

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

Shelby City Council Agenda
Monday, June 6, 2022
COUNCIL CHAMBERS
29 MACK AVENUE
Shelby, Ohio
7:00 p.m.

Call to Order and Pledge of Allegiance

Roll Call:

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

Dispense with Reading of Journal from May 16, 2022

Moved _____ 2ND _____

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

Public Comment

Jay Sell-Aspen Energy-Natural Gas Aggregation Program

Reports from Standing and Special Committees

Community & Economic Development Committee—Councilmember McLaughlin

Public Works & General Operation Committee—Councilmember Roub

Safety Committee—Councilmember Roberts

Reports of City Officials

Steven L. Schag—Mayor

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business

Future Use of Main Street Fire Station—ORC Section 721.01—Future letter in regard to real estate as needed or not needed for any municipal purpose

----- Former Ice Plant Property

Mama's Pizza

Legislation

ORDINANCE NO 8-2022

**AMENDING CHAPTER 1486 (STORMWATER
MANAGEMENT) SECTION 1486.16 (MAINTENANCE OF
STORMWATER DRAINAGE FACILITIES AND CONTROL
STRUCTURES) OF THE CODIFIED ORDINANCES OF THE
CITY OF SHELBY OHIO**

1ST READING

Moved _____ 2ND _____

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

ORDINANCE NO 9-2022

ENACTING SECTION 230.08 (CODE ENFORCEMENT OFFICER) OF CHAPTER 230 (MAYOR) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY AND DECLARING AN EMERGENCY

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

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 10-2022

AMENDING SUBSTITUTE ORDINANCE NO 1-2020 (ESTABLISHING WAGES FOR DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES) AND DECLARING AN EMERGENCY

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

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 11-2022

AMENDING ORDINANCE NO 3-2022 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY

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

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

PASSAGE OF ORDINANCE

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

RESOLUTION NO 32-2022

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 2022 PAVING PROJECT, PHASE 2 WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY

Moved 2ND

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

RESOLUTION NO 33-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM AGREEMENT WITH A RECOMMENDED NATURAL GAS SUPPLIER

Moved 2ND

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

RESOLUTION NO 34-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2022 AMERICAN RESCUE PLAN ACT (ARPA) FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION, & RESILIENCY GRANT FOR RETENTION OF FULL-TIME CURRENT EMPLOYEES AND DECLARING AN EMERGENCY

Moved 2ND

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

RESOLUTION NO 35-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PARTICIPATE IN THE STATE COOPERATIVE PURCHASING PLAN FOR THE PURCHASE OF MOTOROLA PORTABLE AND MOBILE RADIOS

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

RESOLUTION NO 36-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO APPLY FOR THE 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

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

RESOLUTION NO 37-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT, ON BEHALF OF THE SHELBY PARK BOARD OF COMMISSIONERS, FOR THE PURCHASE AND INSTALLATION OF A CAMERA SURVEILLANCE SYSTEM FROM BENDER COMMUNICATIONS INC.

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

Miscellaneous Business

MOTION TO GO INTO EXECUTIVE SESSION FOR THE FOLLOWING PURPOSE

Moved _____ 2ND _____

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

CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC BODY CONCERNING DISPUTES INVOLVING THE PUBLIC BODY THAT ARE THE SUBJECT OF PENDING OR IMMINENT COURT ACTION

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

ORDINANCE NO. 8 -2022
(Sponsors: Councilmembers Roberts and Roub)

AMENDING CHAPTER 1486 (STORMWATER MANAGEMENT) SECTION 1486.16 (MAINTENANCE OF STORMWATER DRAINAGE FACILITIES AND CONTROL STRUCTURES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, construction of and maintenance of stormwater drainage facilities is important to maintain the City stormwater system; and

WHEREAS, it has become necessary to further regulate the construction and maintenance of said drainage facilities; 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 1486 (Stormwater Management) 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 1486 (Stormwater Management), Section 1486.16 (Maintenance of Stormwater Drainage Facilities and Control Structures) be amended to read as follows:

1486.16 MAINTENANCE OF STORMWATER DRAINAGE FACILITIES AND CONTROL STRUCTURES.

- (a) For new stormwater drainage facilities and control structures (e.g. detention basins, bioretention cells, underground detention, or any other stormwater control measure that provides stormwater runoff control of peak discharge and/or EPA mandates such as Water Quality Volume) that are of a permanent nature and constructed after September 3, 2022, the property owner shall assume full responsibility for the stormwater drainage facilities and control structures located within the corporation limits during construction and once they have been constructed and accepted by the City. Long-term maintenance planning shall be incorporated into the design of the stormwater facility and shall include unobstructed access to the stormwater facility as well as 20' minimum (or as approved by the City Engineer) being unobstructed and reserved around the entire stormwater facility for long-term maintenance operations.

Prior to obtaining approval to begin construction, an Inspection and Maintenance Agreement for Stormwater Control Measures shall be executed between the property owner and City. Said agreement template shall be provided by the Director of Public Service. Prior to obtaining final project acceptance from the City, the property owner shall provide a certified as-built survey (by a registered surveyor) in accordance with the Inspection and Maintenance Agreement for Stormwater Control Measures.

Funding for the maintenance of these stormwater facilities shall be by the property owner(s). When stormwater facilities are shared between multiple property owners (e.g. subdivision), facilities shall be located on a dedicated parcel that is owned by an association of homeowners whom shall be responsible for the maintenance and associated funding for the stormwater facility. Long-term maintenance planning shall be incorporated into the design of the stormwater facility and shall include a 20' minimum width unobstructed access route to the stormwater facility with 20' minimum (or as approved by the City Engineer) being unobstructed and reserved around the entire stormwater facility for long-term maintenance operations within the dedicated parcel.

The maintenance of drainage features, such as swales and the like, on individual parcels or lots in new subdivisions, shall be the responsibility of the individual parcel or lot owners. The city will require all of these stormwater drainage facilities and control structures to be designed to minimize maintenance costs.

(b) For existing stormwater drainage facilities and control structures (e.g. detention basins, bioretention cells, underground detention, or any other stormwater control measure that provides stormwater runoff control of peak discharge and/or EPA mandates such as Water Quality Volume) that are of a permanent nature and constructed before September 3, 2022, the city may assume responsibility for the structures located within the corporation limits once they have been constructed and accepted by the city. Funding for the maintenance of these major facilities may be by assessment of property owners in accordance with the Ohio Revised Code. Alternatively, the property owners may address the necessary maintenance with their own funds and/or means. The maintenance of minor detention areas, such as swales and the like, on individual parcels or lots in new subdivisions, shall be the responsibility of the individual parcel or lot owners. Special provisions shall be written into the deeds for the individual parcels, or lots in new subdivisions, so that the owners are aware that the parcels or lots are used for temporary stormwater storage. The city will require all of these stormwater drainage facilities and control structures to be designed to minimize maintenance costs. The property owner or owners shall provide all necessary easements and rights-of-way to the city in order to permit the maintenance and repair of the required stormwater drainage facilities and control structures.

Section 2: That all other language in Chapter 1486 Stormwater Management), 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 force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven McLaughlin
Vice President of Council


APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Byster
Director of Law

ORDINANCE NO. 9 -2022
(Sponsor – Councilmember McLaughlin)

ENACTING SECTION 230.08 (CODE ENFORCEMENT OFFICER) OF CHAPTER 230 (MAYOR) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY AND DECLARING AN EMERGENCY.

WHEREAS, Section 19 of the Charter of the City of Shelby reads, in part, “The council shall create by ordinance such other officers, clerks and employees as are not in the classified service, in each department of the city government as are necessary for the transaction of the city’s business, and all such positions so created shall be filled by appointment by the mayor...”; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare that the position of Code Enforcement Officer be established.

