

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

**Shelby City Council Agenda  
Monday, August 4, 2025  
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. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_

**Dispense with the Reading of the Journal from July 21, 2025**

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

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

**Public Comment**

**Reports from Standing and Special Committees**

Community & Economic Development Committee—Councilmember Cutlip

Public Works & General Operation Committee—Councilmember Roub—Did not meet

**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**  
Smokestack

**Legislation**

**ORDINANCE NO 16-2025**

**DETERMINING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY OF SHELBY BE LEASED AND DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY, OHIO, INC., AS THE CITY'S AGENT IN THE LEASE AGREEMENT**

**1ST READING**

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

**ORDINANCE NO 21-2025**

**VACATING AN ALLEY THAT RUNS PERPENDICULAR TO WEST MAIN STREET BETWEEN LOTS 578, 575, 27, AND 576 WITHIN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO**

**3RD READING**

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

**PASSAGE OF ORDINANCE**

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

**ORDINANCE NO 22-2025**

**ENACTING SECTION 204.08 (HUNTER MEMORIAL LANE)  
OF CHAPTER 204 (OFFICIAL STANDARDS) OF THE  
CODIFIED ORDINANCES OF THE CITY OF SHELBY**

**3RD READING**

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

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

**PASSAGE OF ORDINANCE**

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

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

**ORDINANCE NO 23-2025**

**VACATING A PORTION OF SPRUCE STREET WITHIN  
THE CITY OF SHELBY, RICHLAND COUNTY, OHIO**

**2ND READING**

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

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

**ORDINANCE NO 24-2025**

**AMENDING CHAPTER 1050 (ELECTRICITY), SECTION  
1050.04 (METERING AND BILLING), (g) (DEPOSITS) OF  
THE CODIFIED ORDINANCES OF THE CITY OF SHELBY,  
OHIO**

**1ST READING**

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

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

**ORDINANCE NO 25-2025**

**AMENDING CHAPTER 1040 (WATER), SECTION 1040.04  
(RULES, REGULATIONS AND FIXED CHARGES FOR  
MUNICIPAL WATER SYSTEM), RULE 47 AND RULE 59 OF  
THE CODIFIED ORDINANCES OF THE CITY OF SHELBY,  
OHIO**

**1ST READING**

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

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

**ORDINANCE NO 26-2025**

**AMENDING CHAPTER 1044 (SEWER CHARGES),  
SECTION), SECTION 1044.08 (DEPOSITS) OF THE  
CODIFIED ORDINANCES OF THE CITY OF SHELBY,  
OHIO**

**1ST READING**

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

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

**ORDINANCE NO 27-2025**

**AMENDING CHAPTER 1050 (ELECTRICITY), SECTION  
1050.02 (RATES AND CHARGES FOR SERVICE), (e)  
MISCELLANEOUS CHARGES (1) RECONNECTION  
CHARGE AND (6) APPLICATION FEE OF THE CODIFIED  
ORDINANCES OF THE CITY OF SHELBY, OHIO**

**1ST READING**

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

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

**ORDINANCE NO 28-2025**

**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**

**1ST READING**

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

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

**RESOLUTION NO 22-2025**

**DONATING A RESCUE BOAT, TRAILER AND MOTOR TO  
THE BOARD OF RICHLAND COUNTY OF  
COMMISSIONERS FOR USE BY THE RICHLAND COUNTY  
SHERIFF'S OFFICE**

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

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

RESOLUTION NO 23-2025                      DECLARING AN ARGUS UPRIGHT REFRIGERATOR AND  
A HN2XIB DEEP FREEZER USED BY THE SHELBY  
HEALTH DEPARTMENT AS UNNEEDED AND  
AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC  
SAFETY TO SELL THE UNNEEDED PROPERTY ON  
INTERNET AUCTION

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

RESOLUTION NO 24-2025                      AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC  
SERVICE TO ENTER INTO AN AGREEMENT WITH THE  
RICHLAND COUNTY BOARD OF COMMISSIONERS FOR  
LOGJAM REMOVAL FROM THE BLACK FORK RIVER

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

Miscellaneous Business

Adjournment at \_\_\_\_\_ p.m.  
Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_  
Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Cutlip \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_

