

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

Shelby City Council Agenda
Monday, August 21, 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 August 7, 2023

Moved _____ 2ND _____

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

Public Comment

Bart Hamilton County Treasurer—Land Bank's activities

Reports from Standing and Special Committees

Finance & Personnel Committee—Councilmember Gates

**MOTION THAT THE COMBINED FINANCIAL STATEMENT AND THE
CASH/INVESTMENT RECONCILIATION STATEMENT BOTH DATED JULY 31, 2023, BE
RECEIVED, PLACED ON FILE, AND POSTED TO THE CITY WEBSITE.**

Moved _____ 2ND _____

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

Utility & Streets Committee—Councilmember Martin

AD Hoc Sidewalk Committee—Councilmember Martin

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

Rising flood risks threaten many water & sewage treatment plants across the US

Unfinished Business

Black Fork Ditch Petition—Bond Reimbursement

Legislation

ORDINANCE NO 23-2023

REPEALING CHAPTER 880 (EARNED INCOME TAX REGULATIONS EFFECTIVE THROUGH DECEMBER 31, 2015) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY

1ST READING

Moved _____ 2ND _____

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

RESOLUTION NO 38-2023

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE A 2023 FORD F250 SUPER DUTY 4X4 PICK-UP TRUCK FROM DONLEY FORD OF SHELBY FOR THE OPERATION OF THE DIVISION OF ELECTRICTY AND COMMUNICATIONS DEPARTMENT

Moved _____ 2ND _____

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

RESOLUTION NO 39-2023

DECLARING PROPERTY UNNEEDED, OBSOLETE OR UNFIT FOR MUNICIPAL USE AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OR HIS DESIGNEE TO SELL THE UNNEEDED, OBSOLETE OR UNFIT PROPERTY AND DECLARING AN EMERGENCY

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

RESOLUTION NO 40-2023

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO THE DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 23 -2023
(Sponsors – Councilmembers Gates & Martin)

REPEALING CHAPTER 880 (EARNED INCOME TAX REGULATIONS EFFECTIVE THROUGH DECEMBER 31, 2015) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, the Director of Finance and Public Record confirms that the City of Shelby no long collects city income tax under the provisions of Chapter 880 of the Codified Ordinances of 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 said chapter be repealed.

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

Section 1: That Chapter 880 (Earned Income Tax Regulations Effective Through December 31, 2015) of the Codified Ordinance of the City of Shelby shall be and is hereby repealed in its entirety.

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.

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. Eyster
Director of Law

RESOLUTION NO. 38 -2023
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PURCHASE A 2023 FORD F250 SUPER DUTY 4X4 PICK-UP TRUCK FROM DONLEY FORD OF SHELBY FOR THE OPERATION OF THE DIVISION OF ELECTRICITY AND COMMUNICATIONS DEPARTMENT.

WHEREAS, the Division of Electricity and Communications Department is desirous of purchasing a 3/4-ton pick-up truck for their operation; and

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

WHEREAS, Donley Ford of Shelby has a 2023 Ford F250 4 x 4 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 2023 Ford F250 Super Duty 3/4-ton pick-up truck from Donley Ford of Shelby at this time for the operation of the Division of Electricity and Communications Department; and

WHEREAS, a new 2023 Ford F250 4x4 Super Duty pick-up truck would replace a 2008 Dodge Ram 1500 4x4 pick-up truck with 176,550 miles; 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 4x4 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 MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Mayor as Director of Public Service is hereby authorized to purchase a 2023 Ford F250 4x4 Super Duty 3/4-ton pick-up truck for the operation of the Division of Electricity and Communications from Donley Ford of Shelby.

Section 2: That the purchase price for the 2023 Ford F250 4x4 Super Duty 3/4-ton pick-up truck is \$49,995.00.

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 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. 39-2023
(Sponsor: Councilmember Martin)

DECLARING PROPERTY UNNEEDED, OBSOLETE OR UNFIT FOR MUNICIPAL USE AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OR HIS DESIGNEE TO SELL THE UNNEEDED, OBSOLETE OR UNFIT PROPERTY AND DECLARING AN EMERGENCY.

WHEREAS, The City of Shelby, Division of Electricity and Communications owns property, which is deemed to be unneeded, obsolete, or unfit and is no longer needed for municipal use; and

WHEREAS, the unneeded, obsolete, or unfit property to be sold has a value of more than one thousand dollars; and

WHEREAS, Ohio Revised Code, Section 721.15, (Disposition of unneeded, obsolete, or unfit personal property) states that property with an estimated value of one thousand dollars or more shall 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 by public auction a 2008 Dodge Ram 4x4 ¾ ton pick-up truck and a Meyer Snow Plow Model LP-7.5 under the 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 TWO-THIRDS (2/3) 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 as unneeded, obsolete, or unfit a 2008 Dodge Ram ¾ ton 4x4 pick-up truck as identified by Vehicle Identification Number 3D7KS26D88G141260 and a Meyer Snow Plow Model LP-7.5.

Section 2: That the Director of Finance and Public Record shall deposit the proceeds from the sale of the property to the Electric 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 is hereby deemed to be an emergency so as to provide sufficient time for an auctioneer to categorize and list the said truck and snow plow in an upcoming online auction and, therefore, shall be in full force and effect from and after its passage, approved 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. 40-2023
(Sponsor: Councilmember Gates)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO THE DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby is in need of assistance with the collection of delinquent income tax debts; and

WHEREAS, the Ohio Attorney General provides this service at no cost to the municipality; 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 enters into the Delinquent Debt Collection Agreement between the Ohio Attorney General and City of Shelby, Ohio.

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 approves an agreement with the Ohio Attorney General for assistance in collecting delinquent income tax debts.

Section 2: That the Mayor as Director of Public Service shall be and is hereby authorized and directed to execute and file a delinquent debt collection agreement between the Ohio Attorney General and City of Shelby, Ohio and to provide all information and documentation required to become eligible for 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