

# The City Record

Official Municipal Bulletin - Shelby Ohio

Legislative Update



## Current Council

[Mayor Steven Schag](#), President of Council, (419) 347-5131

[Finance Director Steven Lifer](#), Clerk of Council, (419) 342-5885

[Law Director Gordon Eyster](#) (419) 342-4261

## Councilmembers:

**At-Large:** [Steven McLaughlin](#), (419) 566-8528 - [stevemclaughlin@shelbycity.oh.gov](mailto:stevemclaughlin@shelbycity.oh.gov)

**First Ward:** [Charles Roub Jr.](#), (419)347-6676 - [charlesroub@shelbycity.oh.gov](mailto:charlesroub@shelbycity.oh.gov)

**Second Ward:** [Derrin Roberts](#), (419) 961-3116 - [derrinroberts@shelbycity.oh.gov](mailto:derrinroberts@shelbycity.oh.gov)

**Third Ward:** [Garland John Gates](#), (419) 347-3337 - [garlandgates@shelbycity.oh.gov](mailto:garlandgates@shelbycity.oh.gov)

**Fourth Ward:** [Nathan Martin](#), (567) 275-2525 - [nathanmartin@shelbycity.oh.gov](mailto:nathanmartin@shelbycity.oh.gov)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PROPOSED MUNICIPAL INCOME TAX

CITY OF SHELBY

A Majority Affirmative Voted is Necessary for Passage

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

FOR THE INCOME TAX

AGAINST THE INCOME TAX

Section 9: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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

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

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

Section 13: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

1st Reading  
12/4/17  
2nd Reading  
12/18/17  
Pass 1-1-18

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

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

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

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

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

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

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

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

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

Section 3: That this Resolution is hereby deemed to be an emergency, and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

*Pass  
1-1-18*

**RESOLUTION NO. 2-2018**  
(Sponsor: Councilmember Gates)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OF THE CITY OF SHELBY TO APPLY FOR A CERTIFIED LOCAL GOVERNMENT GRANT FOR CREATION OF A HISTORIC PRESERVATION PLAN AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio State Historic Preservation Office provides financial assistance for the creation historic preservation plans through the Certified Local Government Grant; and

WHEREAS, the City of Shelby Historic Preservation Commission desires financial assistance under the Certified Local Government Grant Program to create a historic preservation plan; 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 of City of Shelby apply for a Certified Local Government 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 a historic preservation plan.

Section 2: That the Mayor as Director of Public Service is hereby authorized and directed to execute and file an application with the Ohio State Historic Preservation Office 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 and become eligible for reimbursement under the terms of the Certified Local Government Grant.

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.

*Pass  
1-16-18*

**RESOLUTION NO: 3-2018**  
(Sponsor: Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE FIRE DEPARTMENT TRAINING REIMBURSEMENT GRANT FOR THE TRAINING OF FIREFIGHTERS AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Department of Commerce provides financial assistance for fire department purposes through the Fire Department Training Reimbursement Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Fire Department Training Reimbursement Grant Program to train firefighters; 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 Fire Department Training Reimbursement 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 firefighting training.

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 Commerce 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 and become eligible for reimbursement under the terms of the Fire Department Training Reimbursement Grant.

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.

*Pass  
1-16-18*

**RESOLUTION NO: 4-2018**  
(Sponsor: Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE FIRE DEPARTMENT INDIVIDUAL EQUIPMENT GRANT FOR THE PURCHASE OF PORTABLE RADIOS AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Department of Commerce provides financial assistance for fire department purposes through the Fire Department Individual Equipment Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Fire Department Individual Equipment Grant Program to purchase portable radios; 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 Fire Department Individual Equipment 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 portable radios.

Section 2: That the Mayors as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Department of Commerce 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 and become eligible for reimbursement under the terms of the Fire Department Individual Equipment Grant.

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.

*Pass  
1-16-18*

RESOLUTION NO: 5 -2018  
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS THE DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR FIREFIGHTING EQUIPMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Federal Emergency Management Agency administers financial assistance for fire department purposes, through the Assistance to Firefighters Grant Program; and

WHEREAS, the City of Shelby desires financial assistance under the Assistance to Firefighters Grant Program to purchase turnout gear, air monitors, testing equipment, 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 the City of Shelby apply for an Assistance to Firefighters Grant.

