and advised him that Shelby Township will need to have their attorney draft an Easement Agreement for review by the Village to move forward with approval of the storm drain installation that is needed at the fire barn located on Industrial Drive.

Don DeVries is currently working on engineering a proposed sidewalk along State Street.
Hallack Construction is expected to return to the Village to install the water main upgrade under First Street next week as part of the First Street/Shelby Road project. It is anticipated that Shelby Road East of U.S. 31 will be closed starting Monday as well as First Street within the Village limits.

Interim VA Guetschow met with Don DeVries and McCormick Sand last week for an update on the

Getty Park project. The splash pad will be reset lower next week prior to the concrete surface being poured. It was initially higher due to the sanitary sewer line not having sufficient fall, but it will be connected to a different sanitary sewer line that is lower.

Apex punctured a resident's sewer lead while running the new water service line. The resident has obtained a quote of $14,000.00 to repair it. Don DeVries would like Apex to issue checks for the homeowner as well as the homeowner on Bevier Street that had to personally restore their yards. Interim VA Guetschow and Clerk/Treasurer Budde had an online meeting with MEDC regarding the reimbursement request for CDBG funds for the Getty Park project. MEDC has delayed action on the request until it is determined if the MDNR grant should be charged first. Both the RAP grant and CDBG grant through MEDC can be accessed for any of the activities. Ideally, it would be best to charge the MDNR grant first and the MEDC-RAP grant next prior to charging the MEDC-CDBG grant.

The Personnel Committee met on Monday, June 17th and chose six applicants to interview for the Village Administrator position. Interviews will be held on Tuesday, June 25, and Thursday, June 27. The Personnel Committee was also advised that DPW Supervisor Jeremiah Helenhouse is unable to use Personal Time Off (PTO) as he would prefer due to the vacancy in the DPW; lack of another DPW employee with water and sewer licenses; and, a lack of DPW Lead Worker to assume some of the responsibilities of directing DPW staff and contractors. Rather than forfeit PTO hours, consideration was given to allow Jeremiah, on a one-time basis, to "cash in" excess hours that would otherwise put him over the cap of 324 hours (including carry-over from prior years).

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that Apex is wrapping up the water service line replacements on Sixth Street. Hallack will be tying into the main on First Street this week.

Chief Roesler had nothing to report.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION:

Anna Rapa stated that she is running for Oceana County Probate Court Judge. Anna has been living in Oceana County for several years and is currently working as a mediator in Family Court. She enjoys living in Oceana County and plans to stay in the area.

Gerald Lindow, 330 Runner Street, stated that his driveway had been damaged during construction of the water service line replacement. It has been nine months since Apex did the work and no one has fixed his driveway. He requested that something be done to rectify the situation immediately.

12. PUBLIC HEARING:

a.) <u>2024 Village of Shelby Tax Millage Rate</u>

President Inglis opened the Public Hearing regarding the proposed 2024 Village of Shelby Tax Millage

rate at 6:13 P.M.

The Village request is to establish the millage rate for the 2024 tax collection year. The Village of Shelby will see a slight decrease in millage rates due to the Headlee Rollback provision. The rollback ensures the increase in property values does not exceed the rate of inflation. The proposed 2024 Millage rates for the Village are:

General Operating -	10.2619 mills
Local Streets -	4.1046 mills
Total	14.3665 mills

No Public Comment.

President Inglis closed the Public Hearing at 6:15 P.M.

13. OLD BUSINESS:

a.) Getty Park Amenities Quote

The Fiscal Year 2024/2025 General Fund budget allocation includes funding for the required Village match to the three sources of grant funds for the Getty Park project. Within this allocation is funding for the park amenities consisting of picnic tables, park benches, pedestal tables, recycling arrays, a bike rack, a pet waste station, and fabric umbrellas. The Request for Proposals (RFP), consisting of 11 items, was sent to six potential contractors in early January 2024 for specific park items or their equivalent. Only one complete RFP response was received by the January 31, 2024 deadline. One other quote for RFP item 9 was received.

Damian Omness moved to waive the 3-quote requirement under the Village Bid Policy and to approve the purchase of the Getty Park amenities from R.J. Thomas Manufacturing Company, Inc., of Cherokee, Iowa in the amount of $23,041.71 contingent on the review of MDNR Grant requirements for the recycle receptacle.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

b.) Getty Park Interpretive Signs Quote

The Fiscal Year 2024/2025 General Fund budget allocation includes funding for the required Village match to the three sources of grant funds for the Getty Park project. Within this allocation is funding for interpretive signs. The Request for Proposals (RFP) was sent to four potential contractors in early January 2024. Only one RFP response was received by the January 31, 2024 deadline from Pannier Corporation.

Mike Termer moved to waive the 3-quote requirement under the Village Bid Policy and to approve the

Quote number E20241036 for the purchase of the Getty Park interpretive signs from Pannier Corporation of Gibsonia, Pennsylvania in the amount of $3,415.00.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

14. NEW BUSINESS:

a.) 2024 Village of Shelby Tax Millage Rate

Steve Crothers moved to adopt Resolution 34-24. (See attached)
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 7-0.

b.) DPW Revised Job Descriptions

Previously, the Village Council adopted job descriptions for the Department of Public Works for Supervisor, Laborer (full-time), and Laborer (part-time). For several months, there has been a vacancy for a full-time laborer and, more recently, for the part-time custodian. There has also been an issue with the current full-time laborers being unable to pass their state water and sewer license exams which has resulted in Supervisor Jeremiah Helenhouse being the only licensed operator for the Village. In addition, an additional laborer position has been budgeted to create a Parks Maintenance position once the Getty Park project has been completed. The Personnel Committee met to discuss revisions to the existing job descriptions and address the water and sewer license issues. This resulted in a revision to the DPW laborer job description as DPW Laborer Generalist and the creation of a new DPW Laborer Park Maintenance, DPW Utility Worker, and DPW Lead Worker positions. Staffing numbers for the DPW will remain unchanged. The salary and wage schedule that was approved effective March 1, 2024, will also require revision. The DPW Laborer Park Maintenance position will include janitorial duties for the Village office. It is anticipated that the most senior DPW Laborer will accept a wage reduction to be assigned as DPW Laborer Park Maintenance. This position is no longer expected to be in the on-call rotation.

John Sutton moved to approve the revised DPW Laborer job descriptions as follows: DPW Laborer Park Maintenance, DPW Laborer Generalist, DPW Utility Worker, and DPW Lead Worker effective July 1, 2024.
Seconded by: Damian Omness.

Roll Call Vote:
Sutton, Omness, Termer, Crothers, Trott, and Inglis.
Nays: Zaverl.
Motion Carried 6-1.

c.) Revised Salary and Wage Schedule

Consistent with the proposed job descriptions for the DPW, the Village's Salary and Wage Schedule requires revisions to reflect the new job descriptions. Though the previous Salary and Wage Schedule included a wage for the DPW Laborer Park Maintenance position, the job description had not been created. Likewise, providing an incentive for DPW Laborer Generalist has been downgraded by one step (capped at the previous three-year rate) since they would not be expected to obtain a water and sewer license. Essentially, they would have fewer responsibilities than the DPW Utility Worker. Though the DPW Utility Worker classification is new, the wage scale is identical to the previous DPW Laborer position. The DPW Utility Worker will attain the top wage rate that is $2,294.51 greater than the DPW Laborer Generalist position. Unless the Village can hire a DPW employee who already possesses their water and sewer licenses, it is unlikely that a DPW employee will be elevated to DPW Utility Worker for at least another year.

Damian Omness moved to approve the revised Village of Shelby Salary and Wage Scale effective July 1, 2024.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Omness, Termer, Crothers, Sutton, Trott, and Inglis.
Nays: Zaverl.
Motion Carried 6-1.

d.) DPW Supervisor PTO Payout

For several months, the DPW has been understaffed resulting in DPW Supervisor Jeremiah Helenhouse covering the vacant position to include on-call duty. Jeremiah is currently the only Village employee possessing the required water and sewer licenses. He is also the only DPW employee capable of providing direction to other DPW employees and to direct contractors working on capital improvement projects. As a result, rather than using earned Paid Time Off (PTO) Jeremiah is at risk of losing accrued PTO time. He has foregone the use of discretionary time since he is not eligible to receive overtime as an exempt employee. The Village has committed to hiring a new DPW employee effective July 1, 2024. Though the new employee will be immediately eligible to schedule the licensing exams since he has three years of experience with the North Muskegon DPW, it will likely be a year before he obtains the licenses. In addition, no other DPW employee has yet acquired the knowledge that Jeremiah possesses to be able to direct other DPW employees. The Village has implemented a plan to recruit, hire, and train an employee to be promoted to DPW Lead Worker, but that will not be realized for approximately two years.

John Sutton moved to approve the one-time payout of accrued PTO for DPW Supervisor Jeremiah Helenhouse beyond the maximum 80 hours in order to bring his accrued PTO bank to the 324-hour maximum effective August 25, 2024.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Sutton, Termer, Crothers, Zaverl, Omness, Trott, and Inglis.
Motion Carried 7-0.

e.) Questions and/or Discussion Regarding Administrator Interviews

Interim VA Guetschow received a call from one of the candidates for the Village Administrator position who will be withdrawing from the interview process.

15. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

Nothing to report.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

The Personnel Committee met to review the applicants for the vacant Village Administrator position and chose 6 candidates to be interviewed by the Village Council. The Council will hold Special Meetings on Tuesday, June 25 at 5:00 P.M and Thursday, June 27 at 5:00 P.M. to conduct interviews.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

16. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of June 24, 2024 in the amount of $555,497.71.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

17. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:38 P.M.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the July 8, 2024 Council meeting.

Approved ☑

Crystal Budde July 8, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, JULY 8, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) June 24, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of June 24, 2024 as presented.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.

b.) June 25, 2024 Special Meeting

Damian Omness moved to approve the minutes of the Special Council meeting of June 25, 2024 as presented.
Seconded by: Curt Trott.

Voice Vote: All in favor.
Motion Carried.

c.) June 27, 2024 Special Meeting

Steve Crothers moved to approve the minutes of the Special Council meeting of June 27, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: President Inglis expressed his appreciation to the DPW staff for their timely and efficient cleanup effort after the recent windstorm. He praised the Shelby Police Department and the Shelby - Benona Fire Department personnel as well. He offered a huge thank you to Peterson Farms for offering the assistance of their employees during the cleanup effort; the use of their woodchipper; and, for accepting the deposit of brush on their property.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that although streets have been reopened after being cleared of downed trees from the windstorm, the DPW continues to pick up limbs and branches set out by residents. DPW Supervisor Jeremiah Helenhouse was able to rent a chipper last week to expedite the cleanup effort. Ten employees of Peterson Farms have been assisting with the cleanup. Though staff will enjoy the one-day holiday break, they will be working on Friday and possibly Saturday.

After a discussion with Richard Raffaelli, Mr. Raffaelli apologized for confusing the upcoming meeting with the July 22nd Council meeting. Since the proposal for repair of the two-tiered retaining wall/sidewalk on Sixth Street does not apparently meet with the Village Engineer's plan, the proposal may not go forward. The proposal will still be on the Council agenda for discussion.

The milling on First Street has been completed from Shelby Road up to the Village limits.
An estimate for repairs was received from the property owner at 328 Deming Road for a sewer lateral that Apex hit while they were installing the new water service line. The estimate will be sent to Apex and they can make a claim with their insurance company.

A quote in the amount of $6,100.00 was received for completing the architectural/historical assessment of the Tiger Building at Getty Field. This is not a requirement by EGLE, but a recommendation to obtain information regarding the use of the facility as a POW camp during WWII. Interim VA Guetschow reported that he had a meeting with both the MDNR and MEDC pertaining to grant reimbursements to the Village. Both agencies have confirmed that all the activities and purchases pertaining to the Getty Park Renovation project are eligible expenses for reimbursement. Reimbursement documents will be submitted next week.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that a chipper was rented to use during brush cleanup. Unfortunately, it is not working as they had hoped. It is not efficient for the size of brush they are picking up. Peterson Farms has been extremely helpful during cleanup by offering employees help with the cleanup process.

Chief Roesler complimented the DPW staff and the Fire Department volunteers for all their hard work during the storm cleanup.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION:

Fire Chief Jack White presented information regarding the one-half mill increase that will be on the August Primary ballot. The Shelby/Benona Fire Department has incurred significant cost increases with equipment replacement as well as trainings, inspections, and activities offered to the community. The millage increase will allow the department to ensure that the equipment on hand is updated as it should be.

12. OLD BUSINESS:

a.) Village Administrator Position

Of the 15 applications received for the Village Administrator position, six were scheduled for interviews. One withdrew his application due to being considered for another position elsewhere. Another withdrew for health reasons from the scheduled interview, Council members decided, by consensus, to vet two candidates. Interim VA Guetschow scheduled Phil Morse on July 3, 2024, and Kali Fox-Shamrock on July 8, 2024 to visit the Village office and Department Heads. Interim VA Guetschow developed a spreadsheet showing a side-by-side comparison with the posted minimum credentials plus additional credentials for an ideal candidate for the VA position.

