

PUBLIC NOTICE

AGENDA

ADMINISTRATIVE SERVICES COMMITTEE MEETING

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

Tuesday, June 1, 2021 at 4:00 p.m.

Council Chambers, 745 Center Street, Milford, Ohio 45150

Call to Order

Proceedings: Approval of the April 28, 2021 Administrative Services Committee Minutes

Agenda Items:

- Discussion: Medical Marijuana Dispensaries
- An Ordinance/Resolution Allowing the Finance Director to Create New Fund 236, American Relief Plan Act Fund
- And all additional matters that may properly come before the Committee

Adjourn

**Administrative Services Committee
Meeting Minutes
April 28, 2021**

Mrs. Evans called the meeting to order at 4:30 p.m.

Present: Lisa Evans and Kim Chamberland

Staff: City Manager, Michael Doss, Finance Director, Pat Wirthlin and Administrative Assistant, Jackie Bain

Visitors: None

Proceedings: Approve the proceedings from the April 15, 2021 Administrative Services Committee Minutes. Ms. Chamberland made a motion to approve. Seconded by Ms. Evans.

Local Government Fund Mayors Association Formula

City Manager Michael Doss and Finance Director Pat Wirthlin discussed how 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. 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). 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. Today's recommendation for an Ordinance is merely a show of support for a more equitable distribution.

The Committee Agreed to Make A Recommendation for The Law Director to Draft A Resolution Authorizing Adoption of An Alternative Method of Appointment of The Undivided 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

Property and Casualty Insurance

Ms. Wirthlin informed the committee that Staff recommends the City continue its engagement with McGowan Governmental Underwriters for property and casualty insurance for the 2021/2022 coverage period. Coverage includes buildings, vehicles, equipment, contents, cyber, and accidents that cause injury or damage. 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. Please note that McGowan, as an agent to the City, bids the contract out to various insurers. Also reviewed Ohio Plan, a popular P&C State pool.

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

The Committee Agreed to Make A Recommendation for The Law Director to Draft 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

Discussion of Sub House Bill 157 Section 29 of Hb 197

Finance Director - Pat Wirthlin discussed information with the committee regarding opposition to Sub. HB 157. The City of Milford will be writing to Legislature urging opposition to Sub. HB 157. The 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 sunseting 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.

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.

The Committee Agreed to Make A Recommendation for The Law Director to Draft 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:

There being no further business, the meeting adjourned at 5:00 p.m. with a motion from Ms. Evans, Seconded by Ms. Chamberland All agreed

Respectfully submitted,
Jackie Bain, Administrative Assistant

“These minutes have been approved and adopted by Ms. Evans, and Ms. Chamberland on April 29, 2021.”

RECORD OF ORDINANCES

BEAR GRAPHICS 890-325-8094 FORM NO. 30043

17-1282

June 6, 2017

Ordinance No. _____

Passed _____

AN ORDINANCE ENACTING CHAPTER 737 OF THE CODIFIED ORDINANCES OF THE CITY OF MILFORD OHIO PROHIBITING RETAIL DISPENSARIES, CULTIVATORS, AND PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CORPORATE LIMITS OF THE CITY OF MILFORD, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, Chapter 3796 of the Ohio Revised Code is the legislative authority for the Medical Marijuana Control Program and effectively legalizes the cultivation, processing, and dispensing of medical marijuana in the State of Ohio, subject to certain restrictions and conditions; and,

WHEREAS, the legal definitions for “cultivators,” “processors,” and “retail dispensaries” are codified in Chapter 3796 of the Ohio Revised Code and shall have the same meaning herein as found in Chapter 3796 of the Ohio Revised Code; and,

WHEREAS, Section 3796.29 of the Ohio Revised Code authorizes a municipality to limit, or entirely prohibit, licensed cultivators, processors, and retailers of medical marijuana within the corporate limits of the City of Milford, Ohio; and,

WHEREAS, marijuana (cannabis) is listed with the Drug Enforcement Administration as a Schedule I drug having “no currently accepted medical use and a high potential for abuse” as of the date this Ordinance was introduced; and,

WHEREAS, marijuana, being a DEA Schedule I drug, this City Council believes the only prudent course is to ban business and trades dealing in the cultivation, processing, and retail dispensing of marijuana within the City’s corporate limits; and,

WHEREAS, pursuant to the Ohio Constitution of the State of Ohio and the Revised Code, municipal corporations have the power to adopt legislation deemed necessary and proper to protect the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restrictions on areas used for business and trades; and,

WHEREAS, City Council finds that prohibiting medical marijuana cultivators, processors, and retail dispensers within the City of Milford is necessary and proper to protect the health, safety, welfare, comfort, and peace of the citizens of the City and therefore this Ordinance is being passed as an emergency;

Now, Therefore, Be It Ordained By The Council Of The Municipality Of Milford, Ohio:

Section 1.