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

Section 1: That the City of Shelby approves and application for financial assistance for turnout gear, air monitors, testing equipment, and a heart monitor for the Shelby Fire Department.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Federal Emergency Management Agency 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 and become eligible for reimbursement under the terms of the Assistance to Firefighters Grant.

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.

Pass  
1-16-18

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RESOLUTION NO: 6 -2018  
(Sponsors: Councilmembers Gates and Roberts)

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

WHEREAS, the Federal Emergency Management Agency administers financial assistance for fire department purposes, through the Assistance to Firefighters Grant Program; and

WHEREAS, the City of Shelby 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 the City of Shelby apply for an Assistance to Firefighters Grant.

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

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

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Federal Emergency Management Agency 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 and become eligible for reimbursement under the terms of the Assistance to Firefighters Grant.

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.

Pass  
1-16-18

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RESOLUTION NO: 7-2018  
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION (ODOT) RELATING TO A LOCAL PUBLIC AGENCY (LPA) FEDERAL LOCAL-LET PROGRAM FUNDING FOR THE GAMBLE STREET AND SMILEY AVENUE RECONSTRUCTION PROJECT (PID 106258) AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby has been awarded federal highway dollars for the reconstruction of the Smiley Avenue and Gamble Street Reconstruction Project; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Service be authorized to enter into an agreement for said funds.

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

*Pass  
1-16-18*

Section 1: That the Mayor as Director of Public Service is hereby authorized and directed to enter into an agreement with the State of Ohio, Department of Transportation (ODOT) relating to LPA Federal Local-Let Project program funding in an amount not to exceed Three Hundred Thirty-Two Thousand, Nine Hundred Nineteen Dollars (\$332,918.00) or 80% of the eligible project costs for the Gamble Street and Smiley Avenue Reconstruction Project (PID 106258) which agreement shall be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

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. 8 -2018  
(Sponsor- Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDMENT TO THE CONTRACT WITH CT CONSULTANTS FOR DESIGN SERVICES FOR THE SHELBY WASTEWATER TREATMENT IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY**

WHEREAS, the City of Shelby has entered into a contract with CT Consultants for design services for the Shelby Wastewater Treatment Plant Improvement Project, and said contract provides for a written amendment; and

WHEREAS, it has become necessary to make modifications to the project and adjust the contract as detailed in the attached Amendment #3; 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; and

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 an amendment to the contract with CT Consultants for the total amount of Thirty-Six Thousand Five Hundred Fifteen and 00/100 Dollars (\$36,515.00) 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  
2-5-18*

RESOLUTION NO. 9 -2018  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH K.E. McCARTNEY & ASSOCIATES, INC. FOR ENGINEERING SERVICES AND FINAL DESIGN FOR THE GAMBLE STREET/SMILEY AVENUE INTERSECTION PROJECT AND DECLARING AN EMERGENCY.**

WHEREAS, in order to proceed with the construction of the Gamble Street/Smiley Avenue Intersection Project it is necessary that final design be prepared; 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 an agreement for the completion of said design; and

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 is hereby authorized to enter into the agreement with K.E. McCartney & Associates, Inc., for engineering services and final design of the Gamble Street/Smiley Avenue Intersection 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 so as to meet the ongoing contractual 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  
2-5-18*



RESOLUTION NO. 10 -2018  
(Sponsor: Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE RECYCLE OHIO GRANT FOR THE PURCHASE OF TRASH RECEPTACLES AND SOLID WASTE/RECYCLABLE COLLECTION AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Environmental Protection Agency provides financial assistance for recycle and litter prevention programs through the Recycle Ohio Grant; and

WHEREAS, the City of Shelby Health Department desires financial assistance under the Recycle Ohio Grant Program for trash receptacles and the collection of recyclable solid waste materials; and

*2-5-18  
Passed*

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 Recycle Ohio Grant; and

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 purchasing trash receptacles and to provide recyclable and solid waste collection.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Environmental Protection Agency 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.

RESOLUTION NO. 11 -2018  
(Sponsor – Councilmember: Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS FOR THE PAYMENT OF LEGAL COUNSEL FEES FOR INDIGENTS.**

WHEREAS, the City recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with serious offenses and loss of liberty offenses in its Municipal Court, and

WHEREAS, the City in furtherance of the execution of its legal responsibilities, desires that the legal services be delivered to the City's indigent citizens and others so situated, 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 be authorized to enter into an agreement with the Richland County Commissioners for the payment of legal counsel fees for indigents, and

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 Safety is hereby authorized to enter an agreement with the Richland County Commissioners for the payment of legal counsel fees for indigents for the year beginning January 1, 2018.

