

3:30pm Community & Economic Development Committee

Shelby City Council Agenda
Monday, August 3, 2015
COUNCIL CHAMBERS
29 MACK AVENUE
Shelby, Ohio
7:00 p.m.

Call to Order and Pledge of Allegiance

Roll Call:

Mrs. Carlisle _____ Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____

Dispense with Reading of Journal from July 20, 2015

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

Public Comment

Reports from Standing and Special Committees

Community & Economic Development Committee—Steve McLaughlin
Public Works & General Operation Committee—Garland John Gates

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

Live streaming of council meetings
CSX/Broadway storm sewer
Sutter Roush Mausoleum

Legislation

AMENDED ORDINANCE NO 23-2015

**AMENDING SUBSTITUTE ORDINANCE
NUMBER 3-2013 (ESTABLISHING WAGES
FOR DEPARTMENT HEADS AND OTHER
NON-CERTIFIED EMPLOYEES).**

3RD READING

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 24-2015

**AMENDING SECTION 236.04 (CONTRACTS, MATERIALS
AND LABOR) OF CHAPTER 236 (DIRECTOR OF PUBLIC
SAFETY) OF THE CODIFIED ORDINANCES OF THE CITY
OF SHELBY**

3RD READING

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 25-2015

AMENDING SECTION 242.01 (CONTRACTS, MATERIALS AND LABOR) OF CHAPTER 242 (DIRECTOR OF PUBLIC SERVICE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY

3RD READING

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 26-2015

VACATING AN ALLEY RUNNING PERPINDICULAR FROM SECOND STREET BETWEEN LOTS 520 AND 521 IN THE CITY OF SHELBY, OHIO

2ND READING

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 28-2015

TRANSFERRING APPROPRIATIONS FOR THE YEAR 2015 AND DECLARING AN EMERGENCY

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

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 29-2015

AMENDING ORDINANCE NO 8-2015 (ANNUAL APPROPRIATIONS), AND DECLARING AN EMERGENCY

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

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 30-2015 **AMENDING ORDINANCE NO 8-2015 (ANNUAL APPROPRIATIONS), AND DECLARING AN EMERGENCY**
Motion that the rules requiring that an ordinance be read on three separate occasions be suspended
Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

PASSAGE OF ORDINANCE
Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 31-2015 **AMENDING SECTION 1050.02 (RATES AND CHARGES FOR SERVICE)**
1ST READING
Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

RESOLUTION NO 35-2015 **APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2015 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY**
Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

Miscellaneous Business

Adjournment at _____ p.m.
Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

7/6/2015
nd Reading
7/20/2015

AMENDED ORDINANCE NO. 23-2015
(Sponsor – Councilmembers Carlisle and Martin)

AMENDING SUBSTITUTE ORDINANCE NUMBER 3-2013 (ESTABLISHING WAGES FOR DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES).

WHEREAS, on February 4, 2013, Substitute Ordinance Number 3-2013 was passed in order to establish wages for department heads and other non certified employees; 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 Substitute Ordinance Number 3-2013 be amended so as to adjust the annual salary ranges and hourly wage ranges set forth therein for department heads, superintendents, and other non-certified employees.

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

Section 1: That the salary and wage ranges currently in effect for the positions as set forth herein below are to be amended and shall heretofore be as follows:

DEPARTMENT HEADS AND SUPERINTENDENTS
HOURLY WAGE RANGE

Chief of Police	\$25.00 - \$38.50
Fire Chief	\$25.00- \$38.50
Superintendent of Electrical Distribution	\$25.00 - \$38.50
Superintendent of Municipal Light Plant	\$25.00 - \$38.50
Superintendent of Service Department	\$25.00 - \$38.50
Superintendent of Water Plant and Distribution	\$25.00 - \$38.50
Superintendent of Waste Water Treatment Plant and Sewers	\$25.00 - \$38.50

