

**CM-12-01**

**AN ORDINANCE TO APPROPRIATE FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE MUNICIPALITY OF WEST MILTON, OHIO FOR THE YEAR 2012 AND DECLARING AN EMERGENCY**

**NOW THEREFORE, BE** it ordained by the Council of the Municipality of West Milton, Ohio that:

**SECTION I:** To provide for the current expenses and other expenditures of the Municipality of West Milton during the fiscal year beginning January 1, 2012 and ending December 31, 2012 the following sums be and are hereby set aside and appropriated as follows:

<b><u>FUND TITLE</u></b>	<b><u>APPROPRIATED DOLLARS</u></b>
General Fund	\$ 1,743,800.00
Cemetery Fund	\$ 1,000.00
Street Levy Fund	\$ 169,500.00
Park Fund	\$ 46,200.00
Street Construction & Maintenance Fund	\$ 247,925.00
State Highway Fund	\$ 10,000.00
Enforcement & Education Fund	\$ 500.00
Drug Law Enforcement Fund	\$ 1,000.00
Safe Routes to School Fund	\$ 29,700.00
OWDA Debt Service Fund	\$ 224,842.00
OPWC(12) Debt Service Fund	\$ 25,290.00
Water Capital Improvement Fund	\$ 8,500.00
Sewer Capital Improvement Fund	\$ 64,000.00
Water Fund	\$ 743,825.00
Sewer Fund	\$ 649,292.00
Law Enforcement Trust Fund	\$ 150.00
<b>TOTAL APPROPRIATIONS ALL FUNDS</b>	<b>\$ 3,965,524.00</b>

**SECTION II:** The Director of Finance is hereby authorized to draw warrants on the Village treasury for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of Council to make the expenditure, provided that no warrant shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

**SECTION III:** This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage.

Passed this \_\_\_\_\_ day of February 2012

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Michael Coate, II, Mayor

ATTEST:

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Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

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Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-02**

**RESOLUTION TO AUTHORIZE A PAY  
INCREASE FOR FULL-TIME EMPLOYEES  
FOR THE YEAR 2012**

**WHEREAS,** Council has established an organizational structure, staffing levels and pay ranges for employees of the Municipality; and

**WHEREAS,** Council wishes to provide the full-time employees of the Municipality a pay adjustment for the upcoming year of 2012,

**NOW THEREFORE,** It is resolved by the Council of the Municipality of West Milton, Ohio that:

**SECTION I:** The Municipal Manager is hereby authorized and directed to award a 3.5% pay increase to all eligible full-time employees retroactive to the first pay period in January, 2012. The only exception will be for those police officers who are within the first six years of employment with the Municipality of West Milton. These officers shall follow the schedule as dictated by Resolution CM-08-33 passed on September 9, 2008.

**SECTION II:** The pay increase shall not be implemented until the passage of the 2012 budget.

**SECTION III:** The Municipal Manager is hereby authorized and directed to raise the pay of fire personnel to \$7.70 per hour effective the first pay period of January, 2012. The Municipal Manager is further authorized to modify the hourly wage of fire personnel when state minimum wage laws and regulations are modified to comply with state minimum wage laws and regulations.

**SECTION IV:** The Municipal Manager is hereby authorized and directed to raise the pay of fire officers to \$9.25 per hour effective the first pay period of January, 2012. The Municipal Manager is further authorized to modify the hourly wage of fire officers to be \$1.55 per hour greater than state minimum wage laws and regulations when state minimum wage laws and regulations are modified.

**SECTION V:** This Resolution shall go onto effect immediately from and after its passage.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

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Michael Coate, II, Mayor

ATTEST:

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Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

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Charles H. Sell, II  
Law Director

CM-12-03

**AN ORDINANCE AMENDING SECTION 30.03  
OF THE CODIFIED ORDINANCES OF  
THE MUNICIPALITY OF WEST MILTON**

**WHEREAS**, Section 4.12 (A) of the Charter for the Municipality of West Milton provides Council shall meet at such times and places as the Council may prescribe by rule;

**WHEREAS**, the Council Rules and Codified Ordinances for the Municipality of West Milton, Section 30.03(2), states that the second council meeting of each month shall be held at 7:00 p.m.;

**WHEREAS**, Council for the Municipality of West Milton deems it appropriate to change the time of the second meeting of each month to 7:30 p.m.;

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

**SECTION I:** Council hereby amends Section 30.03(2) to change the time of the second council meeting of each month to 7:30 p.m.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-04**