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  
2-5-18*

RESOLUTION NO. 12 -2018  
(Sponsor: Councilmember Gates)

DIRECTING THE RICHLAND COUNTY BOARD OF ELECTIONS TO CONDUCT AN ELECTION ON TUESDAY, MAY 8, 2018 WITH REGARD TO WHETHER A TWO-TENTHS (.2) PERCENT INCOME TAX FOR THE PURPOSE OF MAINTAINING ROADWAY AND SIDEWALK IMPROVEMENTS AND REPAIRS WOULD CONTINUE TO BE IMPOSED AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code Section 718.01 requires that municipal income tax rates in excess of one percent (1%) will be approved by the electors of the Municipality at a general, primary, or special election; and

WHEREAS, by Ordinance No. 30-2017 (passed January 1, 2018) the Shelby City Council determined to submit to the electors the question whether a two-tenths (.2) percent income tax would continue to be imposed for maintaining roadway (97%) and sidewalk improvement and repair (3%) for a period of five (5) years commencing on January 1, 2019 and ending on December 31, 2023.

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 pursuant to the provision of Section 718.01 of the Ohio Revised Code, the Richland County Board of Elections is hereby directed and ordered to submit to the electors of the City of Shelby, Ohio a primary election to be held on Tuesday, May 8, 2018 the question of whether the City shall continue to levy a two-tenths (.2) percent income tax upon income taxable by the City of Shelby for the benefit of the citizens of the City of Shelby for the specific purpose of roadway improvements (97%) and sidewalk improvement and repair (3%) for a period of five (5) years commencing January 1, 2019 and ending on December 31, 2023.

Section 2: That the balance shall be substantially in the following form:

PROPOSED MUNICIPAL INCOME TAX

CITY OF SHELBY

A Majority Affirmative Vote is Necessary for Passage

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

FOR THE INCOME TAX

AGAINST THE INCOME TAX

Section 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.

*Pass 2/20/18*

RESOLUTION NO. 13 -2018  
(Sponsor: Councilmembers Gates & Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE PRIORITY ONE GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF EMERGENCY MEDICAL SUPPLIES.**

WHEREAS, the Ohio Department of Public Safety provides financial assistance for emergency medical services through the Priority One Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Priority One Grant to purchase emergency medical service supplies; 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 Priority One Grant; and

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

Section 1: That the City of Shelby Council approves an application for financial assistance for emergency medical service supplies.

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 Public Safety 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 and become eligible for reimbursement under the terms of the Priority One Grant.

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.

*Pass 2/20/18*

RESOLUTION NO. 14 -2018  
(Sponsor: Councilmember Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR FINANCIAL ASSISTANCE FROM THE SHELBY FOUNDATION FOR THE PURCHASE OF EQUIPMENT AND DECLARING AN EMERGENCY.

WHEREAS, The Shelby Foundation is a nonprofit organization that gives back to Shelby's community and surrounding areas by providing donors an opportunity to positively impact Shelby's future; and

WHEREAS, The Foundation does this by providing financial assistance to schools and other nonprofit organizations to expand programs, enhance arts, culture and humanities, and support improved health and welfare services. In short, the Foundation assists the community where we live, work and love by making it better; and

WHEREAS, the City of Shelby Fire Department desires financial assistance from the Shelby Foundation to purchase equipment; 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 financial assistance from the Shelby Foundation; and

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 equipment from the Shelby Foundation.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Shelby Foundation 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 Ordinance 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.

Pass 2/20/18

RESOLUTION NO. 15 -2018  
(Sponsor: Councilmember Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE COMMUNITY FACILITY LOAN/GRANT PROGRAM THROUGH THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE PURCHASE OF EQUIPMENT AND DECLARING AN EMERGENCY.

WHEREAS, the United States Department of Agriculture provides financial assistance to develop community facilities for public use in rural areas and towns with populations of up to 20,000 through the Community Facility Loan/Grant Program; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Community Facility Loan/Grant Program to purchase equipment; 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 financial assistance through the Community Facility Loan/Grant Program; and

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 equipment through the United States Department of Agricultural Community Facility Loan/Grant Program.

