

Summary September 5th, 2023

<u>Bill</u>	<u>Ord</u>	<u>Status</u>	<u>Title</u>	<u>Sponsor</u>	<u>Committee Meeting</u>
23-107	23-107	Passed	Amending Section 941.08 (Water Charges) of the Mansfield Codified Ordinance of 1997, as amended, to modify the rate structure and to increase water rates, and declaring an emergency.	Burns	

Caucus Begins

23-128	2-128	Passed	Honoring Officer Kimberley Vandayburg upon her retirement from the Mansfield Division of Police.	All Member of Council	
23-129	2-129	Passed	Authorizing payment of the claim of Kevin Walter of 430 Gem Avenue, Mansfield, Ohio 44907, and declaring an emergency.	Zader	
23-130	2-130	Passed	Authorizing the City of Mansfield to transfer to the Richland County Land Reutilization Corporation two (2) parcels of land of City-owned property beside Lot number 1731West Third Street, which no longer serves a public purpose, and declaring an emergency.	Meier	
23-131	Caucus Only	Caucus Only	Expressing approval and support for the City of Mansfield's Office of Community Development in completion of the Consolidated Annual Performance Evaluation Report (CAPER) for Program Year 2022, July 1, 2022 through June 30, 2023, and declaring an emergency.	Davenport	Public Hearing 6:50pm
23-132	23-131	Passed	Authorizing the payment to Felty-Heinlen Architects & Planners, Inc. in the amount of four thousand and 00/100 dollars (\$4,000.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.	Davenport	

NEXT MEETING Tuesday, Sept 19th, 2023 7:00 Council to follow

BY: MRS. BURNS

Amending Section 941.08 (Water Charges) of the Mansfield Codified Ordinance of 1997, as amended, to modify the rate structure and to increase water rates, and declaring an emergency.

**BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That Section 941.08 of Chapter 941 (Water Charges) of the Mansfield Codified Ordinance of 1997, as amended, be, and the same is hereby amended to provide as follows:

941.08 WATER CHARGES

(a) Water Rates Within the City. Notwithstanding any other provisions of these regulations, the following water rates shall be placed in effect, as forth below:

(Rate volumes in cubic feet per monthly billing period)
Net Rate Per 100 Cubic Feet

	Effective 1/1/2021	Effective 1/1/2022	Effective 1/1/2023	Effective 1/1/2024	Effective 1/1/2025	Effective 1/1/2026
First 400 cubic feet	\$2.78	\$2.86	\$2.95	\$3.04	\$3.13	\$3.22
Next 4,600 cubic ft	\$3.14	\$3.61	\$4.15	\$4.57	\$4.71	\$4.85
Next 95,000 cubic ft	\$3.42	\$3.93	\$4.52	\$4.97	\$5.12	\$5.27
Balance	\$3.00	\$3.45	\$3.97	\$4.37	\$4.50	\$4.64

[Note: When a customer’s water meter has been replaced with a meter that reads in gallons, the above rate schedule shall not be applicable and the gallons usage chart shall be the sole method of calculating and billing for water usage. When all the City’s water customer’s meters have been replaced with a meter that reads in gallons, the above chart shall become null and void.]

(Rate volumes in gallons per monthly billing period)
Net Rate Per One (1) Gallon

	Effective 1/1/2021	Effective 1/1/2022	Effective 1/1/2023	Effective 1/1/2024	Effective 1/1/2025	Effective 1/1/2026
First 3,000 gallons	\$0.003717	\$0.003829	\$0.003944	\$0.004062	\$0.004184	\$0.004310
Next 34,500 gallons	\$0.004191	\$0.004820	\$0.005543	\$0.006097	\$0.006280	\$0.006468

Next 711,000 gallons	\$0.004573	\$0.005259	\$0.006048	\$0.006653	\$0.006853	\$0.007059
Balance	\$0.004014	\$0.004616	\$0.005308	\$0.005839	\$0.006014	\$0.006194

Each year after 2026, on the first of the year, the total rates shall increase by 3% from the previous year, rounded to the nearest cent if usage charges are in CCF units and rounded to the nearest ten thousandth of a cent if usage charges are in Gallon units.

The water rates shall be reviewed at least biennially and shall be revised periodically, as required, to reflect actual water works costs. The Public Works Director, or a delegate, shall be responsible for reviewing, retaining of documentation and making recommendations to Council for revising the rates set forth in this chapter.

(b) Meter Service Charges Per Month.

