

**3:00pm Finance & Personnel Committee**

**Shelby City Council Agenda  
Monday, September 19, 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 September 6, 2016**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_

**Public Comment**

**Reports from Standing and Special Committees**

Finance & Personnel Committee—Garland John Gates

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

**Legislation**

**ORDINANCE NO 20-2016**

**AMENDING SECTION 1292.02 (GENERAL PROVISIONS) OF CHAPTER 1292 (NONCONFORMING LOTS, USES AND BUILDINGS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**2ND READING**

Moved        2<sup>ND</sup>       

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

**ORDINANCE NO 24-2016**

**AMENDING SECTION 238.04 OF CHAPTER 238 ESTABLISHMENT; MEMBERSHIP (AUXILLARY POLICE UNIT) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**2ND READING**

Moved        2<sup>ND</sup>       

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

**ORDINANCE NO 25-2016**

**ENACTING SECTION 1050.06 (PHOTOVOLTAIC AND WIND GENERATION INTERCONNECTION GENERAL REQUIREMENTS) AND SECTION 1050.07 (NET METERING SCHEDULE) OF CHAPTER 1050 (ELECTRICITY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**2ND READING**

Moved        2<sup>ND</sup>       

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

**ORDINANCE NO 26-2016**

**ESTABLISHING SPEED LIMITS ON A PORTION OF  
MANSFIELD AVENUE, AND STATE STREET IN THE CITY  
OF SHELBY**

**1ST READING**

Moved        2<sup>ND</sup>         
Mr. Roub        Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin       

**RESOLUTION NO 58-2016**

**ACCEPTING THE AMOUNTS AND RATES AS  
DETERMINED BY THE BUDGET COMMISSION AND  
AUTHORIZING THE NECESSARY TAX LEVIES AND  
CERTIFYING THEM TO THE COUNTY AUDITOR**

Moved        2<sup>ND</sup>         
Mr. Roub        Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin       

**RESOLUTION NO 59-2016**

**GIVING CONSENT/AUTHORIZATION TO THE DIRECTOR  
OF TRANSPORTATION OF THE STATE OF OHIO TO  
COMPLETE BRIDGE INSPECTION SERVICES WITHIN  
THE CITY OF SHELBY, OHIO**

Moved        2<sup>ND</sup>         
Mr. Roub        Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin       

**RESOLUTION NO 61-2016**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC  
SAFETY TO ENTER INTO A MEMORANDUM OF  
UNDERSTANDING WITH JACKSON TOWNSHIP AND  
SHARON TOWNSHIP FOR THE USE OF A NEW GRASS  
FIRE TRUCK, AND DECLARING AN EMERGENCY**

Moved        2<sup>ND</sup>         
Mr. Roub        Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin

**RESOLUTION NO 62-2016**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PURCHASE A RED, FOUR WHEEL DRIVE, ONE (1) TON PICK UP TRUCK FROM DONLEY FORD OF SHELBY FOR THE SHELBY FIRE DEPARTMENT, FOR \$29,339.80, AND DECLARING AN EMERGENCY**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_

**Miscellaneous Business**

**Adjournment** at \_\_\_\_\_ p.m.  
Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_

Meeting  
Planning Comm  
8/11/2016  
St Reading  
9/16/2016

**ORDINANCE NO: 20-2016**  
**(Sponsors: Councilmembers Roberts and Roub)**

**AMENDING SECTION 1292.02 (GENERAL PROVISIONS) OF CHAPTER 1292 (NONCONFORMING LOTS, USES AND BUILDINGS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, Section 1292.02 contains regulations for Nonconforming Structures in the City of Shelby; and

WHEREAS, Shelby City Council is desirous to amend said regulations; and

WHEREAS, in accordance with mandates of the Zoning Ordinance for the City of Shelby, a public hearing shall be held concerning this proposed amendment; 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 1292.02 of Chapter 1292 of the Codified Ordinances of the City of Shelby be amended.