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 Agriculture 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 and become eligible for financial assistance under the terms of the Community Facility Loan/Grant Program.

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 Ordinance 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.

*Pass 2/20/18*

**RESOLUTION NO. 16 -2018**  
**(Sponsor: Councilmember McLaughlin)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH OHIO REGIONAL DEVELOPMENT CORPORATION.**

WHEREAS, the City of Shelby, intends to apply for PY 2018 Community Housing Impact and Preservation Program (CHIP) funding from the State of Ohio, Development Services Agency, Office of Community Development (OCD) for the purpose of addressing local housing needs; and

WHEREAS, Ohio Regional Development Corporation, the consultant, is a consulting firm with experience in applying for and administering CHIP Grant Programs throughout the State of Ohio, and was selected via the RFQ/P process to act as the Consultant for the City of Shelby in applying for and administering the PY 2018 CHIP Program for the City of Shelby; and

WHEREAS, it is necessary for the City and the Consultant to enter into an agreement which sets forth the responsibilities of each party for the PY 2018 CHIP Program; and

WHEREAS, OCD Policy 15-02, 2 CFR 200.320, authorizes the City to hire an administrative consultant and those services are detailed in the Contract for Administrative Services; and

WHEREAS, The City and Consultant understand this agreement is contingent on PY 2018 CHIP funding from the State of Ohio, Development Services Agency, Office of Community Development (OCD); and

WHEREAS, this agreement will remain in effect until the CHIP funds are expended and the funded activities are complete and closed out.

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

Section 1: That the Council of the City of Shelby authorizes the Mayor as Director of Public Service to enter into a contract with Ohio Regional Development Corporation to serve as the administrative consultant for the City of Shelby for the PY 2018 CHIP Program.

Section 2: That the City of Shelby authorizes ORDC to submit the PY 2018 CHIP application on behalf of The City of Shelby and the partnership with Richland County.

Section 3: That this Resolution must accompany said Application, which must be filed with the Ohio Development Services Agency by May 4, 2018.

Section 4: That this resolution also authorizes the Mayor as Director of Public Service to sign any and all documentation related to the execution of said partnership agreement and CHIP Application.

Section 5: 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 6: That the Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

*Printed  
3-5-18*

**RESOLUTION NO. 17-2018**  
(Sponsor: Councilmember McLaughlin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS.**

WHEREAS, the City of Shelby, (Grantee), in conjunction with the Board of Richland County Commissioners (Partner), is applying for PY 2018 Community Housing Impact and Preservation Program (CHIP) funding from the State of Ohio, Development Services Agency, Office of Community Development (OCD) for the purpose of addressing local housing needs; and

WHEREAS, the City, as the Grantee, is requesting \$700,000 in CDBG, HOME and Ohio Housing Trust Fund (OHTF) funds for CHIP approved activities; and

WHEREAS, Richland County will be the Partner and the City of Shelby will be the Grantee of the Partnership; and

WHEREAS, the Grantee and the Partner set forth the responsibilities and obligations of each in the Partnership Agreement; and

WHEREAS, City of Shelby, as the Grantee of the CHIP Application understands their authority for the entire CHIP Grant, as well as, sole responsibility for regulatory compliance and the terms of the grant agreement, if funded; and

WHEREAS, Grantee and Partner understand all agreements are contingent on PY 2018 CHIP funding from the State of Ohio, Development Services Agency, Office of Community Development (OCD); and

WHEREAS, the Partnership is in effect until the CHIP funds are expended and the funded activities are complete and closed out. The Grantee nor the Partner cannot terminate or withdraw from the partnership agreement while it remains in effect.

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

Section 1: That the Council of the City of Shelby authorizes the submission of the PY 2018 CHIP Application through the State of Ohio's Ohio Community and Energy Assistance Network (OCEAN) website by Ohio Regional Development Corporation.

Section 2: That the City of Shelby accepts the role, responsibility and authority of being Grantee of the CHIP Application.

Section 3: That the City of Shelby authorizes participation, partnership, and submission of the PY 2018 Community Housing Impact and Preservation (CHIP) Program Application with the State of Ohio, Development Services Agency, and to provide all information and documentation required in said Application submission.

Section 4: That the City of Shelby hereby understands and agrees that participation in said Program will require compliance with program guidelines and assurances.

