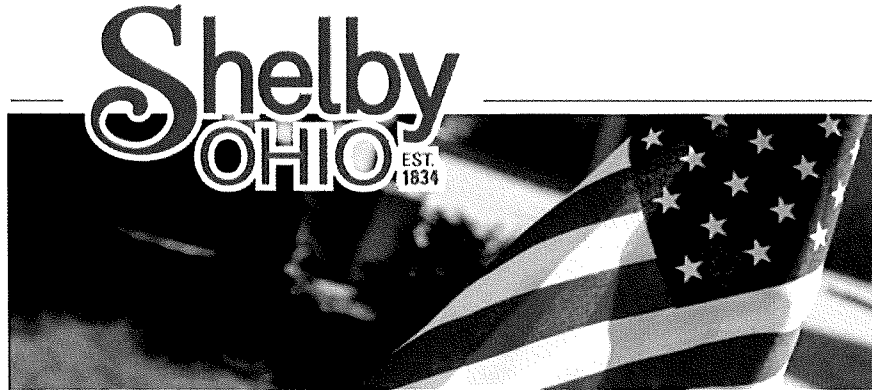


# The City Record

Official Municipal Bulletin - Shelby Ohio

Legislative Update 2022



## Current Council

Mayor Steven Schag, President of Council, (419) 347-5131

Finance Director Brian Crum, Clerk of Council, (419) 347-5131

Law Director Gordon Eyster (419) 342-4261

## Councilmembers:

**At-Large:** Steven McLaughlin, (419) 566-8528 - [stevemclaughlin@shelbycity.oh.gov](mailto:stevemclaughlin@shelbycity.oh.gov)

**First Ward:** Charles Roub Jr., (419) 347-6676 - [charlesroub@shelbycity.oh.gov](mailto:charlesroub@shelbycity.oh.gov)

**Second Ward:** Derrin Roberts, (419) 961-3116 - [derrinroberts@shelbycity.oh.gov](mailto:derrinroberts@shelbycity.oh.gov)

**Third Ward:** Garland John Gates, (419) 347-3337 - [garlandgates@shelbycity.oh.gov](mailto:garlandgates@shelbycity.oh.gov)

**Fourth Ward:** Nathan Martin, (567) 275-2525 - [nathanmartin@shelbycity.oh.gov](mailto:nathanmartin@shelbycity.oh.gov)

2nd Reading  
1/18/2022

ORDINANCE NO: 1 -2022  
(Sponsor: Councilmember Martin)

**AMENDING CHAPTER 1050 (ELECTRICITY), SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (d) (BALANCE LEVELIZATION RATE RIDER) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, the Balance Levelization was established to help reduce the electric fund balance; and

WHEREAS, the fund balance has been reduced to the proposed electric cash reserve policy level; and

WHEREAS, it is necessary at this time to modify Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (d) (Balance Levelization Rate Rider) to amend the negative rate rider from \$0.0022/kWh to \$0.0000/kWh to help retain the available cash balance at the desired 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 Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (d) (Balance Levelization Rate Rider) be amended and/or modified.

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

Section 1: That Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (d) (Balance Levelization Rate Rider) be amended to read as follows:

(d) *Balance Levelization Rate Rider*


(1) Service Schedules A, A-D, B, C, and D shall have a negative rate *rider* in the amount of \$0.0000 / kWh. The negative rate *rider* shall cease from all service schedules and be removed from the utility bill.

Section 2: That all other language in Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

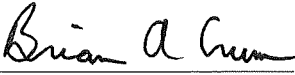
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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.

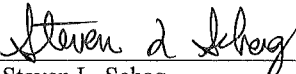
PASSED: February 7, 2022

  
Steven D. McLaughlin  
Vice President of Council


ATTEST:

  
Brian Crum  
Clerk of Council

APPROVED:

  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

11/18/2022  
2nd Reading  
11/18/2022

ORDINANCE NO. 2 -2022  
(Sponsor – Councilmember Gates)

**AMENDING SECTION 206.02 (BOUNDARIES OF WARDS) OF CHAPTER 206 (WARDS AND BOUNDARIES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, Section 206.01 of the Codified Ordinances of the City of Shelby requires that each of the City's four wards "shall contain as nearly as practicable an equal number of inhabitants"; and

WHEREAS, Council met on Wednesday, December 15, 2021, as the Committee of the Whole to consider adjusting ward boundaries in light of the results of the Twenty-fourth Decennial United States Census; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare that the boundaries of wards – specifically the boundaries of the Third and Fourth Wards – be adjusted to comply with the requirements of Codified Ordinance 206.01;

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

Section 1: That Section 206.02 of the Codified Ordinances of the City of Shelby be amended to read as follows:

**206.02 BOUNDARIES OF WARDS.**

The boundaries of the wards of the city are as follows:

(a) *First Ward.* The first ward shall contain all that territory bounded as follows: beginning for the same at the intersection of the centerlines of the Black Fork of the Mohican River and West Main Street; from there westerly along the centerline of West Main Street to the west corporation line; from there generally northerly and easterly along the corporation line to the centerline of North Gamble Street; from there southerly along the centerline of North Gamble Street to the centerline of West State Street; from there westerly along the centerline of West State Street to the centerline of Leslie Lane; from there southerly along the centerline of Leslie Lane to the centerline of Maple Street; from there easterly along the centerline of Maple Street to the centerline of North Gamble Street; from there southerly along the centerline of North Gamble Street to the centerline of West Smiley Avenue; from there easterly along the centerline of West Smiley Avenue to the centerline of the Black Fork of the Mohican River; from there southerly along the centerline of the Black Fork of the Mohican River to the point of beginning.

(b) *Second Ward.* The second ward shall contain all that territory bounded as follows: beginning for the same at the intersection of the centerlines of East Main Street and Mansfield Avenue; from there southerly along the centerline of Mansfield Avenue to the centerline of Monroe Avenue; from there southwesterly along the centerline and the extension of the centerline of Monroe Avenue to the centerline of the Ashland Railway right-of-way; from there southerly along the centerline of the Ashland Railway right-of-way to the extension of the centerline of Simeon Avenue; from there westerly along the extension of the centerline and the centerline of Simeon Avenue to the centerline of Park Avenue; from there northerly along the centerline of Park Avenue to the centerline of East Tucker Avenue; from there westerly along the centerline of East Tucker Avenue to the centerline of the Black Fork of the Mohican River; from there southerly along the centerline of the Black Fork of the Mohican River to the south corporation line; from there generally westerly and northerly along the corporation line to the centerline of West Main Street; from there easterly along the centerlines of West and East Main Streets to the point of beginning.

(c) *Third Ward.* The third ward shall contain all the territory bounded as follows: beginning for the same at the intersection of the centerlines of Mansfield Avenue and East Main Streets; from there westerly along the centerline of East Main Street to the centerline of the Black Fork of the Mohican River; from there northerly along the centerline of the Black Fork of the Mohican River to the centerline of West Smiley Avenue; from there westerly along the

centerline of West Smiley Avenue to the centerline of North Gamble Street; from there northerly along the centerline of North Gamble Street to the centerline of Maple Street; from there westerly along the centerline of Maple Street to the centerline of Leslie Lane; from there northerly along the centerline of Leslie Lane to the centerline of West State Street; from there easterly along the centerline of West State Street to the centerline of North Gamble Street; from there northerly along the centerline of North Gamble Street to the north corporation line; from there generally easterly and southerly along the corporation line to the centerline of East Main Street; from there easterly along the centerline of East Main Street to the centerline of Technology Parkway; from there southerly along the centerline of Technology Parkway to the centerline of Glenwood Drive; from there westerly along the centerline of Glenwood Drive to the centerline of Samantha Avenue; from there northerly along the centerline of Samantha Drive to the centerline of Parkwood Drive; from there westerly along the centerline of Parkwood Drive to the boundary line between Jackson and Sharon Townships; from there northerly along said boundary line to the centerline of Grand Boulevard; from there westerly along the centerline of Grand Boulevard to the centerline of Wentz Avenue; from there southerly along the centerline of Wentz Avenue to the de facto centerline of Parkwood Drive; from there westerly along the de facto centerline of Parkwood Drive to the centerline of Mansfield Avenue; from there along the centerline of Mansfield Avenue to the point of beginning.

(d) *Fourth Ward.* The fourth ward shall contain all that territory bounded as follows: beginning for the same at the intersection of the centerlines of Wentz Avenue and Grand Boulevard; from there easterly along the centerline of Grand Boulevard to the boundary line between Sharon and Jackson Townships; from there southerly along said boundary line to the centerline of Parkwood Drive; from there easterly along the centerline of Parkwood Drive to the centerline of Samantha Drive; from there southerly along the centerline of Samantha Drive to the centerline of Glenwood Drive; from there easterly along the centerline of Glenwood Drive to the centerline of Technology Parkway; from there northerly along the centerline of Technology Parkway to the centerline of East Main Street; from there easterly along the centerline of East Main Street to the east corporation line; from there generally southerly and westerly along the corporation line to the centerline of the Black Fork of the Mohican River; from there northerly along the centerline of the Black Fork of the Mohican River to the centerline of East Tucker Avenue; from there easterly along the centerline of East Tucker Avenue to the centerline of Park Avenue; from there southerly along the centerline of Park Avenue to the centerline of Simeon Avenue; from there easterly along the centerline and the extension of the centerline of Simeon Avenue to the centerline of Ashland Railway right-of-way; from there northerly along the centerline of the Ashland Railway right-of-way to the extension of the centerline of Monroe Avenue; from there northeasterly along the extension of the centerline and the centerline of Monroe Avenue to the centerline of Mansfield Avenue; from there southeasterly along the centerline of Mansfield Avenue to the de facto centerline of Parkwood Drive; from there easterly along the de facto centerline of Parkwood Drive to the centerline of Wentz Avenue; from there northerly along the centerline of Wentz Avenue to the point of beginning.