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

Section 1: That Section 1292.02 (General Provisions) of Chapter 1292 (Nonconforming Lots, Uses and Buildings) of the Codified Ordinances of the City of Shelby be amended so that said section shall read as follows:

**1292.02 GENERAL PROVISIONS.**

(a) *Nonconforming lots.* In any one-family or multiple-family district, one-family and two-family dwellings may be erected on any single lot of record existing on the effective date of adoption or amendment of this Zoning Code, even though the lot fails to meet the requirements for area and width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving the area and width of the lot conform to the regulations for the district in which the lot is located. The Board of Zoning Appeals may grant a variance where the strict application of the provisions of this Zoning Code would result in practical or unnecessary hardship in complying with the minimum yard requirements for the district in which the lots are located.

(b) *Nonconforming uses of land.* The lawful use of any land existing on the effective date of adoption or amendment of this Zoning Code may be continued although the use does not conform to the provisions of this Zoning Code, provided that the following provisions are met:

(1) A. A nonconforming use shall not be extended, enlarged or increased to occupy a greater area of land than was occupied on the effective date of this Zoning Code, with the following exceptions:

1. A manufactured home existing as a nonconforming use may be replaced by a larger manufactured home, provided that all setback requirements for that district are in compliance.

2. An existing conditional use church, in a residential neighborhood, not located on a major or minor arterial thoroughfare, may be extended or expanded to occupy a greater area of land, provided that all setback requirements for that district are in compliance.

B. The extension of a lawful use to any portion of a nonconforming structure which existed prior to the enactment of this Zoning Code shall not be deemed to be the extension of the nonconforming use. However, a nonconforming use may be extended, enlarged or increased to occupy a greater area of land than was occupied on the effective date of this Zoning Code in the event the same is required by law.

(2) Whenever a nonconforming use has been discontinued for a period of two years or more, the discontinuance shall be considered as conclusive evidence of an intention to abandon legally the nonconforming use. At the end of the two-year period, any subsequent use of the land shall conform to the provisions of this Zoning Code for the district in which the land is located.

(3) Nonconforming uses existing and established after the effective date of this Zoning Code shall be declared illegal nonconforming uses and shall be discontinued no more than 20 days following the date of inspection of the use.

(4) A nonconforming use destroyed or damaged by fire, collapse, explosion or acts of nature, to the extent of 100% of its replacement cost, exclusive of the foundation at the time of destruction, may be reconstructed and the nonconforming use continued although the use does not conform to the provisions of this Zoning Code, subject to the following conditions:

A. The reconstruction of a nonconforming use shall not be extended, enlarged or increased to occupy greater lot coverage than was occupied on the effective date of this Zoning Code.

B. Reconstruction shall begin on a nonconforming use within one year from the date the nonconforming use was destroyed or damaged by fire, collapse, explosion or acts of nature.

(c) *Nonconforming structures.* A lawful structure existing on the effective date of adoption or amendment of this Zoning Code may be continued although the structure does not conform to the area, height or yard provisions of this Zoning Code, provided that the following provisions are met:

(1) A nonconforming structure may not be altered or enlarged in a manner which increases its nonconformity.

(2) A nonconforming structure destroyed or damaged by fire, collapse, explosion or acts of nature, to the extent of 100% of its replacement cost, exclusive of the foundation at the time of destruction, may be reconstructed and the nonconforming structure continued although the structure does not conform to the provisions of this Zoning Code, subject to the following conditions:

1. The reconstruction of a nonconforming structure shall not be extended, enlarged or increased to occupy greater lot coverage than was occupied on the effective date of this Zoning Code.

2. Reconstruction shall begin on a nonconforming structure within one year from the date the nonconforming structure was destroyed or damaged by fire, collapse, explosion or acts of nature.

(3) Should the structure be moved or transported for any reason and for any distance whatsoever, it shall thereafter conform to the provisions for the district in which it is located after it is removed.

