



## 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 September 11, 2018

ORD. #18 -27 ORDINANCE AMENDING THE TEXT OF THE EVENDALE ZONING CODE TO PROVIDE FOR "RECREATIONAL FACILITIES, INDOOR AS A CONDITIONAL USE IN THE IF-1 ZONE."

ORD. # 18-48

AN ORDINANCE AMENDING CHAPTER 1256 OF THE EVENDALE ZONING CODE TO ADD INNOVATION DISTRICT PLANNED UNIT DEVELOPMENT, AND AMENDING CHAPTER 1242 TO ADD USE DEFINITIONS RELATED TO THE INNOVATION DISTRICT PUD, AND DECLARING AN EMERGENCY

ORD. # 18-49

ORDINANCE REZONING VILLAGE-OWNED LAND IDENTIFIED AS 1717 GLENDALE-MILFORD ROAD (PARCEL 611-0050-0072) AND 10320 ST. RITA LANE (PARCEL 611-0050-0071) FROM HEAVY COMMERCIAL (HC)/MIXED USE PUD TO INNOVATION DISTRICT PUD AND DECLARING AN EMERGENCY

ORD. # 18-54

ORDINANCE AUTHORIZING THE MAYOR TO HIRE KARA TYLER AS THE PERMANENT PART-TIME CUSTODIAN FOR THE RECREATION DEPARTMENT AND DECLARING AN EMERGENCY

ORD. #18-55

AN ORDINANCE ADOPTING SECTION 258.150, VILLAGE OF EVENDALE CREDIT CARD POLICY AND PROCEDURE AND DECLARING AN EMERGENCY

ORD. #18-56

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

ORD. #18-57

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO SELL CERTAIN VILLAGE OWNED REAL ESTATE TO KITANGA INVESTMENTS LLC AND DECLARING AN EMERGENCY

ORD #18-58

AN ORDINANCE AUTHORIZING THE MAYOR TO TRANSFER VILLAGE OWNED PROPERTY AT 3047 INWOOD DRIVE TO THE EVENDALE COMMUNITY IMPROVEMENT CORPORATION FOR ECONOMIC DEVELOPMENT PURPOSES AND DECLARING AN EMERGENCY

ORD #18-59

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO SELL CERTAIN VILLAGE OWNED REAL ESTATE TO THE MODAL SHOP, INC. AND DECLARING AN EMERGENCY

ORD #18-60

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PURCHASE AGREEMENT BETWEEN THE VILLAGE AND SWE, LLC AND APPROVING THE NECESSARY SUBDIVISION OF PROPERTY AND DECLARING AN EMERGENCY

ORD. 18-63

ORDINANCE APPROVING WATER MANAGEMENT AND SEDIMENTATION CONTROL PLANS FOR THE SHERWIN WILLIAMS COMPANY AND AUTHORIZING BUILDING COMMISSIONER TO ISSUE PERMIT AND DECLARING AN EMERGENCY

ORD. #18-64

ORDINANCE AUTHORIZING MAYOR TO PURCHASE FROM THE STATE OF OHIO PROCUREMENT PROGRAM FOR TORO GROUNDMASTER 4100D 11' WIDE MOWER, AND DECLARING AN EMERGENCY

ORD. #18-65

AN ORDINANCE APPROVING A TRANSFER FROM THE CONTINGENCY FUND TO BUILDING MAINTENANCE FUND AND DECLARING AN EMERGENCY

RES.#18-03

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

RES. # 18-04

RESOLUTION GRANTING THE GORMAN HERITAGE FARM FOUNDATION APPROVAL TO INSTALL A NEW BUILDING ON THE GORMAN HERITAGE FARM SITE

RES. #18-05

RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF EVENDALE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

RES. #18-06

RESOLUTION ADOPTING THE AEROHUB MASTER PLAN

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-27**

**ORDINANCE AMENDING THE TEXT OF THE EVENDALE  
ZONING CODE TO PROVIDE FOR “RECREATIONAL FACILITIES,  
INDOOR AS A CONDITIONAL USE IN THE IF-1 ZONE.”**

**WHEREAS,** a request to convert an existing vacant building in the IF-1 zoned area to a “recreational facility, indoor” has been received by the Village of Evendale; and

**WHEREAS,** the Planning Commission of the Village of Evendale considered this request, conducted a public hearing and recommended an amendment to the text of the Evendale Zoning Code to add to Schedule 1250.05, Industrial District Permissible Uses, under the category of Miscellaneous Uses, “Recreational Facilities, Indoor,” as a conditional use to be listed only under the column in Schedule 1250 for the IF-1 Zone; and

**WHEREAS,** Council of the Village of Evendale has conducted a public hearing with regard to this text amendment and finds that this amendment would permit a currently vacant structure to be put to an economical use; now, therefore,

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

**SECTION 1:** Schedule 1250.05, Industrial District, Permissible Uses, contained in Chapter 1250, Industrial Districts of the Codified Ordinances of the Village of Evendale, is hereby amended to add under the category Miscellaneous Uses, “Recreation Facilities, Indoor” as a conditional use under the IF-1 Zone with instruction to “see Chapter 1266.”

