

**3:30pm Community & Economic Development Committee**

**Shelby City Council Agenda  
Monday, July 6, 2015  
COUNCIL CHAMBERS  
29 MACK AVENUE  
Shelby, Ohio  
7:00 p.m.**

**Call to Order and Pledge of Allegiance**

**Roll Call:**

Mrs. Carlisle \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_

**Dispense with Reading of Journal from June 15, 2015**

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

Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mrs. Carlisle \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_

**Public Comment**

**Reports from Standing and Special Committees**

Community & Economic Development Committee—Steve McLaughlin

Finance & Personnel Committee—Pat Carlisle

Public Works & General Operation Committee—Garland John Gates

Board of Revision of Assessments—Mayor Steven L. Schag

**Reports of City Officials**

Steven L. Schag—Mayor

**MOTION TO CONFIRM THE APPOINTMENT OF LEE WILKINS JR TO THE BOARD OF ZONING APPEALS**

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

Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mrs. Carlisle \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_

Jeff Fenner—Asst. Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

**Unfinished Business**

Live streaming of council meetings  
CSX/Broadway storm sewer  
Sutter Roush Mausoleum  
Appointment of a new finance director

**Legislation**

**ORDINANCE NO 16-2015**

**PROPOSING AN AMENDMENT TO SECTION 52 OF THE  
CHARTER OF THE CITY OF SHELBY AND SUBMITTING  
SUCH PROPOSED AMENDMENT TO THE ELECTORS**

**3RD READING**

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

**PASSAGE OF ORDINANCE**

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

**ORDINANCE NO 21-2015**

**AMENDING ORDINANCE NO 8-2015 (ANNUAL  
APPROPRIATIONS), AND DECLARING AN EMERGENCY**

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

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

**PASSAGE OF ORDINANCE**

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

**ORDINANCE NO 22-2015**

**VACATING A SECTION OF BLACKFORK STREET AND A SECTION OF AN ALLEY BETWEEN LOTS 551 AND 1424 IN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO**

**1ST READING**

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

Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mrs. Carlisle \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_

**ORDINANCE NO 23-2015**

**AMENDING SUBSTITUTE ORDINANCE NUMBER 3-2013 (ESTABLISHING WAGES FOR DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES).**

**1ST READING**

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

Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mrs. Carlisle \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_

**ORDINANCE NO 24-2015**

**AMENDING SECTION 236.04 (CONTRACTS, MATERIALS AND LABOR) OF CHAPTER 236 (DIRECTOR OF PUBLIC SAFETY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**1ST READING**

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

Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mrs. Carlisle \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_

**ORDINANCE NO 25-2015**

**AMENDING SECTION 242.01 (CONTRACTS, MATERIALS AND LABOR) OF CHAPTER 242 (DIRECTOR OF PUBLIC SERVICE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**1ST READING**

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

Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mrs. Carlisle \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_

**RESOLUTION NO 25-2015                      RECOGNIZING THE VILLAGE OF PLYMOUTH ON THE  
OCCASION OF ITS BICENTENNIAL**

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

**RESOLUTION NO 26-2015                      ADOPTING AN ANNUAL REVENUE BUDGET FOR THE  
YEAR 2016**

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

**RESOLUTION NO 27-2015                      AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC  
SERVICE TO PURCHASE SALT IN CONJUNCTION WITH  
THE RICHLAND COUNTY BOARD OF COMMISSIONERS  
FOR THE PURCHASE OF ROCK SALT**

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

**RESOLUTION NO 28-2015                      AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC  
SERVICE TO ACCEPT A GRANT FOR A LEAF VACUUM  
MACHINE FROM THE OHIO BUREAU OF WORKERS'  
COMPENSATION AND DECLARING AN EMERGENCY**

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

**RESOLUTION NO 29-2015                      AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC  
SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A  
CONTRACT FOR THE PURCHASE OF A LEAF VACUUM  
MACHINE FOR THE SHELBY SERVICE DEPARTMENT  
AND DECLARING AN EMERGENCY**

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

**RESOLUTION NO 30-2015**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO NECESSARY CONTRACTS TO SELL CERTAIN KILOWATT HOURS PURCHASED BY THE CITY OF SHELBY AND DECLARING AN EMERGENCY**

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

**Miscellaneous Business**

**Adjournment** at \_\_\_\_\_ p.m.  
Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mrs. Carlisle \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_

6/1/2015  
2nd  
6/15/15

ORDINANCE NO. 16 - 2015  
(Sponsor: Councilmember Gates)

PROPOSING AN AMENDMENT TO SECTION 52 OF THE CHARTER OF THE CITY OF SHELBY AND SUBMITTING SUCH PROPOSED AMENDMENT TO THE ELECTORS.

