

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, JUNE 24, 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, Damian Omness, John Sutton, and Curt Trott.

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.) June 10, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of June 10, 2024 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

**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 he met with Fire Chief Jack White and advised him that Shelby Township will need to have their attorney draft an Easement Agreement for review by the Village to move forward with approval of the storm drain installation that is needed at the fire barn located on Industrial Drive.

Don DeVries is currently working on engineering a proposed sidewalk along State Street. Hallack Construction is expected to return to the Village to install the water main upgrade under First Street next week as part of the First Street/Shelby Road project. It is anticipated that Shelby Road East of U.S. 31 will be closed starting Monday as well as First Street within the Village limits.

Interim VA Guetschow met with Don DeVries and McCormick Sand last week for an update on the

Getty Park project. The splash pad will be reset lower next week prior to the concrete surface being poured. It was initially higher due to the sanitary sewer line not having sufficient fall, but it will be connected to a different sanitary sewer line that is lower.

Apex punctured a resident's sewer lead while running the new water service line. The resident has obtained a quote of \$14,000.00 to repair it. Don DeVries would like Apex to issue checks for the homeowner as well as the homeowner on Bevier Street that had to personally restore their yards. Interim VA Guetschow and Clerk/Treasurer Budde had an online meeting with MEDC regarding the reimbursement request for CDBG funds for the Getty Park project. MEDC has delayed action on the request until it is determined if the MDNR grant should be charged first. Both the RAP grant and CDBG grant through MEDC can be accessed for any of the activities. Ideally, it would be best to charge the MDNR grant first and the MEDC-RAP grant next prior to charging the MEDC-CDBG grant.

The Personnel Committee met on Monday, June 17th and chose six applicants to interview for the Village Administrator position. Interviews will be held on Tuesday, June 25, and Thursday, June 27. The Personnel Committee was also advised that DPW Supervisor Jeremiah Helenhouse is unable to use Personal Time Off (PTO) as he would prefer due to the vacancy in the DPW; lack of another DPW employee with water and sewer licenses; and, a lack of DPW Lead Worker to assume some of the responsibilities of directing DPW staff and contractors. Rather than forfeit PTO hours, consideration was given to allow Jeremiah, on a one-time basis, to "cash in" excess hours that would otherwise put him over the cap of 324 hours (including carry-over from prior years).

#### **9. DEPARTMENT HEADS' REPORTS:**

DPW Supervisor Jeremiah Helenhouse reported that Apex is wrapping up the water service line replacements on Sixth Street. Hallack will be tying into the main on First Street this week.

Chief Roesler had nothing to report.

**10. CORRESPONDENCE:** No Correspondence.

#### **11. CITIZEN PARTICIPATION:**

Anna Rapa stated that she is running for Oceana County Probate Court Judge. Anna has been living in Oceana County for several years and is currently working as a mediator in Family Court. She enjoys living in Oceana County and plans to stay in the area.

Gerald Lindow, 330 Runner Street, stated that his driveway had been damaged during construction of the water service line replacement. It has been nine months since Apex did the work and no one has fixed his driveway. He requested that something be done to rectify the situation immediately.

#### **12. PUBLIC HEARING:**

a.) 2024 Village of Shelby Tax Millage Rate

President Inglis opened the Public Hearing regarding the proposed 2024 Village of Shelby Tax Millage

rate at 6:13 P.M.

The Village request is to establish the millage rate for the 2024 tax collection year. The Village of Shelby will see a slight decrease in millage rates due to the Headlee Rollback provision. The rollback ensures the increase in property values does not exceed the rate of inflation. The proposed 2024 Millage rates for the Village are:

General Operating -	10.2619 mills
Local Streets -	4.1046 mills
Total	14.3665 mills

No Public Comment.

President Inglis closed the Public Hearing at 6:15 P.M.

**13. OLD BUSINESS:**

a.) Getty Park Amenities Quote

The Fiscal Year 2024/2025 General Fund budget allocation includes funding for the required Village match to the three sources of grant funds for the Getty Park project. Within this allocation is funding for the park amenities consisting of picnic tables, park benches, pedestal tables, recycling arrays, a bike rack, a pet waste station, and fabric umbrellas. The Request for Proposals (RFP), consisting of 11 items, was sent to six potential contractors in early January 2024 for specific park items or their equivalent. Only one complete RFP response was received by the January 31, 2024 deadline. One other quote for RFP item 9 was received.

Damian Omness moved to waive the 3-quote requirement under the Village Bid Policy and to approve the purchase of the Getty Park amenities from R.J. Thomas Manufacturing Company, Inc., of Cherokee, Iowa in the amount of \$23,041.71 contingent on the review of MDNR Grant requirements for the recycle receptacle.

Seconded by: Steve Crothers.

Roll Call Vote:

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

Motion Carried 7-0.

b.) Getty Park Interpretive Signs Quote

The Fiscal Year 2024/2025 General Fund budget allocation includes funding for the required Village match to the three sources of grant funds for the Getty Park project. Within this allocation is funding for interpretive signs. The Request for Proposals (RFP) was sent to four potential contractors in early January 2024. Only one RFP response was received by the January 31, 2024 deadline from Pannier Corporation.

Mike Termer moved to waive the 3-quote requirement under the Village Bid Policy and to approve the

Quote number E20241036 for the purchase of the Getty Park interpretive signs from Pannier Corporation of Gibsonia, Pennsylvania in the amount of \$3,415.00.  
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.  
Motion Carried 7-0.

