

**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF January 6, 2020 at 6:30 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 6:34 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Andy Near, and Bill Harris.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) December 23, 2019

Steve Crothers moved to approve the minutes of the Regular Council Meeting of December 23, 2019 as presented.

Seconded by: John Sutton.

Voice Vote: All in favor.

Motion Carried.

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

6. PRESIDENT'S REPORT: President Inglis deferred to VA Widigan for his report regarding the snow plowing in the Village of Shelby over the New Year Holiday.

VA Widigan reported that, after the poor conditions of the roads on New Year's Day, he met with DPW Supervisor Greg MacIntosh and a number of areas were addressed and solutions have been found. VA Widigan doesn't believe that there will be any further issues with the plowing of the Village streets.

7. ADMINISTRATOR'S REPORT:

VA Widigan reported that the Village of Shelby Council will hold a Public Hearing to take public comments regarding the Village of Shelby's draft 2020-2025 Parks and Recreation Plan during the Regular Council meeting of Monday, January 20, 2020 at 6:30 P.M.

The Ordinances Committee will be meeting the week of January 6, 2020 to discuss input from landlords regarding the proposed Rental Ordinance and to review the current draft of the proposed ORV Ordinance.

Chief Farber and VA Widigan are continuing to work with the USDA Rural Development staff on a possible Community Facilities Grant to purchase a police cruiser and/or DPW vehicle.

8. DEPARTMENT HEADS’ REPORTS:

DPW Supervisor Greg MacIntosh had nothing to report.

Chief Farber introduced the newest member of the Shelby Village Police Department staff, Elizabeth Mantyck. Elizabeth is doing great and is a wonderful addition to the Department.

9. CORRESPONDENCE:

a.) West Michigan Shoreline Reginal Development Commission

President Inglis received notification that Golden Township has successfully updated the Golden Township Master Plan. The Golden Township Board officially adopted the Plan at its December 10, 2019 meeting.

10. CITIZEN PARTICIPATION:

Village resident Craig Beilfus expressed his concern about the conditions of the Village streets after the New Year’s Eve winter storm. Mr. Beilfus also asked VA Widigan what areas of concern were addressed in his meeting with Mr. MacIntosh. VA Widigan responded that the major concerns that were addressed included: Downtown was a mess; the crew started too late in the morning; and, the need to plow Michigan Avenue, First Street, and Sixth Street first.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS: No New Business.

13. COMMITTEE REPORTS:

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

The Planning Commission will meet on January 21, 2020 to continue work on the Master Plan Update.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

The Village of Shelby will hold a Public Hearing to take public comments regarding the Village of Shelby’s draft 2020-2025 Parks and Recreation Plan during the Regular Council meeting of January 20, 2020 at 6:30 P.M. The Parks, Recreation, and Buildings Committee will also be meeting to discuss changes to the Getty Park Improvement Plan for the new grant application to be submitted to the MDNR before April 1, 2020.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Andy Near:

Nothing to report.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl:

The Ordinances Committee will be meeting on Monday, January 6, 2020 to discuss the proposed Rental Ordinance and to review the current draft of the proposed ORV Ordinance.

14. PAYMENT OF BILLS: Jim Wyns moved to approve the payment of bills for January 6, 2020 in the amount of \$59,767.06.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried.

15. ADJOURNMENT: Andy Near moved to adjourn the meeting at 7:07 P.M.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

Council minutes are not official until approved at the January 20, 2020 Council meeting. Approved

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF JANUARY 20, 2020 at 6:30 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 6:30 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, and Bill Harris.

Absent: Andy Near.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, and Police Chief Bob Farber.

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

4. MINUTES:

a.) January 6, 2020

Jim Wyns moved to approve the minutes of the Regular Council meeting of January 6, 2020 as corrected.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

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

6. PRESIDENT'S REPORT: Nothing to report.

7. ADMINISTRATOR'S REPORT:

VA Widigan reported that he has been in contact with Shelby Public Schools Superintendent, Tim Reeves, regarding the traffic light on Sixth Street and that it is not working correctly. Given that the light is not operating correctly, provides the Village with the opportunity to discuss replacement or even alternative options. VA Widigan has asked if Mr. Reeves would prefer to meet with Chief Farber and him to discuss the study conducted by Chief Farber and Council member Wyns on the effectiveness and use of the light.

VA Widigan has begun working on the evaluation template to be used for department head reviews. He will be sending those to the department heads and will schedule their reviews.

VA Widigan reported that he has received the draft Master Plan Goals and Objectives from Andy Moore of Williams and Works. The Planning Commission will be reviewing them during their meeting

on January 21, 2020. Mr. Moore is requesting that the Planning Commission review the goals and objectives document and provide feedback. This is an essential step in the process as feedback on the document will help make up the draft Master Plan.

It was requested that VA Widigan explore the Village's options for the 2020 millage rates that are set in June, given that the Street Debt expired at the beginning of 2020. VA Widigan has met with both the Village's auditor, Eric VanDop, and Attorneys John Schrier and Matt Mills. VA Widigan will be setting up a Finance Committee meeting to discuss the Village's options for setting the 2020 Millage Rates. The Finance Committee will review and consider the information, and a recommendation will be brought to Council.

The Ordinances Committee met on January 6, 2020 and has determined the following schedule for public hearings:

Rental Ordinance: March 9, 2020

ORV Ordinance: March 23, 2020.

8. DEPARTMENT HEADS' REPORTS: Nothing to report.

9. CORRESPONDENCE:

a.) DNR Letter – Hemlock

A letter was received by the Village of Shelby notifying the Village workers of an invasive species update of hemlock woolly adelgid. The hemlock woolly adelgid is an invasive insect that can kill Eastern Hemlock trees and has infested areas of Allegan, Muskegon, and Oceana Counties. The woolly adelgid sucks sap out of hemlock trees. Their feeding can kill needles, shoots, and branches. This will, over time, slow the tree growth and can take on a grayish-green appearance.

Infestations on private and municipal land in Ottawa, Muskegon, and Oceana Counties are being surveyed and managed by the West Michigan CISMA, supported by funding from the Great Lakes Restoration initiative, the Michigan Invasive Species Grant Program and Ottawa County.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. PUBLIC HEARING:

a.) Review of the Draft Parks and Recreation Plan 2020-2025

President Inglis opened the Public Hearing at 6:47 P.M.

No Public Comment.

President Inglis closed the Public Hearing at 6:48 P.M.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Draft Parks and Recreation Plan 2020-2025

A five-year Parks and Recreation plan is required by the Michigan Department of Natural Resources (DNR) to be filed with the DNR before a community can apply for any DNR Grant. The purpose of a parks and recreation plan is to develop a comprehensive vision for a park system, individual park, open space area, recreation facility, and/or programs in context of its location, natural resources, and visions of the community. This vision will serve as a framework for the long-term use and development of a park or facility.

John Sutton moved to adopt resolution number 2020-01, a resolution to adopt the Village of Shelby Parks and Recreation Plan 2020-2025.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Sutton, Crothers, Wyns, Zaverl, Harris, and Inglis.
Motion Carried 6-0.
Absent: Andy Near.

b.) Household Hazardous Waste Disposal Program

The Village has been a part of the Manistee, Mason, and Oceana Household Hazardous Waste Program since approximately 2014. The goal is to provide a way for residents to safely and easily dispose of hazardous materials so that they do not end up in our lakes, streams, groundwater or public water supplies. The requested amount of \$826.00 for 2020 is based on the Village’s 2010 Census count of 2065 at \$.40/person.

Dan Zaverl moved to participate in the 2020 Manistee, Mason, and Oceana Household Hazardous Waste Program in the amount of \$500.00.
The motion died for a lack of support.

Jim Wyns moved to participate in the 2020 Manistee, Mason and Oceana Household Hazardous Waste Program in the amount of \$550.00.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Wyns, Crothers, Sutton, Harris, and Inglis.
Nays: Zaverl.
Motion Carried 5-1.
Absent: Andy Near.

14. COMMITTEE REPORTS:

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

The Planning Commission will meet on January 21, 2020 at 6:30 P.M. to continue to work on the Master Plan Update.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

The Land and Water Grant application for the Getty Park Project is complete. The Village intends to cut the project scope back by removing the splash pad and skate park for now.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Andy Near:

Nothing to report.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Jim Wyns moved to approve the payment of bills in the amount of \$42,930.64. Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 6-0.

Absent: Andy Near.

16. ADJOURNMENT: Jim Wyns moved to adjourn the meeting at 7:11 P.M. Seconded by: Dan Zaverl.

Voice Vote: All in favor.

Motion Carried.

Council minutes are not official until approved at the February 10, 2020 Council meeting.

Approved

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF February 10, 2020 at 6:30 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 6:30 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Dan Zaverl, Paul Inglis, John Sutton, and Bill Harris.
Absent: Steve Crothers and Andy Near.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, and Police Chief Bob Farber.

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

4. MINUTES:

a.) January 20, 2020

Jim Wyns moved to approve the minutes of the Regular Council meeting of January 20, 2020 as corrected.

Seconded by: John Sutton.

Voice Vote: All in favor.

Motion Carried.

Absent: Steve Crothers and Andy Near.

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

6. PRESIDENT'S REPORT: Nothing to report.

7. ADMINISTRATOR'S REPORT:

VA Widigan reported that the Finance and Insurance Committee met Monday, February 10, 2020 at 5:00 P.M. to review the proposed Fiscal Year 2020/2021 Budget and Capital Improvements Plan. A Finance and Insurance Committee of the Whole will meet on Monday, February 17, 2020 at 5:00 P.M.

The new windows and the new door have been installed at the Village Hall. VA Widigan was very pleased with the installation.

The Village's Parks and Recreation Plan 2020-2025 has officially been submitted to the Michigan Department of Natural Resources. Mr. Wilson and VA Widigan have been working on grant applications for both the Michigan Natural Resources Trust Fund grant and Land and Water Conservation Fund grant.

The Parks, Recreation and Buildings Committee will hold a Public Hearing to take public comments during a Parks, Recreation and Buildings Committee meeting that will be held on Monday, February 24, 2020, at 5:30 P.M. The purpose of the Public Hearing is to obtain input on the proposed updated conceptual plan for Getty Park.

Over the last two months, VA Widigan has been working with Oceana's Home Partnership and their consultant, Al Martin, on a potential 15-unit housing project called "Shelby Trails" located on Walnut Street near Fourth Street. This project will be presented to the Village Council in greater detail on March 9, 2020.

The Shelby Village Council has two upcoming public hearings for the proposed ordinances. On March 9, 2020, the Council will vote on the proposed Rental Ordinance and on March 23, 2020, the Council will vote on the proposed ORV Ordinance.

As was discussed in December 2019, all municipalities within the State of Michigan are required to undergo water rate studies to ensure that the water rates collected are sufficient to cover the maintenance of a municipality's water system. Mike Engels, with the Michigan Rural Water Association, has completed a water rate study for the Village of Shelby which the Water and Sanitation Committee has reviewed. The study has been sent to Don DeVries, with Fleis & VandenBrink Engineering, who will review it and give feedback in time for action on the Village's water rates this February.

On Monday, February 24, 2020, the Shelby Village Council will convene as the Zoning Board of Appeals (ZBA) to review a zoning request for a use variance and a dimensional variance. Elizabeth Suarez has applied for a use variance and a dimensional variance to construct a 4-bedroom two-family dwelling at 109 Pine Street. The property is within the C-2 General Commercial District, whereby two-family dwellings are not permitted; thus, a use variance is requested. Further, the proposed dwelling would be located approximately four feet from each side yard, which is less than what is required for the C-2 General Commercial District. Therefore, a dimensional variance will be requested as well.

8. DEPARTMENT HEADS' REPORTS: Nothing to report.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION:

Deldeayne Merrill, 174 Pine Street, addressed the Council regarding concerns she has. Ms. Merrill had a meter replaced last summer because the meter was not working correctly and the DPW was not getting a read each month. Ms. Merrill received a \$34.00 water bill this month showing no water usage and was concerned there is an issue again wherein she will get a larger water bill later. Clerk/Treasurer Budde will request that DPW Supervisor Greg MacIntosh visit the home to look any issue there may be with the meter. Ms. Merrill also has a concern as to how the DPW is plowing snow up Third Street to Pine Street. She stated that a significant amount of snow is being left in her driveway and on her property. President Inglis encouraged Ms. Merrill to come to the Village Hall to discuss her concerns with VA Widigan. He assured her that the Village Council and VA Widigan take complaints very seriously and that VA Widigan would make sure to address the issue with DPW Supervisor Greg

MacIntosh.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) Getty Park Applications Authorization

On January 6, 2020, VA Widigan and John Wilson met with DNR Coordinators in Lansing. It was recommended that, in this grant cycle, the Village apply for both the Michigan Natural Resources Trust Fund (MNRTF) and Land and Water Conservation Fund (LAWCON) grants. Last year, the Village applied for a MNRTF grant only. VA Widigan is in the process of preparing the applications for both grants. However, this is a fast track application process with numerous deadlines and several documents that require a signature. The Council was requested to consider a motion allowing VA Widigan to submit all necessary documents in the grant process.

Councilmen Dan Zaverl asked VA Widigan where the money for the grant match would be coming from. The Village will need to match the grant and the estimated cost is approximately \$300,000.00. VA Widigan and John Wilson explained that the match that would be needed if the Village receives the grant would be met over a two year period and that any donations of labor, time, equipment, supplies, and money would count as in-kind.

Jim Wyns moved to authorize the Village Administrator to do all things related to the renovation work to Getty Park to include the signing of all documents related to the MNRTF and LAWCON grant application process.
Seconded by: John Sutton.

Roll Call Vote:
Ayes: Wyns, Sutton, Zaverl, and Inglis.
Nays: Harris.
Motion Carried 4-1.
Absent: Andy Near and Steve Crothers.

b.) Snowblower Replacement Request – Greg MacIntosh

The front mount snowblower attachment for the Kubota has been repaired several times; parts replaced, welded and refabricated, bent back in shape, and so forth. It is at the point to DPW uses to clear the Village sidewalks of snow in winter. Three quotes were obtained as follows:

Freeman Creek Equipment, 7511 N. US 31, Freesoil, MI 49411	\$5,126.10
Kent Equipment, 1550 10 Mile Rd. Sparta, MI 49345	\$3,850.00
Pell’s Equipment, 9542 West 48th Street Fremont, MI 49412	\$3,925.00

John Sutton moved to authorize DPW Supervisor Greg MacIntosh to purchase a front mount snowblower for a B5220b 51" model Kubota from Kent Equipment, 1550 10 Mile Road in Sparta, Michigan 49345 for a total cost of \$3,850.00.

Seconded by: Bill Harris.

Roll Call Vote:

Ayes: Sutton, Harris, Wyns, and Inglis.

Nays: Zaverl.

Motion Carried 4-1.

Absent: Steve Crothers and Andy Near.

c.) February 2020 Budget Amendments

There are a few expenditure line items within the budget that require adjusting. These budget amendments represent a net increase to General Fund, Major Streets, and Local Streets Fund expenditures in the amount of \$27,264.35. The projected increases exceed what was approved in the budget. The primary reasons for the overages are:

1. The Sessions Road project itself was under budget; however, there were engineering costs that were greater than the budgeted amount.
2. Salaries and Wages and Equipment Rental charges were greater than what was budgeted for certain line items.
3. The window and door replacements at the Village Hall cost approximately \$3,000.00 more than what was budgeted.

Jim Wyns moved to approve Resolution #2020-02-10, February 2020 Budget Amendments as detailed in exhibit A. (See attached)

Seconded by: Bill Harris.

Roll Call Vote:

Ayes: Wyns, Harris, Zaverl, Sutton, and Inglis.

Motion Carried 5-0.

Absent: Steve Crothers and Andy Near.

d.) Village of Shelby Council Meeting Analysis

The Village of Shelby Council was requested by VA Widigan to consider switching from twice monthly meetings to monthly meetings. By meeting once a month, the Village would be saving approximately \$5,601.00 per year in tangible costs.

Much discussion ensued and no action was taken on the matter.

13. COMMITTEE REPORTS:

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

The Planning Commission will meet on February 18, 2020 to continue to work on the Master Plan Update.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

The Parks, Recreation and Buildings Committee will hold a Public Hearing to take public comments during a Parks, Recreation and Buildings Committee meeting on Monday, February 24, 2020 at 5:30 P.M. The purpose for the Public Hearing is to obtain input on the proposed updated conceptual plan for Getty Park.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

The Finance and Insurance Committee met on Monday, February 10, 2020 at 5:00 P.M to discuss 2019/2020 budget amendments and to review the proposed draft 2020/2021 Fiscal Year Budget. The Finance Committee of the Whole will meet on February 17, 2020 at 5:00 P.M. to review the proposed 2020/2021 Fiscal Year Budget.

f. PERSONNEL: Chair: John Sutton, Andy Near: Nothing to report.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl: Nothing to report.

14. PAYMENT OF BILLS: Jim Wyns moved to approve the payment of the bills in the amount of \$61,477.62.

Seconded by: John Sutton

Roll Call Vote:

Ayes: Wyns, Sutton, Zaverl, Harris, and Inglis.

Motion Carried 5-0.

Absent: Steve Crothers and Andy Near.

15. ADJOURNMENT: Jim Wyns moved to adjourn the meeting at 7:57 P.M.

Seconded by: Dan Zaverl.

Voice Vote: All in favor.

Motion Carried.

Absent: Steve Crothers and Andy Near.

Council minutes are not official until approved at the February 24, 2020 Council meeting.

Approved

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date



**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF February 24, 2020 at 6:30 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 6:32 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Dan Zaverl, Paul Inglis, John Sutton, Andy Near, and Bill Harris.
Absent: Jim Wyns and Steve Crothers.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) February 10, 2020

Dan Zaverl moved to approve the minutes of the Regular Council meeting of February 10, 2020 as corrected.

Seconded by: Bill Harris.

Voice Vote: All in favor.

Motion Carried.

Absent: Jim Wyns and Steve Crothers.

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

6. PRESIDENT'S REPORT: President Inglis informed Council that Jim Wyns had left shoulder surgery Monday morning and is at home to begin the recovery process.

7. ADMINISTRATOR'S REPORT: Nothing to report.

8. DEPARTMENT HEADS' REPORTS: Chief Farber reported that he is still working to hire additional part-time officers and would like to set up a Personnel Committee meeting in order to discuss filling the full-time position that is currently open. Officer Elizabeth Mantyck just accepted a full-time position with the City of Hart, but stated she would still like to remain part-time for the Village.

DPW Supervisor Greg MacIntosh had nothing to report.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. PUBLIC HEARING:a.) Proposed Fiscal Year 2020/2021 Budget

President Inglis opened the Public Hearing for the proposed Fiscal Year 2020/2021 Budget at 6:45 P.M.

VA Widigan reported that no changes were made to the proposed 2020/2021 fiscal year budget since the Finance and Insurance Committee of the Whole reviewed it on February 17, 2020. The Village of Shelby's General Fund fund balance will see an increase of \$935.41; the Major Streets Fund fund balance will see an increase of \$99,756.00; the Local Streets Fund fund balance will see a decrease of \$57,333.00; the Sewer Fund fund balance will see a decrease of \$32,665.41; the Water Fund fund balance will decrease \$170,105.20 primarily due to the water tower restoration. The Village's Equipment Pool Fund fund balance will see a decrease of \$19,735.43.

There being no public comment, President Inglis closed the Public Hearing at 6:47 P.M.

12. OLD BUSINESS: No Old Business.**13. NEW BUSINESS:**a.) Fiscal Year 2020/2021 Budget Adoption

Bill Harris moved to adopt the 2020/2021 Fiscal Year Budget Resolution #2020-02-24-01 and attachments (see attached).

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Harris, Sutton, Zaverl, Near, and Inglis.

Motion Carried 5-0.

