

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF January 11, 2021 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom



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: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, Interim DPW Supervisor Jeremiah Helenhouse, and Police Chief Steve Waltz.

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

Steve Crothers moved to suspend the Village of Shelby Council meeting and convene as the Shelby Zoning Board of Appeals at 6:36 P.M.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

The Village of Shelby Council reconvened at 7:10 P.M.

4. MINUTES:

a.) December 28, 2020

Steve Crothers moved to approve the minutes of the Regular Council meeting of December 28, 2020 as presented.

Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Crothers, Glover, Zaverl, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT: Nothing to report.

7. ADMINISTRATOR'S REPORT:

VA Selner reported that, over the next couple of weeks, he will be prioritizing his time and working with staff to develop the budget for the upcoming 2021/2022 fiscal year.

The Strategic Planning Session with Al Vandenberg and John Shay has been scheduled for February 6, 2021. The session will take place Saturday morning at the Ladder Community Center.

VA Selner will be scheduling a Water and Sanitation Committee meeting for discussion and recommendations to Council on the following items:

1. The Harvey Street lift station backup pump was removed by Professional Pump, Inc. in early December because it was not functioning properly. VA Selner received a quote for the repair of the pump in the amount of \$11,865.00.
2. Nelson Tank has reported that the booster tank on Valley Street is damaged beyond repair and they have recommended that it be replaced. Don DeVries is working on a report for replacement options and estimates of the costs.
3. The Village will be resurfacing five streets in the 2021/2022 Fiscal Year as part of the Michigan Department of Transportation (MDOT) Category B Grant. Of the five streets, only one (Fourth Street) has a newer watermain that does not need replacement. The other four street's watermains are dated from between the 1930's – 1940's and those will need to be replaced soon due to the new Lead/Copper Law.

The Shelby Trails Apartment Building project site plan will be reviewed by the Planning Commission at a special meeting scheduled for January 14, 2021 at 5:30 P.M.

A Parks, Recreation, and Buildings Committee meeting will be scheduled in the near future to discuss the pocket park project in detail.

The Police Department office remodel is underway. Chief Waltz and his son have painted the office; Magooz Flooring will be in on Saturday, January 8th to install the floor; the HVAC system will be installed within a couple of weeks; and, the office furniture will be installed by the end of January.

VA Selner reported that he is working with staff to find ways to improve the process that is used to develop Council packets with the goal of improving efficiency. As staff continues to examine options, VA Selner will keep Council informed. He has made changes to the agenda item cover pages and plans to produce a resolution for every action item that comes before the Village Council.

8. DEPARTMENT HEADS' REPORTS:

Chief Waltz reported that very few parking tickets have been issued in violation of the Village's winter parking ban. The warnings that were put out in November appear to have had the desired effect.

The new Shelby Police Interceptor patrol car and the new Ford F250 pickup truck for the DPW have arrived at Signature Ford in Lansing and were taken to Arrowhead Upfitter in Lapeer, Michigan for installation of the emergency and safety equipment. The vehicles should be in service by the police

department and DPW very soon.

Interim DPW Supervisor Jeremiah Helenhouse had nothing further to report.

9. CORRESPONDENCE:

a.) Shelby Township Request for Letter of Support

Shelby Township Supervisor Richard Raffaelli is requesting a letter of support from the Village of Shelby for Shelby Township's Michigan Department of Natural Resources (MDNR) grant application process for the development of a community park.

The consensus of the Council was to authorize VA Selner to write a letter of support for the Shelby Township project application.

B.) Letter from Concerned Resident

President Inglis received a letter of concern on a number of matters from a Village resident. That letter is on file and can be obtained from the Village Clerk upon request.

10. CITIZEN PARTICIPATION:

Shelby Township Supervisor Richard Rafaelli stated that the Shelby Council should consider lowering the suggested water/sewer tap in fees. The suggested fees are higher than surrounding areas and he would like the Council to discuss the item in greater detail before taking action.

11. OLD BUSINESS:

a.) Water and Sewer Connection Fee

At the December 28, 2020, Village Council meeting, the request to increase the water/sewer connection fees had been postponed to enable VA Selner to research what other communities charged for the connection fees. Water and Sanitation Committee Chair Bill Harris requested that the water/sewer connection fees go back to the Committee for further review. The recommended fees for Shelby appear to be much higher than other communities.

The water/sewer connection fee will be discussed in more detail by the Water and Sanitation Committee at a later date.

12. NEW BUSINESS:

a.) MERS DC Plan Adoption Agreement Addendum

Effective January 1, 2021, MERS is implementing several modifications to the way in which defined benefits, defined contribution, and hybrid plans are administered. Due to these changes, all employers have been asked to submit an updated option agreement addendum. Within this addendum, MERS is asking employers to clarify how provisions will be treated. This addendum does not change employee

benefits at all; it is merely proving MERS information on our existing plan.

Bill Glover moved to adopt Resolution no. 02-21. See attached.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Glover, Omness, Crothers, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

b.) 228 Deming Road Easement

The home located at 228 Deming Road (parcel number 046-574-001-00) is being sold. During the transaction, there was evidence of an “apparent easement right” to use the Village property (parcel number 046-572-001-00) to access the house at 228 Deming Road; however, no recorded easement was found by the Village or during the title search. The easement needs to be recorded for the transaction to be completed. It will benefit both parties moving forward.

The realtor for the property Calvin Roskam stated that it has been used this way for many years and he is not sure exactly why it was set up this way.

Bill Glover moved to approve resolution no. 03-21. See attached.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Glover, Crothers, Zaverl, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission will meet for a special meeting on Thursday, January 14, 2021 at 5:30 P.M. to review the Shelby Trails Apartments site plan. The Planning Commission will hold a regular meeting on Tuesday, January 19, 2021 at 6:30 P.M. to allow for public review of the Shelby Village Master Plan and to allow for public input regarding the Accessory Buildings Ordinance.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

Nothing to report.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS:

Steve Crothers moved to approve the payment of the bills in the amount of \$66,966.08.
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Glover, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT:

Bill Harris moved to adjourn the meeting at 8:15 P.M.
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Harris, Crothers, Glover, Zaverl, Sutton, Omness, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the January 25, 2021 Council meeting.

Approved

Crystal Budde January 25, 2021
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date



VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF January 25, 2021 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom

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: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, and Police Chief Steve Waltz.

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

4. MINUTES:

a.) January 11, 2021

Steve Crothers moved to approve the minutes of the Regular Council meeting of January 11, 2021 as corrected.

Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Crothers, Glover, Zaverl, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT:

President Inglis reported that two of the Village's DPW employees have been called back to Washington DC for National Guard duty during the month of February and into the month of March. VA Selner will report details during his Administrator's Report.

7. ADMINISTRATOR'S REPORT:

VA Selner reported that the first draft of the budget is almost complete. A Finance Committee meeting will be set for the first week in February to discuss the draft budget. The public hearing for the 2021-2022 budget will be set for February 22, 2021.

The strategic planning session has been tentatively rescheduled for March 6 or March 13, 2021 to ensure the Village is able to comply with the guidelines of the MDHHS Gatherings and Facemask Order. The Village will still plan to hold the meeting at the Ladder Community Center.

The Water and Sanitation Committee has been scheduled to meet Tuesday, January 26, 2021 at 4:00 P.M. The Committee will discuss, connection fees, the Harvey Street Pump, the Valley Street booster tank, and watermain replacements on roads being resurfaced as part of the MDOT's Category B Grant.

The Shelby Trails Apartment Building project site plan was approved by the Village of Shelby Planning Commission at a special meeting held on January 14, 2021. The developer will continue to work with staff to meet the conditions of the approval, including the landscaping plan, signage, and lighting plan.

The new DPW truck arrived on January 22. Windridge stopped by the DPW garage that day to put the decals on the truck.

VA Selner reported that the Police Department remodel is almost complete. The new floor has been installed and the HVAC system was started and will be completed on Monday. The office furniture will be installed soon, likely within the next couple of weeks.

A second draw of the Paycheck Protection Program is now open. Borrowers can apply for a second draw of PPP Loan until March 31, 2021. For any companies interested in applying, it is encouraged they consult with their financial institution and tax advisor to make sure they have the information necessary to apply.

Two of the Village's DPW employees have been called back to Washington DC for National Guard duty and could be there until March 23, 2021.

8. DEPARTMENT HEADS' REPORTS:

Chief Waltz reported that the heating and cooling installation in the police department is now complete.

9. CORRESPONDENCE:

a.) 2020 Planning Commission Annual Report

The 2020 annual report for the Shelby Village Planning Commission was presented to Council. The report lists the members of the Planning Commission in 2020 as well as a brief description of actions taken; non ordinance amendments; Master Plan review; variances; and, any zoning ordinance amendments.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) 2020 Master Plan Approval

The Village of Shelby Planning Commission approved the 2020 Master Plan at their regularly scheduled meeting on January 19, 2021 and is recommending that the Village Council give it final approval. The 2020 Master Plan will be used as a guide for the update to the Village of Shelby Zoning Ordinance. In addition, the Master Plan will assist the Planning Commission in making zoning decisions and provide a plan for the future. The final step in the process is to send the adopted plan to adjacent governments, the County of Oceana, regional planning entities, and others as prescribed by the Michigan Planning Enabling Act (Act 33 of 2008).

John Sutton moved to adopt Resolution No. 05-21. (See attached)
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Glover, Zaverl, Omness, Harris, and Inglis.
Motion Carried 7-0.

b.) Set 2021-2022 Fiscal Year Budget Public Hearing

Section 15 of the Uniform Budgeting and Accounting Act (MCL 141.435) requires Cities and Villages to adopt a budget prior to the beginning of each fiscal year. Cities and Villages are also required to publish a notice of Public Hearing on the proposed budget (6 days prior to the hearing), including time, place, and where a copy of the budget is available for public inspection. The Public Hearing on the budget and budget adoption will take place on Monday, February 22, 2021, at 6:30 P.M.

Steve Crothers moved to adopt Resolution No. 06-21. (See attached)
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Glover, Zaverl, Sutton, Harris, and Inglis.
Motion Carried 7-0.

c.) Village Council Tablet Policy

The Village used a portion of the Coronavirus Relief Local Government Grant funds (CRLGG) to purchase tablets for Village Council members to assist with the ongoing requirement to meet virtually. Before issuing the tablets, staff is recommending approval of the "Elected Official Tablet Policy." If the policy is approved, each Council member will be subject to the terms of the policy when using the newly issued tablets. Staff is currently working on an update to the Village's Personnel Policies/Employee Handbook. When the update is completed, all existing policies will be null and void. The new document will address all necessary items in one document. The policy will serve in the interim until the update to the Employee Handbook is complete.

John Sutton moved to adopt Resolution No. 07-21.
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Sutton, Omness, Glover, Crothers, Zaverl, Harris, and Inglis.
Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission met on January 19, 2021 at 6:30 P.M. to approve the 2020 Master Plan. The Planning Commission will hold a Public Hearing at its February 16, 2021 meeting at 6:30 P.M. to consider changes to the current Accessory Building Ordinance.

b. **WATER & SANITATION: Chair: Bill Harris, Steve Crothers:**

The Water and Sanitation Committee will meet on Tuesday, January 26, 2021 at 4:00 P.M. to review and discuss the proposed Water and Sewer connection fees as well as equipment issues.

c. **STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:**

Nothing to report.

d. **PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:**

Nothing to report.

e. **FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:**

The Finance and Insurance Committee will be meeting the first week of February in order to review the draft Fiscal Year 2021/2022 Budget.

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

Nothing to report.

g. **ORDINANCES – Chair Bill Glover, Dan Zaverl:**

Nothing to report.

14. PAYMENT OF BILLS:

Steve Crothers moved to approve the payment of the bills in the amount of \$79,239.99.
Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Crothers, Glover, Zaverl, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT:

Steve Crothers moved to adjourn the meeting at 7:13 P.M.
Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Crothers, Zaverl, Glover, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the February 8, 2021 Council meeting.

