



## 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 July 10, 2018.

**ORD. # 18- 41A**

AN ORDINANCE GRANTING AN APPEAL FROM THE ZONING BOARD OF APPEALS AND THEREBY GRANTING A VARIANCE FOR A SIX FOOT FENCE ON PROPERTY LOCATED AT 3309 PLATEAU PLACE; AND DECLARING AN EMERGENCY. Unanimously approved

**ORD. #18-43**

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE VILLAGE OF EVENDALE, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE SUCH REAL PROPERTY; REQUIRING ANNUAL STATUTORY SERVICE PAYMENTS IN LIEU OF TAXES; CREATING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE BALANCE OF SUCH STATUTORY SERVICE PAYMENTS; AUTHORIZING THE EXECUTION OF A SCHOOL COMPENSATION AGREEMENT WITH THE PRINCETON CITY SCHOOL DISTRICT AND GREAT OAKS INSTITUTE OF TECHNOLOGY AND CAREER DEVELOPMENT; AND DECLARING AN EMERGENCY. Approved

**ORD. #18-33**

ORDINANCE APPROVING THE 2019 TAX BUDGET OF THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

**ORD. # 18-42A**

ORDINANCE REZONING 3040 INWOOD DRIVE, PARCEL 611-0020-0098 FROM RESIDENTIAL (R) TO GENERAL COMMERCIAL (GC) AND DECLARING AN EMERGENCY. Unanimously approved

**ORD. # 18-44**

ORDINANCE APPOINTING MACKENZIE BURNS AS THE PHI LAMBDA PI REPRESENTATIVE FOR THE RECREATION COMMISSION FOR A TERM AUGUST 1, 2018 TO JULY 31, 2019 AND DECLARING AN EMERGENCY. Unanimously approved

**ORD. #18-45**

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE RECREATION CENTER INTERIOR RENOVATIONS PHASE II AND APPROVING A TRANSFER FROM CONTINGENCY AND AN ADDITIONAL APPROPRIATION FOR THE RECREATION DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #18-46

AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILITY OF FUNDS AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #18-47

AN ORDINANCE RATIFYING A CONTRACT WITH HORTON EMERGENCY VEHICLES FOR THE DELIVERY OF A 2019 EMERGENCY MEDICAL VEHICLE FOR THE PRICE OF \$208,281.29 AND DECLARING AN EMERGENCY. Unanimously approved

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE # 18 – 41A**

**AN ORDINANCE GRANTING AN APPEAL FROM THE  
ZONING BOARD OF APPEALS AND THEREBY  
GRANTING A VARIANCE FOR A SIX FOOT FENCE  
ON PROPERTY LOCATED AT 3309 PLATEAU PLACE  
AND DECLARING AN EMERGENCY**

- WHEREAS,** By letter dated April 18, 2018, Don Mercer, Building Commissioner of the Village of Evendale, Ohio, denied applicant's, Mr. Murrell, request for a building permit to build a perimeter fence six feet in height; and
- WHEREAS,** Applicant, Mr. Murrell, filed an appeal dated April 23, 2018, with the Evendale Zoning Board of Appeals within the required 14 days following the denial of the applicant's request; and
- WHEREAS,** The Village of Evendale Zoning Board of Appeals considered that application at its meeting on May 24, 2018 and denied the variance; and
- WHEREAS,** Applicant Mr. Murrell presented evidence to the BZA indicating that the increase fence height is necessary to contain his dog; and
- WHEREAS,** The Zoning Board of Appeals denied the variance concluding:
- Mr. Murrell's request did not meet variance justification #2 of Evendale Zoning Code § 1284.05(c) - that Mr. Murrell's variance request is 50% above the allowable fence height, which the BZA determined was substantial and
  - Mr. Murrell's request did not meet variance justification #6 of Evendale Zoning Code § 1284.05(c) - that the owner's predicament can be obviated through the use of an electric fence; and
- WHEREAS,** The Council of the Village of Evendale conducted a public hearing on the appeal at its meeting on July 10, 2018;

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

**SECTION I** The Council of the Village of Evendale hereby finds that the decision of the Zoning Board of Appeals was too restrictive. Council believes that the request is minor in nature and justified for the reasons noted by Applicant. Council further believes that an electric fence is not an adequate alternative. Therefore, Council hereby grants the variance.

