

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

Shelby City Council Agenda
Monday, December 19, 2022
COUNCIL CHAMBERS
29 MACK AVENUE
Shelby, Ohio
7:00 p.m.

Call to Order and Pledge of Allegiance

Roll Call:

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

Dispense with the Reading of the Journal from December 5, 2022

Moved _____ 2ND _____

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

Public Comment

Jessica Gribben—Economic Development Manager

Reports from Standing and Special Committees

Finance & Personnel Committee—Councilmember Gates

MOTION THAT THE COMBINED FINANCIAL STATEMENT AND THE CASH/INVESTMENT RECONCILIATION STATEMENT BOTH DATED NOVEMBER 30, 2022, BE RECEIVED, PLACED ON FILE, AND POSTED TO THE CITY WEBSITE.

Moved _____ 2ND _____

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

Utilities & Streets Committee—Councilmember Martin

Safety Committee—Councilmember Roberts

Reports of City Officials

Steven L. Schag—Mayor

MOTION TO CONFIRM THE APPOINTMENT OF KATE CURREN TO THE SHELBY HISTORIC PRESERVATION COMMISSION

Moved _____ 2ND _____

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

MOTION TO REQUEST A LIQUOR HEARING FOR IVORY BEAN COFFEE HOUSE LLC AT 44 EAST MAIN STREET

Moved _____ 2ND _____

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

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business

Former Ice Plant Property

Future Use of Main Street Fire Station

Legislation

ORDINANCE NO 30-2022

DETERMINING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY OF SHELBY BE TRANSFERRED AND DECLARING AN EMERGENCY

Motion that the rule requiring that an ordinance be read on three separate occasions be suspended

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 31-2022

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

Motion that the rule requiring that an ordinance be read on three separate occasions be suspended

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

PASSAGE OF ORDINANCE

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

RESOLUTION NO 67-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH RICHLAND COUNTY LAND REUTILIZATION CORPORATION FOR THE SERVICES OF DEMOLITION OF BUILDINGS WITHIN THE CITY OF SHELBY THAT POSE A SIGNIFICANT THREAT TO THE SAFETY AND WELLBEING OF THE CITIZENS OF THE CITY OF SHELBY AND DECLARING AN EMERGENCY

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

RESOLUTION NO 68-2022

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR A BUREAU OF WORKERS' COMPENSATION SAFETY INTERVENTION GRANT FOR FIREFIGHTERS' EXPOSURE TO ENVIRONMENTAL ELEMENTS FOR FIREFIGHTING GLOVES AND HOODS AND DECLARING AN EMERGENCY

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

RESOLUTION NO 69-2022

DECLARING THE INTENT TO VACATE GLENN ROAD IN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY

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

Miscellaneous Business

Adjournment at p.m.

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

ORDINANCE NO: 30 -2022
(Sponsor: Councilmember Gates)

DETERMINING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY OF SHELBY BE TRANSFERRED AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby desires to sell property as set forth in Ordinance No. 28-2022; and

WHEREAS, said property needs transferred to the City of Shelby to reflect that the parcel of land described in Exhibit 1 or any portion thereof does not constitute a principal building site under applicable zoning and will not be conveyed by said grantees, their heirs, and assigns independent and separate from any adjoining or contiguous parcel fronting on a public highway or street; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that this parcel be transferred as reflected in the attached Exhibit 1.

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

Section 1: That the real estate attached hereto as Exhibit 1 shall be transferred from the City of Shelby to the City of Shelby as contemplated herein.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 31 - 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-CRT-478	COURT APPOINTED ATTORNEYS	\$ 9,000.00
101-CRT-528	POSTAGE	\$ 2,000.00
101-TRA-604	TEMPORARY LABOR SERVICES	\$ 7,000.00
101-TRS-447	TRANSFER-CAPITAL IMPROVEMENT	\$ 20,000.00
200-STR-484	FUEL, AUTOS-EQUIPMENT	\$ 8,000.00
225-HEA-483	STATE AUDIT	\$ 7,000.00
225-HSA-531	MISCELLANEOUS	\$ 6,000.00
230-PRK-604	TEMPORARY LABOR SERVICES	\$ 8,000.00
300-POL-558	POLICE CRUISERS	\$ 18,000.00
500-DIS-418	HOSPITALIZATION	\$ 8,000.00
600-OFC-506	REFUNDS	\$ 6,000.00
715-HTF-513	CLAIM PAYMENTS	\$ 200,000.00

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: _____

Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian A. Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 67 -2022
(Sponsor: Councilmember Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH RICHLAND COUNTY LAND REUTILIZATION CORPORATION FOR THE SERVICES OF DEMOLITION OF BUILDINGS WITHIN THE CITY OF SHELBY THAT POSE A SIGNIFICANT THREAT TO THE SAFETY AND WELLBEING OF THE CITIZENS OF THE CITY OF SHELBY AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby has need to demolish certain buildings in the City which pose significant threat to the safety and wellbeing of the Citizens of the City of Shelby; and

WHEREAS, the Richland County Land Reutilization Corporation has the means to provide services to safely demolish said buildings; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor be authorized to enter into said contract.

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 a contract with the Richland County Land Reutilization Corporation for the demolition of certain buildings deemed to be a significant threat to the safety and wellbeing of the Citizens of Shelby.

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

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

PASSED: _____

Steven D. McLaughlin
Vice President of Council


APPROVED:

ATTEST: _____

Brian A. Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 68-2022
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR A BUREAU OF WORKERS' COMPENSATION SAFETY INTERVENTION GRANT FOR FIREFIGHTERS EXPOSURE TO ENVIRONMENTAL ELEMENTS FOR FIREFIGHTING GLOVES AND HOODS AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Bureau of Workers' Compensation provides financial assistance for fire department purposes through the Safety Intervention Grant for Firefighters Exposure to Environmental Elements; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Safety Intervention Grant for Firefighters Exposure to Environmental Elements for firefighting gloves and hoods; 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 Safety Intervention Grant for Firefighters Exposure to Environmental Elements.

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 firefighting gloves and hoods.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Bureau of Workers' Compensation 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.

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

Section 5: That this Resolution is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

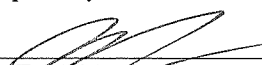
Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____
Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 69 -2022
(Sponsor: Councilmember Martin)

DECLARING THE INTENT TO VACATE GLENN ROAD IN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY

WHEREAS, the plats of the City of Shelby, Ohio, indicate that there is a dedicated roadway named Glenn Road; 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 roadway 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 a roadway 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 Glenn Road within the City of Shelby, Ohio, be vacated.

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 it is the intent of the Council of the City of Shelby that Glenn Road 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 is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

Steven McLaughlin
Vice President of Council


APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by :



Gordon M. Eyster
Director of Law