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

Shelby City Council Agenda
Monday, November 2, 2026
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. Reese _____ Mr. Martin _____ Mr. McLaughlin _____

Dispense with the Reading of the Journal from October 19, 2026
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

Public Comment

Reports from Standing and Special Committees
Public Works & General Operation Committee—Councilmember Roub

Community & Economic Development Committee—Councilmember Reese

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
MOTION TO REQUEST A LIQUOR HEARING FOR LIQUOR PERMIT ESTABLISHMENTS WITHIN THE CITY OF SHELBY
Moved____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

Unfinished Business

Legislation

ORDINANCE NO 14-2026 **DESIGNATING A REVITALIZATION DISTRICT WITHIN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO, PURSUANT TO OHIO REVISED CODE SECTION 4301.81, AND AUTHORIZING THE ELIGIBILITY OF FIVE (5) D-5L LIQUOR PERMITS PURSUANT TO OHIO REVISED CODE SECTION 4303.181(L) WITHIN SAID DISTRICT**

2ND READING
Moved____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

ORDINANCE NO 15-2026 **AMENDING CHAPTER 1050 (ELECTRICITY) SECTION 1050.02 (RATES AND CHARGES FOR SERVICE) AND ENACTING SECTION (6) SCHEDULE E IN SECTION 1050.02 (RATES AND CHARGES FOR SERVICE) AND AMENDING SECTION 1050.04 (METERING AND BILLING) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO**

2ND READING
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

ORDINANCE NO 16-2026 **AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM), RULE 59 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO**

2ND READING
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

ORDINANCE NO 17-2026 **AMENDING CHAPTER 1044 (SEWER CHARGES), SECTION 1044.08 (DEPOSITS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO**

2ND READING
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

ORDINANCE NO 18-2026 **AMENDING SECTION 276.04 (FOOD SERVICE/RETAIL FOOD ESTABLISHMENT LICENSE FEES), SECTION 276.05 (BODY ART APPROVAL FEES), AND SECTION 276.07 (PUBLIC SWIMMING POOL LICENSE FEES), OF CHAPTER 276 (DIVISION OF HEALTH) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY**

1ST READING
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

ORDINANCE NO 19-2026 **ENACTING SECTION 662.07 (VEGETATION WITHIN PUBLIC RIGHTS-OF-WAY) AND AMENDING SECTION 662.99 (PENALTY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO**

1ST READING
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

ORDINANCE NO 20-2026 **AMENDING ORDINANCE NO 2-2026 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY.**

Motion that the rule requiring that an ordinance be read on three separate occasions be suspended
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

PASSAGE OF ORDINANCE
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

ORDINANCE NO 21-2026 **TRANSFERRING APPROPRIATIONS FOR THE YEAR 2026 AND DECLARING AN EMERGENCY**

Motion that the rule requiring that an ordinance be read on three separate occasions be suspended
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

PASSAGE OF ORDINANCE
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

RESOLUTION NO 36-2026 **AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE TITLE TO CERTAIN PARCELS OF REAL ESTATE OWNED BY JCJT PROPERTIES LLC, JACOB OBERHOLTZER AND DECLARING AN EMERGENCY**

Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

RESOLUTION NO 37-2026 **AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH AMERICAN STRUCTUREPOINT, INC FOR PROFESSIONAL SERVICES FOR THE NORTH GAMBLE STREET AND STATE STREET INTERSECTION STUDY AND DECLARING AN EMERGENCY**

Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

Miscellaneous Business

Adjournment at _____p.m.
Moved_____2ND_____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Reese _____ Mr. Martin _____

1st Reading
10/19/2026

ORDINANCE NO. 14 -2026
(Sponsor: Councilmember McLaughlin)

DESIGNATING A REVITALIZATION DISTRICT WITHIN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO, PURSUANT TO OHIO REVISED CODE SECTION 4301.81, AND AUTHORIZING THE ELIGIBILITY OF FIVE (5) D-5L LIQUOR PERMITS PURSUANT TO OHIO REVISED CODE SECTION 4303.181(L) WITHIN SAID DISTRICT.

