

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

**Shelby City Council Agenda**

**Monday, July 20, 2020**

**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. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_

**Dispense with Reading of Journal from July 6, 2020**

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

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

**Public Comment**

**Reports from Standing and Special Committees**

Finance & Personnel Committee—Garland John Gates

Utilities & Streets Committee—Nathan Martin

**Reports of City Officials**

Steven L. Schag—Mayor

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

**Unfinished Business**

Future Use of Main Street Fire Station—ORC Section 721.01—Future letter in regard to real estate as needed or not needed for any municipal purpose

Exterior Property Maintenance—59 West Main Street

**Legislation**

**ORDINANCE NO 16-2020**

**AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM), PRODUCTION COST ADJUSTER; RULE 35, RULE 36 AND RULE 37 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO**

**2ND READING**

Moved        2<sup>ND</sup>       

Mr. Roberts        Mr. Gates        Mr. Martin        Mr. McLaughlin        Mr. Roub

**ORDINANCE NO 17-2020**

**AMENDING ORDINANCE NO 8-2020 (ANNUAL  
APPROPRIATIONS) 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. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_

**PASSAGE OF ORDINANCE**

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

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

**Miscellaneous Business**

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

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

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

1st Reading  
7/6/2020

**ORDINANCE NO. 16-2020**  
**(Sponsors: Council Members Martin and McLaughlin)**

**AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM), PRODUCTION COST ADJUSTER; RULE 35, RULE 36 AND RULE 37 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, it is necessary to amend Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), Production Cost Adjuster; Rules 35, Rule 36, and Rule 37 to establish a Production Cost Adjuster within the first tier of the rate schedule; and

WHEREAS, the Production Cost Adjuster (PCA) does not collect a rate for service in the first tier of the rate schedule in Rule 35, Rule 36 and Rule 37; and

WHEREAS, the Production Cost Adjuster is designed to recover the cost of electricity, sludge removal, chemicals, lab supplies and lab testing; and

WHEREAS, it is necessary a Production Cost Adjuster rate be implemented within the first tier of the rate schedule to collect revenue to recover the expenses as stated in the above list; 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 35, Rule 36 and Rule 37 be amended to establish a Production Cost Adjuster rate within the first tier of the water rate schedule.

**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 (Rule, Regulations, and Fixed Charges for Municipal Water System), Rule 35 (Rates for Customers with One Inch or Smaller Water Meters), Rule 36 (Rates for Elderly or Totally Disabled) and Rule 37 (Rates for Customers with Water Meters Larger than One Inch) of the Codified Ordinances of the City of Shelby shall be amended to implement the Production Cost Adjuster rate within the first tier of the rate schedule.

Rule 35  
*Rates for Customers with One Inch or Smaller Water Meter*

Amount Consumed in Cubic Feet	Billing Unit	Base	PCA	PER	
First 200	Min. Charge	\$9.9064	\$1.0315		\$10.9379
Next 1,800	per 100 cu. ft.	\$2.7887	\$1.0315	\$1.7145	\$5.5347
Next 17,000	per 100 cu. ft.	\$1.8875	\$1.0315	\$0.8572	\$3.7762
Next 461,000	per 100 cu. ft.	\$1.1910	\$1.0315	\$0.3814	\$2.6039
Over 480,000	per 100 cu. ft.	\$1.1910	\$0.9799	\$0.3814	\$2.5523

Rule 36  
*Rates for Elderly or Totally Disabled*

Available to residential customers who are served through individual meters of one inch or smaller that meet age, income and other prerequisites as determined by the Director of Public Service or his or her appointed designee.

Amount Consumed in Cubic Feet	Billing Unit	Base	PCA	PER	
First 300	Min. Charge	\$7.9478	\$0.5158		\$8.4636

Next 1,800	per 100 cu. ft.	\$2.7887	\$1.0315	\$1.6013	\$5.4215
Next 17,000	per 100 cu. ft.	\$1.8833	\$1.0315	\$0.8007	\$3.7155
Over 19,100	per 100 cu. ft.	\$1.1910	\$1.0315	\$0.4147	\$2.6372

Rule 37

*Rates for Customers with Water Meter Larger than One Inch*

Amount Consumed in Cubic Feet	Billing Unit	Base	PCA	PER	
First 500	Min. Charge	\$19.6734	\$1.0315		\$20.7049
Next 1,500	per 100 cu. ft.	\$3.1296	\$1.0315	\$1.6013	\$5.7624
Next 18,000	per 100 cu. ft.	\$1.8833	\$1.0315	\$0.8007	\$3.7155
Next 460,000	per 100 cu. ft.	\$1.1296	\$1.0315	\$0.3570	\$2.5181
Over 480,000	per 100 cu. ft.	\$1.1296	\$0.9799	\$0.3570	\$2.4665

Section 2: 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 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 Eyster  
Director of Law

**ORDINANCE NO. 17 - 2020**  
**(Sponsor – Councilmember Gates)**

**AMENDING ORDINANCE NO.: 8-2020 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY.**

WHEREAS, on March 23, 2020, 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 2020 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 2020 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.: 8-2020 (Annual Appropriations) is hereby amended as follows:

**THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES**

<b>101 - ENG - 500</b>	<b>Engineering</b>	<b>\$12,000.00</b>
<b>200 - HEA - 625</b>	<b>Nuisance Abatement</b>	<b>\$10,000.00</b>
<b>600 - DIS - 500</b>	<b>Engineering</b>	<b>\$20,000.00</b>

Section 2: That all other portions of Ordinance No.: 8-2020, 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 D. McLaughlin  
Vice President of Council

APPROVED:

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

Brian A. Crum  
Clerk of Council

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

Prepared by:

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