

**Finance & Personnel Committee**  
**6:59pm-The Lord's Prayer & Moment of Silence**

**Shelby City Council Agenda**  
**Monday, April 17, 2017**  
**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 April 3, 2017**

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

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**

West Main Street Sanitary Sewer

Timetable for hiring a new Police Officer and Firefighter

**Legislation**

**ORDINANCE NO 7-2017**

**VACATING AN ALLEY RUNNING PERPENDICULAR OF  
SOUTH STREET BETWEEN LOTS 211 & 201 AND 210 & 202  
IN THE CITY OF SHELBY, OHIO**

**3RD READING**

Moved        2<sup>ND</sup>       

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

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>       

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

**AMENDED ORDINANCE NO 9-2017**

**AMENDING SECTION 1050.02 (RATES AND  
CHARGES FOR SERVICE) OF CHAPTER 1050  
ELECTRICITY OF THE CODIFIED ORDINANCES  
OF THE CITY OF SHELBY, OHIO**

**1ST READING**

Moved        2<sup>ND</sup>       

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

**RESOLUTION NO 10-2017**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OF THE CITY OF SHELBY, TO APPLY FOR THE HIGHWAY SAFETY IMPROVEMENT GRANT FOR INTERSECTION IMPROVEMENTS AT THE NORTH GAMBLE STREET AND WEST MAIN SMILEY AVENUE INTERSECTION AND DECLARING AN EMERGENCY**

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

**RESOLUTION NO 11-2017**

**NAMING THE SITE ON PROGRESS DRIVE WHERE THE CITY OF SHELBY INTENDS TO CONSTRUCT A PEAKING/EMERGENCY ELECTRIC GENERATING STATION**

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

3/20/2017  
2nd Reading  
4/3/2017

**ORDINANCE NO: 7-2017**  
**(Sponsor: Councilmember Gates)**

**VACATING AN ALLEY RUNNING PERPENDICULAR OF SOUTH STREET BETWEEN LOTS 211 & 201 AND 210 & 202 IN THE CITY OF SHELBY, OHIO.**

WHEREAS, on the 3<sup>rd</sup> day of January, 2017, the Council of the City of Shelby adopted Resolution No: 2-2017 and in so doing declared its intent to vacate an alley running perpendicular to South Street between Lots 211 & 201 and 210 & 202, within the City of Shelby; and

WHEREAS, a majority of the owners of property bounding and abutting upon said alley have submitted a "Petition to Vacate Street or Alley" to Council of the City of Shelby, Ohio, asking the alley to be vacated; and

WHEREAS, notice of the 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 28<sup>th</sup> day of February (said meeting and procedure being in accordance with the provisions of Section 105 of the charter of the City of Shelby) and voted unanimously to approve and recommend the vacation of an alley running perpendicular to South Street, between Lots 211 & 201 and 210 & 202, within the City of Shelby; 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 to South Street between lots 211 & 201 and 210 & 202 as shown on Exhibit A within the City of Shelby, 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: \_\_\_\_\_  
Steven T. Lifer  
Clerk of Council  
\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

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

AMENDED ORDINANCE NO: 9 -2017  
(Sponsors: Councilmembers Martin & McLaughlin)

**AMENDING SECTION 1050.02 (RATES AND CHARGES FOR SERVICE) OF CHAPTER 1050 ELECTRICITY OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO**

WHEREAS, it is necessary to modify Section 1050.02 (Rates and Charges for Service) of Chapter 1050 (Electricity) so as to continue to provide municipal electric service to the customers of the Division of Electricity and Telecommunications of the City of Shelby; 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 1050.02 (Rates and Charges for Service) of Chapter 1050 (Electricity) be amended and/or modified.

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

Section1: That section 1050.02 (Rates and Charges for Service) of Chapter 1050 (Electricity) be amended to read as follows:

**§ 1050.02 RATES AND CHARGES FOR SERVICE.**

(a) *Service schedules.*

(1) *Schedule A.*

A. *Availability of service.* Available for single phase electric service at 225 amps capacity (120–240 volts), maximum, through one meter to individual customers.