The consensus of the Council was to review the additional information for both candidates before taking action. The Council may choose to make a decision at the Regular Council meeting of July 22nd.

13. NEW BUSINESS:

a.) Proposal for Archaeological Survey "Tiger Building" – Discussion

The proposal for an Archaeological Survey of the "Tiger Building" at Getty Field is not required but was recommended if the Village Council plans to tear down the building. The cost of the archaeological survey, analysis, and report is $6,100.00.

It was the consensus of the Village Council that the building should be left at Getty Field and possibly refurbished later. A number of options for restoring the building were offered.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission meeting scheduled for July 16, 2024 will be cancelled due to a lack of agenda items.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

The Finance and Insurance Committee will be meeting on Thursday, July 11, 2024 to review and discuss the employee health insurance renewal options.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

The recently hired DPW employee, Scott Rollenhagen, began employment on Monday, July 1.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of July 8, 2024 in the amount of $377,767.36.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:30 P.M.
Seconded by: Damian Omness.

Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the July 22, 2024 Council meeting.

Approved ☐

_____ _____
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, JULY 22, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) July 8, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of July 8, 2024 as presented.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that Kali Fox-Shamrock withdrew her application for the Village Administrator position. Should the Council wish to extend an offer to the remaining finalist, Phil Morse, a draft Employment Agreement needs to be drafted.

During his telephone conversation with both final candidates, Interim VA Guetschow learned that an article in the Oceana Echo may have truncated his comments pertaining to the applicants' qualifications. It was reported that neither finalist possessed the "ideal" credentials. The article failed to mention that this would not be expected for an entry level position. The finalist, and many other applicants, possess alternative education, experience, and other qualities that the Council will need to determine if they are sufficiently equivalent to that from the position posting to perform the duties of the Village Administrator. It is important that the community recognizes that the next VA will be

capable of carrying out the duties of the position even though they may not possess all the "ideal" credentials.

Interim VA Guetschow anticipates receiving an estimate from Fleis & VandenBrink for the proposed sidewalk to Shelby Acres along the east side of Oceana Drive.

Since there is no sidewalk on Sixth Street west of State Street, Interim VA Guetschow has discussed with DPW Supervisor Jeremiah Helenhouse the possibility of using paint striping on one side of Sixth Street to create a pathway. Sixth Street appears to have sufficient width. If so, this would create a relatively safe route to Getty Park until such a time the Village could engineer a sidewalk.

Interim VA Guetschow met with Shelby Public Schools Superintendent Mark Olmstead to discuss the Intergovernmental Agreement (IGA) by and between the Village and the school. The School Board would like to continue the current IGA and would plan to continue the use of Getty Field for soccer practice. The current IGA only provides for the schools to terminate the IGA. In-lieu-of cost sharing for the maintenance of Getty Field, and in consideration that the DPW does not have staff to provide more maintenance for Getty Field than it does for the Village's other parks, the ongoing practice of "in-kind" services between the Village and Shelby Schools would allow the school maintenance department to provide whatever additional care would be required.

Richard Raffaelli will be inviting the Village Council to tour the three model homes in Shelby Acres. Though a quorum of the Council may be present for such a tour, this would be considered a casual gathering that is not subject to Open Meetings Act provisions since no discussion or action will be taken.

Interim VA Guetschow contacted the Facilities Project Leader for the Wesco Company regarding damage to the new pavement on Elm Street from the contractor's equipment. Wesco's contractor has arranged for the repair of the damaged surface. DPW Supervisor Jeremiah Helenhouse will determine if the repair is comparable to the adjacent new asphalt.

9. DEPARTMENT HEADS' REPORTS:

Police Chief Dean Roesler had nothing to report.

10. CORRESPONDENCE:

a.) <u>Shelby Village Sixth Street Proposal</u>

Shelby Township Supervisor Richard Raffaelli presented the Council with a proposal for the sidewalk repairs/replacement on Sixth Street. The proposed cost of the repairs/replacement with fencing is $109,000.00. The proposed fencing would match the fence Shelby Township installed on their portion of the sidewalk repairs/replacement.

Mike Termer moved to accept the proposal for the Sixth Street sidewalk and retaining wall repairs/replacement with fencing contingent on confirmation of the project being included in the Fiscal Year 2024/2025 budget.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis
Motion Carried. 7-0.

11. CITIZEN PARTICIPATION:

Richard Raffaelli, Shelby Township Supervisor, stated that Getty Park is looking beautiful and urged the Council to seek feedback from residents. Mr. Raffaelli urged Council to moved forward with the proposed School Zone Safey plan and reported that Shelby Road will be reopened on Wednesday, July 24th.

Troy Maloney, Oceana County Emergency Management Director, informed the Village Council of the resources available by adopting the Oceana County Hazard Mitigation Plan. By adopting the Hazard Mitigation Plan, the Village will be able to receive assistance from Emergency Management as well as FEMA in the event of a natural disaster causing damage or distress within the Village of Shelby.

12. OLD BUSINESS:

a.) Shelby Village Administrator Position

The Village Council conducted four interviews for the Village Administrator position. Two candidates were chosen as the top two candidates for the position and had spent some time in the Village office with staff. One candidate withdrew her application due to accepting a different position.

John Sutton moved to approve the selection of Phil Morse as the lead candidate for the Shelby Village Administrator position and to authorize Interim Village Administrator Jae Guetschow to negotiate an Employment Agreement Contract to be presented to the Village Council at the August 12, 2024 Regular Council Meeting.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Sutton, Termer, Crothers, Zaverl, Omness, Trott, and Inglis.
Motion Carried 7-0.

13. NEW BUSINESS:

a.) Village Employee Health Insurance Renewal

The Village of Shelby's Health Insurance Policy is up for renewal. The new policy begins August 1, 2024. The West Michigan Health Insurance Pool (WMHIP) submitted a proposal to the Village which offers a lower deductible plan at a lower cost. The Village's current health insurance premiums are based on the ages of each member and their dependents, which is a large factor in the Village's current rates. The WMHIP premiums are not based on age; rather, they are based on claims experience. This helps to keep the cost lower for smaller employee groups.

The Village currently has a high employee deductible plan with Lenz-Balder which will increase in cost

from our current annual rate of $67,081.80 to $75,296.64 as of August 1, 2024. The WMHIP offers a low employee deductible plan at an annual cost of $72,099.00; thereby, saving the Village over $3,000.00 a year.

Mike Termer moved to approve the resolution authorizing the Village of Shelby membership into the West Michigan Health Insurance Pool (WMHIP) for a minimum of a three-year period. (see attached)
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

Mike Termer moved to switch to the Priority HMO 500 90 Plan and HSA HMO 1600 90 Plan for a Policy Term beginning August 1, 2024, and ending December 31, 2024. Be it further resolved to renew the Delta Dental and VSP Vision Plan for a Policy Term beginning August 1, 2024, and ending December 31, 2024.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

b.) Shelby Public Schools Utility Bill

In 2010, Shelby Public Schools apparently requested an account (one of several associated with the Thomas Read Elementary School building) be deactivated while renovations were in process. It was thought that water service to the building would be provided through two other service leads. It appears that there was no curb stop to the service lead or did not close completely. During the recent demolition of part of the structure, the DPW was asked to remove the water meter. At that time, DPW Supervisor Jeremiah Helenhouse discovered that 2,781 units of water had been used during the ensuing 14 years.

Shelby Schools Superintendent Mark Olmstead has become aware of a main break that is believed to have taken place at that time and could have been responsible for the large water usage. Further investigation of that break is taking place now and no action will be taken at this time.

c.) Apptegy Website

Interim VA Guetschow provided the Council with a proposal he received from Apptegy for a new Village website. This is for informational purposes only and the Village will seek more proposals when the Village is prepared to move forward with updating the Village of Shelby website.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission meeting scheduled for July 16, 2024 was cancelled due to lack of

agenda items.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of July 22, 2024 in the amount of $95,092.95.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 7-0.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 7:40 P.M.
Seconded by: Damian Omness.

Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the August 12, 2024 Council meeting.

Approved ☑

Crystal Budde August 12, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, AUGUST 26, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Pro-tem John Sutton.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, John Sutton, Dan Zaverl, Damian Omness, and Curt Trott.
Absent: Paul Inglis.

Staff present: Village Administrator Phil Morse, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) August 12, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of August 12, 2024 as presented.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.
Absent: Paul Inglis.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

VA Morse reported that he has sincerely enjoyed his first two weeks as the Shelby Village Administrator. He has been advising the staff to aim for Shelby to be safe and appealing for citizens and visitors. Furthermore, that we conduct business in a way that a common phrase heard from the citizens of the Village is, "They go above and beyond."

Quotes are being collected for painting the interior of the Village Hall, new floor installation, and a television to replace the projector screen. Research is being conducted on the possibility of removing the wall in the common area as well as what pictures could be placed on the walls.

The tour of Shelby Acres will be at 5:00 P.M. on Tuesday, September 24, 2024. The MML training will follow the tour from 6:00 P.M. to 9:00 P.M.

Beyer Builders is waiting for the final word on how far the building needs to be from our existing buildings per the building code (fire protection). They expect to begin construction around Labor Day.

The playground and plumbing have been installed at Getty Park; pavilion roofs have been installed; and, the downed tree branches have been picked up, amongst other items. Chief Roesler is seeking quotes for security cameras. A soft opening will be held in October and an official ribbon cutting will take place in late spring when the grass is more established.

Clerk/Treasurer Budde has posted the job opening for the Parks Maintenance position. Applications and resumes will be accepted until 4:30 P.M. on Friday, September 6th.

Shelby Public Schools has approved up to $11,000.00 toward the cost of the signs for the School Zone. The Oceana County Road Commission will send the Village an invoice for the $6,000.00 contribution that was approved at the July 26th Council meeting.

9. DEPARTMENT HEADS' REPORTS:

Chief Roesler had nothing to report.

DPW Supervisor Jeremiah Helenhouse related that repairs to sidewalks that had been damaged by the June windstorm have begun.

10. CORRESPONDENCE:

Notification was received from Shelby Township that a Public Meeting will be held at the Shelby Township Hall on Tuesday, September 3, 2024 at 6:00 P.M. The Township is seeking input from the community regarding a Community Indoor Sports Complex to be located in the Township.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Fiscal Year 2023/2024 Auditor's Report

The Village's auditor Eric VanDop presented the 2023/2024 Fiscal Year audit report and financial statements. Brickley DeLong performed an audit of the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Village of Shelby as of the year ended February 29, 2024. It was the opinion of the staff members of Brickley DeLong that performed the audit that the Village of Shelby is performing in accordance with the accounting principles generally accepted in the United States. The total net position of all governmental activities increased by $812,750.00. The General Fund balance increased

by $273,169.00. Most of the increase in the General Fund is due to the Getty Park project and the funds received from State grants. The Major Street Fund balance increased by $65,179.00 and the Local Streets Fund balance decreased by $484,126.00. The Sewer Fund unrestricted fund balance increased by $319,598.00 and the Water Fund unrestricted fund balance increased by $481,354.00. A copy of the audit report is available to review at the Village Hall.

b.) Apptegy

Apptegy is an online platform that streamlines how the Village can communicate with our residents through a mobile application and through what would be a newly designed website. A consistent piece of feedback that has been received is that the Village could improve its communication with the residents of Shelby. This platform could be a key tool toward improvement in communicating with the public. The initial cost would be $12,400.00 and includes a one-time development fee of $5,500 as well as an annual fee of $6,900.00.

VA Morse will reach out to other municipalities that use the Apptegy system to obtain feedback they have found regarding the program to determine if it sufficiently met their needs and report back to the Council at the September 9th Council meeting.

c.) Sale of Industrial Park Village Owned Lots

Larry Byl presented the concept of selling lots #19 and #20 in the Industrial Park which are currently owned by the Village. The idea is to provide growing new businesses with a place to build a facility at a reasonable price of $25,000.00. Mr. Byl has offered to list the property at no cost to the Village. A concept that could be utilized is to take the funds received from the sale and deposit them into a fund dedicated to economic development activities in the Village.

Steve Crothers moved to approve the sale of lot numbers 19 and 20 in the Industrial Park and to authorize Larry Byl to list the property at no charge to the Village of Shelby. Be it further resolved that funds received from the sale of the property will be deposited into a new fund dedicated to Economic Development which would be created at the time of the first sale.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Termer, Zaverl, Trott, and Sutton.
Motion Carried 6-0
Absent: Paul Inglis.

d.) MDOT Steet Administrator

Historically, the Village Administrator has been designated the Street Administrator for the Village of Shelby. Village Administrator Phil Morse should be designated the Street Administrator to enable the submission of required documents for the Village to continue to receive ACT 51 funding from the State of Michigan for the Major and Local Street Funds.

