

The City Record

Official Municipal Bulletin - Shelby Ohio

Legislative Update 2020



Current Council

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

[Finance Director Brian Crum](#), 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

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

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

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

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

Mayor Steven L. Schag

ANNUAL REPORT TO COUNCIL

State of the City

February 3, 2020

It is with delight and pleasure that I report to you that the State of the City remains healthy, fiscally sound, and well positioned for the future.

Over the past year it was my privilege to work closely with Finance Director Steven Lifer, Law Director Gordon Eyster, Project Coordinator Joe Gies, Deputy Director of Finance Amber Cutlip, Deputy Director of Public Service John Ensman, City Hall Staff, Police Chief Lance Combs, Fire Chief Mike Thompson and the devoted members of Shelby City Council, namely: Councilman Charlie Roub, Councilman Derrin Roberts, Councilman Garland John Gates, Councilman Nathan Martin, and Councilman Steve McLaughlin.

I want to personally thank this Council for working together in an exceptional manner year after year. I often tell people we have a great blend of truly talented Council members. You are knowledgeable, thorough, transparent, and deft in handling legislation and various issues as they arise. Our positive working relationship has contributed to the enviable municipal condition we find ourselves in tonight.

2019 was another banner year with ten ribbon cutting events plus a major press conference announcing the energizing of our 2.5 Megawatt Solar Array. Each one of these events carried with it a very special meaning for the participants and the City of Shelby as well.

Over these next several minutes I would like to review just a number of the many accomplishments of 2019.

In late spring/early summer we embarked upon a very ambitious \$700,000.00, city wide paving project. In spite of encountering some unexpected challenges, the project was completed on time.

With guidance from the EDGE Group of Columbus and the legislative backing from Council we secured funding for the Main Street Corridor Revitalization Plan. It will

be very exciting to see the changes that this major investment will bring to the downtown district in the very near future.

The completion of the Black Fork Commons Amphitheatre and the construction of the nearby restrooms are certain to enhance public access and community activities in our downtown district. Kudos to the Park Board for their visionary leadership.

Last fall we held a well-attended ribbon cutting to celebrate the completion of an amazing \$8.9 million dollar upgrade at our Waste Water Treatment Plant. This upgrade was a long time in the making. In fact, I was a Councilmember in 2012 when presentations were initially rolled out by Mr. Ensman.

Our Shelby City Health Department officially applied for National accreditation in October. Kudos to Ms. Beth Conrad, Dr. Chawla, and Lauren Yeagle (Resource Solutions) for the vast amount of work invested in this accreditation process.

The Shelby Foundation's positive influence in our Community was once again on full display last November. The Foundation provided the financial energy that enabled Mr. Kyle Bailey to really dress up our outstanding Shelby Blackfork Wetlands with some spectacular new signage. Plus, some beautiful brochures have been produced to spread the word about this gem on the north side of our City!

The West Main Street Sewer Project was well under way in the closing weeks of 2019. This is a huge, and somewhat complicated project that will provide City Sewer Services to 24 parcel owners on West Main Street.

In December, The Fire Department took possession of a beautiful and functional Type I Ambulance. This larger unit (Rescue 39) will afford patients a much better environment for emergency care.

Perhaps the crowning jewel of last year's achievements was the completion of our 14-acre State Street Solar Field. This was the culmination of years of careful study and strategic planning. Mr. John Ensman did a masterful job of guiding this project from start to finish. His knowledge of and passion for public utilities is unsurpassed in our region. Thank you John and thank you Council Members for having the vision of what renewable energy can do for our City in so many ways.

Our Municipal Workforce underwent some changes in 2019 with resignations, retirements, and new quality individuals coming on board. Among others, we hired one dispatcher, two police officers, one full time fire fighter, and an RN as our

Nurse/Health Educator in the Health Department. In my opinion, we have some of the very finest public employees in all of Ohio on our municipal team.

Of course, I could not close out this review of 2019 without bringing to remembrance the tornado that tore through our Community on Palm Sunday, April 14, 2019.

I cannot say enough about how this Community pulled together in the aftermath of that eventful day. The employees of all of our City Departments certainly rose to the occasion in a truly spectacular way. We are so blessed to have capable leadership in place, such our Director of Public Utilities, John Ensman, Fire Chief, Mike Thompson, Police Chief, Lance Combs, and the extraordinary personnel that serve with them. As a Mayor, it was comforting and reassuring to me that our City was under the oversight of these devoted public servants.

On the horizon, 2020 looks to be a year with potential and promise.

We are in a unique position to bring to our City "the infrastructure of the future" – Shelby Municipal Broadband. We owe it to our citizens to thoroughly explore the many benefits this technology can bring to our Community.

Ms. Jessica Gribben continues to work with The Richland Area Chamber of Commerce in the areas of business retention, expansion, and attraction. We have some prospective projects in the pipeline that show promise of economic fruition in 2020.

The Main Street Corridor plan will be getting some traction in this coming year. Downtown Shelby will have a whole new visual appeal in the years to come as a result of major streetscape enhancements and additional aesthetic improvements.

President Lyndon B. Johnson made these concluding remarks in his State of the Union Address on January 4, 1965: "This, then, is the state of the union: free and restless, growing and full of hope. So it was in the beginning. So it shall always be, while God is willing, and we are strong enough to keep the faith."

May we, as dedicated public servants, continue to work together to preserve and promote the cherished provincial values of freedom, faith, and fullness of hope.

May God bless you. May God bless the City of Shelby. May God bless the United States of America.

**SUBSTITUTE ORDINANCE NO. 1-2020
(Sponsor: Councilmember Gates)**

AMENDING AMENDED ORDINANCE 23-2015 (ESTABLISHING WAGES FOR DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES.

WHEREAS, on August 3, 2015, Amended Ordinance 23-2015 was passed in order to establish wages for department heads and other certified employees; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that Amended Ordinance 23-2015 be amended so as to adjust the annual salary and hourly wages ranges set forth therein for department heads, superintendents, and other non-certified employees.

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

Section 1: That, effective January 1, 2019, the salaries, hourly wages, and wage ranges for the positions set forth below shall be as follows:

DEPARTMENT HEADS AND SUPERINTENDENTS HOURLY WAGES

Deputy Director of Public Service	a maximum of \$43.00
Chief of Police	a maximum of \$45.00
Fire Chief	a maximum of \$45.00
Superintendent of Electric Electric Distribution	a maximum of \$40.00
Superintendent of Service Department	a maximum of \$40.00
Superintendent of Water Plant & Distribution	a maximum of \$40.00
Superintendent of Waste Water Treatment Plant & Sewers	a maximum of \$40.00

DEPARTMENT HEADS ANNUAL SALARY RANGE

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

Medical Director	\$5,000.00 - \$25,000.00
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OTHER NON-CERTIFIED EMPLOYEES HOURLY WAGES AND RANGES

Deputy Director of Finance	a maximum of \$33.00
Clerk of Courts	a maximum of \$33.00
City Project Coordinator	a maximum of \$35.50
Utility Office Supervisor	\$17.00 - \$28.50
Assistant to Deputy Director of Public Service	\$17.00 - \$27.00

Environmental Health Director/Sanitarian	a maximum of \$33.50
Director of Community Health/Nurse	a maximum of \$28.50
Probation Officer	\$13.00 - \$22.50
Secretary to the Mayor & Finance Director	\$13.00 - \$25.00
Income Tax Clerk	\$13.00 - \$25.00
Secretary to the Law Director (part-time)	\$13.00 - \$23.00

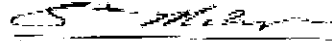
Section 2: That wages and salaries shall not exceed the top values as noted in Section 1.

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

Section 4: 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 5: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: February 18, 2020

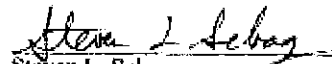


Steven McLaughlin
Vice President of Council

APPROVED:

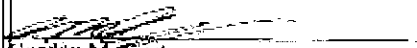
ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

ORDINANCE NO. 2-2020
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM, (a) DEFINITIONS AND REGULATIONS, RULE 45 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to amend Chapter 1040 (Water), Section 1040.04, Rule 45 to adjust the rate for bulk water service; 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 Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), (a) Definitions and Regulation, Rule 45 be amended to establish a new rate structure for bulk water service.

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

Section 1: That Chapter 1040 (Water), Section 1040.04 (Rule, Regulations, and Fixed Charges for Municipal Water System), (a) Definitions and Regulation, Rule 45 of the Codified Ordinances of the City of Shelby be amended to read as follows:

Rule 45

Bulk water is available to individuals having the means to transport such water. Bulk water is sold in 1,000 gallon increments. Persons wishing to purchase bulk water must obtain an access card from the Shelby Municipal Utilities Office, 23 East Main Street. Bulk water is to be loaded at the Shelby Water Treatment Plant, 115 North Gamble Street.

Rates for Bulk Water	<i>Effective 4/1/2020</i>
1,000 gallons	

Section 2: That all other sections of Chapter 1040 (Water) and 1040.04 (Rule, Regulations, and Fixed Charges for Municipal Water Service) (a) Definitions and Regulations 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: February 18, 2020

Steven McLaughlin
Steven McLaughlin
Vice President of Council

ATTEST: Brian Crum
Brian Crum
Clerk of Council

APPROVED: Steven L. Schug
Steven L. Schug
Mayor

ORDINANCE NO. 3-2020
(Sponsors: Councilmember Martin)

ENACTING SECTION 1042.24 (SEPTAGE RECEIVING REGULATIONS) OF CHAPTER 1042 (SEWER REGULATIONS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1042 (Sewer Regulations) to establish regulations for septage receiving; 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 Chapter 1042 (Sewer Regulations), Section 1042.24 (Septage Receiving Regulations) be enacted to establish regulations for septage receiving.

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

Section 1: That Chapter 1042 (Sewer Regulations), Section 1042.24 Septage Receiving Regulations of the Codified Ordinances of the City of Shelby be enacted to read as follows:

1042.24 Septage Receiving Regulations

(a) The City of Shelby Wastewater Treatment Plant will accept Domestic Septage and Non-Domestic Septage from authorized septic haulers within the limits of the Parameter Max Concentration levels set forth below.

(1) Domestic Septage is defined as sources generated from residential dwellings and such as identified and declared by the Superintendent of the Wastewater Treatment Plant.

(2) Non-Domestic Septage is defined as sources generated from a commercial dwelling; churches, restaurants, schools, mobile home parks, campgrounds, motels, and such as identified and declared by the Superintendent of the Wastewater Treatment Plant.

(b) The charges for Septage receipt shall be set forth in 1044.09.

(c) The City of Shelby's Wastewater Treatment Plant prohibits the discharge of any septage having a higher limit than the maximum concentration of the following parameters.

<u>Parameter Max Concentration</u>	
Carbonaceous Biochemical Oxygen Demand (CBOD)	101,000 mg/l
Chemical Oxygen Demand (COD)	60,000 mg/l
Total Phosphorous	100 mg/l
Total Suspended Solids	60,000 mg/l
Mercury Total	0.0050 mg/l
Oil & Grease-(Vegetable or Mineral)	100 mg/l
pH	6.0 - 11.0

(d) The Wastewater Treatment Plant shall only accept septage from authorized septic haulers. Authorized septic hauler shall be defined as those individuals and business entities which have applied for and received a Septage Receiving Discharge Permit pursuant to the rules and regulations defined by the Superintendent of the Wastewater Treatment Plant.

(e) In addition to any other penalty authorized by law or 1042.99, whoever violates this section may have their permit for the disposal of septage revoked by the Superintendent of the Wastewater Treatment Plant.

Section 2: That all other sections of Chapter 1042 (Sewer Regulations) 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: February 18, 2020

[Signature]
Steven McLaughlin
Vice President of Council

ATTEST: [Signature]
Brian Crum
Clerk of Council

APPROVED:
[Signature]
Steven L. Schag
Mayor

Prepared by:

[Signature]
Gordon Eyster
Director of Law

Original Document
1/1/2020

ORDINANCE NO. 4-2020
(Sponsor: Councilmember Martin)

ENACTING SECTION 1044.09 (SEPTAGE RECEIVING RATE SCHEDULE) OF CHAPTER 1044 (SEWER CHARGES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1044 (Sewer Charges) to establish a rate schedule and a fee schedule for septage receiving; 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 Chapter 1044 (Sewer Charges), Section 1044.09 (Septage Receiving Rate and Fee Schedule) be enacted to establish a rate and fee schedule for septage receiving.

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

Section 1: That Chapter 1044 (Sewer Charges), Section 1044.09 Septage Receiving Rate and Fee Schedule of the Codified Ordinances of the City of Shelby be enacted to read as follows:

1044.09 Septage Receiving Rate and Fee Schedule

(a) Domestic Septage Receiving Rate - \$0.05 per gallon

(1) Domestic septage shall be identified as wastewater that is generated from a residential dwelling and such as identified and declared by the Superintendent of the Wastewater Treatment Plant.

(b) Non-Domestic Septage Receiving Rate - \$0.07 per gallon

(1) Non-Domestic septage shall be identified as wastewater that is generated from a commercial dwelling; churches, restaurants, schools, mobile home parks, campgrounds, motels, and such as identified and declared by the Superintendent of the Wastewater Treatment Plant.

(c) All bills not paid 15 days after the due date shall be subject to a 10% surcharge.

(d) Access Card Fee (purchase or replacement)- \$20.00

(e) Septage Discharge Permit Fee - \$100.00

(f) Cleaning Violation Fee - \$20.00 - \$50.00

Section 2: That all other sections of Chapter 1044 (Sewer Charges) 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:

February 18, 2020

Steven McLaughlin
Steven McLaughlin
Vice President of Council

AMENDED ORDINANCE NO. 5-2020
(Sponsors - Councilmembers Gates and Martin)

ENACTING SECTION 234.11 (DEPOSIT OF PUBLIC MONEYS) OF CHAPTER 234
(DIRECTOR OF FINANCE AND PUBLIC RECORD) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, in the past several audits, the Auditor of the State of Ohio has issued non-compliance findings against the City of Shelby for its failure to deposit public moneys in a timely manner and has recommended that City Council implement formal written policies regarding timely depositing in accordance with State statute; and

WHEREAS, according to the Auditor, "Failure to implement formal written policies and procedures over the cash collections process and to deposit receipts timely increases the risk of City funds being lost, misappropriated, or improperly posted, and these errors going undetected by management."

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

Section 1: That Section 234.11 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

234.11 DEPOSIT OF PUBLIC MONEYS.

(a) As used in this section, "public official" has the same meaning as in section 117.01 of the Revised Code.

(b) A person who is a public official, employee, or agent of the City shall deposit all public moneys received by that person with the Director of Finance and Public Record by the business day next following the day of receipt.

(c) When public moneys are not deposited as required in subsection (b), the public official, employee, or agent of the city will have this fact annotated by the Deputy Director of Finance and Public Record with the reason for non-compliance in a non-compliance log.

(d) The Director of Finance and Public Record will provide this log to the Finance and Personnel Committee at its monthly meetings.

(e) Absent cause, failure to comply with this section shall be considered an act of nonfeasance.

Section 2: That all other sections of Chapter 234 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 Section 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: February 13, 2020

Steven McLaughlin
Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Local Planning
3/11/2020

ORDINANCE NO: 6-2020
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1050 (ELECTRICITY), SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (d) (BALANCE LEVELIZATION RATE RIDER) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (d) (Balance Levelization Rate Rider) to increase the negative rate rider from \$0.00163/kWh to \$0.002/kWh; 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 Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (d) (Balance Levelization Rate Rider) be amended and/or modified.

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

Section 1: That Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (d) (Balance Levelization Rate Rider) be amended to read as follows:

(d) Balance Levelization Rate Rider

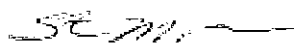
(1) Service Schedules A, A-D, B, C, and D shall have a negative rate rider in the amount of \$0.002 / kWh. The negative rate rider shall be implemented for a period of five years. The rider shall be itemized on the utility bill as a credit and identified as Balance Levelization.

Section 2: That all other language in Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

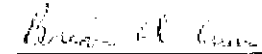
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.


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: March 2, 2020



Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

Print Resolution
City of Shelby

ORDINANCE NO. 7 -2020

(Sponsors- Councilmembers: Martin, Roberts, Gates, McLaughlin and Roub)

CHANGING THE NAME OF A SECTION OF BLACKFORK STREET FROM SOUTH GAMBLE STREET, EASTERLY TO THE TERMINUS OF THE CUL-DE-SAC TO CHARLES FOLLIS WAY.

WHEREAS, a Section of Blackfork Street is a dedicated roadway which runs west to east from South Gamble Street to its terminus at the end of the cul-de-sac; and

WHEREAS, Charles W. Follis (1879 - 1910) played football as a member of the Shelby Athletic Club, later the Shelby Blues, from 1902 - 1906; and

WHEREAS, Charles W. Follis is nationally recognized as the first African American professional football player as a result of the contract he signed with the Shelby Athletic Club in 1904; and

WHEREAS, changing name of this section of Blackfork Street to Charles Follis Way will commemorate and celebrate this historical achievement; 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 council of the City of Shelby rename the section of Blackfork Street from South Gamble Street, easterly to the terminus of the cul-de-sac to Charles Follis Way.

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

Section 1: That by authority of Section 105 of the Charter of the City of Shelby the section of Blackfork Street from South Gamble Street, easterly to the terminus of the cul-de-sac be renamed to Charles Follis Way.

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: March 2, 2020 Steven McLaughlin
Steven McLaughlin
Vice President of Council

ATTEST: Brian Crum Steven L. Schag
Brian Crum
Clerk of Council
Steven L. Schag
Mayor

Prepared by:
Gordon M. Byster
Gordon M. Byster
Director of Law

RECORDER PLEASE MARGINALIZE PB 2#3 PG19
PB7 PG6
PB7 PG12
PB3 PG12

TRANSFER APPROVED
SHELBY COUNTY
7/2/2020
INITIAL DATE

APPROVED
COUNCILMEMBER
FOR THE DISTRICT OF
SHELBY COUNTY
7/2/2020

TRANSFERRED
PATRICK W. GORSEY
COUNTY AUDITOR

ORDINANCE NO. 8 - 2020
 (Sponsors- Councilmembers Martin, Gates and Roub)

CREATING APPROPRIATIONS FOR THE YEAR 2020 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 2020, 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 2020.