Section 5: That the City of Shelby hereby commits itself to provide any local share of funding, described in the Application, if necessary.

Section 6: That this Resolution must accompany said Application, which must be filed with the Ohio Development Services Agency by May 4, 2018.

Section 7: That this resolution also authorizes the Mayor as Director of Public Service to sign any and all documentation related to the execution of said partnership agreement and CHIP Application.

Section 8: 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 9: That the 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  
3-5-18*



RESOLUTION NO. 18 - 2018  
(Sponsor: Councilmember Martin)

**DECLARING THE NECESSITY OF IMPROVING A PORTION OF WEST MAIN STREET WITH A SANITARY SEWER.**

WHEREAS, The Council of the City of Shelby, by virtue of the authority granted to it in Section 76 of the Charter of the City of Shelby, has determined that it is necessary to improve a portion of West Main Street with a sanitary sewer; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby, Ohio that a portion of West Main Street be approved and the necessity thereof be declared; and

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

Section 1: That it is hereby determined to be necessary to improve a portion of West Main Street with a sanitary sewer.

Section 2: That it is hereby determined and declared that said improvement is conducive to the public health, convenience, and welfare of the City of Shelby, Ohio, and the inhabitants thereof.

Section 3: That plans, specifications, estimates, and profiles of the proposed improvement are on file in the office of the Mayor and such plans, specifications, estimates and profiles are open to inspection of all interested persons.

Section 4: That the grade of said improvement, after construction has been completed, shall be shown on all said plans, profiles, and specifications.

Section 5: That the entire cost of said improvement, less two percent (2%) thereof, the cost of intersections, the cost of "oversized" utilities (those costs incurred over and above the cost of "regular sized" utilities), as well as the costs lift station, force main, engineering, and property acquisition (all said city costs to be in the sum of One Hundred Forty Seven Thousand Six Hundred Dollars (\$147,600.00), shall be assessed upon twenty-four (24) parcels of real property which shall be improved and shall receive benefits from the aforesaid described improvement, said properties being the twenty-four (24) on West Main Street with the following parcel identification numbers: 1.) 0460819818000; 2.) 0460819512000; 3.) 0460820218000; 4.) 0460819608000; 5.) 0460804308000; 6.) 0460806810000; 7.) 0460819614000; 8.) 0460819614001; 9.) 0460816417000; 10.) 0460802308000; 11.) 0460810210000; 12.) 0460820215002; 13.) 0460815310000; 14.) 0460815511002; 15.) 0460815511001; 16.) 0460815512002; 17.) 0460821911000; 18.) 0460813001000; 19.) 0460822012000; 20.) 0460815401000; 21.) 0460802617000; 22.) 0460806214000; 23.) 0460804118000; 24.) 0460813614000.

*Passed  
3-19-18*

Section 6: That the method of assessment shall be in accordance with Section 77 of the Charter of the City of Shelby and shall be computed in proportion to the benefits which may result from the improvement.

Section 7: That the Director of Finance and Public Record of the City of Shelby, Ohio, be and is hereby authorized and directed to prepare and file in the office of the Clerk of this Council the estimated assessments of the cost of the improvement described in this Resolution. Such estimated assessments shall be based upon the estimate of cost of said improvement now on file in the office of the Clerk of this Council and shall be prepared pursuant to the provisions of the Resolution. When such estimated assessments have been so filed, said Clerk shall cause notice of the adoption of this Resolution and filing of said estimated assessments to be served on the owners of all lots and lands to be assessed as provided in R.C. 727.13, unless service of said notice has been waived by said owners.

Section 8: That the assessments to be levied shall be paid in twenty (20) semi-annual installments, with the interest on deferred payments at same rate as shall be borne by the bonds or notes to be issued in anticipation of the collection thereof, provided that the owner of any property assessed may, at his or her option, pay such assessment in cash within thirty (30) days after passage of the assessing ordinance.

Section 9: Those bonds of the City of Shelby, Ohio, shall be issued in anticipation of the collection of assessments by installments and in an amount equal thereto, and notes of said City of Shelby, Ohio, shall be issued in anticipation of the issuance of such bonds and the levy of such assessments.

Section 10: 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.