WHEREAS, Ohio Revised Code Section 4301.81 authorizes a municipal corporation to designate a revitalization district as a bounded area that includes, or will include, a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments in close proximity to restaurants, hotels, retail establishments, and similar uses; and

WHEREAS, the Council of the City of Shelby has reviewed the proposed boundaries of the revitalization district, as more particularly depicted on Exhibit A and described in Exhibit B, and finds that the area meets the statutory criteria set forth in Ohio Revised Code Section 4301.81 for designation as a revitalization district; and

WHEREAS, the Council further finds that the proposed revitalization district will contribute to the economic development and revitalization of the City, encourage investment and redevelopment within the Central Business District, and enhance opportunities for dining, entertainment, cultural, and social activities for residents and visitors; and

WHEREAS, the boundaries of the proposed revitalization district are coterminous with the City of Shelby's Central Business District (CBD) zoning district, which is planned and regulated to support mixed-use, commercial, entertainment, and pedestrian-oriented development consistent with the purposes of Ohio Revised Code Section 4301.81; and

WHEREAS, aligning the revitalization district with the existing CBD zoning district ensures consistency with the City's adopted land-use policies, reinforces the CBD as the community's primary commercial and cultural center, and supports ongoing and future investment within this area; and

WHEREAS, the City has identified two new restaurant projects and additional anticipated commercial investment within the district, and finds that the availability of D-5L liquor permits will support these developments and further the economic revitalization objectives of the district; and

WHEREAS, this Council is satisfied that the designation of the revitalization district and the availability of D-5L permits to qualified applicants within the district will not be detrimental to the general interest and public welfare; and

WHEREAS, the Council finds that limiting the number of D-5L permit opportunities within the revitalization district to five (5) at this time is appropriate to support current redevelopment objectives while allowing the Council to evaluate future demand and community impacts; and

WHEREAS, the Council finds that the proposed district includes, and is intended to further encourage, a combination of retail, dining, entertainment, cultural, social, and commercial establishments within close proximity to one another, consistent with the definition of a revitalization district contained in Ohio Revised Code Section 4301.81; and

WHEREAS, following proper notice, a public hearing was conducted on October 5, 2026, concerning the establishment of the proposed revitalization district.

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

Section 1: That the area described in Exhibit A (Revitalization District Map) and Exhibit B (Parcel List), consisting of approximately 105.5 acres and having boundaries coterminous with the

City's Central Business District zoning district, is hereby designated as the "Shelby Central Business District Revitalization District" pursuant to Ohio Revised Code Section 4301.81.

Section 2: That the revitalization district established in Section 1 is created for the purpose of promoting and supporting economic development, encouraging investment, and fostering the growth of entertainment, dining, cultural, and social amenities within the City's Central Business District, consistent with the purposes set forth in Ohio Revised Code Section 4301.81.

Section 3: That pursuant to Ohio Revised Code Section 4303.181(L), establishments located within the Shelby Central Business District Revitalization District may be eligible to apply for D-5L liquor permits, subject to approval by the Ohio Division of Liquor Control and satisfaction of all applicable requirements of Ohio law. The City of Shelby hereby limits eligibility within the Revitalization District to a maximum of five (5) D-5L permits at any one time. No more than five (5) establishments within the Revitalization District shall be eligible to receive City approval, certification, endorsement, or other authorization required in connection with an application for a D-5L permit under this Ordinance unless and until this Ordinance is amended by Council.

Section 4: That the Mayor, Director of Law, and other appropriate City officials are authorized and directed to take all actions necessary to implement this Ordinance, including submission of the required materials to the Ohio Division of Liquor Control and execution of any documents necessary to effectuate the designation of the revitalization district and the issuance of D-5L permits.

Section 5: That Exhibit A (Revitalization District Map) and Exhibit B (Parcel List with Acreage and Use) are incorporated herein by reference and made a part of this Ordinance as if fully rewritten herein.

