

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

**Shelby City Council Agenda
Monday, May 3, 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 April 19, 2021

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

Public Comment

Reports from Standing and Special Committees

Community & Economic Development Committee—Councilman McLaughlin

Public Works & General Operation Committee—Councilman Roub

Reports of City Officials

Steven L. Schag—Mayor

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

**MOTION TO REQUEST A LIQUOR HEARING FOR LIQUOR PERMIT ESTABLISHMENTS
WITHIN THE CITY OF SHELBY**

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

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

Exterior Property Maintenance—59 West Main Street

Charter centennial timeline

McBride Park Baseball Field

Health Department/State Budget

Legislation

ORDINANCE NO 10-2021

**AMENDING CHAPTER 1476 (PROJECTIONS INTO PUBLIC
WAYS AND GROUNDS) SECTION 1476.01 (PROJECTIONS
PROHIBITED) OF THE CODIFIED ORDINANCES OF THE
CITY OF SHELBY, OHIO**

3RD READING

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

ORDINANCE NO 11-2021

**AMENDING CHAPTER 1050 (ELECTRICITY) SECTION
1050.02 (RATES AND CHARGES FOR SERVICE), (b) (1)
(GENERATION CHARGE) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY, OHIO**

3RD READING

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

ORDINANCE NO 12-2021

**AMENDING ORDINANCE NO 8-2021 (ANNUAL
APPROPRIATIONS) AND DECLARING AN EMERGENCY**

Motion that the rule requiring that an ordinance be read on three separate occasions be suspended

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

ORDINANCE NO 13-2021

**AMENDING SECTION 1490.14 (YARD AREA
MAINTENANCE) OF CHAPTER 1490 (EXTERNAL
PROPERTY MAINTENANCE) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY**

1ST READING

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

RESOLUTION NO 22-2021

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO SUBMIT A NOMINATION FORM FOR
PRINCIPAL FORGIVENESS FROM THE DIVISION OF
ENVIRONMENTAL AND FINANCIAL ASSISTANCE,
OFFICE OF FINANCIAL ASSISTANCE, OF THE OHIO
ENVIRONMENTAL PROTECTION AGENCY FOR THE
REPLACEMENT OF LEAD SERVICE LINES AND
DECLARING AN EMERGENCY**

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

RESOLUTION NO 23-2021

**DECLARING THE AMOUNT OF TAXES THAT MAY BE
RAISED BY LEVY AT THE MAXIMUM RATE
AUTHORIZED BY LAW WITHOUT A VOTE OF THE
ELECTORS TO BE INSUFFICIENT AND DECLARING THE
NECESSITY OF A LEVY IN EXCESS OF SUCH RATE FOR
THE GENERAL OPERATION OF THE SHELBY
DEPARTMENT OF HEALTH IN ACCORDANCE WITH
OHIO REVISED CODE SECTIONS 5705.19, 5705.191 AND
5705.26**

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

RESOLUTION NO 24-2021

**APPROVING WEED ASSESSMENTS AS ISSUED BY THE
DIRECTOR OF PUBLIC SERVICE**

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

RESOLUTION NO 25-2021

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO ENTER INTO AN AGREEMENT BETWEEN
THE COMMUNITY IMPROVEMENT CORPORATION OF
SHELBY, OHIO (CIC) FOR THE BLACK FORK
COMMONS- PHASE 2 PROJECT AND DECLARING AN
EMERGENCY**

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

RESOLUTION 26-2021

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO ENTER INTO AN AGREEMENT WITH THE
EDGE GROUP, INC. FOR ENGINEERING SERVICES AND
FINAL DESIGN FOR THE BLACK FORK COMMONS-
PHASE 2 PROJECT AND DECLARING AN EMERGENCY**

Moved _____ 2ND _____
Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

RESOLUTION NO 27-2021

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO ACQUIRE TITLE TO A CERTAIN PARCEL
OF REAL ESTATE OWNED BY WILLIAM D. AND ESTHER
M. LOVE OF SHELBY, OHIO, AND DECLARING AN
EMERGENCY**

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____

Mr. Roberts _____ Mr. Gates _____ Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____

1st Reading
4/5/2021

2nd Reading
4/19/2021

ORDINANCE NO. 10 -2021
(Sponsors: Councilmembers Roberts and Roub)

**AMENDING CHAPTER 1476 (PROJECTIONS INTO PUBLIC WAYS AND GROUNDS)
SECTION 1476.01 (PROJECTIONS PROHIBITED) OF THE CODIFIED ORDINANCES
OF THE CITY OF SHELBY, OHIO.**

WHEREAS, on May 7, 2012, the Council of the City of Shelby passed Ordinance 4-2012 amending the City Sign Ordinance; and

WHEREAS, the passage of said Ordinance affected Section 1476.01; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that Chapter 1476 (PROJECTIONS INTO PUBLIC WAYS) be amended.

