

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

**Shelby City Council Agenda**  
**Monday, November 15, 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 November 1, 2021**

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

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

**Public Comment**

**Reports from Standing and Special Committees**

Finance & Personnel Committee—Councilman Gates

Utilities & Streets Committee- Councilmember Martin

Safety Committee—Councilman Roberts

**Reports of City Officials**

Steven L. Schag—Mayor

**MOTION TO CONFIRM THE APPOINTMENT OF LINDA CLINE 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 \_\_\_\_\_

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

Ward Boundaries from 2020 Census

**Legislation**

**ORDINANCE NO 29-2021**

**AMENDING SECTION 238.01 (ESTABLISHMENT;  
MEMBERSHIP) OF CHAPTER 238 (POLICE  
DEPARTMENT) OF THE CODIFIED ORDINANCES OF  
THE CITY OF SHELBY**

**2ND READING**

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

**ORDINANCE 30-2021**

**ENACTING SECTION 234.12 (PROPERTY TAX VALUATIONS) OF CHAPTER 234 (DIRECTOR OF FINANCE AND PUBLIC RECORD) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**2ND READING**

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

**ORDINANCE NO 32-2021**

**ESTABLISHING A ZONING CLASSIFICATION FOR PROPERTY ANNEXED TO THE CITY OF SHELBY (SHULER/MOORE ANNEXATION)**

**1ST READING**

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

**ORDINANCE NO 33-2021**

**ENACTING SECTION 260.28 (OFFICE HOURS) 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 69-2021**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PARTICIPATE IN THE STATE COOPERATIVE PURCHASING PLAN FOR THE PURCHASE OF EF JOHNSON MOBILE AND PORTABLE RADIOS**

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

**RESOLUTION NO 70-2021**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER WITH KOKOSING CONSTRUCTION COMPANY, INC FOR THE 2021 PAVING PROJECT IN THE AMOUNT OF THIRTY-ONE THOUSAND THREE HUNDRED ONE AND 72/100 DOLLARS (\$31,301.72) AS AN INCREASE AND DECLARING AN EMERGENCY**

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

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

**Miscellaneous Business**

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

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

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

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

**MATTERS REQUIRED TO BE KEPT CONFIDENTIAL BY FEDERAL LAW OR REGULATIONS OR STATE STATUTES**

**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 REQUEST A PUBLIC HEARING**

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

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

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

1st Reading  
11/1/2021

ORDINANCE NO. 29 - 2021  
(Sponsors: Councilmembers Gates and Roberts)

**AMENDING SECTION 238.01 (ESTABLISHMENT; MEMBERSHIP) OF CHAPTER 238 (POLICE DEPARTMENT) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, Codified Ordinance Section 238.01 currently establishes two captains and three sergeants within the city of Shelby Police Department; 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 238.01 be amended to provide for one captain and four sergeants.

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

Section 1: That Section 238.01.04 of the Codified Ordinances of the City of Shelby be amended to read as follows:

**238.01 ESTABLISHMENT; MEMBERSHIP.**

There is hereby established a Police Department for the City, to consist of the following officers and personnel and such other officers and personnel as Council shall from time to time determine:

- (1) One Chief of Police;
- (2) One police captain;
- (3) Four police sergeants;
- (4) Eleven police patrol officers, two of which shall be school resource officers. The hiring and continued employment of said resource officers shall be contingent upon active contracts in partnership with the Board of Education of the Shelby City School District and the Board of Education of the Pioneer Career & Technology Center, wherein each board will immediately pay or reimburse the City 75% of all cost, expense, pension, retirement, health benefit, insurance, or any other cost or expense associated with said school resource officer as well as 100% of all training cost or expense associated with said school resource officer. If a board fail for any reason whatsoever to pay or reimburse the City as contemplated herein, the School Resource Officer's position for that district shall be immediately terminated, unless otherwise modified by Council. Further, said positions are contingent upon any collective bargaining agreement between the City and Fraternal Order of Police Lodge No. 180 acknowledging and approving the terms contained herein as well as with any contract or agreement with each board; and
- (5) Four police dispatchers.

Section 2: That all other sections of Chapter 238 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 McLaughlin  
Vice President of Council

APPROVED:

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

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

Prepared by:

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Gordon M. Eyster  
Director of Law

1st Reading  
11/1/2021

ORDINANCE NO. 30 -2021  
(Sponsor – Councilmember Gates)

**ENACTING SECTION 234.12 (PROPERTY TAX VALUATIONS) OF CHAPTER 234 (DIRECTOR OF FINANCE AND PUBLIC RECORD) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the City of Shelby that city officials be aware of hearings held by the Board of Revision of Richland County regarding the reduction of the valuation of property within the city limits.