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

Section 1: That Section 230.08 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

230.08 CODE ENFORCEMENT OFFICER.

The Mayor is hereby authorized to appoint a Code Enforcement Officer. Said Code Enforcement Officer shall assist in administering and enforcing the City’s EXTERIOR PROPERTY MAINTENANCE ORDINANCE (CHAPTER 1490) , WEEDS ORDINANCE (CHAPTER 662) , and any other Ordinances pertaining to Building and Housing regulations by performing field inspections, issuing and maintaining reports of inspections, documenting violations, and forwarding information to the Director of Law for prosecution. The Code Enforcement Officer shall also respond to inquiries by the public, seek to educate and resolve complaints and/or violations, and provide feedback to Council in regard to the practical efficacy of the aforementioned City Ordinances. Said Code Enforcement Officer shall be in the unclassified service in accordance with Ohio Revised Code Section 124.11 (A) (29).

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 is hereby deemed to be an emergency so as to provide for the immediate preservation of the public peace, property, health or safety of the City of Shelby, Ohio and for the additional reason that it is immediately necessary to have a Code Enforcement Officer initiate their functions during the favorable weather of spring and summer and, therefore shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Director of Law

ORDINANCE NO. 10 -2022
(Sponsor: Councilmember McLaughlin)

AMENDING SUBSTITUTE ORDINANCE NO. 1-2020 (ESTABLISHING WAGES FOR DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES) AND DECLARING AN EMERGENCY.

WHEREAS, on February 20, 2020, Council passed Substitute Ordinance No. 1-2020 in order to establish wages for department heads and other non-certified employees; and

WHEREAS, the Mayor has requested that the position of Code Enforcement Officer be created; 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 Substitute Ordinance No. 1-2020 be amended to grant the Mayor's request and to make other adjustments.

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, effective January 1, 2022, 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	\$15.00 - \$22.50
Secretary to the Mayor & Finance Director	\$15.00 - \$25.00
Income Tax Clerk 1	\$15.00 - \$23.00
Income Tax Clerk 2	\$17.00 - \$25.00
Secretary to the Law Director (part-time)	\$15.00 - \$23.00
Code Enforcement Officer	\$17.00 - \$27.00

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

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 provide for the immediate preservation of the public peace, property, health or safety of the City of Shelby, Ohio and for the additional reason that it is immediately necessary to have a Code Enforcement Officer initiate their functions during the favorable weather of spring and summer and, therefore shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian A. Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 11 - 2022
(Sponsors – Councilmembers Gates & Martin)

AMENDING ORDINANCE NO.: 3-2022 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY.

WHEREAS, on March 21, 2022, 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 2022 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 2022 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.: 3-2022 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURE

101-BZI-400	WAGES	\$ 30,000.00
101-BZI-415	OHIO PUBLIC EMPLOYEES RETIRE SYS	\$ 4,200.00
101-BZI-417	FICA	\$ 500.00
101-TRS-447	TRANSFER-CAPITAL IMPROVEMENT 300	\$ 405,000.00
300-POL-515	EQUIPMENT	\$ 90,000.00
300-STR-535	STREET RESURFACING	\$ 315,000.00

Section 2: That all other portions of Ordinance No.: 3-2022, 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: _____

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. 32 -2022
(Sponsor- Councilmember Gates)

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 2022 PAVING PROJECT, PHASE 2 WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, plans and specifications have been completed for the 2022 Paving Project, Phase 2; and

WHEREAS, Technology Parkway and Lamplighter Lane within the City of Shelby are in need of paving; 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 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 2022 Paving Project, Phase 2 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: _____

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. 33 -2022
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM AGREEMENT WITH A RECOMMENDED NATURAL GAS SUPPLIER.