**SECTION II** 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 and 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 approve this ordinance is for the fence owner to start installation. Therefore, this Ordinance shall be effective upon adoption.

Approved July 10, 2018

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Mayor

Attest:

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Village Clerk

Approved as to Form:

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Village Law Director

1st Reading: July 10, 2018  
Rules Suspended: July 10, 2018  
22<sup>nd</sup> and 3<sup>rd</sup> Reading: July 10, 2018  
Emergency Section Agreed to: July 10, 2018  
Notice of publication: Tri-County Press, July 18, 2018

**VILAGE OF EVENDALE  
ORDINANCE # 18-43**

**AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE VILLAGE OF EVENDALE, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE SUCH REAL PROPERTY; REQUIRING ANNUAL STATUTORY SERVICE PAYMENTS IN LIEU OF TAXES; CREATING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE BALANCE OF SUCH STATUTORY SERVICE PAYMENTS; AUTHORIZING THE EXECUTION OF A SCHOOL COMPENSATION AGREEMENT WITH THE PRINCETON CITY SCHOOL DISTRICT AND GREAT OAKS INSTITUTE OF TECHNOLOGY AND CAREER DEVELOPMENT; AND DECLARING AN EMERGENCY**

**WHEREAS**, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 (collectively, the “**TIF Statute**”) provide that a municipality may provide for the use of tax increment financing to construct public infrastructure improvements that will directly benefit new commercial development or redevelopment of parcels of real property located in the Village, and declare improvements, which are defined in the TIF Statute as the increase in the assessed value of any real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of an ordinance adopted pursuant to the TIF Statute were it not for the exemption granted by that ordinance to such parcels of real property, to be a public purpose; and

**WHEREAS**, Council wishes to use the authority granted pursuant to the TIF Statute in order to encourage development on and around GE Aviation’s World Headquarters located at 1 Neumann Way, Evendale, Ohio 45215; and, on an approximately 100 acre site generally located north of Shepherd Lane, west of Interstate 75, south of Sharon Road, and east of Chester Road (such property, as more fully described in Exhibit A attached hereto and made a part hereof, being referred to hereinafter as the “**Exempted Property**” with each parcel comprising the Exempted Property as currently or subsequently configured being referred to individually as a “**Parcel**”); and

**WHEREAS**, by providing public infrastructure improvements such as certain roadway, sewer, water, utility, streetscape, traffic studies and other related and appurtenant public infrastructure improvements, as further described in Exhibit B attached hereto and made a part hereof (the “**Public Improvements**”), the Village may facilitate the commercial development and redevelopment of the Exempted Property; and

**WHEREAS**, the Village Council (the “**Council**”) for the Village has determined that it is necessary and appropriate and in the best interest of the Village to exempt from taxation the improvements located within the Exempted Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code, and to simultaneously direct and require the owners of the Exempted Property to make service payments in lieu of taxes as provided by this Ordinance; and

**WHEREAS**, pursuant to and in the manner prescribed by Sections 5709.40 and 5709.83 of the Ohio Revised Code, the Village delivered notice to the Princeton City School District (the “**School District**”), and the Great Oaks Institute of Technology and Career Development (the “**JVSD**”), stating the Village's intent to adopt this ordinance; and

**WHEREAS**, the School District forwarded a certified copy of a resolution of its board of education to the Village, which resolution approved the actions of the Village provided by this ordinance on the condition that the Village and the School District enter into a School Compensation Agreement, as defined herein; and

**WHEREAS**, the assessed value of the Exempted Property prior to commencement of construction of the Public Improvements shall be determined by the Auditor of Hamilton County, Ohio on or before December 31, 2018 (the “**Historical Value**”), which Historical Value shall not be altered during the Exemption Period, as defined herein; and

**WHEREAS**, the Council has determined that it is appropriate to establish the TIF Exemption as described herein by adopting this Ordinance; now, therefore,

**BE IT ORDAINED** by the Village Council of the Village of Evendale, State of Ohio:

**SECTION 1. Declaration of Public Purpose.** In accordance with Section 5709.40(B), Ohio Revised Code, it is hereby declared that improvements to the Exempted Property are a public purpose benefiting the Village and its residents and that the duration of such public purpose shall be thirty (30) years.