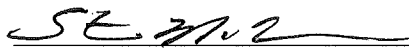
Section 2: That there be attached to this Ordinance a map delineating the ward boundaries as defined in Section 1 above.

Section 3: That all other sections of Chapter 206 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.

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: February 7, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

APPROVED: Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:  
Gordon M. Eyster  
Gordon M. Eyster  
Director of Law

**ORDINANCE NO. 3 - 2022**  
**(Sponsors- Councilmembers Gates & Martin)**

**CREATING APPROPRIATIONS FOR THE YEAR 2022 AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code §5705.38 requires that “the taxing authority of each subdivision or other taxing unit shall pass an appropriation measure. . . . no later than the first day of April of the current year”; and

WHEREAS, the Director of Finance and Public Record, in cooperation with the Finance Committee of City Council, and the Administration and Department Heads have prepared the “Annual Appropriation Ordinance” as attached hereto and made a part hereof; 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 Annual Appropriation Ordinance be adopted as prepared so as to provide for the efficient operation of the City government and so as to comply with the provisions of the Ohio Revised Code.

**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 an appropriation is hereby made and authorized for the year 2022, the same to be in full force and effect from and after approval, as and for the general appropriations for the City of Shelby for the year 2022.

Section 2: That City Council does hereby appropriate as an appropriation for the year 2022 the following sums, to wit:

<b>2022</b>	<b>Fund</b>	<b>Personal</b>	<b>Other</b>	<b>Total</b>
<b>GENERAL FUND</b>	<b>101</b>			
Building and Zoning		\$0.00	\$3,850.00	\$3,850.00
City Administration & Buildings		\$0.00	\$42,300.00	\$42,300.00
Civil Service		\$75.00	\$200.00	\$275.00
Council		\$47,225.00	\$11,900.00	\$59,125.00
Court		\$344,650.00	\$129,700.00	\$474,350.00
Finance		\$206,300.00	\$15,050.00	\$221,350.00
Law		\$108,400.00	\$25,300.00	\$133,700.00
Economic Development		\$0.00	\$414,850.00	\$414,850.00
Engineering		\$102,850.00	\$21,650.00	\$124,500.00
Fire		\$902,500.00	\$86,400.00	\$988,900.00
Mayor		\$154,850.00	\$5,450.00	\$160,300.00
Misc.		\$0.00	\$86,100.00	\$86,100.00
Police		\$1,565,800.00	\$399,700.00	\$1,965,500.00
Transportation		\$0.00	\$44,000.00	\$44,000.00
Transfers		\$0.00	\$540,000.00	\$540,000.00
<b>TOTAL</b>		<b>\$3,432,650.00</b>	<b>\$1,826,450.00</b>	<b>\$5,259,100.00</b>
<b>SPECIAL FUNDS</b>	<b>Fund</b>			
Street	200	\$324,450.00	\$2,003,650.00	\$2,328,100.00
State Highway	205	\$51,400.00	\$0.00	\$51,400.00
Street Sales Tax	210	\$0.00	\$83,000.00	\$83,000.00
Income Tax	220	\$147,800.00	\$4,539,200.00	\$4,687,000.00
Health	225	\$305,850.00	\$216,150.00	\$522,000.00
Park	230	\$31,250.00	\$1,720,000.00	\$1,751,250.00
Rehab Escrow CDBG	232	\$0.00	\$26,000.00	\$26,000.00
Court Probation	233	\$20,600.00	\$7,200.00	\$27,800.00
BMV Reimbursement	234	\$0.00	\$1,500.00	\$1,500.00

Law Enforcement Trust	235	\$0.00	\$8,730.00	\$8,730.00
Court IDAT	236	\$0.00	\$27,000.00	\$27,000.00
Court Enforce. & Education	237	\$0.00	\$700.00	\$700.00
Dare	238	\$0.00	\$5,000.00	\$5,000.00
Unclaimed Monies	240	\$0.00	\$500.00	\$500.00
Court IDAM	242	\$0.00	\$5,500.00	\$5,500.00
CDBG General	250	\$0.00	\$106,000.00	\$106,000.00
Home Program	251	\$0.00	\$217,000.00	\$217,000.00
Local Coronavirus Relief	283	\$0.00	\$0.00	\$0.00
Local Fiscal Recovery	284	\$953,003.00	\$0.00	\$953,003.00
City Admin. & Bldg.	650	\$0.00	\$0.00	\$0.00
Police Pension	700	\$252,000.00	\$800.00	\$252,800.00
Fire Pension	701	\$250,000.00	\$1,150.00	\$251,150.00
Shade Tree Trust	705	\$0.00	\$4,600.00	\$4,600.00
FEMA	815	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>		<b>\$2,336,353.00</b>	<b>\$8,973,680.00</b>	<b>\$11,310,033.00</b>

**Debt Service Funds**

Special Bond	275	\$0.00	\$1,000.00	\$1,000.00
General Bond SSE	281	\$0.00	\$0.00	\$0.00
USDA	282	\$0.00	\$0.00	\$0.00
Light Debt Reserve	602	\$0.00	\$55,000.00	\$55,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$56,000.00</b>	<b>\$56,000.00</b>

**Capital Project Funds**

Court Computer	239	\$0.00	\$14,000.00	\$14,000.00
Police Computer	241	\$0.00	\$1,500.00	\$1,500.00
Capital Improvement	300	\$0.00	\$519,900.00	\$519,900.00
Shelby Reservoir	301	\$0.00	\$0.00	\$0.00
Sewer Construction	302	\$0.00	\$0.00	\$0.00
San./Storm/Sewer - Equipment	303	\$0.00	\$0.00	\$0.00
Court Capital Improvement	304	\$0.00	\$13,000.00	\$13,000.00
Fox Run Six	322	\$0.00	\$0.00	\$0.00
Fox Run Seven	324	\$0.00	\$0.00	\$0.00
Water Facilities 69%	350	\$0.00	\$0.00	\$0.00
Bridges & Sidewalks 29%	351	\$0.00	\$0.00	\$0.00
Sidewalks 2%	352	\$0.00	\$16,150.00	\$16,150.00
Streets, Alleys, Catch Basin Fund	353	\$0.00	\$524,500.00	\$524,500.00
Police/Court	354	\$0.00	\$608,500.00	\$608,500.00
Police Equipment	702	\$0.00	\$24,000.00	\$24,000.00
Fire Equipment	703	\$0.00	\$275,000.00	\$275,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$1,996,550.00</b>	<b>\$1,996,550.00</b>

**Permanent Fund**

Mini Park Trust	Fund 710	\$0.00	\$3,000.00	\$3,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>

**Special Assessment Fund**

Fire Damage Fund	253	\$0.00	\$101,974.00	\$101,974.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$101,974.00</b>	<b>\$101,974.00</b>

**Enterprise Funds**

Sewer	400	\$930,050.00	\$682,875.00	\$1,612,925.00
San. Sewer Capital Improvements	401	\$0.00	\$618,600.00	\$618,600.00
Waste Water Capital Improvements	402	\$0.00	\$782,550.00	\$782,550.00
Water	500	\$1,114,100.00	\$1,112,250.00	\$2,226,350.00
Water Facilities	501	\$0.00	\$330,000.00	\$330,000.00

Water Capital Improvements	502	\$0.00	\$715,300.00	\$715,300.00
Electric	600	\$1,270,000.00	\$11,301,400.00	\$12,571,400.00
<b>TOTAL</b>		<b>\$3,314,150.00</b>	<b>\$15,542,975.00</b>	<b>\$18,857,125.00</b>

**Internal Service Fund**

Sharing Fund	706	\$0.00	\$25,000.00	\$25,000.00
Hospitalization	715	\$0.00	\$1,700,000.00	\$1,700,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$1,725,000.00</b>	<b>\$1,725,000.00</b>

**Agency Fund**

Playscape Trust	231	\$0.00	\$0.00	\$0.00
Light Customer Deposit	601	\$0.00	\$113,000.00	\$113,000.00
Bicentennial Trust	800	\$0.00	\$0.00	\$0.00
<b>Total Agency Funds</b>		<b>\$0.00</b>	<b>\$113,000.00</b>	<b>\$113,000.00</b>

		<b>Personal</b>	<b>Other</b>	<b>Total</b>
<b>TOTAL</b>		<b>\$9,083,153.00</b>	<b>\$30,338,629.00</b>	<b>\$39,421,782.00</b>


Section 3: That the Director of Finance and Public Record is hereby authorized to draw warrants on the City Treasury for the amounts appropriated in this Ordinance whenever claims are presented, properly approved by the head of the department, for which the indebtedness was incurred.

Section 4: That transfers may be made from line item to line item within the Financial Department without specific Council authorization provided, however, that no line item may be increased during 2022 by a sum greater than 10% of the original appropriation or \$5,000.00 whichever is greater. Said transfer shall be certified by the Director of Finance and Public Record, signed by the Mayor, and by the elected official or board or commission responsible for each financial department.

