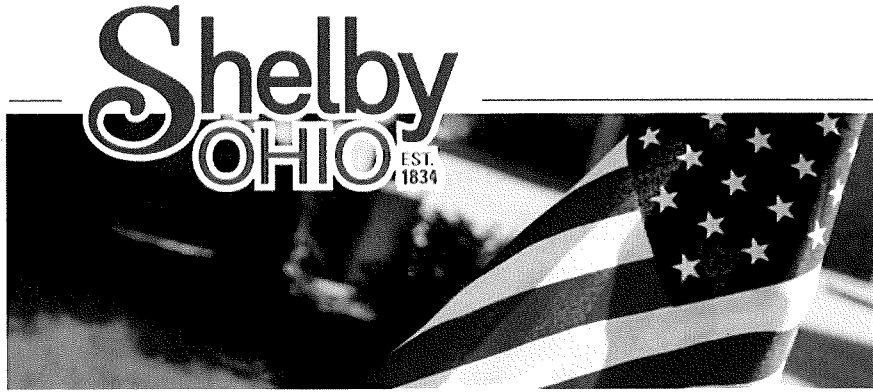


The City Record

Official Municipal Bulletin - Shelby Ohio

Legislative Update 2021



Current Council

Mayor Steven Schag, President of Council, (419) 347-5131

Finance Director Brian Crum, Clerk of Council, (419) 347-5131

Law Director Gordon Eyster (419) 342-4261

Councilmembers:

At-Large: Steven McLaughlin, (419) 566-8528 - stevemclaughlin@shelbycity.oh.gov

First Ward: Charles Roub Jr., (419)347-6676 - charlesroub@shelbycity.oh.gov

Second Ward: Derrin Roberts, (419) 961-3116 - derrinroberts@shelbycity.oh.gov

Third Ward: Garland John Gates, (419) 347-3337 - garlandgates@shelbycity.oh.gov

Fourth Ward: Nathan Martin, (567) 275-2525 - nathanmartin@shelbycity.oh.gov

2nd Reading
1/19/2021

ORDINANCE NO. 1-2021
(Sponsor - Councilmember Gates)

AMENDING SECTION 258.01 (SALARIES OF MEMBERS OF COUNCIL) OF CHAPTER 258 (ELECTED OFFICIALS' SALARIES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, Section 6 of the Charter of the City of Shelby mandates that the salaries of all elected officers shall be fixed by the outgoing Council not later than February 15 in the odd numbered years; and

WHEREAS, currently, Chapter 258 (Elected Officials' Salaries) contains no provision for compensation for members of Council whose terms begin in 2022; 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 258 be amended so as to provide compensation for members of Council whose terms begin in 2022.

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

Section 1: That Chapter 258 of the Codified Ordinances of the City of Shelby be amended to read as follows:

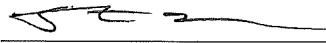
- 258.01 SALARIES OF MEMBERS OF COUNCIL.**
- (a) Effective January 1, 2018, through January 6, 2020, the salary for each member of City Council shall be \$7,415 annually, to be paid biweekly.
 - (b) Effective January 6, 2020, through January 3, 2022, the salary for each member of City Council shall be \$7,920 annually, to be paid biweekly.
 - (c) Effective January 3, 2022, through January 1, 2024, the salary for each member of City Council shall be \$7,920 annually, to be paid biweekly.

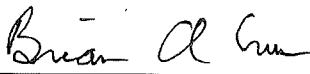
Section 2: That all other sections of Chapter 258 shall remain in full force and effect.

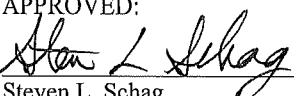
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.


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: February 1, 2021


Steven D. McLaughlin
Vice President of Council

ATTEST: 
Brian A. Crum
Clerk of Council

APPROVED: 
Steven L. Schag
Mayor

Prepared by:

Gordon M. Byster
Director of Law

2nd Reading
11/19/2021

AMENDED ORDINANCE NO. 2-2021
(Sponsors – Councilmembers Gates & Martin)

ENACTING CHAPTER 216 (CREDIT CARD POLICY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, the Director of Finance and Public Record recommends that the City of Shelby acquire a credit card; and

WHEREAS, Ohio Revised Code Section 9.21 states, in part, “a legislative authority shall adopt a written policy before first holding a credit card account”; 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 216 of the Codified Ordinances of the City of Shelby be enacted to adopt a credit card policy.

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

Section 1: That Chapter 216 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

CHAPTER 216: CREDIT CARD POLICY

216.01 GENERAL OVERVIEW.

(a) As a public institution, the City is held to a high degree of public scrutiny and accountability for its purchasing practices. Issuance of a credit card for the use of City business is a privilege, and every reasonable effort must be made to ensure that funds are used responsibly and in a manner consistent with the City's procedures, applicable laws, and ethical practices.

(b) The City recognizes that the credit card provides convenience to employees in acquiring goods and services for the City. The City also recognizes the additional risk inherent with credit card usage. Therefore, whenever a vendor will accept a City purchase order, a purchase order should be used in lieu of a City credit card.

216.02 CARD TYPE, LIMITS AND ELIGIBILITY.

(a) Card Type.

(1) The issued card will be a bank-issued credit card that will be administered by the Finance Director's office and in the name of the Finance Director and the Mayor.

(2) The card's limit, allowable purchases, and places the card can be used will be limited by this policy, other applicable City policies, and the Finance Director.

(b) Limit. The credit card limit will be set by the Finance Director.

(c) Eligibility. Any City employee, with the approval of his/her department head or appointing authority as indicated, may use City credit cards for authorized City expenditures.

216.03 CARD USAGE LIMITATIONS AND PROCEDURES.

(a) Credit cards are used to support the City's purchasing and payable processes.

(b) Card issuance is limited to employees as indicated in Section 216.02(c).

(c) Goods and services must be authorized by the department head or appointing authority before purchase.

(d) When possible, card users should take reasonable steps to obtain the best pricing.

(e) Credit cards shall be kept in the Finance Director's office. City employees must come to the Finance Director's office to sign out a credit card. A sign out sheet must be filled out including employee signature, vendor, and time of sign out of card. Card is to be returned by end of business day. Finance Director's office personnel will note time of return and initial off.