Absent: Jim Wyns and Steve Crothers.

b.) Land Owner Approval of M60 Series Tank

Commander Kim Stone of American Legion Post #30, Shelby, Michigan came to the Village Hall with a letter from Rebecca Chodynieceki, Army Donations Specialist, US Army TACOM. For the American Legion to be allowed to keep the M60 Series Tank at Tank Park, they need approval from the local government/land owner.

Andy Near moved to approve that the M60 Series Tank, Serial Number 965, remain in Tank Park, at the corner of Industrial Park Drive and W. Sixth Street in Shelby, Michigan 49455 (parcel Number 064-046-533-002-00). Furthermore, this piece of US Army/Government owned equipment was actually conditionally loaned to VFW Post #9441, Shelby, Michigan, which has

gone defunct and American Legion Post #30, Shelby, Michigan wishes to have the conditional loan transferred to its Post.

Seconded by: Dan Zaverl.

Voice Vote: All in favor.

Motion Carried.

Absent: Jim Wyns and Steve Crothers.

c.) Water Tower Bids

Dixon Engineering has reviewed the bids submitted for repairs to and repainting of the Village's 200,000-gallon spheroid elevated tank and recommended that the Council award the low bidder, L & T Painting of Shelby Charter Township, Michigan for the bid amount of \$119,375.00. The bid includes all items in the base bid and the line item for the alternate logo. This bid amount is well below Dixon's alternate recommended estimate from its 2019 report.

Bill Harris moved to accept the bid from L & T Painting of 50502 Hunters Creek Trail, Shelby Charter Township, Michigan 48317 to include the logo alternate for a total price of \$119,375.00 and to authorize the Village Administrator to sign the Notice of Award with L & T Painting.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Harris, Sutton, Zaverl, Near, and Inglis.

Motion Carried 5-0.

Absent: Jim Wyns and Steve Crothers.

Andy Near moved to suspend the Village of Shelby Council meeting and to convene as the Village of Shelby Zoning Board of Appeals at 7:02 P.M.

Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Near, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 5-0.

Absent: Jim Wyns and Steve Crothers.

President Inglis reconvened the Village of Shelby Council meeting at 7:58 P.M.

14. COMMITTEE REPORTS:

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

The Planning Commission meeting scheduled for February 18, 2020 was cancelled. The Planning Commission will meet again on March 17, 2020 at 6:30 P.M.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

The Parks, Recreation and Buildings Committee met at 5:30 P.M. on Monday, February 24, 2020 to discuss and review the Master Development Concept for Getty Park.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Andy Near:

The Personnel Committee will be scheduling a meeting soon to discuss filling the full-time Police Officer position.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Bill Harris moved to approve the payment of the bills in the amount of \$68,088.89.

Seconded by: Andy Near.

Roll Call Vote:

Ayes: Harris, Near, Zaverl, Sutton, and Inglis.

Motion Carried 5-0.

Absent: Jim Wyns and Steve Crothers.

16. ADJOURNMENT: John Sutton moved to adjourn the meeting at 8:11 P.M.

Seconded by: Andy Near.

Voice Vote: All in favor.

Motion Carried.

Absent: Jim Wyns and Steve Crothers.

Council minutes are not official until approved at the March 9, 2020 Council meeting. Approved



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

3-09-2020

Date

**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF March 09, 2020 at 6:30 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 6:30 P.M. by President P. Inglis.

2. ROLL CALL:

Answering the roll call: Councilman Jim Wyns, Councilman Steve Crothers, Councilman Dan Zaverl, President Paul Inglis, Councilman John Sutton, and Councilman Bill Harris.

Absent: Councilman Andy Near.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) February 24, 2020

Councilman D. Zaverl moved to approve the minutes of the Regular Council meeting of February 24, 2020 as corrected.

Seconded by: Councilman J. Sutton

Voice Vote: All in favor.

Motion Carried.

Absent: Councilman A. Near.

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

6. PRESIDENT'S REPORT:

President P. Inglis reported that the United Way of the Lakeshore of Oceana County will be hosting "Meeting the Needs of Oceana County Working Families" on Tuesday, March 17, 2020 at 1:00 P.M. at the Optimist Club, 788 Industrial Park Drive, Shelby, Michigan. The purpose of the meeting is to provide information from local agencies regarding their ongoing collaborative work to address the most critical needs of working families in Oceana County. Barbara Sims, Director, United Way of the Lakeshore of Oceana County, will be providing information on services offered to ALICE Families (Asset Limited, Income Constrained, Employed). Mychelle Nicholas, Census Outreach Coordinator, True North Community Services will discuss the Oceana County 2020 Census and the Community Outreach Plan. Sherri Vaincavicz, Director of 211 Programs and Services, Heart of West Michigan United Way will provide information on the Call 211 Line and the cyber-crime resources in Oceana County. Danielle Siegel, Program Assistant, Community Foundation for Oceana County will discuss the Oceana Child Care Task Force and building the capacity of childcare resources. Kittie Tuinstra, Executive Director, Oceana's Home Partnership will discuss building the supply of affordable housing in Oceana County. Jodi Nichols, Business Development Coordinator- Lake and Oceana Counties, The Right Place, Inc. will be discussing the transportation needs and resources in Oceana County.

7. ADMINISTRATOR'S REPORT:

VA Widigan reported that he will be meeting with Chief Farber to discuss input that was received from the school regarding the update to the Sixth Street traffic light. A Streets and Sidewalks Committee meeting will be scheduled

to discuss the matter further.

The Village's Parks and Recreation Plan 2020 – 2025 has officially been accepted by the Michigan Department of Natural Resources.

The Parks, Recreation and Buildings Committee held a Public Hearing on Monday, February 24, 2020 to obtain input on the proposed updated conceptual plan for Getty Park.

Chief Farber and VA Widigan continue to meet to discuss the Village's next Police Chief. Multiple candidates have been identified as a possible replacement. The Personnel Committee met on Monday, March 2, 2020, to review the job description, pre-interview questions, and interview questions for the Chief's position. A job posting advertisement for Chief of Police is being developed and will be reviewed by the Personnel Committee. In April, the Chief's job posting ad will be posted with the Michigan Municipal League, Michigan Association of Chiefs of Police, MCOLES – Michigan Commission on Law Enforcement Standards, and Facebook.

8. DEPARTMENT HEADS' REPORTS: Nothing to report.

9. CORRESPONDENCE:

a.) Email from Mark Nichols

Mark Nichols reached out to VA Widigan via email stating that his brother Louis Nichols, who has been putting on the horseshoe tournaments for a number of years, has had significant health issues and is no longer able to do the tournaments. He stated that they hope that someone in the area may take this on and they are willing to offer as much assistance as they can.

10. CITIZEN PARTICIPATION:

11. PUBLIC HEARING:

a.) Master Development Concept Plan and Pending Grant Applications for Getty Park

President P. Inglis opened the Public Hearing for the Master Development Concept Plan and Pending Grant Applications for Getty Park at 6:48 P.M.

Mike Cook, Oceana County Planning Commission member, commended the Council on a job well done with the 2020-2025 Parks and Recreation Plan.

President P. Inglis closed the Public Hearing at 6:48 P.M.

b.) Rental Dwelling Ordinance

President P. Inglis opened the Public Hearing for the Rental Dwelling Ordinance at 6:49 P.M.

Larry Byl, Oceana Rentals, asked if landlords would have to pay multiple inspection fees if they did not pass the first home inspection. VA Widigan stated that the landlords would only be paying for one inspection fee and that, if any rental units do not pass the first inspection, another inspection will be done to verify that needed repairs have been done but landlords will not be required to pay an additional inspection fee.

Kittie Tuinstra, Executive Director, Oceana's Home Partnership, addressed the Village Council voicing her support for the proposed Rental Ordinance. Ms. Tuinstra made reference to a previous situation in the Village wherein a tenant had an apartment fire due to issues with a stove that were never repaired by the landlord. The proposed Rental Ordinance would protect both the tenants and the landlords.

Craig Beilfuss, 198 N. Michigan Avenue, asked who will be doing the inspections and if the position will be posted. VA Widigan stated that the Village will be posting the part-time inspector to perform inspections of rental dwellings.

John Terzano, Inspector, Oceana’s Home Partnership, expressed his support for the proposed Rental Ordinance. Mr. Terzano stated that the State requirements are very basic and are not difficult to stay in compliance with.

Mike Cook, Oceana County Planning Commission member, cautioned the Council that they may have a rough road ahead with enforcement of the proposed ordinance.

President P. Inglis closed the Public Hearing at 7:34 P.M.

12. VILLAGE OF SHELBY ZONING BOARD OF APPEALS:

Councilman J. Wyns moved to suspend the Village of Shelby Council and to convene as the Village of Shelby Zoning Board of Appeals at 7:35 P.M.
Seconded by: Councilman S. Crothers.

Roll Call Vote:
Ayes: Wyns, Crothers, Zaverl, Sutton, Harris, and Inglis.
Motion Carried 6-0.
Absent: Councilman A. Near.

Councilman S. Crothers moved to suspend the Village of Shelby Zoning Board of Appeals and to convene as the Village of Shelby Council at 8:31 P.M.
Seconded by: Zaverl

Roll Call Vote:
Ayes: Crothers, Zaverl, Sutton, Harris, Wyns, and Inglis.
Motion Carried 6-0.
Absent: Councilman A. Near.

13. OLD BUSINESS: No Old Business.

14. NEW BUSINESS:

a.) Getty Park Applications – Resolution of Support

The Resolutions are in support of the two grant applications that the Village of Shelby is submitting for the renovation of Getty Park. They assure that the Village of Shelby supports the application titled “Renovation of Getty Park” to the Michigan Department of Natural Resources Land and Water Conservation Fund (LAWCON) and the submission of the application titled “Renovation of Getty Park” to the Michigan Department of Natural Resources Trust Fund (MDNRTF) for the renovation of historic Getty Park. This action will assure the MDNR that the Village of Shelby is making a financial commitment to the project up to a maximum amount of \$346,300.00 in matching funds to include cash, donations, and/or Force Account Labor/Materials (Village’s own paid labor or materials).

Councilman J. Sutton moved to adopt Resolution #2020-03-09-01, a Resolution of Support to submit a Land and Water Conservation Fund Grant application to the MDNR for the renovation of historic Getty Park.
Seconded by Councilman J. Wyns.

Roll Call Vote:

Ayes: Sutton, Wyns, Crothers, Zaverl, Harris, and Inglis.

Motion Carried 6-0.

Absent: Councilman A. Near.

Councilman J. Wyns moved to adopt Resolution #2020-03-09-02, a Resolution of Support to submit a Michigan Department of Natural Resources Trust Grant application to the MDNR for the renovation of historic Getty Park.

Seconded by: Councilman J. Sutton.

Roll Call Vote: Wyns, Sutton, Crothers, Zaverl, Harris, and Inglis.

Motion Carried 6-0.

Absent: Councilman A. Near.

b.) Rental Dwelling Ordinance

VA Widigan presented the Village Council with an ordinance to establish minimum standards for dwellings offered for rent or lease; to authorize inspections of such dwellings; to establish certain responsibilities and duties of landlords and occupants essential to make sure such dwellings are safe, sanitary, and fit for human habitation; to provide for registration with the Building Inspector; to require a certificate of compliance issued by the Building Inspector; and to designate penalties for violations of the ordinance.

The Village of Shelby Ordinances Committee has spent months reviewing area Rental Dwelling Ordinances, listening to feedback from local stakeholders, and holding numerous public hearings. The Committee preferred the general framework of Ludington and Scottville's Rental Dwelling Ordinances. They were revised to meet the Village of Shelby's needs and sent to the Attorneys for review. Attorney Nichole Osborne and John Schrier have reviewed and signed off on the proposed ordinance.

Councilman S. Crothers moved to adopt the Village of Shelby, Oceana County, Michigan, Ordinance Amendment Number 2020-03-09-1, Rental Dwelling Ordinance.

Seconded by: Councilman D. Zaverl.

Roll Call Vote:

Ayes: Crothers, Zaverl, Wyns, Sutton, Harris, and Inglis.

Motion Carried 6-0.

Absent: Councilman A. Near.

c.) Shelby Trails – Option Agreement

The Village of Shelby Council reviewed a draft Option Agreement by and between the Village of Shelby and the Oceana County Housing Commission Nonprofit Corporation. This Agreement is for the Oceana County Housing Commission to purchase Parcel Number 046-115-016-00 and portion of Parcel Number 046-017-100-04. The purpose of the purchase is for the future development of a 15-unit workforce housing project in the Village.

Councilman D. Zaverl moved to authorize the Village Administrator to work with the Oceana County Housing Commission to finalize and sign the Option Agreement by and between the Village of Shelby and the Oceana County Housing Commission Nonprofit Corporation; subject to final review and approval from Village of Shelby Attorney John C. Schrier.

Seconded by: Councilman S. Crothers.

Roll Call Vote:
Ayes: Zaverl, Crothers, Wyns, Sutton, Harris, and Inglis.
Motion Carried 6-0.
Absent: Councilman A. Near.

14. COMMITTEE REPORTS:

- a. **PLANNING COMMISSION: Chair Ex-Officio: Councilman J. Sutton, President P. Inglis:**
The Planning Commission is set to meet on March 17th at 6:30 P.M. to discuss the Master Plan Update and to fill the vacancy created by the death of Planning Commission Chair Rich Setlak.
- b. **WATER & SANITATION: Chair: Councilman B. Harris, Councilman S. Crothers:**
The Water and Sanitation Committee is set to meet on Monday, March 23, 2020 at 5:30 P.M.
- c. **STREETS AND SIDEWALKS: Chair: Councilman D. Zaverl, Councilman J. Wyns:**
Nothing to report.
- d. **PARKS, REC. & BLDGS: Chair: Councilman A. Near, Councilman J. Sutton:**
Nothing to report.
- e. **FINANCE and INSURANCE: Chair: Councilman J. Wyns, Councilman B. Harris:**
Nothing to report.
- f. **PERSONNEL: Chair: Councilman J. Sutton, Councilman A. Near:**
Nothing to report.
- g. **ORDINANCES – Chair Councilman S. Crothers, Councilman D. Zaverl:**
The Ordinance Committee will be meeting sometime in April regarding the proposed ORV Ordinance.

16. PAYMENT OF BILLS: Councilman J. Wyns moved to approve the payment of the bills in the amount of \$59,384.54.
Seconded by: Councilman S. Crothers.

Roll Call Vote:
Ayes: Wyns, Crothers, Zaverl, Sutton, Harris, and Inglis.
Motion Carried 6-0.
Absent: Councilman A. Near.

17. ADJOURNMENT: Councilman D. Zaverl moved to adjourn the meeting at 9:12 P.M.
Seconded by: Councilman S. Crothers.

Voice Vote: All in favor
Motion Carried.
Absent: Councilman A. Near.

Council minutes are not official until approved at the April 13, 2020 Council meeting.

Approved

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

04-13-2020
Date

**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF April 13, 2020 at 6:30 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 6:35 P.M. by President P. Inglis.

2. ROLL CALL:

Answering the roll call: Councilman Jim Wyns, Councilman Steve Crothers, Councilman Dan Zaverl, President Paul Inglis, Councilman John Sutton, Councilman Andy Near, and Councilman Bill Harris.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) March 9, 2020

Councilman S. Crothers moved to approve the minutes of the Regular Council meeting of March 9, 2020 as corrected.

Seconded by: Councilman J. Wyns.

Roll Call Vote:

Ayes: Crothers, Wyns, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT: President P. Inglis thanked all those essential workers who are working to make sure that everyone else can stay safe and healthy during this difficult time.

7. ADMINISTRATOR'S REPORT:

VA Widigan reported that the property owners on 100 W. Sixth Street and 104 N. Michigan Avenue have significantly cleaned up the blight on their property. Mr. Gill Lake, owner of the property with piles of bricks along the Rail-Trail, has been served by the Village's Attorneys. The Village is actively sending out letters and speaking to individuals in violation of the Village's Blight Ordinance.

While staffing levels have been reduced to comply with Executive Order No. 2020-42, the crew is still working in order to get ready for Spring. Only one person is allowed per vehicle and last week they were out picking up brush and leaf bags. Information regarding leaf pick-up has been posted on the Village of Shelby Facebook page.

VA Widigan reported that the Michigan Treasury is expecting an impact to Constitutional Revenue Sharing for June and August. An impact to Statutory Revenue Sharing is also expected. Act 51 monies are expected to be impacted as well due to the reduction in revenue.

VA Widigan has been attending webinars put on by MML covering topics from COVID-19, Zoom Council Meetings, the 2020 Census, Municipal Water Supply, Community Costs from COVID-19, and so forth.

VA Widigan spoke with officials from Hart, Ludington, and Pentwater and all three communities are not putting out park benches or picnic tables. This is because it has been found that the COVID-19 virus can stay on hard surfaces such as plastic or stainless steel for two to three days. We will be following suit with surrounding towns and not putting out park benches or picnic tables until the pandemic passes.

The Paycheck Protection Program (PPP) was finalized on Friday and all small business owners who filed for assistance should know the results soon. The application process began on April 3, 2020 and will continue until the \$349 billion dollars runs out. An applicant must apply through a bank. Shelby State Bank and Fifth Third Bank in Oceana County are processing applications.

VA Widigan reported that the Village Hall is staffed five days a week, Crystal and Randy are alternating days of work. Residents have been paying their water bills consistently. New bills have been sent out. We are not doing water shutoffs until this is over. Bills are still due as normal and leaf bags are available for residents to pick up. If they call the office, the staff can set them out in the Village Hall entrance way.

8. DEPARTMENT HEADS' REPORTS:

DPW Supervisor MacIntosh reported that the department is staying busy and staff is focusing on parks at this time. They are also planning for the Water Tower Project that is still on schedule.

Chief Farber reported that he has hired a fulltime officer. Amanda Payne was hired and had been working part-time for the department and is doing a great job.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION:

Richard Raffaelli, CFO, Peterson Farms, addressed the Council to challenge the Village of Shelby to campaign now to help those in need. Start to encourage residents to support the local businesses in the Village of Shelby during this difficult time.

Tammy Carey, Executive Director, Oceana County Community Foundation, reported that the Community Foundation established an "Urgent Needs" fund. This will assist residents in Oceana County with food access, housing needs, and utility assistance. Ms. Carey will have a link available for those in need to access the program.

11. PUBLIC HEARING: ORV Ordinance

President Inglis opened the Public Hearing Re ORV Ordinance at 7:13 P.M.

Richard Raffaelli, CFO, Peterson Farms, expressed his support for the Village of Shelby Council passing the ORV Ordinance. He believes that it will help the area's economy and lead to several visitors coming through the Shelby area.

Bob Zaverl, who was born and raised in Shelby, wrote a letter of support for the ORV Ordinance. He thought the ordinance would bring in extra business for the Village of Shelby. Allowing for ORV's would also make it much easier for owners to come to town to fuel them up as opposed to filling up several gas cans.

Tammy Carey, Executive Director, Oceana County Community Foundation, also offered her support for the ORV Ordinance and that she believes it will bring in several visitors to shop and eat in the Village of Shelby.

Randy Stovall, Stovall Construction, believed that the ORV Ordinance will do several great things for the businesses of Shelby. He and his family own ORV's and he believed that the majority of those who own ORV's have a respect for the rules and laws governing their use.

Chris Martin related that he and his family have owned ORV's for years and take a few trips north to ride. He would be happy to be able to ride locally at home with his family. He also believed that ORV owners will appreciate the privilege that they are given and will be respectful.

President P. Inglis closed the Public Hearing at 7:40 P.M.

13. OLD BUSINESS: No Old Business.

14. NEW BUSINESS:

a.) Ferric Chloride Quotes

The Village of Shelby uses ferric chloride at the sewer lagoons. It is injected into Cell #3 which is the polishing pond and the cell we discharge from. The purpose of adding ferric chloride is to lower phosphate levels. Phosphate is unavoidable in stabilizing the lagoons and ferric chloride is the common method of keeping the phosphate levels low as well as other aspects of the water system stable.