Section 6: 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
10/19/2026

ORDINANCE NO. 15 -2026
(Sponsors: Councilmembers McLaughlin and Reese)

AMENDING CHAPTER 1050 (ELECTRICITY) SECTION 1050.02 (RATES AND CHARGES FOR SERVICE) AND ENACTING SECTION (6) SCHEDULE E IN SECTION 1050.02 (RATES AND CHARGES FOR SERVICE) AND AMENDING SECTION 1050.04 (METERING AND BILLING) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to modify Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service) and Section 1050.04 (Metering and Billing) so as to continue to provide municipal electric service to the customers of the Division of Electricity and Telecommunications of the City of Shelby; and

WHEREAS, this ordinance adjusts the (Customer Charge) within the *Availability for Service* for Schedule A, Schedule A-D, Schedule B, Schedule C, and Schedule D within Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service); and

WHEREAS, this ordinance adjusts the (Distribution Charge) within the *Availability for Service* for Schedule A, Schedule A-D, Schedule B, Schedule C within Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service); and

WHEREAS, this ordinance enacts a (Charge for Service) in Section (6) Schedule E *Availability of Service* fee for Vendors desiring to interconnect their personal or business electric equipment to city owned electric outlets for providing entertainment or the purpose of selling goods, property, or services to another party; and

WHEREAS, this ordinance adjusts the (Security Deposit) to provide and assist in the recovery of funds from delinquent account holders; 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 1050 (Electricity) Section 1050.02 (Rates and Charges for Service) be amended and Section (6) Schedule E be enacted and Section 1050.04 (Metering and Billing) be amended to provide financial solvency for the Division of Electricity.

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

Section 1: That section Chapter 1050 (Electricity), 1050.02 (Rates and Charges for Service) be amended and a new section be enacted to read as follows:

§ 1050.02 RATES AND CHARGES FOR SERVICE.

(a) *Service schedules.*

(1) *Schedule A.*

A. *Availability of service.* Available for single phase electric service at 225 amps capacity (120–240 volts), maximum, through one meter to individual customers.

B. *Rates for service.*

1.	Customer charge	$6.00
2.	Distribution charge all kWh	$0.0210

(2) *Schedule A-D.*

A. *Availability of service.* Available for single phase electric service at 225 amps capacity (120–240 volts), maximum, through one meter to individual customers. In addition, customers under Schedule A-D must meet age, income and other prerequisites as determined by the Director of Public Service, subject to the approval of the City Council. Rates under this schedule for distribution charge and all riders, excluding customer charge and kWh taxes shall be reduced by 10% to eligible customers.

B. *Rates for service.*

1.	Customer charge	$4.00
2.	Distribution charge all kWh	$0.0189

(3) *Schedule B.*

A. *Availability of service.* Available for single phase electric service over 225 amps capacity (120–240 volts), minimum, or three phase electric service at 200 kW capacity, maximum, through one meter to individual customers.

B. *Rates for service.*

1.	Customer charge (single phase)	$7.00
2.	Customer charge (three phase)	$9.50
3.	Customer charge (primary)	$16.00
4.	Distribution charge all kWh	$0.0118
5.	Demand charge all kWh	$4.64

(4) *Schedule C.*

A. *Availability of service.* Available for three-phase electric service over 200 kW capacity through one meter to individual customers. Rates, terms and conditions for service to customers with requirements other than previously stipulated shall be offered only by special contract.

B. *Rates for service.*

1.	Customer charge (Three Phase)	$13.00
2.	Customer charge (primary)	$25.00
3.	Distribution charge all kWh	$0.0079
4.	Demand charge all kWh	$2.47

(5) *Schedule D.*

A. *Availability of service.* Available for electrical energy used for city-owned and operated facilities.

B. *Rates for service*

1.	Customer charge	$11.50
2.	Distribution charge all kWh	$0.0106

(6) *Schedule E.*

A. *Availability of Service.* Available for electric energy for Vendors. Vendor shall be defined as a person or business entity that sells goods, property, or services to another party or providing entertainment.

B. *Rates for Service*

1.	120v Electric Service	$10.00
2.	240v Electric Service	$15.00

(7) *Security light service.*

(8) *Electric vehicle charging station service rider.*

Section 2: That Chapter 1050 (Electricity), Section 1050.04 (Metering and Billing) be amended to read as follows:

(g) *Deposits.*
(1) Residential electricity: $400.00.
(2) Residential electricity and water: $400.00.
(3) Residential electricity and sewer: $400.00.
(4) Residential electricity, water and sewer: $400.00.

