

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

**Shelby City Council Agenda**  
**Tuesday, July 6, 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 June 21, 2021**

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

**MOTION TO CONFIRM THE APPOINTMENT OF LYNN WECHTER TO THE HEALTH DEPARTMENT ADVISORY BOARD TO FILL AN UNEXPIRED TERM**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_

**MOTION TO REQUEST A LIQUOR HEARING FOR VFW POST0291 GEORGE BRODERICK DBA RALPH PHILLIPS VFW 291 AT 34 WEST MAIN STREET**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

**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 15-2021**

**AMENDING TITLE FOUR (SUBDIVISION REGULATIONS)  
OF THE CODIFIED ORDINANCES OF THE CITY OF  
SHELBY**

**3RD READING**

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

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

**PASSAGE OF ORDINANCE**

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

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

**ORDINANCE NO 16-2021**

**AMENDING CHAPTER 1044 (SEWER CHARGES),  
SECTION 1044.02 (CONDITIONS OF SERVICE; RATE  
SCHEDULE), (f) PRODUCTION COST ADJUSTER OF THE  
CODIFIED ORDINANCES OF THE CITY OF SHELBY,  
OHIO**

**3RD READING**

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

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

**PASSAGE OF ORDINANCE**

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

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

**ORDINANCE NO 18-2021**

**ESTABLISHING A TEMPORARY SEWER SURCHARGE  
FOR THE SEWER FUND**

**2ND READING**

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

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

**ORDINANCE NO 19-2021**

**AMENDING SECTION 260.09 (HOLIDAYS) OF CHAPTER 260 (EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**1ST READING**

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

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

**RESOLUTION NO 39-2021**

**DIRECTING THE RICHLAND COUNTY BOARD OF ELECTIONS TO CONDUCT AN ELECTION TO DETERMINE WHETHER 0.9 MILL SHALL BE LEVIED ON THE TAXABLE PROPERTY WITHIN THE CITY OF SHELBY FOR THE GENERAL OPERATION OF THE SHELBY DEPARTMENT OF HEALTH**

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

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

**RESOLUTION NO 40-2021**

**DIRECTING THE RICHLAND COUNTY BOARD OF ELECTIONS TO CONDUCT AN ELECTION TO DETERMINE WHETHER 0.5 MILL SHALL BE LEVIED ON THE TAXABLE PROPERTY WITHIN THE CITY OF SHELBY FOR THE GENERAL OPERATION OF THE SHELBY PARKS DEPARTMENT**

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

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

**RESOLUTION NO 41-2021**

**AUTHORIZING THE PROJECTIONS INTO THE RIGHT-OF-WAY AT 12 HIGH SCHOOL AVENUE AND 51 WEST MAIN STREET**

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

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

**RESOLUTION NO 42-2021**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF A ONE TON 4500 SERIES DUMP TRUCK FOR THE SHELBY SERVICE DEPARTMENT**

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

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

**RESOLUTION NO 43-2021**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE BEE AND BUTTERFLY HABITAT FUND FOR THE ACCEPTANCE OF A FLOWERING SEED MIX FOR THE BEE AND BUTTERFLY POLLINATING FIELD**

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

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

**Miscellaneous Business**

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

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

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

1st Reading

6/17/2021

2nd Reading

6/21/2021

ORDINANCE NO 15 -2021  
(Sponsor: Councilmember Gates)

**AMENDING TITLE FOUR (SUBDIVISION REGULATIONS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, the Subdivision Regulations of the City of Shelby were adopted by the Council of the City of Shelby on June 6, 1983 through Ordinance 17-1983; and

WHEREAS, certain portions of the regulations were amended by the Council of the City of Shelby on February 2, 2004 through Ordinance 1-2004; and

WHEREAS, certain portions of the regulations were amended by the Council of the City of Shelby on July 15, 2019 through Ordinance 13-2019; and

WHEREAS, certain portions of the regulations need to be amended and modified so as to make the regulations, as a whole, more pertinent to the subdivisions of today; and

WHEREAS, The Shelby City Planning Commission on May 11, 2021, reviewed the proposed amendments and referred them to Shelby City Council with their recommendation for adoption.