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

Section 1: That Section 234.12 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**234.12 PROPERTY TAX VALUATIONS.**

Annually on or about the fifteenth day of January, the Director of Finance and Public Record shall request the Board of Revision of Richland County to furnish to the City notice of any and all hearings to be held during that calendar year on complaints and requests for reduction as to the valuation of any property within the corporate limits of the City of Shelby.

Section 2: That all other sections of Chapter 234 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 Section 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 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. 3a -2021  
(Sponsor: Councilmember Gates)

**ESTABLISHING A ZONING CLASSIFICATION FOR PROPERTY ANNEXED TO THE CITY OF SHELBY (SHULER/MOORE ANNEXATION).**

WHEREAS, by Resolution No. 54-2021, the Council of the City of Shelby accepted the annexation of certain parcels heretofore referred to as the Shuler/Moore Annexation; and

WHEREAS, the Council of the City of Shelby requested that the Shelby Planning Commission recommend appropriate zoning for the Shuler/Moore Annexation in accordance with Codified Ordinance Section 1266.06; 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 City Council act upon the Planning Commission's recommendation and establish a zoning classification for the Shuler/Moore Annexation.

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

Section 1: That the zoning map attached to Ordinance No. 1-1991, as passed on March 4, 1991, is hereby revised by establishing the zoning classification of R-1 (Residential District) for the property described as follows (Shuler/Moore Annexation)

PARCEL 1: SITUATED IN THE STATE OF OHIO, COUNTY OF RICHLAND, JACKSON TOWNSHIP, BEING PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 22, RANGE 19, AND BEING 4.936 ACRES CONVEYED TO JEFFREY A. AND MICHELLE M. SHULER OF RECORD IN OFFICIAL RECORD 1446, PAGE 409, RECORDS REFER TO THE RECORDER'S OFFICE RICHLAND COUNTY, OHIO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE AT A MAG SPIKE SET AT THE CENTERLINE OF SMILEY AVENUE EAST - TOWNSHIP ROAD 57 (WIDTH VARIES) AND THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER;

THENCE NORTH 89°56'33" EAST, A DISTANCE OF 644.68 FEET WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, TO AN IRON PIN SET AT THE NORTHWEST CORNER OF SAID SHULER TRACT, THE SOUTH LINE OF A TRACT CONVEYED TO LEONARD N. AND KATHY A. FOX OF RECORD IN OFFICIAL RECORD 902, PAGE 908, AND ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°56'33" EAST, A DISTANCE OF 323.42 FEET WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, THE NORTH LINE OF SAID SHULER TRACT, THE SOUTH LINE OF SAID FOX TRACT, AND A SOUTH LINE OF A TRACT CONVEYED TO GARY L. AND JOYCE A. ADKINS OF RECORD IN OFFICIAL RECORD 564, PAGE 837, PASSING AN IRON PIPE FOUND AT 283.95 FEET, TO AN IRON PIN SET AT A NORTHEAST CORNER OF SAID SHULER TRACT AND A NORTHWEST CORNER OF A TRACT CONVEYED TO DIANE T. MOORE OF RECORD IN OFFICIAL RECORD 1878, PAGE 704;

THENCE SOUTH 00°19'08" EAST, A DISTANCE OF 674.57 FEET WITH AN EAST LINE OF SAID SHULER TRACT AND A WEST LINE OF SAID MOORE TRACT, PASSING A MAG SPIKE SET AT 23.50 FEET ON THE CENTERLINE OF SAID SMILEY AVENUE EAST AND AN IRON PIN SET AT 53.50 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF SAID SMILEY AVENUE EAST, TO AN IRON PIN SET AT THE SOUTHEAST CORNER OF SAID SHULER TRACT, A SOUTHWEST CORNER OF SAID MOORE TRACT, AND A NORTH LINE OF A TRACT CONVEYED TO ADENA CORPORATION OF RECORD IN OFFICIAL RECORD 2565, PAGE 665;

THENCE NORTH 89°57'39" WEST, A DISTANCE OF 314.30 FEET WITH A SOUTH LINE OF SAID SHULER TRACT AND A NORTH LINE OF SAID ADENA CORPORATION