(d) *Nonconforming uses of structures and land.* The lawful use of a structure or of a structure and land, existing on the effective date of adoption or amendment of this Zoning Code, may be continued although the use does not conform to the provisions of this Zoning Code, providing that the following provisions are met:

(1) Whenever a nonconforming use of a structure and land in combination has been discontinued for six consecutive months, or for 18 months during any three-year period, the structure and premises in combination shall not be re-established or used except in conformity with the provisions of the district in which it is located.

(2) Any nonconforming use of a structure and land in combination may be changed to another nonconforming use of the same or a more restrictive classification than the existing nonconforming use by the Board of Zoning Appeals. In permitting such a change, the Board may require that the more restrictive nonconforming use meet certain conditions and requirements in accordance with the provisions of this Zoning Code.

(3) Where a nonconforming structure and use exist, the removal or destruction of the structure shall eliminate the nonconforming status of the land.

Section 2: That all other Sections of Chapter 1292 of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

Section 3: That all meetings and hearing 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: \_\_\_\_\_

Steven Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Byster  
Director of Law

1st Reading  
9/6/2016

**ORDINANCE NO. 24 -2016**  
**(Sponsor: Councilmember Roberts)**

**AMENDING SECTION 238.04 OF CHAPTER 238 ESTABLISHMENT; MEMBERSHIP (AUXILIARY POLICE UNIT) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, Section 238.01(a) of the Codified Ordinances of the City of Shelby makes provision for Council to modify the membership of the Shelby Police Department from time to time; and

WHEREAS, in order to provide for the health, safety, and welfare of the citizens of Shelby it is necessary to increase the number of auxiliary police officers available to the citizens of Shelby.

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

Section 1: That Section 238.04 (e) and (j) of the Codified Ordinances of the City of Shelby be amended to add the following section language:

§ 238.04 AUXILIARY POLICE UNIT.

(e) Members of the Auxiliary Police Unit who have a current Ohio peace officer certification and who have reached the age of 21 shall be paid the wages of a probationary police officer, as established in the then current collective bargaining agreement for their services, and non-certified officers shall be paid at the then current hourly minimum wage rate as established by the State of Ohio for their services, and the city shall furnish patches and badges for the Auxiliary Police Unit.

and

(j) The Chief of Police, with approval of the mayor, may allow retirees to maintain a commission with the Shelby Police Department, without counting toward the authorized personnel strength of the Auxiliary Unit pursuant to subsection (d), above. Such officers will maintain police powers but may not be called upon to act in a uniformed enforcement capacity within the police department. They may be called upon to perform other voluntary administrative or community service duties, as requested and/or authorized by the Chief of Police.

Section 2: That the Mayor as Director of Public Safety is hereby authorized to modify Membership of the Shelby Police Department as set forth in Section 238.04.

Section 3: All other provisions of section 238.04 shall remain in full force and effect unless otherwise modified herein.

Section 4: That all meetings and hearing 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 5: 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

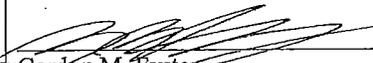
APPROVED:

ATTEST: \_\_\_\_\_

Steven Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law

1st reading  
9/4/2016

ORDINANCE NO.: 25 -2016  
(Sponsor: Councilmember Gates)

**ENACTING SECTION 1050.06 (PHOTOVOLTAIC AND WIND GENERATION INTERCONNECTION GENERAL REQUIREMENTS) AND SECTION 1050.07 (NET METERING SCHEDULE) OF CHAPTER 1050 (ELECTRICITY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, Technological advancements have made the installation of small-scale photovoltaic and wind generation energy systems by customers of the City of Shelby's Division of Electricity and Telecommunications a real possibility; and

WHEREAS, It is in the interest of the public health, safety, morals, and general welfare of the City of Shelby and its Division of Electricity and Telecommunications that Council enact policies to govern the interconnection of photovoltaic and wind energy systems to the City of Shelby's electric distribution systems.