	Effective	Effective	Effective	Effective	Effective	Effective
Meter Size (inches)	1/1/2021	1/1/2022	1/1/2023	1/1/2024	1/1/2025	1/1/2026
1 or less	\$3.30	\$3.80	\$4.37	\$4.81	\$4.95	\$5.10
1-1/4	\$6.60	\$7.59	\$8.73	\$9.60	\$9.89	\$10.19
1-1/2	\$6.60	\$7.59	\$8.73	\$9.60	\$9.89	\$10.19
2	\$13.20	\$15.18	\$17.46	\$19.21	\$19.79	\$20.38
2-1/2	\$13.20	\$15.18	\$17.46	\$19.21	\$19.79	\$20.38
3	\$27.50	\$31.63	\$36.37	\$40.01	\$41.21	\$42.45
4	\$55.00	\$63.25	\$72.74	\$80.01	\$82.41	\$84.88
6	\$110.00	\$126.50	\$145.48	\$160.03	\$164.83	\$169.77
8	\$165.00	\$189.75	\$218.21	\$240.03	\$247.23	\$254.65
10	\$220.00	\$253.00	\$290.95	\$320.05	\$329.65	\$339.54

Each year after 2026, on the first of the year, the meter service charge shall increase by 3% from the previous year, rounded to the nearest cent.

(c) Readiness to Serve Charges Per Month.

	Effective	Effective	Effective	Effective	Effective	Effective
Meter Size (inches)	1/1/2021	1/1/2022	1/1/2023	1/1/2024	1/1/2025	1/1/2026
1 or less	--	--	\$10.93	\$12.03	\$12.38	\$12.75
1-1/4	--	--	\$21.83	\$24.00	\$24.73	\$25.48
1-1/2	--	--	\$21.83	\$24.00	\$24.73	\$25.48
2	--	--	\$43.65	\$48.03	\$49.48	\$50.95
2-1/2	--	--	\$43.65	\$48.03	\$49.48	\$50.95
3	--	--	\$90.93	\$100.03	\$103.03	\$106.13
4	--	--	\$181.85	\$200.03	\$206.03	\$212.20
6	--	--	\$363.70	\$400.08	\$412.08	\$424.43
8	--	--	\$545.53	\$600.08	\$618.08	\$636.63
10	--	--	\$727.38	\$800.13	\$824.13	\$848.85

Each year after 2026, on the first of the year, the readiness to serve charge shall increase by 3% from the previous year, rounded to the nearest cent.

(d) Old Meter Manual Billing Charge - Each customer account utilizing a water meter reading in cubic feet and installed prior to May 1, 2020 shall, beginning November 1, 2023, be assessed monthly an old meter manual billing charge of seventy-five dollars (\$75.00) which shall be subject to delinquent fees. The assessment of such charge shall cease upon the installation of a water meter reading in gallons.

(d)(e) Tap Charges.

<u>Diameter of Tap (inches)</u>	<u>Cost Per Tap</u>
3/4	\$310.00 \$600
1	\$430.00 \$913
1-1/2	\$750.00 \$1390
2	\$1,870.00 \$2423
4	\$4,620.00
6	\$7,480.00
8	\$11,000.00
10	\$14,850.00
12	\$18,480.00

The tap charges as listed include the cost of the meter, the removal and replacement of pavement, the removal and replacement of sidewalk, the cost of the shut-off valve, and the installation of a water service line from the watermain to the shut-off valve **up to 10 feet**. When feasible, the shut-off valve will be installed within the public right of way near the property line, otherwise the shut-off valve will be installed in the most appropriate location. In all respects, the shut-off valve shall be accessible to City employees.

(e)(f) Tap Charges for Fire Line Application.

<u>Diameter of Tap (inches)</u>	<u>Cost Per Tap</u>
4	\$4,070.00
6	\$6,820.00
8	\$10,010.00
10	\$13,200.00
12	\$16,280.00

The tap charges as listed include the removal and replacement of pavement, the removal and replacement of sidewalk, the cost of the shut-off valve, and the installation of a fire service line from the watermain to the shut-off valve. When feasible, the shut-off valve will be installed within

the public right of way near the property line, otherwise the shut-off valve will be installed in the most appropriate location. In all respects, the shut-off valve shall be accessible to City employees.

~~(f)~~(g) The standard charge for turning on or shutting off of a water service shall be twenty-five dollars (\$25.00) for either action.

~~(g)~~(h) Customers will be supplied with one meter for each tap charge pursuant to subsection ~~(d)~~(e). Customers who need additional meters on a single tap for sewer deduct purposes, will be charged one-hundred fifty dollars (\$150.00) per additional meter.