TRACT, TO AN IRON PIPE FOUND AT A SOUTHWEST CORNER OF SAID SHULER TRACT AND A SOUTHEAST CORNER OF A TRACT CONVEYED TO DAVID H. AND NANJI E. KEINATH OF RECORD IN OFFICIAL RECORD 1913, PAGE 338;

THENCE NORTH 01°05'41" WEST, A DISTANCE OF 674.14 FEET WITH THE WEST LINE OF SAID SHULER TRACT AND THE EAST LINE OF SAID KEINATH TRACT, PASSING AN IRON PIN SET AT 618.85 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF SAID SMILEY AVENUE EAST AND A MAG SPIKE SET AT 648.90 FEET ON THE CENTERLINE OF SAID SMILEY AVENUE EAST, TO THE IRON PIN SET AT THE POINT OF BEGINNING, CONTAINING 4.936 ACRES OF LAND, OF WHICH 0.412 ACRES ARE IN THE RIGHT-OF-WAY, MORE OR LESS.

THE ABOVE DESCRIPTION WAS BASED ON A SURVEY PREPARED BY MAKEEVER AND ASSOCIATES, INC. UNDER THE DIRECT SUPERVISION OF ISAAC L. KING, P.S. PROFESSIONAL SURVEYOR NUMBER 8318, IN JANUARY 2021, AND IS SUBJECT TO ALL HIGHWAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

ALL BEARINGS SHOWN HEREIN ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, (NAD83).

PRIOR DEED REFERENCE: OFFICIAL RECORD 1446, PAGE 409.

PARCEL 2: SITUATED IN THE STATE OF OHIO, COUNTY OF RICHLAND, JACKSON TOWNSHIP, BEING PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 22, RANGE 19, AND BEING 2.044 ACRES CONVEYED TO DIANE T. MOORE OF RECORD IN OFFICIAL RECORD 1878, PAGE 704, RECORDS REFER TO THE RECORDER'S OFFICE RICHLAND COUNTY, OHIO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE AT A MAG SPIKE SET AT THE CENTERLINE OF SMILEY AVENUE EAST - TOWNSHIP ROAD 57 (WIDTH VARIES) AND THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER;

THENCE NORTH 89°56'33" EAST, A DISTANCE OF 968.10 FEET WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, PASSING AN IRON PIN SET AT 644.68 FEET AND AN IRON PIN FOUND AT 928.63 FEET, TO AN IRON PIN SET AT THE NORTHWEST CORNER OF SAID MOORE TRACT, A NORTHEAST CORNER OF A TRACT CONVEYED TO JEFFREY A. AND MICHELLE M. SHULER OF RECORD IN OFFICIAL RECORD 1446, PAGE 409, THE SOUTH LINE OF A TRACT CONVEYED TO GARY L. AND JOYCE A. ADKINS OF RECORD IN OFFICIAL RECORD 564, PAGE 837, AND ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°56'33" EAST, A DISTANCE OF 132.00 FEET WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, THE NORTH LINE OF SAID MOORE TRACT, THE SOUTH LINE OF SAID ADKINS TRACT, AND A SOUTH LINE OF A TRACT CONVEYED TO LEONARD N. KATHY A. FOX OF RECORD IN OFFICIAL RECORD 92, PAGE 903, TO AN IRON PIN SET AT A NORTHEAST CORNER OF SAID MOORE TRACT AND THE NORTHWEST CORNER OF A TRACT CONVEYED TO MARY ANN MILLER AND MICHELLE A. STEPHENS OF RECORD IN OFFICIAL RECORD 1899, PAGE 669;

THENCE SOUTH 00°19'08" EAST, A DISTANCE OF 674.79 FEET WITH AN EAST LINE OF SAID MOORE TRACT AND A WEST LINE OF SAID MILLER TRACT, PASSING A MAG SPIKE SET AT 21.59 FEET ON THE CENTERLINE OF SAID SMILEY AVENUE EAST AND AN IRON PIN SET AT 51.59 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF SAID SMILEY AVENUE EAST, TO AN IRON PIN SET AT THE SOUTHEAST CORNER OF SAID MOORE TRACT, A SOUTHWEST CORNER OF SAID MILLER TRACT, AND A NORTH LINE OF A TRACT CONVEYED TO RANDY PAYNE OF RECORD IN OFFICIAL RECORD 2565, PAGE 665;

