



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 August 14, 2018.

ORD. #18-50

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A DEED OF EASEMENT TO EVENDALE INDUSTRIAL, LLC FOR THE PURPOSES OF A STORM WATER EASEMENT AND DECLARING AN EMERGENCY. Approved

ORD. #18-51

ORDINANCE AUTHORIZING MAYOR TO PURCHASE FROM THE HAMILTON COUNTY, OHIO PROCUREMENT PROGRAM UNLEADED GASOLINE AND ROAD GRADE DIESEL FUEL, AND DECLARING AN EMERGENCY. Approved

ORD. #18-52

AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO ENTER INTO AN AGREEMENT WITH THE OHIO PEACE OFFICER TRAINING ACADEMY TO TRANSFER A 2013 FORD POLICE INTERCEPTOR VEHICLE AND DECLARING AN EMERGENCY. Approved

ORD. #18-53

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

RES. #18-01

RESOLUTION RECOMMENDING PUBLIC SAFETY AS A CRITERIA USED BY THE OHIO POWER SITING BOARD WHEN CONSIDERING APPLICATIONS FOR NATURAL GAS PIPELINES. Approved

RES. #18-02

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO AND THE MODAL SHOP INC. PROVIDING FOR THE ADOPTION OF A PROJECT WHICH WILL EXPAND A BUSINESS IN THE VILLAGE OF EVENDALE AND CREATE AND/OR PRESERVE EMPLOYMENT OPPORTUNITIES WITHIN AN ENTERPRISE ZONE OF HAMILTON COUNTY AND DECLARING AN EMERGENCY. Approved

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-50**

**AN ORDINANCE AUTHORIZING THE MAYOR TO
EXECUTE A DEED OF EASEMENT TO EVENDALE
INDUSTRIAL, LLC FOR THE PURPOSES OF A STORM
WATER EASEMENT AND DECLARING AN EMERGENCY**

- WHEREAS,** Evendale Industrial, LLC has requested a storm water easement over a portion of Village of Evendale property to transfer storm water to a regional detention facility located along Evendale Commons Drive; and
- WHEREAS,** this storm water easement will provide for the property recently acquired from Formica to access an existing storm water easement; and
- WHEREAS,** this storm water easement furthers the development along Evendale Commons Drive by providing the necessary system to contain the storm water of the development; now,

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

SECTION 1: The Mayor of the Village of Evendale is hereby authorized to execute a Grant of Easement substantially in the form of the Grant of Easement attached hereto and incorporated by reference herein which is hereby approved.

SECTION 2: This ordinance is declared to be an emergency measure by a concurrence of five 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. The reason for said emergency is the need to ensure that the project to be built on the property serviced by the easement can go forward as rapidly as possible in order to provide the Village with the benefits intended. Therefore, this ordinance shall become effective immediately.

Approved August 14, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 14, 2018
Rules Suspended: August 14, 2018
2nd and 3rd Reading: August 14, 2018
Emergency Section Agreed to: August 14, 2018
Notice of publication: Tri-County Press, August 22, 2018

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-51**

**ORDINANCE AUTHORIZING MAYOR TO PURCHASE
FROM THE HAMILTON COUNTY, OHIO PROCUREMENT
PROGRAM UNLEADED GASOLINE AND ROAD GRADE
DIESEL FUEL, AND DECLARING AN EMERGENCY**

WHEREAS, the Charter of the Village of Evendale requires that each purchase exceeding twenty-five thousand dollars (\$25,000.00) be approved by the Council of the Village of Evendale; and

WHEREAS, the Village of Evendale participates in a joint purchasing plan operated by Hamilton County; and

WHEREAS, Hamilton County has completed the competitive bid requirements for material which can be purchased through that program, including vehicular fuel in bulk; and

WHEREAS, the Council of the Village of Evendale has determined that it is necessary and appropriate for the Village to purchase vehicular fuel in bulk through the County Joint Purchasing Plan; now,

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

SECTION 1: The Council of the Village of Evendale authorizes the purchase, through the Hamilton County Joint Purchasing Plan, of a regular unleaded gasoline and road grade diesel fuel meeting the specifications and requirements as set in the Hamilton County Purchasing Program from Lykins Oil Co. The fuel shall be delivered on an as needed basis and will be subject to the pricing control as set forth in the Hamilton County Purchasing agreement. Council reserves, on behalf of the Village, the right to cancel this contract or seek alternative providers at any time.

