

RECORD OF RESOLUTIONS

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

Resolution No. **RESOLUTION CM-23-45**

Passed

, 20

A RESOLUTION TO PLACE THE UNEXPIRED TERM OF COUNCILMEMBER OF THE MUNICIPALITY OF WEST MILTON, OHIO ON THE NOVEMBER 7, 2023 BALLOT

WHEREAS, the Councilmember seat for the Municipality of West Milton, Ohio for the period January 1, 2020 through December 31, 2024 was vacated on January 4, 2022, and filled by Council on March 8, 2022; and

WHEREAS, Section 4.07(B)(1) of the *Charter of the Municipality of West Milton, Ohio* states that when the office of Councilmember becomes vacant it shall be filled at the next regular and/or special municipal election for the remainder of the unexpired term; and

WHEREAS, **November 7, 2023** is the next regularly scheduled municipal election;

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

SECTION I: November 07, 2023 shall be and is specified as the date of the election to be held to submit to the electors for their consideration for the position of Councilmember for the remainder of the unexpired term ending December 31, 2024.

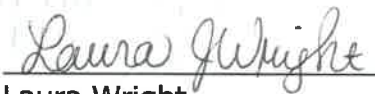
SECTION II: The Board of Elections of Miami County is hereby directed to place this issue on the November 07, 2023 ballot.

SECTION III: This resolution shall be effective from and after its passage.

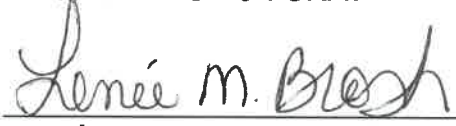
Passed this 25 day of July 2023


Scott Hurst, Mayor Pro Tempore

ATTEST:


Laura Wright
Clerk of Council

APPROVED AS TO FORM:


Leneé M. Brosh
Law Director

RECORD OF RESOLUTIONS

Government Forms and Supplies (644) 224-3338 FORM NO. 30045

Resolution No. **RESOLUTION CM-23-46**

Passed August 1, 2023

A RESOLUTION AMENDING RESOLUTION CM-23-45 TO PLACE THE UNEXPIRED TERM OF COUNCILMEMBER OF THE MUNICIPALITY OF WEST MILTON, OHIO ON THE NOVEMBER 7, 2023 BALLOT

WHEREAS, the Councilmember seat for the Municipality of West Milton, Ohio for the period January 1, 2022 through December 31, 2025 remained opened and unfilled on January 4, 2022, and was filled by Council on March 8, 2022; and

WHEREAS, Section 4.07(B)(1) of the *Charter of the Municipality of West Milton, Ohio* states that when the office of Councilmember becomes vacant it shall be filled at the next regular and/or special municipal election for the remainder of the unexpired term; and

WHEREAS, **November 7, 2023** is the next regularly scheduled municipal election;

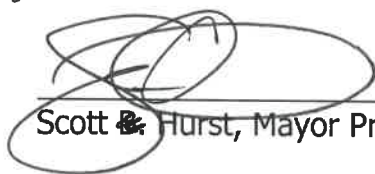
NOW THEREFORE, Be it resolved by the Council of the Municipality of West Milton, Miami County, Ohio, that:

SECTION I: November 07, 2023 shall be and is specified as the date of the election to be held to submit to the electors for their consideration for the position of Councilmember for the remainder of the unexpired term ending December 31, 2025.

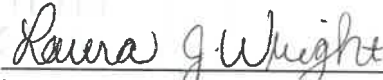
SECTION II: The Board of Elections of Miami County is hereby directed to place this issue on the November 07, 2023 ballot.

SECTION III: This resolution shall be effective from and after its passage.