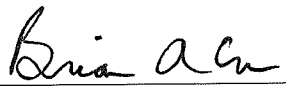
Section 5: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

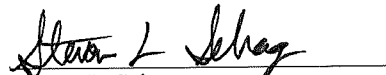
Section 6: That this Ordinance is hereby deemed to be an emergency so as to provide for the usual daily operations of municipal government and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: March 21, 2022

  
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



ORDINANCE NO. 5 -2022  
(Sponsor: Councilmember Gates)

AMENDING CHAPTER 1466 (FLOOD DAMAGE PREVENTION) SECTION 1466.24 (USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION) (d)(3) (RESIDENTIAL STRUCTURES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, changes have been made to the requirements of National Flood Insurance Program Community Rating System administered by the United States Federal Emergency Management Agency; 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 Chapter 1466 (Flood Damage Prevention) be amended.

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 Chapter 1466 (Flood Damage Prevention), Section 1466.24 (Use and Development Standards For Flood Hazard Reduction), (d) (3) (Residential Structures) be amended to read as follows:

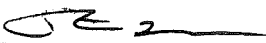
(3) New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are elevated to one foot above the flood protection level so as to prevent water from entering or accumulating within the components during conditions of flooding.

Section 2: That all other language in Chapter 1466 (Flood Damage Prevention), Section 1466.24 (Use and Development Standards For Flood Hazard Reduction) shall remain in full force and effect.

Section 3: That all meetings and hearings concerning the adoption of the 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 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: April 4th, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

APPROVED:  
Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

ORDINANCE NO. 6 - 2022  
(Sponsors – Councilmembers Gates, Martin, & Roberts)

**AMENDING ORDINANCE NO.: 3-2022 (ANNUAL APPROPRIATIONS) AND  
DECLARING AN EMERGENCY.**

WHEREAS, on March 21, 2022, 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 2022 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 2022 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.: 3-2022 (Annual Appropriations) is hereby amended as follows:

**THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURE**

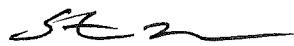
**230-CAP-647                      BLACKFORK PARK                      \$ 100,000.00**

Section 2: That all other portions of Ordinance No.: 3-2022, 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.

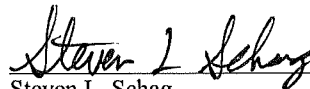
Section 4: That this Ordinance is hereby deemed to be an emergency so as to meet the ongoing contractual and/or monetary obligations of the City of Shelby Ohio and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: April 18, 2022

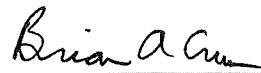


Steven D. McLaughlin  
Vice President of Council


APPROVED:



Steven L. Schag  
Mayor

ATTEST:   
Brian A. Crum  
Clerk of Council

Prepared by:

  
Gordon M. Eyster  
Director of Law

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: May 16, 2022

Steven McLaughlin  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

APPROVED: Steve L. Schag  
Steve L. Schag  
Mayor

Prepared by:

Gordon M. Eyster  
Gordon M. Eyster  
Director of Law

ORDINANCE NO. 9 -2022  
(Sponsor – Councilmember McLaughlin)

ENACTING SECTION 230.08 (CODE ENFORCEMENT OFFICER) OF CHAPTER 230 (MAYOR) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY AND DECLARING AN EMERGENCY.

WHEREAS, Section 19 of the Charter of the City of Shelby reads, in part, “The council shall create by ordinance such other officers, clerks and employees as are not in the classified service, in each department of the city government as are necessary for the transaction of the city’s business, and all such positions so created shall be filled by appointment by the mayor...”; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare that the position of Code Enforcement Officer be established.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That Section 230.08 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**230.08 CODE ENFORCEMENT OFFICER.**

The Mayor is hereby authorized to appoint a Code Enforcement Officer. Said Code Enforcement Officer shall assist in administering and enforcing the City’s EXTERIOR PROPERTY MAINTENANCE ORDINANCE (CHAPTER 1490) , WEEDS ORDINANCE (CHAPTER 662) , and any other Ordinances pertaining to Building and Housing regulations by performing field inspections, issuing and maintaining reports of inspections, documenting violations, and forwarding information to the Director of Law for prosecution. The Code Enforcement Officer shall also respond to inquiries by the public, seek to educate and resolve complaints and/or violations, and provide feedback to Council in regard to the practical efficacy of the aforementioned City Ordinances. Said Code Enforcement Officer shall be in the unclassified service in accordance with Ohio Revised Code Section 124.11 (A) (29).

Section 2: That all other sections of Chapter 230 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 is hereby deemed to be an emergency so as to provide for the immediate preservation of the public peace, property, health or safety of the City of Shelby, Ohio and for the additional reason that it is immediately necessary to have a Code Enforcement Officer initiate their functions during the favorable weather of spring and summer 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: June 4, 2022

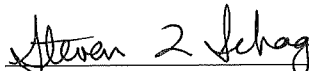


Steven McLaughlin  
Vice President of Council

APPROVED:

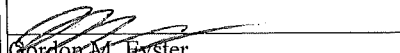
ATTEST: Brian A Crum

Brian Crum  
Clerk of Council



Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Lyster  
Director of Law

**ORDINANCE NO. 10 -2022**  
**(Sponsor: Councilmember McLaughlin)**

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

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 Mayor has requested that the position of Code Enforcement Officer be created; 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 Mayor's request and to make other adjustments.

**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, 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
Code Enforcement Officer	\$17.00 - \$27.00

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 220.01, 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 provide for the immediate preservation of the public peace, property, health or safety of the City of Shelby, Ohio and for the additional reason that it is immediately necessary to have a Code Enforcement Officer initiate their functions during the favorable weather of spring and summer 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: June 6, 2022

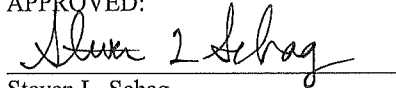


Steven McLaughlin  
Vice President of Council

ATTEST: Brian A. Crum

Brian A. Crum  
Clerk of Council

APPROVED:



Steven L. Schag  
Mayor

Prepared by:



Gordon M. Eyster  
Director of Law

ORDINANCE NO. 11 - 2022  
(Sponsors – Councilmembers Gates & Martin)

**AMENDING ORDINANCE NO.: 3-2022 (ANNUAL APPROPRIATIONS) AND  
DECLARING AN EMERGENCY.**

WHEREAS, on March 21, 2022, 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 line items within the 2022 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 2022 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.: 3-2022 (Annual Appropriations) is hereby amended as follows:

**THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURE**


101-BZI-400	WAGES	\$ 30,000.00
101-BZI-415	OHIO PUBLIC EMPLOYEES RETIRE SYS	\$ 4,200.00
101-BZI-417	FICA	\$ 500.00
101-TRS-447	TRANSFER-CAPITAL IMPROVEMENT 300	\$ 405,000.00
300-POL-515	EQUIPMENT	\$ 90,000.00
300-STR-535	STREET RESURFACING	\$ 315,000.00

Section 2: That all other portions of Ordinance No.: 3-2022, 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: June 4, 2022


  
Steven D. McLaughlin  
Vice President of Council

APPROVED:

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

Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law



RESOLUTION NO. 1 -2022  
(Sponsor: Councilmember Gates)

**AUTHORIZING THE MAYOR OF THE CITY OF SHELBY TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE IAFF, LOCAL 2492 REGARDING THE HIRING, TRAINING AND RETENTION OF NEW EMPLOYEES IN BARGAINING UNIT WHO, AT THE TIME OF THEIR HIRING, DO NOT POSSESS PROFESSIONAL FIREFIGHTER CERTIFICATION AND/OR EMERGENCY MEDICAL TECHNICIAN-PARAMEDIC CERTIFICATION.**

WHEREAS, City Council and the Administration have conducted settlement of the hiring, training and retention of new employees in bargaining unit who, at the time of their hiring, do not possess professional firefighter certification and/or emergency medical technician-paramedic certification; and

WHEREAS, such negotiations have provided a tentative agreement between parties; and

WHEREAS, City Council and the Administration have reviewed such proposal and;

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare that the City of Shelby execute a Memorandum of Understanding with the IAFF, Local 2492 regarding the hiring, training and retention of new employees in bargaining unit who, at the time of their hiring, do not possess Professional Firefighter Certification and/or Emergency Medical Technician-Paramedic Certification.

**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 shall be and is hereby authorized to sign a Memorandum of Understanding, a copy of which is attached to and incorporated into this Resolution as if fully written herein, with the IAFF, Local 2492 regarding the hiring, training and retention of new employees in bargaining unit who, at the time of their hiring, do not possess Professional Firefighter Certification and/or Emergency Medical Technician-Paramedic Certification.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with all legal requirements.

Section 3: That any and all resolutions in conflict with the express provisions of their Agreement are superseded by this agreement.

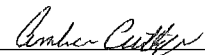
Section 4: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 5: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

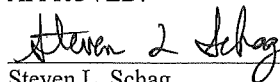
PASSED: January 3, 2022



Steven McLaughlin  
Vice President of Council


ATTEST:   
~~Brian Crum~~ Amber Cutlip  
Clerk of Council Pro Tem

APPROVED:



Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

**RESOLUTION NO.   a  -2022**  
**(Sponsor- Councilmember Gates)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PARTICIPATE IN THE JOHNSON AND JOHNSON NATIONAL OPIOID SETTLEMENT AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Shelby, Ohio (herein "Municipality") is a municipal corporation formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance, and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representative and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance, and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and the Council of City of Shelby, Ohio has adopted, and hereby reaffirms its adoption of, a One Ohio Memorandum of Understanding ("MOU") and now desire to enter similar agreements relating to a Johnson and Johnson national Opioid Settlement relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Council of the City of Shelby, Ohio understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS, a settlement proposal is being presented to the State of Ohio and Local Governments by Janssen/Johnson & Johnson to resolve governmental entity claims in the State of Ohio using a Settlement Agreement similar to the MOU; and

WHEREAS, the Council of the City of Shelby, Ohio wishes to agree to the material terms of the proposed Settlement Agreement (the "Proposed Settlement").