**ORDINANCE NO: 16 -2025**  
**(Sponsor: Councilmember Martin )**

**DETERMINING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY OF SHELBY BE LEASED AND DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION OF SHELBY, OHIO, INC., AS THE CITY'S AGENT IN THE LEASE AGREEMENT.**

WHEREAS, the City of Shelby owns a parcel of land within the City available for lease, and which is more particularly described in the attached Exhibit 1; and

WHEREAS, the Charter of the City of Shelby provides, in Section 1, that the City may acquire property if fee simple or lesser interest and may sell, convey, lease, hold, manage, and control such property; and

WHEREAS, Ohio Revised Code Section 1724.10 authorizes the Council to designate the Community Improvement Corporation of Shelby, Ohio, Inc., as its agent for the sale or lease of lands which have been determined not to be required by the political subdivision for its purposes; and

WHEREAS, the lease of the property described in the attached Exhibit 1 will promote the welfare of the people of the City of Shelby; and

WHEREAS, Ohio Revised Code Section 1724.10 allows for the sale or lease of real property that will promote the welfare of the people of the City of Shelby; 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 this property be leased and that the Community Improvement Corporation of Shelby, Ohio, Inc., be designated the agent for the City for the lease of the property.

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

Section 1: That the property attached hereto as Exhibit 1 may be leased, with the understanding same is for the purpose of a cell phone tower, with the ability of the City to co-locate on said facility.

Section 2: That the City designates the Community Improvement Corporation of Shelby, Ohio, Inc. (CIC) as its agent in the lease of the above-described real property and building in accordance with Ohio Revised Code 1724.10(B), subject to the following conditions:

- a. The CIC's charge for services pursuant to Ohio Law shall be no greater than \$1,000.00.
- b. Any lease shall obtain a Certificate of Insurance naming the City as an "Additional Insured." Further any Lessee shall, prior to occupancy, provide the City with a copy of an endorsement of insurance which provides the following minimum amounts of insurance: \$1M/\$2M General Liability limits; \$1M Automobile limits; \$1M/\$1M/\$1M Employers Liability limits; and Workers Compensation coverage.

Section 3: That the Director of Finance and Public Record shall deposit any lease payments into the General Fund.

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: \_\_\_\_\_

\_\_\_\_\_  
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

7/7/2025

ORDINANCE NO. 21-2025  
(Sponsor: Councilmember McLaughlin)

2nd Reading

7/21/2025

**VACATING AN ALLEY THAT RUNS PERPENDICULAR TO WEST MAIN STREET BETWEEN LOTS 578, 575, 27, AND 576 WITHIN THE CITY OF SHELBY, RICHLAND COUNTY, OHIO.**

WHEREAS, on the 5th day of May 2025, the Council of the City of Shelby adopted Resolution No. 13-2025 declaring its intent to vacate an alley that runs perpendicular to West Main Street between lots 578, 575, 27, and 576; and

WHEREAS, notice of adoption of the above resolution has been given to the owners of property abutting said roadways effected by said resolution, notifying said property owners of the time and place at which objections could be presented to the Board of Revision of Assessments (pursuant to Section 105 of the Charter of the City of Shelby); and

WHEREAS, the Board of Revision of Assessments met on June 16, 2025 and voted to approve and recommend the vacation of an alley that runs perpendicular to West Main Street between lots 578, 575, 27, and 576 with conditions; said hearing and procedure being in accordance with the provisions of Section 105 of the Charter of the City of Shelby, Ohio; and

WHEREAS, this Council is satisfied that there is good cause for vacating said roadways hereinafter described and that said vacation will not be detrimental to the general interest and public welfare.

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

Section 1: That an alley that runs perpendicular to West Main Street between lots 578, 575, 27, and 576 as set forth in the plat and legal description as prepared by Seiler & Craig Surveying, Inc.- Chad Craig, Registered Surveyor on April 2, 2025 is hereby vacated.

Section 2: That in accordance with Section 105 of the Charter of the City of Shelby, Ohio, the City shall retain any and all easements necessary for the maintenance of utilities currently located within said roadway.

Section 3: That the conditions as recommended by the Board of Revision of Assessments shall be adopted, including: there shall be no permanent obstructions placed in the alley which may block ingress/egress, that the adjoining property owners (parcels 0460812211000 and 0460814713000) have access to their property by way of easement or other legal title for purposes of repairs, improvements and access to their respective parcels; and that City of Shelby safety forces shall have clear access to said property as may be necessary from time to time for the health, safety and welfare of the citizens of Shelby.

