



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 May 9th, 2017.

ORD. #17-29

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

ORD. #17 -30

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

ORD. #17-31

ORDINANCE AUTHORIZING MAYOR TO HIRE SEASONAL EMPLOYEES AND SETTING PAY RATES AND DECLARING AN EMERGENCY. Approved

ORD. #17-31A

ORDINANCE AUTHORIZING MAYOR TO HIRE SEASONAL EMPLOYEES AND SETTING PAY RATES AND DECLARING AN EMERGENCY. Approved

ORD. #17-32

ORDINANCE APPROPRIATING FUNDS AND APPOINTING JORDON M. DUGUID AS FIRE FIGHTER/PARAMEDIC FOR THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-33

AN ORDINANCE APPOINTING TYLER A. TRAME AND JAMES L. PERDUE IV AS POLICE OFFICERS OF THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-34

ORDINANCE APPOINTING ADAM KNIGHT AS RECREATION PROGRAM SUPERVISOR FOR THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-35

AN ORDINANCE APPROVING JP MORGAN CHASE BANK, N.A. TO PROVIDE BANKING AND DEPOSITORY SERVICES FOR THE VILLAGE OF EVENDALE AND AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY TO ACCOMPLISH THAT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. # 17- 36

AN ORDINANCE AMENDING THE EVENDALE CODE OF ORDINANCES PART TWELVE, TITLE TWO, FOR THE VILLAGE OF EVENDALE TO ADD A MICROBREWERY AS A CONDITIONAL USE IN THE GC DISTRICT, AND OTHER RELEVANT PROVISIONS, AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-37

AN ORDINANCE AMENDING THE EVENDALE CODE OF ORDINANCES PART TWELVE, TITLE TWO, FOR THE VILLAGE OF EVENDALE, CHAPTER 1262, SIGNS, AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-39

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REVISED REAL ESTATE PURCHASE AGREEMENT WITH FELITTO, INC., AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-40

AN ORDINANCE AUTHORIZING DAVE ELMER, THE DIRECTOR OF ADMINISTRATIVE SERVICES, TO EXECUTE A LETTER OF AGREEMENT ENGAGING THE SERVICES OF SUE NOE AS AN INDEPENDENT CONTRACTOR TO PROVIDE CERTAIN SERVICES IN THE VILLAGE TAX DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-41

AN ORDINANCE AMENDING SUB-SECTION 850.02(a), AND SECTIONS 850.16 AND 850.17 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF EVENDALE REGARDING COMMERCIAL SOLICITATION AND OTHER DOOR TO DOOR CANVASSING AND DECLARING AN EMERGENCY. Unanimously approved

RES. #17-10

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO AND FERGUSON, INC. 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. Unanimously approved

RES. # 17-11

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER A NON-BINDING MEMORANDUM OF UNDERSTANDING WITH THE CITY OF SHARONVILLE, CITY OF READING, GREAT PARKS OF HAMILTON COUNTY AND THE MILL CREEK CONSERVANCY DISTRICT, COLLECTIVELY WORKING TOGETHER AS THE MILL CREEK COLLABORATIVE, TO FURTHER STUDY HIKE-BIKE PATH OPTIONS. Unanimously approved

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-29**

**AN ORDINANCE APPROVING AN APPROPRIATION AND
TRANSFER FROM THE GENERAL FUND TO THE CAPITAL 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 accept additive alternates to the ODOT Thru the Valley Interstate 75 improvements bid contract; and

WHEREAS, the additive bids were in excess of the amount originally budgeted for the project; 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 appropriated to and then transferred from the General Fund Transfer Account:

101.799.599999		\$420,000.00
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To Capital Fund 400:

210.000.499999	Transfer in	\$420,000.00
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And appropriated to:

400.701.525200	Through the Valley	\$420,000.00
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SECTION 2: 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 insure the funds are immediately available so the Thru the Valley Interstate 75 project can proceed at the soonest time. This ordinance shall be effective upon passage.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017
Rules Suspended: May 9th, 2017
2nd and 3rd Reading: May 9th, 2017
Emergency Section Agreed to: May 9th, 2017
Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-30**

**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) Design Fitness - \$21,345 Fitness Equipment
- 2) Geotechnology Inc. - \$5,700 – Aerohub Geotech work
- 3) K.L. New Construction- 5,249.45- Shelter House bridge

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 May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017
Rules Suspended: May 9th, 2017
2nd and 3rd Reading: May 9th, 2017
Emergency Section Agreed to: May 9th, 2017
Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE
ORDINANCE #17-31**

**ORDINANCE AUTHORIZING MAYOR TO HIRE
SEASONAL EMPLOYEES AND SETTING PAY RATES
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 seasonal employees; and,

WHEREAS, the Mayor has submitted a list of seasonal employees who may be employed for a particular season or seasons.