**SECTION 2:** This ordinance take effect and be in force from the earliest date allowed by law.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: May 8, 2018

Rules Suspended: August 14, 2018

2nd Reading: August 14, 2018

3rd Reading: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE # 18-48**

**AN ORDINANCE AMENDING CHAPTER 1256 OF THE EVENDALE ZONING CODE TO ADD INNOVATION DISTRICT PLANNED UNIT DEVELOPMENT, AND AMENDING CHAPTER 1242 TO ADD USE DEFINITIONS RELATED TO THE INNOVATION DISTRICT PUD, AND DECLARING AN EMERGENCY.**

- WHEREAS,** the Village owns approximately 53 acres west of Interstate 75, straddling Glendale Milford Road – known as the “AeroHub Site”; and
- WHEREAS,** the Village is in the process of developing an AeroHub Innovation District Master Plan” and obtaining a developer or developers for the AeroHub Site consistent with the terms of the Plan; and
- WHEREAS,** the Village Council finds that the most effective way to carry out its desires for the AeroHub Site is by way of a Planned Unit Development pursuant to Evendale Zoning Code Chapter 1256; and
- WHEREAS,** Chapter 1256 of the Evendale Zoning Code currently provides for a limited mix of Planned Unit Development types which are not compatible with the vision for the AeroHub site; and
- WHEREAS,** the Planning Commission conducted, with notice, a public hearing on July 17, 2018 regarding proposed changes to the Evendale Zoning Code to accommodate an “Innovation Planned Unit Development District” and associated use definitions; and
- WHEREAS,** the Planning Commission recommended approval of amendments to Chapter 1256 and Chapter 1242 of the Evendale Zoning Code regarding the same; and
- WHEREAS,** the Council of the Village of Evendale has conducted a public hearing on this ordinance; and
- WHEREAS,** the Council of the Village of Evendale finds it appropriate to amend the Zoning Code of the Village of Evendale to accommodate the Innovation District Planned Unit Development and associated uses in the Zoning Code, in anticipation of zoning changes and redevelopment at the AeroHub Site; now, therefore,

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

**SECTION 1:** Part Twelve, Title Two, Section 1242.03, subparagraph (a) of the Zoning Code of the Village of Evendale, is hereby amended to read as follows, with the remainder of Section 1242.03(a) to remain as written:

1242.03 DEFINITIONS.

- (a) For purposes of this Code, the following terms shall have the following meanings:

ADVANCED MANUFACTURING: Advanced manufacturing uses innovative technologies to improve existing products and create new products. Advanced manufacturing can include production activities that depend on information, automation, computation, software, sensing, and networking. Generally, advanced manufacturing focuses on the research and

development and/or production of a single, unique or specialized products or prototypes but may include the mass production of such that products or prototypes in a safe, clean environment.

ADDITIVE MANUFACTURING: The construction of complex three-dimensional parts from 3D digital model data by depositing successive layers of material. Metal, polymer, and ceramic materials can be used to manufacture parts of a geometry that often cannot be produced by any other manufacturing technology. The names of specific additive manufacturing technologies include, but not limited to: 3D printing, layered object manufacturing, selective laser sintering, selective laser melting, LENS, stereolithography, and fused deposition modeling. Synonyms include layered manufacturing, solid freeform manufacturing, direct digital manufacturing, rapid prototyping.

**SECTION 2:** Part Twelve, Title Two, Section 1256.19 is hereby added to Chapter 1256 of the Zoning Code of the Village of Evendale, with the remainder of Chapter 1256 to remain as written:

**1256.19 Innovation District PUD**

- (a) Purpose. The purpose of the Innovation District PUD is to develop a district that consists of high-tech industrial, advanced manufacturing, research and development, and similar uses along with supportive and ancillary uses that will benefit the district. The district should be designed to promote a campus-like setting with an emphasis on walkability, shared facilities and amenities, usable open space, and modern building designs.
- (b) Qualifying Conditions. Any application for an Innovation District PUD shall meet the following conditions:
  - (1) The PUD district shall be five or more acres in area.
  - (2) An Innovation District PUD shall have at least one direct access onto an arterial or thoroughfare.
- (c) Permitted Uses. The following uses shall be permitted within an Innovation District PUD:
  - (1) Advanced and Additive manufacturing using 3-D printing or similar computer-integrated technologies
  - (2) Educational training facilities, indoor
  - (3) Research and development facilities or laboratories for product or process development using prototyping, test stands, computer-aided design or similar technologies.
  - (4) Professional offices
  - (5) Greenbelt areas and open spaces
  - (6) Parking lots or garages but only in conjunction with another permitted use.
  - (7) Restaurants, traditional and fast casual, if located within 500 feet of Glendale Milford Road
  - (8) Other similar uses as approved by the Evendale Planning Commission
- (d) Conditional Uses. The following uses may be permitted as conditional uses subject to the review and approval process outlined in Zoning Code Section 1282. Conditional uses shall be located completely within buildings containing principal uses unless stipulated below.
  - (1) Assembly halls, ~~and~~ meeting facilities, conference centers.
  - (2) Business services

