

6:30pm Finance Committee

**Shelby City Council Agenda**  
**Monday, December 19, 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 December 5, 2011**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**Public Comment**

**Reports from Standing and Special Committees**

Finance Committee—Steve Schag

Utility Committee—Garland John Gates

**Reports of City Officials**

Marilyn S. John—Mayor

**MOTION TO CONFIRM THE APPOINTMENT OF JACKIE WASILEWSKI AS THE CITY'S  
REPRESENTATIVE TO THE OHIO DISTRICT 5 AREA AGENCY ON AGING, INC**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

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  
Suggested Realignment of Council Committees

**New Business**

**Legislation**

**SUBSTITUTE ORDINANCE NO 29-2011**

**AMENDING SECTION 1060.02 (PLACING  
GARBAGE AT STREET FOR COLLECTION;  
TIME LIMIT) OF CHAPTER 1060 (GARBAGE  
AND RUBBISH COLLECTION AND  
DISPOSAL) OF THE CODIFIED ORDINANCES  
OF THE CITY OF SHELBY**

**3RD READING**

Moved        2<sup>ND</sup>         
Mr. Shepheid        Mr. Shasky        Mr. Gates        Mr. Hoover        Mr. Schag       

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>         
Mr. Shepheid        Mr. Shasky        Mr. Gates        Mr. Hoover        Mr. Schag       

**ORDINANCE NO 40-2011 AMENDING SECTION 276.04 (FEES) OF CHAPTER 276  
(DIVISION OF HEALTH) OF THE CODIFIED ORDINANCES OF  
THE CITY OF SHELBY**

**3RD READING**

Moved        2<sup>ND</sup>         
Mr. Shepherd        Mr. Shasky        Mr. Gates        Mr. Hoover        Mr. Schag       

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>         
Mr. Shepherd        Mr. Shasky        Mr. Gates        Mr. Hoover        Mr. Schag       

**ORDINANCE NO 42-2011 AMENDING SECTION 1470.06 (DEMOLITION PERMIT) OF  
CHAPTER 1470 (DEMOLITION OF STRUCTURES) OF THE  
CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**2ND READING**

Moved        2<sup>ND</sup>         
Mr. Shepheid        Mr. Shasky        Mr. Gates        Mr. Hoover        Mr. Schag

Suggested Realignment of Council Committees

|                                      |   |  |   |  |   |
|--------------------------------------|---|--|---|--|---|
| Name:                                | Finance & Personnel   | Community & Economic Development   | Utilities & Streets   | Safety   | Public Works & General Operations   |
| Responsibilities:                    | Appropriations<br>Audits<br>Budget<br>Civil service<br>Collective bargaining<br>Depository agreements<br>Employees' bonds<br>Indebtedness<br>Insurance<br>Investments<br>Revenues<br>Staffing<br>Taxation<br>Workers compensation | Annexations<br>Community Housing Improvement Program (CHIP)<br>Community Improvement Corp. (CIC)<br>Downtown revitalization<br>Enterprise zones<br>Fair housing<br>Historic preservation<br>Job expansion & retention<br>Marketing<br>Regional planning<br>Strategic planning<br>Transportation issues | Alleys<br>Dedications & vacations<br>Electric distribution<br>Investor-owned utilities<br>Power purchases<br>Reservoirs<br>Utility billing<br>Street maintenance & resurfacing<br>Wastewater collection & treatment<br>Water treatment & distribution | Building codes<br>Emergency management<br>Fire department<br>Fire protection contracts<br>Health department<br>Jail<br>Liquor permits<br>Mutual aid<br>Nuisance abatement<br>Nursing contract<br>Police department<br>Volunteer Firefighters Dependents Fund Board (VFDFB) | Buildings, grounds, & real property<br>Charter<br>Engineering<br>External property maintenance<br>Floodplain management<br>Law department<br>Municipal court<br>Parks<br>Sidewalks<br>Stormwater management<br>Subdivisions<br>Zoning |
| Principle administrative liaison(s): | Director of Finance & Public Record   | Community & Economic Development Coordinator   | Deputy Director of Public Service   | Fire Chief<br>Police Chief<br>Health Commissioner  | Project Coordinator   |

St Reading  
11/21/2011  
And Reading  
12/5/2011

**SUBSTITUTE ORDINANCE NO. 29-2011**  
(Sponsor – Councilmembers Shasky, Schag, Hoover)

**AMENDING SECTION 1060.02 (PLACING GARBAGE AT STREET FOR COLLECTION; TIME LIMIT) OF CHAPTER 1060 (GARBAGE AND RUBBISH COLLECTION AND DISPOSAL) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, identity theft and the problems associated therewith has increased throughout the nation over the past several years, and