WHEREAS, the Mayor has fully complied with Section 260.06(a) 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, five members concurring that:

SECTION 1: 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:

RECREATION DEPARTMENT

TENNIS PROGRAM:

	<u>Season</u>	<u>Hourly Pay Rate</u>
Adam Behrman, Assistant Instructor	Sp/Su/F	11.00
Hope Schneider, Assistant Instructor	Sp/Su/F	10.25

FUN IN THE SUN CAMP:

	<u>Season</u>	<u>Hourly Pay Rate</u>
Suzanne Bonem	Summer	9.44
Lauren Endres	Summer	8.69
Ryan Frank	Summer	9.44
Kelly Frank	Summer	8.91
Margaret Janszen	Summer	8.69
Alicia Hirnikel	Summer	10.93
Annaliese Levy	Summer	9.44
Kyle Linderman	Summer	8.69
Melody Moonitz	Summer	10.73
Bailey Ramsey	Summer	8.91
Kevin Russell	Summer	9.17
Dana Schriever	Summer	8.69
Katie Stautberg	Summer	8.69
Ben Berke	Summer	8.48
Halle Gordon	Summer	8.48
Justin McDaniel	Summer	8.48

POOL CONCESSION STAND:

	<u>Season</u>	<u>Hourly Pay Rate</u>
Alicia Hirnikel, Head Manager	Sp/Su	10.93
Isabella Asbrock, Assisamt Manager	Sp/Su	8.69
Michelle Hirnikel, Assistant Manager	Sp/Su	8.91
Sam Sieder, Assistant Manager	Sp/Su	8.91
Hannah Rust, Assistant Manager	Sp/ Su	8.48

SWIM TEAM:

	<u>Season</u>	<u>Lump Sum Salary</u>
Jen Schell, Assistant Coach	Sp/Su	\$ 3,227*
Erik Spraul, Assistant Coach	Sp/Su	2,967*
Elyse Spraul, Assistant Coach	Sp/Su	3,227*
Kaily Hauck, Assistant Coach	Sp/Su	2,691*
Ben Thiss, Assistant Coach	Sp/Su	3,041*
Debbie Walker, Head Coach	Sp/Su	4,586*

*In addition, as part of each Assistant Coach’s lump sum salary, the coach must teach at least ten (10) one-half hour private swim lessons. A coach will receive, in additional compensation, \$12.00 per private swim lesson taught when the 10 private swim lessons have been fulfilled.

SERVICE DEPARTMENT

GROUNDS MAINTENANCE

	<u>Season</u>	<u>Hourly Pay Rate</u>
Rachel Ahrens	Summer	\$11.57/hr.
Kenton Asbrock	Summer	\$11.57/hr.
Ben Burke	Summer	\$10.91/hr.
Andrew Hauck	Summer	\$10.59/hr.
Saylor Knebel	Summer	\$10.59/hr.
Matthew Hildebrandt	Summer	\$10.59/hr.
Tristan Pommering	Summer	\$10.59/hr.
Michael White	Summer	\$10.59/hr.

SECTION 3: 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 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 May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017
Rules Suspended: May 9th, 2017
2nd and 3rd Reading: May 9th, 2017

Emergency Section Agreed to: May 9th, 2017

Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE
ORDINANCE #17-31A**

**ORDINANCE AUTHORIZING MAYOR TO HIRE
SEASONAL EMPLOYEES AND SETTING PAY RATES
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 seasonal employees; and,

WHEREAS, the Mayor has submitted a list of seasonal employees who may be employed for a particular season or seasons.