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:**

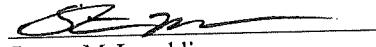
Section 1: That the Mayor as Director of Public Safety is authorized to accept the Proposed Settlement on behalf of the City of Shelby, Ohio, pursuant to the terms of said settlement agreement and Settlement Participation Form.

Section 2: That council intends that any financial proceeds from the Proposed Settlement be deposited into the Police Equipment Fund.

Section 3: That all meetings and hearings concerning the adoption of the 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.

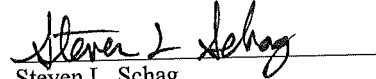
Section 4: That this Resolution is hereby deemed to be an emergency so as to meet the ongoing contractual obligations of the City of Shelby, Ohio, and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: January 18, 2022

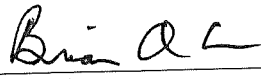


Steven McLaughlin  
Vice President of Council

APPROVED:



Steven L. Schag  
Mayor

ATTEST: 

Brian Crum  
Clerk of Council

Prepared by:



Gordon M. Eyster  
Director of Law

RESOLUTION NO. 3 -2022  
(Sponsor: Councilmember Gates)

**APPROVING WEED ASSESSMENTS AS ISSUED BY THE DIRECTOR OF PUBLIC SERVICE.**

WHEREAS, Codified Ordinance 662.04 requires the Director of Public Service to notify owners of an assessment for the cutting and removal of offensive and noxious weeds, vines, and grass by the City of Shelby; and

WHEREAS, the Director of Public Service has served said notices on multiple properties within the City of Shelby, Ohio; and

WHEREAS, before the Clerk of Council can certify these assessments to the County Auditor for inclusion on the tax duplicate, Codified Ordinance 662.04 requires that City Council approve said assessment; 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 Council of the City of Shelby approve the assessments as prepared by the Director of Public Service so that the Clerk of Council can certify said assessments to the County Auditor for inclusion on the tax duplicate.

**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 hereby approves the list of assessments as prepared by the Director of Public Service and attached hereto as "Exhibit A".

Section 2: That the Clerk of Council shall certify said assessments to the Richland County Auditor for inclusion on the tax duplicate for collection.


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.

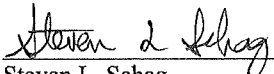
Section 4: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: February 7, 2022

  
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. 4 -2022  
(Sponsor: Councilmember McLaughlin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OF THE CITY OF SHELBY TO APPLY FOR A CERTIFIED LOCAL GOVERNMENT GRANT FOR CREATION OF LOCAL DESIGN GUIDELINES AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio State Historic Preservation Office provides financial assistance for the creation of local design guidelines through the Certified Local Government Grant; and

WHEREAS, the City of Shelby Historic Preservation Commission desires financial assistance under the Certified Local Government Grant Program to create local design guidelines; 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 of City of Shelby apply for a Certified Local Government 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 approves an application for financial assistance for local design guidelines.


Section 2: That the Mayor as Director of Public Service is hereby authorized and directed to execute and file an application with the Ohio State Historic Preservation Office 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 Certified Local Government Grant.

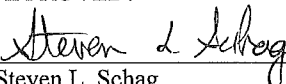
Section 4: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22 and the Charter of the City of Shelby, Ohio.


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: February 7, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST:   
Brian Crum  
Clerk of Council

APPROVED:  
  
Steven L. Schag  
Mayor

Prepared by:  
  
Gordon M. Eyster  
Director of Law

**AMENDED RESOLUTION NO. 5-2022**  
**(Sponsors: Councilmembers Gates and Roberts)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO APPLY FOR THE SMALL RURAL TRIBAL BODY WORN CAMERA PROGRAM GRANT AND DECLARING AN EMERGENCY.**

WHEREAS, the Shelby Police are desirous of obtaining body-worn cameras for use within the department; and

WHEREAS, it is estimated that the cost to purchase said devices is approximately \$28,000.00; 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 apply for funding through the Small Rural Tribal Body Worn Camera Program to assist with said purchases.

**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 Council approve an application for financial assistance to purchase body-worn cameras, retroactive to August 31, 2021.

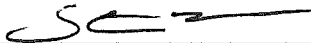
Section 2: That the Mayor as Director of Public Safety shall be and is hereby authorized and directed to execute and file a grant application with the Small Rural Tribal Body Worn Camera Program and to provide all information and documentation required to become eligible for possible funding assistance.

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

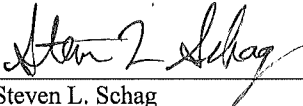
Section 4: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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.

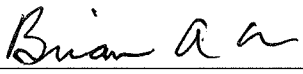
PASSED: February 7, 2022

  
\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council


APPROVED:

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

ATTEST:

  
\_\_\_\_\_  
Brian Crum  
Clerk of Council

Prepared by:

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

**RESOLUTION NO. 6-2022**  
**(Sponsor: Councilmember Gates)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PURCHASE TWO (2) NEW POLICE CRUISERS AT STATE BIDDING FROM MONTROSE FORD LLC DBA MONTROSE FORD AND DECLARING AN EMERGENCY.**

WHEREAS, the Shelby Police Department is desirous of purchasing two (2) new police cruisers for the operation of the department; and

WHEREAS, Montrose Ford LLC dba Montrose Ford offered the best quote for providing the same at state bid; 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 two (2) 2022 Ford Police Interceptor Utility Hybrids from Montrose Ford LLC dba Montrose Ford.


**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 Safety is hereby authorized to purchase two (2) 2022 Ford Police Interceptor Utility Hybrids for the operation of the Police Department from Montrose Ford LLC dba Montrose Ford.

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.

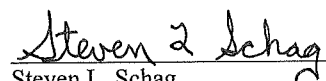
Section 3: That this Resolution is hereby deemed to be an emergency so as to meet the ongoing contractual obligations of the City of Shelby, Ohio, and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: February 10, 2022


  
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. 7 -2022  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH SOUTHSIDE EXCAVATING TO REMOVE LIME SLUDGE FROM THE WATER TREATMENT PLANT LARGE DRYING LAGOON AND DECLARING AN EMERGENCY.**

WHEREAS, the Water Treatment Plant needs to excavate and remove lime sludge from the drying lagoons located at the treatment facility; and

WHEREAS, the three lime sludge drying lagoons are full and the treatment facility needs ample space to store lime sludge for the daily operation and maintenance; and

WHEREAS, the contractor will be working with area farmers to utilize and apply the lime sludge on to agricultural fields before the Spring planting season; 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 Southside Excavating to remove the lime sludge from the large drying lagoon.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:**

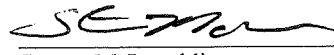
Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into an agreement with Southside Excavating to remove the lime sludge from the large drying lagoon.

Section 2: That Southside Excavating has provided a price of \$47,400 for the removal of the lime sludge.

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.

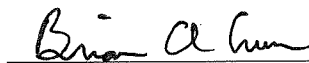
Section 4: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: February 22, 2022



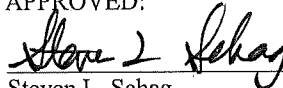
Steven McLaughlin  
Vice President of Council

ATTEST:




Brian Crum  
Clerk of Council

APPROVED:



Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law



RESOLUTION NO. 8-2022  
(Sponsor: Councilmember McLaughlin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT FOR A HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT.**

WHEREAS, the City of Shelby, Ohio has been awarded CDBG or HOME Funds from the State of Ohio, Department of Development; and

WHEREAS, said funds are used to improve the affordable housing stock and provide for affordable housing needs of low-and-moderate income persons in the City of Shelby, Ohio; and

WHEREAS, a revolving loan fund must be established to administer said CDBG or HOME funds.

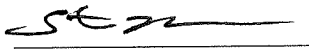
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING.**

Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into a Housing Revolving Loan Fund Administration Agreement with the State of Ohio, Department of Development.


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.

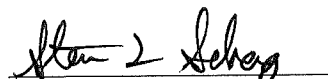
PASSED: February 22, 2022

  
Steven McLaughlin  
Vice President of Council

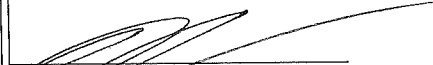
ATTEST:

  
Brian Crum  
Clerk of Council

APPROVED:

  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

RESOLUTION NO. 9 -2022  
(Sponsors: Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2022-2023 TRAINING AND EQUIPMENT GRANT FOR THE PURCHASE OF EMS SUPPLIES AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Department of Public Safety provides financial assistance for fire department purposes through the 2022-2023 Training and Equipment Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Fire Department Individual Equipment Grant Program to purchase EMS Supplies; 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 the 2022-2023 Training and Equipment 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 approves an application for financial assistance for EMS Supplies.


Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Department of Safety 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 2022-2023 Training and Equipment 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: March 7, 2022


  
\_\_\_\_\_  
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. 10-2022  
(Sponsor- Councilmember Gates)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT CHANGE ORDER WITH VASU COMMUNICATIONS, INC FOR THE PURCHASE OF EF JOHNSON MOBILE AND PORTABLE RADIOS IN THE AMOUNT OF NINE THOUSAND EIGHT HUNDRED FORTY AND 11/100 DOLLARS (\$9,840.11) AS AN INCREASE AND DECLARING AN EMERGENCY.**

WHEREAS, on November 15, 2021, Shelby City Council passed Resolution No. 69-2021 authorizing the Mayor as Director of Public Safety to enter into a contract with Vasu Communications, Inc. for the purchase of EF Johnson Mobile and Portable Radios through the State Cooperative Purchase Plan; and

WHEREAS, it has become necessary to purchase an alternate radio and accessories so they are compatible with the existing police communications system causing the need for a change order; 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 Safety shall be and is hereby authorized to enter into Change Order with Vasu Communications, Inc. for the total amount of Nine Thousand Eight Hundred Forty and 11/100 Dollars (\$9,840.11) as an increase.

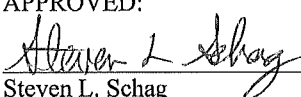
Section 2: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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: March 7, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian Crum  
Brian Crum  
Clerk of Council

APPROVED:  
  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

RESOLUTION NO. 11 -2022  
(Sponsor- Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER WITH KELSTIN, INC FOR THE LEAD SERVICE LINE PROJECT IN THE AMOUNT OF FIFTEEN THOUSAND NINE HUNDRED NINETY-ONE AND 74/100 DOLLARS (\$15,991.74) AS AN INCREASE AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Shelby has entered into a contract with Kelstin, Inc. for the Lead Service Line Project, and said contract provides for a written change order; and

WHEREAS, it has become necessary to make additions to the Lead Service Line 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 Kelstin, Inc. for the total amount of Fifteen Thousand Nine Hundred Ninety-One and 74/100 Dollars (\$15,991.74) 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.

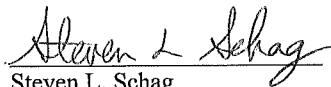
Section 3: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: March 7, 2022

  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: Brian Crum  
Brian Crum  
Clerk of Council

  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

RESOLUTION NO. 12 - 2022

(Sponsor: Councilmember Gates)

**APPROVING AND ADOPTING THE BLACK FORK COMMONS WRITTEN JUSTIFICATION STATEMENT FOR FUNDING FROM THE RICHLAND COUNTY BOARD OF COMMISSIONERS THROUGH THE AMERICAN RESCUE PLAN AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Shelby, intends to apply for American Rescue Plan funding from the Richland County Board of Commissioners for the Black Fork Commons Plaza Project; and

WHEREAS, as said project is greater than One Million Dollars (\$1,000,000.00), it requires a written justification statement; 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 written justification statement be approved and adopted.

**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 Council of the City of Shelby approves and adopts the attached written justification statement for the Black Fork Commons Project.

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.

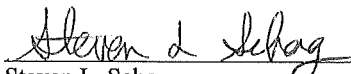
Section 3: That this Resolution is hereby deemed to be an emergency so as to meet the ongoing contractual obligations of the City of Shelby, Ohio, and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: March 7, 2022



Steven McLaughlin  
Vice President of Council

APPROVED:



Steven L. Schag  
Mayor

ATTEST:



Brian Crum  
Clerk of Council

Prepared by:



Gordon Eyster  
Director of Law

RESOLUTION NO. 13 -2022  
(Sponsor- Councilmember Martin)

APPROVING THE SUBGRANT AGREEMENT AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO SAID AGREEMENT WITH THE BOARD OF RICHLAND COUNTY COMMISSIONERS UTILIZING AMERICAN RESCUE PLAN ACT FUNDING FOR THE BLACK FORK COMMONS NEIGHBORHOOD INVESTMENT PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, on March 10, 2022, the Board of Richland County Commissioners approved American Rescue Plan Act funding for the Black Fork Commons Neighborhood Investment Project; and

WHEREAS, said funding requires a subgrant agreement between the Board of Richland County Commissioners and the City of Shelby; and

WHEREAS, it is the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that said subgrant be approved and entered into.

**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 American Rescue Plan Act Subgrant Agreement between the Board of Richland County Commissioners and the City of Shelby for the Black Fork Commons Neighborhood Investment Project is hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to enter into the Subgrant Agreement.

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 therefor, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

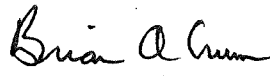
PASSED:

3/11/2022



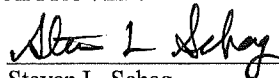
Steven McLaughlin  
Vice President of Council

ATTEST:



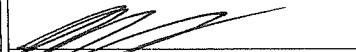
Brian Crum  
Clerk of Council

APPROVED:



Steven L. Schag  
Mayor

Prepared by:



Gordon M. Eyster  
Director of Law

RESOLUTION NO. 14 -2022  
(Sponsor- Councilmember Martin)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE BLACK FORK COMMONS PHASE 2 PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, on December 6, 2021, Shelby City Council passed Resolution No. 72-2021 authorizing the Mayor as Director of Public Service to advertise for bids and enter into a contract for the Black Fork Commons Phase 2 Project; and

WHEREAS, said bids for the project came in over budget; and

WHEREAS, plans and specifications have been modified for the Black Fork Commons Phase 2 Project; and

WHEREAS, it is the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that said project be rebid.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

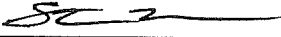
Section 1: That the revised plans and specifications for the Black Fork Commons Phase 2 Project are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said project.

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 therefor, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

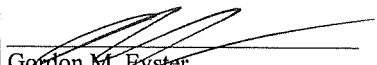
PASSED: March 11, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

APPROVED: Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

RESOLUTION NO. 15 -2022  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022.**

WHEREAS, the City of Shelby is desirous to participate with the Ohio Department of Transportation to purchase salt; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of Shelby, Ohio, that the Mayor as Director of Public Service be authorized to cooperate with the Ohio Department of Transportation for the purchase of rock salt.

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

Section 1: The City of Shelby (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon an award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 29, 2021 by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation



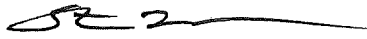
agreement and/or a Political Subdivision's request to rescind its participation agreement.

Section 2: That this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract and authorizes the Mayor as Director of Public Service to sign the agreement.

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.

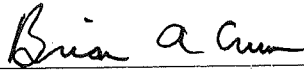
Section 4: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: March 21, 2022



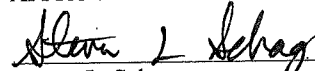
Steven McLaughlin  
Vice President of Council

ATTEST:



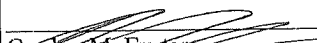
Brian Crum  
Clerk of Council

APPROVED:



Steven L. Schag  
Mayor

Prepared by:

Gordon M. Eyster  
Director of Law

RESOLUTION NO. 16-2022  
(Sponsor- Councilmember Martin)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2022 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, plans and specifications have been completed for the 2022 Paving Project; and

WHEREAS, various residential streets within the City of Shelby are in need of paving; 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 improvements be made to said streets within the City of Shelby.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

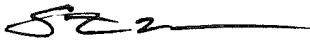
Section 1: That the plans and specifications for the 2022 Paving Project in the City of Shelby are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said paving project.

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 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: March 21, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

APPROVED:  
Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

RESOLUTION NO. 17 -2022  
(Sponsors – Councilmembers Gates, Roberts, Roub and Martin)

**THANKING CAPTAIN ROBERT D. DEANE FOR HIS SERVICE AS A FIREFIGHTER  
IN THE SHELBY FIRE DEPARTMENT.**

WHEREAS, Robert D. Deane recently retired from the Shelby Fire Department; and

WHEREAS, during his tenure of employment, Mr. Deane served for two years as a volunteer firefighter, seven years as a firefighter, and twenty-one years as a fire captain; and

WHEREAS, the Council desires to thank Mr. Deane for his dedicated public service to the City of Shelby and its residents.

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

Section 1: That the Council express its sincere thanks and appreciation to Robert D. Deane for his extraordinary thirty years of dedicated service as a volunteer firefighter, firefighter, and fire captain in the Shelby Fire Department.

Section 2: That the Council extend to Mr. Deane its best wishes for a satisfying and productive retirement.

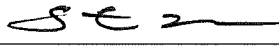
Section 3: That the Clerk of Council present Mr. Deane an authenticated copy of this Resolution.

Section 4: That the Clerk of Council cause this Resolution to be published once in a newspaper of general circulation published within the city limits.

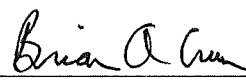
Section 5: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby.

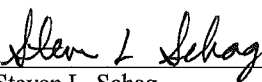
Section 6: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: April 4, 2022

  
\_\_\_\_\_  
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. 18-2022**  
**(Sponsors: Councilmembers Gates and Martin)**

**ELECTING TO TAKE THE "STANDARD ALLOWANCE" OF UP TO \$10,000,000.00 AS THE AMOUNT OF REVENUE LOSS FOR USE FOR THE PROVISION OF GOVERNMENT SERVICES UNDER SECTION 603(c)(1)(C) OF THE AMERICAN RESCUE PLAN.**

WHEREAS, the "American Rescue Plan Act of 2021" (ARP), H.R. 1319, Public Law 117-2, was signed into law by the President of the United States on March 11, 2021; and

WHEREAS, Section 603(b)(3) of the ARP sets aside a sum of funds available to Cities for use in accordance with its provisions referred to as the "Coronavirus Local Fiscal Recovery Fund" (CLFRF); and

WHEREAS, Section 603(c)(1)(C) of ARP allows use of such funds "for the provision of government services to the extent of the reduction in revenue of such The City due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the city prior to the emergency"; and

WHEREAS, the U.S. Treasury has adopted various rules attached to the use of these funds, having issued a Final Rule on January 6, 2022; and

WHEREAS, Section 35.6(d) of the Final Rule provides for the use of a "standard allowance" or for the use of a calculation formula by which an entity may determine the amount of "revenue loss" pursuant to Section 603(c)(1)(C) of ARP, but provides that recipients "must make a one-time election" between those options; and

WHEREAS, the election provided for under Section 35.6(d)(1) of the Final Rule allowing a recipient to take up to \$10,000,000.00 as the standard allowance provides the City with more certainty as to exactly how much "revenue loss" funds may be used to provide for "the provision of government services" over the multi-year performance period allowed for use of ARP funds.

