



VILLAGE OF EVENDALE ADOPTED ORDINANCES AND RESOLUTIONS

The following ordinances and resolutions were adopted by the Council of the Village of Evendale at its Regular Council Meeting on June 11, 2019

ORD. #19-32

ORDINANCE APPROVING THE 2020 TAX BUDGET OF THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #19-33

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

ORD. #19-34

AN ORDINANCE APPROVING A TRANSFER FROM THE CONTINGENCY FUND TO THE ADMINISTRATIVE FUND AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #19-35

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

ORD. #19-36

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

ORD. #19-37

ORDINANCE AMENDING SUBSECTION 258.095 (b) OF THE EVENDALE CODE OF ORDINANCES AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #19-38

ORDINANCE AUTHORIZING MAYOR TO SETTING PAY RATES FOR THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #19-39

ORDINANCE ESTABLISHING A SPECIAL REVENUE FUND TO BE KNOWN AS THE GRIFFIN FAMILY NATURE PRESERVE AND DECLARING AN EMERGENCY. Unanimously approved

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-32**

**ORDINANCE APPROVING THE
2020 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 2020 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 2020 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 2020 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: June 11, 2019

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: June 11, 2019
Rules Suspended: June 11, 2019
22nd and 3rd Reading: June 11, 2019
Emergency Section Agreed to: June 11, 2019
Notice of publication: Tri-County Press, June 19, 2019

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-33**

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) Oberer Construction - \$14,200.00 FD tower repairs
- 2) Environmental Enterprises Inc. - \$12,000.00 Shred Day
- 3) Sherry Blasdel - \$26,446.67 – Insurance reimbursement

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: June 11, 2019

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: June 11, 2019
Rules Suspended: June 11, 2019
22nd and 3rd Reading: June 11, 2019
Emergency Section Agreed to: June 11, 2019
Notice of publication: Tri-County Press, June 19, 2019

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-34**

**AN ORDINANCE APPROVING A TRANSFER FROM THE
CONTINGENCY FUND TO THE ADMINISTRATIVE 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,** The Village received funds from an insurance company to hold until demolition was completed on a residential home in accordance with ORC 3929.86(C); and
- WHEREAS,** The home demolition was completed at the expense of the homeowner and the insurance funds are now due to the homeowner; and
- WHEREAS,** The expenditure was not in the original budget as this type of transaction is highly unusual for the Village; 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, _____ members concurring, that:

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

101.799.579900	\$26,446.67
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To the 701 Administrative Department:

101.701.524200 Operating Expense	\$26,446.67
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SECTION 2: These appropriated funds are authorized to reimburse the Administrative Fund for the payout of held insurance funds to a resident related to a home demolition expenditure in accordance with ORC 3929.86(C).

SECTION 3: This ordinance is declared to be an emergency measure by a concurrence of _____ 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 ensure adequate funding in the Administrative Fund. This ordinance shall be effective upon passage.

Approved _____, 2019

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: _____

Rules Suspended: _____

2nd and 3rd Reading: _____

Emergency Section Agreed to: _____

Notice of publication: _____

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-35**

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

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

WHEREAS, Evendale's Health Insurance Review Team (HIRT), and HORAN, Evendale's Health Insurance Broker, have solicited and received multiple renewal options from several major medical Third Party Administrators (TPAs);

WHEREAS, The Village's current health insurance contract with Anthem expires June 30, 2019;

WHEREAS, After considerable review and analysis of plan design options and TPA services and operations, the HIRT Committee recommends the SuperMed plan design offered by Medical Mutual of Ohio; and

WHEREAS, Enrollment in the SuperMed Plan would result in a 9.83% increase over the current premium rate for a 12 month term (July 1, 2019 to June 30, 2020); and

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

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

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

SECTION 2: The Mayor is hereby authorized to enact the plan's wellness component known as The Employers' Association (EA) Signature Offerings.

