

**3:30-Finance & Personnel Committee**  
**6:59pm-The Lord's Prayer & Moment of Silence**

**Shelby City Council Agenda**  
**Tuesday, February 21, 2017**  
**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 February 6, 2017**

Moved 2<sup>ND</sup> \_\_\_\_\_

Mr. Roberts \_\_\_\_\_ 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

Steven T. Lifer—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

**Unfinished Business**  
West Main Street Sanitary Sewer

**Legislation**

**ORDINANCE NO 3-2017**

**AMENDING SECTION 260.09 (HOLIDAYS) OF CHAPTER 260 (EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**3RD READING**

Moved        2<sup>ND</sup>       

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

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>       

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

**ORDINANCE NO 4-2017**

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

**3RD READING**

Moved        2<sup>ND</sup>       

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

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>       

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

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

**Unfinished Business**  
West Main Street Sanitary Sewer

**Legislation**

**ORDINANCE NO 3-2017**

**AMENDING SECTION 260.09 (HOLIDAYS) OF CHAPTER 260 (EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**3RD READING**

Moved        2<sup>ND</sup>         
Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin        Mr. Roub       

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>         
Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin        Mr. Roub       

**ORDINANCE NO 4-2017**

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

**3RD READING**

Moved        2<sup>ND</sup>         
Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin        Mr. Roub       

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>         
Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin        Mr. Roub



**RESOLUTION NO 6-2017**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE PRIORITY ONE GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF EMERGENCY MEDICAL SUPPLIES**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_

**RESOLUTION NO 7-2017**

**APPROVING THE PLANS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PARK AVENUE WATER LINE REPLACEMENT PROJECT**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_

**Miscellaneous Business**

**Adjournment** at \_\_\_\_\_ p.m.

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_



1st Reading  
1/17/2017  
2nd Reading  
2/16/2017

ORDINANCE NO.: 3 -2017  
(Sponsor: Councilmember Gates)

**AMENDING SECTION 260.09 (HOLIDAYS) OF CHAPTER 260 (EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, It is in the interest of the public health, safety, morals, and general welfare that the City's designation of Memorial Day be consistent with the designation contained in 36 U.S. Code, Section 116.

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

Section 1: That Section 260.09 of the Codified Ordinances of the City of Shelby be amended to read as follows:

**260.09 HOLIDAYS.**

(a) The official paid holidays of the city are as follows:

- (1) New Year's Day - January 1;
- (2) Martin Luther King Day - third Monday in January;
- (3) Presidents' Day - third Monday in February;
- (4) Memorial Day - last Monday in May;
- (5) Independence Day - July 4;
- (6) Labor Day - first Monday in September;
- (7) Veterans Day - November 11;
- (8) Thanksgiving Day - fourth Thursday in November; and
- (9) Christmas Day - December 25.

(b) In addition to the nine holidays set forth in division (a) hereof, all employees covered by this chapter shall, after one continuing year of service, receive two floating holidays per calendar year, which shall be taken off anytime during the calendar year and prior to December 31 of any given year. An employee must clear his or her date selection with the Mayor or department head. Each department head shall keep accurate records of all time taken off within his or her department.

(c) An employee shall be paid the holidays as aforesaid and shall not be required to work any such holidays, unless, in the opinion of the Director of Public Service, failure to work on the holiday would impair public service or safety. Each employee working on such a holiday shall receive compensation time in lieu of overtime pay.

Section 2: That all other section of Chapter 260 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 D. McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Steven T. Lifer  
Clerk of Council  
Steve L. Schag  
Mayor

Approved by:  
  
Gordon M. Hyster  
Director of Law





11/1/2017  
2nd Reading  
2/6/2017

**ORDINANCE NO. 4 -2017**  
**(Sponsors: Councilmember 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 27-2016 in November of 2016; and

WHEREAS, the Division of Health may establish fees for attendance at a course of study offered by the licenser in food protection if the course is approved under section 3717.09 of the Ohio Revised Code; 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 FOR 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	
Level II Examination only	Shelby City	\$25
	Non-Shelby City	\$50

**Body Art Approval Fees**

<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				

<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	

<i>Private Water System Fees</i>				
<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 vehicle inspection	\$85	\$	\$0	\$85
Variance	\$50	\$0	\$0	\$50
Late fee	25% of local fee			
*HWST = Hauled water storage tank				

**Public Swimming Pool License Fee**

Type	Local Fee	State Fee	Total Fee	
Public Pool Spa Special use pool	\$175	\$80	\$255	
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

<i>Sewage Treatment Systems</i>			
<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 2016 2017 \$25 \$50 \$74	2015 2016 2017 \$140 \$165 \$189
Permit for Alteration of Existing System for years 2015, 2016, 2017	\$75	2015 2016 2017 \$15 \$25 \$35	2015 2016 2017 \$90 \$100 \$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 D. McLaughlin  
Vice President of Council

APPROVED:

ATTEST:  
\_\_\_\_\_  
Steven T. Lifer  
Clerk of Council

\_\_\_\_\_  
Steve L. Schag  
Mayor

Approved by:

  
\_\_\_\_\_  
Gordon M. Byster  
Director of Law

<i>Sewage Treatment Systems</i>			
<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 2016 2017 \$25 \$50 \$74	2015 2016 2017 \$140 \$165 \$189
Permit for Alteration of Existing System for years 2015, 2016, 2017	\$75	2015 2016 2017 \$15 \$25 \$35	2015 2016 2017 \$90 \$100 \$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 D. McLaughlin  
Vice President of Council


APPROVED:

ATTEST:

\_\_\_\_\_  
Steven T. Lifer  
Clerk of Council

\_\_\_\_\_  
Steve L. Schag  
Mayor

Approved by:

  
Gordon M. Byster  
Director of Law





**RESOLUTION NO: 6-2017**  
**(Sponsor: Councilmember Roberts)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE PRIORITY ONE GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF EMERGENCY MEDICAL SUPPLIES.**

WHEREAS, the Ohio Department of Public Safety provides financial assistance for emergency medical services through the Priority One Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Priority One Grant to purchase emergency medical service supplies, 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 a Priority One Grant.

**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 approves an application for financial assistance for emergency medical service supplies.

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 Public Safety 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 Priority One 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 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

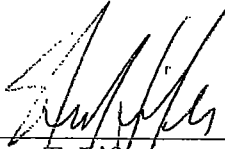
Prepared by:

  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law

**Certificate of Fiscal Officer**

As the Director of Finance of the City of Shelby, Ohio, I hereby certify that Shelby City Council has or will appropriate funds into the treasury to meet this obligation and the funds will be taken from the following line item

**703-FEF-515 EQUIPMENT                      \$5,500.00**



\_\_\_\_\_  
Steven T. Lifer  
Director of Finance

February 10, 2017

These funds will be considered committed once an ordinance or resolution has been properly executed and the appropriate department head has created a purchase order. This certificate will be valid only for the 2017 fiscal year unless a purchased order is created.  
RESOLUTION      -2017

RESOLUTION NO. 7 -2017  
(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 PARK AVENUE WATER LINE REPLACEMENT PROJECT.

WHEREAS, it has become necessary to replace an existing water line 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 Park Avenue 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: \_\_\_\_\_

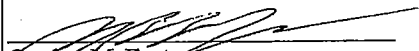
\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Steven T. Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

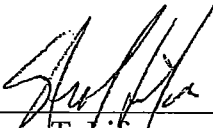
Prepared by:

  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law

**Certificate of Fiscal Officer**

As the Director of Finance of the City of Shelby, Ohio, I hereby certify that Shelby City Council has or will appropriate funds into the treasury to meet this obligation and the funds will be taken from the following line item

**502-WCI-536 CONSTRUCTION                      \$234,000. 00**

  
\_\_\_\_\_  
Steven T. Lifer                      February 16, 2017  
Director of Finance

These funds will be considered committed once an ordinance or resolution has been properly executed and the appropriate department head has created a purchase order. This certificate will be valid only for the 2017 fiscal year unless a purchased order is created.  
RESOLUTION            -2017