

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

**Shelby City Council Agenda**  
**Monday, March 17, 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 March 3, 2025**

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

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

**Public Comment**

**Reports from Standing and Special Committees**

Finance & Personnel Committee—Councilmember Martin—Did not meet

Utilities & Streets Committee—Councilmember McLaughlin

Safety Committee—Councilmember Roberts

Committee of the Whole—Councilmember McLaughlin

**Reports of City Officials**

Steven L. Schag—Mayor

**Proclamation**

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

Kate Curren & Randy Sampsel—Shelby Historic Preservation Commission Annual Report

**Unfinished Business**

Future use of Main Street Fire Station

Smokestack

**Legislation**

**ORDINANCE NO 2-2025**

**ENACTING SECTION 1296.19 (SOLAR ENERGY SYSTEMS)  
OF THE CODIFIED ORDINANCES OF THE CITY OF  
SHELBY**

**3RD READING**

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

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

**PASSAGE OF ORDINANCE**

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

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

**ORDINANCE NO 3-2025**

**ENACTING SECTION 1296.20 (TRAFFIC IMPACT STUDIES  
AND ACCESS MANAGEMENT POLICY) OF THE  
CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**3RD READING**

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

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

**PASSAGE OF ORDINANCE**

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

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

**ORDINANCE NO 6-2025**

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

**3RD READING**

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

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

**PASSAGE OF ORDINANCE**

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

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

**ORDINANCE NO 8-2025**

**CREATING APPROPRIATIONS FOR THE YEAR 2025, AND  
DECLARING AN EMERGENCY**

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

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

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

**PASSAGE OF ORDINANCE**

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

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

**RESOLUTION NO 8-2025**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC  
SERVICE TO ACCEPT PROPERTY FROM THE  
COMMUNITY IMPROVEMENT CORPORATION OF  
SHELBY, OHIO AND DECLARING AN EMERGENCY**

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

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

**Miscellaneous Business**

**MOTION TO GO INTO EXECUTIVE SESSION FOR THE FOLLOWING PURPOSE**

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

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

**TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES, THE SALE OF  
PROPERTY AT COMPETITIVE BIDDING, OR THE SALE OR OTHER DISPOSITION OF  
UNNEEDED, OBSOLETE, OR UNFIT-FOR-USE PROPERTY IN ACCORDANCE WITH  
SECTION 505.10 OF THE REVISED CODE, IF PREMATURE DISCLOSURE OF  
INFORMATION WOULD GIVE AN UNFAIR COMPETITIVE OR BARGAINING  
ADVANTAGE TO A PERSON WHOSE PERSONAL, PRIVATE INTEREST IS ADVERSE TO  
THE GENERAL PUBLIC INTEREST**

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

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

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

1st Reading  
1/21/2025  
and Reading  
2/3/2025  
Postponed  
3/17/2025

**ORDINANCE NO. 2 -2025**  
**(Sponsors: Councilmembers Roberts and Roub)**

**ENACTING SECTION 1296.19 (SOLAR ENERGY SYSTEMS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, property owners are increasingly using solar systems, which necessitates the creation of a new section of the Zoning Code of the City of Shelby, Ohio to regulate their use; and

WHEREAS, The Shelby City Planning Commission at its meeting held on January 7, 2025, made a recommendation to the Shelby City Council to enact said section; and

WHEREAS, in accordance with mandates of the Zoning Ordinance for the City of Shelby, a public hearing shall be held concerning the proposed enactment; and

WHEREAS, it is in the public health, safety, morals and general welfare for the citizens of the City of Shelby that Section 1296.19 of Chapter 1296 of the Codified Ordinances of the City of Shelby be enacted.

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

Section 1: That Section 1296.19 (Solar Energy Systems) of Chapter 1296 (Supplementary Regulations) of the Codified Ordinances of the City of Shelby be enacted so that said section shall read as follows:

**1296.19 SOLAR ENERGY SYSTEMS.**

The City of Shelby has determined to permit property owners in the city to install solar energy systems on their property to provide electric power for the principal and accessory uses of the property and prohibit the use of solar energy systems for the commercial generation of power for sale or use off the property.