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

Section 1: That Section 1050.06 (Photo Voltaic and Wind Generation Interconnection General Requirements) of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**1050.06 PHOTOVOLTAIC AND WIND GENERATION INTERCONNECTION GENERAL REQUIREMENTS.**

The following general requirements shall govern the interconnection of photovoltaic (PV) and wind energy systems to the City of Shelby's electric distribution systems.

(a) *PV/Wind System Output Size.*

(1) *Residential:* As determined by the property's historic billing and Shelby Division of Electricity and Telecommunications system requirements with a maximum of 10kW.

(2) *Commercial/Industrial:* As determined by the property's historic billing and Shelby Division of Electricity and Telecommunications system requirements with a maximum of 100kW.

(b) PV/Wind Inverter Output Voltage (AC) shall be 240 VAC nominal residential and 208/240/480 VAC commercial.

(c) The sources for Distributed Generation System Standards are National Electric Code (NEC); Institute of Electric and Electronics Engineers (IEEE), Underwriters Laboratory (UL), American National Standards Institute (ANSI), National Electric Safety Code (NESC), International Electrotechnical Commission (IEC), and American Wind Energy Association (AWEA).

(1) PV systems shall meet the following standards: NEC 690 & 705, IEEE 1547, UL1741, UL1703, ANSI & NESC along with all applicable State and Local Standards.

(2) Wind Turbine systems shall meet the following standards: NEC 694 & 705, IEEE 1547, UL1741, UL6142, IEC 61400, AWEA, ANSI & NESC along with all applicable state and local Standards.

(3) Voltage Range shall meet the following requirements:

Voltage Range (% Nominal)	Max. Clearing Time (sec)*
V < 50%	0.16
50% ≤ V < 110%	2.0
110% < V < 120%	1.0
V ≥ 120%	0.16

(\*) Max clearing times for Distributed Energy Resources ≤30kW;  
Default clearing times for Distributed Energy Resources >30kW

- (4) Frequency Range shall meet the following requirements:

Frequency Range (Hz)	Max. Clearing Time (sec)
$f > 60.5$	0.16
$f < 57.0^*$	0.16
$59.8 < f < 57.0^{**}$	Adjustable (0.16 and 300)

- (\*) 59.3 Hz if Distributed Energy Resources  $\leq 30\text{kW}$ ;  
 (\*\*) For Distributed Energy Resources  $> 30\text{kW}$

- (5) Voltage Control is not permitted (IEEE 1547).
- (6) Flicker shall not exceed Maximum Borderline of Irritation Curve (IEEE 1453).
- (7) Harmonics (IEEE 519) shall meet the following requirements:
- < 5% THD
  - < 4% below 11<sup>th</sup> harmonic
  - < 2% for 11<sup>th</sup> – 15<sup>th</sup> harmonic
  - < 1.5% for 17<sup>th</sup> – 21<sup>st</sup> harmonic
  - < 0.6% for 23<sup>rd</sup> – 33<sup>rd</sup> harmonic
  - < 0.3% for 33<sup>rd</sup> and greater harmonic
- (8) Current imbalance shall meet the latest requirements for the following:
- Current imbalance shall not be greater than 10%.
  - NEC
  - IEEE
  - NESC
  - Local fire department

(9) *Grouping of Disconnects.* The DC disconnect (PV array/Wind output), AC disconnect (inverter output), and revenue meter shall be grouped within 10 feet of one another on the side of the building. The disconnects shall be permanently and clearly identified as to their purpose.