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

Section 1: That Appendix V: OPEN SPACE AND THOROUGHFARE PLAN of Title Four (Subdivision Regulations) of the Codified Ordinances of the City of Shelby be amended as shown on Exhibit 1 which is attached to this Ordinance.

Section 2: That Appendix VI: PARKS AND TRANSPORTATION PLAN of Title Four (Subdivision Regulations) of the Codified Ordinances of the City of Shelby be amended as shown on Exhibit 2 which is attached to this Ordinance;

Section 3: That all other Sections of Title Four (Subdivision Regulations) of the Codified Ordinances of the City of Shelby shall 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 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

6/17/2021

2nd Reading

6/17/2021

**ORDINANCE NO. 16 -2021  
(Sponsor: Councilmember Martin)**

**AMENDING CHAPTER 1044 (SEWER CHARGES), SECTION 1044.02 (CONDITIONS OF SERVICE; RATE SCHEDULE), (f) PRODUCTION COST ADJUSTER OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, the Production Cost Adjuster currently recovers the cost for electricity, water and sewer, natural gas, chemicals, lab supplies and lab testing and sludge; and

WHEREAS, the recently completed upgrade at the wastewater treatment plant had changed some of the operating measures in the treatment process thus making it necessary to amend the establish language in Chapter 1044 (Sewer Charges), Section 1044.02, (Conditions of Service; Rate Schedule) (f) Production Cost Adjuster; 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 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule), (f) Production Cost Adjuster be amended to recover the cost for diesel fuel used in the manufacturing process and the costs for the bulbs associated with the ultraviolet light system.

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

Section 1: That Chapter 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule), (f) Production Cost Adjuster be amended to read as follows:

(f) *Production cost adjuster.* The Production Cost Adjuster shall be derived every three months by dividing (1) the past 12 months cost of electricity, water and sewer, and natural gas utilized at the Waste Water Treatment Plant, the cost for diesel fuel used in the manufacturing process, the cost of all chemicals used in the waste water treatment process, the cost for the bulbs associated with the operation of the ultraviolet light system used to sterilize the effluent waste water, the cost of lab testing and supplies required for the waste water treatment process, and the cost of the sludge removal process (hereinafter referred to as "previous 12 months cost") by (2) the sum of the past 12 months cubic feet of water billed for the sewer charges (hereinafter referred to as "previous 12 months cubic feet billed").

$$\frac{\text{Previous 12 months' cost (numerator)}}{\text{Previous 12 months' cubic feet billed (denominator)}} = \text{Production Cost Adjuster}$$

Section 2: That all other provisions in Chapter 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule) 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

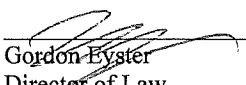
APPROVED:

ATTEST:

\_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

  
\_\_\_\_\_  
Gordon Eyster  
Director of Law



1st Reading  
6/21/2021

**ORDINANCE NO. 18-2021**  
**(Sponsor: Councilmember Martin)**

**ESTABLISHING A TEMPORARY SEWER SURCHARGE FOR THE SEWER FUND.**

WHEREAS, the sewer fund balance has been losing revenue from the loss of collections due to the decrease in water sales and the deficiencies of leachate deliveries from area landfills; and

WHEREAS, the municipal sewer division is an enterprise fund and shall be financially self-sustaining; 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 development of a temporary sewer surcharge is necessary to help maintain the financial stability of the sewer fund.

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

Section 1: That a temporary sewer surcharge shall be established to financially assist the sewer fund due to a down turn in revenue collections.

Section 2: That the temporary sewer surcharge shall be allocated for a six (6) month period for all rate schedules within the sewer fund.

Section 3: That the temporary sewer surcharge shall be billed to sewer customers as follows:

Residential -	\$1.99
Residential Country -	\$2.49
Senior Citizen -	\$0.49
Commercial -	\$4.49
Industrial -	\$6.49

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 McLaughlin  
Vice President of Council

APPROVED:

ATTEST:  
\_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

  
\_\_\_\_\_  
Gordon Eyster  
Director of Law

ORDINANCE NO. 19-2021  
(Sponsor – Councilmember Gates)

**AMENDING SECTION 260.09 (HOLIDAYS) OF CHAPTER 260 (EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, Congress has passed and the President has signed Public Law 117-17 to designate June 19 as a legal public holiday known as Juneteenth; and

WHEREAS, It is in the interest of the public health, safety, morals, and general welfare that Codified Ordinances of the City of Shelby be amended to provide for this holiday.

