

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

Shelby City Council Agenda
Tuesday, January 22, 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 7, 2019

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Finance & Personnel Committee—Garland John Gates

Public Works & General Operation Committee—Charlie Roub

Utilities & Streets Committee—Nathan Martin

Shelby Historic Preservation Committee—Patricia Carlisle

Reports of City Officials

Steven L. Schag—Mayor

**MOTION TO CONFIRM THE APPOINTMENT OF TED CLABAUGH TO THE CIVIL
SERVICE COMMISSION FOR A SIX-YEAR TERM ENDING 12/31/2024**

Moved _____ 2ND _____

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

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 35-2018

**AMENDING SECTION 1028.01 (PETITION REQUIRED;
FILING FEE) OF CHAPTER 1028 (VACATION OF STREETS
AND ALLEYS) 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 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

2ND READING

Moved _____ 2ND _____

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

RESOLUTION NO 4-2019

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2019 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO

Moved _____ 2ND _____

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

RESOLUTION NO 5-2019

APPROVING THE PLANS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE NORTH BROADWAY STORM SEWER PROJECT

Moved _____ 2ND _____

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

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

12/17/2018
2nd Reading
1/7/2019

ORDINANCE NO. 35 -2018
(Sponsor - Councilmember Gates)

AMENDING SECTION 1028.01 (PETITION REQUIRED; FILING FEE) OF CHAPTER 1028 (VACATION OF STREETS AND ALLEYS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, at present, the expense of a plat and description regarding the vacation of a street or alley is borne by the City of Shelby's General Fund; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare that said expense be borne by the petitioner(s) requesting said vacation.

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

Section 1: That Section 1028.01 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1028.01 PETITION REQUIRED; FILING FEE.

(a) Any adjoining property owner who desires the vacation of a street or alley shall file with the Clerk of Council a petition requesting the same. This petition shall read substantially as follows:

PETITION TO VACATE STREET OR ALLEY

To the Council of the City of Shelby, Ohio:

We, the undersigned owners of lots in the City of Shelby, Richland County, Ohio, abutting on the street or alley hereinafter described, to wit: *(insert an adequate description of the street or alley proposed to be vacated and attach a plat and description prepared by a registered surveyor showing the street or alley)*

respectfully petition that the street or alley be vacated between the points aforesaid for the following reason(s):

We state that the vacation will not be detrimental to the general interests of the citizens of the City of Shelby. We acknowledge that the vacation will be subject to the provisions of Ohio R.C. Section 723.041, wherein a permanent easement in the vacated street or alley will be retained by and for the benefit of the city and other public utilities.

WARNING!

Sign only your own name upon this petition. Signing another person's name constitutes a violation of law and may invalidate this petition. If you have the legal authority to sign on behalf of another, such as a guardianship or a power of attorney, attach a copy of your legal authority to this petition.

NAME ADDRESS PHONE LOT NUMBER(S)

CIRCULATOR'S STATEMENT

I, _____, declare under penalty of law that I reside at the address appearing below my signature hereto; that I am the circulator of the foregoing petition containing _____ (number) signatures; that I witnessed the affixing of every signature; that all signers are to the best of my knowledge qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be.

(signature of circulator)

(residence address of circulator)

CERTIFICATE OF VALIDITY

I, the undersigned, being the duly elected and qualified Director of Finance and Public Record, and ex officio Clerk of Council, do hereby certify to the Council of the City of Shelby that I have reviewed and examined the foregoing petition and find the same to be sufficient and valid.

Director of Finance and Public Record

(b) The petition shall contain the signatures of not less than 51% of the adjoining property owners. A filing fee of \$150 to cover the costs of notification, publication, recording and other direct costs shall accompany the petition and shall be deposited into the General Fund. The Clerk of Council shall determine the validity and sufficiency of the petition and shall certify the same to City Council in writing no later than the second regular Council meeting after its filing.

Section 2: That all other sections of Chapter 1028 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 McLaughlin
Vice President of Council


APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

1/7/2019

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

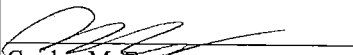
APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 4 -2019
(Sponsor- Councilmember Martin)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2019 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO.

WHEREAS, plans and specifications have been completed for the 2019 Paving Project; and

WHEREAS, various residential streets within the City of Shelby are in need of paving; and

WHEREAS, it is the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that said improvements be made to said streets within the City of Shelby.

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

Section 1: That the plans and specifications for the 2019 Paving Project in the City of Shelby are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said paving project.

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 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. 5 -2019
(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 NORTH BROADWAY STORM SEWER PROJECT.

WHEREAS, it has become necessary to install a new storm sewer line in 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 plans and specifications are approved and that the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for the North Broadway Storm Sewer 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

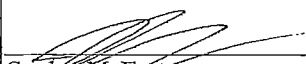
APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Lyster
Director of Law