Section 2: That Section 1050.07 (Net Metering Rate Schedule) of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**1050.07 NET METERING SCHEDULE.**

Customers who generate a portion or all of their own electrical needs and provide any excess generation to the City of Shelby's system shall receive a billing credit equal to the City's wholesale cost of energy, adjusted to include line losses. This billing credit shall be provided to the customer under a net metering rate schedule subject to the following terms and conditions:

(a) *Limitations.* Billing under this schedule is limited to customers who operate a Generating Facility utilizing renewable energy source electric generating technology. The eligible facilities must be installed on the customer's premises. The maximum size of the electric generation eligible for net metering is 10 kW or under for residential units and 100 kW or under for commercial or industrial units. To qualify for this schedule, customer's non-dispatchable (solar/wind) generating units will be limited in size, not to exceed customer's annual self-service energy needs, measured in kWh. The customer property at the distributed generation site's usage history over the last three years, if available, shall be used as a benchmark for determining this kWh total. If a customer has more than one generator, to qualify for this schedule, the total capacity of the generators shall be less than the maximum listed above. The City of Shelby may restrict or deny service under this Schedule once the total connected generation provided under this Schedule equals or exceeds one percent of the City of Shelby's previous year's peak demand. The customer's facility must comply with the City of Shelby's existing interconnection rules and regulations.

(b) *Monthly Rate.* Deliveries from the City to the customer shall be billed in accordance with the standard applicable rate schedules.

(c) *Customer Credits for Net Excess Generation (NEG)*. Net Excess Generation (NEG) represents the amount of electric generation by the customer beyond the customer's own metered usage which is delivered to the City of Shelby during the billing period. Deliveries from the customer to the City of Shelby shall be credited at the wholesale purchase price (base rate) of electricity purchased by the City of Shelby for the month of the billing cycle. The credit to the customer shall not exceed the dollar amount the City of Shelby bills the customer for energy consumption in any billing period. Instead, the net excess dollar amount shall be allowed to accumulate as an NEG credit to offset the customer's energy charges in the next billing period. The credit will be adjusted based on the currently used power cost adjustment. NEG credits, if any, will be carried over from month to month. Upon an account being closed, a final kWh reading shall be taken from the net electric meter. If the accumulative kWh balance is a credit owed to the account holder, the net kWh credits due, shall be paid to the account holder. The amount owed to the account holder shall be calculated by multiplying the final net kWh balance by the most recent fuel and purchase power cost adjustment. The sum will be the amount owed to the account holder. The credit shall be paid within 60 days after the account is closed.

Section 3: That all other sections of Chapter 1050 (Electricity) shall remain in full force and effect;

Section 4: 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 5: 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: \_\_\_\_\_

Steven Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Byster  
Director of Law

**ORDINANCE NO.: 26 -2016**  
(Sponsor: Councilmembers Martin & McLaughlin)

**ESTABLISHING SPEED LIMITS ON A PORTION OF MANSFIELD AVENUE, AND STATE STREET IN THE CITY OF SHELBY.**

WHEREAS, The Ohio Department of Transportation (ODOT) has conducted a geometric and traffic characteristic study on a portion of Mansfield Avenue from Mickey Road to the western most corporation line, and State Street to evaluate the statutory vehicular speed limit established by Ohio Revised Code 4511.11 (Speed Limits); and

WHEREAS, the geometric and traffic characteristic study upon the section of road described above has determined that the appropriate prima facie speed limits on Mansfield Avenue are 35 mile per hour (MPH) from the intersection of Mickey Road to the intersection of Seneca Drive and 45 MPH from the intersection of Seneca Drive to the southernmost corporation limit and

WHEREAS, ODOT has determined that State Street is a designated as a through highway as defined in ORC 4511.65(B), therefore making its prima facie speed limit 35; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of Shelby that the speed zones on Mansfield Avenue and State Street be modified so as to bring said zones into compliance with Ohio Revised Code 4511.21.

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

Section 1: That in accordance with Ohio Revised Code Section 4511.21 (B) (3), the speed limit on Mansfield Avenue from the intersection of Mickey Road to intersection Seneca Drive shall be 35 miles per hour.

Section 2: That in accordance with Ohio Revised Code Section 4511.21 (H) (1), the speed limit on Mansfield Avenue from the intersection of Seneca Drive to the southernmost corporation limit, shall be 45 miles per hour.

