

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

**Shelby City Council Agenda**  
**Monday, May 16, 2022**  
**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 May 2, 2022**

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

**Public Comment**

Linda Close-Poppy Day Proclamation

**Reports from Standing and Special Committees**

Finance & Personnel Committee—Councilmember Gates

Utilities & Streets Committee—Councilmember Martin

Safety Committee—Councilmember Roberts

**Reports of City Officials**

Steven L. Schag—Mayor  
**Proclamation**

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

Former Ice Plant Property

**Legislation**

**ORDINANCE NO 7-2022**

**AMENDING SECTION 1480.04 (EXCEPTIONS) OF  
CHAPTER 1480 (SIGNS) OF THE CODIFIED ORDINANCES  
OF THE CITY OF SHELBY**

**3RD READING**

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

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

**PASSAGE OF ORDINANCE**

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

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

**RESOLUTION NO 30-2022**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH PETTY FARMS, LLC TO INSTALL A CULVERT ON TECHNOLOGY PARKWAY**

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

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

**RESOLUTION NO 31-2022**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE COMMUNITY GIVING GRANT FROM TC ENERGY FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS BOTTLES AND DECLARING AN EMERGENCY**

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

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

**Miscellaneous Business**

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

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

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

1st Reading  
4/18/2022

2nd Reading  
5/2/2022

ORDINANCE NO. 7 -2022  
(Sponsor- Councilmember McLaughlin )

**AMENDING SECTION 1480.04 (EXCEPTIONS) OF CHAPTER 1480 (SIGNS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, on February 17, 2015, Shelby City Council passed Ordinance 20-2014 creating Historic Landmarks and Buildings Ordinance; and

WHEREAS, Ordinance 20-2014 created the Historic Preservation Commission which has the duty to preserve local landmarks, buildings and districts; and

WHEREAS, said Commission should review sign permit applications in the historic district for compliance to the Historic Landmarks and Buildings Ordinance; 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 1480.04 of Chapter 1480 of the Codified Ordinances of the City of Shelby be amended.

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

Section 1: That Section 1480.04 (Exceptions) of Chapter 1480 (Signs) of the Codified Ordinances of the City of Shelby be amended so that said section shall read as follows:

**1480.04 EXCEPTIONS.**

The provisions of § 1480.03 shall not apply to the following types of signs:

(a) Temporary signs in Business Districts including: B-1 (Neighborhood Business District), B-2 (Central Business District, B-3 Highway Service Business District, OS-1 Office Service District, I-1 (Light Industrial and Manufacturing District), I-2 (Heavy Industrial and Manufacturing District).

(1) Real estate signs not over ten square feet in area which advertise only the sale, rental or lease of the premises upon which the sign is located.

(2) Bulletin boards not over 20 square feet in area for public, charitable or religious institutions when such bulletin board is located on the premises of such institutions.

(3) Signs denoting the architect, engineer or contractor, when placed upon work under construction, and not exceeding 40 square feet in area.

(4) Advertising copy or message on a painted, printed or changeable letter sign.

(5) Repainting, cleaning or repair maintenance which does not involve an alteration or change in the structural members of the sign or an increase in the total advertising area of the sign.

(6) Any sign denoting only the name and profession of an occupant in a commercial building, public institution, other building or dwelling and not exceeding three total square feet in area.

(7) Projecting signs not more than one and one-half total square feet in area.

(8) Non-electric signs six square feet or less which are mounted on a building or six square feet or less mounted in the ground with a maximum height of six feet.

(b) Temporary signs which require a permit.

(1) Sunflower or other rented changeable letter signs.

(2) Any other temporary sign not covered under division (a) of this section.

(c) General provisions.

(1) All temporary signs under division (a) of this section which promote a special sale or event may be placed not more than 30 days before the initial date of the sale or event and shall be removed not more than five days after such special sale or event. Temporary signs requiring a

permit shall be placed not more than 30 days from date of permit and shall be removed not more than five days after the expiration of such permit.

(2) No banners or pennants shall be allowed unless used as a temporary business/announcement sign.

(3) All temporary signs which existed prior to the date of this chapter shall be removed within 30 days of the date that this new chapter is adopted.

(4) All temporary signs shall further comply with the provisions of § 1480.23.

(d) Historic preservation. Signs and marquees which (1) maintain and enhance the distinctive character of historical areas and properties, or (2) safeguard the heritage of the city by preserving sights, structures or portions thereof which reflect elements of the city's cultural, social or architectural heritage, upon application to and approval by the Zoning Inspector, and the Shelby Historic Preservation Commission as to the applicant's proposed location, construction and erection thereof.

Section 2: That all other Sections of Chapter 1480 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

\_\_\_\_\_  
Steve L. Schag  
Mayor

Prepared by:

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

RESOLUTION NO. 30 -2022  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH PETTY FARMS, LLC TO INSTALL A CULVERT ON TECHNOLOGY PARKWAY.**

WHEREAS, the installation of a culvert is necessary for the proper drainage of storm water from the east detention pond on Technology Parkway; and

WHEREAS, the current elevation of the existing culvert is not allowing the storm water to be released to the designed level; and

WHEREAS, an additional eighteen (18) inch tile has been engineered and calculated to drain the pond to the correct stormwater management level; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Service be authorized to enter into an agreement with Petty Farms, LLC to install an eighteen (18) inch culvert on Technology Parkway.

**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 Petty Farms, LLC to install an eighteen (18) inch culvert on Technology Parkway for the proper drainage of the east detention pond.

Section 2: That Petty Farms, LLC has provided a project cost of \$27,550 for the equipment, materials, and labor to install the eighteen (18) inch culvert.

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. Byster  
Director of Law

RESOLUTION NO. 31 -2022  
(Sponsors: Councilmembers Gates & Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE COMMUNITY GIVING GRANT FROM TC ENERGY FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS BOTTLES AND DECLARING AN EMERGENCY.**

WHEREAS, the TC Energy provides financial assistance for emergency responders through the Community Giving Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Community Giving Grant to purchase self-contained breathing apparatus bottles; 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 City of Shelby apply for a Community Giving Grant.

**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 City of Shelby Council approve an application for financial assistance for self-contained breathing apparatus bottles.

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

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Community Giving Grant.

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 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