- (3) Communication facilities if in conformance with Chapter 1263
- (4) Data processing and computer centers
- (5) Day care centers, adult and child
- (6) Recreational facilities
- (7) Warehousing, wholesaling, and distribution
- (8) Personal Instruction and Personal Service Uses
- (9) Hotels, a stand-alone use
- (e) Temporary Uses. The following uses shall be permitted on a temporary basis within an Innovation District PUD:
  - (1) Food trucks
  - (2) Other uses deemed appropriated by the Planning Commission
- (f) Development Requirements.
  - (1) Minimum lot area and width. Lots shall comply with the Subdivision Regulations of Chapter 1222 and shall otherwise be evaluated for their safety, utility and efficiency of use within the Innovation District PUD.
    - A. Multiple structures are permitted on a single lot if approved by Planning Commission
  - (2) Height and setback requirements. There shall be no minimum building heights, interior setbacks or minimum distances between structures within the district. Setbacks, heights and distances between structures shall be evaluated and determined based on; 1) the type and nature of each use and for their safety, utility, and compatibility with surrounding property and structures; 2) proposed building elevations and structural elements; 3) visual impacts on site lines; 4) land topography; connectivity and proximity to common, open or public spaces, and 5) overall efficiency of use within the district, except as regulated in (3).
  - (3) Perimeter Setback Requirements. All buildings, parking, and streets along the perimeter of the PUD district shall adhere to the following:

<u><b>Proposed Use</b></u>	<u><b>If adjacent to a residential district or use</b></u>	<u><b>If adjacent to a non-residential district or use</b></u>	<u><b>If adjacent to a right-of-way</b></u>
<u>Innovation District PUD Use</u>	<u>75'</u>	<u>20'</u>	<u>50'</u>

The Planning Commission may allow for a reduction of the setback regulations if the applicant demonstrates that any negative impacts of reducing the setbacks are sufficiently mitigated.

- (4) Circulation and parking.
  - A. Streets, building locations, lights, parking areas, pedestrian ways, and utility easements shall be designed to promote the public safety, minimize friction between such elements, and to provide for safe, efficient, and convenient circulation and access to and between buildings for pedestrians, bicycles, and vehicular traffic.

- B. Private streets may serve circulation and parking if fire and police protection, rubbish collection, and lighting are adequately provided for.
- C. Adequate access shall be allowed on site for fire and other emergency vehicles.
- D. Parking required for the PUD shall equal the sum of the parking requirements for all proposed uses. However, if it can be demonstrated certain factors, such as different hours of operation, affect the overall parking needs, the total parking requirements may be reduced by Planning Commission. In such case, the applicant shall give legal notice requesting the reduction. Shared and structured parking is preferred to reduce paved surfaces.
- E. Driveways and circulation roadways shall be designed to minimize traffic, congestion and safely integrate with pedestrian circulation while minimizing the amount of paved areas.
- F. Access points should align wherever possible with access points on the opposite side of the street.
- G. Curb cuts shall be minimized and shared access is encouraged wherever possible.
- H. Parking structures are preferred for the district. Where parking structures are not feasible, surface parking is preferred in the rear yard
- (5) Maintenance and utilities. For any areas to be held under common ownership, a document showing the future maintenance provisions shall be submitted to Planning Commission and the Law Director. Such provisions shall include mandatory membership of all property owners in any association designed for maintenance of a common area.
- (6) Building materials and design.
  - A. Building designs and materials should demonstrate compatibility with the mission, vision, principles and standards set forth in the AeroHub Master Plan
  - B. Buildings are encouraged to be LEED certified and/or include other energy efficient elements such as solar panels, wind turbines, and green infrastructure.
  - C. Buildings should be constructed out of masonry, brick, architectural metal paneling, decorative block, glass, wood, and other natural and complimentary materials. A combination of materials is encouraged.
  - D. Natural colors are encouraged for the primary building façade. Stronger accent colors are acceptable for highlighting building elements such as entrances and feature materials.
  - E. Buildings should be designed for the pedestrian with articulated first floor entranceways, architectural shades, and building transparency.
  - F. Accessory structures, fences, and related uses shall comply with Chapter 1266.
  - G. Outdoor storage is not permitted within the district.
  - H. Utilities are required to be underground whenever possible.

<b><u>Examples of Preferred Building Materials and Design Elements</u></b>
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Atricare, Mason, Ohio. <http://www.bayerbecker.com/projects/ohio/9317-atricure-headquarters>



Keystone Properties, Cincinnati, Ohio. <http://www.bayerbecker.com/projects/ohio/hamilton/131-keystone-parke>



Metro State, University of Denver, Denver, Colorado <http://www.saundersci.com/portfolio/education---higher/MetroState-StudentSuccess.html>



Colorado State University, Lory Student Center, Ft. Collins, CO <http://www.saundersci.com/portfolio/education--higher>



Professional Office/Greenspace/Walking Path, The Yard, Grandview Heights, Ohio.



