

Shelby City Council Agenda
Monday, August 17, 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 August 3, 2015

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

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

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

Legislation

ORDINANCE NO 26-2015

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

3RD READING

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

ORDINANCE NO 31-2015

**AMENDING SECTION 1050.02 (RATES AND CHARGES
FOR SERVICE)**

2ND READING

Moved _____ 2ND _____

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

ORDINANCE NO 32-2015

**DECLARING THAT CERTAIN PROPERTY OWNED BY
THE CITY OF SHELBY IS NO LONGER NEEDED FOR
MUNICIPAL PURPOSES AND DESIGNATING THE
COMMUNITY IMPROVEMENT CORPORATION OF
SHELBY, OHIO, INC. AS THE CITY'S AGENT IN THE
SALE OF SAID REAL PROPERTY**

1ST READING

Moved _____ 2ND _____

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

**ORDINANCE NO 33-2015 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. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

PASSAGE OF ORDINANCE

Moved 2ND
Mr. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

**ORDINANCE NO 34-2015 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. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

PASSAGE OF ORDINANCE

Moved 2ND
Mr. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

**ORDINANCE NO 35-2015 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. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

PASSAGE OF ORDINANCE

Moved 2ND
Mr. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

**ORDINANCE NO 36-2015 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. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

PASSAGE OF ORDINANCE

Moved 2ND
Mr. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

ORDINANCE NO 37-2015

**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. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

PASSAGE OF ORDINANCE

Moved 2ND

Mr. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

RESOLUTION 36-2015

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO ENTER INTO AN ATTORNEY CLIENT
RETAINER AGREEMENT WITH WESTON HURD, LLP,
FOR CONSULTATION AND ADVICE REGARDING
CONTRACTS BETWEEN THE CITY OF SHELBY AND
AMERICAN MUNICIPAL POWER (AMP)**

Moved 2ND

Mr. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

RESOLUTION NO 37-2015

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO ENTER INTO AN AGREEMENT WITH CT
CONSULTANTS, INC FOR ENGINEERING SERVICES
(DESIGN AND BIDDING PHASES) FOR THE WASTE
WATER TREATMENT PLANT IMPROVEMENT PROJECT**

Moved 2ND

Mr. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

RESOLUTION NO 38-2015

**APPROVING THE PLANS AND AUTHORIZING THE
MAYOR AS DIRECTOR OF PUBLIC SERVICE TO
ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT
FOR THE CITY OF SHELBY 2015 WATERLINE
REPLACEMENT PROJECT**

Moved 2ND

Mr. Gates Mr. McLaughlin Mrs. Carlisle Mr. Roberts

RESOLUTION NO 39-2015

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO SIGN A PURCHASE AGREEMENT ON BEHALF OF THE CITY OF SHELBY POLICE DEPARTMENT FOR THE PURCHASE OF A COMMUNICATION AND OFFICER MANAGEMENT SUITE OF SOFTWARE PACKAGE FROM SUNDANCE SYSTEMS, INC., AND DECLARING AN EMERGENCY

Moved _____ 2ND _____
Mr. Gates _____ Mr. McLaughlin _____ Mrs. Carlisle _____ Mr. Roberts _____

Miscellaneous Business

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

1st Reading
7/20/2015
2nd Reading
18/3/2015

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

**VACATING AN ALLEY RUNNING PERPENDICULAR 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: _____
Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

1st Reading
8/3/2015

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 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").

Previous 12 months' cost (numerator)		Fuel /
Previous 12 months' net kWh ×	=	Purchased
0.94 (denominator)		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: _____
Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 32 -2015
(Sponsors – Councilmembers Gates and Carlisle)

DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY OF SHELBY IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY, OHIO, INC. AS THE CITY'S AGENT IN THE SALE OF SAID REAL PROPERTY.

WHEREAS: The City of Shelby owns parcels of land on Park and Mack Avenues within said City which the Mayor as ex-officio Director of Public Service on July 29, 2015, determined are no longer needed for municipal purposes; and

WHEREAS: Ohio Revised Code Section 721.03 authorizes the Council to declare that these properties are not longer needed for municipal purposes, and Ohio Revised Code Section 1724.10 authorizes the Council to designate the community improvement corporation as its agent for the sale of lands which have been determined not to be required by the political subdivision for its purposes; 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 parcels be declared no longer needed for municipal purposes and that the Community Improvement Corporation of Shelby, Ohio, Inc. be designated the agent of the City for the sale of the parcels of land located at 15 Park Avenue and at the southwest corner of Mack and Park Avenues.

