

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



**1. CALL TO ORDER:**

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

**2. ROLL CALL:**

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

Absent: Damian Omness.

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

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

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

**5. MINUTES:**

a.) May 28, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of May 28, 2024 as presented.

Seconded by: Curt Trott.

Voice Vote: All in favor.

Motion Carried.

Absent: Damian Omness.

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

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

**8. ADMINISTRATOR'S REPORT:**

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

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

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

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

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

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

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

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

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

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

## 9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse had nothing to report.

Police Chief Roesler had nothing to report.

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

**10. CORRESPONDENCE:** No Correspondence.

## 11. CITIZEN PARTICIPATION:

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

**12. OLD BUSINESS:** No Old Business.

## 13. NEW BUSINESS:

### a.) Set Public Hearing for Proposed Tax Millage Rates

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

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

Seconded by: John Sutton.

Roll Call Vote:

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

Motion Carried 6-0.

Absent: Damian Omness.

### b.) Getty Park Village Purchased Items

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

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

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

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

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

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

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

Nothing to report.

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

Nothing to report.

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

Nothing to report.

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

Nothing to report.

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

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

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

Nothing to report.

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

Seconded by: Crut Trott.

Roll Call Vote:

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

Motion Carried 6-0.  
Absent: Damian Omness.

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

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

Approved

Crystal Budde June 24, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date