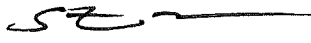
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:**

Section 1: That the Council hereby elect, under Section 35.6(d)(1) of the Final Rule, to take up to \$953,000.00 as a "standard allowance" for "the provisions of government services."


Section 2: That use of this standard allowance may be for the direct provision of government services, or they may be used as a secondary/additional legal justification or support for an ARP funded project/purchase in the event such a project was later deemed not to be otherwise appropriate for funding use under Section 603(c)(1)(A)(B) or (D) of the ARP.

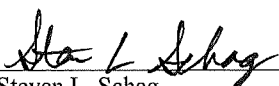
Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

PASSED: April 4, 2022

  
\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

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

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

RESOLUTION NO. 19 -2022  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO SUBMIT A H2OHIO LEAD SERVICE LINE INVENTORY AND MAPPING GRANT APPLICATION TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY AND DECLARING AN EMERGENCY.**

WHEREAS, the H2Ohio initiative has partnered with the Ohio Environmental Protection Agency to provide a limited funding source for lead service line inventory and mapping; and

WHEREAS, the Rural Community Assistance Partnership (RCAP) has offered their assistance to populate and submit the City of Shelby Lead Service Line Inventory and Mapping Grant application to the Ohio EPA; and

WHEREAS, the funding source is limited to a \$50,000 grant per applicant and is being provided until the funding is exhausted; and

WHEREAS, should additional funds be required for the inventory project, RCAP has indicated they may contribute financial support from their available funds; and

WHEREAS, the City of Shelby Service Department desires financial assistance in the form of a grant to inventory and map the location of the lead service lines throughout the city's public water system; 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 is seeking authorization to submit an application to the Ohio Environmental Protection Agency for the H2Ohio Lead Service Line Inventory and Mapping 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 H2Ohio and the Ohio Environmental Protection Agency have collaborated to provide a funding source by the means of a grant to support lead service line inventory and mapping within public water systems.

Section 2: That the Mayor as Director of Public Service is hereby authorized to execute and file an application to the Ohio Environmental Protection Agency to provide the necessary information and documentation required to become eligible for the H2Ohio Lead Service Line Inventory and Mapping Grant for the city's public water system.

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.

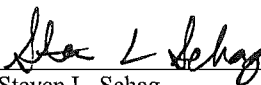
Section 4: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: April 4, 2022

  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum  
Brian Crum  
Clerk of Council

  
Steven L. Schag  
Mayor

RESOLUTION NO. 20 -2022  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACCEPT A QUOTE FROM M. SMITH ROOFING, LTD. FOR THE BLOWER ROOM AND DIGESTER BUILDING ROOF REPLACEMENT PROJECT AT THE WASTE WATER TREATMENT PLANT.**

WHEREAS, the Waste Water Treatment Plant is desirous of replacing the roof on the Blower Room and the Digester Building; and

WHEREAS, The Garland Company had performed a comprehensive inspection and survey of the said two roofs and has determined the roofs have failed and recommend the roofs be replaced; and

WHEREAS, a Request for Proposal to replace the two roofs has provided a quote of \$49,700.00 from M. Smith Roofing, Ltd.; 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 accept the quote from M. Smith Roofing Ltd. for the roof replacement project at the Waste Water Treatment Plant.

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

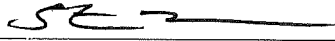
Section 1: That the Mayor as Director of Public Service is hereby authorized to accept the quote provided by M. Smith Roofing Ltd. for the Blower Room and Digester Building roof replacements at the Waste Water Treatment Plant.

Section 2: That a quote of \$49,700.00 from M. Smith Roofing Ltd. has been provided for the roofing project.

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.

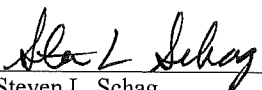
Section 4: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: April 4, 2022

  
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. 22 -2022  
(Sponsor: Councilmember McLaughlin)

**CONSENTING TO THE ANNEXATION OF A CERTAIN PARCEL OF LAND KNOWN AS THE HUMPHREY ANNEXATION IN SHARON TOWNSHIP, RICHLAND COUNTY, OHIO, TO THE CITY OF SHELBY AND DECLARING AN EMERGENCY.**

WHEREAS, a petition for annexation of certain territory in Sharon Township, Richland County, Ohio, was duly filed by a group of property owners who designated as their agent, Andrew J. Medwid, Esq., said petition having been filed with the Richland County Commissioners on April 11, 2022; 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 parcel of land known as the Humphrey Annexation in Sharon Township, Richland County, Ohio, be annexed into the City of Shelby.

**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 hereby consents to the proposed annexation as applied for in the petition of Andrew J. Medwid, Esq., et al., which was filed with the Board of County Commissioners of Richland County, Ohio, and which prayed for annexation to the City of Shelby. The territory is described as follows:

Situated in the County of Richland in the State of Ohio, and in the Township of Sharon:

Being a part of the Southwest Quarter of Section 17, Township 22, Range 19, and more particularly bounded and described as being 7 7/10 acres of land and commencing for the same at a given point 806.7 feet North of the South boundary line of said Quarter in the center of the Shelby and Ontario Public highway, point marked by an iron pin;

Thence North 0 degrees 51 minutes East 711 feet in the center of said highway to a point known on the County Surveyor's C.L. Bushey "blue print";

Thence according to said County Surveyor's blueprint, North 73 degrees 30 minutes East 308 feet to a stake where said ditch intersects in the center of Blackfork Creek;

Thence in a Southerly direction, meandering in the center of Blackfork Creek, to the North Pagle line;

Thence North 89 degrees 45 minutes West 502 feet to the center of the Shelby and Ontario public highway marked by an iron pin to the place of beginning.

ALSO;

Situated in Sharon Township, Richland County, Ohio and being a part of Section 17, Township 27, Range 19 and being a Parcel of land described as beginning at a point which is in the centerline of the Shelby and Ontario Road, said point being 1703 feet North of the South Line of Section 17;

Thence North 73 degrees 35 minutes East 308 feet to a stake;

Thence along the centerline of the Blackfork 73 feet to a stake;

Thence continuing along said centerline 115 feet to a stake;

Thence along said centerline 426 feet to a point on the bank of the new channel of the Blackfork;

Thence along the following old centerline of old channel 100 feet to a stake;

Thence continuing along the said line of old channel 213 feet to a stake;

Thence along the old channel 100 feet to a stake;

Thence along the centerline of old channel 75 feet to a point in the centerline of the new channel of Blackfork;

Thence along the banks of the new channel to a point on the banks of the new channel said point being 40 feet from the centerline of the new channel;

Thence along the bank of the creek 318 feet;

Thence along and following said bank of the new channel 575 feet to a stake;

Thence South 73 degrees 35 minutes West 168 feet to a stake, same being 308 feet from the point of beginning and containing 1 and 93/100 acres of land.

Being 9 3/5 acres in the aggregate, more or less, and subject to all legal highways.

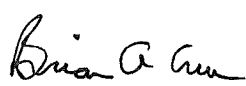
Permanent Parcel # 044-47-003-06-000

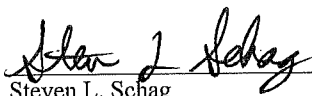
Section 2: That the Clerk of Council shall file a certified copy of this Resolution with the Board of County Commissioners of Richland County, within twenty-five days of the date of filing of the Petition for Annexation with said Board of Commissioners (said filing date having been April 11, 2022).


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: April 18, 2022   
Steven McLaughlin  
Vice President of Council

ATTEST:   
Brian Crum  
Clerk of Council

  
Steven L. Schag  
Mayor

Prepared by:  
  
Gordon M. Byster  
Director of Law



**AUTHORIZING THE EXTENSION OF CITY SERVICES TO AN AREA OF SHARON TOWNSHIP, RICHLAND COUNTY, OHIO (PROPOSED TO BE ANNEXED TO THE CITY OF SHELBY) AND DECLARING AN EMERGENCY.**

WHEREAS, Petitioners who have designated as their agent Andrew J. Medwid, Esq., have instituted proceeding with the Commissioners of Richland County, Ohio in an effort to seek annexation to the City of Shelby, Ohio; and

WHEREAS, Section 709.023 of the Ohio Revised Code mandates that upon receiving notice of a proposed annexation of territory, the municipal legislative authority shall adopt a statement indicating what services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide said services; and

WHEREAS, the City of Shelby is prepared to offer this parcel certain municipal services set forth hereinbelow immediately following annexation and to consider the provision of further municipal services in the future as said services are mandated according to the Codified Ordinances of the City of Shelby; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that a Resolution be adopted indicating that certain services shall be provided to the parcel annexed and the approximate date by which said services shall be provided.