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

Required Activities to Qualify for Incentive

- Employees and spouses are to complete an annual preventive care screening/physical and properly submit the provided form(s) during the Annual Preventive Care Campaign; and
- Employees are to meet with a provided onsite wellness coach at least four (4) times OR employees are to participate in at least four (4) wellness educational training sessions as provided by the Wellness Committee OR a combination of both to equal four (4) total sessions/meetings between January 1, 2020 and December 31, 2020

Premium and Health Savings Account Contributions

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

	<u>Premium Contribution</u>	<u>Premium with 25% reduction incentive applied</u>
Employee	\$67.92/month	\$50.94/month
EE/Spouse	\$135.17/month	\$101.38/month
EE/Child	\$128.45/month	\$96.34/month
Family	\$215.88/month	\$161.91/month

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

SECTION 4: This ordinance is declared to be an emergency measure by a concurrence of five members of Council. It being necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operation of a department or office of the Village of Evendale. The reason for said emergency is the necessity to enter into a contract prior to the expiration of the existing medical insurance coverage which expires on June 30, 2019. Therefore, in order to provide ongoing medical and related coverages to the employees of the Village of Evendale and their families, this ordinance shall take effect immediately.

Approved: June 11, 2019

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: June 11, 2019

Rules Suspended: June 11, 2019

22nd and 3rd Reading: June 11, 2019

Emergency Section Agreed to: June 11, 2019

Notice of publication: Tri-County Press, June 19, 2019

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-36**

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

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

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

WHEREAS, The Village's current coverage is due to expire on June 30, 2019. Current coverage will continue under previous plan until a new plan is approved.

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

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

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

THEREFORE, this Ordinance shall become effective immediately.

Approved: June 11, 2019

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: June 11, 2019
Rules Suspended: June 11, 2019
22nd and 3rd Reading: June 11, 2019
Emergency Section Agreed to: June 11, 2019
Notice of publication: Tri-County Press, June 19, 2019

VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-37

**ORDINANCE AMENDING SUBSECTION 258.095 (b) OF THE EVENDALE CODE OF
ORDINANCES AND DECLARING AN EMERGENCY**

WHEREAS, Part-time Village employees who worked between 1,300 and 1,950 hours during the prior payroll year are entitled to prorated vacation leave in the next year; and

WHEREAS, Evendale staff has recommended that that pro-ration should be based on the number of hours paid as opposed to the current language, which is based on the number of hours “actually worked” the prior year; now, therefore:

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

SECTION I: Subsection 258.095 (b) defining vacation leave for part-time employees be amended to read as follows:

(b) All part-time employees who work between 1,300 and 1,950 hours per payroll year are entitled to vacation leave in accordance with the above 37 ½ hour personnel schedule but prorated based on the number of hours paid to the employee the prior year.

SECTION II: 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 to provide for the daily operation of a department or office of the Village. The reason for said emergency is the need to clarify for the benefit of all part time Village employees how their vacation leave is calculated, thereby ending any uncertainty and promoting good morale among these valuable Village employees. Therefore, this ordinance shall become effective immediately.

Approved _____, 2019

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

**VILLAGE OF EVENDALE
ORDINANCE #19-38**

**ORDINANCE AUTHORIZING MAYOR TO SETTING PAY RATES FOR THE
SERVICE DEPARTMENT AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Evendale has enacted Chapter 258 of the Codified Ordinances of the Village of Evendale requiring authorization by Council for the Mayor to hire employees; and,

WHEREAS, it was determined to adjust pay rates to compensate employees for their services;

WHEREAS, the Mayor has fully complied with Section 258 of the Codified Ordinances of Evendale and recommended that Council authorize the hiring of the individuals specified below for seasonal positions for which employment is authorized by this ordinance.

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

SECTION 1: The following employee is elevated to Step 4 of the pay scale.

	<u>Position</u>	<u>Hourly Pay Rate</u>
Cindy Walters	Custodian	\$24.87

SECTION 2: The following persons may be employed during a particular season or seasons by the Mayor of the Village of Evendale as Seasonal Employees at the hourly rate or lump sum rate established for each person by this Ordinance:

SERVICE DEPARTMENT

GROUNDS MAINTENANCE

	<u>Season</u>	<u>Hourly Pay Rate</u>
Collin Ricobelli	Summer	\$12.75

SECTION 3: The above established pay rates are retroactive to May 13, 2019.