**A RESOLUTION AUTHORIZING THE PURCHASE OF A POLICE  
CRUISER FOR THE WEST MILTON POLICE DIVISION**

**WHEREAS**, the Municipality's 2012 operating budget includes \$30,000 for the purchase of a new police cruiser for the current calendar year and funds have been duly appropriated; and

**WHEREAS**, Council by Resolution CM-96-21 authorized the Municipality's participation in the State of Ohio's Cooperative Purchasing Program; and

**WHEREAS**, Grollings Arena of Dayton, Ohio has submitted a bid \$1,520.00 below the state bid pricing for 2011.

**WHEREAS**, it is further the opinion of the Manager that this action by the Council is in the best interest of the Municipality and in compliance with the Administrative Code and Resolution CM-96-21.

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

**SECTION I:** The Municipal Manager is hereby authorized and directed to purchase a model year 2011 Dodge Charger with the police package in the amount of \$22,000.00 and to execute all documents and agreements necessary to complete the transaction of this purchase.

**SECTION II:** The Municipal Manager is hereby authorized to have the vehicle properly changed over with the necessary police equipment through the K E Rose Company of Huber Heights, Ohio in the amount of \$6,431.00.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

CM-12-05

**AN ORDINANCE AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT FOR SERVICES TO BE PROVIDED BY THE DIRECTOR OF LAW AND TO DECLARE AN EMERGENCY**

**WHEREAS**, The Municipal Manager's desire to appoint Charles H. Sell, II to serve as Director of Law; and

**WHEREAS**, The Municipal Manager desires to enter into an agreement on behalf of the Municipality of West Milton for legal services to be provided by the Director of Law as described in the attached agreement, marked as Exhibit A; and

**WHEREAS**, the appointment and agreement require approval of Council;

**NOW**, therefore in consideration of the requirements of the Municipal Charter and the codified Ordinances of the Municipality of West Milton, the Municipal Council hereby ordains as follows:

**SECTION I:** That the appointment of Charles H. Sell, II as Director of Law is hereby approved.

**SECTION II:** That the Municipal manager is hereby authorized to enter into the attached agreement (Exhibit A) providing for legal services to be rendered by the Director of Law.

**SECTION III:** The Municipal Council hereby declares this action shall take immediate effect and is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and general welfare.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-06**

**A RESOLUTION AUTHORIZING THE PURCHASE OF LABOR AND MATERIALS TO INSTALL CARPET IN THE MUNICIPAL BUILDING**

**WHEREAS**, Section 33.18 (A) (3) of the Municipality's Codified Ordinances allows purchases of goods or services anticipated to be \$5,000 or less to be informally bid, and probable costs of \$15,000 or more to be formally bid; and

**WHEREAS**, The Manager is hereby requesting, pursuant to this Resolution and Sections 33.18 (A) (3) and (A) (5), of the Municipality's Codified Ordinances, the right to purchase certain materials and labor, for the municipal building.

**WHEREAS**, the Administrative Code provides the Manager, the right to purchase certain materials and labor, without either formal or informal bidding.

**WHEREAS**, funds for the purchase are in the 2012 budget and duly appropriated; and

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

**SECTION I:** The Municipal Manager is hereby authorized to contract with Home Home Gallery Flooring LLC of West Milton, Ohio for installation of carpeting in the municipal building in the amount of \$6,558.75.

**SECTION II:** The Municipal Manager has investigated the options to purchase the materials and labor outlined above and has determined based upon informal bids that the above referenced contract is the lowest and best bid among informal bidding.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-06**

**A RESOLUTION AUTHORIZING THE PURCHASE OF SERVICES  
TO REPAIR AND PAINT THE MUNICIPAL BUILDING**

**WHEREAS**, Section 33.18 (3) of the Municipality's Codified Ordinances allows purchases of goods or services anticipated to be \$5,000 or less to be informally bid, and probably costs of \$15,000 or more to be formally bid; and

**WHEREAS**, funds for the purchase are in the 2012 budget and duly appropriated; and

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

**SECTION I:** The Municipal Manager is hereby authorized to contract with Home Home Gallery Flooring LLC of West Milton, Ohio for installation of carpeting in the municipal building in the amount of \$6,558.75.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

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Michael Coate, II, Mayor

ATTEST:

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Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

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Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-07**

**A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER  
TO SOLICIT BIDS FOR SLUDGE REMOVAL**

**WHEREAS**, the Municipality's current contract with Mike's Sanitation, Inc. for sludge removal has expired; and

**WHEREAS**, the anticipated cost of the contract renewal subjects it to the formal bid requirements as set forth by Chapter 33.19 of the Administrative Code and Ohio law; and

**WHEREAS**, specifications have been prepared for the collection and removal of sludge to an approved O.E.P.A. facility.