Steve Crothers moved to designate Phil Morse as the single Street Administrator for the Village of Shelby in all transactions with the Michigan Department of Transportation (MDOT).

Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Trott, and Sutton.
Motion Carried 6-0.
Absent: Paul Inglis.

e.) Getty Park Renovation Fund – Oceana Community Foundation

The Oceana Community Foundation has been receiving donations on behalf of the Village of Shelby for the Getty Park Renovation project. The Village currently has $146,787.94 in the fund. The renovations at Getty Park are moving along quickly and the Village Council was asked to consider requesting a $100,000.00 withdraw from the Getty Park Renovation Fund #00034. It was recommended to leave the remaining $46,787.94 in that fund while the Village continues to seek donations for the Getty Park Renovation project.

Mike Termer moved to approve the request to withdraw funds in the amount of $100,000.00 from the Getty Park Renovation Fund #00034 from the Oceana Community Foundation to be deposited into the Village of Shelby's General Investment Fund account for the purpose of the Getty Park Renovation Project.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Trott, and Sutton.
Motion Carried 6-0.
Absent: Paul Inglis.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission met Tuesday, August 20th to review a site plan for 72 Piper Street. That site plan was approved.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of August 26, 2024 in the amount of $397,485.68.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Trott, and Sutton.
Motion Carried 6-0.
Absent: Paul Inglis.

16. ADJOURNMENT: Damian Omness moved to adjourn the meeting at 7:37 P.M.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.
Absent: Paul Inglis.

Council minutes are not official until approved at the September 9, 2024 Council meeting.

Approved ☑

Crystal Budde _____ September 9, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, OCTOBER 28 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Phil Morse, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) October 14, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of October 14, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

VA Morse reported that the new projector system for Getty Park arrived and has been tested. It does appear that the system will work out great.

Construction of the DPW pole barn is going well. The contractor anticipates the pole barn will be completed at the end of next week.

The Sixth Street sidewalk is coming along nicely. Several trees will be removed, and the installation of the fence will begin in the next couple of weeks.

DPW has been assembling picnic tables, park benches, and trash bins for Getty Park. Everything should be set in place within the next week or two.

DPW employee Scott Rollenhagen resigned from his position. Owen Petersen was promoted to the DPW and DPW Supervisor Jeremiah Helenhouse and VA Morse will hire someone for the Parks position in the late winter/early spring.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that brush pickup will take place this week (October 28 through November 1).

Police Chief Dean Roesler reported that he is in the process of ordering the in-car cameras and body cameras that had recently been approved by the Village Council.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION:

a.) MSU Extension Presentation – James Kelly

Michigan State Extension District Director James Kelly shared several programs and services available for residents throughout Oceana County. Often these programs and resources go untapped in the community because people are not aware of the programs that are offered. Several programs are offered in the following categories: Agriculture related; Business and Community; Lawn and Garden; Natural Resources; Family; Food and Health; and, 4-H and Youth. MSU Extension is funded in Oceana County by the Oceana County Board of Commissioners.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Lot Division Application and Fee Proposal

An inquiry was made regarding sub-dividing a property in the Village. From the understanding of VA Morse, this has not been requested in the Village in some time. After doing some research, he located an old Ordinance that addressed the topic, but we do not have a lot division application on file. VA Morse was provided with a digital copy of the application used by the Village of Pentwater and tweaked that to fit the Village of Shelby by the advice of the Village's legal counsel. The application, an application fee of $100.00 and, an additional $25.00 per split fee were presented to the Village Council for approval.

Damian Omness moved to approve the Lot Division Application as proposed and be it further resolved to approve the Lot Division Application fee of $100.00 and additional $25.00 fee per lot split.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Omness, Termer, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

b.) 2001 Plow Truck Repairs

The brakes on the 2001 plow truck have been gradually failing for some time and it is getting to the point that the brakes go out of adjustment within a short drive. DPW Supervisor Jeremiah Helenhouse received a quote from the Mears Service Center in the amount of $6,6377.91. This was the only quote received due to the lack of service centers in the area that can provide services for the large truck.

Mike Termer moved to approve the quote from Mears Service Center of Mears Michigan for the repairs to the 2001 Sterling Truck in the amount of $6,377.91.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

c.) Public Network at Getty Park

Council approved the installation of the internet at Getty Park at the October 14,2024 Council meeting; however, some members were hesitant to include a public network. VA Morse reached out to Catchmark regarding the concern that someone could hack into the Village's secured network through the public network. Though it can not be 100% guaranteed that the network can not be hacked, security will be put in place to strongly reduce the likelihood of that happening. An authentication/waiver and content filter can be included at no additional cost. There have been several residents inquiring about the installation of a public network. Va Morse recommended that Council ask the community to fill out a brief survey that would provide the Village with feedback from the community as to whether they would like to have access to Wi-Fi at Getty Park.
The consensus of the Council was to provide the Village residents with a survey regarding the Wi-Fi at Getty Park.

d.) Methodist Church

VA Morse toured the United Methodist Church, which recently voted to close, with Dave Mitteer and Richard Raffaelli with the idea in mind that it might be a conducive location for a shared Shelby Village and Shelby Township Hall. VA Morse believed it could be a great space with two very nice spaces at the main entrance of the building; one for the Township office and one for the Village office. It is ADA accessible; there is perfect space for public meetings and for community gatherings; several rooms could be used for offices; and, storage. VA Morse will seek more information and report back to the Village Council.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission meeting scheduled on October 17, 2024 was cancelled due to the lack of agenda items. The Planning Commission will meet next on November 19 at 6:00 P.M.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

The Water and Sanitation Committee met with representatives from EGLE to discuss the possible amendment to the Intergovernmental Agreement (IGA) with Shelby Township for the watermain extension outside of the Village.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

The Ordinances Committee met to discuss the development of a Nuisance and Vendor Ordinance.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of October 28, 2024 in the amount of $378,841.67.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

16. ADJOURNMENT: Dan Zaverl adjourned the meeting at 7:14 P.M.

Council minutes are not official until approved at the November 12, 2024 Council meeting.

Approved ☐

_____ _____

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF AUGUST 12, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) July 22, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of July 22, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT:

President Inglis reported that the Oceana Economic Alliance (OCEA) will be hosting a HR Network event in Hart on October 1 ,2024 to address legal issues and new laws affecting West Michigan employers specific to HR Departments.

8. ADMINISTRATOR'S REPORT:

Interim VA Guetschow reported that Clerk/Treasurer Crystal Budde confirmed that the current budget does include sufficient funds to complete repairs to the retaining wall and sidewalk on Sixth Street. Interim VA Guetschow is still waiting for the engineers estimate for the sidewalk along State Street to the Shelby Acres Development.

As of Wednesday, crews were installing topsoil at Getty Park. Installation of the playground equipment was delayed by the company due to their schedule.

Interim VA Guetschow reached out to Don DeVries to determine if Apex has committed to fixing the problems with property restoration and repair of damaged property or if they will be relinquishing the contract. He has not yet received a response.

The draft audit findings have been completed and the auditor will be presenting those findings to the Village Council at the August 26 meeting.

The existing DPW staff member has declined the Parks Maintenance position. Clerk/Treasurer Budde will be posting that job opening.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that radio reads are being installed, brush cleanup has been completed, and Elliot Street paving will be completed in the next day.

Chief Roesler reported that he is making progress on blight issues.

10. CORRESPONDENCE:

a.) Shelby Township 2024 Master Plan Community Survey

Shelby Township is working on updating their Master Plan. This includes a period of public engagement and input, and they have shared the results of their Community Survey that was posted in May of 2024.

11. CITIZEN PARTICIPATION:

a.) Catalina Burillo a program implementer for the REACH (Racial and Ethnic Approaches Community Health) program in Oceana County stated that they will be working over the next 4 years to increase safe and accessible physical activity through community design. The goal of the strategy is to improve the ability for community members to safely walk, bike, or travel to everyday destinations like schools, parks, and stores. Through data collection, driving audits, and review of the Village of Shelby 2020 Master Plan, they have identified the Village of Shelby as a location to support through this strategy area. REACH can provide access to technical assistance providers, gathering data through community engagement efforts, speed data, and traffic data, children/pedestrian crossing data. Their funding can be used to assist with short-term traffic calming solutions such as street striping, signage, quick-build barriers like planters or delineators. REACH can also support large-scale projects by assisting with or supporting applications to complementary funding streams (Safe Roads 4 all, Safe Routes to School, Safe Routes to Foods, etc.)

b.) Curtis Burdette, Executive Director, Oceana Economic Alliance introduced himself to the Village Council. Mr. Burdette has been in his position with the OCEA since February of 2023 and has not been able to come to a Village Council meeting to meet members of the Council in person. Mr. Burdette gave a brief overview of some of the services the OCEA has provided which include Workforce Training and Economic Diversification study, Hosted Emerging Developer workshop, assisted in public projects that invested more than $11 million into Oceana County, closed $45,000.00

EDA grant to Oceana County on workforce training study, and closed $100,000.00 MDARD grant for surveys for Shelby Village water project.

c.) Phil Morse, District 2 Oceana County Commissioner, reported that the Oceana County Planning Commission will be participating in a Zoning Board of Appeals (ZBA) training on Thursday, September 19 from 6:30 P.M. to 8:30 P.M at the Griswold Building.

d. Gerald Lindow, 330 Runner Street stated that his driveway has yet to be repaired from the water service line replacement that was completed by Apex last spring at his home. He has received a quote from Reith Riley for driveway repairs and is asking for this to be paid for by the Village.

12. OLD BUSINESS:

a.) Hazard Mitigation Plan

The council received a brief update from Troy Maloney, Oceana County Emergency Management Director at the July 22, 2024 Council meeting. Mr. Maloney requested the Council consider adopting the Hazard Mitigation Plan by resolution and in doing so would help the Village of Shelby qualify for certain types of Hazard Mitigation funds, especially those that become available following a disaster.

Damian Omness moved to adopt the Hazard Mitigation Plan Resolution. (See Attached)
Seconded by: Dan Zaverl.

Roll Call Vote:
Ayes: Omness, Zaverl, Termer, Crothers, Sutton, Trott, and Inglis.
Motion Carried 7-0.

13. NEW BUSINESS:

a.) Village Administrator Employment Agreement

On July 22, 2024, the Village Council unanimously approved the resolution to offer the Village Administrator position to Phil Morse and directed the Interim Village Administrator to negotiate an Employment Agreement. The proposed agreement contains the following elements:

1. Effective date of August 13, 2024.
2. Starting annual salary of $80,000.00; COLA increase each March 1; $2,500.00 step increase at six months and at each anniversary thereafter.
3. Benefits consistent with Village employees; $500 in-lieu-of insurance.
4. 80 hours PTO initially; accrual at one year rate during first year; five-year rate thereafter.
5. Membership fees paid by Village; 12 days of professional development per year.
6. Cell Phone allowance of $75 monthly.
7. Severance compensation for termination without cause.

8. No Fault provision by Morse or the Village if termination occurs within the first 90 days.
9. No termination by the Village within 6 months following election change in Council.
10. Automative annual renewal of the Employment Agreement.

Much discussion ensued regarding the pre-determined step increases for the salary each year as opposed to determining step increases at the time of the budget process.

John Sutton moved to approve the Employment Agreement by and between the Village of Shelby and Phil Morse as proposed effective August 13, 2024.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Sutton, Crothers, Omness, Trott, and Inglis.
Nays: Termer and Zaverl.
Motion Carried 5-2.

b.) Memorandum of Understanding – Gregg Guidance, LLC

The Village of Shelby contracted with Gregg Guidance, LLC, effective March 14, 2024, to provide Interim Village Administrator services until a selection of the next Village Administrator was made. With the appointment of Phil Morse as Village Administrator, effective August 13, 2024, Interim services are no longer necessary. However, at the discretion of the Village Council, Gregg Guidance, LLC, would offer to provide consulting services on an as-needed basis during the transition period for up to 10 hours per week through November 8, 2024.

Steve Crothers moved to approve the Memorandum of Understanding by and between the Village of Shelby and Gregg Guidance, LLC to provide consulting services to the Village on an as-needed basis at the request of Phil Morse, Village Administrator, or Paul Inglis, Village President, for a period of 13 weeks, through 4:30 P.M. on November 8, 2024.
Seconded by: John Sutton.