DPW Supervisor Greg MacIntosh received three quotes for the ferric chloride: PVS Technologies of Detroit, Michigan quoted 4,000 gallons for \$4,700.00; Webb of Muskegon, Michigan quoted 4,000 gallons for \$5,660.00; and, Haviland Products of Grand Rapids, Michigan quoted 4,000 gallons for \$5,400.00.

Councilman D. Zaverl moved to authorize Greg MacIntosh to purchase 4,000 gallons of ferric chloride from PVS Technologies of Detroit, Michigan in the amount of \$4,700.00
Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Zaverl, Crothers, Wyns, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

b.) CEDAM Fellowship Cost Share and MOU

The Village of Shelby was selected to host a Community Development Fellow. The Community Economic Development Association of Michigan (CEDAM), in partnership with the Michigan Economic Development Corporation (MEDC), sought communities who are currently engaged or certified as Redevelopment Ready Communities (RRC) to host a Community Development Fellow. Per CEDAM's Community Development Fellowship 2020-2021 Program description there is a required host community contribution.

The CEDAM Fellowship funding model requires a financial commitment of \$6,000.00 from the host community. The amount may be broken into two payments – half in April 2020 and half in July 2020. The Village of Shelby is required to sign a Memorandum of Understanding (MOU) which shall cover work performed by the Community Development Fellow during the approximately fifteen-month period of June 1, 2020 – August 31, 2021. The MOU is between CEDAM, represented by Luke Forrest and the Village of Shelby, represented by Robert Widigan.

Councilman J. Wyns moved to authorize the Village Administrator to sign the CEDAM agreement for professional services for hosting a Community Development Fellow Memorandum of Understanding (MOU) by and between CEDAM and the Village of Shelby; and, to pay invoice #MEDC0325 in the amount of \$6,000.00.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

c.) ORV Ordinance

The Village of Shelby Council reviewed the ordinance to authorize and regulate the operation of off-road vehicles (ORV's) on village streets in the Village of Shelby, along with a separate resolution authorizing the use of golf carts on village streets in the Village of Shelby. Thus far, Grant Township, Hart City, Shelby Township, and others have passed the ORV Ordinance.

Councilman S. Crothers moved to adopt the Village of Shelby, Oceana County, Michigan, Ordinance Amendment No. 2020-04-13-1 Off Road Vehicle (ORV) Ordinance to include the Resolution Authorizing Golf Carts on the Village Streets in the Village of Shelby.

Seconded by: Councilman A. Near.

Roll Call Vote:

Ayes: None.

Nays: Crothers, Near, Wyns, Zaverl, Sutton, Harris, and Inglis.

Motion Failed 0-7.

Discussion ensued.

Councilman B. Harris moved to adopt the Village of Shelby, Oceana County, Michigan, Ordinance Amendment No. 2020-04-13-1 Off Road Vehicle (ORV) Ordinance.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Harris, Crothers, Wyns, Zaverl, Sutton, Near, and Inglis.

Motion Carried 7-0.

Councilman A. Near moved to adopt Resolution No. 2020-04-13-01 Authorizing Golf Carts on the Village Streets in the Village of Shelby.

Seconded by: Councilman D. Zaverl.

Roll Call Vote:

Ayes: Near, Zaverl, Wyns, Crothers, Sutton, Harris, and Inglis.

Motion Carried 7-0.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Chair Ex-Officio: Councilman J. Sutton, President P. Inglis:

The Planning Commission meeting of April 21, 2020 has been cancelled. The Planning Commission is planning to meet on May 19, 2020.

b. WATER & SANITATION: Chair: Councilman B. Harris, Councilman S. Crothers:

The Water Tower project is proceeding as planned.

c. STREETS AND SIDEWALKS: Chair: Councilman D. Zaverl, Councilman J. Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Councilman A. Near, Councilman J. Sutton:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Councilman J. Wyns, Councilman B. Harris:

Nothing to report.

f. PERSONNEL: Chair: Councilman J. Sutton, Councilman A. Near:

Nothing to report.

g. ORDINANCES – Chair Councilman S. Crothers, Councilman D. Zaverl:

Nothing to report.

16. PAYMENT OF BILLS: Councilman J. Wyns moved to approve the payment of the bills of March 23, 2020 in the amount of \$58,723.70.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.
Motion Carried 7-0.

Councilman J. Wyns moved to approve the payment of the bills of April 13, 2020 in the amount of \$42,246.28.
Seconded by: Councilman S. Crothers.

Roll Call Vote:
Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.
Motion Carried 7-0.

17. ADJOURNMENT: Councilman J. Wyns moved to adjourn the meeting at 8:33 P.M.
Seconded by: Councilman A. Near.

Roll Call Vote:
Ayes: Wyns, Near, Crothers, Zaverl, Sutton, Harris, and Inglis.
Motion Carried 7-0.

Council minutes are not official until approved at the May 11, 2020 Council meeting. Approved

Crystal Budde 05-11-2020
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF May 11, 2020 at 6:30 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 6:34 P.M. by President P. Inglis via Zoom.

2. ROLL CALL:

Answering the roll call: Councilman Jim Wyns, Councilman Steve Crothers, Councilman Dan Zaverl, President Paul Inglis, Councilman John Sutton, Councilman Andy Near, and Councilman Bill Harris.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) April 13, 2020

Councilman S. Crothers moved to approve the minutes of the Regular Council meeting of April 13, 2020 as corrected.

Seconded by: Councilman A. Near.

Roll Call Vote:

Ayes: Crothers, Near, Wyns, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT:

President P. Inglis reported that VA Widigan, DPW Supervisor Greg MacIntosh and he received notice on May 1, 2020 that the Oceana County Stormwater Trees project has been delayed until late October 2020. The decision has been reached as a result of three factors.

1. The contract with Cardno to do the planting work is currently being finalized. Cardno had communicated that, because of their back up of existing work orders from delayed work that had been scheduled to be completed in March and April, they would not be able to complete the project's planting until mid-summer, a time of the year that is less ideal to plant, given the hotter and drier weather.
2. This round of 316 trees will be mainly bare root stock, which needs to be planted in the Spring or Fall versus the Summer.
3. Additional time needed to confirm state approvals regarding planting work on the Hart - Montague Trail. The project is tentatively scheduled for October 26 – 30, 2020.

7. ADMINISTRATOR'S REPORT:

VA Widigan reported that 24 applications had been received for the fellowship position provided by the Community Economic Development Association of Michigan (CEDAM). Over the past week and a half, VA Widigan has interviewed eight applicants. On Friday, May 8th, he spoke with Sarah Teater, Community Development Fellowship Coordinator, CEDAM, and they will be interviewing four finalists the week of May 11, 2020.

On May 15, 2020, VA Widigan will be remotely tuning into the Consensus Revenue Estimating Conference. This will give a closer look at possible reductions to state revenue sharing and sales tax revenue.

Chief Farber and VA Widigan continue to participate in weekly Zoom meetings with District Health Department #10. They include updates and information from DHD#10, Oceana County Administration, Oceana County Sheriff, local police, fire and EMS agencies, West Michigan Community Mental Health, Northwest Michigan Health Services, and Mercy Health Lakeshore Campus.

VA Widigan reported that, on May 7, 2020, the EDA released the Notice of Funding Opportunity (NOFO) for the \$1.5 billion the agency has received through the CARES Act. This funding is to provide strategic investments on a competitive merit basis to support economic development, foster job creation, and attract private investment in economically distressed areas of the United States. Jodi Nichols of the Right Place and VA Widigan are working with WMSRDC to submit a couple of economic development funding requests for the Village of Shelby.

Al Martin, Kittie Tuinstra and VA Widigan have been working together to finish the Option Agreement and other required documents for the 15-unit workforce housing development at 220 Walnut Street. The application is due June 1, 2020.

VA Widigan reported that the grant applications for Getty Park have been submitted. Racket Sports visually inspected the condition of the basketball and tennis courts at Getty Park. They stated that the basketball courts are in dire need of repairs and are not confident that they can do any temporary repairs that will work. They do believe that they can patch areas of the tennis court, but they are not certain how long it will hold.

Councilman A. Near will do some research into whether the roof coatings he uses could be an option for a temporary fix to the basketball and tennis courts.

VA Widigan reported that the new shop next to Klotz's on State Street has painting on the building that does not fall under the Village Sign Ordinance. VA Widigan will reach out with the business owner regarding the signage and report back to the Village Council.

8. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Greg MacIntosh reported that the crew will be doing cold patch repairs as well as working on parks this week. The Water Tower is painted, and the lettering and logo will be done soon.

Chief Farber reported that he is participating twice a week with zoom calls with other local authorities. Peterson Farms and PM Collision donated PPE to the Village of Shelby Police Department and several other essential front-line workers in the Village of Shelby and Oceana County. The Police Department has been participating in several parades for local children's birthdays as well as a parade that took place for the Shelby Senior Class.

9. CORRESPONDENCE:

a.) Letter of Appreciation from Barb Setlak

President P. Inglis read a letter of appreciation from Barb Setlak thanking the Village for the beautiful arrangement sent in memory of Rich Setlak. She expressed how much the Village meant to Rich and how proud and honored he was to have participated in the Village of Shelby.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) Sewer Jetter Repair – Greg MacIntosh

While using the sewer jetter a few months ago, the DPW noticed that it continuously lost pressure. They were able to get the jetter to gain pressure again, but it would not hold it for long. It was taken to Fredrickson’s who repairs sewer jettors. They returned a quote for repairs in the amount of \$5,829.38. The cost of replacing the jetter is between \$25,000.00 and \$35,000.00 for a used replacement and \$31,480.00 and \$64,437.00 for a new replacement. DPW Supervisor MacIntosh requested that he be authorized to retain Fredrickson Supply, 3901 3 Mile Rd NW, Grand Rapids, Michigan 49534 to complete the repairs to the sewer jetter in the amount of \$5,829.38.

Councilman D. Zaverl moved to authorize Greg MacIntosh to utilize Fredrickson Supply, 3901 3 Mile Rd NW, Grand Rapids, Michigan 49534 to complete the repairs to the sewer jetter in the amount of \$5,829.38.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Zaverl, Crothers, Sutton, Near, Harris, and Inglis.

Nays: Wyns.

Motion Carried 6-1

b.) Rental Dwelling Ordinance Fee Schedule Resolution

Shelby Village Council reviewed the proposed fee schedule for the Rental Dwelling Ordinance that was adopted on March 9, 2020. Attached to the Rental Dwelling Ordinance was a separate resolution to adopt the fee schedule. The rental dwelling fee schedule is as follows:

Registration Fee:	1 – 8 dwelling units - \$50.00 per dwelling unit 9 or more dwelling units – flat rate of \$500.00
Failure to register fee	\$500.00 per dwelling unit
Inspection Fee	\$100.00
Re-Inspection Fee	\$100.00
Missed/Broken Inspection Fee	\$100.00
Other (court, misc.)	\$100.00

Appeal Fee \$100.00

Councilman S. Crothers moved to adopt the Village of Shelby, Oceana County, Michigan, Resolution No. 2020-05-11, to establish the fee schedule for the Rental Dwelling Ordinance.
Seconded by: Councilman D. Zaverl.

Roll Call Vote:

Ayes: Crothers, Zaverl, Wyns, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

13. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Chair Ex-Officio: Councilman J. Sutton, President P. Inglis:

The Planning Commission will meet on June 16, 2020 at 6:30 P.M. to discuss the proposed Master Plan.

b. WATER & SANITATION: Chair: Councilman B. Harris, Councilman S. Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Councilman D. Zaverl, Councilman J. Wyns:

Councilman D. Zaverl inquired whether the Village of Shelby would be able to do road projects in the current fiscal year. VA Widigan stated that the Village's Engineer Don DeVries is working on a plan for Fall projects.

d. PARKS, REC. & BLDGS: Chair: Councilman A. Near, Councilman J. Sutton:

Councilman A. Near thanked Parks Consultant John Wilson for all the work he has done to help the Village with the Getty Park Project grant application process.

e. FINANCE and INSURANCE: Chair: Councilman J. Wyns, Councilman B. Harris:

Councilman J. Wyns reported that the Finance and Insurance Committee met with the Village's Auditor, Eric VanDop via Zoom. The audit discussion went smoothly, and the Village continues to make improvements each year.

f. PERSONNEL: Chair: Councilman J. Sutton, Councilman A. Near:

Nothing to report.

g. ORDINANCES – Chair Councilman S. Crothers, Councilman D. Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Councilman J. Wyns moved to approve the payment of the bills of April 27, 2020 in the amount of \$30,299.81.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

Councilman J. Wyns moved to approve the payment of the bills of May 11, 2020 in the amount of \$42,413.44.
Seconded by: Councilman J. Sutton.

Roll Call Vote:

Ayes: Wyns, Sutton, Crothers, Zaverl, Near, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT: Councilman J. Wyns moved to adjourn the meeting at 7:58 P.M.
Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the May 26, 2020 Council meeting. Approved

<i>Crystal Budde</i>	05-26-2020
_____	_____
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer	Date



**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF May 26, 2020 at 6:30 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 6:32 P.M. by President P. Inglis via Zoom.

2. ROLL CALL:

Answering the roll call: Councilman Jim Wyns, Councilman Steve Crothers, Councilman Dan Zaverl, President Paul Inglis, Councilman John Sutton, Councilman Andy Near, and Councilman Bill Harris.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) May 11, 2020

Steve Crothers moved to approve the minutes of the Regular Council meeting of May 11, 2020 as prepared.

Seconded by: Jim Wyns.

Roll Call Vote:

Ayes: Crothers, Wyns, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT:

President P. Inglis reported that he attended the Oceana County Housing Commission Meeting via Zoom earlier in the day. The application for the Shelby Trails 15-unit workplace housing project was to be submitted on this day. It will be a \$4,000,000.00 construction project providing jobs for local laborers.

According to Project Developer Allan Martin and County Housing Specialist Kittie Tunistra, the application looks good according to the Michigan State Housing Development Authority (MSHDA). Mr. Martin, Ms. Tuinstra, and a representative from the prospective management company traveled to Lansing in April to meet with the Permanent Supportive Housing Review Board and the Board offered positive feedback to the group.

The Initial Market Study results came back as a “Conditional Go” with the stipulation that adequate landscape screening be provided for the property to the north and any other property owner who may not be pleased with the aesthetics of the development.

They are still in the process of securing the property on the south side of the proposed development site. The owner is still searching for the deed to the property.

The service providers who will be available to provide support services to the residents are:

1. COVE – They will be the lead agency for primary case management and will have a representative on site at least 10 hours per week in a support role.
2. True North.
3. Disability Network Connection.
4. Oceana County Department of Health and Human Services.
5. Community Mental Health.

The application was supposed to be submitted by April 1, 2020; however, the deadline was pushed back to June 1, 2020 because of the COVID crisis. It will be reviewed in September 2020 and, hopefully, a decision on the application will be determined in November or December 2020. Oceana County Housing Commission representatives may be coming to the June 8, 2020 Village Council Meeting to request that the PILOT be approved if all goes well.

7. ADMINISTRATOR’S REPORT:

VA Widigan reported that Sarah Teater, Community Development Fellowship Coordinator with CEDAM; Julia Turnbull, RRC Planner for Redevelopment Ready Communities, Michigan Economic Development Corporation; and, he interviewed five finalists during the week of May 11, 2020 for the Community Development Fellowship position. Ms. Teater has made a conditional offer to one of the five finalists. If/once he/she accepts, we will send out a press release and introduce him/her to the Council and Community.

VA Widigan introduced Emily Stuhldreher who has accepted the Community Development Fellowship position with CEDAM and the Village of Shelby. Ms. Stuhldreher recently graduated from the University of Michigan State with a Bachelor of Science degree in Environmental Studies and Sustainability and is eager to begin working in Shelby.

On May 15, 2020, VA Widigan remotely tuned into the Consensus Revenue Sharing Estimating Conference. To summarize, the State is looking at a \$6.2 billion shortfall in the current and next fiscal year. The House Fiscal Agency, the Senate Fiscal Agency and the Department of Treasury agreed the State is looking at \$2 billion less in the School Aid Fund compared to January’s estimate for the current fiscal year while having \$1.9 billion less to work with for General Fund spending and \$1.1 billion less for schools during the 2020-2021 fiscal year beginning October 1. The State is looking at a \$2.5 billion hole in the current fiscal year. VA Widigan will continue to monitor the Village’s budget and review updated Revenue Sharing estimates as the Michigan Department of Treasury releases them.

After reading through the Notice of Funding Opportunity (NOFO) issued by the EDA for the \$1.5 billion the agency has received through the CARES Act, property acquisition is allowable. However, it will have to be at fair market value, including multiple appraisals, and the landowner must agree to the fair market offer. One of the economic development funding requests that Jodi Nichols, The Right Place, and VA Widigan thought of after speaking with WMSRDC, was expanding the Village's Industrial Park.

VA Widigan reported that he received an email from Tim Reeves, Shelby Public Schools Superintendent, thanking the Village of Shelby for the Shelby Public Schools logo on the Water Tower.

VA Widigan has researched the Shelby Village's Sign Ordinance and found that Johnny's Automotive on State Street is in violation of the ordinance. VA Widigan is working with the business owner in order to bring him into compliance with the ordinance.

8. DEPARTMENT HEADS' REPORTS:

Chief Farber reported that the number of complaints and traffic stops are beginning to pick up.

DPW Supervisor Greg MacIntosh reported that the Water Tower has been refilled and all the bacti tests came back good.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION: Sharon Hallack thanked VA Widigan for his "Letter to the Editor" and for taking the time to remind everyone to remember of Veterans on the Memorial Day, even during these trying times of the Covid crisis. We need to thank our veterans for putting their lives on the line to provide all American citizens with the freedom that we have.

11. PUBLIC HEARING: None

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Set Public Hearing for 2020 Tax Millage Rates

The Village of Shelby is required to conduct a Public Hearing in order to adopt its Allowable Tax Millage for the 2020 Fiscal Year.

Councilman A. Near moved to set the Public Hearing for the adoption of the Village of Shelby's 2020 Tax Millage Rates for Monday, June 22, 2020 at 6:45 P.M. at the Village of Shelby Hall, 218 N. Michigan Ave., Shelby, Michigan 49455.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Near, Crothers, Wyns, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

b.) Street Resurfacing Estimates and Resolution

On Thursday, May 21, 2020, Village Engineer Don DeVries, Fleis & VandenBrink Engineering, sent requested estimates for street resurfacing in the Village (Hawley and Rankin, Fourth Street, Pine Street, Sessions Road, and First Street).

Mr. DeVries drove each of the streets and photographed them. He is recommending a 1 1/2" mill and resurface on each of the streets and not chip sealing due to their condition. Mr. DeVries stated that the Village could apply for the MDOT – TEDF Category B Grant for Hawley and Rankin Street, Fourth Street, Sessions Road, and Pine Street (First Street is federal aid eligible under the Category D funding and not recommended for Category B funding).

This is a 50% grant and the application is due June 1, 2020 which would require immediate attention. VA Widigan reached out to Joel Fitzpatrick, Transportation Planning Director at WMSRDC, and requested that First Street be added to the Rural Task Force's list of projects for category D funding. This is a three-year running list; we would be looking at a 2023 timeframe for funding. No action is needed by Council regarding First Street.

The estimated cost for Hawley and Rankin Street resurfacing from S. Michigan to Plum Road is \$77,000.00; Fourth Street resurfacing from Michigan Avenue to State Street is \$47,000.00; Pine Street from First Street to Third Street and Fifth Street to Sixth Street is \$74,000.00; and, Sessions Road resurfacing from Ferry Street south to the curve is \$117,000.00.