Section 2: That City Council does hereby appropriate as an appropriation for the year 2020 the following sums, to wit:

2020	Fund	Personal	Other	Total
GENERAL FUND	101	Services		
Building and Zoning		\$0.00	\$3,445.00	\$3,445.00
City Administration & Buildings		\$0.00	\$137,950.00	\$137,950.00
Civil Service		\$75.00	\$200.00	\$275.00
Council		\$47,195.00	\$11,550.00	\$58,745.00
Court		\$301,550.00	\$126,500.00	\$428,050.00
Finance		\$197,900.00	\$11,500.00	\$209,400.00
Law		\$104,900.00	\$25,100.00	\$130,000.00
Economic Development		\$0.00	\$51,800.00	\$51,800.00
Engineering		\$95,300.00	\$20,800.00	\$116,100.00
Fire		\$1,291,100.00	\$60,950.00	\$1,352,050.00
Mayor		\$148,750.00	\$4,100.00	\$152,850.00
Misc.		\$0.00	\$95,700.00	\$95,700.00
Police		\$1,966,600.00	\$362,600.00	\$2,329,200.00
Transportation		\$0.00	\$39,450.00	\$39,450.00
Transfers		\$0.00	\$415,000.00	\$415,000.00
TOTAL		\$4,153,370.00	\$1,366,645.00	\$5,520,015.00
SPECIAL FUNDS	Fund			
Street	200	\$323,700.00	\$319,900.00	\$643,600.00
State Highway	205	\$33,625.00	\$0.00	\$33,625.00
Street Sales Tax	210	\$0.00	\$93,250.00	\$93,250.00
Income Tax	220	\$126,800.00	\$3,815,200.00	\$3,942,000.00
Health	225	\$190,550.00	\$516,650.00	\$707,200.00
Park	230	\$29,750.00	\$417,200.00	\$446,950.00
Rehab/Esrow CLUB	232	\$0.00	\$26,000.00	\$26,000.00
Court Prohibition	233	\$18,850.00	\$7,350.00	\$26,200.00
BMV Reimbursement	234	\$0.00	\$1,500.00	\$1,500.00

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	\$5,000.00	\$5,000.00
Unclaimed Monies	240	\$0.00	\$500.00	\$500.00
Court IDAM	242	\$0.00	\$5,500.00	\$5,500.00
CDBG General	250	\$0.00	\$263,237.00	\$263,237.00
Home Program	251	\$0.00	\$223,693.00	\$223,693.00
City Admin. & Bldg.	650	\$0.00	\$1,554.00	\$1,554.00
Police Pension	700	\$244,605.00	\$800.00	\$245,405.00
Fire Pension	701	\$225,000.00	\$1,150.00	\$226,150.00
Shade Tree Trust	705	\$0.00	\$4,600.00	\$4,600.00
FEMA	815	\$0.00	\$0.00	\$0.00
TOTAL		\$1,192,880.00	\$5,739,514.00	\$6,932,394.00
Debt Service Funds				
Special Bond	275	\$0.00	\$500.00	\$500.00
General Bond SSE	281	\$0.00	\$0.00	\$0.00
USDA	282	\$0.00	\$0.00	\$0.00
Light Debt Reserve	602	\$0.00	\$200,000.00	\$200,000.00
TOTAL		\$0.00	\$200,500.00	\$200,500.00
Capital Project Funds				
Court Computer	239	\$0.00	\$13,500.00	\$13,500.00
Police Computer	241	\$0.00	\$1,250.00	\$1,250.00
Capital Improvement	300	\$0.00	\$298,405.00	\$298,405.00
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	\$13,000.00	\$13,000.00
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	\$24,900.00	\$24,900.00
Streets, Alleys, Catch Basin Fund	353	\$0.00	\$529,650.00	\$529,650.00
Police/Court	354	\$0.00	\$476,200.00	\$476,200.00
Police Equipment	702	\$0.00	\$72,438.00	\$72,438.00
Fire Equipment	703	\$0.00	\$222,500.00	\$222,500.00
TOTAL		\$0.00	\$1,651,843.00	\$1,651,843.00
Permanent Fund				
Mini Park Trust	710	\$0.00	\$3,000.00	\$3,000.00
TOTAL		\$0.00	\$3,000.00	\$3,000.00
Special Assessment Fund				
Fire Damage Fund	253	\$0.00	\$5,000.00	\$5,000.00
TOTAL		\$0.00	\$5,000.00	\$5,000.00
Enterprise Funds				
Sewer	400	\$870,250.00	\$688,000.00	\$1,558,250.00
San. Sewer Capital Improvements	401	\$0.00	\$766,900.00	\$766,900.00
Waste Water Capital Improvements	402	\$0.00	\$489,250.00	\$489,250.00
Water	500	\$1,035,325.00	\$1,016,450.00	\$2,051,775.00
Water Facilities	501	\$0.00	\$338,500.00	\$338,500.00
Water Capital Improvements	502	\$0.00	\$374,550.00	\$374,550.00

Electric	600	\$1,176,000.00	\$12,343,400.00	\$13,519,400.00
TOTAL		\$3,081,575.00	\$16,017,050.00	\$19,098,625.00
Internal Service Fund				
Sharing Fund	706	\$0.00	\$30,000.00	\$30,000.00
Hospitalization	715	\$0.00	\$1,700,000.00	\$1,700,000.00
TOTAL		\$0.00	\$1,730,000.00	\$1,730,000.00
Agency Fund				
Playscape Trust	231	\$0.00	\$0.00	\$0.00
Light Customer Deposit	601	\$0.00	\$102,000.00	\$102,000.00
Bicentennial Trust	800	\$0.00	\$0.00	\$0.00
Total Agency Funds		\$0.00	\$102,000.00	\$102,000.00
		Personal Services	Other	Total
TOTAL		\$8,427,825.00	\$26,815,552.00	\$35,243,377.00


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 2020 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: March 23, 2020

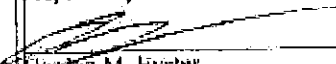

 Steven D. McLaughlin
 Vice President of Council

APPROVED:

ATTEST: 
 Brian A. Crum
 Clerk of Council


 Steven L. Schag
 Mayor

Prepared by:


 Jordan M. Eyster
 Director of Law

ORDINANCE NO. 9-2020
(Sponsor - Councilmember Martin)

**AMENDING SECTION 1050.02 OF CHAPTER 1050 (ELECTRICITY) OF THE
CODIFIED ORDINANCES OF THE CITY OF SHELBY, AND DECLARING AN
EMERGENCY**

WHEREAS, from time to time, it is necessary, due to emergencies, to provide utility relief to businesses that are working towards the greater good; 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 Council of the City of Shelby declare that it is necessary to amend the section to provide exceptions.

**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 Section 1050.02 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1050.02 RATES AND CHARGES FOR SERVICE

(f) *Emergency Rates.* The rates and charges set forth in the current electric rate schedules shall be waived in the event that the property is allowing emergency or health personnel to stay rent and fee free at the property during a time of quarantine, health crisis, or other emergency deemed by the mayor to necessitate additional places to stay and beds to facilitate an emergency need. The following properties used for that month will be eligible:

- (1) A rental unit by a landlord or in the case of multiple units under the same meter at least 25% of the units.
- (2) A hotel operator is allowing a minimum of 25% of their units to be used for this purpose.
- (3) A church that is setting up beds for this purpose.

Section 2: That all other sections of Chapter 1050 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 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: Apr. 16, 2020

Steven McLaughlin Charlie Pomb
Vice President of Council Pro-Tem

APPROVED:

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

2nd Reading
5/14/2020

ORDINANCE NO. 10 -2020
(Sponsors – Councilmembers Gates & Martin)

ENACTING SECTION 230.04 (FEDERAL UNIFORM GUIDANCE POLICIES) OF CHAPTER 230 (MAYOR) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, implementation of policies is essential in ensuring compliance with federal grant requirements since the lack of policy implementation could result in noncompliance with federal Uniform Guidance requirements; and

WHEREAS, because failure to have formal written policies and procedures in place could result in noncompliance with federal grant requirements, the Auditor of the State of Ohio recommended that the City adopt written policies over its controls and procedures required by the Code of Federal Regulations,

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

Section 1: That Section 230.04 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

230.04 FEDERAL UNIFORM GUIDANCE POLICIES.

The Mayor shall adopt and implement policies and/or procedures to ensure that the City complies with the following sections of the Code of Federal Regulations (CFR) regarding federal grant requirements:

(a) CFR Section 200.302 (b)(7) – written procedures for determining the allowability of costs in accordance with Subpart E – Cost Principles of this part and the terms and conditions of the Federal award,

(b) CFR Section 200.302 (b)(6) – written procedures to minimize the time elapsing between the transfer of funds,

(c) CFR Section 200.318(c)(1)-(2) – written procurement policies for employee conflicts of interest and for organizational conflicts of interest,

(d) CFR Section 200.320 (d)(3) – written policies for selection and awarding of competitive contracts, and


(e) CFR Section 200.319(c) – written policies for minimum evaluation criteria for bids and proposals.

Section 2: That all other sections of Chapter 230 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: July 18, 2020


Steven McLaughlin
Vice President of Council

2nd Reading
5/11/2020

ORDINANCE NO: 11 -2020
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1050 (ELECTRICITY) SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (b) (1) (GENERATION CHARGE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (b) (1) (Generation Charge) to decrease the charge from \$0.0055 kWh to \$0.00450 kWh; 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 Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (b) (1) (Generation Charge) be amended and/or modified.

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

Section 1: That Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (b) (1) (Generation Charge) be amended to read as follows:

(b) *Generation Charges, Fuel and Purchased Power, and Transition Cost Rider.*

The Generation Charge, Fuel and Purchase Power Charge, and the Transition Cost Rider shall be applied to the A, A-D, B, C and D Schedules. The rate design of the generation charge and fuel and purchase power charge may be changed from time to time as approved by Council.

(1) *Generation Charge.* The generation charge shall be \$0.00450 kWh

Section 2: That all other language in Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges For Service) 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: May 18, 2020

Steven McLaughlin
Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian D. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Ordinance No. 12-2020

ORDINANCE NO. 12-2020
(Sponsor: Councilmember Roub)

AMENDING SECTION 1482.06 OF CHAPTER 1482 (SWIMMING POOLS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, advances have been made in protective coverings for swimming pools; 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 Chapter 1482 (Swimming Pools), Section 1482.06 (Fences; Retractable-Step Pools) be amended.

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

Section 1: That Section 1482.06 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1482.06 FENCES; RETRACTABLE-STEP POOLS.

All private residential below-the-ground swimming pools shall be completely enclosed by a fence erected along the periphery of the pool. All fence openings or points of entry into the pool area enclosure shall be equipped with gates. The fence and gates shall not be less than four feet, six inches and not over six feet in height above grade level, and shall be constructed of not less than a number nine (9 AWG) gauge corrosion resistant woven wire mesh material, or equivalent material approved by the County Department of Building Regulations. All gates shall be equipped with self-closing and self-latching devices placed at top of the gate and made inaccessible to small children. All fence posts shall be decay or corrosion resistant and shall be set in concrete bases. Swimming Pools with a power safety cover complying with ASTM F 1346 shall be exempt from the barrier requirement. The retractable steps of an above-the-ground pool shall be removed or ingress into the pool locked so as to prevent a child from crawling or otherwise entering into the pool.

Section 2: That all other sections of Chapter 1482 shall remain in full force and effect.

Section 3: That all meetings and hearings concerning the adoption of the Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the earliest period allowed by law.

PASSED: June 1, 2020

Steven McLaughlin
Steven McLaughlin
Vice President of Council

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Bywater
Gordon M. Bywater
Director of Law

ORDINANCE NO. 13 - 2020
(Sponsors- Councilmembers Gates and Martin)

AMENDING ORDINANCE NO. 8-2020 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to create a line item within the 2020 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 2020 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. 8-2020 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO CREATE AN EXPENDITURE LINE ITEM

600-DCP-500	Engineering	\$15,000.00
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Section 2: That all other portions of Ordinance No. 8-2020, 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 220.01, 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: May 18, 2020

Steven D. McLaughlin
Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Byler
Gordon M. Byler
Director of Law

ORDINANCE NO. 14 - 2020
(Sponsors— Councilmembers Martin and McLaughlin)

**AMENDING ORDINANCE NO. 8-2020 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to increase a line item within the 2020 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 2020 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. 8-2020 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE AN EXPENDITURE LINE ITEM

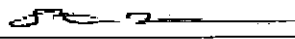
200-STR-500	Engineering	\$140,000.00
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Section 2: That all other portions of Ordinance No. 8-2020, not modified expressly herein, shall remain in full force and effect.


Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, 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: May 18, 2020



Steven D. McLaughlin
Vice President of Council


ATTEST: 

Brian A. Crum
Clerk of Council

APPROVED:


Steven L. Schag
Mayor

Prepared by:



Gordon M. Lyster
Director of Law

Final Reading
City Council

AMENDED ORDINANCE NO. 15-2020
(Sponsors: Councilmembers Martin and Roub)

AMENDING SECTION 276.03 (INVESTIGATION OF COMPLAINTS; CORRECTION; REPORTS TO COUNCIL)

WHEREAS, procedure and process is fundamental to the necessity for proper due process and Constitutional protections; and

WHEREAS, the health department is failing to keep proper records of those filing complaints and this is a result of a vague law and also a potential desire to skirt public records law; 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 276.03 (Investigation of complaints; correction; reports to Council) of Chapter 276 (Division of Health) be amended and/or modified.

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

Section 1: That Section 276.03 (Investigation of complaints; correction; reports to Council) of Chapter 276 (Division of Health) be amended to read as follows:

The Health Commissioner and his or her designee in order to investigate a complaint of nuisance shall record for public record, the name of the complainant (if known), the complaint, and the outcome of the investigation.

The Health Commissioner and his or her designee shall investigate, as soon as possible, all complaints eligible for investigation of nuisances reported to him or her and shall take immediate measures to remove or abate the same when found to exist. He or she shall make such reports to Council as Council may from time to time require.

Section 2: That all other Sections of Chapter 276 (Division of Health) 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: July 6, 2020

Steven McLaughlin
Steven McLaughlin
Vice President of Council

ATTEST: Brian Crum
Brian Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Gordon M. Eyster
Director of Law

ORDINANCE NO. 16-2020

(Sponsors: Council Members Martin and McLaughlin)

AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM); PRODUCTION COST ADJUSTER; RULE 35, RULE 36 AND RULE 37 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to amend Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), Production Cost Adjuster; Rules 35, Rule 36, and Rule 37 to establish a Production Cost Adjuster within the first tier of the rate schedule; and

WHEREAS, the Production Cost Adjuster (PCA) does not collect a rate for service in the first tier of the rate schedule in Rule 35, Rule 36 and Rule 37; and

WHEREAS, the Production Cost Adjuster is designed to recover the cost of electricity, sludge removal, chemicals, lab supplies and lab testing; and

WHEREAS, it is necessary a Production Cost Adjuster rate be implemented within the first tier of the rate schedule to collect revenue to recover the expenses as stated in the above list; 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 Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), Rule 35, Rule 36 and Rule 37 be amended to establish a Production Cost Adjuster rate within the first tier of the water rate schedule.

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

Section 1: That Chapter 1040 (Water), Section 1040.04 (Rule, Regulations, and Fixed Charges for Municipal Water System), Rule 35 (Rates for Customers with One Inch or Smaller Water Meters), Rule 36 (Rates for Elderly or Totally Disabled) and Rule 37 (Rates for Customers with Water Meters Larger than One Inch) of the Codified Ordinances of the City of Shelby shall be amended to implement the Production Cost Adjuster rate within the first tier of the rate schedule.

Rule 35

Rates for Customers with One Inch or Smaller Water Meter

Amount Consumed in Cubic Feet	Billing Unit	Base	PCA	PER	
First 200	Min. Charge	\$9.9064	\$1.0315		\$10.9379
Next 1,800	per 100 cu. ft.	\$2.7887	\$1.0315	\$1.7145	\$5.5347
Next 17,000	per 100 cu. ft.	\$1.8875	\$1.0315	\$0.8572	\$3.7762
Next 461,000	per 100 cu. ft.	\$1.1910	\$1.0315	\$0.3814	\$2.6039
Over 480,000	per 100 cu. ft.	\$1.1910	\$0.9799	\$0.3814	\$2.5523

Rule 36

Rates for Elderly or Totally Disabled

Available to residential customers who are served through individual meters of one inch or smaller that meet age, income and other prerequisites as determined by the Director of Public Service or his or her appointed designee.

Amount Consumed in Cubic Feet	Billing Unit	Base	PCA	PER	
First 300	Min. Charge	\$7.9478	\$0.5158		\$8.4636

Next 1,800	per 100 cu. ft.	\$2.7887	\$1.0315	\$1.6013	\$5.4215
Next 17,000	per 100 cu. ft.	\$1.8833	\$1.0315	\$0.8007	\$3.7155
Over 19,100	per 100 cu. ft.	\$1.1910	\$1.0315	\$0.4147	\$2.6372

Rule 37
Rules for Customers with Water Meter Larger than One Inch

Amount Consumed in Cubic Feet	Billing Unit	Base	PCA	PER	
First 500	Min. Charge	\$19.6734	\$1.0315		\$20.7049
Next 1,500	per 100 cu. ft.	\$3.1296	\$1.0315	\$1.6013	\$5.7624
Next 18,000	per 100 cu. ft.	\$1.8833	\$1.0315	\$0.8007	\$3.7155
Next 460,000	per 100 cu. ft.	\$1.1296	\$1.0315	\$0.3570	\$2.5181
Over 480,000	per 100 cu. ft.	\$1.1296	\$0.9799	\$0.3570	\$2.4665

Section 2: That all other provisions in Chapter 1040 (Water) and Section 1040.04 (Rule, Regulations, and Fixed Charges for Municipal Water Service) 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.

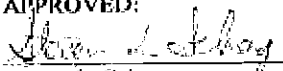
PASSED: August 3, 2020


 Steven McLaughlin
 Vice President of Council

ATTEST:


 Brian Crum
 Clerk of Council

APPROVED:


 Steven L. Schag
 Mayor

Prepared by:


 Gordon Eyster
 Director of Law

ORDINANCE NO. 17-2020
(Sponsor - Councilmember Gates)

**AMENDING ORDINANCE NO.: 8-2020 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to increase line items within the 2020 budget and to fund said line items 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 2020 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.: 8-2020 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

101 - ENG - 500	Engineering	\$12,000.00
225 - HEA - 625	Nuisance Abatement	\$10,000.00
600 - DIS - 500	Engineering	\$20,000.00

Section 2: That all other portions of Ordinance No.: 8-2020, 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 220.01, 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: July 20, 2020




Steven D. McLaughlin
Vice President of Council

ATTEST: 

Brian A. Crom
Clerk of Council

APPROVED:


Steven L. Sehag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

ORDINANCE NO. 18 -2020
(Sponsors – Councilmembers Gates and Martin)

PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$5,300,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS ALL OR A PORTION OF THE \$4,830,000 THE CITY'S OUTSTANDING MUNICIPAL JUSTICE CENTER IMPROVEMENT BONDS, SERIES 2011, DATED AS OF OCTOBER 5, 2011, THAT ARE STATED TO MATURE ON DECEMBER 1 IN EACH OF THE YEARS FROM 2022 THROUGH 2025, 2031 AND 2036; AUTHORIZING AND DIRECTING THE CALL FOR REDEMPTION OF ALL OF THE REFUNDED BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF THE REFUNDED BONDS; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 22-2011 passed by this Council on July 18, 2011, and the related certificate of award dated September 22, 2011, signed by the Mayor and the Director of Finance and Public Record pursuant thereto (collectively, the Original Bond Legislation), the City issued its \$6,385,000 Municipal Justice Center Improvement Bonds, Series 2011, dated as of October 5, 2011 (the Original Bonds), to provide funds for the purpose of constructing, furnishing equipping and otherwise improving a municipal justice center housing police and court facilities and acquiring, improving and equipping its site; and

WHEREAS, this Council finds and determines that, if interest rates available on the sale date will provide satisfactory savings to the City, the City should (i) refund for debt service cost savings all or a portion of the Original Bonds that remain outstanding and are stated to mature on December 1 in each of the years from 2022 through 2025, 2031 and 2036 (those Original Bonds to be refunded, to be finally determined and specified by the Mayor and the Director of Finance and Public Record at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise the City's option to call those Refunded Bonds for optional redemption on December 1, 2021, the earliest optional redemption date for the Original Bonds and (iii) issue and sell the Bonds described in Section 2 to provide for that refunding and call; and

WHEREAS, the Director of Finance and Public Record as fiscal officer of this City has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of the issuance of the Original Bonds, at least five years, and that the maximum maturity of the Bonds described in Section 2 is at least December 1, 2036, the final maturity of the Original Bonds; and

WHEREAS, this Council has determined that this ordinance should be declared to be an emergency measure because it is necessary for the immediate preservation of the public peace, property, health and welfare of this City and for the further reason that it is required to be immediately effective to enable the City to issue and sell the Bonds and to refund the Refunded Bonds upon terms in the best interest of and advantageous to the City and thereby to achieve debt service cost savings available under current favorable market conditions; wherefore, this ordinance shall be in full force and effect immediately upon its passage or at the earliest time allowed by law.