Section 3: That in accordance with Ohio Revised Code Section 4511.21 (B) (3), the speed limit on State Street from the western most corporation limit to the easternmost corporation limit shall be 35 mile per hour.

Section 4: That the Clerk of Council shall forward a copy of this Ordinance to the District 3 Deputy Director of the Ohio Department of Transportation for approval and proper recording.

Section 6: That the City of Shelby Service Department shall install standard signs, properly posted and giving notice thereof.

Section 7: 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 8: 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: \_\_\_\_\_  
Steven Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL )  
Revised Code, Secs. 5705.34-5705.35

RESOLUTION NO 58-2016  
(SPONSOR - Councilmember McLaughlin)

The Council of the City of Shelby, Richland

County, Ohio, met in session on \_\_\_\_\_, 2016  
(Regular Or Special)

at the office of \_\_\_\_\_ with the following members present:

- Mr./Mrs. \_\_\_\_\_

Mr./Mrs. \_\_\_\_\_ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2017; and Year

WHEREAS, The Budget Commission of Richland County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Shelby

Richland County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A  
 SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET  
 COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to Be Derived from Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column I	Column II	III	IV
General Fund	\$218,400.00		2.00	
Police Pension	\$33,600.00		0.30	
Fire Pension	\$33,600.00		0.30	
Park Fund		\$168,000.00		1.50
Health Fund		\$202,700.00		1.90
<b>TOTAL</b>	<b>\$280,600.00</b>	<b>\$370,700.00</b>	<b>2.60</b>	<b>3.40</b>

**SCHEDULE B  
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND:</b>		
Current Expense Levy authorized by voters on for not to exceed years.		
<b>SPECIAL LEVY FUNDS:</b>		
Park Fund Levy authorized by voters on <b>March 6, 2012</b> for not to exceed 5 years. TY 12-16	0.50	\$168,000.00
Park Fund Levy authorized by voters on <b>November 4, 2014</b> for not to exceed 5 years. TY 15-19	1.00	
Health Fund Levy authorized by voters on <b>November 8, 2011</b> for not to exceed 5 years. TY 12-16	0.90	\$202,700.00
Health Fund Levy authorized by voters on <b>November 4, 2014</b> for not to exceed 5 years. TY 15-19	1.00	
Levy authorized by voters on for not to exceed years. TY		

and be it further

*RESOLVED*, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr./Mrs. \_\_\_\_\_ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr./Mrs. \_\_\_\_\_

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2016

Attest:

Clerk of Council

President of Council

CERTIFICATE OF COPY  
ORIGINAL ON FILE

The State of Ohio, Richland County, ss.

I, \_\_\_\_\_, Clerk of the Council of  
City of Shelby, in said County, and in whose custody the Files  
and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby  
certify that the foregoing is taken and copied from the original \_\_\_\_\_

now on file with said Board, that the foregoing has been compared by me with said original document,  
and that the same is a true and correct copy thereof.

WITNESS my signature, this \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Clerk of Council

City of Shelby of Richland County, Ohio

A copy of this resolution must be certified to the County Auditor within the time prescribed by O.R.C. Sec. 5705.84, or at such a later date as may be approved by the  
Board of Tax Appeals

No. \_\_\_\_\_

\_\_\_\_\_  
(CITY COUNCIL)

City of Shelby  
Richland County, Ohio.

\_\_\_\_\_  
RESOLUTION  
ACCEPTING THE AMOUNTS AND RATES  
AS DETERMINED BY THE BUDGET  
COMMISSION AND AUTHORIZING THE  
NECESSARY TAX LEVIES AND CERTIFYING  
THEM TO THE COUNTY AUDITOR.

\_\_\_\_\_  
(CITY COUNCIL)

\_\_\_\_\_  
Adopted \_\_\_\_\_, 2016

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Filed \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
County Auditor

By \_\_\_\_\_  
Deputy.