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

Section 1: That Section 1476.01 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1476.01 PROJECTIONS PROHIBITED

Except as otherwise provided in 1480.17, no person shall erect or cause to be erected, or permit to remain standing, any house, building, wall, fence or other permanent structure, in such manner that any part thereof stands or projects over or beyond the line of any lot or parcel of land into any street, alley, sidewalk or public ground of the city, unless specially authorized by resolution of Council.

Section 2: That all other Sections of Chapter 1476 of the Codified Ordinances of the City of Shelby 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 McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

1st Reading
4/5/2021

2nd Reading
4/19/2021

ORDINANCE NO: 11 -2021
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1050 (ELECTRICITY) SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (b) (1) (GENERATION CHARGE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (b) (1) (Generation Charge) to decrease the charge from \$0.0045 kWh to \$0.0040 kWh; 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 Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (b) (1) (Generation Charge) be amended and/or modified.

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

Section 1: That Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (b) (1) (Generation Charge) be amended to read as follows:

(b) Generation Charges, Fuel and Purchased Power, and Transition Cost Rider.

The Generation Charge, Fuel and Purchase Power Charge, and the Transition Cost Rider shall be applied to the A, A-D, B, C and D Schedules. The rate design of the generation charge and fuel and purchase power charge may be changed from time to time as approved by Council.

(1) Generation Charge. The generation charge shall be \$0.0040 kWh

Section 2: That all other language in Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service) of the Codified Ordinances of the City of Shelby 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 D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

ORDINANCE NO. 12 - 2021
(Sponsors – Councilmembers Gates, Martin, Roub and McLaughlin)

**AMENDING ORDINANCE NO.: 8-2021 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 15, 2021, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to increase a line item within the 2021 budget and to fund said line item 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 2021 and so as to fund necessary expenditure and/or projects.

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

Section 1: The Ordinance No.: 8-2021 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

101-FIR-486	MAINTENANCE EQUIPMENT	\$ 7,000.00
200-STR-499	SALT	\$ 15,000.00
210-SST-499	SALT	\$ 20,000.00
354-DBT-504	BOND PAYMENT	\$ 200,000.00
354-DBT-505	INTEREST EXPENSE	\$ 8,000.00
502-WCI-536	CONSTRUCTION	\$ 312,000.00

Section 2: That all other portions of Ordinance No.: 8-2021, not modified expressly herein, 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 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

ORDINANCE NO. 13 -2021
(Sponsor – Councilmember Gates)

AMENDING SECTION 1490.14 (YARD AREA MAINTENANCE) OF CHAPTER 1490 (EXTERNAL PROPERTY MAINTENANCE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, the storage of trash containers in front yards is a blight; 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 1490.14 of the Codified Ordinances of the City of Shelby be amended to eliminate said blight.

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

Section 1: That Section 1490.14 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1490.14 YARD AREA MAINTENANCE.

(a) *Refuse.*

(1) No furniture, mattresses, household furnishings, rugs, appliances, dilapidated automobiles or automobile parts shall be placed or stored in any yard area contiguous to any structure within the city over a period in excess of 24 hours; provided, however, that those of the items are set forth herein which are usually and ordinarily placed for refuse hauling may be so placed for a period of time not to exceed the next regularly scheduled refuse hauling date.

(2) Exterior property areas of all premises shall be kept free of debris, objects, materials or conditions that, in the opinion of the Mayor and/or his or her designee, create a health, accident or fire hazard, are a public nuisance or constitute a blighting or deteriorating influence on the neighborhood. Broken glass, stumps, filth, garbage, trash and debris shall not be permitted on any property.

(3) No refuse or trash container used to contain, store, or transport objects or materials shall be kept in a front yard [as defined by Section 1260.09(b)(82)A.] for a period in excess of 24 hours; provided, however, that a temporary dumpster used in connection with construction shall be exempted.

Section 2: That all other sections of Chapter 1490 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.

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 D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian A. Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Director of Law

RESOLUTION NO. 22 -2021
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO SUBMIT A NOMINATION FORM FOR PRINCIPAL FORGIVENESS FROM THE DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE, OFFICE OF FINANCIAL ASSISTANCE, OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR THE REPLACEMENT OF LEAD SERVICE LINES AND DECLARING AN EMERGENCY.

