

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

Shelby City Council Agenda
Monday, April 17, 2023
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 April 3, 2023

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

Public Comment

Jessica Gribben—Economic Development Manager—Housing Study

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 MARCH 31, 2023, BE RECEIVED, PLACED ON FILE, AND POSTED TO THE CITY WEBSITE.

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

Utilities & Streets Committee—Councilmember Martin

Safety Committee—Councilmember Roberts—Did not meet

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City Council
Monday, April 17, 2023

Reports of City Officials
Steven L. Schag—Mayor

**MOTION TO REQUEST A LIQUOR HEARING FOR FAMILY DOLLAR STORES OF OHIO
LLC DBA FAMILY DOLLAR STORE 27925 17 MANSFIELD AVE**

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

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business

Labor Consultants

Legislation

ORDINANCE NO 12-2023

**REPEALING CHAPTER 289 (FLOODPLAIN
MANAGEMENT COMMISSION) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY**

2ND READING

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

ORDINANCE NO 13-2023 CORRECTING AN ERROR ON THE SHELBY ZONING DISTRICTS MAP AND DECLARING AN EMERGENCY
Motion that the rule requiring that an ordinance be read on three separate occasions be suspended
Moved _____ 2ND _____
Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____

PASSAGE OF ORDINANCE
Moved _____ 2ND _____
Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____

RESOLUTION NO 17-2023 AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE RIGHTS OF EASEMENT FOR THE SOUTH STREET STORM SEWER PROJECT
Moved _____ 2ND _____
Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____

RESOLUTION NO 18-2023 AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE RIGHTS OF EASEMENT FOR THE WAREHAM ROAD STORM SEWER PROJECT
Moved _____ 2ND _____
Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____

RESOLUTION NO 19-2023 AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH SENTEC SYSTEMS, LLC. FOR TECHNOLOGY SERVICES FOR THE CITY OF SHELBY AND DECLARING AN EMERGENCY
Moved _____ 2ND _____
Mr. Martin _____ Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Gates _____

RESOLUTION NO 20-2023

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2023 WORKFORCE DEVELOPMENT GRANT (WF23)

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

RESOLUTION NO 21-2023

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS FOR THE PAYMENT OF LEGAL COUNSEL FEES FOR INDIGENTS AND DECLARING AN EMERGENCY

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

Miscellaneous Business

Adjournment at _____ p.m.

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

1st Reading
4/3/2023

ORDINANCE NO. 12 -2023
(Sponsors: Councilmembers Roberts and Roub)

**REPEALING CHAPTER 289 (FLOODPLAIN MANAGEMENT COMMISSION) OF THE
CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, on June 15, 2009, Shelby City Council passed Ordinance 20-2009, creating a Floodplain Management Commission and the powers and duties of said commission; and

WHEREAS, the Commission has fulfilled their duties by studying, investigating, consulting with experts, and presenting to Council meaningful data that will benefit our citizens for years to come; 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 289 (Floodplain Management Commission) of the Codified Ordinances be repealed.

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

Section 1: That Chapter 289 (Floodplain Management Commission) of the Codified Ordinances of the City of Shelby be repealed.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council

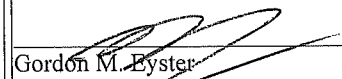
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 13 -2023
(Sponsor: Councilmember Gates)

**CORRECTING AN ERROR ON THE SHELBY ZONING DISTRICTS MAP AND
DECLARING AN EMERGENCY.**

WHEREAS, the official Zoning Districts Map of the City of Shelby contains an error in that it places Richland County Parcel Number 0460808105000 located at 140 Mansfield Avenue in the R1-A Residential District; however, said property has been used for commercial purposes since circa 1987; and

WHEREAS, said error may well prevent the future sale of this 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 said error be corrected.

**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 the official Zoning Districts Map of the City of Shelby be corrected to place the property located at 140 Mansfield Avenue (Richland County Parcel 0460808105000) in the B-3 Highway Service Business District.

Section 2: 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 3: That this Ordinance is hereby deemed to be an emergency for the immediate preservation of the public peace, property, health or safety 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

RESOLUTION NO. 17 -2023
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE RIGHTS OF EASEMENT FOR THE SOUTH STREET STORM SEWER PROJECT.

WHEREAS, it has become necessary to replace a storm sewer line to the City's system; and

WHEREAS, in order to complete the project, it is necessary to secure rights of easement across private 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 Mayor as Director of Public Service be authorized to acquire rights of easement for replacement of a storm sewer line.

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 acquire rights of easement for the replacement of a storm sewer line for the South Street Storm Sewer Project as shown on the attached plat and description documents.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council

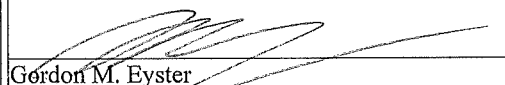
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 18 -2023
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE RIGHTS OF EASEMENT FOR THE WAREHAM ROAD STORM SEWER PROJECT.

WHEREAS, it has become necessary to install a storm sewer line to the City's system; and

WHEREAS, in order to complete the project, it is necessary to secure rights of easement across private 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 Mayor as Director of Public Service be authorized to acquire rights of easement for an installation of a storm sewer line.

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 acquire rights of easement for the installation of a storm sewer line for the Wareham Road Storm Sewer Project as shown on the attached plat and description documents.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council


APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 19 -2023
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH SENTEC SYSTEMS, LLC. FOR TECHNOLOGY SERVICES FOR THE CITY OF SHELBY AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby is desirous in retaining a Technology Service Provider to provide technology services and functions; 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 for Technology Services.

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 the agreement with Sentec Systems, LLC. for technology for the City 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 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: _____


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. 20 -2023
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2023 WORKFORCE DEVELOPMENT GRANT (WF23).

WHEREAS, the Ohio Department of Health provides financial assistance for health department purposes through the Workforce Development Grant (WF23); and

WHEREAS, the City of Shelby Health Department desires financial assistance under the 2023 Workforce Development Grant (WF23) to retain the Shelby City Health Department staff; 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 Workforce Development Grant (WF23).

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

Section 1: That the City of Shelby Council approves an application for financial assistance for the retention of staff through the Workforce Development Grant (WF23).

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

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council


APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 21 -2023
(Sponsor: Councilmember: Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS FOR THE PAYMENT OF LEGAL COUNSEL FEES FOR INDIGENTS AND DECLARING AN EMERGENCY.

WHEREAS, the City recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with serious offenses and loss of liberty offenses in its Municipal Court; and

WHEREAS, the City in furtherance of the execution of its legal responsibilities, desires that the legal services be delivered to the City's indigent citizens and others so situated; 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 an agreement with the Richland County Commissioners for the payment of legal counsel fees for indigents.

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 enter an agreement with the Richland County Commissioners for the payment of legal counsel fees for indigents for the year beginning January 1, 2023.

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: _____

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