



**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

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