**ORDINANCE NO. 4 -2018**  
 (Sponsor – Councilmember Gates & McLaughlin)

**CREATING APPROPRIATIONS FOR THE YEAR 2018 AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code §5705.38 requires that “the taxing authority of each subdivision or other taxing unit shall pass an appropriation measure. . . . no later than the first day of April of the current year”; and

WHEREAS, the Director of Finance and Public Record, in cooperation with the Finance Committee of City Council, and the Administration and Department Heads have prepared the “Annual Appropriation Ordinance” as attached hereto and made a part hereof; 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 Annual Appropriation Ordinance be adopted as prepared so as to provide for the efficient operation of the City government and so as to comply with the provisions of the Ohio Revised Code.

**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 an appropriation is hereby made and authorized for the year 2018, the same to be in full force and effect from and after approval, as and for the general appropriations for the City of Shelby for the year 2018.

Section 2: That City Council does hereby appropriate as an appropriation for the year 2018 the following sums, to wit:

	ACCT. NO.	PERSONAL SERVICES	OTHER	APPROPRIATION EXPENSE
<b>GENERAL FUND</b>				
	101			
Building and Zoning		\$0.00	\$3,480.00	\$3,480.00
Civil Service		\$80.00	\$250.00	\$330.00
Council		\$44,880.00	\$13,870.00	\$58,750.00
Court		\$291,850.00	\$97,150.00	\$389,000.00
Finance		\$181,050.00	\$14,900.00	\$195,950.00
Law		\$104,044.00	\$22,600.00	\$126,644.00
Economic Development		\$0.00	\$54,000.00	\$54,000.00
Engineering		\$91,845.00	\$16,380.00	\$108,225.00
Fire		\$1,202,000.00	\$46,120.00	\$1,248,120.00
Mayor		\$136,100.00	\$6,290.00	\$142,390.00
Misc.		\$0.00	\$77,850.00	\$77,850.00
Police		\$1,781,000.00	\$345,450.00	\$2,126,450.00
Transportation		\$0.00	\$38,150.00	\$38,150.00
Transfers		\$0.00	\$390,000.00	\$390,000.00
<b>TOTAL GENERAL FUND</b>		<b>\$3,832,849.00</b>	<b>\$1,126,490.00</b>	<b>\$4,959,339.00</b>
<b>SPECIAL FUNDS</b>				
Street	200	\$311,650.00	\$148,750.00	\$460,400.00
State Highway	205	\$31,520.00	\$0.00	\$31,520.00
Street Sales Tax	210	\$0.00	\$110,250.00	\$110,250.00
Income Tax	220	\$161,700.00	\$3,645,600.00	\$3,807,300.00
Health	225	\$185,070.00	\$454,900.00	\$639,970.00
Park	230	\$27,015.00	\$536,875.00	\$563,890.00
Rehab Escrow CDBG	232	\$0.00	\$20,000.00	\$20,000.00
Court Probation	233	\$14,850.00	\$3,725.00	\$18,575.00
BMV Reimbursement	234	\$0.00	\$0.00	\$0.00
Law Enforcement Trust	235	\$0.00	\$8,730.00	\$8,730.00
Court IDAT	236	\$0.00	\$27,000.00	\$27,000.00
Court Enforce. & Education	237	\$0.00	\$700.00	\$700.00
Dare	238	\$0.00	\$4,500.00	\$4,500.00
Unclaimed Monies	240	\$0.00	\$500.00	\$500.00

