

6:30pm Finance Committee  
6:30pm Public Hearing

**Shelby City Council Agenda**  
**Monday, September 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 September 6, 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

**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  
Smiley Avenue Bridge

**New Business**

**Legislation**

**ORDINANCE NO 23-2011**

**AMENDING THE ZONING ORDINANCE  
(ORDINANCE NUMBER 1-91, PART 12, TITLE 6) OF  
THE CODIFIED ORDINANCE OF THE CITY OF  
SHELBY, OHIO TO CHANGE PERMANENT  
PARCEL NUMBERS ON MACK AVENUE, PARK  
AVENUE AND HIGH SCHOOL AVENUE WHICH  
ARE DESIGNATED AT I-2 (HEAVY INDUSTRIAL  
AND MANUFACTURING DISTRICT) TO B-2  
(CENTRAL BUSINESS DISTRICT)**

**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 26-2011**

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

**Motion that the rules requiring that an ordinance be read on three separate occasions be suspended  
and declare an emergency**

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 \_\_\_\_\_

1st Reading  
8/15/2011  
2nd Reading  
9/16/2011

ORDINANCE NO. 23-2011  
(Sponsor - Councilmember Shasky)

AMENDING THE ZONING ORDINANCE (ORDINANCE NUMBER 1-91, PART 12, TITLE 6) OF THE CODIFIED ORDINANCE OF THE CITY OF SHELBY, OHIO TO CHANGE PERMANENT PARCEL NUMBERS ON MACK AVENUE, PARK AVENUE AND HIGH SCHOOL AVENUE WHICH ARE DESIGNATED AS I-2 (HEAVY INDUSTRIAL AND MANUFACTURING DISTRICT) TO B-2 (CENTRAL BUSINESS DISTRICT).

WHEREAS, by authority of Codified Ordinances 1260.05, the Council of the City of Shelby has determined that certain permanent parcel numbers on Mack Avenue, Park Avenue and High School Avenue as located within an I-2 (Heavy Industrial and Manufacturing District) should be zoned as B-2 (Central Business District) property, and

WHEREAS, the Planning Commission of the City of Shelby has reviewed the proposed amendment and has approved of same on August 2, 2011, and

WHEREAS, in accordance with Codified Ordinance 1260.05 the Council of the City of Shelby has determined that said amendment to the Zoning Ordinance is necessary, and

WHEREAS, in accordance with mandates of the Zoning Ordinance for the City of Shelby, a public hearing shall be held concerning this proposed amendment, 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 Ordinance number 1-91, Part 12, Title 6 be amended and that certain Richland County permanent parcel numbers on Mack Avenue, Park Avenue and High School Avenue be rezoned, and

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

Section 1: That the zoning map attached to Ordinance Number 1-91 as passed on March 4, 1991 (with amendments) is hereby revised and amended by changing the following Richland County Permanent Parcel Numbers 0460815915000, 0460815913000, 0460818611000, 0460818614000, 0460818613000, 0460806407000, 0460818612000, 0460815914000, 0460815917000 and 0490818610000 from I-2 (Heavy Industrial and Manufacturing District) to B-2 (Central Business District).

Section 2: That the Clerk of Council and the Chairman of the Shelby Planning Commission are directed to make the necessary changes on the original zoning map of the City of Shelby, Ohio

Section 3: That all other zones and designations currently on said map are to remain in full force and effect

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 5: 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: \_\_\_\_\_

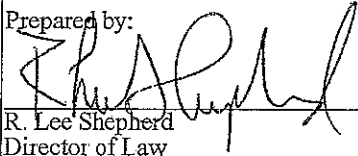
\_\_\_\_\_  
Steven L. Schag  
Vice President of Council

APPROVED:

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

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

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

Prepared by:  
  
\_\_\_\_\_  
R. Lee Shepherd  
Director of Law

ORDINANCE NO. 26-2011  
(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 additional 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 so as to reduce the balances as contained within the herein below listed funds as follows:

FROM	101-IRS-462	MISC	\$15,000.00
FROM	101-IRS-457	CITY ADMIN	\$4,500.00
TO	101-MIS-506	REFUNDS	\$19,500.00

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

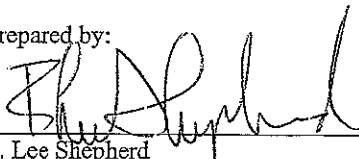
APPROVED:

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

Robert A. Lafferty  
Director of Finance

Marilyn S. John  
Mayor

Prepared by:

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

ORDINANCE NO. 27-2011  
(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 increase line items within the 2011 budget and to fund said line items with previously unappropriated monies; 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 additional 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 follows:

354-PCC-480	LEGAL ADVERTISING	\$500.00
354-PCC-492	ADMIN COSTS	\$1,500.00
354-PCC-500	ENGINEERING	\$575,000.00
354-PCC-531	MISC	\$1,500.00
354-PCC-536	CONSTRUCTION	\$4,250,000.00
354-PCC-601	INSPECTION FEES	\$5,000.00