If the Village is to obtain the grant, engineering costs will be covered by the Village of Shelby. The grant would provide a 50% match on construction costs for Hawley and Rankin, Fourth Street, Sessions Road, and Pine Street. Per the Village's auditor, as of February 29, 2020, fund balances are as follows:

Major Streets: \$542,212.00

Local Streets: \$868,285.00

Councilman D. Zaverl moved to authorize Don DeVries of Fleis & VandenBrink Engineering to proceed with the MDOT - TEDF Category B Grant applications.

Seconded by: Councilman J. Wyns.

Roll Call Vote:

Ayes: Zaverl, Wyns, Crothers, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

Councilman D. Zaverl moved to adopt Resolution #2002-05-26, a resolution to establish a request for funding, designate an agent, attest to the existing of funds and commit to implementing a maintenance program for resurfacing of Hawley and Rankin Street, Fourth Street, Pine Street, and Sessions Road funded by the Michigan Department of Transportation – Transportation Economic Development Fund Category B Program.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Zaverl, Crothers, Wyns, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Chair Ex-Officio: Councilman J. Sutton, President P. Inglis:

Nothing to report. The Planning Commission is scheduled to meet on June 16, 2020 at 6:30 P.M. via Zoom.

b. WATER & SANITATION: Chair: Councilman B. Harris, Councilman S. Crothers:

The Village's Water Rate Study is coming up soon. VA Widigan reported he will be posting photos of the Village Water Tower project on the Village's Facebook Page and Website.

c. STREETS AND SIDEWALKS: Chair: Councilman D. Zaverl, Councilman J. Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Councilman A. Near, Councilman J. Sutton:

Nothing to report. Councilman A. Near stated that the side of the Helena building appears to have some siding that is coming off. He asked Chief Farber and/or VA Widigan to investigate it.

e. FINANCE and INSURANCE: Chair: Councilman J. Wyns, Councilman B. Harris:

Nothing to report.

f. PERSONNEL: Chair: Councilman J. Sutton, Councilman A. Near:

Nothing to report.

g. ORDINANCES – Chair Councilman S. Crothers, Councilman D. Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Councilman J. Wyns moved to approve the payment of the bills of May 26, 2020 in the amount of \$47,137.62.

Seconded by: Councilman J. Sutton.

Roll Call Vote:

Ayes: Wyns, Sutton, Crothers, Zaverl, Near, Harris, and Inglis.

Motion Carried 7-0.

16. ADJOURNMENT: Councilman A. Near moved to adjourn the meeting at 7:33 P.M.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Near, Crothers, Wyns, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the June 22, 2020 Council meeting.

Approved



Crystal Budde

6-22-2020

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF June 22, 2020 at 6:30 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 6:35 P.M. by President P. Inglis via Zoom.

2. ROLL CALL:

Answering the roll call: Councilman Jim Wyns, Councilman Steve Crothers, Councilman Dan Zaverl, President Paul Inglis, Councilman John Sutton, Councilman Andy Near, and Councilman Bill Harris.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) May 26, 2020

Councilman S. Crothers moved to approve the minutes of the Regular Council meeting of May 26, 2020 as corrected.

Seconded by: Councilman J. Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Wyns, Zaverl, Near, Harris, and Inglis.

Motion Carried 7-0.

5. ADDITIONS TO THE AGENDA: Councilman B. Harris asked that discussion of the Shelby Trails Project be added to Old Business.

6. PRESIDENT’S REPORT:

President P. Inglis reported that, as of June 18, 2020, Oceana County had a total of 122 cases of COVID-19. As of June 22, 2020, there are now 186 confirmed COVID-19 cases. President Inglis requested either VA Widigan or Chief Farber to contact the District Health Department #10 to get more specific information as to what factors created the spike and if it is specific to a certain location in the County.

7. ADMINISTRATOR’S REPORT:

VA Widigan reported that the Village’s new Fellow, Emily Stuhldreher, began working remotely on June 8. She began working fulltime at the Village Hall on Monday, June 22, 2020. Ms. Stuhldreher will expand the Village’s organizational capacity to:

- Draft and finalize a downtown plan and corridor plan and ensure coordination between the Master Plan, Capital Improvements Plan, Downtown Plan and Corridor Plan.
- Help the Village create a façade grant program for the downtown.
- Work on revitalization of the historic Getty Park.
- Work on a plan to re-develop the main alleyway in Shelby, which connects downtown to the William Field Memorial Hart-Montage Rail Trail.

The Michigan Bureau of Labor Market Information and Strategic Initiatives released employment and unemployment statistics for April. Oceana County's unemployment rate increased to 27% in April of 2020 from 6.2% in the previous month.

Andy Moore with Williams & Works is completing the formatted final draft of the Master Plan. Once completed, he will attend Planning Commission meetings where they can review it together and make any final adjustments before starting the approval process.

VA Widigan reported that he continues to attend webinars put on by MML covering topics from COVID-19, Zoom Counting Meetings, the 2020 Census, Municipal Water Supplies, Community Costs from COVID-19, and so forth.

As of June 18, 2020, the past due water bill list showed a total past due amount of \$13,316.93. Clerk/Treasurer Budde has sent letters to account holders with past due amounts of approximately \$100.00 or more. The letters outline their past due amount and their last payment date, along with the new shutoff fee of \$50.00, once shutoffs resume. Currently, water service shutoffs are prohibited by Executive Order 2020-28.

8. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Greg MacIntosh reported that Darryl Frees is currently off for a knee surgery. Once he can get a physician's release, he is willing to come back part-time to do mowing while he heals. The DPW currently does not have anyone interested in the part-time mowing position. An ad for the opening will be posted in the Oceana's Herald Journal.

There was an issue with someone shooting paint balls at the Village's water tower site. A game camera has been installed at the water tower and to date, there have been no further incidents.

Chief Farber reported that he has submitted a grant application for a 50% match to purchase more bullet proof vests for new officers who come to work for the department. The Police Department received a grant from the Oceana County Community Foundation and has received a new iPad and otter box case to allow officers to use them in order to virtually contact personnel of the County Mental Health Department for consults and mental health checks. Chief Farber stated that the COVID-19 put a big change in a lot of things. With the need for additional PPE and face shields, PM Collision, Peterson Farms, Cindy Rapes and the First Responders Foundation donated all the needed PPE and face shields to the Shelby Village Police Department. Chief Farber expressed his gratitude for the donations. The police officers have worked through all the COVID-19 crisis and shutdown. Chief Farber reminded Council that the officers have been here daily; have built a great relationship with the Shelby Public Schools; have given gift cards to students; have given hams out during Christmas time to families in need; have purchased popsicles with their personal money to hand out to the children they see in town; and, did a number of birthday parades for local kids and seniors during the stay-at-home order.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION: No Citizen Participation.**11. PUBLIC HEARING:**

President P. Inglis opened the Public Hearing regarding the Village's proposed 2020 Tax Millage rates at 7:09 P.M.

a.) 2020 Tax Millage Rates

The Village request is to establish the millage rates for the upcoming tax collection year effective July 1, 2020. Below is a breakdown prepared by Village Administrative staff in consultation with Steve Mann, Bond/Municipal Finance Counsel at Miller Canfield; Village Auditor Eric VanDop; and, the Michigan Department of Treasury:

The Village Administrator is proposing that the General Fund Millage rate be set at 11.0567 and Local Street Fund Millage rate be set at 4.4226. The Village has paid for the Street Debt Bond and there is no longer a Street Debt Millage.

There being no public comment, President P. Inglis closed the Public Hearing at 7:18 P.M.

12. OLD BUSINESS:a.) Shelby Trails

Councilman B. Harris inquired as to how the permanent supportive services contract for the Shelby Trails project works. He was unaware that several agencies were involved in the project and wanted some insight into how that works.

President P. Inglis responded that he will contact the project developers in order to obtain more details and report back to Council.

13. NEW BUSINESS:a.) Set 2020 Tax Millage Rate

Councilman S. Crothers moved to adopt Resolution Number 2020-06- 22-01 to set the millage rates for the 2020 tax collection period beginning July 1, 2020 as follows: General Fund 11.0567 mills and Local Street Fund 4.4226 mills for a total of 15.4793 mills.

Seconded by: Councilman J. Wyns.

Roll Call Vote:

Ayes: Crothers, Wyns, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

14. COMMITTEE REPORTS:a. **PLANNING COMMISSION:** Chair Ex-Officio: Councilman J. Sutton, President P. Inglis:

The Planning Commission meeting of June 16, 2020 was canceled. The Planning Commission will be meeting on July 21, 2020 at 6:30 P.M.

b. WATER & SANITATION: Chair: Councilman B. Harris, Councilman S. Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Councilman D. Zaverl, Councilman J. Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Councilman A. Near, Councilman J. Sutton:

Councilman A. Near asked about the spill at Helena near the rail trail. Chief Farber reported that the spill was cleaned up very quickly.

e. FINANCE and INSURANCE: Chair: Councilman J. Wyns, Councilman B. Harris:

Nothing to report.

f. PERSONNEL: Chair: Councilman J. Sutton, Councilman A. Near:

Nothing to report. Councilman J. Sutton thanked Chief Farber and the entire Police Department staff for everything that is done for the Village of Shelby community.

g. ORDINANCES – Chair Councilman S. Crothers, Councilman D. Zaverl:

Nothing to report. The Rental Ordinance is in place and now that COVID restrictions are lifting, the Village will be getting staff in for inspections. Councilman A. Near inquired about the Resolution authorizing golf carts on Village Streets. A resident had stated they had been stopped by an EMT and told they could not ride a golf cart in the Village. VA Widigan will put a clarification on the Village's Facebook page and make a map of where golf carts can be used within the Village of Shelby.

15. PAYMENT OF BILLS: Councilman J. Wyns moved to approve the payment of the bills of June 22, 2020 in the amount of \$39,478.04.

Seconded by: Councilman S. Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

16. ADJOURNMENT: Councilman J. Wyns moved to adjourn the meeting at 7:50 P.M.

Seconded by: Councilman J. Sutton.

Roll Call Vote:

Ayes: Wyns, Sutton, Crothers, Zaverl, Near, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the July 13, 2020 Council meeting.

Approved



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

July 13, 2020
Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF July 27, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS VIA Zoom



1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:35 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Andy Near, and Bill Harris.

Staff present: Village Administrator Robert Widigan, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) July 13, 2020

Jim Wyns moved to approve the minutes of the Regular Council meeting of July 13, 2020 as corrected.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT:

President Inglis reported that as most everyone knows, July 27, 2020 is the Shelby Village Council's last meeting with Rob Widigan before he moves on to higher aspirations as the City of Lansing's Finance Director. In just two short years, Rob has set some lofty goals and objectives for the Village. Through his initiative, creativity, progressive thinking and tireless efforts, he has pushed us from a stagnating municipality and community to one wherein a vision for our Village's future has been created, momentum has been established and action has been taken toward completion of a number of those goals and objectives. Rob encouraged and worked closely with community leaders, local citizens, economic development specialists, private and public consultants and state and local officials in order to "get all on board" to do what is in the best interests of our Village and Community. We still have much work ahead of us before we cross the finish line; however, Rob has helped us raise the bar with respect to our expectations and, with that in mind, it will be imperative that we retain a successor and maintain a supportive Village Council that will remain persistent in the effort to cross that line in order to complete our mission for the Village of Shelby's future.

7. ADMINISTRATOR’S REPORT:

VA Widigan provided the Village Council with “A Guidebook to Shelby’s Future” as opposed to an update. The information that VA Widigan provided to the Council and the next Village Administrator will help them to achieve the goals that are in place for the future of the Village of Shelby.

8. DEPARTMENT HEADS’ REPORTS:

DPW Supervisor Greg MacIntosh reported that the booster tank at Valley Street has a leak. He spoke with Dixon Engineering and it was suggested that Mr. MacIntosh place a larger screw in the leak to use as a temporary fix. The booster tank will need to be inspected in order to check for any corrosion and/or rust. Mr. MacIntosh will keep the Council updated on the status of the Valley Street tank after the inspection.

Chief Farber reported that the Police Department is still working with a number of complaints and continuing to use PPE and taking the proper precautions to keep everyone safe. He thanked the Village Council for the action taken during the meeting of July 13, 2020 in order for VA Widigan and him to move forward with both grant applications.

9. CORRESPONDENCE: None

10. CITIZEN PARTICIPATION:

Sharon Hallack informed the Council that, after the Village of Shelby Council meeting on July 13, 2020, she attended the City of Hart Council meeting. The State of Michigan Hazardous Payment Grant was discussed there as well. It was made clear at the Hart Council meeting that the grant was not guaranteed, and she wanted the Village to be clear that the funds for the grant are not promised to every community.

Chief Farber stated that the information she received was correct and that the grant funds are given based on a first-come first-serve basis. He has issued the hazardous payments to the officers already, however. If the Village of Shelby is not awarded any of the grant funds, Chief Farber has offered to repay the funds to the Village directly out of his salary if there are any concerns or issues.

11. OLD BUSINESS: No Old Business

12. NEW BUSINESS:

a.) Interim Village Manager Contract – Bill Cousins

VA Widigan presented the Village Council with an Interim Village Manager Employment Agreement by and between the Village of Shelby and William T. Cousins III (Bill Cousins). Mr. Cousins has offered to fill the position of Interim Manager until the Village is able to find a permanent replacement. Mr. Cousins has a number of years of experience working in government management as well as zoning and ordinance enforcement.

Andy Near moved to appoint William T. Cousins III as the Village of Shelby Interim Administrator effective August 3, 2020 to be paid at an annual salary of \$100,000.00, payable in installments at the same time that the other management employees of the Village are paid. However, benefits such as Health, Disability, and Life Insurance Benefits shall not be paid. Mr. Cousins' employment as the Village of Shelby's Interim Administrator shall be for a period not to exceed four months, from August 3, 2020 to December 3, 2020; however, the ending period may be extended with Village of Shelby Council approval.
 Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Near, Crothers, Wyns, Zaverl, Sutton, Harris, and Inglis.
 Motion Carried 7-0.

b.) First Right of Refusal – The Concession Stand

The Village has the "first right of refusal," after the State of Michigan to acquire tax-foreclosed parcels which includes the property located at 571 S. State Street, Shelby, MI 49455 (Parcel Number 046-020-100-10). The General Property Tax Act establishes a procedure for the State and local municipalities to purchase foreclosed properties prior to public auction. The purchase must be for governmental purpose and for public use.

The Village has two options:

1. Decline the property.
2. Purchase the property for \$22,169.05 under this process. Please note that if the Village later sells the property for more than the purchase price, excess proceeds are due back to the County Treasurer to replenish the tax foreclosure fund.

Jim Wyns moved to waive the Village's "first right of refusal" to all parcels that were foreclosed on April 2, 2018 in accordance with Public Act 123 of 1999.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.
 Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission met on Tuesday, July 21, 2020 to review the preliminary draft of the Village Master Plan and a few corrections were made. Andy Moore with Williams & Works was present for the Zoom meeting and suggested that additional photos of the Village be included in the Master Plan.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

The Water & Sanitation Committee will be meeting at 3:15 P.M. on Tuesday, July 28, 2020 to discuss details of a possible USDA loan for the Peterson Farms Water Main Extension project.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

Andy Near reported that the small test area on the basketball and tennis courts at Getty Park of the rubber roof coating passed the test and he would like to test a larger area on the courts.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Andy Near:

Nothing to report.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Jim Wyns moved to approve the payment of the bills of July 27, 2020 in the amount of \$54,842.17.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT: John Sutton moved to adjourn the meeting at 7:42 P.M.

Seconded by: Jim Wyns.

Roll Call Vote:

Ayes: Sutton, Wyns, Crothers, Zaverl, Near, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the August 10, 2020 Council meeting.

Approved



Crystal Budde August 10, 2020
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF August 10, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS Via Zoom



1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:42 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Andy Near, and Bill Harris.

Staff present: Interim Village Administrator Bill Cousins, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) July 27, 2020

Steve Crothers moved to approve the minutes of the Regular Council meeting of July 27, 2020 as corrected.

Seconded by: Jim Wyns.

Roll Call Vote:

Ayes: Crothers, Wyns, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT: Nothing to report.

7. ADMINISTRATOR'S REPORT:

VA Cousins reported that he contacted the Shelby Public Schools administrative office regarding the invoice for the 2019-2020 school crossing guard and expects to have a report for the Council at the August 24, 2020 meeting.

The ad for the Village Administrator position should be placed by Friday, August 14, 2020. The ad will be reviewed by the Personnel Committee prior to being published.

VA Cousins has met with most of the Village employees. He will be meeting with a couple part-time officers in the next week or so. The new Administrative Assistant Kelly Omness started work last week Wednesday. She was able to work with Randy and is off to a great start.

The Water and Sanitation Committee was informed of a leak in one of the pressure tanks that needs repairs. The leak has been temporarily repaired and is secure. Mr. Cousins requested that the Committee meet to review the repair estimates so a recommendation can be made to Council regarding the permanent repairs to be made.

8. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Greg MacIntosh had nothing to report.

Chief Farber reported that the job posting for the Chief position is now posted on the MCOLES website. The two fulltime officers have attended TACT training and Officer Payne is attending the LASO training.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) Water & Sanitation Committee Recommendation – Peterson Farms Watermain/USDA Loan

The Water & Sanitation Committee met on July 28, 2020 to discuss the USDA Loan Application to extend municipal water from the Village to the Peterson Farms’ apartment buildings on W. Baseline Road north of the Village (three buildings on Baseline just east of Oceana Drive and six buildings on Baseline at 88th Avenue). Fleis & VandenBrink Engineering has completed a feasibility study and determined the buildings could be supplied by Shelby municipal water; the cost to install the water main is estimated to be \$2,700,000.00.

The State has set aside funds that will be used to support this project. The MEDC and EGLE have pledged to each contribute \$800,000.00 for the project with the remaining balance to be paid either through a grant from the USDA or a USDA loan that would be repaid by Peterson Farms. EGLE remains in close contact with federal partners to ensure the project is fully funded. EGLE also hosted a call earlier this month with local, state, and federal partners to discuss the project in more detail.

Steve Crothers moved to authorize the Interim Village Administrator to continue working with Paul Bristol, Area Specialist with USDA-Rural Development and Bond Counsel James Kiefer with Dykema to move forward with the USDA loan application recognizing that the Village of Shelby is not pledging its Full Faith and Credit or assuming any responsibility to pay any loan debt back to the USDA.

Seconded by: Andy Near.

Roll Call Vote:

Ayes: Crothers, Near, Sutton, and Inglis.

Nays: Wyns, Zaverl, and Harris.

Motion Carried 4-3.

b.) Personnel Discipline Matter – DPW Supervisor

DPW Supervisor Greg MacIntosh requested a Closed Session.

John Sutton moved to go into Closed Session at 7:15 P.M. to discuss the DPW Supervisor discipline matter.

Seconded by: Andy Near.

Roll Call Vote:

Ayes: Sutton, Near, Wyns, Crothers, Zaverl, Harris, and Inglis.

Motion Carried 7-0.

President Inglis reopened the Open Session of the Council meeting at 8:00 P.M.

No action is to be taken regarding the DPW Supervisor discipline matter.

13. COMMITTEE REPORTS:

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

The Planning Commission met on Tuesday, July 21, 2020 at 6:30 P.M. The preliminary draft of the Shelby Village Master Plan was reviewed. Some minor changes were to be made to the document. The Planning Commission will also be seeking to fill a vacant seat and will discuss it at the next meeting.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

The Water & Sanitation Committee will be scheduling a meeting in the near future to discuss the booster tank and the proposed watermain extension to Peterson Farms' farm workers apartment buildings.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

DPW Supervisor Greg MacIntosh will be receiving quotes on the cost of road striping and will contact Committee Chair Dan Zaverl with them.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

Committee Chair Andy Near reported that, per the IGA (Intergovernmental Agreement) with the Shelby Public Schools, a Certificate of Insurance (naming the Village of Shelby as additionally insured) is required before they can reserve Getty Field. The Village has yet to

receive that Certificate of Insurance.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Andy Near:

Nothing to report.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Jim Wyns moved to approve the payment of the bills of August 10, 2020 in the amount of \$37,983.30.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT: Jim Wyns moved to adjourn the meeting at 8:30 P.M.