*Approved  
3-19-18*

Court IDAM	242	\$0.00	\$3,500.00	\$3,500.00
CDBG General	250	\$0.00	\$366,000.00	\$366,000.00
Home Program	251	\$0.00	\$140,000.00	\$140,000.00
City Admin. & Bldg.	650	\$0.00	\$10,380.00	\$10,380.00
Police Pension	700	\$225,000.00	\$870.00	\$225,870.00
Fire Pension	701	\$225,000.00	\$820.00	\$225,820.00
Shade Tree Trust	705	\$0.00	\$4,300.00	\$4,300.00
FBMA	815	\$0.00	\$0.00	\$0.00
<b>Total Special Revenue Funds</b>		<b>\$1,181,805.00</b>	<b>\$5,487,400.00</b>	<b>\$6,669,205.00</b>
<b>Debt Service Funds</b>				
Special Bond	275	\$0.00	\$21,380.00	\$21,380.00
General Bond SSE	281	\$0.00	\$0.00	\$0.00
Light Debt Reserve	602	\$0.00	\$0.00	\$0.00
<b>Total Debt Service</b>		<b>\$0.00</b>	<b>\$21,380.00</b>	<b>\$21,380.00</b>
<b>Capital Project Funds</b>				
Court Computer	239	\$0.00	\$13,650.00	\$13,650.00
Police Computer	241	\$0.00	\$750.00	\$750.00
Capital Improvement	300	\$0.00	\$179,200.00	\$179,200.00
Shelby Reservoir	301	\$0.00	\$0.00	\$0.00
Sewer Construction	302	\$0.00	\$0.00	\$0.00
San./Storm/Sewer - Equipment	303	\$0.00	\$0.00	\$0.00
Court Capital Improvement	304	\$0.00	\$10,000.00	\$10,000.00
Fox Run Six	322	\$0.00	\$0.00	\$0.00
Fox Run Seven	324	\$0.00	\$0.00	\$0.00
Water Facilities 69%	350	\$0.00	\$0.00	\$0.00
Bridges & Sidewalks 29%	351	\$0.00	\$0.00	\$0.00
Sidewalks 2%	352	\$0.00	\$30,850.00	\$30,850.00
Streets, Alleys, Catch Basin, Fund	353	\$0.00	\$473,450.00	\$473,450.00
Police/Court	354	\$0.00	\$636,300.00	\$636,300.00
Police Equipment	702	\$0.00	\$27,300.00	\$27,300.00
Fire Equipment	703	\$0.00	\$540,200.00	\$540,200.00
<b>Total Capital Projects</b>		<b>\$0.00</b>	<b>\$1,911,700.00</b>	<b>\$1,911,700.00</b>
<b>Permanent Fund</b>				
Mini Park Trust	710	\$0.00	\$3,000.00	\$3,000.00
<b>Total Permanent Funds</b>		<b>\$0.00</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>
<b>Special Assessment Fund</b>				
Fire Damage Fund	253	\$0.00	\$5,000.00	\$5,000.00
<b>Total Special Assessment Funds</b>		<b>\$0.00</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>
<b>Enterprise Funds</b>				
Sewer	400	\$768,325.00	\$749,620.00	\$1,517,945.00
San. Sewer Capital Improvements	401	\$0.00	\$7,730,950.00	\$7,730,950.00
Waste Water Capital Improvements	402	\$0.00	\$393,550.00	\$393,550.00
Water	500	\$1,008,400.00	\$932,100.00	\$1,940,500.00
Water Facilities	501	\$0.00	\$361,500.00	\$361,500.00
Water Capital Improvements	502	\$0.00	\$386,050.00	\$386,050.00
Electric	600	\$1,187,250.00	\$11,775,225.00	\$12,962,475.00
<b>Total Enterprise Funds</b>		<b>\$2,963,975.00</b>	<b>\$22,328,995.00</b>	<b>\$25,292,970.00</b>
<b>Internal Service Fund</b>				
Hospitalization	715	\$0.00	\$1,675,000.00	\$1,675,000.00
Sharing Fund	706	\$0.00	\$30,000.00	\$30,000.00
<b>Total Internal Service Fund</b>		<b>\$0.00</b>	<b>\$1,705,000.00</b>	<b>\$1,705,000.00</b>

*Passed  
3-19-18*

Agency Fund

Playscape Trust	231	\$0.00	\$0.00	\$0.00
Bicentennial Trust	800	\$0.00	\$0.00	\$0.00
Light Customer Deposit	601	\$0.00	\$76,000.00	\$76,000.00
Total Agency Funds		\$0.00	\$76,000.00	\$76,000.00

Total Appropriations

All Funds		\$7,978,629.00	\$32,664,965.00	\$40,643,594.00
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Section 3: That the Director of Finance and Public Record is hereby authorized to draw warrants on the City Treasury for the amounts appropriated in this Ordinance whenever claims are presented, properly approved by the head of the department, for which the indebtedness was incurred.

Section 4: That transfers may be made from line item to line item within the Financial Department without specific Council authorization provided, however, that no line item may be increased during 2018 by a sum greater than 10% of the original appropriation or \$5,000.00 whichever is greater. Said transfer shall be certified by the Director of Finance and Public Record, signed by the Mayor, and by the elected official or board or commission responsible for each financial department.