Passed this 1st day of August 2023



Scott Hurst, Mayor Pro Tempore

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-23-47

Resolution No. _____

Passed August 1, 20 23

A RESOLUTION DECLARING IT NECESSARY TO RENEW THE LEVY OF A TAX IN EXCESS OF THE TEN-MILL LIMITATION

WHEREAS, this Council finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount necessary for the requirements of the Municipality; and

WHEREAS, it is necessary to renew the current five year, 3.00 mill street levy, approved by the electors of the Municipality of West Milton, Ohio on November 6, 2018 for the general construction, reconstruction, resurfacing, repair and operation of streets, including storm sewers incident thereto, in the Municipality which will expire at the end of tax year 2023.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of West Milton, Ohio, two thirds or more of the members elected thereto concurring, that:

SECTION I:

This Council declares that it is necessary to renew an existing property tax outside of the ten-mill limitation in the amount of 3.00 mills annually, for five years and to be levied on the tax duplicate for the whole of the Municipality of West Milton, Ohio beginning in the tax year 2024 and first collected in the tax year 2025, for the general construction, reconstruction, resurfacing, repair and operation of streets, including storm sewers incident thereto, in the Municipality, and that it intends to submit the question of that renewal levy to the electors of the Municipality at an election on November 7, 2023, as authorized by Sections 5705.19(G) and 5705.191 of the Ohio Revised Code.

SECTION II:

That it is necessary to levy tax years 2024, 2025, 2026, 2027 and 2028 as permitted by Section 5705.19(G) of the Ohio Revised Code, in a total rate and amount which shall not exceed THREE (3.00) mills for each one dollar (\$1.00) of taxable value, which amounts to seventy-one dollars (\$71.00) for each one hundred thousand dollars (\$100,000.00) of the county auditor's appraised value, to be levied upon all real property located within said village and to be placed upon the tax lists and duplicate beginning in the tax year 2024, as is permitted by Section 5705.191 of the Ohio Revised Code, and to remain on the tax lists and duplicate for the tax years 2025, 2026, 2027 and 2028, and to be first due and collected in the calendar year 2025 and to be further due and collected in the calendar years 2026, 2027, 2028 and 2029; and which proposed levy shall be a RENEWAL LEVY, which shall renew an existing levy in the same amount and for the same purpose.

SECTION III:

That certification of the County Auditor, pursuant to the provisions of ORC Section 5705.03(B), has been requested by Ordinance CM-23-42 and a Certificate of Estimated Property Tax Revenue has been received from the County Auditor and is attached hereto.

RECORD OF RESOLUTIONS

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

Resolution No. _____

Passed _____

, 20____

SECTION IV:

That the question of said levy in excess of the rate authorized by ORC 5705.02 shall be submitted to the electors of the Municipality of West Milton, Ohio, at the general election to be held on the 7th day of November 2023, as authorized by Sections 5705.19(G) and 5705.191 of the Ohio Revised Code.

SECTION V:

That the Clerk of Council be, and is hereby directed to, certify a copy of this Resolution to the Board of Elections of Miami County, Ohio, pursuant to Chapter 5705 of the Ohio Revised Code, in order that said Board of Elections can cause notice of election on the question of levying said tax to be given as required by law and can make such other arrangements as are necessary for the submission of such question to the electors of the Municipality.

SECTION VI:

That the Board of Elections of Miami County is hereby directed to submit the following question to the electors of the Municipality at the election to be held on November 7, 2023:

A renewal of a tax for the benefit of the Municipality of West Milton, Ohio, for the purpose of general construction, reconstruction, resurfacing, repair and operation of streets, including storm sewers incident thereto, in the Municipality, at a rate not exceeding three (3.00) mills for each one dollar of valuation, which amounts to seventy-one dollars (\$71.00) for each one hundred thousand dollars (\$100,000.00) of the county auditor's appraised value, for a five (5) year period, commencing in tax year 2024, first due in calendar year 2025, and producing an estimated collection amount of \$190,000.00 annually.

FOR THE TAX LEVY _____

AGAINST THE TAX LEVY _____

SECTION VIII:

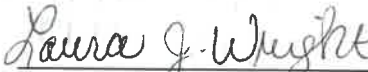
This Resolution shall take effect and be in full force, from and after the earliest date permitted by law.

