

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 80043

Ordinance No. **ORDINANCE CM-23-20**

Passed _____, 20_____

AN ORDINANCE AMENDING SECTION 50.01 APPLICATION FOR EXCAVATION PERMIT, STREETS AND SIDEWALKS OF THE WEST MILTON CODE OF ORDINANCES

WHEREAS, the costs to repair streets after a street cut have increased significantly and are now not high enough to cover the cost of the repair; and

WHEREAS, if the bond amount is released and municipal crews make the asphalt repair, all costs associated with the repair shall be recovered by the village.

NOW, THEREFORE, Be it ordained by the Council for the Village of West Milton, Ohio as follows:

SECTION I: The language contained in the existing Section 50.01 of the West Milton Code of Ordinances is hereby amended to read as follows:

50.01 APPLICATION FOR EXCAVATION PERMIT.

- A.** No person may, in any manner or for any purpose, excavate or cause to be excavated, any street or alley in the municipality until the person has filed an application for and has been issued by the Director of Service a permit and bond therefor or cash or certified check in lieu of the bond for \$450.00 conditioned that the excavation will be done and refilled according to the terms of the application, permit, and Ord. 796, and that warnings shall be posted and maintained as provided herein.
- B. If, during the repair, the Director of Service estimates that the \$450 bond did not cover all costs associated with the repair, an additional fee will be calculated, and an invoice sent to the person or company who filed the street excavation permit.**

SECTION II: This Ordinance shall become effective from and after the earliest date permitted by law.

Passed this 9th day of May 2023



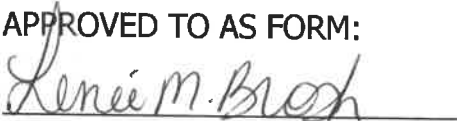
Anthony Miller, Mayor

ATTEST:



Laura Wright
Clerk of Council

APPROVED TO AS FORM:



Leneé M. Brosh, Director of Law

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

ORDINANCE CM-23-21

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AMENDING SECTION 50.12 REGARDING WASTE FORBIDDEN ON STREETS AND SIDEWALKS CODE OF ORDINANCES FOR THE MUNICIPALITY OF WEST MILTON, OHIO

WHEREAS, the Municipality of West Milton, Ohio is responsible for keeping streets safe and passable within the Village of West Milton; and

WHEREAS, to do this, updates need made pursuant to section 50.12 of the West Milton Code of Ordinances; and

WHEREAS, it is necessary to add to the current language in Section 50.12,

NOW, THEREFORE, Be it ordained by the Council for the Village of West Milton, Ohio as follows:

SECTION I: Language contained in Section 50.12 of the West Milton Code of Ordinances is hereby added to with the following language clarifying how WASTE is defined in this section:

MUNICIPALITY BILLING PROVISIONS:

50.12 Added the words "STREETS AND"

50.12 WASTE FORBIDDEN ON **STREETS AND** SIDEWALKS.

A) No person shall throw or deposit upon the sidewalks or streets of the municipality, any wastepaper, rubbish or trash.

Added Section (B)

B) It is prohibited to place or deposit any liquid including water from any source or divert surface or other waters to and upon municipal streets and sidewalks to include sump pumps. Said water can damage streets, create moss (slick conditions), harbor mosquitos and in winter cause serious hazardous conditions with ice.

Penalty, see § 50.99

SECTION II: This Ordinance shall become effective from and after the earliest date permitted by law.

Passed this 9th day of May _____, 2023.



Anthony Miller, Mayor

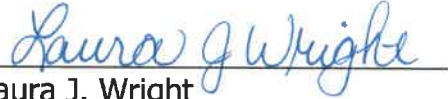
RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 80043

Ordinance No. _____

Passed _____, 20____

ATTEST:



Laura J. Wright
Clerk of Council

APPROVED TO AS FORM:



Leneé M. Brosh, Director of Law

RECORD OF RESOLUTIONS

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

RESOLUTION CM-23-23

Resolution No. _____ Passed _____, 20____

A RESOLUTION DECLARING THE INTENTION TO PROCEED UNDER THE ALTERNATIVE TAX DOCUMENT FORMAT PROVIDED UNDER SECTION 5705.281 OF THE OHIO REVISED CODE

WHEREAS, Section 5705.281 of the Ohio Revised Code authorizes and empowers a county budget commission, by an affirmative vote of a majority of its members, including an affirmative vote by the auditor of the county, to waive the requirement that a taxing authority of a subdivision or other taxing unit adopt a tax budget, as is provided under Section 5705.281 of the Ohio Revised Code, and require such taxing authority to provide such information as may be required by the commission to perform its duties under Chapter 5705 of the Ohio Revised Code, including dividing the rates of each of the subdivision's or taxing unit's tax levies as provided under Section 5705.04 of the Ohio Revised Code; and