Roll Call Vote:
Ayes: Crothers, Sutton, Termer, Zaverl, Omness, Trott, and Inglis.
Motion Carried 7-0.

c.) Oceana Economic Alliance (OCEA) Contribution

The Oceana Economic Alliance (OCEA) serves Oceana County in economic development efforts, including the Village of Shelby. Parnering with The Right Place, OCEA supports businesses in Oceana County. The OCEA provides services including but not limited to, providing local businesses with state and local incentives, assistance with site selection, and manufacturing innovation and operational improvement. The stated mission of the OCEA is “to create a diverse economic environment by strengthening talent, leveraging resources, and supporting the retention, expansion, attraction, and creation of Oceana County businesses.” OCEA is funded primarily through Oceana County among other local units of government and private companies. There is $3,000.00 allocated in the current budget to

support the efforts of OCEA. The Village has been contributing to the OCEA since 2019.

Dan Zaverl moved to approve the contribution of $3,000.00 to the Oceana Economic Alliance for the 2024/2025 Fiscal Year.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Zaverl, Termer, Crothers, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

d.) School Zone Signage

Since completion of the new Shelby Elementary School and in consideration of completion of 82 single family homes in Shelby Acres within the next two years, the school zone signage needs to be upgraded and the school zone extended. In addition to the $6,000.00 budgeted by the Village, Shelby Public Schools have committed $11,000.00; Shelby Township, $5,000.00; and the developer for Shelby Acres, $6,000.00. The $5,000.00 from Shelby Township has already been utilized by the Oceana County Road Commission for work done within the Township. The estimate from the Road Commission for the remaining work is $16,004.78. The Road Commission's plan would also reuse the two lighted signs previously placed by the Village.

In addition to the quote, the Oceana County Road Commission has provided a schematic of the signage locations. State statue would allow the School Zone to extend from 1,000 feet north of the school's property to 1,000 feet south of the school's property, approximately in line with Fourth Street. Since most of the School Zone falls within the Village, it would be appropriate for the Village to take the lead with the Road Commission to complete the work prior to the start of the next school year on September 3, 2024. Though the commitment of the funds exceeds the Road Commission's estimate, any balance of funs should be retained in consideration of additional lighted signs near the entrance to Shelby Acres once the development nears occupation.

Mike Termer moved to approve the Quote number 2024-0722-002 from the Oceana County Road Commission of Hart, Michigan in the amount of $16,004.78 contingent upon execution of an Intergovernmental Agreement between all parties.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

e.) MML Training/Joint Meeting with Planning Commission

Councils often schedule training following elections to provide "Essentials of Local Government" to incoming members. However, rather than delay this until after November, it is recommended that this training be scheduled sooner and include any candidates running for election and potential appointees to Council and Planning Commission. This would serve at least three purposes:

1. Provide valuable training for Council and Planning Commission members and hopefuls.
2. Provide valuable training to the new Village Administrator.
3. Serve as the joint meeting between the Village Council and Planning Commission required for Redevelopment Read Communities (RRC) Certification by Michigan Economic Development Corporation.

It was recommended that Council identify several dates and times for a potential training and schedule a date with MML. The recommended topic of "Overview of Basic Government" would require a three-hour black of time.

Mike Termer moved to approve the scheduling of a joint meeting with the Shelby Village Council and Shelby Village Planning Commission for the purpose of providing an "Essentials of Local Government" training with the Michigan Municipal League (MML) for a cost of $1,800.00.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Termer, Trott, Crothers, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 7-0.

f.) Cross-Connection/ Backflow Prevention – Discussion Only

DPW Supervisor Jeremiah Helenhouse presented a proposal from Hydryo Corp for the contracted services to perform the necessary inspections at individual industrial, commercial, institutional facilities, and miscellaneous water users within the Village served by the public water supply. This is necessary data and information that is needed to maintain compliance with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Water Bureau Cross Connection Control Regulations. The total cost for the service is approximately $50,000.00.

Staff will work to include this service in the upcoming 2025/2026 Fiscal Year Budget.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

Nothing to report.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Personnel Committee Chair John Sutton thanked Interim Village Administrator Jae Guetschow for his time here in the Village of Shelby and for leading the Village Administrator search.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of August 12, 2024 in the amount of $418,543.89.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

16. ADJOURNMENT: Mike Termer moved to adjourn the meeting at 8:05 P.M.
Seconded by: Damian Omness.

Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the August 26, 2024 Council meeting.

Approved ☑

Crystal Budde _____ August 26, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, NOVEMBER 12, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Phil Morse, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) October 28, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of October 28, 2024 as presented.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

VA Morse reported that the DPW staff did a great job of getting the picnic tables, benches, and trash bins out at Getty Park.

VA Morse did his own survey and recording of the condition of Village roads. He does plan to request a PASER study for a more technical road condition study. These studies will be used to plan the necessary road work for the next fiscal year.

The fence for the Sixth Street hill sidewalk is anticipated to be installed next week. Officer Krause connected with Consumers Energy to replace the power pole that had been leaning over the road.

VA Morse met with two chain saw carvers at his request. One gentleman is from Holton and the other

is from Scottville. The idea is to have a festival or two every year themed around chain saw carving. He is tentatively looking at the Fourth of July weekend in 2025 for the first festival.

Don DeVries has surveyed and started a design for a sidewalk from Shelby Acres to Sixth Street. A design will be brought to the Council for review once that is completed.

9. DEPARTMENT HEADS' REPORTS:

Chief Roesler had nothing to report.

DPW Supervisor Jeremiah Helenhouse reported that the tree trimming throughout the Village has begun. The Oceana County Road Commission will begin installing the School Zone signs this week.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS:

a.) United Methodist Church Building

Councilmembers Steve Crothers and John Sutton took a tour of the United Methodist Church building as a potential new location for the Shelby Village Hall and Shelby Township offices. Both Mr. Crothers and Mr. Sutton stated that there were some spaces that would need a great deal of updating and there was a great deal of space that they were not sure could be utilized or how it would be used. All the Village Council members will hold a Special Meeting on November 25, 2024 to tour the building.

b.) Getty Park Internet

At its October 14th meeting, the Village Council consensus was to allow VA Morse to post a survey for the Village residents regarding the internet feature at Getty Park. Approximately 60% of the participants believed that adding the internet feature would be beneficial.

Damian Omness moved to approve the Public Wi-Fi feature at Getty Park to include features that would not allow users to visit adult websites and that the Wi-Fi is accessible only during the hours that Getty Park is open.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Crothers, Omness, Sutton, Trott, and Inglis.
Nays: Termer and Zaverl.
Motion Carried 5-2.

13. NEW BUSINESS:

a.) Acquisition of Shelby Acres Pump Station Parcel & Pump Station

There is a booster station on the Shelby Acres site that is going to be installed to pump water up Oceana Drive to Baseline Road. Currently, the property is owned by the non-profit developer of Shelby Acres. A grant was received by Shelby Township via the State of Michigan to cover the cost of the installation of that pump station; however, a non-profit cannot be the recipient of the grant. The current holder of the parcel would like to offer it to the Village of Shelby at no cost. The Water and Sanitation Committee was presented with the proposal and voted to recommend to the Council the approval of the stated transaction.

Mike Termer moved to approve Resolution Number 72-24. (See attached)
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Termer, Trott, Crothers, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 7-0.

b.) <u>General Law Village Code Adoption</u>

The Village Council approved the draft General Law Village Code Rewrite on September 9, 2024. General Code has provided the Code Adoption Ordinance that if approved will be included in Chapter 1, Article II of the Code.

Curt Trott moved to adopt Ordinance 02-24. (See Attached)
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Trott, Termer, Crothers, Zaverl, Omness, Sutton, and Inglis.
Motion Carried 7-0.

c.) <u>Nuisance Ordinance Amendment</u>

As VA Morse has become more familiar with the Village Ordinances and having day-to-day interactions with Village residents and conversations with staff, he noted items that would be beneficial to add to the Nuisance Ordinance. VA Morse proposed the following sections be added:

Section 296-7 - Littering – depositing waste materials on streets, and so forth; depositing snow or ice on sidewalks, and so forth.

Section 296-8 - Graffiti

Section 296-9 - Accessory Structures and Fences

Curt Trott moved to approve the Nuisance Ordinance Amendment Sections 296-7, 296-8, and 296-9 as presented. (see attached)
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Trott, Omness, Termer, Crothers, Zaverl, Sutton, and Inglis.

Motion Carried 7-0.

d.) Sidewalk Ordinance Amendment

After reviewing the Sidewalk Ordinance, having conversations with staff, and reviewing previous versions of the Village Ordinances, VA Morse recommended that additional language be added to the Sidewalk Ordinance. The recommended amendment would be to add Section 430-22 – Sidewalk Maintenance.

Curt Trott moved to approve the Sidewalk Ordinance Amendment Section 430-22. (See attached)
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Trott, Omness, Termer, Crothers, Zaverl, Sutton, and Inglis.
Motion Carried 7-0.

e.) Vendor Truck Ordinance

The Village does not currently have a Vendor Truck Ordinance. It was recommended by VA Morse that the Village adopt a Vendor Truck Ordinance for any future Vendor selling food in the Village.

Curt Trott moved to adopt the Vendor Truck Ordinance, Ordinance 03-24. (See attached)
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Trott, Omness, Termer, Crothers, Zaverl, Sutton, and Inglis.
Motion Carried 7-0.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission will be meeting on November 19, 2024 at 6:00 P.M. There are no action items on the Agenda, but a brief training video will be on the meeting agenda.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Parks, Recreation, and Buildings Chair Damian Omness reported that the Getty Park Open House

went well, and the Shelby Optimist Club is appreciated for all the help with serving and purchasing cider and doughnuts. He greatly appreciated former Administrator Brady Selner for all his work in making the Getty Park renovation a reality.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Ordinance Committee Chair Curt Trott thanked everyone for all their hard work on the Ordinance project.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of November 12, 2024 in the amount of $15,783.09.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

President Inglis stated that it was never his intention to seek any public office after his retirement from Oceana County as its first County Administrator. After a great deal of thought and the desire to see the community that he was born and raised in grow and develop, he became determined to do whatever he could to establish and complete a vision for the Village of Shelby. Some of the most important needs, from his perspective were the complete makeover of Getty Park, redevelopment of the downtown business district; upgrades to the Village's infrastructure; additional safe and affordable housing; more effective blight control in the neighborhoods; and, improved employee morale. Mr. Inglis was elected to the position of Shelby Village President in November 2014. Much progress has been made in all of those areas of need. It has not been achieved by just one member of the Council or by one staff member; rather, it has been a genuine collective effort by the Village Council, past and present, Village Administrators, Department Heads, Administrative staff and DPW and Police Department personnel. He stated he will forever be grateful for the opportunity to serve the people of the Village of Shelby who truly deserve to live, work and play in a safe and friendly small-town environment. Mr. Inglis urged each Council member, VA Morse, each Department Head, and every Village employee to continue to follow his personal motto in work and in life: "If you are unable to demonstrate reliability, responsibility, and accountability, then you become a liability." Always stay committed to and focused on what your obligations to the residents of the Village of Shelby are.

16. ADJOURNMENT: There being no further business President Inglis adjourned the meeting at 7:30 P.M.

Council minutes are not official until approved at the November 25, 2024 Council meeting.

Approved ☑

Crystal Budde November 25, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

November 12, 2024 **RESOLUTION** **No. 72-24**

A Resolution of the Shelby Village Council Accepting the Pumphouse and Land from PF Land Holdings, LLC at no cost, and Authorizing Village Administrator Phil Morse to Sign on Behalf of the Village

WHEREAS, the Shelby Village Council has determined that it is in the best interest of the Village to accept the to-be-constructed pumphouse and land located at Legal Description - "Part of the West ½ of section 9, Town 14 North, Range 17 West, Shelby Township, Oceana County, MI, Parcel 7", at no cost to the Village; and

WHEREAS, the acceptance of this property will benefit the Village by providing essential infrastructure for the water supply system east of Oceana Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Shelby, as follows:

1. The Council hereby accepts the to-be-constructed pumphouse and land located at Legal Description - "Part of the West ½ of section 9, Town 14 North, Range 17 West, Shelby Township, Oceana County, MI, Parcel 7", at no cost to the Village.
2. Village Administrator Phil Morse is hereby authorized to sign all necessary documents on behalf of the Village to complete the real estate transaction and closing for the creation of a new deed for the property.

PASSED AND ADOPTED by the Council of the Shelby on this 12th day of November, 2024.

Moved: Mike Termeer

Seconded: Curt Trott

Yes: Termeer, Trott, Crockers), Zaverl, O'Neill, Seeton & Ingles)

No: 0

ABSENT: 0

PROPOSED CODE ADOPTION ORDINANCE

for the

CODE OF THE VILLAGE OF SHELBY, MICHIGAN

November 2024

GENERAL CODE
781 Elmgrove Road
Rochester, New York 14624

800 836-8834
www.generalcode.com

VILLAGE OF SHELBY
OCEANA COUNTY, MICHIGAN

ORDINANCE NO. 02-24

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE VILLAGE OF SHELBY, COUNTY OF OCEANA, STATE OF MICHIGAN; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

The Village of Shelby ordains as follows:

§ 1-3. Adoption of Code.