216.04 APPLICATION PROCESS.

(a) Transactions are approved for appropriateness and policy compliance by the department head or appointing authority.

(b) Appointing authorities and department heads must authorize use of a credit card by employees. Any City employee with City ID and proper identification is eligible to use City credit cards.

216.05 TRANSACTION AND RETENTION DOCUMENTATION.

(a) An original itemized receipt or equivalent documentation is required for any and all transactions and must be submitted to the City department head or appointing authority upon return of the card for purchase order processing.

(b) Transactions involving the purchase and delivery of goods must also be documented by a packing slip to validate receipt of goods and must be submitted to the City department head or appointing authority upon return of the card.

(c) If documentation is not available, an explanation must be submitted in writing for the lack of documentation. Upon review of the undocumented transaction by the Finance Director, the credit card user may be required to reimburse the City for the transaction.

216.06 MONITORING.

(a) Account statements are issued monthly by the bank to the Finance Director.

(b) Any unapproved or unauthorized transactions must be documented in writing and submitted to the Finance Director for his/her review.

216.07 UNALLOWABLE CREDIT CARD USES AND/OR PURCHASES.

(a) Alcoholic beverages/tobacco products.

(b) Construction renovations/upgrades.

(c) Controlled substances.

(d) Items or services on term contracts.

(e) Maintenance agreements.

(f) Personal items or loans.

(g) Purchases involving the trade-in of government property.

(h) Rentals (other than short term auto).

(i) Telephone related equipment or services.

(j) Cash advances.

(k) Personal purchases.

(l) Capital assets.

216.08 ALLOCATION AND APPROVAL.

(a) Transactions should be allocated to the appropriate purchase order.

(b) Transactions must be compliant and appropriate with the City's procedures.

216.09 SALES TAX.

(a) The City does not pay sales tax or use tax in Ohio or other states that have a sales tax exemption. Users of the credit card are responsible for ensuring that tax is not charged and for making reasonable attempts to recover any tax charged. They may obtain, as necessary, copies of the Blanket Certificate of Tax Exemption from the Finance Department.

(b) If sales tax is charged in error, the Finance Director's Office will send a reminder to the credit card user to reinforce the tax exemption status of the City. It is the department's responsibility to have sales tax removed from the bill.

216.10 TRAVEL.

The use of credit card while on City business travel must follow the procedural requirements of the expense reimbursement in accordance with the City's procedures.

216.11 CARD SECURITY AND TRACKING.

(a) The credit card must always be stored in a secure place when checked out from the Finance Director's office.

(b) Personnel with access to a credit card or any documentation showing a credit card account number must protect the account number from fraud or any other inappropriate use.

(c) Card users must immediately contact the issuing bank and the appropriate department head or appointing authority if the credit card is lost or stolen. Local police should be notified as appropriate.

(d) While in possession of the credit card, the user is responsible for card usage and for preventing fraud.

216.12 CONDUCT AND CONSEQUENCES.

(a) All purchases made with a credit card must be for official City business only. Personal use is strictly prohibited.

(b) Disciplinary actions for inappropriate use or policy infractions can result in disciplinary action, including termination, depending on the severity of the action.

(c) Personal or fraudulent use of a credit card may result in corrective action up to and including termination and/or criminal action. In addition, the City will seek restitution for any inappropriate charge.

(d) Failure to return the credit card immediately upon returning to work can result in disciplinary action as indicated in division (b) of this section including revocation of credit card privileges.

(e) All personal or fraudulent use of a credit card is the sole responsibility of the card user and not the responsibility of the Finance Director, appointing authority, or department head.

216.13 TRANSACTION DISPUTES.

The credit card user is responsible for resolution of any disputed charges. If the credit card user is unable to reach an agreement with the supplier, a formal dispute must be filed with the bank within 60 days of the statement date.

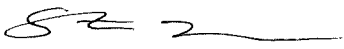
216.14 CREDIT CARD ISSUANCE, REISSUANCE, CANCELLATION, AND REPORTING OF LOST OR STOLEN CARD.

All above transactions will be handled through the credit card issuer and the Finance Director.

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

Section 3: 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: February 1, 2021


Steven D. McLaughlin
Vice President of Council

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

APPROVED:
Steve L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

ORDINANCE NO. 3 -2021
(Sponsor – Councilmember Martin)

AUTHORIZING THE MAYOR OF THE CITY OF SHELBY TO ENTER INTO CONTRACTS WITH THE FRATERNAL ORDER OF POLICE #180, SARGEANTS, CAPTAINS, PATROL OFFICERS, AND DISPATCHERS, AND DECLARING AN EMERGENCY.

WHEREAS, City Council and the Administration have conducted extensive negotiations with the Fraternal Order of Police #180 as the bargaining representatives for certain employees of the Police Department; and

WHEREAS, such negotiations have provided a tentative agreement between the parties; and

WHEREAS, City Council and the Administration have reviewed such proposal and desire to ratify and adopt such agreement(s).

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 and directed to enter into agreement(s) with the Fraternal Order of Police #180 on behalf of certain employees of the Police Department, a copy of the agreement(s) is/are attached hereto and made a part hereof as though fully rewritten herein.

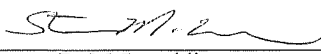
Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with all legal requirements.

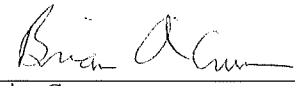
Section 3: That any and all ordinances in conflict with the express provisions of this Agreement are superseded by this Agreement.

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.

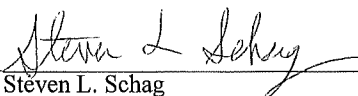
Section 5: That this Ordinance is hereby deemed to be an emergency and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: January 4, 2021



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

2nd Reading
2/11/2021

ORDINANCE NO. 4 -2021
(Sponsors: Councilmembers Roberts and Roub)

AMENDING CHAPTER 1466 (FLOOD DAMAGE PREVENTION) SECTION 1466.24 (USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION) (d)(4) (RESIDENTIAL STRUCTURES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, changes have been made to the requirements of National Flood Insurance Program Community Rating System administered by the United States Federal Emergency Management Agency; 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 1466 (Flood Damage Prevention) be amended.

