

3:30pm Community & Economic Development Committee

**Shelby City Council Agenda
Monday, December 5, 2016
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 November 21, 2016

Moved _____ 2ND _____

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

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

Proclamation Recognizing Some Outstanding Athletic Achievements

Steven T. Lifer—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

PROCLAMATION

RECOGNIZING SOME OUTSTANDING ACHIEVEMENTS OF SHELBY SENIOR HIGH SCHOOL STUDENT ATHLETES

Whereas, we recognize that Shelby Senior High School has a well-known reputation for providing an educational experience that is scholastically superior and well-rounded with a good number of extra-curricular programs, and

Whereas, the School Board, Administration, Faculty Members, and Coaches have invested their lives in seeing that our student-athletes may be successful in the classroom and beyond, and

Whereas, we recognize that Athletics is an integral part of high school life and plays an important role in enhancing the involvement of the student body, and

Whereas, student-athletes work diligently to improve their skills and learn the importance of teamwork and sacrifice, and

Whereas, Coach Brad Ruminski's Girls Golf Team placed third at State and Alexis Jones (runner-up) and Claire Korbas (6th place) both earned All-Ohio recognition, and

Whereas, Brock Kehres, under the tutelage of Coach Justin Schroeder, earned the distinction of a district medalist and placing 13th at State, and

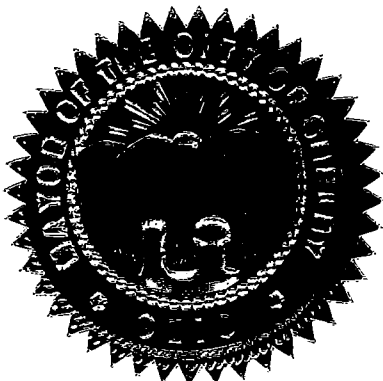
Whereas, McKenna Heimlich under the training of coach Bob Delauder, was a state qualifier and finished 77th at the state finals, and

Whereas, Coach Erik will led the Shelby Whippets Football Team to a stellar season finishing with 11 wins and 2 losses, and brought home the State Division IV Regional runner-up trophy.

NOW, THEREFORE, I, Steven L. Schag, Mayor of the City of Shelby, Ohio do hereby proclaim December 6, 2016 as Shelby Senior High School Athletics Achievement Recognition Day.

And Furthermore, I join our Community in congratulating these student athletes upon their outstanding accomplishments and their fine representation of Shelby Senior High School with class and character.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Shelby, Ohio to be affixed this 5th day of December, in the year of our Lord, two thousand and sixteen.



Steven L. Schag, Mayor

New Business
Audit Waiver

Unfinished Business
Mohican Street—Junk Yard

Legislation

ORDINANCE NO 27-2016

**AMENDING SECTION 276.04 (FEES) OF CHAPTER 276
(DIVISION OF HEALTH) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY**

3RD READING

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 28-2016

**ENACTING SECTION 1040.04 RULE 59 (DEPOSITS) OF
CHAPTER 1040 (WATER) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY, OHIO**

3RD READING

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 29-2016

**ENACTING SECTION 1044.08 (DEPOSITS) OF CHAPTER
1044 (SEWER CHARGES) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY, OHIO**

3RD READING

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 30-2016

**AMENDING SECTION 1050.04 (METERING AND BILLING)
OF CHAPTER 1050 (ELECTRICITY) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY, OHIO**

3RD READING

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 32-2016

**AMENDING ORDINANCE NO 9-2016 (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. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

PASSAGE OF ORDINANCE

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

ORDINANCE NO 33-2016

**CREATING TEMPORARY APPROPRIATIONS FOR THE
YEAR 2017 AND DECLARING AN EMERGENCY**

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

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

RESOLUTION NO 72-2016

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SAFETY TO PREPARE AND SUBMIT AN APPLICATION
TO PARTICIPATE IN THE STATE OF OHIO
DEVELOPMENT SERVICES AGENCY LOCAL
GOVERNMENT SAFETY CAPITAL GRANT PROGRAM
AND TO EXECUTE CONTRACTS AS REQUIRED AND
DECLARING AN EMERGENCY**

Moved _____ 2ND _____

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

RESOLUTION NO 73-2016

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT FOR THE WASTE WATER TREATMENT
PLANT IMPROVEMENTS PROJECT AND DECLARING AN
EMERGENCY**