(a) As used in this chapter, the following words and terms shall have the definitions indicated:

- 1) "Ground Mounted Solar Energy Systems": means a solar energy system that mounts a solar panel or panels and facilities on or above the ground.
- 2) "Large solar Facility": means a solar facility of fifty (50) or more megawatts which is required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations.
- 3) "Integrated Solar Energy Systems": means a solar energy system that is incorporated into or replaces standard building materials and does not have mounting equipment. For example, these systems may include materials that replace traditional roofing, shingle, or siding materials, awnings, canopies, skylights, or windows.
- 4) "Rooftop Solar Energy Systems": means a solar energy system that is mounted to a structure or building's roof.
- 5) "Small Solar Facility": means a Solar Energy System and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than fifty (50) megawatts.
- 6) "Solar Energy": means radiant energy (direct, diffused, or reflected) received from the sun that can be collected and converted into thermal or electrical energy.
- 7) "Solar Energy System": means a system and associated facilities that collect Solar Energy, which may include, but is not limited to, an Integrated Solar Energy System, Rooftop Solar Energy System, or Ground Mounted Solar Energy System.

(b) *Permitted Solar Energy Systems*: The construction, erection, or siting of an Integrated Solar Energy System, Rooftop Solar Energy System, or a Ground Mounted Solar Energy System shall be a permitted principal or accessory use in all zoning districts, except for all residential districts, in the city only if the following requirements are met: (1) the Solar Energy System is sized and used to provide electric power only for the uses on the property on which the System is

located, unless specifically approved by the Director of Public Service or his or her designee per Section (c) herein, and not for the generation of power for sale off the property except for sale to the power company resulting from occasional incidental excess power generation, and (2) the Solar Energy System complies with all of the requirements set forth in this Section.

(c) *Off-premises Connection:* A property owner may be permitted to utilize power generated by a Solar Energy System for use on a separate property as long as the following conditions are met:

1) The property where the Solar Energy System is located and the property where the generated power is to be used are under common ownership.

2) The Director of Public Service or his or her designee affirmatively finds that connections can be attached on poles or lines owned by the City without causing any disruption to City services or other detrimental impact to the community.

3) The City grants a license per a pole attachment agreement to the property owner allowing the owner's requested access to and use of the City's poles or lines for the purposes set forth therein. The license shall be set forth in a written agreement between the City and owner, setting for terms and conditions governing the owner's access to and use of the City's utility facilities.

4) Installation of lines to allow for an Off-Premises Connection as addressed herein will be either: 1) Installed by the City with costs paid by the property owner requesting the connection, or 2) Installed property owner's contractor with prior written permission by the Director of Public Service or his or her designee. Which installation process is used will be selected by the Director of Public Service or his or her designee.

(d) *Prohibited Uses:* The construction, erection, or siting of any Solar Energy System, including any Large Solar Facility, Small Solar Facility or any Integrated, Rooftop, or Ground Mounted Solar Energy System which does not meet the requirements to be a permitted use as defined in Section B above, is prohibited in all zoning districts in the city.

(e) *Requirements for permitted Solar Energy Systems:* A Solar Energy System must comply with the following requirements:

1) Integrated or Rooftop Solar Energy Systems:

A. Height: The maximum height of any Integrated or Rooftop Solar Energy System shall not exceed the maximum height applicable to principal structures located in the zoning district where located. An Integrated or Rooftop Solar Energy System shall not vertically exceed seven (7) feet above the highest point of the roof of the building to which it is attached.

2) Ground Mounted Solar Energy Systems:

A. Height: The maximum height of any Ground Mounted Solar Energy System at any point shall not exceed the maximum height applicable to principal structures located in the zoning district where located.

B. Coverage: The Ground Mounted Solar Energy System shall be included as part of any lot/tract/ground coverage calculation applicable to the zoning district where located. In the event the zoning district does not have a restriction limiting the ground area permitted to be occupied by buildings, structures, parking areas, sidewalks, or other impervious surfaces, the Ground Mounted Solar Energy System(s) shall not exceed in the aggregate 25% of the total area of the lot or tract.

C. Location: Ground Mounted Solar Energy Systems installed as an accessory use are permitted only in the rear yard area. In the case of a corner lot, no Ground Mounted Solar Energy System installed as an accessory use shall be located between a principal building or structure and a public right-of-way. Ground Mounted Solar Energy Systems installed as a principal use may be located on the lot subject to any location restrictions applicable to other principal uses allowed in the zoning district.

D. Glare: Any Solar Energy System shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways.

E. Setbacks: Any Ground Mounted Solar Energy System must comply with the setback requirements applicable to the zoning district where located.

3) Applicable to all permitted Solar Energy Systems

A. Maintenance: All Solar Energy Systems must be maintained in good working order at all times. The owner of the property shall, within three months of permanently ceasing use of the Solar Energy System, dismantle and remove the Solar Energy System and, in the case of Ground Mounted Solar Energy Systems, return the property to a graded, seeded and/or landscaped state similar to its condition prior to the construction/installation.

