

3:30pm Community & Economic Development Committee

**Shelby City Council Agenda
Monday, June 1, 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 May 18, 2015

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

Public Comment

Reports from Standing and Special Committees

Community & Economic Development—Steve McLaughlin

Finance & Personnel Committee—Pat Carlisle

Public Works & General Operation Committee—Garland John Gates

Reports of City Officials

Steven L. Schag—Mayor

Jeff Fenner—Asst. Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business

Live streaming of council meetings

Legislation

ORDINANCE NO 14-2015

**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 _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 15-2015

**AUTHORIZING THE MAYOR OF THE CITY OF SHELBY
TO ENTER INTO CONTRACTS WITH THE FRATERNAL
ORDER OF POLICE #180, SARGEANTS, CAPTAINS,
PATROL OFFICERS, AND DISPATCHERS, AND
DECLARING AN EMERGENCY**

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

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

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**

1ST READING

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO 17-2015

**AMENDING SECTION 618.17 (KEEPING OF LIVESTOCK)
OF THE CODIFIED ORDINANCES OF THE CITY OF
SHELBY**

1ST READING

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

RESOLUTION NO 19-2015

**APPROVING THE PLANS AND AUTHORIZING THE
MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER
INTO A CONTRACT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION FOR THE STATE ROUTE PAVING
PROJECT WITHIN THE CITY OF SHELBY, OHIO AND
DECLARING AN EMERGENCY**

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

RESOLUTION NO 20-2015

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO PREPARE AND SUBMIT AN APPLICATION
TO PARTICIPATE IN THE OHIO PUBLIC WORKS
COMMISSION STATE CAPITAL IMPROVEMENT AND/OR
LOCAL TRANSPORTATION IMPROVEMENT
PROGRAM(S) AND TO EXECUTE CONTRACTS AS
REQUIRED AND DECLARING AN EMERGENCY**

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

RESOLUTION NO 21-2015

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF A DUMP TRUCK FOR THE SHELBY SERVICE DEPARTMENT

Moved 2ND

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

RESOLUTION NO 22-2015

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS FOR ASSET MANAGEMENT SERVICES FOR THE SHELBY MUNICIPAL LIGHT PLANT LIQUIDATION PROJECT

Moved 2ND

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

RESOLUTION NO 23-2015

DECLARING THE INTENT TO VACATE AN ALLEY RUNNING PERPENDICULAR OF SECOND STREET BETWEEN LOTS 520 AND 521 IN THE CITY OF SHELBY, OHIO

Moved 2ND

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

RESOLUTION NO 24-2015

RECOGNIZING THE EMPLOYEES OF THE WASTE WATER TREATMENT PLANT, SERVICE DEPARTMENT, LINE DEPARTMENT, AND THE LIGHT PLANT FOR THEIR COMBINED EFFORTS IN THE SUCCESSFUL REPAIR OF THE PRIMARY FLIGHT SYSTEM EQUIPMENT AT THE WASTE WATER TREATMENT PLANT

Moved 2ND

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

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mrs. Carlisle _____

ORDINANCE NO. 14 -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

300-STR-583	DUMP TRUCK	\$40,000.00
400-DCP-583	DUMP TRUCK	\$40,000.00
500-DCP-583	DUMP TRUCK	\$40,000.00
600-DCP-583	DUMP TRUCK	\$20,000.00

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. 15 -2015
(Sponsor - Councilmembers Carlisle, Martin and Gates)

AUTHORIZING THE MAYOR OF THE CITY OF SHELBY TO ENTER INTO CONTRACTS WITH THE FRATERNAL ORDER OF POLICE #180, SARGEANTS, CAPTAINS, PATROL OFFICERS, AND DISPATCHERS, AND DECLARING AN EMERGENCY.