## CERTIFICATE OF THE COUNTY BUDGET COMMISSION

The Budget Commission of Richland County, Ohio, hereby makes the following Official Certificate of Estimated Resources for the City of Shelby, for the fiscal year beginning January 1, 2016

FUND	Unencumbered Balance January 1, 2016	Property Tax	Other Sources	Total
General Fund	\$ 68,667.00	\$ 213,400.00	\$ 4,261,100.00	4,543,167.00
Street Construction M & R	\$ 27.00	XXXXXXXXXXXX	\$ 450,000.00	450,027.00
State Highway	\$ 1,642.00	XXXXXXXXXXXX	\$ 32,000.00	33,642.00
Street Sales Tax	\$ 617.00	XXXXXXXXXXXX	\$ 88,500.00	89,117.00
City Income Tax	\$ 33,420.00	XXXXXXXXXXXX	\$ 3,500,000.00	3,533,420.00
Health	\$ 259,090.00	\$ 202,700.00	\$ 47,000.00	508,790.00
Park	\$ 6,238.00	\$ 168,000.00	\$ 87,000.00	261,238.00
Rehab Escrow Trust	\$ 1,716.00	XXXXXXXXXXXX	\$ 2,505.00	4,221.00
Court Probation	\$ 301.00	XXXXXXXXXXXX	\$ 19,000.00	19,301.00
BMV Reinvestment	\$ 7,890.00	XXXXXXXXXXXX	\$ 150.00	8,040.00
Law Enforcement Trust	\$ 11,047.00	XXXXXXXXXXXX	\$ 8,500.00	19,547.00
Court I.D.A.T.	\$ 61,002.00	XXXXXXXXXXXX	\$ 5,000.00	66,002.00
Court Enforcement & Education	\$ 9,219.00	XXXXXXXXXXXX	\$ 1,200.00	10,419.00
D.A.R.E.	\$ 514.00	XXXXXXXXXXXX	\$ 2,500.00	3,014.00
Court Computerization	\$ 8,353.00	XXXXXXXXXXXX	\$ 8,500.00	16,853.00
Unclaimed Monies	\$ 506.00	XXXXXXXXXXXX	\$ 150.00	656.00
Police Computer	\$ 737.00	XXXXXXXXXXXX	\$ 4,000.00	4,737.00
Court IDAM Fund	\$ 23,610.00	XXXXXXXXXXXX	\$ 4,000.00	27,610.00
CDBG General	\$ 2,605.00	XXXXXXXXXXXX	\$ 120,000.00	122,605.00
Home Program	\$ -	XXXXXXXXXXXX	\$ 150,000.00	150,000.00
Ohio Housing Trust	\$ -	XXXXXXXXXXXX	\$ -	-
City Administration & Building	\$ 74.00	XXXXXXXXXXXX	\$ 5,700.00	5,774.00
Police Pension	\$ 13,484.00	\$ 33,600.00	\$ 164,000.00	211,084.00
Fire Pension	\$ 44,236.00	\$ 33,600.00	\$ 190,000.00	267,836.00
FEMA	\$ -	XXXXXXXXXXXX	\$ -	-
Fire Damage Fund	\$ 333.00	XXXXXXXXXXXX	\$ 8,000.00	8,333.00
Special Bond Retirement	\$ 254,482.00	XXXXXXXXXXXX	\$ 27,540.00	282,022.00
General Bond Retirement Reserve	\$ -	XXXXXXXXXXXX	\$ -	-
General Bond Retirement SSE	\$ 8,123.00	XXXXXXXXXXXX	\$ -	8,123.00
Light Debt Reserve	\$ 255,641.00	XXXXXXXXXXXX	\$ 650.00	256,291.00
<b>TOTALS Page 1</b>	<b>\$ 1,073,574.00</b>	<b>\$ 651,300.00</b>	<b>\$ 9,186,995.00</b>	<b>\$ 10,911,869.00</b>