~~(h)~~(i) A flat rate of one hundred fifty dollars (\$150.00) shall be charged for the water used during structure construction through the issuance of a building permit. This charge shall be payable at the time a tapping permit is issued. Depending on the scope of structure construction, the Public Works Director may require a meter to be installed and the use of construction water shall be charged pursuant to the water rates listed in subsection (a). If a meter is required, the flat rate listed in this section shall be waived. It is the responsibility of the consumer to provide and install an approved meter and to protect the meter from freezing.

~~(i)~~(j) For persons desiring cisterns, swimming pools, storage tanks or tank trucks filled from a fire hydrant or other unmetered connection, a charge shall be levied of five dollars (\$5.00) per one thousand gallons, but in no case less than the minimum of twenty-five dollars (\$25.00). Should it be necessary to disconnect and reconnect meter service for filling a pool, there will be an additional charge of forty dollars (\$40.00).

~~(j)~~(k) All consumers located outside of the City's corporation limits shall have applied a one hundred percent (100%) surcharge to any and all rates listed in subsection (a).

~~(k)~~(l) Notwithstanding subsection ~~(j)~~(k) hereof, the Public Works Director may enter into contracts, or renew or extend existing contracts, establishing rates other than set forth in subsection (a), as may be specifically authorized by Council.

~~(l)~~(m) All work performed by the Division of Water at the request of a customer or any other person shall be charged at the Division's actual cost unless specific charges are listed elsewhere in this chapter.

~~(m)~~(n) When a meter is removed for repairs and/or the meter is not functioning as intended and/or miscalculating usage, the service shall be calculated and charged at the average daily usage which occurred for up to the previous twelve months.

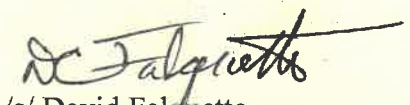
(#)(o) A meter service charge in accordance with subsection (b) and a readiness to serve charge in accordance with subsection (c) hereof will continue to be billed to the water service account even after termination of water service until the meter is removed.

SECTION 2. That the provisions of this Ordinance shall take force and be in effect for water bills in accordance with dates specified in Section 1.

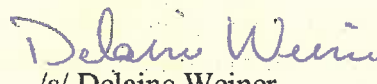
SECTION 3. That existing Section 941.08 of Chapter (Water User Charges) of the Mansfield Codified Ordinance of 1997, as amended, be, and the same is hereby repealed.

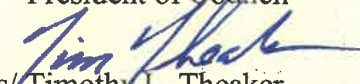
SECTION 4. To effectively and properly administer water user charges, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>18 July 2023</u>
1 st Reading	<u>- 1 August 2023</u>
2 nd Reading	<u>- 15 August 2023</u>
3 rd	<u>5 September 2023</u>
PASSED	<u>5 September 2023</u>


SIGNED /s/ David Falquette

President of Council


ATTEST /s/ Delaine Weiner
Assistant Clerk of Council


APPROVED /s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio

*Publication Required

BY: ALL MEMBERS OF COUNCIL

Honoring Officer Kimberley Vandayburg upon her retirement from the Mansfield Division of Police.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

SECTION 1. That this Council, on behalf of the government and the citizens of the Mansfield community, is privileged to honor and pay tribute to Officer Kimberley Vandayburg upon her retirement, effective September 5, 2023.

Kim began her career with the City of Mansfield on June 6, 1992, working as a Switchboard Operator before the city became automated, after which she transferred to the Human Resources Department. August 9, 2004, Kim transferred to the Secretary I position in the Division of Police. She transferred to the Parking Control Officer position on January 3, 2011, where she has worked for the past twelve-and one-half years, and has become well known in the downtown community and has done an excellent job.

Throughout her career, Kim has often gone above and beyond to help people and be a smiling face for the City and the Police Department. Kim has seen many changes during her 31-year career with the City of Mansfield. She has always been willing to help and do what needs to be done for the Traffic Section and the Division of Police. Her knowledge, integrity, work ethic and positive attitude makes Kim a well-respected team member in the Division of Police.

Kim has our congratulations upon her retirement and heartfelt thanks for her many years of loyal service to the City of Mansfield. We wish her the much joy and happiness in the future.

SECTION 2. That this Resolution shall take effect immediately.