In accordance with MCLA § 78.24a, the ordinances of the Village of Shelby of a general and permanent nature adopted by the Village Council of the Village of Shelby, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 560, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Village of Shelby," hereinafter known and referred to as the "Code."

§ 1-4. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-5. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Village Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Village of Shelby by impressing thereon the Seal of the Village, as provided by law, and such certified copy shall remain on file in the office of the Village Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-6. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Village of Shelby" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as

provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-7. Publication; filing.

The Clerk of the Village of Shelby, pursuant to law, shall cause to be published, in the manner required, a copy of this Adopting Ordinance in a newspaper of general circulation in the Village. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-8. Adoption; when effective.

This ordinance shall be published in the manner as required by law. Except as otherwise provided by law, this ordinance shall be effective on the day after final publication.

§ 1-9. Code book to be kept up-to-date.

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-10. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Village Council of the Village of Shelby. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

§ 1-11. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Village of Shelby to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to a fine of not more than $500 or imprisonment for not more than 90 days, or both, in the discretion of the Judge imposing the same.

§ 1-12. Severability of Code provisions.

This Code and the various parts, sections, subsections, paragraphs, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, section, subsection, paragraph, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, it is hereby provided that the remainder of this Code shall not be affected thereby and shall remain in effect and valid.

§ 1-13. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-14. Repeal of inconsistent legislation.

A. Except as provided in § 1-15, Ordinances saved from repeal, below, all ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Village of Shelby which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

B. Repeal of specific provisions. The Village Council of the Village of Shelby has determined that the following ordinances and/or provisions of the 2020 Codified Ordinances are no longer in effect and hereby specifically repeals the following legislation:

(1) Ordinance No. 20190311-1, Blight, adopted March 11, 2019.

(2) Former Sections 202.01, 202.02, 202.04, 202.05 and 202.06 of the 2000 Codified Ordinances.

(3) Former Chapter 242, Clerk, of the 2000 Codified Ordinances.

(4) Former Chapter 246, Treasurer, of the 2000 Codified Ordinances.

(5) Former Chapter 420, Street Obstructions and Special Uses, of the 2000 Codified Ordinances.

(6) Former Chapter 430, Vehicle Equipment, of the 2000 Codified Ordinances.

(7) Former Chapter 640, Inoperable Motor Vehicles, of the 2000 Codified Ordinances.

(8) Former Sections 670.01 through 670.09, 670.99, Safety Sanitation and Health, of the 2000 Codified Ordinances.

(9) Former Chapter 810, Cable Television, of the 2000 Codified Ordinances.

(10) Former Chapter 850, Peddlers and Solicitors, of the 2000 Codified Ordinances.

(11) Former Section 852.01, Permanent Public Shows, Theaters and Exhibitions, of the 2000 Codified Ordinances.

(12) Former Section 852.02, Transient Public Shows, Circuses, Menageries and Other Traveling Exhibitions, of the 2000 Codified Ordinances.

(13) Former Chapter 860, Transient Traders and Dealers, of the 2000 Codified Ordinances.

(14) Former Chapter 1020, Sidewalks and Curbs, of the 2000 Codified Ordinances.

(15) Former Chapter 1440, Trailer Coaches, of the 2000 Codified Ordinances.

§ 1-15. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-14 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal. The ordinances or portions of ordinances designated below continue in full force and effect to the same extent as if published at length in this Code.

A. Any ordinance adopted subsequent to February 26, 2024

B. Any ordinance or portion of any ordinance promising or guaranteeing the payment of money or authorizing the issuance of bonds or other instruments of indebtedness.

C. Any ordinance or portion of any ordinance authorizing or approving any contract, deed, or agreement.

D. Any ordinance or portion of any ordinance granting any right or franchise.

E. Any ordinance or portion of any ordinance making or approving any appropriation or budget.

F. Any ordinance or portion of any ordinance providing for salaries or other employee benefits or personnel policies not codified in this Code.

G. Any ordinance or portion of any ordinance levying, imposing, or otherwise relating to taxes not codified in this Code.

H. Any ordinance or portion of any ordinance adopting or amending the Village Master Plan.

I. Any ordinance or portion of any ordinance dedicating, accepting, or vacating any plat or subdivision.

J. Any ordinance or portion of any ordinance dedicating, establishing, naming, locating, relocating, opening, paving, widening, repairing, or vacating any street, sidewalk, or alley.

K. Any ordinance or portion of any ordinance establishing the grade of any street or sidewalk.

L. Any ordinance or portion of any ordinance levying or imposing any special assessment.

M. Any ordinance rezoning property.

N. Any ordinance regarding special districts.

O. Any ordinance or portion of any ordinance that is temporary although general in effect.

P. Any ordinance or portion of any ordinance that is special although permanent in effect.

Q. Any ordinance or portion of any ordinance the purpose of which has been accomplished.

R. Any Village ordinance (or portions thereof) adopted by reference and not fully incorporated or restated within this Code.

§ 1-16. Provisions deemed continuation of existing ordinances.

The provisions of this Code, insofar as they are substantially the same as ordinances previously adopted by the Village relating to the same subject matter, shall be construed as restatements and continuations thereof and not as entirely new enactments.

§ 1-17. Effect on prior offenses or rights.

A. Nothing in this Code (or the ordinance adopting this Code) affects any offense or act committed or done, any penalty or forfeiture incurred, or any contract or right established before the effective date of this Code.

B. The adoption of this Code does not authorize any use or the continuation of any use of a structure, building, or premises in violation of any Village ordinance on the effective date of this Code.

§ 1-18. Changes in previously adopted ordinances.

A. In compiling and preparing the ordinances for adoption and revision as part of the Code, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Village Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.

B. Global revisions; nomenclature changes.

(1) Throughout the Code, references to MSA are deleted.

(2) "Michigan Department of Environmental Quality (DEQ)" is changed to "Michigan Department of Environment, Great Lakes, and Energy (EGLE)."

(3) Village "Clerk" and "Treasurer" are changed to "Clerk/Treasurer."

(4) Village "Manager" is changed to "Administrator."

C. The changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-19. References to Michigan Compiled Laws.

A. Throughout the Code, a reference to "Michigan Compiled Laws" shall include all sections of law, as last amended, which are assigned a compilation number by the legislative service bureau and are not subsequently repealed.

B. Unless otherwise specifically provided, a reference to all or part of a statute, regardless of whether the words "as amended" are used in the reference, shall include the latest amendments to the statute or part.

Adopted this 12 day of November, 2024, by the Village Council, Village of Shelby, Michigan.

On roll call, the vote was:

Yeas: Troff, Termer, Crothers, Zaverl, Omness, Sutton and Ingl's.

Nays: 0

7-0 motion Carried

By Crystal Buddle

Certification

I, Crystal Buddle, Clerk of the Village of Shelby, Michigan, do hereby certify that the foregoing is a true copy of the ordinance adopted by the Village of Shelby Village Council at a regular meeting held on November 12, 2024, at

Regular Council Meeting and that it was published in Oceana Echo on 11-22, 2024.

Crystal Budd, Clerk

Village of Shelby
Oceana County, Michigan
Ordinance Amendment No. 01-24

ORDINANCE

THE VILLAGE OF SHELBY HEREBY ORDAINS:

Chapter 296 (Noise and Nuisances) of the Code of Ordinances of the Village of Shelby, Michigan, is amended and adopted to read as follows:

Sec. 296-7 Littering—depositing waste materials on streets, etc.; depositing snow or ice on sidewalks, etc.

(a) Depositing, etc., on street, etc. No person shall place, deposit, throw, scatter or leave in any street, highway, lane, alley, public place or square, or on the private property of another, any grass clippings, bush trimmings, leaves, refuse, waste or other such materials; provided, however, that such materials may be deposited on Village streets only in such area as it is directly adjacent to the property from which the materials are removed and only as directed by the Village during designated Village-wide clean-up periods.

(b) Transporting or dumping so as to litter stream, etc. No person shall transport or dump any refuse or other waste materials in such a manner as to cause the littering of any stream or public place, or the private property of another, or to cause the obstruction of any ditch, drain, culvert or gutter.

(c) Depositing snow or ice on sidewalk, etc. No person, in removing snow or ice from private property, shall deposit the same on any sidewalk or on the roadway portion of any street, nor in any area between the sidewalk and the curbline except such area as is adjacent to the property from which the snow is removed and then only in such quantity as will not create a traffic hazard.

Sec. 296-8 Graffiti

Graffiti results in visual pollution and is hereby declared a public nuisance. Graffiti must be abated as quickly as possible to avoid detrimental impacts on the Village, its residents, visitors and to prevent the further spread of graffiti.

(a) Purpose and intent. The purpose of this section is to protect the health, safety and welfare of the citizens of Shelby by preventing blight, protecting property values, and remedying the nuisance.

(b) Definitions. As used in this section, the following terms shall have the meanings indicated:

a. GRAFFITI — Any mark or marks on any surface, including, but not limited to, writing, inscribing, drawing, tagging, sketching, spray-painting, painting, etching, scratching, carving, engraving, scraping, or attaching, placed on any building, accessory building, fence or other structure, or surface by a person other than the owner or someone authorized by the owner.

(c) Removal of graffiti. No person who owns or otherwise leases or manages property shall permit or allow any graffiti to be or remain on any surface or structure on the property for a period longer than five days. The enforcing officer for this section shall be the Chief of Police or his or her authorized representative.

(d) Notice to abate — generally.

a. Notice to abate. The enforcing officer, upon failure of the owner and other parties responsible for the property to comply with Subsection (3), shall notify the owner and other parties responsible for the property to abate such nuisance within five days.
b. Notice to abate as required by this section shall be given by the enforcing officer or authorized representative, in writing, clearly notifying the owner and other parties responsible for the property of the violation.

(e) Emergency abatement by Village; charging cost. An enforcing officer may abate a public nuisance under Subsection (e) of this section, without giving notice, if the public health, safety, or welfare requires immediate abatement, including but not limited to threats against a specific person or group of people, incendiary language, profanity or sexually explicit language. The cost of abating the nuisance condition(s) may be charged against the premises and the owner in accordance with the following provision: the cost shall be the standard hourly rate for labor and machinery used by the Village of Shelby or the reasonable cost incurred by a private contractor, whichever is appropriate, plus an administrative fee as provided by the master fee resolution adopted by the Village Council from time to time.

(f) Right of entry of enforcing officer, etc. An enforcing officer or his or her authorized representative is hereby empowered to enter upon any premises in the Village for the purpose of determining compliance with Subsection (e) of this section.

(g) Appeal of assessment.

a. A property owner assessed for abatement costs may appeal the assessment to the Village Administrator. On appeal, the Village Administrator shall determine whether:
    1. The property was in violation of Subsection (e) of this section;
    2. Whether the Village provided notice as required by Subsection (d) before the Village abated the condition (except for emergency abatements); and
    3. Whether the costs assessed against the property owner were properly calculated.

b. An appeal shall be filed within 21 days after the Village mails notice to the property owner that the costs will be assessed against the property owner.

Sec. 296-9. Accessory structures and fences.

(a) Nuisance structure or fence. Any accessory structure or fence where the condition of the accessory structure or fence poses a threat to the health, safety or general welfare of the public is declared to be a nuisance.

(b) Notice to abate. The enforcing officer, upon determining that an accessory structure or fence is a nuisance as defined under Subsection (a), shall notify the owner, occupant or agent to abate such nuisance within seven days. The owner, occupant or agent shall abate the nuisance as directed by the notice.

(c) Abatement by Village; charging cost. If the owner or occupant fails to abate a nuisance as defined under Subsection (a) within seven days after notice has been given, the enforcing officer may abate the nuisance without giving further notice. The enforcing officer may abate the nuisance by arranging for Village employees or private contractors to remove the accessory structure or fence by appropriate means. The cost of abating the nuisance condition(s) may be charged against the premises and the owner in accordance with the following provision: the cost shall be the standard hourly rate for labor and machinery used by the Village of Shelby or the reasonable cost incurred by a private contractor, whichever is appropriate, plus an administrative fee as provided by the master fee resolution adopted by the Village Council from time to time.

(d) Emergency abatement by Village; charging cost. The enforcing officer may abate any such nuisance as defined under Subsection (a) without giving notice, if the public health or safety requires immediate attention. The cost of abating the nuisance condition(s) may be charged against the premises and the owner in accordance with the following provision: the cost shall be the standard hourly rate for labor and machinery used by the Village of Shelby or the reasonable cost incurred by a private contractor, whichever is appropriate, plus an administrative fee as provided by the master fee resolution adopted by the Village Council from time to time.

(e) Right of entry of enforcing officer, etc. The enforcing officer or his or her authorized representative is hereby empowered to enter upon any premises in the Village for the purpose of determining compliance with Subsection (b).

