

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

Shelby City Council Agenda
Monday, December 20, 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 _____

Motion to excuse Councilman Gates

Moved _____ 2ND _____

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

Dispense with Reading of Journal from December 6, 2021

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Finance & Personnel Committee—Councilman Gates

Utilities & Streets Committee—Councilmember Martin

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

Election of members to the Volunteer Fire Fighters Dependents Fund Board for 2022

Election of members to the Volunteer Peace Officers Dependents Fund Board for 2022

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

Shelby Historic Preservation Appeal

Legislation

ORDINANCE NO 32-2021

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

3RD READING

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

ORDINANCE NO 33-2021

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

3RD READING

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

ORDINANCE NO 34-2021

**ENACTING SECTION 1040.12 (CONNECTIONS
REQUIRED) INTO CHAPTER 1040 (WATER) OF THE
CODIFIED ORDINANCES OF THE CITY OF SHELBY,
OHIO**

2ND READING

Moved _____ 2ND _____

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

ORDINANCE NO 42-2021

**AMENDING SUBSTITUTE ORDINANCE NO 1-2020
(ESTABLISHING WAGES FOR DEPARTMENT HEADS
AND OTHER NON-CERTIFIED EMPLOYEES)**

2ND READING

Moved _____ 2ND _____

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

ORDINANCE NO 43-2021

**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. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

RESOLUTION NO 73-2021

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO EXECUTE A BROWNFIELD REMEDIATION
AGREEMENT WITH HOB PROPERTIES, LLC AND THE
RICHLAND COUNTY LAND REUTILIZATION
CORPORATION, AND DECLARING AN EMERGENCY**

Moved _____ 2ND _____

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

RESOLUTION NO 74-2021

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO EXECUTE AN ACCESS AGREEMENT AND
TEMPORARY RIGHT-OF-WAY EASEMENT WITH HOB
PROPERTIES, LLC AND THE RICHLAND COUNTY LAND
REUTILIZATION CORPORATION, AND DECLARING AN
EMERGENCY**

Moved _____ 2ND _____

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

RESOLUTION NO 75-2021

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXECUTE A DEMOTION REMEDIATION AGREEMENT WITH THE RICHLAND COUNTY LAND REUTILIZATION CORPORATION AND DECLARING AN EMERGENCY

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

RESOLUTION NO 76-2021

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXECUTE AN ACCESS AGREEMENT AND TEMPORARY RIGHT-OF-WAY EASEMENT WITH THE RICHLAND COUNTY LAND REUTILIZATION CORPORATION, AND DECLARING AN EMERGENCY

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

RESOLUTION NO 77-2021

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE RIGHTS OF EASEMENT FOR A STORM SEWER LINE ON WEST MAIN STREET

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

RESOLUTION NO 78-2021

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2022 MOSQUITO CONTROL GRANT

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

Miscellaneous Business

Adjournment at _____ p.m.
Moved _____ 2ND _____
Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____

1st Reading
11/15/2021

2nd Reading
12/16/2021

ORDINANCE NO. 32-2021
(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

1st Reading
11/15/2021

2nd Reading
12/16/2021

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.~~ *at the discretion of the Mayor with posted warning.*

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

1st Reading
12/1/2021

ORDINANCE NO. 34 -2021
(Sponsor: Councilmember Martin)

ENACTING SECTION 1040.12 (CONNECTIONS REQUIRED) INTO CHAPTER 1040 (WATER) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to enact section 1040.12 (Connections Required) into Chapter 1040 (Water) to provide language for the required water source connections for newly constructed or existing homes, buildings and structures; and

WHEREAS, all newly constructed homes, buildings, and structures shall connect to the public water source when the public water source is available; and

WHEREAS, an owner of an existing home, building or structure within the corporation limits shall be able to choose between the public water source or a private water source (water well) if the said real property is currently supplied by a private water source; 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 1040.12 (Connections Required) be enacted into Chapter 1040 (Water) to establish the permitted water source connection for newly constructed or existing homes, buildings and structures.

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

Section 1: That Section 1040.12 (Connections Required) be enacted into Chapter 1040 (Water) to establish language that specifies the permitted water source connection for newly constructed or existing homes, buildings and structures.

