



VILLAGE OF EVENDALE ADOPTED ORDINANCES

The following ordinances were opted by the Council of the Village of Evendale at the Regular Council Meeting on May 11, 2021.

ORD #21-24

ORDINANCE APPOINTING STEVE NIEHAUSER AS ASSISTANT CHIEF OF THE EVENDALE POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

Unanimously approved

ORD # 21-05

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF EVENDALE TO CHANGE THE IF-2, INDUSTRIAL FLEX 2 ZONING TO A PUD-ID, INNOVATION DISTRICT PUD ZONING DESIGNATION ON PARCEL 611-0050-0066, AND DECLARING AN EMERGENCY. Approved

ORD #21-25

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

ORD # 21-26

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

Unanimously approved

ORD # 21-27

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

Unanimously approved

ORD #21-28

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

ORD #21-29

AN ORDINANCE APPROVING AN ADDITIONAL APPROPRIATION IN THE AEROHUB TIF FUND FOR THE FIRE BRANCH WATER MAINS INSTALLATIONS AS PART OF THE AEROHUB PHASE 2 ROADWAY PROJECT AND DECLARING AN EMERGENCY. Unanimously approved

**VILLAGE OF EVENDALE
ORDINANCE #21-24**

**ORDINANCE APPOINTING STEVE NIEHAUSER
AS ASSISTANT CHIEF OF THE EVENDALE POLICE DEPARTMENT
AND DECLARING AN EMERGENCY**

WHEREAS, having been hired in December of 1990, Lieutenant Steve Niehauser has served with distinction for over thirty years as a member of the Evendale Police Department; and

WHEREAS, promoted to Sergeant in 1998, most recently he has served for more than ten years, as a Lieutenant in the Police Department; and

WHEREAS, in recognition of his service Niehauser shall henceforth hold the rank of Assistant Chief. Said rank shall be at the same pay as his current position as Lieutenant;

WHEREAS, as Assistant Chief he shall serve as the Officer in Charge in the absence of the Chief and will be well positioned to serve as a mentor to the two recently appointed Lieutenants, now therefore,

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

SECTION 1: Lieutenant Steve Niehauser shall henceforth hold the rank of Assistant Chief within the Evendale Police Department with same hourly pay as in his current rank as Lieutenant. The rank of Assistant Chief shall only be on the table of organization of the Evendale Police Department until the retirement of Assistant Chief Niehauser

SECTION 2: This ordinance is hereby declared to be an emergency by a concurrence of six 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 clearly describe who is the officer in charge in the absence of the Police Chief. Therefore, this ordinance shall be effective immediately.

Approved May 11, 2021

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 11, 2021

Rules Suspended: May 11, 2021

2nd and 3rd Reading: May 11, 2021

Emergency Section Agreed to: May 11, 2021

Notice of Publication: Tri-County Press, May 19, 2021

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 21-05**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE VILLAGE OF EVENDALE TO CHANGE THE IF-2, INDUSTRIAL FLEX 2
ZONING TO A PUD-ID, INNOVATION DISTRICT PUD ZONING DESIGNATION ON
PARCEL 611-0050-0066, AND DECLARING AN EMERGENCY.**