Kangan Batman Institute

- (7) The PUD shall provide areas of common open space that promotes both active and passive recreation opportunities; shall include appropriate landscape buffers and screens to minimize the impact of the development to adjacent uses; and shall include landscaping around buildings and parking areas to soften the appearance of building masses and reduce the impact of large paved areas. A landscape plan shall be submitted with each PUD application that meets the following:
- A. All open space, landscaping, and buffering shall be in conformity with an approved master plan to be included as a condition of the PUD.
  - B. Common open space shall comprise at least 20 percent of the PUD district, unless approved otherwise by the Planning Commission.

- C. Landscape and buffer plans shall be in conformance with Chapter 1260 of this Zoning Code.
  - D. No invasive plant species shall be permitted within the Innovation District PUD.
- (8) Signs. Signs are permitted per the Evendale Sign Ordinance as set forth in Chapter 1262, unless a uniform sign system is proposed by the Planning Commission and approved by Council for the entire Planned Unit Development. Signs in the Innovation District PUD shall adhere to the following:
- A. Signs shall be landscaped in accordance with Section 1260.06.
  - B. Electronic message boards and pole signs shall be prohibited within the district.
  - C. Exposed bulbs and string lights shall be prohibited other than holiday decorations.
  - D. The district is encouraged to have a common sign design or theme for wayfinding signs, identification signs, subdivision entrance signs, and other similar signage needs.
- (9) Lighting.
- A. All parking lot and exterior building lighting shall be cut-off fixtures that are oriented downward.
  - B. Poles shall be black or powder coated metal poles.
  - C. A photometric plan shall be required as a condition of approval for any site within the PUD. The maximum footcandles at the perimeter of the PUD shall be 1.0.
- (10) Mechanical and Waste Screening.
- A. Dumpsters and trash containers shall be located in the side or rear yards of a property and shall be screened on all sides by a durable material consistent with the building materials used on the principal structure. The screen walls shall be six feet in height or at least one foot above the height of the dumpster, whichever is taller. The fourth side of the dumpster enclosure shall be screened with an opaque gate that is the same height as the screen walls. Bollards shall be installed at the enclosure opening to prevent damage to the screen walls and gate. Chain link fences are not permitted as screening materials for dumpster enclosures. Dumpsters shall be located on an impervious, durable surface such as concrete or asphalt.
  - B. Mechanical equipment, electrical equipment, and communication equipment, including both ground-mounted and roof-mounted equipment shall be screened from view from adjacent public rights-of-way and from all property zoned or used for residential purposes.
  - C. Wall mounted mechanical equipment, electrical equipment, communication equipment, downspouts, gutters, service doors, and other building-mounted utility fixtures shall be painted and maintained to match the building or be screened from view.

**SECTION 3:** 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 to enact zoning regulations to accommodate a rezoning and subsequent redevelopment on the AeroHub Site, and to allow potential developers and applicants to submit preliminary concept plans under the Innovation PUD for review by the Planning Commission and Council as soon as possible. Therefore, this ordinance shall become effective immediately.

Approved September 11, 2018

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Mayor

Attest:

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

Approved as to Form:

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Village Law Director

1st Reading: August 14<sup>th</sup>, 2018  
Rules Suspended: September 11, 2018  
2nd and 3rd Reading: September 11, 2018  
Emergency Section Agreed to: September 11, 2018  
Notice of publication: September 18, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE # 18-49**

**ORDINANCE REZONING VILLAGE-OWNED LAND  
IDENTIFIED AS 1717 GLENDALE-MILFORD ROAD  
(PARCEL 611-0050-0072) AND 10320 ST. RITA LANE  
(PARCEL 611-0050-0071) FROM HEAVY COMMERCIAL  
(HC)/MIXED USE PUD TO INNOVATION DISTRICT PUD  
AND DECLARING AN EMERGENCY**

- WHEREAS,** the Village owns approximately 53 acres west of Interstate 75, straddling Glendale Milford Road – known as the “AeroHub Site”; and
- WHEREAS,** the Village is in the process of developing an AeroHub Innovation District Master Plan” and obtaining a developer or developers for the AeroHub Site consistent with the terms of the Plan; and
- WHEREAS,** the Village Council finds that the most effective way to carry out its desires for the AeroHub Site is by way of a Planned Unit Development pursuant to Evendale Zoning Code Chapter 1256; and
- WHEREAS,** Village Council is reviewing the addition of an Innovation PUD to the Evendale Zoning Code concurrent with this rezoning; and
- WHEREAS,** the Planning Commission conducted, with notice, a public hearing on July 17, 2018 regarding a zone change on 1717 Glendale-Milford Road (Hamilton County Parcel 611-0050-0072) and 10320 St. Rita Lane (Hamilton County Parcel 611-0050-0071) – (collectively, “Subject Property”) which are considered part of Phase one of the AeroHub Site development, from Heavy Commercial(HC)/Mixed Use PUD to Innovation PUD; and
- WHEREAS,** the Planning Commission recommended approval of said zone change; and
- WHEREAS,** the Council of the Village of Evendale has conducted a public hearing on this ordinance; and
- WHEREAS,** the Council of the Village of Evendale finds it appropriate to amend the Zoning Map of the Village of Evendale to accommodate the Innovation District Planned Unit Development on the Subject Property, contingent upon Council’s adoption of the proposed Innovation District PUD; now, therefore,

