

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

Shelby City Council Agenda
Monday, May 6, 2024
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. Cutlip _____ Mr. Martin _____ Mr. McLaughlin _____

Dispense with the Reading of the Journal from April 15, 2024

Moved _____ 2ND _____

Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Cutlip _____ Mr. Martin _____

Public Comment

Reports from Standing and Special Committees

Community & Economic Development Committee—Councilmember Cutlip

Public Works & General Operation Committee—Councilmember Roub

Parking Committee—Councilmember Roberts—Did not meet

Safety Committee—Councilmember Roberts

Reports of City Officials

Steven L. Schag—Mayor

Proclamations

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business
Purple Heart Trail

Legislation

ORDINANCE NO 8-2024

**AMENDING SECTION 260.10 (VACATIONS) OF CHAPTER
260 (EMPLOYEES GENERALLY) OF THE CODIFIED
ORDINANCES OF THE CITY OF SHELBY**

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

RESOLUTION NO 15-2024

**ADOPTING THE CITY OF SHELBY DESIGN GUIDELINES
PREPARED BY PERSPECTUS HISTORIC ARCHITECTURE
AND THE SHELBY HISTORIC PRESERVATION
COMMISSION**

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

RESOLUTION NO 16-2024

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE RIGHTS OF EASEMENT FOR THE SHELBY AVENUE WATERMAIN REPLACEMENT PROJECT AND DECLARING AN EMERGENCY

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

RESOLUTION NO 17-204

APPROVING THE PLANS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE SHELBY AVENUE WATERLINE REPLACEMENT PROJECT AND DECLARING AN EMERGENCY

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

RESOLUTION NO 18-2024

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MARKETING AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. D/B/A SERVICE LINE WARRANTIES OF AMERICA FOR A RESIDENTIAL WATER SERVICE LINE, SEWER LATERAL AND IN-HOME PLUMBING REPAIR WARRANTY PROGRAM

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

Miscellaneous Business

MOTION TO GO INTO EXECUTIVE SESSION FOR THE FOLLOWING PURPOSE

Moved _____ 2ND _____

Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Cutlip _____ Mr. Martin _____

TO CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, OR COMPENSATION OF A PUBLIC EMPLOYEE OR OFFICIAL, OR THE INVESTIGATION OF CHARGES OR COMPLAINTS AGAINST A PUBLIC EMPLOYEE, OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL, UNLESS THE PUBLIC EMPLOYEE, OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL REQUESTS A PUBLIC HEARING

Adjournment at _____ p.m.

Moved _____ 2ND _____

Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Cutlip _____ Mr. Martin _____

PROCLAMATION

Designating May as Poppy Month

WHEREAS, The annual distribution of Buddy Poppies by the American Legion Auxiliary of the United States has been officially recognized and endorsed by governmental leaders since 1922, and

WHEREAS, American Legion Auxiliary Buddy Poppies are assembled by disabled veterans at the Ohio Veteran's Home in Sandusky, Ohio, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans, and

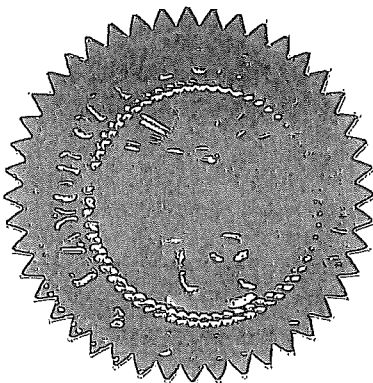
WHEREAS, The basic purpose of the annual distribution of Buddy Poppies by the Auxiliary is eloquently reflected in the desire to "Honor the Dead by Helping the Living".

NOW THEREFORE, I, Steven L. Schag, Mayor of the City of Shelby, Ohio, do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through your donations for Buddy Poppies and the distribution of these symbols of appreciation for the sacrifices of our honored dead:

FURTHERMORE, I, urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms, which we continue to enjoy as American citizens. Together, let us celebrate and promote:

"POPPY DAYS"

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Shelby this 6th day of May, 2024.



Steven L. Schag
Mayor

RICHLAND COUNTY
MAY IS MENTAL HEALTH MONTH
2024

Richland County Mental Health and Recovery Services Board and our partnering agencies continue to observe the tradition of celebrating Mental Health Awareness Month. This national event began in 1949 and was designed to bring attention to the importance of mental health and well-being of everyone. This year's theme for Mental Health Month is 'Where to Start: Mental Health in a Changing World'.

WHEREAS: Being able to maintain good mental health is essential to each and every individual's overall health. Mental health conditions are common, manageable and treatable.

WHEREAS: The behavioral health system in Richland County has a broad continuum of care with a variety of services for both mental health and substance use disorders. We offer mental health assistance for all ages and comprehensive adult outpatient services. We offer crisis intervention including a 24-hour helpline, a crisis stabilization unit, a 24-hour warmline staffed by peer support specialists. We provide services for substance use disorders including assessment, residential treatment and withdrawal management substance use programming. We also have behavioral health urgent care for assessments and brief counseling.

WHEREAS: One in four people will experience a mental health condition in any given year and everyone faces challenges in life that can impact their mental health.

WHEREAS: About half of American will meet the criteria for a diagnosable mental health condition sometime in their lives, with symptoms starting by age 14 for the majority of people.

WHEREAS: It is never too soon to seek treatment for your mental health and substance use disorder. Getting help early saves lives.

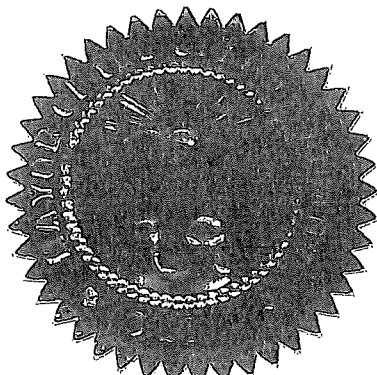
WHEREAS: This year we recognize our behavioral health community partners and their staff. Our partners change lives and help people succeed in achieving recovery.

WHEREAS: We encourage residents to go to <https://richlandmentalhealth.com> where you will find a printable one pager that highlights local agencies and services.

NOW, THEREFORE, I, Steven L. Schag, Mayor of the City of Shelby do hereby proclaim May 2024 as Mental Health Month in Shelby.

As the Mayor of the City of Shelby, I also call upon the citizens, government agencies, public and private institutions, businesses, and schools in Shelby to recommit to our community as a step toward increasing awareness, wellness and an understanding of mental illness and addiction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Shelby, Ohio to be affixed this 6th day of May, in the year of our Lord, two thousand and twenty-four.



Steven L. Schag
Mayor

ORDINANCE NO. 8-2024
(Sponsors: Councilmembers Martin and McLaughlin)

AMENDING SECTION 260.10 (VACATIONS) OF CHAPTER 260 (EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, the City of Shelby must position itself to effectually attract prime potential employees in a very competitive workforce environment; and

WHEREAS, the City of Shelby would be given a competitive edge by possessing the statutory authority to offer a vacation accrual schedule at an advanced accrual rate to qualified new 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 Section 260.10 of the Codified Ordinances be amended to provide advantage in the modern hiring process.

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

Section 1: That Section 260.10 of the Codified Ordinances of the City of Shelby be amended by enacting paragraph (g) and to read as follows:

§ 260.10 VACATIONS.

(g) The Mayor, as Director of Public Service, has the right to place qualified new hire employees with a minimum of five years of prior applicable/comparable work experience on the vacation accrual schedule at an advanced accrual rate based on their prior applicable/comparable work experience.

Section 2: That all other sections of Chapter 260 shall remain in full force and effect.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian A. Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

RESOLUTION NO. 15 -2024
Sponsor: Councilmember McLaughlin

ADOPTING THE CITY OF SHELBY DESIGN GUIDELINES PREPARED BY PERSPECTUS HISTORIC ARCHITECTURE AND THE SHELBY HISTORIC PRESERVATION COMMISSION.

WHEREAS, City Council approved an application for a Certified Local Government Grant for the creation of local design guidelines with Resolution No. 4-2022; and

WHEREAS, the Historic Preservation Commission sent out Requests for Proposals, evaluated those received and recommended a consulting firm to the Mayor who signed an agreement with Perspectus Historic Architecture of Akron, Ohio on August 3, 2023; and

WHEREAS, Perspectus Historic Architecture and the State Historic Office have assisted the Commission in following the Secretary of Interior recommended content for the design of historic 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 said design guidelines be adopted.

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 adopts the City of Shelby Historic Guidelines as prepared by Perspectus Historic Architecture and the Shelby Historic Preservation Commission.

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. 16-2024
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE RIGHTS OF EASEMENT FOR THE SHELBY AVENUE WATERMAIN REPLACEMENT PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, it has become necessary to replace a watermain in 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 watermain.

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 acquire rights of easement for the replacement of a watermain for the Shelby Avenue Watermain Replacement Project as shown on the attached plats 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 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. 17-2024
(Sponsor: Councilmember McLaughlin)

APPROVING THE PLANS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE SHELBY AVENUE WATERLINE REPLACEMENT PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, a portion of the watermain on Shelby Avenue in the City of Shelby is in need of replacement; 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 advertise for bids and enter into a contract for the improvements herein above described.

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 are approved and that the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for the Shelby Avenue Waterline Replacement 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 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. 18-2024
(Sponsor: Councilmember Cutlip)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MARKETING AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. D/B/A SERVICE LINE WARRANTIES OF AMERICA FOR A RESIDENTIAL WATER SERVICE LINE, SEWER LATERAL AND IN-HOME PLUMBING REPAIR WARRANTY PROGRAM.

WHEREAS, the water service lines and sewer laterals between the mainlines and serviced structures are owned by the residential property owners in the City; and

WHEREAS, the City desires to offer residential property owners the opportunity, with no obligation, to purchase a warranty service plan for their external water service line, external sewer lateral, and their in-home plumbing system; and

WHEREAS, Utility Service Partners Private Label, Inc d/b/a/ Service Line Warranties of America, a subsidiary of HomeServe USA Corp., the administrator of the National League of Cities Service Line Warranty Program, desires to make their warranty program available to residential property owners subject to their terms and conditions contained within their marketing agreement; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Service be authorized to enter into a Marketing Agreement with Utility Service Partners Private Label, Inc d/b/a/ Service Line Warranties of America for a warranty plan for residential external water service lines, external sewer laterals, and in-home plumbing systems.

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 Marketing Agreement with Utility Service Partners Private Label, Inc d/b/a/ Service Line Warranties of America, a subsidiary of HomeServe USA Corp., the administrator of the National League of Cities Service Line Warranty Program subject to their terms and conditions contained within their Marketing Agreement.

Section 2: That the Marketing Agreement shall be for a three (3) year period with the term commencing on July 1, 2024 and expiring on June 30, 2027.

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