

**MINUTES**  
**Village of Evendale**  
**Regular Council Meeting**  
**March 13<sup>th</sup>, 2018**

A public hearing was held to consider proposed text amendment to the Evendale Zoning Code. No comments were made. Motion to close the public hearing was made by Ms. McDaniel, seconded by Ms. Smiley-Robertson and unanimously approved.

**The Village of Evendale Regular Council Meeting was called to order by Mayor Richard Finan at 7:00 pm.**

**Roll call-** The following council members were present: Mayor Richard Finan, Council Members: Mr. Puthoff, Mr. Albrinck, Ms. Smiley-Robertson, Ms. McDaniel, Mr. Ranz and Mr. Schaefer. Also present: Police Chief Korte, Fire Chief Mike Hauck, Service Department Director James Jeffers, Recreation Director Kim Pielage, Village Law Director, Tim Burke and Village Clerk, Barb Rohs.

**Mayor Finan presented the consent calendar.** The motion to accept the consent calendar was made by Mr. Schaefer, seconded by Mr. Albrinck and unanimously approved.

**Reports of Council Committees:**

**Finance, Recreation, CAC Council Committee and Code Enforcement:**

Mr. Schaefer reported that Ms. Vaske, Tax Administrator, attended the meeting regarding the state changes to the tax law. There is a ordinance on the agenda tonight. The changes in filing date to December has changed the receipts YTD with a difference of around \$60,000. CAC is having the Call to Artist for art show and their website is updated. Mr. Schaefer went through recreation attendance figures. A Mill Creek ordinance is on the agenda this evening. The health district fees increased \$50.

**Police, Fire, Service, Engineering and GHF:**

Mr. Ranz reported the fire department is looking at another vehicle. Coyote management program has eliminated 24 coyote. GHF is working on financing bank barn. The service department will be hiring Cindy Walkers. Reading Rd project and Thru the Valley projects is moving along. Mr. Jeffers is home and resting. Mr. Mechley is filling Mr. Jeffers role.

**Mayors Report:**

Mr. Jeffers will come be back on light duty next month. Former Mayor Apking visited and looks healthy after his heart surgery. All lighting in Admin building has been replaced to LED.

**Presentation of Ordinances and Resolutions:**

**The mayor presented ORD. #18-18 AN ORDINANCE AMENDING CHAPTER 891, MUNICIPAL INCOME TAX, REGARDING MUNICIPAL INCOME TAX FOR TAX YEARS STARTING ON OR AFTER JANUARY 1, 2018, AND DECLARING AN EMERGENCY.**

Discussion: Ms. Vaske addressed council regarding HB49 that made net profit filings to the municipalities optional for business and they can file directly with the State of Ohio. The VOE is part of the lawsuit with other municipalities challenging HB49 in court, and the stay has been denied and is now being appealed. Changes mandated by HB49 are being adopted via this ordinance or VOE may be denied the option of collecting taxes. If the appeal is won, these provisions can be removed. The mayor is sending out literature to all businesses outlining the options. The VOE will be charged an admin fee of .05% and taxes sent to the VOE in 30-60 days from payment. Ms. Vaske described the process. Tax Abatement and enterprise zone requirements will be difficult to monitor. HB49 takes the administration of programs away from municipalities. Some other communities are requiring filings to happen at the local level in order to receive tax incentives. There are three existing lawsuits of which the VOE is involved in one suit. Mayor Finan believes this will go to Supreme Court of Ohio. Ms. Smiley-Robertson is concerned that VOE will not be able to audit economic development agreements. She wants to make sure the job is being completed either at the municipal level or the state of Ohio economic development level.

A motion to read ORD #18-18 by title only was made by Mr. Schaefer, seconded by Ms. McDaniel and unanimously approved on roll call. A motion to suspend the second and third readings of ORD #18-18 was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to agree to the emergency section is made by Mr. Schaefer, seconded by Ms. Smiley-Robertson and unanimously approved on roll call. A motion to adopt ORD #18-18 was made by Mr. Puthoff, seconded by Mr. Schaefer and unanimously approved on roll call. Mayor Finan declared ORD. #18-18 adopted as an emergency.

**The mayor presented ORD. # 18-06 3<sup>rd</sup> reading ORDINANCE AMENDING A PORTION OF THE ZONING MAP OF THE VILLAGE OF EVENDALE, OHIO FROM GC GENERAL COMMERCIAL TO O/R OFFICE RESEARCH AND DECLARING AN EMERGENCY.** A motion to read ORD #18-06 by title only was made by Mr. Schaefer, seconded by Mr. Albrinck and unanimously approved on roll call. A motion to agree to the emergency section is made by Mr. Schaefer, seconded by Mr. Albrinck and unanimously approved on roll call. A motion to adopt ORD #18-06 was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. Mayor Finan declared ORD. #18-06 adopted as an emergency.

**The mayor presented ORD. # 18-07 AN ORDINANCE AMENDING CHAPTERS 1252 AND 1260 OF THE EVENDALE ZONING CODE AS RELATED TO OFFICE/RESEARCH DISTRICT REGULATIONS, AND DECLARING AN EMERGENCY.** A motion to read ORD #18-10 by title only was made by Mr. Schaefer, seconded by Ms. McDaniel and unanimously approved on roll call. Discussion: Mr. Elmer described the changes of this ordinance. This is being adopted to reflect the existing lots so they would not be non-conforming when changing the zoning that is reflected in Ord. #18-07. Mr. Schaefer believes this preserves the use of all the lots. A motion to suspend the second and third readings of ORD #18-07 was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to agree to the emergency section is made by Mr. Schaefer, seconded by Ms. Smiley-Robertson and unanimously approved on roll call. A motion to adopt ORD #18-07 was made by Mr. Puthoff, seconded by Mr. Schaefer and unanimously approved on roll call. Mayor Finan declared ORD. #18-07 adopted as an emergency.

