

6:30pm Public Hearing

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

Shelby City Council Agenda

Monday, December 16, 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 _____

Motion to excuse Derrin Roberts

Moved _____ 2ND _____

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

Dispense with Reading of Journal from December 2, 2019

Moved _____ 2ND _____

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

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

MOTION TO CONFIRM THE APPOINTMENT OF PETE MORRIS TO THE BUILDING AND GROUND'S COMMISSION

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

MOTION TO CONFIRM THE APPOINTMENT OF JAMES A. MCCORMICK TO THE BUILDING AND GROUND'S COMMISSION

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

MOTION TO CONFIRM THE APPOINTMENT OF DARRELL SECREST TO THE BUILDING AND GROUND'S COMMISSION

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

MOTION TO CONFIRM THE APPOINTMENT OF JOE GIES TO THE COMMUNITY IMPROVEMENT COMMISSION (CIC)

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

MOTION TO CONFIRM THE APPOINTMENT OF KEVIN ERNST TO THE FLOODPLAIN MANAGEMENT COMMISSION

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

MOTION TO CONFIRM THE APPOINTMENT OF TODD SCHROEDER TO THE FLOODPLAIN MANAGEMENT COMMISSION

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

MOTION TO CONFIRM THE APPOINTMENT OF MONICA CIRATA TO THE HEALTH DEPARTMENT ADVISORY BOARD

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

MOTION TO CONFIRM THE APPOINTMENT OF STEVEN T. LIFER TO THE HEALTH DEPARTMENT ADVISORY BOARD

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

MOTION TO CONFIRM THE APPOINTMENT OF ED INGLE TO THE BOARD OF PARK COMMISSIONERS

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

MOTION TO CONFIRM THE APPOINTMENT OF DAVE DOWNS TO THE BOARD OF PARK COMMISSIONERS

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

Steven T. Lifer—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

MOTION TO REQUEST A LIQUOR HEARING FOR LIQUOR PERMIT ESTABLISHMENTS WITHIN THE CITY OF SHELBY

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

Moved by _____ seconded by _____ that, in accordance with Charter Sections 18 and 117, the bond of Brian Crum, Director of Finance and Public Record-elect, in the amount of \$100,000, conditioned upon the faithful performance and discharge of his duties, be approved

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

Unfinished Business

Future Use of Main Street Fire Station—ORC Section 721.01—Future letter in regard to real estate as needed or not needed for any municipal purpose

Exterior Property Maintenance—59 West Main Street

Legislation

ORDINANCE NO 36-2019

**AMENDING THE ZONING ORDINANCE
(ORDINANCE 1-91, PART 12, TITLE 6) OF THE
CODIFIED ORDINANCES OF THE CITY OF
SHELBY, OHIO TO CHANGE PERMANENT
PARCEL NUMBERS ON NORTH GAMBLE STREET
WHICH ARE DESIGNATED AT B-3 (HIGHWAY
SERVICE BUSINESS DISTRICT) TO I-2 (HEAVY
INDUSTRIAL AND MANUFACTURING DISTRICT)**

3RD READING

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 38-2019

**AMENDING ORDINANCE NO 7-2019 (ANNUAL
APPROPRIATIONS) AND DECLARING AN
EMERGENCY**

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

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 39-2019

**AMENDING AMENDED ORDINANCE NO 23-2015
(ESTABLISHING WAGES FOR DEPARTMENT
HEADS AND OTHER NON-CERTIFIED
EMPLOYEES) AND DECLARING AN EMERGENCY**

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

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

PASSAGE OF ORDINANCE

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

Miscellaneous Business

Adjournment at _____ p.m.

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

1st Reading
11/11/2019
2nd Reading
11/18/2019

ORDINANCE NO. 36 -2019
(Sponsor: Councilmembers Roberts and Roub)

AMENDING THE ZONING ORDINANCE (ORDINANCE 1-91, PART 12, TITLE 6) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO TO CHANGE PERMANENT PARCEL NUMBERS ON NORTH GAMBLE STREET WHICH ARE DESIGNATED AT B-3 (HIGHWAY SERVICE BUSINESS DISTRICT) TO I-2 (HEAVY INDUSTRIAL AND MANUFACTURING DISTRICT)

WHEREAS, an application for amendment to the city zoning code for the City of Shelby, Ohio was submitted by C.E. Holdings, LLC on October 10, 2019; and

WHEREAS, by authority of Codified Ordinances 1260.05, the Council of the City of Shelby has determined that permanent parcel numbers on North Gamble Street as located in the B-3 (Highway Service Business District) be zoned as I-2 (Heavy Industrial and Manufacturing District) property; and

WHEREAS, in accordance with Codified Ordinance 1260.05 the Council of the City of Shelby has determined that said amendment to the Zoning Ordinance is necessary; and

WHEREAS, the Planning Commission of the City of Shelby has reviewed the proposed amendment and has approved of same on October 22, 2019; and

WHEREAS, in accordance with mandates to 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 Ordinance number 1-91, Part 12, Title 6 be amended and that certain permanent parcel numbers on North Gamble Street be rezoned.