Moved _____ 2ND _____

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

Miscellaneous Business

MOTION TO GO INTO EXECUTIVE SESSION FOR THE FOLLOWING PURPOSE:

Moved _____ 2ND _____

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

**TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES, OR FOR THE
SALE OF PROPERTY AT COMPETITIVE BIDDING, IF PREMATURE DISCLOSURE OF
INFORMATION WOULD GIVE AN UNFAIR COMPETITIVE OR BARGAINING
ADVANTAGE TO A PERSON WHOSE PERSONAL, PRIVATE INTEREST IS ADVERSE TO
THE GENERAL PUBLIC INTEREST**

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

27 reading
11/7/2016
nd Reading
11/21/2016

ORDINANCE NO. 27 -2016
(Sponsors: Councilmembers Gates & Roberts)

AMENDING SECTION 276.04 (FEES) OF CHAPTER 276 (DIVISION OF HEALTH) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, The schedule of fees associated with and administered by the Division of Health was last revised and/or amended by Ordinance 15-2016 in July of 2016; and

WHEREAS, In order for the Division of Health to become compliant with State rules, regulations, and recommendations, it is necessary that said fees be amended; 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 276.04 (Fees) of Chapter 276 (Division of Health) be amended so as to bring the Shelby Division of Health into-compliance with State regulations.

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

Section 1 : That Section 276.04 (Fees) of Chapter 276 (Division of Health) of the codified Ordinances of the City of Shelby be amended to read as follows:

276.04 FEES

The following fees are hereby adopted for the Division of Health:

<i>Food Service/Retail Food Establishment License Fees</i>			
<i>Level</i>	<i>Business Under 25,000 Sq. Ft.</i>	<i>Business Over 25,000 Sq. Ft.</i>	
Level 1	\$72 + \$28 State Fee = \$100	\$100 + \$28 State Fee = \$128	
Level 2	\$85 + \$28 State Fee = \$113	\$115 + \$28 State Fee = \$143	
Level 3	\$144 + \$28 State Fee = \$172	\$200 + \$28 State Fee = \$228	
Level 4	\$168 + \$28 State Fee = \$196	\$250 + \$28 State Fee = \$278	
Vending	\$8 + \$6 State Fee = \$14 per location		
Mobile food service	\$71 + \$28 State Fee = \$99 per unit		
Temporary food service	\$35 per event up to five days		
Level I food safety training	\$10		
Level II certification in food protection	\$100		
<i>Body Art Approval Fees</i>			
<i>Service</i>	<i>Local Fee</i>	<i>State Fee</i>	<i>Total Fee</i>
Tattooing services	\$125	\$0	\$125

Body piercing services	\$125	\$0	\$125
Combined body art services	\$125	\$0	\$125
Time-limited approval for a specific event	\$125	\$0	\$125
Late fee	25% of local fee	\$0	

Private Water System Fees

<i>Type</i>	<i>Local Fee</i>	<i>State Fee</i>	<i>ODNR</i>	<i>Total Fee</i>
Single family dwelling				
Well permit	\$50	\$74	\$20	\$144
Cistern permit	\$50	\$74	\$0	\$124
HWST* permit	\$50	\$74	\$0	\$124
Spring permit	\$50	\$74	\$0	\$124
Pond permit	\$50	\$74	\$0	\$124
Well conversion permit	\$50	\$74	\$0	\$124
Alteration permit	\$50	\$0	\$0	\$50
Well sealing permit	\$10	\$0	\$0	\$10
Non-single family dwelling				
Well permit	\$50	\$74	\$20	\$144
Cistern permit	\$50	\$74	\$0	\$124
HWST* permit	\$50	\$74	\$0	\$124
Spring permit	\$50	\$74	\$0	\$124
Well conversion permit	\$50	\$74	\$0	\$124
Alteration permit	\$50	\$0	\$0	\$50
Well sealing permit	\$10	\$0	\$0	\$10
Other fees				
Test well permit	\$50	\$74	\$20	\$144
Contractor inspection	\$50	\$0	\$0	\$50
Water sample	\$50	\$0	\$0	\$50
Water hauler registration and	\$85	\$	\$0	\$85

vehicle inspection				
Variance	\$50	\$0	\$0	\$50
Late fee	25% of local fee			
*HWST = Hauled water storage tank				