Approved

Crystal Budde

2-8-2021

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

VILLAGE OF SHELBY
OCEANA COUNTY, MICHIGAN
(Resolution No. 05-21)

At a regular meeting of the Shelby Village Council held on January 25, 2021, via Zoom videoconferencing software pursuant to applicable emergency orders due to the COVID-19 pandemic, the following Resolution was offered for adoption by Council Member John Sutton and was seconded by Council Member Steve Crothers

A RESOLUTION ADOPTING THE PROPOSED
VILLAGE OF SHELBY MASTER PLAN

WHEREAS, the Michigan Planning Enabling Act, MCL 125.3801 *et seq.* (“MPEA”) authorizes the Planning Commission to prepare a Master Plan for the use, development, and preservation of all lands in the Village; and

WHEREAS, the Planning Commission prepared a Master Plan and submitted such plan to the Village Council for review and comment; and

WHEREAS, on October 26, 2020, the Shelby Village Council received and reviewed the proposed Master Plan prepared by the Planning Commission and authorized distribution of the Master Plan to the Notice Group entities identified in the MPEA; and

WHEREAS, notice was provided to the Notice Group entities as provided in the MPEA; and

WHEREAS, the Planning Commission held a public hearing on January 19, 2021, to consider public comment on the proposed Master Plan, and to further review and comment on the proposed Master Plan; and

WHEREAS, after the public hearing was held, the Planning Commission voted to approve the proposed Master Plan on January 19, 2021 and recommended adoption of the proposed Master Plan to the Village Council; and

WHEREAS, the Village Council finds that the proposed Master Plan is desirable, proper, reasonable, and furthers the use, preservation, and development goals and strategies of the Village.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. **Adoption of Master Plan.** The Shelby Village Council hereby approves and adopts the proposed Master Plan, including all of the chapters, figures, descriptive matters, maps, and tables contained therein.

2. **Distribution to Notice Group.** Pursuant to MCL 125.3843, the Village Council approves distribution of the Master Plan to the Notice Group.

3. **Findings of Fact.** The Village Council has made the foregoing determination based on a review of existing land uses in the Village, a review of the existing Master Plan provisions and maps, and input received from the Planning Commission and the public, as well as the assistance of a professional planning group. The Village Council also finds that the proposed Master Plan will accurately reflect and implement the Village's goals and strategies for the use, preservation, and development of lands within Village of Shelby.

4. **Effective Date; Repeal.** The proposed Master Plan shall become effective on the adoption date of this resolution. The prior Master Plan is hereby repealed upon the proposed Master Plan becoming effective.

YEAS: Sutton, Crothers, Glover, Zaveri, omness, Harris and Inglis.

NAYS: 0

ABSENT/ABSTAIN: 0

RESOLUTION DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Shelby Village Council at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: January 25 2021

By Crystal Budde
Crystal Budde
Shelby Village Clerk



January 25, 2021

RESOLUTION

No. 06-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to set a public hearing for the purpose of receiving comments on the Village of Shelby 2021-2022 Fiscal Year Budget on Monday, February 22, 2021, at 6:30pm.

Moved: Steve Crothers

Seconded: Damian Omness

Yes: Crothers, omness, Glover; Crothers, Zaveri, Harris and Inglis

No: 0

ABSENT: 0

RESOLUTION No. 06-21 Declared ADOPTED.
ADOPTED ON: January 25, 2021



January 25, 2021

RESOLUTION

No. 07-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to adopt Policy 21-01, the Elected Officials Tablet Policy.

Moved: John Sutton

Seconded: Damian Omness

Yes: Sutton, omness, Glover, Crothers, Zaveri, Harris and Inglis.

No: 0

ABSENT: 0

RESOLUTION No. 07-21 Declared ADOPTED.

ADOPTED ON: January 25, 2021

VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF February 22, 2021 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom



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: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, and Police Chief Steve Waltz.

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

4. MINUTES:

a.) February 8, 2021

Steve Crothers moved to approve the minutes of the Regular Council Meeting of February 22, 2021 as prepared.

Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Crothers, Glover, Zaverl, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

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

6. PRESIDENT'S REPORT: Nothing to report.

7. ADMINISTRATOR'S REPORT:

VA Selner reported that the new police cruiser was delivered on Friday, February 12, and taken to Windridge to have the police decals put on it. The cruiser was put into service and on the road on February 16th.

Over the next couple of weeks, VA Selner will be working with staff to continue to develop and update the Village of Shelby Employee Handbook/Personnel Policy. Kelly Omness has compiled several policies from other municipalities into one document. This document will be used as the starting point to develop and update the Village's Personnel Policy. Once a draft has been completed, a Personnel Committee meeting will be scheduled to review the policy.

VA Selner has received proposals from two companies to perform an update to the Village's General

Law Ordinances. An Ordinance Committee meeting will be scheduled soon to review the proposals and to recommend a consulting firm to the Village Council.

A Water and Sanitation Committee meeting will be scheduled soon for the final discussion of the update to the Village of Shelby Water and Sewer connection fees. VA Selner is finalizing information to bring to the Committee for consideration.

The strategic planning session with Ottawa County Administrator Al Vandenberg has been postponed until April or May. A specific date will be put on the calendar once indoor gatherings are permitted by MDHHS.

There has been discussion this week regarding downtown snow removal. In an effort to reduce confusion and to clearly identify the Village's snow removal procedure, VA Selner has developed a written plan with assistance from the DPW department.

8. DEPARTMENT HEADS' REPORTS:

Chief Waltz reported that the new cruiser is now in service.

VA Selner reported, on behalf of the DPW, that the Harvey Street Pump has been dropped off to Professional Pump for repairs. The Supervisory Control and Data Acquisition control system (SCADA) which handles all the Village's alarms is in need of repairs and VA Selner will update Council once he receives more information.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. PUBLIC HEARING:

a.) Proposed Fiscal Year 2021-2022 Budget

President Inglis opened the Fiscal Year 2021-2022 Budget Public Hearing at 6:40 P.M.

VA Selner reported that the Finance and Insurance Committee of the Whole met on February 15, 2021 to review the proposed Fiscal Year 2021-2022 budget. The budget message is intended to give a clear overview of this year's budget and highlight significant items considered during the budget development. Many of the items found in this budget will create the foundation to move the Village forward; also following through with previously planned projects. (See Attached)

The proposed Fiscal Year budget accounts for the projected General Fund revenues of \$601,150.00 and General Fund expenditures of \$724,910.00 which will require a transfer from reserves in the amount of \$123,760.00. The transfer from reserves will most likely be significantly less pending any fiscal donations for the first phase of the Getty Park Project. The projected revenue in the General Investment Fund is \$5,000.00 with no expenses. The Major Streets Fund projected revenues are 261,200.00 with \$231,223.00 in expenses; Local Streets projected revenues are \$202,000.00 with expenses of \$399,256.00 which accounts for the number of streets that will be resurfaced in the

upcoming year and the Village was awarded an MDOT Grant that will cover 50% off the costs; Sewer Fund projected revenues are \$387,400.00 with expenses of \$399,256.00 which will require a transfer from reserves in the amount of \$11,856.00; Water Fund projected revenues are \$312,140.00 with expenses of \$316,436.00 and will require a transfer from reserves of \$4,296.00; and, Equipment Pool Fund projected revenues are \$107,500.00 with expenses of \$160,096.00 which will require a transfer from reserves in the amount of \$52,596.00. The purchase of 2 new DPW pickup trucks creates the need for the transfer from reserves in the Equipment Pool Fund. (See attached)

There was no public participation regarding the Village's proposed Fiscal Year 2021-2022 Budget.

President Inglis closed the Public Hearing at 6:53 P.M.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Planning Commission Appointment

Mark Baker's Planning Commission term recently expired and he has decided not to serve another term. The Village received a Planning Commission Vacant Seat Application from Ross Field. The Village of Shelby Planning Commission Bylaws State; "Vacancies shall be appointed promptly by the Village President, with the approval of the Village Council, upon the resignation or removal of a Planning Commission member. Successors shall serve out the unexpired term of the member being replaced." If Ross Field is appointed, his term would expire on December 31, 2023.

Bill Glover moved to adopt Resolution Number 10-21. (See attached)

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Glover, Crothers, Zaverl, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

b.) Section 3.11 Zoning Ordinance Text Amendment

The Planning Commission held a Public Hearing and considered a text amendment to Section 3.11 of the Village of Shelby Zoning Ordinance at their February 16, 2021 Planning Commission meeting. No public comments were received during the Public Hearing, and the Planning Commission passed a resolution recommending approval of the Section 3.11 text amendments. A summary of the amendments to Section 3.11 are as follows:

1. Allow two accessory buildings on any property.
2. Prohibit shipping containers as accessory storage structures.
3. Omit the provision regarding sheet metal siding on accessory buildings.
4. Limit the size of all accessory buildings to take up less than 30% of the required yard for a residential building.

If the Village Council considers changes, additions, or amendments to the proposed zoning

amendment, the changes may be referred back to the Planning Commission for consideration and comment within the legislative body's specified period of time. If approved, the zoning map amendment will take effect seven days after "notice of adoption" has been published in the newspaper or a later date specified by the Village Council.

John Sutton moved to adopt Resolution Number 11-21. (See attached)
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Sutton, Omness, Glover, Crothers, Zaverl, Harris, and Inglis.

Motion Carried 7-0.

c.) 15 S. State Street Zoning Map Amendment

The Planning Commission held a Public Hearing and considered a map amendment to the Village of Shelby zoning map at their February 16, 2021 Planning Commission meeting. Public comment was received from Andy Near regarding the request. He had questions relating to the future land use map and future updates to the Village of Shelby Zoning Ordinance and zoning map. The Planning Commission passed a resolution recommending approval of the proposed map amendment for 15 S. State Street. The map amendment request will change 15 S. State Street (parcel 046-502-005-50) from C-2, General Business, to R-3, Multiple Family Residential. There are very slight differences in the R-2 and R-3 zoning districts under this future land use classification. In R-2, multi-family dwellings areas require a special land use, while multi-family dwellings under R-3 are permitted by right.

Bill Glover moved to send the zoning map amendment back to the Planning Commission in order to zone the property at 15 S. State Street as R-2 opposed to R-3.

Seconded by: Damian Omness.

Roll Call vote:

Ayes: Glover, Omness, Crothers, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

d.) MDOT TEDF B Grant Contract

Village Council authorized Don DeVries of Fleis & VandenBrink Engineering to apply for the MDOT-TEDF Category B Grant on May 26, 2020. The Village was notified of the grant award on August 11, 2020. The next step in the process is to pass a resolution naming the officials authorized to sign the contract. The contract agreement by and between the Village of Shelby and MDOT will go before the STC Committee on February 25, 2021. Once the contract is approved, and once the Contracting Units have received the two signed copies from the Village, the contract will go to the MDOT Director to be fully executed.

Steve Crothers moved to adopt Resolution Number 13-21.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Glover, Zaverl, Sutton, Harris and Inglis.

Motion Carried 7-0.

e.) February 2021 Budget Amendments

A number of line items in all funds have gone over budget. Most of which are due to unexpected expenses. The General Fund differences are due to incorrect budgeting for wages. The Village did not expect to have Bill Cousins with as its Interim VA. Also, the purchase of the pocket park on Michigan Avenue was an unexpected purchase. The General; Major Streets; Local Streets; Sewer; and, Water Funds are showing net surpluses.

The Equipment Pool fund requires an increase in the amount needed from the Village’s fund balance. Though the budget did account for the transfer from reserves for the purchase of two new vehicles, the purchase amount was \$16,608.00 more than what had been budgeted. The budget amendments are required in order to comply with the Uniform Budgeting and Accounting Act.

Steve Crothers moved to adopt Resolution Number 14-21. (See attached)
Seconded by: Bill Glover.

Roll Call Vote:
Ayes: Crothers, Glover, Zaverl, Sutton, Omness, Harris, and Inglis.
Motion Carried 7-0.

f.) Fiscal Year 2021/2022 Budget

Steve Crothers moved to adopt Resolution Number 15-21. (See attached)
Seconded by: Damian Omness.

Roll Call Vote:
Ayes: Crothers, Omness, Glover, Zaverl, Sutton, Harris, and Inglis.
Motion Carried 7-0.

14. COMMITTEE REPORTS:

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

The Planning Commission will meet on March 16th and will take another look at the Zoning amendment for 15 S. State Street. Welcome Ross Fields to the Planning Commission.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

The Parks, Recreation, and Buildings Committee met on February 11th to discuss a number of cost saving ideas for the Getty Park Project and discussed the Pocket Park and potential future use of the space.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

Nothing to report.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills in the amount of \$76,200.24.

Seconded by: Bill Harris.

Roll Call Vote:

Ayes: Crothers, Harris, Glover, Zaverl, Sutton, Omness, and Inglis.

Motion Carried 7-0.

