

3:30pm Finance & Personnel Committee

Shelby City Council Agenda
Monday, September 21, 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 August 17, 2015

Moved 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Finance & Personnel Committee—Pat Carlisle

Safety Committee—Derrin Roberts

Utilities & Streets Committee—Nathan Martin

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
Sutter Roush Mausoleum
Community broadband

Legislation

ORDINANCE NO 32-2015

DECLARING THAT CERTAIN PROPERTY OWNED BY THE CITY OF SHELBY IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY, OHIO, INC. AS THE CITY'S AGENT IN THE SALE OF SAID REAL PROPERTY

3RD READING

Moved 2ND

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

PASSAGE OF ORDINANCE

Moved 2ND

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

ORDINANCE NO 40-2015

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

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

PASSAGE OF ORDINANCE

Moved 2ND

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

RESOLUTION NO 45-2015

**ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR**

Moved _____ 2ND _____
Mrs. Carlisle _____ Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____

RESOLUTION NO 46-2015

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SAFETY TO PURCHASE A PICKUP TRUCK FROM
BUCKEYE CHRYSLER JEEP DODGE FOR THE
OPERATION OF THE SHELBY FIRE DEPARTMENT AND
DECLARING AN EMERGENCY**

Moved _____ 2ND _____
Mrs. Carlisle _____ Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____
Mrs. Carlisle _____ Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____

8/17/2015
2nd Reading
9/8/2015

ORDINANCE NO. 32 -2015
(Sponsors – Councilmembers Gates and Carlisle)

DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY OF SHELBY IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY, OHIO, INC. AS THE CITY'S AGENT IN THE SALE OF SAID REAL PROPERTY.

WHEREAS: The City of Shelby owns parcels of land on Park and Mack Avenues within said City which the Mayor as ex-officio Director of Public Service on July 29, 2015, determined are no longer needed for municipal purposes; and

WHEREAS: Ohio Revised Code Section 721.03 authorizes the Council to declare that these properties are no longer needed for municipal purposes, and Ohio Revised Code Section 1724.10 authorizes the Council to designate the community improvement corporation as its agent for the sale of lands which have been determined not to be required by the political subdivision for its purposes; 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 parcels be declared no longer needed for municipal purposes and that the Community Improvement Corporation of Shelby, Ohio, Inc. be designated the agent of the City for the sale of the parcels of land located at 15 Park Avenue and at the southwest corner of Mack and Park Avenues.

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

Section 1: That the following real estate, designated as Permanent Parcel No. 046-08-186-10-000 and located at 15 Park Avenue, is no longer needed for any municipal purpose, to wit:

Being the East part of Lots Number One Thousand Two Hundred Ninety-nine (#1299), One Thousand Three Hundred (#1300) and One Thousand Three Hundred One (#1301) of the consecutively numbered lots in the City of Shelby, Richland County, Ohio and more particularly described as follows: Beginning for the same at a point which is the intersection of the East right-of-way line of Park Avenue and the South right-of-way line of Park Avenue and which point is the Northwest corner of Lot No. 1299; Thence North 88 degrees 55 minutes 15 seconds East along the South right-of-way line of Park Avenue (North line of Lot No. 1299) a distance of 96.00 feet to an iron pipe which is the real point of beginning of the parcel herein described; Thence continuing North 88 degrees 55 minutes 15 seconds East along the South right-of-way line of Park Avenue (North line of Lot No. 1299) a distance of 41.82 feet to point on the West right-of-way line of a twelve-foot alley and which point is also the Northeast corner of Lot No. 1299; Thence due South along the West right-of-way line of said alley a distance of 133.00 feet, of which 41.50 feet are along the East line of Lot No. 1299, 41.50 feet are along the East line of Lot no. 1300, and 50.00 feet are along the East line of Lot No. 1301, to a point which is the Southeast corner of Lot No. 1301; Thence South 88 degrees 55 minutes 15 seconds West along the South line of Lot No. 1301, a distance of 42.41 feet to an iron pipe; Thence North 0 degree 15 minutes 15 seconds East on a line parallel to the East right-of-way line of Park Avenue a distance of 133.00 feet, of which 50.00 feet are in Lot No. 1301, 41.50 feet are in Lot No. 1300, and 41.50 feet are in Lot No. 1299, to an iron pipe which is the real point of beginning and containing 0.129 acre, more or less, but subject to all legal easements now on record.
PPN: 046-08-186-10-000

Section 2: That the following real estate designated as Permanent Parcel Nos. 046-08-186-11-000 and 046-08-186-14-000 and located at the southwest corner of Mack and Park Avenues, is no longer needed for any municipal purpose, to wit:

Being Lot Number One Thousand Three Hundred Sixteen (#1316) of the consecutively numbered lots in the City of Shelby, Richland County, Ohio and being more particularly described as follows: Beginning for the same at a point which is the intersection of the South right-of-way line of Park Avenue and the Southwest right-of-way line of Mack Avenue; Thence South 43 degrees 47 minutes 30 seconds East along the Southwest right-of-way line of Mack Avenue (Northeast line of Lot No. 1316) a distance of 110.07 feet to a point; Thence due South along the West line of Mack Avenue (East line of Lot No. 1316) a distance of 2.12 feet to a point which is the Southeast corner of Lot No. 1316; Thence South 88 degrees 55 minutes 15 seconds West along the South line of Lot No. 1316, a distance of 154.00 feet to a point on the East right-of-way line of a twelve-foot alley and which point is also the Southwest corner of Lot No. 1316; Thence due North along the East right-of-way line of said alley (West line of Lot No. 1316) a distance of 83.00 feet to a point on the South right-of-way line of Park Avenue and which is the Northwest corner of Lot No. 1316; Thence North 88 degrees 55 minutes 15 seconds East along the South right-of-way line of Park Avenue (North line of Lot No. 1316) a distance of 77.82 feet to a point which is the real point of beginning and containing 0.223 acre, more or less, but subject to all legal easements.

PPN: 046-08-086-11-000 and 046-08-186-14-000

Section 3: That the City designate the Community Improvement Corporation of Shelby, Ohio, Inc. (CIC) as its agent in the sale of the above described real property in accordance with Ohio Revised Code Section 1724.10(B), subject to the following conditions:

- A. Said real property shall be sold for not less than the appraised value as determined by the Richland County Auditor.
- B. Said real property shall be in contract to sell within six months of the effective date of this Ordinance.
- C. The CIC shall have the exclusive right to sell said real property within six months of the effective date of this Ordinance.
- D. The CIC may retain a sum not greater than six percent (6%) of the sale price.
- E. A quit-claim deed shall be used to transfer said real property.
- F. Said real property shall be sold "as is - where is" with no warranties whatsoever, either expressed or implied.

Section 4: That the Director of Finance and Public Record shall deposit the net proceeds from the sale of said real property into the General Fund.

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.

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

PASSED: _____

Steven D. McLaughlin
Vice President of Council

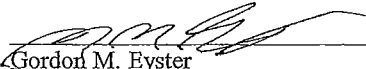
APPROVED:

ATTEST:

Steve Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 40-2015
(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

101-POL-501	COMPUTER SUPPORT	\$6,200.00
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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

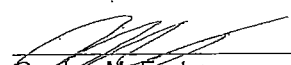
APPROVED:

ATTEST: _____

Steven T. Lifer
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

Revised Code, Secs. 5705.34-5705.35

RESOLUTION NO. 45-2015
(Sponsor - Councilmember Carlisle)

The Council of the City of Shelby, Richland

County, Ohio, met in Regular session on September 21, 2015
(Regular Or Special)

at the office of Shelby City Council with the following members present:

Mr./Mrs.
Mr./Mrs.
Mr./Mrs.
Mr./Mrs.
Mr./Mrs.
Mr./Mrs.

Mr./Mrs. moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted
a Tax Budget for the next succeeding fiscal year commencing January 1st, 2016 ; and
Year

WHEREAS, The Budget Commission of Richland County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Auditor of the rate
of each tax necessary to be levied by this Council, and what part thereof is without, and what part within,
the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Shelby
Richland County, Ohio, that the amounts and rates, as determined by the

Budget Commission in its certification, be and the same are hereby accepted; and be it further
RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
 SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
 COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to Be Derived from Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column I	Column II	III	IV
General Fund	\$239,906.00		2.00	
Police Pension	\$35,985.00		0.30	
Fire Pension	\$35,985.00		0.30	
Park Fund		\$179,000.00		1.50
Health Fund		\$227,900.00		1.90
TOTAL	\$311,876.00	\$406,900.00	2.60	3.40

**SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
<p>GENERAL FUND:</p> <p>Current Expense Levy authorized by voters on for not to exceed years.</p> <p>SPECIAL LEVY FUNDS:</p> <p>Park Fund Levy authorized by voters on March 6, 2012 for not to exceed 5 years. TY 12-16</p> <p>Park Fund Levy authorized by voters on November 2, 2010 for not to exceed 5 years. TY 10-14</p> <p>Health Fund Levy authorized by voters on November 8, 2011 for not to exceed 5 years. TY 12-16</p> <p>Health Fund Levy authorized by voters on November 3, 2009 for not to exceed 5 years. TY 10-14</p> <p>Levy authorized by voters on for not to exceed years. TY</p>	<p>0.50</p> <p>1.00</p> <p>0.90</p> <p>1.00</p>	<p>\$179,000.00</p> <p>\$227,900.00</p>

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr./Mrs. _____
- Mr./Mrs. _____
- Mr./Mrs. _____
- Mr./Mrs. _____
- Mr./Mrs. _____
- Mr./Mrs. _____
- Mr./Mrs. _____

Adopted the _____ day of _____, 2015

Attest:

Clerk of Council

Vice President of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, Richland County, ss.

I, _____, Clerk of the Council of

City of Shelby, in said County, and in whose custody the Files

and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby

certify that the foregoing is taken and copied from the original _____

now on file with said Board, that the foregoing has been compared by me with said original document,

and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 2015

Clerk of Council

City of Shelby of Richland County, Ohio

A copy of this resolution must be certified to the County Auditor within the time prescribed by O.R.C. Sec. 6705.34, or at such a later date as may be approved by the Board of Tax Appeals

No. _____

(CITY COUNCIL)

City of Shelby

Richland County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR.

(CITY COUNCIL)

Adopted _____, 2015

Clerk of Council

Filed _____, 20 ____

County Auditor

By _____
Deputy.

RESOLUTION NO. 46-2015
(Sponsor- Councilmember Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PURCHASE A PICKUP TRUCK FROM BUCKEYE CHRYSLER JEEP DODGE FOR THE OPERATION OF THE SHELBY FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

WHEREAS, The Shelby Fire Department is in need of replacing its existing pickup truck; and

WHEREAS, Buckeye Chrysler Jeep Dodge had the best quote for providing same; 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 pickup truck be purchased as soon as possible.

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 Safety shall be and is hereby authorized to purchase from Buckeye Chrysler Jeep Dodge a pickup truck including an engine upgrade for the ongoing operation of the Shelby Fire Department.

Section 2: That the existing pickup truck in use by the Shelby Fire Department shall be traded in as part of the purchase of the new pickup truck.

Section 3: That Resolution 17-2015 shall be repealed in its entirety.

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.

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