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

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

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

Brian Crum  
Clerk of Council

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



Prepared by:

A handwritten signature in black ink, appearing to read 'Gordon M. Eyster', is written over a horizontal line.

Gordon M. Eyster  
Director of Law

1st Reading  
7/7/2025  
and Reading  
7/11/2025

**ORDINANCE NO. 22-2025**  
**(Sponsor: Councilmember McLaughlin)**

**ENACTING SECTION 204.08 (HUNTER MEMORIAL LANE) OF CHAPTER 204 (OFFICIAL STANDARDS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, James W. Hunter was elected to Council in 1997 and 1999 from the City of Shelby's historic First Ward; and

WHEREAS, Mr. Hunter was elected Mayor of the City of Shelby in 2001 and served with distinction from January 1, 2002, to January 1, 2006; and

WHEREAS, in addition to his elected service, Mr. Hunter taught English for thirty-three years at Shelby High School; directed and advised Whippet Theater; and served as the announcer of Shelby Whippets home football games for over 40 years; and

WHEREAS, sadly Mr. Hunter departed this life on May 22, 2025; and

WHEREAS, during Mr. Hunter's elected and scholastic service, he resided at 159 Leslie Lane; 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 City commemorate the memory and service of Mr. Hunter.

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

Section 1: That Section 204.08 of the Codified Ordinances of the City of Shelby be enacted to read as follows:

**204.08 HUNTER MEMORIAL LANE.**

- (a) Leslie Lane is hereby secondarily designated as "Mayor James W. Hunter Memorial Lane."
- (b) The Director of Public Service is hereby directed to place appropriate signage indicating said designation.
- (c) Said designation shall in no way affect or impact postal or other deliveries.

Section 2: That all other sections of Chapter 204 remain in full force and effect.

Section 3: The Clerk of Council present an authenticated copy of this Ordinance to the Hunter family.

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

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

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

1st Reading  
7/21/2025

**ORDINANCE NO. 23 -2025**  
(Sponsor: Councilmember McLaughlin)

**VACATING A PORTION OF SPRUCE STREET WITHIN THE CITY OF SHELBY,  
RICHLAND COUNTY, OHIO.**

WHEREAS, on the 2nd day of June 2025, the Council of the City of Shelby adopted Resolution No. 19-2025 declaring its intent to vacate a portion of Spruce Street; and

WHEREAS, notice of adoption of the above resolution has been given to the owners of property abutting said roadways effected by said resolution, notifying said property owners of the time and place at which objections could be presented to the Board of Revision of Assessments (pursuant to Section 105 of the Charter of the City of Shelby); and

WHEREAS, the Board of Revision of Assessments met on July 14, 2025 and voted to approve and recommend the vacation of a portion of Spruce Street; said hearing and procedure being in accordance with the provisions of Section 105 of the Charter of the City of Shelby, Ohio; and

WHEREAS, this Council is satisfied that there is good cause for vacating said roadway hereinafter described and that said vacation will not be detrimental to the general interest and public welfare.

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

Section 1: That a portion of Spruce Street as set forth in the plat and legal description as prepared by Hanning Surveying, LLC- Matt Hanning, Registered Surveyor on April 28, 2025 is hereby vacated.

Section 2: That in accordance with Section 105 of the Charter of the City of Shelby, Ohio, the City shall retain any and all easements necessary for the maintenance of utilities currently located within said roadway.

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

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

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

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

Brian Crum  
Clerk of Council

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

Prepared by:

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

ORDINANCE NO: 24 -2025  
(Sponsors: Councilmembers McLaughlin and Cutlip)

**AMENDING CHAPTER 1050 (ELECTRICITY), SECTION 1050.04 (METERING AND BILLING), (g) (DEPOSITS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, it is crucial to the electric fund that responsible actions be taken to minimize the negative financial impact from cumulative outstanding balances due to delinquent accounts; 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 1050.04 (Metering and Billing), (g) (Deposits) be amended to establish the amount of the deposit and the period of time before the deposit is returned to the utility customer/payee to help prevent and lower total outstanding balances due to delinquent accounts.