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

Section 1: That Chapter 1466 (Flood Damage Prevention), Section 1466.24 (Use and Development Standards For Flood Hazard Reduction), (d) (4) (Residential Structures) be amended to read as follows:


(4) New construction and substantial improvement of any residential structure (including machinery, equipment, and manufactured homes) shall have the lowest floor, including basement, elevated to one foot above the flood protection elevation.

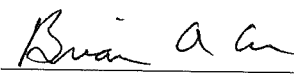
Section 2: That all other language in Chapter 1466 (Flood Damage Prevention), Section 1466.24 (Use and Development Standards For Flood Hazard Reduction) shall remain in full force and effect.

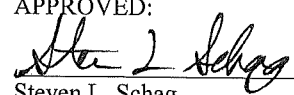
Section 3: That all meetings and hearings concerning the adoption of the Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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.

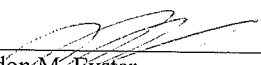
PASSED: February 10, 2021


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Clerk of Council

APPROVED: 
Steven L. Schag
Mayor

Prepared by:


Gordon M. Byster
Director of Law

And Reading
2/16/2021

ORDINANCE NO. 5 -2021
(Sponsors - Councilmembers Gates & Martin)

ENACTING SECTION 242.08 (WAIVE THE UTILITY BILL LATE FEE) OF CHAPTER 242 (DIRECTOR OF PUBLIC SERVICE) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY AND REPEALING RESOLUTION NO. 2-2021.

WHEREAS, on January 19, 2021, Council passed Resolution No. 2-2021, "Authorizing the Mayor as Director of Public Service or His or Her Designee to Have the Ability to Waive the Utility Payment Late Fee One Time Per Calendar Year for a Residential, Commercial, or Industrial Account Holder"; 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 Resolution No. 2-2021 be codified.

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

Section 1: That Section 242.08 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

242.08 WAIVE THE UTILITY BILL LATE FEE.

(a) The Director of Public Service or his or her designee shall have the authority to waive the utility bill late fee once per calendar year for a residential, commercial, or industrial utility account holder pursuant to City ordinance.

(b) The waiver for the late fee shall be for these utilities as stated in the Codified Ordinance of the City of Shelby: Chapter 1040 (Water), Chapter 1044 (Sewer Charges), Chapter 1050 (Electricity), and Chapter 1056 (Internet Services).


Section 2: That all other sections of Chapter 242 remain in full force and effect.


Section 3: That Resolution No. 2-2021 be repealed in its entirety.

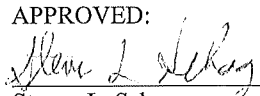
Section 4: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby.

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: March 1, 2021


Steven McLaughlin
Vice President of Council

ATTEST: 
Brian Crum
Clerk of Council

APPROVED: 
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

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

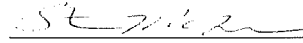
(1) Service Schedules A, A-D, B, C, and D shall have a negative rate rider in the amount of \$0.0022/kWh. The negative rate rider shall be implemented for a period of five years. The rider shall be itemized on the utility bill as a credit and identified as Balance Levelization.

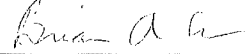
Section 2: That all other language in Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

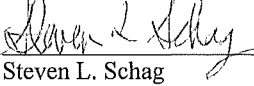
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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: March 15, 2021


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

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: March 15, 2021

Steven D. McLaughlin
Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

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:

2021	Fund	Personal	Other	Total
GENERAL FUND	101			
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
TOTAL		\$4,185,495.00	\$1,385,030.00	\$5,570,525.00
SPECIAL FUNDS	Fund			
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
TOTAL		\$1,209,600.00	\$7,688,230.00	\$8,897,830.00

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
TOTAL		\$0.00	\$200,500.00	\$200,500.00

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
TOTAL		\$0.00	\$1,183,825.00	\$1,183,825.00

Permanent Fund

Mini Park Trust	Fund 710	\$0.00	\$3,000.00	\$3,000.00
TOTAL		\$0.00	\$3,000.00	\$3,000.00

Special Assessment Fund

Fire Damage Fund	253	\$0.00	\$5,000.00	\$5,000.00
TOTAL		\$0.00	\$5,000.00	\$5,000.00

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
TOTAL		\$3,175,600.00	\$15,153,225.00	\$18,328,825.00

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
TOTAL		\$0.00	\$1,730,000.00	\$1,730,000.00

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
Total Agency Funds		\$0.00	\$104,000.00	\$104,000.00

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

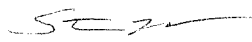
Section 3: That the Director of Finance and Public Record is hereby authorized to draw warrants on the City Treasury for the amounts appropriated in this Ordinance whenever claims are presented, properly approved by the head of the department, for which the indebtedness was incurred.

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.

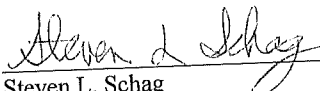
Section 6: That this Ordinance is hereby deemed to be an emergency so as to provide for the usual daily operations of municipal government and therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: March 15, 2021



 Steven D. 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

ORDINANCE NO. 9 - 2021
(Sponsors – Councilmembers Gates and Roberts)

**AMENDING ORDINANCE NO.: 8-2021 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 15, 2021, 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 a line item within the 2021 budget 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 2021 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.: 8-2021 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

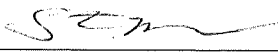
703-FEF-486	MAINTENANCE EQUIPMENT	\$ 10,000.00
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Section 2: That all other portions of Ordinance No.: 8-2021, not modified expressly herein, shall remain in full force and effect.


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.

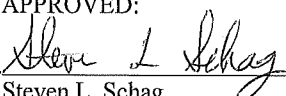
PASSED: April 5, 2021



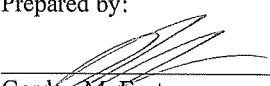
Steven D. McLaughlin
Vice President of Council

ATTEST: 

Brian A. Crum
Clerk of Council

APPROVED:


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

2nd Reading
4/19/2021

ORDINANCE NO. 10 -2021
(Sponsors: Councilmembers Roberts and Roub)

**AMENDING CHAPTER 1476 (PROJECTIONS INTO PUBLIC WAYS AND GROUNDS)
SECTION 1476.01 (PROJECTIONS PROHIBITED) OF THE CODIFIED ORDINANCES
OF THE CITY OF SHELBY, OHIO.**

WHEREAS, on May 7, 2012, the Council of the City of Shelby passed Ordinance 4-2012 amending the City Sign Ordinance; and

WHEREAS, the passage of said Ordinance affected Section 1476.01; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that Chapter 1476 (PROJECTIONS INTO PUBLIC WAYS) be amended.

