

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

**Shelby City Council Agenda
Monday, February 6, 2023
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 the Reading of the Journal from January 17, 2023

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

Public Comment

Shelby Historic Preservation Annual Report

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

STATE OF THE CITY – ANNUAL REPORT TO COUNCIL

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

Legislation

SUBSTITUTE ORDINANCE NO 1-2023

AMENDING SECTIONS 258.01 (SALARIES OF MEMBERS OF COUNCIL), 258.02 (SALARY OF THE MAYOR), 258.03 (SALARY OF THE DIRECTOR OF LAW), AND 258.04 (SALARY OF THE DIRECTOR OF FINANCE AND PUBLIC RECORD) OF CHAPTER 258 (ELECTED OFFICIALS' SALARIES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY

3RD READING

Moved 2ND

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

PASSAGE OF ORDINANCE

Moved 2ND

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

ORDINANCE NO 3-2023

ENACTING SECTION 204.06 (MAYOR JAMES E. HENKEL CONFERENCE ROOM) OF CHAPTER 204 (OFFICIAL STANDARDS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY

2ND READING

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

ORDINANCE NO 4-2023

ENACTING SECTION 230.08 (WEDDING FEES) OF CHAPTER 203 (MAYOR) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY

2ND READING

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

ORDINANCE NO 5-2023

AUTHORIZING THE CONSUMER PRICE INDEX (CPI) TO BE ADJUSTED UPWARD ABOVE THE ALLOWABLE PERCENTAGE PER THE LANGUAGE IN THE (e) RATE ADJUSTMENT PROVISION OF CHAPTER 1044 (SEWER CHARGES), SECTION 1044.02 (CONDITIONS OF SERVICE; RATE SCHEDULE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO

1ST READING

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

ORDINANCE NO 6-2023

AUTHORIZING THE CONSUMER PRICE INDEX (CPI) TO BE ADJUSTED UPWARD ABOVE THE ALLOWABLE PERCENTAGE PER THE LANGUAGE IN RULE 43 OF CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO

1ST READING

Moved ^{2ND}

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

RESOLUTION NO 4-2023

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE REMOVAL, REPLACEMENT, AND/OR REPAIR OF SIDEWALKS, AND ESTABLISHING PROGRAM CRITERIA FOR THE SAME

Moved ^{2ND}

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

RESOLUTION NO 5-2023

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2023 MOSQUITO CONTROL GRANT AND DECLARING AN EMERGENCY

Moved ^{2ND}

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

RESOLUTION NO 6-2023

**RECOGNIZING THE SERVICE DEPARTMENT
EMPLOYEES FOR THEIR OUTSTANDING PUBLIC
SERVICE DURING THE DECEMBER 23-25 SEVERE
WINTER WEATHER STORM EVENT**

Moved _____ 2ND _____

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

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

1st Reading

1/3/2023

2nd Reading

1/17/2023

SUBSTITUTE ORDINANCE NO. 1-2023
(Sponsors – Councilmembers Gates & Martin)

AMENDING SECTIONS 258.01 (SALARIES OF MEMBERS OF COUNCIL), 258.02 (SALARY OF THE MAYOR), 258.03 (SALARY OF THE DIRECTOR OF LAW), AND 258.04 (SALARY OF THE DIRECTOR OF FINANCE AND PUBLIC RECORD) OF CHAPTER 258 (ELECTED OFFICIALS' SALARIES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, Section 6 of the Charter of the City of Shelby mandates that the salaries of all elected officers shall be fixed by the outgoing Council not later than February 15 in the odd numbered years; and

WHEREAS, currently, Chapter 258 (Elected Officials' Salaries) contains no provision for compensation for elected officials whose terms begin in 2024; 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 258 be amended so as to provide compensation for elected officials whose terms begin in 2024.