WHEREAS, City Council and the Administration have conducted extensive negotiations with the Fraternal Order of Police #180 as the bargaining representatives for certain employees of the Police Department; and

WHEREAS, such negotiations have provided a tentative agreement between the parties; and

WHEREAS, City Council and the Administration have reviewed such proposal and desire to ratify and adopt such agreement(s).

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 the Mayor is hereby authroized and directed to enter into agreement(s) with the Fraternal Order of Police #180 on behalf of certain employees of the Police Department, a copy of the agreement(s) is/are attached hereto and made a part hereof as though fully rewritten herein.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with all legal requirements.

Section 3: That any and all ordinances in conflict with the express provisions of this Agreement are superseded by this Agreement.

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, Ohio.

Section 5: 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: _____
Jeffrey D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Director of Law

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

Section 2: That the ballots on the proposed Charter amendment, as set forth in Section 1 hereof, for said election shall each be substantially in the following form or similar form as approved by the appropriate election authorities to express the intent and purpose hereof.

A Majority Affirmative Vote is Necessary for Passage

[illegible]

Section 8: 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.

Steven D. McLaughlin
Vice President of Council

Steven L. Schag
Mayor

Gordon M. Eyster
Director of Law

ORDINANCE NO. 17 - 2015
Sponsor: Councilmember Carlisle

AMENDING SECTION 618.17 (KEEPING OF LIVESTOCK) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, it has become apparent through public comment and police records that Section 618.17 needs amending to clarify the spirit of Ordinance 15-2009 passed June 1, 2009; and

WHEREAS, it is necessary to amend Section 618.17 to provide additional guidelines for raising of livestock within the city limits; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that Section 618.17 be amended.

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

Section 1: Section 618.17 (Keeping of Livestock) shall be amended as follows:

- (a) No person shall keep, harbor, or maintain any horse, pony, cattle, sheep, hog, goat, llama, alpaca or other hoofed animal in the city, except that the keeping, harboring, or maintaining of any such animal may be located on one acre or more.
- (b) No person shall keep, harbor, or maintain any rabbit, hare, pika, or animal of the order Lagomorpha, except that the keeping, harboring or maintaining of any such animal may be located on one acre or more.
- (c) No person shall keep, harbor, or maintain any chicken, turkey, geese, duck, pheasant, quail, or other fowl in the city, except that the keeping, harboring, or maintaining of any such fowl may be located on one acre or more.
- (d) Recognized agricultural education programs and projects such as FFA and 4H are exempt from the one acre requirement as long as the program project is supervised by school personnel or extension service personnel, housed on school property, or on private property for a period less than one year for the purpose of showing and selling at the county fair. The student must reside on the same private property where the animal is kept. At no time shall the combined total number of livestock listed in divisions (a), (b), and (c) on private property regardless of species exceed eight livestock. Proper housing that is safe, healthy, and secure for the animals in all weather conditions must be maintained as recommended by the supervision personnel from the school or extension service.
- (e) Furthermore, persons who depend upon livestock mentioned in divisions (a), (b), and (c) to supplement their diets are exempt from the one acre requirement. At no time shall the combined total number of livestock listed in divisions (a), (b), and (c) on private property regardless of species exceed eight livestock. Proper housing that is safe, healthy, and secure for the animals in all weather conditions must be maintained and all barns, coops, pens, barnyard, and enclosures cannot be an eyesore or diminish the comfort and enjoyment of neighboring and adjacent properties. No livestock raised on private property, offspring, or by-product of such livestock shall be offered for sale.
- (f) Divisions (a), (b) and (c) shall not apply to shows or exhibits duly permitted and approved by the Police Department and/or Health Department as part of a community event. However, no permit shall be approved where it is proposed to offer the animals for sale.
- (g) Persons currently owning, keeping, or harboring livestock mentioned in divisions (a), (b), and (c) of this section or exceeding a combined total number of eight shall have 60 days from the effective date of this section to comply by moving the animals to appropriately-sized parcels.