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

Section 1: That Section 1476.01 of the Codified Ordinances of the City of Shelby be amended to read as follows:

1476.01 PROJECTIONS PROHIBITED

Except as otherwise provided in 1480.17, no person shall erect or cause to be erected, or permit to remain standing, any house, building, wall, fence or other permanent structure, in such manner that any part thereof stands or projects over or beyond the line of any lot or parcel of land into any street, alley, sidewalk or public ground of the city, unless specially authorized by resolution of Council.

Section 2: That all other Sections of Chapter 1476 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: May 3, 2021

Steven McLaughlin
Steven McLaughlin
Vice President of Council

ATTEST: Brian Crum
Brian Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Gordon M. Eyster
Director of Law

2nd Reading
4/19/2021

ORDINANCE NO: 11 -2021
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1050 (ELECTRICITY) SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (b) (1) (GENERATION CHARGE) 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), (b) (1) (Generation Charge) to decrease the charge from \$0.0045 kWh to \$0.0040 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), (b) (1) (Generation Charge) 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), (b) (1) (Generation Charge) be amended to read as follows:

(b) *Generation Charges, Fuel and Purchased Power, and Transition Cost Rider.*

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

(1) *Generation Charge.* The generation charge shall be \$0.0040 kWh

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: May 3, 2021

SDM
Steven D. McLaughlin
Vice President of Council

ATTEST: Brian Crum
Brian Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Gordon M. Eyster
Director of Law

ORDINANCE NO. 12 - 2021
(Sponsors – Councilmembers Gates, Martin, Roub and McLaughlin)

AMENDING ORDINANCE NO.: 8-2021 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.

WHEREAS, on March 15, 2021, 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 a line item within the 2021 budget 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 2021 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.: 8-2021 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES


101-FIR-486	MAINTENANCE EQUIPMENT	\$ 7,000.00
200-STR-499	SALT	\$ 15,000.00
210-SST-499	SALT	\$ 20,000.00
354-DBT-504	BOND PAYMENT	\$ 200,000.00
354-DBT-505	INTEREST EXPENSE	\$ 8,000.00
502-WCI-536	CONSTRUCTION	\$ 312,000.00

Section 2: That all other portions of Ordinance No.: 8-2021, 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.

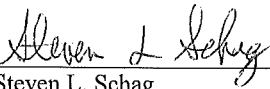
Section 4: That this Ordinance is hereby deemed to be an emergency so as to meet the ongoing contractual and/or monetary obligations of the City of Shelby Ohio and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: May 3, 2021

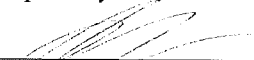

Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council


Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

AMENDED ORDINANCE NO. 14-2021
(Sponsor- Councilmember Gates)

AUTHORIZING THE DIRECTOR OF FINANCE TO LEVY ASSESSMENTS FOR THE IMPROVEMENT OF A PORTION OF WEST MAIN STREET WITH A SANITARY SEWER AND ITS APPURTENANCES AND DECLARING AN EMERGENCY.

WHEREAS, this Council did on March 19, 2018 (Resolution No. 18-2018) duly adopt a resolution declaring the necessity of the improvements noted therein and hereinafter described; and

WHEREAS, the Board of Revision of Assessments has held meetings and conducted hearings concerning said improvements and has considered claims and objections thereto associated with the character of the improvements, the necessity thereof, and the equity of the assessments as provided in the assessment report; and

WHEREAS, the Board of Revision of Assessments has reported its findings to the Council of the City of Shelby; and

WHEREAS, this Council did on September 4, 2018 (Ordinance No. 19-2018) duly adopt an ordinance authorizing the Mayor as Director of Public Service to advertise for bids and enter into a contract for said project; and

WHEREAS, all of the work has been completed on said project; 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 Director of Finance be authorized to levy assessments for these improvements.

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 assessment of the cost of the improvement of a portion of West Main Street with a sanitary sewer and appurtenances as heretofore reported to this Council and now on file in the office of the Clerk and aggregating in the amount of Three Hundred Twenty-five Thousand Nine Hundred Fifteen and 33/100 Dollars (\$325,915.33) be, and the same is hereby adopted and confirmed.

Section 2: That there be and is hereby levied and assessed upon the lots and lands bounding and abutting upon said improvement the amount set forth below.

<u>Richland County Parcel ID No.</u>	<u>Assessment</u>
0460819818000	\$13,579.81
0460819512000	\$13,579.81
0460820218000	\$13,579.81
0460819608000	\$13,579.81
0460804308000	\$13,579.81
0460806810000	\$13,579.81
0460819614000	\$13,579.81
0460819614001	\$13,579.81
0460816417000	\$13,579.81
0460802308000	\$13,579.81
0460810210000	\$13,579.81
0460820215002	\$13,579.81
0460815310000	\$13,579.81
0460815511002	\$13,579.81

0460815511001	\$13,579.81
0460815512002	\$13,579.81
0460821911000	\$13,579.81
0460813001000	\$13,579.81
0460822012000	\$13,579.81
0460815401000	\$13,579.81
0460802617000	\$13,579.81
0460806214000	\$13,579.81
0460804118000	\$13,579.81
0460813614000	\$13,579.81

Said special assessments upon said properties deeded to be benefited by the public improvement have been assessed herein in proportion to the benefits which may result from the improvement.

Section 3: That it is hereby determined that the assessments hereinbefore referred to are in the same proportion to the estimated assessments as the actual cost of said improvement bears to the estimated cost of said improvement upon which assessments are based.

Section 4: That the total assessment against each lot and parcel of the land shall be payable in cash to the Treasurer of said City within thirty (30) days after passage of this Ordinance, or at the option of the property owner assessed, in twenty (20) semi-annual installments with interest at the same rate as is borne by the securities issued or the loan or loans incurred by the City in anticipation of the collection of such assessments. All assessments and installments thereof which have not been paid at the expiration of said 30-day period shall be certified by the Clerk of Council to the Richland County Auditor to be placed by him on the tax duplicate and collected at the same time in the same manner as other taxes are collected, as provided by law.