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

Section 1: That Chapter 258 of the Codified Ordinances of the City of Shelby be amended to read as follows:

258.01 SALARIES OF MEMBERS OF COUNCIL.

- (a) Effective January 3, 2022, through January 1, 2024, the salary for each member of City Council shall be \$7,920 annually, to be paid biweekly.
- (b) Effective January 1, 2024, through January 5, 2025, the salary for each member of City Council shall be \$8,658 annually, to be paid biweekly.
- (c) Effective January 6, 2025, through January 4, 2026, the salary for each member of City Council shall be \$8,809 annually, to be paid biweekly.
- (d) Effective January 5, 2026, through January 3, 2027, the salary for each member of City Council shall be \$8,963 annually, to be paid biweekly.
- (e) Effective January 4, 2027, through January 2, 2028, the salary for each member of City Council shall be \$9,120 annually, to be paid biweekly.

258.02 SALARY OF THE MAYOR.

- (a) Effective January 1, 2023, through December 31, 2023, the salary for the Mayor shall be \$70,581 annually, to be paid biweekly.
- (b) Effective January 1, 2024, through December 31, 2024, the salary for the Mayor shall be \$72,698 annually, to be paid biweekly.
- (c) Effective January 1, 2025, through December 31, 2025, the salary for the Mayor shall be \$74,879 annually, to be paid biweekly.
- (d) Effective January 1, 2026, through December 31, 2026, the salary for the Mayor shall be \$77,125 annually, to be paid biweekly.
- (e) Effective January 1, 2027, through December 31, 2027, the salary for the Mayor shall be \$79,439 annually, to be paid biweekly.

258.03 SALARY OF THE DIRECTOR OF LAW.

- (a) Effective January 1, 2023, through December 31, 2023, the salary for the Director of Law shall be \$50,287 annually, to be paid biweekly.
- (b) Effective January 1, 2024, through December 31, 2024, the salary for the Director of Law shall be \$51,796 annually, to be paid biweekly.
- (c) Effective January 1, 2025, through December 31, 2025, the salary for the Director of Law shall be \$53,350 annually, to be paid biweekly.
- (d) Effective January 1, 2026, through December 31, 2026, the salary for the Director of Law shall be \$54,951 annually, to be paid biweekly.
- (e) Effective January 1, 2027, through December 31, 2027, the salary for the Director of Law shall be \$56,600 annually, to be paid biweekly.

258.04 SALARY OF THE DIRECTOR OF FINANCE AND PUBLIC RECORD.

- (a) Effective January 1, 2023, through December 31, 2023, the salary for the Director of Finance and Public Record shall be \$61,376 annually, to be paid biweekly.

(b) Effective January 1, 2024, through December 31, 2024, the salary for the Director of Finance and Public Record shall be \$63,214 annually, to be paid biweekly.

(c) Effective January 1, 2025, through December 31, 2025, the salary for the Director of Finance and Public Record shall be \$65,114 annually, to be paid biweekly.

(d) Effective January 1, 2026, through December 31, 2026, the salary for the Director of Finance and Public Record shall be \$67,067 annually, to be paid biweekly.

(e) Effective January 1, 2027, through December 31, 2027, the salary for the Director of Finance and Public Record shall be \$69,079 annually, to be paid biweekly.

Section 2: That all other sections of Chapter 258 shall remain in full force and effect.

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

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

PASSED: _____

Steven D. McLaughlin
Vice President of Council

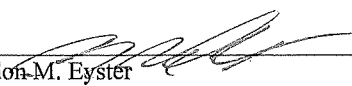
APPROVED:

ATTEST: _____

Brian A. Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

1st Reading
1/17/2023

ORDINANCE NO. 3 -2023
(Sponsors – Councilmembers Gates & McLaughlin)

ENACTING SECTION 204.06 (MAYOR JAMES E. HENKEL CONFERENCE ROOM) OF CHAPTER 204 (OFFICIAL STANDARDS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, the City of Shelby in November 2007 during the mayoralty of James E. Henkel purchased the building that is now City Hall; and

WHEREAS, although Mayor Henkel died in office on August 19, 2008, he has not yet been honored by the City in an official manner; 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 a space at City Hall be designated in Mayor Henkel’s memory.