(f) Appeal of assessment.
   a. A property owner assessed for abatement costs may appeal the assessment to the Village Administrator. On appeal, the Village Administrator shall determine whether:
      1. The property was in violation of Subsection (a);
      2. The property owner and occupant were mailed notices of the violation at least seven days before the Village abated the condition [except for emergency abatements under Subsection (d)]; and
      3. The costs assessed against the property owner were properly calculated.

(2) An appeal shall be filed within 21 days after the Village mails notice to the property owner that the costs will be assessed against the property owner and the premises.

This ordinance adopted:

Ayes: Truth, Omness, Termer, Crothers, Zaveri, Sutton & Inglis
Nays: 0

Adoption Date: 11-12-2024
Effective Date: 12-2-2024

VILLAGE OF SHELBY

By Crystal Budde
Crystal Budde, Village Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Shelby, at a regular meeting of the Village Council on 12th day of November, 2024, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the Village of Shelby. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Section 66.4(1) of Michigan Public Act 3 of 1895 ("General Law Village Act"), as amended, and that minutes were kept and will be or have been made available as required thereby. A true and complete copy of the Ordinance can be inspected or obtained from the office of the Village Clerk at 218 North Michigan Avenue, Shelby, Michigan 49455

DATED: 11-12, 2024

Crystal Budde
Clerk, Village of Shelby

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Village of Shelby
Oceana County, Michigan
Ordinance Amendment No. 02-24

ORDINANCE

THE VILLAGE OF SHELBY HEREBY ORDAINS:

Section 22 (Sidewalk Maintenance), Chapter 430 (Streets and Sidewalks) of the Code of Ordinances of the Village of Shelby, Michigan, is amended and adopted to read as follows:

Section 430 – Sidewalk Maintenance

(a) The cost of replacement or repair of a sidewalk is the responsibility of the Village with exceptions stated in section (b).

(b) Where sidewalk defects creating pedestrian hazards are caused by conditions existing upon an abutting property, such as, but not limited to:

a. Trees or other growth
b. Surface drainage
c. On site construction and vehicular traffic
d. Other on-site activities

The abutting property owner shall be responsible for its repair, maintenance and/or safe condition, and liable for all consequential injuries, damages, expenses or costs resulting from the condition and lack of repair or maintenance and unsafe condition. Such liability shall include full indemnification of the Village for any damages, costs or expenses resulting from such owner defaults as well as liability to others.

(c) Obstructions: No person shall place or cause to be placed any snow, dirt, trash, goods, wares, or merchandise on the public sidewalks, or in any way to obstruct free passageway along and over the sidewalks of the Village without first obtaining the approval of the Council.

(d) Cleanliness: Property owners and/or occupants shall keep the sidewalks abutting their premises clear and clean, and shall remove all papers, leaves, trash, personal property, grass and weed overgrowth, and all protruding branches or overhanging shrubbery, thereby providing a passage at least seven feet high and six inches outside of the sidewalk boundaries.

(e) Snow and Ice Removal: The occupant of every lot or premises adjoining any street, or the owner of such lot or premises if the same are not occupied, shall clear all snow and ice from the sidewalks adjoining such lot or premises within the time required. When any snow or ice shall cease to fall during the daylight hours, such snow or ice shall be cleared from the sidewalks within thirty-six hours after such cessation. When a fall of snow or ice shall

have ceased during the nighttime hours, it shall be cleared from the sidewalks by 6:00pm of the following day.

a. In the case of the business district,

(f) Notice to abate. The enforcing officer, upon determining that a sidewalk is in non-compliance with the terms of this Chapter, shall notify the owner, occupant or agent to abate such non-compliance. The owner, occupant or agent shall abate the nuisance as directed by the notice.

(g) Abatement by Village; charging cost. If the owner or occupant fails to comply with the terms of this Chapter within 48 hours after notice has been given, the enforcing officer may abate the non-compliance without giving further notice. The enforcing officer may abate the non-compliance by arranging for Village employees or private contractors to remove the snow and ice by appropriate means. The cost of abatement may be charged against the premises and the owner in accordance with the following provision: the cost shall be the standard hourly rate for labor and machinery used by the Village of Shelby or the reasonable cost incurred by a private contractor, whichever is appropriate, plus an administrative fee as provided by the master fee resolution adopted by the Village Council from time to time.

(h) Emergency abatement by Village; charging cost. The enforcing officer may abate the non-compliance by arranging for Village employees or private contractors to remove the accessory structure or fence by appropriate means. The cost of abatement may be charged against the premises and the owner in accordance with the following provision: the cost shall be the standard hourly rate for labor and machinery used by the Village of Shelby or the reasonable cost incurred by a private contractor, whichever is appropriate, plus an administrative fee as provided by the master fee resolution adopted by the Village Council from time to time.

This ordinance adopted:

Ayes: Troth, Omness, Termer, Crothers, Zaveri, Sutton & Inglis
Nays: 0

Adoption Date: 11-12-2024
Effective Date: 12-2-2024

VILLAGE OF SHELBY

By _____
Crystal Budde, Village Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Shelby, at a regular meeting of the Village Council on 12th day of November, 2024, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the Village of Shelby. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Section 66.4(1) of Michigan Public Act 3 of 1895 ("General Law Village Act"), as amended, and that minutes were kept and will be or have been made available as required thereby. A true and complete copy of the Ordinance can be inspected or obtained from the office of the Village Clerk at 218 North Michigan Avenue, Shelby, Michigan 49455.

DATED: November 12, 2024

Crystal Budde
Clerk, Village of Shelby

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Village of Shelby
Oceana County, Michigan
Ordinance Amendment No. 03-24

ORDINANCE

THE VILLAGE OF SHELBY HEREBY ORDAINS:

Article III (Vendor Trucks), Chapter 325 (Peddlers and Solicitors) of the Code of Ordinances of the Village of Shelby, Michigan, is adopted to read as follows:

TITLE – Vendor Trucks
Chapter 325

Section 325-20 Definitions

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(a) PERSON — Includes any person, firm, association, corporation, limited-liability company, partnership or two or more persons having a joint or common interest.

(b) VENDOR TRUCK — A truck, camper, trailer, tent, stand or similar mobile structure used to sell food, merchandise, goods, wares or services from a fixed location.

Section 325-21 License — required, exceptions.

(a) A person shall not engage in business as a vendor truck without having first obtained a vendor truck license from the Village Clerk. A vendor truck license shall be obtained under the provisions of this article. A person, being a vendor truck operator, shall not peddle or engage in business in any manner in which a license is required in this chapter, unless the person is also licensed in accordance with the requirements of that article.
(b) The provisions of this section shall not apply to a person who has a regularly established place of business within the Village of Shelby and who is on the Village tax rolls.

Section 325-22 Application.

Applications for a vendor truck license under the provisions of this article shall include the following information and other information that the Village Clerk may require:
(a) The full name and mailing address of the applicant at the time of the filing of the application.
(b) The full name and mailing address of the business or organization, if any, that will be engaged in the vendor truck business.
(c) If the business of the applicant shall require the use of weighing or measuring devices, then the application shall be accompanied by a certificate from the sealer of weights and measures stating that such devices have been examined and approved.

(d) The anticipated locations and dates where the vendor truck will be set up and operating for the licensing year.
(e) If the vendor truck will be selling food, a copy of the current and valid annual food service license issued by the local, County or State Health Department shall be submitted with the application.
(f) A description of the operation including:
    1. Operating hours;
    2. Merchandise, food, wares or services being sold;
    3. Electricity or power requirements and how it will be supplied;
    4. Water and sewer requirements and how they will be provided;
    5. Garbage requirements and how it will be provided;
    6. Bathroom facilities and how they will be provided.

Section 325-23 Fee.

For each vendor truck license issued under the provisions of this article, the licensee shall pay the fee established by a resolution adopted by Village Council. A licensee who sells goods, wares, merchandise or services for a religious organization, educational institution, other nonprofit or licensee who only operates under a contract with the Village of Shelby may be exempt from payment of an annual vendor truck license. A licensee who only gives away (no sales) prepackaged food may be exempt from payment of an annual vendor truck license.

Section 325-24 Conditions of doing business.

No licensee under the provisions of this article shall do or perform any of the following things or acts:
(a) Posting license. Fail to post the license issued under the terms of this article in a conspicuous location at the place where his or her business is conducted, where it shall remain in plain sight during the entire time during which such business is carried on.
(b) Zoning. Conduct his or her business in any zone district besides commercial and industrial zoning districts.
(c) Building entrance or exit. Place or operate his or her business in the entrance or exit areas of any building or parking area so as to hinder ingress or egress to the building or property.
(d) Compliance with Code, etc. Violate any provision of this Code or any state or federal law relating to the business in which he or she is engaged, or any regulation which is promulgated and operative under any such law.
(e) Nuisance. Create a nuisance or violate any of the Village of Shelby ordinances.

Section 325-25 Enforcing Officer.

The Village Administrator or any Village employee or officer designated by him or her shall be the enforcing officer of this article. Exceptions The standards above shall not apply to food trucks that do business, under a Special Event Permit approved by the Village Council, for travelling on public rights-of-way from neighborhood to neighborhood, such as ice cream trucks. Such vendor trucks shall not be regulated by this Ordinance.

Section 325-26 Violations and penalties.

A person who violates a provision of this article is guilty of a Class II municipal civil infraction.

This ordinance adopted:

Ayes: Trott, Omness, Fermer, Crothers, Zaveri, Sutton & Ingles.
Nays: 0

Adoption Date: 11-12-2024
Effective Date: 12-02-2024

VILLAGE OF SHELBY

By Crystal Budde
Crystal Budde, Village Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Shelby, at a regular meeting of the Village Council on the 12th day of November, 2024, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the Village of Shelby. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Section 66.4(1) of Michigan Public Act 3 of 1895 ("General Law Village Act"), as amended, and that minutes were kept and will be or have been made available as required thereby. A true and complete copy of the Ordinance can be inspected or obtained from the office of the Village Clerk at 218 North Michigan Avenue, Shelby, Michigan 49455

DATED: November 12, 2024

Crystal Budde
Clerk, Village of Shelby

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, NOVEMBER 25, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President John Sutton.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, John Sutton, Dan Zaverl, Crystal Heykoop, Samantha Gottschalk, and Curt Trott.

Staff present: Village Administrator Phil Morse, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) November 12, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of November 12, 2024 as presented.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT:

President John Sutton made Committee appointments as follows:

President Pro-Tem: Steve Crothers
Water and Sanitation – Chair: Curt Trott, Co-Chair: Crystal Heykoop
Streets and Sidewalks – Chair: Dan Zaverl, Co-Chair: Curt Trott
Parks, Rec, and Buildings – Chair: Samantha Gottschalk, Co-Chair: Steve Crothers
Finance and Insurance – Chair: Steve Crothers, Co-Chair: Mike Termer
Personnel – Chair: Mike Termer, Co-Chair: Samantha Gottschalk
Ordinances – Chair: Crystal Heykoop, Co-Chair: Dan Zaverl

8. ADMINISTRATOR'S REPORT:

VA Morse reported that he is in the process of creating a PowerPoint presentation for the Downtown

Shelby Stakeholders Assembly that the Village will be hosting on January 7, 2025. Leigh Young with the MEDC will be presenting several opportunities available through the Michigan Main Street Program. Some of these include branding, marketing, identity creating, and helping businesses clean up buildings.

The new DPW pole barn is completed, and the final inspection is scheduled for next week.

VA Morse created a YouTube channel for the Village of Shelby. The staff will create short videos educating people regarding ordinances, processes, and commonly broken laws.

VA Morse is working with the Shelby Acres Development team who is seeking an amendment to the PUD. The request will be going before the Planning Commission for consideration.

The Shelby Village staff are currently in the process of getting the necessary language to Envigor as they continue to work on setting up the Village's new Website.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that Christmas lights are going up throughout town and leaves have been cleaned up downtown on Michigan Avenue.

Chief Roesler reported that the winter parking warnings appear to be working well for minimizing the number of cars parking on the streets.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS:

13. NEW BUSINESS:

a.) <u>Cummins Generator Maintenance Agreement</u>

The generators for the Village's water and sewer infrastructure need regular maintenance to ensure they are in working order. Cummin Sales and Service submitted a three-year quote for servicing the generators in the amount of $3,554.19. The Village has contracted with Cummins Sales and Service for several years for the service.

Mike Termer moved to approve Quote Number 229354 for the three (3) year service agreement with Cummins Sales and Service in the amount of $3,554.19.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Termer, Trott, Crothers, Zaverl, Heykoop, Gottschalk, and Sutton.
Motion Carried 7-0.

b.) Shelby State Bank Account Signatory Changes

Former Village President Paul Inglis as well as former Deputy Clerk/Treasurer Randy Mahoney were authorized signatories on the Village bank accounts, as well as former Deputy Clerk/Treasurer Randy Mahoney. With Randy's recent retirement and Paul's term ending as Village Council President, the Council will need to authorize the removal of both Randy Mahoney and Paul Inglis from the Village bank Accounts. As the newly elected Council President, John Sutton will become the additional authorized signer for the Village of Shelby.