Seconded by: Steve Crothers

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the August 24, 2020 Council meeting.

Approved

Crystal Budde August 24, 2020
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date



**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF August 24, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom**

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:31 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Andy Near, and Bill Harris.

Staff present: Interim Village Administrator Bill Cousins, Village Clerk/Treasurer Crystal Budde, and Police Chief Bob Farber.

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

4. MINUTES:

a.) August 10, 2020

Jim Wyns moved to approve the minutes of the Regular Council meeting of August 10, 2020 as corrected.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

5. ADDITIONS TO THE AGENDA:

a.) Statement by Jim Wyns.

Finance and Insurance Committee Chair Jim Wyns stated that he was unaware of exactly what would be expected of him as the Chair of the Finance and Insurance Committee and he believed that he had not been doing his job correctly as he was unaware of any bills that the Village of Shelby received pertaining to the Peterson Farms Watermain Extension project. He asked that the Village Clerk/Treasurer get a copy of the report to finance that provided the information on those invoices.

6. PRESIDENT’S REPORT: Nothing to report.

7. ADMINISTRATOR’S REPORT:

Interim VA Cousins reported that he reviewed a recently submitted zoning application to install a 10’ x 16’ storage shed in the rear yard of a resident’s home. The house has an in-ground swimming

pool with a “pool house” (shed that contains the pumps, heater, and chemicals). The Village’s zoning ordinance allows one shed or accessory building on a residential lot (the Village does allow a second one if one of the storage buildings is for the use of vehicle storage). Other communities in the area either do not limit the number of accessory buildings (instead they limit the square footage allowed) or allow two on residential lots. There appears to be a few properties in the Village that have two accessory buildings. With the permission of the Council, Interim VA Cousins will request to the Village Planning Commission to consider updating the zoning ordinance.

The State of Michigan has published PFAS (per-and-poly-fluoroalkyl substances) limits in municipal water systems. The Village had samples taken recently. The Village samples all showed “non-detect”, which is a good result. The Village will need to sample again in late December or January.

The department heads are now meeting regularly to review Village activities, coordinate efforts regarding grants and budget items, and to be sure we are functioning smoothly. We will meet weekly to share information and work out any issues that may come up within each department.

Sue DeVries of the Michigan Economic Development Corporation (MEDC) met with Emily Stuhldreher and Interim VA Cousins to review MEDC programs the Village of Shelby might use to improve its downtown. The MEDC has a number of grants involving improvements such as creating/rehabilitating second floor apartments to expand housing in the downtown (50% match), developing or rehabbing a public space through a crowd-funding grant (50% match) and façade grants for downtown buildings. These are items that may not be useful today but can become very important as the Village economy improves in the future.

Jodi Nichols, representing the Oceana County Economic Alliance, met with Interim VA Cousins to discuss economic development opportunities that are available to the Village of Shelby when it is needed. Mr. Cousins and Ms. Nichols will remain in close contact to be sure Shelby is aware of any programs that may be available.

Interim VA Cousins reported that he watched the August 19th DNR Trust Fund grant hearing to preview the presentation that the Village of Shelby will make at the Trust Fund’s October meeting. It was helpful to see how others make their presentations and the reaction by the Trust Fund Board so the Village can tweak its presentation in October.

8. DEPARTMENT HEADS’ REPORTS:

Chief Farber reported that he has worked well with Interim Village Administrator Bill Cousins and that it has been very informational, with open communication on projects needing to be completed and what is needed to make that happen. Chief Farber has completed the grant application for Coronavirus Emergency Supplemental Funding (CESF), after reviewing it with VA Cousins. Information has been gathered in order to apply for the USDA Grant to make the purchase of a new DPW F-250 truck with plow and a new Police SUV. The department is still responding to complaints in the Village with not much change as reported last month.

9. CORRESPONDENCE:

a.) Letter from Senator Jon Bumstead – Transportation Grant

The Village of Shelby received a letter of congratulations from Senator Bumstead for receiving a grant from the Transportation Economic Development Fund for road funding. The \$136,750.00 will certainly help with road improvements in the Village.

b.) Letter from Senator Jon Bumstead – Watermain Extension Support

The Village Council received a letter of support from Senator Bumstead for the watermain extension project between the Village of Shelby and Peterson Farms. The proposed watermain extension will be a huge economic benefit for the Village of Shelby as well as Oceana County as a whole. The watermain extension is a vital component for expanded housing opportunities. The additional infrastructure provided by expanded housing will help bring more families into the County and drive economic growth.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. OLD BUSINESS:

a.) Booster Tank Repair

The Village's water booster tank at the Valley pump station has a leak. The leak has been temporarily plugged; however, the tank needs to be properly repaired. The DPW obtained estimates for the first stage of the repair which is to access the interior of the tank and determine the scope of the repairs or if the tank needs to be replaced. The Water and Sanitation Committee reviewed the quotes from the following companies that would access the interior of the tank, clean the interior, and determine the damage and repair cost:

Peerless Midwest -	\$5,415.00 (Outsource the confined space entry)
Nelson Tank -	\$2,400.00 (have personnel that fit through the current opening)
Dixon Engineering -	\$3,410.00 (have personnel that fit through the current opening)
FHC -	\$5,400.00 (Replace hatch with a larger one)

Bill Harris moved to authorize the Interim Village Administrator to contract with Nelson Tank of Watertown Township, Michigan to clean and investigate the leak at the Valley pump station booster tank to determine needed repairs to the same.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Harris, Crothers, Wyns, Zaverl, Sutton, Near, and Inglis.

Motion Carried 7-0.

b.) Watermain Extension to Peterson Farms Property

The Village was contacted approximately one year ago with a proposal to extend municipal water to the Peterson Farms apartment buildings on Baseline Road. Their wells, installed when the apartments were built, have been determined to not meet Michigan water safety requirements due to their location with respect to the fruit processing operation at the Baseline Road location. Peterson Farms indicated that utilizing a municipal water system would resolve their issues and keep the residents safe.

August 3, 2020 was the first day of employment in Shelby for Interim VA Cousins. However, he attended the July 28, 2020 Water and Sanitation Committee Meeting to discuss the Peterson Farms request. The construction project was estimated to cost \$2.7 million and MEDC and EGLE had pledged a total of \$1.6 million toward the project with Peterson Farms pledging to cover the balance. It appeared from the discussions that the Committee or the Council may not have been fully involved in the discussions from last year to the present. At that meeting, the Committee recommended that Council direct the Village Administrator to start the application procedure to obtain a \$1.1 million USDA loan for the project. The Village Council adopted that motion on August 10, 2020 but made it clear that no Village funds were to be expended on the project.

At the application meeting via Zoom last week, it was revealed that the application process alone would cost the Village about \$25,500.00. At that point, Interim VA Cousins had asked that all parties hold their position until he had conferred with Council. He reviewed all of the documents in the Peterson Farms document and recommended to the Village Council that, if the increased residential demand in the area provides economic improvement to the Village of Shelby economy, they move forward with the next steps; if it does not, then he would recommend terminating the process now. If the Village of Shelby Council is in full support of the project (with the position that the Village of Shelby cannot assume financial liability for the project), they should do one or more of the following:

- a.) Authorize the Administrator to continue to work on the project.
- b.) Establish an escrow fund to be created and funded by any or all of the following: Peterson Farms, EGLE, MEDC, MDARD and other State partners. The escrow fund is to be used to cover costs associated with the application process (and VOS staff time?). The escrow fund shall be opened with deposits of \$25,500 at which time the Village will enter into the USDA application process. This step acknowledges that the Village will not be responsible for the loan – another avenue will be pursued.

- c.) Peterson Farms funds the \$1.1 million for the project.

There was a great deal of discussion regarding if and how the Village should move forward with the project.

Bill Harris moved to allow Interim VA Bill Cousins to request Don DeVries with Fleis & VandenBrink to attend the next Village of Shelby Council meeting on September 14, 2020 to explain the details of the feasibility study for the Peterson Farms watermain extension.

Seconded by: Andy Near.

Roll Call Vote:

Ayes: Harris, Near, Wyns, Crothers, Zaverl, Sutton, and Inglis.

Motion Carried 7-0.

12. NEW BUSINESS:

a.) Purchase of Benches & Bike Racks Downtown

Interim VA Cousins’ requested that the Council approve the purchase of three bike racks, two benches, and two trash receptacles for the downtown. One bike rack, one trash receptacle, and one bench would be located at the Pizza Factory. One bike rack to be located at the Post Office; one bike rack and one bench are to be located at the Matrix Gym; and one trash receptacle is to be placed at the Pavilion on the Rail Trail.

John Sutton moved to authorize the Interim Village Administrator to purchase three bike racks, two benches, and two trash receptacles up to \$4,200.00.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Sutton, Crothers, Wyns, Zaverl, Near, Harris, and Inglis.
Motion Carried 7-0.

b.) Grant Request to Purchase Police and DPW Vehicles

The Police Department and the DPW need to replace vehicles:

- A. The Police Department’s 2014 Ford Explorer has 191,000 miles on it and is ready to be retired.
- B. The DPW has two 2004 pickup trucks that are all but worn out.

The Interim Village Administrator is seeking authorization to apply for grants to replace the vehicles noted above through the USDA Grant process. After an informal discussion with Katherine Farwell of USDA, the Village appears eligible to qualify for a grant of 55% of the cost of purchasing new vehicles. The Village budgeted \$40,000.00 to replace vehicles this fiscal year. The expected final delivery price (State Purchase Plan) for the replacement vehicles are:

Police – Ford Explorer Interceptor AWD (with all accessories) -	\$43,000.00
DPW – Ford F-250 with Boss plow (and necessary accessories) -	\$36,000.00
Total for both	\$79,000.00

Jim Wyns moved to authorize the Interim Village Administrator to apply for grants for a new police cruiser and a DPW truck through the USDA Grant process. Final purchase decisions will be made by the Village Council at a later date.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

c.) 2020 Coronavirus Emergency Supplemental Funding

The 2020 Coronavirus Emergency Supplemental Funding (CESF) Grant enables the Village of Shelby to make purchases and then submit requests for 100% reimbursement of them. The grant requires matching funds. The project end date is September 30, 2020 and all purchases and installations must be made prior to that date. Applicants selected for the grant will receive a final award letter and grant agreement documents on or before October 15, 2020.

Jim Wyns moved to authorize Chief Bob Farber to make purchases to be reimbursed by the 2020 Coronavirus Emergency Supplemental Funding (CESF) Grant in the amount of \$3,927.00.
Seconded by: John Sutton.

Roll Call Vote:

Ayes: Wyns, Sutton, Crothers, Zaverl, Near, Harris, and Inglis.

Motion Carried 7-0.

d.) Cooperation Agreement with Disability Network West Michigan Accessibility

The Parks, Recreation, and Buildings Committee has discussed the need for a review of all Village Parks to determine their level of accessibility; create budget and time requirements for improvements that will assure that parks are more inclusive and able to meet Americans with Disabilities Act standards. The Disability Network of West Michigan (DNWM) presented a plan to the Committee whereby they would provide an accessibility evaluation of each of our parks and determine what actions are necessary to upgrade them to meet the 2010 ADA Standards for Accessible design. The DNWM would also provide technical assistance and guidance to the Village as each park is renovated to meet ADA Standards.

Andy Near moved to approve the agreement by and between the Village of Shelby and the Disability Network West Michigan for the purpose of improving Shelby Village Parks so they are more inclusive and safer for all visitors not to exceed \$2,750.00. The Interim Village Administrator is directed to sign and execute the agreement.

Seconded by: Jim Wyns.

Roll Call Vote:

Ayes: Near, Wyns, Crothers, Sutton, Harris, and Inglis.

Nays: Zaverl.

Motion Carried 6-1.

13. COMMITTEE REPORTS:

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

The August Planning Commission meeting was cancelled due to lack of agenda items. The Planning Commission will meet again on September 15, 2020 to discuss the Master Plan and

and consider the vacant position on the Commission.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

Parks, Recreation and Buildings Chair Andy Near reported that they had finally received the correct Certificate of Insurance from Shelby Public Schools naming the Village of Shelby as Additional Insured.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Andy Near:

Deadline for resume submissions for the Police Chief position is Friday, September 4, 2020. The Personnel Committee will be meeting soon to review those resumes.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Jim Wyns moved to approve the payment of the bills in the amount of \$158,769.70.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT: Jim Wyns moved to adjourn the meeting at 8:50 P.M.

Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Wyns, Zaverl, Crothers, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the September 14, 2020 Council meeting.

Approved

Crystal Budde September 14, 2020
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date



**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF September 14, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom**

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:33 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Andy Near, and Bill Harris.

Staff present: Interim Village Administrator Bill Cousins, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Bob Farber.

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

4. MINUTES:

a.) August 24, 2020

Jim Wyns moved to approve the minutes of the Regular Council meeting of August 24, 2020 as corrected.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

b.) Special Meeting September 3, 2020

Steve Crothers moved to approve the minutes of the Special Council meeting of September 3, 2020 as presented.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Wyns, Zaverl, Near, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT’S REPORT: President Inglis reported that he did not want to disparage anyone; however, he wanted to correct some misinformation that was published in the Oceana’s Herald-Journal on August 27th after the August 24th Shelby Village Council meeting. President Inglis wished to reiterate what he stated at least three other times; that is, Village officials did not first learn of the proposed water main extension project from the Village of Shelby to Peterson Farms’ farmworkers’ apartment

buildings in June of 2020. In fact, President Inglis knew about the concept in October of 2019 when former Village Administrator Rob Widigan asked him for his thoughts regarding the feasibility of providing the water to the apartment units. President Inglis advised VA Widigan that the proposed project seemed to be a beneficial one; however, he advised Mr. Widigan to only explore the details of the project to include cost information. He was told explicitly not to incur any costs or commit the Village to the project in any manner without consulting with the Village Council or, at a minimum, the Water and Sanitation Committee or Finance Committee.

President Inglis did some further research to verify in his own mind whether there was any knowledge or discussion of the issue by and between any member of the Council since Mr. Widigan called President Inglis in October of 2019 to describe what was being considered with regard to the extension of the water main from the Village of Shelby to Peterson Farms' farmworkers' apartment buildings. Between October 2019 and July 2020, not one member of the Council including President Inglis had been informed of the status nor details of the proposed project including cost figures during discussions/meetings, email correspondence, and phone calls between Mr. Widigan, engineers with Fleis & VandenBrink, legal counsel with Dykema Gossett, EGLE, MEDC, The Right Place, a representative(s) for Peterson Farms or Senator Bumstead's staff. That is why Council members expressed surprise and concern at the Council meeting of July 13, 2020 when the details of the proposal became public. If the Council had been kept better informed of the details and progress of the talks, perhaps the vote to move forward with the USDA loan application, recognizing that the Village of Shelby is not and will not be pledging its full faith and credit or assuming any responsibility to pay any loan debt back to the USDA, would have passed by more than a 4-3 vote at its August 10th Council meeting. In fact, if President Inglis had not voted to break the tie vote, the Village would not be discussing the subject this evening.

It appeared to the Council members that the residents and taxpayers of the Village of Shelby were the last to be informed of the proposed extension of the Village's water main to the Peterson Farms' farmworkers' apartment buildings. In addition to the correction regarding when the Village Council knew about the water main extension project, the language in the Herald-Journal that stated "included in that figure (the cost of legal fees) would be the legal work previously provided" should have read "included in that figure would be necessary legal work provided by Dykema."

7. ADMINISTRATOR'S REPORT:

Interim VA Cousins reported that the pavement markings at the school crossings had been updated prior to school opening. The Sixth Street blinking light was tested and adjusted to work during busy crossing periods; however, the lights will be off when they are not needed.

VA Cousins met with Tim Reeves, Shelby Schools Superintendent, to introduce himself and discuss a few items (one being the crossing guard invoice). They plan to meet monthly (or more often when needed) to maintain an open and continuous flow of information and cooperation between the School District and the Village.

The government agencies that may be affected or involved in the proposed Peterson Farms Water Main Extension have been contacted; so, all are aware of the project. This will ensure a smooth progression of the project if the Council determines to continue to move forward.

The Parks, Recreation, and Buildings Committee met late last month to review basic safety procedures for the Parks Department. They also recommended that the Council adopt policies concerning bad weather during use of the soccer field and the safe movement of the soccer goals.

The Village has received four applications for the vacant Police Chief position. Fourteen applications have been received for the vacant Village Administrator position. The Personnel Committee has a meeting scheduled this week to start the review and selection process. Due to privacy requests, the names of the applicants will not be published until they have agreed to an interview by the Village Council.

The data showing the past due water customers has been transferred to the Mid-Michigan Community Action Agency. Once they pair the list up with their food assistance recipients, the Village will receive payments to put toward the past due bills. Checks are expected about the middle of October.

Interim VA Cousins reported that the Water and Sanitation Committee met last Wednesday to review the report prepared by the Michigan Rural Water Association earlier this year. The Committee discussed options for the Village to take regarding water rates, noting that there have been meetings with the DPW Supervisor and Fleis & VandenBrink to review the Village's Capital Improvement needs with regard to the water and sanitation system; then, bring recommendations back to the Committee for further study prior to a recommendation being made to Council.

8. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Greg MacIntosh reported that he received the results from the lead and copper testing and that the tests showed zero results in action level. This is a good result and shows the Village had no evidence of lead and copper in the water. Mr. MacIntosh also reported that there had been a possible lightning strike at the lagoons, and he has a technician from WendeMuller coming out to the site to examine the issue and determine the needed repairs.

Chief Farber reported that he has been purchasing the equipment for the approved CESF (Coronavirus Emergency Supplemental Funding). Vehicle modems and accessories have been ordered and he is waiting for their arrival, at which time he will schedule the installation. PPE items have been ordered but he had a little struggle with ordering needed supplies because some sites are spiking the prices up from what the rates should be. Chief also reported that he is also still working on the final vehicle information for the purchase of a new DPW Ford F250 pickup truck with plow and new Police SUV.

9. CORRESPONDENCE:

a.) Hart Township – Notice of Public Hearing regarding a proposed ORV Ordinance

The Village received notice that Hart Township will be holding a Public Hearing on October 13, 2020 at 7:00 P.M. to consider a request to create an ORV Ordinance and limited use of golf carts on public streets in Hart Township.

10. CITIZEN PARTICIPATION:

Jodi Nichols, member of the Oceana County Economic Alliance, and representative of The Right Place,

spoke on behalf of the proposed water main extension for Peterson Farms' apartment buildings. She is anxious for the presentation as she believes this project is of utmost importance. Housing is critical for not only the Village of Shelby but for Oceana County as well in order to attract adequate labor to the area. It was shown from the Community Assessment that was performed last year that housing was one of the largest concerns for Village residents.

11. OLD BUSINESS:

a.) Water Main Extension to Peterson Farms

The Village Council had received the Feasibility Study from Fleis & VandenBrink regarding the proposal to extend Village water north of the Village limits to the Peterson Farms Residential Development on Baseline Road. Don DeVries, Fleis & VandenBrink, presented the study to Council and answered questions regarding the proposal. The \$8,000.00 study was paid for by Peterson Farms and the United States Department of Agriculture (USDA). The USDA and the Michigan Economic Development Corporation (MEDC) have also committed \$1.6 million toward the \$2.7 million capital project for the extension of the water main. This leaves \$1.1 million to be committed by a loan, additional grants, or other means for the project to move forward. Peterson Farms has asked that the Village apply for a loan from the USDA which will help determine what, if any, additional grants are available. The application process does not commit the Village to borrowing the funds. However, there will be costs of approximately \$25,500.00 to process the loan application. The Village Council has made it clear that no Village funds are available for the project.

