



VILLAGE OF EVENDALE ADOPTED ORDINANCES AND RESOLUTIONS

The following ordinances and resolutions were adopted by the Council of the Village of Evendale at its Regular Council Meeting on June 4th and June 12th, 2018.

ORD. #18-32

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH KELCHNER, INC. ACCEPTING ITS BID, AS MODIFIED HEREIN, FOR THE CONSTRUCTION OF AEROHUB BLVD. PHASE I ROADWAY, APPROPRIATING THE FUNDS FOR THE PROJECT AND DECLARING AN EMERGENCY. Approved

ORD. #18-34

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ANTHEM TO PROVIDE A COMPREHENSIVE HEALTH INSURANCE BENEFIT TO FULL TIME VILLAGE EMPLOYEES AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #18-35

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHIO PLAN RISK MANAGEMENT, INC. TO PROVIDE PROPERTY AND LIABILITY INSURANCE WITH THE ASSISTANCE OF HYLANT ADMINISTRATIVE SERVICES FOR THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #18-37

AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO ENTER INTO A LEASE AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS, HAMILTON COUNTY, OHIO, FOR THE USE OF CLEAR FUNDED MOBILE DATA COMPUTERS AND DOCKING STATIONS AND DECLARING AN EMERGENCY. Approved

ORD. #18-38

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH DENNIS SCHNURR, THE ARCHBISHOP OF CINCINNATI, TRUSTEE, TO ACQUIRE 0.712 ACRES OF LAND CURRENTLY A PART OF THE ST. RITA'S SCHOOL CAMPUS AND DECLARING AN EMERGENCY. Unanimously approved

ORD. # 18-39

ORDINANCE APPOINTING NICK YOUNG TO THE CULTURAL ARTS COMMISSION FOR A TERM ENDING DECEMBER 31, 2018 AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #18-40

ORDINANCE APPROVING WATER MANAGEMENT AND SEDIMENTATION CONTROL PLANS FOR EVENDALE INDUSTRIAL LLC AND AUTHORIZING BUILDING COMMISSIONER TO ISSUE PERMIT AND DECLARING AN EMERGENCY. Unanimously approved

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-32**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH KELCHNER, INC. ACCEPTING ITS BID, AS
MODIFIED HEREIN, FOR THE CONSTRUCTION OF AEROHUB
BLVD. PHASE I ROADWAY, APPROPRIATING THE FUNDS FOR
THE PROJECT AND DECLARING AN EMERGENCY**

WHEREAS, a critical aspect of the development of the AeroHub Project, bringing new jobs and economic opportunities to the Village of Evendale, is the construction of AeroHub Blvd. Phase I of which is scheduled to be substantially completed this calendar year; and

WHEREAS, the estimate of the Village Engineer for AeroHub Blvd. Phase I was \$1,903,601.00. The only bid received following the required publication and solicitation for bids was at \$2,706,372.43 from Kelchner, Inc.; and

WHEREAS, the Village Engineer subsequently determined that the reason no other bidders responded was that most qualified contractors are unusually busy, have work backlogged or have committed their construction crews into the mid-fall; and

WHEREAS, as a result, rebidding the project is unlikely to produce any more or more favorable bids and critically would be time-consuming and seriously jeopardize the ability to substantially complete the project this calendar year; and

WHEREAS, the Village Engineer and Kelchner have agreed to substantial reductions in the work to be done, as detailed in the Memorandum of Construction attached hereto and incorporated by reference herein, reducing the contract cost to \$2,170,818.03; and

WHEREAS, eliminated from the contract and this project is all work which would have been involved in making any changes to the existing access to St. Rita's School. The traffic signal at the school's existing driveway will remain in place and the construction of the St. Rita's connector and the concrete median-island creating only a right turn, right out option have all been eliminated, as provided for in Point No. 6 of the Memorandum of Construction attached hereto and incorporated by reference herein; and

WHEREAS, it is critical that the Village move forward with this contract in order to substantially complete the AeroHub Blvd. Phase I improvements by the end of this calendar year in order to comply with the terms of a \$500,000.00 State of Ohio grant which is helping to pay for this project; and

WHEREAS, in order to protect the Village's receipt of the \$500,000.00 grant and make this project happen in a timely fashion, it is in the public interest to proceed with this contract and the Council of the Village of Evendale finds it to be in the public interest to do so; now,

**BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF
EVENDALE, STATE OF OHIO, five members concurring, that:**

SECTION 1: The Mayor is hereby authorized to enter into a contract accepting the bid of Kelchner, Inc. for the construction of AeroHub Blvd. Phase I, as such bid and contract is modified by the Memorandum of Construction attached hereto and incorporated by reference herein.

SECTION 2: The following sums are appropriated from the unappropriated Capital fund to the following accounts:

400.000.412300	Jobs Ohio Grant	\$500,000.00
400.701.525600	AeroHub Jobs Ohio Grant Project	\$2,300,000.00

SECTION 3: This ordinance is hereby declared to be an emergency measure necessary to preserve the public peace, order, safety, health or welfare of the Village or to provide for the daily operation of a department or office of the Village. The reason for said emergency is the need to proceed in a timely fashion with this contract as quickly as possible in order to preserve the State of Ohio \$500,000.00 grant and thereby complete this project as required by the grant. Therefore, this ordinance shall be effective immediately.

Approved June 4, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

1st Reading: June 4, 2018
Rules Suspended: June 4, 2018
2nd and 3rd Reading: June 4, 2018
Emergency Section Agreed to: June 4, 2018
Notice of publication: Tri-County Press, June 20, 2018

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AeroHub.TMB.doc-rrb

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-34**

**ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT
WITH ANTHEM TO PROVIDE A COMPREHENSIVE HEALTH INSURANCE
BENEFIT TO FULL TIME VILLAGE EMPLOYEES AND DECLARING AN
EMERGENCY.**

WHEREAS, It is the intention of the Council of the Village of Evendale to offer quality health insurance coverage to full time Village employees; and

WHEREAS, Evendale's Health Insurance Review Team (HIRT), and HORAN, Evendale's Health Insurance Broker, have solicited and received the ERC Health renewal rate;

WHEREAS, The Village's current health insurance contract with Anthem expires June 30, 2018;

WHEREAS, After considerable review and analysis of plan design options and third party administration operations, The HIRT Committee recommends continuing with the Lumenos HSA Option E1 with Rx T21 plan design ("The Lumenos Plan") offered by Anthem; and

WHEREAS, Enrollment in the Lumenos Plan would result in a 17.95% increase over the current premium rate for a 12 month term; and

WHEREAS, The Mayor and Village Council encourage and support employees engaged in wellness activities and other plan components that positively impact future premium costs

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, five members concurring, that:

SECTION 1: The Mayor is hereby authorized to enter into a contract with Anthem for medical insurance and related coverage for Village employees in the form of coverage known as the Lumenos Plan, said plan being summarized in Attachment A.

SECTION 2: The Mayor is hereby authorized to enact the plan's wellness component known as the ERChhealth Academy.

SECTION 3: Council has determined that incentivizing proactive employees is an important part of an effective wellness program proven to help control health care costs, specifically premium rates, and improve employees' health, morale, and productivity. To encourage maximum proactive participation by employees and spouses, Village Council will provide an employee premium reduction AND a health savings account contribution as follows:

Required Activities to Qualify for Incentive

- Employees and spouses are to complete an annual preventive care screening/physical and properly submit the provided form(s) during the Annual Preventive Care Campaign; and
- Employees are to meet with a provided onsite wellness coach at least four (4) times OR employees are to attend at least four (4) wellness educational training sessions as provided by the Wellness Committee OR a combination of both to equal four (4) total sessions/meetings between January 1, 2019 and December 31, 2019

Premium and Health Savings Account Contributions

- All employees who meet both of the above requirements respectively will have their Village required premium contribution reduced by 25 percent.
- All employees who meet both of the above requirements will have the Village's health savings account contribution increased by 25 percent.
- This would make the effective employee contribution rates as follows:

	<u>Premium Contribution</u>	<u>Premium with 25% reduction incentive applied</u>
Employee	\$62.23/month	\$46.66/month
EE/Spouse	\$124.47/month	\$93.32/month
EE/Child	\$118.20/month	\$88.61/month
Family	\$199.09/month	\$149.26/month

	<u>HSA funding</u>	<u>HSA Funding with +25% incentive applied</u>
Employee	\$1,440.00 by Village	\$1,800.00 by Village
EE/Spouse	\$2,880.00 by Village	\$3,600.00 by Village
EE/Child	\$2,880.00 by Village	\$3,600.00 by Village
Family	\$2,880.00 by Village	\$3,600.00 by Village

- Employees who elect to participate in ERC Select Doctor Program within the same Plan Design will pay the following contribution rates:

	<u>Premium Contribution - Select Doctor Option</u>	<u>Premium Contribution - Select Doctor Option with 25% reduction incentive applied</u>
Employee	\$59.15/month	\$44.33/month
EE/Spouse	\$118.28/month	\$88.65/month
EE/Child	\$112.25/month	\$84.18/month
Family	\$189.15/month	\$141.80/month

SECTION 4: This ordinance is declared to be an emergency measure by a concurrence of five members of Council. It being necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operation of a department or office of the Village of Evendale. The reason for said emergency is the necessity to enter into a contract prior to the expiration of the existing medical insurance coverage which expires on June 30, 2018. Therefore, in order to provide ongoing medical and related coverages to the employees of the Village of Evendale and their families, this ordinance shall take effect immediately.

Approved June 12, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

1st Reading: June 12, 2018

Rules Suspended: June 12, 2018

2nd and 3rd Reading: June 12, 2018

Emergency Section Agreed to: June 12, 2018

Notice of publication: Tri-County Press, June 20, 2018

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-35**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH OHIO PLAN RISK MANAGEMENT, INC. TO
PROVIDE PROPERTY AND LIABILITY INSURANCE WITH THE
ASSISTANCE OF HYLANT ADMINISTRATIVE SERVICES FOR THE
VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY.**

WHEREAS, With the assistance of the Hylant Administrative Services, the Village of Evendale has obtained a proposal to continue to obtain property and liability insurance through the Ohio Plan Risk Management Program, a joint self-insurance pool; and

WHEREAS, Pursuant to the provisions of the Ohio Revised Code Section 9.833 and 2744.081, it is not necessary for the Village of Evendale to seek competitive bids for such insurance when the insurance is being provided through a joint self-insurance pool addressing the needs of political subdivisions; and

WHEREAS, The Village's current coverage is due to expire on June 30, 2018. Current coverage will continue under previous plan until a new plan is approved.

NOW THEREFORE,

BE IT ORDAINED by the Council of the Village of Evendale, State of Ohio, six members concurring that:

SECTION 1 The Mayor is hereby authorized to enter into such contracts as may be necessary to ensure that the Village remains covered by property and liability insurance as provided by Ohio Plan Risk Management, Inc. and to utilize the services of Hylant Administrative Services to secure, evaluate and monitor such insurance. Such insurance to be provided as described on the Ohio Plan Risk Management application attached hereto and incorporated by reference herein.

SECTION II This Ordinance is hereby declared to be an emergency measure by a concurrence of six members of Council, it being necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale and its citizens and/or to provide for the daily operation of a department or office of the Village of Evendale. The reason for said emergency is that the Village needs to have continual insurance coverage and the current coverage is due to expire at the end of June.

THEREFORE, this Ordinance shall become effective immediately.

Approved June 12, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

1st Reading: June 12, 2018
Rules Suspended: June 12, 2018
2nd and 3rd Reading: June 12, 2018
Emergency Section Agreed to: June 12, 2018
Notice of publication: Tri-County Press, June 20, 2018

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-37**

**AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO ENTER
INTO A LEASE AGREEMENT WITH THE BOARD OF COUNTY
COMMISSIONERS, HAMILTON COUNTY, OHIO, FOR THE USE
OF CLEAR FUNDED MOBILE DATA COMPUTERS AND DOCKING
STATIONS AND DECLARING AN EMERGENCY**

WHEREAS, the Board of County Commissioners, Hamilton County, Ohio, utilized County-Wide Computerized Police Information Center funds from the CLEAR Levy is acquiring mobile data computers (MDCs), rugged in nature for field use with Windows 10 Professional 64 BIT installed and vehicle docking stations; and

WHEREAS, the County will lease this equipment to law enforcement agencies within the County; and

WHEREAS, Evendale's Police Chief has been a part of developing the agreement attached hereto, which will be used county-wide and recommends its approval as it will provide the Evendale Police Department with valuable high-tech computer gear and internet access on a mobile basis from Evendale's police cars and in the field; now,

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, five members concurring, that:

SECTION 1: The Police Chief of the Village of Evendale is hereby authorized to execute a lease agreement with the Board of County Commissioners, Hamilton County, Ohio, substantially in the form attached hereto and incorporated by reference herein.

SECTION 2: This ordinance is hereby declared to be an emergency measure necessary to preserve the public peace, order, safety, health or welfare of the Village or to provide for the daily operation of a department or office of the Village. The reason for said emergency is the desire to place the above-described equipment in Evendale police cars at the earliest possible date, thereby enhancing the ability of police in the field to address emergencies knowledgably. Therefore, this ordinance shall be effective immediately.

Approved June 12, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

1st Reading: June 12, 2018

Rules Suspended: June 12, 2018

2nd and 3rd Reading: June 12, 2018

Emergency Section Agreed to: June 12, 2018

Notice of publication: Tri-County Press, June 20, 2018

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-38**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
PURCHASE AGREEMENT WITH DENNIS SCHNURR, THE
ARCHBISHOP OF CINCINNATI, TRUSTEE, TO ACQUIRE 0.712
ACRES OF LAND CURRENTLY A PART OF THE ST. RITA'S
SCHOOL CAMPUS AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Evendale has authorized by the adoption of Ordinance 18-29 the initiation of an eminent domain action to appropriate 0.712 acres of land currently a part of the St. Rita's Campus in order to conduct Phase I of AeroHub Blvd.; and

WHEREAS, it now appears that it may be possible to timely acquire the property without the necessity of proceeding with the eminent domain lawsuit; and

WHEREAS, it is desirable to avoid unnecessary litigation and if the property can be acquired by agreement in the time necessary for the construction of AeroHub Blvd. that is preferable; and

WHEREAS, if it is determined that the land cannot be acquired in a timely fashion, then counsel for the Village should proceed with the quick take eminent domain action in order to accomplish that; now,

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION 1: The Mayor of the Village of Evendale is hereby authorized to enter into an agreement, substantially in the form attached, to purchase real estate with Dennis Schnurr, the Archbishop of Cincinnati, Trustee, to acquire 0.712 acres of land currently a portion of the St. Rita's school campus, it being the same land for which Ordinance 18-29 authorized the use of eminent domain to appropriate, said land being more specifically described on the Exhibit to the Agreement to Purchase Real Estate attached hereto and incorporated by reference herein.

SECTION 2: Ordinance 18-29 has already appropriated \$90,000.00 to be used to acquire said property via the use of eminent domain. As an alternative to using the \$90,000 to acquire the property through eminent domain, Council hereby authorizes that money to be utilized to acquire the property through the Agreement to Purchase Real Estate attached.

SECTION 2: This ordinance is hereby declared to be an emergency measure necessary to preserve the public peace, order, safety, health or welfare of the Village or to provide for the daily operation of a department or office of the Village. The reason for said emergency is that in order to be qualified to receive a half million dollar grant from the State of Ohio for the construction of AeroHub Blvd., for which this property is necessary, Phase 1 of the road construction must be substantially completed by the end of the calendar year. Therefore, in order to protect that grant, the property needs to be acquired as soon as possible. Therefore, this ordinance shall be effective immediately.

Approved June 12, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

1st Reading: June 12, 2018

Rules Suspended: June 12, 2018

2nd and 3rd Reading: June 12, 2018

Emergency Section Agreed to: June 12, 2018

Notice of publication: Tri-County Press, June 20, 2018

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 18-39**

**ORDINANCE APPOINTING NICK YOUNG TO THE
CULTURAL ARTS COMMISSION FOR A TERM ENDING
DECEMBER 31, 2018 AND DECLARING AN
EMERGENCY.**