SECTION 4: This ordinance is declared to be an emergency by a concurrence of 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 welfare requires that the Mayor have authority to employ or reemploy the persons set out above before the summer begins. This ordinance shall be effective upon passage.

Approved

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

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

VILLAGE OF EVENDALE, OHIO
ORDINANCE #19-39

**ORDINANCE ESTABLISHING A SPECIAL REVENUE FUND TO BE KNOWN AS
THE GRIFFIN FAMILY NATURE PRESERVE AND DECLARING AN EMERGENCY**

- WHEREAS,** The Griffin Family Nature Preserve, a roughly 26 and ½ acre property, was acquired from Robert C. Griffin and his sister, Virginia R. Griffin, in 2000 and since that time has been maintained by the Village of Evendale as the Griffin Family Nature Preserve; and
- WHEREAS,** Among the improvements made at the Griffin Family Nature Preserve by the Village have been the rehabilitation of the pond which the Village now periodically stocks with fish, the creation of trails including a handicap accessible hard surface trail, a wildflower meadow, a small parking area off Wyscarver Road, and working with Boy Scouts and other volunteers, signage and trail markings. Much of that work was undertaken in close coordination with Robert C. Griffin, a long-time resident and civic leader of Evendale; and
- WHEREAS,** Robert C. Griffin passed away in 2018; and
- WHEREAS,** Prior to his death Mr. Griffin established the Robert C. Griffin Trust which, among other things, provides for a portion of the remaining assets of that Trust to be distributed “to or for the Griffin Family Nature Preserve in Evendale, Ohio”; and
- WHEREAS,** The Village of Evendale has been a defendant in *R. Mark Addy, Trustee-Robert C. Griffin Trust, v. Maple Knoll Communities et. al.*, Hamilton County Common Pleas Probate Court Case No. 2019000549 which, among other things, sought a court declaration that the Village of Evendale is the real party in interest in the share of the Trust intended for the benefit of the Griffin Family Nature Preserve; and
- WHEREAS,** At a hearing before Probate Court Magistrate Rosen on May 16, 2019 Mayor Finan testified that if Evendale were approved by the court to receive funds from the Robert C. Griffin Trust those funds would be segregated and used solely for the benefit of the Griffin Family Nature Preserve; and
- WHEREAS,** On May 21, 2019 the magistrate issued a decision upholding Evendale’s right to a share of the Griffin Family Trust for the benefit of the Griffin Nature Preserve, and
- WHEREAS,** In order to conform to the Mayor’s testimony and the court’s decision, the Village of Evendale by this ordinance creates a special revenue fund into which the proceeds approved by the court to be received by Evendale from the Trust to benefit the Griffin Family Nature Preserve will be deposited and which funds may only be used for the benefit of the Griffin Family Nature Preserve;
- WHEREAS,** Special revenue funds, pursuant to Ohio law, are used to account for and report the proceeds of a specific revenue source that are restricted to expenditure for a specified purpose;

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

SECTION I: The following special revenue fund is hereby created by the Village of Evendale for which all funds accounted for therein are to be restricted for the benefit of the Griffin Family Nature Preserve. Any funds received from the Trust Agreement of Robert C. Griffin, which has been the subject of *R. Mark Addy, Trustee-Robert C. Griffin Trust, v. Maple Knoll Communities et. al.*, Hamilton County Common Pleas Probate Court Case No. 2019000549, shall be deposited therein:

Fund 220, the Griffin Family Nature Preserve (GFNP).

SECTION II: 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 to provide for the daily operation of a department or office of the Village. The reason for said emergency is to have in place a restricted fund into which assets from the Robert C. Griffin Trust may be deposited as soon as they are received. Therefore, this ordinance shall become effective immediately.

Approved _____, 2019

Mayor

Attest:

Village Clerk

Approved as to Form:

Law Director

1st Reading: _____
Rules Suspended: _____
2nd and 3rd Reading: _____
Emergency Section Agreed to: _____
Notice of publication:_____