WHEREAS, the Mayor has fully complied with Section 260.06(a) 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, five members concurring that:

SECTION 1: 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:

RECREATION DEPARTMENT

FUN IN THE SUN CAMP:

	<u>Season</u>	<u>Hourly Pay Rate</u>
Cooper Marshall	Summer	8.69
Alex Puthoff	Summer	8.91

SECTION 3: 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 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 May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017
Rules Suspended: May 9th, 2017
2nd and 3rd Reading: May 9th, 2017
Emergency Section Agreed to: May 9th, 2017
Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-32**

**ORDINANCE APPROPRIATING FUNDS AND APPOINTING
JORDON M. DUGUID AS FIRE FIGHTER/PARAMEDIC FOR
THE VILLAGE OF EVENDALE AND DECLARING AN
EMERGENCY.**

WHEREAS, The Mayor of the Village of Evendale, after complying with Ordinance 258.025 to 258.029, of the Codified Ordinances of the Village of Evendale, has recommended the appointment of Jordon M. Duguid fire fighter/paramedic for the Village of Evendale; and

WHEREAS, The Council of the Village of Evendale concurs in the appointments described above; now, therefore,

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

SECTION 1: Jordon M. Duguid, is hereby employed as Fire Fighter/Paramedic. The seniority date for Jordon M. Duguid shall be May 15, 2017. The starting salary for Jordon M. Duguid as a fire fighter/paramedic shall be, Step 1, \$20.83 per hour, \$57,407.48 based on 2,756 hours per year. Jordon M. Duguid Unit # 2, shall report for work beginning May 15, 2017, at 07:00 hours. The appointment is contingent upon the individual passing a pre-employment medical and psychological examination in accordance with Section 258.032 of the Codified Ordinances of the Village of Evendale. The first year of employment shall be a probationary period. After completion of the first year probationary period, if the performance rating is satisfactory, the fire fighter shall be made a regular fire fighter/paramedic. Thereafter, continued employment is conditioned upon employee's maintenance of required certifications 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.

SECTION 2: The following additional appropriation is hereby approved to fund additional expenses related to hiring new fire fighters/paramedics:

Fire Department:

210-219	Personnel Expenses	\$4,500.00
230-239	Contractual Services	\$1,500.00

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 requires that the Fire Department be kept at proper strength. It shall therefore take effect and be in force immediately from and upon passage.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017

Rules Suspended: May 9th, 2017

2nd and 3rd Reading: May 9th, 2017

Emergency Section Agreed to: May 9th, 2017

Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-33**

AN ORDINANCE APPOINTING TYLER A. TRAME AND JAMES L. PERDUE IV AS POLICE OFFICERS OF THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY

- WHEREAS,** the Village of Evendale Police Department has an immediate and anticipated need for additional police officers; and
- WHEREAS,** the Village has sought and reviewed applications and candidates to fill those positions; and
- WHEREAS,** the Mayor of the Village of Evendale, after complying with Ordinance 258.025, 2258.029 of the Codified Ordinances of the Village of Evendale, has recommended the appointments of Tyler A. Trame and James L. Perdue IV as Village Police Officers; and
- WHEREAS,** Council concurs in the recommendation of those appointments; now, therefore

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

SECTION 1: Tyler A. Trame is hereby employed as a Police Officer of the Village of Evendale to begin employment on May 22, 2017 at Step One starting salary, then in effect for the Village of Evendale Police Officers. His employment is conditioned upon:

- 1) His successful completion of the Scarlet Oaks basic police academy training which he is currently attending;
- 2) He must acquire the Ohio Police Officer Training Commission Certificate.

SECTION 2: James L. Perdue IV is hereby employed as a Police Officer of the Village of Evendale, to begin employment on July 10, 2017, at Step One Starting Salary, then in effect for the Village of Evendale Police Officers. His employment is conditioned upon:

- 1) His successful completion of the Butler Tech basic police academy;
- 2) He must acquire the Ohio Police Officer Training Commission Certificate.

SECTION 3: Both Tyler A. Trame and James L. Perdue IV shall serve a year in a probationary period following receipt of the Ohio Police Officer Training Commission Certificate. After completion of that year of probationary period, if performance is satisfactory, said officer shall be made a regular Village police officer. Thereafter, employment is conditioned upon the employee's maintenance of the required certification for a police officer, compliance with the minimum required physical standards and conformance to the Evendale Municipal Code and good behavior.

