

4:00 pm Finance Committee

Shelby City Council Agenda
Tuesday January 17, 2012
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 January 2, 2012

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Finance Committee—Dave Hoover

Reports of City Officials

Marilyn S. John—Mayor

COUNCIL COMMITTEE APPOINTMENTS

MOTION TO CONFIRM THE APPOINTMENTS OF DON SHEPHERD AND HAROLD SHASKY TO THE VOLUNTEER FIRE FIGHTERS DEPENDENTS FUND FOR THE 2012 YEAR

Moved _____ 2ND _____

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

MOTION TO CONFIRM THE FOLLOWING TO THE BUILDING AND GROUNDS COMMISSION: GERALD GARVERICK, AND DARRELL SECREST

Moved _____ 2ND _____

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

MOTION TO CONFIRM THE FOLLOWING TO THE FLOOD PLAIN MANAGEMENT COMMISSION: ERIC BARKDULL, CLAYTON DAVIS, THOMAS DEPLER, AND HARVEY TRAXLER

Moved _____ 2ND _____

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

MOTION TO CONFIRM THE FOLLOWING TO THE SHADE TREE COMMISSION: MARY ANN HAWK AND SUSANN HENKEL

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

Robert Lafferty—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

Aaron Wiegand—Community & Economic Development Coordinator

New Business

Unfinished Business

Mickey Road Sanitary Sewer
Suggested Realignment of Council Committees

Legislation

RESOLUTION NO 1-2012 THANKING R. LEE SHEPHERD FOR HIS MANY YEARS OF SERVICE AS DIRECTOR OF LAW OF THE CITY OF SHELBY

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

RESOLUTION NO 2-2012 AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT CHANGE ORDER WITH BUCKEYE EXCAVATING AND CONSTRUCTION, INC FOR THE TUBY RUN TRUNK SEWER REPLACEMENT PROJECT IN THE AMOUNT OF TWENTY FOUR THOUSAND FOUR HUNDRED TWENTY-FOUR DOLLARS AND 00/100 (\$24,424.00) AS AN INCREASE.

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

Miscellaneous business

A MOTION BY _____, SECONDED BY _____ TO MOVE INTO EXECUTIVE SESSION FOR THE FOLLOWING PURPOSE:

CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC BODY CONCERNING DISPUTES INVOLVING THE PUBLIC BODY THAT ARE THE SUBJECT OF PENDING OR IMMINENT COURT ACTION

A MOTION BY _____, SECONDED BY _____ TO MOVE OUT OF EXECUTIVE SESSION

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

RESOLUTION NO. 1-2012
(Sponsors - Councilmembers Gates, Shasky, Hoover, Schag, and Shepherd)

**THANKING R. LEE SHEPHERD FOR HIS MANY YEARS OF SERVICE AS
DIRECTOR OF LAW OF THE CITY OF SHELBY.**

WHEREAS: R. Lee Shepherd served for twenty-six years as Director of Law of the City of Shelby from January 1, 1982, through January 1, 1990, and from January 1, 1994 through January 1, 2012;

WHEREAS: During Mr. Shepherd's long tenure as Director of Law, he served collegially with eight mayors, three finance directors, two municipal court judges, and numerous City Council members;

WHEREAS: On two separate, lengthy occasions, Mr. Shepherd served honorably and capably as Acting Mayor in addition to his duties as Director of Law;

WHEREAS: As the legal advisor of and attorney and counsel for the City, its officers, and its departments, Mr. Shepherd always and without fail served this community with high competence, exemplary conduct, and personal integrity; and

WHEREAS: The Council desires to thank Mr. Shepherd for his dedicated service;

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

Section 1: That the Council express both its sincere thanks and deepest appreciation to R. Lee Shepherd for his many years of service as Director of Law of the City of Shelby;

Section 2: That the Clerk of Council present Mr. Shepherd an authenticated copy of this Resolution;

Section 3: That the Clerk of Council cause this Resolution to be published once in a newspaper of general circulation published within the city limits;

Section 4: 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; and

Section 5: 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:

Gordon M. Eyster
Director of Law

RESOLUTION NO 2-2012
(Sponsor- Councilmember Schag)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT CHANGE ORDER WITH BUCKEYE EXCAVATING AND CONSTRUCTION, INC. FOR THE TUBY RUN TRUNK SEWER REPLACEMENT PROJECT IN THE AMOUNT OF TWENTY FOUR THOUSAND FOUR HUNDRED TWENTY-FOUR DOLLARS AND 00/100 (\$24,424.00) AS AN INCREASE.

WHEREAS, The City of Shelby has entered into a contract with the Buckeye Excavating and Construction, Inc. to replace a trunk sewer and said contract provides for a written change order, and

WHEREAS, it has become necessary to make additions to the Tuby Run Trunk Sewer Replacement Project and adjust the contract as detailed in the attached Change Order #3, 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 this change order be approved.

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 Serve shall be and is hereby authorized to enter into a Contract Change Order #3 with the Buckeye Excavating and Construction, Inc. for the total amount of Twenty Four Thousand, Four Hundred Twenty-four and 04/100 Dollars as an increase.

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 Schag
Vice President of Council
APPROVED:

ATTEST: _____
Robert A. Lafferty
Clerk of Council
Marilyn S. John
Mayor

Prepared by: _____
Gordon Eyster
Director of Law