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 is hereby deemed to be an emergency so as to provide for the usual daily operations of municipal government 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  
3-19-18*

**RESOLUTION NO. 19 -2018**  
(Sponsor: Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE OHIO ENVIRONMENTAL PROTECTION AGENCY MOSQUITO CONTROL GRANT AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Environmental Protection Agency provides financial assistance for health department purposes through the Mosquito Control Grant; and

WHEREAS, the City of Shelby Health Department desires financial assistance under the Mosquito Control Grant Program to control the mosquito population; 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 Mosquito Control Grant; and

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 the control of Mosquitos through the Ohio Environmental Protection Agency Mosquito Control Grant.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Environmental Protection Agency and to provide all information and documentation required to become eligible for possible funding 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  
3-19-18*

ORDINANCE NO. 3 -2018  
(Sponsor: Councilmember Gates)

**AMENDING CHAPTER 881 (EARNED INCOME TAX REGULATIONS EFFECTIVE BEGINNING JANUARY 1, 2016) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY TO ADOPT SECTIONS 718.80 THROUGH 718.95 OF THE OHIO REVISED CODE.**

WHEREAS, House Bill (H.B.) 49 of the 132nd General Assembly, the State's general appropriations bill for the biennium, includes Section 803.100 purporting to require that municipalities, on or before January 31, 2018, adopt certain municipal income tax provisions that are also adopted within H.B. 49 to authorize State officials to collect and administer municipal net profits taxes; and

WHEREAS, Section 803.100 of H.B. 49 references and relies upon Section 718.04(A) of the Ohio Revised Code, which purports to make municipal income taxing authority conditional upon a municipality's adoption of code sections as dictated by the State; and

WHEREAS, Although the municipal income tax provisions of H.B. 49 and Section 718.04(A) of the Ohio Revised Code violate the Home Rule Amendment to the Constitution of the State of Ohio, the City of Shelby nevertheless is compelled to adopt H.B. 49's municipal income tax provisions, on or before January 31, 2018, to avoid any doubt or taxpayer challenge as to its ability to impose a municipal income tax under the terms of Section 803.100 of H.B. 49 and Section 718.04(A) of the Ohio Revised Code; and

WHEREAS, The City is a party to ongoing litigation seeking a declaration that the H.B. 49 municipal income tax provisions, Section 718.04(A) of the Ohio Revised Code, and other provisions of Ohio law that usurp the powers of local self-government are unconstitutional, and to enjoin all actions by state officials to implement the H.B. 49 municipal income tax provisions; and

WHEREAS, The City, by enacting this Ordinance, does not concede the legality of H.B. 49's municipal income tax provisions, Section 718.04(A) of the Ohio Revised Code, or any other law that is subject to the suit in which the City is participating, and reserves its right to continue prosecution of that lawsuit.

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

Section 1: That Chapter 881 of the Codified Ordinances of the City of Shelby be amended to adopt Sections 718.80 through 718.95 of the Ohio Revised Code as set forth in Exhibit A, attached hereto and incorporated by reference herein.

Section 2: That all other sections of Chapter 881 shall remain in full force and effect.

Section 3: That the Council hereby expressly finds and determines that it does not concede the legality of H.B. 49's municipal income tax provisions; Section 803.100 of H.B. 49; Section 718.04(A) of the Ohio Revised Code; or any other law that is the subject of the action pending in Case Number 2017 CV 10258 in the Franklin County Court of Common Pleas, and that the City reserves its rights to continue its participation in and prosecution of said litigation, and any other litigation challenging the State's authority to dictate municipal tax collection and administration, and that adoption of this Ordinance shall not prejudice the claims of the City therein.

Section 4: That if any provision of the H.B. 49 municipal income tax provisions is found unconstitutional, or is stayed or enjoined as a result of the litigation referenced in Section 3 herein, that the corresponding amendment adopted in Section 1 of this Ordinance shall likewise be stayed.

Section 5: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance Section 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby; and

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  
4-2-18*

**RESOLUTION NO. 21 -2018**  
**(Sponsor: Councilmembers Gates and Roberts)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO SIGN A HOME PARK INSPECTION AGREEMENT AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Department of Commerce provides financial reimbursement for Manufactured Home Park Inspections through the State of Ohio, 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 reimbursement for inspecting the Manufactured Home Parks, and;

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 reimbursement for inspecting Manufactured Home Parks.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and sign a contract with the Ohio Department of Commerce and to provide all information and documentation required to become eligible for reimbursement.

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  
4-2-18*