SECTION 4: 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 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 Police Department be kept at proper strength and the addition of these new officers is critical to accomplishing that. Therefore, this ordinance shall take effect and be in force immediately upon adoption.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017

Rules Suspended: May 9th, 2017

2nd and 3rd Reading: May 9th, 2017

Emergency Section Agreed to: May 9th, 2017

Notice of publication: Tri-County Press, May 17th, 2017

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Police Officers.TMB.doc-rrb

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-34**

**ORDINANCE APPOINTING ADAM KNIGHT AS RECREATION
PROGRAM SUPERVISOR FOR THE VILLAGE OF EVENDALE
AND DECLARING AN EMERGENCY.**

WHEREAS, The Mayor of the Village of Evendale, after complying with Ordinance 258.025 to 258.029, of the Codified Ordinances of the Village of Evendale, has recommended the appointment of Adam Knight Recreation Program Supervisor for the Village of Evendale; and

WHEREAS, The Council of the Village of Evendale concurs in the appointments described above; now, therefore,

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

SECTION 1: Adam Knight, is hereby employed as Recreation Program Supervisor. This position is exempt. The seniority date for Adam Knight shall be May 15, 2017. The starting salary for Adam Knight as a Recreation Program Supervisor shall be, Step 2, \$55,619 per year. Adam Knight's annual pay step increase shall be Step 3, May 15, 2018, \$62,316 and Step 4, May 15, 2019, \$72,030. Adam Knight shall report for work beginning May 15, 2017, at 9:00 AM.

SECTION 2: 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 requires that the Recreation Department be kept at proper strength. It shall therefore take effect and be in force immediately from and upon passage.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017
Rules Suspended: May 9th, 2017
2nd and 3rd Reading: May 9th, 2017
Emergency Section Agreed to: May 9th, 2017
Notice of publication: Tri-County Press, May 17th, 2017

VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-35

**AN ORDINANCE APPROVING JP MORGAN CHASE BANK, N.A.
TO PROVIDE BANKING AND DEPOSITORY SERVICES FOR THE
VILLAGE OF EVENDALE AND AUTHORIZING THE MAYOR TO
EXECUTE ANY DOCUMENTS NECESSARY TO ACCOMPLISH
THAT AND DECLARING AN EMERGENCY**

- WHEREAS,** the Village of Evendale submitted a request for proposals to all three banks having a presence in the Village seeking proposals for banking and depository services for the Village; and
- WHEREAS,** two of those banks made in person presentations to the Mayor and Finance Committee and a third bank submitted a proposal electronically; and
- WHEREAS,** following a review of those proposals, the Mayor, Village staff and the Finance Committee have recommended that JP Morgan Chase Bank, N.A. as best suited to provide such services to the Village for the next five-year period, as a result, both of Chase's pricing and the specific services in place for local government and not-for profit entities; now, therefore

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

SECTION 1: JP Morgan Chase Bank, N.A. is hereby approved to provide banking and depository services to the Village of Evendale for the next five years and the Mayor is hereby authorized to provide for the execution of any documents necessary to accomplish that. The documents to be executed and the services to be provided shall be consistent with the proposal dated March 28, 2017 by JP Morgan Chase Bank, N.A., titled "Proposal in Response to: Request for Proposal for Banking and Depository Services." It is specifically provided, however, that the Village Treasurer and the Village Chief Fiscal and Accounting Officer may continue to maintain accounts at Fifth Third Bank long enough to ensure that all currently pending financial transactions have cleared the bank, while all new financial transactions shall be through JP Morgan Chase Bank, N.A.

SECTION 2: 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 department or office of the Village of Evendale. The reason for said emergency is the need to have in place as soon as possible a new banking partner to assist in the control and administration of the Village's finances. Therefore, this ordinance shall become effective immediately.