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

WHEREAS, the City's natural gas aggregation supplier had recently filed for bankruptcy thus leaving the City without a natural gas aggregator for the aggregation program; and

WHEREAS, the future aggregation supplier would require a signed contractual agreement before any transaction may take place; and

WHEREAS, the natural gas market is in a volatile and unsettled state making the natural gas prices fluctuate rapidly and thus not allowing sufficient time to process an aggregation agreement with a natural gas supplier within the normal legislative process without jeopardizing the best rate available at that time; and

WHEREAS, due to the rapid fluctuations in the current natural gas market, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that such contractual agreements be executed in a timely fashion to allow for best pricing.

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 contractual natural gas agreement with a recommended supplier for the City's Governmental Aggregation Program.

Section 2: That a copy of the Governmental Aggregation Program Customer Information Agreement and the Ohio Public Utilities Commission Renewal Certificate are attached hereto and made part 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, 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: _____

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. 34 -2022
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2022 AMERICAN RESCUE PLAN ACT (ARPA) FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION & RESILIENCY GRANT FOR RETENTION OF FULL-TIME CURRENT EMPLOYEES AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Emergency Management Agency provides financial assistance for fire department purposes through the 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency Grant Program for the retention of full-time current 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 the Mayor as Director of Public Safety of City of Shelby apply for the 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency 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 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency 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 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 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency 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: _____

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. 35 -2022
(Sponsors -Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PARTICIPATE IN THE STATE COOPERATIVE PURCHASING PLAN FOR THE PURCHASE OF MOTOROLA PORTABLE AND MOBILE RADIOS.

WHEREAS, the Shelby Police Department desires to purchase new Multi-Agency Radio Communications System (MARCS) capable portable and mobile radios for the operation of the department; and

WHEREAS, the requirements of advertising and bidding are dispensed with the event that said radios are purchased through the State Cooperative Purchase Plan; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Safety be authorized to purchase eleven (11) Motorola APX4500 series mobile radios and eighteen (18) Motorola APX8000 series portable radios as detailed on the product quotation from Motorola Solutions.

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 eleven (11) Motorola APX4500 series mobile radios and eighteen (18) Motorola APX8000 series portable radios as detailed on the product quotation from Motorola Solutions through the State Cooperative Purchase Plan.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian A. Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 36 -2022
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO APPLY FOR THE 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT.

WHEREAS, the Shelby Police is desirous of obtaining MARCS capable portable and mobile radios for use within the department; and

WHEREAS, it is estimated that the cost to purchase said devices is approximately \$190,000.00; 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 to assist with said purchases.

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

Section 1: That the Council approve an application for financial assistance to purchase MARCS capable portable and mobile radios.

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

PASSED: _____

Steven McLaughlin
Vice President of Council


APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 37 -2022
(Sponsor: Councilmember Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT, ON BEHALF OF THE SHELBY PARK BOARD OF COMMISSIONERS, FOR THE PURCHASE AND INSTALLATION OF A CAMERA SURVEILLANCE SYSTEM FROM BENDER COMMUNICATIONS INC.

WHEREAS, the Shelby City Park System provides accessibility to natural resources, playgrounds, picnic areas, and a variety of activities; and

WHEREAS, it has been demonstrated that professionally installed state-of-the art camera surveillance systems are effective in the areas of vandalism prevention, safety, security, and law enforcement assistance; and

WHEREAS, the requirements of the advertising and bidding are dispensed due to the fact that pricing is at or better than state contract pricing; 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 contract, on behalf of the Shelby Park Board of Commissioners, with Bender Communications Incorporated for the purchase of equipment and the installation of the camera surveillance system as detailed on the Equipment Proposal (Quote Number 05311352) from Bender Communications Inc.

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

Section 1: That the Mayor as Director of Public Safety is hereby authorized to enter into contract, on behalf of the Park Board of Commissioners, with Bender Communications Inc., for the purchase of and installation of a camera surveillance system as detailed on Equipment Proposal (Quote Number 0531135213) at pricing that is at or better than State contract pricing.

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.

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

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law