



VILLAGE OF EVENDALE ADOPTED ORDINANCES

The following ordinances were opted by the Council of the Village of Evendale at the Organizational and Regular Council Meeting on January 11, 2022.

ORD #22-01

ORDINANCE PROMOTING FIREFIGHTER-PARAMEDIC DAVID D. STARK TO LIEUTENANT-PARAMEDIC OF EVENDALE FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

ORD #22-02

ORDINANCE PROMOTING LIEUTENANT-PARAMEDIC ROBERT J. LEHMAN TO CAPTAIN-PARAMEDIC OF EVENDALE FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

ORD #22-03

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

ORD #22-04

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

ORD. #22-05

AN ORDINANCE AMENDING SECTION 258.059 (d) REGULATING THE MAXIMUM OF ACCUMULATION OF COMPENSATORY TIME FOR SWORN FIRE DEPARTMENT PERSONNEL AND DECLARING AN EMERGENCY.

ORD #22-06

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE HAMILTON COUNTY (HC) BOARD OF COUNTY COMMISSIONERS TO RECEIVE HC COMMUNITY REVITALIZATION GRANT FUNDS FOR SITE PREPARATION AND DEMOLITION OF STRUCTURES ON VILLAGE-OWNED LAND AT 1400 GLENDALE-MILFORD RD. AND DECLARING AN EMERGENCY.

ORD #22-07

ORDINANCE MAKING APPOINTMENTS TO THE VILLAGE OF EVENDALE COMMUNITY IMPROVEMENT CORPORATION (CIC) AND DECLARING AN EMERGENCY.

ORD # 22-08

AN ORDINANCE ADOPTING THE 2021 S-8 SUPPLEMENT TO THE EVENDALE VILLAGE CODE OF ORDINANCES INCLUDING ORDINANCES ADOPTED THROUGH SEPTEMBER 14, 2021 AND STATE LEGISLATION ADOPTED THROUGH JUNE 08, 2021, AND DECLARING AN EMERGENCY.

ORD #22-10

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE AEROHUB BOULEVARD, PHASE 2 DUCT BANK PROJECT AND DECLARING AN EMERGENCY.

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-01**

**ORDINANCE PROMOTING FIREFIGHTER-PARAMEDIC
DAVID D. STARK TO LIEUTENANT-PARAMEDIC OF
EVENDALE FIRE DEPARTMENT AND DECLARING AN
EMERGENCY.**

WHEREAS, In compliance with the ordinances of the Village of Evendale, the Mayor and Council have interviewed Firefighter/Paramedics eligible for promotion to the position of Lieutenant in the Village of Evendale Fire Department and have determined that David D. Stark is qualified for such promotion; now, therefore,

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

SECTION 1: Firefighter-Paramedic David D. Stark is hereby promoted to the position of Lieutenant in the Evendale Fire Department. The hourly rate for Lieutenant-Paramedic shall be \$33.17, \$91,416.52 annually based on 2,756 hours of work. Said promotion shall be effective with the effective date of 31 December 2021. The permanent promotion of David D. Stark is contingent upon the satisfactory completion of a one-year probationary period. If the performance is satisfactory during that one year probationary period, the promotion shall become final. Thereafter, continued employment and status in that position is conditioned upon the employee's maintenance of required certification for fire fighters and paramedics, compliance with minimum required physical standards contained in the Standard Operating Guidelines (SOG) Manual of the Evendale Fire Department and conformance to the Evendale Municipal Code and good behavior.

SECTION 2: 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 in order to ensure that the Fire Department has adequate supervisory personnel in place. Therefore, this ordinance shall take effect and be in force immediately from and upon passage.

Approved January 11, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022
Rules Suspended: January 11, 2022
2nd and 3rd Reading: January 11, 2022
Emergency Section Agreed to: January 11, 2022
Notice of publication: January 19, 2022

VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-02

**ORDINANCE PROMOTING LIEUTENANT-PARAMEDIC
ROBERT J. LEHMAN TO CAPTAIN-PARAMEDIC OF
EVENDALE FIRE DEPARTMENT AND DECLARING AN
EMERGENCY.**

WHEREAS, In compliance with the ordinances of the Village of Evendale, the Mayor and Council have interviewed Lieutenant/Paramedics eligible for promotion to the position of Captain/Paramedic in the Village of Evendale Fire Department and have determined that Robert J. Lehman is qualified for such promotion; now, therefore,

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

SECTION 1: Lieutenant-Paramedic Robert J. Lehman is hereby promoted to the position of Captain/Paramedic in the Evendale Fire Department. The hourly rate for Captain/Paramedic shall be \$35.81, \$98,692.36 annually based on 2,756 hours of work. Said promotion shall be effective with the effective date of 1 January 2022. The permanent promotion of Robert J. Lehman is contingent upon the satisfactory completion of a one-year probationary period. If the performance is satisfactory during that one year probationary period, the promotion shall become final. Thereafter, continued employment and status in that position is conditioned upon the employee's maintenance of required certification for fire fighters and paramedics, compliance with minimum required physical standards contained in the Standard Operating Guidelines (SOG) Manual of the Evendale Fire Department and conformance to the Evendale Municipal Code and good behavior.

SECTION 2: 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 in order to ensure that the Fire Department has adequate supervisory personnel in place. Therefore, this ordinance shall take effect and be in force immediately from and upon passage.

Approved January 11, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022
Rules Suspended: January 11, 2022
2nd and 3rd Reading: January 11, 2022
Emergency Section Agreed to: January 11, 2022
Notice of publication: January 19, 2022

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-03**

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

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

WHEREAS, THE BUDGET ADOPTED BY THE COUNCIL ON DECEMBER 14, 2021 FOR the 2022 fiscal year provides for said funding transfers;
now,

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

SECTION 1: The sum of \$155,000.00 is transferred from the General Fund to the Street Construction Repair and Maintenance Fund.

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

SECTION 3: The sum of \$600,000.00 is transferred from the General Fund to the Capital Fund.

SECTION 4: 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 so that funds are immediately available for the continued operation of the Street Repair, Capital Improvements and Gorman Heritage Farm programs. This ordinance shall be effective upon passage.

Approved January 11, 2022

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022

Rules Suspended: January 11, 2022

2nd and 3rd Reading: January 11, 2022

Emergency Section Agreed to: January 11, 2022

Notice of Publication: January 19, 2022

VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-04

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) Binz Surveying LLC – Cooper Mohler Greenbelt- \$3,775.00
- 2) Don Mercer – Building Commissioner - \$4,920.00

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 January 11, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022
Rules Suspended: January 11, 2022
2nd and 3rd Reading: January 11, 2022
Emergency Section Agreed to: January 11, 2022
Notice of publication: January 19, 2022

**VILLAGE OF EVENDALE, OHIO
ORD. #22-05**

**AN ORDINANCE AMENDING SECTION 258.059 (d) REGULATING
THE MAXIMUM OF ACCUMULATION OF COMPENSATORY TIME
FOR SWORN FIRE DEPARTMENT PERSONNEL
AND DECLARING AN EMERGENCY**

WHEREAS, the current Fire Chief has recommended that the maximum amount of compensatory time which may be accumulated by sworn Fire Department personnel be increased from 48 hours to 96 hours; and

WHEREAS, it has been determined by allowing the greater accumulation and use of compensatory time in lieu of overtime pay may save the Village of Evendale significant dollars; and

WHEREAS, sworn Fire Department personnel who accumulate comp time will continue to accumulate that in lieu of overtime pay at the same 1 ½ times their hourly rate for time worked in excess of 144 hours within a 19-day work period; now therefore,

BE IT ORDAINED by the Council of the Village of Evendale, State of Ohio, that:

SECTION I: Subsection (d) regulating the maximum accumulation of compensatory time accumulated by sworn Fire Department personnel, a part of Section 258.059 compensatory time in lieu of overtime for sworn Fire Department personnel is hereby amended to read as follows:

(d) *Maximum accumulation of compensatory time.*

- (1) No more than 96 hours may be accumulated from January 1 to June 30 of each calendar year. Any overtime earned after a person has reached this maximum must be taken in overtime pay;
- (2) On or before July 1 of each year the compensation bank must be dropped to a maximum of 48 hours, by either scheduling the comp-time in excess of 48 hours for use by October 31 of each year or accepting overtime pay for the excess hours to be paid in the next full pay period after July 1. Cash outs of the scheduled time will only be allowed if a dire reason is presented and approved by the Fire Chief.
- (3) No more than 48 hours may be carried from December 1 to the last day of February each year. Furthermore, all *compensatory time* to be taken during December must be scheduled and approved prior to December 7 of each year. Any *compensatory time* not scheduled and approved by a supervisor by that date shall be redeemed as overtime pay.

SECTION II: The remaining provisions of Section 258.059 shall remain unchanged.

SECTION III. This ordinance is hereby declared to be an emergency measure by a concurrence of five members of Council, it being necessary to preserve the health, safety and general welfare of the Village or provide for the daily operation of a department or office of the Village. The reason for said emergency is to promote morale within the fire department and address the budgetary concerns of the Village. Therefore this ordinance shall become effective immediately and the option to accumulate and utilize comp time as provided by this ordinance shall begin as of January 1, 2022.

Approved January 11, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022
Rules Suspended: January 11, 2022
2nd and 3rd Reading: January 11, 2022
Emergency Section Agreed to: January 11, 2022
Notice of publication: January 19, 2022

**VILLAGE OF EVENDALE
ORDINANCE#22-06**

**ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT
WITH THE HAMILTON COUNTY (HC) BOARD OF COUNTY COMMISSIONERS TO
RECEIVE HC COMMUNITY REVITALIZATION GRANT FUNDS FOR SITE
PREPARATION AND DEMOLITION OF STRUCTURES ON VILLAGE-OWNED
LAND AT 1400 GLENDALE-MILFORD RD. AND DECLARING AN EMERGENCY**

WHEREAS, in November 2021, the Village of Evendale submitted an application to the Hamilton County Community Revitalization Program for funds to demolish two dilapidated structures on Village-owned land at 1400 Glendale-Milford. HC funding would also be used to prepare the same site for future commercial development as part of Evendale's AeroHub project.

WHEREAS, in December 2021, the Village of Evendale received notice from Hamilton County that the application is approved for funding.

WHEREAS, the terms, conditions and expectations of the grant award are detailed in the attached Agreement

WHEREAS, per request of Hamilton County, the Village of Evendale is to pass an Ordinance authorizing the Mayor to enter into the attached Agreement.

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

SECTION 1: The Mayor of the Village of Evendale in hereby authorized to execute an Agreement with Hamilton County substantially in form attached hereto and to initiate the project in accordance with the terms, conditions and expectations of the executed Agreement.

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 operation of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect to initiate site preparation and demolition as soon as possible in order to attract new development to AeroHub and to receive the HC grant funds which constitute 80% of the projected project costs. This ordinance shall be effective upon passage.

Approved January 11, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022

Rules Suspended: January 11, 2022

2nd and 3rd Reading: January 11, 2022

Emergency Section Agreed to: January 11, 2022

Notice of publication: January 19, 2022

**VILLAGE OF EVENDALE
ORDINANCE #22-07**

**ORDINANCE MAKING APPOINTMENTS TO THE VILLAGE OF EVENDALE
COMMUNITY IMPROVEMENT CORPORATION (CIC) AND DECLARING AN
EMERGENCY**

WHEREAS, there are vacancies on the Village of Evendale CIC; and,

WHEREAS, the Mayor has recommended qualified individuals to serve on the CIC.

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

SECTION 1: Effective January 1, 2022, the following individuals are appointed to the Village of Evendale Community Improvement Corporation for the term set out opposite their name:

COMMUNITY IMPROVEMENT CORPORATION	<u>TERM ENDS</u>
David Harwood	12/31/2026
Tom Kuechly	12/31/2026
Jeff Albrinck, Council Rep	
Tom Sextro, Council Rep	

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 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 CIC requires full membership to properly operate. This ordinance shall be effective upon passage.

Adopted January 11th, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022
Rules Suspended: January 11, 2022
2nd and 3rd Reading: January 11, 2022
Emergency Section Agreed To: January 11, 2022
Notice of Publication: January 19, 2022

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 22-08**

**AN ORDINANCE ADOPTING THE 2021 S-8 SUPPLEMENT TO THE
EVENDALE VILLAGE CODE OF ORDINANCES INCLUDING ORDINANCES
ADOPTED THROUGH SEPTEMBER 14, 2021 AND STATE LEGISLATION
ADOPTED THROUGH JUNE 08, 2021, AND DECLARING AN EMERGENCY.**

WHEREAS, From time to time it is necessary to adopt and incorporate into the Village of Evendale Code of Ordinances supplements to the Code incorporating recently adopted ordinances, and statutes; and

WHEREAS, American Legal Publishing publishes the Village of Evendale Code of Ordinances and has prepared and recommended such a supplement to be incorporated into the Code of Ordinances;

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

SECTION I. The 2021 S-8 Supplement to the Evendale Code of Ordinances containing local legislation passed on September 14, 2021 and state legislation current through June 08, 2021 as prepared by American Legal Publishing Corporation is hereby adopted and incorporated into the Village of Evendale Code of Ordinances. A complete text of said Supplement is on file with the Clerk of Council and available for public inspection or purchase. The Clerk is instructed to insert such a supplement into the official copy of the Evendale Code of Ordinances maintained in the village offices.

SECTION II. This Ordinance is hereby declared to be an emergency measure by a concurrence of five members of Council, it being necessary to preserve the public health, safety, and general welfare of the Village of Evendale, or to provide for the daily operations of a department or office of the Village of Evendale. The reason for said emergency is the necessity to provide for an updated Code of Ordinances at the earliest possible date. Therefore, this Ordinance shall become effective immediately.

Approved January 11, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022
Rules Suspended: January 11, 2022
2nd and 3rd Reading: January 11, 2022
Emergency Section Agreed to: January 11, 2022
Notice of publication: January 19, 2022

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-10**

**ORDINANCE AUTHORIZING MAYOR TO ENTER INTO
CONTRACT WITH THE LOWEST AND BEST BIDDER FOR
THE AEROHUB BOULEVARD, PHASE 2 DUCT BANK
PROJECT AND DECLARING AN EMERGENCY**

WHEREAS, The Village of Evendale has received bids for the AeroHub Boulevard, Phase 2 Duct Bank Project after advertising in a newspaper of general circulation in the Village of Evendale for the proscribed two weeks; and

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

SECTION 1: The bid of Ford Development Corporation for AeroHub Boulevard, Phase 2 Duct Bank Project in the amount of \$229,072.50 is hereby accepted. The Mayor is authorized to enter into a contract with Ford Development Corporation for this project.

SECTION 2: The following sums are appropriated from the unappropriated AeroHub TIF Fund (420) to the following line:

420.201.525591 Street Improvement Project \$230,000.00

SECTION 3: This ordinance is declared to be an emergency measure by a concurrence of five 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 the public welfare requires the contract for the Project be executed as soon as possible in order to provide utility services for development of the parcels. This ordinance shall be effective upon passage.

Approved January 11, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 11, 2022
Rules Suspended: January 11, 2022
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