**SECTION 2. TIF Exemption.** One hundred percent (100%) of the increase in assessed value of each Parcel over the Historical Value of such Parcel shall be exempt from real property taxation (the “**TIF Exemption**”, and such increase in value being the “**Increased Value**”) for a period commencing with the tax year in which Increased Value of that Parcel attributable to new construction or renovation first appears on the tax list and duplicate of real and public utility property and that begins after the effective date of this Ordinance (the “**Commencement Date**”) and ending on the thirtieth (30th) anniversary of such Commencement Date (the “**Exemption Period**”). For the avoidance of doubt, it is understood that the Council is making use of the provisions of Ohio Revised Code Section 5709.40(G) allowing for the TIF Exemption to commence in different tax years on a parcel-by-parcel basis, potentially resulting in a different Exemption Period for each Parcel.

**SECTION 3. Payment of Statutory Service Payments.** As provided in Ohio Revised Code Section 5709.42, the owners from time to time of all or any portion of the Exempted Property (each an “**Owner**”) are hereby required to, and shall make, service payments in lieu of taxes with respect to the Increased Value allocable thereto to the Treasurer of Hamilton County, Ohio (the “**County Treasurer**”) on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Parcel if it were not exempt from taxation pursuant to Section 2 hereof. Any late payments shall be subject to penalty and bear interest at the then current rate established under Ohio Revised Code Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the payment of penalties and interest are collectively referred to herein with the service payments in lieu of taxes as the “**Service Payments**”). The Service Payments, and any other payments in respect of the Parcel which are received by the County Treasurer in connection with the reduction required by Ohio Revised Section 319.302, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the “**Property Tax Rollback Payments**”), shall be paid to the Village by the County Treasurer without deduction for compensation owed under the School Compensation Agreement (defined in Section 5 hereof). The foregoing requirements, along with such other provisions as are deemed appropriate by this Council and as are agreed to by the Owners of all or any portion of the Exempted Property, may be included in Service Agreements, which are hereby authorized (but are not required) to be entered into between the Village and the respective owners (such agreements being collectively “**Service Agreements**”).

**SECTION 4. Construction of the Public Improvements.** The Village may determine, by separate ordinance of this Council if required, to construct or cause to be constructed the Public Improvements. The Village hereby determines that the Public Improvements will directly benefit the Exempted Property. The cost of such Public Improvements may be paid in whole or in part from the proceeds of bonds and/or notes to be issued by the Village and secured, in whole or in part, from revenues received by the Village from (i) the Service Payments, (ii) Property Tax Rollback Payments, and (iii) pursuant to Service Agreements, if any are required (collectively, (i) through (iii) are the “**TIF Revenues**”). Subject to the payment of compensation to the School District and the JVSD under the School Compensation Agreement (defined in Section 5 hereof), this Council hereby pledges the TIF Revenues to secure any obligations of the Village issued to finance the Public Improvements.

**SECTION 5. Distribution of Payments to School District, JVSD and Village.** Pursuant to Ohio Revised Code Sections 5709.40, 5709.42, 5709.43 and 5709.82, the Village is hereby authorized to enter into a School Compensation Agreement (the “**School Compensation Agreement**”) with the School District and JVSD, which shall provide that during the Exemption Period, the Village shall pay to the School District and JVSD a portion of the Service Payments collected annually with respect to the Increased Value of the Exempted Property, as set forth in such School Compensation Agreement. This Council hereby approves the School Compensation Agreement among the Village, the School District, and the JVSD, including the exhibits thereto, the form of which is attached hereto as Exhibit C and made a part hereof, and authorizes the Mayor to execute the School Compensation Agreement on behalf of the Village, with such changes, not inconsistent with this ordinance or materially adverse to the Village, as shall be approved by the Mayor. The execution of the School Compensation Agreement by the Village officials on behalf of this Council shall be conclusive evidence of such approval.

**SECTION 6. Creation of TIF Fund.** This Council hereby establishes within the Village Treasury a municipal public improvement tax increment equivalent fund, to be known as the “Aerohub Tax Increment Fund” (the “**TIF Fund**”), into which shall be deposited all TIF Revenues received by the Village. Money in the TIF Fund shall be used to make payment of the compensation required under the School Compensation Agreement and to finance the Public Improvements and may, to the extent provided in further ordinances of this Council, be pledged to the repayment of bonds and/or notes issued to finance such improvements.

