

6:30pm Service & Development Committee

**Shelby City Council Agenda**  
**Tuesday, September 6, 2011**  
**COUNCIL CHAMBERS**  
**5 WATER STREET**  
**Shelby, Ohio**  
**7:00 p.m.**

**Call to Order and Pledge of Allegiance**

**Roll Call:**

Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**Motion to excuse Garland John Gates**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**Dispense with Reading of Journal from August 15, 2011**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

Ceremony of Recognition for Labor Day 2011

**Public Comment**

**Reports from Standing and Special Committees**

Service & Development Committee—Harold Shasky  
Committee of the Whole—Redraw of Ward Lines—ORC 731.06  
Safety, Streets & Traffic Committee—Don Shepherd

**Reports of City Officials**

Marilyn S. John—Mayor

**MOTION TO APPROVE A SITE PLAN FOR A NEW VOCATIONAL AGRICULTURE BUILDING FOR SHELBY HIGH SCHOOL LOCATED AT 32 DICKS DRIVE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**MOTION TO APPROVE A SITE PLAN FOR A NEW HIGH SCHOOL BUILDING FOR SHELBY HIGH SCHOOL LOCATED AT 32 DICKS DRIVE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**ORDINANCE NO 24-2011**

**TRANSFERRING APPROPRIATIONS FOR THE  
YEAR 2011 AND DECLARING AN EMERGENCY**

**Motion that the rules requiring that an ordinance be read on three separate occasions be suspended and declare an emergency**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**PASSAGE OF ORDINANCE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**ORDINANCE NO 25-2011**

**AMENDING ORDINANCE NO. 5-2011 (ANNUAL  
APPROPRIATIONS), AND DECLARING AN  
EMERGENCY**

**Motion that the rules requiring that an ordinance be read on three separate occasions be suspended and declare an emergency**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**PASSAGE OF ORDINANCE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

**Miscellaneous business**

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

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Shepherd \_\_\_\_\_ Mr. Shasky \_\_\_\_\_ Mr. Hoover \_\_\_\_\_ Mr. Schag \_\_\_\_\_

st Reading  
8/15/2011

ORDINANCE NO. 23-2011  
(Sponsor - Councilmember Shasky)

AMENDING THE ZONING ORDINANCE (ORDINANCE NUMBER 1-91, PART 12, TITLE 6) OF THE CODIFIED ORDINANCE OF THE CITY OF SHELBY, OHIO TO CHANGE PERMANENT PARCEL NUMBERS ON MACK AVENUE, PARK AVENUE AND HIGH SCHOOL AVENUE WHICH ARE DESIGNATED AS I-2 (HEAVY INDUSTRIAL AND MANUFACTURING DISTRICT) TO B-2 (CENTRAL BUSINESS DISTRICT).

WHEREAS, by authority of Codified Ordinances 1260.05, the Council of the City of Shelby has determined that certain permanent parcel numbers on Mack Avenue, Park Avenue and High School Avenue as located within an I-2 (Heavy Industrial and Manufacturing District) should be zoned as B-2 (Central Business District) property, and

WHEREAS, the Planning Commission of the City of Shelby has reviewed the proposed amendment and has approved of same on August 2, 2011, and

WHEREAS, in accordance with Codified Ordinance 1260.05 the Council of the City of Shelby has determined that said amendment to the Zoning Ordinance is necessary, and

WHEREAS, in accordance with mandates of the Zoning Ordinance for the City of Shelby, a public hearing shall be held concerning this proposed amendment, 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 Ordinance number 1-91, Part 12, Title 6 be amended and that certain Richland County permanent parcel numbers on Mack Avenue, Park Avenue and High School Avenue be rezoned, and

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

Section 1: That the zoning map attached to Ordinance Number 1-91 as passed on March 4, 1991 (with amendments) is hereby revised and amended by changing the following Richland County Permanent Parcel Numbers 0460815915000, 0460815913000, 0460818611000, 0460818614000, 0460818613000, 0460806407000, 0460818612000, 0460815914000, 0460815917000 and 0490818610000 from I-2 (Heavy Industrial and Manufacturing District) to B-2 (Central Business District)

Section 2: That the Clerk of Council and the Chairman of the Shelby Planning Commission are directed to make the necessary changes on the original zoning map of the City of Shelby, Ohio

Section 3: That all other zones and designations currently on said map are to remain in full force and effect

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: \_\_\_\_\_

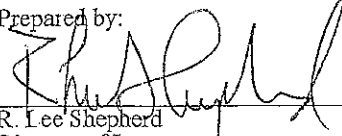
\_\_\_\_\_  
Steven L. Schag  
Vice President of Council

APPROVED:

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

\_\_\_\_\_  
Robert A. Lafferty  
Clerk of Council

\_\_\_\_\_  
Marilyn S. John  
Mayor

Prepared by:  
  
\_\_\_\_\_  
R. Lee Shepherd  
Director of Law

ORDINANCE NO. 24-2011  
(Sponsor – Councilmember Schag)

**TRANSFERRING APPROPRIATIONS FOR THE YEAR 2011 AND DECLARING AN EMERGENCY.**

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2011 budget, 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 this transfer be made effective so as to balance the books for the calendar year 2011, and so as to fund necessary expenditures and/or projects, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That the Director of Finance shall be and is hereby authorized and directed to make the following transfers:

FROM	600-MIN-541	MAINTENANCE COOLING TOWERS	\$10,000.00
TO	600-MIN-540	HAZARDOUS MATERIALS CONTROL	\$10,000.00

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

Section 3: That this Ordinance is hereby deemed to be an emergency so as to meet the ongoing contractual and/or monetary obligations of the City of Shelby, Ohio, and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law

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

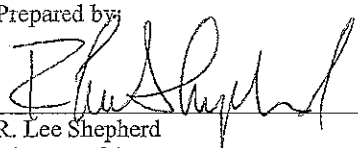
\_\_\_\_\_  
Steven L. Schag  
Vice President of Council

APPROVED:

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

Robert A. Lafferty  
Director of Finance

\_\_\_\_\_  
Marilyn S. John  
Mayor

Prepared by:  
  
\_\_\_\_\_  
R. Lee Shepherd  
Director of Law

ORDINANCE NO. 25-2011  
(Sponsor - Councilmember Schag)

AMENDING ORDINANCE NO. 5-2011 (ANNUAL APPROPRIATIONS), AND  
DECLARING AN EMERGENCY.

WHEREAS, on March 23, 2011, the Council of the City of Shelby passed its Annual Appropriation Ordinance as required by the Ohio Revised Code Section 5705.38;

WHEREAS, it is necessary to increase line items within the 2011 budget and to fund said line items with previously unappropriated monies; 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 these additional appropriations be made effective so as to balance the books for the calendar year 2011, and so as to fund necessary expenditures and/or projects, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF SHELBY, OHIO, A TWO-THIRDS (2/3) MAJORITY ELECTED THERETO CONCURRING:

Section 1: That Ordinance No. 5-2011 (Annual Appropriations) is hereby amended as follows:

402-SIF-536	CONSTRUCTION	\$195,000.00
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Section 2: That all other portions of Ordinance No. 5-2011 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 is hereby deemed to be an emergency so as to meet the ongoing contractual and/or monetary obligations of the City of Shelby, Ohio, and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

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

\_\_\_\_\_  
Steven L. Schag  
Vice President of Council

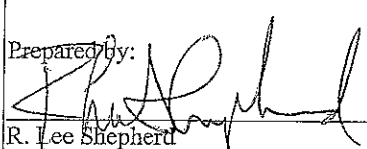
APPROVED:

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

Robert A. Lafferty  
Director of Finance

Marilyn S. John  
Mayor

Prepared by:

  
\_\_\_\_\_  
R. Lee Shepherd  
Director of Law