

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

**Shelby City Council Agenda**  
**Monday, March 15, 2021**  
**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 March 1, 2021**

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

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

**Public Comment**

OhioHealth Mansfield and Shelby Hospitals—Vinson Yates

**Reports from Standing and Special Committees**

Finance & Personnel Committee—Garland John Gates

Utilities & Streets Committee—Nathan Martin

Safety Committee—Garland John Gates

**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

Charter centennial timeline

**Legislation**

**ORDINANCE NO 6-2021**

**AMENDING CHAPTER 1050 (ELECTRICITY), SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (d) (BALANCE LEVELIZATION RATE RIDER) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO**

**3RD READING**

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

**PASSAGE OF ORDINANCE**

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

**ORDINANCE NO 7-2021**

**ENACTING SECTION 1486.18 (STORMWATER  
MANAGEMENT SURCHARGE) OF CHAPTER 1486  
(STORMWATER MANAGEMENT) OF THE CODIFIED  
ORDINANCES OF THE CITY OF SHELBY, OHIO**

**3RD READING**

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

**PASSAGE OF ORDINANCE**

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

**ORDINANCE NO 8-2021**

**CREATING APPROPRIATIONS FOR THE YEAR 2021 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. Martin        Mr. McLaughlin        Mr. Roub        Mr. Roberts        Mr. Gates       

**PASSAGE OF ORDINANCE**

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

**RESOLUTION NO 10-2021**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC  
SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A  
THREE (3) YEAR CONTRACT WITH AN OPTION TO  
RENEW FOR UP TO TWO (2) YEARS EXERCISED IN  
ONE YEAR INCREMENTS FOR TREE TRIMMING**

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

**Miscellaneous Business**

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

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

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

1st Reading  
2/11/2021

2nd Reading  
3/1/2021

ORDINANCE NO: 6 -2021  
(Sponsor: Councilmember Martin)

**AMENDING CHAPTER 1050 (ELECTRICITY), SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (d) (BALANCE LEVELIZATION RATE RIDER) 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), (d) (Balance Levelization Rate Rider) to increase the negative rate rider from \$0.0020/kWh to \$0.0022/kWh; 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), (d) (Balance Levelization Rate Rider) be amended and/or modified.

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

Section 1: That Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (d) (Balance Levelization Rate Rider) be amended to read as follows:

(d) *Balance Levelization Rate Rider*

(1) Service Schedules A, A-D, B, C, and D shall have a negative rate *rider* in the amount of \$0.0022/kWh. The negative rate *rider* shall be implemented for a period of five years. The *rider* shall be itemized on the utility bill as a credit and identified as Balance Levelization.

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

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

Brian Crum  
Clerk of Council

Approved: \_\_\_\_\_

Steven L. Schag  
Mayor

Prepared by:

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

1st Reading  
2/16/2021

2nd Reading  
3/1/2021

**ORDINANCE NO. 7 - 2021**  
**(Sponsor: Councilmember Martin)**

**ENACTING SECTION 1486.18 (STORMWATER MANAGEMENT SURCHARGE) OF CHAPTER 1486 (STORMWATER MANAGEMENT) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, the development of a Stormwater Management Surcharge is necessary for the collection of funds to support the repairs, maintenance, and capital improvements associated with stormwater management; and

WHEREAS, the funds collected from the surcharge will help provide financial support for the ongoing efforts to manage the stormwater sewer infrastructure and for the maintenance needed to help prevent stormwater from infiltrating the sanitary sewer; 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 Section 1486.18 (Stormwater Management Surcharge) of Chapter 1486 (Stormwater Management) be enacted.

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

Section 1: That Section 1486.18 (Stormwater Management Surcharge) of Chapter 1486 (Stormwater Management) of the Codified Ordinances of the City of Shelby shall be and is hereby enacted as set forth herein.

Section 2: That the funds collected from the surcharge shall be used to provide financial support for the ongoing efforts to repair, maintain, and improve the stormwater sewer infrastructure and to help mitigate the infiltration and inflow of stormwater from the sanitary sewer infrastructure.

Section 3: That the monthly surcharge shall be enacted per the utility classification schedule as set forth; Senior Citizen/Disabled \$1.75, Residential \$1.75, Commercial \$1.75, Industrial \$3.00.

Section 4: That the funds collected from the Stormwater Management Surcharge shall be posted to Fund 402 (Sewer Improvement Fund) under a revenue line item associated to the Stormwater Management Surcharge and the funds shall be dispersed from the expenditure line items in Fund 402 (Sewer Improvement Fund).