SECTION 2: This ordinance is declared to be an emergency measure by a concurrence of five 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 the public welfare requires the contract for the fuel be executed as soon as possible in order to provide for purchasing on a bulk basis and the fuel is necessary to power Village vehicles. This ordinance shall be effective upon passage.

Approved August 14, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 14, 2018

Rules Suspended: August 14, 2018

2nd and 3rd Reading: August 14, 2018

Emergency Section Agreed to: August 14, 2018

Notice of publication: Tri-County Press, August 22, 2018

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-52**

**AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO ENTER
INTO AN AGREEMENT WITH THE OHIO PEACE OFFICER
TRAINING ACADEMY TO TRANSFER A 2013 FORD POLICE
INTERCEPTOR VEHICLE AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Evendale currently has in its fleet a 2013 Ford Police Interceptor utility vehicle which is no longer necessary for Village of Evendale Police purposes; and

WHEREAS, the Ohio Police Officer Training Academy (OPOTA), under the jurisdiction of the Ohio Attorney General's Office, is in need of a training vehicle, a purpose for which Evendale's 2013 Ford Police Interceptor is still suitable; and

WHEREAS, OPOTA proposes to pay to the Village \$2,125.00 and to credit the Village Police Department with an additional \$2,125.00 in tuition credit, usable by the Village of Evendale Police Department for training purposes in the succeeding 24 months; and

WHEREAS, the Mayor and Police Chief have both recommended this agreement; 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 is hereby authorized to enter into a Memorandum of Understanding between the Ohio Attorney General, Ohio Peace Officer Training Academy and the Village of Evendale Police Department substantially in the form attached hereto providing for the transfer of a 2013 Ford Police Interceptor utility vehicle which is no longer necessary for Village of Evendale Police Department purposes, said vehicle bearing VIN #1FM5K8ARIDGC73548, and mileage of 123,087 miles.

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 Village Police Department. The reason for said emergency is the desire to place the above-described vehicle with OPOTA for its use in training law enforcement personnel and to free space used by the Police Department for its current fleet of vehicles as soon as possible. Therefore, this ordinance shall be effective immediately.

Approved August 14, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 14, 2018

Rules Suspended: August 14, 2018

2nd and 3rd Reading: August 14, 2018

Emergency Section Agreed to: August 14, 2018

Notice of publication: Tri-County Press, August 22, 2018

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #18-53**

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, five 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) Servall Electric - \$3,000.00 – Evendale Commons Pond

SECTION II This Ordinance is declared to be an emergency by a concurrence of five 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 August 14, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 14, 2018
Rules Suspended: August 14, 2018
2nd and 3rd Reading: August 14, 2018
Emergency Section Agreed to: August 14, 2018
Notice of publication: Tri-County Press, August 22, 2018

VILLAGE OF EVENDALE, OHIO
RES. #18-01

**RESOLUTION RECOMMENDING PUBLIC SAFETY AS A CRITERIA USED BY
THE OHIO POWER SITING BOARD WHEN CONSIDERING APPLICATIONS
FOR NATURAL GAS PIPELINES**

RECOGNIZING the need for the State of Ohio to strengthen requirements for siting natural gas pipelines to include public safety criteria; and **ENCOURAGING** the Ohio General Assembly to enact legislation implementing such changes.