16. ADJOURNMENT: John Sutton moved to adjourn the meeting at 7:36 P.M.

Seconded by: Damian Omness.

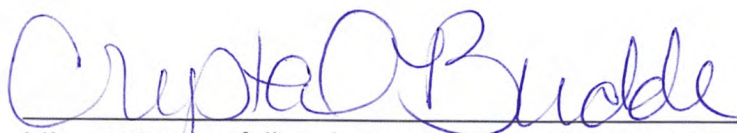
Roll Call Vote:

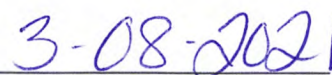
Ayes: Sutton, Omness, Glover, Crothers, Zaverl, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the March 8, 2021 Council meeting.

Approved





Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date



February 22, 2021

RESOLUTION

No. 10-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to appoint Ross A. Field to fill the vacancy on the Village of Shelby Planning Commission; term to expire December 23, 2023.

Moved: Bill Glover

Seconded: Stew Crothers

Yes: Glover, Crothers, Zaveri, Sutton, Omness, Harris and Inglis

No: Ø

ABSENT: Ø

RESOLUTION No. 10-21 Declared ADOPTED.

ADOPTED ON: February 22, 2021



February 22, 2021

RESOLUTION

No. 11-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to amend Section 3.11,
Accessory Buildings and Structures, in the Village of Shelby Zoning
Ordinance, attached as Exhibit A.

Moved: John Sutton

Seconded: Damian Omness

Yes: Sutton, Omness, Glover, Crothers, Zaveri, Harris and Ingli's

No: 0

ABSENT: 0

RESOLUTION No. 11-21 Declared ADOPTED.

ADOPTED ON: February 22, 2021

Exhibit A

SECTION 3.11 ACCESSORY BUILDINGS AND STRUCTURES

- A. Unless associated with a bona-fide agricultural operation, no accessory building shall be permitted on any lot which does not contain a main building unless a permit for a main building has also been secured for that lot.
- B. Attached accessory buildings and structures that are structurally part of the main building shall conform to the setback requirements of the main building.
- C. Detached accessory buildings shall be a minimum of ten (10) feet from any other building or structure.
- D. Detached accessory buildings in the Village shall be a minimum of five (5) feet from rear or side property lines and shall not be permitted in the front yard. Detached accessory buildings in the Township shall be set back fifty (50) feet from any property line.
- E. In the Township, accessory building(s) shall not be erected in any required front yard. In the Village, accessory buildings are not permitted in the front yard.
- F. In the Village, no more than two (2) accessory buildings shall be located on any parcel within any Zoning District.
- G. No accessory building shall be used in any part for residential dwelling or sleeping purposes.
- H. Manufactured homes, semi-trailers, shipping containers, or other vehicles shall not be used as accessory storage structures.
- I. No accessory building shall occupy any portion of a required greenbelt or buffer in any District.
- J. After the construction of an accessory building upon a parcel of land, no subsequent division of that land shall be made which would cause the building located thereon to be in violation of the terms of this Ordinance.
- K. A zoning permit shall be secured prior to the placement of any accessory building.
- L. The maximum height of accessory structures in the Township shall be twenty four (24) feet.
- M. The total square footage of all detached accessory buildings associated with residential uses in the Village shall not exceed thirty percent (30%) of the required rear yard and the restrictions shown in the following table:

Minimum Lot Size	Maximum Square Footage (GFA)	Maximum Height (ft)
3,000 sq. ft.	384 sq ft (e.g. 16 x 24)	14
5,000 sq. ft.	672 sq ft (e.g. 24 x 28)	14
10,000 sq. ft.	864 sq ft (e.g., 24 x 36)	18
15,000 sq. ft.	1,080 sq ft (e.g. 30 x 36)	20
20,000 sq. ft.	1,200 sq ft (e.g., 30 x 40)	24
35,000 sq. ft.	1,600 sq ft (e.g., 40 x 40)	28
1 acres +	2,000 sq ft (e.g., 40 x 50)	28



February 22, 2021

RESOLUTION

No. 13-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to authorize Brady Selner, Village Administrator, and Paul E. Inglis, Council President, to sign the Michigan Department of Transportation Contract, Contract No. 21-5048.

Moved: Steve Crothers

Seconded: Damian Omness

Yes: Crothers, Omness, Glover, Zaveri, Sutton, Harris and Inglis.

No: 0

ABSENT: 0

I, Crystal Budde, Clerk do hereby certify that the foregoing is a true and original copy of a Resolution duly made and passed by the Common Council of The Village of Shelby at their regular meeting held on the 22th day of February 2021, in the Village of Shelby, Oceana County, State of Michigan, with a quorum present.

Crystal Budde, Clerk/Treasurer
Village of Shelby

RESOLUTION No. 13-21 Declared ADOPTED.
ADOPTED ON: February 22, 2021



February 22, 2021

RESOLUTION

No. 14-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to approve the following budget amendments:

General Fund	Revenue	from	\$606,657.16 to \$641,071.16
	Expenditure	from	\$583,779.17 to \$638,816.16
Major Street Fund	Revenue	from	\$261,800.00 to \$281,800.00
	Expenditure	from	\$163,244.00 to \$167,012.00
Local Street Fund	Revenue	from	\$244,999.80 to \$248,830.00
	Expenditure	from	\$244,999.80 to \$247,993.00
Sewer Fund	Revenue	from	\$433,419.56 to \$442,064.00
	Expenditure	from	\$433,419.56 (no amendment needed)
Water Fund	Revenue	from	\$479,419.32 to \$492,175.00
	Expenditure	from	\$479,419.32 to \$479,379.00
Equipment Fund	Revenue	from	\$156,925.43 to \$173,533.00
	Expenditures	from	\$156,925.00 to \$173,533.00

Moved: Steve Crothers

Seconded: Bill Glover

Yes: Crothers, Glover, Zaveri, Suttan, Omness, Harris and Inglis

No: Ø

ABSENT: Ø

RESOLUTION No. 14-21 Declared ADOPTED.
ADOPTED ON: February 22, 2021



February 22, 2021

RESOLUTION

No. 15-21

TO ADOPT THE VILLAGE OF SHELBY 2021-2022 ANNUAL BUDGET

VILLAGE OF SHELBY, OCEANA COUNTY, MI

At a Regular Meeting of the Common Council of the Village of Shelby, Oceana County, Michigan, held virtually via Zoom, on February 22, 2021, the following Resolution was offered.

WHEREAS, the Chief Administrative Officer of the Village of Shelby has prepared and presented a budget to commence March 1, 2021 to expire February 28, 2022, for Fiscal Year 2021 - 2022, and;

WHEREAS, the Village of Shelby did hold a Public Hearing on the purposed Fiscal Year 2021 - 2022 Budget, with proper notification to the public to solicit comments, and;

WHEREAS, it is necessary to provide for the implementation, operation and periodic adjustment of this act;

WHEREAS, it has been determined that the following property taxes, State shared revenues, rates, charges, and transfers shall be available and necessary for the 2021-22 budget year;

VILLAGE OF SHELBY
RECOMMENDED BUDGET WORKSHEET
SUMMARY OF RECOMMENDED BUDGET
AS OF 03/01/2021

		Revenue	Expense	Fund Balance Change	Projected Fund Balance 2/28/2022
General Fund	101	\$ 601,150.00	\$ 724,910.00	\$ (123,760.00)	\$ 411,222.00
General Investment Fund	103	\$ 5,000.00	\$ -	\$ 5,000.00	
Major Street	202	\$ 261,200.00	\$ 231,223.00	\$ 29,977.00	\$ 840,093.00
Local Street	203	\$ 202,000.00	\$ 327,156.00	\$ (125,156.00)	\$ 859,722.00
Sewer Fund	590	\$ 387,400.00	\$ 399,256.00	\$ (11,856.00)	\$ 549,062.00
Water Fund	591	\$ 312,140.00	\$ 316,436.00	\$ (4,296.00)	\$ 112,100.00
Equipment Pool Fund	661	\$ 107,500.00	\$ 160,096.00	\$ (52,596.00)	\$ 349,178.00
All Funds		<u>\$ 1,876,390.00</u>	<u>\$ 2,159,077.00</u>	<u>\$ (282,687.00)</u>	<u>\$ 3,121,377.00</u>

NOW, THEREFORE, BE IT RESOLVED, That the proposed budget document as presented by the Village Administrator, titled Village of Shelby Fiscal Year 2020 - 2021 Budget, covering March 1, 2020 through February 28, 2021, be adopted by fund, and the Village Administrator is hereby authorized to make

expenditures and inter-fund transfers provided for in said budget, provided such expenditures are made in accordance with the General Law Village Charter, the Uniform Budgeting and Accounting Act (MCL 141.412), and Village Policies;

BE IT FURTHER RESOLVED, The Village of Shelby does hereby adopt the Five-Year Capital Improvements Plan as an attachment to the Fiscal Year 2021/2022 Budget.

Moved: Steve Crothers,

Seconded: Damian Omness

Yes: Crothers, Omness, Glover, Zaveri, Sutton, Harris and Ingli's.

No: B

ABSENT:

I, Crystal Budde, Clerk do hereby certify that the foregoing is a true and original copy of a Resolution duly made and passed by the Common Council of The Village of Shelby at their regular meeting held on the 22th day of February 2021, in the Village of Shelby, Oceana County, State of Michigan, with a quorum present.

Crystal Budde

Crystal Budde, Clerk/Treasurer
Village of Shelby

RESOLUTION No. 15-21 Declared ADOPTED.

ADOPTED ON: February 22, 2021



VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF March 8, 2021 at 6:30 P.M.
COUNCIL PROCEEDINGS
Via Zoom

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:31 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, and Police Chief Steve Waltz.

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

4. MINUTES:

a.) February 22, 2021

Bill Glover moved to approve the minutes of the Regular Council Meeting of February 22, 2021 as prepared.

Seconded by: Bill Harris.

Roll Call Vote:

Ayes: Glover, Harris, Crothers, Zaverl, Sutton, Omness, and Inglis.

Motion Carried 7-0.

5. ADDITIONS TO THE AGENDA:

Purchasing Aeration Blower Motor

6. PRESIDENT’S REPORT:

President Inglis presented an update on the Shelby Trails Apartment project. Ms. Thompson, Ms. Tuinstra, and Mr. Martin have met with Oakwood Construction to review the initial design plans. The target date for completion of the final construction drawings was March 1, 2021. Oakwood Construction will then finalize their costs and pull the required building permits. A report was received from the Environmental Review contractor stating that a Phase I Archaeological Survey on the site will be required. They survey was deemed necessary because historical records indicated that there had been a house and several outbuildings on the site at the turn of the 20th century and that the site may hold items of historical value in the soil. The Phase I Archaeological Survey will entail the archaeologist coming to the site and digging holes approximately 12 inches deep every 15 meters in a grid across the parcel in order to look for buried artifacts. This may pose significant delays and additional cost consequences to the project if a way to expedite the process is not found. The final

market study and property appraisal have been ordered. The survey is being finalized and the request for Project Based Vouchers is in process with MSHDA.

President Inglis also reported that Governor Whitmer is asking all Michigan residents to turn on their porch lights on Wednesday, March 10, 2021 between the hours of 8:00 P.M. and 9:00 P.M in remembrance of those Michigan residents who lost their lives to Covid-19.

7. ADMINISTRATOR'S REPORT:

VA Selner reported that, effective March 5, 2021, the Governor's new order allows for in person meetings of up to 25 people subject to all applicable and distancing requirements. The Village does plan to resume in person Committee meetings at the Village Hall and will be looking for a location to hold the Village Council meeting on March 22, 2021. The most recent order is set to expire on April 19, 2021. VA Selner will continue to monitor and adjust as needed.

The first week of March the Village had a technician from Windemuller Electric, Inc. diagnose a couple of problems we were having with the aeration blowers at our wastewater facility. Blower #1 had a variable frequency drive temperature issue due to the extreme cold weather that we had a couple of weeks ago. Windemuller provided a proposal to install a cabinet heater with thermostat to reduce the chance of this problem happening in the future.

VA Selner has been notified that the DPW staff members on National Guard Duty will tentatively return to Michigan on March 12, 2021.

As of Monday, March 8, 2021, the Village had an outstanding balance of \$39,000.00 for past due water payments on 152 accounts. Senate Bill 241, Water Shutoff Restoration Act, which restricts water shut offs, is scheduled to end on March 31, 2021. The Village has sent letters offering the opportunity to set up payment plans to address past due accounts.