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: Definitions and Interpretation. In addition to the words and terms elsewhere defined in this ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means (a) with respect to Capital Appreciation Bonds, if any, a denomination equal to a principal amount that, when interest is accrued and compounded thereon at the applicable compounding interest rate on each Interest Accretion Date to the stated maturity of those Bonds, will result in a Maturity Amount equal to \$5,000 or any whole multiple thereof and (b) with respect to Current Interest Bonds, a denomination of \$5,000 or any whole multiple thereof.

"*Bond proceedings*" means, collectively, this ordinance, the Certificate of Award, the Continuing Disclosure Agreement, the Bond Registrar Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"*Bond Register*" means the books and records necessary for the registration, exchange and transfer of the Bonds maintained by the Bond Registrar as provided in Section 5.

"*Bond Registrar*" means Zions Bancorporation, National Association, as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

"*Book entry form*" or "*book entry system*" means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds deposited with and retained in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

"*Capital Appreciation Bonds*" means any Bonds designated as such in the Certificate of Award, maturing on the Principal Payment Dates, being in the principal amounts and having the Maturity Amounts set forth in that Certificate, and bearing interest accrued and compounded on each Interest Accretion Date and payable at maturity.

"*Certificate of Award*" means the certificate to be signed by the Mayor and the Director of Finance and Public Record pursuant to subsection (a) of Section 6, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this ordinance requires or authorizes to be set forth or determined therein.

"*Clerk of Council*" means the City's Director of Finance and Public Record in his role as clerk of this Council.

"*Closing Date*" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

"*Code*" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"*Compound Accreted Amount*" means, with respect to any Capital Appreciation Bond, the principal amount thereof plus interest accrued and compounded on each Interest Accretion Date to the date of maturity or other date of determination. The Compound Accreted Amount per \$5,000 Maturity Amount of the Capital Appreciation Bonds of each maturity and each interest rate within a maturity as of each Interest Accretion Date shall be set forth in the Certificate of Award. The Compound Accreted Amount of a Capital Appreciation Bond as of any date other than an Interest Accretion Date is the sum of (a) the Compound Accreted Amount for that Bond on the immediately preceding Interest Accretion Date plus (b) the product of (i) the difference between (A) the Compound Accreted Amount of that Bond on the immediately preceding Interest Accretion Date and (B) the Compound Accreted Amount of that Bond on the immediately succeeding Interest Accretion Date, times (ii) the ratio of (C) the number of days from the immediately preceding Interest Accretion Date to the date of determination to (D) the total number of days from that immediately preceding Interest Accretion Date to the immediately succeeding Interest Accretion Date; provided, however, that in determining the Compound Accreted Amount of a Capital Appreciation Bond as of a date prior to the first Interest Accretion Date, the Closing Date shall be deemed to be the immediately preceding Interest Accretion Date and the principal amount of that Bond shall be deemed to be the Compound Accreted Amount on the Closing Date.

"Continuing Disclosure Agreement" means the certificate to be signed by the Mayor and the Director of Finance and Public Record pursuant to subsection (c) of Section 6, to be substantially in the form on file with the Clerk of Council, and which, together with the agreements of the City set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Current Interest Bonds" means, collectively, the Current Interest Serial Bonds and the Term Bonds.

"Current Interest Serial Bonds" means those Current Interest Bonds designated as such (or as Serial Bonds) in the Certificate of Award, maturing on the Principal Payment Dates set forth in that Certificate, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Fund" means the City of Shelby Refunded GO Bonds Escrow Fund established pursuant to Section 9 of this ordinance and the Escrow Agreement.

"Escrow Trustee" means The Bank of New York Mellon Trust Company, N.A., as the initial escrow trustee with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Interest Accretion Dates" means, unless otherwise determined by the Mayor and Director of Finance and Public Record and specified in the Certificate of Award, as to any Capital Appreciation Bonds, June 1 and December 1 of each year during which any Capital Appreciation Bonds are outstanding, commencing December 1, 2020.

"Interest Payment Dates" means, unless otherwise determined by the Mayor and Director of Finance and Public Record and specified in the Certificate of Award, (a) as to Current Interest Bonds, June 1 and December 1 of each year during which the Current Interest Bonds are outstanding, commencing December 1, 2020, and (b) as to any Capital Appreciation Bonds, their respective maturity dates.

"Mandatory Redemption Requirements" means Mandatory Redemption Requirements as defined in subsection (e)(i) of Section 3.

"Maturity Amount" means, with respect to a Capital Appreciation Bond, the principal of and interest on that Bond due and payable at its stated maturity.

"Original Bond Legislation" means, collectively, Ordinance No. 22-2011 passed by this Council on July 18, 2011, and the related certificate of award dated September 22, 2011, signed by the Mayor and the Director of Finance and Public Record pursuant thereto, authorizing the issuance and sale of the Original Bonds.

"Original Bonds" means the City's \$6,385,000 Municipal Justice Center Improvement Bonds, Series 2011, dated as of October 5, 2011, issued pursuant to the Original Bond Legislation.

"Original Purchaser" means Robert W. Baird & Co. Incorporated.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Mayor and Director of Finance and Public Record and specified in the Certificate of Award, December 1 in each

of the years from 2020 through 2036; provided that in no event shall the earliest Principal Payment Date be later than the date of the first scheduled payment of principal of the Refunded Bonds.

“*Purchase Agreement*” means the Bond Purchase Agreement between the City and the Original Purchaser, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Director of Finance and Public Record in accordance with Section 6.

“*Registrar Agreement*” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Director of Finance and Public Record in accordance with Section 4.

“*Refunded Bonds*” means those Original Bonds to be refunded by the Bonds, as determined by the Mayor and Director of Finance and Public Record and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2.

“*Rule*” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“*SEC*” means the Securities and Exchange Commission.

“*Term Bonds*” means those Current Interest Bonds designated as such in the Certificate of Award, maturing on the Principal Payment Date or Dates set forth in that Certificate, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this ordinance unless otherwise indicated.

Section 2: Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this City in a maximum aggregate principal amount of \$5,300,000 (the Bonds) to refund the Refunded Bonds for debt service cost savings, which Refunded Bonds were issued to provide funds for the purpose of constructing, furnishing, equipping and otherwise improving a municipal justice center housing police and court facilities and acquiring, improving and equipping its site, and provide funds to pay expenses related to the refunding of the Refunded Bonds and to the issuance of the Bonds.

As set forth in the preambles, based on market conditions at the time of the sale of the Bonds and his determination of the best interest of and financial advantages to the City and its residents, the Mayor and the Director of Finance and Public Record shall determine, and shall specify in the Certificate of Award, the Original Bonds to be refunded by the Bonds (the Refunded Bonds).

Subject to the limitations set forth in this ordinance, the aggregate principal amount of the Bonds to be issued, the principal maturities of and the principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this ordinance are subject to further specification or determination by the Mayor and the Director of Finance and Public Record in the Certificate of Award to be signed upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Mayor and the Director of Finance and Public Record to be necessary, taking into account any premium above the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the City set forth in the Original Bond Legislation, the Refunded Bonds and this ordinance.

Section 3: Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The respective principal amounts of the Bonds to be issued as Current Interest Bonds and Capital Appreciation Bonds (if any Bonds are issued as Capital Appreciation Bonds) shall be determined by the Mayor and the Director of Finance and Public Record in the Certificate of Award, having due regard to the best interest of and financial advantages to the City. The Current Interest Bonds shall be dated as of the Closing Date, or such other date not later than Closing Date and not earlier than 60

days prior to the Closing Date, as is established by the Mayor and the Director of Finance and Public Record in the Certificate of Award, and any Capital Appreciation Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Current Interest Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Mayor and the Director of Finance and Public Record (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Current Interest Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Current Interest Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

Any Capital Appreciation Bonds shall bear interest from the Closing Date at the compounding rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), not exceeding 30% per year for any stated maturity, accrued and compounded on each Interest Accretion Date and payable at maturity, which will result in the aggregate Maturity Amounts payable at maturity, as shall be specified by the Mayor and the Director of Finance and Public Record (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. The total interest accrued on any Capital Appreciation Bond as of any particular date shall be an amount equal to the amount by which the Compound Accreted Amount of that Capital Appreciation Bond as of that date exceeds the principal amount of that Capital Appreciation Bond.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	\$95,000	2029	\$335,000
2021	75,000	2030	345,000
2022	295,000	2031	350,000
2023	290,000	2032	360,000
2024	300,000	2033	370,000
2025	350,000	2034	385,000
2026	315,000	2035	390,000
2027	315,000	2036	400,000
2028	330,000		

; provided that, subject to the limitations set forth in Sections 1 and 2 and subsection (c) of this Section, the principal amount of Bonds payable on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Mayor and the Director of Finance and Public Record in the Certificate of Award.

Consistently with the foregoing and in accordance with their determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the City, the Mayor and the Director of Finance and Public Record shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Current Interest Bonds, (iii) the aggregate principal amount of Current Interest Bonds to be issued as Current Interest Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, (iv) the aggregate principal amount of Current Interest Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date, and (v) the aggregate principal amount of any Bonds to be issued as Capital Appreciation Bonds and the corresponding aggregate Maturity Amount thereof, the Principal Payment Date or Dates on which any such Bonds shall be stated to mature, and the principal amount

and corresponding Maturity Amount thereof that shall be payable on each such Principal Payment Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Current Interest Bonds and the compounding rate or rates of interest per year to be borne by any Capital Appreciation Bonds, and the principal amount of Current Interest Bonds maturing or payable pursuant to Mandatory Redemption Requirements on each Principal Payment Date and the Maturity Amount of any Capital Appreciation Bonds payable on each Principal Payment Date, shall be such as to demonstrate net present value debt service cost savings to the City due to the refunding of the Refunded Bonds in an amount not less than 3.00%, after taking into account all expenses related to that refunding and the issuance of the Bonds and (ii) the net interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or payment of Mandatory Sinking Fund Redemption Requirements of those principal amounts of Bonds shall not exceed 5.00%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Current Interest Bonds, and principal of and interest on any Capital Appreciation Bonds, shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Current Interest Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance and Public Record, in the name and on behalf of the City, in connection with the book entry system.

The City reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the City for payment of the interest and principal represented by those checks, drafts and Bonds.

(e) Redemption Provisions. The Capital Appreciation Bonds, if any, shall not be subject to redemption prior to stated maturity.

Except as may otherwise be provided in the Certificate of Award consistently with the determination by the Mayor and the Director of Finance and Public Record of the best interest of and financial advantages to the City, the Current Interest Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Current Interest Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a

credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance and Public Record, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the forty-fifth day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance and Public Record, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Director of Finance and Public Record, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance and Public Record, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Current Interest Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in whole multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Mayor and the Director of Finance and Public Record in the Certificate of Award; provided that (i) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (ii) the redemption price for the earliest optional redemption date shall not be greater than 103%.

If optional redemption of Current Interest Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Current Interest Term Bonds, the Current Interest Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Current Interest Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Any Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance and Public Record to the Bond Registrar, given upon the direction of this Council by passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity, and interest rate within a maturity, of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity or interest rate within a maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates within a maturity selected by the City. If fewer than all of the Bonds of a single maturity or interest rate within a maturity are to be redeemed, the selection of Bonds of that maturity or interest rate within a maturity to be redeemed, or portions thereof in amounts of \$5,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall

not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4: Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Director of Finance and Public Record, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance and Public Record, shall be numbered as determined by the Director of Finance and Public Record in order to distinguish each Bond from any other Bond and to distinguish Current Interest Bonds from any Capital Appreciation Bonds, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this ordinance.

Zions Bancorporation, National Association, is appointed to act as the initial Bond Registrar. The Mayor and the Director of Finance and Public Record shall sign and deliver, in the name and on behalf of the City and in their official capacities, the Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Mayor and the Director of Finance and Public Record on behalf of the City, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Director of Finance and Public Record shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance and Public Record on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5: Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Subject to any inhibitions of book entry form during any period in which the Bonds are in book entry form, any Bond may be (i) exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar, and (ii) transferred only on the Bond Register upon presentation and surrender of the Bond at the designated

corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign or provide for signing and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this ordinance, if the Mayor and the Director of Finance and Public Record determine in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its designated nominee, as registered owner, and deposited with and retained in the custody of the Depository or its agent, which may be the Bond Registrar; (ii) the owners of book entry interests in Bonds shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Director of Finance and Public Record may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance and Public Record does not or is unable to do so, the Director of Finance and Public Record, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance and Public Record is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that he determines to be necessary in connection with a book entry system for the Bonds, after determining that the signing thereof will not endanger the funds or securities of the City.

Section 6: Sale of the Bonds.

(a) To the Original Purchaser. The Bonds shall be awarded and sold by the Mayor and the Director of Finance and Public Record to the Original Purchaser at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Current Interest Bonds from their date to the Closing Date, as shall be determined by the Mayor and the

Director of Finance and Public Record in the Certificate of Award, and with and upon such other terms as are required or authorized by this ordinance to be specified in the Certificate of Award, in accordance with law, the provisions of this ordinance and the Purchase Agreement. The Mayor and the Director of Finance and Public Record are authorized, if they determine it to be in the best interest of the City, to combine the issue of the Bonds with one or more other unvoted general obligation bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this ordinance.

The Mayor and the Director of Finance and Public Record shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance and Public Record, the Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance.

The Mayor and the Director of Finance and Public Record shall sign and deliver, in the name and on behalf of the City and in their official capacities, the Purchase Agreement between the City and the Original Purchaser, in substantially the form as is now on file with the Clerk of Council, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchaser. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance or the Certificate of Award and not substantially adverse to the City and that are approved by the Mayor and the Director of Finance and Public Record on behalf of the City, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure -- Official Statement. The Mayor and the Director of Finance and Public Record are authorized and directed, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the City as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement and any supplements thereto, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements as they may deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees, as the only obligated person with respect to the Bonds under the Rule, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the applicable provisions of the Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Mayor and the Director of Finance and Public Record, are authorized and directed to sign and deliver, in the name and on behalf of the City, the Continuing Disclosure Agreement, in substantially the form as is now on file with the Clerk of Council, with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Mayor and the Director of Finance and Public Record on behalf of the City, all of which shall be conclusively evidenced by the signing of that Agreement or amendments to it. The agreement formed, collectively, by the Bonds, this paragraph and that Agreement, shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it.

The Director of Finance and Public Record is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any

filing required under the Rule, the Director of Finance and Public Record shall consult with and obtain legal advice from, as appropriate, the Director of Law and bond counsel or other qualified independent special counsel selected by the City. The Director of Finance and Public Record, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Rating or Bond Insurance. If, in the judgment of the Mayor and the Director of Finance and Public Record, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on all or a portion of the Bonds, is in the best interest of and financially advantageous to this City, the Mayor or the Director of Finance and Public Record may prepare and submit those applications. The Director of Finance and Public Record is also authorized to provide to each such agency or company such information as may be required for the purpose. If, in their judgment, it is in the best interest of and financially advantageous to the City, the Mayor or the Director of Finance and Public Record may accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The Mayor and the Director of Finance and Public Record are authorized to enter into any agreements, on behalf of and in the name of the City, that they determine to be necessary or required to obtain such ratings or insurance, which agreements may be included in the Registrar Agreement.

The expenditure of the amounts necessary to secure any such rating or ratings on the Bonds and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser in accordance with the Purchase Agreement, is authorized and approved, and the Director of Finance and Public Record is authorized to provide for the payment of the cost of obtaining each such rating, any such policy and all such other financing costs, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

Section 7: Refunding; Redemption of Refunded Bonds. This Council determines that, subject to the determination of the Mayor and the Director of Finance and Public Record that rates available on the sale date will enable the City to obtain satisfactory net present value debt service savings, as provided in Section 3(c), it is necessary and in the best interest of the City to refund all of the Refunded Bonds and to redeem all of the Refunded Bonds, at a redemption price of 100% of the principal amount thereof, plus accrued interest to the redemption date, on December 1, 2021. The Director of Finance and Public Record is authorized and directed to give or cause to be given to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the Original Bond Legislation and the Escrow Agreement. The City covenants for the benefit of the holders of the Refunded Bonds and of the Bonds, that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

Section 8: Escrow Trustee. The Bank of New York Mellon Trust Company, N.A., is authorized and appointed to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The Mayor and the Director of Finance and Public Record shall sign and deliver, in the name and on behalf of the City and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Mayor, the Director of Finance and Public Record and the Director of Law on behalf of the City, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Director of Finance and Public Record shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Purchase Agreement,

from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated, or shall be appropriated, for that purpose.

Section 9: Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "City of Shelby Refunded GO Bonds Escrow Fund" which shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Director of Finance and Public Record is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Director of Finance and Public Record to be applied for that purpose, and (ii) proceeds from the sale of the Bonds in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so deposited in the Escrow Fund are appropriated, and shall be applied, to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds and proceeds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) any interest when due on any scheduled interest payment date for the Refunded Bonds following the Closing Date and accrued interest due upon the redemption of the Refunded Bonds, and (ii) the principal of the Refunded Bonds when due upon their redemption, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Escrow Trustee is hereby specifically authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Director of Finance, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this City or necessary because U.S. Treasury Securities -- State and Local Government Series are not available, the Director of Finance or any other officer of the City, on behalf of the City and in his official capacity, may purchase and deliver such obligations, engage the services of a financial advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved.

If the City determines to refund other outstanding unvoted general obligation bonds (collectively, the Other Refunded Obligations) contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and redemption premium on the Refunded Bonds and the Other Refunded Obligations.

Section 10: Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund or otherwise available for the payment of debt charges on the Refunded Bonds and determined by the Director of Finance and Public Record to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Director of Finance and Public Record, shall be paid into the proper fund or funds and applied for that purpose and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid

into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

Section 11: Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year to the extent the income from the City's municipal income tax is available for the payment of debt charges on the Bonds and is appropriated for that purpose in accordance with the City's covenants herein, the amount of the tax shall be reduced by the amount of the income so available and appropriated.