WHEREAS, Ohio has a growing economic interest in the natural gas business, and high pressure natural gas pipelines are being installed around Ohio and the region to transmit this gas; and

WHEREAS, high pressure natural gas pipelines, if ruptured or damaged, may pose significant risk to public safety and the environment due to the products transported; and

WHEREAS, the National Transportation Safety Board has recognized that third-party damage and pipeline right-of-way encroachment are the biggest threats to pipeline safety; and

WHEREAS, the Council of the Village of Evendale is on record with its opposition to the construction of the high-pressure Duke Energy Central Corridor Pipeline Extension project, a high-pressure natural gas pipeline in the Evendale area; and

WHEREAS, the Council of the Village of Evendale desires to advocate for policies and regulations intended to reduce the likelihood of accidental damage to pipelines and to help reduce adverse impacts in the event of pipeline failure; and

WHEREAS, the Council of the Village of Evendale believes that the regulation of the proximity of high-pressure pipelines carrying potentially flammable liquids is desirable to preserve public safety and the environment; and

WHEREAS, in reviewing applications for a certificate of environmental compatibility and public need to allow for siting of a new gas pipeline, the Ohio Power Siting Board relies on State law that utilizes several criteria; now, therefore,

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

Section 1. That the Mayor and Council of the Village of Evendale recommend to the State of Ohio that legislation be passed consistent with laws in other states and local jurisdictions in states without home-rule limitations to require public safety to be added to the siting criteria for the Ohio Power Siting Board.

Section 2. That a copy of this Resolution be spread upon the minutes of Council.

Approved August 14, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

Notice of publication: Tri-County Press, August 22, 2018

**VILLAGE OF EVENDALE, OHIO
RESOLUTION #18-02**

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO AND THE MODAL SHOP INC. PROVIDING FOR THE ADOPTION OF A PROJECT WHICH WILL EXPAND A BUSINESS IN THE VILLAGE OF EVENDALE AND CREATE AND/OR PRESERVE EMPLOYMENT OPPORTUNITIES WITHIN AN ENTERPRISE ZONE OF HAMILTON COUNTY AND DECLARING AN EMERGENCY

- WHEREAS,** The Council of the Village of Evendale has, on April 10, 1997, by Ordinance No. 97-33, consented to the establishment of an Enterprise Zone, known as the Reading/Lockland/Evendale/Arlington Heights Enterprise Zone, by the Board of County Commissioners of Hamilton County, Ohio, as authorized by Section 5709 of the Ohio Revised Code, which has been amended from time to time; and
- WHEREAS,** On April 16, 1997, the Board of County Commissioners of Hamilton County, Ohio did duly establish such a zone; and
- WHEREAS,** On July 2, 1997, the Director of Development of the State of Ohio certified the area designated by this Council and the Board of County Commissioners of Hamilton County, Ohio as an Urban Jobs and Enterprise Zone pursuant to Section 5709.63(A) of the Ohio Revised Code; and
- WHEREAS,** THE MODAL SHOP INC. (MODAL) now proposes a project which will create investment and employment opportunities in the Village of Evendale; and
- WHEREAS,** MODAL has proposed a project which will involve constructing a new 40,000 sq. ft. facility with a total new investment of approximately four million and fifty thousand dollars (\$4,050,000.00) with eighty (80) full-time and ten (10) part-time permanent jobs over three years; and
- WHEREAS,** The Council of the Village of Evendale, upon receiving endorsement by the Evendale Community Improvement Corporation, has reviewed the proposed project and is of the opinion that MODAL is qualified to create and/or preserve employment opportunities in the enterprise zone;

NOW THEREFORE, BE IT RESOLVED by the Village Council of the Village of Evendale, Hamilton County, Ohio, five members concurring, that:

SECTION I The Council hereby gives its consent for the Board of County Commissioners of Hamilton County, Ohio, to enter into an enterprise zone agreement with MODAL, the Enterprise Zone Application of which is attached to this Resolution as **Exhibit A.**

SECTION II

This resolution is hereby declared to be an emergency by concurrence of five 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 so the Board of County Commissioners may promptly proceed to enter into the Agreement with MODAL'S and the benefits of such agreement be obtained as promptly as possible. This resolution shall be effective upon passage.

Approved: August 14, 2018

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 14, 2018

Emergency Section Agreed to: August 14, 2018

Notice of publication: Tri-County Press, DATE