

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. **ORDINANCE CM-22-44**

Passed October 11th, 20 22

AN ORDINANCE AMENDING SECTION 150.333 CERTIFICATE OF ZONING COMPLIANCE OF THE WEST MILTON CODE OF ORDINANCES

WHEREAS, the current zoning code is in the process of being reviewed and updated by Choice One Engineering and the Planning Board; and

WHEREAS, the Planning Board has made a recommendation to Council to revise Section 150.333(D) of the Code of Ordinances due to it being in the Municipality's best interest to update certain sections of the zoning code prior to adopting an entirely new zoning code in order to clarify zoning compliance.

NOW, THEREFORE, the Municipality of West Milton, Ohio hereby ordains as follows, that:

SECTION I: Section 150.333 Certificate of Zoning Compliance shall be amended to read that reads as follows:

§ 150.333 CERTIFICATE OF ZONING COMPLIANCE.

- (A) It shall be a violation of this code to use, or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, until a certificate of zoning compliance shall have been issued therefor by the Enforcing Officer, stating that the proposed use of the building or land conforms to the requirements of this code.
- (B) Each application for a certificate of zoning compliance shall be accompanied by a fee of \$20. This application fee shall not be refunded in any case. ***In addition, a development fee shall be charged as follows: 1.5% of the estimated construction costs of the building, structure, accessory building, accessory structure, etc., at issue, as certified by the applicant and conditionally approved by the Municipal Manager or his/her designee. The Municipal Manager or his/her designee reserves the right to require submission of written estimate(s) for the planned construction before conditionally approving the amount of the development fee; and may require an additional amount if it is subsequently learned that the initial construction cost estimate certified by the applicant was unreasonably low.***
- (C) These provisions shall apply to all buildings ***and structures (including accessory buildings and structures)*** and land uses except the raising of crops and other agricultural uses.

SECTION II: Council hereby directs that the proceeds collected from the 1.5% development fee shall be deposited as follows:

- a) 25% into the Sewer Fund,
- b) 25% into the Water Fund,
- c) 25% into the Street Construction and Maintenance Fund, and
- d) 25% into the General Fund for planning.

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SECTION III: This Ordinance shall be effective on and after the earliest date permitted by law.

Passed this 11 day of October 2022.



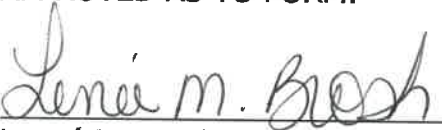
Anthony Miller, Mayor

ATTEST:



Laura J. Wright
Clerk of Council

APPROVED AS TO FORM:



Leneé M. Brosh
Law Director

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. **ORDINANCE CM-22-45**

Passed October 11th, 2022

AN ORDINANCE AMENDING SECTION 151.998(D) FEES, CHARGES AND EXPENSES FOR SUBDIVISIONS OF THE WEST MILTON CODE OF ORDINANCES

WHEREAS, Section 151.998 of the West Milton Code of Ordinances outlines the fees, charges and expenses for subdivisions within the Municipality of West Milton; and

WHEREAS, Section 151.998(D) relates to inspections performed by the Municipal Engineer; and

WHEREAS, the Planning Board has recommended to Council to revise Section 151.998(D) for clarification purposes and to reflect the Municipality's current practices, as well as it being in the Municipality's best interest.

NOW, THEREFORE, the Municipality of West Milton, Ohio hereby ordains as follows, that:

SECTION I: Section 151.998 Fees, Charges and Expenses shall be amended to read as follows:

§ 151.998 FEES, CHARGES AND EXPENSES.

For general municipal administration of required improvements, ~~there shall be~~ ***at the time of submitting an application for preliminary plat approval, applicant shall pay a development fee of 1.5% based on the estimated costs, as certified by the applicant, of the total required improvements and construction costs as to be constructed and/or placed within the subdivision, which such fee is to be conditionally approved and certified by the Municipal Manager or the Municipal designated Engineer, to be collected at the time of issuance of the municipal building permit for the improvements. The Municipal Manager or designated Engineer reserves the right to require submission of written estimate(s) of and/or other information relating to the estimated cost(s) of the planned improvement(s) before conditionally approving the amount of the development fee. At the time of the filing of the application for approval of the final plat, applicant shall pay any additional development fee that may be owed due to changes in the improvements to be constructed and/or changes in the estimated cost(s) of the improvements to be constructed.***

SECTION II: Council hereby directs that the proceeds collected from the 1.5% development fee shall be deposited as follows:

- a) 25% into the Sewer Fund,
- b) 25% into the Water Fund,
- c) 25% into the Street Construction and Maintenance Fund, and
- d) 25% into the General Fund for planning.