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

Section 1: That the zoning map attached to Ordinance Number 1-91 as passed on March 4, 1991 (with amendments) is hereby revised and amended by changing the following Richland County Permanent Parcel Numbers:

0460818713000 210 North Gamble Street
0460815403000 212 North Gamble Street
0460803402000 214 North Gamble Street

From B-3 (Highway Service Business District) to I-2 (Heavy Industrial and Manufacturing District)

Section 2: That the Clerk of Council and the Chairman of the Shelby Planning Commission are directed to make the necessary changes on the original zoning map of the City of Shelby, Ohio.

Section 3: That all other zones and designations currently on said map; not modified herein are to 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, 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

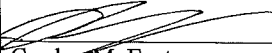
APPROVED:

ATTEST:

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO: 38 -2019
(Sponsor: Councilmember McLaughlin)

AMENDING ORDINANCE NO.: 7-2019 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY.

WHEREAS, on March 18, 2019, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code Section 5705.38; and

WHEREAS, it is necessary to increase line items within the 2019 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 2019 and so as to fund necessary expenditure 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: The Ordinance No. 7-2019 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

101 – CRT – 404	Clerk Wages	\$6,000.00
220 – TRS – 446	Transfer – General Fund	\$200,000.00
220 – TRS – 447	Transfer – Capital Improvement	\$6,600.00
220 – TRS – 466	Transfer – Streets	\$31,000.00
220 – TRS – 447	Transfer – Police/Court	\$55,000.00

Section 2: That all other portions of Ordinance No.: 7-2019, not modified expressly 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 220.21, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance is hereby deemed 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 McLaughlin
Vice President of Council

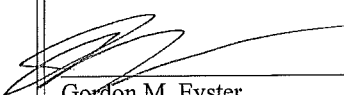
APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO: - 39 2019
(Sponsor: Councilmember McLaughlin)

**AMENDING AMENDED ORDINANCE 23-2015 (ESTABLISHING WAGES FOR
DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES) AND
DECLARING AN EMERGENCY.**

WHEREAS, on August 3, 2015, Amended Ordinance 23-2015 was passed in order to establish wages for department heads and other certified employees; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that Amended Ordinance 23-2015 be amended so as to adjust the annual salary and hourly wages ranges set forth therein for department heads, superintendents, and other non-certified employees.

**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 salary and wage ranges currently in effect for the positions set forth below are to be reviewed and/or amended and shall be as follows:

DEPARTMENT HEADS AND
SUPERINTENDENTS HOURLY WAGE RANGE

Chief of Police	\$32.00 - \$45.00
Fire Chief	\$32.00 - \$45.00
Superintendent of Electric Electric Distribution	\$25.00 - \$38.50
Superintendent of Municipal Light Plant	\$25.00 - \$38.50
Superintendent of Service Department	\$25.00 - \$38.50
Superintendent of Water Plant & Distribution	\$25.00 - \$38.50
Superintendent of Waste Water Treatment Plant & Sewers	\$25.00 - \$38.50

DEPARTMENT HEADS ANNUAL SALARY RANGE

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

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

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

City Project Coordinator	\$17.00 - \$33.50
Community and Economic Development Coordinator	\$15.00 - \$28.00
Utility Office Supervisor	\$17.00 - \$28.50
Deputy Director of Public Service And Utilities	\$25.00 - \$40.00
Assistant to Deputy Director of Public Service and Utilities	\$17.00 - \$27.00
Environmental Health Director/Sanitarian	\$17.00 - \$33.50
Nurse	\$13.00 - \$28.50
Probation Officer	\$13.00 - \$25.00
Secretary to the Mayor & Finance Director	\$13.00 - \$25.00
Administrative Assistant Finance	\$13.00 - \$22.00
Administrative Assistant Health	\$13.00 - \$22.00
Income Tax Clerk	\$13.00 - \$25.00
Secretary to the Law Director (part-time)	\$13.00 - \$23.00

Section 2: That wages and salaries shall not exceed the top value of these ranges.

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

Section 4: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.21, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 5: That this Ordinance is hereby deemed 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 Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law