

6:59pm-The Lord's Prayer & Moment of Silence

Shelby City Council Agenda

Monday, August 19, 2019

COUNCIL CHAMBERS

29 MACK AVENUE

Shelby, Ohio

7:00 p.m.

Call to Order and Pledge of Allegiance

Roll Call:

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

Dispense with Reading of Journal from August 5, 2019

Moved _____ 2ND _____

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

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

Future Use of Main Street Fire Station

Live streaming of Council meetings

Legislation

ORDINANCE NO 22-2019

**AMENDING SECTION 238.01 (ESTABLISHMENT
AND MEMBERSHIP) OF CHAPTER 238 (POLICE
DEPARTMENT) OF THE CODIFIED ORDINANCES
OF THE CITY OF SHELBY**

2ND READING

Moved _____ 2ND _____

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

RESOLUTION NO 34-2019

**AUTHORIZING THE MAYOR AS DIRECTOR OF
PUBLIC SERVICE TO INSTALL A VINYL COATED
CHAIN LINK FABRIC FENCE ON THE WEST
WHITNEY AVENUE OVERHEAD BRIDGE**

Moved _____ 2ND _____

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

RESOLUTION NO 42-2019

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER WITH NORTH BAY CONSTRUCTION, INC FOR THE WASTE WATER TREATMENT PLANT IMPROVEMENT PROJECT AS AN INCREASE AND DECLARING AN EMERGENCY

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

RESOLUTION NO 43-2019

ADOPTING THE MAIN STREET CORRIDOR PLAN CREATED BY THE PATH FORWARD DIVISION OF THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OF THE CITY OF SHELBY TO APPLY FOR FEDERAL FUNDING FROM THE RICHLAND COUNTY REGIONAL PLANNING FOR DOWNTOWN ENHANCEMENTS

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

RESOLUTION NO 44-2019

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO SIGN CONTRACTS FOR THE OHIO ENVIRONMENTAL PROTECTION AGENCY WATER POLLUTION CONTROL LOAN FUND PROGRAM AND DECLARING AN EMERGENCY

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

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

1st Reading
8/5/2019

ORDINANCE NO. 22 -2019
(Sponsors: Councilmembers Gates and Roberts)

AMENDING SECTION 238.01 (ESTABLISHMENT AND MEMBERSHIP) OF CHAPTER 238 (POLICE DEPARTMENT) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, Shelby Ordinance 238.01 provides for Shelby City Schools to pay 100% of all training cost or expense; 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 238.01 be amended for such costs to be paid in proportionate share between Shelby City Schools and the City of Shelby.

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

Section 1: That Section 238.01 of the Codified Ordinances of the City of Shelby be amended to read as follows:

238.01 ESTABLISHMENT; MEMBERSHIP.

There is hereby established a Police Department for the City, to consist of the following officers and personnel and such other officers and personnel as Council shall from time to time determine:

- (1) One (1) Chief of Police;
- (2) Two (2) police captains;
- (3) Three (3) police sergeants;
- (4) Eleven (11) police patrol officers, two (2) of which shall be school resource officers. The hiring and continued employment of said resource officers shall be contingent upon active contracts in partnership with the Board of Education of the Shelby City School District and the Board of Education of the Pioneer Career & Technology Center, wherein each board will immediately pay or reimburse the City 75% of all cost, expense, pension, retirement, health benefit, insurance, or any other cost or expense associated with said school resource officer as well as a proportional share of all training cost or expense associated with said school resource officer. If a board fail for any reason whatsoever to pay or reimburse the City as contemplated herein, the School Resource Officer's position for that district shall be immediately terminated, unless otherwise modified by Council. Further, said positions are contingent upon any collective bargaining agreement between the City and Fraternal Order of Police Lodge No. 180 acknowledging and approving the terms contained herein as well as with any contract or agreement with each board; and
- (5) Four (4) police dispatchers.

Section 2: That all other sections of Chapter 238 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.

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

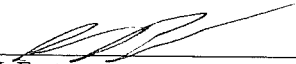
APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 34 -2019
(Sponsor: Councilmember Gates)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO INSTALL A VINYL COATED CHAIN LINK FABRIC FENCE ON THE WEST WHITNEY AVENUE OVERHEAD BRIDGE.

WHEREAS, there are community benefits of purchasing and installing a fence on the West Whitney Avenue overhead bridge to help prevent individuals from self harm; and

WHEREAS, Seaman's Custom Fence has provided a quote of \$15,950 for the materials and installation of said fence; 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 fulfill the desire to install a fence on the West Whitney Avenue Bridge over the CSX railroad tracks.

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 conduct business with Seaman's Custom Fence or another qualified fencing company for the installation of a vinyl coated chain link fabric fence on the West Whitney Avenue Bridge.

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. Eyster
Director of Law

RESOLUTION NO. 42 -2019
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER WITH NORTH BAY CONSTRUCTION, INC FOR THE WASTE WATER TREATMENT PLANT IMPROVEMENT PROJECT AS AN INCREASE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby has entered into a contract with North Bay Construction, Inc. for the Waste Water Treatment Plant Improvement Project, and said contract provides for a written change order; and

WHEREAS, it has become necessary to make additions to the Waste Water Treatment Plant Expansion Project and adjust the contract as detailed in the attached Change Order #29; 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 this change order be approved.

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 enter into Contract Change Order with North Bay Construction, Inc. for the total amount of Thirty-Seven Thousand Eighty-Eight and 57/100 Dollars (\$37,088.57) as an increase.

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

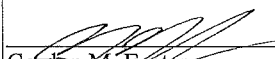
APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 43-2019
(Sponsor: Councilmember Martin)

ADOPTING THE MAIN STREET CORRIDOR PLAN CREATED BY THE PATH FORWARD DIVISION OF THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OF THE CITY OF SHELBY TO APPLY FOR FEDERAL FUNDING FROM THE RICHLAND COUNTY REGIONAL PLANNING FOR DOWNTOWN ENHANCEMENTS.

WHEREAS, in consultation with the city administration, the Path Forward Division of the Community Improvement Corporation of Shelby has engaged the community and developed a Main Street Corridor Plan to improve aesthetics and traffic in the Central Business District; and

WHEREAS, the Richland County Regional Planning Commission is the Metropolitan Planning Organization for Richland County and administers federal funding said enhancements; 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 federal funding from the Richland County Regional Planning Commission.

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

Section 1: That the City of Shelby Council adopts the Main Street Corridor Plan created by the Path Forward Division of the Community Improvement Corporation of Shelby.

Section 2: That the Mayor as Director of Public Service is hereby authorized and directed to apply for funding from the Richland County Regional Planning Commission to implement said plan.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council

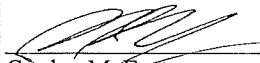
APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 44-2019
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO SIGN CONTRACTS FOR THE OHIO ENVIRONMENTAL PROTECTION AGENCY WATER POLLUTION CONTROL LOAN FUND PROGRAM AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Environmental Protection Agency provides financial assistance for sanitary sewer system replacement purposes through the Water Pollution Control Loan Fund; and

WHEREAS, the City of Shelby Health Department has received funding through this program; 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 of City of Shelby sign contracts for said 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 Mayor as Director of Public Safety is hereby authorized and directed to execute contracts with the Ohio Environmental Protection Agency and to provide all information and documentation as required per the program guidelines.

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. Eyster
Director of Law