#### **14. NEW BUSINESS:**

##### a.) 2024 Village of Shelby Tax Millage Rate

Steve Crothers moved to adopt Resolution 34-24. (See attached)  
Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.  
Motion Carried 7-0.

##### b.) DPW Revised Job Descriptions

Previously, the Village Council adopted job descriptions for the Department of Public Works for Supervisor, Laborer (full-time), and Laborer (part-time). For several months, there has been a vacancy for a full-time laborer and, more recently, for the part-time custodian. There has also been an issue with the current full-time laborers being unable to pass their state water and sewer license exams which has resulted in Supervisor Jeremiah Helenhouse being the only licensed operator for the Village. In addition, an additional laborer position has been budgeted to create a Parks Maintenance position once the Getty Park project has been completed. The Personnel Committee met to discuss revisions to the existing job descriptions and address the water and sewer license issues. This resulted in a revision to the DPW laborer job description as DPW Laborer Generalist and the creation of a new DPW Laborer Park Maintenance, DPW Utility Worker, and DPW Lead Worker positions. Staffing numbers for the DPW will remain unchanged. The salary and wage schedule that was approved effective March 1, 2024, will also require revision. The DPW Laborer Park Maintenance position will include janitorial duties for the Village office. It is anticipated that the most senior DPW Laborer will accept a wage reduction to be assigned as DPW Laborer Park Maintenance. This position is no longer expected to be in the on-call rotation.

John Sutton moved to approve the revised DPW Laborer job descriptions as follows: DPW Laborer Park Maintenance, DPW Laborer Generalist, DPW Utility Worker, and DPW Lead Worker effective July 1, 2024.

Seconded by: Damian Omness.

Roll Call Vote:

Sutton, Omness, Termer, Crothers, Trott, and Inglis.  
Nays: Zaverl.  
Motion Carried 6-1.

c.) Revised Salary and Wage Schedule

Consistent with the proposed job descriptions for the DPW, the Village's Salary and Wage Schedule requires revisions to reflect the new job descriptions. Though the previous Salary and Wage Schedule included a wage for the DPW Laborer Park Maintenance position, the job description had not been created. Likewise, providing an incentive for DPW Laborer Generalist has been downgraded by one step (capped at the previous three-year rate) since they would not be expected to obtain a water and sewer license. Essentially, they would have fewer responsibilities than the DPW Utility Worker. Though the DPW Utility Worker classification is new, the wage scale is identical to the previous DPW Laborer position. The DPW Utility Worker will attain the top wage rate that is \$2,294.51 greater than the DPW Laborer Generalist position. Unless the Village can hire a DPW employee who already possesses their water and sewer licenses, it is unlikely that a DPW employee will be elevated to DPW Utility Worker for at least another year.

Damian Omness moved to approve the revised Village of Shelby Salary and Wage Scale effective July 1, 2024.

Seconded by: Mike Termer.

Roll Call Vote:

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

Nays: Zaverl.

Motion Carried 6-1.

d.) DPW Supervisor PTO Payout

For several months, the DPW has been understaffed resulting in DPW Supervisor Jeremiah Helenhouse covering the vacant position to include on-call duty. Jeremiah is currently the only Village employee possessing the required water and sewer licenses. He is also the only DPW employee capable of providing direction to other DPW employees and to direct contractors working on capital improvement projects. As a result, rather than using earned Paid Time Off (PTO) Jeremiah is at risk of losing accrued PTO time. He has foregone the use of discretionary time since he is not eligible to receive overtime as an exempt employee. The Village has committed to hiring a new DPW employee effective July 1, 2024. Though the new employee will be immediately eligible to schedule the licensing exams since he has three years of experience with the North Muskegon DPW, it will likely be a year before he obtains the licenses. In addition, no other DPW employee has yet acquired the knowledge that Jeremiah possesses to be able to direct other DPW employees. The Village has implemented a plan to recruit, hire, and train an employee to be promoted to DPW Lead Worker, but that will not be realized for approximately two years.

John Sutton moved to approve the one-time payout of accrued PTO for DPW Supervisor Jeremiah Helenhouse beyond the maximum 80 hours in order to bring his accrued PTO bank to the 324-hour maximum effective August 25, 2024.

Seconded by: Mike Termer.

Roll Call Vote:

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

Motion Carried 7-0.

e.) Questions and/or Discussion Regarding Administrator Interviews

Interim VA Guetschow received a call from one of the candidates for the Village Administrator position who will be withdrawing from the interview process.

**15. COMMITTEE REPORTS:**

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

Nothing to report.

**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 to review the applicants for the vacant Village Administrator position and chose 6 candidates to be interviewed by the Village Council. The Council will hold Special Meetings on Tuesday, June 25 at 5:00 P.M and Thursday, June 27 at 5:00 P.M. to conduct interviews.

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

Nothing to report.

**16. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of June 24, 2024 in the amount of \$555,497.71.

Seconded by: Damian Omness.

Roll Call Vote:

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

Motion Carried 7-0.

**17. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:38 P.M.  
Seconded by: Steve Crothers.

Voice Vote: All in favor.  
Motion Carried.

Council minutes are not official until approved at the July 8, 2024 Council meeting.

Approved

Crystal Budde July 8, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date