



## VILLAGE OF EVENDALE ADOPTED ORDINANCES

The following ordinances were opted by the Council of the Village of Evendale at the Regular Council Meeting on April 13, 2021.

### ORD #21-17

AN ORDINANCE APPOINTING SEAN P. MCKINNEY AND TIMOTHY D. HOLLOWAY AS POLICE LIEUTENANTS EFFECTIVE ON THE EFFECTIVE DATE OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

### ORD #21-14

AN ORDINANCE APPROVING A TRANSFER FROM THE CONTINGENCY FUND TO THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

### ORD #21-16

AN ORDINANCE APPROVING A TRANSFER FROM THE CONTINGENCY FUND TO THE BUILDING MAINTENANCE DEPARTMENT.

### ORD # 21-19

AN ORDINANCE TO AMEND SECTION 258.220 TO PROVIDE FOR THE ABILITY TO MODIFY CERTAIN PERSONNEL POLICIES AND DECLARING AN EMERGENCY.

### ORD #21-20

ORDINANCE PROVIDING FOR A MODIFICATION OF CERTAIN VILLAGE PERSONNEL POLICIES, PURSUANT TO SECTION 258.220 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF EVENDALE IN ORDER TO RETAIN BILL MECHLEY, THE VILLAGE ELECTRICIAN, BEYOND WHAT WOULD HAVE BEEN HIS RETIREMENT DATE AND DECLARING AN EMERGENCY.

### ORD # 21-21

ORDINANCE AUTHORIZING THE MAYOR TO HIRE PART-TIME AND SEASONAL EMPLOYEES FOR THE RECREATION DEPARTMENT AND DECLARING AN EMERGENCY.

### ORD #21-22

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

### ORD #21-23

ORDINANCE APPROVING WATER MANAGEMENT AND SEDIMENTATION CONTROL PLAN FOR KINETIC VISION AND AUTHORIZING BUILDING COMMISSIONER TO ISSUE PERMIT AND DECLARING AN EMERGENCY.

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE 21-17**

**AN ORDINANCE APPOINTING SEAN P. MCKINNEY  
AND TIMOTHY D. HOLLOWAY  
AS POLICE LIEUTENANTS EFFECTIVE ON THE EFFECTIVE DATE  
OF THIS ORDINANCE AND DECLARING AN EMERGENCY**

- WHEREAS,** the Council of the Village of Evendale has reviewed applicants for the position of Lieutenant in the Village Police Department; and
- WHEREAS,** currently a vacancy in the position of Lieutenant exists and another soon will; and
- WHEREAS,** following tests and interviews, the Council Committee has recommended, with the concurrence of the Mayor, the promotion of Officer Sean P. McKinney and Sergeant Timothy D. Holloway, each to the position of Police Lieutenant, to be effective upon the effective date of this Ordinance; now therefore

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

- SECTION 1:** Police Officer Sean P. McKinney and Sergeant Timothy D. Holloway are hereby promoted to the rank of Lieutenant in the Village of Evendale Police Department, with Lt. McKinney to be senior in rank, said promotions to be effective upon the effective date of this Ordinance. The hourly rate for each shall be \$46.42. This promotion is probationary for one year, thereafter, continuance by Sean P. McKinney and Timothy D. Holloway in the position of Lieutenant is conditioned upon the employee's maintenance of any required certifications for the position, compliance with minimum required physical standards and conformance to the Evendale Municipal Code and the employee's good behavior.
- SECTION 2:** This ordinance is hereby declared to be an emergency measure by concurrence of at least five members of Council. It being necessary to preserve the public peace, order, 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. It is necessary that this measure be put into immediate effect in order that the command staff of the Village of Evendale Police Department is appropriately filled. Therefore, this Ordinance shall become effective immediately.

Approved April 13, 2021

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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Village Law Director

1st Reading: April 13, 2021  
Rules Suspended: April 13, 2021  
2nd and 3rd Reading: April 13, 2021  
Emergency Section Agreed to: April 13, 2021  
Notice of publication: April 13, 2021

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #21-14**

**AN ORDINANCE APPROVING A TRANSFER FROM THE  
CONTINGENCY FUND TO THE FIRE 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,** Due to retirement in 2021, promotional interviews will take place which require the use of professional services not originally budgeted for; and

**WHEREAS,** Funds are required to supplement the expense line item in order to pay for these services; 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, five 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 102 Fire Department:

101.102.523410	\$ 20,000.00
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**SECTION 2:** These appropriated funds are authorized to be expended for professional services used to conduct promotional interviews in the Fire Department.

**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. 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 funding for Fire department promotional interviews. This ordinance shall be effective upon passage.

Approved April 13, 2021

\_\_\_\_\_  
Mayor

Attest:

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Village Clerk

Approved as to Form:

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

1st Reading: April 13, 2021

Rules Suspended: April 13, 2021

2nd and 3rd Reading: April 13, 2021

Emergency Section Agreed to: April 13, 2021

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**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #21-16**

**AN ORDINANCE APPROVING A TRANSFER FROM THE  
CONTINGENCY FUND TO THE BUILDING MAINTENANCE  
DEPARTMENT**

- 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,** Duke will begin construction of their pipeline expansion project using Village of Evendale sports fields starting in April 2021; and
- WHEREAS,** Restoration of the sports fields and irrigation systems will be required after Duke has completed their project; and
- WHEREAS,** Funds are required to supplement the capital expense line item in order to pay for these repairs; 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, five members concurring, that:

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

101.799.579900	\$ 40,000.00
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To the 705 Building Maintenance Department:

101.705.525100	\$ 40,000.00
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**SECTION 2:** These appropriated funds are authorized to be expended for repair of the sports fields on the Village Campus by the Building Maintenance Department.

Approved April 13, 2021

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Mayor

Attest:

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Village Clerk

Approved as to Form:

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Village Law Director

1st Reading: April 13, 2021

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2nd and 3rd Reading: April 13, 2021

Notice of publication: April 13, 2021

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE 21-19**

**AN ORDINANCE TO AMEND SECTION 258.220 TO PROVIDE FOR  
THE ABILITY TO MODIFY CERTAIN PERSONNEL POLICIES  
AND DECLARING AN EMERGENCY**

**WHEREAS,** there is a need under appropriate circumstances for Evendale to have the ability to modify personnel policies under unique circumstances; and

**WHEREAS,** such modifications should only be made when the need to do so can be adequately explained and is concurred in by Ordinance of Evendale Village Council; now therefore

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

**SECTION 1:** Section 258.220 of the Codified Ordinances of the Village of Evendale is hereby amended to read as follows:

- 1) Adopt an ordinance to amend section 258.220 to read as follows:  
258.220 MODIFICATION TO PERSONNEL POLICIES
  - (a) The Village reserves the right to delete, modify, or amend the policies contained herein or to adopt new policies by ordinance of Council.
  - (b) The Mayor, with the concurrence of Council by ordinance, under unique, extraordinary, temporary circumstances involving the unique skill sets of a Village employee, may, in the best interests of the Village of Evendale, modify provisions of Chapter 258 provided such a concurring ordinance specifies:
    - (1.) The unique and extraordinary circumstances.
    - (2.) The unique skill sets of the Village employee.
    - (3.) The best interests of the Village that are being met by the modification.
    - (4.) The modification is requested by a department director and is recommended by the Mayor.
    - (5.) The modification being made and the maximum length of time  
The modification shall be in effect.
    - (6.) To what position such modification applies.

**SECTION 2:** 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 immediate need to have the ability to modify certain personal policies in order to address critical Village needs, in this particular case, the maintenance and modifications of the Village traffic signal system as the Ohio Department of Transportation completes its work on I-75 within Evendale. Therefore, this Ordinance shall be effective immediately.

Approved April 13, 2021

\_\_\_\_\_  
Mayor

Attest:

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Village Clerk

Approved as to Form:

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Village Law Director  
1st Reading: April 13, 2021  
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**VILLAGE OF EVENDALE, OHIO  
ORDINANCE 21-20**

**ORDINANCE PROVIDING FOR A MODIFICATION OF  
CERTAIN VILLAGE PERSONNEL POLICIES, PURSUANT TO  
SECTION 258.220 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF  
EVENDALE IN ORDER TO RETAIN BILL MECHLEY, THE VILLAGE  
ELECTRICIAN, BEYOND WHAT WOULD HAVE BEEN HIS  
RETIREMENT DATE AND DECLARING AN EMERGENCY**

**WHEREAS,** in order to meet an immediate extraordinary need in the best interests of the Village of Evendale, the Council of the Village of Evendale makes the following finding and adopts a temporary modification to Chapter 258 of the Codified Ordinances of the Village of Evendale; now therefore

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

**SECTION 1:** The Council of the Village of Evendale hereby makes the following findings:

- (a) The Ohio Department of Transportation (ODOT) has been significantly delayed in the completion of the modifications to I-75 and adjacent roadways;
- (b) Substantial work on the Village traffic signals that are critical to maintaining the safety of both pedestrians and the motoring public can only be completed after the ODOT modifications to I-75 and adjacent roadways have been completed;
- (c) The Village Electrician, given his unique skill set and knowledge of Village traffic signals, is the only employee of the Village with the skills and experience to accomplish the necessary work;
- (d) The Village Electrician had planned to retire at a time ODOT work had been originally scheduled to be completed and the traffic signals modified.
- (e) Another Village employee had begun to be trained to fill the position of Village Electrician, but many of the necessary training opportunities were cancelled due to the COVID pandemic and as a result he is not prepared to undertake the critically necessary modifications to the traffic signal systems which will be required as the ODOT work is completed.
- (f) The Director of the Village Public Works Department has recommended a modification to Chapter 258, more fully described in Section 2 below, in order to incentivize the Village Electrician to continue to work in his position long enough to complete the traffic signal work after ODOT has completed its work in Evendale related to the I-75 expansion.
- (g) The Department Director reports that the costs associated with hiring an independent contractor to complete the traffic signal work would far exceed the costs associated with the proposed modification.
- (h) The Mayor has concurred in the Department Director's recommendation.

**SECTION 2:** Based on the foregoing the following modification to Chapter 258 is hereby approved for the sole purpose of meeting the best interests of the Village:

(a) Section 258.120 (b) is hereby modified to allow the Village Electrician to retire at a date to be agreed upon but to utilize his total accumulated sick leave to continue work for the Village at the hourly rate of the Village Electrician for a period of no more than one year.

(b) The retiring Village Electrician, during the time in which he is using his accrued sick leave, shall continue to receive the other benefits provided to full time Village employees pursuant to Chapter 258.

**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 and to provide for the daily operation of a Department or office of the Village. The need for this emergency is the immediate need to retain the services of the Village Electrician until such time as the traffic signals in the Village are modified and updated upon ODOT’s completion of the I-75 expansion work in the Village and it is critical for the health and safety of the motoring public and pedestrians for the traffic signals to be appropriately updated. Therefore, this Ordinance shall be effective immediately.

Approved April 13, 2021

\_\_\_\_\_  
Mayor

Attest:

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Village Clerk

Approved as to Form:

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Village Law Director

1st Reading: April 13, 2021  
Rules Suspended: April 13, 2021  
2nd and 3rd Reading: April 13, 2021  
Emergency Section Agreed to: April 13, 2021  
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**VILLAGE OF EVENDALE, OHIO  
ORDINANCE # 21-21**

**ORDINANCE AUTHORIZING THE MAYOR TO HIRE  
PART-TIME AND SEASONAL EMPLOYEES FOR THE  
RECREATION 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 a part-time employee; and,

**WHEREAS**, the Mayor has recommended the hiring of part time and seasonal employees 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, five members concurring, that:**

**SECTION 1:** The following persons may be employed, effective April 13, 2021 by the Mayor of the Village of Evendale at an hourly rate established below:

**PART TIME**

Alyssa Hayes, Recreation Clerk	Hourly Pay: \$10.00
Diane Berard, Recreation Clerk	Hourly Pay: \$10.00

**SEASONAL**

Michael (Ben) Adams, Tennis Pro	Hourly Pay: \$35.00
Kieren Thomas, Tennis Assistant	Hourly Pay: \$15.00

**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 13, 2021

\_\_\_\_\_  
Mayor

Attest:

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Village Clerk

Approved as to Form:

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

1st Reading: April 13, 2021

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**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #21-22**

**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 STHEREFORE, 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) Doug Abrams – tuition reimbursement - \$4,422.00

**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 13, 2021

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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Village Law Director

1st Reading: April 13, 2021

Rules Suspended: April 13, 2021

2nd and 3rd Reading: April 13, 2021

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**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #21-23**

**ORDINANCE APPROVING WATER MANAGEMENT  
AND SEDIMENTATION CONTROL PLANS  
FOR KINETIC VISION  
AND AUTHORIZING BUILDING  
COMMISSIONER TO ISSUE PERMIT  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Miller Valentine, on behalf of Kinetic Vision has submitted a certain set of grading plans for property it has agreed to purchase from the Village of Evendale, specifically as Lot 3 of the AeroHub North Subdivision, for a development of a new building including associated site work as shown on the attached drawings, in accordance with Evendale Ordinance 1466 et. seq.; and

**WHEREAS**, Kinetic Vision has revised the site plan previously submitted and approved under the Water Management and Sedimentation Control Ordinance 20-31, 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 Evendale Ordinance 1466 et. seq.

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

**SECTION 1:** The copy of the plans submitted by Miller Valentine on behalf of Kinetic Vision, 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:** Ordinance #20-31 is hereby repealed.

**SECTION 3:** 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 Ordinance 1466 et. seq., and are hereby approved by this Council.

**SECTION 4:** 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 \$75,000.00. In addition, the issuance of the Water Management and Sedimentation Control Permit is conditioned upon Approval by the Building Department of the proposed plans.

**SECTION 5:** 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 6:** 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. The permit shall be issued until the applicant closes on the lot.

**SECTION 7:** This ordinance shall not constitute approval for any building or structure.

**SECTION 8:** 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 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 April 13, 2021

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Mayor

Attest:

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

Approved as to Form:

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Village Law Director

1st Reading: April 13, 2021

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