**SECTION 7. Further Authorizations.** This Council further hereby authorizes and directs the Mayor, the Village Clerk, the Village Solicitor, the Village Chief Fiscal Officer, or other appropriate officers of the Village to prepare and sign all agreements and instruments and to take any other actions as maybe appropriate to implement this Ordinance.

**SECTION 8. Notification of Passage.** The Clerk of this Council is hereby directed to deliver, not later than fifteen (15) days after the effective date of this Ordinance, a copy thereof to the Director of the Ohio Development Services Agency and to further deliver to such Director, not later than March 31 of each year during which the tax exemption remains in effect, a status report outlining the progress of the project herein described.

**SECTION 9. Open Meetings.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this 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 Section 121.22 of the Ohio Revised Code.

**SECTION 10.** Emergency. That this Ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall be effective immediately. The reason for said emergency is the immediate necessity of effecting the tax increment financing exemption to provide a source of revenue for the construction the Public Improvements.

**SECTION 11.** Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Village and its inhabitants for the reason that this Ordinance must be immediately effective so that the work can begin on the construction of the Public Improvements, wherefore, this Ordinance shall take effect and be in force from and immediately after its adoption.

**PASSED** 7-10-2018  
Date

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Richard H. Finan, Mayor

**ATTEST:** \_\_\_\_\_  
Barb Rohs, Village Clerk

**APPROVED AS TO FORM:**

Timothy M. Burke, Village Law Director

1st Reading: July 10, 2018  
 Rules Suspended: July 10, 2018  
 22<sup>nd</sup> and 3<sup>rd</sup> Reading: July 10, 2018  
 Emergency Section Agreed to: July 10, 2018  
 Notice of publication: Tri-County Press, July 18, 2018

## CERTIFICATE

The duly appointed Village Clerk attests that this ordinance was passed at a regular meeting of Evendale Village Council on the 10<sup>th</sup> day of July, 2018, in compliance with the rules of Evendale Village Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the Village of Evendale, Ohio for his signature on the 10<sup>th</sup> day of July, 2018.

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Barb Rohs, Village Clerk



**EXHIBIT A**

**DESCRIPTION OF THE EXEMPTED PROPERTY**

The Exempted Property by Hamilton County Auditor Parcel ID:

611-0040-0074	611-0050-0003
611-0050-0005	611-0040-0007
611-0040-0006	611-0040-0018
611-0040-0024	611-0040-0025
611-0040-0049-90	611-0040-0075
611-0050-0072	611-0040-0001-90
611-0040-0002	611-0040-0003
611-0040-0004-90	611-0040-0005-90
611-0050-0001-90	611-0040-0016
611-0050-0006	611-0060-0016
611-0060-0017	611-0050-0066
611-0050-0071	611-0050-0085
611-0050-0008-90	611-0050-0117
611-0050-0016	611-0050-0118
611-0050-0115	611-005-0125
611-0050-0089	611-0050-0091
611-0050-0092	

**DESCRIPTION OF THE PUBLIC IMPROVEMENTS**

The Public Improvements include, but are not limited to, public roads and highways; water and sewer lines; the continued maintenance of those public roads and highways and water and sewer lines; environmental remediation; land acquisition, including acquisition in aid of industry, commerce, distribution, or research; demolition, including demolition on private property when determined to be necessary for economic development purposes; stormwater and flood remediation projects, including such projects on private property when determined to be necessary for public health, safety, and welfare; the provision of gas, electric, and communications service facilities, including the provision of gas or electric service facilities owned by nongovernmental entities when such improvements are determined to be necessary for economic development purposes; and the enhancement of public waterways through improvements that allow for greater public access.

Specifically, the Aerohub Project is anticipated to require the following Public Improvements:

1. Design, planning, engineering, construction and future capital maintenance of new roadways including a 3 to 5 lane, curbed and guttered major collector/minor arterial roadway called AeroHub Blvd. connecting GE Aviation Campus to Sharon Rd.
  - a. The construction and/or future capital maintenance, of all necessary traffic signalization, signage, street lights, etc. along the route and at major roadway intersections (i.e. Glendale-Milford Rd.)
  - b. Construction and future capital maintenance of a bridge overpass over I-75 connecting GE Aviation's main campus on the East side of I-75 to a GE leased facility on the West side of I-75
  - c. Construction and future capital maintenance of sidewalks, hike-bike paths along roadways and throughout the District. Installation of ancillary path and walkway lights, benches, trash and recycling receptacles, bike corrals, retaining walls, fencing, and way-finding signage.
2. Construction, expansion, relocation, or extension of all of public utilities, both below and above ground, including, but not limited to; water, gas, electric, sewer, stormwater, telecommunications/fiber-optic, cable, and computer/OARNET services.
3. Active recreational amenities including, but not limited to, park-play-exercise equipment, amphitheater and outdoor pavilion space, park shelter, equipment storage buildings, park benches, kiosks, concessions stands, gazebo's or similar social gathering facilities, water features and fountains, lighting, landscaping, and hardscape.