WHEREAS, the Division of Environmental and Financial Assistance, Office of Financial Assistance of the Ohio Environmental Protection Agency is accepting nomination forms for the replacement of lead service lines; and

WHEREAS, the City of Shelby Service Department desires financial assistance in the form of principal forgiveness for the replacement of lead service lines in the downtown business corridor area on Main Street; 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 submit a nomination form for lead service line principal forgiveness with the Division of Environmental and Financial Assistance, Office of Financial Assistance of the Ohio Environmental Protection Agency.

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 lead service lines located in the downtown business corridor on Main Street can be nominated for replacement through an Ohio Environmental Protection Agency principal forgiveness program.

Section 2: That the Mayor as Director of Public Service is hereby authorized to execute and file a nomination form to provide information and documentation required to become eligible for lead service line replacement principal forgiveness with the Division of Environmental and Financial Assistance, Office of Financial Assistance of the Ohio Environmental Protection Agency.

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 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. Byster
Director of Law

RESOLUTION NO. 23 -2021
(Sponsor – Councilmember Roberts)

DECLARING THE AMOUNT OF TAXES THAT MAY BE RAISED BY LEVY AT THE MAXIMUM RATE AUTHORIZED BY LAW WITHOUT A VOTE OF THE ELECTORS TO BE INSUFFICIENT AND DECLARING THE NECESSITY OF A LEVY IN EXCESS OF SUCH RATE FOR THE GENERAL OPERATION OF THE SHELBY DEPARTMENT OF HEALTH IN ACCORDANCE WITH OHIO REVISED CODE SECTIONS 5705.19, 5705.191 AND 5705.26;

WHEREAS, in order for the Shelby Department of Health to maintain a standard of excellence and in order for the Department to provide general health service to the community, additional funding is required; and

WHEREAS, the amount of taxes which may be raised within the 10-mil limitation will be insufficient to provide an adequate amount for the necessary requirements of said Shelby Department of Health.

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

Section 1: That the amount of taxes that may be raised by levy of taxes at the maximum rate authorized by law, to wit: Ohio Revised Code Sections 5705.19, 5705.191, and 5705.26 on taxable property in said City will be insufficient to provide an adequate amount for the necessary requirements of the City, and that it is necessary for the purpose of providing additional funds for the general operation of the Shelby Department of Health that taxes be levied on the taxable property in said city for a period of five (5) years 2022-2026 at a rate in excess of such maximum rate authorized by the Ohio Revised Code Sections 5705.19, 5705.191, and 5705.26.

Section 2: That it is necessary to levy taxes (as a renewal levy) for the years 2022, 2023, 2024, 2025 and 2026 at the rate for each year of .9 mill on each dollar of the tax, valuation of the taxable property within the City of Shelby, Ohio, in excess of the rate authorized by said O.R.C. §5705.19, §5705.191, and §5705.26.

Section 3: That the Clerk of Council be and is hereby directed to certify a copy of this Resolution to the Richland County Auditor requesting that the Richland County Auditor certify to the City of Shelby by and through the Clerk of Council the total current tax valuation of the City of Shelby and the dollar amount of revenue that would be generated by the number of mills specified hereinabove.

Section 4: That the Clerk of Council shall be and is hereby directed to certify a copy of this resolution and other necessary documents to the Board of Elections of Richland County, Ohio, in order that said Board of Elections may make the necessary arrangements for the submission of such question to the electors of said City as provided by law, at the November 2, 2021, general election.

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 D. 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. 24 -2021
(Sponsors: Councilmembers Gates, Martin, Roub and McLaughlin)

APPROVING WEED ASSESSMENTS AS ISSUED BY THE DIRECTOR OF PUBLIC SERVICE.

WHEREAS, Codified Ordinance 662.04 requires the Director of Public Service to notify owners of an assessment for the cutting and removal of offensive and noxious weeds, vines, and grass by the City of Shelby; and

WHEREAS, the Director of Public Service has served said notices on multiple properties within the City of Shelby, Ohio; and

WHEREAS, before the Clerk of Council can certify these assessments to the County Auditor for inclusion on the tax duplicate, Codified Ordinance 662.04 requires that City Council approve said assessment; 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 Council of the City of Shelby approve the assessments as prepared by the Director of Public Service so that the Clerk of Council can certify said assessments to the County Auditor for inclusion on the tax duplicate.

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

Section 1: That the Council of the City of Shelby hereby approves the list of assessments as prepared by the Director of Public Service and attached hereto as "Exhibit A".

