

# **PUBLIC NOTICE**

## **AGENDA**

### **ADMINISTRATIVE SERVICES COMMITTEE MEETING**

***Committee Members: Lisa Evans, Kim Chamberland, and Sandy Russell***

**Wednesday, April 28, 2021 at 4:30 p.m.**

**Council Chambers, 745 Center Street, Milford, Ohio 45150**

Call to Order

Proceedings: Approval of the April 15, 2021 Administrative Services Committee Minutes

Agenda Items:

- Local Government Fund Mayors Association Formula
- Property and Casualty Insurance
- Discussion of House Bill 197 Section 29
- And all additional matters that may properly come before the Committee

Adjourn

**Administrative Services Committee  
Meeting Minutes  
April 15, 2021**

Mrs. Evans called the meeting to order at 5:00 p.m.

Present: Lisa Evans, Sandy Russell and Kim Chamberland

Staff: City Manager, Michael Doss

Visitors: None

Proceedings: *Approve the proceedings from the February 25, 2021 Administrative Services Committee Minutes. Mrs. Chamberland made a motion to approve. Seconded by Mrs. Russell.*

2022 Clermont County Public Health Contract

Mr. Doss presented the 2022 Clermont County Public Health contract with the City of Milford. Mr. Doss reminded the Committee that the City contracts annually with Clermont County Public Health to provide health and inspection services for Milford. The services include health inspections of businesses, sanitary sewer plumbing inspections, vaccinations, and other various health services. Mr. Doss stated that the 2022 contract is in the amount of \$29,349.11.

Mrs. Evans inquired about the frequency of inspections conducted by the health department.

Mrs. Russell replied that her experience is twice a year, but that is in Hamilton County.

Mr. Doss agreed with Mrs. Russell and stated that is approximately the same for Clermont County unless there are numerous complaints about a specific business.

Without further Committee discussion....

*The Committee agreed to recommend that the Law Director draft an ordinance authorizing the City Manager to enter into a contract with Clermont County Public Health in the amount of \$29,349.11 for public health services for the 2022 calendar year.*

Future Funding for Public Improvements Discussion

Mr. Doss presented the Committee with information obtained from the Clermont County Auditor's Office regarding millage and estimated tax revenue from a potential tax levy associated with public services. Mr. Doss stated that a proposed public services levy for a term of five years would net revenue proceeds from anywhere between \$950,000 to \$1.4 million depending on the amount of millage. For example, Mr. Doss advocating for a 1.25 mill levy would net revenue proceeds of \$234,442 annually or \$1,172,210 over a term of five years.

According to Mr. Doss, the tax revenue proceeds could be used to pave roads, install curbing, provide for park improvements, or enhance existing park and recreation activities. Future budgeted monies could be reappropriated for other projects/services or added to the tax revenue generated by a public services levy for large scale road or recreational projects. Mr. Doss emphasized that any proposed public services levy was in the preliminary stages but would need to be acted upon legislatively prior to mid-June to qualify for the November ballot. Mr. Doss reminded the Committee that the legislative process is a two-stage process requiring two separate ordinances.

Mrs. Evans stated that she believes a park levy was the best approach for consideration. She believes that citizens would not support a levy related to road and street paving because citizens relate the one percent income tax to already paying for those improvements. Mrs. Evans further explains that the City should focus the potential tax revenue proceeds to our existing parks and in particular the Milford Main site.

Mrs. Chamberland and Mrs. Russell agreed that the City should focus attention to the Milford Main site.

Mr. Doss stated that the City is already in the process of assessing all the roads and street in Milford. The study will provide the City with a rating system based on the existing condition of each road and street. The result of the study will assist the City with future capital planning and budgeting for street and road improvements.

Mrs. Evans expressed interest in creating a priority list for Milford parks and use that information to share with the public to support a park levy in November.

*The Committee agreed to schedule a future meeting to create a priority list for the Milford Park system and continue to explore the potential for a park levy.*

There being no further business, the meeting adjourned at 5:24 p.m. with a motion from Mrs. Russell, Seconded by Mrs. Chamberland. All agreed.

Respectfully submitted,  
Michael Doss, City Manager

"These minutes have been approved and adopted by Mrs. Evans, Mrs. Russell and Mrs. Chamberland on April 16, 2021."



## CITY OF MILFORD

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**To:** Honorable Chair Sandy Russell, Committee Members Lisa Evans & Kim Chamberland  
*Administrative Services Committee*

**From:** Pat Wirthlin, Finance Director *pw*

**Date:** April 27, 2021

**Subject:** Local Government Fund Allocation – Year 2022

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### Try, Try Again!

Clermont County Mayors are proposing a new Local Government Fund (LGF) formula to bring Clermont County townships, cities, villages, and Commissioners to a mutually acceptable formula.

### Existing Township Model: \$116,000 Milford Loses Annually

Under the existing Township Model, Milford forfeits the largest LGF portion on an annual basis (~\$116K). It is a huge blow to villages. All the townships benefit, with Miami and Union gaining the most (~\$92K and ~\$112K annually, respectively).

### New Mayor Model: \$114K Milford Loses Annually

Milford does not fare much better under the proposed Mayor Model, but this formula places less emphasis on population and gives other municipalities a fairer portion of the pie.