Section 5: That the Clerk of this Council shall be and is hereby authorized and directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in said City as required by law.


Section 6: That the Clerk of this Council shall be and is hereby authorized and directed to keep said assessments on file in his office for so long as any of them remain unpaid.

Section 7: That the Clerk of this Council be and is hereby authorized and directed to cause notice of the levy of the assessments herein provided for to be filed with the Richland County Auditor within twenty (20) days after the passage of this Ordinance.

Section 8: 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 9: 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: August 2, 2021


 Steven D. McLaughlin
 Vice President of Council

APPROVED:

ATTEST:

Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

~~Gordon M. Eyster~~
Director of Law

2nd Reading
6/21/2021

ORDINANCE NO 15 -2021
(Sponsor: Councilmember Gates)

AMENDING TITLE FOUR (SUBDIVISION REGULATIONS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, the Subdivision Regulations of the City of Shelby were adopted by the Council of the City of Shelby on June 6, 1983 through Ordinance 17-1983; and

WHEREAS, certain portions of the regulations were amended by the Council of the City of Shelby on February 2, 2004 through Ordinance 1-2004; and

WHEREAS, certain portions of the regulations were amended by the Council of the City of Shelby on July 15, 2019 through Ordinance 13-2019; and

WHEREAS, certain portions of the regulations need to be amended and modified so as to make the regulations, as a whole, more pertinent to the subdivisions of today; and

WHEREAS, The Shelby City Planning Commission on May 11, 2021, reviewed the proposed amendments and referred them to Shelby City Council with their recommendation for adoption.

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

Section 1: That Appendix V: OPEN SPACE AND THOROUGHFARE PLAN of Title Four (Subdivision Regulations) of the Codified Ordinances of the City of Shelby be amended as shown on Exhibit 1 which is attached to this Ordinance.

Section 2: That Appendix VI: PARKS AND TRANSPORTATION PLAN of Title Four (Subdivision Regulations) of the Codified Ordinances of the City of Shelby be amended as shown on Exhibit 2 which is attached to this Ordinance;

Section 3: That all other Sections of Title Four (Subdivision 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: July 6, 2021

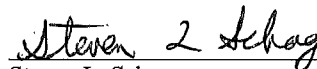


Steven McLaughlin
Vice President of Council

ATTEST: Brian Crum


Brian Crum
Clerk of Council

APPROVED:



Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

Ordinance
and Reading
Ordinance

ORDINANCE NO. 16 -2021
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1044 (SEWER CHARGES), SECTION 1044.02 (CONDITIONS OF SERVICE; RATE SCHEDULE), (f) PRODUCTION COST ADJUSTER OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, the Production Cost Adjuster currently recovers the cost for electricity, water and sewer, natural gas, chemicals, lab supplies and lab testing and sludge; and

WHEREAS, the recently completed upgrade at the wastewater treatment plant had changed some of the operating measures in the treatment process thus making it necessary to amend the establish language in Chapter 1044 (Sewer Charges), Section 1044.02, (Conditions of Service; Rate Schedule) (f) Production Cost Adjuster; 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 1044.02 (Conditions of Service; Rate Schedule), (f) Production Cost Adjuster be amended to recover the cost for diesel fuel used in the manufacturing process and the costs for the bulbs associated with the ultraviolet light system.

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 1044.02 (Conditions of Service; Rate Schedule), (f) Production Cost Adjuster be amended to read as follows:

(f) *Production cost adjuster.* The Production Cost Adjuster shall be derived every three months by dividing (1) the past 12 months cost of electricity, water and sewer, and natural gas utilized at the Waste Water Treatment Plant, the cost for diesel fuel used in the manufacturing process, the cost of all chemicals used in the waste water treatment process, the cost for the bulbs associated with the operation of the ultraviolet light system used to sterilize the effluent waste water, the cost of lab testing and supplies required for the waste water treatment process, and the cost of the sludge removal process (hereinafter referred to as "previous 12 months cost") by (2) the sum of the past 12 months cubic feet of water billed for the sewer charges (hereinafter referred to as "previous 12 months cubic feet billed").

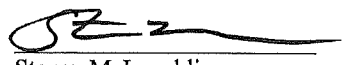
$$\frac{\text{Previous 12 months' cost (numerator)}}{\text{Previous 12 months' cubic feet billed (denominator)}} = \text{Production Cost Adjuster}$$

Section 2: That all other provisions in Chapter 1044 (Sewer Charges), Section 1044.02 (Conditions of Service; Rate Schedule) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

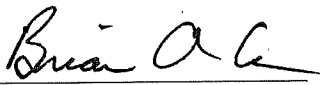
Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

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: July 6, 2021

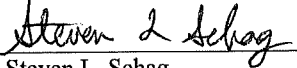

Steven McLaughlin
Vice President of Council

ATTEST:




Brian Crum
Clerk of Council

APPROVED:



Steven L. Schag
Mayor

Prepared by:



Gordon Eyster
Director of Law

ORDINANCE NO. 17 - 2021
(Sponsor - Councilmember Martin)

AMENDING ORDINANCE NO.: 8-2021 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.

WHEREAS, on March 15, 2021, 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 a line item within the 2021 budget 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 2021 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.: 8-2021 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

230-CAP-587	SELTZER PARK REHAB	\$ 145,000.00
253-FDF-531	MISCELLANEOUS	\$ 45,000.00
400-MFG-526	DIESEL FUEL	\$ 20,000.00
600-DIS-400	WAGES	\$ 40,000.00
600-DIS-418	HOSPITALIZATION	\$ 10,000.00

Section 2: That all other portions of Ordinance No.: 8-2021, 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: June 21, 2021

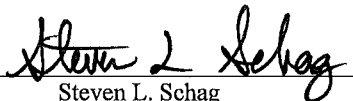


Steven D. McLaughlin
Vice President of Council

APPROVED:


ATTEST: Brian A. Crum

Brian A. Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:


Gordon M. Byster
Director of Law

2nd Reading
7/6/2021

ORDINANCE NO. 18-2021
(Sponsor: Councilmember Martin)

ESTABLISHING A TEMPORARY SEWER SURCHARGE FOR THE SEWER FUND.