Mike Termer moved to remove Randy Mahoney and Paul Inglis as signatories on the Village of Shelby bank accounts effective November 26, 2024. Be it further resolved to add John Sutton as a signatory on the Village of Shelby bank accounts effective November 26, 2024.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Heykoop, Gottschalk, Trott, and Sutton.
Motion Carried 7-0.

c.) Shelby Area District Library Re-Appointment

Jay Burrows' term on the Shelby Area District Library Board of Trustees expires on December 31, 2024 and he would like to serve another term. The Library Board requested that the Village Council re-appoint Mr. Burrows for a three-year term beginning January 1, 2025 and ending December 31, 2027.
Steve Crothers moved to re-appoint Jay Burrows to the Shelby Area District Library Board of Trustees for a three-year term beginning January 1, 2025 and ending December 31, 2027.
Seconded by: Curt Trott.

Voice Vote: All in favor.
Motion Carried.

d.) Elliot Street Lot Division Application

Tim Horton requested a lot division for parcel number 046-543-003-00 located at 129 Elliot Street on behalf of Todd Fox. The required application and corresponding documentation have been completed and reviewed by VA Morse.

Mike Termer moved to approve the lot division application at 129 Elliot Street, parcel number 046-543-003-00.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Heykoop, Gottschalk, Trott, and Sutton.
Motion Carried 7-0.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Samantha Gottschalk:

The Planning Commission will be holding a Special Planning Commission meeting Tuesday, November 26, 2024 at 6:00 P.M. to consider an amendment to the PUD for the Shelby Acres Development.

b. WATER & SANITATION: Chair: Curt Trott, Crystal Heykoop:

Nothing to Report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Samantha Gottschalk, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: Mike Termer, Samantha Gottschalk:

Nothing to report.

g. ORDINANCES – Chair Crystal Heykoop, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of November 25, 2024 in the amount of $419,300.43.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Heykoop, Gottschalk, Trott, and Sutton.
Motion Carried 7-0.

16. ADJOURNMENT: There being no further business, President Sutton adjourned the meeting at 6:43 P.M.

Council minutes are not official until approved at the December 9, 2024 Council meeting.

Approved ☑

Crystal Budde December 9, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, October 14, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Phil Morse, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) <u>September 9, 2024</u>

Mike Termer moved to approve the minutes of the Regular Council meeting of September 9, 2024 as presented.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No Additions to Agenda.

7. PRESIDENT'S REPORT:

a.) <u>Carol Waller Tribute</u>

President Inglis presented Carol Waller with a special tribute signed by Governor Whitmer and Lt. Governor Gilchrist for her over 43 years of service to the Shelby Public Schools and the Shelby community.

8. ADMINISTRATOR'S REPORT:

VA Morse reported that he met with Leight Young from the MEDC, and she added a few items that need to be completed to qualify for the Redevelopment Ready Community (RRC) Certification. With the help of Village staff, all the necessary punch list items have been completed. VA Morse is waiting for final confirmation from Ms. Young.

VA Morse and Clerk/Treasurer Budde interviewed five people for the Deputy Clerk/Treasurer position. There were several good candidates; one stood out above the rest. Reference checks are being conducted for the candidate before an official offer is made.

The Sixth Street sidewalk repairs/replacement is coming along nicely. Most of the wall portion is completed.

Street lines will be painted in the upcoming week on State Street, Ferry Street, and Woodrow Road.

The Oceana County Road Commission is still waiting for the School Zone signs to be delivered for installation.

9. DEPARTMENT HEADS' REPORTS:

Chief Roesler had nothing to report.

DPW Supervisor Jeremiah Helenhouse had nothing to report.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS:

a.) Village Website & Communication Tool

Last month the Village Council reviewed an estimate from Apptegy to host the Village website and streamline how the Village communicates with residents though a mobile application. Since that time, VA Morse has been in communication with a local business owner who owns Envigor who offers similar services as Apptegy. Envigor does not offer a mobile app; however, they do offer text and email communications. The initial cost for the web design and development services is $6,200.00. There will be an annual cost of up to $2,100.00 that covers website hosting, maintenance, and third-party communications.

Mike Termer moved to approve the estimate from Envigor of Shelby, Michigan for web design and development services for an initial cost of $6,200.00 and not to exceed $2,100.00 annually thereafter for third party communication costs.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

b.) IGA Between Shelby Township and Shelby Village

Shelby Township and Shelby Village have equipment that complements each other. Currently, the Village rents equipment, contracts work out, and, in some cases, borrows equipment from local businesses or from Shelby Township. Shelby Township has borrowed equipment from the Village in the past as well. VA Morse recommended formalizing an agreement with Shelby Township for the purpose of protecting both entities. The Shelby Township Board did approve this Intergovernmental Agreement at its most recent board meeting.

Steve Crothers moved to approve the Intergovernmental Agreement for Equipment and Services by and between the Village of Shelby and Shelby Township.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Crothers, Trott, Termer, Omness, Sutton, and Inglis.
Nays: Zaverl.
Motion Carried 6-1.

c.) Sixth Street to School Street Crosswalk

Included in the Getty Park Project plans, there is a drawing of a crosswalk which is to be installed from Sixth Street to School Street. There is value in following through with the plans designed for the safety and well-being of children and adults crossing the road. The paint for the crosswalk and portable crosswalk signs has been funded by the REACH Program.

Mike Termer moved to approve the estimate from Swanson Concrete, LLC Hart, Michigan in the amount of $2,370.00 for the removal of the curb and concrete, and installation of ADA pad and new concrete on Sixth Street and School Street.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

13. NEW BUSINESS:

a.) Getty Park Parking Proposal

Included in the Getty Park Project plans, there is a drawing of a parking lot which is to be constructed along the East side of School Street. There are two quotes from McCormick Sand. One quote is for parallel parking, which would provide approximately nine parking spaces in the amount of $25,000.00. The second quote is for angled parking which would provide approximately 12-18 parking spaces in the amount of $36,000.00. A proposal was also received from Hallack Contracting in the amount of $70,820.00.

Damian Omness moved to approve the proposal from McCormick Sand Inc. of Twin Lake, Michigan for the additional parking spaces on the East side of School Street not to exceed $46,000.00.

Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Omness, Termer, Crothers, Sutton, Trott, and Inglis.
Nays: Zaverl.
Motion Carried 6-1.

b.) Deming Well Project Change Order

As part of the Water Related Infrastructure (WRI) grant that the Village received, the Deming Well and pump are being replaced. When the new well was bid out to be installed, it was not known what the allowable yield of the well would be until after the well is installed and a drawn down test is conducted. The results of that testing were submitted to EGLE for their approval. EGLE submitted their approval of the test results and the pump was designed for the correct flow rate and head pressure. The pump design was then submitted to the contractor for a quote on a new pump. The increase in cost is $71,305.53 of which $37,955.00 is covered by the WRI grant. The Village cost for the new pump will be $33,350.53.

Mike Termer moved to approve change order number 1 from Northern Well and Pump in the amount of $71,305.53 of which $37,955.00 is covered by the Water Related Infrastructure grant, at a total cost to the Village of Shelby in the amount of $33,350.53.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

c.) Deming Well Roof and Gutter Proposal

The roof at the Deming Well House is in poor condition and a large leak is beginning to show. A proposal from Bullseye Roofing Systems was received for the installation of a new roof system and gutters in the amount of $12,319.89. DPW Supervisor reached out to several roofing companies for proposals, but the one from Bullseye Roofing Systems was received.

Mike Termer moved to approve the proposal from Bullseye Roofing Systems of Montague, Michigan for the replacement of the roof and gutters at the Deming Well House for a total of $12,319.89.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

d.) Getty Park Projector System

Previous Village Administrator Brady Selner, Clerk/Treasurer Crystal Budde, and the Parks and Recreation Committee had conversations about community events that could take place at the new Getty Park. One idea that was proposed was to show movies/shows a few times per year as a special

event. The Village received $1,500.00 from the Oceana County Community Foundation for the purchase of a projection system. The request is for approval of the remaining $599.00.

Damian Omness moved to approve the contribution of $599.00 of Village Funds for the purchase of the QuickScreen Series Outdoor Theater System for Getty Park.
Seconded by: John Sutton.

Roll Call Vote:
Ayes: Omness, Sutton, Termer, Crothers, Trott, and Inglis.
Nays: Zaverl.
Motion Carried 6-1.

e.) Getty Park Wi-Fi Installation

As a public service to our community and for the security cameras to function, installation of a wi-fi connection is needed at Getty Park. A quote was received from Charter Spectrum for a one-time installation fee of $599.00 and monthly recurring charges of $311.98. VA Morse did reach out to Frontier for a proposal but had not received a response from them.

Damian Omness moved to approve the quote from Charter Spectrum for the installation of internet at Getty Park for a one-time installation charge of $599.00 and monthly recurring charges not to exceed $175.00.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.
Nays: Zaverl.
Motion Carried 6-1.

f.) Getty Park Security Cameras

The installation of video and audio recording equipment can deter abuse of the park and give the Village the ability to catch abusers. Requests for proposals were received from at least four companies. Two proposals were received. One was from Charter Spectrum that includes a one-time charge of $2,649.00 and a monthly recurring charge of $1,041.98. Catchmark Technologies submitted a proposal in the amount of $11,180.00 with no recurring fees.

Mike Termer moved to approve the proposal from Catchmark Technologies of Whitehall, Michigan for the installation and setup of security cameras at Getty Park in the amount of $11,180.00.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

g.) Chief Roesler Purchase Request

During the Fiscal Year 2024/2025 budget development process, there was discussion of replacing mobile data terminals and the body worn cameras as well as adding in car video systems for the Police Department. $30,000.00 was allocated toward this use. After requesting three different quotes for the equipment, comparable bids from Motorola in the amount of $51,280.00, Panasonic in the amount of $47,436.00, and GETAC in the amount of $32,916.00 with an additional cost of $1,400.00 for the mounting and installation of the equipment were received.

Steve Crothers moved to approve the quote from GETAC though Midwest Public Safety for the purchase of 2 MDT's, 2 In-Car video units, and 4 body worn camera units with the necessary storage, mounting hardware, and service agreements for a cost of $32,916.00. Be it further resolved to authorize the additional cost of $1,400.00 for the mounting and installation of the equipment. Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

The Planning Commission meeting scheduled for October 15, 2024 is cancelled due to a lack of agenda items.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS:

a.) September 23, 2024

Steve Crothers moved to approve the payment of the bills of September 23, 2024 in the amount of $429,585.40.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

b.) October 14, 2024

Steve Crothers moved to approve the payment of the bills of October 14, 2024 in the amount of $99,346.07.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 7-0.

16. ADJOURNMENT: President Inglis adjourned the meeting at 8:14 P.M.

Council minutes are not official until approved at the October 28, 2024 Council meeting.

Approved ☑

Crystal Budde
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

October 28,2024
Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, SEPTEMBER 9, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Phil Morse, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) August 26, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of August 26, 2024 as presented.
Seconded by: Steve Crothers.

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA:

a.) Homecoming Parade – New Business.

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

VA Morse reported that the Sixth Street sidewalk is in the process of being repaired. Rebar and forms to fill the voids where the concrete has crumbled over the years has been installed.

Quotes continue to be collected for painting the interior of the Village Hall building, new floor installation, and a television to replace the projector screen.

The tour of the Shelby Acres homes is scheduled for 5:00 P.M. on Tuesday, September 24th. The joint Village Council and Planning Commission training with Michigan Municipal League (MML) is scheduled for 6:00 P.M. following the tour at Shelby Acres. Shelby Township Planning Commission and Board

members will be joining as well.

VA Morse reported that he will be attending a Planning Conference hosted by MML from September 25th through September 27th.

Construction on the new building at the DPW should begin next month.

The playground surface has been installed at Getty Park. Thank you to those who volunteered to provide security while the surface was setting. Chief Roesler is looking at camera installation costs.

Apex will be wrapping up the addresses on which they have started construction. They have been instructed not to begin any other service lines.

The Village was awarded $3,000.00 through the REACH program to purchase paint for crosswalks and for "Yield to Pedestrian" signs.

9. DEPARTMENT HEADS' REPORTS:

Chief Roesler had nothing to report.

DPW Supervisor Jeremiah Helenhouse reported that the Fifth Street sidewalk has been poured. Tree trimming was done on First Street. SaniSweep was in the Village performing street sweeping.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS:

a.) Apptegy

Village Council had previously requested that VA Morse reach out to communities that have contracted with Apptegy for their services. Timothy Rooney, City of Mustang City Manager, stated that they could not be happier with the product, ease of training, residents' reactions to it and the lack of problems with their hosting.

VA Morse did hear from a local business owner who would like to submit a proposal and asked that the Council delay taking action until the next meeting.