### No Vote for Milford – Yes Show of Support

Today's recommendation for an Ordinance is merely a show of support for a more equitable distribution. You might recall that townships can and will exclude Milford's vote, so it boils down to the first two voting blocks

1. County
2. Townships, Villages and Loveland
3. Milford

## **Staff Suggestion for Committee Recommendation**

Recommendation to authorize the Law Director to create an ordinance authorizing adoption of an alternative method of apportionment of the undivide Local Government Fund for calendar year 2022 based on the following distribution:

1. The County will receive 48.545 percent of the total allocation to be disbursed.
2. The remaining 51.455 percent of funds after the County allocation outlined in items 1 above will be disbursed as follows:
  - a. 50 percent will be shared equally among all municipalities and townships
  - b. 50 percent will be distributed to the municipalities and on a per capita basis and will be adjusted as necessary based upon the most current United States Census

Sorted by Variance Current to Proposed

Jurisdiction	LGF Distribution from State					
	2109 LG Allocation	Current	Variance	Proposed	Variance	Variance
	(Old Allocation)	Township Model	(Old to Current)	Mayors Association Model	(Current to Proposed)	(OLD to Proposed)
VILLAGE-CHILO	\$ 9,570.88	\$ 13,449.72	\$ 3,878.84	\$ 26,463.86	\$ 13,014.13	\$ 16,892.98
VILLAGE-NEVILLE	\$ 10,026.43	\$ 13,641.59	\$ 3,615.16	\$ 26,591.77	\$ 12,950.18	\$ 16,565.34
VILLAGE-MOSCOW	\$ 24,358.93	\$ 14,082.37	\$ (10,276.56)	\$ 26,885.62	\$ 12,803.25	\$ 2,526.69
VILLAGE-OWENSVILLE	\$ 52,719.58	\$ 17,240.40	\$ (35,479.18)	\$ 28,990.97	\$ 11,750.57	\$ (23,728.61)
VILLAGE-FELICITY	\$ 38,899.90	\$ 17,364.85	\$ (21,535.05)	\$ 29,073.94	\$ 11,709.09	\$ (9,825.96)
VILLAGE-BATAVIA	\$ 47,942.12	\$ 20,948.10	\$ (26,994.02)	\$ 31,462.78	\$ 10,514.67	\$ (16,479.34)
CITY-LOVELAND	\$ 53,514.34	\$ 23,188.28	\$ (30,326.06)	\$ 32,956.23	\$ 9,767.95	\$ (20,558.11)
TOWNSHIP-WASHINGTON	\$ 12,869.75	\$ 23,457.94	\$ 10,588.19	\$ 33,136.00	\$ 9,678.06	\$ 20,266.25
VILLAGE-WILLIAMSBURG	\$ 33,577.62	\$ 26,035.18	\$ (7,542.44)	\$ 34,854.16	\$ 8,818.98	\$ 1,276.54
VILLAGE-NEW RICHMOND	\$ 76,540.39	\$ 26,512.25	\$ (50,028.14)	\$ 35,172.21	\$ 8,659.96	\$ (41,368.18)
TOWNSHIP-OHIO	\$ 14,110.91	\$ 26,657.45	\$ 12,546.54	\$ 35,269.01	\$ 8,611.56	\$ 21,158.10
VILLAGE-BETHEL	\$ 83,197.91	\$ 27,181.20	\$ (56,016.71)	\$ 35,618.17	\$ 8,436.97	\$ (47,579.74)
TOWNSHIP-JACKSON	\$ 20,388.58	\$ 28,576.12	\$ 8,187.54	\$ 36,548.12	\$ 7,972.00	\$ 16,159.54
TOWNSHIP-WILLIAMSBURG	\$ 24,313.04	\$ 30,007.35	\$ 5,694.31	\$ 37,502.27	\$ 7,494.92	\$ 13,189.23
TOWNSHIP-FRANKLIN	\$ 26,425.22	\$ 30,271.82	\$ 3,846.60	\$ 37,678.58	\$ 7,406.77	\$ 11,253.36
VILLAGE-AMELIA	\$ 67,392.22	\$ 38,019.11	\$ (29,373.11)	\$ 42,843.44	\$ 4,824.34	\$ (24,548.78)
TOWNSHIP-WAYNE	\$ 31,437.49	\$ 38,454.70	\$ 7,017.21	\$ 43,133.84	\$ 4,679.14	\$ 11,696.35
TOWNSHIP-STONELICK	\$ 26,857.46	\$ 39,548.86	\$ 12,691.40	\$ 43,863.28	\$ 4,314.42	\$ 17,005.82
TOWNSHIP-TATE	\$ 41,761.80	\$ 47,586.54	\$ 5,824.74	\$ 49,221.73	\$ 1,635.19	\$ 7,459.93
CITY-MILFORD	\$ 164,140.05	\$ 47,913.23	\$ (116,226.82)	\$ 49,439.53	\$ 1,526.30	\$ (114,700.52)
TOWNSHIP-MONROE	\$ 48,157.61	\$ 53,715.92	\$ 5,558.31	\$ 53,307.99	\$ (407.93)	\$ 5,150.38
TOWNSHIP-PIERCE	\$ 37,372.07	\$ 71,269.19	\$ 33,897.12	\$ 65,010.16	\$ (6,259.02)	\$ 27,638.09
TOWNSHIP-GOSHEN	\$ 64,917.08	\$ 93,525.79	\$ 28,608.71	\$ 79,847.90	\$ (13,677.89)	\$ 14,930.82
TOWNSHIP - BATAVIA	\$ 64,791.05	\$ 117,384.74	\$ 52,593.69	\$ 95,753.87	\$ (21,630.87)	\$ 30,962.82
TOWNSHIP-MIAMI	\$ 132,292.25	\$ 224,944.50	\$ 92,652.25	\$ 167,460.37	\$ (57,484.13)	\$ 35,168.12
TOWNSHIP-UNION	\$ 140,869.16	\$ 253,817.93	\$ 112,948.77	\$ 186,709.33	\$ (67,108.60)	\$ 45,840.17
VILLAGE-NEWTONSVILLE	\$ 16,351.30	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ 1,364,795.14		\$ 1,364,795.14		





March 10, 2021

Dear Clermont County Township Trustees and City/Village Mayors and Councilmembers:

I am writing on behalf of the Clermont County Mayors Association regarding a proposed new formula for the distribution of local government funds. As you know, beginning in 2020 the "Township Model" was adopted (with a three-year phase-in) which provides as follows: 25% of the distribution is a fixed amount for all entities and the remaining 75% is distributed based on population. When we raised objections to this new formula to the Clermont County Board of Commissioners in 2019, we were instructed to collaborate with the Townships to come up with a different model. The purpose of this letter, and the invite below to attend a meeting, is to do just that.

