

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

**Shelby City Council Agenda  
Monday, March 3, 2025  
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 February 18, 2025**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**Public Comment**

Avery Mongold—Eagle Scout Project

**Reports from Standing and Special Committees**

Community & Economic Development Committee—Councilmember Cutlip

Public Works & General Operation Committee—Councilmember Roub—Did not meet

Traffic Commission—Councilmember Cutlip

Committee of the Whole—Councilmember McLaughlin

**Reports of City Officials**

Steven L. Schag—Mayor

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

**Unfinished Business**

Future use of Main Street Fire Station

**Legislation**

**ORDINANCE NO 4-2025**

**VACATING AN ALLEY THAT RUNS PARALLEL TO EAST  
MAIN STREET BETWEEN LOTS 103, 104, 105, 106, 1396,  
PART OF OL45 S.D. 5, & PART OF OL48 S.D. 2 WITHIN  
THE CITY OF SHELBY, RICHLAND COUNTY, OHIO**

**3RD READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**PASSAGE OF ORDINANCE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**ORDINANCE NO 6-2025    AMENDING SECTION 1490.08 OF CHAPTER 1490 (EXTERIOR PROPERTY MAINTENANCE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**2ND READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**RESOLUTION NO 4-2025                      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 2025 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**RESOLUTION NO 5-2025                      AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF SHELBY, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), TO APPLY FOR SAFE ROUTES TO SCHOOL INFRASTRUCTURE FUNDING AND DECLARING AN EMERGENCY**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**RESOLUTION NO 6-2025                      AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GOVERNMENTAL AGGREGATION PROGRAM AGREEMENT WITH A NATURAL GAS SUPPLIER WHEN THE MARKET RATES ARE FAVORABLE TO PROVIDE A PROJECTED SAVINGS FOR THE CITY'S NATURAL GAS AGGREGATION CUSTOMERS AND DECLARING AN EMERGENCY**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**RESOLUTION NO 7-2025**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CUSTOMER SERVICE AGREEMENT WITH RUMPKE WASTE & RECYCLING SERVICES FOR THE DISPOSAL OF THE NON-HAZARDOUS BI-SOLIDS (SLUDGE) GENERATED AT THE WASTEWATER TREATMENT PLANT AND DECLARING AN EMERGENCY**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**Miscellaneous Business**

**Adjournment** at \_\_\_\_\_ p.m.

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_

1st Reading  
2/3/2025  
2nd Reading  
2/18/2025

ORDINANCE NO. 4 -2025  
(Sponsor: Councilmember McLaughlin)

**VACATING AN ALLEY THAT RUNS PARALLEL TO EAST MAIN STREET BETWEEN LOTS 103, 104, 105, 106, 1396, PART OF OL45 S.D. 5, & PART OF OL48 S.D. 2 WITHIN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO.**

WHEREAS, on the 16th day of December 2024, the Council of the City of Shelby adopted Resolution No. 59-2024 declaring its intent to vacate an alley that runs parallel to East Main Street between lots 103, 104, 105, 106, 1396, PART OF OL45 S.D. 5, & PART OF OL48 S.D. 2; and

WHEREAS, notice of adoption of the above resolution has been given to the owners of property abutting said roadways effected by said resolution, notifying said property owners of the time and place at which objections could be presented to the Board of Revision of Assessments (pursuant to Section 105 of the Charter of the City of Shelby); and

WHEREAS, the Board of Revision of Assessments met on January 23, 2025 and voted to approve and recommend the vacation of an alley that runs parallel to East Main Street between lots 103, 104, 105, 106, 1396, PART OF OL45 S.D. 5, & PART OF OL48 S.D. 2; said hearing and procedure being in accordance with the provisions of Section 105 of the Charter of the City of Shelby, Ohio; and

WHEREAS, this Council is satisfied that there is good cause for vacating said roadways hereinafter described and that said vacation will not be detrimental to the general interest and public welfare.

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

Section 1: That an alley that runs parallel to East Main Street between lots 103, 104, 105, 106, 1396, PART OF OL45 S.D. 5, & PART OF OL48 S.D. 2 as set forth in the plat and legal description as prepared by Seiler & Craig Surveying, Inc.- Chad Craig, Registered Surveyor on December 6, 2024 is hereby vacated.