DEPARTMENT HEADS ANNUAL SALARY RANGE

Health Commissioner	\$10,000.00 - \$72,000.00
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NON-CERTIFIED EMPLOYEE ANNUAL SALARY RANGE

Medical Director	\$5,000.00- \$25,000.00
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OTHER NON-CERTIFIED EMPLOYEES
HOURLY WAGE RANGE

Deputy Director of Finance	\$17.00 - \$28.50
Clerk of Courts	\$17.00 - \$28.50
City Project Coordinator	\$17.00 - \$33.50

Community and Economic Development Coordinator	\$15.00 - \$28.00
Utility Office Supervisor	\$17.00 - \$28.50
Deputy Director of Public Service And Utilities	\$25.00 - \$40.00
Assistant to Deputy Director of Public Service and Utilities	\$17.00 - \$27.00
Environmental Health Director/Sanitarian	\$17.00 - \$28.50
Nurse	\$13.00 - \$28.50
Probation Officer	\$13.00 - \$19.00
Secretary to the Mayor & Director of Finance	\$13.00 - \$22.00
Administrative Assistant Finance	\$13.00 - \$22.00
Administrative Assistant Health	\$13.00 - \$22.00
Income Tax Clerk	\$13.00 - \$25.00
Secretary to the Law Director (part-time)	\$13.00 - \$23.00

Section 2: That the Finance Director shall report W-2 wages to City Council at the second meeting in February.

Section 3: That wages and salaries shall not exceed the tops of these ranges.

Section 4: That wages and salaries shall not increase by more than four percent (4%) per year, except by a vote of two-thirds (2/3) majority of members of Council.

Section 5: 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, Ohio.

Section 6: 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:

ATTEST: _____

Jeff D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Byster
Director of Law

7/6/2015
2nd Reading
7/20/2015

ORDINANCE NO. 24 -2015
(Sponsors—Councilmembers Carlisle and Martin)

AMENDING SECTION 236.04 (CONTRACTS, MATERIALS AND LABOR) OF CHAPTER 236 (DIRECTOR OF PUBLIC SAFETY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, situations have occurred recently that slowed the process for purchases or contracts for materials and/or labor at costs over \$25,000 but under \$50,000; 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 Section 236.04 of said chapter be amended to allow for situations that were not considered at the time of amendment in 2005.

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

Section 1: That Section 235.04 of the Codified Ordinances of the City of Shelby be amended to read as follows:

236.04 CONTRACTS, MATERIALS, AND LABOR

The Mayor, as ex officio Director of Public Safety, may make all contracts and expenditures of money under \$25,000 for acquiring lands for the erection or repairing of station houses, police stations, fire department buildings, fire cisterns and plugs, that are required for the purchase of engines, apparatus and all other supplies necessary for the police and fire departments, and for other undertakings and departments under the Director's supervision. No obligation involving an expenditure of more than \$25,000 but less than \$50,000 shall be created unless first authorized and directed by ordinance or resolution of the city legislative authority. In making, altering or modifying contracts over \$50,000, the Director shall be governed by R.C. Sections 735.05 to 735.09, except that all bids shall be filed with and opened by the Director of Public Safety. The Director shall make no sale or disposition of any property belonging to the city without first being authorized by resolution or ordinance of the city legislative authority.

Section 2: That all other sections of Chapter 236 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, Ohio.

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:

ATTEST:

Jeff D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

1st Reading
7/6/2015
2nd Reading
7/20/2015

ORDINANCE NO. 25 -2015
(Sponsors—Councilmembers Carlisle and Martin)

AMENDING SECTION 242.01 (CONTRACTS, MATERIALS AND LABOR) OF
CHAPTER 242 (DIRECTOR OF PUBLIC SERVICE) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, situations have occurred recently that slowed the process for purchases or contracts for materials and/or labor at costs over \$25,000 but under \$50,000; 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 Section 242.01 of said chapter be amended to allow for situations that were not considered at the time of amendment in 2005.