Our proposed model provides as follows: 50% of the distribution is a fixed amount for all entities and the remaining 50% is distributed based on population. Attached are two spreadsheets comparing the old allocation ("2019 Model") to the Township Model, to the Proposed Model. Both spreadsheets contain the same information, simply organized differently. You will note that we have been informed that Amelia continues to participate, even though it has been dissolved.

Comparing the 2019 Model to the Proposed Model, 18 entities will gain, and 8 will lose. Of the 8 that lose, all are cities and villages. Under the 2019 Model the total allocation was divided roughly between municipalities (\$678,231.67 [50%]) and townships (\$686,563.47 [50%]). Under the Township Model the allocation is 20% to municipalities (\$285,576.28) and 80% to townships (\$1,079,218.86). Under the Proposed Model the allocation is 29% to municipalities (\$400,352.68) and 71% to townships (\$964,442.46).

Comparing the Township Model to the Proposed Model, 20 entities will gain, including 8 Townships, and 6 will lose. Even of the 6 that will lose, all still gain substantially compared to the 2019 Model:

Monroe Twp.	+ \$5150.38	10.7% increase	vs. 11.5% under Twp. Model
Pierce Twp.	+ \$27,638.09	74% increase	vs. 90.7% under Twp. Model
Goshen Twp.	+ \$14,930.82	23% increase	vs. 44.1% under Twp. Model
Batavia Twp.	+ \$30,962.82	47.8% increase	vs. 81.2% under Twp. Model
Miami Twp.	+ \$35,168.12	26.6% increase	vs. 70% under Twp. Model
Union Twp.	+ \$45,840.17	32.5% increase	vs. 80.2% under Twp. Model

Under the Township Model four Townships (Union, Miami, Batavia, Goshen) receive 51% of the total LGF distribution (\$689,672.96 [an amount larger than the entire amount shared by all 14 Townships under the 2019 Model]), and the remaining 22 entities share 49%. 72% of the total amount of funds allotted to all Townships goes to these four Townships under the Township Model, 28% to the remaining 10 Townships.

Under the Proposed Model Cities and Villages continue to lose a large amount of funding: \$277,878.99 compared to the \$392,655.39 Cities and Villages lose under the Township Model. While this amount is still significant, it seems a more equitable distribution than the Township Model, which heavily favors a limited number of Townships, and disproportionately penalizes Cities and Villages.

A draft resolution is also attached for your consideration.

We are hosting a meeting at the Village of Batavia Municipal Building at 65 N. Second Street, Batavia, Ohio, on Monday, March 29, 2021 at 7:00 p.m. We invite all of you to attend, and very much hope to have a large turnout and a respectful discussion of this important issue. For anyone who cannot attend in person we will create a Zoom link and send an invite via email as the date gets closer.

Respectfully,



Kathy Bailey  
President, Clermont County Mayors Association  
Mayor, City of Loveland

**Attachments:**

LGF Distribution from State -Sorted by Variance Current to Proposed  
LGF Distribution from State - Sorted by Variance Old to Proposed  
Sample City/Village Resolution and Exhibit A  
Sample Township Resolution and Exhibit A



**Resolution 2021-\_\_\_\_\_**

**Resolution authorizing adoption of an alternative method of apportionment of the undivided Local Government Fund (LGF) for a period of four (4) years**

**WHEREAS**, Ohio Revised Code Section 5747.53 authorizes adoption of an alternative method for determining the amount to be apportioned from the Undivided Local Government Fund among the various political subdivisions within a county; and

**WHEREAS**, adoption of an alternative method of apportionment for the Undivided Local Government Fund requires the approval of the Board of County Commissioners, and a majority of the Boards of Township Trustees and legislative authorities of municipal corporations, located wholly or partially in the County; and

**WHEREAS**, the \_\_\_\_\_ (City/Village) Council, in Clermont County; Ohio, desires to approve the alternative method for allocation of the Undivided Local Government Fund as proposed.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the (City/Village) of \_\_\_\_\_, Clermont, Ohio:

**Section 1.** That the distribution of the Undivided Local Government Funds be distributed for 2021 through 2024 on the following basis:

1. The County will receive 48.545 percent of the total allocation to be disbursed.
2. The remainder of the funds (51.455 percent) after the County allocation outlined in item 1 above will be disbursed as follows:
  - a. Fifty (50%) percent of the remainder will be shared equally among all municipalities and townships.
  - b. Fifty (50%) percent of the remainder will be distributed to the municipalities and townships on a per capita basis and will be adjusted as necessary based upon the most current United States Census.
3. A chart illustrating the proposed funds to be distributed is attached as Exhibit A and incorporated by reference.

**Section 2.** Council hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 3.** That the Clerk of Council shall deliver a certified copy of this Resolution to the Clermont County Board of County Commissioners and the Clermont County Budget Commission.



# CITY OF MILFORD

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**To:** Honorable Chair Sandy Russell and Members Lisa Evans & Kim Chamberland  
Administrative Services Committee

**From:** Pat Wirthlin, Finance Director *Pat*

**Date:** April 27, 2021

**Subject:** Property & Casualty Insurance Renewal 2021/2022 – McGowan Underwriters

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## Recommendation to Renew

Staff recommends that the City continue its engagement with McGowan Governmental Underwriters for property and casualty insurance for the 2021/2022 coverage period.

## Coverage

Coverage includes buildings, vehicles, equipment, contents, cyber, and accidents that cause injury or damage.

## ~\$63K Renewal

The current renewal of \$62,779 increased ~\$11K from the 2020 renewal amount due to the addition of the 725 Main property, \$1 million cyber coverage, a high 5-year loss ratio, and typical rate increases.