4. Greenspace, for passive and active use, to include natural and artificial turfs, hardscapes and landscapes (i.e. retaining walls, concrete/brick paver surfaces, trees, shrubs, planters and permanent and seasonal plantings, public art/sculptures, etc.)
5. Public parking facilities – surface and garage parking
6. All costs associated with demolition/removal and disposal of several existing structures including:
  - a. 35,000 +/- sq. ft. church
  - b. 34,000+/- sq. ft. gymnasium,
  - c. 33,000+/- sq. ft. school building,
  - d. 4 residential structures (approx. 900 sq. ft., 2,500 sq. ft., 4,000 sq. ft. and 1,400 sq. ft.)
  - e. Multiple garage/service buildings – including a 4,000+/- sq. ft. structure, a 5,200+/- sq. ft. structure and a 980+/- sq. ft. structure.
  - f. An abandoned outdoor sports track with bleachers, concession stand, storage building, lighting, parking lots and private roadways.
  - g. A 30,000+/- sq. ft. indoor/outdoor firing range and 5,800 sq. ft. administrative office and a vacant dog training facility.
  - h. A 15,000+/- sq. ft. warehouse/distribution terminal
  - i. A 2,500+/- sq. ft. auto mechanic's garage
7. Removal/abatement of general construction debris, multiple junk automobiles, junk trucks, auto parts, etc.
8. Environmental remediation, hazardous waste abatement associated with mechanic's garage and/or warehouse.
9. Pond dam repairs. Pond bank restoration/improvements. Fountain installation and maintenance
10. Costs associated with grading to prepare site for redevelopment. Removal or addition of fill materials. Installation, construction and capital maintenance of public water detention/retention facilities.

**SCHOOL COMPENSATION AGREEMENT**

See exhibit book 17

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-33**

**ORDINANCE APPROVING THE  
2019 TAX BUDGET OF THE VILLAGE OF EVENDALE  
AND DECLARING AN EMERGENCY**

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

**SECTION 1:** Following a public hearing, as required by law, the 2019 Tax Budget for the Village of Evendale, set out in full as **Exhibit 1** to this Ordinance, is hereby approved.

**SECTION 2:** The Chief Fiscal and Accounting Officer is authorized and directed to forward all necessary and appropriate copies of the 2019 Tax Budget to the Hamilton County Auditor.

**SECTION 3:** This ordinance is declared to be an emergency measure by a concurrence of six members of Council, it being found to be 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 of the legal requirement to promptly submit the 2019 tax budget to the Hamilton County Auditor and to enable the Village to properly plan its fiscal operations in the coming months. This ordinance shall therefore become effective upon passage.

Approved July 10, 2018

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Law Director

1st Reading: July 10, 2018  
Rules Suspended: July 10, 2018  
22<sup>nd</sup> and 3<sup>rd</sup> Reading: July 10, 2018  
Emergency Section Agreed to: July 10, 2018  
Notice of publication: Tri-County Press, July 18, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE # 18-42A**

**ORDINANCE REZONING 3040 INWOOD DRIVE, PARCEL  
611-0020-0098 FROM RESIDENTIAL (R) TO GENERAL  
COMMERCIAL (GC) AND DECLARING AN  
EMERGENCY**

**WHEREAS,** The parcel at 3040 Inwood Drive, Hamilton County PID 611-20-98 (“Subject Property”) is a vacant parcel adjacent to the GC General Commercial district and to 10260 Reading Road (PID 611-20-40); and

**WHEREAS,** the Village owns both the Subject Property and the adjacent parcel at 10260 Reading Road, and wishes to make these parcels jointly available for economic development purposes as one developable tract; and