Approved _____, 2017

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: _____

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Banking.TMB.doc-rrb

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 17- 36**

**AN ORDINANCE AMENDING THE EVENDALE CODE OF
ORDINANCES PART TWELVE, TITLE TWO, FOR THE
VILLAGE OF EVENDALE TO ADD A MICROBREWERY AS A
CONDITIONAL USE IN THE GC DISTRICT, AND OTHER
RELEVANT PROVISIONS, AND DECLARING AN EMERGENCY.**

- WHEREAS,** A microbrewer has approached the Village with the desire to locate a “microbrewery” within the General Commercial “GC” District; and
- WHEREAS,** a “microbrewery” is not currently regulated by the Village Zoning Code, and is therefore not permitted within any district within the Village; and
- WHEREAS,** The use as recently proposed would be of the scope embodied in the State of Ohio A-1c liquor permit and would also include ancillary food service; and
- WHEREAS,** Historically, the Village has rejected the idea of permitting “bars,” i.e., any uses which are limited to alcoholic beverage service. Rather, the Village desires liquor-related uses which are associated with other activities such as food service; and
- WHEREAS,** The State of Ohio A-1c permit under which the proposed use plans to operate, a.k.a. a “small brewer” license, is relatively new to the State of Ohio and limits production of beer to under 31 million gallons per year; and
- WHEREAS,** The Village recently added “Mobile Food Service” as a permitted use within certain areas of the Village, including the GC District ; and
- WHEREAS,** The Village finds a “microbrewery” as defined by the State of Ohio, when limited to a small scale operation and performed in conjunction with some type of food service, such as catered food indoors, or a mobile food service, to be a use which is desirable within the community and consistent with the intent and purpose of the GC General Commercial District; and
- WHEREAS,** Planning Commission held a public hearing on the proposed amendments to add “microbrewery” as a use within the Zoning Code on March 21, 2017; and
- WHEREAS,** Said modifications to the Zoning Code have been considered by the Planning Commission and recommended for adoption on March 21, 2017;
- WHEREAS,** The Council of the Village of Evendale has conducted a public hearing on the proposed modifications to the Zoning Code and finds that such change will accommodate a desired business type within the Village and satisfy recent demand for this type of business within the Village;

NOW THEREFORE,

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

SECTION I Part Twelve, Title Two, the Zoning Code of the Village of Evendale, is hereby amended to add the provisions shown on attached Exhibit A. The remainder of the amended sections of the Zoning Code shall remain as written.

SECTION III

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. The reason for said emergency is allow the microbrewery use which is in demand in commercial areas of the Village. Therefore, this ordinance shall become effective immediately.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017
Rules Suspended: May 9th, 2017
2nd and 3rd Reading: May 9th, 2017
Emergency Section Agreed to: May 9th, 2017
Notice of publication: Tri-County Press, May 17th, 2017

EXHIBIT A to Ordinance # 17 -36

Appendix A - Proposed Amendments to Zoning Code

Amendment # 1: § 1242.03(a) Definitions.

((#))"Microbrewery" means an establishment which includes both (1) on-site food service, whether the food is prepared on-premises or off-premises, and (2) on-premises beer manufacture. Beer brewed on-premises must be in quantities not to exceed 31 million gallons per year. Beer brewed on-premises may be available for carry-out, may be sold for on-premises consumption, or may be sold to retail and wholesale permit holders. No alcoholic beverages other than the beer brewed on-premises may be sold, served or distributed.

Amendment # 2: Schedule 1248.05 GC and HC Permissible Uses

SCHEDULE 1248.05 GC AND HC PERMISSIBLE USES		
USE	GC	HC
Commercial Uses		
<u>Microbrewery</u>	<u>C</u>	<u>X</u>

Amendment # 3: Schedule 1258.04 Formula for Minimum Parking Stalls Required

SCHEDULE 1258.04 FORMULA FOR MINIMUM PARKING STALLS REQUIRED	
USE	FORMULA FOR MINIMUM PARKING STALLS REQUIRED
Commercial	
<u>Microbrewery</u>	<u>Four (4) spaces per 1,000 s.f. floor area in the designated dining and beverage service area; and</u> <u>One stall per 1 and a half employees plus one stall for every facility vehicle stored on the lot.</u>

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-37**

**AN ORDINANCE AMENDING THE EVENDALE CODE OF
ORDINANCES PART TWELVE, TITLE TWO, FOR THE
VILLAGE OF EVENDALE, CHAPTER 1262, SIGNS, AND
DECLARING AN EMERGENCY.**