SECTION III: This Ordinance shall be effective on and after the earliest date permitted by law.

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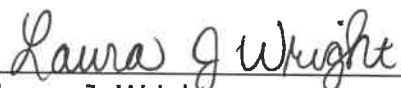
Ordinance No. _____ Passed _____, 20____

Passed this 11 day of October 2022.



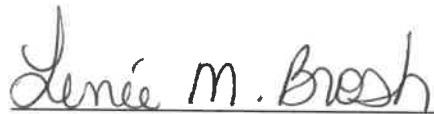
Anthony Miller, Mayor

ATTEST:



Laura J. Wright
Clerk of Council

APPROVED AS TO FORM:



Leneé M. Brosh
Law Director

RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. 30045

Resolution No. **RESOLUTION CM-22-49**

Passed October 11th, 2022

A RESOLUTION TO AUTHORIZE THE MUNICIPAL MANAGER TO PURCHASE REAL ESTATE ON BEHALF OF THE MUNICIPALITY OF WEST MILTON

WHEREAS, the Municipal Manager, on behalf of Council for the Municipality of West Milton, has negotiated in good faith to purchase real property located at 438 S. Miami Street, West Milton, Ohio; and

WHEREAS, the owners of said real property have accepted the negotiated purchase price of \$65,000.00 for the land and \$17,000.00 for expenses for same, with the Municipality also being responsible for paying closing costs; and

WHEREAS, Council for the Municipality of West Milton, is in agreement with the terms of the purchase;


NOW, THEREFORE BE IT RESOLVED by the Council of the Municipality of West Milton, Ohio that:

SECTION I: The Municipal Manager has negotiated in good faith to purchase real property located at 438 S. Miami Street, West Milton, Ohio.

SECTION II: The owner(s) of said real property has accepted the negotiated purchase price of \$65,000.00 for the land and \$17,000.00 for expenses for said property.


SECTION III: The Municipal Manager is authorized to execute a contract for the purchase of real property located at 438 S. Miami Street, West Milton, Ohio for the total price of \$82,000.00, plus closing costs.

Passed this 11 day of October 2022.



Anthony Miller, Mayor

Attest:



Laura J. Wright, Clerk of Council



Lenee' Brosh, Law Director

RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. 30045

Resolution No. **RESOLUTION CM-22-50**

Passed October 11th, 2022

A RESOLUTION TO AUTHORIZE THE SUBMITTAL OF APPLICATIONS FOR FEDERAL IIJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the Transportation Improvement Program (TIP); and

WHEREAS, the Village of West Milton has committed to a timely project development schedule; and

WHEREAS, the Village of West Milton will commit the necessary resources to support the estimated local cost portion of the projects and the following list of projects will be submitted to MVRPC, shown in order of the Village of West Milton's priority from number 1 to 1:

1. SR 571 Pedestrian Improvements - Estimated Local Share \$368,335.45

NOW, THEREFORE BE IT RESOLVED by the Council of the Municipality of West Milton, Ohio that:

SECTION I: This Resolution shall serve to authorize the transmittal and submittal of applications for the following transportation projects to MVRPC for funding consideration in the Transportation Improvement Program (TIP):

1. SR 571 Pedestrian Improvements

SECTION II: The Village Manager is hereby authorized to sign on behalf of the Village the application for funds as referred to in Section I of this Resolution.

SECTION III: The Village Manager is hereby directed and authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the application referred to herein, and provide any additional information sought by reviewing agencies during the time the application is under reviewed. The Village Manager is further directed and authorized to cause compliance will all reporting requirements required by the Miami Valley Regional Planning Commission (MVRPC) as required as part of the funding process

SECTION IV: Upon application approval, the Village hereby states its commitment to the local contribution for the project as identified in these applications, including local contribution of costs exceeding the current estimates or subsequent revised estimates as accepted by the MVRPC.

SECTION V: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of

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its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

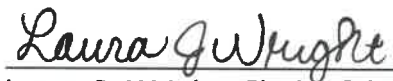
SECTION VI: This Resolution shall become effective immediately upon its passage.

Passed this 11 day of October 2022.




Anthony Miller, Mayor

Attest:



Laura J. Wright, Clerk of Council



Lenee' Brosh, Law Director