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

Section 1: That Section 260.09 of the Codified Ordinances of the City of Shelby be amended to read as follows:

**260.09 HOLIDAYS.**

(a) The official paid holidays of the city are as follows:

- (1) New Year's Day – January 1;
- (2) Martin Luther King Day – third Monday in January;
- (3) Presidents' Day – third Monday in February;
- (4) Memorial Day – last Monday in May;
- (5) Juneteenth – June 19 (provided, however, that in 2021 said holiday shall be celebrated on November 26);
- (6) Independence Day – July 4;
- (7) Labor Day – first Monday in September;
- (8) Veterans Day – November 11;
- (9) Thanksgiving Day – fourth Thursday in November; and
- (10) Christmas Day – December 25.

(b) In addition to the ten holidays set forth in division (a) hereof, all employees covered by this chapter shall, after one continuing year of service, receive two floating holidays per calendar year, which shall be taken off anytime during the calendar year and prior to December 31 of any given year. An employee must clear his or her date selection with the Mayor or department head. Each department head shall keep accurate records of all time taken off within his or her department.

(c) An employee shall be paid the holidays as aforesaid and shall not be required to work any such holidays, unless, in the opinion of the Director of Public Service, failure to work on the holiday would impair public service or safety. Each employee working on such a holiday shall receive compensation time in lieu of overtime pay.

Section 2: That all other section of Chapter 260 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.

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 Law

**RESOLUTION NO. 39 -2021**  
**(Sponsors – Councilmembers Gates & Roberts)**

**DIRECTING THE RICHLAND COUNTY BOARD OF ELECTIONS TO CONDUCT AN ELECTION TO DETERMINE WHETHER 0.9 MILL SHALL BE LEVIED ON THE TAXABLE PROPERTY WITHIN THE CITY OF SHELBY FOR THE GENERAL OPERATION OF THE SHELBY DEPARTMENT OF HEALTH.**

WHEREAS, by Resolution No. 23-2021 (passed May 3,2021) the Shelby City Council determined and declared that the amount of taxes to be raised at the maximum rate allowed by law without a vote of the electors would be insufficient for the general operation of the Shelby Department of Health; and

WHEREAS, by said same Resolution the Shelby City Council determined that a rate of 0.9 mill on each dollar of valuation of the taxable property within the City should be raised in order to operate the Shelby Department of Health.

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

Section 1: The Richland County Board of Elections is hereby directed to place upon the general election ballot of November 2, 2021 the question of whether 0.9 mill on each dollar of taxable value of taxable property within the City of Shelby, Ohio shall be levied and raised for the general operation of the Shelby Department of Health.

Section 2: That the ballot shall be substantially in the following form:

PROPOSED REAL ESTATE TAX (RENEWAL)

CITY OF SHELBY

A Majority Affirmative Vote is Necessary for Passage.

A renewal of a tax for the benefit of the City of Shelby for the purpose of GENERAL OPERATION OF THE SHELBY DEPARTMENT OF HEALTH at a rate not exceeding 0.9 mill for each one dollar of valuation, which amounts to \$0.09 for each one hundred dollars of valuation, for 5 years, commencing in 2022.

FOR THE REAL PROPERTY TAX  
AGAINST THE REAL PROPERTY TAX

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 D. McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

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

**RESOLUTION NO. 40 -2021**  
**(Sponsors – Councilmembers Gates & Roberts)**

**DIRECTING THE RICHLAND COUNTY BOARD OF ELECTIONS TO CONDUCT AN ELECTION TO DETERMINE WHETHER 0.5 MILL SHALL BE LEVIED ON THE TAXABLE PROPERTY WITHIN THE CITY OF SHELBY FOR THE GENERAL OPERATION OF THE SHELBY PARKS DEPARTMENT.**

WHEREAS, by Resolution No. 16-2021 (passed April 19,2021) the Shelby City Council determined and declared that the amount of taxes to be raised at the maximum rate allowed by law without a vote of the electors would be insufficient for the general operation of the Shelby Parks Department; and

WHEREAS, by said same Resolution the Shelby City Council determined that a rate of 0.5 mill on each dollar of valuation of the taxable property within the City should be raised in order to operate the Shelby Parks Department.