- WHEREAS,** The Village has historically required that all signage except “off-premises signs,” a.k.a., “billboards,” be on the same zoning lot to which they are accessory; and
- WHEREAS,** The Village of Evendale Zoning Code (“EZC”) regulates signs in Chapter 1262; and
- WHEREAS,** The EZC Chapter 1262 requires signage to be located on the same lot to which it is accessory; and
- WHEREAS,** The EZC Chapter 1262 implies such requirement throughout a number of unclear provisions in that Chapter; and
- WHEREAS,** The Village wishes to make its intent to require signage to remain on the zoning lot to which it is accessory to be expressly provided within the EZC with no ambiguities; and
- WHEREAS,** Planning Commission held a public hearing on the proposed amendment to add this provision to Chapter 1262 of the EZC on April 18, 2017; and
- WHEREAS,** Said modification to the EZC has been considered by the Planning Commission and recommended for adoption on April 18, 2017; and
- WHEREAS,** The Council of the Village of Evendale has conducted a public hearing on the proposed modification to the Zoning Code and finds that such change will more effectively carry out the intent of the Village to limit signs to the lot to which they are accessory than the EZC sign regulations as currently written;

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

SECTION I Part Twelve, Title Two, Section 1262.09 the Zoning Code of the Village of Evendale, is hereby amended to add subsection 1262.09(p), which shall read as follows:

(p) Location of Signs. Signs shall be located on the same zoning lot as the use to which they are accessory.

SECTION II 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. The reason for said emergency is enact zoning regulations as to signage which clearly reflect the intent of the sign code without any ambiguities. Therefore, this ordinance shall become effective immediately.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017
Rules Suspended: May 9th, 2017
2nd and 3rd Reading: May 9th, 2017
Emergency Section Agreed to: May 9th, 2017
Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-39**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A
REVISED REAL ESTATE PURCHASE AGREEMENT WITH
FELITTO, INC. AND DECLARING AN EMERGENCY**

WHEREAS, at its April 2017 meeting, the Council of the Village of Evendale adopted Ordinance No. 17-39, which authorized the Mayor to enter into a certain Real Estate Purchase Agreement with Felitto, Inc.; and

WHEREAS, negotiations with regard to purchasing the Felitto, Inc. property have continued and, as a result, the Real Estate Purchase Agreement previously approved has had significant terms changed, though not the financial terms. It is now appropriate to approve the revised Real Estate Purchase Agreement; 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 execute the revised Real Estate Purchase Agreement substantially in the form attached hereto and incorporated by reference herein in order to proceed to acquire the Felitto, Inc. property on Glendale Milford Road. The remainder of Ordinance No. 17-39 remains in full force and effect.

SECTION 2: 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 department or office of the Village of Evendale. The reason for said emergency is the need to proceed to acquire the Felitto property as soon as possible in order to assemble property for the AreoHub project. Therefore, this ordinance shall become effective immediately.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017

Rules Suspended: May 9th, 2017

2nd and 3rd Reading: May 9th, 2017

Emergency Section Agreed to: May 9th, 2017

Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-40**

**AN ORDINANCE AUTHORIZING DAVE ELMER, THE DIRECTOR
OF ADMINISTRATIVE SERVICES, TO EXECUTE A LETTER OF
AGREEMENT ENGAGING THE SERVICES OF SUE NOE AS AN
INDEPENDENT CONTRACTOR TO PROVIDE CERTAIN
SERVICES IN THE VILLAGE TAX DEPARTMENT AND
DECLARING AN EMERGENCY**

WHEREAS, it is anticipated that the Village will be in need of assistance in the Village Tax Department from time to time; and

WHEREAS, Sue Noe, who has extensive experience as an Ohio Municipal Tax Administrator, can be available on an as-needed basis to provide such assistance; and

WHEREAS, her engagement as an independent contractor to perform such duties has been recommended by the Mayor and the Tax Administrator; now, therefore

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

SECTION 1: Dave Elmer, as the Administrative Services Director of the Village of Evendale, is hereby authorized to execute a Letter of Agreement substantially in the form attached hereto and incorporated by reference herein to engage Sue Noe as an independent contractor to provide services in the Tax Department on an as-needed basis.