**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, in accordance with Ohio Revised Code 709.023, the City of Shelby, hereby declares its intent to provide municipal services to an area of Sharon Township, Richland County, Ohio, as proposed to be annexed to the City of Shelby, as follows-police, fire, electricity, street lighting, and road maintenance (maintenance of the entire width of the street or highway which is contiguous to the boundaries of the annexation).

Section 2: That the City of Shelby will provide the hereinabove designated services to the parcel of land proposed to be annexed as described as follows:

Situated in the County of Richland in the State of Ohio, and in the Township of Sharon:

Being a part of the Southwest Quarter of Section 17, Township 22, Range 19, and more particularly bounded and described as being 7 7/10 acres of land and commencing for the same at a given point 806.7 feet North of the South boundary line of said Quarter in the center of the Shelby and Ontario Public highway, point marked by an iron pin;

Thence North 0 degrees 51 minutes East 711 feet in the center of said highway to a point known on the County Surveyor's C.L. Bushey "blue print";

Thence according to said County Surveyor's blueprint, North 73 degrees 30 minutes East 308 feet to a stake where said ditch intersects in the center of Blackfork Creek;

Thence in a Southerly direction, meandering in the center of Blackfork Creek, to the North Pagle line;

Thence North 89 degrees 45 minutes West 502 feet to the center of the Shelby and Ontario public highway marked by an iron pin to the place of beginning.

ALSO;

Situated in Sharon Township, Richland County, Ohio and being a part of Section 17, Township 27, Range 19 and being a Parcel of land described as beginning at a point which is in the centerline of the Shelby and Ontario Road, said point being 1703 feet North of the South Line of Section 17;

Thence North 73 degrees 35 minutes East 308 feet to a stake;

Thence along the centerline of the Blackfork 73 feet to a stake;

Thence continuing along said centerline 115 feet to a stake;

Thence along said centerline 426 feet to a point on the bank of the new channel of the Blackfork;

Thence along the following old centerline of old channel 100 feet to a stake;

Thence continuing along the said line of old channel 213 feet to a stake;

Thence along the old channel 100 feet to a stake;

Thence along the centerline of old channel 75 feet to a point in the centerline of the new channel of Blackfork;

Thence along the banks of the new channel to a point on the banks of the new channel said point being 40 feet from the centerline of the new channel;

Thence along the bank of the creek 318 feet;

Thence along and following said bank of the new channel 575 feet to a stake;

Thence South 73 degrees 35 minutes West 168 feet to a stake, same being 308 feet from the point of beginning and containing 1 and 93/100 acres of land.

Being 9 3/5 acres in the aggregate, more or less, and subject to all legal highways.

Permanent Parcel #044-47-003-06-000

Section 3: That said municipal services as described hereinabove shall be provided to said annexed parcel immediately upon and after the granting of the Petition for Annexation by the Board of County Commissioners of Richland County, Ohio.

Section 4: That in its sole discretion, the City of Shelby shall provide municipal services other than those listed hereinabove in accordance with the mandates of the Codified Ordinances of the City of Shelby.


Section 5: That in accordance with Ohio Revised Code 709.023(E)(7), the City of Shelby shall assume the maintenance of the entire width of the street or highway which is contiguous to the boundaries of the annexation set forth hereinabove.

Section 6: That the Clerk of this Council shall file a certified copy of this Resolution with the Board of County Commissioners of Richland County, Ohio within twenty days of the date of the filing of the Petition for Annexation with said Board of Commissioners (said filing date having been April 11, 2022).

Section 7: 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 8: That this Resolution is 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: April 18, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian Crum  
Brian Crum  
Clerk of Council

APPROVED: Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:  
  
Gordon Eyster  
Director of Law

RESOLUTION NO. 24 -2022  
(Sponsor: Councilmember McLaughlin)

**REQUIRING THE ESTABLISHMENT OF A BUFFER BETWEEN THE HUMPHREY ANNEXATION AND ADJACENT SHARON TOWNSHIP PROPERTY IN THE EVENT OF INCOMPATIBILITY AND DECLARING AN EMERGENCY.**

WHEREAS, a Petition of Annexation of certain territory in Sharon Township, Richland County, Ohio, was duly filed by a group of property owners who designated as their agent, Andrew J. Medwid, said Petition having been filed with the Richland County Commissioners on April 11, 2022; and

WHEREAS, the property to be annexed (as described below) is currently subject to the zoning regulations of the Township of Sharon, Richland County, Ohio; and

WHEREAS, in the event that said property is annexed and in the event that said annexed property is used in a way which is incompatible with the township property to which it is adjacent, the City of Shelby must require the owner(s) of said annexed property to provide a buffer separating said annexed property from the adjacent township property; 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 owner(s) of the property to be annexed to the City of Shelby provide a buffer separating said owner's use of said property from the use of the adjacent township property in the event that said uses are incompatible.

**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 following property, which is proposed for annexation into the City of Shelby, is currently subject to the zoning regulations of the Township of Sharon, Richland County, Ohio:

Situated in the County of Richland in the State of Ohio, and in the Township of Sharon:

Being a part of the Southwest Quarter of Section 17, Township 22, Range 19, and more particularly bounded and described as being 7 7/10 acres of land and commencing for the same at a given point 806.7 feet North of the South boundary line of said Quarter in the center of the Shelby and Ontario Public highway, point marked by an iron pin;

Thence North 0 degrees 51 minutes East 711 feet in the center of said highway to a point known on the County Surveyor's C.L. Bushey "blue print";

Thence according to said County Surveyor's blueprint, North 73 degrees 30 minutes East 308 feet to a stake where said ditch intersects in the center of Blackfork Creek;

Thence in a Southerly direction, meandering in the center of Blackfork Creek, to the North Pagle line;

Thence North 89 degrees 45 minutes West 502 feet to the center of the Shelby and Ontario public highway marked by an iron pin to the place of beginning.

ALSO;

Situated in Sharon Township, Richland County, Ohio and being a part of Section 17, Township 27, Range 19 and being a Parcel of land described as beginning at a point which is in the centerline of the Shelby and Ontario Road, said point being 1703 feet North of the South Line of Section 17;

Thence North 73 degrees 35 minutes East 308 feet to a stake;

Thence along the centerline of the Blackfork 73 feet to a stake;

Thence continuing along said centerline 115 feet to a stake;

Thence along said centerline 426 feet to a point on the bank of the new channel of the Blackfork;

Thence along the following old centerline of old channel 100 feet to a stake;

Thence continuing along the said line of old channel 213 feet to a stake;

Thence along the old channel 100 feet to a stake;

Thence along the centerline of old channel 75 feet to a point in the centerline of the new channel of Blackfork;

Thence along the banks of the new channel to a point on the banks of the new channel said point being 40 feet from the centerline of the new channel;

Thence along the bank of the creek 318 feet;

Thence along and following said bank of the new channel 575 feet to a stake;

Thence South 73 degrees 35 minutes West 168 feet to a stake, same being 308 feet from the point of beginning and containing 1 and 93/100 acres of land.

Being 9 3/5 acres in the aggregate, more or less, and subject to all legal highways.

Permanent Parcel # 044-47-003-06-000

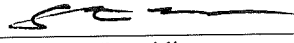
Section 2: That in the event that said territory as described hereinabove is annexed into the City of Shelby, the City will require the owner(s) of said property to provide a buffer separating said owner's use of said property from the use of the adjacent township property in the event that said uses are incompatible.


Section 3: That the Clerk of Council shall file a certified copy of this Resolution with the Board of County Commissioners of Richland County, Ohio within twenty days of the date of the filing of the Petition for Annexation with said Board of Commissioners (said filing date having been April 11, 2022).


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.

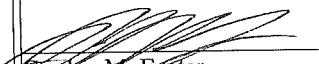
PASSED: April 18, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST:   
Brian Crum  
Clerk of Council

APPROVED:  
  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

RESOLUTION NO. 25 -2022  
(Sponsor: Councilmember Martin)

**DECLARING THE INTENT TO VACATE AN ALLEY RUNNING PERPENDICULAR OF EAST MAIN STREET BETWEEN LOTS 565, 567, AND 85 IN THE CITY OF SHELBY, OHIO.**

WHEREAS, the plats of the City of Shelby, Ohio, indicate that a dedicated alley runs perpendicular of East Main Street between lots 565, 567, and 85; and

WHEREAS, a majority of the owners of property bounding and abutting upon said alley have submitted a "Petition to Vacate Street or Alley" to Council of the City of Shelby, Ohio, asking the alley to be vacated; and

WHEREAS, Section 105 of the Charter of the City of Shelby authorizes the Council of the City of Shelby to vacate an alley and sets forth the procedure for doing so; 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 alley running perpendicular of East Main Street between lots 565, 567, and 85 within the City of Shelby, Ohio, be vacated.

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

Section 1: That it is the intent of the Council of the City of Shelby that the alley running perpendicular of East Main Street between lots 565, 567, and 85 as shown on Exhibit A within the City of Shelby, Ohio be vacated.

Section 2: That the Clerk of Council is hereby instructed to cause notice of Council's intent to vacate said alley to be served upon those persons mandated by the terms of the Charter of the City of Shelby.

Section 3: That the Board of Revisions of Assessments shall hold a meeting to consider Council's intent to vacate as well as any objections which may be lodged concerning said intent and that said Board of Revisions of Assessments submit a report to the council of the City of Shelby following said meeting.

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 shall be in full force and effect from and after its passage, approval by the mayor, and the earliest period allowed by law.

