

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

Shelby City Council Agenda
Monday, May 1, 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 April 17, 2023

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Community & Economic Development Committee—Councilmember McLaughlin

Public Works & General Operation Committee—Councilmember Roub

Parking Committee—Councilmember Roberts—Did not meet

Committee of the Whole—Councilmember McLaughlin

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

Labor Consultants

Legislation

ORDINANCE NO 12-2023

**REPEALING CHAPTER 289 (FLOODPLAIN
MANAGEMENT COMMISSION) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY**

3RD READING

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 14-2023

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

1ST READING

Moved 2ND

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

RESOLUTION NO 22-2023

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO PURCHASE FIRE HYDRANTS AND THE
SUPPORTING EQUIPMENT FROM CORE & MAIN FOR
THE OPERATION OF THE SERVICE DEPARTMENT,
DIVISION OF WATER DISTRIBUTION AND DECLARING
AN EMERGENCY**

Moved 2ND

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

RESOLUTION NO 23-2023

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO PURCHASE A FORD F250 SUPER DUTY
PICK-UP TRUCK FROM DONLEY FORD OF SHELBY FOR
THE OPERATION OF THE SERVICE DEPARTMENT AND
DECLARING AN EMERGENCY**

Moved 2ND

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

RESOLUTION NO 24-2023

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE A 2023 FORD F450 4X4 CAB & CHASSIS TRUCK FROM DONLEY FORD OF SHELBY FOR THE OPERATION OF THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY

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

Miscellaneous Business

Adjournment at p.m.
Moved 2ND
Mr. McLaughlin Mr. Roub Mr. Roberts Mr. Gates Mr. Martin

1st Reading
4/21/2023

2nd Reading
4/17/2023

ORDINANCE NO. 12 -2023
(Sponsors: Councilmembers Roberts and Roub)

REPEALING CHAPTER 289 (FLOODPLAIN MANAGEMENT COMMISSION) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, on June 15, 2009, Shelby City Council passed Ordinance 20-2009, creating a Floodplain Management Commission and the powers and duties of said commission; and

WHEREAS, the Commission has fulfilled their duties by studying, investigating, consulting with experts, and presenting to Council meaningful data that will benefit our citizens for years to come; 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 289 (Floodplain Management Commission) of the Codified Ordinances be repealed.

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

Section 1: That Chapter 289 (Floodplain Management Commission) of the Codified Ordinances of the City of Shelby be repealed.

Section 2: That all meetings and hearings concerning the adoption of the Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code 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: _____

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. 14 -2023
(Sponsor: Councilmember Martin)

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

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, it is Council's responsibility to ensure that salaries and wages reflect adequately the value that its employees provide the city; and

WHEREAS, the Council has taken gross exception to the continued non-feasance taking place in the Clerk of Courts office with little oversight and accountability in spite of Council's repeated admonitions. As such, the current wages of that office are simply not justifiable to a Council that boasts good stewardship and a value-added mindset.

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 accurately reflect the value provided to the City of Shelby by the current Clerk of Courts.

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

Section 1: That, effective at the earliest time allowed by law, 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
---------------------	---------------------------

NON-CERTIFIED EMPLOYEE ANNUAL SALARY RANGE

Medical Director	\$5,000.00 - \$25,000.00
Clerk of Courts	\$1

OTHER NON-CERTIFIED EMPLOYEES
HOURLY WAGES SALARY RANGES

Deputy Director of Finance	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

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 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. 22-2023
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE FIRE HYDRANTS AND THE SUPPORTING EQUIPMENT FROM CORE & MAIN FOR THE OPERATION OF THE SERVICE DEPARTMENT, DIVISION OF WATER DISTRIBUTION AND DECLARING AN EMERGENCY.

WHEREAS, the Service Department, Division of Water Distribution is desirous of purchasing fire hydrants and the supporting equipment for the safety of the community; and

WHEREAS, six hydrants and the supporting equipment was purchased from Ferguson Waterworks at a cost of \$24,870.00; and

WHEREAS, the Service Department, Division of Water Distribution is seeking to purchase six hydrants from Core & Main at a cost of \$23,507.22; and

WHEREAS, the total cost for all of the hydrants is expected to be \$48,377.22; 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 fire hydrants and the supporting equipment from Core & Main.

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 up to six fire hydrants and the supporting equipment from Core & Main for the operation of the Service Department, Division of Water Distribution.

Section 2: That the expected cost for six fire hydrants from Core & Main is \$23,507.22.

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 due to supply chain disruptions that may affect the delivery of the said items and the possibility of price fluctuations in material costs, 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. 23 -2023
(Sponsor: Councilmember Martin)

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

WHEREAS, the Service Department has been desirous to purchase a 3/4-ton pick-up truck for their operation for the last two years; and

WHEREAS, the Service Department Superintendent and mechanics have declared their 1996 Dodge 1500 pick-up truck no longer mechanically fit for service duty and have idled the truck; and

WHEREAS, a limited stock, high demand and market volatility for 3/4-ton single cab 4x4 work trucks have made purchasing said type of truck extremely difficult; and

WHEREAS, Donley Ford of Shelby has a 2023 Ford F250 Super Duty 3/4-ton pick-up truck in stock and available for purchase; and

WHEREAS, it is deemed necessary and best to purchase the Ford F250 Super Duty 3/4-ton pick-up truck from Donley Ford of Shelby at this time for the operation of the Service Department; 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 2023 Ford F250 Super Duty 3/4-ton pick-up truck from Donley Ford 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 Mayor as Director of Public Service is hereby authorized to purchase a 2023 Ford F250 Super Duty 3/4-ton pick-up truck for the operation of the Service Department from Donley Ford of Shelby.

Section 2: That the purchase price for the Ford F250 Super Duty 3/4-ton pick-up truck is \$49,500.00.

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. 24 -2023
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE A 2023 FORD F450 4x4 CAB & CHASSIS TRUCK FROM DONLEY FORD OF SHELBY FOR THE OPERATION OF THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Service Department has been desirous to purchase a Ford F450 4x4 Cab & Chassis truck for their operation; and

WHEREAS, Resolution 42-2021 authorized the Mayor to advertise for bids for a One Ton 4500 Series Dump Truck; and

WHEREAS, no bids were submitted to the Mayor for the One Ton 4500 Series Dump Truck; and

WHEREAS, Resolution 58-2021 authorized the Mayor to purchase a 2022 Ford F450 4x4 Cab & Chassis truck from Donley Ford of Shelby; and

WHEREAS, the order for the 2022 Ford F450 4x4 Cab & Chassis truck was cancelled by the Ford Motor Company in October 2022; and

WHEREAS, a 2023 Ford F450 4x4 Cab & Chassis truck is now available for purchase from Donley Ford of Shelby; and

WHEREAS, with the high demand, volatility, and price increases for said trucks it is deemed necessary and best to purchase the Ford F450 4X4 Cab & Chassis truck at this time; 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 the 2023 Ford F450 4x4 Cab & Chassis truck from Donley Ford 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 Mayor as Director of Public Service is hereby authorized to purchase a 2023 model year Ford F450 4x4 Cab & Chassis truck for the operation of the Service Department.

Section 2: That the purchase price for the Ford F450 4x4 Cab & Chassis truck is \$60,045.00.

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