WHEREAS, under the authority of Article XVIII, Section 7 of the Ohio Constitution, the City of Shelby adopted a Charter which became effective on January 1, 1922; and

WHEREAS, Section 123 of said Charter provides for the amendment thereof and the submission of proposed amendments to the electors of the City; and

WHEREAS, Chapter 52 establishing the Mayor's ability to form a Civil Service Commission; and

WHEREAS, The ability to make "lateral transfers" gives the City of Shelby greater flexibility in making original appointments to the positions of police officer and firefighter; and

WHEREAS, In order to make lateral transfers, it is necessary to amend the Charter of the City of Shelby; and

WHEREAS, It is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that an amendment to Charter Section 52 be submitted to the electorate.

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

Section 1: That there be submitted to the electors of the City at the election to be held on Tuesday, November 3, 2015, during the regular hours of voting at such date as prescribed by general law, the question of the amendment to Charter Section 52 as noted herein below with language to be deleted shown with strikethroughs and language to be added shown in capitals:

SECTION 52. (A) There ~~may~~ SHALL be a Civil Service Commission, with the powers and duties conferred or imposed by the law upon municipal civil service commissions, and the Mayor with the advice and consent of the Council ~~may~~ SHALL form a Civil Service Commission. MEMBERS OF THE CIVIL SERVICE COMMISSION IN OFFICE AT THE TIME OF THE ADOPTION OF THIS SECTION SHALL CONTINUE IN OFFICE UNTIL THE EXPIRATION OF THEIR TERMS.

(B) IN THE CASE OF APPOINTMENT OF ANY PERSON TO THE ENTRY-LEVEL POSITION OF POLICE OFFICER, THE DIRECTOR OF PUBLIC SAFETY MAY APPOINT PERSONS WHO HAVE OBTAINED AND MAINTAINED BASIC OHIO PEACE OFFICER CERTIFICATION (OR EQUIVALENT) AND WHO ARE EMPLOYED BY ANOTHER JURISDICTION AS A POLICE OFFICER, DEPUTY SHERIFF, OR STATE HIGHWAY PATROL OFFICER TO SUCH POSITION WITHOUT FIRST ADMINISTERING A COMPETITIVE EXAMINATION. IN THE CASE OF APPOINTMENT OF ANY PERSON TO THE ENTRY-LEVEL POSITION OF FIREFIGHTER, THE DIRECTOR OF PUBLIC SAFETY MAY APPOINT PERSONS WHO HAVE OBTAINED AND MAINTAINED OHIO PROFESSIONAL FIREFIGHTER CERTIFICATION AND OHIO PARAMEDIC CERTIFICATION (OR EQUIVALENT) AND WHO ARE EMPLOYED BY ANOTHER JURISDICTION AS A FIREFIGHTER TO SUCH POSITION WITHOUT FIRST ADMINISTERING A COMPETITIVE EXAMINATION. IN LIEU OF A COMPETITIVE EXAMINATION, THE DIRECTOR OF PUBLIC SAFETY MAY ASSESS THE MERIT AND FITNESS OF ANY SUCH APPLICANT SO QUALIFIED BY REVIEW OF HIS OR HER RECORD WHILE EMPLOYED AS A LAW ENFORCEMENT OFFICER OR FIREFIGHTER. THE SELECTION PROCEDURES AND SELECTION CRITERIA APPLICABLE TO SUCH PERSONS APPOINTED WITHOUT



ORDINANCE NO. 21-2015  
(Sponsor – Councilmember Carlisle)

AMENDING ORDINANCE NO. 8-2015 (ANNUAL APPROPRIATIONS), AND  
DECLARING AN EMERGENCY.