VA Selner has been working to gather the necessary information for the upcoming Water and Sanitation and Ordinance Committee meetings. The meetings will be scheduled the week of March 15.

MML is hosting a newly elected officials training on Saturday, April 10, from 8:30 A.M to 12:25 P.M. Bill Cousins has reached out to VA Selner and provided information on training events that are available. VA Selner strongly encouraged Council members to watch the "Essentials of Being a Zoning Board of Appeals Member" training video that he provided.

8. DEPARTMENT HEADS' REPORTS:

Chief Waltz reported that Shelby Public Schools Superintendent Tim Reeves offered the Shelby High School for a covid clinic that will take place on Saturday, March 13, 2021. This is a 700-person clinic that will provide Covid 19 vaccinations.

9. CORRESPONDENCE:

a.) FEMA Letter

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) recently completed a revision to the county wide Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) for Oceana County, Michigan. Although the community is unaffected by the updated flood hazard information present in the FIS report and FIRM, the Village of Shelby does lie on one or more of the revised map panels. The revised map panels will become effective August 24, 2021 and revise the FIRM which was in effect prior to that date. Final printed copies will be sent out in the near future. FEMA has determined that no Special Flood Hazard Areas (areas inundated by a flood having a 1-percent chance of being equaled or exceeded in any given year) exist at this time within the corporate limits of the Village of Shelby; however, it should be recognized that floods larger than the 1-percent chance flood do occur. Therefore, the Village of Shelby should exercise care in evaluating new development that could aggravate or create flood problems in the community or in adjacent communities. The Village is not currently participating in the National Flood Insurance Program (NFIP).

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. OLD BUSINESS:

a.) 15 South State Street Zoning Map Amendment

The Village Council considered the Zoning Map Amendment for 15 South State Street at their February 22, 2021 meeting and made a motion to send the amendment back to the Planning Commission to consider rezoning the property to R-2 as opposed to R-3. The Village Council can amend the Planning Commission recommendation in-lieu-of having it reconsidered at the March 16, 2021 Planning Commission meeting. The applicant has agreed to have the property rezoned R-2. If approved as amended, the zoning map amendment will take effect seven days after "notice of adoption" has been published in the newspaper or a later date specified by the Village Council.

Bill Glover moved to adopt Resolution Number 12-21. (see attached)
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Glover, Crothers, Zaverl, Sutton, Omness, and Inglis.

Nays: Harris.

Motion Carried 6-1.

12. NEW BUSINESS:

a.) Planning Commission Appointment

There is one remaining vacant Planning Commission seat. The Village received a Planning Commission Vacant Seat Application from Malcolm Carey. The Village of Shelby Planning Commission Bylaws state: "Vacancies shall be appointed promptly by the Village President, with the approval of the Village Council, upon the resignation or removal of a Planning Commission member. Successors shall serve out the unexpired term of the member being replaced." If Malcolm Carey is appointed, his term would expire on December 31, 2023. President Inglis recommended the appointment of Malcolm Carey to the Village Planning Commission.

Bill Harris moved to adopt Resolution Number 16-21. (see attached)
 Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Harris, Crothers, Glover, Zaverl, Sutton, Omness, and Inglis.
 Motion Carried 7-0.

b.) Police Department Wage Increase

The Village budgeted for an increase in Police Officer pay in the 2021/2022 Fiscal Year budget. There has been no action taken since 2018 for an increase in the Police Officers' wages. In a wage analysis of all Oceana County Police Departments and the Oceana County Sheriff Department, it reveals that the Shelby Police Department ranks last with a low of \$.90 per hour to a maximum of \$8.88 per hour in starting wages.

The proposed wage scale would place Shelby in the middle of police departments in the County with full time employees. This will allow for more qualified applicants to apply when needed as well as the retention of those officers. Retaining officers is more cost efficient than equipping and training officers with little to no experience. In addition, cost-of-living increases will be considered on a yearly basis during the budget process and any cost-of-living increase will be applied to all Village employees.

The Personnel Committee met on March 4, 2021 and is recommending approval of the proposed Shelby Police Department Patrol Officer wage scale as follows:

Starting wage	\$22.00 per hour
Year 1	\$22.50 per hour
Year 2	\$23.00 per hour
Year 3	\$23.50 per hour
Year 4	\$24.00 per hour

Part-time	\$17.00 per hour
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Bill Glover moved to adopt Resolution Number 17-21. (see attached)
 Seconded by: John Sutton.

Roll Call Vote:

Ayes: Glover, Sutton, Crothers, Omness, Harris, and Inglis.
 Nays: Zaverl.
 Motion Carried 6-1.

c.) Dave Krause Wage Adjustment

In addition to the wage scale increase, Chief Waltz is requesting a lateral wage adjustment for Dave Krause. Many communities around the State adjust an employee's wage a step or two higher than the starting wage if the training and experience they bring is sufficient to warrant that lateral step

increase. With over 21 years in police work, Chief Waltz and VA Selner believe that Dave Krause's experience justifies a lateral step increase to \$23.50 per hour. All other employee benefits will accumulate normally (PTO, Vacation, and so on). The Personnel Committee met on March 4, 2021 and is recommending Village Council adopt a proposed lateral wage adjustment for Dave Krause's to \$23.50 per hour effective March 1, 2021.

Damian Omness moved to adopt Resolution Number 18-21. (see attached)
Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Omness, Glover, Crothers, Sutton, Harris, and Inglis.

Nays: Zaverl.

Motion Carried 6-1

d.) DPW Part-Time Position

The 2021/2022 Fiscal Year budget included the addition of a part-time position in the DPW Department. The primary focus of the position will be mowing parks in the summer, leaf pick-up in the fall, and sidewalk snow removal in the winter. An employee in this role will work up to 24 hour per week at \$14.00 per hour. Brad Simons worked for a short period last fall and is currently working full-time on a temporary basis until the DPW returns to full staff. He has indicated he would be interested in the part-time role.

The Personnel Committee met on March 4, 2021 and is recommending the Village Council approve the part-time DPW position to work up to 24 hours per week (no more than 48 hours per pay period) at \$14.00 per hour.

John Sutton moved to adopt Resolution Number 19-21. (see attached)
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

e.) Greg MacIntosh Wage Adjustment

DPW personnel changes were made on December 29, 2020. Greg MacIntosh was moved to a DPW Laborer position. The wage schedule for the DPW Laborer position is \$18.00 - \$22.00 per hour plus \$0.25 each for having a water distribution operator and lagoon operator license. Taking into consideration Greg MacIntosh's hire date, it is recommended that Greg MacIntosh's wage be decreased to \$22.50 per hour to match his job classification.

John Sutton moved to adopt Resolution Number 20-21. (see attached)
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Glover, Zaverl, Omness, Harris, and Inglis.

Motion Carried 7-0.

f.) Purchase Baldor Electric Motor

Blower #2 at the wastewater facility had a continuing high voltage fault issue. Windemuller Electric, Inc. sent out a technician and found that it was a motor issue. DPW removed the motor and Jones Electric, Co. picked it up to determine the issue and provided options. VA Selner received a call late afternoon on Friday, March 5, 2021 stating that the motor was in poor condition. The cost to repair the motor is approximately \$2,500.00 and the cost for a new motor is \$3,100.00. VA Selner recommended replacing the motor since there is only a \$600.00 difference between the cost to repair and the cost to purchase a new motor.

Steve Crothers moved to adopt Resolution Number 21-21. (see attached)
Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Crothers, Zaverl, Glover, Sutton, Omness, Harris, and Inglis.

Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission is set to meet on Tuesday, March 16, 2021. There are no Agenda items as of yet and the meeting may be cancelled.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

The Committee will meet on Thursday, March 11, 2021 at 3:30 P.M. to discuss the water and sewer connection fees, the Shelby Water Asset Management Plan, and the Drinking Water State Revolving Fund Project.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

Parks, Recreation and Buildings Chair Damian Omness met with VA Selner and Emily Stuhldreher to work on a timeline of completion dates for tasks for the Getty Park Project. A donation book is being created for those who wish to donate to the Getty Park Project.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

Nothing to report.

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

The Personnel Committee met on March 4, 2021 to discuss tonight's agenda items.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS:

Steve Crothers moved to approve the payment of the bills in the amount of \$41,893.06.
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Glover, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT:

Steve Crothers moved to adjourn the meeting at 8:01 P.M.
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Glover, Zaverl, Sutton, Harris, and Inglis.

Motion Carried 7-0.

Council minutes are not official until approved at the March 22, 2021 Council meeting.

Approved

Crystal Budde

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

03-22-2021

Date



March 8, 2021

RESOLUTION

No. 12-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to amend the Village of Shelby Planning Commission rezoning recommendation for 15 S. State Street therefore amending the Village of Shelby Zoning Map for the property described in **Exhibit A**, 15 S. State Street, property number 046-502-006-50, from the General Business District (C-2) to Medium Density Residential (R-2)

Moved: Bill Glover

Seconded: Steve Crothers

Yes: Glover, Crothers, Zaveri Sutton, Omness and Ingli's

No: Harris

ABSENT: Q

RESOLUTION No. 12-21 Declared ADOPTED.
ADOPTED ON: March 8, 2021

Exhibit A

PROPERTY INFORMATION

Property Assessed To:

ALLEN MICHAEL R & KAROLINE L
PO BOX 157
SHELBY, MI 49455

Prop #: 64-046-502-005-50

School: 64080

Prop Addr:

Legal Description:

15 FIRST ST WD844076 WD843774 WD-L2012P5628 PART TO 005-60 IN 1985 BEG
AT NE COR LOT 5, TH W TO N & S LI 3 IN W OF W SI GARAGE, TH S 69 1/2 FT,
TH E 39 FT, TH SE 71 FT, TH NE 102 7/12 FT TO POB EXC E 18 FT OF W 63 FT
THOF BLK 2 VILLAGE OF SHELBY.



March 8, 2021

RESOLUTION

No. 16-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to appoint Malcolm Carey to fill the vacancy on the Village of Shelby Planning Commission; term to expire December 31, 2023.

Moved: Bill Harris

Seconded: Steve Crothers

Yes: Harris, Crothers, Glover, Zaveri, Sutton, Omness, Inglis

No: Q

ABSENT: Q

RESOLUTION No. 16-21 Declared ADOPTED.

ADOPTED ON: March 8, 2021



March 8, 2021

RESOLUTION

No. 17-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to adopt the Shelby Police Department Patrol Officer wage scale identified below, effective March 1, 2021.

Shelby Police Department Patrol Officer Wage Scale

Starting	Year 1	Year 2	Year 3	Year 4
\$22.00	\$22.50	\$23.00	\$23.50	\$24.00

Part-Time Patrol Officer \$17.00

Moved: Bill Glover

Seconded: John Sutton

Yes: Glover, Sutton, Crothers, omness, Harris, Inglis

No: Zaverl

ABSENT: Q

RESOLUTION No. 17-21 Declared ADOPTED.

ADOPTED ON: March 8, 2021



March 8, 2021

RESOLUTION

No. 18-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to approve the lateral wage adjustment for Dave Krause, setting his wage at \$23.50, effective March 1, 2021.

Moved: Damian Omness

Seconded: Bill Glover

Yes: Omness, Glover, Crothers, Sutton, Harris, Inglis

No: Zawert

ABSENT: Q

RESOLUTION No. 18-21 Declared ADOPTED.

ADOPTED ON: March 8, 2021



March 8, 2021

RESOLUTION

No. 19-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to approve the addition of a part-time position (24 hours per week) in the Village of Shelby Department of Public Works with the pay rate set at \$14.00/hour.

Moved: John Sutton

Seconded: Steve Crothers

Yes: Sutton, Crothers, Glover, Zaverl, omness, Harris, Inglis

No: Q

ABSENT: Q

RESOLUTION No. 19-21 Declared ADOPTED.

ADOPTED ON: March 8, 2021



March 8, 2021

RESOLUTION

No. 20-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to approve the wage adjustment for Greg MacIntosh, setting his wage at \$22.50, effective March 15, 2021.

Moved: John Sutton

Seconded: Steve Crothers

Yes: Sutton, Crothers, Glover, Zaveri, Omness, Harris, Inglis

No: Q

ABSENT: Q

RESOLUTION No. 20-21 Declared ADOPTED.

ADOPTED ON: March 8, 2021



**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF Monday, March 22, 2021 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 6:33 P.M. by President Paul Inglis.