B. *Rates for service.*

1.	Customer charge	\$4.33
2.	Distribution charge all kWh	\$0.0195

C. *Riders.* Customers under this schedule shall be subject to the applicable Generation Charge, Fuel and Purchased Power and Transmission Cost Rider as specified in this tariff.

D. *Minimum charge.* The minimum charge shall be the customer charge.

E. *Terms of payment.* The net amount billed is due on the fifteenth day of the month.

(2) *Schedule A-D.*

A. *Availability of service.* Available for single phase electric service at 225 amps capacity (120–240 volts), maximum, through one meter to individual customers. In addition, customers under Schedule A-D must meet age, income and other prerequisites as determined by the Director of Public Service, subject to the approval of the City Council. Rates under this schedule for distribution charge and all riders, excluding customer charge and kWh taxes shall be reduced by 10% to eligible customers.

B. *Rates for service.*

1.	Customer charge	\$2.94
2.	Distribution charge all kWh	\$0.0176

C. *Riders.* Customers under this schedule shall be subject to the applicable Generation Charge, Fuel and Purchased Power and Transmission Cost Rider as specified in this tariff. The charges shall be discounted by 10%.

D. *Minimum charge.* The minimum charge shall be the customer charge.

E. *Terms of payment.* The net amount billed is due on the fifteenth day of the month.

(3) *Schedule B.*

B. *Rates for service.*

1.	Customer charge (single phase)	\$5.57
2.	Customer charge (three phase)	\$7.73
3.	Customer charge (primary)	\$12.99
4.	Distribution charge all kWh	\$0.0121
5.	Demand charge all kWh	\$4.64

C. *Riders.* Customers under this schedule shall be subject to the applicable Generation Charge, Fuel and Purchased Power and Transmission Cost Rider as specified in this tariff.

D. *Minimum charge.* The minimum charge shall be the customer charge plus minimum demand charge.

E. *Demand.* The billing load for the month shall be the highest 15-minute integrated demand as determined by the instruments suitable for the purpose. Where energy is delivered through two meters, the monthly billing demand will be taken as the sum of the two demands separately determined. For purposes of billing, no demand shall be less than 16 kW.

F. *Terms of payment.* The net amount billed is due on the fifteenth day of the month.

G. *Credit for maintenance of primary service.* When the customer furnishes and maintains the complete substation equipment, including any and all transformers and/or switches and/or other apparatus necessary for the customer to take service at the voltage of the primary transmission or distribution line from which the customer is to receive service, a credit shall be applied as follows:

All delivery voltages: \$0.15/kVa

H. *Power factor.* The average power factor shall be determined for each month by comparing the kilowatt hours of power consumed during the month with the reactive power consumed during the month. When the average power factor, as determined by continuous measurement of lagging kVa is less than 90%, the billing demand (kVa) shall be determined by multiplying the maximum demand (kW) shown by the demand meter for the billing period, by the multiplier as indicated in the calculation below:

$$1 + (.9 - pf)$$

where:

pf = customer's power factor

(4) *Schedule C.*

A. *Availability of service.* Available for three-phase electric service over 200 kW capacity through one meter to individual customers. Rates, terms and conditions for service to customers with requirements other than previously stipulated shall be offered only by special contract.

B. *Rates for service.*

1.	Customer charge (Three Phase)	\$10.52
2.	Customer charge (primary)	\$20.08
3.	Distribution charge all kWh	\$.0082
4.	Demand charge all kWh	\$2.47

C. *Riders.* Customers under this schedule shall be subject to the applicable Generation Charge, Fuel and Purchased Power and Transition Cost Rider as specified in this tariff.