The debt charges on the Bonds shall be paid from the City's lawfully available municipal income tax revenues to the extent needed to meet such debt charges. The City covenants to levy and collect, and continue to levy and collect, its municipal income tax during the period the Bonds are outstanding in amounts necessary to pay such debt charges and to apply the proceeds thereof in accordance with its covenants herein. The City further covenants to appropriate annually from its lawfully available municipal income tax revenues such amount as is necessary to meet such annual debt charges on the Bonds.

Section 12: Federal Tax Considerations. The City does not intend or represent that the interest on the Bonds will be excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended, and the City is not and shall not be obligated to take any action to attempt to secure or maintain any such exclusion.

Section 13: Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver to the Richland County Auditor a certified copy of this ordinance and a signed copy of the Certificate of Award as soon as each is available.

Section 14: Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City of Shelby have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 15: Retention of Legal Services. The legal services of the law firm of Squire Patton Boggs (US) LLP as bond and disclosure counsel to the City be and are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery a related legal opinion and advice, all as set forth in the form of engagement letter dated as of August 17, 2020, now on file in the office of the Clerk of Council. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Mayor is authorized and directed to sign and deliver the engagement letter, and, to the extent they are not paid by the Original Purchaser in accordance with the Purchase Agreement, the Director of Finance and Public Record is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

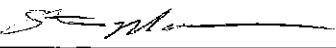
Section 16: Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this ordinance were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

Section 17: Effective Date. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and welfare of this City and for the further reason that this ordinance is required to be effective immediately in order to issue and sell the Bonds, which is necessary to enable the City to currently refund the Refunded Bonds upon terms in the best interest of and advantageous to the City and thereby to achieve debt service cost savings available under current favorable market conditions; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Section 18: 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.

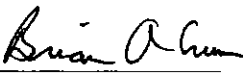
Section 19: That this Ordinance is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: August 17, 2020

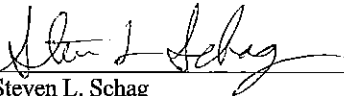


Steve McLaughlin
Vice President of Council

APPROVED:

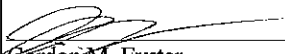
ATTEST: 

Brian A. Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

2nd Reading
9/8/2020

ORDINANCE NO. 19 -2020
(Sponsors: Councilmembers Roberts and Roub)

AMENDING CHAPTER 1466 (FLOOD DAMAGE PREVENTION) SECTION 1466.24 (USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION) (d)(4) (RESIDENTIAL STRUCTURES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, changes have been made to the requirements of National Flood Insurance Program Community Rating System administered by the United States Federal Emergency Management Agency; 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 Chapter 1466 (Flood Damage Prevention) be amended.

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

Section 1: That Chapter 1466 (Flood Damage Prevention), Section 1466.24 (Use and Development Standards For Flood Hazard Reduction), (d) (4) (Residential Structures) be amended to read as follows:

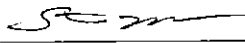
(4) New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to one foot above the flood protection elevation.

Section 2: That all other language in Chapter 1466 (Flood Damage Prevention), Section 1466.24 (Use and Development Standards For Flood Hazard Reduction) shall remain in full force and effect.

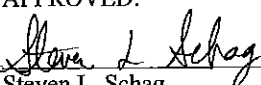
Section 3: That all meetings and hearings concerning the adoption of the Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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

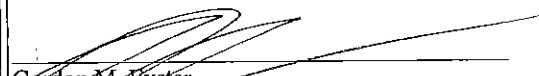
PASSED: September 21, 2020


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Clerk of Council

APPROVED: 
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

ORDINANCE NO. 20-2020
(Sponsors: Councilmembers Gates and Martin)

AFFIRMING FUNDS RECEIVED FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND MAY BE EXPENDED ONLY TO COVER COSTS INCURRED BY THE CITY OF SHELBY CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 801(D), AND DECLARING AN EMERGENCY.

WHEREAS, in anticipation of the Ohio General Assembly passing an appropriation bill for disbursement of \$350 million to local governments as part of the CARES Act in response to the COVID-19 pandemic; and

WHEREAS, in order to be eligible to receive such funds, municipalities must pass a resolution or ordinance confirming that all funds received through the State of Ohio under the CARES Act will be expended only in the manner prescribed by and consistent with the requirements of the CARES Act.

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: This City Council does hereby affirm that the funds so received from the CARES Act may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations.

Section 2: That any monies received from any CARES Act shall be deposited into a fund entitled "Local Coronavirus Relief Fund".

Section 3: That all meetings and hearings concerning the adoption of the 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 by reason of the immediate necessity for submitting an ordinance to the County Auditor to be eligible for CARES Act disbursements, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Shelby and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

PASSED: August 17, 2020

Steven McLaughlin
Steven McLaughlin
Vice President of Council

ATTEST: Brian A Crum
Brian Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Gordon M. Eyster
Director of Law

ORDINANCE NO. 21 -2020
(Sponsor: Councilmember Gates)

APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its annual updating and revision of the Codified Ordinances of the City; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the previous updating and revision of the Codified Ordinances (January 22, 2019) and have been included in the Codified Ordinances of the City.

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

Section 1: That the editing, arrangement and numbering or renumbering of the following Ordinances and parts of Ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
1-2019	2-4-2019	258.01-258.04
4-2019	2-4-2019	TSO VI
9-2019	5-6-2019	246.01-246.07
12-2019	6-17-2019	1050.02
13-2019	7-15-2019	1240.09, 1244.02, 1244.04, 1244.05, 1248.03, Subdiv. Appx VI
14-2019	7-1-2019	1024.01-1024.07, 1024.99
17-2019	7-15-2019	TSO III
18-2019	8-5-2019	TSO IX
19-2019	8-5-2019	TSO VI
20-2019	8-5-2019	210.01-210.09
22-2019	9-3-2019	238.01
27-2019	10-21-2019	276.04
28-2019	10-21-2019	276.10
29-2019	10-21-2019	1056.01-1056.06, 1056.99
31-2019	11-4-2019	Repeals 292.02
36-2019	12-16-2019	TSO IX

Section 2: That pursuant to Section 17 of the City Charter and R.C. §731.23, the Clerk of Council shall cause to be published a copy of this ordinance, together with a summary of the new matter contained in the Codified Ordinances hereby approved, adopted and enacted. Such publication shall be made within ten (10) days of the adoption of this ordinance and shall be made in a newspaper of general circulation in the City.

Section 3: That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:


- (a) The enactment of such sections and subsections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to December 16, 2019.

Section 4: That all meetings and hearings concerning the adoption of this ordinance have been in compliance with Section 220.01 of the Codified Ordinances, R.C. §121.22 and the City Charter.

Section 5: That this ordinance is hereby deemed to be an emergency measure necessary for the maintenance of the public health, safety, morals and general welfare of all citizens of Shelby and for the additional reason that it is immediately necessary to have an up-to-date Code of Ordinances, one which is consistent with State law, as required by the Ohio Constitution, with which to administer the affairs of the City and enforce law and order, wherefore this ordinance, and the Codified Ordinances hereby approved, adopted and enacted, shall be in full force and effect immediately from and after its passage and approval by the Mayor and the earliest period allowed by law.

PASSED: September 8, 2020

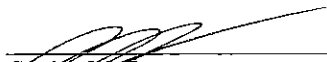

Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

ORDINANCE NO. 22 - 2020
(Sponsor- Councilmember Gates)

AMENDING ORDINANCE NO.: 8-2020 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY.

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, on August 17, 2020, the Council of the City of Shelby passed ORDINANCE NO. 20-2020 affirming funds received from the County Coronavirus Relief Distribution Fund may be expended to cover costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief and Economic Security Act," (CARES) as described in 42 U.S.C. 601 (d), and any applicable regulations; and

WHEREAS, monies received from the County Coronavirus Relief Distribution Fund have been received and deposited into a fund entitled "Local Coronavirus Relief Fund"; and

WHEREAS, it is necessary to create line items within the 2020 budget and to fund said line items with CARES ACT 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 fund CARES ACT expenditures and/or projects and to balance the books for the calendar year 2020.

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.: 8-2020 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO CREATE AN EXPENDITURE LINE ITEM


283-LCR-472	Supplies	\$ 25,408.00
283-LCR-473	Office Supplies	\$ 5,000.00
283-LCR-485	Maintenance Autos	\$ 5,000.00
283-LCR-486	Maintenance Equipment	\$ 5,000.00
283-LCR-487	Prisoner Supplies	\$ 5,000.00
283-LCR-501	Computer Support	\$ 50,000.00
283-LCR-507	Maintenance Buildings/Grounds	\$ 15,000.00
283-LCR-515	Equipment	\$ 15,000.00
283-LCR-528	Postage	\$ 100.00
283-LCR-529	Small Tools and Equipment	\$ 15,000.00
283-LCR-530	Office Equipment/Furn/Fixtures	\$ 50,000.00
283-LCR-531	Miscellaneous	\$ 7,000.00
283-LCR-546	Economic Development	\$100,000.00

Section 2: That all other portions of Ordinance No.: 8-2020, 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 220.01, 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 October 15, 2020 encumbrance deadline as set forth by the Ohio General Assembly 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: September 8, 2020



Steven D. McLaughlin
Vice President of Council


APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 23 -2020
(Sponsor- Councilmember Gates)

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT, WITH THE RICHLAND AREA CHAMBER OF COMMERCE, TO ASSIST THE CITY IN THE PLANNING AND ADMINISTRATION OF CARES ACT FUNDS DEVOTED TO THE SMALL BUSINESS COMMUNITY FUND TO ASSIST IN RECOVERY, AND DECLARING AN EMERGENCY.

WHEREAS, the Richland Area Chamber & Economic Development is administering a program for CARES Act eligible grants using funds pooled from Richland County CARES Act recipient governmental entities; and

WHEREAS, small businesses in the (Municipality) have been adversely impacted by the COVID-19 pandemic; and

WHEREAS, the City has received CARES Act funds and wishes to join Richland County in the program and to assist small businesses affected by the COVID-19 pandemic.

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


Section 1: That the Mayor is hereby, authorized to enter into a contract, with the Richland County Area Chamber of Commerce to assist the City in the planning and administration of CARES Act funds devoted to the Small Business Community Fund to Assist in Recovery.

Section 2: That City Council does hereby approve the expenditure of funds received under the CARES Act, in accordance with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations.

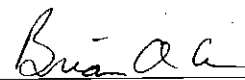
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

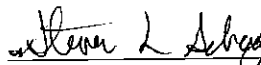
Section 4: That this Ordinance is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: September 21, 2020



Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian A. Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Lyster
Director of Law

ORDINANCE NO. 24 -2020
(Sponsor – Councilmember Gates)

**AMENDING ORDINANCE NO.: 8-2020 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to increase line items within the 2020 budget and to fund said line items 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 2020 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.: 8-2020 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

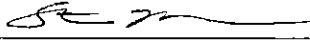
354-PCC-536	Construction	\$ 20,000.00
402-SIF-536	Construction	\$ 80,000.00
600-DCP-572	System Upgrades	\$ 20,000.00
200-STR-536	Construction	\$1,420,000.00

Section 2: That all other portions of Ordinance No.: 8-2020, not modified expressly herein, shall remain in full force and effect.

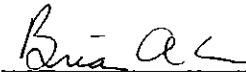
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

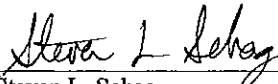
Section 4: That this Ordinance is hereby deemed to be an emergency so as to meet the ongoing contractual and/or monetary obligations of the City of Shelby Ohio and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: September 21, 2020



Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian A. Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

2nd Reading
10/19/2020

AMENDED ORDINANCE NO. 25-2020
(Sponsor: Councilmember Roub)

AMENDING CHAPTER 1474 (NUMBERING OF STRUCTURES) SECTION 1474.07 (NONCOMPLIANCE; REMEDY OF CITY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, the enforcement of the requirement of house numbers is a function that can best be performed by the Building and Zoning Inspector; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that Chapter 1474 (Numbering of Structures) be amended.

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

Section 1: That Section 1474.07 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1474.07 NONCOMPLIANCE; REMEDY OF THE CITY


Upon the failure of the owner, occupant, lessee or agent to affix the proper number to the structure within 30 days, the same may be done immediately by the Building and Zoning Inspector at the expense of the city, and the cost of the numbering shall be paid for by the owner or lessee of the house or building on which the same has been placed, and if not paid for on demand, may be charged as an assessment upon the property and be collected as any assessments may be chargeable thereon.


Section 2: That all other Sections of Chapter 1474 of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

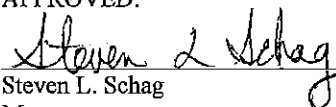
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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


PASSED: November 2, 2020


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Clerk of Council

APPROVED: 
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

2nd Reading
11/21/2020

ORDINANCE NO. 26 -2020
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1040 (WATER), SECTIONS 1040.04 (RULES, REGULATIONS, & FIXED CHARGES FOR MUNICIPAL WATER SYSTEM) RULE 35, RULE 36 AND RULE 37 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, Ordinance 42-2000 and Ordinance 36-2004 implemented a charge for the "Water Treatment Plant Construction Fund" for capital improvements to the water treatment facility; and

WHEREAS, the improvements to the water treatment facility from the "Water Treatment Plant Construction Fund" collections have been completed and the final note payment for the construction will be made in January 2021; and

WHEREAS, it is no longer necessary to collect the fees for the "Water Treatment Plant Construction Fund" as designed in Ordinance 42-2000 and Ordinance 36-2004; and

WHEREAS, though it is necessary to collect fees to maintain the assets within the Water Treatment Plant, reservoirs and the water distribution system per an Ohio EPA mandated Asset Management directive; and

WHEREAS, it is necessary to rename the collection fee from the "Water Treatment Plant Construction Fund" to the "Water Asset Management Fund"; 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 Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), Rule 35 (1) and (2), Rule 36 and Rule 37 be amended to rename the collection fee from the "Water Treatment Plant Construction Fund" to "Water Asset Management Fund" and amend the fee amount for collection.

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

Section 1: That the "Water Treatment Plant Construction Fund" name in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), Rule 35 (1) and (2), Rule 36 and Rule 37 shall be and is hereby renamed to the "Water Asset Management Fund", effective with the January 2021 utilities billing.

Section 2: That the Shelby Utilities Office shall no longer collect a "Water Treatment Plant Construction Fund" fee as stated in Ordinance 42-2000 and Ordinance 36-2004, effective on the January 2021 utilities bill and thereafter.

Section 3: That the Shelby Utilities Office shall collect a "Water Asset Management Fund" fee per this ordinance, effective on the January 2021 utilities bill and thereafter. The fees collected and spent on improvements shall be reviewed annually by City Council.

Section 4: That the following language shall be amended in Rule 35 (1) and (2), Rule 36 and Rule 37:

Rule 35

Rates for Customers with One Inch or Smaller Water Meter

(1) "Residential" customers who are billed under Rule 35 shall pay a charge of Three and 75/100 (\$3.75) Dollars per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a Customer Service charge of Five (\$5.00) Dollars shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

(2) "Commercial" customers who are billed under Rule 35 shall pay a charge of Four and 75/100 (\$4.75) Dollars per meter per month. This charge shall be shown on the billing

statement and shall be designated as Water Asset Management Fund. "Commercial" shall be defined as any structure with a one-inch or smaller water meter and that has a business that either is located in that structure or is served with water from the meter located in that structure. In addition, a Customer Service charge of Seven and 50/100 (\$7.50) Dollars shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

Rule 36

Rates for Elderly or Totally Disabled

Available to residential customers who are served through individual meters of one inch or smaller that meet age, income and other prerequisites as determined by the Director of Public Service or his or her appointed designee.

Customers billed under Rule 36 shall pay a charge of One and 75/100 (\$1.75) Dollars per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a Customer Service charge of Three (\$3.00) Dollars shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

Rule 37

Rates for Customers with Water Meter Larger than One Inch

(1) Customers billed under Rule 37 shall pay a charge of Six and 75/100 (\$6.75) Dollars per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a Customer Service charge of Fifteen (\$15.00) Dollars shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

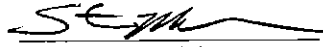
(2) The lowest rate charged per cubic foot of water shall reflect the actual cost of production, plus 2%. This cost shall be reviewed annually and shall be adjusted accordingly.

Section 5: That all other provisions in Chapter 1040 (Water) and Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water Service) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

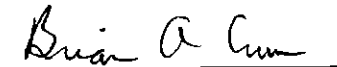
Section 6: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 7: 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.

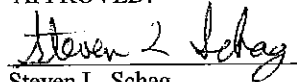
PASSED: November 16, 2020


Steven McLaughlin
Vice President of Council


ATTEST:


Brian Crum
Clerk of Council

APPROVED:


Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

2nd Reading
11/12/2020

ORDINANCE NO. 27 -2020
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM) RULE 43 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, the bulk water rate was established in Ordinance 2-2020; and

WHEREAS, the bulk water station programming will only allow the station to operate in purchase increments of \$0.25; and

WHEREAS, Rule 43 in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System) adjusts the bulk water rate annually by the most current Consumer Price Index (CPI) as determined by the government of the United States; and

WHEREAS, the annual Consumer Price Index (CPI) adjustment will populate a bulk water rate outside of the station programming purchase increments; 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 Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), to remove Rule 45 from the language in Rule 43.

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

Section 1: That Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System) be amended to remove Rule 45 from the language in Rule 43.

Section 2: That Rule 43 shall read as follows:

Rule 43

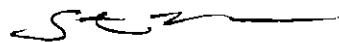
Beginning January 1, 2008, and on every January 1 thereafter, the Rules 38, 39, 41 and the Minimum, the Base, and the Project and Equipment Rider portion of the effective rates for Rules 35, 36, and 37 shall be adjusted upwards by a factor equal to 100% of the most current Consumer Price Index (CPI), as determined by the government of the United States, if the number is positive (+). If the CPI is negative (-), then the effective rates as stated above shall be adjusted downward by a factor equal to 100% of the CPI. In no event shall the effective rates as stated above be adjusted upward by more than 3% in any one year.