Section 2: That in accordance with Section 105 of the Charter of the City of Shelby, Ohio, the City shall retain any and all easements necessary for the maintenance of utilities currently located within said roadway.

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

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

PASSED: \_\_\_\_\_

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

APPROVED:

ATTEST: \_\_\_\_\_

Brian Crum  
Clerk of Council

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

Prepared by:

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

1st Reading  
2/18/2025

**ORDINANCE NO. 6-2025**  
**(Sponsors: Councilmembers Roberts and Roub)**

**AMENDING SECTION 1490.08 OF CHAPTER 1490 (EXTERIOR PROPERTY MAINTENANCE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, Section 1490.08 contains regulations for Exterior Property Maintenance in the City of Shelby; and

WHEREAS, Shelby City Council is desirous to amend said regulations; 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 1490.08 of Chapter 1490 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 1490.08 (Enforcement) of Chapter 1490 (Exterior Property Maintenance) of the Codified Ordinances of the City of Shelby be amended so that said section shall read as follows:

**1490.08 Enforcement**

(a) The Mayor and/or his or her designee shall enforce the provisions of this chapter as set forth herein.

(1) Inspection. All buildings and premises within the city are subject to exterior inspections from time to time by the Mayor and/or his or her designee.

(2) Notice of violation.

A. Where a violation of any provision of this chapter is found to exist, the Mayor and/or his or her designee shall cause a written notice of the violation to be served upon the person responsible for the correction thereof. The notice shall specify the violation committed and shall provide for a reasonable period of time, not more than 60 days, to correct or abate the violation. In the event that weather is a major consideration in correcting or abating a violation, the Mayor and/or his or her designee may extend the time set out herein to not more than 60 days immediately following the occurrence of appropriate weather conditions.

B. Notice may be served personally or by certified mail addressed to the last known address of the person to be served, or by leaving a copy thereof at the usual residence of the person to be served. If the last known address cannot be ascertained, the notice shall be posted on the outside front entrance of the structure in alleged violation. Only one notice per 12 months under this section is required for a lot or parcel. If, after a notice has been served in accordance with this section, and the Mayor and/or his or her designee determines that a similar violation has occurred, the city may proceed with the remedy set forth in §1490.99 without further notice.

C. In the absence of an appeal, as provided below, completion of notice and failure to comply shall constitute a final order as to these administrative proceedings.

(3) Appeal.

A. Within ten days of the date of service of the notice of violation, any person affected by the notice may request a hearing thereon before the Zoning Board of Appeals by filing a written request with the Chairperson of the Board. The Chairperson of the Board, upon receipt of the request, shall, within 30 days therefrom, and upon five days' notice to the party and the Mayor and/or his or her designee, set the matter down for hearing. The Board may sustain, modify or dismiss, in whole or in part, any action required to correct or abate the violation set forth in the notice and shall issue an order incorporating its determinations, and the order shall be a final

order as to these administrative proceedings; provided, however, that any order of modification or dismissal shall be effective for two years following the date of issuance of the order, and thereafter the subject of the order of modification or dismissal may be amendable to further inspection, notice and appeal as set forth herein.

B. The Zoning Board of Appeals shall consider only the following in determining appropriate action to be taken:

1. Any modification of the original order of the Mayor and/or his or her designee shall not, in any material way alter the standards of this chapter and shall not affect detrimentally the health or safety of occupants or the health, safety and welfare of the occupants or owners of adjacent premises or of the immediate neighborhood; and

2. Strict enforcement would constitute an undue and unnecessary hardship on the owner, manager or resident by reason of compelling an expenditure for repair of the premises which would be substantially disproportionate to any benefit to health, safety or welfare of the community that might be derived therefrom.

(b) No license or permit or other certification of compliance with this chapter shall constitute a defense against any violation of any other local ordinance applicable to any structure or premises, nor shall any provision herein relieve any owner, manager or resident from complying with any such provision, nor any official of the city from enforcing any such other provision.