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

Section 1: That Section 204.06 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

204.06 JAMES E. HENKEL CONFERENCE ROOM.

(a) The front conference room at City Hall is hereby designated as “The Mayor James E. Henkel Conference Room.”

(b) The Mayor is hereby directed to place appropriate signage and portraiture indicating this designation.

Section 2: That all other sections of Chapter 204 shall remain in full force and effect.

Section 3: The Clerk of Council present an authenticated copy of this Ordinance to the Henkel family.

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: _____

Steven McLaughlin
Vice President of Council

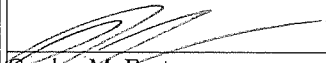
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

1st Reading
1/17/2023

ORDINANCE NO. 4 -2023
(Sponsor – Councilmember Gates)

ENACTING SECTION 230.08 (WEDDING FEES) OF CHAPTER 230 (MAYOR) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, although the Mayor is empowered by Ohio Revised Code Section 3101.08 to solemnize marriages, an uncertainty exists regarding how to deal with any fees and/or gratuities received for such solemnizations; 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 uncertainty be resolved.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A 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 WEDDING FEES.

Fees and/or gratuities given to the Mayor for the solemnization of a marriage are received under color of office and are, therefore, public moneys. Said fees and/or gratuities shall be deposited in the City Treasury to the credit of the General Fund unless the Mayor shall designate some other fund. The Mayor shall have no subsequent claim upon said moneys.

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, 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 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. 5-2023
(Sponsor: Councilmember Martin)

AUTHORIZING THE CONSUMER PRICE INDEX (CPI) TO BE ADJUSTED UPWARD ABOVE THE ALLOWABLE PERCENTAGE PER THE LANGUAGE IN THE (e) RATE ADJUSTMENT PROVISION OF CHAPTER 1044 (SEWER CHARGES), SECTION 1044.02 (CONDITIONS OF SERVICE; RATE SCHEDULE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, the current language in Chapter 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule), (e) Rate Adjustment Provision limits the Consumer Price Index (CPI) upward adjustment to a maximum of 5% in any one year; and

WHEREAS, the Consumer Price Index (CPI) released on January 12, 2023 had an adjustment of 5.7%; and

WHEREAS, it is required by the language in Ord. 26-2022 to present the percentage above the 5% to Council to determine whether the additional Consumer Price Index (CPI) percentage shall be implemented to the adjustment in Chapter 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule), (e) Rate Adjustment Provision; 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 additional 0.7 percent adjustment of the Consumer Price Index (CPI) be authorized and implemented to the (e) Rate Adjustment Provision in Chapter 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule).

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

Section 1: That the Consumer Price Index (CPI) adjustment shall be adjusted upward by 0.7 percent in the (e) Rate Adjustment Provision of Chapter 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule).

Section 2: That the 0.7 percent additional upward adjustment to the Consumer Price Index (CPI) shall be implemented to the (e) Rate Adjustment Provision of Chapter 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule), in the 2nd Quarter sewer rate adjustment.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

ORDINANCE NO. 6 -2023
(Sponsor: Council Member Martin)

AUTHORIZING THE CONSUMER PRICE INDEX (CPI) TO BE ADJUSTED UPWARD ABOVE THE ALLOWABLE PERCENTAGE PER THE LANGUAGE IN RULE 43 OF CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, the current language in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), Rule 43 limits the Consumer Price Index (CPI) upward adjustment to a maximum of 5% in any one year; and

WHEREAS, the Consumer Price Index (CPI) released on January 12, 2023 had an adjustment of 5.7%; and

WHEREAS, it is required by the language in Ord. 27-2022 to present the percentage above the 5% to Council to determine whether the additional percentage shall be implemented to the adjustment in Rule 43 of Chapter 1040 (Water), Section 1040.04 (Rules Regulations and Fixed Charges for Municipal Water Systems); 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 additional 0.7 percent adjustment of the Consumer Price Index (CPI) be authorized and implemented to Rule 43 of Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System).