Property & Casualty Insurance	
Premiums *	
Year	Amount
2018	\$ 45,823.00
2019	\$ 48,765.00
2020	\$ 51,420.00
2021 Renewal	\$ 62,779.00
* Premium Years run May to May	

Please note that McGowan, as an agent to the City, bids the contract out to various insurers. On top of that, we reviewed Ohio Plan, a popular P&C State pool

## Staff Suggestion for Committee Motion

MOTION AUTHORIZING THE LAW DIRECTOR TO PREPARE AN ORDINANCE AUTHORIZING AN AGREEMENT WITH MCGOWAN GOVERNMENTAL UNDERWRITERS FOR PROPERTY AND CASUALTY INSURANCE IN THE AMOUNT OF \$62,779 FOR THE PERIOD MAY 13, 2021 TO MAY 13, 2022.

**103%**  
**5-Year Loss Ratio**  
*Larger Claims*

***Year 2020***

Windstorm	\$ 54,501
Truck struck two home lines on Belt	\$ 27,200
Crane struck traffic light on Main	\$ 12,785

***Year 2019***

Auto Collisions (2)	\$ 22,170
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***Year 2018***

Auto Collision	\$ 20,358
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***Year 2017***

Slip and Fall on Main	\$ 100,000
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**MCGOWAN GOVERNMENTAL UNDERWRITERS**

# City of Milford

745 Center Street Suite 200  
Milford, OH 45150

Proposed Effective Dates  
May 13, 2021 – May 13, 2022

Prepared By:

**David Gosiewski**  
Managing Partner

**Mae Fulkerson**  
Sr. Vice President

## Public Entity Risk Management Specialists

Old Forge Centre  
20595 Lorain Road  
Fairview Park, OH 44126

Phone: 440.333.6300  
Fax: 440.333.3214



**MCGOWAN GOVERNMENTAL UNDERWRITERS**

### **PREMIUM SUMMARY**

<b>Coverages</b>	<b>Premium</b>
Property/IM/Crime Insurance	Included
Liability Insurance	Included
Auto Insurance	Included
Public Official/Employment Practice Liability	Included
Excess Liability	Included
Security & Privacy Coverage	Included
MGU Program Services Fees	Included
TRIA	Included
<b>Total</b>	<b>\$62,779</b>

\*25% Minimum **earned premium**

\*\* Premium due upon receipt of invoice

#### **REQUIRED UPON BINDING:**

**Please note: Signed Documents will be used for policy issuance, if schedules change after policy is issued a premium change could result.**

Signed TRIA form  
Signed Application  
Signed Statement of Values  
Signed rejection of UM/UIM if applicable  
Drivers List  
Fireworks coverage – Copy of certificate from pyrotechnic company





**MCGOWAN GOVERNMENTAL UNDERWRITERS**

## A.M Best Rating Guide

Rating Levels and Categories

Level	Category	Level	Category	Level	Category
A++, A+.....	Superior	B, B-.....	Fair	D.....	Poor
A, A-.....	Excellent	C++, C+.....	Marginal	E.....	Under Regulatory Supervision
B++, B+.....	Very Good	C, C-.....	Weak	F.....	In Liquidation
				S.....	Rating Suspended

### Financial Size Categories

(In \$000 of Reported Policyholders' Surplus Plus Conditional Reserve Funds)

FSC I		Up to	1,000	FSC IX	250,000	to	500,000
FSC II	1,000	to	2,000	FSC X	500,000	to	750,000
FSC III	2,000	to	5,000	FSC XI	750,000	to	1,000,000
FSC IV	5,000	to	10,000	FSC XII	1,000,000	to	1,250,000
FSC V	10,000	to	25,000	FSC XIII	1,250,000	to	1,500,000
FSC VI	25,000	to	50,000	FSC XIV	1,500,000	to	2,000,000
FSC VII	50,000	to	100,000	FSC XV	2,000,000	or more	
FSC VIII	100,000	to	250,000				

Copies of the [Best's Insurance Reports](#) on the insurance companies are available upon your request.

Carrier	Coverage Quoted	A.M. Best Rating	Admitted
Zurich American Insurance Company	Package	A:XV	Admitted
American Guarantee & Liability Insurance Company	Umbrella	A:XV	Admitted

A Non-Admitted Carrier indicates the carrier is doing business in the state as a surplus lines or non-admitted carrier. As such, this carrier is not subject to the same regulations which apply to an admitted carrier.



**MCGOWAN GOVERNMENTAL UNDERWRITERS**

## SUMMARY OF COVERAGES, LIMITS & DEDUCTIBLE SECTION:

<b>COVERAGE:</b>	<b>PROPERTY LIMITS:</b>	<b>DEDUCTIBLE:</b>
Blanket Building & Contents Limit	\$22,552,295	\$1,000
Pumps & Lift Stations	Included in Building	\$1,000
Flood	\$5,000,000	\$50,000
Earthquake	\$5,000,000	\$50,000
<b>Additional Coverages</b>		
Collapse	Included	\$1,000
Debris Removal	25% of loss	\$1,000
Additional Debris Removal Expense	\$300,000	
Fire Department Services Charge	\$50,000	\$1,000
Pollutant Clean up and Removal	\$250,000	\$1,000
Accounts Receivable	\$250,000	\$500
Animals	\$15,000 each/ \$100,000 agg	\$500
Ordinance or Law		\$1,000
Coverage A-Demolition	Included in Property	
Coverage B-Undamaged Building	\$1,000,000	
Coverage C – Increased Cost Construction	\$1,000,000	
Business Income & Extra Expense	\$500,000	\$1,000
Food Contamination	\$100,000	\$1,000
Utility Service Time Element	\$100,000	\$1,000
Sales Tax Revenue Loss	\$100,000	\$1,000
Fine Arts	\$10,000 Per Item/\$100,000 Per Loss	\$500
Foundations, Underground Pipes, Flues or Drains within 1,000 ft	Included	\$1,000
Grounds Maintenance Equipment	\$5,000 per item/\$100,000	\$500
Newly Acquired or Constructed Property Building	\$2,000,000	\$1,000
Business Personal Property	\$1,000,000	
Non-owned Detached Trailers	\$20,000	\$1,000
Outdoor Property	\$250,000	\$1,000
Paved Surfaces	\$100,000	\$500
Property Effects & Property of Others	\$25,000	\$1,000
Portable Audio Visual & Communication Equipment	\$100,000	\$500
Portable Emergency Response Equipment	\$100,000	\$500
Portable Equipment Used in Law Enforcement Operations	\$100,000	\$500
Property Off Premises	\$100,000	\$1,000
Sewer Backup	\$100,000	\$1,000
Theft of Building Material & Supplies	\$100,000	\$1,000
Traffic Lights, Signs, Parking Meters, Fire Hydrants, Guard Rails, Bus Shelters	\$100,000	\$500
Valuable Papers	\$250,000	\$1,000