WHEREAS, the sewer fund balance has been losing revenue from the loss of collections due to the decrease in water sales and the deficiencies of leachate deliveries from area landfills; and

WHEREAS, the municipal sewer division is an enterprise fund and shall be financially self-sustaining; 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 development of a temporary sewer surcharge is necessary to help maintain the financial stability of the sewer fund.

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

Section 1: That a temporary sewer surcharge shall be established to financially assist the sewer fund due to a down turn in revenue collections.

Section 2: That the temporary sewer surcharge shall be allocated for a six (6) month period for all rate schedules within the sewer fund.

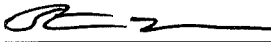
Section 3: That the temporary sewer surcharge shall be billed to sewer customers as follows:

Residential -	\$1.99
Residential Country -	\$2.49
Senior Citizen -	\$0.49
Commercial -	\$4.49
Industrial -	\$6.49

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: July 19, 2021


Steven McLaughlin
Vice President of Council

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon Eyster
Director of Law

2nd Reading
7/19/2021

ORDINANCE NO. 19-2021
(Sponsor – Councilmember Gates)

AMENDING SECTION 260.09 (HOLIDAYS) OF CHAPTER 260 (EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, Congress has passed and the President has signed Public Law 117-17 to designate June 19 as a legal public holiday known as Juneteenth; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare that Codified Ordinances of the City of Shelby be amended to provide for this holiday.

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

Section 1: That Section 260.09 of the Codified Ordinances of the City of Shelby be amended to read as follows:

260.09 HOLIDAYS.

(a) The official paid holidays of the city are as follows:

- (1) New Year's Day – January 1;'
- (2) Martin Luther King Day – third Monday in January;
- (3) Presidents' Day – third Monday in February;
- (4) Memorial Day – last Monday in May;
- (5) Juneteenth – June 19 (provided, however, that in 2021 said holiday shall be celebrated on November 26);
- (6) Independence Day – July 4;
- (7) Labor Day – first Monday in September;
- (8) Veterans Day – November 11;
- (9) Thanksgiving Day – fourth Thursday in November; and
- (10) Christmas Day – December 25.

(b) In addition to the ten holidays set forth in division (a) hereof, all employees covered by this chapter shall, after one continuing year of service, receive two floating holidays per calendar year, which shall be taken off anytime during the calendar year and prior to December 31 of any given year. An employee must clear his or her date selection with the Mayor or department head. Each department head shall keep accurate records of all time taken off within his or her department.

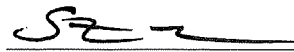
(c) An employee shall be paid the holidays as aforesaid and shall not be required to work any such holidays, unless, in the opinion of the Director of Public Service, failure to work on the holiday would impair public service or safety. Each employee working on such a holiday shall receive compensation time in lieu of overtime pay.

Section 2: That all other sections of Chapter 260 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.

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: August 2, 2021


Steven McLaughlin
Vice President of Council

ATTEST: Brian Crum

Brian Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:



Gordon Eyster
Director of Law

ORDINANCE NO: 20 -2021
(Sponsor: Councilmember Martin)

REENACTING CHAPTER 1050 (ELECTRICITY) SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (g) KILOWATT-HOUR TAX ADJUSTMENT OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 9-2020 established language for *Emergency Rates*; and

WHEREAS, Ordinance 9-2020 inadvertently removed the language for the *Kilowatt-hour tax adjustment* from Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service) by the way of a typographical error; and

WHEREAS, the typographical error occurred by stating (f) *Emergency Rates* instead of (g) *Emergency Rates* thus removing the *Kilowatt-hour tax adjustment* language from the Codified Ordinances; and

WHEREAS, to correct the typographical error, 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), (g) *Kilowatt-hour tax adjustment* be reenacted.

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 Chapter 1050 (Electricity), Section 1050.02 (Rates and Charges for Service), (g) *Kilowatt-hour tax adjustment* be reenacted and the language shall read as follows:

(g) *Kilowatt-hour tax adjustment*. The rates and charges set forth in the current city electric rate schedules shall be increased by an amount equal to the kilowatt-hour tax imposed on the city's electric distribution system under R.C. § 5727.81. The increase shall become effective with the bills that include May 1, 2001, as part of the usage period and shall thereafter be automatically adjusted to reflect any change in the kilowatt-hour tax imposed by R.C. § 5727.81 increase in the current schedule that reflects the following:

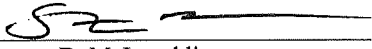
- (1) For the first 2,000 kWh delivered, the tax rate shall be \$0.00465 per kWh delivered.
- (2) For the next 2,001 to 15,000 kWh delivered, the tax rate shall be \$0.00419 per kWh.
- (3) For any kWh above 15,000, the tax rate shall be \$0.00363.

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 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: August 2, 2021


Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

~~Gordon M. Byster~~
Director of Law

ORDINANCE NO. 21 - 2021
(Sponsor - Councilmember Gates)

**AMENDING ORDINANCE NO.: 8-2021 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 15, 2021, 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 a line item within the 2021 budget 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 2021 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.: 8-2021 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

101-ENG-500	ENGINEERING	\$ 10,000.00
402-SIF-500	ENGINEERING	\$ 15,000.00

Section 2: That all other portions of Ordinance No.: 8-2021, 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: August 16, 2021


Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Gordon M. Eyster
Director of Law

ORDINANCE NO. 22-2021
(Sponsors- Councilmembers Gates & Martin)

**AMENDING ORDINANCE NO.: 8-2021 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 15, 2021, the Council of the City of Shelby passed its Annual Appropriations Ordinance as required by the Ohio Revised Code §5705.38; and

WHEREAS, on April 19, 2021, the Council of the City of Shelby passed RESOLUTION NO. 17-2021 affirming funds received from the American Rescue Plan Act may be expended to cover costs of the subdivision consistent with the requirements of the "American Rescue Plan Act," (ARPA) and any applicable regulations; and

WHEREAS, monies received from the American Rescue Plan Act have been received and deposited into a fund entitled "Local Fiscal Recovery Fund"; and

WHEREAS, it is necessary to create line items within the 2021 budget and to fund said line items with ARPA 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 fund ARPA expenditures and/or projects and to balance the books for the calendar year 2021.