13. NEW BUSINESS:

a.) Homecoming Parade

Shelby Schools' Resource Officer, Tim Simon reached out to Clerk/Treasurer Crystal Budde seeking Council approval for the Shelby Homecoming Parade on October 4, 2024. No action was taken by the Village Council. Chief Roesler and DPW Supervisor Helenhouse will coordinate with the school to set up

the parade route.

b.) Sixth Street to School Street Crosswalk Proposal

In the Getty Park Project plans, there is a crosswalk drawn to be installed from Sixth Street to School Street. VA Morse believes there is value in following through with the plans as designed for the safety and well-being of children and adults crossing the road. The paint for the crosswalk will be funded by the REACH program as well as portable crosswalk signs. DPW Supervisor Helenhouse has reached out for proposals. He has yet to receive any proposals.

VA Morse will bring the matter back to the Council after proposals have been received.

c.) Getty Park Parking Proposal

The Getty Park Project plans include a parking lot on the east side of School Street. The additional parking will be needed and will help to keep people from being tempted to park on the west side of the road. DPW Supervisor Helenhouse reached out to contractors for proposals on the parking lot as well but has not received any proposals at this time.

VA Morse will bring this matter back to the Council after proposals have been received.

d.) Village Tree Trimming Proposal

There are several trees on the east side of Oceana Drive across from Wesco; trees by Barnett Station; and, large tree branches on Sixth Street that are either obstructing views for drivers or leaning over the street and are a safety concern. Furthermore, in some cases, they take away from the appeal of the town. DPW Supervisor Helenhouse reached out for proposals from several tree Companies, but only received one. A Cut Above Tree Service and Timber Harvesting submitted an estimate of $5,000.00 for the removal of two trees next to Barnett Station; three trees on State Street; trimming over hanging tree limbs on Sixth Street; and, removal of the broken maple tree on Sixth Street.

Steve Crothers moved to approve Estimate Number 287 from A Cut Above Tree Service and Timber Harvesting of Hart, Michigan in the amount of $5,000.00 for three removal services as submitted. Seconded by: Dan Zaverl.

Roll Call Vote:
Ayes: Crothers, Zaverl, Termer, Omness, Sutton, Trott, and Inglis.
Motion Carried 7-0.

e.) Proposed IGA Between Shelby Township and The Village of Shelby – Discussion Only

Shelby Township and the Village of Shelby have equipment that complements each other. Currently, the Village rents equipment, contracts work out, and, in some cases, borrows equipment from local businesses or from the Township. VA Morse believes that it would be wise to formalize an agreement with Shelby Township for the same.

VA Morse will finalize the details and bring them back to Council at a later date.

f.) Codified Ordinance

Updating the Village's General Law Ordinances has been quite the process and is coming to a culmination. The Ordinance Committee has met several times to review the Editorial and Legal Analysis which the Council approved on March 26, 2024. General Code has created the draft General Law Village Ordinances, and the Ordinance Committee has recommended that the Village Council approve the draft General Law Village Ordinances with the additional language added to the Sidewalk Ordinance and the addition of the Snowmobile Ordinance that was approved in 2015.

Curt Trott moved to approve the Draft Codified Ordinances of the Village of Shelby with the additional language regarding sidewalk maintenance and the addition of the Snowmobile Ordinance originally adopted on October 12, 2015.
Seconded by: Dan Zaverl.

Roll Call Vote:
Ayes: Trott, Zaverl, Omness, Sutton, and Inglis.
Nays: Crothers.
Motion Carried 5-1
Absent: Mike Termer.

g.) Request For Street Closure – Industrial Park Drive

The Shelby-Benona Fire Department will be hosting an Open House on Tuesday, October 8, 2024 from 5:00 P.M. to 8:00 P.M. Fire Chief Jack White is requesting Council approval to close a portion of Industrial Park Drive from Sixth Street to approximately 150 feet Northwest of the fire Barn from 4:00 P.M. to 8:00 P.M.

John Sutton moved to approve the request for the closure of Industrial Park Drive from Sixth Street to approximately 150 feet Northwest of the Shelby-Benona Fire Department on Tuesday, October 8, 2024 between the hours of 4:00 P.M. and 8:00 P.M.
Seconded by: Damian Omness.

Voice Vote: All in favor.
Motion Carried.
Absent: Mike Termer.

h.) Façade Grant Extension Request

The owners of the buildings at 169 and 163 N. Michigan Avenue had been approved to utilize the Façade Grant. Each building was approved for $10,000.00 and Construction commenced. During the renovations, they found more windows that were cracked and wish to include removal and replacement of those windows as well. The wait time on specialty windows is six weeks which will push completion past the Village's September 30, 2024 deadline for completion projects. The owners are requesting an extension to October 30, 2024 for completion of the projects.

Damian Omness moved to approve the request from James Wickstra, Larry Byl, Tim Horton, and Calvin

Roskam to extend the Façade Grant Program deadline to October 30, 2024 due to project delays.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 6-0.
Absent: Mike Termer.

i.) State Street and Fifth Street Crossing Guard – Discussion Only

The Village has had a crossing guard at State Street and Firth Street for many years. With the construction of the new elementary school, use of that crosswalk has declined. There are approximately 5 -6 students, primarily middle to high school aged, utilizing it now. Chief Roesler, Shelby Public Schools Superintendent Mark Olmstead, and VA Morse have questioned the need for a crossing guard in that location. The thought is to keep a guard there until the school zone signs are up and place "yield to pedestrians" signs there for continued student safety while utilizing budget dollars elsewhere.

The consensus of the Village Council is to have Chief Roesler conduct some additional research and report back at the next Village Council meeting.

j.) Authorized Signer

Since being hired as Village Administrator, Phil Morse has not been named the "Authorized Signer" for agreements, documents, contracts, and so forth.

Steve Crothers moved to approve Resolution 59-24. (See attached).
Seconded by: Damian Omness.
Roll Call Vote:
Ayes: Crothers, Omness, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 6-0.
Absent: Mike Termer.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:

A joint meeting with the Village Planning Commission and the Village Council will be held Tuesday, September 24, 2024 at 6:00 P.M. at the Village Hall to take part in a MML training session. This joint meeting will also meet the requirement of becoming RRC Certified.

b. WATER & SANITATION: Chair: Mike Termer, John Sutton:

The Water and Sanitation Committee reviewed a draft amendment to the IGA by and between the Village of Shelby and Shelby Township for the sale of water outside of the Village. DPW Supervisor Jeremiah Helenhouse will follow up with the Water and Sanitation Committee once

he has gathered more information.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:

The Parks, Recreation, and Buildings Committee will be meeting on September 16, 2024 at 9:00 A.M. to discuss several items pertaining to Village Parks.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Damian Omness:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Ordinances Committee Chair Curt Trott thanked everyone for all the hard work and effort put into the Village General Law Ordinance Update.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of September 9,

2024 in the amount of $271,218.64.
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Zaverl, Sutton, Trott, and Inglis.
Motion Carried 6-0.
Absent: Mike Termer.

16. ADJOURNMENT: Paul Inglis adjourned the meeting at 7:54 P.M.

Council minutes are not official until approved at the October 14, 2024 Council meeting.

Approved ☑

Crystal Budde — October 14, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer — Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF DECEMBER 9, 2024 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President John Sutton.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, John Sutton, Dan Zaverl, Crystal Heykoop, and Curt Trott.
Absent: Samantha Gottschalk.

Staff present: Village Administrator Phil Morse, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) <u>November 25, 2024</u>

Steve Crothers moved to approve the minutes of the Regular Council meeting of November 25, 2024 as corrected.
Seconded by: Mike Termer.

Voice Vote: All in favor.
Motion Carried.
Absent: Samantha Gottschalk.

6. ADDITIONS TO THE AGENDA:

a.) Request from Councilman Zaverl – New Business.

7. PRESIDENT'S REPORT:

President Sutton stated that he was very impressed with the number of residents in attendance at the Tree Lighting Ceremony at Getty Park and thanked everyone for all their hard work.

8. ADMINISTRATOR'S REPORT:

VA Morse reported that he led a Village staff assembly. Items in the employee handbook were highlighted, and workplace culture was discussed.

The Sixth Street sidewalk fence has been installed.

The staff and VA Morse finished the section of FAQ's, Misconceptions, and Detailed Explanations for the new website.

VA Morse applied for a $5,000.00 grant through the REACH Program that would cover the cost of a sidewalk and crosswalk study for Sixth Street to be conducted by Flies & VandenBrink.

Now that the Village is officially Redevelopment Ready Community (RRC) certified, the Village has access to a resource person named Dan Leonard from the MEDC regarding specific properties in the Village that would be ideal for revitalization. Mr. Leonard will be meeting with VA Morse in person on December 18, 2024.

9. DEPARTMENT HEADS' REPORTS:

Chief Roesler had nothing to report.

DPW Supervisor Jeremiah Helenhouse reported that he did have a DPW employee snow blow the State Street sidewalk this week due to the amount of snow that was thrown on the sidewalk from the Village plow trucks.

10. CORRESPONDENCE: No Correspondence.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) <u>2025 – 2026 Fee Schedule</u>

It has been several years since the Village Fee Schedule has been reviewed by Council. Deputy Clerk/Treasurer Amy Bowditch researched the fees from surrounding municipalities for comparative purposes. The fee schedule will be effective March 1, 2025.

Mike Termer moved to approve the 2025-2026 Village Fee Schedule effective March 1, 2025.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Termer, Trott, Crothers, Zaverl, Heykoop, and Sutton.
Motion Carried 6-0
Absent: Samantha Gottschalk.

b.) <u>Shelby Acres PUD Amendment Request</u>

Richard Raffaelli, representing the Oceana County Development Corporation, is requesting an amendment to the Planned Unit Development (PUD) to decrease the side and back yard setbacks on several lots in the Shelby Acres Development. The PUD states that the setback requirements are 15 feet on the front, 8 feet on the sides, and 30 feet on the back yard lots. The request is to adjust the

setback requirements to allow for 4 feet on the side lots and 15 feet on the back yard lots. When the original plans were made by the engineers and architects, based on the land survey, changes in elevation were not taken into consideration. Phase 3 of the project is beginning and the final land surveys that are being conducted show that the original layout needs to be adjusted. For the same number of homes to be constructed, while maintaining the commitment to vary how the home styles are laid out, there needs to be an adjustment to the setback requirements. It is estimated that approximately five homes would have setback modifications. The Planning Commission voted unanimously to recommend approval by the Village Council.

Steve Crothers moved to approve the requested PUD Amendment for Shelby Acres.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Heykoop, Trott, and Sutton.
Motion Carried 6-0.
Absent: Samantha Gottschalk.

c.) United Methodist Property – Discussion Only

The Village Council toured the United Methodist Church in a Special Council Meeting on November 25th. VA Morse has since gathered some information for Council on several items that had been discussed. The boiler at the church is approximately 10 years old, which is newer than the addition that was put on in 1999. The forced air furnaces (2 in the gym, 1 in the entryway/nursery, and downstairs) were installed in the same time frame as the boiler. The air conditioning units that service the sanctuary are approximately 15 years old; however, the air conditioning units for the east area of the church are close to 20 years old and have not been used in quite a while. VA Morse was provided with a summary of the utility bills and will be re-formatting those to draft a comparison to the Village Hall building utility costs.

d.) Elliot Street Lot Split

The Village Council approved a lot division application for the property located at 129 Elliot Street at the November 25, 2024 Council meeting. Councilman Dan Zaverl was concerned that perhaps he should have abstained from voting on the matter due to the fact that the owner of the property is his employer.

Dan Zaverl moved to rescind the motion approving resolution number 75-24 to approve the lot division application at 129 Elliot Street, parcel number 0496-543-003-00.
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Zaverl, Termer, Crothers, Heykoop, Trott, and Sutton.
Motion Carried 6-0.
Absent: Samantha Gottschalk.

Mike Termer moved to approve the lot division application at 129 Elliot Street, parcel number 046-543-003-00.

Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Termer, Crothers, Heykoop, Trott, and Sutton.
Abstain: Zaverl.
Motion Carried 5-0
Absent: Samantha Gottschalk.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Samantha Gottschalk:

The Planning Commission will meet on December 17, 2024 at 6:00 p.m. to participate in a video training.

b. WATER & SANITATION: Chair: Curt Trott, Crystal Heykoop:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Samantha Gottschalk, Steve Crothers:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: Mike Termer, Samantha Gottschalk:

Nothing to report.

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills of December 9, 2024 in the amount of $152,027.31.
Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Crothers, Termer, Zaverl, Heykoop, Trott, and Sutton
Motion Carried 6-0.
Absent: Samantha Gottschalk.

16. ADJOURNMENT: President Sutton adjourned the meeting at 7:19 p.m.

Council minutes are not official until approved at the January 13, 2025 Council meeting.

Approved ☑

Crystal Budde — January 13, 2025

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer — Date