

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

Shelby City Council Agenda
Monday, May 2, 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 April 18, 2022

Moved _____ 2ND _____

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

Public Comment

Richland County Mental Health Board Representatives

Reports from Standing and Special Committees

Public Works & General Operation Committee—Councilmember Roub

Community & Economic Development Committee—Councilmember McLaughlin-Cancelled

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**

2ND READING

Moved _____ 2ND _____

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

RESOLUTION NO 21-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CELL SITE CAPITAL, LLC TO PERFORM CONSULTATION FOR CITY WIDE BROADBAND

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

RESOLUTION NO 28-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH OHIO REGIONAL DEVELOPMENT CORPORATION FOR ADMINISTRATION SERVICES FOR THE PY2022 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM AND AUTHORIZING ORDC TO SUBMIT APPLICATION TO THE PY 2022 CHIP ON BEHALF OF THE CITY OF SHELBY

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

RESOLUTION NO 29-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS FOR PY 2022 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM AND AUTHORIZING APPLICATION WITH THE STATE OF OHIO ON BEHALF OF THE CITY OF SHELBY CHIP PARTNERSHIP

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

Miscellaneous Business

Adjournment at _____ p.m.

Moved 2ND _____

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

1st Reading
4/18/2022

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

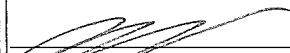
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steve L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 21 -2022
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CELL SITE CAPITAL, LLC. TO PERFORM CONSULTATION FOR CITY WIDE BROADBAND.

WHEREAS, the next phase to develop broadband (high speed internet access) for the community is to define the best practices needed for the design, development, and deployment; and

WHEREAS, Cell Site Capital, LLC. offers consulting services to determine the best practices needed for a successful broadband program; 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 a professional services agreement with Cell Site Capital, LLC. for broadband consulting services.

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 a Professional Service Agreement with Cell Site Capital, LLC. to engage in consultation to determine the best practice for the design, development, and deployment for a community wide broadband service.

Section 2: That the professional service consulting fees shall have a maximum expenditure of \$50,000.

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

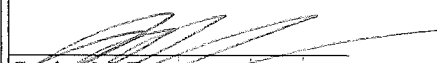
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 28 -2022
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH OHIO REGIONAL DEVELOPMENT CORPORATION FOR ADMINISTRATION SERVICES FOR THE PY 2022 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM AND AUTHORIZING ORDC TO SUBMIT APPLICATION TO THE PY 2022 CHIP ON BEHALF OF THE CITY OF SHELBY.

WHEREAS, the City of Shelby, intends to apply for PY 2022 Community Housing Impact and Preservation Program (CHIP) funding from the State of Ohio, Department of Development, Office of Community Development (OCD) for the purpose of addressing local housing needs; and

WHEREAS, Ohio Regional Development Corporation, the consultant, is a consulting firm with experience in applying for and administering CHIP Grant Programs throughout the State of Ohio, and was selected via the RFQ/P process to act as the Consultant for the City of Shelby in applying for and administering the PY 2022 CHIP Program for the City of Shelby; and

WHEREAS, it is necessary for the City and the Consultant to enter into an agreement which sets forth the responsibilities of each party for the PY 2022 CHIP Program; and

WHEREAS, OCD Policy 15-02, 2 CFR 200.320, authorizes the City to hire an administrative consultant and those services are detailed in the Contract for Administrative Services; and

WHEREAS, the City and Consultant understand this agreement is contingent on PY 2022 CHIP funding from the State of Ohio, Department of Development, Office of Community Development (OCD); and

WHEREAS, this agreement will remain in effect until the CHIP funds are expended and the funded activities are complete and closed out.

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

Section 1: That the Council of the City of Shelby authorizes the proper City official to enter into a contract with Ohio Regional Development Corporation to serve as the administrative consultant for the City of Shelby for the PY 2022 CHIP Program.

Section 2: That the City of Shelby authorizes ORDC to submit the PY 2022 CHIP application on behalf of the City of Shelby and the partnership with Richland County.

Section 3: That this Resolution must accompany said Application, which must be filed with the Ohio Development Services Agency by June 22, 2022.

Section 4: That this resolution also authorizes the Mayor as Director of Public Service to sign any and all documentation related to the execution of said partnership agreement and CHIP Application.

Section 5: 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 6: That the 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 Eyster
Director of Law

RESOLUTION NO. 29 -2022
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS FOR PY 2022 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM AND AUTHORIZING APPLICATION WITH THE STATE OF OHIO ON BEHALF OF THE CITY OF SHELBY CHIP PARTNERSHIP.

WHEREAS, the City of Shelby, (Grantee), in conjunction with the Board of Richland County Commissioners (Partner), is applying for PY 2022 Community Housing Impact and Preservation Program (CHIP) funding from the State of Ohio, Department of Development, Office of Community Development (OCD) for the purpose of addressing local housing needs; and

WHEREAS, the City, as the Grantee, is requesting \$700,000 in CDBG, HOME and Ohio Housing Trust Fund (OHTF) funds for CHIP approved activities; and

WHEREAS, Richland County will be the Partner and the City of Shelby will be the Grantee of the Partnership; and

WHEREAS, the Grantee and the Partner set forth the responsibilities and obligations of each in the Partnership Agreement; and

WHEREAS, City of Shelby, as the Grantee of the CHIP Application understands their authority for the entire CHIP Grant, as well as, sole responsibility for regulatory compliance and the terms of the grant agreement, if funded; and

WHEREAS, Grantee and Partner understand all agreements are contingent on PY 2022 CHIP funding from the State of Ohio, Department of Development, Office of Community Development (OCD); and

WHEREAS, the Partnership is in effect until the CHIP funds are expended and the funded activities are complete and closed out. The Grantee nor the Partner cannot terminate or withdraw from the partnership agreement while it remains in effect.

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

Section 1: That the Council of the City of Shelby authorizes the submission of the PY 2022 CHIP Application through the State of Ohio's Ohio Community and Energy Assistance Network (OCEAN) website by Ohio Regional Development Corporation.

Section 2: That the City of Shelby accepts the role, responsibility and authority of being Grantee of the CHIP Application.

Section 3: That the City of Shelby authorizes participation, partnership, and submission of the PY 2022 Community Housing Impact and Preservation (CHIP) Program Application with the State of Ohio, Development Services Agency, and to provide all information and documentation required in said Application submission.

Section 4: That the City of Shelby hereby understands and agrees that participation in said Program will require compliance with program guidelines and assurances.

Section 5: That the City of Shelby hereby commits itself to provide any local share of funding, described in the Application, if necessary.

Section 6: That this Resolution must accompany said Application, which must be filed with the Ohio Development Services Agency by June 22, 2022.

Section 7: That this resolution also authorizes the Mayor as Director of Public Service to sign any and all documentation related to the execution of said partnership agreement and CHIP Application.

Section 8: 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 9: That the 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