Section 2: That Section 1040.12 Connections Required shall read as follows:

Section 1040.12 Connections Required

Each newly constructed home, building or structure, if on real property located within reasonable distance of an existing public water source, as determined by the City Engineer, shall connect to the public water source.

Each existing home, building or structure, if on real property within the limits of the corporation that has an established private water source (water well) from within and on the real property before the public water source was available may choose from the public water source or the private water source. The private water source shall comply with the laws and rules set forth by the Ohio Environmental Protection Agency, the County Health Department, or the City Division of Health, whichever has jurisdiction for private water systems.

Each existing home, building or structure that has a private water source (water well) and is connected to the public sanitary sewer system shall install a municipally owned water meter on the water supply line within the home, building or structure so as to meter the amount of wastewater discharge from the premise to the public sanitary sewer collection system. The monthly water consumption registered by the water meter shall be used to calculate the monthly sewer bill.

Each new subdivision shall follow the language for water service as established in Chapter 1246 (Design Standards).

Section 3: That all other provisions in Chapter 1040 (Water) 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 Eyster
Director of Law

1st Reading
12/1/2021

ORDINANCE NO. 42 -2021
(Sponsor: Councilmember Gates)

AMENDING SUBSTITUTE ORDINANCE NO. 1-2020 (ESTABLISHING WAGES FOR DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES).

WHEREAS, on February 20, 2020, Council passed Substitute Ordinance No. 1-2020 in order to establish wages for department heads and other non-certified employees; and

WHEREAS, the Director of Finance and Public Record has requested that the position of Income Tax Clerk be divided into the positions of Income Tax Clerk 1 and Income Tax Clerk 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 Substitute Ordinance No. 1-2020 be amended to grant the Finance Director's request and to make other adjustments.

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

Section 1: That, effective January 1, 2022, the salaries, hourly wages, and wage ranges for the positions set forth below shall be as follows:

DEPARTMENT HEADS AND SUPERINTENDENTS HOURLY WAGES

Deputy Director of Public Service	a maximum of \$43.00
Chief of Police	a maximum of \$45.00
Fire Chief	a maximum of \$45.00
Superintendent of Electric Electric Distribution	a maximum of \$40.00
Superintendent of Service Department	a maximum of \$40.00
Superintendent of Water Plant & Distribution	a maximum of \$40.00
Superintendent of Waste Water Treatment Plant & Sewers	a maximum of \$40.00

DEPARTMENT HEADS ANNUAL SALARY RANGE

Health Commissioner	\$10,000.00 - \$72,000.00
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NON-CERTIFIED EMPLOYEE ANNUAL SALARY RANGE

Medical Director	\$5,000.00 - \$25,000.00
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OTHER NON-CERTIFIED EMPLOYEES HOURLY WAGES AND RANGES

Deputy Director of Finance	a maximum of \$33.00
Clerk of Courts	a maximum of \$33.00
City Project Coordinator	a maximum of \$35.50
Utility Office Supervisor	\$17.00 - \$28.50

Assistant to Deputy Director of Public Service	\$17.00 - \$27.00
Environmental Health Director/Sanitarian	a maximum of \$33.50
Director of Community Health/Nurse	a maximum of \$28.50
Probation Officer	\$15.00 - \$22.50
Secretary to the Mayor & Finance Director	\$15.00 - \$25.00
Income Tax Clerk 1	\$15.00 - \$23.00
Income Tax Clerk 2	\$17.00 - \$25.00
Secretary to the Law Director (part-time)	\$15.00 - \$23.00

Section 2: That wages and salaries shall not exceed the top values as noted in Section 1.

Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.21, 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 A. Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 43 - 2021
(Sponsor – Councilmember 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 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: That Ordinance No.: 8-2021 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURE

225-HEA-625	NUISANCE ABATEMENT	\$ 20,000.00
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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

RESOLUTION NO. 73 -2021
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXECUTE A BROWNFIELD REMEDIATION AGREEMENT WITH HOB PROPERTIES, LLC AND THE RICHLAND COUNTY LAND REUTILIZATION CORPORATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio General Assembly through the Ohio Department of Development (ODOD) has set aside \$350,000,000.00 to offer separate grants to Ohio counties for Brownfield Remediation Programs; and

WHEREAS, the Richland County Land Reutilization Corporation, being the lead agency for Richland County, is desirous to use these funds in cooperation with HOB Properties, LLC and the City of Shelby to demolish and remediate the property at 11-19 Broadway; 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 said agreement be executed.

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 execute the Broadway and Main Brownfield Remediation Agreement with HOB Properties, LLC and the Richland County Land Reutilization Corporation.

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 therefor, 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. 74 -2021
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXECUTE AN ACCESS AGREEMENT AND TEMPORARY RIGHT-OF-WAY EASEMENT WITH HOB PROPERTIES, LLC AND THE RICHLAND COUNTY LAND REUTILIZATION CORPORATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio General Assembly through the Ohio Department of Development (ODOD) has set aside \$350,000,000.00 to offer separate grants to Ohio counties for Brownfield Remediation Programs; and

WHEREAS, the Richland County Land Reutilization Corporation, being the lead agency for Richland County, is desirous to use these funds in cooperation with HOB Properties, LLC and the City of Shelby to demolish and remediate the property at 11-19 Broadway; 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 said agreement be executed.

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 execute the Access Agreement and Temporary Right-of-Way Easement with HOB Properties, LLC and the Richland County Land Reutilization Corporation.

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 therefor, 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

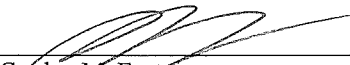
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 75 -2021
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXECUTE A DEMOLITION REMEDIATION AGREEMENT WITH THE RICHLAND COUNTY LAND REUTILIZATION CORPORATION AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio General Assembly through the Ohio Department of Development (ODOD) has set aside \$350,000,000.00 to offer separate grants to Ohio counties for Demolition Remediation Programs; and

WHEREAS, the Richland County Land Reutilization Corporation, being the lead agency for Richland County, is desirous to use these funds in cooperation with the City of Shelby to demolish and remediate the property at 22 and 28 Summit Avenue; 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 said agreement be executed.

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 execute the 22 and 28 Summit Avenue Demolition Remediation Agreements with the Richland County Land Reutilization Corporation.

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 therefor, 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

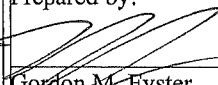
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 76 -2021
(Sponsor- Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO EXECUTE AN ACCESS AGREEMENT AND TEMPORARY RIGHT-OF-WAY EASEMENT WITH THE RICHLAND COUNTY LAND REUTILIZATION CORPORATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio General Assembly through the Ohio Department of Development (ODOD) has set aside \$350,000,000.00 to offer separate grants to Ohio counties for Demolition Remediation Programs; and

WHEREAS, the Richland County Land Reutilization Corporation, being the lead agency for Richland County, is desirous to use these funds in cooperation with the City of Shelby to demolish and remediate the properties at 22 and 28 Summit Avenue; 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 said agreement be executed.

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 execute the Access Agreement and Temporary Right-of-Way Easement with the Richland County Land Reutilization Corporation.

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 therefor, 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. 77 -2021
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE RIGHTS OF EASEMENT FOR A STORM SEWER LINE ON WEST MAIN STREET.

WHEREAS, the City of Shelby Service Department is desirous of easements so as to install a storm sewer line, it is necessary to secure rights of easement across private acreage on land on West 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 be authorized to acquire rights of easement for the installation of a storm sewer on West Main Street.

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 be authorized to acquire rights of easement for the installation of a storm sewer on West Main Street.

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 Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 78 -2021
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2022 MOSQUITO CONTROL GRANT.

WHEREAS, the Ohio Environmental Protection Agency provides financial assistance for health department purposes through the Mosquito Control Grant; and

WHEREAS, the City of Shelby Health Department desires financial assistance under the Mosquito Control Grant Program to control the mosquito population; 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 of the City of Shelby apply for a Mosquito Control Grant.

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

Section 1: That the City of Shelby Council approve an application for financial assistance for the control of Mosquitos through the Ohio Environmental Protection Agency Mosquito Control Grant.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Environmental Protection Agency and to provide all information and documentation required to become eligible for possible funding assistance.

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