

## Shelby Village, school explore Getty Park agreement

By [Sharon Hallack OHJ Contributing Writer](#) Apr 23, 2019

SHELBY — A lease agreement that previously existed between the Village of Shelby and Shelby Public Schools might have been invalid, and now officials are researching options to rectify the situation.

At the Shelby Village Council meeting Monday night, Andy Near, of the village Parks, Rec & Buildings Committee (PR&BC), presented information and entered a motion not to renew the expired lease between Shelby Public Schools and the Village of Shelby for the “Getty Field” property owned by the village.

Near explained that historically, the school has used this field for various athletic programming for the past 40-plus years. The first lease was for 20 years and was entered into in November 1976. That lease expired and Dec. 1, 1996 was extended for another 20 years. At the end of the second 20 year lease, Nov. 30, 2016, for reasons unknown, the school elected not to renew it. In January 2019 the school approached the village about setting up another extended lease. At that meeting, Near informed the group that the village had recently learned it had been in violation of the 1992 Trust Fund Project Grant it received for “Getty Park” and told the school that no future leases or lease extensions could be approved by the village council.

“Upon receiving the Trust Fund Grant from the Michigan Department of Natural Resources (MDNR) in 1992 for “Getty Park” renovations, the village entered into a ‘Project Agreement’ with the MDNR that clearly lays out certain requirements. Those requirements were set up to ensure the long-term conservation of the property, that it is used for public outdoor recreation, and it has open accessibility for the general public into perpetuity,” Near told the council. “There are potential very negative ramifications for the village if any lease agreement is approved at this point.”

Village Administrator Rob Widigan added, “We could also be faced with replacing the acreage of the soccer field with land not currently owned by the village that is of equal value as well as equal recreation value, and would be forced to reimburse the State for the grant funds received in 1992. “The MDNR has informed us that we may enter into an ‘intergovernmental agreement’ or ‘memorandum of understanding,’ but nothing long term. I am currently working on a draft of an intergovernmental agreement that could be used between the school and the village. The superintendent and I will be meeting tomorrow afternoon to go over the draft, then tomorrow night we will present it to the joint school/village committee for their input.”

A council member asked, “Do you have any idea how much the original grant for Getty Park was for?” Widigan said, “I would guess probably \$150,000. It was used to renovate the tennis and basketball courts at the time.”

“We’ve tried to be as amiable as possible. But it seems like this has drag on all winter,” said Near. “What if nothing is done at Friday’s meeting? We need to get this settled so we don’t lose the current Getty Park renovation grant.”

Village President Paul Inglis replied, “If both groups make a good faith effort, I don’t see why we can’t get this hammered out on Friday. I’m very confident that we’ll move quickly through the process. Rob and the superintendent will work out the major details. We just need to fine tune.”

“From the village’s PR&BC I would like to say we are 100 percent behind the establishment of an intergovernmental agreement that will benefit our residents, the school district, the village and be within the rules and regulations of past and future project agreements with the MDNR,” Near said.