D. *Minimum charge.* The minimum charge shall be the customer charge plus minimum demand charge.

E. *Demand.* The billing load for the month shall be the highest 15-minute integrated demand as determined by the instruments suitable for the purpose. Where energy is delivered through two meters, the monthly billing demand will be taken as the sum of the two demands separately determined. For purposes of billing, no demand shall be less than 81 kW.

F. *Terms of payment.* The net amount billed is due on the fifteenth day of the month.

G. *Credit for maintenance of primary service.* When the customer furnishes and maintains the complete substation equipment, including any and all transformers and/or switches and/or other apparatus necessary for the customer to take service at the voltage of the primary transmission or distribution line from which the customer is to receive service, a credit shall be applied as follows:

All delivery voltages: \$0.15/kVa

H. *Power factor.* The average power factor shall be determined for each month by comparing the kilowatt hours of power consumed during the month with the reactive power consumed during the month. When the average power factor, as determined by continuous measurement of lagging kVars, is less than 90%, the billing demand (kVa) shall be determined by multiplying the maximum demand (kW), shown by the demand meter for the billing period, by the multiplier as indicated in the calculation below:

$$1 + (.9 - pf)$$

where:

pf = customers' power factor

(5) *Schedule D.*

A. *Availability of service.* Available for electrical energy used for city-owned and operated facilities.

B. *Rates for service*

1.	Customer charge	\$9.28
2.	Distribution charge all kWh	\$0.0121

C. *Riders.* Customers under this schedule shall be subject to the applicable Generation Charge, Fuel and Purchased Power and Transmission Cost Rider as specified in this tariff.

D. *Unbilled service.* Service shall be provided without charge to the following facilities: Shelby City Hall, Shelby Municipal Court, Police Department, Sutter-Roush Rooms, Municipal Utilities Office, Fire Department, Marvin Memorial Library, Parks Department, Electric Distribution Department, Municipal Light Plant, Municipal Garage, Skiles Field, Girl Scouts' House, Log Cabin and Siegfried Field. Services shall be provided without charge for public street lighting and traffic-control devices.

(6) *Security light service.*

A. *Availability of service.*

1. Available to customers where utility's standard outdoor lighting unit can be installed on utility's existing pole and does not require any extension or addition to utility's existing secondary or primary distribution facilities, including transformer. Any relocation of a lighting unit shall be at customer's expense.
2. Where additional facilities are required, the customer shall pay, in advance, the total installation cost for the additional distribution facilities (poles, wires, transformer and appurtenances) as are required. In all cases, the lighting fixture itself, including lamp, will be installed, owned, operated and maintained by utility.
3. This service is available only where there is reasonable assurance that the service to be furnished will be permanent. Utility reserves the right to refuse to furnish such service when, in utility's opinion, the installation will not be of permanent character.
4. All applications for outdoor security lighting service shall be on a 12-month year-round service basis. Where the premises are occupied by a tenant, utility reserves the right to require the application for service to be made by the property owner with bills to be sent to the premises to the attention of the tenant. However, the property owner shall be responsible for the payment of the bills.

B. *Rates for service.*

1.	40 watt LED	\$5.50
2.	100 watt high pressure sodium	\$5.50
3.	175 watt mercury vapor	\$7.50
4.	400 watt metal halide	\$17.50
5.	1,000 watt metal halide	\$43.00

C. *Additional facilities.* Where a pole is installed in order to provide service under this schedule, the customer shall be charged \$1.00 per month in addition to the rate for service.

(b) *Generation Charges, Fuel and Purchased Power, and Transition Cost Rider.*

The Transition Cost Rider, Generation Charge and Fuel and Purchased Power Charge shall be applied to the A, A-D, B, C and D Schedules. The rate design of the generation charge and fuel and purchased power charge may be changed from time to time as approved by Council.

(1) *Generation charge.* The generation charge shall be \$0.0062 kWh

(2) *Determination of fuel and purchased power charge.* The Fuel and Purchased Power Charge shall be derived every three months 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").

