

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

Shelby City Council Agenda
Monday, October 6, 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 September 15, 2025

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Community & Economic Development Committee—Councilmember Cutlip

Public Works & General Operation Committee—Councilmember Roub

Safety Committee—Councilmember Roberts—Did not meet

Reports of City Officials

Steven L. Schag—Mayor

Proclamations

Brian A. Crum—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

New Business

Motion to approve Clark Avenue Brick Street and Stone curbs as a Local Landmark per Ordinance 1488.07

Moved _____ 2ND _____

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

Unfinished Business

Smokestack

Legislation

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

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

PASSAGE OF ORDINANCE

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

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

PASSAGE OF ORDINANCE

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

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

PASSAGE OF ORDINANCE

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

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

PASSAGE OF ORDINANCE

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

ORDINANCE NO 31-2025

**TRANSFERRING APPROPRIATIONS FOR THE YEAR 2025
AND DECLARING AN EMERGENCY**

Motion that the rule requiring that an ordinance be read on three separate occasions be suspended

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

PASSAGE OF ORDINANCE

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

RESOLUTION NO 29-2025

**AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC
SERVICE TO ENTER INTO CONTRACT CHANGE ORDER
WITH SIMONSON CONSTRUCTION SERVICES, INC. FOR
THE CURTIS DRIVE SANITARY SEWER PROJECT IN THE
AMOUNT OF TWELVE THOUSAND SIXTY-TWO AND
05/100 DOLLARS (\$12,062.05) AS AN INCREASE AND
DECLARING AN EMERGENCY**

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

RESOLUTION NO 30-2025

AUTHORIZING THE CITY OF SHELBY TO ENTER INTO AN AGREEMENT WITH MIDWEST CONSULTING & MANAGEMENT, LLC FOR THE REMODEL OF AN EXISTING BUILDING, PURSUANT TO OHIO REVISED CODE SECTIONS 3735.65 TO 3735.70

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

RESOLUTION NO 31-2025

DECLARING THE INTENT TO VACATE A PORTION OF AN ALLEY RUNNING PARALLEL BETWEEN WEST TUCKER AVENUE AND EARL AVENUE IN THE CITY OF SHELBY, OHIO

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

RESOLUTION NO 32-2025

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OF THE CITY OF SHELBY TO EXECUTE THE RICHLAND COUNTY JOINT COMPREHENSIVE LAND USE PLAN AGREEMENT

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

RESOLUTION NO 33-2025

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE FY 26 MARCS (MULTI-AGENCY RADIO COMMUNICATIONS SYSTEM) GRANT FROM THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL, FOR MARCS RADIO EQUIPMENT FEES AND DECLARING AN EMERGENCY

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

Miscellaneous Business

MOTION TO GO INTO EXECUTIVE SESSION FOR THE FOLLOWING PURPOSE:

Moved _____ 2ND _____

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

TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES, OR FOR THE SALE OF PROPERTY AT COMPETITIVE BIDDING, IF PREMATURE DISCLOSURE OF INFORMATION WOULD GIVE AN UNFAIR COMPETITIVE OR BARGAINING ADVANTAGE TO A PERSON WHOSE PERSONAL, PRIVATE INTEREST IS ADVERSE TO THE GENERAL PUBLIC INTEREST

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

1st Reading
8/4/2025

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

2nd Reading
8/18/2025

9/2/2025

Postponed
9/15/2025
Postponed

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

1st Reading
8/4/2025

2nd Reading
8/18/2025

9/2/2025

Postponed

9/15/2025

Postponed

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
9/2/2025
Postponed
9/15/2025
Postponed

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)

1st Reading
8/4/2025
2nd Reading
8/18/2025
9/2/2025
Postponed
9/15/2025
Postponed

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
9/2/2025
Postponed
9/15/2025
Postponed

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

ORDINANCE NO: 31 -2025
(Sponsors: Councilmembers McLaughlin & Martin)

TRANSFERRING APPROPRIATIONS FOR THE YEAR 2025 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to transfer funds from one line item to another within the existing 2025 budget; and

WHEREAS, these transfers be made effective so as to balance the books for the calendar year 2025 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	101-POL-400	WAGES	\$ 100,000.00
TO	101-FIR-400	WAGES	\$ 85,000.00
	101-FIR-418	HOSPITALIZATION	\$ 15,000.00

Section 2: That all other portions of Ordinance No. 8-2025, 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: _____

Steven McLaughlin
Vice President of Council

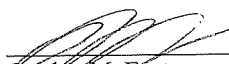
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 29-2025
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER WITH SIMONSON CONSTRUCTION SERVICES, INC. FOR THE CURTIS DRIVE SANITARY SEWER PROJECT IN THE AMOUNT OF TWELVE THOUSAND SIXTY-TWO AND 05/100 DOLLARS (\$12,062.05) AS AN INCREASE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Shelby has entered into a contract with Simonson Construction Services, Inc. for the Curtis Drive Sanitary Sewer Project, and said contract provides for a written change order; and

WHEREAS, it has become necessary to make additions to the Curtis Drive Sanitary Sewer Project and adjust the contract as detailed in the attached Change Order #1; 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 change order be approved.

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 shall be and is hereby authorized to enter into Contract Change Order with Simonson Construction Services, Inc. for the total amount of Twelve Thousand Sixty-Two and 05/100 Dollars (\$12,062.05) as an increase.

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 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. Eyster
Director of Law

RESOLUTION NO. 30 -2025
(Sponsor: Councilmember Cutlip)

AUTHORIZING THE CITY OF SHELBY TO ENTER INTO AN AGREEMENT WITH MIDWEST CONSULTING & MANAGEMENT, LLC FOR THE REMODEL OF AN EXISTING BUILDING, PURSUANT TO OHIO REVISED CODE SECTIONS 3735.65 TO 3735.70.

WHEREAS, the City of Shelby has encouraged the development of real property and the acquisition of personal property located in the area designated as a Community Reinvestment Area; and

WHEREAS, Shelby City Council of the City of Shelby, Ohio, by Ordinance No. 66-98 on November 16, 1998, and amended by Ordinance No. 9-2008 on May 19, 2008, designated the area as a "Community Reinvestment Area" pursuant Chapter 3735 of the Ohio Revised Code; and

WHEREAS, the City of Shelby has complied with the notice requirements set forth in Ohio Revised Code Sections 3735.67 and 5703.83 regarding the provision of notice to any and all Board(s) of Education of any school district located within the territory of which the property upon which Midwest Consulting & Management, LLC is to be expanded and/or said board(s) of education have waived any and all necessary notice requirements; and

WHEREAS, Midwest Consulting & Management, LLC has submitted an application regarding the project to the City pursuant to §3537.67 of the Ohio Revised Code; and

WHEREAS, the City is desirous of providing Midwest Consulting & Management, LLC with the incentive available for development in the Community Reinvestment Area pursuant to Ohio Revised Code Sections 3735.65 to 3735.70 and desirous of entering into an agreement with Midwest Consulting & Management, LLC granting tax exemptions for real property comprising the project.

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

Section 1: That the Council of the City of Shelby, after receipt and review of the application (Exhibit A), finds and determines that Midwest Consulting & Management, LLC is qualified by financial responsibility and business experience to create employment opportunities in the Community Reinvestment Area and improve the economic climate of the City.

Section 2: That based on the aforesaid facts, data, and informational materials and reports, City Council hereby finds and determines that Midwest Consulting & Management, LLC is a "property owner" and the Project is a "project" within the meaning of the Community Reinvestment Area Program and that all conditions required by the program to be satisfied prior to the City entering into an agreement with Midwest Consulting & Management, LLC under §3735.671 of the Ohio Revised Code have been satisfied.

Section 3: That the Mayor of the City of Shelby is hereby authorized and directed to enter into an agreement (the "Agreement") with Midwest Consulting & Management, LLC upon substantially the same terms and conditions and in substantially the same form as set forth in the Agreement which is attached hereto and incorporated by reference as Exhibit B, and which is presently on file with the Clerk of the City of Shelby, with such changes thereto as the person and persons executing the Agreement may approve, such execution thereof being conclusive of such approval.

Section 4: That the Mayor of the City of Shelby, Ohio, and/or her designee is hereby authorized and directed to execute and deliver all instruments and to take all other actions necessary to satisfy the obligations of the City under the Agreement and to cause the City to obtain the benefits to which it is entitled under the Agreement, all on behalf of the City of Shelby.

Section 5: That the Boards of Education of both the Shelby City School District and the Pioneer Career and Technology Center have been provided and/or waived the necessary notices as required by Ohio Revised Code Sections 3735.67 and 5709.83.

Section 6: That the Council of the City of Shelby will forward the copy of the Agreement to the Director of Ohio Development Services Agency and to the Richland County Auditor within fifteen (15) days after the Agreement is entered into.

Section 7: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Ordinance 9-2008, Ohio Revised Code Section 3735.66, Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 8: 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. 31 - 2025
(Sponsor: Councilmember Roberts)

DECLARING THE INTENT TO VACATE A PORTION OF AN ALLEY RUNNING PARALLEL BETWEEN WEST TUCKER AVENUE AND EARL AVENUE IN THE CITY OF SHELBY, OHIO.

WHEREAS, the plats of the City of Shelby, Ohio, indicate that a dedicated alley runs parallel between West Tucker Avenue and Earl Avenue; and

WHEREAS, a majority of the owners of property bounding and abutting upon said alley have submitted a "Petition to Vacate Street or Alley" to Council of the City of Shelby, Ohio, asking the alley to be vacated; and

WHEREAS, Section 105 of the Charter of the City of Shelby authorizes the Council of the City of Shelby to vacate an alley and sets forth the procedure for doing so; 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 a portion of an alley running parallel between West Tucker Avenue and Earl Avenue within the City of Shelby, Ohio, be vacated.

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

Section 1: That it is the intent of the Council of the City of Shelby a portion of an alley running parallel between West Tucker Avenue and Earl Avenue as shown on Exhibit A within the City of Shelby, Ohio be vacated.

Section 2: That the Clerk of Council is hereby instructed to cause notice of Council's intent to vacate said alley to be served upon those persons mandated by the terms of the Charter of the City of Shelby.

Section 3: That the Board of Revision of Assessments shall hold a meeting to consider Council's intent to vacate as well as any objections which may be lodged concerning said intent and that said Board of Revision of Assessments submit a report to the council of the City of Shelby following said meeting.

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

RESOLUTION NO. 3a -2025
(Sponsor: Councilmember Cutlip)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE OF THE CITY OF SHELBY TO EXECUTE THE RICHLAND COUNTY JOINT COMPREHENSIVE LAND USE PLAN AGREEMENT.

WHEREAS, the City of Shelby has partnered with the Richland County Regional Planning Commission, Richland County Board of Commissioners, and the City of Mansfield for a Comprehensive Land Use Plan Agreement; and

WHEREAS, said plan will guide the City of Shelby, the City of Mansfield, and the Richland County Commissioners on future development in the City and the County; 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 of City of Shelby execute said agreement.

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 and directed to execute the Richland County Joint Comprehensive Land Use Plan Agreement, and to provide all information and documentation required.

Section 2: That the City of Shelby does agree to obligate the funds required for the agreement.

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 33-2025
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SAFETY OF THE CITY OF SHELBY TO APPLY FOR THE FY 26 MARCS (MULTI-AGENCY RADIO COMMUNICATIONS SYSTEM) GRANT FROM THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL, FOR MARCS RADIO EQUIPMENT FEES AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Commerce, Division of State Fire Marshal, provides financial assistance for MARCS Radio Equipment and fees through the FY 26 MARCS Grant, and

WHEREAS, the City of Shelby Fire Department desires financial assistance under the FY 26 MARCS Grant for MARCS Radio Equipment fees, 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 the FY 26 MARCS Grant, and

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 MARCS Radio Equipment fees.

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, Division of State Fire Marshal, 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 FY 26 MARCS 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. Eyster
Director of Law