Section 2: That all other Sections of Chapter 1490 of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

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

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

PASSED: \_\_\_\_\_

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

APPROVED:

ATTEST: \_\_\_\_\_

Brian Crum  
Clerk of Council

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

Prepared by:

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

RESOLUTION NO. 4 -2025  
(Sponsor: Councilmember McLaughlin)

**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 2025 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.**

WHEREAS, plans and specifications have been completed for the 2025 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 2025 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: \_\_\_\_\_

\_\_\_\_\_  
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: 5 -2025**  
**(Sponsor: Councilmember McLaughlin )**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF SHELBY, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), TO APPLY FOR SAFE ROUTES TO SCHOOL INFRASTRUCTURE FUNDING AND DECLARING AN EMERGENCY.**

WHEREAS, the United States Congress has set aside monies for Safe Routes to School Projects, hereinafter SRTS funds through the State of Ohio, Department of Transportation; and

WHEREAS, LPAs can apply for SRTS funds and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, the Shelby Safe Routes to School Infrastructure Project, hereinafter referred to as the Project, is a transportation activity eligible to receive federal funding.

**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 from the Safe Routes to School Infrastructure Program.

Section 2: The LPA hereby authorizes the Mayor as Director of Public Service and Safety to prepare and execute on behalf of the LPA an application for SRTS funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

Section 3: The total cost of the project is estimated to be \$609,000.00 of which the LPA, if awarded the SRTS funds, the LPA agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation.

Section 4: Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 5: If the application is approved for the SRTS funds the Mayor as Director of Public Service and Safety of said LPA is hereby empowered on behalf of the LPA to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above-described project.

Section 6: 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 7: That this Resolution is hereby deemed to be an emergency so as to meet the Safe Routes to School application deadline 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

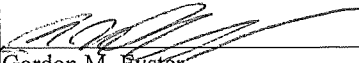
APPROVED:

ATTEST:

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

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

Prepared by:

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

**RESOLUTION NO. 6 -2025**  
**(Sponsor: Councilmember McLaughlin)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GOVERNMENTAL AGGREGATION PROGRAM AGREEMENT WITH A NATURAL GAS SUPPLIER WHEN THE MARKET RATES ARE FAVORABLE TO PROVIDE A PROJECTED SAVINGS FOR THE CITY'S NATURAL GAS AGGREGATION CUSTOMERS AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Shelby's current natural gas Governmental Aggregator Service Agreement with Constellation Energy Corporation will expire on November 30, 2025; 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 follow the consultation and recommendation from Aspen Energy's aggregation professionals, to settle a natural gas price when the market indicates a low rate for natural gas before the current governmental aggregator service agreement with Constellation Energy Corporation expires, thus providing a natural gas rate projected to provide a savings to the city's natural gas aggregation customers.

**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 a Governmental Aggregator Service Agreement with a natural gas supplier when the market projects a low rate that would provide a projected savings for the City's natural gas aggregation customers.

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 declared an emergency due to the fluctuations in the natural gas market 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

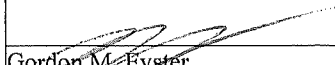
APPROVED:

ATTEST: \_\_\_\_\_

Brian Crum  
Clerk of Council

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

Prepared by:

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

**RESOLUTION NO. 7 -2025**  
**(Sponsor: Councilmember McLaughlin)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CUSTOMER SERVICE AGREEMENT WITH RUMPKE WASTE & RECYCLING SERVICES FOR THE DISPOSAL OF THE NON-HAZARDOUS BIOSOLIDS (SLUDGE) GENERATED AT THE WASTEWATER TREATMENT PLANT AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Shelby Wastewater Treatment Plant has a need to dispose of non-hazardous biosolids generated at the facility from the treatment process; and

WHEREAS, Rumpke Waste & Recycling provides services for hauling and disposal of said waste at their landfill on Noble Road, Shiloh, Ohio; 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 Customer Service Agreement with Rumpke Waste & Recycling for the hauling and disposal of the non-hazardous bio-solid (sludge) generated at the Wastewater Treatment Plant.

**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 a Customer Service Agreement with Rumpke Waste & Recycling for the disposal of the non-hazardous bio-solid (sludge) generated at the Wastewater Treatment Plant.

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 declared an emergency due to the need to remove a large amount of non-hazardous bio-solids (sludge) from storage at the treatment plant 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