**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.: 8-2021 (Annual Appropriations) is hereby amended as follows:

**THE PURPOSE OF THIS ORDINANCE IS TO CREATE AN EXPENDITURE LINE
ITEM**

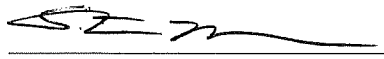
284-LFR-472	Supplies	\$ 5,000.00
284-LFR-500	Engineering	\$ 100,000.00
284-LFR-515	Equipment	\$ 15,000.00
284-LFR-531	Miscellaneous	\$ 48,000.00
284-LFR-536	Construction	\$ 300,000.00
284-LFR-546	Economic Development	\$ 5,000.00

Section 2: That all other portions of Ordinance No.: 8-2021, 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: September 7, 2021


Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Gordon M. Eyster
Director of Law

ORDINANCE NO. 23 - 2021
(Sponsors – Councilmembers Gates & Martin)

AMENDING ORDINANCE NO.: 8-2021 (ANNUAL APPROPRIATIONS) AND DECLARING AN EMERGENCY.

WHEREAS, on March 15, 2021, 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 a line item within the 2021 budget 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 2021 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.: 8-2021 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO INCREASE EXPENDITURES

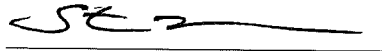
300-POL-515	EQUIPMENT	\$ 46,000.00
300-PRO-586	WHITNEY AVE. BRIDGE	\$ 4,000.00
354-PCC-515	EQUIPMENT	\$ 24,000.00
502-WCI-500	ENGINEERING	\$ 10,000.00
502-WCI-536	CONSTRUCTION	\$ 2,255,000.00
600-MFG-526	DIESEL FUEL	\$ 20,000.00

Section 2: That all other portions of Ordinance No.: 8-2021, 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.

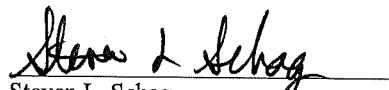
Section 4: That this Ordinance is hereby deemed to be an emergency so as to meet the ongoing contractual and/or monetary obligations of the City of Shelby Ohio and, therefore, shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: September 7, 2021


Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council


Steven L. Schag
Mayor

ORDINANCE NO: 24 -2021
(Sponsors: Councilmembers Gates & Martin)

TRANSFERRING APPROPRIATIONS FOR THE YEAR 2021 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2021 budget; and

WHEREAS, these transfers be made effective so as to balance the books for the calendar year 2021 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:

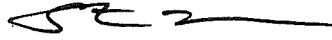
FROM	283-LCR-564	Service Vehicle	\$ 15,000.00
FROM	300-POL-558	Police Cruisers	\$ 36,000.00
TO	283-LCR-472	Supplies	\$ 7,500.00
TO	283-LCR-515	Equipment	\$ 7,500.00
TO	300-POL-515	Equipment	\$ 36,000.00

Section 2: That all other portions of Ordinance No. 8-2021, 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: September 7, 2021




Steven McLaughlin
Vice President of Council

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

APPROVED: Steven L. Schag
Steven L. Schag
Mayor

Prepared by:



Gordon W. Eyster
Director of Law

ORDINANCE NO. 26 -2021
(Sponsor: Councilmember Gates)

APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its annual updating and revision of the Codified Ordinances of the City; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the previous updating and revision of the Codified Ordinances (January 22, 2020) and have been included in the Codified Ordinances of the City.

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

Section 1: That the editing, arrangement and numbering or renumbering of the following Ordinances and parts of Ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2-2020	2-18-2020	1040.04
3-2020	2-18-2020	1042.24
4-2020	2-18-2020	1044.09
5-2020	2-18-2020	234.11
6-2020	3-2-2020	1050.02
7-2020	3-2-2020	TSO VII
9-2020	4-6-2020	1050.02
10-2020	5-18-2020	230.04
11-2020	5-18-2020	1050.02
12-2020	6-1-2020	1482.06
15-2020	7-6-2020	276.03
16-2020	8-3-2020	1040.04
19-2020	9-21-2020	1466.24
25-2020	11-2-2020	1474.07
26-2020	11-16-2020	1040.04
27-2020	11-16-2020	1040.04
31-2020	12-21-2020	1050.02

Section 2: That pursuant to Section 17 of the City Charter and R.C. §731.23, the Clerk of Council shall cause to be published a copy of this ordinance, together with a summary of the new matter contained in the Codified Ordinances hereby approved, adopted and enacted. Such publication shall be made within ten (10) days of the adoption of this ordinance and shall be made in a newspaper of general circulation in the City.

Section 3: That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:

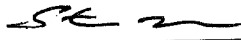
- (a) The enactment of such sections and subsections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to December 16, 2020.

Section 4: That all meetings and hearings concerning the adoption of this ordinance have been in compliance with Section 220.01 of the Codified Ordinances, R.C. §121.22 and the City Charter.

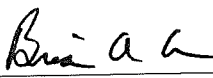
Section 5: That this ordinance is hereby deemed to be an emergency measure necessary for the maintenance of the public health, safety, morals and general welfare of all citizens of Shelby and for the additional reason that it is immediately necessary to have an up-to-date Code of Ordinances, one which is consistent with State law, as required by the Ohio Constitution, with which to administer the affairs of the City and enforce law and order, wherefore this ordinance, and the Codified Ordinances hereby approved, adopted and enacted, shall be in full force and effect immediately from and after its passage and approval by the Mayor and the earliest period allowed by law.