Passed this 1st day of August 2023




Scott Hurst, Mayor

ATTEST:



Laura Wright
Clerk of Council

APPROVED AS TO FORM:



Leneé M. Brosh, Law Director

Certificate of Estimated Property Tax Revenue

DTE 140R
Rev. 01/23
R.C. 5705.01, 5705.03

Use this form when a taxing authority certifies a millage rate
and requests the revenue produced by that rate.

The county auditor of Miami County, Ohio, does hereby certify the following:

1. On July 26, 2023, the taxing authority of the Municipality of West Milton
(political subdivision name) certified a copy of its resolution or ordinance adopted July 25, 2023,
requesting the county auditor to certify the current taxable value of the subdivision and the amount of revenue that would
be produced by (3.000) mills, to levy a tax outside the 10-mill limitation for Street repair/resurface purposes pursuant to
Revised Code § 5705.19(G), to be placed on the ballot at the November 7, 2023, election. The levy
type is Renewal.
2. The property tax revenue that will be produced by the stated millage, assuming the taxable value of the subdivision remains
constant throughout the life of the levy, is calculated to be \$ 190,000.00.
3. The total taxable value of the subdivision used in calculating the estimated property tax revenue is \$ 89,623,470.00.
4. The millage for the requested levy is (3.000) mills per \$1 of taxable value, which amounts to \$ 71.00 for each
\$100,000 of the county auditor's appraised value.

Matth W. Benhardt
Auditor's signature

7/28/23
Date

Instructions

1. "Total taxable value" includes the taxable value of all real property in the subdivision as indicated on the tax list most recently certified for collection and estimates of the taxable value of public utility personal property for the first year the levy will be collected as set forth on the worksheets prescribed in conjunction with this form. If the subdivision is located in more than one county, the home county auditor (where the greatest taxable value of the subdivision is located) shall obtain the assistance of the other county auditors to establish the total tax valuation of the subdivision.
2. For purposes of this certification, "subdivision" includes any agency, board, commission or other authority authorized to request a taxing authority to submit a tax levy on its behalf. See R.C. 5705.01(A) & (C).
3. "Levy type" includes the following: (1) additional, (2) renewal, (3) renewal with an increase, (4) renewal with a decrease, (5) replacement, (6) replacement with an increase and (7) replacement with a decrease levies.
4. In completing Lines 1 and 4 of this form, mills should be identified in whole numbers, i.e., 5 mills, rather than as a fraction of a dollar, i.e., \$0.005. This expression is consistent with the prior practice of identifying mills in whole numbers per \$1 of valuation.
5. "The county auditor's appraised value" means the true value in money of real property. R.C. 5705.01(P).
6. For any levy or portion of a levy, an estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the taxing authority remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the auditor to the county budget commission. R.C. 5705.03(B).
7. Please file this certificate with the subdivision as soon as possible, so the taxing authority can pass a resolution to proceed not later than 90 days before the election.

RECORD OF RESOLUTIONS

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

RESOLUTION CM-23-48

Resolution No. _____

Passed _____

August 9, 20*23*

VILLAGE OF WEST MILTON PROCLAMATION

MILTONIAN WOMAN'S CLUB 100TH ANNIVERSARY

- WHEREAS,** The Miltonian Woman's Club of West Milton was founded in the Village in 1923; and
- WHEREAS,** The history of the Club provides a wonderful perspective of the community as a whole; and
- WHEREAS,** The Club was created when nine civic minded ladies got together in November of 1923 to help the less fortunate in the community with clothing and quilts; and
- WHEREAS,** In the early years of the Club, there were committees formed to investigate unsanitary conditions at the school, address bad behavior of some boys at the school and improve the lighting at the school grounds; and
- WHEREAS,** in 1925, the entire total assets of the Club, the princely sum of \$7.00 was given to a very worthy lady "to make life less burdensome for her"; and
- WHEREAS,** in 1931, the Club adopted the 10 "Health" commandments which included;
- "Honor thy City and keep its sanitary laws"
 - "Remember your City is you. Never forget that"
 - Thou shalt love thy children and provide for them decent homes and playgrounds"
 - Thou shalt not keep in disorder thy alley, thy backyards, thy hall or thy stairway"
- WHEREAS,** in 1937, the Club decided to sponsor the Girl Scout Movement; and
- WHEREAS,** in 1938 The verse entitled "What is a Woman's Club" was recorded in the Club records. It reads;
- "A place where kindly thoughts are cherished,
Where high ideals are fed and nourished,
Where charity in all its beauty,
Is held to be a sacred Duty;
Where Peace and Harmony abound,
And Members meet on common ground";* and
- WHEREAS,** The Club continues to be a valuable asset in the Community and contribute to all that is good and makes West Milton the special community that it is.