THENCE NORTH 89°57'39" WEST, A DISTANCE OF 132.00 FEET WITH A SOUTH LINE OF SAID MOORE TRACT AND A NORTH LINE OF SAID PAYNE TRACT, TO AN IRON PIN SET AT A SOUTHWEST CORNER OF SAID MOORE TRACT AND A SOUTHEAST CORNER OF SAID SHULER TRACT;

THENCE NORTH 00°19'08" WEST, A DISTANCE OF 674.57 FEET WITH THE WEST LINE OF SAID MOORE TRACT AND THE EAST LINE OF SAID SHULER TRACT, PASSING AN IRON PIN SET AT 621.07 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF SAID SMILEY AVENUE EAST AND A MAG SPIKE SET AT 651.07 FEET ON THE CENTERLINE OF SAID SMILEY AVENUE EAST, TO THE IRON PIN SET AT THE POINT OF BEGINNING, CONTAINING 2.044 ACRES OF LAND, OF WHICH 0.159 ACRES ARE IN THE RIGHT-OF-WAY, MORE OR LESS.

THE ABOVE DESCRIPTION WAS BASED ON A SURVEY PREPARED BY MAKEEVER AND ASSOCIATES, INC. UNDER THE DIRECT SUPERVISION OF ISAAC L. KING, P.S. PROFESSIONAL SURVEYOR NUMBER 8318, IN FEBRUARY 2021, AND IS SUBJECT TO ALL HIGHWAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

ALL BEARINGS SHOWN HEREIN ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, (NAD83).

PRIOR DEED REFERENCE: OFFICIAL RECORD 1878, PAGE 704.

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 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

ORDINANCE NO. 33 -2021  
(Sponsor – Councilmember Gates)

**ENACTING SECTION 260.28 (OFFICE HOURS) OF CHAPTER 260 (EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, in the not too distant past, the hours during which City Hall and the Municipal Utilities Office are open to serve the public have twice been reduced by a total of five (5) hours per week; and

WHEREAS, said reduction in hours was done unilaterally without any consultation or input by City Council; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the City of Shelby that the hours of operation at City Hall and the Municipal Utilities Office be fixed in law so that the public can know with confidence when it may transact business at these locations.

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

Section 1: That Section 260.28 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**260.28 OFFICE HOURS.**

The normal daily hours of operation at City Hall and the Municipal Utilities Office shall be from 8:00 a.m. to 4:00 p.m. from Monday through Friday, provided, however, that these offices shall be closed on recognized holidays and may be closed for weather emergencies or other natural disasters.

Section 2: That all other sections 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 Section 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 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. 49 -2021  
(Sponsors -Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PARTICIPATE IN THE STATE COOPERATIVE PURCHASING PLAN FOR THE PURCHASE OF EF JOHNSON MOBILE AND PORTABLE RADIOS.**

WHEREAS, the Shelby Police Department desires to purchase new Multi-Agency Radio Communications System (MARCS) capable portable and mobile radios for the operation of the department; and

WHEREAS, the requirements of advertising and bidding are dispensed with the event that said radios are purchased through the State Cooperative Purchase Plan; 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 be authorized to purchase eleven (11) EF Johnson VM5000 series mobile radios and seventeen (17) Kenwood VP900 series portable radios as detailed on the product quotation from VASU Communications, Inc.

**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 Safety is hereby authorized to purchase eleven (11) EF Johnson VM5000 series mobile radios and seventeen (17) Kenwood VP900 series portable radios as detailed on the product quotation from VASU Communications, Inc. through the State Cooperative Purchase Plan.

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 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. 70 -2021  
(Sponsor- Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER WITH KOKOSING CONSTRUCTION COMPANY, INC FOR THE 2021 PAVING PROJECT IN THE AMOUNT OF THIRTY-ONE THOUSAND THREE HUNDRED ONE AND 72/100 DOLLARS (\$31,301.72) AS AN INCREASE AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Shelby has entered into a contract with Kokosing Construction Company, Inc. for the 2021 Paving Project, and said contract provides for a written change order; and

WHEREAS, it has become necessary to make additions to the 2021 Paving Project and adjust the contract as detailed in the attached Change Order #1; 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 this change order be approved.

**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 shall be and is hereby authorized to enter into Contract Change Order with Kokosing Construction Company, Inc. for the total amount of Thirty-One Thousand Three Hundred One and 72/100 Dollars (\$31,301.72) as an increase.

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