Section 3: That all other Sections of Chapter 1050 (Electricity) of the Codified Ordinances of the City of Shelby shall 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 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
10/19/2026

ORDINANCE NO. 16 -2026
(Sponsors: Councilmembers McLaughlin and Reese)

AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM), RULE 59 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), Rule 59 establishes the deposit for water service; 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 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), Rule 59 be amended to establish the charge for deposit for water service.

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

Section 1: That Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), Rule 59 be amended to establish the charge for deposit for water service.

Section 2: That Rule 59 shall read as follows:

Rule 59
Deposits for water service
(1) Residential water: $200.00.
(2) Residential water and sewer: $300.00.
(3) Residential water and electricity: $400.00.
(4) Residential water, sewer and electricity: $400.00.
(5) Commercial and industrial water. A deposit not exceeding 150% of an estimated average bill for commercial and industrial customers (unless the service is temporary), may be required of the customer at any time, or from time to time before or after service is commenced. Deposit criteria will be affected by, but not limited to:
A. Past general credit history;
B. Past payment history (with the utility);
C. End use of service; and
D. Duration of service.
(6) The utility office shall have a reasonable time to ascertain that the obligations of the customer have been fully performed before being required to return any deposit. For homeowner and commercial/industrial accounts, the deposit shall be credited to the customer's account after 60 months (five years), unless the customer's account has been terminated. For rental accounts, the deposit shall be credited to the customer's account when the account has been terminated. For all account holders any remaining deposit not used to credit the account shall be directly reimbursed to the customer or payee within 30 calendar days.

Section 3: That all other provisions in Chapter 1040 (Water) and Section 1040.04 (Rule, Regulations and Fixed Charges for Municipal Water Service) of the Codified Ordinances of the City of Shelby shall 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 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
10/19/2026

ORDINANCE NO. 17 -2026
(Sponsors: Councilmembers McLaughlin and Reese)

AMENDING CHAPTER 1044 (SEWER CHARGES), SECTION 1044.08 (DEPOSITS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, Chapter 1044 (Sewer Charges), Section 1044.08 (Deposits) establishes the deposit for sewer service; 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 1044 (Sewer Charges), Section 1044.08 (Deposits) be amended to establish the amount of deposit for sewer service.

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

Section 1: That Chapter 1044 (Sewer Charges), Section 1044.08 (Deposits) be amended to establish the deposit for sewer services.

Section 2: That Chapter 1044 (Sewer Charges), Section 1044.08 (Deposits) shall read as follows:

§ 1044.08 DEPOSITS.

(a) Residential sewer: $200.00.
(b) Residential sewer and water: $300.00.
(c) Residential sewer and electricity: $400.00.
(d) Residential sewer, water and electricity: $400.00.
(e) Commercial and industrial sewer. A deposit not exceeding 150% of an estimated average bill for commercial and industrial customers (unless the service is temporary), may be required of the customer at any time, or from time to time before or after service is commenced. Deposit criteria will be affected by, but not limited to:
  (1) Past general credit history;
  (2) Past payment history (with the utility);
  (3) End use of service; and
  (4) Duration of service.
(f) The utility office shall have a reasonable time to ascertain that the obligations of the customer have been fully performed before being required to return any deposit. For homeowner and commercial/industrial accounts, the deposit shall be credited to the customer's account after 60 months (five years), unless the customer's account has been terminated. For rental accounts, the deposit shall be credited to the customer's account when the account has been terminated. For all account holders any remaining deposit not used to credit the account shall be directly reimbursed to the customer or payee within 30 calendar days.
(g) There shall be no interest paid or accrued on deposits.