- WHEREAS,** The Cultural Arts Commission was established by Ord. 07-43; and,
- WHEREAS,** Catherine Hartman has retired from her term of the CAC and leaves a vacancy; and,
- WHEREAS,** The Mayor has recommended Nick Young as a qualified individual to serve on the Commission; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION 1: The following individual is hereby appointed to fill the existing vacancy on the CAC for a two-year term

<u>Individual</u>	<u>Board of Commission Term End</u>
Nick Young	Cultural Arts Center 12/31/18

SECTION 2: This Ordinance is declared to be an emergency measure by a concurrence of six members of Council, it being necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operation of a department or office of the Village of Evendale. It is necessary for this measure to be put into immediate effect because the daily operation of the CAC Commission requires full membership to properly operate. This ordinance shall therefore be effective upon passage.

Approved June 12, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

1st Reading: June 12, 2018
Rules Suspended: June 12, 2018
2nd and 3rd Reading: June 12, 2018
Emergency Section Agreed to: June 12, 2018
Notice of publication: Tri-County Press, June 20, 2018

**VILLAGE OF EVENDALE
ORDINANCE 18-40**

**ORDINANCE APPROVING WATER MANAGEMENT
AND SEDIMENTATION CONTROL PLANS
FOR EVENDALE INDUSTRIAL, LLC
AND AUTHORIZING BUILDING
COMMISSIONER TO ISSUE PERMIT
AND DECLARING AN EMERGENCY**

WHEREAS, Thomas Graham & Associates, Inc. on behalf of Evendale Industrial, LLC has submitted a certain set of grading plans on property it owns, specifically located on Lot D-9 of the Evendale Commons Business Park, Hamilton County Auditor's Book 611, Page 20, Parcel 422 for an development of a new building and, in accordance with Evendale Ordinance 1466 et. seq.; and

WHEREAS, the Engineer of the Village has given his approval of said plans for the property to be developed by the property owner; and,

WHEREAS, the plans approved by the Village Engineer appear to be in good order and in compliance with the purposes and intent of Evendale Ordinance 1466 et. seq.

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring that:

SECTION 1: The copy of the plans submitted by Thomas Graham and Associates on behalf of Evendale Industrial, LLC, the property owner, in accordance with Evendale Code Section 1466 and approved by the Village Engineer are hereby attached as Appendix A and made part hereof.

SECTION 2: The Council of the Village of Evendale finds that notwithstanding the requirement in Section 1466.04 of the Codified Ordinances of the Village of Evendale, that such plans be held for 30 days before action by Council public policy justification exists to proceed immediately in order to obtain the benefits of the improvements, the reduction of impervious surfaces and the enhancement of greenspace, landscaping and aesthetic appeal of the site as soon as possible and Council further finds said plans as approved by the Engineer to be well taken and to comply with the intent and purposes of Ordinance 1466 et. seq., and are hereby approved by this Council.

SECTION 3: The approval of Council of these plans shall be conditioned upon and shall not take effect until the filing of the plans with the Building Commissioner and filing of the performance bond set by Council in the amount of \$125,000.00. In addition, the issuance of the Water Management and Sedimentation Control Permit is conditioned upon Approval by the Building Department of the proposed plans.

SECTION 4: Copies of the plans as approved by Council shall also be filed with the Clerk, the Engineer, the Building Commissioner, the Planning Commission and the County Soil and Water Conservation District.

SECTION 5: Upon the filing of said approved plans with the Building Commissioner and upon the posting of the bond specified above, the Building Commissioner shall issue the appropriate permit to commence the work, etc. as provided by the approved plans.

SECTION 6: This ordinance shall not constitute approval for any building or structure.

SECTION 7: This ordinance is declared to be an emergency by a concurrence of six members of Council, being necessary to preserve the public, peace, order, safety, health or welfare of the Village of Evendale or to provide for the daily operation of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect because the public safety and welfare require the work commence immediately to promote the renovation of the site and therefore the economic health of the Village of Evendale and reduce the impervious surface area and enhance landscaping of the site at the earliest possible date. This ordinance shall be effective upon passage.

Approved June 12, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

1st Reading: June 12, 2018

Rules Suspended: June 12, 2018

2nd and 3rd Reading: June 12, 2018

Emergency Section Agreed to: June 12, 2018

Notice of publication: Tri-County Press, June 20, 2018