

**6:59pm-The Lord's Prayer & Moment of Silence**

**Shelby City Council Agenda**  
**Monday, May 17, 2021**  
**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 May 3, 2021**

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

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

**Public Comment**

Janice Warner-President & CEO of Community Action Commission of Erie, Huron & Richland County

**Reports from Standing and Special Committees**

Finance & Personnel Committee—Councilman Gates

Utilities & Streets Committee—Councilman Martin

Safety Committee—Councilman Roberts

**Reports of City Officials**

Steven L. Schag—Mayor

**Proclamation**

**Page 2**  
**City Council**  
**Monday, May 17, 2021**

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**  
Shelby City Planning Commission letter

**Unfinished Business**  
Future Use of Main Street Fire Station—ORC Section 721.01—Future letter in regard to real estate as needed or not needed for any municipal purpose

Charter centennial timeline

McBride Park Baseball Field

Health Department/State Budget

Legislation

**ORDINANCE NO 14-2021**

**AUTHORIZING THE DIRECTOR OF FINANCE TO LEVY ASSESSMENTS FOR THE IMPROVEMENT OF A PORTION OF WEST MAIN STREET WITH A SANITARY SEWER AND ITS APPURTENANCES**

**1ST READING**

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

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

**RESOLUTION NO 28-2021**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION (ODOT) RELATING TO A LOCAL PUBLIC AGENCY (LPA) FEDERAL LOCAL-LET PROGRAM FUNDING IN THE AMOUNT NOT TO EXCEED ONE MILLION NINETY-NINE THOUSAND FOUR HUNDRED NINETY-TWO DOLLARS AND 04/100 CENTS (\$1,099,492.04) OR 90% OF THE ELIGIBLE COSTS RELATING TO THE DOWNTOWN ENHANCEMENT PROJECT (RIC-PID 111240) AND DECLARING AN EMERGENCY**

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

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

**RESOLUTION NO 29-2021**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXECUTE AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE BLACK FORK COMMONS PLAZA PROJECT**

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

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

Miscellaneous Business

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

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

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

**ORDINANCE NO. 14-2021**  
**(Sponsor- Councilmember Gates)**

**AUTHORIZING THE DIRECTOR OF FINANCE TO LEVY ASSESSMENTS FOR THE IMPROVEMENT OF A PORTION OF WEST MAIN STREET WITH A SANITARY SEWER AND ITS APPURTENANCES.**

WHEREAS, this Council did on March 19, 2018 (Resolution No. 18-2018) duly adopt a resolution declaring the necessity of the improvements noted therein and hereinafter described; and

WHEREAS, the Board of Revision of Assessments has held meetings and conducted hearings concerning said improvements and has considered claims and objections thereto associated with the character of the improvements, the necessity thereof, and the equity of the assessments as provided in the assessment report; and

WHEREAS, the Board of Revision of Assessments has reported its findings to the Council of the City of Shelby; and

WHEREAS, this Council did on September 4, 2018 (Ordinance No. 19-2018) duly adopt an ordinance authorizing the Mayor as Director of Public Service to advertise for bids and enter into a contract for said project; and

WHEREAS, all of the work has been completed on said 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 the Director of Finance be authorized to levy assessments for these improvements.

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

Section 1: That the assessment of the cost of the improvement of a portion of West Main Street with a sanitary sewer and appurtenances as heretofore reported to this Council and now on file in the office of the Clerk and aggregating in the amount of Three Hundred Sixty Thousand Eight Hundred Fifteen and 28/100 Dollars (\$360,815.28) be, and the same is hereby adopted and confirmed.

Section 2: That there be and is hereby levied and assessed upon the lots and lands bounding and abutting upon said improvement the amount set forth below.

<u>Richland County Parcel ID No.</u>	<u>Assessment</u>
0460819818000	\$15,033.97
0460819512000	\$15,033.97
0460820218000	\$15,033.97
0460819608000	\$15,033.97
0460804308000	\$15,033.97
0460806810000	\$15,033.97
0460819614000	\$15,033.97
0460819614001	\$15,033.97
0460816417000	\$15,033.97
0460802308000	\$15,033.97
0460810210000	\$15,033.97
0460820215002	\$15,033.97
0460815310000	\$15,033.97
0460815511002	\$15,033.97
0460815511001	\$15,033.97

0460815512002	\$15,033.97
0460821911000	\$15,033.97
0460813001000	\$15,033.97
0460822012000	\$15,033.97
0460815401000	\$15,033.97
0460802617000	\$15,033.97
0460806214000	\$15,033.97
0460804118000	\$15,033.97
0460813614000	\$15,033.97

Said special assessments upon said properties deemed to be benefited by the public improvement have been assessed herein in proportion to the benefits which may result from the improvement.