Section 3: That all other provisions in Chapter 1044 (Sewer Charges) of the Codified Ordinances of the City of Shelby shall 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 McLaughlin
Vice President of Council

APPROVED:

ATTEST:_____
Brian Crum
Clerk of Council

_____
Steven L. Schag
Mayor

Prepared by:

_____
Gordon M. Byster
Director of Law

ORDINANCE NO. 18 - 2026
(Sponsor: Councilman Roberts)

AMENDING SECTION 276.04 (FOOD SERVICE/RETAIL FOOD ESTABLISHMENT LICENSE FEES), SECTION 276.05 (BODY ART APPROVAL FEES), AND SECTION 276.07 (PUBLIC SWIMMING POOL LICENSE FEES), OF CHAPTER 276 (DIVISION OF HEALTH) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, in accordance with the Ohio Administrative Code 3701-31-03 (Fees), the Shelby Division of Health has calculated the cost of licensing Public Swimming Pools and Spas and, as a result, has recommended increases in the Individual Public Swimming Pools and Additional Pool, Spa, or Special Use Pool at the same facility as the first pool licensing fees; and

WHEREAS, in accordance with the Ohio Administrative Code 3701-9-03 (Fees), the Shelby Division of Health has calculated the cost of licensing Body Art Services and, as a result, has recommended increases in the Tattooing Services, Body Piercing Services, Combined Body Art Services, Time Limited Approval for a Specific Event Licensing fees, and an additional Plan Review Application fee (when a plan review is required); and

WHEREAS, in accordance with the Ohio Administrative Code Chapter 901:3-4-03 (Retail Food Establishments- Licensing) and Ohio Administrative Code Chapter 3701-21-02 (Food Service Operation Rules), the Shelby Division of Health has calculated the cost of licensing food service operations and retail food establishments and, as a result, has recommended increases in the Risk Class 1, Risk Class 2, Risk Class 3, Risk Class 4, Vending machine, and Temporary Food Service fees; a decrease in the Mobile Food Service fees with the addition of risk categories for mobile food service operations; and an additional Plan Review Application fee for retail food service establishments and food service operations (when a plan review is required) 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 Codified Ordinance Chapter 276 (Division of Health) of the Codified Ordinances of the City of Shelby be amended as noted above.

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

Section 1: That Section 276.04 (Food Service/Retail Food Establishment License Fees) of Chapter 276 (Division of Health) of the Codified Ordinances of the City of Shelby be amended so that said section shall read as follows:

276.04 FOOD SERVICE OPERATION/RETAIL FOOD ESTABLISHMENT LICENSE FEES

The following food service operation/retail food establishment fees are hereby adopted:

(a) Risk Class 1

(1) Businesses under 25,000 square feet: $126.00 + current state fee

(2) Businesses over 25,000 square feet: $184.00 + current state fee

(b) Risk Class 2

(1) Businesses under 25,000 square feet: $143.00 + current state fee

(2) Businesses over 25,000 square feet: $194.00 + current state fee

(c) Risk Class 3

(1) Businesses under 25,000 square feet: $275.00 + current state fee

(2) Businesses over 25,000 square feet: $675.00 + current state fee

(d) Risk Class 4

(1) Businesses under 25,000 square feet: $350.00 + current state fee

(2) Businesses over 25,000 square feet: $740.00 + current state fee

(e) Vending machine: $9.00 + current state fee

(f) Mobile Food Establishments (high risk): $120.00 + current state fee

(g) Mobile Food Establishments (low risk): $60.00 + current state fee

(h) Temporary Food Service Operations: $40.00 + current state fee

(i) Plan Review Application fees (when a plan review is required):

1) Risk class 1 & 2: $75.00

2) Risk class 3 & 4: $150.00

(j) Level 1 Food Safety Training: $10.00

(k) Level II Certification in Food Protection training: $125.00

(l) Level II examination only:

(1) Shelby City Resident/ Business: $25.00

(2) Non-Shelby City Resident/Business: $50.00

(m) Late fee: 25% of local fee

Section 2: That Section 276.05 (Body Art Approval Fees) of Chapter 276 (Division of Health) of the Codified Ordinances of the City of Shelby be amended so that said section shall read as follows:

276.05 BODY ART SERVICES LICENSE FEES

The following body art services license fees are hereby adopted:

(a) Tattooing Services: $190.00 + current state fee

(b) Body Piercing Services: $150.00 + current state fee

(c) Combined Body Art Services: $170.00 + current state fee

(d) Time Limited Approval for a Specific Event $100.00 + current state fee

(e) Body Art Plan Review (when required): $50.00

Late Fee: 25% of local fee

Section 3: That Section 276.07 (Public Swimming Pool License Fees) of Chapter 276 (Division of Health) of the Codified Ordinances of the City of Shelby be amended so that said section shall read as follows:

276.07 PUBLIC SWIMMING POOL LICENSE FEES

The following public swimming pool license fees are hereby adopted:

(a) Public Swimming Pool: $230.00 + current state fee

(b) Public Spa: $175.00 + current state fee

(c) Public Special Use Pool: $185.00 + current state fee

(d) Additional Pool, Spa, or Special Use Pool at the same facility as the first pool (highest cost category will be assessed as the first pool): $90.00 + current state fee

Late Fee: 25% of local fee

Section 4: That all other Sections of Chapter 276 of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

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 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. 19 -2026
(Sponsors: Councilmembers Roberts and Roub)

ENACTING SECTION 662.07 (VEGETATION WITHIN PUBLIC RIGHTS-OF-WAY) AND AMENDING SECTION 662.99 (PENALTY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, vegetation and other landscaping materials have been placed within the City right-of-way in a manner that may obstruct visibility for pedestrians, bicyclists, and motorists; and

WHEREAS, Shelby City Council finds that maintaining clear sight lines within the public right-of-way is necessary to protect public health, safety, and welfare and to preserve the right-of-way for public use and municipal operations.

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

Section 1: That Section 662.07 be enacted to read as follows:

§ 662.07 VEGETATION WITHIN PUBLIC RIGHTS-OF-WAY.

(a) Findings and Purpose.

Council finds that excessive or improperly maintained vegetation within public rights-of-way may obstruct pedestrian travel, impair visibility for motorists, interfere with traffic control devices and public utilities, impede drainage, and otherwise constitute a threat to the public health, safety, and welfare. Such conditions are hereby declared capable of constituting a public nuisance.

(b) Responsibility.

The owner of property adjacent to a public street, alley, sidewalk, tree lawn, boulevard, or other public right-of-way shall maintain vegetation located within or extending into the public right-of-way adjacent to such property in accordance with this section.

(c) Prohibited Conditions.

No person shall permit vegetation within or adjacent to a public right-of-way to:

1. Obstruct or interfere with the use of a sidewalk, shared-use path, crosswalk, curb ramp, or other pedestrian facility;

2. Obstruct visibility at an intersection, alley, driveway, or crosswalk;

3. Obscure a traffic control device, street sign, fire hydrant, street light, or public safety device;

4. Interfere with drainage facilities, stormwater conveyances, utility facilities, or municipal infrastructure;

5. Extend into the traveled portion of a roadway in a manner that creates a hazard; or

6. Create a condition otherwise detrimental to public health, safety, or welfare.

(d) Height Restrictions.

Except as otherwise approved by the City, vegetation located within the public right-of-way shall not exceed twenty-four (24) inches in height where necessary to preserve safe sight distance at intersections, driveways, alleys, and crosswalks.

Vegetation that exceeds twenty-four (24) inches in height within the public right-of-way, shall be presumed to create a line-of-sight hazard and may be declared a nuisance when determined by the mayor or his/her designee.

(e) Notice and Abatement.

Whenever the City determines that vegetation within a public right-of-way constitutes a nuisance under this section, the Mayor or his/her designee, may provide written notice to the property owner requiring corrective action within ten (10) days, or within a shorter period when an immediate hazard exists.

If corrective action is not completed within the time specified, the City may enter upon the property or right-of-way, remove, trim, mow, or otherwise abate the nuisance condition. The costs of such abatement may be assessed in the manner provided by law.

(f) City's Right to Remove Vegetation.

Nothing in this section shall be construed as granting a property owner any ownership interest in vegetation or landscaping installed within a public right-of-way. The City reserves the right to remove vegetation located within the public right-of-way whenever necessary for construction, maintenance, utility work, drainage improvements, snow removal, or any other public purpose.

Section 2: That Section 662.99 be amended to read as follows:

662.99 PENALTY

(a) Whoever fails to comply with a written or published notice according to 662.02 is guilty of a minor misdemeanor with a maximum fine of $150. A separate offense shall be deemed committed each day during or on which violation occurs or continues.

(b) Whoever violates any of the provisions of this chapter or fails to comply with any final order as provided herein, on more than one subject matter in any two-year period, separate and distinct from a conviction upon a prior subject matter or any continued daily violation of such prior subject matter, is guilty of a misdemeanor of the fourth degree and shall be fined not more than $250 or imprisoned not more than 30 days, or both, for each offense. A separate offense on such subsequent subject matter within two years shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Section 3: That all other sections of Chapter 662 (Weeds) of the Codified Ordinances of the City of Shelby shall 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 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. 20 - 2026
(Sponsors: Councilmembers McLaughlin & Martin)

AMENDING ORDINANCE NO.: 2-2026 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY.

WHEREAS, on March 16, 2026, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, it is necessary to increase line items within the 2026 appropriations and to fund said line item 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 2026 and so as to fund necessary expenditure and/or projects.

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: The Ordinance No.: 2-2026 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

453-90-60-53000	**ENGINEERING-STREET PAVING**	**$**	**150,000.00**
453-90-60-57036	**CONSTRUCTION-STREET PAVING**	**$**	**10,000.00**

Section 2: That all other portions of Ordinance No.: 2-2026, not modified expressly herein, 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 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: 21. -2026
(Sponsors: Councilmembers McLaughlin & Martin)

TRANSFERRING APPROPRIATIONS FOR THE YEAR 2026 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2026 budget; and

WHEREAS, these transfers be made effective so as to balance the books for the calendar year 2026 and so as to fund necessary expenditures and/or projects; 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 funds be transferred.

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

FROM	101-50-51-51000	GENERAL-POLICE WAGES	$ 25,000.00
TO	101-50-51-53001	GENERAL-POLICE COMPUTER	$ 10,000.00
	101-13-50-55031	GENERAL- BUILDING MISC	$ 15,000.00

Section 2: That all other portions of Ordinance No. 2-2026, not modified herein, 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 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. 36 -2026
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACQUIRE TITLE TO CERTAIN PARCELS OF REAL ESTATE OWNED BY JCJT PROPERTIES LLC, JACOB OBERHOLTZER AND DECLARING AN EMERGENCY.

WHEREAS, Section 1 of the Charter of the City of Shelby, Ohio, authorizes the acquisition of real property in fee simple by purchase for any municipal purpose; and

WHEREAS, certain parcels of real property are currently available for purchase which is in the City of Shelby, 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 acquire title to a certain parcel of real estate.

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: Mayor is authorized to enter into a certain Real Estate Purchase Agreement similar to attached Exhibit 1.

Section 2: That the Mayor as Director of Public Service is hereby authorized to acquire title to certain parcels to said real estate, and pursuant to said Real Estate Purchase Agreement.

Section 3: That the Director of Law is authorized and instructed to prepare all necessary documents to effectuate transfer.

Section 4: 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 5: That this Resolution is hereby deemed to be an emergency, and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

_____
Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____
Brian Crum
Clerk of Council

_____
Steven L. Schag
Mayor

Prepared by:

_____
Gordon M. Eyster
Director of Law

RESOLUTION NO. 37 -2026
(Sponsor: Councilmember Reese)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH AMERICAN STRUCTUREPOINT, INC. FOR PROFESSIONAL SERVICES FOR THE NORTH GAMBLE STREET AND STATE STREET INTERSECTION STUDY AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby has obtained funding through the Ohio Department of Transportation and Richland County Regional Planning Commission for an intersection study at State Street and North Gamble Street and requires a professional services agreement; and

WHEREAS, it is in the interest of the public health, safety, morals and general welfare of the citizens of the City of Shelby that the Mayor as Director of Public Service be authorized to enter into a professional services agreement for the project.

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 an engineer services agreement with American Structurepoint, Inc. for professional services for the State Street and North Gamble Street Intersection Study.

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

Section 3: That this Resolution is hereby deemed to be an emergency so as to meet the ongoing contractual 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 McLaughlin
Vice President of Council

APPROVED:

ATTEST:_____
Brian Crum
Clerk of Council

_____
Steven L. Schag
Mayor

Prepared by:

_____
Gordon M. Eyster
Director of Law