SECTION 2: 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 department or office of the Village of Evendale. The reason for said emergency is that it is necessary to have adequate assistance in the Village Tax Department on an ongoing basis in order to serve the citizens and taxpayers of Evendale. Therefore, this ordinance shall become effective immediately.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017

Rules Suspended: May 9th, 2017

2nd and 3rd Reading: May 9th, 2017

Emergency Section Agreed to: May 9th, 2017

Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-41**

**AN ORDINANCE AMENDING SUB-SECTION 850.02(a), AND
SECTIONS 850.16 AND 850.17 OF THE CODIFIED ORDINANCES
OF THE VILLAGE OF EVENDALE REGARDING COMMERCIAL
SOLICITATION AND OTHER DOOR TO DOOR CANVASSING AND
DECLARING AN EMERGENCY**

WHEREAS, it has been determined to be necessary to make certain amendments to Chapter 850 of the Codified Ordinances of the Village of Evendale which regulate commercial solicitation and other door to door canvassing in order to ensure that constitutional rights of religious, political and non-profit canvassers, as determined by the United States Supreme Court, are respected; and

WHEREAS, it remains the intent of the Village of Evendale to provide a private property owner with the right to choose to restrict commercial solicitors and other canvassers from coming onto or remaining on private property where the owner or occupant prohibits their presence; now, therefore

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

SECTION 1: Subsection 850.02(a), Definitions, Section 850.16, Private Citizens May Prohibit, and Section 850.17, Exemptions, of the Codified Ordinances of the Village of Evendale, are hereby amended as follows:

Subsection 850.02(a) Definitions.

(a) “Canvasser.” Any individual who enters upon private property without invitation or permission for the purpose of door-to-door canvassing as defined ~~above~~ below.

Section 850.16 Private Citizens May Prohibit.

(a) Notwithstanding the provisions of any other chapter of this Code, any person, firm or corporation who is the owner or lawful occupant of private property within the territorial limits of the Village may prohibit the practice of door-to-door canvassing by posting upon such property a sign which reads “No Solicitation” or other similar message ~~clearly communicating that uninvited commercial solicitors or political, religious or other non-profit canvassers are not permitted on the property,~~ upon or near the main entrance door to the residence or place of business.

(b) It shall be unlawful for any canvasser to go upon any premises and ring the doorbell upon or near any door, rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of any occupant of such residence or building for the purpose of door-to-door canvassing in defiance of the sign exhibited in accordance with division (a) of this section, unless the canvasser has been previously invited upon the premises by the owner, lessee, or an adult occupant thereof. This prohibition is applicable to all persons, including those who are licensed for commercial solicitation as described in this chapter.

~~(c) Notwithstanding the provisions of any other chapter of this Code, any person, firm or corporation who is the owner or lawful occupant of private property within the territorial limits of the Village may prohibit the practice of commercial door to door canvassing by posting upon such property a sign which reads “No~~

Commercial Solicitation” or other similar message sign upon or near the main entrance door to the residence or place of business.

~~(d)(c) — It shall be unlawful for any canvasser to go upon any premises and ring the doorbell upon or near any door, rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of any occupant of such residence or building for the purpose of door to door canvassing in defiance of the sign exhibited in accordance with division (a) of this section, unless the canvasser has been previously invited upon the premises by the owner, lessee, or an adult occupant thereof.~~

(c) Any door-to-door canvassing conducted in violation of division (b) of this section shall be subject to penalty as provided in Section 850.99 of the Codified Ordinances of the Village of Evendale.

Section 850.17 Exemptions.

(a) Any person ~~soliciting contributions for or~~ engaged in “charitable/religious/political solicitation” as defined in Section 850.02(b) conducting door-to-door canvassing for which the primary purpose is to solicit funds or sell goods for the benefit of charitable or not-for-profit organizations, or for the purpose of providing information, either written or oral, to the occupants of the dwellings about candidates for public office, political issues or religious or church-related matters shall not be required to obtain a license or pay a fee, ~~but shall register with the Police Department. The organization or person shall provide to the Police Department, for identification purposes, his or her name, address, and telephone number and the name of and contact information for the organization, entity or political campaign on whose behalf the solicitation or canvassing is being conducted. The organization or person shall also notify the Police Department personally of the time period and specific areas within the Village that they are canvassing. No person or organization registered as an exemption shall canvass or solicit in an area or at a time not previously listed with the Police Department.~~ However, such individuals are subject to a property owner’s or occupant’s prohibition evidenced by a posted “No Solicitation” sign or a direction to leave the property.