**MCGOWAN GOVERNMENTAL UNDERWRITERS**

**EQUIPMENT BREAKDOWN**

<b>COVERAGE:</b>	<b>LIMITS:</b>	<b>DEDUCTIBLE:</b>
Property	\$22,552,295	\$1,000
Expediting Expense	Included in Property EE Limit	\$1,000
Pollutant Clean Up & Removal	\$250,000	\$1,000
Spoilage	\$100,000	\$1,000

**PROPERTY COVERAGE ENDORSEMENTS:**

- **Replacement Cost**
- **90% Coinsurance**
- **360 –Additional Coverage Modifications**
- **Liberalization Clause** broadens the coverage provided under property section or the policy without additional premium within 45 days prior to or during the policy period.
- **Loss Payable Clause**
- **Newly Acquired** – automatic up to **120 days** for date of acquisition, real or personal property and business interruption. Flood and earthquake are excluded.
- **Personal Property** of officers and employees of the insured, other than motor vehicles.
- **Policy Territory** includes the United States of America (its territories and possessions), Puerto Rico and Canada.
- **Premise boundary increased to 1000 feet**
- **30 Days Notice of Cancellation** – non-renewal or material change.
- **10 Days Notice of Cancellation** – non-payment



**MCGOWAN GOVERNMENTAL UNDERWRITERS**

**INLAND MARINE**

**COVERAGE:**

**LIMITS:**

**DEDUCTIBLE:**

<b>Contractors' Equipment</b>		
Scheduled	\$554,212	\$500
Unscheduled	\$25,000/\$2,500 Max Per Item	\$500
Equipment Leased/Rented from Others	\$50,000	\$500
<b>Miscellaneous Property</b>		
Scheduled -Emergency – Police Equipment	\$29,900	\$500
Blanket Unscheduled Property (Property in the Open)	\$54,636/\$10,000 Max Per item	\$500
Blanket Unscheduled Property (Police Equipment)	\$102,194	\$500

- 30 Days Notice of Cancellation Non-Renewal or Material Change
- New acquisitions – 90 day automatic coverage
- Rental Expense Reimbursement
- Valuation -ACV

**CRIME**

**COVERAGE:**

**LIMITS:**

**DEDUCTIBLE:**

Employee Theft-Per Loss	\$100,000	\$1,000
Faithful Performance of Duty	Included	
Forgery/Alteration	\$100,000	\$1,000
Theft of Money & Securities – Inside	\$25,000	\$1,000
Outside	\$25,000	
Computer & Funds Transfer Fraud	\$100,000	\$1,000

**CRIME COVERAGE ENDORSEMENTS:**

- 30 Days Notice of Cancellation Non-Renewal or Material Change



**MCGOWAN GOVERNMENTAL UNDERWRITERS**

**GENERAL LIABILITY**

<b>COVERAGE:</b>	<b>LIMITS:</b>	<b>DEDUCTIBLE:</b>
General Liability- Annual Aggregate	\$3,000,000	\$0
Products-Completed Operations Aggregate	\$3,000,000	
Personal & Advertising Injury Limit	\$1,000,000	\$0
Each Occurrence Limit	\$1,000,000	\$0
Damage to Premises Rented to You	\$100,000	\$0
Employee Benefits Limit	\$1,000,000/\$3,000,000	\$1,000
Employers Liability (Ohio Stop Gap)	\$1,000,000	\$0
Sexual Abuse/Molestation Limit	\$1,000,000	\$0
Sexual Abuse/Molestation Aggregate	\$1,000,000	\$0

**LIABILITY COVERAGE ENDORSEMENTS**

Defense in Addition to Limit  
 Broad Governmental – Specific Definition of Insured  
 Broadened Pollution for Municipal Exposures-  
     Application of pesticides/herbicides  
     Chemicals to treat pool  
     Road salt or chemicals used for snow/ice removal on roads  
     Mobile Equipment  
 Employees/Volunteers as Insureds  
 Expanded Definition of Bodily Injury to include mental anguish, mental injury, shock, fright  
 Watercraft Liability – up to 51 ft  
 EMT, Paramedic & Nurses Liability  
 Good Samaritan Liability  
 Host Liquor Liability  
 Broadened Contractual Liability  
 Limited Contractual Liability for Personal Injury  
 Broadened Property Damage Liability

**POLICE PROFESSIONAL LIABILITY**

Police Professional Liability	\$1,000,000	\$5,000
Police Professional Aggregate	\$3,000,000	

**POLICE PROFESSIONAL ENHANCEMENTS**

Broad coverage for law enforcement wrongful acts including off duty moonlighting  
 Broad definition of insured  
 Broad definition of Wrongful Act/Occurrence including Personal Injury  
 Civil Rights coverage  
 Expanded Definition of Bodily Injury to include mental anguish, mental injury, shock, fright  
 Included punitive or exemplary damages where allowable  
 Defense in Addition to Limit





**MCGOWAN GOVERNMENTAL UNDERWRITERS**

**PUBLIC OFFICIAL LIABILITY**

Public Official Liability Each Wrongful Act	\$1,000,000	\$5,000
Public Official Liability Annual Aggregate	\$3,000,000	
Non - Monetary defense limit (Does not reduce policy limits)	\$25,000	\$5,000
Retro Active Date:	05/13/1996	

**PUBLIC OFFICIAL COVERAGE ENDORSEMENTS**

Defense in Addition to Limit  
Included punitive or exemplary damages where allowable  
Civil Rights  
Crisis Event coverage for Public Officials

**EMPLOYMENT PRACTICE LIABILITY**

Employment Practice & Third Party Discrimination Liability Each Wrongful Act	\$1,000,000	\$5,000
Employment Practice & Third Party Discrimination Liability Annual Aggregate	\$3,000,000	
Retro Active Date:	05/13/1996	

**EMPLOYMENT PRACTICE ENHANCEMENTS**

Defense in Addition to Limit  
Third Party Discrimination included  
Business Invitee (Third Party) covering emotional distress, sexual harassment, discrimination and other allegations  
Broad definition of claim including regulatory proceedings, arbitration hearings, EEOC hearings, back and front wages, non-monetary



**MCGOWAN GOVERNMENTAL UNDERWRITERS**

**AUTOMOBILE**

<b>COVERAGE:</b>	<b>LIMITS:</b>	<b>DEDUCTIBLE:</b>
Automobile Liability	\$1,000,000	None
Uninsured/Underinsured Motorists Liability	No coverage	N/A
Medical Payments	\$5,000	None
Comprehensive		Various see schedule
Collision		Various see schedule
Non-Owned Liability	\$1,000,000	None
Hired Car Liability	\$1,000,000	None
Hired Car Physical Damage	\$50,000	\$1,000

**AUTOMOBILE COVERAGE ENDORSEMENTS:**

**Employees/Volunteers as Insured**

**Fleet Coverage**-up to 10 vehicles added during the year except Emergency vehicles and vehicles valued greater than \$100,000. Reporting required of added vehicles. Vehicle changes must be reported within 30 days of purchase.

**Fellow Employee Coverage**

**Broadened definition of bodily injury**

**Rental Reimbursement - \$3000**

**Lease Gap**

**Loss caused by freezing of permanently attached special equipment (not engine)**

**EXCESS**

Excess Liability Each Occurrence	\$5,000,000	None
Excess Liability Silo Aggregates	\$5,000,000	
Follow form over:		
General Liability		
Public Official Liability		
Employment Practice Liability		
Automobile Liability		
Employers Liability (Ohio Stop Gap)		
Law Enforcement Liability		

**EXCESS COVERAGE ENDORSEMENTS:**

**Silo Aggregate**



## SECURITY AND PRIVACY PROPLUS

COVERAGE:	LIMITS:	DEDUCTIBLE:
<b>Liability Coverage:</b>		
Security & Privacy Coverage Each Event	\$1,000,000	\$10,000
Regulatory Proceedings Coverage	\$1,000,000	\$10,000
<b>Non -Liability Coverage:</b>		
Privacy Breach Costs	\$1,000,000	\$10,000
<b>Supplemental Payments Extensions:</b>		
E-Discovery Expense	\$5,000	N/A
Public Relations Expenses	\$5,000	N/A
<b>Digital Assets Replacement</b>	\$1,000,000	\$10,000
<b>Cyber Extortion Threat &amp; Reward</b>	\$1,000,000	\$10,000

**SECURITY AND PRIVACY ENDORSEMENTS:**

### Claims Made

**Defense Included in Limits of liability**

**Broad definition of Loss including: Punitive Damages, Exemplary Damages or Multiple Damages**



**MCGOWAN GOVERNMENTAL UNDERWRITERS**

**COVERAGE EXCLUSIONS:**

**PROPERTY COVERAGE:**

- Broad Form Nuclear Contamination
- Acts of Terrorism unless other wised purchased.
- Delay or loss or market, or any other consequential or remote loss of any kind.
- Dishonest criminal acts by you, your partners, employees, directors or anyone to whom you entrust the property for any purpose.
- Earth Movement unless purchased
- Errors in Machine Programming or Instructions to Machines.
- Land
- Loss or damage as a result of insects, vermin, birds, or other animals.
- Loss of Earnings to Finished Stock, including time required to reproduce.
- Water/Flood Damage unless purchased

**EQUIPMENT BREAKDOWN**

- Corrosion, Erosion, Wear & Tear Exclusion
- EDP Media Exclusion – defect, virus, loss of data or other situation
- Fines

**GENERAL LIABILITY COVERAGE:**

- Asbestos Exclusion
- Aircraft, auto
- Bodily injury to any insured
- Bodily injury to any person injured while taking part in athletics
- Nuclear Energy Liability Exclusion
- Pollution Exclusion – except for hostile fire
- Professional Services Exclusion
- Workers Compensation
- War
- Watercraft over 51'

**PUBLIC OFFICIAL LIABILITY COVERAGE:**

- Sexual abuse and misconduct
- Pollution
- War
- Bodily injury to employee
- Issuance of bonds/ tax assessment or valuations of properties/tax collection
- Dishonest, fraudulent, criminal, malicious or intentional act excluded for loss, but not for defense costs. If guilty, required to reimburse. Exclusion does not apply to an insured who did not commit, participate in, or have knowledge of any of the described acts.
- Civil or criminal fines or penalties
- Prior or pending litigation
- Employment liability claims
- Collective bargaining agreement; lockout, strike, labor disputes or labor negotiations, union grievances
- Claim for equitable or injunctive relief initiated by a governmental entity



**MCGOWAN GOVERNMENTAL UNDERWRITERS**

**EMPLOYMENT PRACTICE LIABILITY**

- Collective bargaining agreement
- Lockout, strike, labor disputes or labor negotiations, union grievances
- FLSA/MLRA/WARN/COBRA/ERISA/PBA/OSHA
- Dishonest, fraudulent, criminal, malicious or intentional act excluded for loss, but not for defense costs. If guilty, required to reimburse. Exclusion does not apply to an insured who did not commit, participate in, or have knowledge of any of the described acts Claim for equitable or injunctive relief initiated by a governmental entity

**LAW ENFORCEMENT LIABILITY COVERAGE**

- Property in care, custody, control except for property on persons in custody, arrest, incarcerated.
- Breach of Contract, except mutual law enforcement agreements
- War
- Bodily injury to employee
- Employment liability claims
- Dishonest, fraudulent, criminal, malicious or intentional act excluded for loss, but not for defense costs. If guilty, required to reimburse. Exclusion does not apply to an insured who did not commit, participate in, or have knowledge of any of the described acts Collective bargaining agreement; lockout, strike, labor disputes or labor negotiations, union grievances

**AUTOMOBILE COVERAGE**

- War /Nuclear Energy
- Pollution

**CRIME COVERAGE**

- Criminal Acts- only excludes individual insured who committed act
- Bonded Employee-unless amended
- Governmental Action
- Legal Expense
- War/Nuclear Actions

**INLAND MARINE COVERAGE EXCLUSIONS:**

- Vehicles used for road use
- Real property & buildings
- Aircraft
- Wear & tear, inherent vice, freezing
- Mysterious disappearance or shortage disclosed by taking inventory
- Flood, surface water





**MCGOWAN GOVERNMENTAL UNDERWRITERS**

## **MGU PROGRAM SERVICES:**

**McGowan Governmental Underwriters strives to provide excellent service to our clients. The services provided under this proposal include:**

Marketing representative's continuous availability  
Return of phone calls/questions same day  
Review of all coverage's, limits, deductibles on proposals and policies when issued  
Client Meeting to review exposures, coverage's, and limits on account at 6 months into policy term

### **Service:**

Placement of insurance program with insurance carriers  
Binder Issuance  
Review of policy received from carrier for accuracy  
Policy Delivery to insured  
Claim Kit information which will include Automobile identification cards  
Certificate issuance –same day  
Policy changes - endorsement processing  
Review of all material from insurance carriers to ensure accuracy  
Reporting and processing of claims and claim questions  
Claim Reporting/Management Service

### **Risk Management:**

Loss Analysis of loss prevention programs currently in place  
Client meeting for claim review at 6 months for loss leaders, claim issues  
Contract review for insurance requirements  
Assistance with policy and procedures – review or setup of new  
Diversity or Sexual Harassment Seminars

### **Proposal Disclaimer**

The proposal is an outline of the coverages proposed by the insurers, based on the information provided by your entity. It does not include all the terms, coverages, exclusions, limitations, or conditions of the actual contract language. The policies themselves must be read for those details. Policy forms for your reference will be made available upon request.

MGU shall receive its usual and customary brokerage commission for services provided. In addition to or in lieu of MGU can charge a Service Fee. These commissions and fees are usually offset with commissions to the Client's insurance agent. These commissions/fees are included in the premium invoice provided to the Client.

### **Actuarial Disclaimer**

The information contained in this proposal is based on the historical loss experience and exposures provided. This proposal is not an actuarial study.



## CITY OF MILFORD

745 Center Street, Suite 200, Milford, OH 45150

Phone: 513-831-4192

Fax: 513-248-5096

[www.milfordohio.org](http://www.milfordohio.org)



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**To:** Honorable Chair Sandy Russell, Committee Members Lisa Evans & Kim Chamberland  
*Administrative Services Committee*

**From:** Pat Wirthlin, Finance Director 

**Date:** April 27, 2021

**Subject:** HB 157 Working from Home Taxability

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### Tax Nexus up in the Air

The City could lose a considerable amount of earnings tax receipts if House Bill 157 progresses. At issue is that some Ohio-based employees who now work from home rather than a city-based office are suing to prevent cities from collecting income tax. Consequently, the State is considering a bill to make it illegal for cities to collect non-nexus earning tax. This could prove costly to Milford because Milford-based employees who live elsewhere make up the lion's share of Milford income tax receipts.

### OML Suggests Action

Ohio Municipal League (OML) suggests that the City contact its legislative delegation and share our concerns. Staff suggests a letter to a State representative with an accompanying Resolution or Ordinance

### Staff Suggestion for Committee Recommendation

Recommendation to authorize the Law Director to create an Ordinance or Resolution opposing House Bill 157 amending the law regarding withholding municipal earned income tax for those working virtually and/or at home, using language based on the attached sample Resolution

**RESOLUTION \_\_\_\_\_**

**A RESOLUTION OPPOSING SUB. HOUSE BILL 157  
AMENDING THE LAW REGARDING WITHHOLDING MUNICIPAL EARNED INCOME TAX  
FOR THOSE WORKING VIRTUALLY AND/OR AT HOME**

**WHEREAS**, the Mayor and Council of the City/Village of \_\_\_\_\_ have been advised that on Tuesday, April 13 at 1:00 p.m., the Ohio House Ways and Means Committee adopted a substitute bill for HB 157, which would repeal the state's municipal income tax withholding policy during the COVID-19 pandemic.

**WHEREAS**, the Mayor and Council of the City/Village of \_\_\_\_\_ are informed that **Sub. HB 157** would removes the language in Sec. 29 of HB 197 that treated wages earned by employees temporarily working from home during the Governor's declaration emergency as taxable to the principal place of work.

**WHEREAS**, the intent of the Sec. 29 of HB 197 was for employer withholding and liability for the employee to be taxable for the city where the principle place of work is located.

**WHEREAS**, businesses will suffer the additional administrative burden of having to certify each employee requesting a refund for the duration of the time they worked from home by tracking when and where every employee worked for both 2020 and 2021.

**WHEREAS**, **Sub. HB 157** could cause cities to issue a substantial amount of refunds to employees working from home during the emergency. Issuing refunds for a closed tax year could be devastating to municipalities, who were protected by the language in Sec 29 of HB 197.

**WHEREAS**, the courts should decide on the issue regarding refunds.

**WHEREAS**, **Sub. HB 157** allows the employer to determine the principle place of work for each employee during the declaration of emergency and may cause a further reduction in tax revenues.

**WHEREAS**, municipalities would also face the added financial burden of taxpayers receiving money they have already taken as credit against their resident tax liability. Taxes for 2020 have already been filed and residents have already taken credits for taxes they paid to the principle place of work. **Sub. HB 157** would allow those same taxpayers to go back and file for refunds against municipalities where their principle place of work is located.

**WHEREAS**, **Sub. HB 157** does not allow the wages earned at the employee's home from creating a filing requirement to file a municipal net profit return.

**WHEREAS**, **Sub. HB 157** would not allow the assessment of tax, penalties and interest by the resident city taxing jurisdiction for failure to properly withhold to their jurisdiction during the emergency, which would have a negative impact on cities to enforce their tax ordinances.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by HON. MAYOR \_\_\_\_\_ and COUNCIL OF \_\_\_\_\_, OHIO, two-thirds ( $\frac{2}{3}$ ) or more of the members elected thereto concurring:

**Section 1:** That the government of \_\_\_\_\_ continuously incorporated for past \_\_\_\_ YEARS, urges the Ohio General Assembly not to support nor enact Sub. House Bill 157.

**Section 2:** That a duly executed and inscribed copy of this RESOLUTION shall be made a part of the official

record of the COUNCIL and MAYOR OF \_\_\_\_\_ in order that due notice of its adoption shall be given to the residents of this community, GOVERNOR HON. MIKE DEWINE, REPRESENTATIVE HON. \_\_\_\_\_ and SENATOR HON. \_\_\_\_\_.

**Section 3:** It is 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 the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Revised Code of the State of Ohio.

**Section 4:** This RESOLUTION is declared an emergency measure becoming effective immediately upon passage by COUNCIL and approval by HONORABLE MAYOR \_\_\_\_\_ because time is of the essence to convey \_\_\_\_\_ support to the Ohio Governor and Ohio General Assembly and to have this Resolution take effect immediately after the date of its passage.

PASSED IN COUNCIL as an EMERGENCY on \_\_\_\_\_.

RECORDED VOTE BY CITY/VILLAGE COUNCIL:

\_\_\_\_\_  
**MAYOR**

ATTEST:

\_\_\_\_\_  
**Fiscal Officer**

Approved as to Form:

\_\_\_\_\_  
**City/Village Solicitor**

## Pat Wirthlin

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**From:** Allyn Bartlett  
**Sent:** Tuesday, April 27, 2021 10:14 AM  
**To:** Pat Wirthlin; Michael Doss  
**Subject:** Sample letter and verifying the correct address for passed resolution

Pat,

Below is the sample letter. I believe that the passed resolution will be sent to the State's Chairman's office at [ways&meanscommittee@ohiohouse.gov](mailto:ways&meanscommittee@ohiohouse.gov). I have sent an email to Ashley Ringle to verify.

**Allyn Bartlett**

Finance Specialist  
City of Milford  
745 Center Street, Suite 220  
Milford, OH 45150-1300  
Hours: 8:30 am – 5:00 pm M-F (lunch break approximately 1:00 – 2:00 p.m.)  
Office: (513) 248-5082  
Fax: (513) 248-5099  
[abartlett@milfordohio.org](mailto:abartlett@milfordohio.org)

Dear [Representative/Senator];

The City/Village of \_\_\_\_\_ is writing to urge your opposition to Sub. HB 157. This legislation would change the original intent of Section 29 of HB 197, the temporary provision instructing municipalities to continue withholding municipal income tax at a taxpayer's place of work, even if the taxpayer is currently working from home in a different local jurisdiction due to the COVID-19 pandemic.

While we support the provision in Sub. HB 157 extending of the sunset of Sec. 29 of HB 197 until December 31, 2021, we strongly oppose the remaining provisions in the substitute bill that attempt to rewrite the original intent of the temporary withholding provision.

Section 29 of HB 197 was unambiguous in its intention to preserve the status quo regarding withholding for municipalities and business. Both the Ohio Attorney General and City of Columbus Auditor filed legal briefs in the Buckeye Institute lawsuit against the City of Columbus affirming that Sec. 29 and HB 197 considered wages earned by employees temporarily working from home during the Governor's declaration emergency as taxable to the principal place of work.

In addition, the original Legislative Service Commission (LSC) analysis for HB 197 states on page 6, "*For municipal income tax purposes, treats income earned by an employee required to work at a temporary worksite because of the emergency as being earned at the employee's principal place of work, potentially affecting the municipal income tax withholding and liability of the employee and the employer.*" The analysis was clear that the intent of the bill was for employer withholding and liability for the employee to be taxable for the city where the principle place of work is located.



Not only will municipalities be impacted, but businesses will suffer the additional administrative burden of having to certify each employee requesting a refund for the duration of the time they worked from home by tracking when and where every employee worked for both 2020 and 2021.

A handful of lawsuits have been filed on the issue of refunds. The City/Village of \_\_\_\_\_ strongly believes that the courts will decide this issue regarding refunds and that the legislature should not up-end the original intent of the legislation.

Municipalities across the state have made budgetary decisions that are dependent upon the revenue stability granted to them by Sec. 29 of HB 197. Sub. HB 157 could cause cities to issue a substantial amount of refunds to employees working from home during the emergency. Issuing refunds for a closed tax year could be devastating to municipalities, who were protected by the language in Sec. 29 of HB 197.

This bill further undermines revenue stability for municipalities by allowing the employer to determine the principle place of work for each employee during the declaration of emergency, which could cause a further reduction in tax revenues. Sub. HB 157 also seeks to treat wages as taxable to the residential taxing jurisdiction for withholding purposes, but not as taxable or as creating a municipal return filing requirement in the resident employee's taxing jurisdiction.

We ask that the legislature respect the original intent of Sec. 29 of HB 197 and not entertain the retroactive treatment being proposed in Sub. HB 157. Thank you for your consideration of these concerns, and we urge your opposition to Sub. HB 157.

Respectfully,