

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

Shelby City Council Agenda
Monday, October 15, 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 _____

Motion to excuse Nathan Martin

Moved _____ 2ND _____

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

Dispense with Reading of Journal from October 1, 2018

Moved _____ 2ND _____

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

Public Comment

Richland County Children Services—Tim Harless & Brigitte Coles

Reports from Standing and Special Committees

Finance & Personnel Committee—Garland John Gates

Utilities & Streets Committee—Nathan Martin

Safety Committee—Derrin Roberts

Reports of City Officials

Steven L. Schag—Mayor

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

West Main Street Sewer Project-Now in legislation form

Legislation

ORDINANCE NO 22-2018

**AMENDING SECTION 276.04 (FOOD SERVICE/RETAIL
FOOD ESTABLISHMENT LICENSE FEES) OF CHAPTER
276 (DIVISION OF HEALTH) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY**

3RD READING

Moved 2ND

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

PASSAGE OF ORDINANCE

Moved 2ND

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

ORDINANCE NO 23-2018 **ENACTING SECTION 678.17 (CONCEALED HANDGUN POSSESSION ON CITY OWNED PROPERTY/BUILDINGS), OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO**

3RD READING

Moved 2ND
Mr. Roub Mr. Roberts Mr. Gates Mr. McLaughlin

PASSAGE OF ORDINANCE

Moved 2ND
Mr. Roub Mr. Roberts Mr. Gates Mr. McLaughlin

ORDINANCE NO 25-2018 **VACATING AN ALLEY RUNNING PERPENDICULAR OF POWELL STREET BETWEEN LOTS 523, 524, 525, AND 526 IN THE CITY OF SHELBY, OHIO**

1ST READING

Moved 2ND
Mr. Roub Mr. Roberts Mr. Gates Mr. McLaughlin

ORDINANCE NO 26-2018 **CORRECTING AN ERROR ON THE SHELBY ZONING DISTRICTS MAP**

1ST READING

Moved 2ND
Mr. Roub Mr. Roberts Mr. Gates Mr. McLaughlin

ORDINANCE NO 27-2018 **AMENDING ORDINANCE NO 4-2018 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY**

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

Moved 2ND
Mr. Roub Mr. Roberts Mr. Gates Mr. McLaughlin

PASSAGE OF ORDINANCE

Moved 2ND
Mr. Roub Mr. Roberts Mr. Gates Mr. McLaughlin

ORDINANCE NO 28-2018

AMENDING SECTION 880.10 (CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES) OF CHAPTER 880 (EARNED INCOME TAX) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY

1ST READING

Moved 2ND

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

RESOLUTION NO 49-2018

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF TURNOUT GEAR AND A HEART MONITOR AND DECLARING AN EMERGENCY

Moved 2ND

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

RESOLUTION NO 50-2018

AUTHORIZING THE MAYOR, AS DIRECTOR OF PUBLIC SAFETY, TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF AN AMBULANCE AND DECLARING AN EMERGENCY

Moved 2ND

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

RESOLUTION NO 51-2015

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER WITH RISING SON COMPANY FOR THE EAST MADISON AVENUE WATERLINE PROJECT IN THE AMOUNT OF SEVENTEEN THOUSAND THREE HUNDRED SEVENTY-SIX AND 50/100 DOLLARS (\$17,376.50) AS AN INCREASE AND DECLARING AN EMERGENCY

Moved 2ND

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

RESOLUTION NO 52-2018

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO APPLY FOR FUNDING FROM THE OHIO DEPARTMENT OF HEALTH FOR LEAD POISONING PREVENTION AND HEALTHY HOMES EDUCATION ACTIVITIES AND DECLARING AN EMERGENCY

Moved _____ 2ND _____
Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____ Mr. McLaughlin _____

RESOLUTION NO 53-2018

RECOGNIZING UNITED STEEL WORKERS LOCAL 3057 ON THE OCCASION OF ITS SEVENTY-FIFTH ANNIVERSARY

Moved _____ 2ND _____
Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____ Mr. McLaughlin _____

Miscellaneous Business

MOTION TO GO INTO EXECUTIVE SESSION FOR THE FOLLOWING PURPOSE:

Moved _____ 2ND _____
Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____ Mr. McLaughlin _____

PREPARING FOR, CONDUCTING, OR REVIEWING NEGOTIATIONS OR BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING THEIR COMPENSATION OR OTHER TERMS AND CONDITIONS OF THEIR EMPLOYMENT

Adjournment at _____ p.m.