In accordance with Section 3796.29 of the Ohio Revised Code, Milford City Council hereby enacts Chapter 737 of the Codified Ordinances of the City of Milford, Ohio prohibiting medical marijuana cultivators, processors, and retailers as follows:

CHAPTER 737 MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSERS

SECTION 737.01 DEFINITIONS.

As used in this Chapter:

“MARIJUANA” means marijuana as defined in Section 3719.01 of the Ohio Revised Code.

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30943

Ordinance No. _____ Passed _____, 20____

"MEDICAL MARIJUANA" means marijuana that is cultivated, processed, or dispensed, tested, possessed or used for a medical purpose.

SECTION 737.02 CULTIVATING, PROCESSING, OR DISPENSING MEDICAL MARIJUANA PROHIBITED.

No person shall cultivate, process, dispense, or sell medical marijuana. "Person" means every natural person, firm, co-partnership, association, or corporation.

SECTION 737.99 PENALTY

Whoever violates any section of this Chapter is guilty of a misdemeanor of the first degree. Each day that any person continues to violate this Chapter shall constitute a separate and complete offense.

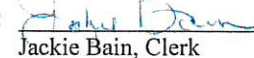
Section 2.

This Ordinance shall supersede and revoke any Ordinance, Resolution, Regulation, or Rule which is clearly inconsistent herewith.

Section 3.

This Ordinance is being passed as an emergency for the immediate preservation of the public peace, health, welfare, and safety of the City of Milford and shall be in full force and effect immediately upon its passage by City Council.

ADOPTED: June 6, 2017

ATTESTED: 
Jackie Bain, Clerk


Laurie Howland, Mayor

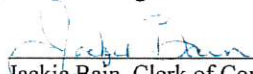
LAW DIRECTOR'S CERTIFICATION

I hereby certify that I have prepared the foregoing Ordinance in accordance with Sec. 12.02 of the Milford City Charter.


Michael Minniear, Law Director
Reg. No. 0022446

CLERK'S CERTIFICATION

I Jackie Bain, Clerk of Council of the City of Milford, Ohio, do hereby certify that the foregoing Ordinance was published by posting the complete text of said Ordinance at five (5) of the most public places in said Municipality as determined by Council as follows: at Peoples Bank, 735 Lila Avenue, Milford, Ohio; at Park National Bank, 25 Main Street, Milford, Ohio; at Milford Community Fire Department, 687 B US 50, Milford, Ohio; at the Milford Post Office, 100 Castleberry Court, Milford, Ohio; and at the site of the Municipal Building, 745 Center St., Milford, Ohio each for a period of fourteen (14) days commencing on the 8th day of June, 2017.


Jackie Bain, Clerk of Council



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

Date: June 1, 2021

Subject: ARPA – New Accounting Fund

~\$1.3 Million ARPA Funds around the Corner

The City expects to receive ~\$1,340,000 in American Rescue Plan Act funds. We expect to receive the funds in two equal installments – one installment in year 2021, the other in year 2022.

State Requires Permission

We are requesting that Auditor of State (AOS) approve a new fund within the accounting system to accept the ARPA funds.

Stricter than CARES

Please note that the City's use of ARPA funds is limited to specific categories (i.e., infrastructure and revenue loss replacement). It makes no mention of buying PPE or EMS equipment like what was possible under the CARES Act.

Staff Suggestion for Committee Motion

MOTION AUTHORIZING THE LAW DIRECTOR TO PREPARE AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO CREATE NEW SPECIAL REVENUE FUND 236, AMERICAN RELIEF PLAN ACT FUND, IN ACCORDANCE WITH AUDITOR OF STATE BULLETIN 1999-006 AND OHIO REVISED CODE SECTION 5705.09(F) TO TRACK RECEIPT AND EXPENDITURE ACTIVITY OF THE AMERICAN RELIEF RESCUE PLAN GRANT FUNDS DISTRIBUTED PURSUANT TO AMERICAN RESCUE PLAN ACT OF 2021