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

Section 1: That Section 242.01 of the Codified Ordinances of the City of Shelby be amended to read as follows:

242.01 CONTRACTS, MATERIALS, AND LABOR

The Mayor, as ex officio Director of Public Service may make any contract, purchase supplies or materials, or provide labor for any work under the supervision of the Department of Public Service involving not more than \$25,000. When an expenditure within the department, other than the compensation of persons employed therein, exceeds \$25,000 but less than \$50,000, such expenditures shall first be authorized and directed by ordinance or resolution of city council. When an expenditure within the department, other than compensation of persons employed therein, exceeds \$50,000, such expenditures shall first be authorized and directed by ordinance or resolution. When so authorized and directed, except where the contract is for equipment, services, materials or supplies to be purchased under R.C. section 713.23(D) of R.C. section 125.04 or section 5513.01 or available from a qualified nonprofit agency pursuant to R.C. sections 4115.31 to 4115.35, the Director shall make a written contract with the lowest and best bidder after advertisement for not less than two or more than four consecutive weeks in a newspaper of general circulation within the city.

Section 2: That all other sections of Chapter 242 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, Ohio.

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:

ATTEST: _____
Jeff D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Director of Law

7/20/2015

ORDINANCE NO. 26-2015
(Sponsor: Councilmember Gates)

**VACATING AN ALLEY RUNNING PERPINDICULAR FROM SECOND STREET
BETWEEN LOTS 520 AND 521 IN THE CITY OF SHELBY, OHIO.**

WHEREAS, on the 1st day of June, 2015, the Council of the City of Shelby adopted Resolution No. 23-2015 and in so doing declared its intent to vacate an alley running perpendicular of Second Street within the City of Shelby, Ohio; and

WHEREAS, notice of adoption of the above Resolution has been provided to the owners of property abutting said alley thereby notifying said property owners of the time and place at which objections could be presented to the Board of Revision of Assessments (pursuant to Section 105 of the Charter of the City of Shelby); and

WHEREAS, the Board of Revision of Assessments met on June 16, 2005; (said meeting procedure being in accordance with provisions of Section 105 of the charter of the City of Shelby) and voted to approve and recommend the vacation of an alley running perpendicular of Second Street between lots 520 and 521 within the City of Shelby, Ohio; and

WHEREAS, the Council of the City of Shelby is satisfied that there is good cause for vacating said alley which is hereinafter described and that said vacation will not be detrimental to the general interest and public welfare.

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

Section 1: That an alley running perpendicular of Second Street within the City of Shelby, Ohio and as set forth in the legal description as prepared by F.E. Krocka & Associates, Inc.- Raymond G. Lenczowski, registered surveyor, on January 18, 2013 and designated as the plat of vacation of a 16-foot alley adjacent to Lots 520 & 521, Richland County Recorder Plat Volume 2#3, Page 15 of the records of the City of Shelby, Richland County, Ohio is hereby vacated.

Section 2: That in accordance with Section 105 of the Charter of the City of Shelby, Ohio, the City shall retain any and all easements necessary for the maintenance of utilities currently located within said alley

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, Ohio.

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 McLaughlin
Vice President of Council

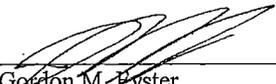
APPROVED:

ATTEST: _____

Jeff Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 28 -2015
(Sponsor - Councilmember Carlisle)

TRANSFERRING APPROPRIATIONS FOR THE YEAR 2015 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2015 budget; 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 transfers be made effective so as to balance the books for the calendar year 2015, and so as to fund necessary expenditures 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: That the Director of Finance shall be and is hereby authorized and directed to make the following transfers:

FROM	200-STR-534	STREET MATERIALS	\$9,000.00
TO	200-STR-535	RESURFACING	\$9,000.00

Section 2: 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, Ohio.