NOW, THEREFORE,

The Mayor and Council of West Milton hereby proclaim September 2023 as
MILTONIAN WOMAN'S CLUB MONTH in The Village of West Milton, and do
commend this observance to all our citizens.

Passed this 9th day of August 2023



Scott B. Hurst, Mayor Pro Tempore

ATTEST:

Laura J. Wright
Laura J. Wright, Clerk of Council

APPROVED AS TO FORM:

Leneé M. Brosh
Leneé M. Brosh, Law Director

RECORD OF RESOLUTIONS

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

RESOLUTION CM-23-49

Resolution No. _____

Passed August 8, 20 23

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO CONTRACT WITH ANTHEM FOR EMPLOYEE HEALTH INSURANCE

WHEREAS, the Municipality of West Milton has consistently provided health insurance benefits to its full-time employees, and desires to continue to provide such benefits, and

WHEREAS, the current health insurance contract ends August 31, 2023.

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

SECTION I:

The Council authorizes the Municipal Manager to execute the proper contractual documents with Anthem for a policy term of one (1) year, from September 1, 2023 through August 31, 2024, at the various rates as provided by McGohan Brabender, Dayton, Ohio.


SECTION II:

The Council further authorizes the Finance Director to make necessary deposits into the proper employee Health Savings Accounts not to exceed 50% of the deductible of the plan they choose. Such deposits shall be made equally through payroll beginning with the first pay in 2024, and shall follow the pay schedule of the Village.

SECTION III:

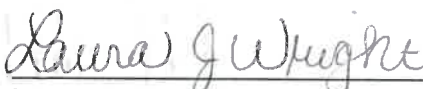
This Resolution shall take effect immediately upon its passage.

Passed this 8th day of August 2023



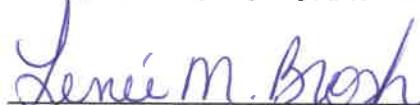
Scott Hurst, Mayor

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 CM-23-50

Resolution No. _____

Passed

August 8, 20*23*

A RESOLUTION TO CERTIFY DELINQUENT WATER, SEWER, AND REFUSE ACCOUNTS, AND COSTS ASSOCIATED WITH REMOVAL OF GRASS, WEEDS, LITTER, AND TREES, AND REPAIRS TO SEWER LINES TO THE MIAMI COUNTY AUDITOR FOR COLLECTION

WHEREAS, Chapter 743.04 of the Ohio Revised Code and Sections 51.27, 52.134, and 53.31 of the West Milton Code of Ordinances provides that water, sewer, and refuse charges that are not paid when due and payable shall be certified to the Auditor of Miami County who shall place the charges on the tax duplicate as a tax lien or assessment against the parcel or lot for collection as other taxes; and

WHEREAS, Chapter 93.45 of the West Milton Code of Ordinances provides that costs incurred for the removal of weeds, litter, and grasses shall be certified to the Auditor of Miami County who shall place the charges on the tax duplicate as a tax lien or assessment against the parcel or lot for collection as other taxes; and

WHEREAS, Chapter 93.56 of the West Milton Code of Ordinances provides that costs incurred for the removal of trees shall be certified to the Auditor of Miami County who shall place the charges on the tax duplicate as a tax lien or assessment against the parcel or lot for collection as other taxes; and

WHEREAS, the Municipality has been notified by the Miami County Auditor's Office that this year's deadline for the filing of such items certified for collection is September 11, 2023;

NOW THEREFORE, Be It Resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I: The water, sewer and refuse accounts, plus properties for which the Municipality has removed weeds, litter, grasses, and trees, and repaired sewer lines listed herewith as Appendix A, and incorporated herein by reference as if fully rewritten, shall be certified to the Miami County Auditor as tax liens in accordance with Sections 51.27, 52.134, 93.45, and 93.56 of the West Milton Code of Ordinances.

SECTION II: The total charges against each lot and parcel shall be payable to the Director of Finance of the Municipality of West Milton, Ohio by September 7, 2023 and if not paid shall thereafter be certified to the Miami County Auditor in the full amount shown, including a five percent (5%) service charge levied by the Auditor's office for covering the expense of the collection, for placement on the tax duplicate as a tax lien against said property and said charges shall be collected at the same time and manner as other taxes as provided by law.

SECTION III: This Resolution shall take effect and be in force from and after the earliest date allowed by law.

Passed this 8th day of August 2023.



Scott Hurst, Mayor

ATTEST:

Laura J. Wright
Laura J. Wright
Clerk of Council

Lenee M. Brosh
Lenee' Brosh
Director of Law

RECORD OF RESOLUTIONS

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

Resolution No. **RESOLUTION CM-23-51**

Passed

August 8, 20*23*

A RESOLUTION TO CONTINUE PARTICIPATION IN A MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN IN CONJUNCTION WITH THE MIAMI COUNTY EMERGENCY MANAGEMENT AGENCY

WHEREAS, there currently exists between the Municipality of West Milton, Ohio and the Board of Commissioners of Miami County, Ohio, an agreement that the County through its Emergency Management Agency shall provide emergency management for the Village in conjunction with a countywide coordinated program; and

WHEREAS, through this countywide coordinated program, Miami County Emergency Management Agency has developed a Multi-Jurisdictional Hazard Mitigation Plan that includes all hazards to which Miami County and its municipalities are susceptible as per the Disaster Mitigation Act of 2000, and

WHEREAS, goals, objectives and strategies to mitigate against the hazards that have been identified in the County, including the Municipality of West Milton, have been developed, and

WHEREAS, mitigation measures for the Municipality and surrounding areas have been analyzed and prioritized, and

WHEREAS, Miami County stakeholders have reviewed the Multi-Jurisdictional Hazard Mitigation Plan.

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

SECTION I: The Council hereby adopts and plans to implement the actions prescribed in the Miami County Multi-Jurisdictional Hazard Mitigation Plan with approved date of July 7, 2023, which is on file in the Office of the Director, Miami County Emergency Management Agency.

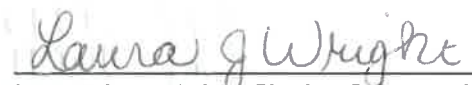
SECTION II: This Resolution shall take effect and be in full force from and after its passage.

Passed this 8th day of August 2023



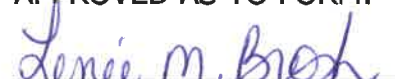
Scott Hurst, Mayor

ATTEST:



Laura J. 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-23-52**

Passed

August 8, 20*23*

A RESOLUTION AUTHORIZING ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR THE MIAMI STREET WATER MAIN AND LEAD SERVICE REPLACEMENT PROJECT

WHEREAS, the Municipality of West Milton, Ohio has received direct payments from the United States (US) Treasury under the Coronavirus State and Local Fiscal Funds authorized by the American Rescue Plan Act (ARPA); and,

WHEREAS, the Municipality of West Milton will use the funding in accordance with ARPA and guidance from the US Treasury; and,

WHEREAS, the Department of Treasury issued the Final Rule effective April 1, 2022, to provide guidance on permissible uses; and,

WHEREAS, a permissible use of the ARPA funds is to make necessary investments in water, sewer or broadband infrastructure; and,

WHEREAS, the allocated funds cover the replacement of a water main and lead service of municipal-owned waterline infrastructure.

