

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

Shelby City Council Agenda
Monday, July 17, 2023
COUNCIL CHAMBERS
29 MACK AVENUE
Shelby, Ohio
7:00 p.m.

Call to Order and Pledge of Allegiance

Roll Call:

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

Motion to excuse Councilmember Gates

Moved _____ 2ND _____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Martin _____

Dispense with the Reading of the Journal from July 3, 2023

Moved _____ 2ND _____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Martin _____

Public Comment

Reports from Standing and Special Committees

Finance & Personnel Committee—Councilmember Gates—Did not meet

MOTION THAT THE COMBINED FINANCIAL STATEMENT AND THE CASH/INVESTMENT RECONCILIATION STATEMENT BOTH DATED JUNE 30, 2023, BE RECEIVED, PLACED ON FILE, AND POSTED TO THE CITY WEBSITE.

Moved _____ 2ND _____
Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Martin _____

Utilities & Streets Committee—Councilmember Martin

Safety Committee—Councilmember Roberts

Reports of City Officials

Steven L. Schag—Mayor
Proclamation

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Unfinished Business
Black Fork Ditch Petition

Legislation

ORDINANCE NO 21-2023

**REPEALING SECTION 612.11 (PUBLIC CONSUMPTION)
OF CHAPTER 612 (ALCOHOLIC BEVERAGES) OF THE
CODIFIED ORDINANCES OF THE CITY OF SHELBY**

2ND READING

Moved 2ND
Mr. McLaughlin Mr. Roub Mr. Roberts Mr. Martin

ORDINANCE NO 22-2023

**AMENDING CHAPTER 1040 (WATER), SECTION 1040.04
(RULES, REGULATIONS AND FIXED CHARGES FOR
MUNICIPAL WATER SYSTEM), RULE 41 OF THE
CODIFIED ORDINANCES OF THE CITY OF SHELBY,
OHIO**

1ST READING

Moved 2ND
Mr. McLaughlin Mr. Roub Mr. Roberts Mr. Martin

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____

Mr. McLaughlin _____ Mr. Roub _____ Mr. Roberts _____ Mr. Martin _____

1st Reading
7/3/2023

ORDINANCE NO. 21 -2023
(Sponsor: Councilmember McLaughlin)

REPEALING SECTION 612.11 (PUBLIC CONSUMPTION) OF CHAPTER 612 (ALCOHOLIC BEVERAGES) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.

WHEREAS, the Codified Ordinances of the City of Shelby and the Ohio Revised Code already contain laws regulating the use of alcoholic beverages; and

WHEREAS, the repealing of this section would allow the City of Shelby to responsibly explore opportunities for events and promotions that would otherwise be excluded; 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 612.11 (Public Consumption) of the Codified Ordinances of the City of Shelby be repealed.

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

Section 1: That Section 612.11 (Public Consumption) of Chapter 612 (Alcoholic Beverages) of the Codified Ordinances of the City of Shelby shall be and is hereby repealed.

Section 2: That all other sections of Chapter 612 (Alcoholic Beverages) shall remain in full force and effect.

Section 3: That all meetings 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: _____

Steven McLaughlin
Vice President of Council

APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:

Gordon M. Eyster
Director of Law

1st Reading
7/3/2023

ORDINANCE NO. 22 -2023
(Sponsor: Councilmember Martin)

AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM), RULE 41 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, it is necessary to amend Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), Rule 41; and

WHEREAS, Rule 41 establishes the cost for water taps; and

WHEREAS, the current charge for a water tap does not recover the actual cost for the materials required for the Service Department, Division of Water Distribution to make a water tap; and

WHEREAS, the current water tap fee is adjusted annually per the Consumer Price Index (CPI) as stated in Rule 43 in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System); and

WHEREAS, the Consumer Price Index (CPI) adjustment has not kept up with the rising cost for the materials to recover the actual cost to make a water tap; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), Rule 41, be amended to adjust the cost for a water tap by recovering the tap in fee and the actual cost for the materials for the Service Department, Division of Water Distribution to make the tap.

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

Section 1: That Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System), Rule 41 be amended to read as follows:

Rule 41

That all utility customers requesting a water tap into the city water supply shall have a tap in fee of \$664.44 and be financially responsible for the current market costs for the materials required to install and connect the water service line to the water main. The tap in fee shall be adjusted annually per the required Consumer Price Index (CPI) adjustment as stated in Rule 43 in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations, and Fixed Charges for Municipal Water System). Additional charges shall be assessed for the actual cost to restore any lawn or road surface that was disturbed during the installation of the water service line tap in. The restoration costs shall be paid by the customer, owner or developer and shall be paid before permanent water service is received. All taps will be brought to the curb or road side and the water shut-off valve will be placed at the curb or road side. The water service line from the shut off valve to the structure shall be the responsibility of the customer. The property owner is responsible for placing their water service line to within three feet of the curb or street. If a two-inch tap is to be made with a corporation stop, the line to be tapped must be at least a six-inch line. All other two-inch and larger size taps will be made with a tapping sleeve and valve.

Section 2: That all other provisions in Chapter 1040 (Water) and Section 1040.04 (Rule, Regulations, and Fixed Charges for Municipal Water System) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

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

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

PASSED: _____

Steven McLaughlin
Vice President of Council

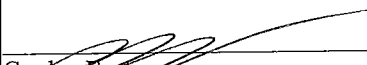
ATTEST: _____

Brian Crum
Clerk of Council

APPROVED:

Steven L. Schag
Mayor

Prepared by:



Gordon Eyster
Director of Law