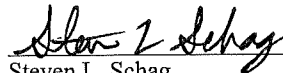
PASSED: April 18, 2022



Steven McLaughlin  
Vice President of Council


ATTEST: Brian Crum  
Brian Crum  
Clerk of Council

APPROVED:



Steven L. Schag  
Mayor

Prepared by :

  
Gordon M. Eyster  
Director of Law

RESOLUTION NO. 26 -2022  
(Sponsor- Councilmember Gates)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE BLACK FORK COMMONS PHASE 2 PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, on December 6, 2021, Shelby City Council passed Resolution No. 72-2021 and on April 6, 2022, Shelby City Council passed Resolution 14-2022, authorizing the Mayor as Director of Public Service to advertise for bids and enter into a contract for the Black Fork Commons Phase 2 Project; and

WHEREAS, said bids for the project came in over budget; and

WHEREAS, plans and specifications have been modified for the Black Fork Commons Phase 2 Project; 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 project be rebid.

**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 revised plans and specifications for the Black Fork Commons Phase 2 Project are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said project.

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 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: April 18, 2022

STE 2  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

APPROVED:

Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

Gordon M. Eyster  
Gordon M. Eyster  
Director of Law

AMENDED RESOLUTION NO. 27-2022  
(Sponsor: Councilmember Gates)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO PURCHASE A BRAUN CHIEF XL TYPE 1 FORD F-550 4X4 DIESEL CHASSIS FROM PENN CARE, INC., AND DECLARING AN EMERGENCY.**

WHEREAS, the Shelby Fire Department is desirous of purchasing a Braun Chief XL Type 1 Ford F-550 4X4 Diesel Chassis for the operation of the department; and

WHEREAS, Penn Care, Inc., offered the best quote for providing the same; 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 a Braun Chief XL Type 1 Ford F-550 4X4 Diesel Chassis from Penn Care, Inc.


**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 Safety is hereby authorized to purchase a Braun Chief XL Type 1 Ford F-550 4X4 Diesel Chassis for the operation of the Fire Department from Penn Care, Inc., through the state cooperative purchasing program.


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.

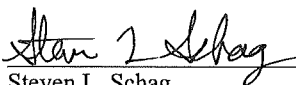
Section 3: That this Resolution is hereby deemed to be an emergency so as to meet the ongoing contractual obligations of the City of Shelby, Ohio, and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: April 18, 2022


  
\_\_\_\_\_  
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.

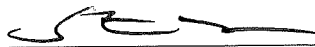
Section 3: That this Resolution must accompany said Application, which must be filed with the Ohio Development Services Agency by June 22, 2022.

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: May 2, 2022

  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

Gordon Eyster  
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: May 2, 2022



Steven McLaughlin  
Vice President of Council


APPROVED:

ATTEST:

Brian A Crum  
Brian Crum  
Clerk of Council

Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon 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:**

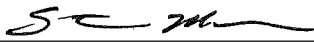
Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into an agreement with Petty Farms, LLC to install an eighteen (18) inch culvert on Technology Parkway for the proper drainage of the east detention pond.

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: May 16, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian A. Crum  
Brian Crum  
Clerk of Council

APPROVED: Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
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: May 16, 2022


  
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. 32 -2022  
(Sponsor- Councilmember Gates)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2022 PAVING PROJECT, PHASE 2 WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, plans and specifications have been completed for the 2022 Paving Project, Phase 2; and

WHEREAS, Technology Parkway and Lamplighter Lane within the City of Shelby are in need of paving; 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 improvements be made to said streets within the City of Shelby.

**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 plans and specifications for the 2022 Paving Project, Phase 2 in the City of Shelby are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said paving project.

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: June 6, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

APPROVED:  
Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Byster  
Director of Law

AMENDED RESOLUTION NO. 33 -2022  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM AGREEMENT WITH A RECOMMENDED NATURAL GAS SUPPLIER.**

WHEREAS, the City of Shelby is required and previously entered into a Governmental Aggregation Program Agreement in order to properly effectuate the City's natural gas aggregation; and

WHEREAS, the City's natural gas aggregation supplier had recently filed for bankruptcy thus leaving the City without a natural gas aggregator for the aggregation program; and

WHEREAS, the future aggregation supplier would require a signed contractual agreement before any transaction may take place; and

WHEREAS, the natural gas market is in a volatile and unsettled state making the natural gas prices fluctuate rapidly and thus not allowing sufficient time to process an aggregation agreement with a natural gas supplier within the normal legislative process without jeopardizing the best rate available at that time; and

WHEREAS, due to the rapid fluctuations in the current natural gas market, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that such contractual agreements be executed in a timely fashion to allow for best pricing.

**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 contractual natural gas agreement with a recommended supplier for the City's Governmental Aggregation Program.


Section 2: That the Mayor upon entering into an agreement will provide to Council, in writing, the terms of that agreement within two (2) business days.

Section 3: That a copy of the Governmental Aggregation Program Customer Information Agreement and the Ohio Public Utilities Commission Renewal Certificate are attached hereto and made part of this Resolution.

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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: June 6, 2022

  
Steven D. McLaughlin  
Vice President of Council

ATTEST: Brian A. Crum  
Brian Crum  
Clerk of Council

APPROVED: Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law



RESOLUTION NO. 34 -2022  
(Sponsors: Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2022 AMERICAN RESCUE PLAN ACT (ARPA) FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION & RESILIENCY GRANT FOR RETENTION OF FULL-TIME CURRENT EMPLOYEES AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Emergency Management Agency provides financial assistance for fire department purposes through the 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency Grant Program for the retention of full-time current employees; 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 the 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency 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 approves an application for financial assistance for the 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency 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 Emergency Management Agency and to provide all information and documentation required to become eligible for possible funding assistance.

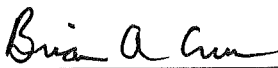
Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the 2022 American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency Grant.

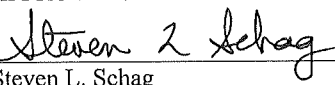
Section 4: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22 and the Charter of the City of Shelby, Ohio.

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: June 6, 2022

  
Steven McLaughlin  
Vice President of Council

ATTEST:   
Brian Crum  
Clerk of Council

APPROVED:   
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Eyster  
Director of Law

RESOLUTION NO. 35 -2022  
(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 MOTOROLA PORTABLE AND MOBILE 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) Motorola APX4500 series mobile radios and eighteen (18) Motorola APX8000 series portable radios as detailed on the product quotation from Motorola Solutions.

**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) Motorola APX4500 series mobile radios and eighteen (18) Motorola APX8000 series portable radios as detailed on the product quotation from Motorola Solutions through the State Cooperative Purchase Plan.

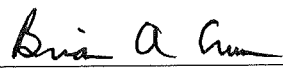
Section 2: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22; and the Charter of the City of Shelby, Ohio.

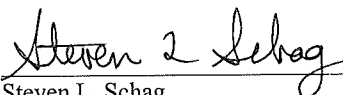
Section 3: That this Resolution shall be in full force and effect from and after its passage, approval by the mayor, and the earliest period allowed by law.

PASSED: June 6, 2022

  
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. 36 -2022  
(Sponsors: Councilmembers Gates and Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO APPLY FOR THE 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT.**

WHEREAS, the Shelby Police is desirous of obtaining MARCS capable portable and mobile radios for use within the department; and

WHEREAS, it is estimated that the cost to purchase said devices is approximately \$190,000.00; 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 apply for funding through the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance to assist with said purchases.

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

Section 1: That the Council approve an application for financial assistance to purchase MARCS capable portable and mobile radios.

Section 2: That the Mayor as Director of Public Safety shall be and is hereby authorized and directed to execute and file a grant application with the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of said 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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: June 4, 2022

Steven McLaughlin  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: Brian A Crum  
Brian Crum  
Clerk of Council

Steven L. Schag  
Steven L. Schag  
Mayor

Prepared by:

Gordon M. Byster  
Gordon M. Byster  
Director of Law

RESOLUTION NO. 37 -2022  
(Sponsor: Councilmember Roberts)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT, ON BEHALF OF THE SHELBY PARK BOARD OF COMMISSIONERS, FOR THE PURCHASE AND INSTALLATION OF A CAMERA SURVEILLANCE SYSTEM FROM BENDER COMMUNICATIONS INC.**

WHEREAS, the Shelby City Park System provides accessibility to natural resources, playgrounds, picnic areas, and a variety of activities; and

WHEREAS, it has been demonstrated that professionally installed state-of-the art camera surveillance systems are effective in the areas of vandalism prevention, safety, security, and law enforcement assistance; and

WHEREAS, the requirements of the advertising and bidding are dispensed due to the fact that pricing is at or better than state contract pricing; 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 enter into contract, on behalf of the Shelby Park Board of Commissioners, with Bender Communications Incorporated for the purchase of equipment and the installation of the camera surveillance system as detailed on the Equipment Proposal (Quote Number 05311352) from Bender 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 enter into contract, on behalf of the Park Board of Commissioners, with Bender Communications Inc., for the purchase of and installation of a camera surveillance system as detailed on Equipment Proposal (Quote Number 0531135213) at pricing that is at or better than State contract pricing.


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.

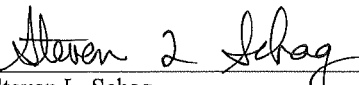
Section 3: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: June 6, 2022


  
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Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST:   
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Brian Crum  
Clerk of Council

  
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Steven L. Schag  
Mayor

Prepared by:

  
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Gordon M. Byster  
Director of Law