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 D. McLaughlin  
Vice President of Council

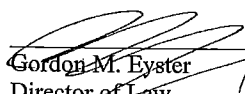
APPROVED:

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

Brian Crum  
Clerk of Council

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

Prepared by:

  
Gordon M. Eyster  
Director of Law

**ORDINANCE NO. 8 - 2021**  
**(Sponsor- Councilmember Gates)**

**CREATING APPROPRIATIONS FOR THE YEAR 2021 AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code §5705.38 requires that “the taxing authority of each subdivision or other taxing unit shall pass an appropriation measure. . . . no later than the first day of April of the current year”; and

WHEREAS, the Director of Finance and Public Record, in cooperation with the Finance Committee of City Council, and the Administration and Department Heads have prepared the “Annual Appropriation Ordinance” as attached hereto and made a part hereof; 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 said Annual Appropriation Ordinance be adopted as prepared so as to provide for the efficient operation of the City government and so as to comply with the provisions of the Ohio Revised Code.

**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 an appropriation is hereby made and authorized for the year 2021, the same to be in full force and effect from and after approval, as and for the general appropriations for the City of Shelby for the year 2021.

Section 2: That City Council does hereby appropriate as an appropriation for the year 2021 the following sums, to wit:

<b>2021</b>	<b>Fund</b>	<b>Personal</b>	<b>Other</b>	<b>Total</b>
<b>GENERAL FUND</b>	<b>101</b>			
Building and Zoning		\$0.00	\$3,430.00	\$3,430.00
City Administration & Buildings		\$0.00	\$158,250.00	\$158,250.00
Civil Service		\$75.00	\$200.00	\$275.00
Council		\$47,195.00	\$11,300.00	\$58,495.00
Court		\$307,050.00	\$124,550.00	\$431,600.00
Finance		\$200,600.00	\$17,300.00	\$217,900.00
Law		\$107,100.00	\$25,250.00	\$132,350.00
Economic Development		\$0.00	\$52,300.00	\$52,300.00
Engineering		\$98,600.00	\$20,800.00	\$119,400.00
Fire		\$1,289,600.00	\$65,150.00	\$1,354,750.00
Mayor		\$152,475.00	\$5,000.00	\$157,475.00
Misc.		\$0.00	\$89,350.00	\$89,350.00
Police		\$1,982,800.00	\$372,200.00	\$2,355,000.00
Transportation		\$0.00	\$49,950.00	\$49,950.00
Transfers		\$0.00	\$390,000.00	\$390,000.00
<b>TOTAL</b>		<b>\$4,185,495.00</b>	<b>\$1,385,030.00</b>	<b>\$5,570,525.00</b>
<b>SPECIAL FUNDS</b>	<b>Fund</b>			
Street	200	\$323,800.00	\$1,982,000.00	\$2,305,800.00
State Highway	205	\$34,750.00	\$0.00	\$34,750.00
Street Sales Tax	210	\$0.00	\$83,000.00	\$83,000.00
Income Tax	220	\$133,600.00	\$3,598,400.00	\$3,732,000.00
Health	225	\$212,900.00	\$307,850.00	\$520,750.00
Park	230	\$29,750.00	\$1,138,200.00	\$1,167,950.00
Rehab Escrow CDBG	232	\$0.00	\$26,000.00	\$26,000.00
Court Probation	233	\$18,800.00	\$7,200.00	\$26,000.00
BMV Reimbursement	234	\$0.00	\$1,500.00	\$1,500.00



Law Enforcement Trust	235	\$0.00	\$8,730.00	\$8,730.00
Court IDAT	236	\$0.00	\$27,000.00	\$27,000.00
Court Enforce. & Education	237	\$0.00	\$700.00	\$700.00
Dare	238	\$0.00	\$5,000.00	\$5,000.00
Unclaimed Monies	240	\$0.00	\$500.00	\$500.00
Court IDAM	242	\$0.00	\$5,500.00	\$5,500.00
CDBG General	250	\$0.00	\$265,000.00	\$265,000.00
Home Program	251	\$0.00	\$225,000.00	\$225,000.00
City Admin. & Bldg.	650	\$0.00	\$0.00	\$0.00
Police Pension	700	\$231,000.00	\$800.00	\$231,800.00
Fire Pension	701	\$225,000.00	\$1,250.00	\$226,250.00
Shade Tree Trust	705	\$0.00	\$4,600.00	\$4,600.00
FEMA	815	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>		<b>\$1,209,600.00</b>	<b>\$7,688,230.00</b>	<b>\$8,897,830.00</b>

**Debt Service Funds**

Special Bond	275	\$0.00	\$500.00	\$500.00
General Bond SSE	281	\$0.00	\$0.00	\$0.00
USDA	282	\$0.00	\$0.00	\$0.00
Light Debt Reserve	602	\$0.00	\$200,000.00	\$200,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$200,500.00</b>	<b>\$200,500.00</b>