PASSED 5 September 2023

SIGNED /s/ David Falquette
President of Council

ATTEST /s/ Delaine Weiner
Assistant Clerk of Council

APPROVED /s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM John R. Spon
Law Director
City of Mansfield, Ohio

- _____
Phillip E. Scott
- _____
Eleazer Akuchie
- _____
Aurelio Diaz
- _____
Kimberly Moton
- _____
Cheryl Meier
- _____
Alomar Davenport

- _____
David Falquette
- _____
Stephanie L. Zader
- _____
Laura Burns
- _____
David Remy
- _____
Timothy L. Theaker
- _____
John R. Spon

BILL #23-129

ORDINANCE # 23-129

BY: MS. ZADER

Authorizing payment of the claim of Kevin Walter of 430 Gem Avenue, Mansfield, Ohio 44907, and declaring an emergency.

WHEREAS, upon investigation by City employees and others including discussions and negotiations with the claimants, the Claims Committee of City Council has recommended payment of the claimed loss upon the terms hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:


SECTION 1. That the Finance Director be, and she is hereby, authorized to draw her warrant on Sewer Fund Account 503-99.99-5804 (Claims Against the City) in favor of Kevin Walter in the sum of one thousand two hundred and 00/100 dollars (\$1,200.00) which shall constitute a full and complete satisfaction for any and all claims and damages which said Kevin Walter and his heirs, administrators, executors, successors and assigns ever had, now have or may hereafter have against the City of Mansfield, for the damages caused by a sewer back-up at or near 430 Gem Avenue occurring on or about June 26, 2023.

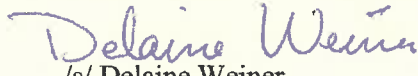
SECTION 2. That receipt of such draft of the City shall be conditioned upon execution of a full release from liability from any and all claims and damage which the claimants, their heirs, administrators, executors, successors and assigns ever had, now have, or may hereafter have against the City of Mansfield for damage, injury or loss to person or property caused as indicated in Section 1 above.


SECTION 3. That a copy of this Ordinance shall be served upon the claimant at the time of the delivery of said warrant.

SECTION 4. That by reason of the immediate need to expedite payment in order to complete settlement of this claim, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>5 September 2023</u>
1 st Reading	<u>5 September 2023</u>
2 nd Reading	<u>5 September 2023</u>
PASSED	<u>5 September 2023</u>

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio

BILL #23-130

ORDINANCE # 23-130

BY: MS. MEIER

Authorizing the City of Mansfield to transfer to the Richland County Land Reutilization Corporation two (2) parcels of land of City-owned property beside Lot number 1731 West Third Street, which no longer serves a public purpose, and declaring an emergency.


WHEREAS, the property authorized for transfer herein is available to the City for transfer to the Richland County Land Reutilization Corporation, having been acquired by the City and no longer having a valid public purpose, which is unneeded and no longer required for City Purposes, and Ohio Revised Code 1724.10(B)(3) authorizes the City to convey said parcel without the advertising or receipt of bids.

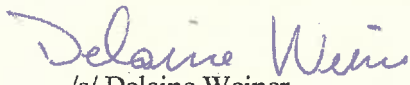
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

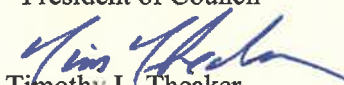
SECTION 1. That the City be, and is hereby, authorized to transfer the two (2) parcels of City-owned property beside Lot number 1731 West Third Street, Parcel Numbers 027-03-131-04-000 and 027-03-007-10-000 to take all other actions and sign any documents necessary to complete said transfer of the property to the Richland County Land Reutilization Corporation.

SECTION 2. That by reason of the immediate necessity for conveying title to said property at the earliest possible time to thereby promote and continue redevelopment effort in the City of Mansfield, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

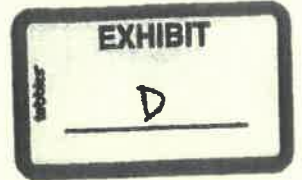
Caucus 5 September 2023
1st Reading 5 September 2023
2nd Reading _____
PASSED 5 September 2023

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio



SHERIFF'S DEED
Rev. Code Sec. 2329.36

I, **J. Steve Sheldon, Sheriff of Richland County, Ohio**, pursuant to Order of Sale entered on *September 18, 2007*, Confirmation of Sale entered *December 21, 2007* and pursuant to Ohio Revised Code Section 5722.03 does hereby **GRANT, SELL AND CONVEY**, unto the *City of Mansfield* all rights, title and interest of the parties in the Court of Common Pleas, Richland County, Ohio, Case No. *07-CV-656*, Bart Hamilton, Treasurer of Richland County, Ohio vs *Dale Weir, et. al.*, and all pleadings therein incorporated herein by reference in and to the following Lands and Tenements Situated in the County of Richland and State of Ohio, known and described as per **ATTACHED LEGAL DESCRIPTION**, to-wit: see attached

Subject to any and all easements, conditions and restrictions of record, if any.

Prior Owner: Dale Weir

Parcel No.: 027-03-131-04-000
027-03-007-10-000

Prior Instrument Reference: Volume 773, Page 23-24

Executed this 18th day of July, 2023.

TRANSFERRED
This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Ohio Revised Code
DATE 8-17-2023
CONVEYANCE FEE \$ _____
TRANSFER FEE \$ 100
EXEMPT X
PATRICK W. DROPSEY, County Auditor
mlg

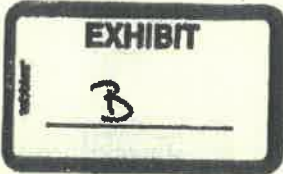
J. Steve Sheldon
Sheriff of Richland County, Ohio

STATE OF OHIO)
) SS:
COUNTY OF RICHLAND)

The foregoing instrument was acknowledged before me this 18th day of July, 2023 by *J. Steve Sheldon, Sheriff of Richland County, Ohio.*

Notary Public
State of Ohio
My Commission Expires 11/3/2025

202300007842 08/17/2023 10:33 AM
Filed for Record in RICHLAND County, Ohio
Sarah M. Davis Rec Fees: \$0.00
DN/C OR Vol 3006 Pgs 3179 - 3181



CTMA# 77315

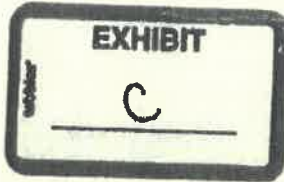
in the City of Mansfield, County of Richland and State of Ohio: Being Lot Number Two Thousand Two Hundred (#2215) of the consecutive numbered lots in the City of Mansfield. Parcel #027-03-007-10-000

LEGAL COUNSEL
RICHLAND COUNTY
TAX MAP OFFICE

INITIAL DATE
LEAK 8-17-23

CHICAGO TITLE AGENCY OF NORTH CENTRAL OHIO, INC.

(77315.PFD(77315/0))



CTMA# 77308

...ed in the City of Mansfield, County of Richland and State of Ohio; Being Lot Number One Thousand Seven
...ndred Thirty Two (#1732) of the consecutive numbered lots in the City of Mansfield.
...ermanent Parcel #027-03-131-04-000

LEGAL CHECKED
RICHLAND COUNTY
TAX MAP OFFICE
INITIAL *[Signature]*
DATE 2-19-23
EAK 8-17-23

TREASURERS OFFICE
FILE/ANDY

Inst #202300007842

CHICAGO TITLE AGENCY OF NORTH CENTRAL OHIO, INC.

(77308.PFD/77308/6)

BILL #23-132

ORDINANCE # 23-131

BY: MR. DAVENPORT

Authorizing the payment to Felty-Heinlen Architects & Planners, Inc. in the amount of four thousand and 00/100 dollars (\$4,000.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

WHEREAS, the Fire Department obtained services with Felty-Heinlen Architects & Planners, Inc. for architectural services related to renovations at Station #3 prior to submitting a purchase order therefor to the Finance Department in the amount of four thousand and 00/100 dollars (\$4,000.00), and

WHEREAS, R.C. 5705.41(D)(1) provides that the payment of Three Thousand Dollars or more on a contract or order made by a municipality without a certificate of available funds being attached at such time must be authorized by the legislative authority after the fiscal officer subsequently certifies that the funds were available at the time the contract or order was made and that such funds are still available.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

SECTION 1. That this Council does hereby affirm the Then and Now Certificate issued by the Finance Director relating to the request and receipt by the Fire Department for architectural services related to renovations at Station #3 prior to a purchase order therefor being submitted to the Finance Department, and authorize the Finance Director to issue her warrant to Felty-Heinlen Architects & Planners, Inc. in the amount of four thousand and 00/100 dollars (\$4,000.00) from funds heretofore appropriated in the Safety Services Fund (#214).

SECTION 2. That reason of the immediate need to authorize payment of this obligation within thirty days after receipt of the certificate of the Finance Director per R.C. 5705.41(D)(1), this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately after its passage, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 5 September 2023
1st Reading 5 September 2023
2nd Reading 5 September 2023
PASSED 5 September 2023

ATTEST Delaine Weiner
/s/ Delaine Weiner
Assistant Clerk of Council

SIGNED David Falquette
/s/ David Falquette
President of Council

APPROVED Timothy L. Theaker
/s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio