



VILLAGE OF EVENDALE ADOPTED ORDINANCES AND RESOLUTIONS

The following ordinances and resolutions were opted by the Council of the Village of Evendale at the Special Council Meeting on October 13, 2020.

ORD. #20-70 ORDINANCE RETROACTIVELY AUTHORIZING THE MAYOR OF THE VILLAGE OF EVENDALE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO EPA LEVEL 2 ELECTRIC VEHICLE CHARGING STATION GRANT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED THEREWITH. Unanimously approved

ORD.#20-73 ORDINANCE MAKING APPOINTMENT TO VILLAGE OF EVENDALE RECREATION COMMISSION AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #20-74 ORDINANCE MAKING APPROPRIATIONS FOR THE CARES ACT FUND FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020 AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #20-75 AN ORDINANCE APPROVING A TRANSFER FROM THE CONTINGENCY FUND TO THE COMMUNITY ENVIRONMENT DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #20-76 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE OPERATION OF THE EVENDALE RECREATION CENTER'S FITNESS CENTER AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #20-77 AN ORDINANCE RATIFYING A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE VILLAGE OF EVENDALE AND DYNAMIC SIGHT PROPERTIES LTD. AND FIRST AND SECOND EXTENSIONS TO SAID CONTRACT AND AUTHORIZING THE THIRD EXTENSION AND AMENDMENT TO SAID CONTRACT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #20-78 AN ORDINANCE APPROVING A TRANSFER FROM THE CONTINGENCY FUND TO THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #20-79 ORDINANCE MAKING A RECLASSIFICATION OF CURRENT YEAR EXPENSES TO THE CARES ACT FUND AND DECLARING AN EMERGENCY. Unanimously approved

RES. #20-05
RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Unanimously approved

RES. # 20-06
RESOLUTION REGARDING THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT AND COMPLIANCE WITH OHIO SB 614. Unanimously approved

**VILLAGE OF EVENDALE, OHIO
ORDINANCE 20-70**

**ORDINANCE RETROACTIVELY AUTHORIZING THE MAYOR OF THE VILLAGE
OF EVENDALE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE
IN THE OHIO EPA LEVEL 2 ELECRIC VEHICLE CHARGING STATION GRANT
PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED THEREWITH AND
DECLARING AN EMERGENCY**

WHEREAS, the Ohio EPA authorized the expenditure of Diesel Mitigation Trust Fund (DMTF) for the installation of Level 2 electric vehicle charging stations throughout the State of Ohio; and

WHEREAS, the Village of Evendale, on September 30, 2020, applied to the Ohio EPA requesting funds to install one (1) dual-port Level 2 electric vehicle charging station and associated appurtenances on the grounds of the Municipal Complex; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Level 2 electric vehicle charging station grant; now therefore,

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

SECTION 1: The Mayor of Evendale has executed an application to the Ohio EPA for funds as described above which is hereby ratified.

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.

SECTION 3: This Ordinance is declared to be an emergency measure necessary to preserve the safety, health and general welfare of the Village of Evendale and its citizens and to provide for the daily operation of a department or office of the Village. The reason for said emergency is to comply with the requirements of the Ohio EPA grant in a timely fashion. Therefore, this Ordinance shall take effect immediately.

Approved _____, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading:

Rules Suspended:

2nd and 3rd Reading:

Emergency Section Agreed To:

Notice of publication:

**VILLAGE OF EVENDALE
ORDINANCE #20-73**

**ORDINANCE MAKING APPOINTMENT TO
VILLAGE OF EVENDALE RECREATION COMMISSION
AND DECLARING AN EMERGENCY**

WHEREAS, a student sits on the Recreation Commission during the school year for a one-year term; and,

WHEREAS, the Mayor has recommended Julia Ramsey to serve on this commission.

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

SECTION 1: The following individual is appointed to the commission for the term set out opposite their name:

Term Ends

RECREATION COMMISSION

Julia Ramsey

08/31/2021

SECTION 2: 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 daily operation of the Recreation Commission requires full membership to properly operate. This ordinance shall be effective upon passage.

Approved October 13, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: October 13, 2020

Rules Suspended: October 13, 2020

2nd and 3rd Reading: October 13, 2020

Emergency Section Agreed to: October 13, 2020

Notice of publication: Tri-County Press, October 21, 2020

**VILLAGE OF EVENDALE
ORDINANCE #20-74**

**ORDINANCE MAKING APPROPRIATIONS FOR
THE CARES ACT FUND FOR THE FISCAL YEAR
ENDING DECEMBER 31, 2020 AND DECLARING AN EMERGENCY**

WHEREAS, it is necessary to make an appropriation for current expenses and for the fiscal year ending December 31, 2020

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

SECTION 1: The purpose of the ordinance is to provide for current expenses and other expenditures of the Village of Evendale during the fiscal year ending December 31, 2020 related to the newly formed CARES Act Fund,

SECTION 2: The following sums are appropriated from the unappropriated CARES Act Fund to the following objects:

Cares Act Fund 230			
210-219	Salaries and Fringe Benefits	\$	85,600.00
230-239	Contractual Services		6,000.00
240-249	Operations and Maintenance		31,000.00
250-259	Capital		86,500.00
Total Cares Act Fund		\$	209,100.00

The associated revenue accounts budgeted for the Cares Act Fund are as follows:

Cares Act Fund 230			
230.000.412000	CARES Act Relief Funds	\$208,400.00	
230.000.418200	Interest Income	\$	700.00

SECTION 3: The Chief Fiscal and Accounting Officer is hereby authorized to draw warrants on the Village Treasury for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, or any ordinance or resolution of Council to make the expenditure; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law, or ordinance.

SECTION 4: The funds appropriated for capital items pursuant to this ordinance shall be paid in accordance with the **Capital Items Schedule attached** hereto and incorporated by reference herein.

SECTION 5: The funds appropriated for salaries pursuant to this ordinance shall be paid in accordance with the **Salary Schedule and the 2020 Part Time Pay Schedule** previously approved for the 2020 Fiscal Year.

SECTION 6: This ordinance is declared to be an emergency measure by a concurrence of six members of Council, being necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency being the legal need to promptly forward the 2020 Appropriation Ordinance to Hamilton County authorities and shall therefore take effect and be in force immediately from and upon passage.

Approved October 13, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: October 13, 2020
Rules Suspended: October 13, 2020
2nd and 3rd Reading: October 13, 2020
Emergency Section Agreed to: October 13, 2020
Notice of publication: Tri-County Press, October 21, 2020

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #20-75**

**AN ORDINANCE APPROVING A TRANSFER FROM THE
CONTINGENCY FUND TO THE COMMUNITY ENVIRONMENT
DEPARTMENT 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 budget provides for the funding of the Evendale Community Improvement Corporation (CIC); and
- WHEREAS,** The CIC requires additional funding to continue its mission through the end of the fiscal year; 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	\$20,000.00
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To the 499 Community Environment Department:

101.499.527100 Evendale CIC	\$20,000.00
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SECTION 2: These appropriated funds are authorized to be expended for the Evendale CIC in the Community Environment Department.

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 provide funds to the Evendale CIC. This ordinance shall be effective upon passage.

Approved October 13, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: October 13, 2020

Rules Suspended: October 13, 2020

2nd and 3rd Reading: October 13, 2020

Emergency Section Agreed to: October 13, 2020

Notice of publication: Tri-County Press, October 21, 2020

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #20-76**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT
WITH THE LOWEST AND BEST BIDDER
FOR THE OPERATION OF THE EVENDALE RECREATION CENTER'S FITNESS
CENTER AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Evendale has publicly advertised for bids in a newspaper of general circulation in the Village of Evendale for the operation of the Recreation Center's Fitness Center; and

WHEREAS, two bids were received and considered, however, only the bid of FITMEES, LLC met the requirements of the bid since the other bidder failed to include the required bid and performance bonds; and

WHEREAS, as a result, FITMEES, LLC is hereby found to be the lowest and best bidder to operate the Fitness Center for 2021 and 2022 with options for the following two years, 2023 and 2024; now therefore

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

SECTION 1: The bid of FITMEES, LLC in the amount of \$93,100.00 for 2021 and \$95,700.00 for 2022 is hereby accepted. The Mayor is authorized to enter into a contract with FITMEES, LLC, said contract to conform with the requests for proposal issued by the Recreation Department and the bid response submitted by FITMEES, LLC.

SECTION 2: This ordinance is declared to be an emergency measure by concurrence of six members of Council, it being necessary to preserve the public peace, order, health, safety and welfare of the Village of Evendale and to provide for the daily operation of a department or office of the Village of Evendale, in this case, the Recreation Department. It is necessary that this measure be put into immediate effect because the Public Health and Welfare requires that the village have a fitness center management contract in place as soon as possible in order to prepare the fitness center for the 2021 operation and to insure the fitness center program is open, staffed and operating in a timely fashion without interruption when the current contract expires at the end of the year. Therefore, this Ordinance shall be effective upon passage.

Approved October 13, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: October 13, 2020

Rules Suspended: October 13, 2020

2nd and 3rd Reading: October 13, 2020

Emergency Section Agreed to: October 13, 2020

Notice of publication: Tri-County Press, October 21, 2020

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #20-77**

**AN ORDINANCE RATIFYING A REAL ESTATE PURCHASE AGREEMENT
BETWEEN THE VILLAGE OF EVENDALE AND
DYNAMIC SIGHT PROPERTIES LTD. AND
FIRST AND SECOND EXTENSIONS TO SAID CONTRACT AND AUTHORIZING
THE THIRD EXTENSION AND AMENDMENT TO SAID CONTRACT AND
DECLARING AN EMERGENCY**

- WHEREAS,** Kinetic Vision is an important corporate citizen of the Village of Evendale; and
- WHEREAS,** Kinetic Vision intends to relocate and in order to remain in the Village of Evendale, and on its behalf Dynamic Sight Properties, Ltd. executed a contract to purchase real estate in AeroHub North on April 14, 2020; and
- WHEREAS,** due to issues related to the COVID pandemic and financing, extensions of said contract have been necessary, a first extension being entered into on July 14, 2020 and a second extension of time on September 10, 2020; and now Dynamic Sight Properties desires to enter into a third extension of time and will pay for that extension; and
- WHEREAS,** while Dynamic Sight Properties, Ltd. needs a further extension of time in order to complete its acquisition of the property, Dynamic has already obtained, by Ordinance No. 20-31 adopted on May 12, 2020, a water management and sediment control plan for the property to be purchased, and on May 19, 2020, obtained Planning Commission approval for the final development plan and on June 16, 2020, obtained Planning Commission approval for the final landscape plan; and
- WHEREAS,** the Village of Evendale desires to continue to cooperate with Dynamic Sight Properties, Ltd. and Kinetic Vision, in order to ensure that they remain in the Village of Evendale, and become the first corporate residents of AeroHub North; now therefore

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

- SECTION 1:** Council of the Village of Evendale hereby approves and ratifies the contract to purchase real estate between the Village of Evendale and Dynamic Sight Properties, Ltd. that had been entered into on April 14, 2020 and the first and second extensions of time and by this Ordinance authorizes the Mayor to enter into an agreement providing a third extension of time that will require the closing on the property to occur no later than May 31, 2021, conditioned upon Dynamic Sight Properties, Ltd. or Kinetic Vision paying to the Village of Evendale, a \$20,000.00 extension fee within 20 business days of the execution of the third extension. Ten Thousand Dollars (\$10,000.00) of the extension fee will be credited towards the purchase price of the property if closing on said property occurs on or before May 31, 2021.

SECTION 2: This ordinance is 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 of Evendale. The reason for said emergency is to meet Evendale’s desire that Dynamic Sight Properties, Ltd. and Kinetic Vision of Evendale’s remains important, corporate citizens of the Village, preserving their jobs in the Village and providing for Kinetic Vision to be the initial high-tech corporate entity to be located in Aero Hub North. Therefore, this Ordinance shall be effective immediately.

Approved October 13, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: October 13, 2020
Rules Suspended: October 13, 2020
2nd and 3rd Reading: October 13, 2020
Emergency Section Agreed to: October 13, 2020
Notice of publication: Tri-County Press, October 21, 2020

VILLAGE OF EVENDALE, OHIO
ORDINANCE #20-78

**AN ORDINANCE APPROVING A TRANSFER FROM THE
CONTINGENCY FUND TO THE POLICE DEPARTMENT 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 budget provides for funding capital items for the police department; and
- WHEREAS,** Replacement of a police vehicle is required due to damage resulting from an accident; 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	\$32,300.00
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To the 101 Police Department:

101.101.525211 Capital Improvements	\$32,300.00
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SECTION 2: These appropriated funds are authorized to be expended for the new vehicle in the Police Department.

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 provide funds to purchase a replacement police vehicle. This ordinance shall be effective upon passage.

Approved October 13, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director
1st Reading: October 13, 2020
Rules Suspended: October 13, 2020
2nd and 3rd Reading: October 13, 2020
Emergency Section Agreed to: October 13, 2020

**VILLAGE OF EVENDALE
ORDINANCE #20-79**

**ORDINANCE MAKING A RECLASSIFICATION OF CURRENT YEAR
EXPENSES TO THE CARES ACT FUND
AND DECLARING AN EMERGENCY**

WHEREAS, it is necessary to make a reclassification for current expenses for the fiscal year ending December 31, 2020

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

SECTION 1: The purpose of the ordinance is to reclassify \$122,600 of allowable expenses already incurred to the newly formed CARES Act Fund as follows:

Account	Debit	Credit
101.301.521140		\$66,900
101.101.521210		\$8,700
101.705.521110		\$10,000
230.701.521000	\$ 85,600	
101.301.523034		\$3,000
101.701.523271		\$3,000
230.701.523000	\$6,000	
101.301.524320		\$5,700
101.701.524232		\$8,400
101.701.524200		\$1,300
101.102.524200		\$3,900
101.750.524200		\$2,200
101.705.524210		\$9,500
230.701.524000	\$31,000	
	<u>\$122,600</u>	<u>\$122,600</u>

SECTION 2: This ordinance is declared to be an emergency measure by a concurrence of six members of Council, being necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency being the need to report expenditures to the proper fund as required by the CARES Act and shall therefore take effect and be in force immediately from and upon passage.

Approved October 13, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: October 13, 2020

Rules Suspended: October 13, 2020

2nd and 3rd Reading: October 13, 2020

Emergency Section Agreed to: October 13, 2020

Notice of publication: Tri-County Press, October 21, 2020

**VILLAGE OF EVENDALE
RESOLUTION #20-06**

**RESOLUTION REGARDING THE CORONAVIRUS AID, RELIEF AND
ECONOMIC SECURITY ACT AND COMPLIANCE WITH OHIO SB 614**

- WHEREAS,** the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and
- WHEREAS,** the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in House Bill 481 of the 133rd General Assembly (H.B. 481) and subsequently amended by House Bill 614 October 2020; and
- WHEREAS,** addressing Coronavirus, and taking substantial steps to reduce and prevent its spread, required a substantial reassignment of Village employees to tasks specific to that effort; and
- WHEREAS,** it also required the expenditure of funds to acquire PPE, sanitizing and cleaning materials as well as expanding cleaning services both internally and contracted specifically to address pandemic related issues; and
- WHEREAS,** it also required capital expenditures be made to improve the ability to treat Covid19 patients as well as provide for the safety of Village personnel; and
- WHEREAS,** the Village of Evendale has documented these personnel and other expenditures and determined they are entitled to reimbursement under the Hamilton County Coronavirus Relief Distribution Fund; now therefore,
- BE IT RESOLVED** by the Council of the Village of Evendale, State of Ohio, six members concurring, that:

SECTION 1: The Mayor and Village Counsel of the Village of Evendale affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481/614 be expended only to cover costs of the subdivision consistent with the requirements of the CARES Act and thereby documents that the following Recreation Department personnel were and are performing substantially different functions due to the response to COVID 19 as follows:

From March 16 - June 7, 2020 pay period:

Abby Moonitz, Marcia Mosso, Miranda Mosso, Samantha Ruscin, Tara Bain,
Kara Tyler, Jody Petersman; and

From May 25 – December 30 pay period:

Lindsey Ash, Josh Caudill, Ava Herbig, Tomas Lynd, Dave Maloney, Abby
Moonitz, Miranda Mosso, Pat Orloff, Kris Ralston, Samantha Ruscin, Jared
Slavey, Phyllis Strizak, Kara Tyler and,

The following personnel were allocated for only a portion of their time as specifically documented due to Covid from March -December:

Steve Meisner, Lynne Thole

Approved October 13, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: October 13, 2020
Rules Suspended: October 13, 2020
2nd and 3rd Reading: October 13, 2020
Emergency Section Agreed to: October 13, 2020
Notice of publication: Tri-County Press, October 21, 2020