

VILLAGE OF EVENDALE ADOPTED ORDINANCES AND RESOLUTIONS

The following ordinances and resolutions were adopted by the Council of the Village of Evendale at the Council Meeting on April 5th and April 11th, 2017.

ORD. #17-21

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF KIM PIELAGE AS RECREATION DEPARTMENT DIRECTOR EFFECTIVE APRIL 6TH, 2017 AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-23

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FELITTO INC. FOR THE PURCHASE OF PROPERTY AND TO APPRORIATE THE FUNDS NECESSARY FOR THE PURCHASE AND DECLARING AN EMERGENCY. Approved

ORD. #17 - 24

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

ORD. #17-25

ORDINANCE AUTHORIZING THE MAYOR TO HIRE VARIOUS PERSONNEL AS PERMANENT PART-TIME EMPLOYEES FOR THE RECREATION CENTER AND DECLARING AN EMERGENCY. Approved

ORD. #17-26

AN ORDINANCE APPROVING AN APPROPRIATION AND TRANSFER FROM THE GENERAL FUND TO THE CAPTIAL FUND AND AN ADDITIONAL APPROPRIATION IN THE CAPITAL FUND FOR THE THRU THE VALLEY INTERSTATE 75 PROJECT AND DECLARING AN EMERGENCY. Approved

ORD. #17-27

ORDINANCE APPROVING AN APPROPRIATION FOR ADDITIONAL COSTS RELATED TO THE CONSTRUCTION OF THE VETERANS MEMORIAL AND DECLARING AN EMERGENCY. Approved

ORDI. #17-28

ORDINANCE APPROVING AN APPROPRIATION FOR THE PURCHASE OF A CAPITAL ITEM THROUGH THE FIRE SERVICES FUND AND DECLARING AN EMERGENCY. Approved

RES. #17-08

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO AND AMERICAN REALTY CORPORATION (DBA WATSON'S) PROVIDING FOR THE ADOPTION OF A PROJECT WHICH WILL EXPAND A BUSINESS IN THE VILLAGE OF EVENDALE AND CREATE AND/OR PRESERVE EMPLOYMENT OPPORTUNITIES WITHIN AN ENTERPRISE ZONE OF HAMILTON COUNTY AND DECLARING AN EMERGENCY. Approved

RES. #17-09

A RESOLUTION FOR AUTHORIZATION TO SIGN AGREEMENTS WITH FIFTH THIRD BANK AND DECLARING AN EMERGENCY. Approved

VILLAGE OF EVENDALE, OHIO ORDINANCE #17-21

WHEREAS,

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF KIM PIELAGE AS RECREATION DEPARTMENT DIRECTOR EFFECTIVE APRIL $6^{\rm TH}$, 2017 AND DECLARING AN EMERGENCY

Dave Nichols is retiring as the Director of the Evendale Recreation Department;

	and	
WHEREAS,		Evendale has enacted Chapter 258 of the Codified Evendale, requiring authorization by Council for the and
WHEREAS,	the Mayor has recommended, Recreation Department; and	and the Council has agreed, to hire Kim Pielage as
WHEREAS,		ration have fully complied with the relevant and er 258 the Codified Ordinances of the Village of
BE IT ORDAINE - members concur		E VILLAGE OF EVENDALE, STATE OF OHIO, -
SECTION 1:		ed, effective April 6 th , 2017, by the Mayor of the anent, exempt, employee in the following role at a
SECTION 2:	members of Council, it bein safety, health or welfare of the operation of a department or that this measure be put into Evendale Recreation Department	be an emergency measure by a concurrence of six g necessary to preserve the public peace, order, he Village of Evendale, or to provide for the daily office of the Village of Evendale. It is necessary immediate effect to make sure that the Village of hent is appropriately staffed and Kim Pielage is in ng Department Director Dave Nichols. Therefore, affective upon passage.
		Approved
		Mayor
Attest:		
Village Clerk		
Approved as to Fo	orm:	
Village Law Direc	ctor	

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

VILLAGE OF EVENDALE, OHIO ORDINANCE #17-23

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FELITTO INC. FOR THE PURCHASE OF PROPERTY AND TO APPRORIATE THE FUNDS NECESSARY FOR THE PURCHASE AND DECLARING AN EMERGENCY

WHEREAS,

Over the past several years, the Village of Evendale ,working through the Mayor and the Village Community Improvement Corporation, have acquired several acres of land along Glendale-Milford Rd., west of I-75, for the purpose of nuisance abatement while preparing the land for re-use as an advanced manufacturing campus called AeroHub and;

WHEREAS,

The Felitto property, located at 1400 Glendale-Milford Rd., immediately abuts Village-owned acreage along its northern and eastern borders making it an ideal inclusion in the AeroHub project and;

WHEREAS,

Council of the Village of Evendale are satisfied with the terms and conditions of the draft agreement as it conforms to the desires of the Village and the Mayor should be authorized to execute a purchase agreement substantially in conformance with the document attached to this ordinance; and

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 appropriations upon finalizing of the agreement; now, therefore,

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

SECTION 1:

The Mayor is hereby authorized and directed to execute an agreement substantially in the form of the **agreement attached** hereto and incorporated by reference herein, which agreement is hereby approved. The Mayor is authorized to approve exhibits to the agreement which shall conform to the terms set forth in the agreement.

SECTION 2:

The following sum is to be appropriated in the General Fund and transferred from the General Fund to the Capital Fund and appropriated for real estate acquisition:

General Fund:

101.799.599999 Transfers Out \$1,125,000.00

Capital Fund 400 account:

400.000.499999 Transfers In \$1,125,000.00 400.701.525130 Real Estate Acquisitions \$1,125,000.00

Said funds to be used for the acquisition contemplated by the attached agreement, the closing on which shall only take place after due diligence has been completed to the satisfaction of the Village.

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 for Evendale to have the ability to move ahead as soon as possible with the due diligence necessary to proceed with the property acquisition and to have the funds available for the purchase. Therefore, this ordinance shall become effective immediately.

	Approved: April 11 th , 2017	
	Mayor	
Attest:		
Village Clerk	_	
Approved as to Form:		
Village Law Director	_	

1st Reading: April 11th, 2017 Rules Suspended: April 11th, 2017 2nd and 3rd Reading: April 11th, 2017

Emergency Section Agreed to: April 11th, 2017

VILLAGE OF EVENDALE, OHIO ORDINANCE #17 - 24

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, five members concurring, that:

SECTION I

The Council of the Village of Evendale hereby approves and authorizes the payment of the following contracts for which the Chief Fiscal and Accounting Officer has provided a certificate that a sufficient sum has been appropriated for the purpose of each contract and is in the treasury or in the process of collection to the credit of the appropriate fund free from any previous encumbrances:

- 1) Thelen Associates \$10,150 Geotechnical Exploration
- 2) Integra Reality Resources \$3,000 Appraisal Services

SECTION II

This Ordinance is declared to be an emergency by a concurrence of five members of Council, being necessary to preserve the public peace, order, safety, health and welfare of the Village or to provide for the daily operation of a department or office of the Village. The reason for said emergency is the need to approve this ordinance in the time required by the Ohio Revised Code and to ensure prompt payment to vendors. Therefore, this Ordinance shall be effective upon adoption.

Approved: April 11th, 2017

	Mayor		
Attest:			
Village Clerk			
Approved as to Form:			
Village Law Director			

1st Reading: April 11th, 2017 Rules Suspended: April 11th, 2017 2nd and 3rd Reading: April 11th, 2017

Emergency Section Agreed to: April 11th, 2017

VILLAGE OF EVENDALE, OHIO ORDINANCE # 17-25

ORDINANCE AUTHORIZING THE MAYOR TO HIRE VARIOUS PERSONNEL AS PERMANENT PART-TIME EMPLOYEES FOR THE RECREATION CENTER 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 Cory Petersman, Kristopher Ralston, and Teresa Green as permanent, non-exempt, part-time employees for 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, five members concurring, that:

SECTION 1: The following person may be employed by the Mayor of the Village of Evendale as a permanent part-time employees for the Recreation Department at an hourly rate established below:

Cory Petersman	Start: February 24, 2017	\$9.43/hr
Kristopher Ralston	Start: April 3, 2017	\$9.43/hr
Teresa Green	Start: March 10, 2017	\$9.64/hr
Josh Caudill	Pay correction	\$11.21/hr

SECTION 2: This ordinance is hereby declared to be an emergency measure by a 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. It is necessary that this measure be put into immediate effect in order to ensure that the Village Recreation 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: April 11 th , 2017		
	Mayor		
Attest:			
Village Clerk			
Approved as to Form:			
Village Law Director			

1st Reading: April 11th, 2017 Rules Suspended: April 11th, 2017 2nd and 3rd Reading: April 11th, 2017

Emergency Section Agreed to: April 11th, 2017

VILLAGE OF EVENDALE, OHIO ORDINANCE #17-26

AN ORDINANCE APPROVING AN APPROPRIATION AND TRANSFER FROM THE GENERAL FUND TO THE CAPTIAL FUND AND AN ADDITIONAL APPROPRIATION IN THE CAPITAL FUND FOR THE THRU THE VALLEY INTERSTATE 75 PROJECT 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 wishes to acc Interstate 75 improvement	eept additive alternates to the nts bid contract; and	ODOT Thru the Valley
WHEREAS,	the additive bids were in exnow	xcess of the amount originally	budgeted for the project;
BE IT THEREFO STATE OF OHIO		E COUNCIL OF THE VILL	AGE OF EVENDALE,
SECTION 1:	The following sum is appropriate the following sum is appropriate the following sum is appropriate to the following sum is approximate to	opriated to and then transferre	d from the General Fund
	101.799.599999		\$790,000.00
	To Capital Fund 400:		
	210.000.499999	Transfer in	\$790,000.00
	And appropriated to:		
	400.701.525200	Thru the Valley	\$790,000.00
SECTION 2:	This ordinance is declared to be an emergency measure by a concurrence of five 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 fund the Thru the Valley Interstate 75 project. This ordinance shall be effective upon passage.		
		Approved: April 11 th ,	2017
		Mayor	
Attest:			

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: April 11th, 2017 Rules Suspended: April 11th, 2017 2nd and 3rd Reading: April 11th, 2017 Emergency Section Agreed to: April 11th, 2017 Notice of publication: Tri-County Press, April 19th, 2017

VILLAGE OF EVENDALE, OHIO **ORDINANCE** #17-27

ORDINANCE APPROVING AN APPROPRIATION FOR ADDITIONAL COSTS RELATED TO THE CONSTRUCTION OF THE VETERANS MEMORIAL AND DECLARING AN EMERGENCY.

WHEREAS,	Pursuant to legislation prop Evendale certain expenditureflected as appropriations	res will take place that ne	
WHEREAS,	Funds are requested for ex Veterans Memorial in exce	-	
WHEREAS,	The funds are required immediately due to the Memorial Day deadline; now, therefore,		
BE IT ORDAINED BOHIO, five members	BY THE COUNCIL OF THE concurring, that:	E VILLAGE OF EVEND	PALE, STATE OF
SECTION 1	The following sum is authorized:	orized to be expended fro	m the 400 Capital
	250-259 Capital		\$45,000
SECTION 2	This ordinance is declared members of Council, being safety, health or welfare of daily operations of a depart necessary that this measure public welfare and daily op within departmental budge approved by Council and it available immediately fund This ordinance shall be effective.	the Village of Evendale the the Village of Evendale the the the the the the the the the th	e public peace, order, or to provide for the lage of Evendale. It is diately because the equire that line items riation amounts for the Village to make
		Approved: April 11 th ,	2017
		Mayor	
Attest:			
Village Clerk			
Approved as to Form:	:		

1st Reading: April 11th, 2017 Rules Suspended: April 11th, 2017 2nd and 3rd Reading: April 11th, 2017 Emergency Section Agreed to: April 11th, 2017

Village Law Director

VILLAGE OF EVENDALE, OHIO ORDINANCE #17-28

ORDINANCE APPROVING AN APPROPRIATION FOR THE PURCHASE OF A CAPITAL ITEM THROUGH THE FIRE SERVICES 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 appropriations; and

WHEREAS, Funds are requested for the purchase of a cot and load system to be used in

conjunction with EMS rescue by the Fire Department; and

WHEREAS, The fire department requires funding to supplement a safety grant being

used for this expense; now, therefore,

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

SECTION 1 The following sum is authorized to be expended from the 212 Fire

Services Fund:

250-259 Capital

\$20,000

SECTION 2

This ordinance is declared to be an emergency by a concurrence of five members of Council, being necessary to preserve the public peace, order, safety, health 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 and it is in the public interest for the Village to make available immediately funds to pay for a cot and load system used by EMS responders. This ordinance shall be effective upon passage.

Approved: April 11th, 2017

	Mayor	
Attest:		
Village Clerk		
Approved as to Form:		
	_	
Village Law Director		

1st Reading: April 11th, 2017 Rules Suspended: April 11th, 2017 2nd and 3rd Reading: April 11th, 2017

Emergency Section Agreed to: April 11th, 2017

VILLAGE OF EVENDALE, OHIO RESOLUTION #17-08

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO AND AMERICAN REALTY CORPORATION (DBA WATSON'S) PROVIDING FOR THE ADOPTION OF A PROJECT WHICH WILL EXPAND A BUSINESS IN THE VILLAGE OF EVENDALE AND CREATE AND/OR PRESERVE EMPLOYMENT OPPORTUNITIES WITHIN AN ENTERPRISE ZONE OF HAMILTON COUNTY AND DECLARING AN EMERGENCY

WHEREAS, The Council of the Village of Evendale has, on April 10, 1997, by

Ordinance No. 97-33, consented to the establishment of an Enterprise Zone, known as the Reading/Lockland/Evendale/Arlington Heights Enterprise Zone, by the Board of County Commissioners of Hamilton County, Ohio, as authorized by Section 5709 of the Ohio Revised Code,

which has been amended from time to time; and

WHEREAS, On April 16, 1997, the Board of County Commissioners of Hamilton

County, Ohio did duly establish such a zone; and

WHEREAS, On July 2, 1997, the Director of Development of the State of Ohio

certified the area designated by this Council and the Board of County Commissioners of Hamilton County, Ohio as an Urban Jobs and Enterprise Zone pursuant to Section 5709.63(A) of the Ohio Revised

Code; and

WHEREAS, WATSON'S now proposes a project which will create investment and

employment opportunities in the Village of Evendale; and

WHEREAS, WATSON'S has proposed a project which will involve an investment of

approximately One Million Nine Hundred and Thirty Three Thousand and Seven Hundred Dollars (\$1,933,700.00); and the creation of thirty-three

(33) new 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 WATSON'S is qualified to create and/or preserve employment opportunities in the enterprise zone;

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

SECTION I The Council hereby gives its consent for the Board of County

Commissioners of Hamilton County, Ohio, to enter into an enterprise zone

agreement with WATSON'S, a draft of which is attached to this

Resolution as Exhibit A.

SECTION II

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

	Approved: April 11 th , 2017	
	Mayor	
Attest:		
Village Clerk	_	
Approved as to Form:		
Village Law Director	_	

1st Reading: April 11th, 2017 Rules Suspended: April 11th, 2017 2nd and 3rd Reading: April 11th, 2017

Emergency Section Agreed to: April 11th, 2017

VILLAGE OF EVENDALE, OHIO RESOLUTION # 17-09

A RESOLUTION FOR AUTHORIZATION TO SIGN AGREEMENTS WITH FIFTH THIRD BANK AND DECLARING AN EMERGENCY.

WHEREAS, It is required that the Village designate certain individuals to have

authority regarding the Village's accounts at and relationships with Fifth

Third Bank; and

WHEREAS, Fifth Third Bank has provided resolution forms to be executed by

designated and authorized Village of Evendale personnel; now, therefore,

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

SECTION 1 The Mayor, Chief Fiscal & Accounting Officer, Treasurer and Director of

Administrator Services are each authorized to execute Authorized Signers Resolution prepared by Fifth Third Bank, a copy of which is attached

hereto and incorporated by reference herein and is hereby approved.

SECTION 2 The Mayor is hereby authorized to be designated on the Certificate of

Resolution for Authorization to sign agreements with Fifth Third Bank and to appoint others as stated on the Certificate of Resolution for Authorization to Sign Agreements with Fifth Third, a form prepared by Fifth Third Bank, a copy of which is attached hereto and hereby approved.

SECTION 3 The Village Clerk is hereby authorized to complete the necessary

certifications on said forms.

SECTION 4 This Resolution and the authority provided on the Fifth Third forms shall

be effective as of April 11, 2017.

SECTION 5 This Resolution is hereby declared to be an emergency measure necessary

to preserve the health, safety and general welfare of the Village of Evendale and to provide for the daily operation of a department or office of the Village. It is necessary that individuals be authorized to immediately execute necessary documents with the Fifth Third Bank so that the Village of Evendale's finances can continue to be appropriately and timely managed. Therefore, this Resolution shall be effective

immediately.

Approved: April 11th, 2017

Mayor	 	

Attest:	
Village Clerk	
Approved as to Form:	
Village Law Director	

1st Reading: April 11th, 2017 Rules Suspended: April 11th, 2017 2nd and 3rd Reading: April 11th, 2017

Emergency Section Agreed to: April 11th, 2017