



ORDINANCE 2016-04 OF THE VILLAGE OF ASHVILLE



AN ORDINANCE TO AMEND ORDINANCE 929.02 (96-13, 2006-06, 2009-03, 2010-07) TO ALTER THE CHARGE FOR WATER SERVICES IN THE VILLAGE OF ASHVILLE. THIS AMENDED ORDINANCE WILL NOT CONFLICT WITH THE OHIO REVISED CODE (ORC) LIMITATIONS AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Ashville, Ohio authorizes by ordinance the rate of charge for utilities within and/or without the Village; and

WHEREAS, it becomes necessary on occasion to adjust those charges.

NOW, AND HEREAFTER BE IT ORDAINED BY THE VILLAGE COUNCIL, VILLAGE OF ASHVILLE, PICKAWAY COUNTY, STATE OF OHIO THAT:

SECTION ONE: That the following rate structure will be used as a replacement for Chapter 929.02 Water:

- a) The 2015 rate of \$3.42 per thousand gallon will go to \$3.45. This amount is based upon a Consumer Price Index (CPI) for 2015 of 0.7% as published by the Bureau of Labor Statistics U.S. Department of Labor.
- b) The CPI will continue to be used for rate adjustment as indicated in Ordinance 2009-03.
- c) The \$3.45 charge (rate) will be applied in thousand gallon increments to all quantities.
- d) The \$3.45 charge will be increased by a factor of 100% for all water service outside Village which means water service furnished to consumers outside the corporate limits of Ashville in accordance with authority for the service previously granted by the Council of this Village.

SECTION FOUR: Council declares this to be an emergency measure immediately necessary for the preservation of the economic health and safety of this municipality. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

NOW, THEREFORE, be it ordained by the Village of Ashville Council

Offered by:

Seconded by:

PASSED THIS 21st DAY OF MARCH, 2016

ATTESTED:

April D. Grube, Clerk-Fiscal Officer

DATE: _____

APPROVED:

Charles K. Wise, Mayor

DATE: _____

Prepared: 02/09/2016
Revised Date:
Review Date:

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the ordinance adopted by the Village of Ashville Council held on 21st day of March 2016, and that I am duly authorized to execute this certificate.



(Original signature of April D. Grube) Clerk-Fiscal Officer
(TITLE)



RESOLUTION 05-2013

DECLARING THE INTENTION TO APPROPRIATE RIGHTS-OF-WAY IN FEE SIMPLE AND TO APPROPRIATE TEMPORARY AND PERMANENT EASEMENTS FOR THE PURPOSE OF CONSTRUCTING THE ASHVILLE INTERSECTION IMPROVEMENTS – STATE ROUTE 752 AND LONG STREET PROJECT (CT72N & CT73N).



WHEREAS, the Village of Ashville has considered the necessity of improving its street system so as to improve vehicular and pedestrian traffic flow and safety for the Village, and has identified a need to reconstruct, improve, and widen portions of State Route 752 and Long Street, commonly known as the Ashville Intersection Improvements – State Route 752 and Long Street Project (CT72N & CT73N); and

WHEREAS, in Resolution 17-2009 passed September 29, 2009 found in Exhibit A, Ashville Village Council authorized the Mayor or Village Administrator to participate in the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required for the Ashville Intersection Improvements – State Route 752 and Long Street Project (CT72N & CT73N); and

WHEREAS, Village Council Minutes for May 16, 2011, June 20, 2011, and December 5, 2011 found in Exhibit B indicate a knowledge and approval for Appraisal Summaries to be completed for properties necessary for the Ashville Intersection Improvements – State Route 752 and Long Street Project (CT72N & CT73N); and

WHEREAS, the Village of Ashville has been awarded funding through the Ohio Public Works Commission (OPWC) for the Ashville Intersection Improvements – State Route 752 and Long Street Project (CT72N & CT73N); and

WHEREAS, in order to comply with the conditions and timelines for the OPWC funding, the Village needs to acquire-all easements and rights-of-way by June 29, 2013; and

WHEREAS, as of the present date, the Village is working diligently with affected property owners, but has not been able to enter into agreements and acquire all of the right-of-ways and easements necessary for the Ashville Intersection Improvements – State Route 752 and Long Street Project (CT72N & CT73N); and

WHEREAS, Ohio Revised Code Section 719.01 provides for the appropriation of land for street and other public purposes and Section 719.04 of the Ohio Revised Code provides for the passage of a resolution declaring the Village's intent to appropriate; and

Whereas, even with the passage of this Resolution, the Village will continue negotiations with all affected property owners with the intention of settling all acquisition matters prior to initiating appropriation actions in court.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Ashville, Ohio that

SECTION 1. This Council considers it necessary and declares its intention to appropriate fee simple interests in and to the premises described in Exhibit C. Council declares its intention to appropriate permanent easements in and to the premises described in Exhibit C. Council declares its intention to appropriate temporary easements in and to the premises as described in Exhibit C. all exhibits of which are attached hereto and incorporated herein,

SECTION 2. The Mayor or Village Administrator is authorized to cause written notice of passage of this Resolution to be given to the owners and persons in possession or having an interest of record in all premises noted in the attached exhibits. Each notice shall be served and returned according to law.

SECTION 3. The Administration, by and through its legal counsel, is hereby authorized to institute proceedings for the appropriation of the properties described in the attached exhibits, pursuant to Ohio Revised Code Chapters 719 and 163 and to negotiate terms of settlement, subject to the approval of this Council or the court before appropriation proceedings are commenced.

SECTION 4. This Resolution shall be effective upon its adoption.

PASSED THIS 20TH DAY OF MAY, 2013

ATTEST:

Barbara J. Gilbert DATE: May 20, 2013
Barbara J. Gilbert, Clerk-Fiscal Officer

APPROVED:

Charles K. Wise DATE: 20 May 13
Charles K. Wise, Mayor

Prepared 4/16/2013

Revised Date:

Review Date

Celebrating 175 years

RESOLUTION 11 - 2009

A RESOLUTION AUTHORIZING THE MAYOR OR VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT A PRIORITY ONE APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS(S) AND TO EXECUTE CONTRACTS AS REQUIRED. AND DECLARING AN EMERGENCY.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Village of Ashville, Ohio is planning to make capital improvements to Alleys in the Village of Ashville thus submitting The Ashville St. Rt. 752 and Long Street Intersection Improvements Project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is qualified project under the OPWC programs,

NOW, AND THEREFORE BE IT ORDAINED BY THE VILLAGE COUNCIL, VILLAGE OF ASHVILLE, PICKAWAY COUNTY, STATE OF OHIO THAT:

SECTION ONE

The Mayor and /or Village Administrator is hereby authorized to apply to the OPWC for funds as described above.

SECTION TWO

The Mayor and /or Village Administrator is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION THREE

That this resolution is hereby declared to be an emergency resolution and necessary for the immediate preservation of the peace, health, safety, and general welfare of the citizens of the Village of Ashville and for the further reasons that expresses and contractual obligations requires application for funding The Ashville Alley Improvements Project.

Therefore, this resolution will take immediately upon its passage.

PASSED THIS 11th DAY OF SEPTEMBER, 2009

ATTEST:

Barbara J. Gilbert
Barbara J. Gilbert, Clerk-Fiscal Officer

DATE: September 29, 2009

APPROVED:

Charles K. Wise, Mayor
Charles K. Wise, Mayor
Prepared 9/18/09

DATE: 29 Sep 09

Revised Date:
Review Date