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

**SECTION I:** The Municipal Manager is hereby authorized and directed to solicit competitive bid proposals for the collection, transport and disposal of sludge from the West Milton Wastewater Plant to an approved O.E.P.A. facility.

**SECTION II:** This Resolution shall go into effect and be in full force after its passage.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-08**

**A RESOLUTION AUTHORIZING THE PURCHASE  
OF CAPITAL EQUIPMENT**

**WHEREAS**, the Municipality's 2012 budget includes an appropriation for the purchase of a mower; and

**WHEREAS**, the amount of the purchase does not require formal bidding pursuant to State Law and the procedures found in Section 33.18 (A) (3) of the West Milton Codified Ordinances; and

**WHEREAS**, in accordance with local purchasing practices and procedures set forth in Section 33.18 of the West Milton Ordinance, three (3) bids were solicited; and

**WHEREAS**, Wagoner Power Equipment of Englewood, Ohio was deemed the lowest and best bid.

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

**SECTION I:** The Municipal Manager is hereby authorized to purchase a Bobcat Predator – Pro 72' zero turn model at the bid price of \$10,283.00 from Wagoner Power Equipment of Englewood, Ohio and to execute all documents and agreements necessary to complete the transaction.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Director of Law

**ORDINANCE CM-12-09**

**AN ORDINANCE AUTHORIZING THE UPDATE AND SUPPLEMENTAL PAGES TO THE MUNICIPALITY OF WEST MILTON CODE OF ORDINANCES AND TO INCLUDE DULY ADOPTED ORDINANCES OF COUNCIL NOT PREVIOUSLY CODIFIED AND DECLARING AN EMERGENCY**

**WHEREAS**, the Municipality periodically updates its Code of Ordinances to assure that newly enacted and amended ordinances are properly codified in form and substances so as to promote the preservation of the public peace, health, safety and general welfare of the Municipality and for the proper conduct of its business and operations, and;

**WHEREAS**, the Municipality's 2012 budget includes an appropriation for an update to the Code of Ordinances; and

**WHEREAS**, in order to provide for the uninterrupted conduct of business and other operations of the Municipality necessary for the immediate preservation of the public peace, health, safety and general welfare of the community, it is necessary for this ordinance to take effect at the earliest date allowed by law.

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

**SECTION I:** The Municipal Manager is hereby authorized to order the supplemental and additional pages to include legislation from October 2004 to December 2011 from American Legal Publishing of Cincinnati, Ohio at a price not to exceed \$7,000.00.

**SECTION II:** Such additional code pages shall be deemed published at the date of its adoption and approval by Council and a copy shall be filed in the Office of the Clerk.

**SECTION III:** This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective upon its passage.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CAP-OM  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-10**

**A RESOLUTION TO AWARD A CONTRACT  
FOR SLUDGE COLLECTION AND DISPOSAL SERVICES**

**WHEREAS**, the Municipality's current contract for sludge collection and removal terminates March 31, 2012; and

**WHEREAS**, Council by Resolution CM-12-07 authorized the Municipal Manager to solicit formal bids for the provision of sludge collection and disposal services for a period of three (3) years beginning April 1, 2012 and ending March 31, 2015; and

**WHEREAS**, bid specifications and documents were prepared and the project competitively bid; and

**WHEREAS**, the lowest responsive bid was submitted by Mike's Sanitation, Inc., 8810 Brockman Rd., New Bremen, Ohio 45869, in the amount of \$0.111 for year 1, \$0.117 for year 2 and \$0.123 for year 3; and

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

**SECTION I:** The Municipal Manager is hereby authorized and directed to enter into a contract with Mike's Sanitation Service, Inc., 8810 Brockman Rd., New Bremen, Ohio, 45869 for the provision of sludge collection and disposal services for the periods and amounts as indicated below based upon an estimate of 350,000 gallons annually:

<u>Period</u>	<u>Cost/Gal.</u>	<u>Est. Annual Cost</u>
4/01/12 – 3/31/13	\$ 0.111	\$ 38,850.00
4/01/13 – 3/31/14	\$ 0.117	\$ 40,950.00
4/01/14 – 3/31/15	\$ 0.123	\$ 43,050.00