Moved _____ 2ND _____
Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____ Mr. McLaughlin _____

st reading
9/17/2018
2nd Reading
10/1/2018

ORDINANCE NO. 22 -2018
(Sponsors – Councilmembers Gates and Roberts)

AMENDING SECTION 276.04 (FOOD SERVICE/RETAIL FOOD ESTABLISHMENT LICENSE FEES) OF CHAPTER 276 (DIVISION OF HEALTH) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, in accordance with Ohio Revised Code Chapter 3717 (Retail Food Establishments; Food Service Operations), the Shelby Division of Health has calculated the cost of licensing retail food establishments and, as a result, has recommended a 25% increase in the local fee – far below the maximum fee that could be charged; 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 Codified Ordinance Chapter 276 (Division of Health) be amended as noted above; and

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

Section 1: That, effective March 1, 2019, Section 276.04 of the Codified Ordinances of the City of Shelby be amended to read as follows:

276.04 FOOD SERVICE/RETAIL FOOD ESTABLISHMENT LICENSE FEES.

The following food service/retail food establishment fees are hereby adopted:

- (a) Risk class 1
 - (1) Business under 25,000 square feet: \$112.50 + current state fee
 - (2) Business over 25,000 square feet: \$156.25 + current state fee
- (b) Risk class 2
 - (1) Business under 25,000 square feet: \$132.50 + current state fee
 - (2) Business over 25,000 square feet: \$180.00 + current state fee
- (c) Risk class 3
 - (1) Business under 25,000 square feet: \$225.00 + current state fee
 - (2) Business over 25,000 square feet: \$312.50 + current state fee
- (d) Risk class 4
 - (1) Business under 25,000 square feet: \$262.50 + current state fee
 - (2) Business over 25,000 square feet: \$391.25 + current state fee
- (e) Vending machine: \$8.17 + 2.1% CPI = \$8.34 + current state fee
- (f) Mobile food service: \$89.00 + current state fee
- (g) Temporary food service: \$=50.00 per event up to five days
- (h) Level I food safety training: \$10
- (i) Level II certification in food protection: \$125
- (j) Level II examination only
 - (1) Shelby City: \$25
 - (2) Non-Shelby City: \$50

Section 2: That all other sections of Chapter 276 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

1st Reading
9/17/2018
2nd Reading
10/1/2018

ORDINANCE NO. 23-2018
(Sponsor: Councilmember McLaughlin)

ENACTING SECTION 678.17 (CONCEALED HANDGUN POSSESSION ON CITY OWNED PROPERTY/BUILDINGS), OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO

WHEREAS, the city desires to allow handguns on city property/buildings pursuant to ORC 2923.126 (B)(7); and

WHEREAS, pursuant to section 678.15 (b)(2)(I) of the Codified Ordinances of the City of Shelby, handguns are prohibited in “[a]ny building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (B)(3) of this section, unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building”; 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 678.17 (Concealed Handgun Possession) of Chapter 678 (Weapons and Explosives) be enacted to allow handguns on city property/buildings.

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

Section 1: That Section 678.17 of the Codified Ordinances of the City of Shelby be and is hereby enacted as follows:

“A licensee under ORC 2923.125 or 2923.1213 is hereby authorized to carry a concealed handgun in all city owned buildings and/or property, except the Shelby Justice Center, housing both the Municipal Court at 29 Mack Avenue, and the Police Department, located at 31 Mack Avenue.”

Section 2: That all other sections of Chapter 678 (Weapons and Explosives) of the Codified Ordinances of the City of Shelby 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

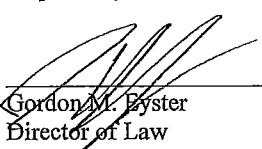
APPROVED:

ATTEST:

Steven T. Lifer
Director of Finance

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 25-2018
(Sponsor: Councilmember Gates)

VACATING AN ALLEY RUNNING PERPENDICULAR OF POWELL STREET BETWEEN LOTS 523, 524, 525, AND 526 IN THE CITY OF SHELBY, OHIO.