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

Section 1: The Richland County Board of Elections is hereby directed to place upon the general election ballot of November 2, 2021 the question of whether 0.5 mill on each dollar of taxable value of taxable property within the City of Shelby, Ohio shall be levied and raised for the general operation of the Shelby Parks Department.

Section 2: That the ballot shall be substantially in the following form:

PROPOSED REAL ESTATE TAX (RENEWAL)

CITY OF SHELBY

A Majority Affirmative Vote is Necessary for Passage.

A renewal of a tax for the benefit of the City of Shelby for the purpose of GENERAL OPERATION OF THE SHELBY BOARD OF PARK COMMISSIONERS at a rate not exceeding 0.5 mill for each one dollar of valuation, which amounts to \$0.05 for each one hundred dollars of valuation, for 5 years, commencing in 2022.

FOR THE REAL PROPERTY TAX  
AGAINST THE REAL PROPERTY TAX

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 D. McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

  
Gordon M. Byster  
Director Law

**RESOLUTION NO. 41-2021**  
**(Sponsor: Councilmembers Roberts)**

**AUTHORIZING THE PROJECTIONS INTO THE RIGHT-OF-WAY AT 12 HIGH SCHOOL AVENUE AND 51 WEST MAIN STREET.**

WHEREAS: The property owners located at 12 High School Avenue and 51 West Main Street have applied and have been awarded projects in the City of Shelby Façade Improvement Program; and

WHEREAS, said applicants are desirous of installing awnings which would project into the public right-of-way; and

WHEREAS, Shelby Codified Ordinance 1476.01 prohibits structures that project 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; and

WHEREAS: It is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that said encroachment either be permitted; and

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

Section 1: That the Council of the City of Shelby authorizes the projections into the right-of-way as shown on the attached applications.

Section 2: That all meetings and hearings concerning the adoption of this Resolution have been compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby.

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 D. McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

  
Gordon M. Eyster  
Director Law

RESOLUTION NO. 42-2021  
(Sponsor- Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO  
ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF  
A ONE TON 4500 SERIES DUMP TRUCK FOR THE SHELBY SERVICE  
DEPARTMENT.**

WHEREAS, the ongoing operations of the Shelby Service Department requires the purchase of a new one ton 4500 series dump truck, and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that said dump truck be purchased as soon as possible;

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 Service shall be and is hereby authorized to advertise for bids and enter into a contract for the purchase of a one ton 4500 series dump truck for the ongoing operation of the Service Department.

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 D. McLaughlin  
Vice President of Council

APPROVED:

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

Brian Crum  
Clerk of Council

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

Prepared by:

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

**RESOLUTION NO. 43-2021**  
**(Sponsor: Councilmember Martin)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE BEE AND BUTTERFLY HABITAT FUND FOR THE ACCEPTANCE OF A FLOWERING SEED MIX FOR THE BEE AND BUTTERFLY POLLINATING FIELD.**

WHEREAS, a pollinating field is being established at Reservoir Number 2 to provide habitat for bees and butterflies; and

WHEREAS, The Bee and Butterfly Habitat Fund offers a flowering seed mix free of charge provided the terms of an agreement are met for a five-year period.

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 with The Bee and Butterfly Habit Fund for a flowering seed mix for the pollinating field at Reservoir Number 2.

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 to enter into an agreement with The Bee and Butterfly Habitat Fund for a flowering seed mix for the bee and butterfly pollinating field.

Section 2: That the seed mix for the bee and butterfly habitat is free of charge to the City providing the terms are met for the duration of the agreement.

Section 3: That the agreement is for a five-year period with the term commencing on November 1, 2021 and expiring on November 1, 2026.

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 McLaughlin  
Vice President of Council

APPROVED:

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

Brian Crum  
Clerk of Council

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

Prepared by:

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