2. ROLL CALL:

Answering the roll call: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, Acting DPW Supervisor Jeremiah Helenhouse and Police Chief Steve Waltz.

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

4. MINUTES:

a.) March 8, 2021

Steve Crothers moved to approve the minutes of the Regular Council Meeting of March 8, 2021 as prepared.

Seconded by: John Sutton.

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 Selner reported that the new motor for aeration blower #1 arrived on Friday, March 19, 2021. DPW staff will install the motor this week bringing both aeration motors for pond #1 back online.

Jeremiah Helenhouse returned to work on Wednesday, March 17. Darryl Frees will return on Monday, March 29 bringing the DPW back to full staff.

The Ordinance Committee met on Tuesday, March 16 to discuss two proposals for the General Law Ordinance update/online code hosting project. The Committee decided to seek an additional proposal from the Village's existing codification company American Legal Publishing. The three proposals will be evaluated at a future Ordinance Committee meeting. Following this second meeting, a recommendation will likely be made to the Village Council.

This week the Village received two proposals for the zoning ordinance rewrite project. The RFP

submission deadline is March 22 at 4:30 P.M. The Planning Commission will evaluate the proposals at their April 20th meeting. Once a proposal is selected, the Village will formally submit a request to the MEDC RRC team for a final determination on the Technical Assistance Grant. The Village is eligible for a maximum of \$30,000.00 or 75/25 match (whichever is less).

VA Selner reported that he has signed up for a FEMA webinar scheduled for March 25. The webinar will discuss introductory concepts for the National Flood Insurance Program including:

1. Flood Risk
2. Flood insurance compared to disaster assistance.
3. Brief overview of participation requirements, Elevation Certificates, and Letters of Map Change.
4. Purchasing flood insurance and premiums.
5. Claims and appeals.

VA Selner will follow up with Village Council after attending the webinar.

President Biden signed the American Rescue Plan Act into law March 12, 2021. The details are still being worked out as Michigan Villages are not yet included in estimated distribution tables. Based on Cities with similar populations, VA Selner anticipates the Village will receive approximately \$200,000.00; however, this is simply an educated guess. Local governments will have until 2024 to spend the money. Money can be used for many of the same types of coronavirus relief that the Village had seen over the last year with some new additions including one major one – water and sewer infrastructure. VA Selner will plan to engage with stakeholders to help guide staff and Village Council (who will approve the spending plan) on developing priorities. Ultimately a plan will be brought to the Village Council for approval. The Michigan Municipal League's advice is to wait until the U.S. Department of Treasury comes out with guidelines, both on spending and accountability, before the Village gets too far down the road.

8. DEPARTMENT HEADS' REPORTS:

Village Clerk/Treasurer Crystal Budde reported that a final payout of unused vacation time has been paid to Roger Schultz. Mr. Schultz requested a payout of his unused vacation and PTO time in October of 2020. The payroll software had shown a balance of 160 hours of vacation available and the Village caps PTO payout to 240 hours. The vacation balance and 240 PTO hours were paid out to Mr. Schultz at that time. Mr. Schultz later contacted Clerk/Treasurer Budde stating he showed in his records a balance of 360 hours of vacation that he believed he was entitled to as well as 30 additional hours of PTO. Clerk/Treasurer Budde contacted the payroll software company, and it was confirmed that Mr. Schultz did have a remaining 160 hours available that did not roll over and was not correctly showing in his leave bank. It was also confirmed with the Village attorney that Mr. Schultz did fall under the Personnel Policy adopted in 2017 and is not eligible for any further PTO payout. A final check for 160 vacation hours was issued for Mr. Schultz last week.

Interim DPW Supervisor Jeremiah Helenhouse had nothing to report.

Chief Waltz reported that the Police Department is dealing with Blight Ordinance issues and that there are currently a dozen cases. Chief is working to get each of these blight cases cleaned up and in

compliance.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION:

a.) Email from Richard Raffaelli

VA Selner read an email he received from Richard Raffaelli, CEO of Peterson Farms, regarding concerns with the Village's proposed water and sewer connection fees. Mr. Raffaelli felt that the connection fees and the cost to hire a contractor to do the connections are cost prohibitive. Mr. Raffaelli requested the Village Council to take a broader view of economic development as it has done in the past. (See attached)

a. Tim Reeves – Shelby Public Schools Superintendent

Mr. Reeves presented the Village Council with information regarding the Shelby Public Schools' request for an upcoming Bond renewal. The bond would cover a number of items including: a new K-5 building; necessary repairs to the Shelby High School; Thomas Reed Elementary repairs; and, technology improvements for learning tools. There is a video that reveals a great amount of detail for the Bond Renewal request on the Shelby Public Schools' website. A public forum will also be held on Wednesday, April 21 at 6:00 P.M.

11. OLD BUSINESS:

a.) DWSRF Grant Application Update

On December 28, 2021, Shelby Village Council authorized Don DeVries of Fleis & VandenBrink Engineering to apply for the Lead Service Line Replacement grant through the Drinking Water State Revolving Fund at a cost not to exceed \$15,000.00. On March 3, 2021, the Village of Shelby had an initial meeting with EGLE to review the project. The Village of Shelby has been classified as a disadvantaged community; thus, qualifying for the 100 percent loan forgiveness for the lead service line replacements. The Village application includes 467 lead service lines. The loan forgiveness only applies to the construction portion of the project. In addition to the lead service line replacements, VA Selner is recommending the Village replace Well Number 2; replace the Valley Street Booster Station Tank; and, replace old 1933-1941 4" water lines. The additional water improvements are eligible for a 30 percent grant. The total project cost is \$3,438,000.00 with the required loan amount estimated at \$1,524,000.00. VA Selner wanted to ensure that the Village Council has a clear understanding of the project that the Village is pursuing under the Drinking Water State Revolving Fund. The Village Council needs to determine the final project scope by May 2021.

12. NEW BUSINESS:

a.) Mutual Aid Agreement Renewal

Law Enforcement in Oceana County relies on an agreement for mutual aid in-lieu-of a process where every police officer is deputized by the Sheriff. The renewal of the proposed agreement will likely be

signed by every City/Village in Oceana County, as it has been in the past. This type of agreement allows Shelby PD officers to assist outside the Village, if requested, and allows other agencies to assist Shelby PD, if requested. The agreement expires on December 31, 2024.

Dan Zaverl moved to adopt Resolution number 21-21. (See attached)
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Zaverl, Crothers, Sutton, Glover, Harris, Omness, and Inglis.

Motion Carried 7-0.

b.) Budget Amendment Resolution

A resolution allowing the Village Administrator to approve line-item budget amendments within Village Department budgets if they do not increase or decrease the total amount of the budget was recommended for approval by the Village Council. Any amendment that requires an appropriation increase to the total department budget will still require Council approval. This year staff plans to do quarterly amendments and /or reforecasts to ensure continued budget accuracy.

Steve Crothers moved to adopt Resolution number 22-21. (See attached)
Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Zaverl, Glover, Harris, Omness, and Inglis.

Motion Carried 7-0.

c.) Right-of-Way Ordinance

The Water and Sanitation Committee and the Village Council have been researching water and sewer connection fees for the last couple of months. The Water and Sanitation Committee met on March 11, 2021 and is recommending the development of a Right-of-Way (ROW) Ordinance and ROW permit application. They also set the associated fee schedule. The connection fee for new water and sewer connections will be \$300.00. The property owner/developer would be required to hire a contractor to complete the tap-in. The Village DPW would inspect before any holes are filled in. There is also a meter fee for water under a separate schedule which would require a plumbing permit through the Oceana County Building Department. This process would require administrative work only (processing the ROW permit application) and would not tie up the Village DPW employees to conduct tap-in services.

The first step in the process is to adopt Chapter 1021, the Road Right-of-Way Permits Ordinance. This Ordinance gives the Village of Shelby the authority to create a Right-of-Way permit application. Following the adoption of the ROW Permit Ordinance, Village Council must adopt the ROW permit fee schedule and the Right-of-Way permit application. The application requires a contractor to have a minimum of \$1,000,000.00 in liability insurance coverage and \$500,000.00 in worker's compensation coverage. Updated copies of these documents will be kept on file in the Clerk's office. In addition to tap-in fees, the ROW permit application would cover above ground work in the ROW, replacing existing sewer and water laterals and disconnecting/capping water and sewer laterals as part of a

demolition process. Bill Glover asked for a clarification of Section 1021.6 to include the public street right-of-way.

Damian Omness moved to adopt Ordinance number 1-21. (See attached)
Seconded by: John Sutton.

Roll Call Vote:

Ayes: Omness, Sutton, Crothers, Zaverl, Glover, Harris, and Inglis.

Motion Carried 7-0.

Bill Harris moved to adopt Resolution number 23-21. (See attached)
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Harris, Omness, Sutton, Crothers, Zaverl, Glover and Inglis.

Motion Carried 7-0.

13. COMMITTEE REPORTS:

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

The Planning Commission meeting of March 16, 2021 was cancelled due to lack of Agenda items. They will meet again on April 20, 2021 to review the proposals for the Zoning Ordinance rewrite project.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

Parks, Recreation, and Buildings Chair Damian Omness reported that Stovall Construction has committed to donating labor for the Getty Park Project.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

Nothing to report.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills in the amount of \$40,503.86.

Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Crothers, Glover, Sutton, Zaverl, Harris, Omness, and Inglis.

Motion Carried 7-0.

15. ADJOURNMENT: Dan Zaverl moved to adjourn the meeting at 8:07 P.M.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

Council minutes are not official until approved at the April 12, 2021 Council meeting.

Approved

Crystal Budde
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

4-12-2021
Date



March 22, 2021

RESOLUTION

No. 21-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to authorize Steve Waltz, Shelby Police Chief, Crystal Budde, Shelby Village Clerk/Treasurer, and Paul Inglis, Shelby Village President, to sign the Oceana County Law Enforcement Mutual Aid Agreement.

Moved: Dan Zaveri

Seconded: Steve Crothers

Yes: Zaveri, Crothers, Suttan, Glover, Harris, Amness, and Inglis.

No: Ø

ABSENT: Ø

RESOLUTION No. 21-21 Declared ADOPTED.

ADOPTED ON: March 22, 2021



March 22, 2021

RESOLUTION

No. 22-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to authorize the Village Administrator to approve line-item budget amendments within village budgets if they do not increase the total amount of the approved budget.

Moved: Steve Crothers

Seconded: John Sutton

Yes: Crothers, Sutton, Zaveri, Glover, Harris, Amness & Inglis.

No: Ø

ABSENT: Ø

RESOLUTION No. 22-21 Declared ADOPTED.

ADOPTED ON: March 22, 2021



March 22, 2021

RESOLUTION

No. 23-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to approve the Right-of-Way Permit Application and to adopt the fee schedule attached as Exhibit A.

Moved: Bill Harris

Seconded: Damian Omness

Yes: Harris, Omness, Suttan, Crothers, Zaverl, Glover, & Inglis.

No: Ø

ABSENT: Ø

RESOLUTION No. 23-21 Declared ADOPTED.

ADOPTED ON: March 22, 2021

**VILLAGE OF SHELBY OCEANA
COUNTY, MICHIGAN
ORDINANCE NO. 1-21**

THE VILLAGE BOARD OF THE VILLAGE OF SHELBY HEREBY ORDAINS:

1. Part 10, Title 2, Chapter 1021 of the Code of Ordinances of the Village of Shelby, Michigan, Section 1021.01 through 1021.18 is adopted to read as follows:

CHAPTER 1021

Road Right-of-Way Permits

Sec. 1021.1 Damaging streets; excavation and obstructions generally.

No person shall make any excavation in or cause any damage to any street in the village, except under the conditions and in the manner permitted in this chapter. No person shall place any article, thing or obstruction in any street, except under the conditions and in the manner permitted in this chapter, but this provision shall not be deemed to prohibit the following:

- (1) Such temporary obstructions as may be incidental to the expeditious movement of articles and things to and from abutting premises.
- (2) The planting of trees and shrubs as permitted in chapter 1022.

Sec. 1021.2 Authority to make additional regulations.

The village administrator may make additional regulations pertaining to openings and excavations in the streets, curb cuts, street obstructions, and house moving, which regulations shall be subject to the approval of the village council. No person shall fail to comply with any such regulations.

Sec. 1021.3 Permits generally; bond, insurance and deposit requirements.