Section 2: That the Clerk of Council shall certify said assessments to the Richland County Auditor for inclusion on the tax duplicate for collection.

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 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. 25 -2021
(Sponsors: Councilmembers Gates, Roberts and Roub)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT BETWEEN THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY, OHIO (CIC) FOR THE BLACK FORK COMMONS- PHASE 2 PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, the CIC has raised certain funds for the purpose of a downtown beautification project, namely Black Fork Commons-Phase 2; 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 an agreement between the CIC and the City of Shelby.

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 to enter into the agreement with The Community Improvement Corporation of Shelby, Ohio for the coordination of the Black Fork Commons-Phase 2 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 is hereby deemed to be an emergency so as to meet the ongoing contractual 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. 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. 26 -2021
(Sponsors: Councilmembers Roberts and Roub)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE EDGE GROUP, INC. FOR ENGINEERING SERVICES AND FINAL DESIGN FOR THE BLACK FORK COMMONS- PHASE 2 PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, in order to proceed with the construction of the Black Fork Commons-Phase 2 Project it is necessary that final design be prepared; 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 an agreement for the completion of said design.

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 to enter into the agreement with The EDGE Group, Inc. for engineering services and final design of the Black Fork Commons-Phase 2 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 is hereby deemed to be an emergency so as to meet the ongoing contractual 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. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Director of Law

RESOLUTION NO. 27 -2021
(Sponsors: Councilmembers Gates and Roub)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE TITLE TO A CERTAIN PARCEL OF REAL ESTATE OWNED BY WILLIAM D. AND ESTHER M. LOVE OF SHELBY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Section 1 of the Charter of the City of Shelby, Ohio, authorizes the acquisition of real property in fee simple by purchase for any municipal purpose; and

WHEREAS, a certain parcel of real property is currently available for purchase which is in the City of Shelby, Ohio; 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 acquire title to a certain parcel of real estate.

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 to acquire title to a certain parcel of real estate, and being identified by the following:

PARCEL ONE: Situated in the City of Shelby, County of Richland and State of Ohio, to-wit: Being the north part of Out-Lot Number Fifty-seven (57) in the regular series of consecutive numbers of Out-Lots in Shelby, Ohio, and more particularly described as follows: Beginning for the same at the Northwest corner of said Lot Number 57, thence southeasterly along the east line of Out-lot Numbers 50-51 and 45, to the southeast corner of Out-lot Number 45; thence east parallel with the North line of said lot number 57; to the west line of the Cleveland, Columbus and Cincinnati and St. Louis Railroad right-of-way; thence north easterly along said West line of The C.C.C. & St. Louis Railroad right-of-way to the Northeast corner of said lot number 57; thence West along the North line of said Lot Number 57, to the place of beginning. For reference see Deed Volume 149, Page 421, County Recorder's Office, Richland County, Ohio.

PPN#046-08-109-13-000

PARCEL TWO: Situated in the City of Shelby, County of Richland, and State of Ohio, to-wit: Being the South part of Out-lot Number Fifty-seven (57) in Shelby, Ohio, bounded and described as follows: Beginning for the same at the Northeast corner of Inlot Number Sixteen Hundred and Twenty-two (1622); thence East parallel with the north line on said Out Lot Number Fifty-seven (57) to the West boundary line of The C.C.C. & St. Louis (Big Four) Railroad right-of-way; thence southwesterly along the west line of said right-of-way to the southeast corner of said Outlot Number Fifty-seven (57), thence West to the Southwest corner of said Out-lot Number Fifty-seven (57); thence North to the place of beginning.

PPN#046-08-109-14-000

PARCEL THREE: Also the East part of Out-lot number Fifty-eight (58) adjoining said Out-lot number 57 on the South and described as follows: Commencing for the same at the Southwest corner of Out-lot Number Fifty-seven (57), thence south parallel with the west line of said Out Lot Number Fifty- Eight (58) to the South line of said Out Lot Number Fifty-eight (58); thence East to the west line of The C.C.C. & St. Louis (Big Four) Railroad right-of-way; thence North easterly along the line of said right-of-way to the Northeast corner of said Out Lot Number Fifty-eight (58); thence West to the place of beginning.

PPN#046-08-109-15-000

Section 2: That the Director of Law is authorized and instructed to prepare all necessary documents to effectuate transfer.

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 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 D. McLaughlin
Vice President of Council

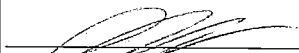
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Byster
Director of Law