WHEREAS, on March 16, 2015, the Council of the City of Shelby passed its Annual Appropriation Ordinance as required by the Ohio Revised Code Section 5705.38; and

WHEREAS, it is necessary to increase line items within the 2015 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 2015, and so as to fund necessary expenditures 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: That Ordinance No. 8-2015 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

230-CAP-647	BLACKFORK PARK	\$15,000.00
101-CON-480	LEGAL ADVERTISING	\$ 9,000.00

Section 2: That all other portions of Ordinance No. 8-2015 not modified 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 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance is hereby deemed to be 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 D. McLaughlin  
Vice President of Council


APPROVED:

ATTEST: \_\_\_\_\_

Jeff D. Fenner  
Clerk of Council

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

Prepared by:

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



ORDINANCE NO. 22 -2015  
(Sponsors: Councilmember Martin)

**VACATING A SECTION OF BLACKFORK STREET AND A SECTION OF AN ALLEY BETWEEN LOTS 551 AND 1424 IN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO**

WHEREAS, On the 3<sup>rd</sup> day of November, 2014, the Council of the City of Shelby adopted Resolution No. 40-2014 declaring its intent to vacate a section of Blackfork Street, and a section of an alley between lots 551 and 1424 in the City of Shelby, Ohio as shown on Exhibit A and described on Exhibit B; and

WHEREAS, notice of adoption of the above resolution has been given to the owners of property abutting said roadway effected by said resolution, notifying said property owners of the time and place at which objections could be presented to the Board of Revision of Assessments (pursuant to Section 105 of the Charter of the City of Shelby); and

WHEREAS, the Board of Revision of Assessments met on November 14, 2014, and voted to approve and recommend the vacation of a portion of Blackfork Street and a portion of an alley between lots 551 and 1424 as shown on Exhibit A and described on Exhibit B; and

WHEREAS, this Council is satisfied that there is good cause for vacating said roadway and alley hereinafter described and that said vacation will not be detrimental to the general interest and public welfare.

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

Section 1: That a section of Blackfork Street and a portion of an alley between lots 551 and 1424 as set forth in the legal description as prepared by F.E. Krocka and Associates, Inc-Raymond G. Lenczowski, Registered Surveyor on April 23, 2014 is hereby vacated.

Section 2: That in accordance with Section 105 of the Charter of the City of Shelby, Ohio, the City shall retain any and all easements necessary for the maintenance of utilities currently located within the roadway.

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 D. McLaughlin  
Vice President of Council

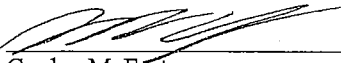
APPROVED:

ATTEST: \_\_\_\_\_

Jeff D. Fenner  
Clerk of Council

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

Prepared by:

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

**ORDINANCE NO. 33 -2015**  
(Sponsor – Councilmembers Carlisle and Martin)

**AMENDING SUBSTITUTE ORDINANCE NUMBER 3-2013 (ESTABLISHING WAGES FOR DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES).**

WHEREAS, on February 4, 2013, Substitute Ordinance Number 3-2013 was passed in order to establish wages for department heads and other non certified employees; 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 Substitute Ordinance Number 3-2013 be amended so as to adjust the annual salary ranges and hourly wage ranges set forth therein for department heads, superintendents, and other non-certified employees.

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

Section 1: That the salary and wage ranges currently in effect for the positions as set forth herein below are to be amended and shall heretofore be as follows:

DEPARTMENT HEADS AND SUPERINTENDENTS  
HOURLY WAGE RANGE

Chief of Police	\$25.00 - \$38.50
Fire Chief	\$25.00- \$38.50
Superintendent of Electrical Distribution	\$25.00 - \$38.50
Superintendent of Municipal Light Plant	\$25.00 - \$38.50
Superintendent of Service Department	\$25.00 - \$38.50
Superintendent of Water Plant and Distribution	\$25.00 - \$38.50
Superintendent of Waste Water Treatment Plant and Sewers	\$25.00 - \$38.50

DEPARTMENT HEADS ANNUAL SALARY RANGE

Health Commissioner	\$10,000.00 - \$72,000.00
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NON-CERTIFIED EMPLOYEE ANNUAL SALARY RANGE

Medical Director	\$5,000.00- \$25,000.00
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OTHER NON-CERTIFIED EMPLOYEES  
HOURLY WAGE RANGE

Assistant Director of Finance	\$17.00 - \$28.50
Clerk of Courts	\$17.00 - \$28.50
City Project Coordinator	\$17.00 - \$30.50

Community and Economic Development Coordinator	\$15.00 - \$28.50
Utility Office Supervisor	\$17.00 - \$28.50
Deputy Director of Public Service And Utilities	\$25.00 - \$40.00
Assistant to Deputy Director of Public Service and Utilities	\$17.00 - \$27.00
Environmental Health Director/Sanitarian	\$17.00 - \$28.50
Nurse	\$13.00 - \$28.50
Probation Officer	\$13.00 - \$19.00
Secretary to the Mayor & Director of Finance	\$13.00 - \$22.00
Administrative Assistant Finance	\$13.00 - \$22.00
Administrative Assistant Health	\$13.00 - \$22.00
Income Tax Clerk	\$13.00 - \$25.00
Secretary to the Law Director (part-time)	\$13.00 - \$23.00

Section 2: That the Finance Director shall report W-2 wages to City Council at the second meeting in February.

Section 3: That wages and salaries shall not exceed the tops of these ranges.

Section 4: That wages and salaries shall not increase by more than four percent (4%) per year, except by a vote of two-thirds (2/3) majority of members of Council.

Section 5: 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 6: 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: \_\_\_\_\_

Jeff D. Fenner  
Clerk of Council

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

Prepared by:

  
Gordon M. Eyster  
Director of Law

ORDINANCE NO. 24 -2015  
(Sponsors—Councilmembers Carlisle and Martin)

AMENDING SECTION 236.04 (CONTRACTS, MATERIALS AND LABOR) OF  
CHAPTER 236 (DIRECTOR OF PUBLIC SAFETY) OF THE CODIFIED  
ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, situations have occurred recently that slowed the process for purchases or contracts for materials and/or labor at costs over \$25,000 but under \$50,000; 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 236.04 of said chapter be amended to allow for situations that were not considered at the time of amendment in 2005.

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

Section 1: That Section 235.04 of the Codified Ordinances of the City of Shelby be amended to read as follows:

**236.04 CONTRACTS, MATERIALS, AND LABOR**

The Mayor, as ex officio Director of Public Safety, may make all contracts and expenditures of money under \$25,000 for acquiring lands for the erection or repairing of station houses, police stations, fire department buildings, fire cisterns and plugs, that are required for the purchase of engines, apparatus and all other supplies necessary for the police and fire departments, and for other undertakings and departments under the Director's supervision. No obligation involving an expenditure of more than \$25,000 but less than \$50,000 shall be created unless first authorized and directed by ordinance or resolution of the city legislative authority. In making, altering or modifying contracts over \$50,000, the Director shall be governed by R.C. Sections 735.05 to 735.09, except that all bids shall be filed with and opened by the Director of Public Safety. The Director shall make no sale or disposition of any property belonging to the city without first being authorized by resolution or ordinance of the city legislative authority.

Section 2: That all other sections of Chapter 236 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 D. McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Jeff D. Fenner  
Clerk of Council

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

Prepared by:

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

ORDINANCE NO. 25 -2015  
(Sponsors—Councilmembers Carlisle and Martin)

**AMENDING SECTION 242.01 (CONTRACTS, MATERIALS AND LABOR) OF  
CHAPTER 242 (DIRECTOR OF PUBLIC SERVICE) OF THE CODIFIED  
ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, situations have occurred recently that slowed the process for purchases or contracts for materials and/or labor at costs over \$25,000 but under \$50,000; 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 242.01 of said chapter be amended to allow for situations that were not considered at the time of amendment in 2005.