**Capital Project Funds**

Court Computer	239	\$0.00	\$13,500.00	\$13,500.00
Police Computer	241	\$0.00	\$1,250.00	\$1,250.00
Capital Improvement	300	\$0.00	\$152,775.00	\$152,775.00
Shelby Reservoir	301	\$0.00	\$0.00	\$0.00
Sewer Construction	302	\$0.00	\$0.00	\$0.00
San./Storm/Sewer - Equipment	303	\$0.00	\$0.00	\$0.00
Court Capital Improvement	304	\$0.00	\$13,000.00	\$13,000.00
Fox Run Six	322	\$0.00	\$0.00	\$0.00
Fox Run Seven	324	\$0.00	\$0.00	\$0.00
Water Facilities 69%	350	\$0.00	\$0.00	\$0.00
Bridges & Sidewalks 29%	351	\$0.00	\$0.00	\$0.00
Sidewalks 2%	352	\$0.00	\$24,900.00	\$24,900.00
Streets, Alleys, Catch Basin Fund	353	\$0.00	\$519,700.00	\$519,700.00
Police/Court	354	\$0.00	\$243,400.00	\$243,400.00
Police Equipment	702	\$0.00	\$29,500.00	\$29,500.00
Fire Equipment	703	\$0.00	\$185,800.00	\$185,800.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$1,183,825.00</b>	<b>\$1,183,825.00</b>

**Permanent Fund**

	<b>Fund</b>			
Mini Park Trust	710	\$0.00	\$3,000.00	\$3,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>

**Special Assessment Fund**

Fire Damage Fund	253	\$0.00	\$5,000.00	\$5,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>

**Enterprise Funds**

Sewer	400	\$900,250.00	\$611,625.00	\$1,511,875.00
San. Sewer Capital Improvements	401	\$0.00	\$642,000.00	\$642,000.00
Waste Water Capital Improvements	402	\$0.00	\$460,000.00	\$460,000.00
Water	500	\$1,062,900.00	\$1,014,000.00	\$2,076,900.00
Water Facilities	501	\$0.00	\$362,000.00	\$362,000.00
Water Capital Improvements	502	\$0.00	\$408,800.00	\$408,800.00

Electric	600	\$1,212,450.00	\$11,654,800.00	\$12,867,250.00
<b>TOTAL</b>		<b>\$3,175,600.00</b>	<b>\$15,153,225.00</b>	<b>\$18,328,825.00</b>

**Internal Service Fund**

Sharing Fund	706	\$0.00	\$30,000.00	\$30,000.00
Hospitalization	715	\$0.00	\$1,700,000.00	\$1,700,000.00
<b>TOTAL</b>		<b>\$0.00</b>	<b>\$1,730,000.00</b>	<b>\$1,730,000.00</b>

**Agency Fund**

Playscape Trust	231	\$0.00	\$0.00	\$0.00
Light Customer Deposit	601	\$0.00	\$104,000.00	\$104,000.00
Bicentennial Trust	800	\$0.00	\$0.00	\$0.00
<b>Total Agency Funds</b>		<b>\$0.00</b>	<b>\$104,000.00</b>	<b>\$104,000.00</b>

		<b>Personal</b>	<b>Other</b>	<b>Total</b>
<b>TOTAL</b>		<b>\$8,570,695.00</b>	<b>\$27,452,810.00</b>	<b>\$36,023,505.00</b>

Section 3: That the Director of Finance and Public Record is hereby authorized to draw warrants on the City Treasury for the amounts appropriated in this Ordinance whenever claims are presented, properly approved by the head of the department, for which the indebtedness was incurred.

Section 4: That transfers may be made from line item to line item within the Financial Department without specific Council authorization provided, however, that no line item may be increased during 2021 by a sum greater than 10% of the original appropriation or \$5,000.00 whichever is greater. Said transfer shall be certified by the Director of Finance and Public Record, signed by the Mayor, and by the elected official or board or commission responsible for each financial department.

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 is hereby deemed to be an emergency so as to provide for the usual daily operations of municipal government 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

RESOLUTION NO. 10-2021  
(Sponsor: Councilmember Martin)

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A THREE (3) YEAR CONTRACT WITH AN OPTION TO RENEW FOR UP TO TWO (2) YEARS EXERCISED IN ONE YEAR INCREMENTS FOR TREE TRIMMING.**

WHEREAS, in order to provide a safe, reliable, and dependable system for the distribution of electricity, it is necessary to engage the services of professional tree trimmers so that the electric distribution lines are kept free and clear of interference and/or hazard; and

WHEREAS, the expiration date of the current contract for such services is March 31, 2021; 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 advertise for bids and enter into a contract for tree trimming.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a three (3) year contract with an option to renew for up to two (2) years exercised in one (1) year increments for tree trimming.

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 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