If the Village wishes to proceed through the application process, Interim VA Cousins recommended that the Village require an escrow fund to be created and funded by any or all of the following: Peterson Farms, EGLE, MEDC, MDARD, and other state or federal departments. The escrow fund shall be opened with deposits of \$25,500.00 for the application process at which time the Village of Shelby will enter the USDA application process. This step realizes that the Village of Shelby will NOT be responsible for the loan – another avenue will be pursued.

Jim Wyns moved to authorize the Interim Village Administrator to create an escrow fund to be used to cover the costs associated with an application to the USDA to determine final loan details for construction of a water main from the Village of Shelby water system to Peterson Farms. The escrow fund shall be opened with deposits of \$25,500.00 from any or all of the following: Peterson Farms, EGLE, MEDC, MDARD, other state or federal departments, and other economic development entities. The USDA loan application will be started after the escrow fund deposits reach \$25,500.00, at which time, the Village of Shelby will begin the USDA application process. If escrow fund is not sufficient, the Village of Shelby will notify the depositors. If, at the end of the application process, there is a balance, the monies will be refunded to the depositors in an equitable manner.
Seconded by: Bill Harris.

Roll Call Vote:

Ayes: Wyns, Harris, Crothers, Zaverl, Sutton, Near, and Inglis.

Motion Carried 7-0.

Richard Raffaelli, CEO of Peterson Farms, thanked the Village Council for seeing the importance of the water main extension and for approval of taking the next steps in this project.

b.) Shelby Public Schools Crossing Guard Invoice

The Village Council had asked the Interim Administrator to investigate the invoice received for the school crossing guard services for the 2019/2020 school year and report back to Council with details as to the increase in the invoice. The invoice appeared to be \$2,000.00 higher than the previous year. The crossing guard program in Michigan states that a local unit of government providing law enforcement services in the community is responsible for the training of school crossing guards. It, however, is silent on what entity has to provide and pay them. Most crossing guards in Michigan are supplied by the local government. Some, as in Shelby, are hired by the school district. As for pay, some local governments pay the guards and others share the expense. The local government, regardless of who the guards work for, is required to train them. In Shelby, the school district hires and pays the guards and bills the Village for their wages, retirement contributions and taxes paid by the school district. The Village receives a bill each June for the previous school year. Shelby Public Schools Superintendent Tim Reeves explained to Mr. Cousins that this year's invoice included required retirement contributions as the employees performing the crossing guard duties were included in the district's retirement plan. Classes ended early due to Covid-19, but all school employees were paid for the rest of the year even if they were sequestered at home. The school district is anxious to take themselves out of the crossing guard program; so, if the Village wants it, it is theirs. The school district has the staff available to provide crossing guard duties when a sub is needed. If the Village is the employer, they are going to have to staff the crossing guards with its police officers. It may cost more to have the school provide the guards; but, it appears to be a great deal less hassle for the Village.

Interim Village Administrator Cousins recommended two actions: 1) Authorize payment of the June 2020 invoice; and, 2) Direct the Administrator to have discussions over the Winter concerning shared costs for the crossing guard with the school district (Mr. Cousins also suggested that the Village make sure the training is accomplished so even when a sub is needed, they are competent to provide for the safety of the children).

Steve Crothers moved to authorize the Administrator to pay the Shelby School District invoice for crossing guard services for the 2019-2020 school year in the amount of \$7,495.61.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Wyns, Near, Harris, and Inglis.

Nays: Zaverl.

Motion Carried 6-1.

12. NEW BUSINESS:

a.) Resolution of Support for the DNRTF Ballot Initiative

On the 2020 ballot in the general election will be the request for public support to update and expand the Michigan Natural Resources Trust Fund (MNRTF) guaranteeing investment in conservation and outdoor recreation, protecting Michigan's natural resources and invigorating local economies.

Jim Wyns moved to adopt Resolution #2020-09-14-01 supporting the Ballot Proposal to Amend the Michigan Natural Resources Trust Fund.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

b.) Soccer Goal Safety and Education Policy

The Parks, Recreation, and Buildings Committee met on numerous occasions this summer to create and fine-tune two policies that they now recommend the Council adopt and put into use. One is the policy to instruct and inform users of the soccer field as to the movement of the soccer goals. Attempting to relocate the goals without proper training and safety considerations could result in an injury to a user of the field. Following the policy and having the safety notice posted on the goals will work as a deterrent to improper movement of the soccer goals.

c.) Parks Severe Weather and Lightning Policy

A severe weather policy is issued in an effort to prevent injury or loss of life due to a severe weather event during use of the field. The Village's MML insurance loss-control representative is in the process of a final review of the policies; we expect they will be approved as written.

John Sutton moved to adopt the Soccer Goal Safety and Education and Severe Weather and Lightning Policies and distribute the policies to all renters of the recreation fields in the Village of Shelby.

Seconded by: Andy Near.

Roll Call Vote:

Ayes: Sutton, Near, Wyns, Crothers, Zaverl, Harris, and Inglis.

Motion Carried 7-0.

d.) Coronavirus Relief Local Government Grants (CRLGG)

The Michigan Department of Treasury sent out checks at the end of August that were to replace the shortfall in the Village's State Revenue Sharing payment for August (the Village received \$12,724.00). Because Federal Funds were used for this payment, we must justify and report that the monies are used for Covid items (spent between March 1, 2020 and December 31, 2020) and pay back any unused funds. The Village is required to send a signed agreement to the State by September 23, 2020 acknowledging both the funds received and the process to follow to determine what (if any) funds need to be returned to the State in January. Not all of the details of this program have been released as of September 11th; we will have a better understanding of the specifics regarding the funding soon.

Dan Zaverl moved to authorize the Administrator to submit the necessary forms and accounting reports for the Village of Shelby to participate in the CRLGG Program regarding the \$12,724.00 Coronavirus Relief funds received from the Michigan Department of Treasury.

Seconded by: Jim Wyns.

Roll Call Vote:

Ayes: Zaverl, Wyns, Crothers, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission meeting of September 15, 2020 was cancelled due to lack of agenda items. The Planning Commission will meet on October 20, 2020 at 6:30 P.M. via Zoom to review the proposed Village Master Plan.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Committee Chair Bill Harris reported that the Village of Shelby Water Rate Study is under review and the Committee will be bringing a recommendation to Council in the near future.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

Committee Chair Andy Near reported that Emily Stuhldreher; Mishelle Comstock, ~~Vice~~ President of Shelby State Bank; and, he are preparing for their presentation to the MDNR for the Trust Fund Grant for Getty Park.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report.

f. PERSONNEL: Chair: John Sutton, Andy Near:

Committee Chair John Sutton reported that the Personnel Committee will be meeting on Thursday, September 17, 2020 at 4:30 P.M. to review the ~~applicant~~ applicants applications for the Police Chief and Village Administrator positions.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Jim Wyns moved to approve the payment of the bills in the amount of \$50,770.39.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

15. ADJOURNMENT: Dan Zaverl moved to adjourn the meeting at 8:47 P.M.
Seconded by: Andy Near.

Roll Call Vote:

Ayes: Zaverl, Near, Wyns, Crothers, Sutton, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the September 28, 2020 Council meeting.

Approved



Crystal Budde

September 28, 2020

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF September 28, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom



1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:35 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, and Andy Near.
Absent: Bill Harris.

Staff present: Interim Village Administrator Bill Cousins, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, Police Chief Bob Farber, and Fellow Emily Stuhldreher.

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

4. MINUTES:

a.) September 14, 2020

Steve Crothers moved to approve the minutes of the Regular Council meeting of September 14, 2020 as corrected.

Seconded by: Jim Wyns.

Roll Call Vote:

Aye: Crothers, Wyns, Zaverl, Sutton, Near, and Inglis.

Motion Carried 6-0.

Absent: Bill Harris.

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

6. PRESIDENT'S REPORT: Nothing to Report.

7. ADMINISTRATOR'S REPORT:

Interim VA Cousins reported that the Personnel Committee met on Wednesday, September 23, 2020 and Thursday, September 24, 2020 to informally interview Police Chief and Village Administrator candidates. The Committee's recommendations for formal interviews will be discussed under New Business.

The Court hearing for the bricks on Gill Lake's property has been rescheduled for October 5, 2020 at 1:30 P.M. The Court was behind on their schedule causing the rescheduling of the case.

Shelby Public Schools Superintendent Tim Reeves and VA Cousins met on September 15th and again on September 22nd. The school district office has been added to the Village Council agenda packet mailing so that they can be better kept up to date on the Peterson Farms water main extension project and all activities of the Village.

Work has begun to complete the study performed by the Michigan Rural Water Association to recommend changes to the Village's water and sanitation rates over the next few years. The goal is that the Village's rates cover the annual costs of providing the service and that the Village is confident that any planned increases are reasonable and necessary.

The grant agreement for all Covid-19 related purchases by the Village from March 1, 2020 to December 31, 2020, has been received by the State Treasurer. This is the Coronavirus Relief Local Government Grant (CRLGG). The administrative staff is in the process of creating the list of purchases thus far, and then will determine what the Village needs for the remainder of the year.

VA Cousins reported that the preliminary scoring has been announced for the Village's application for funding from the MDNR Trust Fund Grant for Getty Park.

- a. Department of Natural Resources Trust Fund – 290 points out of a possible 500 points.
- b. Land & Water Fund application was given 325 out of a total of 400 points.

A supplemental report is being submitted that should increase the final point determination.

8. DEPARTMENT HEADS' REPORTS:

Chief Farber reported that the First Responder Hazard Pay Premiums Program (FRHPPP) has been reimbursed to the Shelby Village for the total requested amount of \$5,000.00.

All officers have completed the Fall firearms qualification for the handgun/patrol rifle this month. On Wednesday, September 30th, the Shelby Police Department will have the annual "Legal Update and Search & Seizure" training in Whitehall. All officers are scheduled to attend.

Chief Farber reported that the department has removed 23 vehicles in the Village that were not registered and are still making contact with others as they are being made aware of their unregistered/unlicensed vehicles.

DPW Supervisor Greg MacIntosh reported that the department had a positive bacti sample and all steps of the protocol were followed. The tests have all come back negative and are okay. DPW Supervisor MacIntosh was asked about the cone in the intersection of State Street and S. Michigan Avenue. He stated that he believed they had that drain fixed but that he would examine the drain first thing in the morning.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) Property Acquisition – Downtown Pocket Park

Located in downtown Shelby between Images Salon and Magooz Flooring is a vacant lot owned by Randy Leslie. Mr. Leslie is interested in selling the property and it would be an ideal property to purchase and transform into a pocket park. As a pocket park, the property would provide numerous benefits, including:

- Accessible greenspace
- Social/Community Space
- Beautify downtown
- Art Placemaking
- Connect the downtown to the Hart-Montague Trail
- Utilize underused real estate

Mr. Leslie has also stated that he would allow a mural to be painted on the Magooz building that he owns. On September 17, 2020, the Parks, Recreation, and Buildings Committee approved a motion to recommend that the Council move forward with the purchase of the property.

Andy Near moved to authorize the Village Administrator to enter into negotiations leading to a draft purchase agreement of Randy Leslie's property (Parcel Number 046-115-009-50).
Second by: Steve Crothers.

Roll Call Vote:

Ayes: Near, Crothers, Wyns, Zaverl, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Bill Harris.

b.) Set Hours for Halloween

The Village Council sets the hours for trick or treating on Halloween each year. The hours are set to provide guidance to homeowners. This year, with Covid-19, the use of masks and social distancing are strongly recommended.

John Sutton moved to set the hours for trick or treating in the Village of Shelby from 6:00 P.M. to 8:00 P.M. on Saturday, October 31, 2020.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Wyns, Zaverl, Near, and Inglis.

Motion Carried 6-0.

Absent: Bill Harris.

c.) Set Date/Time for Police Chief Interviews

The Personnel Committee met on Wednesday, September 23rd to informally interview four candidates for the position of Shelby Police Chief. Three persons were interviewed as one person cancelled at the last minute. After the interviews, the Committee discussed the performance of each of the candidates and their supervisory skills that would be beneficial if selected to be the Chief of Police in Shelby. The Committee adopted a motion to

recommend that the Village Council invite Mr. Daniel L. Adams of Byron Center, Michigan and Steve A. Waltz of New Era, Michigan to be formally interviewed by the Village Council.

Andy Near moved to schedule a Special Meeting of the Shelby Village Council on Monday, October 12, 2020 at 4:00 P.M and 5:00 P.M. for the purpose of conducting formal interviews of Mr. Daniel L. Adams and Mr. Steve A. Waltz for the Shelby Village Police Chief Position at the Ladder Community Center, 67 N. State Street, Shelby, Michigan.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Near, Crothers, Wyns, Zaverl, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Bill Harris.

d.) Set Date/Time for Village Administrator Interviews

The Personnel Committee met on Thursday, September 24th to informally interview three candidates for the position of Shelby Village Administrator. After the interviews, the Committee discussed the performance of each of the candidates and the expectation of their success if offered the position of Village Administrator in Shelby. The Committee adopted a motion to recommend that the Village Council invite Mr. Mark J. Borden of Carson City, Michigan; Ms. Sherry Powell of Fremont, Michigan; and, Mr. Brady Selner of Norton Shores, Michigan to be formally interviewed by the Village Council.

John Sutton moved to schedule a Special Meeting of the Village Council to be held on October 13th, 14th or 15th, 2020 at 5:30 P.M., 6:30 P.M., and 7:30 P.M. for the purpose of conducting formal interviews of Mark J. Borden, Ms. Sherry Powell, and Mr. Brady Selner for the Shelby Village Administrator position at the Ladder Community Center, 67 N. State Street, Shelby, Michigan.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Wyns, Zaverl, Near, and Inglis.

Motion Carried 6-0.

Absent: Bill Harris.

13. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Chair Ex-Officio: Councilman J. Sutton, President P. Inglis:

The Planning Commission will meet via Zoom on Tuesday, October 20th at 6:30 P.M. to review the proposed Master Plan.

b. WATER & SANITATION: Chair: Councilman B. Harris, Councilman S. Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Councilman D. Zaverl, Councilman J. Wyns:

Nothing to report.

c. PARKS, REC. & BLDGS: Chair: Councilman A. Near, Councilman J. Sutton:

Committee Chair Andy Near reported that the process will begin for acquiring the property in downtown Shelby between Images Salon and Magooz Flooring for the purpose of a Pocket Park. Mishelle Comstock, Shelby State Bank President; Emily Stuhldreher; and, he are still preparing for their presentation to the MDNR for the Getty Park Trust Fund Grant.

d. FINANCE and INSURANCE: Chair: Councilman J. Wyns, Councilman B. Harris:

Nothing to report.

e. PERSONNEL: Chair: Councilman J. Sutton, Councilman A. Near:

The Committee has scheduled interviews for both the Village Police Chief and the Village Administrator positions.

f. ORDINANCES – Chair Councilman S. Crothers, Councilman D. Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Jim Wyns moved to approve the payment of the bills in the amount of \$167,935.97. Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Wyns, Crothers, Zaverl, Sutton, Near, and Inglis.
Motion Carried 6-0.
Absent: Bill Harris.

15. ADJOURNMENT: Andy Near moved to adjourn the meeting at 7:55 P.M. Seconded by: John Sutton.

Roll Call Vote:
Ayes: Near, Sutton, Wyns, Crothers, Zaverl, and Inglis.
Motion Carried 6-0.
Absent: Bill Harris.

Council minutes are not official until approved at the October 12, 2020 Council meeting.

Approved

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

October 12, 2020
Date

VILLAGE OF SHELBY
SPECIAL COUNCIL MEETING OF October 12, 2020 at 4:00 P.M.
COUNCIL PROCEEDINGS
Ladder Community Center



1. CALL TO ORDER:

The special meeting of the Common Council of the Village of Shelby was called to order at 4:00 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Andy Near, and Bill Harris.
 Absent: Jim Wyns.

Staff present: Interim Village Administrator Bill Cousins, Village Clerk/Treasurer Crystal Budde, and Police Chief Bob Farber.

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

4. CITIZEN PARTICIPATION: No Citizen Participation.

5. Police Chief Interviews:

a.) 4:00 P.M. – Steven Waltz

6. COUNCIL ACTION:

The Shelby Village Council conducted an interview with the final candidate for the Shelby Police Chief position. The Council has the following options:

- a.) Name Mr. Waltz the “lead candidate” and authorize the Police Chief and the Village Administrator to conduct the necessary background checks and put together an employment contract with the candidate that will be presented to Council for adoption.
- b.) Direct the Police Chief and Village Administrator to present additional qualified candidates to the Council for interviews (a resume was submitted in late September).
- c.) Take other action as determined by the Council at this meeting.

John Sutton moved to name Steven Waltz the lead candidate for the Village of Shelby Police Chief position and authorize Chief Bob Farber and Interim Village Administrator Bill Cousins to perform the necessary background checks and to put together an employment contract to be presented to the Village Council for adoption.
 Seconded by: Andy Near.

Roll Call Vote:

Ayes: Sutton, Near, Crothers, Zaverl, Harris, and Inglis.

Motion Carried 6-0.

Absent: Jim Wyns.

7. ADJOURNMENT: John Sutton moved to adjourn the meeting at 4:51 P.M.
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Zaverl, Harris Near, and Inglis.

Motion Carried 6-0.

Absent: Jim Wyns.

Council minutes are not official until approved at the October 19, 2020 Council meeting.

Approved

<u><i>Crystal Budde</i></u>	<u>10-19-2020</u>
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer	Date

VILLAGE OF SHELBY
SPECIAL COUNCIL MEETING OF October 13, 2020 at 5:30 P.M.
COUNCIL PROCEEDINGS
Ladder Community Center



1. CALL TO ORDER:

The special meeting of the Common Council of the Village of Shelby was called to order at 5:32 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, and Bill Harris.
 Absent: Jim Wyns and Andy Near.

Andy Near was present at 5:34 P.M.

Staff present: Interim Village Administrator Bill Cousins, Village Clerk/Treasurer Crystal Budde, and Police Chief Bob Farber.

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

4. CITIZEN PARTICIPATION: No Citizen Participation.

5. VILLAGE ADMINISTRATOR INTERVIEWS:

- a.) 5:30 P.M. – Brady Selner
- b.) 6:30 P.M. – Mark J. Borden
- c.) 7:30 P.M. – Sherry Powell

6. COUNCIL ACTION:

The Shelby Village Council conducted interviews for the final candidate for the Shelby Village Administrator position. The Council has the following options:

- a.) Name a “lead candidate and authorize the Village Administrator to conduct the necessary background checks and create an employment contract with the candidate that will be presented to the Council for adoption.
- b.) Direct the Village Administration to present additional qualified candidate to the Council for interviews.
- c.) Take other action as determined by the Council at this meeting.

John Sutton moved to name Brady Selner as the lead candidate and to authorize the Village Administrator to conduct a background check and personal references and report back to Council.
 Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Zaverl, Harris, Near and Inglis.
Motion Carried 6-0.
Absent: Jim Wyns.

John Sutton moved to set a Special Council Meeting for October 19, 2020 at 6:30 P.M. Via Zoom to determine the next steps.
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Sutton, Crothers, Zaverl, Harris, Near, and Inglis.
Motion Carried 6-0.
Absent: Jim Wyns.

7. ADJOURNMENT: Dan Zaverl moved to adjourn the meeting at 8:58 P.M.
Seconded by: John Sutton.

Roll Call Vote:
Ayes: Sutton, Crothers, Zaverl, Harris Near, and Inglis.
Motion Carried 6-0.
Absent: Jim Wyns.

Council minutes are not official until approved at the October 19, 2020 Council meeting.

Approved

Crystal Budde 10-19-2020
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

VILLAGE OF SHELBY
SPECIAL COUNCIL MEETING OF October 19, 2020 at 5:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom



1. CALL TO ORDER:

The special meeting of the Common Council of the Village of Shelby was called to order at 5:34 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Paul Inglis, John Sutton, Andy Near, and Bill Harris.