Public Swimming Pool License Fee

<i>Type</i>	<i>Local Fee</i>	<i>State Fee</i>	<i>Total Fee</i>	
<i>Public Pool</i>	\$175	\$80	\$255	
<i>Spa</i>				
<i>Special use pool</i>				
Additional pool, spa, and special use pool. (at the same facility as the first pool)	\$75	\$55	\$130	
Government/tax supported school pool, spa and special use pool.	\$175	\$80	\$255	
Additional government/tax supported school pool, spa and special use pool. (At the same facility as the first pool)	\$75	\$55	\$130	
Late Fee	25% of local fee	\$0		

Birth and Death Certificates

Death certificates	\$25 each
Birth certificates	\$25 each

Sewage Treatment Systems

<i>Type</i>	<i>Local Fee</i>	<i>State Fee</i>	<i>Total</i>
Application for Site Review	\$55	\$0	\$55
Application for Soil Evaluation	\$55	\$0	\$55
Application for Design	\$55	\$0	\$55

Permit for New/Replacement Installation for years 2015, 2016, 2017	\$115	2015 \$25	2016 \$50	2017 \$74	2015 \$140	2016 \$165	2017 \$189
Permit for Alteration of Existing System for years 2015, 2016, 2017	\$75	2015 \$15	2016 \$25	2017 \$35	2015 \$90	2016 \$100	2017 \$110
Operational Permit	\$75		\$0			\$75	
Registration of Installer	\$55		\$0			\$55	
Registration of Service Provider	\$55		\$0			\$55	
Registration of Septage Hauler	\$15		\$0			\$15	
Septage Hauler Truck	\$15		\$0			\$15	
Additional Inspection	\$55		\$0			\$55	
Abandonment of System	\$10		\$0			\$10	
Variance	\$75		\$0			\$75	
Effluent Sample	\$115		\$0			\$115	
Review of Subdivision or Lots	\$150		\$0			\$150	
Late Penalty	25%		\$0			25%	

Section 2: That all other Sections of Chapter 276 of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

Section 3: That all meetings and hearing 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

St Reading
11/7/2016
Ind Reading
11/21/2016

ORDINANCE NO. 28-2016
(Sponsors: Councilmembers Martin and McLaughlin)

ENACTING SECTION 1040.04 RULE 59 (DEPOSITS) OF CHAPTER 1040 (WATER) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1040 (Water) to establish a security deposit for water service; 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 Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), Rule 59 (Deposits) be enacted to establish a policy for a security deposit for water service.

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

Section 1: That Chapter 1040 Water, Section 1040.04 Rule, Regulations, and Fixed Charges for Municipal Water System, Rule 59 (Deposits) of the Codified Ordinances of the City of Shelby be enacted to read as follows:

Rule 59

(1) A deposit of \$100.00 shall be for the following utility service when combined with electric and/or sewer:

A. Water

(2) A deposit of \$150.00 shall be for the following utility service:

A. Water only

(3) A deposit not exceeding \$300.00 for a combined utility service of electric, water, and sewer for residential customers or 150% of an estimated average bill for commercial and industrial customers (unless the service is temporary), may be required of the customer at any time, or from time to time before or after service is commenced.

Deposit criteria will be affected by but not limited to:

- A. Past general credit history;
- B. Past payment history (with the utility);
- C. End use of service; and
- D. Duration of Service

(4) The utility office shall have a reasonable time in which to ascertain that the obligations of the customer have been fully performed before being required to return any deposit. The deposit shall be credited to the customer's account when payments have been made by the due date on 12 consecutive months, unless the customer's account has been terminated. Where the account has been terminated, any remaining deposit not used to credit the account shall be directly reimbursed to the customer within 30 calendar days.

(5) There shall be no interest paid or accrued on deposits.

Section 2: That all other sections of Chapter 1040 (Water) and 1040.04 (Rule, Regulations, and Fixed Charges for Municipal Water Service) 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.

1st Reading
11/7/2016

2nd Reading
11/21/2016

ORDINANCE NO. 29-2016
(Sponsors: Councilmembers Martin and McLaughlin)

ENACTING SECTION 1044.08 (DEPOSITS) OF CHAPTER 1044 (SEWER CHARGES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1044 (Sewer Charges) to establish a security deposit for sewer service; 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 Chapter 1044 (Sewer Charges), Section 1044.08 (Deposits) be enacted to establish a policy for a security deposit for sewer service.

