

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

Shelby City Council Agenda

Monday, November 16, 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 November 2, 2020**

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

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

**Public Comment**

**Reports from Standing and Special Committees**

Finance & Personnel Committee—Garland John Gates

Utilities & Streets Committee—Nathan Martin

Safety Committee—Derrin Roberts

**Reports of City Officials**

Steven L. Schag—Mayor

**MOTION TO CONFIRM THE APPOINTMENT OF ERIC CUTLIP TO THE SHADE TREE COMMISSION**

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

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

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

Election of 2 members to the Volunteer Fire Fighters' Dependents Fund Board for 2021

**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 26-2020**

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

**3RD READING**

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

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

**PASSAGE OF ORDINANCE**

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

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

**ORDINANCE NO 27-2020**

**AMENDING CHAPTER 1040 (WATER), SECTION 1040.04  
(RULES, REGULATIONS AND FIXED CHARGES FOR  
MUNICIPAL WATER SYSTEM) RULE 43 OF THE  
CODIFIED ORDINANCES OF THE CITY OF SHELBY,  
OHIO**

**3RD READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**PASSAGE OF ORDINANCE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**ORDINANCE NO 31-2020**

**AMENDING CHAPTER 1050 (ELECTRICITY) SECTION  
1050.02 (RATES AND CHARGES FOR SERVICE), (b)  
TRANSITION COST RIDER, FUEL AND PURCHASED  
POWER AND GENERATION CHARGES, (2)  
(DETERMINATION OF FUEL AND PURCHASE POWER  
CHARGE) OF THE CODIFIED ORDINANCES OF THE  
CITY OF SHELBY, OHIO**

**1ST READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**ORDINANCE NO 32-2020**

**PROVIDING FOR THE ESTABLISHMENT AND  
IMPLEMENTATION OF AN ENVIRONMENTAL/WATER  
QUALITY PROTECTION GRANT PROGRAM**

**1ST READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**ORDINANCE NO 33-2020**

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

**PASSAGE OF ORDINANCE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**ORDINANCE NO 34-2020**

**AUTHORIZING THE MAYOR TO ENTER INTO A  
CONTRACT, WITH THE RICHLAND AREA CHAMBER OF  
COMMERCE, TO ASSIST THE CITY IN THE PLANNING  
AND ADMINISTRATION OF CARES ACT FUNDS  
DEVOTED TO THE COVID-19 NON-PROFIT EMERGENCY  
RELIEF GRANT PROGRAM TO ASSIST IN RECOVERY,  
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. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**PASSAGE OF ORDINANCE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**ORDINANCE NO 35-2020**

**TRANSFERRING APPROPRIATIONS FOR THE YEAR 2020  
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. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**PASSAGE OF ORDINANCE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**Miscellaneous Business**

Tribute to former Councilmember Thomas Yetzer

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

Moved       2<sup>ND</sup>      

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

**PREPARING FOR, CONDUCTING, OR REVIEWING NEGOTIATIONS OR BARGAINING  
SESSIONS WITH PUBLIC EMPLOYEES CONCERNING THEIR COMPENSATION OR  
OTHER TERMS AND CONDITIONS OF THEIR EMPLOYMENT**

**Adjournment at**                      p.m.

Moved       2<sup>ND</sup>      

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

1st Reading  
10/19/2020

2nd Reading  
11/21/2020

**ORDINANCE NO. 26 -2020**  
**(Sponsor: Councilmember Martin)**

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

WHEREAS, Ordinance 42-2000 and Ordinance 36-2004 implemented a charge for the "Water Treatment Plant Construction Fund" for capital improvements to the water treatment facility; and

WHEREAS, the improvements to the water treatment facility from the "Water Treatment Plant Construction Fund" collections have been completed and the final note payment for the construction will be made in January 2021; and

WHEREAS, it is no longer necessary to collect the fees for the "Water Treatment Plant Construction Fund" as designed in Ordinance 42-2000 and Ordinance 36-2004; and

WHEREAS, though it is necessary to collect fees to maintain the assets within the Water Treatment Plant, reservoirs and the water distribution system per an Ohio EPA mandated Asset Management directive; and

WHEREAS, it is necessary to rename the collection fee from the "Water Treatment Plant Construction Fund" to the "Water Asset Management Fund"; 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 (1) and (2), Rule 36 and Rule 37 be amended to rename the collection fee from the "Water Treatment Plant Construction Fund" to "Water Asset Management Fund" and amend the fee amount for collection.

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

Section 1: That the "Water Treatment Plant Construction Fund" name in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), Rule 35 (1) and (2), Rule 36 and Rule 37 shall be and is hereby renamed to the "Water Asset Management Fund", effective with the January 2021 utilities billing.

Section 2: That the Shelby Utilities Office shall no longer collect a "Water Treatment Plant Construction Fund" fee as stated in Ordinance 42-2000 and Ordinance 36-2004, effective on the January 2021 utilities bill and thereafter.

Section 3: That the Shelby Utilities Office shall collect a "Water Asset Management Fund" fee per this ordinance, effective on the January 2021 utilities bill and thereafter. The fees collected and spent on improvements shall be reviewed annually by City Council.

Section 4: That the following language shall be amended in Rule 35 (1) and (2), Rule 36 and Rule 37:

**Rule 35**

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

(1) "Residential" customers who are billed under Rule 35 shall pay a charge of Three and 75/100 (\$3.75) Dollars per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a Customer Service charge of Five (\$5.00) Dollars shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

(2) "Commercial" customers who are billed under Rule 35 shall pay a charge of Four and 75/100 (\$4.75) Dollars per meter per month. This charge shall be shown on the billing

statement and shall be designated as Water Asset Management Fund. "Commercial" shall be defined as any structure with a one-inch or smaller water meter and that has a business that either is located in that structure or is served with water from the meter located in that structure. In addition, a Customer Service charge of Seven and 50/100 (\$7.50) Dollars shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

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.

Customers billed under Rule 36 shall pay a charge of One and 75/100 (\$1.75) Dollars per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a Customer Service charge of Three (\$3.00) Dollars shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

Rule 37

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

(1) Customers billed under Rule 37 shall pay a charge of Six and 75/100 (\$6.75) Dollars per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a Customer Service charge of Fifteen (\$15.00) Dollars shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

(2) The lowest rate charged per cubic foot of water shall reflect the actual cost of production, plus 2%. This cost shall be reviewed annually and shall be adjusted accordingly.

Section 5: That all other provisions in Chapter 1040 (Water) and Section 1040.04 (Rules, 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 6: 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 7: 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

1st Reading  
10/19/2020

2nd Reading  
11/2/2020

**ORDINANCE NO. 27 -2020**  
(Sponsor: Councilmember Martin)

**AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM) RULE 43 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, the bulk water rate was established in Ordinance 2-2020; and

WHEREAS, the bulk water station programming will only allow the station to operate in purchase increments of \$0.25; and

WHEREAS, Rule 43 in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System) adjusts the bulk water rate annually by the most current Consumer Price Index (CPI) as determined by the government of the United States; and

WHEREAS, the annual Consumer Price Index (CPI) adjustment will populate a bulk water rate outside of the station programming purchase increments; 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), to remove Rule 45 from the language in Rule 43.

**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) be amended to remove Rule 45 from the language in Rule 43.

Section 2: That Rule 43 shall read as follows:

**Rule 43**

Beginning January 1, 2008, and on every January 1 thereafter, the Rules 38, 39, 41 and the Minimum, the Base, and the Project and Equipment Rider portion of the effective rates for Rules 35, 36, and 37 shall be adjusted upwards by a factor equal to 100% of the most current Consumer Price Index (CPI), as determined by the government of the United States, if the number is positive (+). If the CPI is negative (-), then the effective rates as stated above shall be adjusted downward by a factor equal to 100% of the CPI. In no event shall the effective rates as stated above be adjusted upward by more than 3% in any one year.

Section 3: That all other sections of Chapter 1040 (Water) and 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water Service) (a) Definitions and Regulations 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 Eyster  
Director of Law

**ORDINANCE NO: 31 -2020**  
**(Sponsor: Councilmember Martin)**

**AMENDING CHAPTER 1050 (ELECTRICITY) SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (b) TRANSITION COST RIDER, FUEL AND PURCHASED POWER AND GENERATION CHARGES, (2) (DETERMINATION OF FUEL AND PURCHASE POWER CHARGE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, a study was performed by Metis Energy Solutions to determine the power loss within the electric distribution system; and

WHEREAS, the power loss study concluded the energy loss across the City's electric distribution system to be less than the present power loss multiplier as stated in the *Determination of fuel and purchase power charge*; and

WHEREAS, the power loss multiplier is stated at six percent (6%) in the present language within the *Determination of fuel and purchase power charge*; and

WHEREAS, the findings from the study indicate the loss has been determined to be four percent (4%); and

WHEREAS, the lower power loss registers an increase in energy efficiencies in regard to the amount of actual energy consumed compared to the energy lost within the electric distribution system; and

WHEREAS, a lower power loss multiplier will reduce the cost per kWh to the electric rate payers; 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), (b) (*Transition Cost Rider, Fuel and Purchased Power and Generation Charges*), (2) (*Determination of fuel and purchase power charge*) be amended to adjust the power loss multiplier from 0.94 to 0.96.

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

Section 1: That Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (b) *Transition Cost Rider, Fuel and Purchased Power and Generation Charges*, (2) (*Determination of fuel and purchase power charge*) be amended to read as follows:

(b) *Transition Cost Rider, Fuel and Purchased Power and Generation Charges*. The Transition Cost Rider, Generation Charge and Fuel and Purchased Power Charge shall be applied to the A, A-D, B, C and D Schedules. The rate design of the generation charge and fuel and purchased power charge may be changed from time to time as approved by Council.

(2) *Determination of fuel and purchase power charge*. The Fuel and Purchase Power Charge shall be derived every three months by dividing (1) the past 12 months' cost of fuel and purchased power, including the cost associated with transmission-related services (hereinafter referred to as "previous 12 months' cost", by (2) the sum of the past 12 months' net kilowatt hours generated and purchased multiplied by 0.96 (hereinafter referred to as "previous 12 months' net kWh").

Previous 12 months' cost (numerator)	Fuel/ Purchased
-----	=
Previous 12 months' net kWh x 0.96 (denominator)	Power Charge

Section 2: That all other language in Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges For 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 D. 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. 32 -2020

(Sponsors— Councilmembers Martin and McLaughlin)

**PROVIDING FOR THE ESTABLISHMENT AND IMPLEMENTATION OF AN ENVIRONMENTAL/WATER QUALITY PROTECTION GRANT PROGRAM.**

WHEREAS, under State law (ORC 3718) and administrative rules (OAC 3701-29) governing Household Sewage Treatment Systems (HSTS) local health departments are required to perform site evaluations, inspect existing systems, investigate complaints of malfunctioning systems, and issue new permits; and

WHEREAS, in accordance with those requirements, in 2016 and 2017 the Shelby City Health Department performed and caused to be performed site inspections on properties along a portion of West Main Street in the City and those inspections revealed significant HSTS malfunctions and failures; and

WHEREAS, to assist in addressing those conditions and thereby carrying out the City's public purposes of protecting the environment, improving water quality and protecting the public health and welfare of the citizens of the City of Shelby, this Council adopted RESOLUTION 18-2018 declaring the necessity of (I) improving a portion of West Main Street by constructing a sanitary sewer line (the West Main Street Sanitary Sewer) that would be available to serve properties on which such significant HSTS malfunctions and failures were found and others in close proximity to those properties and (II) levying special assessments against properties abutting on that sewer line to pay a portion of its costs; and

WHEREAS, the City has since caused the West Main Street Sanitary Sewer to be constructed and special assessments therefor to be levied on the abutting properties, and the West Main Street Sanitary Sewer is now available to serve those properties; and

WHEREAS, owners of properties in the City with household sewage treatment systems are required by Ordinance to connect to a municipal sanitary sewer line if it is within 200 feet of their homes, including those with homes within 200 feet of the West Main Street Sanitary Sewer; and

WHEREAS, it is in the City's interest to encourage compliance with that requirement, for the City's public purposes identified in the third recital above and to gain new customers for its sanitary sewer system; and

WHEREAS, the Shelby City Health Department has accordingly secured, and is administering , WPCLF financial assistance in the form of a principal forgiveness subsidy to enable it to assist income eligible homeowners with the decommissioning of their existing septic systems and the installation of sanitary sewer laterals connecting their homes to the West Main Street Sanitary Sewer; and

WHEREAS, not every owner of a property abutting on the West Main Street Sanitary Sewer qualified for any level of such WPCLF Grant assistance; and

WHEREAS, this Council has determined that, for all of the City's public purposes stated above, it is appropriate that the City supplement the assistance the Health Department is able to provide as a result of the WPLCF subsidy to assure that every homeowner connecting to the West Main Street Sanitary Sewer receives financial assistance in an amount of not less than 85% of the cost for decommissioning of existing septic systems and installing sanitary sewer laterals connecting homes to that Sewer; and

WHEREAS, this Council has determined to authorize the Mayor as Director of Public Service to make grants of moneys from the Fund 402 (Sewer Improvement Fund) for that purpose.

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

Section 1: That it is hereby determined to establish an Environmental/Water Quality Protection Grant Program for the City's public purposes set forth above to assure that every property owner connecting to the West Main Street Sanitary Sewer receives financial assistance

in an amount of not less than 85% of the cost of decommissioning of septic systems and installing sanitary sewer laterals connecting residences to that Sewer. The grant shall be funded from the Sanitary Sewer Improvement Fund 402.

Section 2: That the Mayor as Director of Public Service is hereby authorized and directed to take such further actions as may be required to complete the grant transactions and all related actions on the part of the City contemplated in this ordinance. An amount not to exceed \$71,353.79 is hereby appropriated from the unencumbered balance in the City's Sanitary Sewer Improvement Fund 402 for grants under the Environmental/Water Quality Protection Grant Program in Fiscal Years 2020 and 2021, and the expenditure of up to that amount for such grants is authorized and approved. The Director of Finance and Public record is authorized to provide for the payment of any such grants from the amount in the Sanitary Sewer Improvement Fund 402 available and appropriated therefor.

Section 3: That the amount of grant assistance provided to each property owner shall be determined by City Council utilizing the methodology outlined in the Grant Application document (see Exhibit A)

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 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

**ORDINANCE NO. 33 - 2020**  
**(Sponsors- Councilmembers Gates, Martin & McLaughlin)**

**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>354-DBT-504</b>	<b>Bond Payment</b>	<b>\$ 85,000.00</b>
<b>354-DBT-505</b>	<b>Interest Expense</b>	<b>\$ 12,000.00</b>
<b>354-PCC-531</b>	<b>Miscellaneous</b>	<b>\$ 6,000.00</b>
<b>400-DIS-418</b>	<b>Hospitalization</b>	<b>\$ 6,000.00</b>
<b>600-DCP-572</b>	<b>System Upgrades</b>	<b>\$ 25,000.00</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

**ORDINANCE NO. 34-2020**

(Sponsors- Councilmembers Gates, Martin & McLaughlin)

**AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT, WITH THE RICHLAND AREA CHAMBER OF COMMERCE, TO ASSIST THE CITY IN THE PLANNING AND ADMINISTRATION OF CARES ACT FUNDS DEVOTED TO THE COVID-19 NON-PROFIT EMERGENCY RELIEF GRANT PROGRAM TO ASSIST IN RECOVERY, AND DECLARING AN EMERGENCY.**

WHEREAS, the Richland Area Chamber & Economic Development is administering a program for CARES Act eligible grants using funds pooled from Richland County CARES Act recipient governmental entities; and

WHEREAS, nonprofit organizations in the City of Shelby have been adversely impacted by the COVID-19 pandemic; and

WHEREAS, the City has received CARES Act funds and wishes to join Richland County in the program and to assist nonprofit organizations affected by the COVID-19 pandemic.

**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 Mayor is hereby, authorized to enter into a contract, with the Richland County Area Chamber of Commerce to assist the City in the planning and administration of CARES Act funds devoted to the COVID-19 Non-Profit Emergency Relief Grant Program to Assist in Recovery.

Section 2: That City Council does hereby approve the expenditure of funds received under the CARES Act, in accordance with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations.

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 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

**ORDINANCE NO: 35 -2020**  
**(Sponsors: Councilmembers Gates, Martin & McLaughlin)**

**TRANSFERRING APPROPRIATIONS FOR THE YEAR 2020 AND DECLARING AN EMERGENCY.**

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2020 budget; and

WHEREAS, these transfers be made effective so as to balance the books for the calendar year 2020 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	283-LCR-415	Public Employees Retire System	\$ 3,000.00
FROM	283-LCR-417	FICA	\$ 500.00
FROM	283-LCR-418	Hospitalization	\$ 1,000.00
FROM	283-LCR-420	Workers Compensation	\$ 500.00
FROM	283-LCR-472	Supplies	\$ 18,511.45
FROM	283-LCR-473	Office Supplies	\$ 4,732.52
FROM	283-LCR-485	Maintenance, Autos	\$ 4,550.00
FROM	283-LCR-486	Maintenance Equipment	\$ 5,000.00
FROM	283-LCR-487	Prisoner Supplies	\$ 5,000.00
FROM	283-LCR-501	Computer Support	\$ 23,695.40
FROM	283-LCR-515	Postage	\$ 100.00
FROM	283-LCR-529	Small Tools and Equipment	\$ 9,250.00
FROM	283-LCR-530	Office Equipment/Furn/Fixtures	\$ 32,872.45
FROM	283-LCR-531	Miscellaneous	\$ 55,701.41
FROM	283-LCR-546	Economic Development	\$ 15,000.00
TO	283-LCR-400	Wages	\$152,376.63
TO	283-LCR-507	Maintenance Building/Grounds	\$ 19,795.39
TO	283-LCR-515	Equipment	\$ 7,241.21

Section 2: That all other portions of Ordinance No. 8-2020, 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 220.21, 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 A. Crum  
Clerk of Council

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

Prepared by:

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