Where permits are authorized in this chapter, they shall be obtained upon application to the village administrator or duly authorized representative upon such forms as the village administrator shall prescribe, and there shall be a charge for each such permit as set by the village council from time to

time, except as otherwise provided by resolution of the council. Such permit shall be revocable by the village administrator for failure to comply with this chapter, rules and regulations adopted pursuant to this chapter, and the lawful orders of the village administrator or duly authorized representative, and shall be valid only for the period of time endorsed thereon. Application for a permit under the provisions of this chapter shall be deemed an agreement by the applicant to promptly complete the work permitted, observe all pertinent laws and regulations of the village in connection therewith, repair all damage done to the street surface and installations on, over or within such street, including trees, and protect and save harmless the village from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the work done under the permit or in connection therewith. Where liability insurance policies are required to be filed in making application for a permit, they shall be in not less than an amount as established by the village council. A duplicate executed copy or photostatic copy of the original of such insurance policy, approved as to form by the village administrator, shall be filed with the clerk. Where cash deposits are required with the application for any permit under this article, such deposit shall be in the amount set from time to time by the village council, except as otherwise specified in this chapter, and such deposit shall be used to defray all expenses to the village arising out of the granting of the permit and work done under the permit or in connection therewith. Six months after the completion of the work done under the permit, any balance of such cash deposit unexpended shall be refunded. In any case where the deposit does not cover all costs and expenses of the village, the deficit shall be paid by the applicant.

Sec. 1021.4 Permit for street openings.

No person shall make any excavation or opening in or under any street without first obtaining a written permit from the village administrator or duly authorized representative. No permit shall be granted until the applicant shall post a cash deposit and file a liability insurance policy as required by section 1021.3. The village administrator may, if the public safety requires immediate action, grant permission to make a necessary street opening in an emergency, provided that a permit shall be obtained on the following business day and the provisions of this chapter shall be complied with.

Sec. 1021.5 Backfilling.

All trenches in a public street or other public place, except by special permission, shall be backfilled in accordance with regulations adopted pursuant to this chapter. Any settlement shall be corrected within eight hours after notification to do so.

Sec. 1021.6 Utility poles.

Utility poles may be placed in such street right-of-ways as the village administrator shall prescribe and shall be located thereon in accordance with the directions of the village administrator. Such poles shall be removed or relocated as the village administrator shall from time to time direct.

Sec. 1021.7 Maintenance of installations in street.

Every owner of, and every person in control of, any estate hereafter maintaining a sidewalk vault, coal hole, manhole, or any other excavation, or any post, pole, sign, awning, wire, pole, conduit or other structure in, under, over or upon, any street which is adjacent to or a part of his estate, shall do so only on condition that such maintenance shall be considered as an agreement on his part with the village to keep the structure and the covers thereof, and any gas and electric boxes and tubes thereon, in good repair and condition at all times during his ownership or control thereof, and to indemnify and make harmless the village against all damages or actions at law that may arise or be brought by reason of such excavation or structure being under, over, or upon the street, or being unfastened, out of repair or defection during such ownership or control.

Sec. 1021.8 Underground utilities to be installed prior to paving of street.

Whenever the village council shall determine to pave or resurface any street, the village administrator shall, not less than 30 days prior to commencement of construction, serve notice upon all public utilities requiring them to install all necessary underground work in advance of the paving or resurfacing.

Sec. 1021.9 Installation and payment of costs of sewer and water connections.

When the paving or resurfacing of any street shall have been ordered or declared necessary by the village council, such sewer and water connections as are necessary shall be installed in advance of such paving or resurfacing, and the cost thereof shall be charged against the premises adjacent thereto, or to be served thereby, and against the owner of such premises. Where such paving or resurfacing is financed in whole or in part by special assessment, the cost of such sewer and water connections may be made chargeable against the premises served or adjacent thereto, as part of the special assessment for such paving or resurfacing. Where such paving or resurfacing is financed otherwise than by special assessment, the cost of the sewer and water connections so installed shall be a lien on the premises adjacent thereto, or to be served thereby, and shall be collected as provided for assessments on single lots.

Sec. 1021.10 Determination of necessity for sewer and water connections.

The necessity for sewer and water connections shall be determined by the village administrator, which determination shall be based upon the size, shape and area of each abutting lot or parcel of land, the lawful use of such land under the zoning regulations of the village, the character of the locality and the probable future development of each abutting lot or parcel of land. The village administrator shall give written notice of the intention to install such sewer and water connections and to charge the cost of the connections to the premises to each owner of land abutting the street to be furnished with such connections, as shown by the records of the village assessor. Any owner objecting to the installation of any such sewer or water connection shall file his objection in writing within seven days after service of such notice with the village administrator, who shall,

after considering each such objection made in writing, make a final determination of the sewer and water connections to be installed.

Sec. 1021.11 Openings in streets prohibited within two years of paving or resurfacing.

No permit to make any opening or excavation in or under a paved street shall be granted to any person within a period of two years after the completion of any paving or resurfacing thereof. If a street opening is necessary as a public safety measure, the village administrator may suspend the operation of this section as to such street opening.

Sec. 1021.12 Building operations obstructing street or sidewalk.

- (a) *Permit, deposit and bond.* No person shall occupy any street with any materials or machinery incidental to the construction, demolition or repair of any building adjacent to the street, or for any other purpose, without first obtaining a permit from the village administrator and posting a cash deposit and filing an insurance policy as required by section 1021.3.
- (b) *Pedestrian passage.* At least five feet of sidewalk space shall be kept clean and clear for the free passage of pedestrians, and if the building operations are such that such a free passageway is impracticable, a temporary plank sidewalk with substantial railings or sidewalk shelter shall be provided around such obstruction.

Sec. 1021.13 Barricades and warning lights for excavations and obstructions.

All openings, excavations and obstructions shall be properly and substantially barricaded and railed off, and at night shall be provided with prescribed warning lights. Warning lights perpendicular to the flow of traffic shall not be more than three feet apart, and warning lights parallel to the flow of traffic shall be not over 15 feet apart.

Sec. 1021.14 Shoring and bracing of excavations.

All openings and excavations shall, where necessary, be properly and substantially sheeted and braced as a safeguard to workmen and to prevent cave-ins or washouts which would tend to injure the thoroughfare or subsurface structure of the street.

Sec. 1021.15 Moving buildings or large equipment.

No person shall move, transport, or convey any building, machinery, truck or trailer more than eight feet eight inches wide or higher than 13 feet six inches above the surface of the roadway, or longer than 50 feet, into, across, or along any street or other public place in the village, without first notifying the Village Administrator and making any necessary permits and paying any fees. In addition, clearance shall be obtained from the police department approving the proposed route through the village streets and the time of

moving, together with an estimated cost to the police department due to the moving operations. The applicant shall deposit with the village the total estimated cost to the police department and department of public service, plus a cash deposit as required by section 1021.3. The permit fees shall be as established by the village council from time to time.

Sec. 1021.16 Removal of encroachments and obstructions by village.

Encroachments and obstructions in the street may be removed and excavations refilled and the expense of such removal or refilling charged to the abutting landowner when made or permitted by him or suffered to remain by him otherwise than in accordance with the terms and conditions of this chapter.

Sec. 1021.17 Temporary street closings.

The village administrator shall have authority to temporarily close any street, or portion thereof, when he shall deem such street to be unsafe or temporarily unsuitable for use for any reason. The village administrator shall cause suitable barriers and signs to be erected on such street, indicating that the street is closed to public travel. When any street or portion thereof shall have been closed to public travel, no person shall drive any vehicle upon or over the street except as may be necessary incidentally to any street repair or construction work being done in the area closed to the public travel. No person shall move or interfere with any sign or barrier erected pursuant to this section without authority from the village administrator.

Section 1021.18 Demolition; Water/Sewer Disconnection.

No person shall demolish any structure without disconnecting any water and/or sewer lateral from the water and/or sewer main, which shall be undertaken only upon written permission of the Village Administrator. The request to the Village Administrator shall be made together with a \$50 application fee and a \$500 deposit fee. The deposit fee shall be used to cover any expenses incurred by the Village for inspection and correction, with the balance be refunded to the applicant.

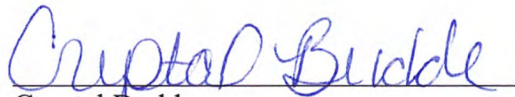
Ayes:

Nays:

CERTIFICATE

The undersigned, being the duly qualified Clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Board of the Village of Shelby, at a regular meeting of the Village Board on the 22 day of March, 2021, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: March 22, 2021



Crystal Budde
Village Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**VILLAGE OF SHELBY
NOTICE OF ADOPTION**

TO: ALL PERSONS INTERESTED

Please take notice that on March 22, 2021, the Village Board of the Village of Shelby amended Part 10, Title 2, Chapter 1021 of the Code of Ordinances of the Village of Shelby, Michigan, Section 1021.1 through 1021.17, summarized as follows:

1. Section 1021.1 is adopted to provide that no person shall make any excavation in a street or damage a street, except as permitted by this Chapter.
2. Section 1021.2 is adopted to provide that the village administrator may make regulations concerning openings and excavation in a street.
3. Section 1021.3 is adopted to provide that the village administrator may issue permits, under specified conditions, for the opening and excavations in a street.
4. Section 1021.4 is adopted to prohibit street openings and excavations without a written permit.
5. Section 1021.5 is adopted to require backfilling of any street openings and excavations without a written permit.
6. Section 1021.6 is adopted to provide that the village administrator may prescribe the location of utility poles.
7. Section 1021.7 is adopted to provide regulations relating to the maintenance of installations in a street.
8. Section 1021.8 is adopted to provide notice to public utilities prior to paving or resurfacing of a street.
9. Section 1021.9 is adopted to provide for the installation and payment of costs of sewer and water connections.
10. Section 1021.10 is adopted to provide for a determination of necessity for sewer and water connections.
11. Section 1021.11 is adopted to prohibit the opening of streets within two years of paving or resurfacing of a street.
12. Section 1021.12 is adopted to require permits for obstructing any street or sidewalk.

13. Section 1021.13 is adopted to require barricades and warning lights for excavations and obstructions.
14. Section 1021.14 is adopted to require shoring and bracing for excavations in a street.
15. Section 1021.15 is adopted to prohibit the moving of a building or large equipment on a street without a permit.
16. Section 1021.16 is adopted to permit the removal of encroachments and obstructions in a street and assess the cost of such.
17. Section 1021.17 is adopted to authorize the village administrator to temporarily close a street.
18. Section 1021.18 is adopted to require disconnection of the water and sewer laterals upon demolition of any structure.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the Village Clerk in the Village Hall, 218 N. Michigan Avenue, Shelby, Michigan, during regular business hours.

This ordinance amendment is effective ten (10) days from the date of this publication.

Published: April 1, 2021

VILLAGE OF SHELBY

By Crystal Budde
Crystal Budde
Village Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE

**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF April 12, 2021 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: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, and Damian Omness.

Absent: Bill Harris.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, Interim DPW Supervisor Jeremiah Helenhouse, Police Chief Steve Waltz, and CEDAM Fellow Emily Stuhldreher.

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

4. MINUTES:

a.) March 22, 2021

Bill Glover moved to approve the minutes of the Regular Council Meeting of March 22, 2021 as prepared.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

Absent: Bill Harris.

5. ADDITIONS TO THE AGENDA:

Street Sweeper – New Business item f.

6. PRESIDENT'S REPORT: Nothing to report.

7. ADMINISTRATOR'S REPORT:

VA Selner reported that he had placed an order through the MiDeal Road Salt Program for the next winter season. The order is a commitment to purchase, and the Village will be unable to cancel the order. With an April 6, 2021, purchase order deadline, VA Selner made the decision to order after consulting with Councilman Crothers (Finance Committee Chair) and Village President Inglis. Purchasing the salt directly through MiDeal program provides the Village a substantial cost savings. In the future, this item will come to Village Council for approval before the order is placed. Up until this point, the Village purchased salt through the Oceana County Road Commission. In the 2019-2020 winter, 332 tons of salt was purchased for a total of \$27,174.08. This total includes an 8.5% overhead

fee charged by the County. Not including vehicle depreciation and employee time to collect the salt from Hart, the estimated annual cost savings by ordering directly through MiDeal is \$3,449.36.

Village Clerk/Treasurer Crystal Budde and VA Selner met with the Village's Auditor Eric VanDop over Zoom for the Village's Fiscal Year 2020-2021 Audit Entrance Conference on Tuesday, April 6. The audit process will continue over the next couple of months and will be completed by July.

