

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



**1. CALL TO ORDER:**

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

**2. ROLL CALL:**

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

Absent: Dan Zaverl.

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

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

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) March 25, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of March 25, 2024 as presented.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

Absent: Dan Zaverl.

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

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

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

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

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

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

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

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

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

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

## **9. DEPARTMENT HEADS’ REPORTS:**

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

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

## **10. CORRESPONDENCE:**

### a.) Supreme Court Decision Impacting Elected Officials and Use of Social Media

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

## **11. CITIZEN PARTICIPATION:**

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

## **12. OLD BUSINESS:**

### a.) Getty Park Underground Electrical Service

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

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

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

## **13. NEW BUSINESS:**

### a.) Getty Park Soccer Field Maintenance

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

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

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

b.) Shelby Acres Lighting Plan

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

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

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

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

c.) DPW Building Quotes

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

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

Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Omness, Trott, Termer, Crothers, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

d.) First Street Resurfacing

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

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

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

Roll Call Vote:

Ayes: Termer, Crothers, Omness, Sutton, Trott, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

#### **14. COMMITTEE REPORTS:**

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

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

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

Nothing to report.

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

Nothing to report.

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

Nothing to report.

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

Nothing to report.

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

Nothing to report.

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

Nothing to report.

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

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

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

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

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

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

Approved

Crystal Budde April 22, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date