



**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 Wynn, 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 Regional 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 Wynn:

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 Wyny, 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 Wyny 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 Wyny 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



**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 Chodynietki, 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. Wynn 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: Wynn, 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, Wynn, 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
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

05-11-2020

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

☐

Crystal Budde

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

05-26-2020

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