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

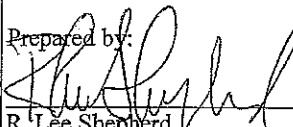
APPROVED:

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

Robert A. Lafferty  
Director of Finance

Marilyn S. John  
Mayor

Prepared by:

  
R. Lee Shepherd  
Director of Law

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

**DECREASING APPROPRIATIONS FOR THE YEAR 2011 AND DECLARING AN EMERGENCY.**

WHEREAS, it is necessary to decrease line items 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 decreases 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, IHEREFORE, 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 decreases:

101-IRS-451	TRANSFERS-STREET FUND	\$10,000 00
101-IRS-452	TRANSFERS-POLICE PENSION FUND	\$5,000 00
101-IRS-453	TRANSFERS-FIRE PENSION FUND	\$10,000 00
101-IRS-457	TRANSFERS-CITY ADMIN	\$10,000 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

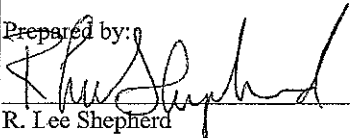
APPROVED:

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

Robert A. Lafferty  
Clerk of Council

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

Prepared by: \_\_\_\_\_

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

ORDINANCE NO. 29-2011  
(Sponsor - Councilmember Shasky)

**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 three 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 with out 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: \_\_\_\_\_

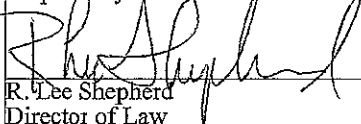
\_\_\_\_\_  
Steven L. Schag  
Vice President of Council

APPROVED:

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

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

Prepared by:

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

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL )  
Revised Code Secs. 5705 34-5705 35

RESOLUTION NO. 38-2011

The Council of the City of Shelby, Richland

County, Ohio, met in Regular session on September 19, 2011  
(Regular Or Special)

at the office of Shelby City Council with the following members present:

~~Mr / Mrs~~ Steven Schag, Councilperson at Large  
~~Mr / Mrs~~ Don Shepherd, First Ward  
~~Mr / Mrs~~ Harold Shasky, Second Ward  
~~Mr / Mrs~~ Garland John Gates, Third Ward  
~~Mr / Mrs~~ David Hoover, Fourth Ward  
  
~~Mr / Mrs~~  
~~Mr / Mrs~~

~~Mr / Mrs~~ Steve Schag moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted

a Tax Budget for the next succeeding fiscal year commencing January 1st, 2012; and  
Year

WHEREAS, The Budget Commission of Richland County, Ohio, has  
certified its action thereon to this Council together with an estimate by the County Auditor of the rate  
of each tax necessary to be levied by this Council, and what part thereof is without, and what part within,  
the ten mill tax limitation, therefore, be it

RESOLVED, By the Council of the City of Shelby  
Richland County, Ohio, that the amounts and rates, as determined by the

Budget Commission in its certification, be and the same are hereby accepted, and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate  
of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A  
 SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET  
 COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to Be Derived from Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column I	Column II	III	IV
General Fund	\$254,600.00		2.00	
Police Pension	\$41,526.87		0.30	
Fire Pension	\$41,526.87		0.30	
Park Fund		\$180,700.00		1.50
Health Fund		\$215,200.00		1.90
<b>TOTAL</b>	<b>\$337,653.74</b>	<b>\$395,900.00</b>	<b>2.60</b>	<b>3.40</b>

**SCHEDULE B  
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est of Yield of Levy (Carry to Schedule A, Column II)
<p><b>GENERAL FUND:</b></p> <p>Current Expense Levy authorized by voters on for not to exceed years.</p> <p><b>SPECIAL LEVY FUNDS:</b></p> <p>Park Fund Levy authorized by voters on November 6, 2007 for not to exceed 5 years. TY 07-11</p> <p>Park Fund Levy authorized by voters on November 2, 2010 for not to exceed 5 years. TY <del>07-11</del> <b>11-15</b></p> <p>Health Fund Levy authorized by voters on May 8, 2007 for not to exceed 5 years. TY 07-11</p> <p>Health Fund Levy authorized by voters on November 3, 2009 for not to exceed 5 years. TY 10-14</p> <p>Levy authorized by voters on for not to exceed years. TY</p>	<p>0.50</p> <p>1.00</p> <p>0.90</p> <p>1.00</p>	<p>\$180,700.00</p> <p>\$215,200.00</p>

and be it further

*RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.*

*Mr. /Mrs. \_\_\_\_\_ seconded the Resolution and the roll being*

*called upon its adoption the vote resulted as follows:*

- Mr. /Mrs. \_\_\_\_\_*
- Mr. /Mrs. \_\_\_\_\_*
- Mr. /Mrs. \_\_\_\_\_*
- Mr. /Mrs. \_\_\_\_\_*
- Mr. /Mrs. \_\_\_\_\_*
- Mr. /Mrs. \_\_\_\_\_*
- Mr. /Mrs. \_\_\_\_\_*

*Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2011*

*Attest: \_\_\_\_\_ Clerk of Council*

*President of Council*

CERTIFICATE OF COPY  
ORIGINAL ON FILE

The State of Ohio, Richland County, ss

I, \_\_\_\_\_, Clerk of the Council of  
City of Shelby \_\_\_\_\_, in said County, and in whose custody the Files  
and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby  
certify that the foregoing is taken and copied from the original

now on file with said Board, that the foregoing has been compared by me with said original document,  
and that the same is a true and correct copy thereof.