Absent: Dan Zaverl.

Dan Zaverl present at 6:26 P.M.

Staff present: Interim Village Administrator Bill Cousins, Village Clerk/Treasurer Crystal Budde, and Police Chief Bob Farber.

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

4. REVIEW OF MINUTES:

a.) Special Meeting, Monday, October 12, 2020

Steve Crothers moved to approve the minutes of the Special Council meeting of October 12, 2020 as corrected.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Wyns, Near, Harris, and Inglis.

Motion Carried 6-0.

Absent Dan Zaverl.

b.) Special Meeting, Tuesday, October 13, 2020

John Sutton moved to approve the minutes of the Special Council meeting of October 13, 2020 as corrected.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Wyns, Near, Harris, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

5. ADDITION TO AGENDA:

a.) On Monday, October 19, 2020 the State of Michigan

Michigan Legislatures passed the bill allowing a public body to meet remotely retroactive from March 8, 2020 through December 31, 2020. Remote attendance by any member after January 1, 2021 will only be permitted for members who are absent due to military duty. A meeting that is held electronically must be conducted in a manner that permits 2-way communication so that members of the public body can hear and be heard by other members of the public body and so that public participants can hear members of the public body and be heard by members of the public body and other participants during public comment period.

6. CORRESPONDENCE:

7. CITIZEN PARTICIPATION:

Tara Kelly addressed her concerns to the Village Council about choosing another Village Administrator who is young and lacks experience.

Craig Beilfuss, Village of Shelby resident, also spoke about his concerns of choosing a young Administrator who made it clear he would plan to give the Village 2 to 3 years of service before moving on.

Mary Lulich, Village of Shelby resident, asked the Council if the Village of Shelby needs a Village Administrator. She added that a part-time Administrator may be all that is need in the Village.

Council consensus and response is that Shelby needs a Village Administrator in order to provide the Department Heads with what they need to perform their duties appropriately; to focus on finding grant opportunities for the Village; and to make great improvements to the Village.

8. SPECIAL MEETING BUSINESS:

a.) Personnel Additions

The Village Council selected Brady Selner as the lead candidate and Mark Borden as the alternate for the Village Administrator position at the Special Council Meeting on Tuesday, October 13, 2020. Interim Village Administrator Bill Cousins conducted a reference and background check of both individuals. Chief Farber also conducted criminal and limited financial background checks on both candidates.

The result of the investigations of both individuals is to confirm the Council's selection of Mr. Selner as the lead candidate for the Village Administrator position. His reference and background checks were very positive. The administration plans to negotiate a contract that follows the Shelby Personnel Manual that was adopted in October of 2017 with possible exceptions such as vacation time, sick leave, vehicle usage, and severance provisions.

John Sutton moved to confirm the selection of Brady Selner as the lead candidate for the Shelby Village Administrator position and to authorize the Interim Village Administrator to negotiate an employment contract for Mr. Selner to be presented to the Village Council at the October 26, 2020 regular Council meeting. Seconded by: Andy Near.

Roll Call Vote:

Ayes: Sutton, Near, Wyns, Crothers, Zaverl, Harris, and Inglis.
Motion Carried 7-0.

The Council held an in-depth discussion regarding the details of the employment contracts that they would be comfortable with for the Village Administrator and the Police Chief. Those contracts will be presented to Council at its Monday, October 26, 2020 regular Council meeting.

9. ADJOURNMENT: Steve Crothers moved to adjourn the meeting at 7:14 P.M.
Seconded by: Jim Wyns.

Roll Call Vote:
Ayes: Crothers, Wyns, Zaverl, Harris Near, and Inglis.
Motion Carried 7-0.

Council minutes are not official until approved at the October 26, 2020 Council meeting.

Approved

<u><i>Crystal Budde</i></u>	<u>10-26-2020</u>
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer	Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF November 9, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom



1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:30 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Jim Wyns, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Andy Near, and Bill Harris.

Staff present: Interim Village Administrator Bill Cousins, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, Interim Police Chief Bob Farber, and Police Chief Steve Waltz.

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

4. Consent Agenda:

a.) Regular Meeting, October 26, 2020

b.) Correspondence

Steve Crothers moved to approve the Consent Agenda as corrected.
 Seconded by: Andy Near.

Roll Call Vote:

Ayes: Crothers, Near, Wyns, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT:

President Inglis reported the Shelby Village Council will be welcoming two new Trustee members: Damian Omness who received 15 write in votes and Bill Glover who received 13 write in votes. President Inglis thanked Councilmen Jim Wyns and Andy Near for their service, passion, and commitment to the Village of Shelby. Mr. Wyns served on the Village Council for four years and Mr. Near served for six years.

7. ADMINISTRATOR'S REPORT:

Interim VA Cousins reported that the Shelby Trails Apartment Building Project developers have submitted site plans for the project. The Planning Commission will review them as soon as the zoning review is completed and necessary changes are made to the plans. A PILOT (payment-in-lieu-of taxes) has been requested for the project. The contract agreement is expected to be on the November 23,

2020 Council Agenda.

The State Legislature adopted, and the Governor signed, a revision to the return to work protocol for our employees (PA 238). The updated protocol is what determines if a person comes to work or stays home (sick). All employees are following a self-screening process when they come to work each day. When the Village Council returns to in-person meetings, a self-screening protocol will be in place for all Council members and all persons attending Council meetings.

VA Cousins participated in the “Discover Oceana” meeting on Thursday, October 29th. Holiday gift cards will be sold at local businesses starting November 14th for \$25.00 each; however, the cards will be worth \$35.00. More information on the gift cards as well as a video that promotes businesses in Oceana County that can be located by visiting www.discoveroceana.com.

District Health Department #10 is now meeting weekly. With the increase in cases, it is important to keep a clear avenue of communication to keep everyone informed. The Shelby medical unit is now scheduling Covid testing on-line. They will do this for flu shoots soon as well. An appointment can be scheduled by visiting NMHSI.org/Shelby.

The case with Gill Lake continues. Staff is meeting with Mr. Lake to try to resolve the zoning issues on the property before going back to court.

VA Cousins reported that he met with Mike Engels last week to work on a plan for the Village water rates. The Water & Sanitation Committee will be meeting within the next two weeks to finalize a recommendation to Council for rates over the next few years. The Village’s water mains are approximately 86 years old and will need to be replaced.

8. DEPARTMENT HEADS’ REPORTS:

Councilman Jim Wyns asked DPW Supervisor Greg MacIntosh if the trees that had been removed from Fourth Street will be replaced with new trees. Mr. MacIntosh explained that they have a number of trees that can be transplanted and will replace the trees that were removed this Spring.

Chief Farber reported that newly hired Chief Steven Waltz had his first day of work Monday, November 9th. Mr. Waltz is ready to hit the ground running with some great ideas for the department. Chief Farber is sure the Village of Shelby will see very positive things coming in the future.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION:

Jodi Nichols, Business Development Coordinator with the Right Place – Lake and Oceana County, stated that she is present to answer any questions that anyone may have regarding the MDARD Grant that will be discussed under New Business.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) Conflict of Interest Policy

The USDA Grant application for the Peterson Farms Water Main Project requires that the Village have an active “Conflict of Interest” policy. A policy has been drafted and was reviewed by members of the Ordinance Committee prior to presenting to the Council. If adopted tonight, all Council Members will be asked to sign it; then, as future Council member are elected to serve, they will also sign the policy.

Steve Crothers moved to adopt the November 9, 2020 Shelby Conflict of Interest Policy and to direct all members of the Village Council to acknowledge receiving a copy with their signature.

Seconded by: Jim Wyns.

Roll Call Vote:

Ayes: Crothers, Wyns, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

b.) Peterson Farms Water Project – Letter of Support for MDARD Grant

Jodi Nichols offered to submit a grant request to the Michigan Department of Agriculture and Rural Development (MDARD) that will provide some of the funding for the Peterson Farms Water Main project. There is no cost to the Village to apply for the grant. The grant, if awarded, would only be accepted if the project is authorized by the Village Council. The grant will reduce the needed funds to be borrowed if additional grant funding is not available for the project.

Bill Harris moved to authorize the Village President to sign and submit the letter of support for the Oceana County MDARD grant request to assist in the funding of the Peterson Farms Water Main project.

Seconded by: Andy Near.

Roll Call Vote:

Ayes: Harris, Near, Wyns, Crothers, Zaverl, Sutton, and Inglis.

Motion Carried 7-0.

c.) Sixth Street School Crossing Light

DPW Supervisor Greg MacIntosh received three quotes for a replacement timer for the Sixth Street School crossing light. Solar Traffic Systems quoted a standard timer in the amount of \$418.00. This is a basic model and does not hold a program. It does not allow for schedule changes in regard to the school schedule for breaks without the need to reprogram it each time.

A second quote was received from Solar Traffic Systems for a deluxe timer in the amount of \$847.00. The deluxe timer would allow for more complex scheduling. It is similar to what is currently being used on State Street. The DPW can program the timer for the entire school year and include any holiday breaks when the school is not in session.

Strain Electric quoted a cabinet unit with time clock in the amount of \$4,808.42 (\$3,808.42 for the unit and \$1,000.00 for the installation). The unit includes a new cabinet, time clock, relay, and a

breaker switch. The installation would also include the removal of the old boxes from the pole.

Mr. MacIntosh recommended that the Village Council authorize the purchase of the deluxe timer from Solar Traffic Systems in the amount of \$847.00 as it will meet the Village's needs.

Councilman Dan Zaverl asked if anyone had reached out to the Shelby Public Schools as to whether or not they would help pay for the school crossing light repairs/replacement.

Jim Wyns moved to authorize the purchase of the deluxe timer from Solar Traffic Systems as quoted to include the costs of installation not to exceed \$2,000.00.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

d.) Committee Appointments (Effective November 20, 2020)

President Paul Inglis appointed Council Trustees to the following Committees:

Water & Sanitation	Chair: Bill Harris, Co-Chair: Steve Crothers
Streets & Sidewalks	Chair: Dan Zaverl, Co-Chair: Bill Glover
Parks, Rec & Buildings	Chair: Damian Omness, Co-Chair: John Sutton
Finance & Insurance	Chair: Steve Crothers, Co-Chair: Bill Harris
Personnel	Chair: John Sutton, Co-Chair: Damian Omness
Ordinances	Chair: Bill Glover, Co-Chair: Dan Zaverl.

13. COMMITTEE REPORTS:

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

The Planning Commission is set to meet on Tuesday, November 17th at 6:30 P.M. to review the proposed Accessory Building Ordinance. The updated Master Plan has been sent to the local governments and utilities as required.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

The Water and Sanitation Committee will be meeting in the near future to review the proposed water rate adjustment.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Jim Wyns:

Committee Chair Dan Zaverl asked when the repairs to the Michigan and State Street intersection are going to begin. DPW Supervisor Greg MacIntosh will get in touch with the contractor and immediately inform Interim VA Cousins.

d. PARKS, REC. & BLDGS: Chair: Andy Near, John Sutton:

Committee Chair Andy Near reported that he has been notified that the Village has received 335 points out of the possible 450 points for the MDNR Grant for the Getty Park Renovation Project. John Wilson, Village of Shelby Parks Consultant, believes the Land and Water Grant will be the Village's best bet to getting the funding needed for the Project.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report. Mr. Wyns stated he is thankful for the four years of experience on the Village Council.

f. PERSONNEL: Chair: John Sutton, Andy Near:

Committee Chair John Sutton welcomed new Police Chief Steven Waltz and thanked Chief Farber for his two-year commitment to the Village of Shelby as the Interim Police Chief. Newly hired Village Administrator Brady Selner will begin his first day with the Village on November 19th.

g. ORDINANCES – Chair Steve Crothers, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS:

Jim Wyns moved to approve the payment of the bills in the amount of \$76,858.90.
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Wyns, Crothers, Zaverl, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT:

Jim Wyns moved to adjourn the meeting at 7:39 P.M.
Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Wyns, Zaverl, Crothers, Sutton, Near, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the November 23, 2020 Council meeting.

Approved

Crystal Budde

11-9-2020

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF November 23, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom



1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:30 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Staff present: Interim Village Administrator Bill Cousins, Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, Police Chief Steve Waltz, and Interim Police Chief Bob Farber.

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

4. CONSENT AGENDA:

a.) Regular Meeting minutes of November 9, 2020

b.) Correspondence

Steve Crothers moved to approve the Consent Agenda as prepared.
 Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT:

President Inglis welcomed Bill Glover and Damian Omness who had recently been elected to the Shelby Village Council as Trustees.

7. ADMINISTRATOR'S REPORT:

Interim Village Administrator Bill Cousins reported that the Shelby Trails Apartment Building project site plan was reviewed informally by the Planning Commission last week. The final review is expected to be placed on the December 15, 2020 Planning Commission agenda. The project is planned for construction next spring.

The DPW has used a couple temporary employees to assist with fall cleanup activities such as the last cutting of grass and removal of leaves in the parks. The entire crew has worked hard all summer to keep up with the workload.

The Village closed its doors to the public on November 16th. The drop box is being used for receiving water bill payments, permits, and other documents. Leaf bags are being delivered to residents as needed. The DPW and Police Department are fully functioning; just staying a bit farther apart from each other and wiping down everything numerous times a day. Our goal is to continue to provide excellent service to the residents while keeping the employees healthy and safe.

The Village will go back to court to continue to resolve the brick, junk, and vehicle issues at First Street and the Rail-Trail. Chief Waltz and Bob Farber met with Mr. Lake to attempt an informal resolution of the issues; however, Mr. Lake was not interested in an out-of-court resolution.

The drain at South Michigan and State Street was repaired on November 13th. It should function better than before and cause fewer problems for motorists in the future.

Village Administrator Brady Selner had nothing else to add; however, he did report that he is looking forward to serving the Village of Shelby over the next several years.

8. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Greg MacIntosh had nothing to report.

Police Chief Steven Waltz reported that, in the two weeks he has been with the Shelby Police Department, he has been learning the Records Management System (SRMS) and becoming familiar with the Village. He has become familiar with the jail/court system and has dealt with Central Dispatch in regard to getting the new modems in the police cruiser up and running properly. Bob Farber has been an excellent mentor during this process.

Bob Farber and Chief Waltz have been working to organize and audit the evidence room. Chief Waltz has ordered a bar code reader that will streamline the evidence transfer process both now and in the future. That scanner will be here early next week, and the audit will begin at that time.

Clerk/Treasurer Crystal Budde reported that the obsolete equipment sale ended on November 13th. A total of 52 bids were received and 24 items were sold totaling \$9,764.00.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION:

Mishelle Comstock congratulated and welcomed the newly hired Police Chief Steve Wentz and Village Administrator Brady Selner. She hopes to have an opportunity to meet with both gentlemen soon.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) Ferric Chloride Purchase

Ferric Chloride is purchased approximately every eight months for use at the Shelby Wastewater Facility (lagoon system). It is time to replenish the inventory of Ferric Chloride for use over the next eight months. Quotes have been obtained for the chemical and are as follows:

PVS, Detroit, Michigan	4,000 gallons for \$4,700.00
Haviland, Grand Rapids, Michigan	4,000 gallons for \$5,331.20
Webb Chemical, Muskegon, Michigan	4,000 gallons for \$6,000.00

John Sutton moved to authorize the Village Administrator to purchase 4,000 gallons of Ferric Chloride from PVS, Detroit, Michigan for use at the Shelby Wastewater Facility for a total price of \$4,700.00. Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission met on November 17, 2020 at 6:30 P.M. via Zoom with the architect for the Shelby Trails Apartments to discuss parking, driveways, and building materials for the project. Suggested changes to the Accessory Building Ordinance were also discussed. The Planning Commission will meet again in December to review changes to the Shelby Trails building plans and possible proposed changes to the Accessory Building Ordinance.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

The Water and Sanitation Committee is scheduled to meet on Monday, November 30th at 10:00 A. M. via Zoom to discuss the water rate study and the Peterson Farms' watermain extension program.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

Committee Chair Damian Omness reported that he will be meeting with previous Committee Chair Andy Near in order to catch up on what has been in the works for the Parks, Recreation and Buildings Committee.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

The Committee is scheduled to meet via Zoom on Tuesday, December 1st at 3:30 P.M. to discuss the proposed Shelby Trails PILOT Contract.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills in the amount of \$36,180.51.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT: John Sutton moved to adjourn the meeting at 7:06 P.M.

Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Sutton, Zaverl, Glover, Crothers, Omness, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the December 14, 2020 Council meeting.

Approved

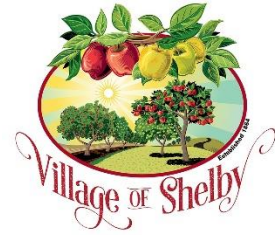
Crystal Budde

12-14-2020

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF December 14, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom



1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:35 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Bill Glover entered the meeting at 6:47 P.M.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Steve Waltz.

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

4. MINUTES:

a.) November 23, 2020

Steve Crothers moved to approve the minutes of the Regular Council meeting of November 23, 2020 as presented.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Zaverl, Omness, Harris, and Inglis.

Motion Carried 6-0.

Absent: Bill Glover.

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

6. PRESIDENT'S REPORT:

President Inglis commended the Shelby DPW for the fine job of clearing the Village streets of snow over the weekend.

7. ADMINISTRATOR'S REPORT:

VA Selner reported that the Shelby Trails Apartment Building project site plan is being reviewed by Don DeVries, Fleis & Vadenbrink, to ensure compliance with the stormwater management provision of the Village of Shelby Zoning Ordinance. A special meeting of the Village Planning Commission will most likely be set for December 22nd or 29th to consider the final site plan. The project is planned for construction next spring.

The Planning Commission will meet on December 15th to further discuss amending Section 3.11, Accessory Buildings and Structures, to allow more than one accessory building on a parcel.

The Michigan Department of Health and Human Services (MDHHS) extended the current epidemic order through December 20th. Village Hall will remain closed to the public until further notice. The drop-box is still being used for water bills, permits, and other documents. Even with the office closed, staff has been available to ensure residents continue to receive excellent service while keeping everyone safe. The vaccine for COVID is nearing approval and will first be distributed to health care workers, first responders, and the higher risk population. It is expected the vaccine will be available for the general public sometime this spring or early summer.

Senate Bill 1108, which amends the Open Meetings Act to allow for virtual meetings, is set to expire on December 31, 2020. To date, the Legislature has not acted to extend the ability for public bodies to continue meeting virtually for any reason in 2021. Without a change, beginning January 1, 2021, meetings of public bodies may only be held electronically under the following very limited circumstances: 1) to accommodate members absent due to military services, 2) to accommodate members with a medical condition; or, 3) in the event of a statewide or "local state of emergency." VA Selner will be monitoring this to determine a plan moving into the new year.

The Parks, Recreation, and Buildings Committee will meet on Thursday, December 17, to discuss the next steps in the Land and Water Conservation Fund (LWCF) grant for the renovation of Getty Park. The Getty Park project received the highest Michigan Department of Natural Resources (MDNR) staff score out of all applications submitted. The \$5.4 million in LWCF grants supporting park projects will be sent to the National Park Service for federal approval.

The purchase of the pocket park downtown has been completed. VA Selner thanked Village of Shelby Fellow Emily Stuhldreher for all of her work on the project.

The Pure Michigan Small Business Relief Initiative will utilize federal CARES ACT funding to provide \$1.3 million in grants to meet the urgent needs of small businesses disproportionately impacted by the COVID-19 virus in West Michigan's 13 county region. Grants will be awarded up to \$15,000.00 per application and applicants will identify their total grant request within the application. The Application process will begin on December 15, 2020 at 9:00 A.M. and will be reviewed on a "First-In" basis.

Emily Struhldreher made direct contact via phone to each business in the Village of Shelby in order to inform them of the grant opportunity.

8. DEPARTMENT HEADS' REPORTS:

DPW Supervisor MacIntosh reported that the new school crossing light to be located on Sixth Street will be installed next month. The Village has been required to take 20 lead/copper samples every six months and Mr. MacIntosh had received notification that only 10 samples per year will be necessary moving forward because the Village's samples have not detected any signs of lead or copper in the water.

Councilman Damian Omness inquired as to whether the pile of leaves along the street of Sunset

Terrace have been cleaned up. Mr. MacIntosh responded that he would check on that and email Mr. Omness to let him know when it is taken care of.

Chief Waltz reported that former Chief Farber and he have completed the evidence room audit. The purchase of a barcode scanner proved to save many hours of time over manually entering every piece of property. Red parking warnings were printed up and placed on vehicles parked overnight on Village streets, especially Michigan Avenue. Although the parking ban took effect on November 15, the Police Department has been using the mild weather to provide a chance for the public’s compliance before ticketing violators. Effective December 12, the officers will be issuing parking citations for vehicles parked on the Village streets.

The new police cruiser should be arriving within the next month.

Officer VonDrak will be participating in “Roy’s Kids” by delivering Christmas presents to children in the area on December 19th. “Roy’s Kids” provides many children with Christmas presents who may not otherwise receive any. This gesture by Officer VonDrak is appreciated as is Roy Strait for organizing the effort.

9. CORRESPONDENCE:

a.) SHPO Letter for Getty Park

Notification was received from the Cultural Resource Management Coordinator for the State Historical Preservation Office (SHPO) stating that no historic properties are affected within the Getty Park renovation area.

10. CITIZEN PARTICIPATION:

Jodi Nichols, Oceana County Economic Alliance, provided a project cost- benefit summary for the Village Council regarding the Peterson Farms’ water main extension project. Ms. Nichols reported that she is happy to help the Village in any way with this project. She believes the project will add a great deal of value to the community and to Oceana County as a whole. Ms. Nichols suggested that Village officials look at other communities who have offered water service outside of their community as a source of information and for obtaining feedback on the benefits of offering water service outside of the community.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) PILOT Contract for 220 Walnut Street– Shelby Trails Apartments

The Oceana County Housing Commission Non-profit Corporation has proposed that a 15 unit apartment building complex at 220 Walnut Street be taxed as a payment-In-Lieu-of Taxes (PILOT) project. The complex will provide rental rates below market rate for lower income residents with financing through the Michigan State Housing Development Authority (MSHDA). The project site plan is

in the process of being reviewed by the Planning Commission; construction is expected to start next spring.

The Finance and Insurance Committee met on December 8, 2020 to consider an amendment to the PILOT Contract. The amendment considered was to remove Section 4.e., copied below:

4. Term. The exception may be determined by the Village upon the occurrence of the first of the following events:

e. "The Sponsor defaults in the payment of the service charge in-lieu-of taxes or any other condition of Title Four, Chapter 890 of the Codified Ordinances of Shelby, Michigan and such default remains uncured for a period of 90 days following written notice of the default to the Sponsor and the Authority:"

The Committee agreed Section 4.e could be removed because Sections 890.13, 890.14, and 890.15 of the Village Ordinance already address nonpayment. The Finance and Insurance Committee recommended the approval of the PILOT Contract as presented.

Steve Crothers moved to authorize the Village President to sign the Contract for Service Charge in-Lieu-of Taxes with the OCHC Shelby Limited Dividend Housing Association Limited Partnership for the 220 Walnut Street Apartment project.

Seconded by: Bill Harris.

Roll Call Vote:

Ayes: Crothers, Harris, Glover, Zaverl, Sutton, Omness, and Inglis.

Motion Carried 7-0.

b.) Grant Proposal for Locating Lead/Galvanized Water Service Lines

EGLE is offering a grant to help communities enhance their asset management programs to comply with the Michigan Lead and Copper Rule. Fleis & Vandenbrink will assist with the application for the grant. The Water and Sanitation Committee met on December 7, 2020 and is recommended that the Shelby Village Council approve Fleis & Vandenbrink to apply for the \$37.5 million EGLE Drinking Water Asset Management (DWAM) grant.

Bill Harris moved to authorize Don DeVries of Fleis & Vandenbrink Engineering to prepare and submit the EGLE Drinking Water Asset Management (DWAM) grant at a cost of \$800.00.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Harris, Crothers, Glover, Zaverl, Sutton, Omness, and Inglis.

Motion Carried 7-0.

c.) Grant Proposed for Replacing Lead/Galvanized Water Service Lines

EGLE is offering a loan, eligible for forgiveness, through its Drinking Water Revolving Fund to help communities replace lead service lines. The Federal Water Infrastructure Transfer Act of 2019 allows states to transfer funds from the Clean Water State Revolving Fund (CWSRF) to the Drinking Water State Revolving Fund (DWSRF) for lead service line replacements. The Michigan Clean Water Plan proposes using Michigan's allowed allocation of \$102 Million to provide disadvantaged communities 100 percent loan forgiveness for lead service line replacements. Grants will be capped based on population size. Fleis & Vandenbrink will assist with the application for the grant.

The Water and Sanitation Committee met on December 7, 2020 and recommended that the Shelby Village Council approve Fleis & Vandenbrink to apply for the Lead Service Line Replacement grant through the Drinking Water Revolving Fund.

Steve Crothers moved to authorize Don DeVries of Fleis & Vandenbrink Engineering to prepare and submit the Lead Service Line Replacement grant through the Drinking Water Revolving Fund at a cost not to exceed \$15,000.00.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

d.) Purchase of Body Cameras

The Police Department is seeking approval for the purchase of three Motorola WatchGuard body cameras for daily police activities. Quotes were obtained from Motorola WatchGuard and Axon. The two companies are the most trusted and used by a majority of police departments. The Finance and Insurance Committee recommended the purchase of the Motorola WatchGuard Vista HD cameras.

Damian Omness moved to authorize Chief Waltz to purchase three Motorola WatchGuard Vista HD body cameras from WatchGuard – 415 E. Exchange Parkway, Allen, Texas for police use in the amount of \$2,730.00

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Glover, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

e.) Street Administrator Designation

With the change in Village Administrator, Form 2012 must be filed with MDOT to formally change the Village's designation of Street Administrator to Brady Selner, Shelby Village Administrator.

Steve Crothers moved to adopt the following resolution:

Whereas, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street

improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act." Therefore, be it resolved, that this Honorable Body designate Brady Selner as the single Street Administrator for the Village of Shelby in all transactions with the State Transportation Department as provided in Section 13 of the Act.
 Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Crothers, Glover, Zaverl, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission will meet on Tuesday, December 15, 2020 to review the Accessory Building Ordinance and the proposed change that would allow more than one accessory building on a lot. The Planning Commission is still seeking to fill a vacant seat and hopes to fill that soon.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Committee Chair Bill Harris spoke of his concerns about the Peterson Farms' water main extension project. Such as: If the Village can logically provide all the needed water to the Peterson Farms' Apartments as well as Village residents; if the Village will have enough staff to maintain the water main extension as well as the Getty Park project and normal everyday duties; and, if the Village can financially support the extension and any possible future problems that may arise with the water system and the replacement of the wells that are nearing the end of their useful life. Mr. Richard Raffaelli, CEO of Peterson Farms, will be in contact with Mr. Harris to clear up any misunderstandings with the proposed project.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

The Committee is set to meet on December 17, 2020 for a Getty Park Grant update and discussion of the next steps in the implementation process.

e. FINANCE and INSURANCE: Chair: Jim Wyns, Bill Harris:

Nothing to report.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS:

Steve Crothers moved to approve the payment of the bills in the amount of \$103,863.62.
Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT:

Dan Zaverl moved to adjourn the meeting at 8:07 P.M.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Zaverl, Crothers, Glover, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the December 28, 2020 Council meeting.

Approved

<u><i>Crystal Budde</i></u>	<u>12-28-2020</u>	
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer	Date	



**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF December 28, 2020 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom**

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:32 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Greg MacIntosh, and Police Chief Steve Waltz.

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

4. MINUTES:

a.) December 14, 2020

Steve Crothers moved to approve the minutes of the Regular Council meeting of December 14, 2020 as corrected.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0

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

6. PRESIDENT’S REPORT: Nothing to report.

7. ADMINISTRATOR’S REPORT:

VA Selner reported that the Shelby Trails Apartment Building project site plan has been reviewed by Don DeVries, Fleis & VandenBrink Engineering. The developer is working on a response to Mr. DeVries’ comments. As soon as the suggested changes are made to the site plan, it will be placed on the Planning Commission Agenda for consideration. The project is planned for construction next spring.

The Planning Commission met on December 15th to discuss amending Section 3.11, Accessory Buildings and Structures to allow more than one accessory building on a parcel. A Public Hearing has been set for January 19, 2021, to consider the amendment.

VA Selner received a proposal from Williams & Works to assist the Village with re-writing the Village Zoning Ordinance. The objective for the rewrite process would be to craft an ordinance that is more

suited to the Village needs and desires; to implement policies of the new Master Plan; and, to address modern planning and zoning challenges as well as those unique to the Village of Shelby. The proposal will be considered as we continue developing the 2021-2022 Fiscal Year budget.

Barb Setlak has submitted a request for a use variance to remodel and convert an existing detached accessory building into an accessory dwelling unit on her property located at 186 S. State Street. Her request will be heard by the Village Council, acting as the Zoning Board of Appeals, at the January 11, 2021 Council meeting.

Amendments to the Open Meetings Act to allow remote attendance at public meetings has passed the State House and Senate. The primary change includes an extension allowing public bodies to conduct electronic meetings virtually for any reason from the original end date of December 31, 2020 to March 31, 2021.

The "Notice of Intent to File Application" for the Peterson Farms water main project was in the Oceana's Herald-Journal on December 24, 2020. VA Selner is working with Don DeVries to finish the USDA application and should be ready to submit it the last week of December or first week of January.

The Parks, Recreation, and Buildings Committee met on December 17, 2020 to discuss the next steps in the Land and Water Conservation Fund (LWCF) Grant process for the Getty Park project. VA Selner will be working with John Wilson over the next four to six months to complete the final Project Agreement.

VA Selner reported that he is working to set up a Strategic Planning Session in February for the Council to attend. More details will be passed along when the dates and times have been established.

8. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Greg MacIntosh and Chief Steve Waltz had nothing to report.

9. CORRESPONDENCE:

a.) Letter received from the Village of Clinton

VA Selner received a letter from the Village of Clinton requesting a response as to whether or not the Village Council will participate in legal action in opposition to the new lead and copper rules; and, for commitment of financial support in the amount of \$2,000.00 for the class action.

The consensus of the Council was not to take any action regarding this matter.

10. CITIZEN PARTICIPATION: No Citizen Participation

11. OLD BUSINESS:

a.) Peterson Farms Watermain Project

Peterson Farms COO Richard Raffaelli provided the Village Council with detailed information regarding the timeline and procedures regarding the water main extension project to allow for an informed

decision to be made by the Village Council during the next phase of the project. (See Attached).

Bill Harris thanked Mr. Raffaelli for his time and information.

12. NEW BUSINESS:

a.) T-Mobile Lease

T-Mobile has proposed a second amendment to their June 3, 2013, tower lease with the Village of Shelby. The amendment requires the lessee to submit plans and obtain approval from the Village of Shelby Council prior to working on or making any changes to any underground equipment or lines within the Utility Easement areas.

Bill Glover moved to approve the Second Amendment to the Tower Space Lease Agreement by and between the Village of Shelby, a Michigan Municipal Corporation, and T-Mobile Central, LLC, a Delaware limited liability company and to authorize VA Brady Selner to sign the same. Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Glover, Crothers, Zaverl, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

b.) Planning Commission Appointments

It was recommended by the Planning Commission at its December 15, 2020 Regular meeting that Tara Kelley and Samantha Near be re-appointed to the Village of Shelby Planning Commission. Mark Baker has respectfully declined serving another term on the Planning Commission; thus, leaving two vacancies.

If the re-appointments of Tara Kelly and Samantha Near are approved by Council, the Planning Commission members would be as follows:

Vacant Seat: January 1, 2021 – December 31, 2023

Vacant Seat: January 1, 2021 – December 31, 2023

Samantha Near: January 1, 2021 – December 31, 2023

Tara Kelley: January 1, 2021 – December 31, 2023

John Sutton (Vice-Chair): January 1, 2021 – December 31, 2024 (aligns with Village Council term)

Paul Inglis: Expires December 31, 2022 (aligns with Council term)

Tim Horton: January 1, 2020 – December 31, 2021

John Sutton moved to re-appoint Planning Commission Members Tara Kelley and Samantha Near to

the Village of Shelby Planning Commission for a term beginning January 1, 2021 and ending December 31, 2023.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

c.) Shelby Area District Library

Tiffany Haight, Library Director of the Shelby Area District Library, sent a letter requesting the Village Council to reappoint Ann Campagna for another three-year term to the Shelby Area District Library Board of Trustees beginning January 1, 2021 and ending December 31, 2023.

Steve Crothers moved to reappoint Ann Campagna to the Shelby Area District Library Board of Trustees for a three-year term beginning January 1, 2021 and ending December 31, 2023.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Glover, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

d.) Village Council and Planning Commission 2021 Meeting Schedule

Every year the Council adopts meeting schedules for the Village of Shelby Council and Planning Commission for the upcoming year. The schedules are posted at the Village Hall, shared with media, and posted on the Village website, and Facebook page. This will keep the Village in compliance with the Open Meetings Act.

John Sutton moved to adopt the proposed 2021 meeting schedules for the Village of Shelby Council and the Village of Shelby Planning Commission.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Sutton, Omness, Glover, Zaverl, Harris, and Inglis.

Motion Carried 7-0.

e.) Engineering Services for Getty Park Grant

The Village of Shelby has been recommended by the Michigan Department of Natural Resources (MDNR) for the \$300,000.00 Land and Water Conservation Fund (LWCF) grant to renovate Getty Park. The Village of Shelby will be responsible for 50% of the project costs. With Fleis & VandenBrink's familiarity and past work on Getty Park, it would best serve the Village to have them provide the design and construction engineering services for the Getty Park Improvement Project. The Parks, Recreation, and Buildings Committee met on December 17, 2020 and has recommended approval of

the proposal.

Steve Crothers moved to approve Fleis & VandenBrink’s proposal to serve as the engineer for the Getty Park Land and Water Conservation Fund (LWCF) grant project for an amount not to exceed \$77,000.00. If funding for the LWCF grant does not receive approval from the Federal Park Service, the Village shall only be responsible for engineering costs incurred to date.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0

f.) Village Administrator Six Month Goals

In VA Selner’s employment contract, it is stated that, within the first month, he would meet with the Personnel Committee to set goals for his first six months of employment. During the month of June 2021, the Village Council will review his performance and if the Council is satisfied that the goals have been met, Mr. Selner’s compensation would increase to an annual salary of \$68,000.00 effective July 5, 2021.

VA Selner has listed the completion of a thorough update to the Village of Shelby Personnel Policies; and, development of an updated budget document that identifies and targets Village Council priorities in the budget and provides easier readability for stakeholders as two of his primary goals.

The following is a list of additional goals VA Selner wishes to accomplish over the next six months:

1. Develop a plan for the pocket park downtown.
2. Begin the process of a Zoning Ordinance rewrite.
3. Update zoning fee schedule.
4. Submit the Asset Management to EGLE.
5. Manage the Getty Park project/grant.
6. Create an action plan for economic development and continue to pursue RRC certification.

John Sutton moved to approve the goals listed in the December 17 Memo “Six Months Goals” (as amended from the December 17, 2020 Personnel Committee meeting), to serve as a guide for the Village Administrator’s performance review in June 2021.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

g.) Chapter 1044.06 Codified Ordinance Amendment

Chapter 1044.06 of the Village of Shelby Codified Ordinances has discrepancies regarding existing

water rates and billing methods. The proposed ordinance amendments would align the Village of Shelby Codified Ordinances with the proposed water rates and connection fees. The amendments include omitting Section 1044.06 (c,d,e) and changing 1044.06 (f) to match our existing billing schedule. VA Selner recommended Section 1044.06 (c,d,e) be omitted due to Section 1044.08 giving Council the authority to update rates periodically to maintain the water and sewer system.

Steve Crothers moved to adopt the Section 1044.06 Codified Ordinance amendment.
Seconded by: Damian Omness.

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

h.) Water Rate Fees

Providing safe drinking water is an essential public service provided to residents. The ongoing construction and maintenance of the water infrastructure is one of the costliest investments within a municipality. It is important that adequate revenue is collected through service charges to support the cost of providing water throughout the community. The last time the water rates were analyzed was 16 years ago. To adequately meet both present and future needs of the water system, the Michigan Rural Water Association recommended a \$0.52 increase per 100 cubic feet of water; a \$1.50 increase for the monthly ready to serve fee (increasing based on meter size); and, a \$0.08 increase in the monthly environmental fee. The Water and Sanitation Committee has recommended that the Village Council adopt the water rate increase effective March 1, 2021 as well as a 5% annual increase in water rates beginning March 1, 2022 and ending February 28, 2027.

Damian Omness moved to adopt Resolution 2020-12-28-1. (See attached).
Seconded by: Steve Crothers.

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

I.) Water and Sewer Connection Fee

Most communities around Michigan charge a tap in fee for water and sewer customers to help cover the ongoing costs associated with the water and sewer system. Essentially, it is a buy in to the system. The rates were evaluated and developed with the help of Mike Engels of the Michigan Rural Water Association. The rates are calculated by taking the total value of the system divided by the total number of meters. For customers buying into the water system, the size of the water line is also considered. The Water and Sanitation Committee has recommended that the Village Council adopt the

November 4, 2020 tap in fee schedule to connect to the municipal water and sewer system.

Tabled until VA Selner can present tap in fees in other communities.

J.) Shelby Police Department Office Remodel & HVAC Installation

The office utilized by the Shelby Police Department was not updated when the Village of Shelby moved to its new location a few years ago. Their office space should be updated to include an update to the HVAC system. Chief Waltz has gathered different quotes necessary to update the workspace. Media Technologies has offered to provide the office furniture at half cost (\$4,275.50); Magooz Floor Covering will donate and install the flooring; and, Chief Waltz has offered to paint the office. The Village will need to hire a contractor to install the updated HVAC system. The following quotes were obtained:

Adams Heating and Cooling	\$8,896.00
Boardwell Mechanical Services, Inc	\$8,990.00
Carmichael Heating & Air Conditioning	\$7,995.00 (plus other costs)

Bill Harris moved to approve the purchase of office furniture from Media Technologies Shelby, Michigan for the Shelby Village Police Department in the amount of \$4,275.50.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Harris, Crothers, Glover, Zaverl, Sutton, Omness, and Inglis.

Motion Carried 7-0

Damian Omness moved to authorize the Village Administrator to accept the quote from Adams Heating and Cooling Hart, Michigan for the installation of the HVAC in the Shelby Police Department in the amount of \$8,896.00.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Glover, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission met on December 15th to discuss amending the Village's Accessory Building Ordinance and to set a Public Hearing for January 19, 2021 for the consideration of the amendment as well to finalize the Master Plan. A special meeting will take place on January 14, 2021 to review the site plan for the Shelby Trails Apartment project.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

The Parks, Recreation and Buildings Committee met on December 17th to discuss the next steps for the Getty Park Renovation project with Parks Consultant John Wilson. Discussion of who is responsible for the repairs to the announcer booth at Getty Field ensued. VA Selner will be scheduling a meeting with Shelby Public Schools Superintendent Tim Reeves to further discuss the matter.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

Nothing to report.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS:

Steve Crothers moved to approve the payment of the bills in the amount of \$70,263.77.
Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Crothers, Zaverl, Glover, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT:

Dan Zaverl moved to adjourn the meeting at 8:55 P.M.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Zaverl, Crothers, Glover, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the January 11, 2021 Council meeting.

Approved



Crystal Budde

January 11, 2021

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date