WHEREAS, pursuant to the terms and provisions of Section 5705.281 of the Ohio Revised Code, the Miami County Budget Commission, by an affirmative vote of a majority of its members, including an affirmative vote by the Auditor of Miami County, Ohio, has authorized and permits the taxing authority of a subdivision or other taxing unit within Miami County, Ohio, to refrain from adopting a tax budget, and has designated the information which the said Budget Commission requires of each taxing authority of a subdivision or other taxing unit to permit the Budget Commission to perform its duties under Chapter 5705 of the Ohio Revised Code; and

WHEREAS, it is the desire and intention of the Council, as the taxing authority of the Municipality of West Milton, to elect to refrain from adopting a tax budget for the fiscal year 2024 and, in the alternative, to submit to the Budget Commission the information and documents which it has indicated will be necessary in the absence of such adoption; and

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

SECTION I: The Council of the Municipality of West Milton hereby declares its intention to proceed under the alternative tax document format provided under Section 5705.281 of the Ohio Revised Code, and refrain from the preparation of a tax budget for the fiscal year 2024 and

SECTION II: The Council of the Municipality of West Milton hereby authorizes and directs its Chief Fiscal Officer to prepare and submit to the Miami County Budget Commission such information and documents as are necessary to said process and submission, and to take such other actions as may be reasonably necessary incident thereto; and

RECORD OF RESOLUTIONS

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

RESOLUTION CM-23-23

Page 2

Resolution No. _____ Passed _____, 20____

SECTION III:

The Council of the Municipality of West Milton hereby finds and determines that all deliberations and actions related to the foregoing were affected in open and public session and in full compliance with Section 121.22 of the Ohio Revised Code, and otherwise as is provided by law.

Passed this 9th day of May, 2023




Anthony Miller, Mayor

ATTEST:



Laura J. Wright
Clerk of Council

APPROVED AS TO FORM:



Lenee' Brosh
Law Director

RECORD OF RESOLUTIONS

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

RESOLUTION CM-23-24

Resolution No. _____ Passed _____, 20____

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE VILLAGE OF WEST MILTON, OHIO FOR THE NORTH END SANITARY REHABILITATION PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN

WHEREAS, the Village of West Milton seeks to upgrade its existing sewer facilities; and

WHEREAS, the Village of West Milton intends to apply for a Water Pollution Control Loan Fund (WPCLF) for the North End Sanitary Rehabilitation Project; and

WHEREAS, the Ohio WPCLF requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.

NOW THEREFORE BE IT RESOLVED BY the Council of the Village of West Milton, Ohio that:

SECTION I: Council authorizes the Municipal Manager to apply for a WPCLF loan, sign all documents for and enter into a WPCLF with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the North End Sanitary Rehabilitation Project on behalf of the Village of West Milton, Ohio.

SECTION II: That the dedicated source of repayment will be the Sewer Capital Improvement Fund.

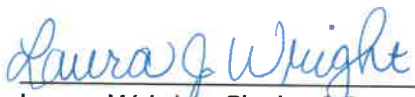
SECTION III: This Resolution shall take effect and be in full force upon passage.

Passed this 9th day of May, 2023.



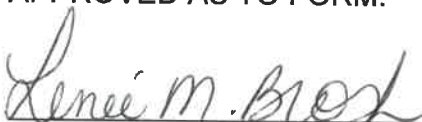
Anthony Miller, Mayor

Attest:



Laura Wright, Clerk of Council

APPROVED AS TO FORM:



Lenee' M. Brosh,
Law Director

RECORD OF RESOLUTIONS

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

Resolution No. **RESOLUTION CM-23-25**

Passed

, 20

RESOLUTION TO AUTHORIZE THE CONTINUING EMPLOYMENT OF THE MUNICIPAL MANAGER, D. JEFFREY SHERIDAN, AND TO AUTHORIZE THE ADOPTION OF THE NEW EMPLOYMENT AGREEMENT FOR THE MUNICIPAL MANAGER ATTACHED HERETO.

WHEREAS, the current Municipal Manager, D. Jeffrey Sheridan, was originally hired in April 26, 2021, and his existing contract is expired April 25, 2023, and

WHEREAS, the Council for the Municipality of West Milton believes that it is in the best interests of the Municipality of West Milton to continue the services of the Municipal Manager effective April 26, 2023; and

WHEREAS, the existing Municipal Manager has represented the Village professionally and tirelessly during his current tenure.

NOW THEREFORE, Be it resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I: That Council wishes to continue the services provided by the current Municipal Manager, D. Jeffrey Sheridan.

SECTION II: That Council pursuant to the Charter wishes to enter into the Employment Agreement attached to this Resolution which shall be incorporated herewith, as Exhibit "A".

SECTION III: That Council hereby establishes the Compensation and Benefits for the Municipal Manager as specifically set forth in the Employment Agreement, with salary to be One Hundred Twenty-Six Thousand dollars (\$126,000.00).

SECTION IV: The Mayor and Vice Mayor for the Municipality of West Milton are hereby authorized to execute the Employment Agreement for the Municipal Manager attached hereto.