WHEREAS, identity thieves often go through refuse, garbage, and/or trash in an attempt to gather information and/or steal identities, 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 Section 1060.02 (Placing Garbage at Street for Collection; Time Limit) of Chapter 1060 (Garbage and Rubbish Collections and Disposal) of the Codified Ordinances of the City of Shelby be amended in an attempt to discourage and or punish identity thieves who engage in the aforesaid conduct, and

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

Section 1: That Section 1060.02 (Placing Garbage at Street for Collection; Time Limit) of the Codified Ordinances of the City of Shelby to be amended to read as follows:

**SECTION 1060.02 GARBAGE AND RUBBISH COLLECTION AND DISPOSAL**

- (a) No person, owner or occupant of land in the city shall place, for a period exceeding 24 hours, any trash, garbage, refuse or tree or shrub trimmings upon any right of way of the city, or any part thereof, including any tree lawn. The trash, garbage, refuse and tree or shrub trimmings shall be placed in a closed and secured container.
- (b) For the purpose of this section, a 24-hour period shall commence upon the placement of any article of trash, or garbage, refuse or tree or shrub trimmings within the areas set forth in division (a) hereof.
- (c) The culpability required for a violation of this section shall be one of recklessness as defined in §606 08 of these Codified Ordinances
- (d) Failure of the sanitation hauler to timely collect any trash, garbage, refuse or tree or shrub trimmings shall not be a defense to a violation of this section
- (e) No person (except law enforcement) without permission of said resident shall at any time go through or rummage through any person(s) trash, refuse or garbage left at the curb for removal.

Section 2: That all other sections and provisions contained within Chapter 1060 (Garbage and Rubbish Collection and Disposal) 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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

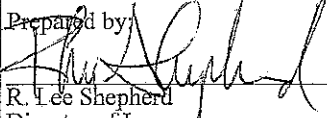
PASSED: \_\_\_\_\_

\_\_\_\_\_  
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

# Reading  
11/21/2011  
nd Reading  
12/15/2011

ORDINANCE NO. 40-2011  
(Sponsor - Councilmember Gates)

AMENDING SECTION 276.04 (FEES) OF CHAPTER 276 (DIVISION OF HEALTH) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, The schedule of fees associated with and administered by the Division of Health was last revised and/or amended by Ordinance 53-2005 in November of 2005, and

WHEREAS, In order for the Division of Health to become compliant with State rules, regulations, and recommendations, it is necessary that said fees be amended, 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 Section 276.04 (Fees) of Chapter 276 (Division of Health) be amended so as to bring the Shelby Division of Health into compliance with State regulations, and

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

Section 1: That Section 276 04 (Fees) of Chapter 276 (Division of Health) of the Codified Ordinances of the City of Shelby be amended to read as follows:

§ 276.04 Fees

The following fees are hereby adopted for the Division of Health:

| Food Service/ Retail Food Establishment License Fees |  |                                |
|--|--|--------------------------------|
| Level  | Business Under 25,000 Sq. Ft.            | Business Over 25,000 Sq. Ft.   |
| Level 1  | \$60 + \$28 State Fee = \$88             | \$60 + \$28 State Fee = \$88   |
| Level 2  | \$110 + \$28 State Fee = \$138           | \$110 + \$28 State Fee = \$138 |
| Level 3  | \$120 + \$28 State Fee = \$148           | \$120 + \$28 State Fee = \$148 |
| Level 4  | \$140 + \$28 State Fee = \$168           | \$140 + \$28 State Fee = \$168 |
| Vending  | \$14 + \$6 State Fee = \$20 per location |                                |
| Mobile Food Service                                  | \$71 + \$28 State Fee = \$99 per unit    |                                |
| Temporary Food Service                               | \$35 per event up to five days           |                                |

| Retail Tattoo License Fees |                  |           |           |
|----------------------------|------------------|-----------|-----------|
| Service                    | Local Fee        | State Fee | Total Fee |
| Tattooing & Body Piercing  | \$75             | \$0       | \$75      |
| Temporary Time-limited     | \$75             | \$0       | \$75      |
| Late Fee                   | 25% of local fee | \$0       |           |

| Sewage Permit/License Fees |                               |                              |
|----------------------------|-------------------------------|------------------------------|
| Level                      | Business Under 25,000 Sq. Ft. | Business Over 25,000 Sq. Ft. |
| Sewage permit              |                               | \$50                         |
| Repair                     |                               | \$50                         |
| Installation               |                               | \$50                         |
| Site evaluation            |                               | \$0                          |

| Water/Well License/Permit Fees      |                  |           |      |           |
|-------------------------------------|------------------|-----------|------|-----------|
| Type                                | Local Fee        | State Fee | ODNR | Total Fee |
| <b>Single Family Dwelling</b>       |                  |           |      |           |
| Well Permit                         | \$50             | \$74      | \$20 | \$144     |
| Cistern Permit                      | \$50             | \$74      | \$0  | \$124     |
| HWST* Permit                        | \$50             | \$74      | \$0  | \$124     |
| Spring Permit                       | \$50             | \$74      | \$0  | \$124     |
| Pond Permit                         | \$50             | \$74      | \$0  | \$124     |
| Well Conversion Permit              | \$50             | \$74      | \$0  | \$124     |
| Alteration Permit                   | \$50             | \$0       | \$0  | \$50      |
| Well Sealing Permit                 | \$10             | \$0       | \$0  | \$10      |
| <b>Non-Single Family Dwelling</b>   |                  |           |      |           |
| Well Permit                         | \$50             | \$74      | \$20 | \$144     |
| Cistern Permit                      | \$50             | \$74      | \$0  | \$124     |
| HWST* Permit                        | \$50             | \$74      | \$0  | \$124     |
| Spring Permit                       | \$50             | \$74      | \$0  | \$124     |
| Well Conversion Permit              | \$50             | \$74      | \$0  | \$124     |
| Alteration Permit                   | \$50             | \$0       | \$0  | \$50      |
| Well Sealing Permit                 | \$10             | \$0       | \$0  | \$10      |
| <b>Other Fees</b>                   |                  |           |      |           |
| Test Well Permit                    | \$50             | \$74      | \$20 | \$144     |
| Contractor Inspection               | \$50             | \$0       | \$0  | \$50      |
| Water Sample                        | \$50             | \$0       | \$0  | \$50      |
| Water Hauler                        |                  |           |      |           |
| Registration and Vehicle Inspection | \$50             | \$0       | \$0  | \$50      |
| Variance                            | \$50             | \$0       | \$0  | \$50      |
| Late Fee                            | 25% of Local Fee |           |      |           |

\*HWST = Hauled Water Storage Tank

| Pool Permit/ License Fee               |                  |                        |                           |   |
|--|------------------|------------------------|---------------------------|---|
| Type                                   | Local Fee        | State Fee              | Total Fee                 |   |
| Public Pool<br>Spa<br>Special Use Pool | \$122            | \$72-2011<br>\$80-2012 | \$194-2011<br>\$202-2012* | *The state fee for 2012 is in the current state rule. |
| Additional Pool                        | \$22             | \$47-2011<br>\$55-2012 | \$69-2011<br>\$77-2012    |   |
| Government Pool                        | \$122            | \$72-2011<br>\$80-2012 | \$194-2011<br>\$202-2012* | *The state fee for 2012 is in the current state rule. |
| Late Fee                               | 25% of local fee | \$0                    |                           |   |
| License Transfer                       | Optional         | \$0                    |                           |   |

| Mobile/Manufactured Home Park Permit/License Fees |                  |           |       |
|---|------------------|-----------|-------|
| Type  | Local Fee        | State Fee | Total |
| Each lot 51 and over                              | \$3              | \$0       | \$3   |
| MHP: 0-49 lots                                    | \$75             | \$79      | \$154 |
| MHP: 50 lots and over                             | \$75             | \$132     | \$207 |
| Late Fee  | 25% of local fee |           |       |

| Birth and Death Certificates |           |
|------------------------------|-----------|
| Death Certificates           | \$25 each |
| Birth Certificates           | \$25 each |

Section 2: All remaining sections of Chapter 276 (Division of Health) 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 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

St Recording  
12/5/2011

ORDINANCE NO. 42-2011  
(Sponsors - Councilmembers Hoover, Schag and Shasky)

AMENDING SECTION 1470.06 (DEMOLITION PERMIT) OF CHAPTER 1470 (DEMOLITION OF STRUCTURES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, Chapter 1470 of the Codified Ordinances of the City of Shelby provides guidelines for the efficient, safe and timely removal of structures, 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 that Chapter 1470 of the Codified Ordinances of the City of Shelby be amended in order to provide a more equitable method of collection fees for demolitions , and

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

Section 1: That Section 1470.06 (Demolition Permit) of Chapter 1470 (Demolition of Structures) be amended to read as follows:

**1470.06(c) PLAN CHECKING AND FIELD INSPECTION FEES**

(1) The fees for a demolition permit shall be at the rate of ten dollars (\$10.00) for residential and fifty dollars (\$50.00) for commercial per structure for a four week period. Beyond the four-week period there shall be an additional charge of ten dollars (\$10.00) for each week until the final inspection certificate can be issued as required by Section 1470.09.

