

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



1. CALL TO ORDER:

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

2. ROLL CALL:

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

Absent: Paul Inglis and John Sutton.

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

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

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) April 8, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of April 8, 2024 as presented.

Seconded by: Damian Omness.

Voice Vote: All in favor.

Motion Carried.

Absent: Paul Inglis and John Sutton.

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

7. PRESIDENT'S REPORT: Nothing to report.

8. ADMINISTRATOR'S REPORT:

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

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

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

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

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

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

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

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

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

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

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

9. DEPARTMENT HEADS’ REPORTS:

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

Chief Roesler had nothing to report.

10. CORRESPONDENCE:

- a.) Governor Whitmer Funding Announcement

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

11. CITIZEN PARTICIPATION:

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

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

- a.) Monitoring Well

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

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

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

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

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

Roll Call Vote:

Ayes: Termer, Trott, Zaverl, Omness, and Crothers.

Motion Carried 5-0.

Absent: Paul Inglis and John Sutton.

b.) Xerox Multi-function Printer

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

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

Damian Omness moved to approve the lease of the C71525 Xerox Versalink Color Multifunction Printer for the cost of \$193.05 per month.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Termer, Omness, Zaverl, Trott, and Crothers.

Motion Carried 5-0.

Absent: Paul Inglis and John Sutton.

14. COMMITTEE REPORTS:

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

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

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

Nothing to report.

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

Nothing to report.

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

Nothing to report.

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

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

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

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

g. ORDINANCES – Chair Curt Trott, Dan Zaverl:

Nothing to report.

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

Seconded by: Damian Omness.

Roll Call Vote:

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

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

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

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

Approved

Crystal Budde May 13, 2024
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date