WITNESS my signature, this \_\_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
Clerk of Council

City of Shelby of Richland County, Ohio

A copy of this resolution must be certified to the County Auditor within the time prescribed by O.R.C. Sec. 5705.84, or at such a later date as may be approved by the Board of Tax Appeals

No. _____
_____ (CITY COUNCIL )
City of Shelby Richland County, Ohio
_____ RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
_____ (CITY COUNCIL )
Adopted _____, 2011
_____ Clerk of Council
_____ Filed _____, 20 ____ County Auditor
By _____ Deputy.

RESOLUTION NO. 39-2011  
(Sponsor – Councilmembers Schag and Shepherd)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR A PUMPER TRUCK.**

WHEREAS, the Federal Emergency Management Agency administers financial assistance for fire department purposes through the Assistance to Firefighters Grant Program, and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Assistance to Firefighters Grant Program to purchase a Pumper Truck, 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 Safety of the City of Shelby apply for an Assistance to Firefighters Grant, and

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

Section 1: That the Council of the City of Shelby approves an application for financial assistance for a Pumper Truck.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Federal Emergency Management Agency and to provide all information and documentation required to become eligible for possible funding assistance

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Assistance to Firefighters Grant

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, Ohio.

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

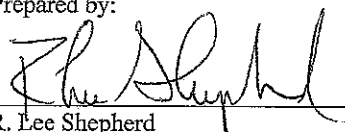
APPROVED:

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

Robert A. Lafferty  
Clerk of Council

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

Prepared by:

  
\_\_\_\_\_  
R. Lee Shepherd

Director of Law

RESOLUTION NO. 40-2011  
(Sponsor – Councilmembers Schag and Shepherd)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR A ZODIAC RESCUE BOAT, WATER RESCUE EQUIPMENT AND TRAINING.**

WHEREAS, the Federal Emergency Management Agency administers financial assistance for fire department purposes through the Assistance to Firefighters Grant Program, and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Assistance to Firefighters Grant Program to purchase a Zodiac rescue boat, water rescue equipment and training, 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 Safety of the City of Shelby apply for an Assistance to Firefighters Grant, and

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

Section 1: That they City of Shelby Council approves an application for financial assistance for a Zodiac Rescue Boat, water rescue equipment and training

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Federal Emergency Management Agency and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Assistance to Firefighters Grant

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, Ohio.

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

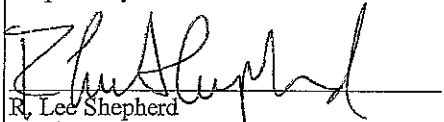
APPROVED:

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

Robert A. Lafferty  
Clerk of Council

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

Prepared by:

  
R. Lee Shepherd  
Director of Law

RESOLUTION NO. 41-2011  
(Sponsor - Councilmember Shasky)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE FEMA-HMGP-DR-1720.1-OH HOUSE DEMOLITION PROJECT, WITHIN THE CITY OF SHELBY, OHIO.

WHEREAS, the City of Shelby has received funds for a Hazard Mitigation Grant Program (HMGP) through the Federal Emergency Management Agency and the State of Ohio Emergency Management Agency for the acquisition and demolition of nine houses located in a special flood hazard area, and

WHEREAS, the City of Shelby has acquired nine properties with the FEMA-HMGP-DR-1720.1-OH Grant located at, 154 Leslie Lane, 156 Leslie Lane, 158 Leslie Lane, 161 Leslie Lane, 150 Leslie Lane, 160 Leslie Lane, 11 Maple Avenue and 152 Leslie Lane, utilizing HMGP Funding, and

WHEREAS, the City of Shelby is continuing negotiations with property owners and intends to purchase property located at 143 N. Gamble St., and

WHEREAS, the City of Shelby is desirous to demolish the houses located on said properties utilizing HMGP Funding, and

WHEREAS, plans and specifications have been completed for the FEMA-HMGP-DR-1720.1-OH House Demolition Project, 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 houses be demolished, and

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

Section 1: That the plans and specifications for the FEMA-HMGP-DR-1720.1-OH House Demolition Project in the City of Shelby are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said project.

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 L. Schag  
Vice President of Council

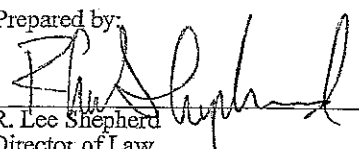
APPROVED:

ATTEST:

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

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

Prepared by:

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