

6:30pm Service & Development Committee

Shelby City Council Agenda
Monday, August 1, 2011
COUNCIL CHAMBERS
5 WATER STREET
Shelby, Ohio
7:00 p.m.

Call to Order and Pledge of Allegiance

Roll Call:

Mr. Shepherd _____ Mr. Shasky _____ Mr. Gates _____ Mr. Hoover _____ Mr. Schag _____

Dispense with Reading of Journal from July 18, 2011

Moved _____ 2ND _____

Mr. Shepherd _____ Mr. Shasky _____ Mr. Gates _____ Mr. Hoover _____ Mr. Schag _____

Public Comment

Bicycle Days Festival

Reports from Standing and Special Committees

Service & Development Committee—Harold Shasky

Reports of City Officials

Marilyn S. John—Mayor

Robert Lafferty—Director of Finance

R. Lee Shepherd—Law Director

Joe Gies—Project Coordinator

Aaron Wiegand—Community & Economic Development Coordinator

Unfinished Business

Mickey Road Sanitary Sewer

Railroad Grade Crossing Inspections

Declaring property a nuisance

Redraw of Ward Lines—ORC 731.06

New Business

Legislation

RESOLUTION NO 28-2011

DIRECTING THE RICHLAND COUNTY BOARD OF ELECTIONS TO CONDUCT AN ELECTION ON TUESDAY, NOVEMBER 8, 2011 WITH REGARDS TO WHETHER A ONE-QUARTER (1/4) PERCENT INCOME TAX FOR THE PURPOSE OF MAINTAINING STREETS, ALLEYS, AND SIDEWALKS WILL BE IMPOSED

Moved _____ 2ND _____
Mr. Shepherd _____ Mr. Shasky _____ Mr. Gates _____ Mr. Hoover _____ Mr. Schag _____

RESOLUTION NO 29-2011

DIRECTING THE RICHLAND COUNTY BOARD OF ELECTORS TO CONDUCT AN ELECTION TO DETERMINE WHETHER .9MILS SHALL BE LEVIED ON THE TAXABLE PROPERTY WITHIN THE CITY OF SHELBY FOR THE GENERAL OPERATION OF THE SHELBY DEPARTMENT OF HEALTH

Moved _____ 2ND _____
Mr. Shepherd _____ Mr. Shasky _____ Mr. Gates _____ Mr. Hoover _____ Mr. Schag _____

Miscellaneous business

Date to visit Council Chambers in Willard and Ontario

Adjournment at _____ p.m.

Moved _____ 2ND _____
Mr. Shepherd _____ Mr. Shasky _____ Mr. Gates _____ Mr. Hoover _____ Mr. Schag _____

RESOLUTION NO. 28-2011
(Sponsor – Councilmember Schag)

DIRECTING THE RICHLAND COUNTY BOARD OF ELECTIONS TO CONDUCT AN ELECTION ON TUESDAY, NOVEMBER 8, 2011 WITH REGARDS TO WHETHER A ONE-QUARTER (1/4) PERCENT INCOME TAX FOR THE PURPOSE OF MAINTAINING STREETS, ALLEYS, AND SIDEWALKS WILL BE IMPOSED.

WHEREAS, Ohio Revised Code §718 01 requires that municipal income tax rates in excess of one percent (1%) will be approved by the electors of the Municipality at a general, primary, or special election, and

WHEREAS, by Amended Ordinance No. 17-2011 (passed July 5, 2011) the Shelby City Council determined to submit to the electors the question whether a one-quarter (1/4) percent income tax would be imposed for street rehabilitation and repair, alley rehabilitation and repair, catch basin repair and replacement (97%) and sidewalk replacement (3%) for a period of five (5) years commencing on January 1, 2012 and ending on December 31, 2016, and

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

Section 1: That pursuant to the provisions of Section 718 01 of the Ohio Revised Code, the Richland County Board of Elections is hereby directed and ordered to submit to the electors of the City of Shelby, Ohio a general election to be held on Tuesday, November 8, 2011 the question of whether the City shall continue to levy a one-quarter (1/4) percent income tax upon income taxable by the City of Shelby for the benefit of the citizens of the City of Shelby for the specific purpose of street rehabilitation and repair, alley rehabilitation and repair, catch basin repair and replacement (97%) and sidewalk replacement (3%) for a period of five (5) years commencing January 1, 2012 and ending on December 31, 2016

Section 2: That the balance shall be substantially in the following form:

PROPOSED MUNICIPAL INCOME TAX (RENEWAL)

CITY OF SHELBY

A Majority Affirmative Vote is Necessary for Passage

Shall the Ordinance providing for the continuation/renewal of a one-quarter (1/4) percent levy on income for a period of five (5) years, commencing on January 1, 2012 and ending on December 31, 2016, for street rehabilitation and repair, alley rehabilitation and repair, catch basin repair and replacement (97%) and sidewalk replacement (3%) be passed?

FOR THE INCOME TAX
AGAINST THE INCOME TAX

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

Resolution No 28-2011
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PASSED: _____

Steven L. Schag
Vice President of Council

APPROVED:

ATTEST: _____
Robert A. Lafferty
Clerk of Council

Marilyn S. John
Mayor

Prepared by:

R. Lee Shepherd
Director of Law

7/27/2011U:\PDS Client Documents\Shelby, City of\2011 Resolutions\Reso November election for income tax increase.doc

RESOLUTION NO. 29-2011
(Sponsor -- Councilmember Schag)

DIRECTING THE RICHLAND COUNTY BOARD OF ELECTORS TO CONDUCT AN ELECTION TO DETERMINE WHETHER .9MILS SHALL BE LEVIED ON THE TAXABLE PROPERTY WITHIN THE CITY OF SHELBY FOR THE GENERAL OPERATION OF THE SHELBY DEPARTMENT OF HEALTH.

WHEREAS, by Resolution No. 23-2011 (passed July 5, 2011) the Shelby City Council determined and declared that the amount of taxes to be raised at the maximum rate allowed by law without a vote of the electors would be insufficient for the general operation of the Shelby Department of Health, and

WHEREAS, by said same Resolution the Shelby City Council determined that a rate of .9mils on each dollar of valuation of the taxable property within the City should be raised in order to operate the Shelby Department of Health, and

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

Section 1: The Richland County Board of Elections is hereby directed to place upon the general election ballot of November 8, 2011 the question of whether .9mils on each dollar of taxable value of taxable property within the City of Shelby, Ohio shall be levied and raised for the general operation of the Shelby Department of Health.

Section 2: That the ballot shall be substantially in the following form:

PROPOSED REAL ESTATE TAX (RENEWAL)

CITY OF SHELBY

A Majority Affirmative Vote is Necessary for Passage.

Shall a levy of .9mils on each dollar of valuation of the taxable property within the City of Shelby, Ohio be levied for the general operation of the Shelby Department of Health for the years 2012, 2013, 2014, 2015 and 2016?

FOR THE REAL PROPERTY TAX
AGAINST THE REAL PROPERTY TAX

Section 5: 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 6: 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 L. Schag
Vice President of Council

APPROVED:

ATTEST: _____

Robert A. Lafferty
Clerk of Council

Marilyn S. John
Mayor

Prepared by:

R. Lee Shepherd
Director of Law