

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

**Shelby City Council Agenda
Tuesday, September 2, 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 August 18, 2025

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

Public Comment

Reports from Standing and Special Committees

Community & Economic Development Committee—Councilmember Cutlip

Public Works & General Operation Committee—Councilmember Roub

Reports of City Officials

Steven L. Schag—Mayor

MOTION TO CONFIRM THE APPOINTMENT OF CARL RIDENOUR TO THE PLANNING COMMISSION TO FILL AN UNEXPIRED TERM ENDING 12/31/2026

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

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**

3RD READING

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

PASSAGE OF ORDINANCE

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

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

3RD READING

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

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

3RD READING

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

ORDINANCE NO 26-2025

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

3RD READING

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

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

3RD READING

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

PASSAGE OF ORDINANCE

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

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

3RD READING

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

PASSAGE OF ORDINANCE

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

Miscellaneous Business

Adjournment at _____ p.m.

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

1st Reading
8/4/2025

2nd Reading
8/18/2025

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
8/4/2025

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

2nd Reading
8/18/2025

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)

1st Reading
8/4/2025

2nd Reading
8/18/2025

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

1st Reading
8/4/2025
2nd Reading
8/18/2025

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

1st Reading
8/4/2025

2nd Reading
8/18/2025

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:

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)

1st Reading
8/4/2025

2nd Reading
8/18/2025

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