Section 3: That all other sections of Chapter 1040 (Water) and 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water Service) (a) Definitions and Regulations of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

Section 4: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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

PASSED: November 16, 2020


Steven McLaughlin
Vice President of Council

ATTEST:

Brian A Crum
Brian Crum
Clerk of Council

APPROVED:

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon Eyster
Gordon Eyster
Director of Law

ORDINANCE NO. 28 - 2020
(Sponsors – Councilmembers Gates and Martin)

**AMENDING ORDINANCE NO.: 8-2020 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to increase line items within the 2020 budget and to fund said line items 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 2020 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.: 8-2020 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

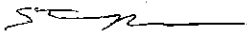
283-LCR-501	Computer Support	\$ 25,000.00
283-LCR-507	Maintenance Buildings/Grounds	\$ 75,000.00
283-LCR-515	Equipment	\$100,000.00
283-LCR-531	Miscellaneous	\$ 50,438.81
283-LCR-546	Economic Development	\$ 50,000.00

Section 2: That all other portions of Ordinance No.: 8-2020, 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 220.01, 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: October 19, 2020




Steven D. McLaughlin
Vice President of Council

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

APPROVED:
Steven L. Schag

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 29 - 2020
(Sponsor- Councilmember Martin)

**AMENDING ORDINANCE NO.: 8-2020 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, on August 17, 2020, the Council of the City of Shelby passed ORDINANCE NO. 20-2020 affirming funds received from the County Coronavirus Relief Distribution Fund may be expended to cover costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief and Economic Security Act," (CARES) as described in 42 U.S.C. 601 (d), and any applicable regulations; and

WHEREAS, monies received from the County Coronavirus Relief Distribution Fund have been received and deposited into a fund entitled "Local Coronavirus Relief Fund"; and

WHEREAS, it is necessary to create line items within the 2020 budget and to fund said line items with CARES ACT 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 fund CARES ACT expenditures and/or projects and to balance the books for the calendar year 2020.

**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.: 8-2020 (Annual Appropriations) is hereby amended as follows:

**THE PURPOSE OF THIS ORDINANCE IS TO CREATE AN EXPENDITURE LINE
ITEM**

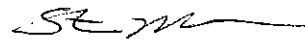
283-LCR-400	Wages	\$ 20,000.00
283-LCR-415	Public Employees Retirement System	\$ 3,000.00
283-LCR-417	FICA	\$ 500.00
283-LCR-418	Hospitalization	\$ 1,000.00
283-LCR-420	Workers Compensation	\$ 500.00

Section 2: That all other portions of Ordinance No.: 8-2020, 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 220.01, 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 October 15, 2020 encumbrance deadline as set forth by the Ohio General Assembly 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: October 19, 2020



Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Gordon M. Byster
Director of Law

ORDINANCE NO. 30-2020
(Sponsor- Councilmember Gates)

AUTHORIZING THE MAYOR TO ENTER INTO AN ADDENDUM, WITH THE RICHLAND AREA CHAMBER OF COMMERCE, TO ASSIST THE CITY IN THE PLANNING AND ADMINISTRATION OF CARES ACT FUNDS DEVOTED TO THE SMALL BUSINESS COMMUNITY FUND TO ASSIST IN RECOVERY, AND DECLARING AN EMERGENCY.

WHEREAS, the Richland Area Chamber & Economic Development is administering a program for CARES Act eligible grants using funds pooled from Richland County CARES Act recipient governmental entities; and

WHEREAS, small businesses in the (Municipality) have been adversely impacted by the COVID-19 pandemic; and

WHEREAS, the City has received CARES Act funds and wishes to join Richland County in the program and to assist small businesses affected by the COVID-19 pandemic.

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

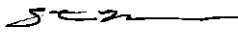
Section 1: That the Mayor is hereby authorized to enter into an Addendum (a copy of which is attached hereto) with the Richland County Area Chamber of Commerce to assist the City in the planning and administration of CARES Act funds devoted to the Small Business Community Fund to Assist in Recovery.

Section 2: That City Council does hereby approve the expenditure of funds received under the CARES Act, in accordance with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations.

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.

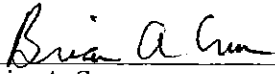
Section 4: That this Ordinance is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: November 2, 2020

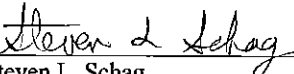


Steven D. McLaughlin
Vice President of Council

APPROVED:

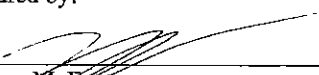
ATTEST: 

Brian A. Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 23 - 2020
(Sponsors- Councilmembers Gates, Martin & McLaughlin)

**AMENDING ORDINANCE NO.: 8-2020 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to increase line items within the 2020 budget and to fund said line items 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 2020 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.: 8-2020 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

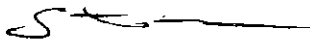
354-DBT-504	Bond Payment	\$ 85,000.00
354-DBT-505	Interest Expense	\$ 12,000.00
354-PCC-531	Miscellaneous	\$ 6,000.00
400-DIS-418	Hospitalization	\$ 6,000.00
600-DCP-572	System Upgrades	\$ 25,000.00

Section 2: That all other portions of Ordinance No.: 8-2020, not modified expressly herein, shall remain in full force and effect.

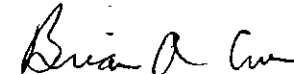
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

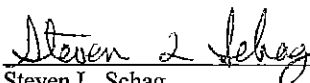
Section 4: That this Ordinance is hereby deemed to be an emergency so as to meet the ongoing contractual and/or monetary obligations of the City of Shelby Ohio and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: November 16, 2020



Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian A. Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

ORDINANCE NO. 34-2020

(Sponsors- Councilmembers Gates, Martin & McLaughlin)

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT, WITH THE RICHLAND AREA CHAMBER OF COMMERCE, TO ASSIST THE CITY IN THE PLANNING AND ADMINISTRATION OF CARES ACT FUNDS DEVOTED TO THE COVID-19 NON-PROFIT EMERGENCY RELIEF GRANT PROGRAM TO ASSIST IN RECOVERY, AND DECLARING AN EMERGENCY.

WHEREAS, the Richland Area Chamber & Economic Development is administering a program for CARES Act eligible grants using funds pooled from Richland County CARES Act recipient governmental entities; and

WHEREAS, nonprofit organizations in the City of Shelby have been adversely impacted by the COVID-19 pandemic; and

WHEREAS, the City has received CARES Act funds and wishes to join Richland County in the program and to assist nonprofit organizations affected by the COVID-19 pandemic.

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

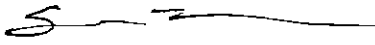
Section 1: That the Mayor is hereby, authorized to enter into a contract, with the Richland County Area Chamber of Commerce to assist the City in the planning and administration of CARES Act funds devoted to the COVID-19 Non-Profit Emergency Relief Grant Program to Assist in Recovery.

Section 2: That City Council does hereby approve the expenditure of funds received under the CARES Act, in accordance with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations.

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 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: November 16, 2020



Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

ORDINANCE NO: 35 -2020
(Sponsors: Councilmembers Gates, Martin & McLaughlin)

TRANSFERRING APPROPRIATIONS FOR THE YEAR 2020 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2020 budget; and

WHEREAS, these transfers be made effective so as to balance the books for the calendar year 2020 and so as to fund necessary expenditures and/or projects; 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 funds be transferred.

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

Section 1: That the Director of Finance shall be and is hereby authorized and directed to make the following transfers:

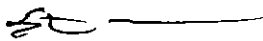
FROM	283-LCR-415	Public Employees Retire System	\$ 3,000.00
FROM	283-LCR-417	FICA	\$ 500.00
FROM	283-LCR-418	Hospitalization	\$ 1,000.00
FROM	283-LCR-420	Workers Compensation	\$ 500.00
FROM	283-LCR-472	Supplies	\$ 18,511.45
FROM	283-LCR-473	Office Supplies	\$ 4,732.52
FROM	283-LCR-485	Maintenance, Autos	\$ 4,550.00
FROM	283-LCR-486	Maintenance Equipment	\$ 5,000.00
FROM	283-LCR-487	Prisoner Supplies	\$ 5,000.00
FROM	283-LCR-501	Computer Support	\$ 23,695.40
FROM	283-LCR-515	Postage	\$ 100.00
FROM	283-LCR-529	Small Tools and Equipment	\$ 9,250.00
FROM	283-LCR-530	Office Equipment/Furn/Fixtures	\$ 32,872.45
FROM	283-LCR-531	Miscellaneous	\$ 55,701.41
FROM	283-LCR-546	Economic Development	\$ 15,000.00
TO	283-LCR-400	Wages	\$152,376.63
TO	283-LCR-507	Maintenance Building/Grounds	\$ 19,795.39
TO	283-LCR-515	Equipment	\$ 7,241.21

Section 2: That all other portions of Ordinance No. 8-2020, 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 220.21, 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: November 14, 2020



Steven McLaughlin
Vice President of Council

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Lyster
Gordon M. Lyster
Director of Law

ORDINANCE NO.: 36 -2020
(Sponsor: Councilmember Gates)

CREATING TEMPORARY APPROPRIATIONS FOR THE YEAR 2021 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, so as to provide funding for the operation of the city government prior to the passage of the final appropriations, it is necessary to create temporary appropriations; 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 Temporary Appropriations Ordinance be adopted as prepared so as to provide for the efficient operation of the City government and in anticipation of the creation and passage of the Final Appropriations Ordinance no later than the first day of April, 2021.

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 temporary appropriations are hereby made and authorized for the year 2021, the same to be in full force and effect from and after approval, as and for the temporary general appropriations for the City of Shelby for the year 2021.

Section 2: That City Council does hereby temporarily appropriate, for the year 2021 the following sums, to wit:

	ACCT. <u>NO.</u>	<u>APPROPRIATION</u> <u>EXPENSE</u>
GENERAL FUND	101	\$2,500,000.00
<u>SPECIAL FUNDS</u>		
Street	200	\$250,000.00
State Highway	205	\$25,000.00
Street Sales Tax	210	\$60,000.00
Income Tax	220	\$2,500,000.00
Health	225	\$350,000.00
Park	230	\$300,000.00
Playscape Trust	231	\$0.00
Rehab Escrow CDBG	232	\$40,000.00
Court Probation	233	\$30,000.00
BMV Reimbursement	234	\$8,000.00
Law Enforcement Trust	235	\$6,000.00
Court IDAT	236	\$26,000.00
Court Enforce. & Education	237	\$5,000.00
Dare	238	\$5,000.00
Unclaimed Monies	240	\$2,000.00
Court IDAM	242	\$10,000.00
CDBG General	250	\$200,000.00
Home Program	251	\$200,000.00
Fire Damage	253	\$5,000.00
Local Coronavirus Relief Fund	283	\$500,000.00
City Admin. & Bldg.	650	\$0.00
Police Pension	700	\$100,000.00
Fire Pension	701	\$100,000.00

Shade Tree Trust	705	\$2,000.00
Bicentennial Trust	800	\$0.00
FEMA	815	\$0.00
Total Special Revenue Funds		\$4,724,000.00

DEBT SERVICE FUNDS

Special Bond	275	\$1,000.00
General Bond SSE	281	\$0.00
USDA	282	\$5,000.00
Light Debt Reserve	602	\$45,000.00
Total Debt Service		\$51,000.00

CAPITAL PROJECT FUNDS

Court Computer	239	\$18,000.00
Police Computer	241	\$5,000.00
Capital Improvement	300	\$175,000.00
Court Capital Improvement	304	\$25,000.00
Sidewalks 2%	352	\$20,000.00
Streets, Alleys Sidewalks	353	\$150,000.00
Police/court construction	354	\$200,000.00
Police Equipment	702	\$60,000.00
Fire Equipment	703	\$100,000.00
Total Capital Projects		\$753,000.00

ENTERPRISE FUNDS

Sewer	400	\$600,000.00
San. Sewer Capital Improvements	401	\$700,000.00
Waste Water Capital Improvements	402	\$300,000.00
Water	500	\$700,000.00
Water Facilities	501	\$250,000.00
Water Improvement Fund	502	\$300,000.00
Electric	600	\$5,000,000.00
Total Enterprise Funds		\$7,850,000.00

INTERNAL SERVICE FUND

Hospitalization	715	\$700,000.00
		\$700,000.00

PERMANENT FUND

Mini Park Trust	710	\$3,000.00
Total Non-Expendable Fund		\$3,000.00

AGENCY FUNDS

Customer Deposit Fund	601	\$65,000.00
Sharing Fund	706	\$8,000.00
Total Agency Funds		\$73,000.00

**TOTAL APPROPRIATIONS
ALL FUNDS**


\$16,654,000.00

Section 3: That the Director of Finance and Public Records is hereby authorized to draw warrants on the City Treasury for the amounts appropriated in this Ordinance whenever claims are presented and properly approved by the head of the department, for which the indebtedness was incurred.


Section 4: That all meetings and hearings concerning the adoption of this ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

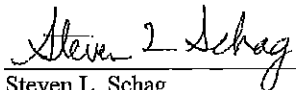
Section 5: That this Ordinance is hereby deemed to be an emergency so as to meet the ongoing contractual obligation of the City of Shelby, Ohio, and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: December 7, 2020

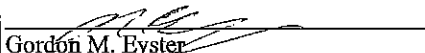

Steven McLaughlin
Vice President of Council

APPROVED:

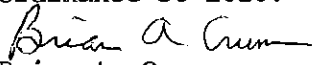
ATTEST: 
Brian A. Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

I certify that this is an authentic copy of Ordinance 36-2020.


Brian A. Crum
Director of Finance
Clerk of Council

ORDINANCE NO. 37 - 2020
(Sponsor - Councilmember Gates)

**AMENDING ORDINANCE NO.: 8-2020 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 23, 2020, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to increase line items within the 2020 budget and to fund said line items 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 2020 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.: 8-2020 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

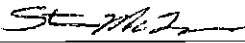
101-CRT-418	Hospitalization	\$ 8,000.00
220-CIT-418	Hospitalization	\$ 6,000.00
283-LCR-400	Wages	\$125,000.00
400-DIS-400	Wages	\$ 17,000.00
400-DIS-418	Hospitalization	\$ 7,000.00
500-OFC-404	Clerks Wages	\$ 7,000.00
500-OFC-531	Miscellaneous	\$ 2,000.00
600-MFG-400	Wages	\$ 10,000.00


Section 2: That all other portions of Ordinance No.: 8-2020, not modified expressly herein, shall remain in full force and effect.

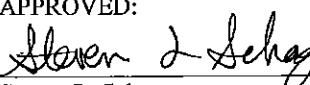
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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.

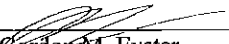
PASSED: December 21, 2020


Steven D. McLaughlin
Vice President of Council

ATTEST: 
Brian A. Crum
Clerk of Council

APPROVED:

Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 1-2020
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2019 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 2019 Fire Department Training Reimbursement Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the 2019 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 the 2019 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 through the 2019 Fire Department Reimbursement Training 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 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 2019 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.

PASSED: January 6, 2020

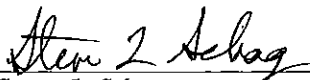


Steven McLaughlin
Vice President of Council

APPROVED:


ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 2 -2020
(Sponsor: Councilmember Martin)

DECLARING PROPERTY OBSOLETE AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OR HIS DESIGNEE TO SELL THE OBSOLETE PROPERTY.

WHEREAS, the City of Shelby owns property which is deemed to be obsolete and is no longer needed (see list attached hereto); and

WHEREAS, it is necessary for the obsolete property to be sold, which the value of each item is worth greater than \$1,000; and

WHEREAS, Ohio Revised Code Section 721.15 allows such property to be sold to the highest and best bidder after advertisement for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the municipal corporation; 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 or his designee sell the property under any terms authorized by the Mayor and in compliance with Ohio Law.

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

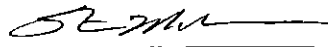
Section 1: That the Mayor as Director of Public Service or his designee shall be and is hereby authorized to sell the obsolete property listed on the attached Exhibit A to the highest bidder after advertisement pursuant to Ohio law.

Section 2: That the Director of Finance and Public Record shall deposit the proceeds from the sale of the property as follows: proceeds from the Itron electric meters and the 1993 GMC bucket truck into the Electric and Communications Fund.

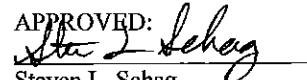
Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby.

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

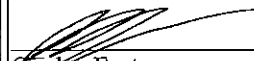
PASSED: January 6, 2020


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Director of Finance

APPROVED: 
Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

RESOLUTION NO. 3-2020
(Sponsors: 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.

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.

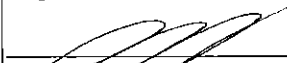
Section 4: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: January 21, 2020


Steven McLaughlin
Vice President of Council

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon Eyster
Director of Law

RESOLUTION NO. 4-2020
(Sponsor: Councilmember Martin)

GIVING CONSENT/AUTHORIZATION TO THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO TO COMPLETE A RESURFACING PROJECT WITHIN THE CITY OF SHELBY, OHIO.

WHEREAS, the State of Ohio Department of Transportation has identified the need to perform a resurfacing project on the State Routes within and outside the City of Shelby; and

WHEREAS, the purpose of the project is to perform Fine Graded Polymer AC Overlay (Smoothseal) on RIC-61-7.69 (0.03 Miles North of the Shelby Corporation Limit) to 13.18 (Plymouth Corporation Limit) and RIC-96-4.62 (Shelby Corporation Limit) to 11.99 (SR 13); and

WHEREAS, RIC-96-4.62 (PID 68639 Pavement Joint) to 5.13 (Shelby East Corporation Limit) is within the Shelby Corporation Limits; and

WHEREAS, the proposed project is tentatively scheduled to begin in the summer of 2021.

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

Section 1: Being in the public interest, that the City of Shelby gives consent to the Director of Transportation to complete the above described project.

Section 2: The City of Shelby shall cooperate with the Director of Transportation, **for the portion of this project within the Shelby Corporation limits**, as follows:

- 1) ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs;
- 2) ODOT agrees to assume and bear eighty percent (80%) of the roadway construction and construction engineering costs;
- 3) The City of Shelby agrees to assume and bear twenty percent (20%) of the roadway construction and construction engineering costs;
- 4) ODOT and the City of Shelby agree that the following roadway construction items are eligible for 80% ODOT/20% City funding: Pavement planning, asphalt overlay, treatment of shoulder, height adjustment to existing guardrail, pavement markings, temporary and fast dry, adjustments to catch basins, manholes, valve boxes, etc, Mailbox supports & approaches and Work zone signs;
- 5) ODOT agrees to assume and bear one hundred percent (100%) of the bridge related costs;
- 6) ODOT agrees to assume and bear one hundred percent (100%) of the cost of the following construction items, Pavement repair partial and full depth, Curbs, Curb ramps, Sidewalks, City owned signs, Guardrail-replacement of existing and required new locations, and those items requested by the City which are determined to be unnecessary by the State or Federal Highway Administration for the intent of this project;
- 7) A preliminary cost estimate for the city's share of the project is \$34,000 for construction costs and \$1,000 for construction engineering (inspection);

Section 3: Upon completion of the described Project, and unless otherwise agreed, the City of Shelby shall:

- 1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;

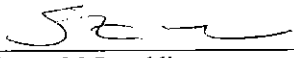
- 2) Provide ample financial provisions, as necessary, for the maintenance of the described project;
- 3) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

Section 4: If city owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the city will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5: That all meetings and hearings concerning the adoption of the 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 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: January 21, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

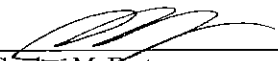
ATTEST: Brian A Crum

Brian Crum
Clerk of Council

Steven L. Schag

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 5-2020
(Sponsors – Councilmembers Gates, Martin, Roberts and Roub)

THANKING STEVEN T. LIFER FOR HIS SERVICE AS DIRECTOR OF FINANCE AND PUBLIC RECORD OF THE CITY OF SHELBY.