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

**SECTION 1:** The Subject Property identified as 1717 Glendale-Milford Road (Hamilton County Parcel 611-0050-0072) and 10320 St. Rita Lane (Hamilton County Parcel 611-0050-0071), is hereby rezoned from Heavy Commercial (HC)/Mixed Use PUD to Innovation District PUD, contingent upon Council’s adoption of the text amendment to Chapter 1256 of the Evendale Zoning Code adding the Innovation District PUD; and

**SECTION 2:** This ordinance is hereby declared to be an emergency measure by concurrence of five 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. The reason for said emergency is to rezone land in the AeroHub Site to accommodate redevelopment, and to allow potential developers and applicants to submit preliminary concept plans under the Innovation PUD for review by the Planning Commission and Council as soon as possible. Therefore this ordinance shall become effective immediately.

Approved September 11, 2018

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Mayor

Attest:

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Village Clerk

Approved as to Form:

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Village Law Director

1<sup>st</sup> Reading: August 14, 2018

Rules Suspended: September 11, 2018

2<sup>nd</sup> and 3<sup>rd</sup> Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

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

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE # 18-54**

**ORDINANCE AUTHORIZING THE MAYOR TO HIRE  
KARA TYLER AS THE PERMANENT PART-TIME  
CUSTODIAN FOR THE RECREATION DEPARTMENT  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the Village of Evendale has enacted Chapter 260 of the Codified Ordinances of the Village of Evendale, requiring authorization by Council for the Mayor to hire a part-time employee; and,

**WHEREAS**, the Mayor has recommended the hiring of Kara Tyler as a permanent part-time Custodian for the Recreation Department; and,

**WHEREAS**, the Mayor and the administration has fully complied with Section 260.06(a) of the Codified Ordinances of the Village of Evendale; now

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

**SECTION 1:** The following person may be employed, effective September 11, 2018 by the Mayor of the Village of Evendale as a Custodian for the Recreation Department at an hourly rate established below:

Kara Tyler:    Hourly Pay:    \$12.30

**SECTION 2:** This ordinance is hereby declared to be an emergency measure by a 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 Village Recreational Department has the staffing necessary to provide for and to perform its critical functions to the Village and its citizens. Therefore, this ordinance shall be effective upon passage.

Approved   September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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Village Law Director

1st Reading:   September 11, 2018

Rules Suspended:    September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-55**

**AN ORDINANCE ADOPTING SECTION 258.150, VILLAGE  
OF EVENDALE CREDIT CARD POLICY AND  
PROCEDURE AND DECLARING AN EMERGENCY**

- WHEREAS,** the Village of Evendale provides Village credit cards to certain Village officials and employees; and
- WHEREAS,** it is required that the Village have a policy in place regulating the use of Village of Evendale credit cards; and
- WHEREAS,** the draft policy has been reviewed and approved by the Ohio Auditor of State and it conforms with the requirements of the recently adopted House Bill 312, which requires that policy be in place by November 4, 2018; now,

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

**SECTION 1:** Section 258.150 of the Codified Ordinances of the Village of Evendale, Village of Evendale Credit Card Policy and Procedures, is hereby adopted to read as provided on Exhibit A, attached hereto and incorporated by reference herein.

**SECTION 2:** This ordinance is hereby 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 to have a clearly stated credit card policy in place as soon as possible governing credit card use and reporting and therefore to comply with the requirements of Ohio law. Therefore, this ordinance shall become effective immediately.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18 - 56**

**AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILTY 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) Lykins Oil Company - \$7,000.00 – Fuel

**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 September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-57**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO  
AN AGREEMENT TO SELL CERTAIN VILLAGE OWNED REAL  
ESTATE TO KITANGA INVESTMENTS LLC AND DECLARING AN  
EMERGENCY**

**WHEREAS,** the Village of Evendale owns .642 acres of vacant land at 9898 Reading Rd, Parcel #611-0020-0200-00, formerly the site of a car wash purchased by the Village in May 2013 and subsequently demolished for nuisance abatement purposes.

**WHEREAS,** the subject parcel is nonconforming as it does not meet the minimum lot area requirement established by the Evendale Zoning Code for the Office-Research District in which it is located.

**WHEREAS,** the Village of Evendale most recently listed the subject parcel for sale with the brokerage firm CBRE in conjunction with the two-story office building next door at 9888 Reading Rd, a property not owned by the Village.

**WHEREAS,** 9888 Reading Rd. was purchased in July 2017 by Kitanga Investments LLC. Shortly thereafter, James Kitanga, Founder and CEO of Complete Care Providers (CCP), relocated CCP to the subject location.

**WHEREAS,** after acquiring 9888 Reading Rd., Mr. Kitanga asked Village officials if the abutting vacant lot was available for sale for the purposes of expanding CCP's parking lot and for an outdoor space for employees.