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

Section 1: That the Consumer Price Index (CPI) adjustment shall be adjusted upward by 0.7 percent in Rule 43 of Chapter 1040 (Water), Section 1040.04 (Rules Regulations and Fixed Charges for Municipal Water Systems).

Section 2: That the 0.7 percent additional upward adjustment to the Consumer Price Index (CPI) shall be implemented to Rule 43 of Chapter 1040 (Water), Section 1040.04 (Rule, Regulations and Fixed Charges for Municipal Water Service) in the 2nd Quarter water rate adjustment.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council


APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon Eyster
Director of Law

RESOLUTION NO. 4 -2023
 (Sponsors: Councilmembers Roberts and Roub)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE REMOVAL, REPLACEMENT, AND/OR REPAIR OF SIDEWALKS, AND ESTABLISHING PROGRAM CRITERIA FOR THE SAME.

WHEREAS, the Director of Finance and Public Record is currently in possession of certain funds which have been specifically designated for the removal, replacement and/or repair of the sidewalks within the City of Shelby; 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 expenditure of these funds for the removal, replacement and/or repair of the sidewalks with the City of Shelby; and

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

Section 1: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for the removal, replacement and/or repair of the sidewalks with the City of Shelby.

Section 2: That the following are hereby adopted pursuant to Ohio Revised Code 735.05 as criteria for said the same:

- A: SCOPE OF WORK- This project is intended for the removal, replacement, and/or repair of existing sidewalks on City-owned rights-of-way. New sidewalk construction is not allowed. The work may be removal and replacement of the entire sidewalk, removal and repair of portions of the sidewalk, or the leveling of existing sidewalk slabs as determined by the City in order to minimize the amount of work to be performed.
- B: PROPERTY ELIGIBILITY- Residential properties only are eligible for this program. Rental properties in which the owner resides are eligible; however, cost sharing by the City will be prorated to that fraction representing the owner-occupied domicile divided by the number of domiciles on that particular property. For example, with an owner-occupied duplex, half the total cost will be borne by the owner, while the other half will be shared by the owner and the City based upon the Income Eligibility standards contained herein.
- C: INCOME ELIGIBILITY- The City will share the costs for sidewalk removal, replacement, and/or repair based upon the following schedule:

Household size	100% City 0% Owner	90% City 10% Owner	80% City 20% Owner	70% City 30% Owner	60% City 40% Owner	50% City 50% Owner
1-4	Up to \$43,450	\$43,451 to \$50,836	\$50,837 to \$56,428	\$56,429 to \$62,071	\$62,072 to \$73,864	\$73,865 and above
5	Up to \$46,950	\$46,951 to \$54,931	\$54,932 to \$60,794	\$60,795 to \$67,071	\$67,072 to \$79,815	\$79,816 and above
6	Up to \$50,450	\$50,451 to \$59,026	\$59,027 to \$69,250	\$69,251 to \$72,071	\$72,072 to \$85,765	\$85,766 and above
7	Up to \$53,900	\$53,901 to \$63,063	\$63,064 to \$70,000	\$70,001 to \$77,000	\$77,001 to \$91,630	\$91,631 and above
8	Up to \$57,400	\$57,401 to \$67,158	\$67,159 to \$74,545	\$74,546 to \$82,000	\$82,001 to \$97,579	\$97,580 and above
For each additional person, add \$4,300.						