WHEREAS, Steven T. Lifer faithfully served as Director of Finance and Public Record of the City of Shelby from August 3, 2015, until January 1, 2020; and

WHEREAS, the Council desires to thank Dr. Lifer for his diligent and dedicated service to the City of Shelby and its residents.

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

Section 1: That the Council express its sincere thanks and appreciation to Steven T. Lifer for his years of service as Director of Finance and Public Record.

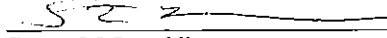
Section 2: That the Council extends its best wishes to Dr. Lifer in whatever endeavors he pursues as a private citizen.

Section 3: That the Clerk of Council present Dr. Lifer an authenticated copy of this Resolution.

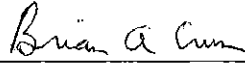
Section 4: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby.

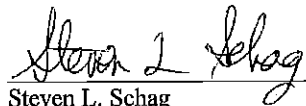
Section 5: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: January 31, 2020

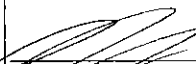

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 6-2020
(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 IN THE AMOUNT NOT TO EXCEED NINE HUNDRED FIFTY-FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$954,800.00) OR 80% OF THE ELIGIBLE COSTS RELATING TO THE DOWNTOWN ENHANCEMENT PROJECT (RIC-PID 111240)

WHEREAS, the City of Shelby has been awarded federal highway dollars for the reconstruction for a Downtown Enhancement 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.

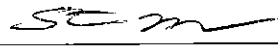
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

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 Nine Hundred Fifty-Four Thousand Eight Hundred Dollars (\$954,800.00) or 80% of the eligible project costs for the Downtown Enhancement Project (PID 111240) 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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: February 21, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 7 -2020
(Sponsor - Councilmember: Roberts)

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 AND DECLARING AN EMERGENCY.

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.

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

Section 1: That the Mayor as Director of Public 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, 2020.

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: February 21, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 8 - 2020
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF TURN OUT GEAR AND RADIO EQUIPMENT 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 turn out gear and radio 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 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 radio equipment.

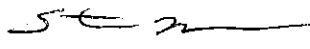
Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the United States Department of Homeland Security and to provide all information and documentation required to become eligible for possible funding assistance.

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: March 2, 2020

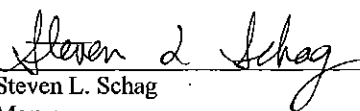


Steven McLaughlin
Vice President of Council

APPROVED:


ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 9 - 2020
(Sponsors: 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 RADIO EQUIPMENT 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 radio 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 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 radio equipment.

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 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.

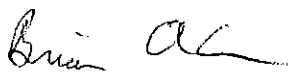
Section 5: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: March 2, 2020




Steven McLaughlin
Vice President of Council

APPROVED:


ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 10 - 2020
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2020-2021 TRAINING AND EQUIPMENT GRANT FOR THE PURCHASE OF EMS SUPPLIES AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Public Safety provides financial assistance for fire department purposes through the 2020-2021 Training and Equipment Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Fire Department Individual Equipment Grant Program to purchase EMS 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 the 2020-2021 Training and 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 EMS Supplies.

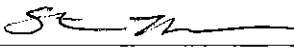
Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Department of Safety and to provide all information and documentation required to become eligible for possible funding assistance.

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 2020-2021 Training and 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.

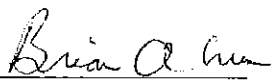
Section 5: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: March 2, 2020



Steven McLaughlin
Vice President of Council


APPROVED:

ATTEST: 

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 11 - 2020
(Sponsor: Councilmember Martin)

GIVING CONSENT/AUTHORIZATION TO THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO TO COMPLETE A RESURFACING PROJECT WITHIN THE CITY OF SHELBY, OHIO, AND REPEALING RESOLUTION NO. 4-2020 IN ITS ENTIRETY, AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio Department of Transportation has identified the need to perform a resurfacing project on the State Routes within and outside the City of Shelby; and

WHEREAS, the purpose of the project is to perform Fine Graded Polymer AC Overlay (Smoothseal) on RIC-61-7.69 (0.03 Miles North of the Shelby Corporation Limit) to 13.18 (Plymouth Corporation Limit) and RIC-96-4.62 (Shelby Corporation Limit) to 11.99 (SR 13); and

WHEREAS, RIC-96-4.62 (PID 68639 Pavement Joint) to 5.13 (Shelby East Corporation Limit) is within the Shelby Corporation Limits; and

WHEREAS, the proposed project is tentatively scheduled to begin in the summer of 2021.

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: Being in the public interest, that the City of Shelby gives consent to the Director of Transportation to complete the above described project.

Section 2: The City of Shelby shall cooperate with the Director of Transportation, **for the portion of this project within the Shelby Corporation limits**, as follows:

- 1) ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs;
- 2) ODOT agrees to assume and bear eighty percent (80%) of the roadway construction and construction engineering costs;
- 3) The City of Shelby agrees to assume and bear twenty percent (20%) of the roadway construction and construction engineering costs;
- 4) ODOT and the City of Shelby agree that the following roadway construction items are eligible for 80% ODOT/20% City funding: Pavement planning, asphalt overlay, treatment of shoulder, height adjustment to existing guardrail, pavement markings, temporary and fast dry, adjustments to catch basins, manholes, valve boxes, etc, Mailbox supports & approaches and Work zone signs;
- 5) ODOT agrees to assume and bear one hundred percent (100%) of the bridge related costs;
- 6) The City of Shelby agrees to assume and bear one hundred percent (100%) of the cost of the following construction items, Pavement repair partial and full depth, Curbs, Curb ramps, Sidewalks, City owned signs, Guardrail-replacement of existing and required new locations, and those items requested by the City which are determined to be unnecessary by the State or Federal Highway Administration for the intent of this project;
- 7) A preliminary cost estimate for the city's share of the project is \$34,000 for construction costs and \$1,000 for construction engineering (inspection);

Section 3: Upon completion of the described Project, and unless otherwise agreed, the City of Shelby shall:

- 1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
- 2) Provide ample financial provisions, as necessary, for the maintenance of the described project;
- 3) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

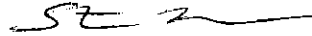
Section 4: If city owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the city will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5: That Resolution No. 4-2020 passed by Shelby City Council on January 21, 2020 is repealed in its entirety.

Section 6: That all meetings and hearings concerning the adoption of the 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 7: 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: March 2, 2020

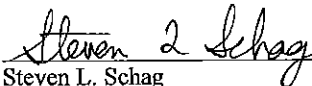


Steven McLaughlin
Vice President of Council

ATTEST: Brian A. Crum

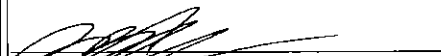
Brian Crum
Clerk of Council

APPROVED:



Steven L. Schag
Mayor

Prepared by:



Gordon M. Lyster
Director of Law

RESOLUTION NO. 12-2020
(Sponsor: Councilmember Mclaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH OHIO REGIONAL DEVELOPMENT CORPORATION FOR ADMINISTRATION SERVICES FOR THE PY 2020 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM AND AUTHORIZING ORDC TO SUBMIT APPLICATION TO THE PY 2020 CHIP ON BEHALF OF THE CITY OF SHELBY.

WHEREAS, the City of Shelby, intends to apply for PY 2020 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 2020 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 2020 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 2020 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 2020 CHIP Program.

Section 2: That the City of Shelby authorizes ORDC to submit the PY 2020 CHIP application on behalf of The City of Shelby and the partnership with Richland County.

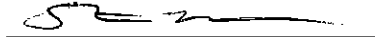
Section 3: That this Resolution must accompany said Application, which must be filed with the Ohio Development Services Agency by May 20, 2020.

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.

PASSED: March 2, 2020


Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

RESOLUTION NO. 13 -2020

(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS FOR PY 2020 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM AND AUTHORIZING APPLICATION WITH THE STATE OF OHIO ON BEHALF OF THE CITY OF SHELBY CHIP PARTNERSHIP.

WHEREAS, the City of Shelby, (Grantee), in conjunction with the Board of Richland County Commissioners (Partner), is applying for PY 2020 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 2020 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 2020 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 2020 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.

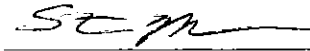
Section 6: That this Resolution must accompany said Application, which must be filed with the Ohio Development Services Agency by May 4, 2020.

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: March 2, 2020


Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

RESOLUTION NO. 14 - 2020

(Sponsor: Councilmember Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OF THE CITY OF SHELBY TO APPLY FOR THE NATIONAL REGISTER SIGNAGE GRANT FOR THE PURCHASE OF A HISTORIC DISTRICT SIGN.

WHEREAS, the William G. Pomeroy Foundation provides financial assistance for municipalities through the National Register Signage Grant Program; and

WHEREAS, the City of Shelby Historic Preservation Commission desires financial assistance under the National Register Signage Grant Program to purchase a sign; 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 the William G. Pomeroy Foundation National Register Signage Grant.

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 National Register Signage Grant Program.

Section 2: That the Mayor as Director of Public Service is hereby authorized and directed to execute and file an application with the William G. Pomeroy 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 and become eligible for reimbursement under the terms of the National Register Signage Grant.

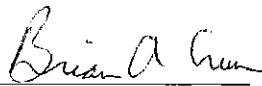
Section 4: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22 and the Charter of the City of Shelby, Ohio.

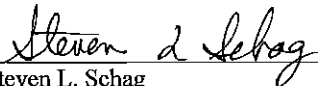
Section 5: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: March 2, 2020

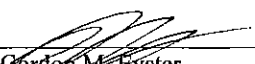

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 15 -2020
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE SEL 411 RELAYS FOR THE ELECTRIC DISTRIBUTION SYSTEM AND DECLARING AN EMERGENCY.

WHEREAS, the Shelby Division of Electricity and Communications needs to purchase two SEL 411 relays for the electric distribution system (Mansfield Avenue Tie Line) to maintain reliable electric service for the City of Shelby; and

WHEREAS, the relays are essential to monitor and protect the electric system during a fault condition; 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 purchase two SEL 411 relays for the protection and reliability of the electric distribution system.

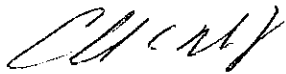
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service is hereby authorized to purchase two SEL 411 relays for the protection and reliability of service for the electric distribution system.

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: April 6, 2020

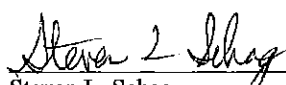


Steven McLaughlin
Vice President of Council

APPROVED:

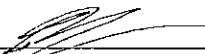
ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 16 -2020

(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2020 AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby is desirous to participate with the Ohio Department of Transportation to purchase salt; and

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

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: The City of Shelby (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon an award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 24 **by 12:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any

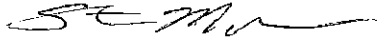
request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

Section 2: That this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract and authorizes the Mayor as Director of Public Service to sign the agreement.

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: April 20, 2020

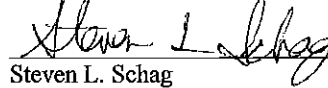


Steven McLaughlin
Vice President of Council

ATTEST: Brian A. Crum

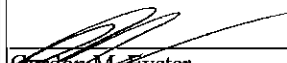
Brian Crum
Clerk of Council

APPROVED:



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 17-2020
(Sponsor - Councilmember Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN EASEMENT AGREEMENT WITH AEP ON THE CITY OF SHELBY MAIN STREET PROPERTY AND REFERENCED BY THE LEGAL PROPERTY DESCRIPTION AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby owns land for which AEP receives an easement; and

WHEREAS, AEP will construct, operate, and maintain an electric transmission facility and its related equipment and facilities on real property owned by the City of Shelby; and

WHEREAS, said real property is located on Main Street and shown per the legal property description in Exhibit A; 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 Easement Agreement with AEP to grant permission to construct, operate, and maintain a safe and reliable electric transmission facility on the City of Shelby's said property located on Main Street per the legal description.

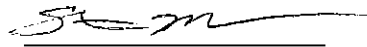
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into an Easement Agreement with AEP to grant permission for the construction, operation, maintenance, repair, enlarge, replace, add or remove facilities to the AEP electric transmission facility on the City of Shelby property, located at Main Street and referenced by the property description in Exhibit A, contingent upon AEP paying the City to the 402-SIF-536 fund, the amount of \$1,000.00 for said easement.

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: April 20, 2020



Steven McLaughlin
Vice President of Council

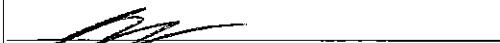
ATTEST: Brian A. Crum

Brian Crum
Clerk of Council

APPROVED: Steven L. Schag

Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 18 -2020
(Sponsor: Councilmember Roberts)

ADOPTING THE FIVE-YEAR UPDATE OF THE SOLID WASTE MANAGEMENT PLAN OF RICHLAND COUNTY, OHIO.

WHEREAS, the City of Shelby (City) is located within the jurisdiction of the Richland County Regional Solid Waste Management Authority (Authority); and

WHEREAS, the Richland County Regional Solid Waste Management Authority (Authority) Board prepared and adopted a five-year update to the Richland County Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.54, 55, and 56; and

WHEREAS, the Authority has provided a copy of the updated Richland County Waste Management Plan for ratification to each of the legislative authorities of the Authority; and

WHEREAS, the City of Shelby City Council must decide whether it approves of said Solid Waste Plan within ninety days of receipt of the amended Solid Waste Plan.

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

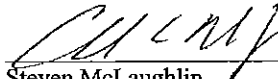
Section 1: The Council of the City of Shelby, Ohio adopts the Solid Waste Plan for the Richland County Solid Waste Management Authority.

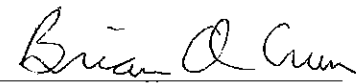
Section 2: The Clerk is hereby directed to send the Authority a copy of this Resolution to the attention of Mr. Eddie Hale, Executive Director, Richland County Regional Solid Waste Management Authority, 1125 National Parkway, Mansfield, OH 44906.

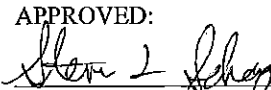
Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22 and the Charter of the City of Shelby, Ohio.

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


PASSED: April 6, 2020


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Clerk of Council

APPROVED: 
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 19-2020
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO WAIVE THE LATE PAYMENT CHARGE (PENALTY) FROM RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL UTILITY ACCOUNT HOLDERS FOR THE APRIL AND MAY BILLING PERIODS AND DECLARING AN EMERGENCY.

WHEREAS, the COVID-19 pandemic has created financial hardships for Shelby area residential, commercial, and industrial utility account holders; and

WHEREAS, the City of Shelby Administration and Council recognizes the need for financial forgiveness for residential, commercial, and industrial utility account holders; 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 waive the late payment charge (penalty) from residential, commercial, and industrial utility account holders for the April and May billing periods.

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 waive the late payment charge (penalty) from residential, commercial, and industrial utility account holders for the April and May billing periods.

Section 2: That this authorization shall be for these utilities as stated in the codified ordinances: Chapter 1040 (Water), Chapter 1044 (Sewer Charges), and Chapter 1050 (Electricity).

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: April 20, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 20 -2020
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO REDUCE THE ELECTRIC FUEL AND PURCHASE POWER ADJUSTMENT PORTION OF THE UTILITIES BILL FOR ALL ELECTRIC ACCOUNT HOLDERS BY FIFTY PERCENT (50%) FOR THE MAY BILLING PERIOD AND DECLARING AN EMERGENCY.

WHEREAS, the COVID-19 pandemic has created financial hardships for Shelby area residents and businesses; and

WHEREAS, non-essential businesses were ordered to cease their operations and a state wide Stay At Home order was implemented to fight the COVID-19 crisis which has undoubtedly caused financial strains to Shelby families and businesses alike; and

WHEREAS, the City of Shelby Administration and Council recognize the need for financial assistance for all electric account holders due to the COVID-19 pandemic counter measures issued upon the state and the Shelby community; 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 reduce the Electric Fuel and Purchase Power adjustment portion of the electric bill by fifty percent (50%) for all electric account holders for the May billing period.


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 reduce the Electric Fuel and Purchase Power adjustment portion of the electric bill by fifty percent (50%) for all Shelby electric account holders for the May billing period.

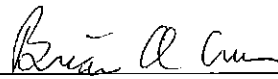
Section 2: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

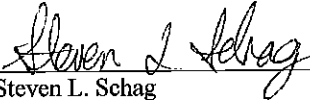
Section 3: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: April 20, 2020

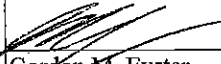

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 21-2020
(Sponsor – Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH VANTAGE POINT SOLUTIONS, INC. TO PERFORM A BROADBAND NEEDS ASSESSMENT AND FEASIBILITY STUDY.

WHEREAS, the City of Shelby is seeking a qualified consultant to conduct a Broadband Needs Assessment and Feasibility Study; and

WHEREAS, Vantage Point Solutions, Inc., submitted a proposal for the Broadband Needs Assessment and Feasibility Study; and

WHEREAS, the request for proposal submittal from Vantage Point Solutions, Inc., was reviewed and determined to meet the qualifications to perform the Broadband Needs Assessment and Feasibility Study; 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 with Vantage Point Solutions, Inc., for the Broadband Needs Assessment and Feasibility Study.

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

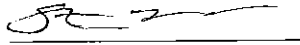
Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into a Consulting Service Agreement with Vantage Point Solutions, Inc., for the Broadband Needs Assessment and Feasibility Study.

Section 2: That the provided flat fee structure for the project is \$46,400.

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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.


PASSED: April 20, 2020


Steven McLaughlin
Vice President of Council

ATTEST: Brian A Crum
Brian Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

RESOLUTION NO. 22 -2020

(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH SOUTHSIDE EXCAVATING TO REMOVE LIME SLUDGE FROM THE WATER TREATMENT PLANT LARGE SLUDGE DRYING LAGOON AND DECLARING AN EMERGENCY.

WHEREAS, the Shelby Water Treatment Plant desperately needs to excavate and remove the lime sludge from the large drying lagoon located at the treatment facility; and

WHEREAS, the three (3) sludge lagoons at the treatment facility are at full capacity; and

WHEREAS, the treatment facility needs ample space to store the lime sludge from the daily operation; 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 with Southside Excavating to remove the sludge from the large lagoon.

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 an agreement with Southside Excavating to remove the lime sludge from the large lagoon.

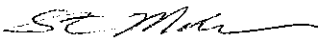
Section 2: That Southside Excavating has provided a price of \$47,400 to remove the lime sludge from the large lagoon.

Section 3: That Southside will work with area farmers to utilize and apply the sludge onto farm fields.


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.

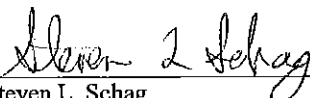
Section 5: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: May 4, 2020

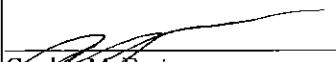

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 23-2020
(Sponsor: Councilmember Gates)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO APPLY FOR A GRANT THROUGH THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE AND DECLARING AN EMERGENCY.

WHEREAS, the Shelby Police Department's body-worn camera system has increased accountability and transparency, has elevated the department's image, and has been used in countless criminal cases; and

WHEREAS, of the department's seventeen body-worn cameras, only eight are currently operational; and

WHEREAS, it is estimated that the cost to restore all body-worn cameras to operational condition is \$10,000; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Safety apply for funding through the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

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 Council approve an application for financial assistance to restore the Shelby Police Department's body -worn cameras to operational condition.