**WHEREAS,** Village officials negotiated a sale price of \$35,000 for the subject parcel and have agreed in principle to the terms and conditions of the attached Land Purchase Agreement; and

**WHEREAS,** The Council of the Village of Evendale finds that the price negotiated is fair and appropriate given the nonconforming nature of the lot, that the property is not needed for any municipal purpose and the sale will benefit the Village by encouraging the expansion of CCP's presence in the Village; 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 a Land Purchase Agreement with Kitanga Investments LLC to purchase property from the Village of Evendale subject to a contract substantially in the form of the agreement 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 enable CCP's uninterrupted operations and continued growth and expansion in the Village of Evendale as soon as possible. Therefore, this ordinance shall be effective immediately.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018  
Rules Suspended: September 11, 2018  
2nd and 3rd Reading: September 11, 2018  
Emergency Section Agreed to: September 11, 2018  
Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-58**

**AN ORDINANCE AUTHORIZING THE MAYOR TO TRANSFER  
VILLAGE OWNED PROPERTY AT 3047 INWOOD DRIVE TO THE  
EVENDALE COMMUNITY IMPROVEMENT CORPORATION FOR  
ECONOMIC DEVELOPMENT PURPOSES AND DECLARING AN  
EMERGENCY**

**WHEREAS,** the property at 3047 Inwood Drive, Hamilton County Auditor's Parcel No. 611-0020-0061-00 is currently vacant and not needed for any municipal purposes; and

**WHEREAS,** said property is being replatted to divide as described on the attached plat preserving a reserving a remainder to Village ownership; and

**WHEREAS,** the Evendale Community Improvement Corporation has the ability to negotiate the sale of the property for development for a single family home; and

**WHEREAS,** the construction of a new single family home fulfills a variety of public purposes including economic development and the construction of housing; 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 authorized to transfer the property at 3047 Inwood Drive (Hamilton County Auditor's Parcel 611-0020-0061-00, also known as lot 22, excluding the remainder lot 23, as both are described on the attached plat, to the Evendale Community Improvement Corporation so that it may be further transferred for the construction of a single family home.

**SECTION 2:** Council hereby approves the re-subdivision of lots 22 and 23 in the manner depicted on the attached plat.

**SECTION 3:** This ordinance is hereby declared to be an emergency measure necessary to preserve the safety, health and general 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 desire to provide for the construction of a new home on otherwise vacant property as soon as possible and to relieve the Village from the obligation and expense of maintaining unused, vacant property. Therefore, this ordinance shall become effective immediately.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018



**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-59**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO  
AN AGREEMENT TO SELL CERTAIN VILLAGE OWNED REAL  
ESTATE TO THE MODAL SHOP, INC. AND DECLARING AN  
EMERGENCY**

**WHEREAS,** the Village of Evendale is continuing to pursue the development of AeroHub as an innovative high-tech industrial area subject to the provisions of an Innovation Planned Unit Development zoning district; and

**WHEREAS,** the Village of Evendale is currently embarked on the construction of AeroHub Blvd.; and

**WHEREAS,** the Modal Shop, Inc. and the Village of Evendale staff have negotiated a contract by which the Modal Shop, Inc. will purchase 5.21 acres of land and construct on it, in three phases, a 100,000 square foot facility; and

**WHEREAS,** the Modal Shop, Inc. has agreed to pay the Village of Evendale \$77,500.00 per acre for the property described in the attachment; and

**WHEREAS,** the Council of the Village of Evendale finds that the price offered is fair and appropriate given the new jobs that the Modal Shop, Inc. will bring to the Village of Evendale and that the Modal Shop, Inc. will serve as the initial anchor for the AeroHub Development and will move forward the purposes of the Village in the creation of AeroHub; 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 a **Contract to Purchase Real Estate** by which the Modal Shop, Inc. will purchase property from the Village of Evendale subject to a contract substantially in the form of the agreement 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 bring new jobs associated with the Modal Shop, Inc. into the Village of Evendale as soon as possible and to thereby encourage others to locate in the AeroHub Development. Therefore, this ordinance shall be effective immediately.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-60**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN  
AMENDMENT TO THE PURCHASE AGREEMENT BETWEEN THE  
VILLAGE AND SWE, LLC AND APPROVING THE NECESSARY  
SUBDIVISION OF PROPERTY AND DECLARING AN EMERGENCY**

**WHEREAS,** negotiations between the Village and SWE, LLC, a Missouri Limited Liability Company in regard to a Purchase Agreement that had been entered into dated April 9, 2018 which would sell property for the construction of a Sherwin-Williams retail store; and

**WHEREAS,** certain amendments to that Agreement have been determined to be necessary and appropriate and our recommended by the Mayor and Director of Administrative Services; and

**WHEREAS,** the consummations of the Purchase Agreement will result in the enhancement of the Economy of the Village of Evendale by adding new jobs and providing convenience access to the citizens of Evendale to a new retail use, 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 execute an Amendment to the Purchase Agreement by and between the Village of Evendale and SWE, LLC, substantially in the form attached hereto.

