

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

Shelby City Council Agenda
Monday, January 1, 2018
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 December 18, 2017

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Public Works & General Operation Committee—Charlie Roub

Reports of City Officials

Steven L. Schag—Mayor

Proclamation—Law Enforcement Recognition and Support Week

MOTION TO CONFIRM THE APPOINTMENT OF MICHAEL MCLAUGHLIN TO THE BUILDING AND GROUNDS COMMISSION FOR A TERM OF 1/1/2018 THROUGH 12/31/2021

Moved _____ 2ND _____

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

Steven T. Lifer—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business

Future Use of Present Fire Station

2016 Audit

Legislation

ORDINANCE NO 30-2017

DECLARING THE NECESSITY FOR THE CONTINUATION OF A LEVY OF TWO-TENTHS (.2%) PERCENT INCOME TAX FOR THE PURPOSE OF MAINTAINING ROADWAY AND SIDEWALK IMPROVEMENT AND REPAIR

3RD READING

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

RESOLUTION NO 1-2018

OFFERING THE SHELBY CITY COUNCIL'S SUPPORT OF THE BLACK FORK WATERCOURSE OF THE MOHICAN RIVER CLEAN UP PROJECT COVERING THE LENGTH OF THE WATERWAY COMMENCING AT CHARLES MILL RESERVOIR AND CONTINUING UPSTREAM TO STATE ROUTE 13

Moved _____ 2ND _____

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

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

12/14/2017
3rd Reading
12/18/2017

ORDINANCE NO. 30-2017
(Sponsors: Councilmembers Gates, Martin and McLaughlin)

DECLARING THE NECESSITY FOR THE CONTINUATION OF A LEVY OF TWO-TENTHS (.2%) PERCENT INCOME TAX FOR THE PURPOSE OF MAINTAINING ROADWAY AND SIDEWALK IMPROVEMENT AND REPAIR

WHEREAS, the City of Shelby needs to maintain roadways and sidewalks so as to keep them passable and to promote free travel and commerce within the boundaries of the City of Shelby; and

WHEREAS, the voters of the City of Shelby approved an income tax levy on November 5, 2013 for roadway improvements and sidewalk replacement; and

WHEREAS, it has been determined by the Council of the City of Shelby that it is necessary to maintain roadways and sidewalks and that it be funded by continuing a levy of two-tenths (.2%) percent income tax and that the proceeds of that said tax be used for roadway improvements and repair (97%) and sidewalk replacement (3%).

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

Section 1: That it is necessary to continue a levy of two-tenths (.2%) percent income tax upon income taxable by the City of Shelby for the benefit of the citizens of the City of Shelby and for the specific purpose of roadway and sidewalk improvements and repair. A "Roadway" includes all appurtenances to the roadway including but not limited to, bridges, viaducts, culverts, and approaches on or to such roadway.

Section 2: That such two-tenths (.2%) percent income tax shall be expended for roadway improvements and repair (97%) and sidewalk replacement (3%).

Section 3: That such two-tenths (.2%) percent income tax for roadway and sidewalk improvements and repair shall be imposed upon all income taxable by the City of Shelby only if approved by the majority of electors of the City of Shelby pursuant to Section 718.01 of the Ohio Revised Code.

Section 4: That if the two-tenths (.2%) percent income tax is approved by the electors of the City of Shelby, said two-tenths (.2%) percent shall be levied upon income taxable by the City of Shelby for a period of five (5) years from January 1, 2019 through December 31, 2023.

Section 5: That the question to levy a two-tenths (.2%) percent income tax shall be submitted to the electors of the City of Shelby at the primary election to be held at the designated voting places within said City of Shelby on the 8th day of May, 2018.

Section 6: That if the continued (.2%) tax is approved by the electors of the City of Shelby, then and in that event, said (.2%) percent continued tax shall not be subject to the credit provisions as contained within Section 880.10 of the Codified Ordinances of the City of Shelby.

Section 7: That the Clerk of this Council be and hereby directed to certify a true copy of the Ordinance to the Board of Elections, Richland County, Ohio as provided by the Ohio Revised Code Section 718.01 and that he shall do so at least 90 days before the primary election herein mentioned.

Section 8: That the ballot shall be substantially in the following form or similar form as approved by the appropriate election authorities to express the intent and purpose hereof.

PROPOSED MUNICIPAL INCOME TAX

CITY OF SHELBY

A Majority Affirmative Voted is Necessary for Passage

Shall the Ordinance providing for the continuation of a two-tenths (.2%) levy on income for a period of five (5) years, commencing on January 1, 2019 and ending on December 31, 2023, for roadway improvement and repair (97%) and sidewalk replacement (3%), be passed.

FOR THE INCOME TAX

AGAINST THE INCOME TAX

Section 9: 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 10: That the Richland County Board of Elections and the Mayor, Clerk of Council, and Director of Law of the City of Shelby are hereby directed and authorized to take all action necessary to submit the above question to the electors of the City at the election held on May 8, 2018.

Section 11: That the Clerk of Council is hereby directed to certify a copy of this Ordinance to the Richland County Board of Election no later than 4:00 p.m. on the ninetieth day prior to the date of election.

Section 12: That said Ordinance, if approved by the electors, shall become effective on January 1, 2019.

Section 13: 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

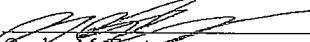
APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 1-2018
(Sponsor: Council Member McLaughlin)

OFFERING THE SHELBY CITY COUNCIL'S SUPPORT OF THE BLACK FORK WATERCOURSE OF THE MOHICAN RIVER CLEAN UP PROJECT COVERING THE LENGTH OF THE WATERWAY COMMENCING AT CHARLES MILL RESERVOIR AND CONTINUING UPSTREAM TO STATE ROUTE 13.

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of Shelby, Ohio, that the Black Fork waterway remain free of all logjams, drift, dead natural growth, accumulations and/or brush which may impede water flow; and

WHEREAS, restrictions in the waterway contribute to road closings, which make it impossible for emergency vehicles to get to many of the Richland County residents; and

WHEREAS, these restrictions in the river have contributed to many of the residents of Richland County a very significant amount of money for years by way of loss of crops and decline of property values; and

WHEREAS, that the Shelby City Council requests the board of the Muskingum Watershed Conservancy District (MWCD) to assist in the Black Fork watercourse clean-up project.

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

SECTION 1: That the Shelby City Council hereby offers its support for the Black Fork watercourse clean-up 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. Byster
Director of Law