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

(3) *Determination of Transition Cost Rider.*

A. The Transition Cost Rider shall be calculated and implemented upon the offering of Open Access Service.

B. Transition costs shall be calculated yearly. Transition costs are generally defined as the difference between purchased power costs of those sources where construction costs, market price at the time of contractual obligation, and/or other factors may cause the fixed and/or average cost of that power to be significantly higher than average market prices. The Transition Cost Rider may be adjusted each year based on projected market price, average cost of power from transition cost sources, fixed costs of contracted power supply, implementation costs of the offering of Open Access Service, and sales of the previous year. A reconciliation of over or under recovery of transition costs is taken forward to the next year as a debit or credit to transition costs. Projected transition cost recovery is allocated between demand and energy costs and credited to total demand and energy costs of generation. This credit ensures that there will be no double recovery of transition costs.

(4) *Project development and construction rider.* The rates and charges set forth in the current city electric rate schedule may be increased for the purpose of providing funding for the city's share of the developmental and/or construction costs associated with projects undertaken by the city independently or in conjunction with a third party in furtherance of the city's goal to provide the city's electric utility consumers with the most economic, environmentally sound and reliable source(s) of power.

(c) *Economic Development Incentive Rate*

(1) Applicable to commercial and industrial customers

(a) To qualify, a new or existing customer shall meet the following criteria;

(1) New commercial customers shall have a demand of at least 20 kW. Existing commercial customers shall add a demand of at least 20 kW.

(2) New industrial customers shall have a demand of at least 200 kW. Existing industrial customers shall add a demand of at least 200 kW.



(3) New commercial customers shall employ at least two (2) employees. Existing commercial customers shall add at least two (2) additional employees.

(4) New industrial customers shall employ at least five (5) employees. Existing industrial customers shall add at least five (5) additional employees.

(5) Shall be classified as manufacturing, warehousing, distribution, information and technology, finance, insurance, professional, scientific services, administrative services, educational services, health care services, lodging, food services, and etc.

(6) New or existing customers shall pay a minimum \$2000 annual income tax contribution to the City of Shelby.

(2) The economic development incentive rate shall not exceed five (5) years in duration. A year is defined as; twelve consecutive months from when the incentive rate was implemented to the utility account.

(3) The five (5) year economic development incentive rate shall be as follows:

Year 1 – Wholesale Quarterly Fuel & Purchase Power cost less \$0.010, minimum demand charge, generation charge, distribution charge, customer charge, and kWh tax.

Year 2 – Wholesale Quarterly Fuel & Purchase Power cost less \$0.0075, minimum demand charge, generation charge, distribution charge, customer charge, and kWh tax.

Year 3 – Wholesale Quarterly Fuel & Purchase Power cost less \$0.005, minimum demand charge, generation charge, distribution charge, customer charge, and kWh tax.

Year 4 – Wholesale Quarterly Fuel & Purchase Power cost less \$0.0025, minimum demand charge, generation charge, distribution charge, customer charge, and kWh tax.

Year 5 – Wholesale Quarterly Fuel & Purchase Power cost, generation charge, minimum demand charge, distribution charge, customer charge, and kWh tax.

Year 6 - current retail rate

(4) The Director of Public Service or his/her designator shall have the right to terminate a customer's economic development incentive rate before the full term for just cause.

(5) The Director of Public Service or his/her designator shall determine if a new or existing customer will qualify for the economic development incentive rate if the account does not meet all of the criteria.

(d) *Miscellaneous charges (applicable to all customers).*

(1) *Reconnection charge.* When a customer has previously requested a disconnect and desires to be reconnected at the same address, or if a reconnection is made subsequent to a service disconnection made in violation of provisions of these rules and regulations, a reconnection charge of \$30.00 will be made if the reconnection is made during regular business hours. If the reconnection is requested and made after regular business hours, the charge is \$80.00.

