



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 January 15, 2019.

ORD. #19-01

ORDINANCE APPROVING TRANSFERRING GENERAL FUNDS TO VARIOUS OTHER FUNDS, AND DECLARING AN EMERGENCY.

ORD. #19-02

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

ORD. #19-03

ORDINANCE AUTHORIZING THE VACATION OF ST. RITA LANE IN CONNECTION WITH THE DEVELOPMENT OF AEROHUB AND DECLARING EMERGENCY.

ORD. #19-04

AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR AEROHUB SOUTH SUBDIVISION AND DECLARING AN EMERGENCY

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-01**

**ORDINANCE APPROVING TRANSFERRING GENERAL
FUNDS TO VARIOUS OTHER FUNDS, AND DECLARING AN EMERGENCY**

WHEREAS, PUSUANT TO LEGISLATION PROPERLY ADOPTED BY THE COUNCIL of the Village of Evendale, certain expenditures will take place that need to be appropriately funded by transfers from the General Fund to the specific funds from which expenditures will be made,

WHEREAS, THE BUDGET ADOPTED BY THE COUNCIL ON DECEMBER 11, 2018 FOR the 2019 fiscal year provides for said funding transfers; now,

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

SECTION 1: The sum of \$115,000.00 is transferred from the General Fund to the Street Construction Repair and Maintenance Fund.

SECTION 2: The sum of \$416,000.00 is transferred from the General Fund to the Gorman Heritage Farm Fund. The amount of \$350,000.00 is designated for operations and the \$65,000.00 is designated for capital improvements and \$1,000.00 is designated for fuel.

SECTION 3: The sum of \$100,000.00 is transferred from the Fire Services Fund to the General Fund. This amount is considered to be a partial repayment of an advance to the Fire Services Fund from the General Fund in 2016 for the purchase of a fire truck with the expectation that the Fire Services Fund will reimburse the General Fund until the \$450,000 is fully refunded which is approximated as four years. The final payment of \$100,000 is planned to occur in 2020.

SECTION 4: 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 line items within departmental budgets not exceed the appropriation amounts approved by Council. This ordinance shall be effective upon passage.

Approved January 15, 2019

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 15, 2019

Rules Suspended: January 15, 2019

2nd and 3rd Reading: January 15, 2019

Emergency Section Agreed to: January 15, 2019

Notice of Publication: Tri-County Press, January 23, 2019

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #19 -02**

**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) Bobcat Enterprises, Inc. - \$3,245.00 - Rental compact track loader
- 2) Evan Brothers - \$5,790.00 – Electrical work on Farm Office

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 January 15, 2019

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 15, 2019

Rules Suspended: January 15, 2019

2nd and 3rd Reading: January 15, 2019

Emergency Section Agreed to: January 15, 2019

Notice of Publication: Tri-County Press, January 23, 2019

**VILLAGE OF EVENDALE
ORDINANCE #19-03**

**ORDINANCE AUTHORIZING THE VACATION OF ST. RITA LANE IN
CONNECTION WITH THE DEVELOPMENT OF AEROHUB AND
DECLARING EMERGENCY**

- WHEREAS,** The Village of Evendale (“Evendale”) is the owner of the hereinafter described real property known as St. Rita Lane. (“The Property”);
- WHEREAS,** Evendale is the owner of all of the parcels abutting to the East and West of The Property, and on the North is St. Rita Ln’s terminus into Glendale Milford Rd.;
- WHEREAS,** Property to the South is owned by ARC-GECIN0001, LLC, which property will be provided with access to Glendale Milford Rd. via the newly constructed AeroHub Boulevard which will replace St. Rita Lane;
- WHEREAS,** ARC-GE0001, LLC, has been directly notified of the pending vacation and of the new access to AeroHub Blvd. that will be provided; and
- WHEREAS,** Kathleen Farro, a reputable Attorney at Law in the offices of Manley Burke, has certified that Evendale and ARC-GE0001, LLC are all of the abutters of St. Rita Lane. for which vacation is being sought;
- WHEREAS,** Evendale has provided public notice of the pending vacation by advertising in a newspaper of general circulation in Evendale, specifically the Cincinnati Enquirer, for six (6) weeks; and
- WHEREAS,** By the adoption and execution of this ordinance the Mayor and the Council of the Village of Evendale has found that the St. Rita Lane property is no longer needed for any municipal purpose as a roadway and that this ordinance and the vacation of St. Rita Ln. will not be detrimental to any public purpose; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE,
STATE OF OHIO, six MEMBERS CONCURRING**

SECTION 1: The following described real property belonging to Evendale, being St. Rita Lane., is no longer needed for any municipal purpose as a roadway and will be used instead for consolidation into the newly configured parcel for use as a part of the AeroHub Project, and therefore The Property described on **Exhibit 1** attached hereto and incorporated by reference herein and currently known as St. Rita Ln. is hereby vacated.

The Property is further described on the St. Rita Lane Vacation Plat, **Exhibit 2**, attached hereto and incorporated by reference herein.

SECTION 2: The Village Law Director shall cause an authenticated copy of this ordinance and the St. Rita Ln. Vacation Plat to be duly recorded in the land records of Hamilton County, Ohio.

SECTION 3: This ordinance is hereby declared to be an emergency measure necessary to preserve the health, safety, and general welfare of the Village of Evendale or provide for the daily operation of a department of office of the Village of Evendale and shall therefore become effective immediately. The reason for the emergency is to enable the village to proceed with the vacation as soon as possible in order to move forward with the AeroHub development.

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 15, 2019
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**VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-04**

**AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR
AEROHUB SOUTH SUBDIVISION AND DECLARING AN
EMERGENCY**

- WHEREAS,** The area shown on AeroHub South Subdivision (“AeroHub South”), attached hereto as Exhibit A, is comprised solely of Village-owned land and a portion of the St. Rita Lane public right of way; and
- WHEREAS,** The Council of the Village of Evendale approved the “AeroHub Innovation District Master Plan” via Resolution #18-06 on September 11th, 2018; and
- WHEREAS,** The Council of the Village of Evendale approved a rezoning of an area known as AeroHub South (approx.13 acres) via Ordinance 18-49 on September 11, 2018; and
- WHEREAS,** Planning Commission approved the subdivision plat for AeroHub South Subdivision, on December 18, 2018, pursuant to Evendale Code of Ordinances Sec. 1220.02; and
- WHEREAS,** The Council of the Village of Evendale finds that the AeroHub South Subdivision Plat, complies with the provisions of Evendale Code of Ordinances Chapter 1222, Subdivision Regulations; now, therefore

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

- SECTION 1:** The Subdivision Plat for AeroHub South Subdivision, attached hereto as Exhibit A and incorporated by reference herein, is hereby approved by the Council of the Village of Evendale pursuant to Evendale Code of Ordinances Sec. 1222.02, upon the following conditions:
- A. That the St. Rita Lane right of way within the AeroHub South Subdivision is duly vacated; and
 - B. That the name on the attached subdivision plat is corrected from “AeroHub Subdivision” to “AeroHub South Subdivision” prior to recording.

- 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 department or office of the Village of Evendale and shall therefore become effective immediately. The reason for said emergency is the need to facilitate the redevelopment of Village-Owned property within the Village, including, but not limited to, proceeding with the sale of property located within the AeroHub South Subdivision to advance the Village’s redevelopment plans. Such redevelopment will advance the economic development interest of the Village of Evendale and is in the best interests of the Village.

Approved January 15, 2019

Mayor, Village of Evendale

Attest:

Village Clerk

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