**SECTION II:** This Resolution shall take affect and be in full force immediately upon its passage.

Passed this \_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED TO AS FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Director of Law

**RESOLUTION CM-12-11**

**RESOLUTION TO AUTHORIZE THE PURCHASE OF SUPPLIES  
FOR THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, Section 33.18(3) of the Municipality's Codified Ordinances allows purchases of goods or services anticipated to be \$5,000 or less to be informally bid, and probable costs of \$15,000 or more to be formally bid; and

**WHEREAS**, funds for the purchase are in the 2012 budget and duly appropriated; and

**WHEREAS**, the Municipal Manager has inquired of potential bidders as to the cost of the purchase of the items set forth below, and has received inform offers and has therefore complied in all respects with Divisions A(1) through A(3) of Section 33.18 of the Codified Ordinances.

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

**SECTION I:** The Municipal Manager is hereby authorized to purchase capital supplies for e-coli testing at the wastewater treatment facility through IDEXX Laboratories, Inc. of Westbrook, Maine in the amount of \$6,876.00

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-12**

**RESOLUTION TO AUTHORIZE THE PURCHASE OF SUPPLIES  
FOR THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, Section 33.18(3) of the Municipality's Codified Ordinances allows purchases of goods or services anticipated to be \$5,000 or less to be informally bid, and probable costs of \$15,000 or more to be formally bid; and

**WHEREAS**, funds for the purchase are in the 2012 budget and duly appropriated; and

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

**SECTION I:** The Municipal Manager is hereby authorized to purchase capital supplies for disinfection procedures at the wastewater treatment facility through U V Doctor of \_\_\_\_\_ in the amount of \$10,800.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-13**

**RESOLUTION TO AUTHORIZE THE PAYMENT OF 2012 AUDIT**

**WHEREAS**, Ohio Revised Code 117.11 requires that the Auditor of the State audit each public office at least once every two fiscal years, and

**WHEREAS**, Ohio Revised Code 115.56 allows for Independent Certified Public Accountants to perform required audits in lieu of the Auditor of State, and

**WHEREAS**, a Memorandum of Agreement was executed in 2007 between Caudill and Associates, an independent public accountant, Mary Taylor, CPA (then) the Auditor of the State of Ohio and the Village of West Milton, Ohio authorizing Caudill and Associates to perform the biennial audit for the fiscal periods of January 2006 through December 2011, and

**Whereas**, Caudill and Associates have completed said audit for January 2010 through December 2011

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

**SECTION I:** The Council authorizes the Finance Director to issue warrants for the payment of professional services of the biennial audit to Caudill and Associates of Portsmouth, Ohio in the amount of \$10,000.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-14**

**RESOLUTION TO AUTHORIZE MANAGER TO RENEW INSURANCE**

**WHEREAS,** The Municipality of West Milton has been a member of The Ohio Municipal Joint Self-Insurance Pool since 1989, and

**WHEREAS,** the insurance is due for renewal effective April 1, 2012,

**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 to renew said insurance with The Ohio Municipal Joint Self-Insurance Pool for a policy term of three (3) years, from April 1, 2012 to March 31, 2015, for all coverage at the rate of \$60,448.00 for year one, \$55,241.00 for year two, and \$55,241.00 for year three.

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

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-15**

**RESOLUTION TO AUTHORIZE MANAGER TO CONTRACT  
FOR GPS MAPPING**

**WHEREAS,** The Ohio Environmental Protection Agency has renewed the license to the Municipality of West Milton for permission to operate its wastewater treatment facility, with the condition and orders that West Milton must address the inflow and infiltration (I&I) problems we experience from time to time, and

**WHEREAS,** for West Milton to address these I&I concerns, we must fully understand what exists below ground for all of our utilities,

**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 contract with the Operator Training Committee of Ohio (OTCO) from Columbus, Ohio to map by global positioning satellite (GPS) all of the utility systems: water, sanitary sewer and storm sewer, at a cost not to exceed \$12,000.

**SECTION II:** The total cost of this GPS project shall be equally divided by thirds from funds within the streets, water, and wastewater divisions.

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

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CPS/CAP  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director

**RESOLUTION CM-12-16**

**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 2013 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 2013 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

**RESOLUTION CM-12-16**

**Page 2**

**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 \_\_\_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Michael Coate, II, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Cantrell, CAP/OM  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles H. Sell, II  
Law Director