(2) *Late payment charge.* If a bill payment is not received by the utility offices or by the utility's authorized agent on or before the specified payment date (the fifteenth of the month), a one-time, additional amount of 5% of the amount of the bill will become due and payable as part of the customer's total obligation. If the fifteenth of the month falls on a Sunday or holiday where there is no postal service, the specified payment shall be the next business day from the fifteenth.

(3) *Dishonored check charge.* Whenever a customer pays a bill by check and the check is returned to the utility by the customer's financial institution for lack of sufficient funds in the customer's account, the customer will be assessed a dishonored check charge of \$25.00 for each check returned.

(4) *Meter test charge.* The utility shall test the meter at the request of the customer. The test shall be performed in the presence of the customer if he or she so requests. If the meter is found to be correct, the customer shall pay a fee of \$10.00 for the testing.

(5) *Service fee.* All service rendered to customer's equipment will be billed to the customer for labor and material required on the basis of cost plus 10% at the time of service.

(6) *Application fee.* An application fee of \$5.00 shall be assessed to customers at the time of application for service.

(d) *Kilowatt-hour tax adjustment.* The rates and charges set forth in the current city electric rate schedules shall be increased by an amount equal to the kilowatt-hour tax imposed on the city's electric distribution system under R.C. § 5727.81. The increase shall become effective with the bills that include May 1, 2001, as part of the usage period and shall thereafter be automatically adjusted to reflect any change in the kilowatt-hour tax imposed by R.C. § 5727.81 increase in the current schedule that reflects the following:

- (1) For the first 2,000 kWh delivered, the tax rate shall be \$0.00465 per kWh delivered.
- (2) For the next 2,001 to 15,000 kWh delivered, the tax rate shall be \$0.00419 per kWh.
- (3) For any kWh above 15,000, the tax rate shall be \$0.00363.

Section 2: That all other Sections of Chapter 1050 (Electricity) of the Codified Ordinances of the City of Shelby 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: \_\_\_\_\_

Steven T. Lifer  
Clerk of Council

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

Prepared by:

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

(Ord. 16-2001, passed 5-8-2001; Ord. 33-2001, passed 8-20-2001; Ord. 49-2003, passed 12-1-2003; Ord. 28-2004, passed 9-20-2004; Ord. 18-2005, passed 6-6-2005; Ord. 12-2006, passed 6-5-2006; Ord. 14-2008, passed 5-5-2008; Ord. 31-2008, passed 9-15-2008)

RESOLUTION NO: 10 -2017  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE, OF THE CITY OF SHELBY, TO APPLY FOR THE HIGHWAY SAFETY IMPROVEMENT GRANT FOR INTERSECTION IMPROVEMENTS AT THE NORTH GAMBLE STREET AND WEST SMILEY AVENUE INTERSECTION AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Department of Transportation provides financial assistance for safety improvements through the Highway Safety Improvement Grant; and

WHEREAS, the City of Shelby desires financial assistance under the Highway Safety Improvement Grant Program to make intersection improvement; 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 of City of Shelby apply for a Highway Safety Improvement Grant.

**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 City of Shelby Council approves an application for financial assistance for intersection improvements.

Section 2: That the Mayor as Director of Public Service is hereby authorized and directed to execute and file an application with the Ohio Department of Transportation and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project.

Section 4: 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 5: 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  
Director of Finance

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

Prepared by:

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

**RESOLUTION NO: 11 -2017**  
(Sponsor: Councilmembers Martin & Roberts)

**NAMING THE SITE ON PROGRESS DRIVE WHERE THE CITY OF SHELBY INTENDS TO CONSTRUCT A PEAKING/EMERGENCY ELECTRIC GENERATING STATION.**

WHEREAS, the City of Shelby purchased land on Progress Drive with intent to construct a peaking / emergency electric generating station; and

WHEREAS, the site is required to have a proper name for identification.

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

Section 1: That the site on Progress Drive intended to be utilized for peak / emergency electric generation, shall be known as the " Progress Drive Generation Station".

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 T. Lifer  
Director of Finance

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

Prepared by:

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