- (h) No person shall raise, breed, or hatch any livestock mentioned in divisions (a), (b), and (c) in a residence or business where any person resides or works, except that the business be solely an operation properly licensed and designed for raising, breeding or hatching the livestock.
- (i) No owner, keeper, harbinger or person having charge of any livestock shall allow the animal to escape or permit the animal to run at large on any public thoroughfare or public land or any private premises. When made aware that an animal has escaped, the owner, keeper, harbinger or person having charge of the animal must immediately catch and confine the animal. Nothing in this section shall limit any such owner, keeper, harbinger or person having charge from any other civil or criminal charge as provided by law.
- (j) No owner, keeper, or harbinger or person having charge of any livestock shall permit the animal to graze, scratch, dig or otherwise damage any lawn, tree, shrub, plant, building or other public or private property other than the property of the owner or person having charge of the animal. This section shall not apply to private property onto which the owner or person having charge of any animal has permission of the owner or occupier of the property authorizing the entry or the animal onto the property.
- (k) Complaints of improper nutrition, lacking veterinarian care, abuse or neglect of any animal in the section will be investigated by the Health Department, Police Department, and/or County Humane Society and reported to the proper authorities.
- (l) Any person, non-profit organization, firm, or corporation violating any provision of this section is guilty of a minor misdemeanor. Subsequent offenses shall be a misdemeanor of the fourth degree.

Section 2: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code 121.22, and the Charter of the City of Shelby, Ohio.

Section 3: 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

ATTEST: _____
Jeffery D. Fenner
Director of Finance

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 19-2015
(Sponsor: Councilmember Martin)

APPROVING THE PLANS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE PAVING PROJECT WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the following Final Resolution enacted by the City of Shelby, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project; and

WHEREAS, on the 20th day of January, 2015, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of pavement repairs, resurfacing and related work as well as minor structure maintenance on SR 39, SR 61 & SR 96, lying within the City of Shelby; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within Shelby city limits, less the amount of Federal-Aid and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of Four Hundred Ninety Five Thousand Six Hundred Eighteen and 00/100 Dollars, (\$495,618.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement; 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 enter into a contract for the project herein above described.

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 estimated sum of Four Hundred Ninety Five Thousand Six Hundred Eighteen and 00/100 Dollars (\$495,618.00) is hereby appropriated for the improvement described above and the Finance Director is hereby authorized and directed to issue an order on the treasury for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The City of Shelby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

Section 2: That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

Section 3: That the LPA enter into a contract with the State, and that the Mayor as Director of Public Service be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described 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.

RESOLUTION NO. 20-2015
(Sponsor: Councilmembers Martin & McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Shelby is planning to make capital improvements on its waterline infrastructure; 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 apply for said funds.

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 is hereby authorized to apply to the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs for financial assistance for capital improvements to public infrastructure.

Section 2: That the Mayor as Director of Public Service is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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


APPROVED:

ATTEST: _____

Jeff D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:


Gordon M. Byster
Director of Law

RESOLUTION NO. 21-2015
(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 DUMP TRUCK FOR THE SHELBY SERVICE DEPARTMENT.

WHEREAS, the ongoing operations of the Shelby Service Department requires the purchase of a new dump truck; 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 dump truck be purchased as soon as possible.

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 to advertise for bids and enter into a contract for the purchase of a dump truck 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 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: _____

Jeffrey D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 22 -2015
(Sponsor- Councilmembers Martin and McLaughlin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO
ADVERTISE FOR BIDS FOR ASSET MANAGEMENT SERVICES FOR THE SHELBY
MUNICIPAL LIGHT PLANT LIQUIDATION PROJECT.**

WHEREAS, the Shelby Municipal Light Plant ceased operations in 2011 and has assets that are no longer needed; and

WHEREAS, the City of Shelby is in need of an asset manger to assist in liquidating said assets; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that asset management services be acquired.

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 to advertise for bids for asset management services for the Shelby Municipal Light.

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: _____
Jeffery D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 23-2015
(Sponsors: Councilmember Martin)

**DECLARING THE INTENT TO VACATE AN ALLEY RUNNING PERPENDICULAR OF
SECOND STREET BETWEEN LOTS 520 AND 521 IN THE CITY OF SHELBY, OHIO.**

WHEREAS, the plats of the City of Shelby, Ohio, indicate that a dedicated alley runs perpendicular of Second Street between lots 520 and 521; and

WHEREAS, a majority of the owners of property bounding and abutting upon said alley have submitted a "Petition to Vacate Street or Alley" to Council of the City of Shelby, Ohio, asking the alley to be vacated; and

WHEREAS, Section 105 of the Charter of the City of Shelby authorizes the Council of the City of Shelby to vacate an alley and sets forth the procedure for doing so; 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 alley running perpendicular of Second Street between lots 520 and 521 within the City of Shelby, Ohio, be vacated.

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

Section 1: That it is the intent of the Council of the City of Shelby that the alley running perpendicular of Second Street between lots 520 and 521 as shown on Exhibit A within the City of Shelby, Ohio be vacated.

Section 2: That the Clerk of Council is hereby instructed to cause notice of Council's intent to vacate said alley to be served upon those persons mandated by the terms of the Charter of the City of Shelby.

Section 3: That the Board of Revisions of Assessments shall hold a meeting to consider Council's intent to vacate as well as any objections which may be lodged concerning said intent and that said Board of Revisions of Assessments submit a report to the council of the City of Shelby following said meeting.

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: _____

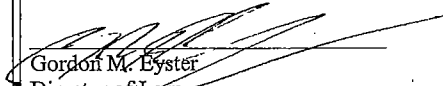
Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____
Jeffrey D. Fenner
Clerk of Council

Steven L. Schag
Mayor

Prepared by :



Gordon M. Eyster
Director of Law

RESOLUTION NO. 242015
(Sponsors - Councilmembers Martin and McLaughlin)

RECOGNIZING THE EMPLOYEES OF THE WASTE WATER TREATMENT PLANT, SERVICE DEPARTMENT, LINE DEPARTMENT, AND THE LIGHT PLANT FOR THEIR COMBINED EFFORTS IN THE SUCCESSFUL REPAIR OF THE PRIMARY FLIGHT SYSTEM EQUIPMENT AT THE WASTE WATER TREATMENT PLANT.

WHEREAS: Between the dates of March 19, 2015 to April 23, 2015, the primary flight system equipment at the Waste Water Treatment Plant was in and out of operation due to a mechanical failure of the two - 120' chains, fourteen - 20' fiberglass flight boards, and one drive unit; and

WHEREAS: This equipment was installed during the 1988 upgrade and has been in continuous operation; and

WHEREAS: The Waste Water Treatment Plant employees felt it was important to repair the equipment to extend the useful mechanical ability of the equipment before the next plant upgrade; and

WHEREAS: The plant operators placed it upon themselves to repair the equipment to avoid extra expenditures and when they needed assistance during the repair, employees from the Service Department, Line Department, and the Light Plant provided their mechanical abilities to the project; and

WHEREAS: The combined efforts of the municipal utility departments were able to make the successful repairs to the Primary Flight System.

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

Section 1: That the Council express its sincere thanks and appreciation to the Waste Water Treatment, Service Department, Line Department, and Light Plant employees for their outstanding contributions to the City of Shelby and highly commend them for the manner in which they carried out their skilled mechanical abilities to make the necessary repairs to the Primary Flight System equipment at the Waste Water Treatment Plant

Section 2: That the Clerk of Council present the Waste Water Treatment Plant Superintendent; Service Department Superintendent; Line Department Superintendent; and Light Plant Superintendent, an authenticated copy of this Resolution.

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

ATTEST: _____

Jeffrey D. Fenner
Director of Finance

Steven L. Schag
Mayor

Prepared by: 
Gordon M. Byster
Director of Law