B. Building Permits and Inspections: The installation of any Solar Energy System shall not commence until the property owner has obtained all applicable required Building Permits from all relevant agencies, and all wiring and electrical apparatuses associated with the operation of the Solar Energy System shall meet all applicable local, state and federal codes.

C. Advertising: Solar Energy Systems and the property where located shall not be used for the display of advertising. For the purposes of this section, reasonable and customary identification (name, insignia, logo, and/or similar) of the manufacturer or operator of the system that is incorporated into or manufactured on the equipment itself shall not be considered advertising.

D. Other Restrictions: Solar Energy Systems shall comply with all applicable federal, state, and local laws, rules, and regulations

Section 2: That all other sections of Chapter 1296 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 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 Law

1st Reading

1/21/2025

2nd Reading

2/3/2025

Postponed

3/17/2025

**ORDINANCE NO. 3 -2025**

**(Sponsors: Councilmembers Roberts and Roub)**

**ENACTING SECTION 1296.20 (TRAFFIC IMPACT STUDIES AND ACCESS MANAGEMENT POLICY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, current growth has and changes in transportation methods have made it necessary for the City to require Traffic Impact Studies and Access Management Policy; and

WHEREAS, The Shelby City Planning Commission at its meeting held on January 7, 2025, made a recommendation to the Shelby City Council to enact said section; and

WHEREAS, in accordance with mandates of the Zoning Ordinance for the City of Shelby, a public hearing shall be held concerning the proposed enactment; and

WHEREAS, it is in the public health, safety, morals and general welfare for the citizens of the City of Shelby that Section 1296.20 of Chapter 1296 of the Codified Ordinances of the City of Shelby be enacted.

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

Section 1: That Section 1296.20 (Traffic Impact Studies & Access Management Policy) of Chapter 1296 (Supplementary Regulations) of the Codified Ordinances of the City of Shelby be enacted so that said section shall read as follows:

**1296.20 TRAFFIC IMPACT STUDIES AND ACCESS MANAGEMENT POLICY.**

(a) To protect the integrity of the roadway system within the City of Shelby, all developments requiring City review will be subject to the processes set forth in the Traffic Impact Studies and Access Management Policy prepared by TMS Engineers, Inc (Attached as Exhibit 1) regarding access request studies (ARS) or traffic impact studies (TIS). Reviews possibly requiring an ARS and/or TIS would include any development requiring:

- 1) Site Plan Review
- 2) Zoning Requests
- 3) Change of Use
- 4) Special Permit Use
- 5) Planned Use Developments
- 6) Variances, and Remodeling/Additions to Existing Properties and Structures

(b) The purpose of these studies is to evaluate anticipated traffic impacts by the proposed use or change of use for a currently developed property. The existing driveway number and location will be reviewed and shall be modified as required to conform to the requirements of the City as provided in the Traffic Impact Studies and Access Management Policy.

(c) Traffic Impact Studies will be required for developments involving a peak hour traffic generation of more than 100 new trips in the peak hour or more than 800 trips on an average day. Developments involving less than this will be required to provide an access request study.

Section 2: That all other sections of Chapter 1296 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 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 Law

1st Reading

2/18/2025

2nd Reading

3/3/2025

**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

**ORDINANCE NO. 8 - 2025**  
**(Sponsors: Councilmembers McLaughlin & Martin)**

**CREATING APPROPRIATIONS FOR THE YEAR 2025, 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 2024, 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 2025.

Section 2: That City Council does hereby appropriate as an appropriation for the year 2025 the following sums, to wit:

<b>2025</b>				
	<b>Fund</b>	<b>Personal</b>	<b>Other</b>	<b>Total</b>
<b>GENERAL FUND</b>	<b>101</b>			
Building and Zoning		\$25,350.00	\$12,150.00	\$37,500.00
City Administration & Buildings		\$21,400.00	\$32,200.00	\$53,600.00
Civil Service		\$75.00	\$0.00	\$75.00
Council		\$53,200.00	\$18,700.00	\$71,900.00
Court		\$375,750.00	\$155,450.00	\$531,200.00
Finance		\$261,050.00	\$132,900.00	\$393,950.00
Law		\$128,700.00	\$33,150.00	\$161,850.00
Economic Development		\$0.00	\$147,650.00	\$147,650.00
Engineering		\$124,100.00	\$34,150.00	\$158,250.00
Fire		\$1,442,600.00	\$99,500.00	\$1,542,100.00
Mayor		\$189,400.00	\$8,900.00	\$198,300.00
Misc.		\$0.00	\$99,000.00	\$99,000.00
Police		\$3,457,100.00	\$496,350.00	\$3,953,450.00
Transportation		\$0.00	\$47,900.00	\$47,900.00
Transfers		\$0.00	\$600,000.00	\$600,000.00
<b>TOTAL</b>		<b>\$6,078,725.00</b>	<b>\$1,918,000.00</b>	<b>\$7,996,725.00</b>
<b>SPECIAL FUNDS</b>	<b>Fund</b>			
Street	200	\$402,500.00	\$279,225.00	\$681,725.00
State Highway	205	\$40,950.00	\$0.00	\$40,950.00
Street Sales Tax	210	\$0.00	\$90,000.00	\$90,000.00
Fire Income Tax Fund	215	\$825,000.00	\$20,000.00	\$845,000.00
Income Tax	220	\$172,600.00	\$5,694,400.00	\$5,867,000.00
Health	225	\$322,700.00	\$221,400.00	\$544,100.00
Park	230	\$42,000.00	\$378,100.00	\$420,100.00
Rehab Escrow CDBG	232	\$0.00	\$25,000.00	\$25,000.00
Court Probation	233	\$19,800.00	\$8,650.00	\$28,450.00
BMV Reimbursement	234	\$0.00	\$1,500.00	\$1,500.00

Law Enforcement Trust	235	\$0.00	\$8,750.00	\$8,750.00
Court IDAT	236	\$0.00	\$16,000.00	\$16,000.00
Court Enforce. & Education	237	\$0.00	\$700.00	\$700.00
Dare	238	\$0.00	\$30,000.00	\$30,000.00
Unclaimed Monies	240	\$0.00	\$3,000.00	\$3,000.00
Court IDAM	242	\$0.00	\$5,500.00	\$5,500.00
CDBG General	250	\$0.00	\$190,000.00	\$190,000.00
Home Program	251	\$0.00	\$353,000.00	\$353,000.00
Local Coronavirus Relief	283	\$0.00	\$0.00	\$0.00
Local Fiscal Recovery	284	\$0.00	\$0.00	\$0.00
City Admin. & Bldg.	650	\$0.00	\$0.00	\$0.00
Police Pension	700	\$305,000.00	\$1,100.00	\$306,100.00
Fire Pension	701	\$385,000.00	\$1,100.00	\$386,100.00
Shade Tree Trust	705	\$0.00	\$14,000.00	\$14,000.00
FEMA	815	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>		<b>\$2,515,550.00</b>	<b>\$7,341,425.00</b>	<b>\$9,856,975.00</b>
<b>Debt Service Funds</b>				
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	\$0.00	\$0.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$1,000.00</b>	<b>\$1,000.00</b>
<b>Capital Project Funds</b>				
Court Computer	239	\$0.00	\$15,000.00	\$15,000.00
Police Computer	241	\$0.00	\$12,000.00	\$12,000.00
Capital Improvement	300	\$0.00	\$299,100.00	\$299,100.00
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	\$31,250.00	\$31,250.00
Streets, Alleys, Catch Basin Fund	353	\$0.00	\$724,500.00	\$724,500.00
Police/Court	354	\$0.00	\$575,700.00	\$575,700.00
Police Equipment	702	\$0.00	\$85,000.00	\$85,000.00
Fire Equipment	703	\$0.00	\$247,000.00	\$247,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$2,002,550.00</b>	<b>\$2,002,550.00</b>
<b>Permanent Fund</b>				
Mini Park Trust	710	\$0.00	\$5,000.00	\$5,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>
<b>Special Assessment Fund</b>				
Fire Damage Fund	253	\$0.00	\$153,750.00	\$153,750.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$153,750.00</b>	<b>\$153,750.00</b>
<b>Enterprise Funds</b>				
Sewer	400	\$967,075.00	\$834,425.00	\$1,801,500.00
San. Sewer Capital Improvements	401	\$0.00	\$901,641.74	\$901,641.74
Waste Water Capital Improvements	402	\$75,100.00	\$825,211.94	\$900,311.94
Water	500	\$1,314,850.00	\$1,045,170.00	\$2,360,020.00
Water Facilities	501	\$0.00	\$296,750.00	\$296,750.00

Water Capital Improvements	502	\$0.00	\$417,800.00	\$417,800.00
Electric	600	\$1,308,900.00	\$11,725,795.00	\$13,034,695.00
<b>TOTAL</b>		<b>\$3,665,925.00</b>	<b>\$16,046,793.68</b>	<b>\$19,712,718.68</b>

**Internal Service Fund**

Hospitalization	715	\$0.00	\$2,600,000.00	\$2,600,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$2,600,000.00</b>	<b>\$2,600,000.00</b>

**Agency Fund**

Playscape Trust	231	\$0.00	\$0.00	\$0.00
Light Customer Deposit	601	\$0.00	\$111,000.00	\$111,000.00
Sharing Fund	706	\$0.00	\$35,000.00	\$35,000.00
Bicentennial Trust	800	\$0.00	\$0.00	\$0.00
<b>Total Agency Funds</b>		<b>\$0.00</b>	<b>\$146,000.00</b>	<b>\$146,000.00</b>

	<b>Personal</b>	<b>Other</b>	<b>Total</b>
<b>TOTAL</b>	<b>\$12,260,200.00</b>	<b>\$30,214,518.68</b>	<b>\$42,474,718.68</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 2025 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: \_\_\_\_\_

\_\_\_\_\_  
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. 8 -2025**  
**(Sponsor: Councilmember Roberts)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACCEPT PROPERTY FROM THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY, OHIO AND DECLARING AN EMERGENCY.**

WHEREAS, Section 1 of the Charter of the City of Shelby, Ohio grants to the City the power to acquire property in fee simple or lesser interest, as well as, purchase options on property for any municipal purchase; and

WHEREAS, on August 28<sup>th</sup>, 1946, the Board of Education of the Shelby City School District signed a quit claim deed transferring a piece of property to the City of Shelby, Ohio; and

WHEREAS, said quit claim deed was never recorded at the Richland County Auditor's Office; and

WHEREAS, said property has since been transferred to the Community Improvement Corporation of Shelby, Ohio from the Board of Education of the Shelby City School District; and

WHEREAS, the Community Improvement Corporation of Shelby, Ohio is desirous of transferring said property to the City of Shelby, Ohio via quit claim deed; 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 real property from the Community Improvement Corporation of Shelby, Ohio via quit claim deed.

**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 authorized to accept the acquisition of an 1,875 square foot, more or less, parcel as described in a meets and bounds survey to wit:

DESCRIPTION: Being part of Outlot 138 in the City of Shelby, Richland County, Ohio, and being more particularly described as follows:

Commencing for the same at a 2" magnail in drill hole set at the northeast corner of Outlot 138, said point being at the intersection of the west right-of-way line of High School Avenue (50 feet in width), and the south right-of-way line of East Main Street (width varies); thence S89°29'59"W, along the north line of Outlot 138 and the south right-of-way line of East Main Street, a distance of 132.00 feet to a 2" magnail in drill hole set at the northeast corner of a parcel in the name of The City of Shelby, Ohio and described in Official Record Volume 3023, Page 2139; thence S00°30'01"E, along the east line of said The City of Shelby, Ohio parcel, to a 3" survey spike set at the southeast corner of said The City of Shelby, Ohio parcel; thence S89°29'59"W, along the south line of said The City of Shelby, Ohio parcel, a distance of 20.00 feet to a 3" survey spike set at the southeast corner of Lot 582 as shown in Plat Book 3, Page 32A, said point being the real point of beginning for the parcel herein described;

- 1) thence S00°30'01"E, a distance of 30.00 feet to a 2" magnail in drill hole set;
- 2) thence S89°29'59"W, passing for reference a 3" survey spike set at 37.56 feet, a total distance of 60.00 feet to a point in the Black Fork of the Mohican River;
- 3) thence N09°57'46"W, a distance of 30.41 feet to the south line of Lot 582, said point being referenced by a 3" survey spike set N89°29'59"E, 17.59 feet;
- 4) thence N89°29'59"E, along the south line of Lot 582 and passing for reference a 3" survey spike set at 17.59 feet, a total distance of 65.00 feet to the real point of beginning,

and containing 1,875 square feet, more or less, but subject to all legal easements and public rights-of-way now on record. All pins set are 5/8" diameter, 30" long iron pins with caps

stamped "Krocka & Assoc." Bearings are based on Ohio State Plane Coordinate System, Grid North, ODOT VRS, North Zone.

Grantees, their heirs and assigns do hereby covenant and agree that the parcel of land described in this instrument 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.

This description and accompanying drawing are intended to describe a parcel of land deeded from the Board of Education of the Shelby City School District to the City of Shelby, Ohio, dated August 28, 1946. Said deed was signed by grantor and notarized, but never recorded.

Prior Deed Volume: Official Record Volume 3007, Page 2993

Section 2: That this Resolution and any subsequent contracts are contingent upon the Director of Finance and Public Record's issuance of a certificate in accordance with Section 47 of the Charter of the City of Shelby, Ohio.

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