Section 3: That it is hereby determined that the assessments hereinbefore referred to are in the same proportion to the estimated assessments as the actual cost of said improvement bears to the estimated cost of said improvement upon which assessments are based.

Section 4: That the total assessment against each lot and parcel of the land shall be payable in cash to the Treasurer of said City within thirty (30) days after passage of this Ordinance, or at the option of the property owner assessed, in twenty (20) semi-annual installments with interest at the same rate as is borne by the securities issued or the loan or loans incurred by the City in anticipation of the collection of such assessments. All assessments and installments thereof which have not been paid at the expiration of said 30-day period shall be certified by the Clerk of Council to the Richland County Auditor to be placed by him on the tax duplicate and collected at the same time in the same manner as other taxes are collected, as provided by law.

Section 5: That the Clerk of this Council shall be and is hereby authorized and directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in said City as required by law.

Section 6: That the Clerk of this Council shall be and is hereby authorized and directed to keep said assessments on file in his office for so long as any of them remain unpaid.

Section 7: That the Clerk of this Council be and is hereby authorized and directed to cause notice of the levy of the assessments herein provided for to be filed with the Richland County Auditor within twenty (20) days after the passage of this Ordinance.

Section 8: 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 9: 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: \_\_\_\_\_

Brian A. Crum  
Clerk of Council

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

Prepared by:

  
Gordon M. Eyster  
Director of Law

**RESOLUTION NO. 28 -2021**  
**(Sponsor: Councilmember Martin)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION (ODOT) RELATING TO A LOCAL PUBLIC AGENCY (LPA) FEDERAL LOCAL-LET PROGRAM FUNDING IN THE AMOUNT NOT TO EXCEED ONE MILLION NINETY-NINE THOUSAND FOUR HUNDRED NINETY-TWO DOLLARS AND 04/100 CENTS (\$1,099,492.04) OR 90% OF THE ELIGIBLE COSTS RELATING TO THE DOWNTOWN ENHANCEMENT PROJECT (RIC-PID 111240) AND DECLARING AN EMERGENCY**

WHEREAS, the City of Shelby has been awarded federal highway dollars for the reconstruction for a Downtown Enhancement Project; and

WHEREAS, the Council of the City of Shelby previously passed Resolution No. 6-2020 authorizing the Mayor as Director of Public Service to enter into an agreement with the Ohio Department of Transportation for the Downtown Enhancement Project; and

WHEREAS, changes in funding and costs for the project necessitates a modification to said agreement; 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 modification agreement.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized and directed to enter into a modification agreement with the State of Ohio, Department of Transportation (ODOT) relating to LPA Federal Local-Let Project program funding in an amount not to exceed One Million Ninety-Nine Thousand Four Hundred Ninety-Two Dollars and 04/100 Cents (\$1,099,492.04) or 90% of the eligible project costs for the Downtown Enhancement Project (PID 111240) which agreement shall be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

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 is hereby deemed to be an emergency 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 McLaughlin  
Vice President of Council

APPROVED:

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

Brian Crum  
Clerk of Council

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



Prepared by:

---

Gordon M. Eyster  
Director of Law

RESOLUTION NO. 29 -2021  
(Sponsor-Councilmember Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXECUTE AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE BLACK FORK COMMONS PLAZA PROJECT.**

WHEREAS, the City of Shelby has been awarded funds from the Ohio Department of Natural Resources for the Black Fork Commons Plaza Project; and

WHEREAS, said funding requires an agreement between the Ohio Department of Natural Resources and the City of Shelby.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized and directed to execute an agreement with the Ohio Department of Natural Resources for the Black Fork Commons Plaza Project.

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 be the Mayor, and the earliest period allowed by law.

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

\_\_\_\_\_  
Steve McLaughlin  
Vice President of Council

APPROVED:

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

Brian Crum  
Clerk of Council

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

Prepared by:

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