For the purpose of this section, "income" means the combined adjusted gross income for the owner(s) of record on their 2022 federal income tax return, a signed copy of which shall be attached to the application form. In the event that the owner(s) of record were not

required to or did not file a 2022 federal income tax return, then and in that event, "income" means any receipt of money from any source including but not limited to compensation for services, profit from business, gains in dealings in property, interest, dividends, rents, royalties, alimony, annuities, life insurance or endowment proceeds, pensions, and income from interest in an estate, partnership, or trust. Failure to supply proof of income will eliminate a property owner from participating in this program. Furthermore, applicants for this program shall be current and in compliance with the Shelby City Income Tax Ordinance and with real property taxes.

- D: APPLICATIONS- The Department of Public Service shall take applications for work to be done under this program. The application form shall contain the applicant's name, address, telephone number, length and width of the sidewalk to be repaired or replaced, number of domiciles on the property, certification of compliance with the Shelby City Income Tax Ordinance and with the real property taxes, signature spaces, and other information which the Director should require. The Director shall determine and publicize an application period. Preference for work under this program shall be given to those property owners who have been ordered to repair sidewalks pursuant to Section 94 of the Charter of the City of Shelby.
- E: CONSTRUCTION AND MATERIAL SPECIFICATIONS- Work performed under this program shall be in compliance with Chapter 1024 (Sidewalks) of the Codified Ordinances of the City of Shelby and with State of Ohio Department of Transportation Construction and Materials Specifications, the current addition. In the event of any conflict between the two, the stricter standard shall apply.
- F: PAYMENT- After the award of the contract but before the commencement of construction, the property owner(s) shall pay their share to the Director of Finance and Public Record, who shall deposit it to the Sidewalk Fund. After construction has been completed and inspected to the satisfaction of the City Project Coordinator, the Director of Finance and Public Record shall pay the contractor.
- G: RULE-MAKING- The Director of Public Service may make any rule, pursuant to Ohio Revised Code 735.01, necessary for the efficient implementation of this program.

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 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. 5 - 2023
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2023 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: _____

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 - 2023
(Sponsor: Councilmember Martin)

RECOGNIZING THE SERVICE DEPARTMENT EMPLOYEES FOR THEIR OUTSTANDING PUBLIC SERVICE DURING THE DECEMBER 23-25 SEVERE WINTER WEATHER STORM EVENT.

WHEREAS, a severe winter storm with blowing and drifting snow and wind chills reaching 40 (forty) degrees below zero tasked the Shelby Service Department employees with maintaining the streets and alleys and nine (9) water main breaks during a three-day period spanning from December 23-25; and

WHEREAS, the Service Department employees did not waiver from their public service duties during this extremely dangerous winter weather event; and

WHEREAS, several Service Department employees answered the call on Christmas Eve to report to a water main break on Shelby Avenue that had taken 12 (twelve) hours to repair; and

WHEREAS, employees had to endure hours of continuous work outside in the sub-zero temperatures to repair water main breaks and clearing snow from the city streets for the residents of Shelby; 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 present the Shelby Service Department with this resolution recognizing their outstanding public service during the December 23-25, 2022 severe winter weather event.

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 and Shelby City Council Members do hereby recognize and sincerely thank the employees of the Shelby Service Department for their steadfast and untiring service to the Shelby community during the December 23-25, 2022 severe winter weather event.

Section 2: That the Mayor as Director of Public Service and Shelby City Council Members do hereby recognize the following Service Department employees for their public service: Superintendent Ronnie Shepherd, Crew Chief Foreman Andy Dietz, Division of Streets employees; Billy Bail, Eric Vogt, Kelly Keiser, Heath Schroeder and Tyler Distl, Division of Water Distribution employees; Sean Cantleberry, Scott Shatzer, Brian James and Lane Benschoff, Division of Sewers Maintenance; Chris Korbas, Steve Schneider and Christian Ballengee.

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 McLaughlin
Vice President of Council

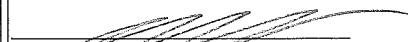
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
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