SECTION V: That this Resolution shall be effective on and after the earliest date permitted by law

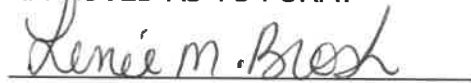
Passed this 9th day of May 2023


Anthony Miller, Mayor

ATTEST:


Laura 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 CM-23-26

Resolution No. _____ Passed _____, 20____

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT WITH CHOICE ONE ENGINEERING CORPORATION FOR THE PURPOSE OF PROVIDING CONSTRUCTION PLANS AND SPECIFICATIONS FOR THE REHABILITATION OF THE SANITARY SEWER SYSTEM IN THE NORTH END OF THE VILLAGE

WHEREAS, the sanitary sewer system on the north end of the Municipality is in need of repair; and

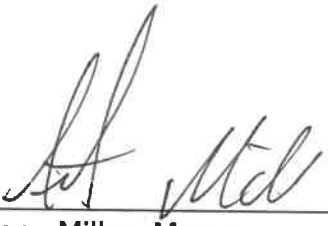
WHEREAS, the Municipal Manager believes it to be in the best interest of the Municipality to enter into an agreement with Choice One Engineering Corporation to provide the construction plans and specification needed for the rehabilitation of the sanitary system in the north end of the Municipality.

NOW THEREFORE BE IT RESOLVED BY the Council of the Village of West Milton, Ohio that:

SECTION I: Council hereby authorizes the Municipal Manager to enter into an agreement with Choice One Engineering Corporation to provide construction plans and specifications for the rehabilitation on the north end of the sanitary sewer system for an amount not to exceed \$17,200.00. Said agreement is attached hereto and incorporated herein as if fully rewritten.

SECTION II: This Resolution shall take effect and be in full force upon passage.

Passed this 9th day of May, 2023.



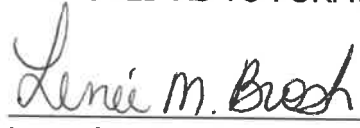
Anthony Miller, Mayor

ATTEST:



Laura Wright, Clerk of Council

APPROVED AS TO FORM:



Lenee' M. Brosh,
Law Director

RECORD OF RESOLUTIONS

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

RESOLUTION CM-23-28

Resolution No. _____ Passed _____, 20____

A RESOLUTION TO PURCHASE A LEASED COMPACT TRACK LOADER FOR USE IN SERVICE DEPARTMENT.

WHEREAS, the municipality is currently leasing a Bobcat T595 tracked skid loader; and

WHEREAS, the three year lease for this unit has concluded; and

WHEREAS, this piece of equipment, along with its attachments already purchased, by the municipality, have been extremely beneficial to municipal operations; and

WHEREAS, the 2023 operating budget, capital improvements allow for this expenditure.

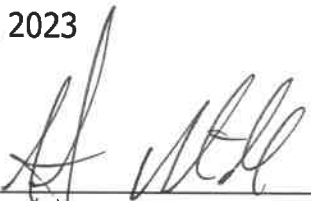
NOW, THEREFORE, be it Resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I: Council approves the purchase of a T595 Bobcat Track Loader from Wells Fargo Financial Services at the lease buyout price of \$20624.65 including fees.

SECTION II: Council authorizes the Municipal Manager to execute all the proper documents required to complete said purchase.

SECTION III: This Resolution shall take effect and be in force from and after its passage.

Passed this 9th day of May 2023



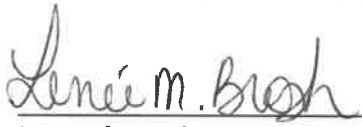
Anthony Miller, Mayor

ATTEST:



Laura Wright
Clerk of Council

APPROVED AS TO FORM:



Lenee' Brosh
Law Director

RECORD OF RESOLUTIONS

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

Resolution No. **RESOLUTION CM-23-29**

Passed _____, 20____

A RESOLUTION TO PURCHASE FIRE HYDRANTS FOR REPLACEMENT OF NON-FUNCTIONING FIRE HYDRANTS IN THE DISTRIBUTION SYSTEM.

WHEREAS, it is necessary to replace older fire hydrants in the distribution system that do not function properly; and

WHEREAS, the model of each fire hydrant will be the same while the bury depth of the fire hydrant varies; and

WHEREAS, the Director of Service has obtained quotes for the purchase of these fire hydrants.

NOW, THEREFORE, be it Resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I:

Council authorizes the purchase of 5 Waterous Pacer WB-67 fire hydrants with Alpha Boot connection, four-inch stroz fitting and Dayton thread 2 ½ inch. Hydrants to be purchased from E J Prescott, Inc at a total price of \$18,770.00 including freight charges.

SECTION II:

Council hereby authorizes the Municipal Manger and/or Director of Service to execute all the proper documents and required to complete said purchase.

SECTION III:

This Resolution shall take effect and be in force from and after its passage.

Passed this 9th day of may 2023



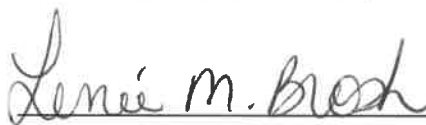
Anthony Miller, Mayor

ATTEST:



Laura Wright
Clerk of Council

APPROVED AS TO FORM:



Lenee' M. Brosh
Law Director