

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

Shelby City Council Agenda

Monday, December 2, 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 Nathan Martin

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

Dispense with Reading of Journal from November 18, 2019

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Community & Economic Development Committee—Steve McLaughlin

Public Works & General Operation Committee—Charlie Roub

Reports of City Officials

Steven L. Schag—Mayor

MOTION TO CONFIRM THE APPOINTMENT OF TIFFINY ELLENBERGER AS DIRECTOR OF COMMUNITY HEALTH/NURSE

Moved _____ 2ND _____

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

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—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. Roub _____ Mr. Roberts _____ Mr. Gates _____ Mr. McLaughlin _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

ORDINANCE NO 37-2019

**CREATING TEMPORARY APPROPRIATIONS FOR
THE YEAR 2020 AND DECLARING AN
EMERGENCY**

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

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

PASSAGE OF ORDINANCE

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

RESOLUTION NO 57-2019

**AUTHORIZING THE MAYOR AS DIRECTOR OF
PUBLIC SERVICE TO AWARD CONTRACTS FOR
THE CITY HALL GENERATOR PROJECT**

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

RESOLUTION NO 58-2019

**AUTHORIZING THE MAYOR AS DIRECTOR OF
PUBLIC SAFETY OF THE CITY OF SHELBY TO
APPLY FOR THE FY 20 MARCS (MULTI-AGENCY
RADIO COMMUNICATIONS SYSTEM) GRANT
FROM THE OHIO DEPARTMENT OF COMMERCE,
DIVISION OF STATE FIRE MARSHAL, FOR THE
PURCHASE OF MARCS RADIO EQUIPMENT AND
DECLARING AN EMERGENCY**

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

RESOLUTION NO 59-2019

AUTHORIZING THE MAYOR OF THE CITY OF
SHELBY TO ENTER INTO CONTRACTS WITH THE
SHELBY CITY SCHOOLS AND PIONEER CAREER
AND TECHNOLOGY CENTER FOR THE
EMPLOYMENT OF SCHOOL RESOURCE
OFFICERS AND DECLARING AN EMERGENCY

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

Miscellaneous Business

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

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

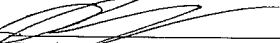
APPROVED:

ATTEST:

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO.: 37 -2019
(Sponsors: Councilmember McLaughlin)

CREATING TEMPORARY APPROPRIATIONS FOR THE YEAR 2020 AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code §5705.38 requires that “the taxing authority of each subdivision or other taxing unit shall pass an appropriation measure ... no later than the first day of April of the current year”; and

WHEREAS, so as to provide funding for the operation of the city government prior to the passage of the final appropriations, it is necessary to create temporary appropriations; 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 said Temporary Appropriations Ordinance be adopted as prepared so as to provide for the efficient operation of the City government and in anticipation of the creation and passage of the Final Appropriations Ordinance no later than the first day of April, 2020.

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 temporary appropriations are hereby made and authorized for the year 2020, the same to be in full force and effect from and after approval, as and for the temporary general appropriations for the City of Shelby for the year 2020.

Section 2: That City Council does hereby temporarily appropriate, for the year 2020 the following sums, to wit:

	<u>ACCT.</u> <u>NO.</u>	<u>APPROPRIATION</u> <u>EXPENSE</u>
GENERAL FUND	101	\$2,500,000.00
 <u>SPECIAL FUNDS</u>		
Street	200	\$250,000.00
State Highway	205	\$25,000.00
Street Sales Tax	210	\$60,000.00
Income Tax	220	\$2,500,000.00
Health	225	\$230,000.00
Park	230	\$300,000.00
Playscape Trust	231	\$0.00
Rehab Escrow CDBG	232	\$40,000.00
Court Probation	233	\$30,000.00
BMV Reimbursement	234	\$8,000.00
Law Enforcement Trust	235	\$6,000.00
Court IDAT	236	\$26,000.00
Court Enforce. & Education	237	\$10,000.00
Dare	238	\$5,000.00
Unclaimed Monies	240	\$2,500.00
Court IDAM	242	\$15,000.00
CDBG General	250	\$190,000.00
Home Program	251	\$250,000.00
Fire Damage	253	\$5,000.00
City Admin. & Bldg	650	\$6,000.00
Police Pension	700	\$100,000.00
Fire Pension	701	\$100,000.00
Shade Tree Trust	705	\$2,000.00

Fema	815	\$0.00
Bicentennial Trust	800	\$0.00
Total Special Revenue Funds		\$ 4,162,500.00

DEBT SERVICE FUNDS

Special Bond	275	\$15,000.00
General Bond SSE	281	\$0.00
USDA	282	\$5,000.00
Light Debt Reserve	602	\$45,000.00
Total Debt Service		\$65,000.00

CAPITAL PROJECT FUNDS

Court Computer	239	\$18,000.00
Police Computer	241	\$5,000.00
Capital Improvement	300	\$175,000.00
Court Capital Improvement	304	\$25,000.00
Sidewalks 2%	352	\$20,000.00
Streets, Alleys Sidewalks	353	\$150,000.00
Police/court construction	354	\$100,000.00
Police Equipment	702	\$45,000.00
Fire Equipment	703	\$100,000.00
Total Capital Projects		\$638,000.00

ENTERPRISE FUNDS

Sewer	400	\$500,000.00
San. Sewer Capital Improvements	401	\$700,000.00
Waste Water Capital Improvements	402	\$300,000.00
Water	500	\$600,000.00
Water Facilities	501	\$250,000.00
Water Improvement Fund	502	\$400,000.00
Electric	600	\$5,000,000.00
Total Enterprise Funds		\$7,750,000.00

INTERNAL SERVICE FUND

Hospitalization	715	\$700,000.00
		\$700,000.00

PERMANENT FUND

Mini Park Trust	710	\$5,000.00
Total Non-Expendable Fund		\$5,000.00

AGENCY FUNDS

Customer Deposit Fund	601	\$65,000.00
Sharing Fund	706	\$8,000.00
Total Agency Funds		\$73,000.00

TOTAL APPROPRIATIONS

ALL FUNDS		\$15,893,500.00
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Section 3: That the Director of Finance and Public Records is hereby authorized to draw warrants on the City Treasury for the amounts appropriate in this Ordinance whenever claims are presented, properly approved by the head of the department, for which the indebtedness was incurred.

Section 4: That all meetings and hearings concerning the adoptions 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 is hereby deemed to be an emergency so as to meet the ongoing contractual obligation 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

RESOLUTION NO. 57 -2019
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO AWARD CONTRACTS FOR THE CITY HALL GENERATOR PROJECT.

WHEREAS, Shelby City Hall is in need of a generator to provide backup electric during power outages; and

WHEREAS, the City Administration has obtained quotes for the purchase and installation of said generator including fencing; 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 award contracts for the purchase and installation of the said generator.

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 a contract with Buckeye Power Sales to purchase a Kohler Generator and accessories as shown on Exhibit 1.

Section 2: That the Mayor as Director of Public Service is hereby authorized to enter into a contract with BCU Electric for the installation of the generator including fencing as shown on Exhibit 2.

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 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

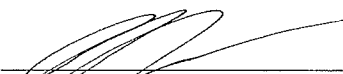
APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Byster
Director of Law

RESOLUTION NO. 58 - 2019
(Sponsors: Councilmember Gates & Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE FY 20 MARCS (MULTI-AGENCY RADIO COMMUNICATIONS SYSTEM) GRANT FROM THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL, FOR THE PURCHASE OF MARCS RADIO EQUIPMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Commerce, Division of State Fire Marshal, provides financial assistance for MARCS Radio Equipment through the FY 20 MARCS Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the FY 20 MARCS Grant for the purchase of MARCS Radio Equipment; 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 apply for the FY 20 MARCS 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 MARCS Radio Equipment.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Department of Commerce, Division of State Fire Marshal, 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 and become eligible for reimbursement under the terms of the FY 20 MARCS Grant.

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 Lifer
Clerk of Council
Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO: 59 -2019
(Sponsors: Councilmembers Roberts and Gates)

AUTHORIZING THE MAYOR OF THE CITY OF SHELBY TO ENTER INTO CONTRACTS WITH THE SHELBY CITY SCHOOLS AND PIONEER CAREER AND TECHNOLOGY CENTER FOR THE EMPLOYMENT OF SCHOOL RESOURCE OFFICERS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby wishes to partner with the Board of Education of the Shelby City School District to provide a school resource officer to each Shelby City Schools and Pioneer Career & Technology Center; and

WHEREAS, the City has previously contracted with said schools for a school resource officer, but recent legislation amended the allocation of payment for said officer; 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, enter into a contract with the Board of Education to provided School Resource Officer services to both schools.

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 is hereby authorized to enter into contracts and/or a Memorandum of Understanding with Shelby City Schools and Pioneer Career & Technology Center for School Resource Officers.

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.

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

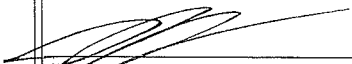
APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law