

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

**Shelby City Council Agenda**  
**Monday, October 18, 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 October 4, 2021**

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

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

**Public Comment**

**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

**MOTION TO CONFIRM THE APPOINTMENT OF MARY DURKIN TO THE SHELBY HISTORIC PRESERVATION COMMISSION**

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

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

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

Shelby Historic Preservation Commission recommendation  
The Shelby Pure Milk Company Barn on Whitney Avenue

**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

McBride Park Baseball Field

**Legislation**

**ORDINANCE NO 27-2021**

**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        2<sup>ND</sup>       

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

**PASSAGE OF ORDINANCE**

Moved        2<sup>ND</sup>       

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

**RESOLUTION NO 66-2021**

**AUTHORIZING THE MAYOR OF THE CITY OF SHELBY TO ENTER INTO AN AGREEMENT TO ADOPT A NEW SECTION 125 FLEXIBLE BENEFIT PLAN AND VOLUNTARY BENEFITS PROVIDED BY AMERICAN FIDELITY FOR THE EMPLOYEES OF THE CITY OF SHELBY, OHIO, TO BE EFFECTIVE ON JANUARY 1, 2022, AND DECLARING AN EMERGENCY**

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

**Miscellaneous Business**

**MOTION TO GO INTO EXECUTIVE SESSION FOR THE FOLLOWING PURPOSES;**

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

**TO CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, OR COMPENSATION OF A PUBLIC EMPLOYEE OR OFFICIAL, OR THE INVESTIGATION OF CHARGES OR COMPLAINTS AGAINST A PUBLIC EMPLOYEE, OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL, UNLESS THE PUBLIC EMPLOYEE, OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL REQUESTS A PUBLIC HEARING**

**PREPARING FOR, CONDUCTING, OR REVIEWING NEGOTIATIONS OR BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING THEIR COMPENSATION OR OTHER TERMS AND CONDITIONS OF THEIR EMPLOYMENT**

**Adjournment at**                    p.m.

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

**ORDINANCE NO. 27 - 2021**  
**(Sponsors- Councilmembers Gates & Martin)**

**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 create line items within the 2021 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 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 CREATE EXPENDITURE LINE ITEMS**

400-MTN-526	Diesel Fuel	\$ 3,000.00
400-MFG-655	Ultraviolet Light Bulbs	\$ 20,000.00

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. Byster  
Director of Law

**RESOLUTION NO. 46-2021**  
**(Sponsors – Councilmembers Gates & Martin)**

**AUTHORIZING THE MAYOR OF THE CITY OF SHELBY TO ENTER INTO AN AGREEMENT TO ADOPT A NEW SECTION 125 FLEXIBLE BENEFIT PLAN AND VOLUNTARY BENEFITS PROVIDED BY AMERICAN FIDELITY FOR THE EMPLOYEES OF THE CITY OF SHELBY, OHIO, TO BE EFFECTIVE ON JANUARY 1, 2022, AND DECLARING AN EMERGENCY.**

WHEREAS, a service agreement has been created by American Fidelity to administer a new Section 125 Flexible Benefit Plan and Voluntary Benefits; and

WHEREAS, City Council and the Administration have reviewed such service agreement and desire to ratify and adopt such agreement(s).

**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 service agreement for the new Section 125 Flexible Benefit Plan and Voluntary Benefits provided by American Fidelity for the employees of The City of Shelby, Ohio, to be effective on January 1, 2022 is hereby approved.

Section 2: That the Mayor is hereby authorized and directed to enter into an agreement with American Fidelity, a copy of the agreement is attached hereto and made a part hereof as though fully rewritten herein.

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 Eyster  
Director of Law