**SECTION 2:** Council approves the subdivision of property necessary to complete the sale of real estate to SWE, LLC as such subdivision is depicted on the plats attached hereto.

**SECTION 2:** This ordinance is hereby declared to be an emergency measure necessary to preserve the safety, health and general 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 desire to complete the sale and transfer of the property involved as soon as possible so that a new retail store and the jobs associated with it can be constructed as soon as possible thereby benefitting the economy of the Village of Evendale. Therefore, this ordinance shall become effective immediately.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE  
ORDINANCE 18-63**

**ORDINANCE APPROVING WATER MANAGEMENT  
AND SEDIMENTATION CONTROL PLANS  
FOR THE SHERWIN WILLIAMS COMPANY  
AND AUTHORIZING BUILDING  
COMMISSIONER TO ISSUE PERMIT  
AND DECLARING AN EMERGENCY**

**WHEREAS**, BFA Engineering on behalf of The Sherwin Williams Company has submitted a certain set of grading plans on property contracted to be purchased from the Village of Evendale, specifically located on the consolidated lot, Hamilton County Auditor's Book 611, Page 20, Parcel 40 and Book 611, Page 20, Parcel 98 for an development of a new building and, in accordance with Chapter 1466 of the Codified Ordinances of the Village of Evendale 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 Chapter 1466 of the Codified Ordinances of the Village of Evendale 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 BFA Engineering on behalf of The Sherwin Williams Company, 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 Section 1466 of the Codified Ordinances of the Village of Evendale 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 \$40,000.00. In addition, the issuance of the Water Management and Sedimentation Control Permit is conditioned upon Approval by the Building Department of the proposed plans. Furthermore, the permit will not be issued until a successful transfer of the property to The Sherwin Williams Company.

**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. Issuance of permit shall be conditioned upon the final approval of the necessary parcel consolidation.

**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 September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #18-64**

**ORDINANCE AUTHORIZING MAYOR TO PURCHASE  
FROM THE STATE OF OHIO PROCUREMENT PROGRAM  
FOR TORO GROUNDMASTER 4100D 11' WIDE MOWER,  
AND DECLARING AN EMERGENCY**

**WHEREAS,** the Village of Evendale participates in a joint purchasing plan operated by the State of Ohio; and

**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 Council of the Village of Evendale has determined that it is necessary and appropriate for the Village to purchase a mower to replace one of the mowers in our fleet; now, therefore,

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

**SECTION 1:** The Council of the Village of Evendale authorizes the purchase of a Toro Groundmaster 4100D mower and associated accessories meeting the specifications and requirements as set in the State of Ohio Purchasing Program from Toro Commercial Division.

**SECTION 2:** The following sum is transferred from the contingency and appropriated to the transfer out account and then transferred from the General Fund Transfer Account:

101.799.579900 Contingency \$65,000.00

101.799.599999 Transfer out \$65,000.00

To Street Maintenance, Construction and Repair Fund 201:

201.000.499999 Transfer in \$65,000.00

And appropriated to:

201.201.525211 Capital Improvements \$65,000.00

**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 the public welfare requires the contract for the mower be executed as soon as possible in order to continue to provide the necessary ongoing maintenance of the municipal grounds and other property the Village owns that is maintained by the Service Department. This ordinance shall be effective upon passage.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO**  
**ORDINANCE #18-65**

**AN ORDINANCE APPROVING A TRANSFER FROM THE  
CONTINGENCY FUND TO BUILDING MAINTENANCE FUND AND  
DECLARING AN EMERGENCY**

**WHEREAS,** Pursuant to legislation properly adopted by the Council of the Village of Evendale, certain expenditures will take place that need to be appropriately reflected as an appropriation; and,

**WHEREAS,** a portion of the recreation building requires masonry repair and sealing to avoid further water damage; and

**WHEREAS,** Funding is available in the contingency line item to supplement the funds necessary; now

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

**SECTION 1:** The following sum is transferred from the General Fund Contingency Fund account:

101.799.579900	\$29,800.00
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To the 705 Building Maintenance Fund:

101.705.525300 Building Improvement	\$29,800.00
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**SECTION 2:** These appropriated funds are authorized to be expended for masonry repair work.

**SECTION 3:** 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 that this measure be put into immediate effect because the public welfare and daily operations of the Village require that line items within Fund budgets not exceed the appropriation amounts approved by Council and it is in the public interest to repair the recreation building masonry to avoid further water damage. This ordinance shall be effective upon passage.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
RESOLUTION #18-03**

**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,** At its regular meeting on August 14, 2018, the Council of the Village of Evendale adopted Resolution #18-02, containing similar provisions as herein, however that Resolution was adopted prematurely and Hamilton County has requested that a new ordinance be adopted; and
- 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, six members concurring, that:

**SECTION I** Resolution 18-02 is hereby repealed, rescinded and replaced with this Ordinance.

**SECTION II** 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 III**

This resolution is hereby declared to be an emergency by 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 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 September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Emergency Section Agreed to: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
RESOLUTION # 18-04**

**RESOLUTION GRANTING THE GORMAN HERITAGE  
FARM FOUNDATION APPROVAL TO INSTALL A NEW  
BUILDING ON THE GORMAN HERITAGE FARM SITE**