Section 3: That this Ordinance is hereby deemed to be 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 D. McLaughlin
Vice President of Council

APPROVED: _____

ATTEST: _____

Jeff D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 29-2015
(Sponsor – Councilmember Carlisle)

**AMENDING ORDINANCE NO. 8-2015 (ANNUAL APPROPRIATIONS); AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 16, 2015, the Council of the City of Shelby passed its Annual Appropriation Ordinance as required by the Ohio Revised Code Section 5705.38; and

WHEREAS, it is necessary to increase line items within the 2015 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 2015, and so as to fund necessary expenditures 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: That Ordinance No. 8-2015 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

101-POL-600	PRISONER HOUSING	\$65,000.00
101-POL-626	PRISONER MEDICAL	\$ 3,000.00

Section 2: That all other portions of Ordinance No. 8-2015 not modified 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 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance is hereby deemed to be 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 D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Jeff D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 30 -2015
(Sponsor – Councilmember Carlisle)

**AMENDING ORDINANCE NO. 8-2015 (ANNUAL APPROPRIATIONS), AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 16, 2015, the Council of the City of Shelby passed its Annual Appropriation Ordinance as required by the Ohio Revised Code Section 5705.38; and

WHEREAS, it is necessary to increase line items within the 2015 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 2015, and so as to fund necessary expenditures 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: That Ordinance No. 8-2015 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

600-DIS-400	WAGES	\$57,000.00
600-DIS-415	PUBLIC EMPLOYEES RETIREMENT	\$ 8,000.00
600-DIS-417	FICA	\$ 900.00
600-DIS-418	HOSPITALIZATION	\$ 7,640.00
600-DIS-419	LIFE INSURANCE	\$ 60.00
600-DIS-420	WORKER'S COMPENSATION	\$ 1,400.00

Section 2: That all other portions of Ordinance No. 8-2015 not modified 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 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance is hereby deemed to be 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 D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Jeff D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gorden M. Eyster
Director of Law

ORDINANCE NO. 31 -2015
(Sponsors - Councilmembers Martin and Carlisle)

AMENDING SECTION 1050.02 (RATES AND CHARGES FOR SERVICE)

WHEREAS, from time to time, it is necessary, due to an adequate electric fund balance, to forego rate changes necessitated by 1050.02 (b) 2; 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 Council of the City of Shelby declare that it is necessary to amend the section to give authority to council to allow for exceptions.

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

Section 1: That Section 1050.02 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1050.02 RATES AND CHARGES FOR SERVICE

(2) *Determination of fuel and purchased power charge.* The Fuel and Purchased Power Charge shall be derived every three months, except in the case that Council authorize the Mayor by resolution to not apply a change to the current rates, by dividing (1) the past 12 months' cost of fuel and purchased power, including the cost associated with transmission-related services (hereinafter referred to as "previous 12 months' cost", by (2) the sum of the past 12 months' net kilowatt hours generated and purchased multiplied by 0.94 (hereinafter referred to as "previous 12 months' net kWh").

$$\frac{\text{Previous 12 months' cost (numerator)}}{\text{Previous 12 months' net kWh} \times 0.94 \text{ (denominator)}} = \frac{\text{Fuel Purchased Power Charge}}{\text{Power Charge}}$$

Section 2: That all other sections of Chapter 1050 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, Ohio.

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

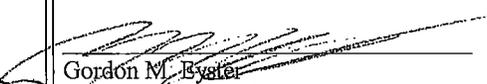
APPROVED:

ATTEST: _____

Jeff D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:


Gordon M. Bywater
Director of Law

RESOLUTION NO. 35-2015
(Sponsor- Councilmembers Martin)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2015 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, plans and specifications have been completed for the 2015 Paving Project; and

WHEREAS, various residential streets within the City of Shelby are in need of paving; and

WHEREAS, it is the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that said improvements be made to said streets within the City of Shelby.

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

Section 1: That the plans and specifications for the 2015 Paving Project in the City of Shelby are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said paving project.

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

Section 4: That this Resolution is hereby deemed to be an emergency, 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 T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law