

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

**Shelby City Council Agenda**  
**Monday, February 4, 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 January 22, 2019**

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

Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_

**Public Comment**

**Reports from Standing and Special Committees**

Community & Economic Development Committee—Steve McLaughlin

Economic Development Liaison—Jessica Gribben

**Reports of City Officials**

Steven L. Schag—Mayor

**STATE OF THE CITY**

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

West Main Street Sewer Project-Now in legislation form

**Legislation**

**ORDINANCE NO 1-2019**

**AMENDING SECTIONS 258.01 (SALARIES OF MEMBERS  
OF COUNCIL), 258.02 (SALARY OF THE MAYOR), 258.03  
(SALARY OF THE DIRECTOR OF LAW), AND 258.04  
(SALARY OF THE DIRECTOR OF FINANCE AND PUBLIC  
RECORD) OF CHAPTER 258 (ELECTED OFFICIALS'  
SALARIES) OF THE CODIFIED ORDINANCES OF THE  
CITY OF SHELBY**

**3RD READING**

Moved        2<sup>ND</sup>       

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

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>       

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

**ORDINANCE NO 4-2019**

**DETERMINING THAT CERTAIN REAL PROPERTY AND  
BUILDING OWNED BY THE CITY OF SHELBY BE  
LEASED AND DESIGNATING THE COMMUNITY  
IMPROVEMENT CORPORATION OF SHELBY, OHIO,  
INC., AS THE CITY'S AGENT IN THE LEASE  
AGREEMENT AND DECLARING AN EMERGENCY**

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

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

Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_

**PASSAGE OF ORDINANCE**

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

Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_

**Miscellaneous Business**

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

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

Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_

1/7/2019

2nd Reading  
1/22/2019

ORDINANCE NO. 1 -2019  
(Sponsor – Councilmembers Gates, Martin and Roub)

AMENDING SECTIONS 258.01 (SALARIES OF MEMBERS OF COUNCIL), 258.02 (SALARY OF THE MAYOR), 258.03 (SALARY OF THE DIRECTOR OF LAW), AND 258.04 (SALARY OF THE DIRECTOR OF FINANCE AND PUBLIC RECORD) OF CHAPTER 258 (ELECTED OFFICIALS' SALARIES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, Section 6 of the Charter of the City of Shelby mandates that the salaries of all elected officers shall be fixed by the outgoing Council not later than February 15 in the odd numbered years; and

WHEREAS, currently, Chapter 258 (Elected Officials' Salaries) contains no provision for compensation for elected officials whose terms begin in 2020; 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 258 be amended so as to provide compensation for elected officials whose terms begin in 2020.

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

Section 1: That Chapter 258 of the Codified Ordinances of the City of Shelby be amended to read as follows:

**258.01 SALARIES OF MEMBERS OF COUNCIL.**

- (a) Effective January 1, 2018, through January 6, 2020, the salary for each member of City Council shall be \$7,415 annually, to be paid biweekly.
- (b) Effective January 6, 2020, through January 3, 2022, the salary for each member of City Council shall be \$7,920 annually, to be paid biweekly.

**258.02 SALARY OF THE MAYOR.**

- (a) Effective January 1, 2019, through December 31, 2019, the salary for the Mayor shall be \$59,624 annually, to be paid biweekly.
- (b) Effective January 1, 2020, through December 31, 2020, the salary for the Mayor shall be \$67,169 annually, to be paid biweekly.
- (c) Effective January 1, 2021, through December 31, 2021, the salary for the Mayor shall be \$68,512 annually, to be paid biweekly.
- (d) Effective January 1, 2022, through December 31, 2022, the salary for the Mayor shall be \$69,882 annually, to be paid biweekly.
- (e) Effective January 1, 2023, through December 31, 2023, the salary for the Mayor shall be \$70,581 annually, to be paid biweekly.

**258.03 SALARY OF THE DIRECTOR OF LAW.**

- (a) Effective January 1, 2019, through December 31, 2019, the salary for the Director of Law shall be \$46,462 annually, to be paid biweekly.
- (b) Effective January 1, 2020, through December 31, 2020, the salary for the Director of Law shall be \$47,856 annually, to be paid biweekly.
- (c) Effective January 1, 2021, through December 31, 2021, the salary for the Director of Law shall be \$48,813 annually, to be paid biweekly.
- (d) Effective January 1, 2022, through December 31, 2022, the salary for the Director of Law shall be \$49,789 annually, to be paid biweekly.
- (e) Effective January 1, 2023, through December 31, 2023, the salary for the Director of Law shall be \$50,287 annually, to be paid biweekly.

**258.04 SALARY OF THE DIRECTOR OF FINANCE AND PUBLIC RECORD.**

- (a) Effective January 1, 2019, through December 31, 2019, the salary for the Director of Finance and Public Record shall be \$56,707 annually, to be paid biweekly.
- (b) Effective January 1, 2020, through December 31, 2020, the salary for the Director of Finance and Public Record shall be \$58,408 annually, to be paid biweekly.
- (c) Effective January 1, 2021, through December 31, 2021, the salary for the Director of Finance and Public Record shall be \$59,576 annually, to be paid biweekly.

(d) Effective January 1, 2022, through December 31, 2022, the salary for the Director of Finance and Public Record shall be \$60,768 annually, to be paid biweekly.

(e) Effective January 1, 2023, through December 31, 2023, the salary for the Director of Finance and Public Record shall be \$61,376 annually, to be paid biweekly.

Section 2: That all other sections of Chapter 258 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. Eyster  
Director of Law

ORDINANCE NO: 4-2019  
(Sponsors: Councilmembers Gates and Roberts)

**DETERMINING THAT CERTAIN REAL PROPERTY AND BUILDING OWNED BY THE CITY OF SHELBY BE LEASED AND DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY, OHIO, INC., AS THE CITY'S AGENT IN THE LEASE AGREEMENT AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Shelby owns a parcel of land with a building within the City available for lease, and which is more particularly described in the attached Exhibit 1; and

WHEREAS, the Charter of the City of Shelby provides, in Section 1, that the City may acquire property in fee simple or lesser interest and may sell, convey, lease, hold, manage, and control such property; and

WHEREAS, Ohio Revised Code Section 1724.10 authorizes the Council to designate the Community Improvement Corporation of Shelby, Ohio, Inc., as its agent for the sale or lease of lands which have been determined not to be required by the political subdivision for its purposes; and

WHEREAS, the lease of the property and building described in the attached Exhibit 1 will promote the welfare of the people of the City of Shelby; and

WHEREAS, Ohio Revised Code Section 1724.10 allows for the sale or lease of real property that will promote the welfare of the people 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 this property and building be leased and that the Community Improvement Corporation of Shelby, Inc., be designated the agent for the City for the lease of the property.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY THERETO CONCURRING:**

Section 1: That the property and building attached hereto as Exhibit 1 shall be leased.

Section 2: That the City designates the Community Improvement Corporation of Shelby, Ohio, Inc. (CIC) as its agent in the lease of the above described real property and building in accordance with Ohio Revised Code 1724.10(B), subject to the following conditions:

- a. Said lease shall terminate on or before October 13, 2019.
- b. The CIC's charge for services pursuant to Ohio Law shall be no greater than 2% of the total leased payments.
- c. Any Lessee shall obtain a Certificate of Insurance naming the City as an "Additional Insured." Further any Lessee shall, prior to occupancy, provide the City with a copy of an endorsement of insurance which provides the following minimum amounts of insurance: \$1M/\$2M General Liability limits; \$1M Automobile limits; \$1M/\$1M/\$1M Employers Liability limits; and Workers Compensation coverage.
- d. Any Lessee, as part of any lease agreement, shall indemnify, pay, and hold harmless the City from any and all injuries occurring on the leased premises. Further, any Lessee shall waive any rights of subrogation as it relates to the leased premises and the City.
- e. Any lease agreement shall provide the Lessee shall maintain and repair the leased premises for any damage to the property for any amount less than \$2,000.00; and further that should any building leased hereunder be damaged in excess of \$2,000.00, the City, in its sole discretion shall have the right to immediately

terminate any Lease agreement, without compensation to the Lessee, who shall immediately vacate the premises.

- f. Should City elect to sell the leased premises, City may, with 30 days notice to any lessee terminate the lease agreement, whereupon Lessee shall immediately vacate the premises, without compensation.

Section 3: That the Director of Finance and Public Record shall deposit any lease payments into the General Fund.

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.

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 T. Lifer  
Clerk of Council

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

Prepared by:

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