**WHEREAS,** the Subject Property and rear of 10260 Reading Road are on a considerable slope where some retaining walls would be necessary to bring the parcel into productive commercial use; and

**WHEREAS,** the zoning code requires a 60-foot greenspace buffer between commercial and residential; and

**WHEREAS,** the combination of minimum zoning requirements, greenspace buffer and need for some retaining walls requires that the 10260 Reading Road parcel have additional area to be developable in a manner that is consistent with Village regulations and of a quality that is beneficial to the Village of Evendale; and

**WHEREAS,** a rezoning of the Subject Property from R to GC will allow it to be developed in combination with 10260 Reading Road as a commercial lot, while maintaining sufficient retaining walls and greenspace buffer; and

**WHEREAS,** Village Council desires to rezone the Subject Property to General Commercial (GC) to achieve these goals; and

**WHEREAS,** the Planning Commission of the Village of Evendale has recommended approval of the zone change following a public hearing; now,

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

**SECTION 1:** The property identified by parcel identification number 611-0020-0098 in the records of the Hamilton County Auditor’s office, 3040 Inwood Drive, is hereby rezoned from Residential (R) to General Commercial (GC).

**SECTION 2:** This ordinance is hereby declared to be an emergency measure by concurrence of six members of the Village Council. The reason for said emergency is to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operations of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect in order to ensure that the site, in combination with the adjacent parcel at 10260 Reading Road, are available for development as a commercial tract with the requisite greenspace buffer, at the earliest possible date. Therefore this ordinance shall become effective immediately.

Approved July 10, 2018

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Law Director

1st Reading: July 10, 2018  
Rules Suspended: July 10, 2018  
22<sup>nd</sup> and 3<sup>rd</sup> Reading: July 10, 2018  
Emergency Section Agreed to: July 10, 2018  
Notice of publication: Tri-County Press, July 18, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE # 18-44**

**ORDINANCE APPOINTING MACKENZIE BURNS AS THE  
PHI LAMBDA PI REPRESENTATIVE FOR THE  
RECREATION COMMISSION FOR A TERM AUGUST 1,  
2018 TO JULY 31, 2019 AND DECLARING AN  
EMERGENCY.**

- WHEREAS,** The Recreation Commission Phi Lambda Pi terms will run annually and begin in August to follow school calendar terms; and
- WHEREAS,** Justin McDaniel term has expired because of going to college and leaves a vacancy; and,
- WHEREAS,** The Mayor has recommended MacKenzie Burns 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 Recreation Commission as a one year term;

<u>Individual</u>	<u>Board of Commission</u>	<u>Term End</u>
MacKenzie Burns	Recreation Commission	7/31/19

**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 Recreation Commission requires full membership to properly operate. This ordinance shall therefore be effective upon passage.

Approved July 10, 2018

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Law Director

1st Reading: July 10, 2018  
Rules Suspended: July 10, 2018  
22<sup>nd</sup> and 3<sup>rd</sup> Reading: July 10, 2018  
Emergency Section Agreed to: July 10, 2018  
Notice of publication: Tri-County Press, July 18, 2018



**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-45**

**ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO  
CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE  
RECREATION CENTER INTERIOR RENOVATIONS PHASE II AND  
APPROVING A TRANSFER FROM CONTINGENCY AND AN  
ADDITIONAL APPROPRIATION FOR THE RECREATION  
DEPARTMENT AND DECLARING AN EMERGENCY.**

- WHEREAS,** the Village has received bids for the Recreation Center Interior Renovation Phase II after advertising in a newspaper of general circulation in the Village of Evendale for the proscribed two weeks; and
- WHEREAS,** the bids received were over the estimate, however due to current construction workloads rebidding the project is unlikely to result in a more favorable bid. Furthermore, there is a limited window when this work can be performed without significant impact to the operations held within the Recreation Center; and
- WHEREAS,** the Recreation Department requires additional funding be available for this expense as the budgeted amount for the project was \$150,000 and the low bid including alternative bid was approximately \$210,000; and
- WHEREAS,** the Service Director/Village Engineer and the Recreation Director have recommended Overberg Construction Inc. as submitting the lowest and best bid; now therefore,

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

**SECTION 1** The base bid and the alternate bid of Overberg Construction Inc. for the Recreation Center Interior Renovations Phase II in the amount of \$209,180.00 is hereby accepted.