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

Section 1: That Section 242.01 of the Codified Ordinances of the City of Shelby be amended to read as follows:

**242.01 CONTRACTS, MATERIALS, AND LABOR**

The Mayor, as ex officio Director of Public Service may make any contract, purchase supplies or materials, or provide labor for any work under the supervision of the Department of Public Service involving not more than \$25,000. When an expenditure within the department, other than the compensation of persons employed therein, exceeds \$25,000 but less than \$50,000, such expenditures shall first be authorized and directed by ordinance or resolution of city council. When an expenditure within the department, other than compensation of persons employed therein, exceeds \$50,000, such expenditures shall first be authorized and directed by ordinance or resolution. When so authorized and directed, except where the contract is for equipment, services, materials or supplies to be purchased under R.C. section 713.23(D) of R.C. section 125.04 or section 5513.01 or available from a qualified nonprofit agency pursuant to R.C. sections 4115.31 to 4115.35, the Director shall make a written contract with the lowest and best bidder after advertisement for not less than two or more than four consecutive weeks in a newspaper of general circulation within the city.

Section 2: That all other sections of Chapter 242 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 D. McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_

Jeff D. Fenner  
Clerk of Council

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

Prepared by:

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

RESOLUTION NO. 25 -2015  
(Sponsors – Councilmember Gates and Carlisle)

**RECOGNIZING THE VILLAGE OF PLYMOUTH ON THE OCCASION OF ITS BICENTENNIAL.**

WHEREAS: The Village of Plymouth is celebrating the bicentennial of its founding in 1815; and

WHEREAS: Over the past two hundred years, Plymouth has grown from a cluster of humble cabins on the edge of the vast North American wilderness into a modern community of houses, stores, offices, and businesses; and

WHEREAS: Countless Plymouth residents have distinguished themselves in many fields of endeavor during the community's two centuries of existence; and

WHEREAS: This Council desires to recognize both the Village of Plymouth and its citizens as together they celebrate the bicentennial of this outstanding municipality.

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

Section 1: That the Village of Plymouth and its citizens shall be and are hereby recognized on the occasion of the bicentennial of the founding of said village.

Section 2: That the Mayor shall be and is hereby directed to name a delegation of officials and residents to present an authenticated copy of this Resolution to the Village of Plymouth.

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.

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 D. McLaughlin  
Vice President of Council

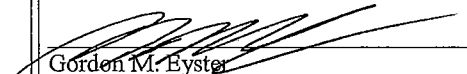
APPROVED:

ATTEST: \_\_\_\_\_

Jeff D. Fenner  
Clerk of Council

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

Prepared by:

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

RESOLUTION NO. 26 -2015  
(Sponsor – Councilmember Carlisle)

**ADOPTING AN ANNUAL REVENUE BUDGET FOR THE YEAR 2016.**

WHEREAS, the Director of Finance and Public Record has submitted a revenue budget for the year 2016, to the Council 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 the revenue budget for the year 2016 be adopted.

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

Section 1: That the revenue budget for the year 2016 has been submitted to City Council by the Director of Finance and Public Record, and the same is hereby adopted.

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 D. McLaughlin  
Vice President of Council

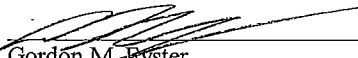
APPROVED:

ATTEST: \_\_\_\_\_

Jeff D. Fenner  
Clerk of Council

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

Prepared by:

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

RESOLUTION NO. 27-2015  
(Sponsor-Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE SALT IN CONJUNCTION WITH THE RICHLAND COUNTY BOARD OF COMMISSIONERS FOR THE PURCHASE OF ROCK SALT**

WHEREAS, the Richland County Board of Commissioners and the Richland County Engineer are willing to partner with the City of Shelby in purchasing rock salt in the hopes that the combined, larger purchase will be at a lesser cost than if purchased independently; and

WHEREAS, Ohio Revised Code 125.04 authorizes political subdivisions to purchase supplies or services from one another as long as said purchase is on equivalent terms, conditions, and specifications (but at a lower price) than could be purchased by bidding or through the state cooperative purchase plan; and

WHEREAS, the Richland County Board of Commissioners and the Richland County Engineer have completed the necessary steps to purchase rock salt for both the county and city of Shelby all in accordance with the terms of the Ohio Revised Code and, specifically, 125.04; and

WHEREAS, the Richland County Board of Commissioners have received a low bid of \$79.13 per ton from Cargill, Inc. - Deicing Technology Business Unit; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of Shelby, Ohio, that the Mayor as Director of Public Service be authorized to cooperate with the Richland County Board of Commissioners for the purchase of rock salt.

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 be authorized to purchase 250 tons of rock salt at a price of \$79.13 from Cargill, Inc.-Deicing Technology Business Unit.

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

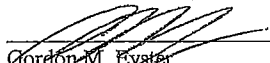
APPROVED:

ATTEST: \_\_\_\_\_

Jeff D. Fenner  
Clerk of Council

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

Prepared by:

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



**RESOLUTION NO. 28-2015**  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACCEPT A GRANT FOR A LEAF VACUUM MACHINE FROM THE OHIO BUREAU OF WORKERS' COMPENSATION AND DECLARING AN EMERGENCY.**

WHEREAS, the Shelby Department of Public Service has been awarded a Safety Intervention Grant from the Ohio Bureau of Workers' Compensation for a new leaf vacuum machine; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of Shelby, Ohio, that the Mayor as Director of Public Service be authorized to accept a grant from the Ohio Bureau of Workers' Compensation for a new leaf vacuum machine; and

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

Section 1: That the Mayor as Director of Public Service be authorized to accept a grant for a leaf vacuum machine from the Ohio Department of Workers' Compensation and complete any and all action steps as shown on the employer action steps portion of the award letter from the Ohio Bureau of Workers' Compensation.

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: \_\_\_\_\_  
Jeff Fenner  
Clerk of Council

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

Prepared by:

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

RESOLUTION NO. 29-2015  
(Sponsor- Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF A LEAF VACUUM MACHINE FOR THE SHELBY SERVICE DEPARTMENT AND DECLARING AN EMERGENCY.**

WHEREAS, the Shelby Department of Public Service has been awarded a grant for a leaf machine from the Ohio Bureau of Workers' Compensation; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that said leaf machine be purchased.

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

Section 1: That the Mayor as Director of Public Service shall be and is hereby authorized to advertise for bids and enter into a contract for the purchase of a leaf vacuum machine for the ongoing operation of the Service Department.

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: \_\_\_\_\_

Jeff Fenner  
Clerk of Council

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

Prepared by:

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

**RESOLUTION NO. 30-2015**  
(Sponsor- Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO NECESSARY CONTRACTS TO SELL CERTAIN KILOWATT HOURS PURCHASED BY THE CITY OF SHELBY AND DECLARING AN EMERGENCY.**

WHEREAS, the Council of the City of Shelby passed Resolution No. 60-2007 for the purchase of certain kilowatt hours of electric power under the Prairie State Energy Campus project; and

WHEREAS, the Council of the City of Shelby passed Resolution No. 61-2007 for the purchase of certain kilowatt hours of electric power from the Cannelton, Smithland and Willow Island Hydroelectric Projects; and

WHEREAS, the Council of the City of Shelby passed Resolution No. 60-2009 for the purchase of certain kilowatt hours of electric power from the Meldahl and Greenup Hydroelectric Projects; and

WHEREAS, all contracts allow for the City of Shelby to sale certain portions of the respective purchased kilowatt hours; and

WHEREAS, the City of Shelby finds it necessary, in today's market, to attempt to sell portions of the kilowatt hours purchased under said Resolutions; and

WHEREAS; it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that the City attempt to sell certain portions of the kilowatt hours.

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 shall be and is hereby authorized pursuant to said contracts to sell up to and including the following kilowatt hours under the respective contract:

a.	Smithland	952 kW
b.	Willow Island	552 kW
c.	Cannelton	1,094 kW
d.	Greenup	366 kW
e.	Medahl	559 kW

Section 2: The Mayor is hereby authorized to enter into any contracts necessary to effectuate the sale of said kilowatt hours under all reasonable and appropriate terms up to the aforementioned kilowatt hours.

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