**The mayor presented ORD. # 18-09- 2<sup>nd</sup> reading ORDINANCE AUTHORIZING THE MAYOR TO HIRE AND SET PAY RATES FOR PART-TIME EMPLOYEES FOR THE RECREATION DEPARTMENT AND DECLARING AN EMERGENCY.** A motion to read ORD #18-10 by title only was made by Mr. Schaefer, seconded by Ms. McDaniel and unanimously approved on roll call. Mr. Puthoff recused himself. A motion to suspend the second and third readings of ORD #18-09 was made by Mr. Schaefer, seconded by Ms. McDaniel and approved on roll call. A motion to agree to the emergency section is made by Mr. Schaefer, seconded by Ms. Smiley-Robertson and approved on roll call. A motion to adopt ORD #18-09 was made by Mr. Schaefer, seconded by Ms. McDaniel and unanimously approved on roll call. Mayor Finan declared ORD. #18-09 adopted as an emergency.

**The mayor presented ORD. #18-15- 2<sup>nd</sup> reading AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 258 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF EVENDALE, ENTITLED “EMPLOYEES GENERALLY”.** A motion to read ORD #18-15 by title only was made by Mr. Schaefer, seconded by Ms. McDaniel and unanimously approved on roll call.

**The mayor presented ORD. #18-17 ORDINANCE MAKING APPOINTMENT TO RECREATION COMMISSIONS IN VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY.** A motion to read ORD #18-17 by title only was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to suspend the second and third readings of ORD #18-17 was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to agree to the emergency section is made by Mr. Schaefer, seconded by Ms. McDaniel and unanimously approved on roll call. A motion to adopt ORD #18-17 was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. Mayor Finan declared ORD. #18-17 adopted as an emergency.

**The mayor presented** ORD. #18-19 AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILITY OF FUNDS AND DECLARING AN EMERGENCY. A motion to read ORD #18-19 by title only was made by Mr. Schaefer, seconded by Mr. Albrinck and unanimously approved on roll call. A motion to suspend the second and third readings of ORD #18-19 was made by Mr. Puthoff, seconded by Mr. Schaefer and unanimously approved on roll call. A motion to agree to the emergency section is made by Mr. Puthoff, seconded by Mr. Schaefer and unanimously approved on roll call. A motion to adopt ORD #18-19 was made by Mr. Schaefer, seconded by Ms. Smiley-Robertson and unanimously approved on roll call. Mayor Finan declared ORD. #18-19 adopted as an emergency.

**The mayor presented** ORD. #18-20 ORDINANCE AUTHORIZING MAYOR TO HIRE CYNTHIA WALTERS AS A CUSTODIAN FOR THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY. A motion to read ORD #18-20 by title only was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to amend section 1 to “Step 2” was made by Mr. Ranz, seconded by Mr. Albrinck and unanimously approved. A motion to suspend the second and third readings of ORD #18-20 was made by Mr. Schaefer, seconded by Ms. McDaniel and unanimously approved on roll call. A motion to agree to the emergency section is made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to adopt ORD #18-20 was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. Mayor Finan declared ORD. #18-20 adopted as an emergency. Ms. Walters will begin April 2<sup>nd</sup>.

**The mayor presented** ORD. #18-21 AN ORDINANCE ACCEPTING A CONSERVATION EASEMENT FOR THE MILL CREEK WATERSHED COUNCIL OF COMMUNITIES OVER PROPERTY IDENTIFIED AS HAMILTON COUNTY AUDITOR’S PARCEL NO. 611-0020-0402-00 AND DECLARING AN EMERGENCY. A motion to read ORD #18-21 by title only was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to suspend the second and third readings of ORD #18-21 was made by Mr. Schaefer, seconded by Ms. McDaniel and unanimously approved on roll call. A motion to agree to the emergency section is made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to adopt ORD #18-21 was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. Mayor Finan declared ORD. #18-21 adopted as an emergency.

**The mayor presented** ORD. #18-22 ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE MILLCREEK RESTORATION PROJECT THROUGH EVENDALE COMMONS AND APPROVING APPROPRIATIONS RELATED TO SAID PROJECT AND DECLARING AN EMERGENCY. A motion to read ORD #18-22 by title only was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. A motion to suspend the second and third readings of ORD #18-22 was made by Mr. Puthoff, seconded by Mr. Schaefer and unanimously approved on roll call. A motion to agree to the emergency section is made by Mr. Puthoff, seconded by Mr. Schaefer and unanimously approved on roll call. A motion to adopt ORD #18-22 was made by Mr. Schaefer, seconded by Mr. Puthoff and unanimously approved on roll call. Mayor Finan declared ORD. #18-22 adopted as an emergency.

A motion to close the meeting was made by Mr. Albrinck, seconded by Mr. Puthoff and unanimously approved. Meeting was adjourned at 7:40 pm.

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Mayor

Attest:

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Village Clerk