**SECTION 2** The following sum is transferred from the General Fund Contingency Fund account:

101.799.579900	\$60,000.00
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To the 301 Recreation Department capital improvements account:

101.301.525211	\$60,000.00
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**SECTION 3** 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 operations of a department or office of the Village of Evendale. It is necessary that this measure be put into effect immediately because the public welfare and daily operations of the Village require that the contract for the project be executed as soon as possible in order to perform the work during a less disruptive time period at the recreation center and it is in the public interest for the Village to insure adequate funds are immediately available for the project. This ordinance shall be effective upon passage.

Approved July 10, 2018

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Mayor

Attest:

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Village Clerk

Approved as to Form:

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Village Law Director

1st Reading: July 10, 2018  
Rules Suspended: July 10, 2018  
22<sup>nd</sup> and 3<sup>rd</sup> Reading: July 10, 2018  
Emergency Section Agreed to: July 10, 2018  
Notice of publication: Tri-County Press, July 18, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-46**

**AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILITY OF FUNDS AND DECLARING AN EMERGENCY.**

**WHEREAS,** Ohio Revised Code 5705.41(D)(1) provides that where contracts have not been previously certified for sufficient funds being available, Village Council may authorize the drawing of warrants to pay such contracts upon receipt of a certificate from the fiscal officer stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate, a sufficient sum appropriated for the purpose of such contract and in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances, and

**WHEREAS,** Certain contracts enumerated below are now due and payable for which such a certificate has been provided by the Chief Fiscal and Accounting Officer;

**NOW THEREFORE,**

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

**SECTION I** The Council of the Village of Evendale hereby approves and authorizes the payment of the following contracts for which the Chief Fiscal and Accounting Officer has provided a certificate that a sufficient sum has been appropriated for the purpose of each contract and is in the treasury or in the process of collection to the credit of the appropriate fund free from any previous encumbrances:

- 1) Republic Services - \$7,888.20 – Shred day recycle
- 2) Environmental Remediation Contractor - \$130,684.55 – Evendale Commons Stream Restoration

**SECTION II** 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 and 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 approve this ordinance in the time required by the Ohio Revised Code and to ensure prompt payment to vendors. Therefore, this Ordinance shall be effective upon adoption.

Approved July 10, 2018

\_\_\_\_\_  
Mayor, Village of Evendale

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Law Director

1<sup>st</sup> Reading: July 10, 2018

Rules Suspended: July 10, 2018

2<sup>nd</sup> and 3<sup>rd</sup> Reading: July 10, 2018

Emergency Section Agreed to: July 10, 2018

Notice of Publication: Tri-County Press, July 18, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-47**

**AN ORDINANCE RATIFYING A CONTRACT WITH HORTON  
EMERGENCY VEHICLES FOR THE DELIVERY OF A 2019  
EMERGENCY MEDICAL VEHICLE FOR THE PRICE OF  
\$208,281.29 AND DECLARING AN EMERGENCY**

**WHEREAS,** the Evendale Fire Department is in need of a new emergency medical vehicle; and

**WHEREAS,** Horton Emergency Vehicles manufactures such equipment and it is available for purchase on the State of Ohio approved list; and

**WHEREAS,** in order to advance the manufacture and delivery of the emergency medical vehicle as much as possible to meet the Village's immediate needs, the Mayor has executed said contract; now,

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

**SECTION 1:** The attached contract with Horton Emergency Vehicles for the delivery of an emergency medical vehicle, a Horton 553B Type 3 aluminum body conversion with "walk-thru modification," mounted on a 2019 Ford E-450 cab/chasse to be delivered in accordance with the Ohio STS Pricing Schedule and Horton Selected Features List for a total amount of \$208,281.29 is hereby ratified and approved.

**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. In this case, the reason for said emergency is the need to obtain a new emergency medical vehicle for use by the Fire Department in order to meet the needs of Evendale's citizens and the motoring public coming through Evendale and to have such equipment available at the earliest possible date. Therefore, this ordinance shall be effective immediately.

Approved July 10, 2018

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Law Director

1st Reading: July 10, 2018

Rules Suspended: July 10, 2018

22<sup>nd</sup> and 3<sup>rd</sup> Reading: July 10, 2018

Emergency Section Agreed to: July 10, 2018

Notice of publication: Tri-County Press, July 18, 2018