RESOLUTION NO.: 59 -2016  
(Sponsor: Councilmember Martin)

**GIVING CONSENT/AUTHORIZATION TO THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO TO COMPLETE BRIDGE INSPECTION SERVICES WITHIN THE CITY OF SHELBY, OHIO.**

WHEREAS, Ohio Revised Code (ORC) § 723.54 requires all cities to inspect the bridges inside the municipality, except bridges on the state highway system or the county highway system; and

WHEREAS, the Ohio Department of Transportation has developed a program to assist the municipalities for bridge inspections; and

WHEREAS, it is in the interest of public health, safety, morals and general welfare of the citizens of the City of Shelby that consent and authorization be given to the Ohio Department of Transportation for bridge inspections.

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

Section 1: That the City of Shelby has determined the need for the following project:

Bridge Inspection Services, including, but not limited to bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development.

Section 2: That being in the public interest, the City of Shelby gives consent to the Director of Transportation to complete the above described project.

Section 3: That the City of Shelby shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).

Section 4: The City of Shelby agrees to pay 100% of the cost of those features which are not included in Exhibit A.

Section 5: That the City of Shelby agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

Section 6: That the Mayor as Director of Public Service is hereby empowered on behalf of the City of Shelby to enter into contracts with the Director of Transportation which may be necessary to complete the above described project.

Section 7: That all meetings and hearings concerning the adoption of the 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 8: 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  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

\_\_\_\_\_  
Gordon M. Eyster  
Director of Law

RESOLUTION NO.: 61 -2016  
(Sponsor: Councilmember Gates)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH JACKSON TOWNSHIP AND SHARON TOWNSHIP FOR THE USE OF A NEW GRASS FIRE TRUCK, AND DECLARING AN EMERGENCY.**

WHEREAS, The City of Shelby, Jackson Township, and Sharon Township desire to enter into an agreement for the use of a new One (1) Ton Pick Up Truck; and

WHEREAS, The City of Shelby shall own all right, title and interest in said truck; and

WHEREAS, The City of Shelby shall be responsible for all insurance and maintenance of said truck; and

WHEREAS, The City of Shelby will use said truck as necessary, pursuant to a Memorandum of Understanding between the City of Shelby, Jackson Township, and Sharon Township; 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 Safety be authorized to enter into said agreement.

**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 Mayor as Director of Public Service is hereby authorized to enter into the Memorandum of Understanding attached hereto.

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 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 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.: 62 -2016  
(Sponsor: Councilmember Gates)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PURCHASE A RED, FOUR WHEEL DRIVE, ONE (1) TON PICK UP TRUCK FROM DONLEY FORD OF SHELBY FOR THE SHELBY FIRE DEPARTMENT, FOR \$29,339.80, AND DECLARING AN EMERGENCY.**

WHEREAS, The Shelby Fire Department is in need of purchasing a new truck to be modified and used as a Grass Fire Truck; and

WHEREAS, Donley Ford of Shelby had the best quote for providing same; and

WHEREAS, The Shelby Fire Department shall trade in their 2003 Chevy Suburban LT that is obsolete, outdated and no longer needed for any municipal purpose and has a trade value of \$2,300.00 to be used towards the purchase of said truck; and

WHEREAS, the total cost of said truck is \$30,996.30, less trade in value of 2003 Chevy Suburban LT at \$2,300.00, for a total cost of \$29,339.80; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that said pickup trucks be purchased as soon as possible.

**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 Mayor as Director of Public Service shall be and is hereby authorized to purchase from Donley Ford of Shelby a Red, Four Wheel Drive, One (1) Ton Pickup Truck for the ongoing use by The Shelby Fire Department as set forth herein.

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 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

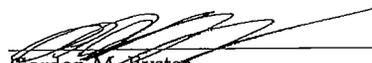
APPROVED:

ATTEST: \_\_\_\_\_

Steven T. Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Hyster  
Director of Law