WHEREAS, on the 4th day of September, 2018, the Council of the City of Shelby adopted Resolution No. 41-2018 and in so doing declared its intent to vacate an alley running perpendicular of Powell Street within the City of Shelby, Ohio; and

WHEREAS, notice of adoption of the above Resolution has been provided to the owners of property abutting said alley thereby 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 September 27, 2018; (said meeting procedure being in accordance with provisions of Section 105 of the charter of the City of Shelby) and voted to approve and recommend the vacation of an alley running perpendicular of Powell Street between lots 523, 524, 525, and 526 within the City of Shelby, Ohio; and

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

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

Section 1: That an alley running perpendicular of Powell Street within the City of Shelby, Ohio and as set forth in the legal description as prepared by F.E. Krocka & Associates, Inc.- Nathan W. Sautter, registered surveyor, on August 17, 2018 and designated as the plat of vacation of a 16-foot alley adjacent to Lots 523, 524, 525 & 526, Richland County Recorder Plat Volume 2#3, Page 15 of the records of the City of Shelby, Richland County, Ohio 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 said alley

Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01. Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 26 -2018
(Sponsor: Councilmember Gates)

CORRECTING AN ERROR ON THE SHELBY ZONING DISTRICTS MAP.

WHEREAS, the official Zoning Districts Map of the City of Shelby contains an error in that it places the property at 100 North Gamble Street in the R-2 Residential District; however, said property has been used for commercial purposes since circa 1960; 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 said error be corrected.

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

Section 1: That the official Zoning Districts Map of the City of Shelby be corrected to place the property located at 100 North Gamble Street (Richland County Parcel Numbers: 046-08-104-13-000 and 046-08-104-12-000) in the B-3 Highway Service Business District.

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 Section 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 McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO: 27 -2018
(Sponsor: Councilmember McLaughlin)

**AMENDING ORDINANCE NO.: 4-2018 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 19, 2018, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code Section 5705.38; and

WHEREAS, it is necessary to increase line items within the 2018 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 2018 and so as to fund necessary expenditure 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: The Ordinance No. 4-2018 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

101 - MIS - 531	Miscellaneous	\$20,000.00
200 - STR - 531	Miscellaneous	\$2,000.00
400 - MFG - 531	Miscellaneous	\$20,000.00
500 - MFG - 426	Electric	\$15,000.00
500 - MFG - 517	Lab/Misc. Testing	\$5,000.00
500 - MFG - 519	Chemicals	\$88,000.00
500 - OFC - 531	Miscellaneous	\$2,000.00
600 - OFC - 531	Miscellaneous	\$10,000.00
601 - LCD - 506	Refunds	\$50,000.00

Section 2: That all other portions of Ordinance No.: 4-2018, not modified expressly 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 220.21, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance is hereby deemed 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 McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Director of Law

ORDINANCE NO. 28 -2018
(Sponsor: Councilmember Gates and Martin)

AMENDING SECTION 880.10 (CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES) OF CHAPTER 880 (EARNED INCOME TAX) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, since 2016 there has been a steady increase in the annual amount of carryover from year to year in the General Fund; and

WHEREAS, income tax levies for the construction of the Justice Center (began collection in 2012 for 25 years at 0.3%) and maintenance of streets, alleys, and sidewalks (began collection in 2014 for 5 years at 0.2%) were approved by voters and are not subject to a tax credit; and

WHEREAS, the residents who live and work in the city and those non-residents who are employed in the city pay the current full income tax rate of 1.5%; and

WHEREAS, increasing the tax credit to 75% from the current 67% will reduce the collection by approximately \$40,000 per year.

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

Section 1: That Section 880.10 (Credit for Tax Paid to Other Municipalities) of Chapter 880 (Earned Income Tax) of the codified Ordinances of the City of Shelby be amended to read as follows:

880.10 CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES

Every individual taxpayer who resides in the city but who receives income, wages, salaries, commissions or other compensation for work done or services performed or rendered outside of the city, if it be made to appear that he or she has paid a municipal income tax on the income, wages, salaries, commissions or other compensation to another municipality, shall be allowed a credit against the tax imposed by this chapter of the amount so paid by him or her or in his or her behalf to the other municipality. For the tax year 2019 and forward, the credit shall not exceed 75% of the tax assessed by this chapter.

Section 2: That all other Sections of Chapter 880 (Earned Income Tax) of the Codified Ordinances of the City of Shelby shall remain in full force and effort.

Section 3: That all meetings and hearings concerning the adoption of this ordinance have been in compliance with Section 220.01 of the Codified Ordinances, Ohio R.C. 121.22 and the City Charter.