**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 1050.04 (Metering and Billing), (g) (Deposits) be amended to read as follows:

*(g) Deposits.*

- (1) Residential electricity - \$300.00
- (2) Residential electricity and water - \$300.00
- (3) Residential electricity and sewer - \$300.00
- (4) Residential electricity, water and sewer - \$400.00
- (5) Commercial and Industrial electricity - A deposit not exceeding 150% of an estimated average bill for commercial and industrial customers (unless the service is temporary), may be required of the customer at any time, or from time to time before or after service is commenced. Deposit criteria will be affected by, but not limited to:
  - A. Past general credit history;
  - B. Past payment history (with the utility);
  - C. End use of service; and
  - D. Duration of service.
- (6) The utility office shall have a reasonable time to ascertain that the obligations of the customer have been fully performed before being required to return any deposit. The deposit shall be credited to the customer's account when payments have been made in full by the due date on 24 consecutive months, unless the customer's account has been terminated. Where the account has been terminated, any remaining deposit not used to credit the account shall be directly reimbursed to the customer or payee within 30 calendar days.
- (7) There shall be no interest paid or accrued on deposits.
- (8) Losses incurred by the utilities because of the insufficiency of the utilities deposit to cover unpaid charges shall be distributed proportionately among the three utilities.

Section 2: That all other language in Chapter 1050 (Electricity), Section 1050.04 (Metering and Charges) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

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

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

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST:

\_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

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

(Ord. 16-2001, passed 5-8-2001; Ord. 33-2001, passed 8-20-2001; Ord. 49-2003, passed 12-1-2003; Ord. 28-2004, passed 9-20-2004; Ord. 18-2005, passed 6-6-2005; Ord. 12-2006, passed 6-5-2006; Ord. 14-2008, passed 5-5-2008; Ord. 31-2008, passed 9-15-2008)

**ORDINANCE NO. 25 -2025**  
**(Sponsors: Councilmembers McLaughlin and Cutlip)**

**AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM), RULE 47 AND RULE 59 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, the current language in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), Rule 47, establishes the fee to reimburse the Division of Water Distribution for the expense sustained when shutting off and turning the water on due to payment delinquency; and

WHEREAS, the current language in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), Rule 59 establishes the Deposit for the water utility; 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 47 and Rule 59 be amended to establish the charges for the respective Rules.

**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 47 and Rule 59 be amended to establish the charges for the respective Rules.

Section 2: That Rule 47 shall read as follows:

**Rule 47**

All water bills become due and payable on the first day of the month of issue and must be paid on or before the fifteenth day of the month of issue. A 10% penalty shall be applied to all unpaid bills after the fifteenth day of the month. Bills remaining unpaid after the twentieth day of the month may be shut off without further notice. When water is shut off, it shall not be turned on again until the amount of all charges, plus penalty, is paid in full together with an additional charge of \$50.00 to reimburse the Division of Water for the sustained expense in shutting off and turning on the water supply. If the water shut off or turn on is requested after regular business hours, the charge shall be \$125.00. Failure to receive notice by mail shall not excuse consumers from paying the water bill. No person who has a delinquent account with the Division of Water shall be given water service at any other service or location until all delinquent accounts have been paid in full.

Section 3: That Rule 59 shall read as follows:

**Rule 59**

**Deposits for water service**

- (1) Residential water - \$200.00
- (2) Residential water and sewer - \$300.00
- (3) Residential water and electricity - \$300.00
- (4) Residential water, sewer and electricity - \$400.00

(5) Commercial and Industrial water - A deposit not exceeding 150% of an estimated average bill for commercial and industrial customers (unless the service is temporary), may be required of the customer at any time, or from time to time before or after service is commenced. Deposit criteria will be affected by, but not limited to:

- A. Past general credit history;
- B. Past payment history (with the utility);
- C. End use of service; and
- D. Duration of service.

(6) The utility office shall have a reasonable time in which to ascertain that the obligations of the customer have been fully performed before being required to return any deposit. The deposit shall be credited to the customer's account when payments have been made in full by the due date on 24 consecutive months, unless the customer's account has been terminated. Where the account

has been terminated, any remaining deposit not used to credit the account shall be directly reimbursed to the customer or payee within 30 calendar days.

(7) There shall be no interest paid or accrued on deposits.

