

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

**Shelby City Council Agenda
Monday, July 21, 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 July 7, 2025

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Finance & Personnel Committee—Councilmember McLaughlin

**MOTION THAT THE COMBINED FINANCIAL STATEMENT AND THE
CASH/INVESTMENT RECONCILIATION STATEMENT DATED JUNE 30, 2025, BE
RECEIVED, PLACED ON FILE, AND POSTED TO THE CITY WEBSITE.**

Moved _____ 2ND _____

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

Utilities & Streets Committee—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
Report from Board of Revision of Assessments

Unfinished Business
Smokestack

Legislation

ORDINANCE NO 19-2025 **AMENDING CHAPTER 452 (PARKING GENERALLY) OF
THE CODIFIED ORDINANCES OF THE CITY OF SHELBY,
OHIO**

3RD READING

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 21-2025 **VACATING AN ALLEY THAT RUNS PERPENDICULAR TO
WEST MAIN STREET BETWEEN LOTS 578, 575, 27, AND
576 WITHIN THE CITY OF SHELBY, RICHLAND COUNTY,
OHIO**

2ND READING

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

ORDINANCE NO 22-2025

ENACTING SECTION 204.08 (HUNTER MEMORIAL STREET) OF CHAPTER 204 (OFFICIAL STANDARDS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY

2ND READING

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

ORDINANCE NO 23-2025

VACATING A PORTION OF SPRUCE STREET WITHIN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO

1ST READING

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

Miscellaneous Business

Adjournment at _____ p.m.
Moved _____ 2ND _____
Mr. McLaughlin _____ Mr. Roberts _____ Mr. Cutlip _____ Mr. Martin _____

1st Reading
6/16/2025

2nd Reading
7/7/2025

ORDINANCE NO. 19 -2025
(Sponsors: Councilmembers Roub and Roberts)

AMENDING CHAPTER 452 (PARKING GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, a review and update of parking and parking associated ordinances has made it necessary to modify Chapter 452 (Parking Generally) of the Codified Ordinances of the City of Shelby so as to provide more efficient enforcement and application of parking and traffic ordinances; 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 452 (Parking Generally) be amended, added, repealed and/or modified.

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

Section 1: That Section 452.11 (Bus Stops and Taxicab Stands) of Chapter 452 (Parking Generally) be repealed.

452.11 BUS STOPS AND TAXICAB STANDS.
REPEALED

Section 2: That Section 452.12 (Parking in Alleys and Narrow Streets; Exceptions) of Chapter 452 (Parking Generally) be repealed.

452.12 PARKING IN ALLEYS AND NARROW STREETS; EXCEPTIONS.
REPEALED

Section 3: That Section 452.13 (Parking Oversize Vehicles) of Chapter 452 (Parking Generally) be amended by replacement as follows:

452.13 PARKING OVERSIZE VEHICLES.

No person shall park a motor vehicle with dual rear wheels, or having in excess of one ton carrying capacity, a trailer, semitrailer, commercial tractor, wrecker, boat, or recreational vehicle, any motor vehicle that is not licensed (such as a bulldozer or backhoe or similar construction equipment), or any non-motorized accessory including, but not limited to a snow plow, trailer, dumpster, or movable storage unit, on a street, through-highway, or alley at any time in front of or alongside of property used exclusively for residential purposes, except in case of breakdown or disrepair of such vehicle not exceeding twenty-four consecutive hours, for loading or unloading purposes, or reasonably immediate use on an active construction or repair site.

Section 4: That Section 452.14 (Snow Emergencies on Streets) of Chapter 452 (Parking Generally) be amended as follows:

452.14 SNOW EMERGENCIES ON STREETS.

(a) In order to facilitate the cleaning of certain streets and to expedite the free flow of vehicular traffic, motor vehicles shall not be parked on the streets designated herein at such times as the records of the National Weather Service indicate that two inches of snow have fallen and there is a prospect of a further snowfall. All motor vehicles parked prior to the time weather conditions prohibit parking must be removed by the owners or operators. Any motor vehicle parked in violation of this section shall be removed by order of the Director of Public Safety and Service or designee and shall subject the owner or operator to penalties provided in this traffic code as well as any impounding fees and storage costs.

(b) It shall be the responsibility of the owners or operators of motor vehicles to ascertain whether weather conditions require the removal of their motor vehicles from the streets designated and to remove all motor vehicles parked in violation of the provisions of this section or any other ordinances of the city. While the city will make every effort to inform the public of the existence of weather conditions requiring the removal of parked motor vehicles from the streets designated herein, the owners and operators of motor vehicles parked in these areas shall have full responsibility to determine existing weather conditions and to remove parked motor

vehicles if the weather conditions are such as to require their removal under the terms of this section.

(c) After the records of the National Weather Service indicate that two inches of snow have fallen and there is a prospect of further snowfall, the Director of Public Safety and Service or designee shall order the removal of all vehicles parked on the streets designated herein which have not been removed by the owners or operators thereof. The vehicles shall be removed as provided in §404.07.

(d) Whoever violates any of the provisions of this section, with respect to failure to remove parked motor vehicles when the weather conditions described in this section require their removal, shall be deemed to be illegally parked and shall be subject to the penalties provided in this traffic code. In addition, when a motor vehicle is towed to a motor vehicle pound, the motor vehicle may be recovered only upon payment of the towing and storage charges imposed.

(e) The Police Department shall use reasonable means of disseminating information as to the existence of weather conditions requiring removal of parked motor vehicles from the areas designated. The dissemination of this information, however, shall not relieve owners or operators of motor vehicles from the responsibility of ascertaining the existence of weather conditions requiring the removal of parked motor vehicles from the areas designated.

(f) The streets where parking is prohibited after two inches of snow have fallen, and when there is a prospect of further snowfall, are:

(1) The streets within the business district, as defined in §402.01, including the whole of any street wherein the boundary of the business district is the centerline of the street.

(2) Interior parking on any areas designated as boulevards; including, but not limited to: Grand Boulevard, West Park Drive, and Williams Court.

(3) Any cul-de-sac.

(4) Streets designated as Major Arterial, Minor Arterial, and Collector Streets, as defined in Subdivision Regulation 1246.04, provided those streets allow regular, on-street parking:

(a) Collector Streets:

(1) Smiley Ave from west Corp Limit to east Corp Limit

(2) Shelby Ave from Smiley Ave to State Street

Section 5: That Section 452.15 (Snow Emergencies on Municipal Parking Lots) of Chapter 452 (Parking Generally) be amended as follows:

452.15 MUNICIPAL PARKING LOTS AND SNOW EMERGENCIES IN MUNICIPAL PARKING LOTS

(a) Any City owned or leased off-street parking lot shall be under the general supervisions and management of the Mayor/Safety-Service Director, and he/she is authorized and directed to make and promulgate such rules and regulations, including minimum operating hours of the lots, in conformity with the provisions of this section, as may be necessary and desirable for the proper operation and administration of such facilities.

(b) Parking in the lots shall be available for use, unless otherwise designated.

(c) Signage identifying the lots as Municipal Parking Lots and the rules of the lots shall be conspicuously posted at all entrances to each lot, and where there is special parking designated, it shall also be marked and conspicuously posted.

(d) Municipal parking lots are located in the following areas:

(1) City Hall – See full legal description at Book 1803, Pages 364-365 of Richland County Recorder's Records.

(2) Hitching Grounds – See full legal description at Volume 121, Page 117 of Richland County Recorder's Records.

(e) In order to facilitate the cleaning of municipal parking lots and to expedite the free flow of vehicular traffic, motor vehicles shall not be parked on municipal parking lots at such times as the records of the National Weather Service indicate that two inches of snow have fallen and there is a prospect of a further snowfall. All motor vehicles parked prior to the time that weather conditions prohibit parking shall be removed by the owners or operators thereof. Any motor vehicle parked in violation of this section may be removed by order of the Director of Public Safety and Service or designee and shall subject the owner or operator thereof to the penalties provided in this traffic code as well as to any impounding fees and storage costs.

(f) It shall be the responsibility of the owners or operators of motor vehicles to ascertain whether or not weather conditions require the removal of their motor vehicles from the parking lots designated and to remove all motor vehicles parked in violation of the provisions of this

section or any other ordinances of the city. While the city will make every effort to inform the public of the existence of weather conditions requiring the removal of parked motor vehicles from the parking lots designated herein, the owners and operators of motor vehicles parked in these areas shall have full responsibility to determine existing weather conditions and to remove parked motor vehicles if the weather conditions are such as to require their removal under the provision of this section.

(g) After the records of the National Weather Service indicate that two inches of snow have fallen and there is a prospect of further snowfall, the Director of Public Safety and Service or designee may order the removal of all vehicles parked on municipal parking lots which have not been removed by the owners or operators thereof. The vehicles may be removed as provided in §404.07.

(h) In addition to the penalties provided in this traffic code, when a motor vehicle is towed to a motor vehicle pound, the motor vehicle may be removed only upon the payment of the towing and storage charges imposed.

(i) The Police Department shall use reasonable means of disseminating information as to the existence of weather conditions requiring removal of parked motor vehicles from the areas designated. The dissemination of this information, however, shall not relieve owners or operators of motor vehicles from the responsibility of ascertaining the existence of weather conditions requiring the removal of parked motor vehicles from the areas designated.

Section 6: That Section 452.16 (Parking or Stopping in Fire or Snow Removal Lanes) of Chapter 452 (Parking Generally) be repealed.

452.16 PARKING OR STOPPING IN FIRE OR SNOW REMOVAL LANES.

REPEALED

Section 7: That Section 452.18 (Waiver) of Chapter 452 (Parking Generally) be amended as follows:

452.18 WAIVER.

Any person charged with a violation of any provision of this chapter for which payment of a prescribed fine may be made, may pay the sum in the manner prescribed on the issued traffic or parking ticket. The payment shall be deemed a plea of guilty, waiver of court appearance and acknowledgment of conviction of the alleged offense and may be accepted in full satisfaction of the prescribed penalty for the alleged violation. Payment of the prescribed fine need not be accepted when laws prescribe that a certain number of such offenses shall require court appearance.

Section 8: That Section 452.19 (Parking, Event Permit Required) of Chapter 452 (Parking Generally) be enacted.

452.19 PARKING, EVENT PERMIT REQUIRED

(a) No person shall block or occupy right-of-way parking on any city street, through-highway, or alley by any means, nor close or restrict or obstruct any section or portion of any city street, through-highway, or alley by any means for the purpose of any special event, without first obtaining a permit therefore from the Director of Public Safety.

(b) Applications for such permits shall be made on such forms as may be prescribed by the City and shall contain such information as is reasonably necessary to make a fair determination of whether a permit should or should not be issued. Applications shall be filed not less than 72 hours before the time intended for the special event. The period for which the permit is active shall not exceed 12 hours for parking restrictions and 72 hours for road closures, nor shall additional permits for the same requestor, business, location, or event exceed more than three instances in a calendar year.

(c) Applications for such permits shall be accompanied by a permit fee prescribed by the Traffic Commission, and shall be paid upon approval and receipt of the permit.

(d) The permit may be denied or cancelled if:

(1) The permit is not filed a minimum of 72 hours before the start of the event;

(2) The time, place, size or conduct of the event would interfere with the public convenience and safe use of the streets, through-highways or alleys;

- (3) The number of parking spaces requested or required would unreasonably deny access to such a number of business as to interfere with commerce and services;
- (4) The event would require the diversion of so great a number of police officers that would deny normal police protection to the municipality, or require a greater number of physical barricades than is reasonable or available;
- (5) The event would unreasonably interfere with the movement of police, fire, or EMS services to other areas of the municipality;
- (6) The event would unreasonably interfere with another event for which a permit has already been issued;
- (7) The information contained in the application is found to be false, misleading or incomplete in any material detail;
- (e) The permit, or any order accompanying it, may limit or prescribe reasonable conditions, including hours and areas permitted to be occupied.

Section 9: That all other Sections of Chapter 452 (Parking Generally) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

Section 10: 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 11: 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
7/7/2025

ORDINANCE NO. 21-2025
(Sponsor: Councilmember McLaughlin)

VACATING AN ALLEY THAT RUNS PERPENDICULAR TO WEST MAIN STREET BETWEEN LOTS 578, 575, 27, AND 576 WITHIN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO.

WHEREAS, on the 5th day of May 2025, the Council of the City of Shelby adopted Resolution No. 13-2025 declaring its intent to vacate an alley that runs perpendicular to West Main Street between lots 578, 575, 27, and 576; 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 June 16, 2025 and voted to approve and recommend the vacation of an alley that runs perpendicular to West Main Street between lots 578, 575, 27, and 576 with conditions; 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 perpendicular to West Main Street between lots 578, 575, 27, and 576 as set forth in the plat and legal description as prepared by Seiler & Craig Surveying, Inc.- Chad Craig, Registered Surveyor on April 2, 2025 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 the conditions as recommended by the Board of Revision of Assessments shall be adopted, including: there shall be no permanent obstructions placed in the alley which may block ingress/egress, that the adjoining property owners (parcels 0460812211000 and 0460814713000) have access to their property by way of easement or other legal title for purposes of repairs, improvements and access to their respective parcels; and that City of Shelby safety forces shall have clear access to said property as may be necessary from time to time for the health, safety and welfare of the citizens of Shelby.

Section 4: 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 5: 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:

A handwritten signature in black ink, appearing to read 'Gordon M. Eyster', with a long horizontal flourish extending to the right.

Gordon M. Eyster
Director of Law

1st Reading
7/7/2025

ORDINANCE NO. 22 -2025
(Sponsor: Councilmember McLaughlin)

ENACTING SECTION 204.08 (HUNTER MEMORIAL STREET) OF CHAPTER 204 (OFFICIAL STANDARDS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, James W. Hunter was elected to Council in 1997 and 1999 from the City of Shelby's historic First Ward; and

WHEREAS, Mr. Hunter was elected Mayor of the City of Shelby in 2001 and served with distinction from January 1, 2002, to January 1, 2006; and

WHEREAS, in addition to his elected service, Mr. Hunter taught English for thirty-three years at Shelby High School; directed and advised Whippet Theater; and served as the announcer of Shelby Whippets home football games for over 40 years; and

WHEREAS, sadly Mr. Hunter departed this life on May 22, 2025; and

WHEREAS, during Mr. Hunter's elected and scholastic service, he resided at 159 Leslie Lane; 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 City commemorate the memory and service of Mr. Hunter.

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

Section 1: That Section 204.08 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

204.08 HUNTER MEMORIAL STREET.

- (a) Leslie Lane is hereby secondarily designated as "Mayor James W. Hunter Memorial Street."
- (b) The Director of Public Service is hereby directed to place appropriate signage indicating said designation.
- (c) Said designation shall in no way affect or impact postal or other deliveries.

Section 2: That all other sections of Chapter 204 remain in full force and effect.

Section 3: The Clerk of Council present an authenticated copy of this Ordinance to the Hunter family.

Section 4: 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 5: 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. 23 -2025
(Sponsor: Councilmember McLaughlin)

**VACATING A PORTION OF SPRUCE STREET WITHIN THE CITY OF SHELBY,
RICHLAND COUNTY, OHIO.**

WHEREAS, on the 2nd day of June 2025, the Council of the City of Shelby adopted Resolution No. 19-2025 declaring its intent to vacate a portion of Spruce Street; 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 July 14, 2025 and voted to approve and recommend the vacation of a portion of Spruce Street; 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 roadway 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 a portion of Spruce Street as set forth in the plat and legal description was prepared by Hanning Surveying, LLC- Matt Hanning, Registered Surveyor on April 28, 2025 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. Byster
Director of Law