VA Selner reported that the Village of Shelby did not fall within the fundable range for the Drinking Water Asset Management Grant.

VA Selner had been informed of a grant opportunity through the Michigan Economic Development Corporation (MEDC) for water related infrastructure. The program is designed to assist local governments in making necessary improvements to existing public infrastructure systems. Eligible activities include upgrading existing public infrastructure systems either by replacing deteriorating or obsolete systems or by adding needed capacity to existing, but burdened systems. The grant program requires a 10% match of the total project cost. Applications are due May 31, 2021. VA Selner will work with the Water and Sanitation Committee and Don DeVries in the coming weeks to determine if the Village should pursue this grant opportunity.

The environmental report for the USDA Loan Application (Peterson Farms project) is nearly complete. Due to the time it has taken to complete the environmental report, VA Selner will need to repost the USDA Loan Application Intent to Apply in the newspaper and update the Village's Water Fund financial information before submitting the application. He will inform Council when the application has been formally submitted.

This week staff has met to discuss the Employee Handbook/Personnel Policy update project. VA Selner plans to develop a more complete draft to bring back to staff for discussion in the next couple of weeks. Following staff discussion/edits, a Personnel Committee meeting will be scheduled to review the proposed Employee Handbook.

8. DEPARTMENT HEADS' REPORTS:

Chief Waltz reported that, during the month of March, the Police Department had started to address instances of blight that officers had seen while out on patrol. Currently there are 11 cases in process. Chief Waltz noted that 3 of the 11 cases have made efforts to clean up their property. Officers have had verbal contact with property owners/tenants in an effort to afford them the opportunity to abate the blight before enforcement actions are taken. Letters are currently being sent out to those where contact has been made, but there has been little or no cleanup of the property.

Interim DPW Supervisor Helenhouse reported that the Harvey Street pump will be installed on Tuesday, April 13. The DPW recently had their first change of a lead service line into a home last week. The job went very well and has been completed.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) Ordinance Recodification Proposal

The Ordinance Committee met twice to discuss the Ordinance Recodification project. After reviewing the three proposals, the Committee is recommending Village Council approve the proposal from American Legal Publishing. All three proposals would provide a much-needed review and update to the Village's Codified Ordinances. The benefits of working with American Legal Publishing is their familiarity with the Village's codes and they can do the project at the lowest cost (\$6,800.00). They also provide free model ordinances covering nearly any municipal topic to replace outdated ordinances or to cover an area for which the Village may not have an ordinance.

Damian Omness moved to authorize VA Selner to sign the Codification Agreement dated March 24, 2021 by and between American Legal Publishing and the Village of Shelby.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Omness, Sutton, Zaverl, Glover, Crothers, and Inglis.

Motion Carried 6-0.

Absent: Bill Harris.

b.) Crystal Budde Wage Increase

Chapter 242.04 and Chapter 246.02 in the Shelby Codified Ordinance states that the Clerk and Treasurer "shall receive compensation as recommended by the Village Manager or President and shall be determined by resolution or contract annually." VA Selner reported that this has not been regularly practiced in the past as indicated by the following wage history:

March 12, 2018 - \$.50 pay increase (\$16.00 per hour to \$16.50 per hour)

April 23, 2018 - Clerk/Treasurer position created (\$16.50 per hour to \$18.00 per hour)

November 13, 2018 - \$1.00 pay increase (\$18.00 per hour to \$19.00 per hour)

May 2020 – Former Administrator Rob Widigan gave a \$1.00 increase (\$19.00 per hour to \$20.00 per hour)

After reviewing the wage study conducted by MML for the Clerk/Treasurer position, VA Selner is recommending a 2.5% wage increase moving the hourly wage from \$20.00 per hour to \$20.50 per hour (\$41,600.00 to \$42,640 annually). The average pay for communities with a population under 2,500 that responded to the MML wage survey was \$53,687.00. The average pay for general law Villages with a population under 2,500 that responded to the MML wage survey was \$47,369. The pay increase equals 7.06% of Fiscal Year 2021-2022 budgeted General Fund Revenue. In the 2020-2021 Fiscal Year, the Clerk/Treasurer salary was 7.31% of budgeted General Fund Revenue. The Personnel Committee met on Monday, April 5, 2021, and is recommending approval of the 2.50% wage increase effective March 25, 2021.

Bill Glover moved to approve a 2.5% wage increase for Crystal Budde, Village Clerk/Treasurer, setting her wage at \$20.50 per hour, effective March 25, 2021.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Glover, Sutton, Crothers, Omness, and Inglis.

Nays: Zaverl.

Motion Carried 5-1.

Absent: Bill Harris.

c.) Jeremiah Helenhouse Temporary Wage Adjustment

Jeremiah Helenhouse was promoted to acting DPW Supervisor until a permanent replacement for the position is hired. He will have all the responsibilities of the DPW Supervisor except disciplinary responsibility. All discipline will be conducted by the Village Administrator in coordination with information provided by the DPW Supervisor. The Village submitted a memorandum of understanding to the Union representing the DPW department allowing Jeremiah to take a temporary leave from his position of DPW Laborer to serve as acting DPW Supervisor for 90 days, beginning March 29, 2021 and ending June 27, 2021. Mr. Helenhouse's wage must be moved to a salaried position while holding the DPW Supervisor position. He will not be entitled to overtime and will get paid \$53,000.00 annually, effective April 12, 2021. The Personnel Committee will re-evaluate this situation in early June. The Personnel Committee met on April 5, 2021 and is recommending the Village Council to approve the temporary wage adjustment for Jeremiah Helenhouse.

John Sutton moved to approve a temporary wage adjustment for Jeremiah Helenhouse as acting DPW Supervisor, setting his wage at \$53,000.00 annually, effective April 12, 2021 and ending June 27, 2021, at which time his Supervisory status will be re-evaluated.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Sutton, Omness, Crothers, Glover, and Inglis.

Nays: Zaverl.

Motion Carried 5-1.

Absent: Bill Harris.

d.) Oceana County Community Foundation Grant – Discussion

The Oceana County Community Foundation's Spring 2021 grant application is open until April 19, 2021. The grant limit is \$5,000.00. Village Community Development Fellow Emily Stuhldreher would like to apply for the grant on behalf of the Village of Shelby for funding downtown improvements to include two signs and one shade structure. The grant would cover the cost of one downtown wayfinding sign (location to be determined, but preferably at the pavilion along the Rail Trail) and one welcome sign for the new pocket park. Additionally, the grant would cover a 20ftx10ftx12ft shade structure that will be located at the new pocket park.

e.) Sunday Alcohol Sales

On December 13, 2010, Village Council passed a resolution prohibiting Sunday morning alcohol sales pursuant to MCL 436.2111. Cherry Hill Supermarket is requesting that the Village Council consider a resolution reversing the prohibition of Sunday morning alcohol sales. If Village Council moves forward with the rescission of the original resolution and provides a resolution to allow AM Sunday sales, Cherry Hill Supermarket will be able to refile an application for Sunday morning alcohol sales.

Damian Omness moved to adopt Resolution Number 27-21. (See attached)
 Seconded by: Steve Crothers.

Roll Call Vote:

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

Nays: Glover.

Motion Carried 5-1

Absent: Bill Harris.

13. COMMITTEE REPORTS:

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

The Planning Commission will be meeting on Tuesday, April 20 at 6:30 P.M. to discuss the Zoning Ordinance rewrite proposals and set a Public Hearing for the deletion of the demolition permit request from the Village's zoning requirements.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

Nothing to report.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills in the amount of \$48,273.93.

Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Crothers, Glover, Sutton, Zaverl, Omness, and Inglis.

Motion Carried 6-0.

Absent: Bill Harris.

15. ADJOURNMENT: Dan Zaverl moved to adjourn the meeting at 7:30 P.M.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

Absent: Bill Harris.

Council minutes are not official until approved at the April 26, 2021 Council meeting.

Approved

Crystal Budde

4.26-2021

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date



April 12, 2021

RESOLUTION

No. 27-21

TO REVERSE THE PROHIBITION OF LIQUOR SALES ON SUNDAY MORNING

VILLAGE OF SHELBY, OCEANA COUNTY, MI

At a Regular Meeting of the Common Council of the Village of Shelby, Oceana County, Michigan, on April 12, 2021, the following Resolution was offered.

WHEREAS, the State of Michigan passed MCL 436.2111 et. seq. allowing for the sale of alcoholic beverages between the hours of 7:00 a.m. and 12:00 noon on Sundays, and;

WHEREAS, the Village of Shelby had decided that the Village of Shelby did not wish to allow for the sale of alcoholic beverages (beer, wine, and sprits) between the hours of 7:00 a.m. and 12:00 noon on Sunday, and;

WHEREAS, the Village of Shelby passed Resolution # 121310 (attached as Exhibit A) prohibiting the sale of alcoholic beverages (beer, wine, and spirits) on Sunday mornings between the hours of 7:00 a.m. and 12:00 noon on December 13, 2010, and;

WHEREAS, the Village of Shelby has decided to rescind the December 13, 2010, Resolution prohibiting Sunday morning alcoholic beverage sales;

NOW, THEREFORE, BE IT RESOLVED, the Village of Shelby does hereby reverse the prohibition on Sunday morning sales of alcoholic beverages (beer, wine, and spirits) between the hours of 7:00 a.m. and 12:00 noon.

BE IT FURTHER RESOLVED, the Village of Shelby does hereby approve the sale of alcoholic beverages (beer, wine, and spirits) between the hours of 7:00 a.m. and 12:00 noon on Sunday.

Moved: Damian omness

Seconded: Steve Crothers

Yes: Omness, Crothers, Sutton, Zaveri, and Inglis

No: Glover

ABSENT: Harris

I, Crystal Budde, Clerk do hereby certify that the foregoing is a true and original copy of a Resolution duly made and passed by the Common Council of The Village of Shelby at their regular meeting held on the 12th day of April 2021, in the Village of Shelby, Oceana County, State of Michigan, with a quorum present.



Crystal Budde, Clerk/Treasurer
Village of Shelby

RESOLUTION No. 27-21 Declared ADOPTED.

ADOPTED ON: April 12, 2021



**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF April 26, 2021 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: Bill Glover, Steve Crothers, Dan Zaverl, Paul Inglis, John Sutton, Damian Omness, and Bill Harris.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, Interim DPW Supervisor Jeremiah Helenhouse, and Police Chief Steve Waltz.

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

4. MINUTES:

a.) Monday, April 12, 2021

Bill Glover moved to approve the minutes of the Regular Council Meeting of April 12, 2021 as prepared.

Seconded by: Damian Omness.

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 Selner reported that the Planning Commission met on Tuesday, April 20, 2021 to discuss the four proposals the Village received to assist with the Zoning Ordinance rewrite. The Planning Commission decided to invite McKenna and Williams & Works to present their proposals and answer a set of questions to help determine which firm to select. This has been scheduled as a Special Planning Commission meeting on Tuesday, May 4, 2021 at 6:30 P.M.

VA Selner met with staff on Tuesday, April 27 to continue to work through the draft Personnel Policy.

The DPW crew continue to prepare the new downtown Pocket Park for redevelopment. There is a page on the Village website (under the "Residents" tab) where residents can provide input on ideas to consider for the new pocket park. A Parks, Recreation, and Buildings Committee meeting will be scheduled to finalize plans before the redevelopment begins.

8. DEPARTMENT HEADS' REPORTS: Nothing to report.

9. CORRESPONDENCE: No Correspondence.

10. CITIZEN PARTICIPATION: No Citizen Participation.

11. OLD BUSINESS: No Old Business.

12. NEW BUSINESS:

a.) Water/Sewer Connection Fee Schedule Amendment

After several months of discussion, Village Council, with the recommendation from the Water and Sanitation Committee, adopted a new Right-of-Way Permit Ordinance; Road Right-of-Way permit application; and, associated fee schedule for water and sewer connection on March 22, 2021. Much of the discussion focused on the cost burden for new single-family residential homes and the cost/time it would take the Village's DPW staff to make the connections. The fee schedule that was adopted did not consider commercial, industrial, or multi-family developments that could require a 2" or greater connection into the Village of Shelby water and sewer system.