Section 2: That all remaining sections of Chapter 1470 (Demolition of Structures) 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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: \_\_\_\_\_

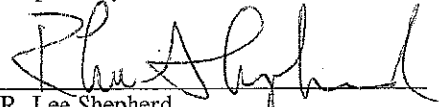
\_\_\_\_\_  
Steven L. Schag  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Robert A. Lafferty  
Clerk of Council

\_\_\_\_\_  
Marilyn S. John  
Mayor

Prepared by:

  
R. Lee Shepherd  
Director of Law

ORDINANCE NO. 44-2011  
(Sponsor - Councilmember Schag)

TRANSFERRING APPROPRIATIONS FOR THE YEAR 2011 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2011 budget, 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 transfers be made effective so as to balance the books for the calendar year 2011, and so as to fund necessary expenditures and/or projects, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR 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-FIR-418 | HOSPITALIZATION | \$15,000.00 |
| TO   | 101-FIR-400 | WAGES           | \$15,000.00 |
| FROM | 101-POL-418 | HOSPITALIZATION | \$6,000.00  |
| TO   | 101-POL-484 | FUEL            | \$6,000.00  |
| FROM | 500-MFG-420 | W/C             | \$5,000.00  |
| TO   | 500-MFG-400 | WAGES           | \$5,000.00  |
| FROM | 600-MFG-421 | UNEMPLOYMENT    | \$7,500.00  |
| TO   | 600-MFG-400 | WAGES           | \$7,500.00  |
| FROM | 600-DIS-418 | HOSPITALIZATION | \$5,000.00  |
| TO   | 600-DIS-421 | UNEMPLOYMENT    | \$5,000.00  |

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, Ohio.

Section 3: 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 L. Schag  
Vice President of Council

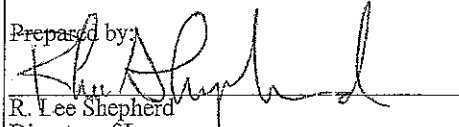
APPROVED:

ATTESI: \_\_\_\_\_

Robert A. Lafferty  
Clerk of Council

\_\_\_\_\_  
Marilyn S. John  
Mayor

Prepared by:

  
R. Lee Shepherd  
Director of Law

ORDINANCE NO. 45-2011  
(Sponsor - Councilmember Schag)

**CREATING TEMPORARY APPROPRIATIONS FOR THE YEAR 2012, AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code §5705.38 requires that "the taxing authority of each subdivision or other taxing unit shall pass an appropriation measure . . . no later than the first day of April of the current year";

WHEREAS, so as to provide funding for the operation of the city government prior to the passage of the final appropriations, it is necessary to create temporary appropriations; 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 Temporary Appropriation Ordinance be adopted as prepared so as to provide for the efficient operation of the City government and in anticipation of the creation and passage of the final appropriation ordinance no later than the first day of April 2012.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That temporary appropriations are hereby made and authorized for the year 2012, the same to be in full force and effect from and after approval, as and for the temporary general appropriations for the City of Shelby for the year 2012

Section 2: That City Council does hereby temporarily appropriate, for the year 2012, the following sums, to wit:

|                                     | ACCT.<br>NO. | APPROPRIATION<br>EXPENSE |
|-------------------------------------|--------------|--------------------------|
| <b>GENERAL FUND</b>                 | 101          | \$1,250,000.00           |
| <b><u>SPECIAL FUNDS</u></b>         |              |                          |
| Street                              | 200          | \$125,000.00             |
| State Highway                       | 205          | 9,000.00                 |
| Street Sales Tax                    | 210          | 40,000.00                |
| Income Tax                          | 220          | 750,000.00               |
| Health                              | 225          | 75,000.00                |
| Park                                | 230          | 120,000.00               |
| Playscape Trust                     | 231          | \$ 0.00                  |
| Rehab Escrow CDBG                   | 232          | 0.00                     |
| Court Probation                     | 233          | 10,000.00                |
| BMV Reimbursement                   | 234          | 1,000.00                 |
| Law Enforcement Trust               | 235          | 0.00                     |
| Court IDAT                          | 236          | 3,500.00                 |
| Court Enforce. & Education          | 237          | 700.00                   |
| Dare                                | 238          | 0.00                     |
| Unclaimed Monies                    | 240          | 0.00                     |
| Court IDAM                          | 242          | 2,500.00                 |
| CDBG General                        | 250          | 198,981.00               |
| Home Program                        | 251          | 355,400.00               |
| City Admin. & Bldg                  | 650          | 24,000.00                |
| Police Pension                      | 700          | 55,000.00                |
| Fire Pension                        | 701          | 55,000.00                |
| Shade Tree Trust                    | 705          | 1,500.00                 |
| FEMA                                | 815          | 45,000.00                |
| Bicentennial Trust                  | 800          | 0.00                     |
| <b>Total Special Revenue Funds</b>  |              | <b>\$1,871,581.00</b>    |
| <b><u>DEBT SERVICE FUNDS</u></b>    |              |                          |
| Special Bond                        | 275          | \$90,000.00              |
| General Bond SSE                    | 281          | 30,000.00                |
| Light Debt Reserve                  | 602          | 5,000.00                 |
| <b>Total Debt Service</b>           |              | <b>\$125,000.00</b>      |
| <b><u>CAPITAL PROJECT FUNDS</u></b> |              |                          |
| Court Computer                      | 239          | \$20,000.00              |
| Police Computer                     | 241          | 2,000.00                 |
| Capital Improvement                 | 300          | 120,000.00               |
| Shelby Reservoir                    | 301          | 1,000.00                 |
| Sewer Construction                  | 302          | 0.00                     |
| San/Storm/Sewer - Equipment         | 303          | 0.00                     |
| Fox Run Seven                       | 324          | 0.00                     |
| Court Capital Improvement           | 304          | 10,000.00                |

Ordinance No. \_\_\_\_\_

Page 2

|                                 |     |                        |
|---------------------------------|-----|------------------------|
| Water Facilities 69%            | 350 | 0.00                   |
| Bridges & Streets 29%           | 351 | 0.00                   |
| Sidewalks 2%                    | 352 | 4,500.00               |
| Street, Alleys Catch Basin Fund | 353 | 50,000.00              |
| Police/Court Construction       | 354 | 2,156,236.00           |
| Police Equipment                | 702 | 16,000.00              |
| Fire Equipment                  | 703 | 75,000.00              |
| <b>Total Capital Projects</b>   |     | <b>\$ 2,454,736.00</b> |

**ENTERPRISE FUNDS**

|                                  |     |                        |
|----------------------------------|-----|------------------------|
| Sewer                            | 400 | \$ 250,000.00          |
| San. Sewer Capital Improvements  | 401 | 156,000.00             |
| Waste Water Capital Improvements | 402 | 100,000.00             |
| Water                            | 500 | 375,000.00             |
| Water Facilities                 | 501 | 125,000.00             |
| Sewer Improvement Fund           | 502 | 100,000.00             |
| Electric                         | 600 | 3,750,000.00           |
| <b>Total Enterprise Funds</b>    |     | <b>\$ 4,856,000.00</b> |

**INTERNAL SERVICE FUND**

|                                     |     |                      |
|-------------------------------------|-----|----------------------|
| Hospitalization                     | 715 | \$ 425,000.00        |
| <b>Total Internal Service Funds</b> |     | <b>\$ 425,000.00</b> |

**PERMANENT FUND**

|                              |     |                 |
|------------------------------|-----|-----------------|
| Mini Park Trust              | 710 | \$500.00        |
| <b>Total Permanent Funds</b> |     | <b>\$500.00</b> |

**AGENCY FUND**

|                           |     |                    |
|---------------------------|-----|--------------------|
| Light Customer Deposit    | 601 | \$25,000.00        |
| Sharing Fund              | 706 | 10,000.00          |
| <b>Total Agency Funds</b> |     | <b>\$35,000.00</b> |

**TOTAL APPROPRIATIONS ALL FUNDS \$11,017,817.00**

Section 3: That the Director of Finance and Public Record is hereby authorized to draw warrants on the City Treasury for the amounts appropriate in this Ordinance whenever claims are presented, properly approved by the head of the department, for which the indebtedness was incurred

Section 4: 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 6: That this Ordinance is hereby deemed to be an emergency so as to meet the ongoing contractual obligation of the City of Shelby, Ohio, and, therefore, shall be in full force and effect from the after its passage, approval by the Mayor, and the earliest period

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven L. Schag  
Vice President of Council

APPROVED:

ATTESI: \_\_\_\_\_

Robert A. Lafferty  
Director of Finance

Marilyn S. John  
Mayor

Prepared by:

\_\_\_\_\_  
R. Lee Shepherd  
Director of Law

ORDINANCE NO. 46-2011  
(Sponsor - Councilmember Schag)

AMENDING ORDINANCE NO. 5-2011 (ANNUAL APPROPRIATIONS), AND  
DECLARING AN EMERGENCY.

WHEREAS, on March 23, 2011, the Council of the City of Shelby passed its Annual Appropriation Ordinance as required by the Ohio Revised Code Section 5705.38;

WHEREAS, it is necessary to decrease line items within the 2011 budget; 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 decreases in appropriations be made effective so as to balance the books for the calendar year 2011, and so as to fund necessary expenditures and/or projects, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That Ordinance No 5-2011 (Annual Appropriations) is hereby amended as a decrease as follows:

|             |                  |              |
|-------------|------------------|--------------|
| 220-IRS-447 | CAP IMPROV       | \$50,000.00  |
| 200-IRS-446 | STREETS          | \$10,000.00  |
| 200-CIT-506 | REFUND           | \$15,000.00  |
| 230-CAP-647 | BLACKFORK PARK   | \$400,000.00 |
| 230-CAP-587 | SELTZER PARK     | \$50,000.00  |
| 232-CBG-536 | CONSTRUCTION     | \$10,000.00  |
| 250-CBG-531 | MISC             | \$1,000.00   |
| 250-CBG-579 | HOME REPAIR      | \$125,490.04 |
| 250-CBG-621 | GENERAL ADMIN    | \$35,000.00  |
| 251-HPM-536 | CONSTRUCTION     | \$20,000.00  |
| 251-HPM-578 | PRIVATE REHAB    | \$294,389.00 |
| 251-HPM-621 | GENERAL ADMIN    | \$31,566.00  |
| 650-CAB-507 | MAIN BLDG        | \$20,000.00  |
| 815-FEM-635 | IN KIND          | \$15,000.00  |
| 815-FEM-637 | CENTRAL PARK     | \$18,000.00  |
| 815-FEM-638 | SUB DAMAGED 1720 | \$58,000.00  |
| 815-FEM-642 | DAMAGED 1720     | \$60,000.00  |
| 815-FEM-644 | DEMO DT 1720     | \$30,000.00  |

Section 2: That all other portions of Ordinance No 5-2011 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 L. Schag  
Vice President of Council

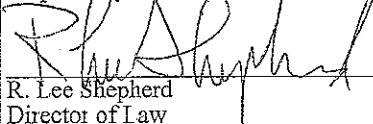
APPROVED:

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

Robert A. Lafferty  
Clerk of Council

Marilyn S. John  
Mayor

Prepared by:

  
R. Lee Shepherd  
Director of Law

RESOLUTION NO. 51-2011  
(Sponsors - Councilmembers Gates and Hoover)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH SHELBY HOME & PUBLIC HEALTH FOR PUBLIC HEALTH SERVICES FOR THE CITIZENS OF THE CITY OF SHELBY, OHIO FOR THE CALENDAR YEAR 2012**

WHEREAS, THE City of Shelby has proposed a contractual agreement with Shelby Home & Public Health for the provision of essential public health nursing services to and for the citizens of the City of Shelby, Ohio, and

WHEREAS, Shelby Home & Public Health has provided said services in the past to and for the citizens of the City of Shelby and has performed its contractual obligations in a professional manner and in accordance with the terms and conditions of previous contracts; 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 a contract with the Shelby Home & Public Health for public health services for the citizens of the City of Shelby, Ohio for the calendar year 2012.

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

Section 1: That the Mayor as Director of Public Services is hereby authorized to enter into a contract with Shelby Home & Public Health for public health services for the citizens of the City of Shelby, Ohio for the calendar year 2012.

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 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

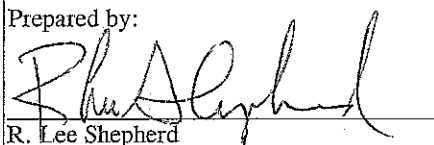
APPROVED:

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

Robert A. Lafferty  
Clerk of Council

\_\_\_\_\_  
Marilyn S. John  
Mayor

Prepared by:

  
\_\_\_\_\_  
R. Lee Shepherd  
Director of Law