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

Section 1: That Chapter 1044 (Sewer Charges), Section 1044.08 (Deposits) of the Codified Ordinances of the City of Shelby be enacted to read as follows:

1044.08 Deposits

(a) A deposit of \$100.00 shall be for the following utility service when combined with electric and/or water:

1. Sewer

(b) A deposit of \$150.00 shall be for the following utility service:

1. Sewer only

(c) A deposit not exceeding \$300.00 for a combined utility service of electric, water, and sewer for residential customers or 150% of an estimated average bill for commercial and industrial customers (unless the service is temporary), may be required of the customer at any time, or from time to time before or after service is commenced.

Deposit criteria will be affected by but not limited to:

1. Past general credit history;
2. Past payment history (with the utility);
3. End use of service; and
4. Duration of Service

(d) The utility office shall have a reasonable time in which to ascertain that the obligations of the customer have been fully performed before being required to return any deposit. The deposit shall be credited to the customer's account when payments have been made by the due date on 12 consecutive months, unless the customer's account has been terminated. Where the account has been terminated, any remaining deposit not used to credit the account shall be directly reimbursed to the customer within 30 calendar days.

(e) There shall be no interest paid or accrued on deposits.

Section 2: That all other sections of Chapter 1044 (Sewer Charges) 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.

St Reading
11/7/2016
Ind Reading
11/21/2016

ORDINANCE NO. 30 -2016
(Sponsors: Councilmembers Martin & McLaughlin)

AMENDING SECTION 1050.04 (METERING AND BILLING) OF CHAPTER 1050 (ELECTRICITY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1050 (Electricity), Section 1050.04 (Metering and Billing), (g) Deposits for 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 1050.04 (Metering and Billing) of Chapter 1050 (Electricity) be amended and/or modified.

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

Section 1: That Section 1050.04 (g) Deposit of the Codified Ordinances of the City of Shelby be amended to the following language:

1050.04 Metering and Billing

(g) Deposits.

(1) A deposit of \$100.00 shall be for the following utility service when combined with water and/or sewer:

A. Electric

(2) A deposit of \$200.00 shall be for the following utility service:

A. Electric only

(3) A deposit not exceeding \$300.00 for a combined utility service of electric, water, and sewer for residential customers or 150% of an estimated average bill for commercial and industrial customers (unless the service is temporary), may be required of the customer at any time, or from time to time before or after service is commenced.

Deposit criteria will be affected by but not limited to:

- A. Past general credit history;
- B. Past payment history (with the utility);
- C. End use of service; and
- D. Duration of Service

(4) The utility office shall have a reasonable time in which to ascertain that the obligations of the customer have been fully performed before being required to return any deposit. The deposit shall be credited to the customer's account when payments have been made by the due date on 12 consecutive months, unless the customer's account has been terminated. Where the account has been terminated, any remaining deposit not used to credit the account shall be directly reimbursed to the customer within 30 calendar days.

(5) There shall be no interest paid or accrued on deposits.

(6) Losses incurred by the utilities because of the insufficiency of the utilities deposit to cover unpaid charges shall be distributed proportionately among the three utilities.

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 McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____
Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Hyster
Director of Law

ORDINANCE NO: 32 -2016
(Sponsor: Councilmember McLaughlin)

**AMENDING ORDINANCE NO.: 9-2016 (ANNUAL APPROPRIATIONS), AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 21, 2016, 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 2016 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 2016 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. 9-2016 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

300 - POL - 515	Equipment	\$13,500.00
220 - TRS - 446	Transfer -General Fund	\$100,000.00
220 - TRS - 447	Transfer -Capital Improvement	\$15,000.00
220 - TRS - 465	Transfer -Sidewalks	\$5,000.00
220 - TRS - 466	Transfer -Streets, Alleys & Basins	\$45,000.00
220 - TRS - 467	Transfer -Police & Court Construction	\$140,000.00

Section 2: That all other portions of Ordinance No.: 9-2016, 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. Byster
Director of Law

ORDINANCE NO.: 33 -2016
(Sponsor: Councilmember McLaughlin)

**CREATING TEMPORARY APPROPRIATIONS FOR THE YEAR 2017 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, 2017.

**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 2017, 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 2017.

Section 2: That City Council does hereby temporarily appropriate, for the year 2017 the following sums, to wit:

	ACCT. NO.	APPROPRIATION EXPENSE
GENERAL FUND	101	\$1,250,000.00
<u>SPECIAL FUNDS</u>		
Street	200	\$125,000.00
State Highway	205	\$9,000.00
Street Sales Tax	210	\$48,000.00
Income Tax	220	\$1,000,000.00
Health	225	\$75,000.00
Park	230	\$50,000.00
Playscape Trust	231	\$0.00
Rehab Escrow CDBG	232	\$15,000.00
Court Probation	233	\$11,500.00
BMV Reimbursement	234	\$1,500.00
Law Enforcement Trust	235	\$5,000.00
Court IDAT	236	\$15,000.00
Court Enforce. & Education	237	\$1,500.00
Dare	238	\$650.00
Unclaimed Monies	240	\$500.00
Court IDAM	242	\$5,000.00
CDBG General	250	\$70,000.00
Home Program	251	\$120,000.00
Fire Damage	253	\$3,500.00
City Admin. & Bldg	650	\$5,500.00
Police Pension	700	\$88,000.00

Fire Pension	701	\$88,000.00
Shade Tree Trust	705	\$1,800.00
Fema	815	\$0.00
Bicentennial Trust	800	\$0.00
Total Special Revenue Funds		\$ 1,739,450.00

DEBT SERVICE FUNDS

Special Bond	275	\$90,000.00
General Bond SSE	281	\$25,000.00
Light Debt Reserve	602	\$15,000.00
Total Debt Service		\$130,000.00

CAPITAL PROJECT FUNDS

Court Computer	239	\$7,500.00
Police Computer	241	\$3,000.00
Capital Improvement	300	\$50,000.00
Court Capital Improvement	304	\$15,000.00
Sidewalks 2%	352	\$5,000.00
Streets, Alleys Sidewalks	353	\$75,000.00
Police/court construction	354	\$20,000.00
Police Equipment	702	\$25,000.00
Fire Equipment	703	\$75,000.00
Total Capital Projects		\$275,500.00

ENTERPRISE FUNDS

Sewer	400	\$400,000.000
San. Sewer Capital Improvements	401	\$200,000.000
Waste Water Capital Improvements	402	\$6,150,000.000
Water	500	\$450,000.000
Water Facilities	501	\$225,000.000
Water Improvement Fund	502	\$280,000.000
Electric	600	\$3,900,000.000
Total Enterprise Funds		\$11,605,000.000

INTERNAL SERVICE FUND

Hospitalization	715	\$725,000.00
		\$725,000.00

PERMANENT FUND

Mini Park Trust	710	\$500.00
Total Non-Expendable Fund		\$500.00

AGENCY FUNDS

Customer Deposit Fund	601	\$30,000.00
Sharing Fund	706	\$18,000.00
Total Agency Funds		\$48,000.00

**TOTAL APPROPRIATIONS
ALL**

\$15,773,450.00

FUNDS

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

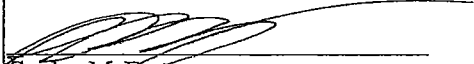
APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO: 72-2016
(Sponsor: Councilmember Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE STATE OF OHIO DEVELOPMENT SERVICES AGENCY LOCAL GOVERNMENT SAFETY CAPITAL GRANT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio Development Services Agency provides grants to political subdivisions to be used for the purchase of vehicles, equipment, facilities, or systems needed to enhance public safety; and

WHEREAS, the City of Shelby Fire Department seeks to use Local Government Safety Capital Grant Program funding for portable radios and accessories; 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 be authorized to apply for said funds.

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 apply to the State of Ohio, Development Services Agency Local Government Safety Grant Program for equipment.

Section 2: That the Mayor as Director of Public Safety is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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 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

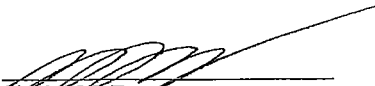
APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Byster
Director of Law

RESOLUTION NO: 73 -2016
(Sponsors: Councilmembers Martin and McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE WASTE WATER TREATMENT PLANT IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, The Ohio Environmental Protection Agency has required that improvements be made the Waste Water Treatment Plant to comply with the City of Shelby's National Pollutant Discharge Elimination System (NPDES) Permit; and

WHEREAS, the City of Shelby has contracted with CT Consultants to prepare plans and specifications 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 said improvement project be constructed.

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 Public Service is hereby authorized to advertise for bids and enter into a contract for the Wastewater Treatment Plant Improvements 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 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