Section 4: That this Ordinance shall be in full force and effort from and after its passage, approval by the Mayor, and the earliest period allowed by law.

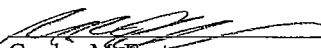
PASSED: _____
Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____
Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 49 -2018
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR, AS DIRECTOR OF PUBLIC SAFETY, TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF TURNOUT GEAR AND A HEART MONITOR AND DECLARING AN EMERGENCY.

WHEREAS, the United States Department of Homeland Security provides financial assistance for fire department purposes through the Assistance to Firefighters Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Assistance to Firefighters Grant Program to purchase turnout gear and a heart monitor; 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 Safety of City of Shelby apply for an Assistance to Firefighters Grant.

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

Section 1: That the City of Shelby Council approves an application for financial assistance for turnout gear and a heart monitor.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the United States Department of Homeland Security and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project.

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 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

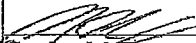
APPROVED:

ATTEST: _____

Steven Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 50 -2018
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR, AS DIRECTOR OF PUBLIC SAFETY, TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF AN AMBULANCE AND DECLARING AN EMERGENCY.

WHEREAS, the United States Department of Homeland Security provides financial assistance for fire department purposes through the Assistance to Firefighters Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Assistance to Firefighters Grant Program to purchase an ambulance; 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 Safety of City of Shelby apply for an Assistance to Firefighters Grant.

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

Section 1: That the City of Shelby Council approves an application for financial assistance for an ambulance.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the United States Department of Homeland Security and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project.

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 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

RESOLUTION NO. 51 -2018
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER WITH RISING SON COMPANY FOR THE EAST MADISON AVENUE WATERLINE PROJECT IN THE AMOUNT OF SEVENTEEN THOUSAND THREE HUNDRED SEVENTY-SIX AND 50/100 DOLLARS (\$17,376.50) AS AN INCREASE AND DELCARING AN EMERGENCY.

WHEREAS, the City of Shelby has entered into a contract with Rising Son Company for the East Madison Avenue Waterline Replacement Project, and said contract provides for a written change order; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that this change order be approved.

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

Section 1: That the Mayor as Director of Public Service shall be and is hereby authorized to enter into Contract Change Order with Rising Son Company for the total amount of Seventeen Thousand Three Hundred Seventy-Six and 50/100 Dollars (\$17,376.50) as an increase.

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 T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Director of Law

RESOLUTION NO. 52 -2018
(Sponsor: Councilmember Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO APPLY FOR FUNDING FROM THE OHIO DEPARTMENT OF HEALTH FOR LEAD POISONING PREVENTION AND HEALTHY HOMES EDUCATION ACTIVITIES AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Health provides financial assistance for Lead Poisoning and Healthy Homes Education Activities; and

WHEREAS, the City of Shelby Health Department desires financial assistance under said Program for its efforts to provide environmental public health, disease prevention, and education; 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 Safety of City of Shelby apply for a funding.

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

Section 1: That the City of Shelby Council approves an application for financial assistance from the Ohio Department of Health, Lead Poisoning Prevention and Healthy Homes Education Activities Program.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Department of Health and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project.

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 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 T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 53 -2018
(Sponsors – Councilmembers Gates, Roub, Roberts, and McLaughlin)

RECOGNIZING UNITED STEELWORKERS LOCAL 3057
ON THE OCCASION OF ITS SEVENTY-FIFTH ANNIVERSARY.

WHEREAS, on August 3, 1943, United Steelworkers Local 3057 received its charter of affiliation from the international union and since that date has represented hourly employees at the Tuby for seventy-five years; and

WHEREAS, through these past seventy-five years, Local 3057 has demonstrated in many ways its role in promoting the economic and social growth of the greater Shelby community; and

WHEREAS, observance of this occasion provides the opportunity to extend to Local 3057 and its members – both past and present – the appreciation the community feels for their many valuable contributions to the progress of Shelby; and

WHEREAS, council especially notes the local's deep and substantial support of the F.I.S.H Food Pantry; and

WHEREAS, this Council desires to recognize both United Steelworkers Local 3057 and its members as together they celebrate the organization's seventy-fifth anniversary.

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

Section 1: That United Steelworkers Local 3057 shall be and are hereby recognized on the occasion of the seventy-fifth anniversary of its chartering.

Section 2: That the Clerk of Council shall be and is hereby directed to present an authenticated copy of this Resolution to said local.

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 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