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

Section 1: That the following real estate, designated as Permanent Parcel No. 046-08-186-10-000 and located at 15 Park Avenue, is no longer needed for any municipal purpose, to wit:

Being the East part of Lots Number One Thousand Two Hundred Ninety-nine (#1299), One Thousand Three Hundred (#1300) and One Thousand Three Hundred One (#1301) of the consecutively numbered lots in the City of Shelby, Richland County, Ohio and more particularly described as follows: Beginning for the same at a point which is the intersection of the East right-of-way line of Park Avenue and the South right-of-way line of Park Avenue and which point is the Northwest corner of Lot No. 1299; Thence North 88 degrees 55 minutes 15 seconds East along the South right-of-way line of Park Avenue (North line of Lot No. 1299) a distance of 96.00 feet to an iron pipe which is the real point of beginning of the parcel herein described; Thence continuing North 88 degrees 55 minutes 15 seconds East along the South right-of-way line of Park Avenue (North line of Lot No. 1299) a distance of 41.82 feet to point on the West right-of-way line of a twelve-foot alley and which point is also the Northeast corner of Lot No. 1299; Thence due South along the West right-of-way line of said alley a distance of 133.00 feet, of which 41.50 feet are along the East line of Lot No. 1299, 41.50 feet are along the East line of Lot no. 1300, and 50.00 feet are along the East line of Lot No. 1301, to a point which is the Southeast corner of Lot No. 1301; Thence South 88 degrees 55 minutes 15 seconds West along the South line of Lot No. 1301, a distance of 42.41 feet to an iron pipe; Thence North 0 degree 15 minutes 15 seconds East on a line parallel to the East right-of-way line of Park Avenue a distance of 133.00 feet, of which 50.00 feet are in Lot No. 1301, 41.50 feet are in Lot No. 1300, and 41.50 feet are in Lot No. 1299, to an iron pipe which is the real point of beginning and containing 0.129 acre, more or less, but subject to all legal easements now on record.
PPN: 06-08-186-10-000

Section 2: That the following real estate designated as Permanent Parcel Nos. 046-08-186-11-000 and 046-08-186-14-000 and located at the southwest corner of Mack and Park Avenues, is no longer needed for any municipal purpose, to wit:

Being Lot Number One Thousand Three Hundred Sixteen (#1316) of the consecutively numbered lots in the City of Shelby, Richland County, Ohio and being more particularly described as follows: Beginning for the same at a point which is the intersection of the South right-of-way line of Park Avenue and the Southwest right-of-way line of Mack Avenue; Thence South 43 degrees 47 minutes 30 seconds East along the Southwest right-of-way line of Mack Avenue (Northeast line of Lot No. 1316) a distance of 110.07 feet to a point; Thence due South along the West line of Mack Avenue (East line of Lot No. 1316) a distance of 2.12 feet to a point which is the Southeast corner of Lot No. 1316; Thence South 88 degrees 55 minutes 15 seconds West along the South line of Lot No. 1316, a distance of 154.00 feet to a point on the East right-of-way line of a twelve-foot alley and which point is also the Southwest corner of Lot No. 1316; Thence due North along the East right-of-way line of said alley (West line of Lot No. 1316) a distance of 83.00 feet to a point on the South right-of-way line of Park Avenue and which is the Northwest corner of Lot No. 1316; Thence North 88 degrees 55 minutes 15 seconds East along the South right-of-way line of Park Avenue (North line of Lot No. 1316) a distance of 77.82 feet to a point which is the real point of beginning and containing 0.223 acre, more or less, but subject to all legal easements.

PPN: 06-08-086-11-000 and 046-08-186-14-000

Section 3: That the City designate the Community Improvement Corporation of Shelby, Ohio, Inc. (CIC) as its agent in the sale of the above described real property in accordance with Ohio Revised Code Section 1724.10(B), subject to the following conditions:

- A. Said real property shall be sold for not less than the appraised value as determined by the Richland County Auditor.
- B. Said real property shall be in contract to sell within six months of the effective date of this Ordinance.
- C. The CIC shall have the exclusive right to sell said real property within six months of the effective date of this Ordinance.
- D. The CIC may retain a sum not greater than six percent (6%) of the sale price.
- E. A quit-claim deed shall be used to transfer said real property.
- F. Said real property shall be sold "as is - where is" with no warranties whatsoever, either expressed or implied.

Section 4: That the Director of Finance and Public Record shall deposit the net proceeds from the sale of said real property into the General Fund.

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.

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

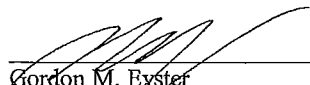
APPROVED:

ATTEST:

Steve Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Byster
Director of Law

ORDINANCE NO. 33 -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	402-SIF-630	SEWER REPAIRS	\$40,000.00
TO	402-SIF-500	ENGINEERING	\$40,000.00

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: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 34 -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	501-WTP-623	WATER PLANT CONST	\$25,000.00
TO	501-WTP-500	ENGINEERING	\$25,000.00

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: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 35 -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

401-SCI-500	ENGINEERING	\$520,000.00
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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: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 36 -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

502-WCI-500	ENGINEERING	\$ 10,000.00
502-WCI-536	CONSTRUCTION	\$197,000.00

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: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 37 -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-OFC-576	ELECTRIC DUES	\$20,000.00
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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: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by: _____

Gordon M. Eyster
Director of Law

RESOLUTION NO. 36-2015
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ATTORNEY CLIENT RETAINER AGREEMENT WITH WESTON HURD, LLP, FOR CONSULTATION AND ADVICE REGARDING CONTRACTS BETWEEN THE CITY OF SHELBY AND AMERICAN MUNICIPAL POWER (AMP).

WHEREAS, it is necessary for the City of Shelby to retain outside counsel for purposes of reviewing the City's Prairie State Energy Campus, AMP Combined Hydroelectric Project (Smithland, Cannelton, Willow Island), and Meldahl and Greenup Hydroelectric Purchase Power contracts; and

WHEREAS, in order to proceed with the dispute it is necessary that the law firm of Weston Hurd, LLP be retained to protect the rights of the City of Shelby.

WHEREAS, it is in the best interest of public health, safety, morals and general welfare of the citizens of the City of Shelby, to enter into an attorney client retainer agreement for legal services with Weston Hurd, LLP.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into an attorney client agreement with Weston Hurd, LLP, for legal representation with regard to its contract(s) with American Municipal Power (AMP) including Prairie State Energy Campus, AMP Combined Hydroelectric Project (Smithland, Cannelton, Willow Island), and Meldahl and Greenup Hydroelectric Purchase Power contracts.

Section 2: 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 3: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____
Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 37-2015
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH CT CONSULTANTS, INC. FOR ENGINEERING SERVICES (DESIGN AND BIDDING PHASES) FOR THE WASTE WATER TREATMENT PLANT IMPROVEMENT PROJECT.

WHEREAS, the administration of the City of Shelby has completed the steps required by Ohio Revised Code Sections 153.65-153.71 for professional design services; and

WHEREAS, in order to proceed with the engineering for the Waste Water Treatment Plant Improvement Project, it is necessary that preliminary and final design be prepared and bidding services be completed.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into an agreement with CT Consultants, Inc. for preliminary and final design; and to perform bidding services for the Waste Water Treatment Plant Improvement Project.

Section 2: 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 3: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 38-2015
(Sponsor: Councilmember Martin)

APPROVING THE PLANS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CITY OF SHELBY 2015 WATERLINE REPLACEMENT PROJECT.

WHEREAS, it has become necessary to replace existing waterlines on the City's system; and

WHEREAS, plans and specifications have been prepared for said project; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Service be authorized to advertise for bids and enter into a contract for the improvements herein above described.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for the City of Shelby 2015 Waterline Replacement Project.

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

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

PASSED: _____

Steven D. McLaughlin
Vice President of Council

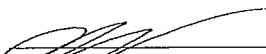
APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 39-2015
(Sponsor: Councilmember Carlisle)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO SIGN A PURCHASE AGREEMENT ON BEHALF OF THE CITY OF SHELBY POLICE DEPARTMENT FOR THE PURCHASE OF A COMMUNICATION AND OFFICER MANAGEMENT SUITE OF SOFTWARE PACKAGE FROM SUNDANCE SYSTEMS, INC., AND DECLARING AN EMERGENCY.

WHEREAS, The Shelby Police Department is in need of upgrading its Communications and Officer Management Software which includes computer aided dispatch, records maintenance, and mobile computing; and

WHEREAS, due to the cost of the system, the Shelby Police Department will be sharing this system and its cost with the City of Ontario and the Village of Lexington; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby, Ohio, that the Mayor, as Director of Public Safety, be authorized to purchase the records management system.

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 Safety is hereby authorized to sign the purchase agreement, on behalf of the Police, with Sundance Systems, Inc., for the purchase of the Communications and Officer Management Suite Software Package.

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