The purpose of the new connection fee is to have new users "buy in" to the existing water/sewer system. All new customers' use of the existing water infrastructure reduces the existing capacity and may also lead to the need for construction of new water/sewer infrastructure. A common objective of connection fees is for growth to pay for growth. Money collected through connection fees from new developments for their share of the cost of capacity is more equitable than raising rates on all customers to pay for capital improvements that are needed primarily to serve the new customer or increase on demand. For these reasons, the Water & Sanitation Committee is recommending an amendment to the recently passed water/sewer fee schedule to include a step increase to water connections greater than 1.5" and for sewer connections greater than 6".

Steve Crothers moved to adopt Resolution Number 28-21.

Seconded by: Bill Harris.

Roll Call Vote:

Ayes: Crothers, Harris, Sutton, Zaverl, Omness, and Inglis.

Nays: Glover.

Motion Carried 6-1.

b.) MEDC Water-Related Infrastructure (WRI) Grant

The MEDC Water-Related Infrastructure (WRI) program is designed to assist local governments in making necessary improvements to existing public infrastructure systems. Eligible activities include upgrading existing public infrastructure systems either by replacing deteriorating or obsolete systems or by adding needed capacity to existing, but burdened systems. Don DeVries and VA Selner are recommending the Village pursue this opportunity to seek grant funding for replacement of the Industrial Lift Station; the Harvey Lift Station; and, Well 2. The estimated project costs are \$750,000.00.

The minimum project cost to be eligible for the grant is \$500,000.00 and the maximum is \$2 million, with a total available funding of \$15 million. The Water and Sanitation Committee met on April 22, 2021 and has recommended Village Council authorize Don DeVries and VA Selner to apply for and submit the MEDC WRI Grant committing the Village to a 25% local match.

Damian Omness moved to authorize Brady Selner, Village Administrator and Don DeVries, Fleis & VandeBrink Engineer, to apply for and submit the MEDC Water-Related Infrastructure Grant application committing the Village of Shelby to a local match of 25%.
Seconded by: John Sutton.

Roll Call Vote:

Ayes: Omness, Sutton, Zaverl, Crothers, Glover, Harris, and Inglis.

Motion Carried 7-0.

c.) RRC Public Participation

Per the RRC requirements, Communities must adopt a Public Participation Plan and report on the plan annually. The purpose of a Public Participation Plan is to have a documented public engagement strategy to outline what residents, officials, and other stakeholders can expect from the Village. Public Participation Plans help communities establish clear expectations for public engagement, ensuring all groups are represented in decision making processes.

Damian Omness moved to adopt the Public Participation Plan as required by the MEDC RRC Certification process.

Seconded by: John Sutton.

Voice Vote: All in favor.

Motion Carried.

13. COMMITTEE REPORTS:

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

The Planning Commission met on Tuesday, April 20, 2021 at 6:30 P.M. to discuss the zoning rewrite proposals. They will meet for a Special Meeting on Tuesday, May 4, 2021 at 6:30 P.M. to meet with representatives from Williams & Works and McKenna to review proposals from both firms in order to make a recommendation to the Village Council.

b. **WATER & SANITATION: Chair: Bill Harris, Steve Crothers:**

Nothing to report.

c. **STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:**

Nothing to report.

d. **PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:**

Nothing to report.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

Nothing to report.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of bills in the amount of \$67,154.28

15. ADJOURNMENT: Damian Omness moved to adjourn the meeting at 7:21 P.M.
Seconded by John Sutton.

Voice Vote: All in favor.
Motion Carried.

Council minutes are not official until approved at the May 10, 2021 Council meeting.

Approved

Crystal D Budde

May 10, 2021

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date



April 26, 2021

RESOLUTION

No. 28-21

RESOLVED BY THE COUNCIL OF THE VILLAGE OF SHELBY to amend the
Department of Public Works fee schedule, attached as Exhibit A.

Moved: Steve Crothers

Seconded: Bill Harris

Yes: Crothers, Harris, Sutton, Zaverl, Omness, and Inglis.

No: Glover

ABSENT: △

**RESOLUTION No. 28-21 Declared ADOPTED.
ADOPTED ON: April 26, 2021**

EXHIBIT A
Department of Public Works Fee Schedule

FEE NAME	FISCAL YEAR 2021-2022
<p>Public Works</p> <p>Right-of-way permit (work in right-of-way) Sewer Lateral (replace existing) Water Lateral (replace existing)</p>	<p>\$50.00 ea. \$50.00 ea. \$50.00 ea.</p>
<p>Sewer</p> <p>Tap fees (new) 1" 1 ½" 2" 4" 6"</p>	<p>\$300.00 ea. - - - - \$2,713</p>
<p>Water</p> <p>Meter fees 1" 1 ½" 2" 3" 4" 6"</p> <p>Tap fees (new) 1" 1 ½" 2" 3" 4" 6" 8" 10"</p>	<p>Cost + 30% Cost + 30% Cost + 30% Cost + 30% Cost + 30% Cost + 30%</p> <p>\$300.00 ea. - \$5,056 \$8,146 \$30,899 \$39,326 \$58,990 \$81,462 \$109,552</p>



**VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF May 24, 2021 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 Pro-Tem Bill Harris.

2. ROLL CALL:

Answering the roll call: Bill Glover, Steve Crothers, Dan Zaverl, John Sutton, Damian Omness, and Bill Harris.

Absent: Paul Inglis.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, Interim DPW Supervisor Jeremiah Helenhouse, Police Chief Steve Waltz, and CEDAM Fellow Emily Stuhldreher.

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

4. MINUTES:

a.) May 10, 2021

Steve Crothers moved to approve the minutes of the Regular Council Meeting of May 10, 2021 as corrected.

Seconded by: John Sutton.

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 Selner reported that a Finance and Insurance Committee meeting will be scheduled the first week of June to discuss the 2021/2022 budget status for the first quarter and any amendments that may be needed. Village Council will review the information at the June 14, 2021 Council meeting.

The Oceana County Board of Commissioners plans to hold a Public Hearing on Thursday, June 10, 2021 to hear comments on the establishment of a Countywide Brownfield Redevelopment Authority (BRA). It is anticipated that the establishment of the BRA will be approved. The Village of Shelby will need to adopt a local resolution in order to participate. Participating in the Brownfield Authority simply means the Village of Shelby can review and consider local approval of any Brownfield plan in its jurisdiction as presented by potential developers. Specific terms of the plan and tax increment financing are determined separately for each plan at the local and County levels.

The Village has received its Priority Health Policy Renewal documents from Lenz-Balder Insurance. VA Selner is in the process of reviewing the options. Village Council will consider and approve the updated policy terms at the July 12, 2021 Council meeting.

VA Selner reported that the Village of Shelby has been awarded a grant from the Oceana County Community Foundation to assist with the redevelopment of the downtown pocket park. The grant will cover the cost of one downtown wayfinding sign (to be placed near the pavilion); one welcome sign for the new pocket park; and, a shade structure for the new park.

Williams & Works has started the Zoning Ordinance audit and will likely present the results at the next regularly scheduled Planning Commission meeting. The Planning Commission will determine meeting days and times for the project coordination and discuss a public participation strategy, if desired.

Fleis & VandenBrink has removed the replacement of Well number 2 from the DWSRF application. EGLE required a hydrology study prior to the submission of the application. Typically, these studies take around four months to complete. The application is due July 1, 2021. The Village is still pursuing the Well number 2 replacement under the MEDC WRI grant. There will be a Public Hearing on the DWSRF project at the June 28, 2021 Council meeting.

8. DEPARTMENT HEADS' REPORTS: Nothing to report.

9. CORRESPONDENCE:

a.) Shelby Township Notice of Master Plan Update

The Village of Shelby received notice that the Shelby Township Planning Commission is in the process of updating its Master Plan. The purpose of the notice is to advise of the Township activity and to invite the Village's cooperation, comments, and participation in their process pursuant to Section 39 of the Michigan Planning Enabling Act.

10. CITIZEN PARTICIPATION:

Richard Raffaelli stated his support for the Village's grant application for the MEDC WRI grant opportunity and the importance of maintaining the Village's infrastructure. He also reported to the Village Council that Shelby Township has painted its building and cleaned the outside of their office. He hopes this will set an example for other business owners in town to do the same. He believes that Shelby Village needs to focus its efforts on downtown beautification. Mr. Raffaelli also believes that the Village is quickly fading out and needs to bring business back downtown.

Sharon Hallack, Oceana Herald Journal journalist, asked if the process of becoming a Redevelopment Ready Community (RRC) would help with downtown beautification. Village Fellow Emily Stuhldreher explained that becoming an RRC would absolutely help open the Village up to more grant opportunities that would focus on the downtown; but, becoming an RRC is a time-consuming process.

11. OLD BUSINESS:

12. NEW BUSINESS:

a.) CDBG Water Related Infrastructure Grant Application

One of the requirements of the MEDC WRI Grant is to have Village Council adopt an authorizing resolution committing the Village of Shelby to the local match and to name the authorized local official to submit and certify the Michigan CDBG Application and to execute any additional documents required to carry out and complete the grant.

Steve Crothers moved to adopt Resolution 33-21
Seconded by: John Sutton.

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

b.) Set Public Hearing for 2021 Tax Millage Rates

The Village of Shelby is required to conduct a Public Hearing in order to adopt its allowable Tax Millage for the 2021 tax year.

Dan Zaverl moved to set the Public Hearing to receive comments regarding the 2021 Tax Millage Rates for Monday, June 14, 2021, at 6:45 P.M. at the Shelby Village Hall, 218 N. Michigan Ave., Shelby, Michigan 49455.
Seconded by Steve Crothers.

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

13. COMMITTEE REPORTS:

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

The Planning Commission met on Tuesday, May 18, 2021 to discuss whether they should meet in person or via Zoom for the Zoning Ordinance Rewrite meetings. The meetings will be held in person at the Shelby Village Hall. The preliminary meeting will take place on June 15, 2021, at 6:30 P.M.

b. WATER & SANITATION: Chair: Bill Harris, Steve Crothers:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Bill Glover:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Damian Omness, John Sutton:

Nothing to report. The Parks, Recreation, and Buildings Committee will be meeting next week.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Bill Harris:

The Finance and Insurance Committee will meet sometime next week to review first quarter budget amendments.

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

Nothing to report.

g. ORDINANCES – Chair Bill Glover, Dan Zaverl:

Nothing to report.

14. PAYMENT OF BILLS: Steve Crothers moved to approve the payment of the bills in the amount of \$29,084.49.

Seconded by: Bill Glover.

Roll Call Vote:

Ayes: Crothers, Glover, Sutton, Zaverl, Omness, and Harris.

Motion Carried 6-0.

Absent: Paul Inglis.

15. ADJOURNMENT: Steve Crothers moved to adjourn the meeting at 7:18 P.M.

Seconded by: John Sutton.

Voice Vote: All in favor.

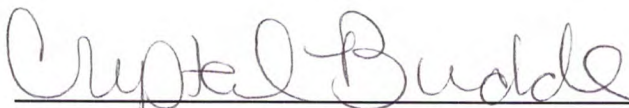
Motion Carried.

Absent: Paul Inglis.

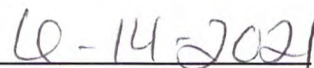
Council minutes are not official until approved at the June 14, 2021 Council meeting.



Approved



Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer



Date



May 24, 2021

RESOLUTION

No. 33-21

VILLAGE OF SHELBY, OCEANA COUNTY, MI

At a Regular Meeting of the Common Council of the Village of Shelby, Oceana County, Michigan, on May 24, 2021, the following Resolution was offered.

WHEREAS, the Michigan Strategic Fund has invited Units of General Local Government to apply for its Water-Related Infrastructure (WRI) Competitive Funding Round; and

WHEREAS, the Village of Shelby desires to request \$850,000 in CDBG funds to replace two sewer lift stations and one well; and

WHEREAS, the Village of Shelby commits to a 25% local match from its Water and Sewer Funds in the amount of \$25,000 and \$187,500, respectively; and

WHEREAS, the proposed project will benefit all residents of the project area and 57.59% of the residents of the Village of Shelby are low and moderate income persons as determined by census data provided by the U.S. Department of Housing and Urban Development; and

WHEREAS, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan Economic Development Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Shelby hereby designates the Village Administrator as the Environmental Review Certifying Officer, the person authorized to certify the Michigan CDBG Application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

Moved: Steve Crothers

Seconded: John Sutton

Yes: Crothers, Sutton, Zaveri, omness, Glover, & Harris.

No: ⓧ

ABSENT: Paul Inglis.