PASSED: October 4, 2021

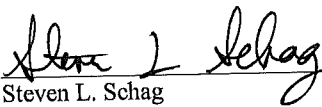


Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

ORDINANCE NO. 27 - 2021
(Sponsors- Councilmembers Gates & Martin)

**AMENDING ORDINANCE NO.: 8-2021 (ANNUAL APPROPRIATIONS) AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 15, 2021, 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 create line items within the 2021 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 2021 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.: 8-2021 (Annual Appropriations) is hereby amended as follows:

THE PURPOSE OF THIS ORDINANCE IS TO CREATE EXPENDITURE LINE ITEMS

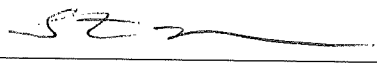
400-MTN-526	Diesel Fuel	\$ 3,000.00
400-MFG-655	Ultraviolet Light Bulbs	\$ 20,000.00

Section 2: That all other portions of Ordinance No.: 8-2021, 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: October 18, 2021



Steven D. McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum
Brian A. Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 1-2021
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE FIRE DEPARTMENT INDIVIDUAL EQUIPMENT GRANT FOR THE PURCHASE OF TURNOUT GEAR AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Commerce provides financial assistance for fire department purposes through the Fire Department Individual Equipment Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Fire Department Individual Equipment Grant Program to purchase turnout gear; 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 Safety of City of Shelby apply for a Fire Department Individual Equipment Grant.

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 City of Shelby Council approves an application for financial assistance for turnout gear.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Department of Commerce and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Fire Department Individual Equipment Grant.

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: _____

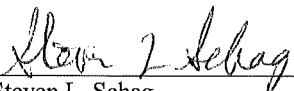


Steven McLaughlin
Vice President of Council

APPROVED:


ATTEST: 

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Byster
Director of Law

RESOLUTION NO. 2 -2021
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OR HIS OR HER DESIGNEE TO HAVE THE ABILITY TO WAIVE THE UTILITY PAYMENT LATE FEE ONE TIME PER CALENDAR YEAR FOR A RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL ACCOUNT HOLDER.

WHEREAS, due to unforeseen reasons, a residential, commercial, or industrial utility account holder can be late paying their monthly utilities bill; and

WHEREAS, a one-time waiver of the associated late fee for paying the utilities bill after the posted due date would provide a suitable action showing care and compassion during such time to the account holder; 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 or his or her designee shall be authorized to have the ability to waive the utility payment late fee one time per year for a residential, commercial, or industrial utility account holder.

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

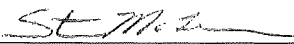
Section 1: That the Mayor as Director of Public Service or his or her designee shall have the authority to waive the utility bill late fee one (1) time per calendar year for a residential, commercial, or industrial utility account holder pursuant to City ordinances, as declared by the Mayor or his designee.

Section 2: That the waiver for the late fee shall be for these utilities as stated in the codified ordinances: Chapter 1040 (Water), Chapter 1044 (Sewer Charges), Chapter 1050 (Electricity), and Chapter 1056 (Internet Services).


Section 3: 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.

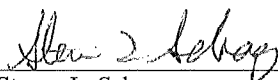
Section 4: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

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

RESOLUTION NO. 4 -2021
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF TURNOUT GEAR AND DECLARING AN EMERGENCY.

WHEREAS, the United States Department of Homeland Security provides financial assistance for fire department purposes through the Assistance to Firefighters Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Assistance to Firefighters Grant Program to purchase of turnout gear; 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 Safety of City of Shelby apply for an Assistance to Firefighters Grant.

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 City of Shelby Council approve an application for financial assistance for turnout gear.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the United States Department of Homeland Security and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project.

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: February 1, 2021



Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Gordon M. Eyster
Director of Law

RESOLUTION NO. 5 - 2021
(Sponsors: Councilmembers Gates & Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE PRIORITY ONE GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF EMERGENCY MEDICAL SUPPLIES.

WHEREAS, the Ohio Department of Public Safety provides financial assistance for emergency medical services through the Priority One Grant; and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the Priority One Grant to purchase emergency medical service supplies; 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 Safety of City of Shelby apply for a Priority One Grant.

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

Section 1: That the City of Shelby Council approves an application for financial assistance for emergency medical service supplies.

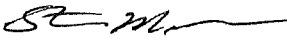
Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Department of Public Safety and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: That the City of Shelby does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Priority One Grant.

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 shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: February 16, 2021




Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A. Crum

Brian Crum
Clerk of Council



Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 6 -2021
(Sponsors: Councilmembers Gates and Roberts)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE 2021 MOSQUITO CONTROL GRANT AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Environmental Protection Agency provides financial assistance for health department purposes through the Mosquito Control Grant; and

WHEREAS, the City of Shelby Health Department desires financial assistance under the Mosquito Control Grant Program to control the mosquito population; 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 Safety of the City of Shelby apply for a Mosquito Control Grant.

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

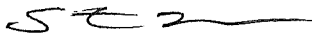
Section 1: That the City of Shelby Council approves an application for financial assistance for the control of Mosquitos through the Ohio Environmental Protection Agency Mosquito Control Grant.

Section 2: That the Mayor as Director of Public Safety is hereby authorized and directed to execute and file an application with the Ohio Environmental Protection Agency and to provide all information and documentation required to become eligible for possible funding assistance.

Section 3: 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 4: 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: February 16, 2021

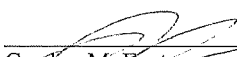

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: Brian A Crum
Brian Crum
Clerk of Council

Steven L. Schag
Steven L. Schag
Mayor

Prepared by:


Gordon M. Eyster
Director of Law

RESOLUTION NO. 7 -2021
(Sponsor: Councilmember Martin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO WAIVE THE LATE PAYMENT CHARGE (PENALTY) FROM RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL UTILITY ACCOUNT HOLDERS FOR THE FEBRUARY BILLING PERIOD AND DECLARING AN EMERGENCY.

WHEREAS, a delay in the postal service during the month of February may cause utility account holders to endure a late penalty charge on their utility bill; 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 waive the late payment charge (penalty) from residential, commercial, and industrial utility account holders for the February billing period.

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

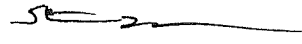
Section 1: That the Mayor as Director of Public Service is hereby authorized to waive the late payment charge (penalty) from residential, commercial, and industrial utility account holders for the February billing period.

Section 2: That this authorization shall be for these utilities as stated in the codified ordinances: Chapter 1040 (Water), Chapter 1044 (Sewer Charges), and Chapter 1050 (Electricity).

Section 3: 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 4: 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: February 16, 2021



Steven McLaughlin
Vice President of Council

APPROVED:


ATTEST: Brian A Crum

Brian Crum
Clerk of Council

Steven L. Schag

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law