

**3:30pm Community & Economic Development Committee**

**Shelby City Council Agenda**  
**Monday, February 1, 2016**  
**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 January 19, 2016**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**Public Comment**

**Reports from Standing and Special Committees**

Community & Economic Development Committee—Steve McLaughlin

Public Works & General Operation Committee—

**Reports of City Officials**

Steven L. Schag—Mayor

**STATE OF THE CITY**

Steven T. Lifer—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business  
Post-Audit Conference

Unfinished Business  
Mansfield Avenue Right of Way

Board of Review-Tax Ordinance

**Legislation**

**ORDINANCE NO 1-2016**

**ENACTING SECTION 222.02 (APPLICATION TO CITY  
PROPERTY BEYOND CITY LIMITS) OF CHAPTER 222  
(ORDINANCES AND RESOLUTIONS) OF THE CODIFIED  
ORDINANCES OF THE CITY OF SHELBY**

**3RD READING**

Moved        2<sup>ND</sup>         
Mr. McLaughlin        Mr. Roub        Mr. Roberts        Mr. Gates        Mr. Martin       

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>         
Mr. McLaughlin        Mr. Roub        Mr. Roberts        Mr. Gates        Mr. Martin       

**ORDINANCE NO 2-2016**

**ENACTING SECTION 234.09 (INSURANCE  
ADMINISTRATOR) OF CHAPTER 234 (DIRECTOR OF  
FINANCE AND PUBLIC RECORD) OF THE CODIFIED  
ORDINANCES OF THE CITY OF SHELBY**

**1ST READING**

Moved        2<sup>ND</sup>         
Mr. McLaughlin        Mr. Roub        Mr. Roberts        Mr. Gates        Mr. Martin

**ORDINANCE NO 3-2016**

**ENACTING SECTION 214.03 (DISHONORED CHECK CHARGE) OF CHAPTER 214 (CONTRACTS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**1ST READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**ORDINANCE NO 4-2016**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO CONTRACT FOR THE LEASE OF REAL ESTATE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE**

**1ST READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**RESOLUTION NO 8-2016**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE AMERICAN PUBLIC POWER ASSOCIATION (APPA) DEMONSTRATION OF ENERGY & EFFICIENCY DEVELOPMENTS (DEED) GRANT AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**Miscellaneous Business**

**Adjournment** at \_\_\_\_\_ p.m.

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

1st Reading  
1/4/2016  
2nd Reading  
1/19/2016

ORDINANCE NO. 1 -2016  
(Sponsor - Councilmember Gates)

**ENACTING SECTION 222.02 (APPLICATION TO CITY PROPERTY BEYOND CITY LIMITS) OF CHAPTER 222 (ORDINANCES AND RESOLUTIONS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS: It is in the interest of the public health, safety, morals, and general welfare of the City of Shelby that the Codified Ordinances of the City of Shelby apply to city-owned property beyond the city limits.

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

Section 1: That Section 220.02 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**222.02 APPLICATION TO CITY PROPERTY BEYOND CITY LIMITS.**

All ordinances and resolutions which have been or are hereafter passed by Council shall apply to all property owned by the City beyond the corporate limits, to the fullest extent allowed by law.

Section 2: That all other sections of Chapter 222 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 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

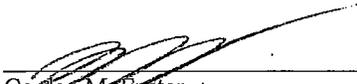
APPROVED:

ATTEST: \_\_\_\_\_

Steven T. Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law

ORDINANCE NO. 2 -2016  
(Sponsors – Councilmembers Gates and Martin)

ENACTING SECTION 234.09 (INSURANCE ADMINISTRATOR) OF CHAPTER 234  
(DIRECTOR OF FINANCE AND PUBLIC RECORD) OF THE CODIFIED  
ORDINANCES OF THE CITY OF SHELBY.

WHEREAS: Section 37 of the Charter of the City of Shelby states, in part, “The duties of the director of finance and public record shall include...such other duties as the council may require.”; and

WHEREAS: For many years, the Finance Director has administered the City’s insurance plans and policies despite having no specific statutory authority to do so; and

WHEREAS: It is in the interest of the public health, safety, morals, and general welfare of the City of Shelby that the Director of Finance and Public Record be designated as the City’s insurance administrator.

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

Section 1: That Section 234.09 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**234.09 INSURANCE ADMINISTRATOR.**

The Director of Finance and Public Record shall administer the City’s insurance plans and policies, including but not limited to health insurance, Worker’s Compensation, life insurance, property and casualty coverage, and liability insurance, subject to the oversight of Council.

Section 2: That all other sections of Chapter 234 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 Section 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby.

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: \_\_\_\_\_

\_\_\_\_\_  
Steven T. Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law

ORDINANCE NO. 3 -2016  
(Sponsors – Councilmembers Gates and Martin)

**ENACTING SECTION 214.03 (DISHONORED CHECK CHARGE) OF CHAPTER 214 (CONTRACTS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS: It is in the interest of the public health, safety, morals, and general welfare of the City of Shelby that a uniform charge be established for checks returned to the City for insufficient funds.

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

Section 1: That Section 214.03 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**214.03 DISHONORED CHECK CHARGE.**

Whenever the City accepts payment by check and the check is subsequently returned to the City by the customer's financial institution for lack of sufficient funds in the customer's account, the customer will be assessed a dishonored check charge of \$25.00 for each check returned. Said assessment shall be in addition to any other right or remedy provided for by law.

Section 2: That all other sections of Chapter 214 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 Section 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby.

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: \_\_\_\_\_

Steven T. Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Byster  
Director of Law

**ORDINANCE NO. 4-2016**  
**Sponsors: (Councilmember Gates)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO CONTRACT FOR THE LEASE OF REAL ESTATE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE.**

WHEREAS, the City of Shelby by and through its Council has the special power to lease its real estate when such real estate is no longer needed for any municipal purpose, and

WHEREAS, the City of Shelby has obtained parcels of land through the FEMA Mitigation Grants, and

WHEREAS, the Mayor acting as Director of Public Service has determined that said parcels are no longer needed for any municipal purpose, 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 parcels be leased by the City of Shelby.

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 following described real estate belonging to the City of Shelby is no longer needed for any municipal purpose, to wit:

#	ADDRESS	LOT	PARCEL ID	DISASTER DECLARATION
1	160 Leslie Lane	3405	0460814501000	1720.10R
2	158 Leslie Lane	3406	0460810208000	1720.10R
3	148 Leslie Lane	3411	0460802307000	1720.10R
4	144 Leslie Lane	3318	0460804105000	1720.10R
5	155 Leslie Lane	3419	0460816607000	1720.10R
6	153 Leslie Lane	3420	0460804813000	1720.10R
7	151 Leslie Lane	3421	0460814604000	1720.04R
8	149 Leslie Lane	3422	0460802513000	1720.10R
9	147 Leslie Lane	3423	0460819808000	1720.10R
10	145 Leslie Lane	3320	0460808018000	1720.10R
11	143 Leslie Lane	3319	0460807107000	1720.04R
12	149 N. Gamble Street	3737	0460822039000	1720.10R
13	147 N. Gamble Street	3736	0460822049000	RFC 08
14	145 N. Gamble Street	3735	0460822042000	1720.10R
15	143 N. Gamble Street	3734	0460822051000	1720.10R
16	139 N. Gamble Street	3732	0460822041000	1720.04R
17	137 N. Gamble Street	3731	0460822040000	1720.04R
18	32 Shelby Avenue	1708 &1707	0460817918000	1720.04R
19	35 Jeffery Avenue	892	0460814216000	1720.04R
20	26 Walnut Street	189	0460816404000	1720.04R
21	17 E. Whitney Avenue	242	0460817517000	1720.04R
22	19 E. Whitney Avenue	241	0460817516000	1720.04R
23	14 E. Whitney Avenue	246	0460810605000	1720.04R
24	29 Mohican Street	2724	0460811013000	1720.04R
25	33 Mohican Street	2722	0460818209000	1720.04R

Section 2: That the Mayor as Director of Public Service be and is hereby authorized to lease said real estate to the highest bidders according to law and further authorized to convey said real estate by lease agreement.

Section 3: That the City of Shelby shall reserve unto itself sufficient easements as may be required.

Section 4: That the Director of Finance and Public Record shall deposit the proceeds of the lease of said real estate described in Section 1 to the credit of the General Fund.

Section 5: That all lease agreements shall have the approval of the Federal Emergency Management Agency Region Five Regional Director.

Section 6: 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 7: 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: \_\_\_\_\_

Steven Lifer  
Clerk of Council

\_\_\_\_\_  
Steven Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law