- WHEREAS,** the Village adopted the “AeroHub Innovation District Master Plan” (“AeroHub Plan”) for the AeroHub Site which includes area adjacent to the subject parcel; and
- WHEREAS,** In support of AeroHub, Evendale has already spent over \$10,000,000 acquiring property and developing roads and other infrastructure for a workforce development, R&D, high tech, advanced manufacturing focused commercial/industrial district in conformance with the AeroHub Plan, that infrastructure work includes a recently completed new boulevard style road providing access for Parcel No. 611-0050-0066 to and from Glendale Milford Road; and
- WHEREAS,** Chapter 1256 of the Evendale Zoning Code currently includes an “Innovation District PUD” (PUD-ID). To date, 50+/- acres adjacent to, and in the immediate vicinity of, Parcel No. 611-005-0066 have already been zoned PUD-ID with new development already completed in the PUD consistent with the AeroHub Plan; and
- WHEREAS,** the Village found it necessary and appropriate to consider expanding the PUD-ID, zoning designation to 5 parcels, including Parcel No. 611-0050-0066, adjacent to other property already so zoned in order to promote future redevelopment consistent with the AeroHub Plan; and
- WHEREAS,** The Planning Commission advertised for, provided the proper public notice and conducted a public hearing on the proposed rezoning of the 5 parcels on August 16, 2020 at which time counsel for the owner of Parcel No. 611-0050-0066, appeared and requested additional time to consider the matter before offering comment. The Planning Commission honored that request and held the matter to its September 2020 meeting. Counsel for the property owner again informally requested a delay and again the Planning Commission honored that request; and
- WHEREAS,** the Planning Commission on October 20, 2020, having provided ample time for comment, unanimously recommended to Village Council that that all 5 parcels, including Parcel No. 611-0050-0066, be rezoned to the PUD-ID, zoning designation; and
- WHEREAS,** Village Council advertised for, provided the proper public notice and held a public hearing on the Commission’s recommendation at its meeting on November 11, 2020 and held the ordinance after doing a first reading to provide additional time for comment and consideration; and
- WHEREAS,** shortly before its December Council meeting the Village Council received a letter dated December 4, 2020 from counsel for the owner of Parcel No. 611-0050-0066 objecting to the rezoning of that parcel. In order to provide time to consider that letter while moving forward with the rezoning of the other parcels, Council amended what became Ordinance No. 20-80 to remove Parcel No. 611-0050-0066 with the understanding that Parcel would be further considered at a later date; and
- WHEREAS,** having considered the December 4, 2020 letter Council notes that the letter fails to recognize that the current use of Parcel No. 611-0050-0066 is consistent with

and in compliance with the proposed rezoning: the Parcel is currently leased to GE Aviation and the building on the property houses various high tech equipment used to x-ray, test and/or otherwise evaluate aircraft engine parts as well as other equipment; and

WHEREAS, the suggestion in the December 4, 2020 letter that the owner may desire to use the Parcel No. 611-0050-0066 for warehouse or general manufacturing purposes would conflict with the goals of the AeroHub Innovation District Master Plan; and

WHEREAS, the Council of the Village of Evendale finds it appropriate to amend the Official Zoning Map of the Village of Evendale to change the zoning from IF-2, Industrial Flex 2 and extend PUD-ID, Innovation District PUD, on the subject Parcel No. 611-0050-0066 to effectuate planning and development goals set forth in the AeroHub Innovation District Master Plan which would be consistent with the zoning now in effect on adjacent properties; now, therefore,

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

SECTION 1: The Official Zoning Map of the Village of Evendale shall be amended to place a PUD-ID, Innovation District PUD zoning designation and remove the IF-2, Industrial Flex-2 zoning designation on the following listed parcel and as illustrated in Exhibit 1:

611-0050-0066

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. The reason for said emergency is to enact zoning regulations to effectuate the planning goals of the Village and the AeroHub Innovation District Master Plan as soon as possible thereby encouraging the redevelopment of property and improving the economy of the Village. Therefore, this ordinance shall become effective immediately.

Approved _____

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: February 9, 2021
Rules Suspended: May 11, 2021
2nd Reading: March 9, 2021
3rd Reading: May 11, 2021
Emergency Section Agreed to: May 11, 2021
Notice of publication: Tri-County Press, May 18, 2021

VILLAGE OF EVENDALE, OHIO
ORDINANCE #21-25

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, 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) Cleanlites Recycling Inc – electronics recycling - \$3,518.60

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 11, 2021

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 11, 2021

Rules Suspended: May 11, 2021

2nd and 3rd Reading: May 11, 2021

Emergency Section Agreed to: May 11, 2021

Notice of Publication: Tri-County Press, May 19, 2021

**VILLAGE OF EVENDALE
ORDINANCE #21-26**

**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, six 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

POOL CONCESSION STAND:	<u>Season</u>	<u>Hourly Pay Rate</u>
Michelle Hirnikel, Assistant Manager	Sp/Su	9.91
Victoria Reedy, Assistant Manager	Sp/ Su	9.16
Zachary Lichtenberg, Assistant Manager	Sp/ Su	9.16

SUMMER CAMP LEADERS:	<u>Season</u>	<u>Hourly Pay Rate</u>
Melody Moonitz	Sp/Su	12.56
Suzanne Bonem	Sp/Su	10.34
Julia Ramsey	Sp/Su	9.34
Scarlett Pommering	Sp/Su	9.34
Lauren Hettinger	Sp/Su	9.34
Caroline Burns	Sp/Su	9.34
Nolan Gardner	Sp/Su	9.16
Olivia Berke	Sp/Su	9.16
John Carmody	Sp/Su	8.80
Clayton Kessler	Sp/Su	8.80
Eileen Fortner	Sp/Su	8.80

SWIM TEAM:	<u>Season</u>	<u>Lump Sum Salary</u>
Debbie Walker, Head Coach	Sp/Su	4450.77*
Jen Schell, Assistant Coach	Sp/Su	3669.53*
Ben Thiss, Assistant Coach	Sp/Su	3324.40*
Ashley Thiss, Assistant Coach	Sp/Su	3148.85*
Theresa Guye, Assistant Coach	Sp/Su	2850.00*

*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.

	<u>Season</u>	<u>Hourly Pay Rate</u>
Madeline Thiss, 6 & Under Coach	Sp/Su	\$10.00*

*In addition, the 6 & Under coach must teach at least ten (10) one-half hour private swim lessons. This coach will receive, in additional compensation, \$10.00 per private swim lesson taught when the 10 private swim lessons have been fulfilled.

SECTION 2: This ordinance is declared to be an emergency by a concurrence of six members of Council, being necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale or to provide for the daily operation of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect because the 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 11, 2021

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 11, 2021

Rules Suspended: May 11, 2021

2nd and 3rd Reading: May 11, 2021

Emergency Section Agreed to: May 11, 2021

Notice of Publication: Tri-County Press, May 19, 2021

**VILLAGE OF EVENDALE
ORDINANCE #21-27**

**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

SUMMER CAMP LEADER:	<u>Season</u>	<u>Hourly Pay Rate</u>
Kyle McDaniel	Sp/Su	8.80
SWIM TEAM:	<u>Season</u>	<u>Lump Sum Salary</u>
Renee Finan, Assistant Coach	Sp/Su	2850.00*

*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.

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 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 11, 2021

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 11, 2021
Rules Suspended: May 11, 2021
2nd and 3rd Reading: May 11, 2021
Emergency Section Agreed to: May 11, 2021
Notice of Publication: Tri-County Press, May 19, 2021

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #21-28**

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

WHEREAS, The Village of Evendale has received bids for the AeroHub Boulevard, Phase 2 Mass Grading 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, six members concurring, that:

SECTION 1: The bid of Kelchner, Inc. for AeroHub Boulevard, Phase 2 Mass Grading Project in the amount of \$598,000.00 is hereby accepted. The Mayor is authorized to enter into a contract with Kelchner, Inc. for this project as the lowest and best bid.

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

420.201.525591 Street Improvement Project \$598,000.00

SECTION 3: This ordinance is declared to be an emergency measure by a concurrence of six 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 perform the grading work as weather permits and for development of the parcels. This ordinance shall be effective upon passage.

Approved May 11, 2021

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: May 11, 2021

Rules Suspended: May 11, 2021

2nd and 3rd Reading: May 11, 2021

Emergency Section Agreed to: May 11, 2021

Notice of Publication: Tri-County Press, May 19, 2021

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #21-29**

**AN ORDINANCE APPROVING AN ADDITIONAL
APPROPRIATION IN THE AEROHUB TIF FUND FOR THE FIRE
BRANCH WATER MAINS INSTALLATIONS AS PART OF THE
AEROHUB PHASE 2 ROADWAY 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 appropriations; and
- WHEREAS,** The private water service to the Landmark Complex is a singular 4” water service tapped at Glendale Milford Road, which services all buildings and private fire hydrants; and
- WHEREAS,** In accordance with the regulations of Cincinnati Water Works, the existing water service must be relocated to a point perpendicular to the proposed public water main of AeroHub Blvd; and
- WHEREAS,** The Cincinnati Water Works current regulations require that the fire branches and hydrants be installed separately from the public water mains: and
- WHEREAS,** The existing 4” water service is insufficient for providing the necessary flow and pressure for fire protection of the existing facilities; and
- WHEREAS,** Funds are available in the AeroHub TIF fund; now, therefore,

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

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

420.201.525591 Street Improvement Project \$340,000.00

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 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 special revenue fund budgets not exceed the appropriation amounts approved by Council and it is in the public interest for the Village to complete the AeroHub Phase 2 Roadway project in order to provide the necessary utility services to the proposed lots of the AeroHub North Subdivision. This ordinance shall be effective upon passage.

Approved May 11, 2021

Mayor, Village of Evendale

Attest:

Village Clerk
Approved as to Form:

Village Law Director

1st Reading: May 11, 2021
Rules Suspended: May 11, 2021
2nd and 3rd Reading: May 11, 2021
Emergency Section Agreed to: May 11, 2021
Notice of Publication: Tri-County Press, May 19, 2021