- WHEREAS,** The Gorman Heritage Farm Foundation (hereinafter “Foundation”) seeks Village approval for the construction of any new buildings on the farm site; and
- WHEREAS,** The Foundation is in need of a building in which to store the farm’s wagons and historical memorabilia and which can be used for temporary storage of salvage materials from the bank barn renovation project; and
- WHEREAS,** The new building will be large enough to house educational space for school and tour groups; and
- WHEREAS,** The Foundation proposes to pay the cost for a new building, a wood-wrapped pole barn, 60 feet by 30 feet, which will be located at the eastern side of the farm yard next to the mule pasture; and
- WHEREAS,** As a fixture on the property, the new building will be owned by the Village of Evendale; and
- WHEREAS,** The Council of the Village of Evendale finds the proposed new building to be appropriate and of benefit to the efficient and active use of the Farm property; now, therefore

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

**SECTION 1** It is hereby resolved that the Council of the Village of Evendale approves the installation on the Gorman Heritage Farm site of the new building described in the preceding Whereas paragraphs to be paid for by the Gorman Heritage Farm Foundation.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018

Rules Suspended: September 11, 2018

2nd and 3rd Reading: September 11, 2018

Notice of publication: Tri-County Press, September 19, 2018

**VILLAGE OF EVENDALE, OHIO  
RESOLUTION #18-05**

**RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF  
EVENDALE TO PREPARE AND SUBMIT AN APPLICATION TO  
PARTICIPATE IN OHIO PUBLIC WORKS COMMISSION STATE  
CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION  
IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS  
REQUIRED**

- WHEREAS,** The State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and
- WHEREAS,** The Village of Evendale is planning to make capital improvements to construct a new roadway in the AeroHub development area using, in part, Local Transportation Improvement Funds
- WHEREAS,** The infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs; now, therefore,

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

- SECTION 1:** The Mayor of Evendale is hereby authorized to apply to the OPWC for funds as described above.
- SECTION 2:** The Mayor of Evendale is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018  
Rules Suspended: September 11, 2018  
2nd and 3rd Reading: September 11, 2018  
Notice of publication: Tri-County Press, September 19, 2018

**VILAGE OF EVENDALE  
RES. #18-06**

**A RESOLUTION ADOPTING THE  
AEROHUB MASTER PLAN**

**WHEREAS**, Over the past decade, the Village of Evendale has acquired, through several separate real estate purchases, 50 +/- acres of land along the north and south sides of Glendale-Milford Rd immediately West of Interstate 75, for nuisance abatement and future redevelopment purposes.

**WHEREAS**, The Village of Evendale Mayor and Council have tasked the Evendale Community Improvement Corporation with the responsibility of providing guidance on recommending the highest and best redevelopment options for the 50 +/- acres.

**WHEREAS**, the Community Improvement Corporation, with input and assistance from Village staff; planning, zoning, engineering and real estate consultants; local and state economic development agencies and numerous elected and appointed officials; the business community and residents; have helped to define a vision a development plan for the acreage.

**WHEREAS**, the vision and development plan for the site, generally known as AeroHub, has been summarized in a Master Plan (see attached Exhibit “A”)

**WHEREAS**, the Evendale Community Improvement Corporation, by unanimous vote, endorsed the Plan by motion at their August 21, 2018 meeting.

**WHEREAS**, the Village of Evendale Council, Evendale Planning Commission and the Community Improvement Corporation, in anticipation of the Plan and to enable future development of the 50 +/- acres in accordance with the Plan; have already adopted, or are in the process of adopting, development-related legislation, including; an AeroHub-specific Planned Unit Zoning District; expansion of Evendale’s Enterprise Zone to include all AeroHub acreage; a Tax Increment Finance District over AeroHub properties as a funding source for public infrastructure associated with new development

**WHEREAS**, the Plan describes AeroHub as a commercial innovation district for advanced manufacturing, additive technologies, research and design centers, workforce development, professional offices and similar or compatible uses in an urban-like setting, comparable to similar state-of-art districts throughout the world, leveraging existing nearby and regional assets for the purpose of attracting high-quality businesses, professional jobs and amenities for the overall general welfare and economic benefit of Evendale, its surrounding communities and all of southwest Ohio; now, therefore,

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

**SECTION 1.** The AeroHub Master Plan attached hereto is hereby approved and endorsed by Council and Planning Commission with regard to future decisions involving property in the AeroHub District.

Approved September 11, 2018

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: September 11, 2018  
Rules Suspended: September 11, 2018  
2nd and 3rd Reading: September 11, 2018  
Notice of publication: Tri-County Press, September 19, 2018

**CERTIFICATE**

The duly appointed Village Clerk attests that this Resolution was passed at a regular meeting of Evendale Village Council on the 11 day of September, 2018, in compliance with the rules of Evendale Village Council and the laws of the State of Ohio. The foregoing Resolution was submitted to the Mayor of the Village of Evendale, Ohio for his signature on the 12th day of September, 2018.

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