

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

**Shelby City Council Agenda
Monday, May 15, 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 May 1, 2023

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Finance & Personnel Committee—Councilmember Martin

**MOTION THAT THE COMBINED FINANCIAL STATEMENT AND THE
CASH/INVESTMENT RECONCILIATION STATEMENT BOTH DATED APRIL 30, 2023, BE
RECEIVED, PLACED ON FILE, AND POSTED TO THE CITY WEBSITE.**

Moved _____ 2ND _____

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

Utilities & Streets Committee—Councilmember Martin

Safety Committee—Councilmember Roberts

Committee of the Whole—Councilmember McLaughlin

Reports of City Officials
Steven L. Schag—Mayor
Proclamation

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business

Labor Consultants

Legislation

ORDINANCE NO 14-2023

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

2ND READING

Moved _____ 2ND _____

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

**ORDINANCE NO 15-2023 TRANSFERRING APPROPRIATIONS FOR THE YEAR 2023
AND DECLARING AN EMERGENCY**

Motion that the rule requiring that an ordinance be read on three separate occasions be suspended
Moved _____ 2ND _____
Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____

PASSAGE OF ORDINANCE

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

**ORDINANCE NO 16-2023 AMENDING ORDINANCE NO 9-2023 (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. Roub _____ Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____

PASSAGE OF ORDINANCE

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

**RESOLUTION NO 25-2023 AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO ENTER INTO AN AGREEMENT WITH THE
EDGE GROUP, INC. FOR ENGINEERING SERVICES AND
FINAL DESIGN FOR THE BLACK FORK COMMONS-
PHASE 3 PROJECT AND DECLARING AN EMERGENCY**

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

Miscellaneous Business

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

1st Reading
5/1/2023

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
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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
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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

ORDINANCE NO: 15 -2023
(Sponsors: Councilmembers Roberts & Martin)

TRANSFERRING APPROPRIATIONS FOR THE YEAR 2023 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2023 budget; and

WHEREAS, these transfers be made effective so as to balance the books for the calendar year 2023 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	101-MIS-531	Miscellaneous	\$ 20,500.00
TO	101-ECD-647	Blackfork Park	\$ 20,500.00

Section 2: That all other portions of Ordinance No. 9-2023, not modified herein, shall remain in full force and effect.

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

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

PASSED: _____

Steven 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. 16 - 2023
(Sponsors – Councilmembers Roberts & Martin)

**AMENDING ORDINANCE NO.: 9-2023 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 20, 2023, 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 2023 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 2023 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.: 9-2023 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURE

101-ECD-647 BLACKFORK PARK \$ 20,500.00

Section 2: That all other portions of Ordinance No.: 9-2023, 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 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. 25 -2023
(Sponsors: Councilmembers Gates, Martin and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE EDGE GROUP, INC. FOR ENGINEERING SERVICES AND FINAL DESIGN FOR THE BLACK FORK COMMONS- PHASE 3 PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, in order to proceed with the construction of the Black Fork Commons-Phase 3 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 The EDGE Group, Inc. for engineering services and final design of the Black Fork Commons-Phase 3 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: _____

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