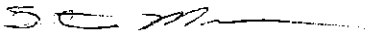
Section 2: That the Mayor as Director of Public Safety shall be and is hereby authorized and directed to execute and file a grant application with the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of said 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.

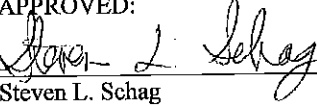
PASSED: May 4, 2020



Steven McLaughlin
Vice President of Council

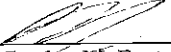
ATTEST: 

Brian Crum
Clerk of Council

APPROVED: 

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 24 -2020
(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 SHELBY STREETScape PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, in order to proceed with the construction of the Shelby Streetscape 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.

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 Shelby Streetscape 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.

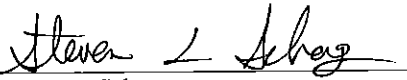
Section 3: That this Resolution is hereby deemed to be an emergency so as to meet the ongoing contractual obligations of the City of Shelby, Ohio, and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: May 18, 2020

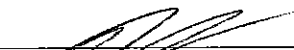

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A Crum
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 24B-2020
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE A 2021 BUCKET TRUCK THROUGH THE STATE OF OHIO PROCUREMENT STATE TERM SCHEDULE FOR THE DIVISION OF ELECTRICITY AND COMMUNICATIONS DEPARTMENT.

WHEREAS, the Shelby Division of Electricity and Communications Department is desirous of purchasing a bucket truck with specified accessories for the operation of the department; and

WHEREAS, the requirements of advertising and bidding is dispensed with the event that said bucket truck is purchased through the State of Ohio Procurement program, State Term Schedule STS515, Contract Number 800795; 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 purchase a 2021 International Truck with an Altec Model AA60E Articulating Non-Overcenter Aerial Device and specified accessories (bucket truck).

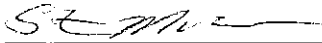
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service is hereby authorized to purchase a 2021 International Truck with an Altec Model AA60E Articulating Non-Overcenter Aerial Device with specified accessories (bucket truck) from Altec Industries, Inc. as awarded in the State of Ohio Procurement purchasing program, State Term Schedule, Index Number STS515, Contract Number 800795.


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.

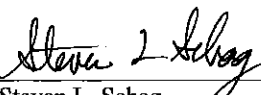
Section 3: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: June 1, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 25 -2020
(Sponsors - Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN AGREEMENT FOR THE HOUSING OF PRISONERS.

WHEREAS, the City of Shelby from time to time does not have enough facilities within which to house prisoners who have been convicted of violations of the criminal law in the Shelby Municipal Court; and

WHEREAS, so that the Judge of the Shelby Municipal Court may continue to sentence those convicted of offenses to terms of incarceration, it is necessary that provisions be made for the housing of said individuals in jail space in locations other than the City of Shelby, Ohio; and

WHEREAS, Knox County, Ohio currently operates its own prisoner confinement facility and is willing to make said facility available for the confinement of Shelby's prisoners by virtue of contract; 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 for the housing of prisoners.

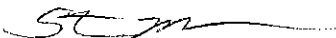
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Safety shall be and is hereby authorized to enter into an agreement with Knox County, Ohio, for the housing of prisoners.

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: June 1, 2020

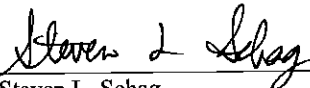


Steven D. McLaughlin
Vice President of Council

APPROVED:

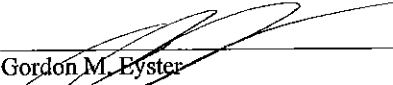
ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 26 -2020
(Sponsor- Councilmember McLaughlin)

AUTHORIZING THE CITY OF SHELBY TO ENTER INTO AN AGREEMENT WITH LLOYD REBAR COMPANY, LLC AND SHELBY IRON WORKS PROPERTIES, LLC. FOR A NEW LIGHT MANUFACTURING AND WAREHOUSING ADDITION, PURSUANT TO CHAPTER 5709 OF THE OHIO REVISED CODE- ENTERPRISE ZONES.

WHEREAS, the State of Ohio through its urban jobs an enterprise zone program (The "Program"), pursuant to Ohio Revised Code 5709.66 (The "Act"), has provided for the establishment of urban jobs and enterprise in order to promote and encourage expansion programs by private enterprise in such zones and creation and/or preservation of jobs and economic development in connection therewith; and

WHEREAS, pursuant to the Program and the Act, the City Council of the City of Shelby (The "City"), pursuant to Resolution No. 13-88 passed March 21, 1988, has designated areas of the City as an Urban Jobs and Enterprise Zone (The "Zone") and the Director of Development of the Ohio Department of Development has approved and certified the Zone as qualifying as an Urban Jobs and Enterprise Zone in accordance with the Program and Act; and

WHEREAS, the City of Shelby has complied with the notice requirements set forth in Ohio Revised Code Sections 5709.62 and 5709.83 regarding the provision of notice to any and all board(s) of education of any school district located within the territory of which the property upon which Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC is to be located and/or said board(s) of education have waived any and all necessary notice requirements; and

WHEREAS, Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC has proposed the retention of 11 full-time employment positions as a part of the Project; and

WHEREAS, Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC submitted a proposal regarding the project to the City pursuant to 5709.62(B) of the Act; and

WHEREAS, the City is desirous of providing Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC with the incentive available for development in the Zone pursuant to Chapter 5709 of the Ohio Revised Code and desirous of entering into an agreement with Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC granting tax exemptions for real and tangible property comprising the project.

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, Ohio, after receipt and investigation of the Proposal, finds and determines that Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC is qualified by financial responsibility and business experience to create employment opportunities in the Zone and improve the economic climate of the City.

Section 2: That based upon the aforesaid facts, data, informational materials and reports, City Council hereby finds and determines that Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC is an "enterprise" and the Project is a "project" within the meaning of the Act and that all conditions required by the Act to be satisfied prior to the City entering into an agreement with Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC under 5709.62(C) of the Ohio Revised Code have been satisfied.

Section 3: That the Mayor of the City of Shelby is hereby authorized and directed to enter into an agreement (The "Agreement") with Lloyd Rebar Company, LLC and Shelby Iron Works Properties, LLC upon substantially the same terms and conditions and in substantially the same form as set forth in the agreement which is attached hereto and incorporated by reference as Exhibit A, and which is presently on file with the Clerk of the City of Shelby, which such changes thereto as the person or persons executing the Agreement may approve, such execution thereof being conclusive of such approval.

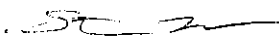
Section 4: That the Mayor of the City of Shelby, Ohio, and/or his designee is hereby authorized and directed to execute and deliver all instruments and to take all other actions necessary to satisfy the obligations of the City under the Agreement and to cause the City to obtain the benefits to which it is entitled under the Agreement, all on behalf of the City of Shelby.

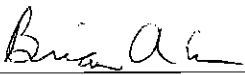
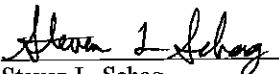
Section 5: That the boards of education of both the Shelby City School District and the Pioneer Career and Technology Center have been provided and/or waived the necessary notices as required by Ohio Revised Code Sections 5709.62 and 5709.83.

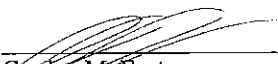
Section 6: That the Council of the City of Shelby forward a copy of the Agreement to the Director of Development and to the Tax Commissioner of Ohio within fifteen (15) days after the Agreement is entered into.

Section 7: 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 8: 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: June 1, 2020 
Steven McLaughlin
Vice President of Council

ATTEST:  
Brian Crum
Clerk of Council
Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 27 -2020
(Sponsor- Councilmember Martin)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2020 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, plans and specifications have been completed for the 2020 Paving Project; and

WHEREAS, various residential streets within the City of Shelby are in need of paving; and

WHEREAS, it is the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that said improvements be made to said streets within the City of Shelby.

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

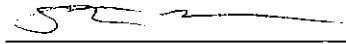
Section 1: That the plans and specifications for the 2020 Paving Project in the City of Shelby are hereby approved.

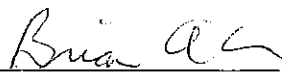
Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said paving project.

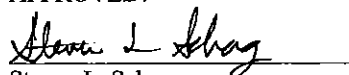
Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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.

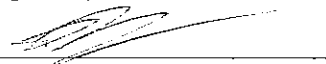
PASSED: June 1, 2020


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Clerk of Council

APPROVED:

Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 28-2020
(Sponsor – Councilmember Gates)

ADOPTING AN ANNUAL REVENUE BUDGET FOR THE YEAR 2021.

WHEREAS, the Director of Finance and Public Record has submitted a revenue budget for the year 2021, to the Council of the City of Shelby; and

WHEREAS, it is in the interest of the public health, safety, and general welfare of the citizens of the City of Shelby that the revenue budget for the year 2021 be adopted.

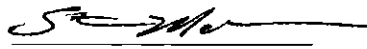
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the revenue budget for the year 2021 has been submitted to City Council by the Director of Finance and Public Record, and the same is hereby adopted.

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

Section 3: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: July 6, 2020

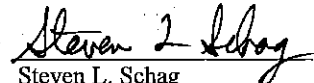


Steven McLaughlin
Vice President of Council

ATTEST: Brian Crum

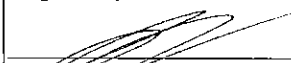
Brian Crum
Clerk of Council

APPROVED:



Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

RESOLUTION NO. 29 - 2020
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE OHIO EMERGENCY MANAGEMENT AGENCY FEMA-DR-4507-OH PUBLIC ASSISTANCE GRANT FOR THE REIMBURSEMENT OF EMS SUPPLIES, AND OVERTIME AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Emergency Management Agency provides financial assistance for fire department purposes through the FEMA-DR-4507-OH Public Assistance Grant Program; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the FEMA-DR-4507-OH Public Assistance Grant Program to reimburse the City for supplies and overtime accumulated during the COVID-19 crises; 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 the FEMA-DR-4507-OH Public Assistance Grant Program.

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 EMS Supplies and overtime.

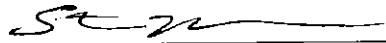
Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Emergency Management Agency and to provide all information and documentation required to become eligible for possible funding assistance.

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 FEMA-DR-4507-OH Public Assistance 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.

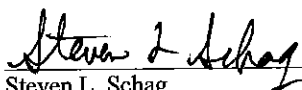
Section 5: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: July 6, 2020

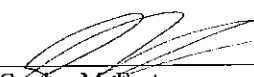

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 30 -2020
(Sponsor- Councilmember Martin)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2020 WEST MAIN STREET SANITARY SEWER LATERAL INSTALLATION PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY

WHEREAS, plans and specifications have been completed for the 2020 West Main Street Sanitary Sewer Lateral Installation Project; and

WHEREAS, the City of Shelby has obtained funding for the decommissioning of septic tanks and installation of laterals from the Ohio Water Development Authority for certain residents of the West Main Sanitary Sewer Project; and

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

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

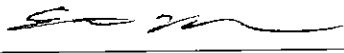
Section 1: That the plans and specifications for the 2020 West Main Street Sanitary Sewer Lateral Installation Project in the City of Shelby are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said project.

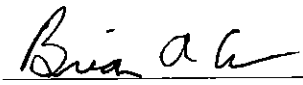
Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

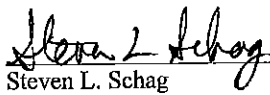
Section 4: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: July 6, 2020

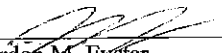

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 31 -2020
(Sponsor: Councilmember Martin)

APPROVING PLANS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE EAST MAIN STREET SANITARY SEWER REPLACEMENT PROJECT.

WHEREAS, a portion of the sanitary sewer system in the City of Shelby is in need of replacement; 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 advertise for bids and enter into a contract for the improvements herein above described.

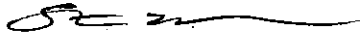
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the plans and specifications are approved and that the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for the East Main Street Sanitary Sewer Replacement 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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.


PASSED: July 6, 2020


Steven McLaughlin
Vice President of Council

ATTEST: Brian Crum
Brian Crum
Clerk of Council

APPROVED:
Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 32-2020
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GOVERNMENTAL AGGREGATION PROGRAM AGREEMENT WITH VOLUNTEER ENERGY SERVICES, INC.

WHEREAS, the City of Shelby previously enacted a Governmental Aggregator Service Agreement; and

WHEREAS, the City of Shelby previously entered into a Governmental Aggregation Program Agreement in order to properly effectuate the City's natural gas aggregation; and

WHEREAS, the City desires to renew their contract with Volunteer Energy Services, Inc. under the terms set forth in the Governmental Aggregation Program Agreement attached hereto.

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

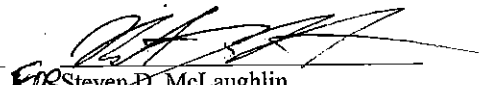
Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into a Governmental Aggregation Program Agreement with Volunteer Energy Services, Inc.

Section 2: That a copy of said Governmental Aggregation Program Agreement be attached hereto and made part of this Resolution as if fully written herein.

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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.


PASSED: August 3rd 2020


FOR Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by: 
Gordon M. Eyster
Director of Law

RESOLUTION NO. 33 - 2020
(Sponsors: Councilmembers Roberts and Gates)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FROM THE OFFICE OF CRIMINAL JUSTICE SERVICES (OCJS) AND DECLARING AN EMERGENCY.

WHEREAS, the Office of Criminal Justice Services, provides financial assistance Corona Virus Relief without funds from the City; and

WHEREAS, the City of Shelby desires financial assistance under the 2020 Coronavirus Emergency Supplemental Funding Program; 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 funds under said program.

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

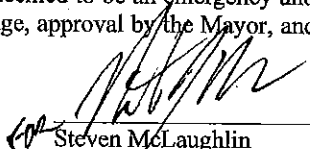
Section 1: That the City of Shelby Council approve an application for financial assistance for the 2020 Coronavirus Emergency Supplemental Funding Program.

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

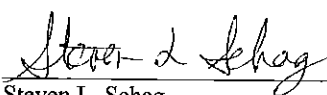
Section 4: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: August 3, 2020

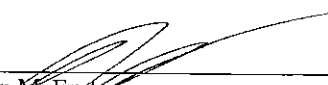

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 34 -2020
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MODIFICATION AGREEMENT WITH RICHLAND ENGINEERING LIMITED FOR DESIGN SERVICES FOR THE SMILEY/GAMBLE INTERSECTION PROJECT IN THE AMOUNT OF FIVE THOUSAND THREE HUNDRED SEVENTY-NINE AND 00/100 DOLLARS (\$5,379.00) AS AN INCREASE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby has entered into a contract with Richland Engineering Limited for design services for the Gamble/Smiley Intersection Project, and said contract provides for a written modification; and

WHEREAS, it has become necessary to make modifications to the project and adjust the contract as detailed in the attached Modification #1; 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 modification be approved.

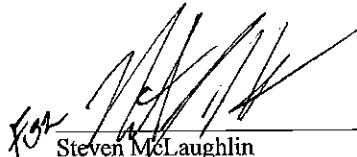
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:


Section 1: That the Mayor as Director of Public Service shall be and is hereby authorized to enter into a modification to the contract with Richland Engineering Limited for the total amount of Five Thousand Three Hundred Seventy-Nine and 00/100 Dollars (\$5,379.00) as an increase.

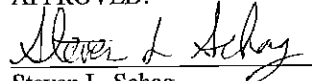
Section 2: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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: August 3, 2020


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Clerk of Council

APPROVED: 
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 35-2020
(Sponsor: Councilmember Martin)

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

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

WHEREAS, on the 2ND day of March, 2020, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of resurfacing S.R. 61 between the Shelby Northern corporation limit and Bistline Road, and S.R. 96 between 800 feet west of Technology Parkway and the Shelby eastern corporation limit, including pavement repairs and pavement markings, lying within the City of Shelby; and

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

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

The share of the cost of the LPA is now estimated in the amount of Forty-Five Thousand Nine Hundred Forty and 00/100 Dollars, (\$45,940.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined, and

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

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Service be authorized to enter into a contract for the project herein above described.

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

Section 1: That the estimated sum of Forty-Five Thousand Nine Hundred Forty and 00/100 Dollars (\$45,940.00) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

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

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

RESOLUTION NO. 36 -2020
(Sponsor: Councilmember Roub)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE A FORD F250 PICK-UP TRUCK FOR THE OPERATION OF THE SERVICE DEPARTMENT FROM DONLEY FORD OF SHELBY.

WHEREAS, the Shelby Service Department is desirous of purchasing a pick-up truck for the operation of the department; and

WHEREAS, Donley Ford of Shelby offered the best quote for providing the same; 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 purchase a 2020 Ford F250 Super Duty pick-up truck from Donley Ford of Shelby.


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

Section 1: That the Mayor as Director of Public Service is hereby authorized to purchase a 2020 Ford F250 Super Duty pick-up truck for the operation of the Service Department from Donley Ford of Shelby.

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: August 3, 2020

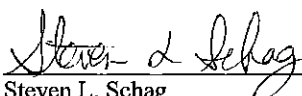


Steven McLaughlin
Vice President of Council


APPROVED:

ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 37 -2020
(Sponsor: Councilmember Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACCEPT THE ALLEY PAVING PROPOSAL FROM MID-STATE BLACKTOP, INC.

WHEREAS, Mid-State Blacktop Inc. has provided a proposal to pave four (4) north / south alleys between West Main Street and Grove Avenue; and

WHEREAS, the four (4) north / south alleys to be paved are located as follows; alley between Myers Avenue and Seltzer Avenue, alley between Seltzer Avenue and Steele Avenue, alley between Steele Avenue and Williams Court, and the alley between Williams Court and Vernon Road; 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 accept the proposal from Mid-State Blacktop Inc. to pave the said alleys.

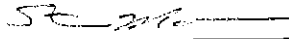
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service is hereby authorized to accept the paving proposal from Mid-State Blacktop Inc. to pave the following alleys; alley between Myers Avenue and Seltzer Avenue, alley between Seltzer Avenue and Steele Avenue, alley between Steele Avenue and Williams Court, and the alley between Williams Court and Vernon Road.

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: August 17, 2020

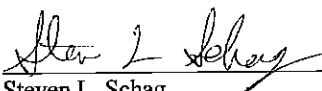


Steven McLaughlin
Vice President of Council

APPROVED:


ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 38 -2020
(Sponsors: Councilmembers Roberts, Roub and Martin)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 36 MANSFIELD AVENUE BUILDING DEMOLITION PROJECT, WITHIN THE CITY OF SHELBY, OHIO.

WHEREAS, plans and specifications have been completed for the 36 Mansfield Avenue Building Demolition Project; and

WHEREAS, it is the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that said building be demolished.

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

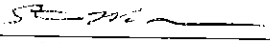
Section 1: That the plans and specifications for the 36 Mansfield Avenue Building Demolition Project in the City of Shelby are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said paving project.

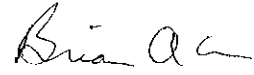
Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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

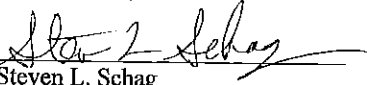
PASSED: August 17, 2020


Steven McLaughlin
Vice President of Council


ATTEST:


Brian Crum
Clerk of Council

APPROVED:


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 39 -2020
(Sponsors: Councilmembers Martin and Gates)

DECLARING THE INTENT TO VACATE AN ALLEY RUNNING PERPENDICULAR OF MAIN STREET BETWEEN LOTS 577 AND 578 IN THE CITY OF SHELBY, OHIO.

WHEREAS, the plats of the City of Shelby, Ohio, indicate that a dedicated alley runs perpendicular of Main Street between lots 577, and 578; and

WHEREAS, the City of Shelby desires for the alley to be vacated; and

WHEREAS, Section 105 of the Charter of the City of Shelby authorizes the Council of the City of Shelby to vacate an alley and sets forth the procedure for doing so; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the alley running perpendicular of Main Street between lots 577 and 578 within the City of Shelby, Ohio, be vacated.

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

Section 1: That it is the intent of the Council of the City of Shelby that the alley running perpendicular of Main Street between lots 577 and 578 as shown on Exhibit A within the City of Shelby, Ohio be vacated.

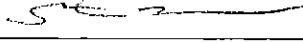
Section 2: That the Clerk of Council is hereby instructed to cause notice of Council's intent to vacate said alley to be served upon those persons mandated by the terms of the Charter of the City of Shelby.

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


Section 4: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

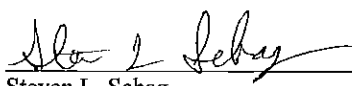
Section 5: That this Resolution shall be in full force and effect from and after its passage, approval by the mayor, and the earliest period allowed by law.

PASSED: August 17, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by :


Gordon M. Eyster
Director of Law

AMENDED RESOLUTION NO. 40-2020
(Sponsor – Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH BCC OHIO INC. TO MAKE REPAIRS TO THE EAST WHITNEY AVENUE BRIDGE AND THE WEST WHITNEY AVENUE BRIDGE AND DECLARING AN EMERGENCY.

WHEREAS, appropriations were included in the Capital Improvement Fund to make repairs to the City owned East Whitney Avenue bridge and West Whitney Avenue bridge; and

WHEREAS, the repairs are necessary to maintain the integrity of the bridges; 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 with BCC Ohio Inc. to make the repairs to the East Whitney Avenue bridge and the West Whitney Avenue bridge.

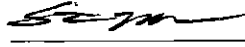
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:


Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into an agreement with BCC Ohio Inc. to make the repairs as stated in their quotation to the East Whitney Avenue bridge (Whitney/Black Fork Structure) and the West Whitney Avenue bridge (Whitney/Railroad Structure).

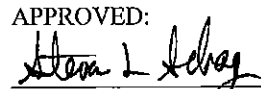
Section 2: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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: September 8, 2020


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Clerk of Council

APPROVED: 
Steven L. Schag
Mayor

Prepared by:


Gordon Byster
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. 41-2020
(SPONSOR - COUNCILMEMBERS GATES & MARTIN)

The Council of the City of Shelby, Richland

County, Ohio, met in Regular session on September 21, 2020
(Regular Or Special)

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

Mr. / ~~Mr.~~ Charles Roub, First Ward
Mr. / ~~Mr.~~ Derrin Roberts, Second Ward
Mr. / ~~Mr.~~ Garland John Gates, Third Ward
Mr. / ~~Mr.~~ Nathan Martin, Fourth Ward
Mr. / ~~Mr.~~ Steven McLaughlin, Councilperson at Large
Mr. / Mrs.
Mr. / Mrs.

Mr. / ~~Mr.~~ Gates 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, 2021 ; 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:

SUMMARY OF AMOUNTS REQUESTED
 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	\$218,000.00		2.00	
Police Pension	\$36,000.00		0.30	
Fire Pension	\$36,000.00		0.30	
Park Fund		\$180,000.00		1.50
Health Fund		\$192,000.00		1.90
TOTAL	\$290,000.00	\$372,000.00	2.60	3.40

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 November 8, 2016 for not to exceed 5 years. TY 17-21</p> <p>Park Fund Levy authorized by voters on November 4, 2019 for not to exceed 5 years. TY 20-24</p> <p>Health Fund Levy authorized by voters on November 8, 2016 for not to exceed 5 years. TY 17-21</p> <p>Health Fund Levy authorized by voters on November 4, 2019 for not to exceed 5 years. TY 20-24</p>	<p>0.50</p> <p>1.00</p> <p>0.90</p> <p>1.00</p>	<p>\$180,000.00</p> <p>\$192,000.00</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.~~ Martin seconded the Resolution and the roll being

called upon its adoption the vote resulted as follows:

Mr. / ~~Mrs.~~ Roub Yea

Mr. / ~~Mrs.~~ Roberts Yea

Mr. / ~~Mrs.~~ Gates Yea

Mr. / ~~Mrs.~~ Martin Yea


Mr. / ~~Mrs.~~ McLaughlin Yea

Mr. / Mrs.

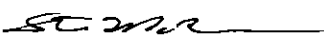
Mr. / Mrs.

Adopted the 21st day of September, 2020

Attest:


Brian A. Crum

Clerk of Council


Steven McLaughlin

Vice President of Council

RESOLUTION NO. 42 -2020
(Sponsors: Councilmembers Gates and Martin)

APPROVING WEED ASSESSMENTS AS ISSUED BY THE DIRECTOR OF PUBLIC SERVICE AND DECLARING AN EMERGENCY.

WHEREAS, Codified Ordinance 662.04 requires the Director of Public Service to notify owners of an assessment for the cutting and removal of offensive and noxious weeds, vines, and grass by the City of Shelby; and

WHEREAS, the Director of Public Service has served said notices on multiple properties within the City of Shelby, Ohio; and

WHEREAS, before the Clerk of Council can certify these assessments to the County Auditor for inclusion on the tax duplicate, Codified Ordinance 662.04 requires that City Council approve said assessment; 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 Council of the City of Shelby approve the assessments as prepared by the Director of Public Service so that the Clerk of Council can certify said assessments to the County Auditor for inclusion on the tax duplicate.

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

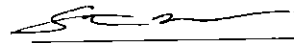
Section 1: That the Council of the City of Shelby hereby approves the list of assessments as prepared by the Director of Public Service and attached hereto as "Exhibit A".

Section 2: That the Clerk of Council shall certify said assessments to the Richland County Auditor for inclusion on the tax duplicate for collection.

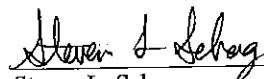
Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

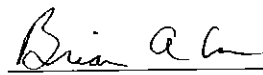
Section 4: That this Resolution is hereby deemed to be an emergency and therefore shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: September 21, 2020

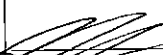

Steven McLaughlin
Vice President of Council

APPROVED:


Steven L. Schag
Mayor

ATTEST: 
Brian A. Crum
Clerk of Council

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 43 -2020
(Sponsor: Councilmember Martin)

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

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivision for capital improvement to public infrastructures; and

WHEREAS, the City of Shelby is planning to make capital improvements with the Shelby Streetscape 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 apply for said funds.

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

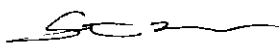
Section 1: That the Mayor as Director of Public Service is hereby authorized to apply to the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs for financial assistance for capital improvements to public infrastructure for the Shelby Streetscape Project.

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


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

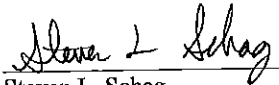
Section 4: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: September 21, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian A. Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 44 -2020
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO APPLY FOR THE OHIO HISTORY CONNECTION OHIO HISTORY FUND GRANT FOR THE SCANNING AND DIGITIZATION OF CITY RECORDS AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio History Connection provides financial assistance for maintaining history through the Ohio History Fund; and

WHEREAS, the City of Shelby Historical Preservation Commission desires financial assistance under the Ohio History Fund to scan and digitize historical Shelby records; 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 the Ohio History Fund.

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 History Fund to scan and digitize historical Shelby records.

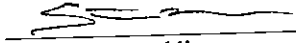
Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio History Connection and to provide all information and documentation required to become eligible for possible funding assistance.

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 Ohio History Fund 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.

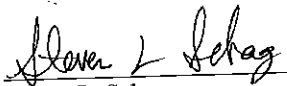
Section 5: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: September 21, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 45 -2020
(Sponsor: Councilmember Roub)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH AIRE SERV OF MANSFIELD/AIR SOLUTIONS OF OHIO TO MAKE HVAC IMPROVEMENTS AT SHELBY CITY HALL AND DECLARING AN EMERGENCY.

WHEREAS, improvements are needed on the HVAC Systems at Shelby City Hall that was installed in 1976; and

WHEREAS, the repairs are necessary for air filtration and air quality; 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 with Aire Serv of Mansfield/Air Solutions of Ohio to make improvements to the HVAC system at Shelby City Hall.

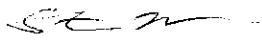
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into an agreement with Aire Serv of Mansfield/Air Solutions of Ohio as stated in their proposal for improvements to the HVAC system at Shelby City Hall.

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.

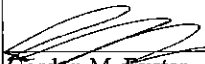
PASSED: October 19, 2020


Steven McLaughlin
Vice President of Council

ATTEST: Brian A Crum
Brian Crum
Clerk of Council

APPROVED:
Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 46 -2020
(Sponsors: Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PURCHASE
RADIOS AND ACCESSORIES THROUGH THE STATE OF OHIO PROCUREMENT
STATE TERM SCHEDULE FOR THE SHELBY FIRE DEPARTMENT.**

WHEREAS, the Shelby Fire Department is desirous of purchasing radios and accessories for the operation of the department; and

WHEREAS, the requirements of advertising and bidding is dispensed with the event that said radios are purchased through the State of Ohio Procurement State Term Schedule; 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 purchase radios and accessories.

**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 purchase radios and accessories from VASU Communications Inc. as awarded in the State Term Schedule; and

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: October 19, 2020

SE
Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag
Steven McLaughlin Schag SLS
Mayor

Prepared by:

~~Gordon M. Byster~~
Gordon M. Byster
Director of Law

RESOLUTION NO. 47 -2020
(Sponsors: Councilmembers Gates & Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE FY 21 MARCS (MULTI-AGENCY RADIO COMMUNICATIONS SYSTEM) GRANT FROM THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL, FOR MARCS RADIO EQUIPMENT FEES AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Commerce, Division of State Fire Marshal, provides financial assistance for MARCS Radio Equipment and fees through the FY 21 MARCS Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the FY 21 MARCS Grant for MARCS Radio Equipment fees; 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 the FY 21 MARCS 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 MARCS Radio Equipment fees.


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, Division of State Fire Marshal, 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 FY 21 MARCS 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.

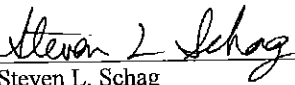
Section 5: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: October 19, 2020



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: 
Brian Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 48-2020
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PURCHASE A ZOLL DEFIBRILLATOR WITH ACCESSORIES FOR THE OPERATION OF THE SHELBY FIRE DEPARTMENT FROM ZOLL MEDICAL CORPORATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Shelby Fire Department is desirous of obtaining a new defibrillator with accessories for the operation of the department; and

WHEREAS, Zoll Medical Corporation has provided a quote for providing the same; 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 purchase a defibrillator with accessories from Zoll Medical Corporation.

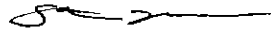
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Safety is hereby authorized to purchase a defibrillator with accessories for the operation of the Shelby Fire Department from Zoll Medical Corporation.

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.

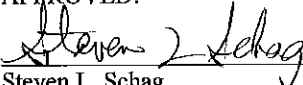
Section 3: That this Resolution is hereby deemed to be an emergency and therefore shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: November 2, 2020



Steven McLaughlin
Vice President of Council

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

APPROVED:


Steven L. Schag
Mayor

Prepared by:


Gordon M. Pyster
Director of Law

RESOLUTION NO. 49 -2020
(Sponsor – Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE AN ITRON MC3 LITE AND THE ASSOCIATED EQUIPMENT FROM ANIXTER, INC., FOR MOBILE METER READING AND DECLARING AN EMERGENCY.

WHEREAS, the Utility Departments can utilize the abilities of an Itron MC3 Lite to assist with reading water and electric meters; and

WHEREAS, the purchase of an Itron MC3 Lite for mobile meter reading collection would provide the utility department the necessary electronic device for safe and social distancing during their meter reading procedure; 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 purchase an Itron MC3 Lite and the associated equipment for utility meter reading.


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 purchase an Itron MC3 Lite and the associated equipment from Anixter, Inc., for the collection of utility meter readings.

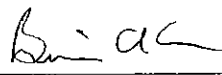
Section 2: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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.

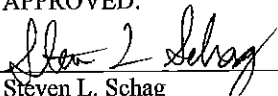
PASSED: November 2, 2020



Steven McLaughlin
Vice President of Council

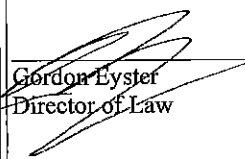
ATTEST: 

Brian Crum
Clerk of Council

APPROVED:


Steven L. Schag
Mayor

Prepared by:



Gordon Eyster
Director of Law

RESOLUTION NO. SO -2020
(Sponsors – Councilmembers Gates and Roberts)

THANKING ROBERT PHILBRICK FOR HIS SERVICE AS A VOLUNTEER FIREFIGHTER IN THE SHELBY FIRE DEPARTMENT.

WHEREAS, Robert “Bob” Philbrick served as a Volunteer Firefighter in the Shelby Fire Department from April 1, 1985, to November 30, 2020; and

WHEREAS, during his thirty-five years of dedicated service, Mr. Philbrick demonstrated his love for the greater Shelby community by responding to calls at all hours of the day and by performing any task given to him; and

WHEREAS, the Council desires to thank Mr. Philbrick for his dedicated service.

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

Section 1: That the Council express its sincere thanks and appreciation to Robert “Bob” Philbrick for his extraordinary thirty-five years of dedicated service as a Volunteer Firefighter in the Shelby Fire Department.

Section 2: That the Clerk of Council present Mr. Philbrick an authenticated copy of this Resolution.

Section 3: That the Clerk of Council cause this Resolution to be published once in a newspaper of general circulation published within the city limits.

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.

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

PASSED: _____

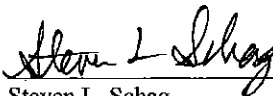


Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST:  _____

Brian A. Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 51 -2020
(Sponsor - Councilmember Gates)

REQUESTING THAT THE PLANNING COMMISSION REVIEW AND UPDATE THE OPEN SPACE AND THOROUGHFARE PLAN AND THE PARKS AND TRANSPORTATION PLAN.

WHEREAS, when the Subdivision Regulations (Chapters 1240 through 1250 of the Codified Ordinances of the City of Shelby) were enacted in 1983, they included Appendix V: Open Space and Thoroughfare Plan and Appendix VI: Parks and Transportation 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 said appendices be reviewed and updated.

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

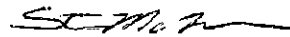
Section 1: That the Planning Commission review and update Appendix V: Open Space and Thoroughfare Plan and Appendix VI: Parks and Transportation Plan to the Subdivision Regulations of the City of Shelby.

Section 2: That the Planning Commission complete its review and update and report its recommendations to the Council no later than one hundred twenty days after the effective date of this Resolution.

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

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

PASSED: December 21, 2020

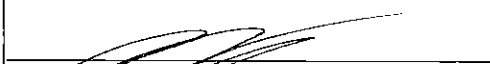

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

RESOLUTION NO. 52 -2020
(Sponsor – Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO FILE A DITCH PETITION FOR A SECTION OF THE BLACK FORK RIVER WITH THE RICHLAND COUNTY BOARD OF COMMISSIONERS.

WHEREAS, a ditch petition is a legal process to construct and maintain a designated area of a waterway to help control the flow of the water by the means of removing log jams, silt bars, brush, and felled trees from the river including the measure of removing leaning and dead trees from along the river banks and the construction of bank armoring to provide bank stabilization to prevent erosion; and

WHEREAS, the City desires to file a ditch petition with the Richland County Board of Commissioners for the section of the Black Fork River with the designation being the Mickey Road bridge to the State Route 13 road/river intersection; and

WHEREAS, the petition, if found to be in agreement and executed by the Richland County Board of Commissioners, would provide the necessary improvements to the river and be conducive to the public welfare for parcel owners in the designated watershed jurisdiction; 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 file a Ditch Petition on behalf of the City of Shelby for the construction and maintenance of the Black Fork River from the Mickey Road bridge to the State Route 13 road/river intersection.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized to file a Ditch Petition with the Richland County Board of Commissioners for the designated portion of the Black Fork River covering the area from the Mickey Road bridge within the City of Shelby to the road/river intersection at St. Rt. 13 in Richland County.

Section 2: That the Ditch Petition requires the petitioner(s) to submit a bond for the filing at a fixed cost of five hundred dollars (\$500.00) plus two dollars (\$2.00) per parcel within the petitioned area and known to be fully refundable with an executed petition.

Section 3. That City of Shelby funds shall only cover the bond expense for the parcels within the City of Shelby corporation limit and it has been determined at this time there are five thousand one hundred and three (5,103) parcels in the designated petitioned area within the City proper.

Section 4. That the final designated area for the ditch petition is determined and executed by Richland County Officials serving from the offices of the County Commissioner's, County Engineer, and the County Prosecutor.

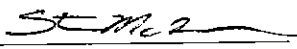
Section 5. That a successful petition would create an annual maintenance program for the determined area of the Black Fork River with the supporting funds populated from an assessment by parcel delineation.

Section 6: 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 7: 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:

December 21, 2020


Steven McLaughlin
Vice President of Council

RESOLUTION NO. 53 -2020
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXTEND THE LATE PAYMENT CHARGE (PENALTY) FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL UTILITY ACCOUNT HOLDERS TO DECEMBER 22, 2020 AND DECLARING AN EMERGENCY.

WHEREAS, a delay in the mail service is causing some utility account holders to endure a late penalty charge on their utility bill; and

WHEREAS, the City of Shelby Administration and Council recognizes the need to help rectify this late payment matter for residential, commercial, and industrial utility account holders by extending the late penalty charge from the current due date of the fifteenth (15th) of the month by seven (7) days; 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 waive the late payment charge (penalty) from residential, commercial, and industrial utility account holders for bills paid up to seven (7) days after the published due date of the fifteenth (15th) of the month.

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 extend the late payment charge (penalty) date by seven (7) days from the established fifteenth (15th) day of the month for residential, commercial, and industrial utility account holders .

Section 2: That the late payment charge shall be waived from any utility bill paid by the end of the day on December 22, 2020.

Section 3: That any December utility bill received after December 22, 2020 shall be issued penalty pursuant to City ordinances.

Section 4: That this authorization shall be for these utilities as stated in the codified ordinances: Chapter 1040 (Water), Chapter 1044 (Sewer Charges), and Chapter 1050 (Electricity).

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 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: December 21, 2020

Steven McLaughlin
Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor