

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

**Shelby City Council Agenda
Monday, May 4, 2026
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. Reese _____ Mr. Martin _____ Mr. McLaughlin _____

Dispense with the Reading of the Journal from April 20, 2026

Moved _____ 2ND _____

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

Public Comment

Reports from Standing and Special Committees

Community & Economic Development Committee—Councilmember Reese

Public Works & General Operation Committee—Councilmember Roub

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

Hearing of Appeal from the VFW 30 West Main St. from the denial of the Shelby Historic Preservation p
Per Ordinance 1488.09

Unfinished Business

Legislation

ORDINANCE NO 5-2026

**AMENDING CHAPTER 1040 (WATER), SECTION 1040.04
(RULES, REGULATIONS AND FIXED CHARGES FOR
MUNICIPAL WATER SYSTEM), SUBSECTION (G) WATER
RATES; RATE PERIOD; CHARGES, RULES 32, 35, 36, 37,
AND SUBSECTION (1) TURN OFF VIOLATION RULE 46
OF THE CODIFIED ORDINANCES OF THE CITY OF
SHELBY, OHIO**

3RD READING

Moved _____ 2ND _____

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

PASSAGE OF ORDINANCE

Moved _____ 2ND _____

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

RESOLUTION NO 13-2026

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2026 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY

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

RESOLUTION NO 14-2026

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS FOR THE ADMINISTRATION OF THE PY2026 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) GRANT PROGRAM (IF FUNDED)

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

RESOLUTION NO 15-2026

AUTHORIZING THE MAYOR TO ISSUE A REVOCABLE PERMIT TO OCCUPY THE RIGHT-OF-WAY TO SHELBY EQUITY, LLC AT 35 EAST MAIN STREET

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

RESOLUTION NO 16-2026

APPOINTING CHARLES ROUB JR. OF SHELBY CITY COUNCIL TO THE RICHLAND COUNTY 9-1-1 REVIEW COMMITTEE PURSUANT TO OHIO REVISED CODE SECTION 128.06(A)(5)

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

RESOLUTION NO 17-2026

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACCEPT A FIVE THOUSAND DOLLAR (\$5000.00) CIVIC GRANT FROM NORDIC ENERGY

Moved _____ 2ND _____

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

RESOLUTION NO 18-2026

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE REMOVAL, REPLACEMENT, AND/OR REPAIR OF SIDEWALKS, AND ESTABLISHING PROGRAM CRITERIA FOR THE SAME AND DECLARING AN EMERGENCY

Moved _____ 2ND _____

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

Miscellaneous Business

Adjournment at _____ p.m.

Moved _____ 2ND _____

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

1st Reading

4/16/2026

2nd Reading

4/20/2026

ORDINANCE NO. S -2026
(Sponsor: Councilmember McLaughlin)

AMENDING CHAPTER 1040 (WATER), SECTION 1040.04 (RULES, REGULATIONS AND FIXED CHARGES FOR MUNICIPAL WATER SYSTEM), SUBSECTION (G) WATER RATES; RATE PERIOD; CHARGES, RULES 32, 35, 36, 37, AND SUBSECTION (I) TURN OFF VIOLATION RULE 46 OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY, OHIO.

WHEREAS, the water fund is an enterprise fund, and the fund needs to remain solvent for the proper operation and maintenance of the Division of Water; and

WHEREAS, the collection of revenue needs to increase to maintain a positive fund balance to maintain solvency for the Division of Water; and

WHEREAS, the current language in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), subsection (g) Water rates; rate period; charges, Rule 32 states the application fee to establish water service with the Division of Water; and

WHEREAS, the current language in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), subsection (g) Water rates; rate period; charges, Rule 35, Rule 36, and Rule 37 establish the respected rate structure and Customer Charge for water customers; and

WHEREAS, the current language in Chapter 1040 (Water), Section 1040.04 (Rules, Regulations and Fixed Charges for Municipal Water System), subsection (i) Turnoff for violation, Rule 46 establishes the charge for a water turn off for any violation or regulation against the Division of Water; 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), that Rule 32, Rule 35, Rule 36, Rule 37 and Rule 46 be amended to establish rates and fixed charges for the Division of Water.

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), subsection (g) Water rates; rate period; charges, Rule 32, Rule 35, Rule 36, Rule 37, and subsection (i) Turnoff For Violation, Rule 46 be amended to establish the rates and fixed charges for the respected Rules and shall be amended as follows:

Rule 32

(1) A written application shall be required from each customer before connecting service for the customer, or transferring an account to his or her name, which application, when duly accepted by the Division of Water, shall constitute the agreement between the customer and the city. A fee of \$10.00 shall be charged for all applications.

(2) A. All meters one inch or smaller shall be read monthly, and customers shall be billed monthly. Billings rendered without a meter reading shall be based on estimated monthly consumption. Estimated billings shall be reconciled during months when the billings rendered are based on actual meter readings.

B. All meters larger than one inch shall be read monthly, and customers shall be billed each month.

C. Service to private fire protection facilities shall be billed monthly. All accounts are due and payable from the first to the fifteenth day of the month.

Rule 35

Rates for Customers with One Inch or Smaller Water Meter

<i>Amount Consumed in Cubic Feet</i>	<i>Billing Unit</i>	<i>Base</i>	<i>PCA</i>	<i>PER</i>	<i>07/01/2026</i>
0 Consumption	Min. Charge	\$13.5973			\$13.5973
100 to 200 cu ft	For first 200	\$13.5973	\$1.3250		\$14.9223
Next 1,800	per 100 cu. ft.	\$3.9027	\$1.3250	\$2.0828	\$7.3105
Next 17,000	per 100 cu. ft.	\$2.6414	\$1.3250	\$1.0415	\$5.0079
Next 461,000	per 100 cu. ft.	\$1.6668	\$1.3250	\$0.4634	\$3.4552
Over 480,000	per 100 cu. ft.	\$1.6668	\$1.2588	\$0.4634	\$3.3890

(1) "Residential" customers who are billed under Rule 35 shall pay a charge of \$3.75 per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a customer service charge of \$6.00 shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

(2) "Commercial" customers who are billed under Rule 35 shall pay a charge of \$4.75 per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. "Commercial" shall be defined as any structure with a one inch or smaller water meter and that has a business that either is located in that structure or is served with water from the meter located in that structure. In addition, a customer service charge of \$8.50 shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

Rule 36

Rates for Elderly or Totally Disabled

Available to residential customers who are served through individual meters of one inch or smaller that meet age, income and other prerequisites as determined by the Director of Public Service or his or her appointed designee.

<i>Amount Consumed in Cubic Feet</i>	<i>Billing Unit</i>	<i>Base</i>	<i>PCA</i>	<i>PER</i>	<i>07/01/2026</i>
0 Consumption	Min. Charge	\$10.9109			\$10.9109
For First 300	For first 300	\$10.9109	\$0.6625		\$11.5734
Next 1,800	per 100 cu. ft.	\$3.8284	\$1.3250	\$1.9454	\$7.0988
Next 17,000	per 100 cu. ft.	\$2.5854	\$1.3250	\$0.9728	\$4.8832
Over 19,100	per 100 cu. ft.	\$1.6350	\$1.3250	\$0.5038	\$3.4638

Customers billed under Rule 36 shall pay a charge of \$1.75 per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a customer charge of \$3.50 shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

Rule 37

Rates for Customers with Water Meter Larger than One Inch

(1) "Commercial and Industrial" customers billed under Rule 37 shall pay a charge of \$6.75 per meter per month. This charge shall be shown on the billing statement and shall be designated as Water Asset Management Fund. In addition, a customer service charge of \$18.00 shall be paid per meter per month. This charge shall be shown on the billing statement and shall be designated as Customer Charge.

<i>Amount Consumed in Cubic Feet</i>	<i>Billing Unit</i>	<i>Base</i>	<i>PCA</i>	<i>PER</i>	<i>07/01/2026</i>
0 Consumption	Min. Charge	\$26.4786			\$26.4786
100 to 500 cu ft	For first 500	\$26.4786	\$1.3250		\$27.8036
Next 1,800	per 100 cu. ft.	\$4.2123	\$1.3250	\$1.9454	\$7.4827
Next 17,000	per 100 cu. ft.	\$2.5347	\$1.3250	\$0.9728	\$4.8325
Next 461,000	per 100 cu. ft.	\$1.5203	\$1.3250	\$0.4337	\$3.2790
Over 480,000	per 100 cu. ft.	\$1.5203	\$1.2588	\$0.4337	\$3.2128

Rule 46

In case it becomes necessary to turn off the water because of any violation of any rule or regulation of the Division of Water, a charge of \$50.00 shall be made for turning the water off during normal business hours. Water shut off after regular business hours, the charge shall be \$125.00.

Section 2: That all other provisions in Chapter 1040 (Water) and Section 1040.04 (Rules, 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 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. Byster
Director of Law

RESOLUTION NO. 13 -2026
(Sponsor: Councilmember McLaughlin)

APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2026 PAVING PROJECT, WITHIN THE CITY OF SHELBY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, plans and specifications have been completed for the 2026 Paving Project; and

WHEREAS, various residential streets within the City of Shelby are in need of paving; and

WHEREAS, it is the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that said improvements be made to said streets within the City of Shelby.

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 plans and specifications for the 2026 Paving Project in the City of Shelby are hereby approved.

Section 2: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for said paving project.

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

Section 4: That this Resolution is hereby deemed to be an emergency and therefor, 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. 14 -2026
(Sponsor: Councilmember Reese)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE RICHLAND COUNTY COMMISSIONERS FOR THE ADMINISTRATION OF THE PY2026 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) GRANT PROGRAM (IF FUNDED).

WHEREAS, the City of Shelby, Ohio desires to enter into a partnership agreement with the Richland County Commissioners for the administration of the 2026 Community Housing Impact and Preservation (CHIP) program (if funded) whereby the City of Shelby will be the Grantee and Richland County will be the Partner; and

WHEREAS, this ordinance authorizes the Mayor as Director of Public Service to enter into the attached agreement with the Richland County Commissioners and authorizes Ohio Regional Development Corporation (ORDC) who has already been contracted by the Grantee, to submit the 2026 CHIP Application on behalf of the City; and

WHEREAS, the Service Area of the Partnership shall be Richland County excluding Mansfield; and

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of Shelby, Ohio, that the Mayor as Director of Public Service be authorized to execute a partnership agreement with the Board of Richland County Commissioners.

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 authorized to enter into the attached partnership agreement on behalf of the City of Shelby with the Board of Richland County Commissioners and to submit the application for the PY 2026 CHIP. Richland County will be the Partner, the City of Shelby will be the Grantee. The Grantee shall be solely responsible for administration, regulatory compliance, fiscal operations and all the terms of the grant agreement.

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. Eyster
Director of Law

RESOLUTION NO. 15-2026
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR TO ISSUE A REVOCABLE PERMIT TO OCCUPY THE RIGHT-OF-WAY TO SHELBY EQUITY, LLC AT 35 EAST MAIN STREET.

WHEREAS, Section 102 of the Charter of the City of Shelby reads as follows: "The council shall provide for the care, supervision, control and improvement of public highways, streets, avenues, alleys, sidewalks, public grounds, bridges, aqueducts, and viaducts, within the city, and shall cause them to be kept open, in repair and free from nuisance; and

WHEREAS, Shelby Equity LLC has applied for a zoning permit for an awning that would occupy the City Right-of-Way requiring a permit; and

WHEREAS, it is in the interest of public health, safety, morals, and general welfare of the citizens of the City of Shelby that said encroachment be permitted.

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

Section 1: That the Mayor shall be and is hereby authorized to issue a revocable Permit to Occupy the Right-of-Way as shown on Exhibit A.

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.

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

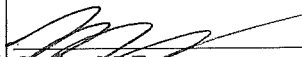
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Byster
Director Law

RESOLUTION NO. 16-2026
(Sponsor: Councilmember Roberts)

APPOINTING CHARLES ROUB JR. OF SHELBY CITY COUNCIL TO THE RICHLAND COUNTY 9-1-1 REVIEW COMMITTEE PURSUANT TO OHIO REVISED CODE SECTION 128.06(A)(5).

WHEREAS, Ohio Revised Code (ORC) Chapter 128.06 has been updated by the Ohio Legislature; and

WHEREAS, ORC Section 128.06, states that every county shall maintain a county 9-1-1 Program Review Committee, which shall serve without compensation and shall consist of six voting members as follows:

1. A member of the board of county commissioners, or a designee, who shall serve as chairperson of the committee;
2. The chief executive officer of the most populous municipal corporation in the county;
3. A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees;
4. A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to the resolutions they adopt;
5. A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt;
6. An elected official from within the county appointed by the board of county commissioners.

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby, Ohio that Shelby City Council make an appointment to the Richland County 9-1-1 Review Committee.

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 appoints Charles Roub Jr. of Shelby City Council to the Richland County 9-1-1 Review Committee pursuant to ORC 128.06(A) (5).

Section 2: That the clerk of council shall submit this resolution to the appropriate agency.

Section 3: That all meetings and hearings concerning the adoption of this Resolution have been in compliance with Codified Ordinance 220.01, Ohio Revised Codes 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. 17 -2026
(Sponsor: Councilmember McLaughlin)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ACCEPT A FIVE THOUSAND DOLLAR (\$5,000.00) CIVIC GRANT FROM NORDIC ENERGY.

WHEREAS, Aspen Energy's research indicated the timing was financially favorable for a new two-year fixed rate natural gas aggregation agreement with Nordic Energy; and

WHEREAS, due to the unpredictability of the energy market and the desire to lock in a very competitive fixed rate for natural gas, the Mayor signed the agreement, as authorized by Resolution 6-2025; and

WHEREAS, Nordic Energy offers a Five Thousand Dollar (\$5,000.00) civic grant to municipalities upon entering into a natural gas aggregation agreement; 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 accept a civic grant from Nordic Energy.

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 accept a Five Thousand Dollar (\$5,000.00) civic grant from Nordic Energy.

Section 2: That the said civic grant shall be deposited into the General Fund and the full amount be dispersed to The Sharing Fund to assist Shelby utility customers in financial need to help pay their municipal utilities bill.

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

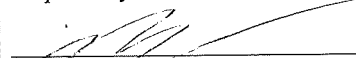
APPROVED:

ATTEST: _____

Brian Crum
Clerk of Council

Steven L. Schag
Mayor

Prepared by:



Gordon M. Eyster
Director of Law

RESOLUTION NO. 18-2026
(Sponsors: Councilmembers Roberts and Roub)

AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE REMOVAL, REPLACEMENT, AND/OR REPAIR OF SIDEWALKS, AND ESTABLISHING PROGRAM CRITERIA FOR THE SAME AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance and Public Record is currently in possession of certain funds which have been specifically designated for the removal, replacement and/or repair of the sidewalks with 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 the Mayor as Director of Public Service be authorized to advertise for bids and enter into a contract for the expenditure of these funds for the removal, replacement and/or repair of the sidewalks with the City of Shelby.

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

Section 1: That the Mayor as Director of Public Service is hereby authorized to advertise for bids and enter into a contract for the removal, replacement and/or repair of the sidewalks with the City of Shelby.

Section 2: That the following are hereby adopted pursuant to Ohio Revised Code 735.05 as criteria for said the same:

- A: **SCOPE OF WORK**- This project is intended for the removal, replacement, and/or repair of existing sidewalks on City-owned rights-of-way. New sidewalk construction is not allowed. The work may be removal and replacement of the entire sidewalk, removal and repair of portions of the sidewalk, or the leveling of existing sidewalk slabs as determined by the City in order to minimize the amount of work to be performed.
- B: **PROPERTY ELIGIBILITY**- Residential properties only are eligible for this program. Rental properties in which the owner resides are eligible; however, cost sharing by the City will be prorated to that fraction representing the owner-occupied domicile divided by the number of domiciles on that particular property. For example, with an owner-occupied duplex, half the total cost will be borne by the owner, while the other half will be shared by the owner and the City based upon the Income Eligibility standards contained herein.
- C: **INCOME ELIGIBILITY**- The City will share the costs for sidewalk removal, replacement, and/or repair based upon the following schedule:

Household size	100% City 0% Owner	90% City 10% Owner	80% City 20% Owner	70% City 30% Owner	60% City 40% Owner	50% City 50% Owner
1-4	Up to \$49,700	\$49,701 to \$55,664	\$55,665 to \$62,344	\$62,345 to \$69,825	\$69,826 to \$78,204	\$78,205 and above
5	Up to \$53,700	\$53,701 to \$60,144	\$60,145 to \$67,361	\$67,362 to \$75,444	\$75,445 to \$84,497	\$84,498 and above
6	Up to \$57,700	\$57,701 to \$64,624	\$64,625 to \$72,379	\$72,380 to \$81,064	\$81,065 to \$90,792	\$90,793 and above
7	Up to \$61,650	\$61,651 to \$69,048	\$69,049 to \$77,334	\$77,335 to \$86,614	\$86,615 to \$97,008	\$97,009 and above
8	Up to \$65,650	\$65,651 to \$73,528	\$73,529 to \$82,351	\$82,352 to \$92,233	\$92,234 to \$103,301	\$103,302 and above
For each additional person, add \$4,300.						

For the purpose of this section, "income" means the combined adjusted gross income for the owner(s) of record on their 2025 federal income tax return, a signed copy of which shall

be attached to the application form. In the event that the owner(s) of record were not required to or did not file a 2025 federal income tax return, then and in that event, "income" means any receipt of money from any source including but not limited to compensation for services, profit from business, gains in dealings in property, interest, dividends, rents, royalties, alimony, annuities, life insurance or endowment proceeds, pensions, and income from interest in an estate, partnership, or trust. Failure to supply proof of income will eliminate a property owner from participating in this program. Furthermore, applicants for this program shall be current and in compliance with the Shelby City Income Tax Ordinance and with real property taxes.

- D: APPLICATIONS- The Department of Public Service shall take applications for work to be done under this program. The application form shall contain the applicant's name, address, telephone number, length and width of the sidewalk to be repaired or replaced, number of domiciles on the property, certification of compliance with the Shelby City Income Tax Ordinance and with the real property taxes, signature spaces, and other information which the Director should require. The Director shall determine and publicize an application period. Preference for work under this program shall be given to those property owners who have been ordered to repair sidewalks pursuant to Section 94 of the Charter of the City of Shelby.
- E: CONSTRUCTION AND MATERIAL SPECIFICATIONS- Work performed under this program shall be in compliance with Chapter 1024 (Sidewalks) of the Codified Ordinances of the City of Shelby and with State of Ohio Department of Transportation Construction and Materials Specifications, the current addition. In the event of any conflict between the two, the stricter standard shall apply.
- F: PAYMENT- After the award of the contract but before the commencement of construction, the property owner(s) shall pay their share to the Director of Finance and Public Record, who shall deposit it to the Sidewalk Fund. After construction has been completed and inspected to the satisfaction of the City Project Coordinator, the Director of Finance and Public Record shall pay the contractor.
- G: RULE-MAKING- The Director of Public Service may make any rule, pursuant to Ohio Revised Code 735.01, necessary for the efficient implementation of this program.

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

Section 4: That this Resolution is hereby deemed to be an emergency, and therefore shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____

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