Section 4: That all other provisions in Chapter 1040 (Water) and Section 1040.04 (Rule, Regulations and Fixed Charges for Municipal Water Service) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

Section 5: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 6: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven 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. 26 -2025**  
**(Sponsors: Councilmembers McLaughlin and Cutlip)**

**AMENDING CHAPTER 1044 (SEWER CHARGES), SECTION 1044.08 (DEPOSITS) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

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 1044.08 (Deposits) be amended to establish the amount of deposit for sewer service and the period of time before the deposit is returned to the utility customer/payee to help prevent and lower the outstanding balances due to delinquent accounts.

**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 1044.08 (Deposits) be amended to establish the deposit for sewer services and the time for returning the deposit to the customer or payee.

Section 2: That Chapter 1044 (Sewer Charges), Section 1044.08 (Deposits) shall read as follows:

**§ 1044.08 DEPOSITS.**

- (a) Residential sewer -\$200.00
- (b) Residential sewer and water - \$300.00
- (c) Residential sewer and electricity - \$300.00
- (d) Residential sewer, water and electricity - \$400.00
- (e) Commercial and Industrial sewer - A deposit not exceeding 150% of an estimated average bill for commercial and industrial customers (unless the service is temporary), may be required of the customer at any time, or from time to time before or after service is commenced. Deposit criteria will be affected by, but not limited to:
  - 1. Past general credit history;
  - 2. Past payment history (with the utility);
  - 3. End use of service; and
  - 4. Duration of service.
- (f) The utility office shall have a reasonable time in which to ascertain that the obligations of the customer have been fully performed before being required to return any deposit. The deposit shall be credited to the customer's account when payments have been made in full by the due date on 24 consecutive months, unless the customer's account has been terminated. Where the account has been terminated, any remaining deposit not used to credit the account shall be directly reimbursed to the customer or payee within 30 calendar days.
- (g) There shall be no interest paid or accrued on deposits.

Section 3: That all other provisions in Chapter 1044 (Sewer Charges) of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

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

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council



APPROVED:

ATTEST:

\_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

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

**ORDINANCE NO: 27 - 2025**  
**(Sponsors: Councilmembers McLaughlin and Cutlip)**

**AMENDING CHAPTER 1050 (ELECTRICITY), SECTION 1050.02 (RATES AND CHARGES FOR SERVICE), (e) MISCELLANEOUS CHARGES (1) RECONNECTION CHARGE AND (6) APPLICATION FEE OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.**

WHEREAS, the Reconnection Charge and Application Fee have not been adjusted for inflation in over two decades; 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), (e) Miscellaneous Charges, (1) Reconnection Charge and (6) Application Fee be amended to maintain a proper amount for the respected service.

**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), (e) Miscellaneous Charges, (1) Reconnection Charge and (6) Application Fee be amended to read as follows:

(e) *Miscellaneous charges (applicable to all customers).*

(1) *Reconnection charge.* When a customer has previously requested a disconnect and desires to be reconnected at the same address, or if a reconnection is made subsequent to a service disconnection made in violation of provisions of these rules and regulations, a reconnection charge of \$50.00 will be made if the reconnection is made during regular business hours. If the reconnection is requested and made after regular business hours, the charge is \$125.00.

(6) *Application fee.* An application fee of \$10.00 shall be assessed to customers at the time of application for service.

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

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

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

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

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

Brian Crum  
Clerk of Council

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

Prepared by:

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Gordon M. Eyster  
Director of Law

(Ord. 16-2001, passed 5-8-2001; Ord. 33-2001, passed 8-20-2001; Ord. 49-2003, passed 12-1-2003; Ord. 28-2004, passed 9-20-2004; Ord. 18-2005, passed 6-6-2005; Ord. 12-2006, passed 6-5-2006; Ord. 14-2008, passed 5-5-2008; Ord. 31-2008, passed 9-15-2008)

**ORDINANCE NO. 28 -2025**  
**(Sponsor: Councilmember McLaughlin)**

**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, diesel fuel, ultraviolet lights, chemicals, lab supplies and lab testing and sludge; and

WHEREAS, a recent boiler upgrade at the wastewater treatment plant changed the secondary fuel source from diesel fuel to propane 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 to include propane; 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 propane used in the manufacturing process at the Waste Water Treatment Plant.