~~(b) Residents of the Village who engage in door-to-door canvassing for which the primary purpose is to solicit funds or sell good for the benefit of charitable or not-for-profit organizations, or for the purpose of providing information, either written or oral, to the occupants of the dwelling about candidates for public office, political issues or religious or church-related matters, are exempt from all requirements of this chapter, except Section 850.16. (Ord. 06-55A. Passed 12-14-06; Ord. 09-41. Passed 11-12-09.)~~

SECTION 2: 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 department or office of the Village of Evendale. The reason for said emergency is the necessity to insure that Chapter 850 of the codified ordinances of the Village of Evendale is constitutional and enforceable and that the rights of private property owners are also protected. Therefore, this ordinance shall become effective immediately.

Approved _____, 2017

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: _____

N:\CLIENTS\Evendale\Ordinance\Ord Amend Secs 850.02(a), 850.16 and 850.17 re
Commercial Solicitation.TMB.doc-rrb

**VILLAGE OF EVENDALE, OHIO
RESOLUTION #17-10**

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO AND FERGUSON ENTERPRISES INC. 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, FERGUSON ENTERPRISES INC. (FERGUSON) now proposes a project which will create investment and employment opportunities in the Village of Evendale; and

WHEREAS, FERGUSON has proposed a project which will involve constructing a new 120,000 sq. ft. facility with a total new investment of approximately eleven million three hundred eighty thousand dollars (\$11,380,000.00) with eighty-eight (88) full-time permanent 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 FERGUSON 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, six 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 FERGUSON, 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 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 so the Board of County Commissioners may promptly proceed to enter into the Agreement with FERGUSON and the benefits of such agreement be obtained as promptly as possible. This resolution shall be effective upon passage.

Approved: May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017
Rules Suspended: May 9th, 2017
2nd and 3rd Reading: May 9th, 2017
Emergency Section Agreed to: May 9th, 2017
Notice of publication: Tri-County Press, May 17th, 2017

**VILLAGE OF EVENDALE, OHIO
RESOLUTION # 17-11**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER
A NON-BINDING MEMORANDUM OF UNDERSTANDING
WITH THE CITY OF SHARONVILLE, CITY OF READING,
GREAT PARKS OF HAMILTON COUNTY AND THE MILL
CREEK CONSERVANCY DISTRICT, COLLECTIVELY
WORKING TOGETHER AS THE MILL CREEK
COLLABORATIVE, TO FURTHER STUDY HIKE-BIKE
PATH OPTIONS .**

- WHEREAS,** In 2009, The Village of Evendale co-founded the Connecting Active Communities Collation (CACC) with 9 other local communities, for the purpose of, among other things, identifying regionally connectable hike-bike path development opportunities; and,
- WHEREAS,** On July 9, 2014, after considerable input from multiple local and regional stakeholders, Evendale Village Council unanimously passed a Resolution adopting a Bicycle and Pedestrian Master Plan; and,
- WHEREAS,** To further study route options, floodplain issues, potential connectivity points between communities as well as path design, maintenance and ownership options, the communities of Evendale, Sharonville, Reading along with Great Parks of Hamilton County and the Millcreek Conservancy District, formed the Millcreek Collaborative (MCC), a sub-committee of the CACC; and,
- WHEREAS,** In an effort to address a broad range of issues, concerns, ideas, etc. associated with path development, the MCC proposes a non-binding Memorandum of Understanding between said parties to be used as a framework for further path study; and,
- WHEREAS,** The Cities of Reading and Sharonville have already agreed to the MOU.
- WHEREAS,** Evendale sees value in further exploring path options; now therefore,

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

SECTION 1 The Mayor is hereby authorized to execute the Memorandum of Understanding (MOU) (see Attachment A”) with an understanding that the MOU is non-binding and does not obligate the Village to future path ownership or to any costs associated with path development; land acquisition, if any; construction; maintenance or upkeep.

Approved May 9th, 2017

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 9th, 2017

Rules Suspended: May 9th, 2017

2nd and 3rd Reading: May 9th, 2017

Emergency Section Agreed to: May 9th, 2017

Notice of publication: Tri-County Press, May 17th, 2017