

4:30pm Finance & Personnel Committee

Shelby City Council Agenda
Monday, August 15, 2016
COUNCIL CHAMBERS
29 MACK AVENUE
Shelby, Ohio
7:00 p.m.

Call to Order and Pledge of Allegiance

Roll Call:

Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____

Dispense with Reading of Journal from August 1, 2016

Moved 2ND

Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____

Public Comment

Mark Skaggs—Volunteer Services, Inc.

Daryl Bowling—Utility Service Company, Inc.

Reports from Standing and Special Committees

Finance & Personnel Committee—Garland John Gates

Safety Committee—Derrin Roberts

Utilities & Streets Committee—Nathan Martin

Reports of City Officials

Steven L. Schag—Mayor

Steven T. Lifer—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business

Mohican Street—Junk Yard

Ordinance No 20-2016

Legislation

ORDINANCE NO 19-2016

AMENDING SECTION 1062.07 (SPEED LIMIT IN SELTZER, VETERANS AND RABOLD PARKS AND ADJACENT STREETS) OF CHAPTER 1062 (PARKS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY

3RD READING

Moved 2ND
Mr. Gates Mr. Martin Mr. McLaughlin Mr. Roub Mr. Roberts

PASSAGE OF ORDINANCE

Moved 2ND
Mr. Gates Mr. Martin Mr. McLaughlin Mr. Roub Mr. Roberts

ORDINANCE NO 21-2016

AMENDING ORDINANCE NO 9-2016 (ANNUAL APPROPRIATIONS), AND DECLARING AN EMERGENCY

Motion that the rule requiring that an ordinance be read on three separate occasions be suspended

Moved 2ND
Mr. Gates Mr. Martin Mr. McLaughlin Mr. Roub Mr. Roberts

PASSAGE OF ORDINANCE

Moved 2ND
Mr. Gates Mr. Martin Mr. McLaughlin Mr. Roub Mr. Roberts

RESOLUTION NO 52-2016

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH VOLUNTEER ENERGY SERVICES INC., FOR THE PURPOSE OF ESTABLISHING NATURAL GAS RATES FOR GOVERNMENTAL AGGREGATION MEMBERS OF THE CITY OF SHELBY

Moved _____ 2ND _____
Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____

RESOLUTION NO 53-2016

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH RUMPKE NOBLE ROAD LANDFILL, INC., FOR THE CITY OF SHELBY WASTEWATER TREATMENT PLANT NON-HAZARDOUS BIO-SOLIDS HAULING & DISPOSAL

Moved _____ 2ND _____
Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____

RESOLUTION NO 54-20016

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MAINTENANCE CONTRACT WITH UTILITY SERVICE COMPANY, INC., FOR THE CITY OF SHELBY WATER TREATMENT PLANT 500,000 GALLON ELEVATED MICKEY ROAD WATER TANK AND THE 500,000 GALLON ELEVATED VERNON ROAD WATER TANK

Moved _____ 2ND _____
Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____
Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____

1st Reading
7/18/2016
2nd Reading
8/1/2016

ORDINANCE NO. 19-2016
(Sponsor – Councilmember Gates)

AMENDING SECTION 1062.07 (SPEED LIMIT IN SELTZER, VETERANS AND RABOLD PARKS AND ADJACENT STREETS) OF CHAPTER 1062 (PARKS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, The portion of Section 1062.07 of the Codified Ordinances of the City of Shelby that purports to establish a 20-mile-per-hour speed limit on streets adjacent to certain parks has been determined to be in contravention of the Ohio Revised Code; and

WHEREAS, It is in the interest of the public health, safety, morals, and general welfare of the City of Shelby and its residents that this Section be amended to bring it into compliance with the Ohio Revised Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That Section 1062.07 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1062.07 SPEED LIMIT IN PARKS.
No person shall operate a motor vehicle on any drive or roadway in any park at a speed greater than 20 miles per hour.

Section 2: That all other sections of Chapter 1062 shall remain in full force and effect;

Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby; and

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____
Steven D. McLaughlin
Vice President of Council

APPROVED: _____
Steven L. Schag
Mayor

ATTEST: _____
Steven T. Lifer
Clerk of Council

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO: 21 -2016
(Sponsor: Councilmember McLaughlin)

AMENDING ORDINANCE NO. 9-2016 (ANNUAL APPROPRIATIONS), AND
DECLARING AN EMERGENCY.

WHEREAS, on March 21, 2016, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code Section 5705.38; and

WHEREAS, it is necessary to increase line items within the 2016 budget and to fund said line item with previously unappropriated monies; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that these additional appropriations be made effective so as to balance the books for the calendar year 2016 and so as to fund necessary expenditure and/or projects.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: The Ordinance No. 9-2016 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

225 - HEA - 531 MISCELLANEOUS \$12,000.00

Section 2: That all other portions of Ordinance No.: 9-2016, not modified expressly herein, shall remain in full force and effect.

Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.21, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance is hereby deemed an emergency so as to meet the ongoing contractual and/or monetary obligations of the City of Shelby, Ohio and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 52 -2016
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH VOLUNTEER ENERGY SERVICES INC., FOR THE PURPOSE OF ESTABLISHING NATURAL GAS RATES FOR GOVERNMENTAL AGGREGATION MEMBERS OF THE CITY OF SHELBY.

WHEREAS, Council of the City of Shelby, has authorized the Mayor, as Director of Public Service, to enter into a Service Agreement with Volunteer Energy Services Inc., as a Certified Natural Gas Governmental Aggregator; and

WHEREAS, Council of the City of Shelby, shall approve the Natural Gas Aggregation rate supplied by Volunteer Energy Services, Inc.; and

WHEREAS, Council of the City of Shelby, Richland County, Ohio, approves the Aggregated Natural Gas rate to Aggregation Members as stated in the following. For the April 1, 2016 through March 31, 2017 natural gas rate period, the rate shall be 7% (seven percent) off of the Columbia Gas of Ohio Standard Choice Offer Market Adder per Ccf plus NYMEX month end settlement to the burner tip. The Columbia Gas of Ohio natural gas rate for this period is NYMEX plus \$0.143 per Ccf. The natural gas rate for Volunteer Energy Services Inc. shall be NYMEX plus \$0.13299 per Ccf. For the April 1, 2017 through March 31, 2018 natural gas rate, the rate shall be 7% (seven percent) off of the Columbia Gas of Ohio Standard Choice Offer Market Adder per Ccf plus NYMEX month end settlement to the burner tip. This rate is established in the first quarter of 2017. The natural gas rate for Volunteer Energy Services Inc. for this period shall be NYMEX plus the first quarter 2017 established rate.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service shall be and is hereby authorized to enter into a Service Agreement with Volunteer Energy, Inc., for the purpose of establishing Natural Gas Rates for Governmental Aggregation Members of the City of Shelby.

Section 2: That Council of the City of Shelby hereby adopts and approves the Natural Gas Rates for the City's Governmental Aggregation Members.

Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.00, and the Charter of the City of Shelby, Ohio.

Section 4: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO.: 53-2016
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH RUMPKE NOBLE ROAD LANDFILL, INC., FOR THE CITY OF SHELBY WASTEWATER TREATMENT PLANT NON-HAZARDOUS BIO-SOLIDS HAULING & DISPOSAL

WHEREAS, the City of Shelby Wastewater Treatment Plant has a need to dispose of non-hazardous bio-solids; and

WHEREAS, the Rumpke Noble Road Landfill Inc., will haul and dispose of the non-hazardous bio-solids; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Service be authorized to enter into a contract with Rumpke Noble Landfill, Inc. for the hauling and disposal of the City of Shelby Wastewater Treatment Plant non-hazardous bio-solids.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL FOR THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into a contract with Rumpke Noble Road Landfill, Inc., for the disposal of the City of Shelby Wastewater Treatment Plant non-hazardous bio-solids.

Section 2: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 3: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED:

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST:

Steven Lifer
Director of Finance

Steven L. Schag
Mayor

Prepared by:



Gordon Eyster
Director of Law

RESOLUTION NO.: 54-2016
(Sponsors: Councilmembers Martin and McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MAINTENANCE CONTRACT WITH UTILITY SERVICE COMPANY, INC., FOR THE CITY OF SHELBY WATER TREATMENT PLANT 500,000 GALLON ELEVATED MICKEY ROAD WATER TANK AND THE 500,000 GALLON ELEVATED VERNON ROAD WATER TANK.

WHEREAS, the City of Shelby Water Treatment Plant 500,000 gallon elevated water tanks are in need of repairs, upgrades, painting, and maintenance; and

WHEREAS, Utility Service Company, Inc. provides a maintenance contract that will repair, upgrade, paint, and maintain the 500,000 gallon elevated water tanks; and

WHEREAS, the Ohio Revised Code, General Provisions, Chapter 9, Section 9.29 Multi-year asset management professional service contracts, allows for entering into a maintenance contract by foregoing a formal bidding process; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Service be authorized to enter into a contract for the repairs, upgrades, painting, and maintenance of the City of Shelby Water Treatment Plant 500,000 gallon elevated water tanks.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL FOR THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service is hereby authorized to forgo the formal bidding process and enter into a maintenance contract with Utility Service Company, Inc. for the City of Shelby Water Treatment Plant 500,000 gallon elevated water tanks.

Section 2: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 3: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law