**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 for propane 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: \_\_\_\_\_

\_\_\_\_\_  
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. 22-2025**  
**(Sponsors: Councilmembers Martin and Roberts)**

**DONATING A RESCUE BOAT, TRAILER AND MOTOR TO THE BOARD OF RICHLAND COUNTY OF COMMISSIONERS FOR USE BY THE RICHLAND COUNTY SHERIFF'S OFFICE.**

WHEREAS, The Shelby Fire Department has a 2012 Brig Model F570HL rescue boat with trailer and motor that is no longer needed by the fire department; and

WHEREAS, The Richland County Sheriff's Office is desirous to receive said boat for use of water rescues in Richland County and the City of Shelby; and

WHEREAS, The Richland County Sheriff's Office has been a faithful community partner providing water rescue services in conjunction with the Shelby Police and Fire Departments; 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 said rescue boat be donated to the Board of Richland County Commissioners for use by the Richland County Sheriff's Office.

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

Section 1: That the Council authorized the Mayor/Director of Public Safety to donate the Shelby Fire Brig Model F570HL rescue boat with trailer and motor to the Board of Richland County Commissioners for use by the Richland County Sheriff's Office.

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

Section 3: That this Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Brian Crum  
Clerk of Council

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

Prepared by:

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

**RESOLUTION NO. 23 -2025**  
**(Sponsor: Councilmember Roberts)**

**DECLARING AN ARGUS UPRIGHT REFRIGERATOR AND A HN2XIB DEEP FREEZER USED BY THE SHELBY HEALTH DEPARTMENT AS UNNEEDED AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY TO SELL THE UNNEEDED PROPERTY ON INTERNET AUCTION.**

WHEREAS, the City of Shelby owns an Argus upright refrigerator and a HN2XIB deep freezer that was used by the Shelby Health Department that is no longer needed for municipal use; and

WHEREAS, Ohio Revised Code, Section 721.15(D) states that property can be sold via internet auction; 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 or his designee sell the Argus upright refrigerator and a HN2XIB deep freezer under the terms authorized by the Mayor and in compliance with Ohio Law.

**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 Safety or his designee shall be and is hereby authorized to sell the Argus upright refrigerator and a HN2XIB deep freezer as unneeded property.

Section 2: That the Director of Finance and Public Record shall deposit the proceeds from the sale of the property in the 225-Health Fund.

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.

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. 24 -2025**  
**(Sponsors: Councilmembers McLaughlin and Cutlip)**

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE RICHLAND COUNTY BOARD OF COMMISSIONERS FOR LOGJAM REMOVAL FROM THE BLACK FORK RIVER.**

WHEREAS, the City of Shelby and the Richland County Board of Commissioners are collaborating to participate in an environmentally responsible stewardship effort to remove logjams from the Black Fork River; and

WHEREAS, the said parties desire to remove logjams from the Black Fork River from within their respected jurisdictions; and

WHEREAS, Ohio Revised Code Section 6151.14 authorizes the County Commissioners to remove from a river, watercourse, or creek, within the county, drift, timber, piling, or other obstruction deposited by nature at a single location that obstructs to any extent the free flow of the water; and

WHEREAS, TAWA Tree Service has provided separate quotes to the City and County for the removal of logjams within their governmental jurisdictions; and

WHEREAS, the Richland County Board of Commissioners have agreed to support the logjam removal project with a one-time financial contribution of \$46,495.00 to the city for their project cost share; 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 enter into an Agreement with the Richland County Board of Commissioners and to accept the financial contribution as stated in the Agreement to remove the Class C and Class D logjams from within the Black Fork River in the County's governmental jurisdiction as directed in the attached quote from TAWA Tree Service.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized to enter into an Agreement with the Richland County Board of Commissioners for logjam removal from within the Black Fork River.

Section 2: That the Mayor as Director of Public Service may accept a one-time financial contribution of \$46,495.00 from the Richland County Board of Commissioners to cover their costs to remove Class C and Class D logjams from the Black Fork River from within their governmental jurisdiction.

Section 3: That City of Shelby shall cover the expense for the removal of logjams from within their governmental jurisdiction between the Mickey Road bridge and the most eastern corporation limit of the Black Fork River.

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: \_\_\_\_\_

\_\_\_\_\_  
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