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

SECTION I: Council approves the use of the ARPA funds toward a portion of the Miami Street Water Main and Lead Service Replacement Project in the amount of \$507,757.13.


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

Passed this 8th day of August 2023




Scott Hurst, Mayor

ATTEST:


Laura J. Wright, Clerk of Council

APPROVED AS TO FORM:


Leneé M. Brosh, Law Director

RECORD OF RESOLUTIONS

Resolution No. **RESOLUTION CM-23-53**

Passed *August 8*, 20 *23*

A RESOLUTION AUTHORIZING THE OHIO DEPARTMENT OF TRANSPORTATION TO RESURFACE ROADWAYS WITHIN AND CONTIGUOUS TO THE MUNICIPALITY OF WEST MILTON INCORPORATED AREAS.

WHEREAS, The Ohio Department of Transportation (ODOT) will be resurfacing roadways within the Municipality of West Milton, Ohio, known as the "Local Public Agency (LPA) and;

WHEREAS, ODOT has described the project and has requested the LPA's consent to proceed, and;

WHEREAS, ODOT Project Identifier Number 109714 is for the resurface of parts of St. Rt. 571 from Straight Line Mile numbers 0.00 to 5.83 and 7.18 to 13.66 located within Municipal boundaries, and;

WHEREAS, Council believes this work to be beneficial to the Municipality (LPA) and is appreciative of ODOT's efforts to maintain our area's State Routes.

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

SECTION I: Being in the public interest, West Milton Council gives consent to the Director of Transportation of ODOT to complete the above-described project.

SECTION II: Council understands that the State of Ohio shall assume and bear 100% of the costs of the improvement project.

SECTION III: Council authorizes the payment of 100% for any requests of features not deemed as necessary by the State of Ohio and Federal Highway Administration.

SECTION IV: Council agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. Council also understands that right-of-way costs include eligible utility costs and that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR645 and the ODOT Utilities Manual.

SECTION V: Upon completion of the project, and unless otherwise agreed, the LPA shall:

- (A) Provide adequate maintenance for the project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116.
- (B) Provide ample financial provisions, as necessary, for the maintenance of the project.
- (C) Maintain the right-of-way, keeping it free of obstructions.
- (D) Hold said right-of-way inviolate for public highway purposes.

RECORD OF RESOLUTIONS

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

Resolution No. _____ Passed _____, 20____

SECTION VI:

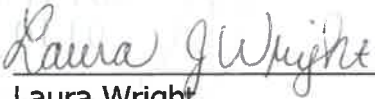
This Resolution shall take effect and be in full force from and after its passage.

Passed this 8th day of August 2023



Scott Hurst, Mayor

ATTEST:



Laura Wright
Clerk of Council

APPROVED AS TO FORM:



Lenee' Brosh
Law Director

CERTIFICATE OF COPY
STATE OF OHIO

Municipality of West Milton of Miami County, Ohio
(Local Public Agency)

I, Laura J. Wright, as Clerk of the Municipality of West Milton (LPA)

of Miami County, Ohio, do hereby certify that the foregoing is a true and correct copy of
Resolution CM-23-53
(Ordinance/Resolution)

Municipality of West Milton (LPA) on the 8th day of August, 2023.
(LPA)

That the publication of such Resolution CM-23-53 has been made and certified of record according to
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such Resolution CM-23-53 have been taken;
(Ordinance/Resolution)

and that such Resolution CM-23-53 and certificate of publication thereof are of record in _____,
(Ordinance/Resolution) (Record No.)

Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this 8th day of August 2023.

Laura J. Wright
(Clerk)

(CITY SEAL)

Municipality of West Milton of Miami County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The afore going is accepted as a basis for proceeding with the project herein described.
For the Municipality of West Milton of Miami County, Ohio.
(LPA)

Attested: _____ Date _____
(Contractual Agent)

