



VILLAGE OF EVENDALE ADOPTED ORDINANCES AND RESOLUTIONS

The following ordinances and resolutions were opted by the Council of the Village of Evendale at the Special Council Meeting on September 15, 2020

ORD #20-63

ORDINANCE APPROPRIATING FUNDS AND AUTHORIZING MAYOR TO HIRE MATTHEW IMBRONYEV AS A GENERAL LABORER/EQUIPMENT OPERATOR IN THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD #20-64

ORDINANCE CONFIRMING THE RESOLUTION OF TITLE QUESTIONS RELATED TO THE CONVEYANCE OF PROPERTY TO BRAKEFIRE, INC., dba SILCO FIRE & SECURITY AND DECLARING AN EMERGENCY. Unanimously approved

ORD #20-65

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE MUNICIPAL PARKING LOT IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #20-66

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

ORD #20-67

AN ORDINANCE APPROVING A TRANSFER FROM THE AEROHUB TIF FUND TO THE DEBT SERVICE FUND AND DECLARING AN EMERGENCY. Unanimously approved

ORD #20-68

ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF EVENDALE TO EXECUTE A NWQ ELECTRIC SERVICE AGREEMENT RATE AND DECLARING AN EMERGENCY. Unanimously approved

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #20-63**

**ORDINANCE APPROPRIATING FUNDS AND AUTHORIZING
MAYOR TO HIRE MATTHEW IMBRONYEV AS A GENERAL
LABORER/EQUIPMENT OPERATOR IN THE SERVICE
DEPARTMENT AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Evendale Service Department has an immediate need for to hire a new employee as a general laborer/equipment operator in the Service Department; and

WHEREAS, the Mayor has submitted the name of Matthew Imbronyev to fill that position and has fully complied with Section 258 of the Codified Ordinances of the Village of Evendale and has recommended that Village Council authorize the hiring of Mr. Imbronyev, whose employment is authorized by this ordinance; now, therefore,

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

SECTION 1: Mr. Matthew Imbronyev is hereby employed by the Village of Evendale as a General Laborer/Equipment Operator in the Service Department. His starting pay rate shall be \$34.95 per hour (Step 4) and his start date is hereby established as September 28, 2020. As a new employee, Mr. Imbronyev’s employment shall be subject to and conditioned upon compliance with the medical examination requirements of Section 258.032 and the post offer drug screen testing mandated by Section 258.141 of the Evendale Code.

SECTION 2: The following additional appropriation is hereby approved to fund the additional expense related to hiring an additional service employee:

Service Department (201):

210-219	Personnel Expenses	\$31,000.00
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SECTION 3: Mr. Imbronyev shall serve a twelve-month probationary period following his hiring. After completion of that probationary period, if performance is satisfactory, said Mr. Imbronyev shall be made a regular Village of Evendale employee. Thereafter, employment is conditioned upon the employee’s conformance to the Evendale Municipal Code and good behavior.

SECTION 4: 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 so that Mr. Imbronyev can begin work as soon as possible and fulfill the immediate needs of the Service Department for additional help, thereby providing much needed service to the Village of Evendale and its citizens. Therefore, this ordinance shall become effective immediately.

Approved September 15, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 8, 2020
Rules Suspended: September 15, 2020
2nd and 3rd Reading: September 15, 2020
Emergency Section Agreed to: September 15, 2020
Notice of publication: Tri-County Press, September 23, 2020

**VILLAGE OF EVENDALE, OHIO
ORDINANCE 20-64**

**ORDINANCE CONFIRMING THE RESOLUTION OF TITLE QUESTIONS RELATED
TO THE CONVEYANCE OF PROPERTY TO BRAKEFIRE, INC., dba SILCO FIRE &
SECURITY AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to Ordinance #20-52 the Village of Evendale has conveyed to Brakefire, Inc., dba Silco Fire & Security (“Brakefire”) of approximately 5.6 acres consisting of Hamilton County Auditor’s Parcel Nos. 611-0020-0277, 611-0020-0276, 611-0020-0274, 611-0020-0275, 611-0020-0043, 611-0020-0044, 611-0020-0045, 611-0020-0064, and 611-0020-0065; and

WHEREAS, the conveyance of said property to Brakefire will ensure that the company remains in Evendale and that its expansion and additional jobs take place in the Village providing substantial benefits to the Village and its citizens; and

WHEREAS, as a part of the review of the title on the property conveyed, a number of technical issues were noted and title attorneys for both the Village and Brakefire have recommended the adoption of this Ordinance to address those title questions; and

WHEREAS, Council, concurs in that recommendation by the adoption of this ordinance; now therefore

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

SECTION 1: The vesting deed to parcel #611-0020-0276 as recorded in the records of Hamilton County in instrument number 546790 provided in part that the conveyance was “in consideration of the use of the premises as a ‘greenbelt’ area.” The Council of the Village of Evendale hereby authorizes the Mayor to execute a recordable instrument acceptable to Brakefire that quit claims, terminates and releases said “greenbelt” provision.

SECTION 2: A plat over a portion of the property conveyed to Brakefire entitled “Block ‘B’ Evendale Heights Sub’d” recorded in Registered Land Plat Book 56, page 36 contained a reference to a 5-foot greenbelt easement and certain other restrictions. By this Ordinance, the Council of the Village of Evendale authorizes the Mayor to execute a recordable instrument acceptable to Brakefire that quit claims, terminates and releases the 5-foot greenbelt easement depicted on lot 4 of said Registered Land Plat, (parcel No. 0277) and terminates and releases the three restrictions set forth on the plat.

SECTION 3: This Ordinance is declared to be an emergency measure by a concurrence of five members of Council, it being necessary to preserve the safety, health or general welfare of the Village of Evendale. The reason for said emergency is the need to resolve these title issues associated with the transfer of property owned by the Village of Evendale to Brakefire as soon as possible so that the benefits of retaining Brakefire as an important corporate citizen of the Village of Evendale can be achieved. Therefore, this Ordinance shall take be effective immediately.

Approved September 15, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 8, 2020

Rules Suspended: September 15, 2020

2nd and 3rd Reading: September 15, 2020

Emergency Section Agreed to: September 15, 2020

Notice of publication: Tri-County Press, September 23, 2020

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #20-65**

**ORDINANCE AUTHORIZING MAYOR TO ENTER INTO
CONTRACT WITH THE LOWEST AND BEST BIDDER FOR
THE MUNICIPAL PARKING LOT IMPROVEMENTS
PROJECT AND DECLARING AN EMERGENCY**

WHEREAS, The Village of Evendale has received bids for the Municipal Parking Lot Improvements Project after advertising in a newspaper of general circulation in the Village of Evendale for the proscribed two weeks;

WHEREAS, After the bid opening, the apparent low bidder indicated an error in two of the line items of their bid, which would materially affect their bid;

WHEREAS, The Village Engineer acknowledges that these unit prices are an obvious error based upon previous project costs that the Village has received; 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 JK Meurer Corporation is hereby rejected under the provisions of the Project Specifications;

SECTION 2: The bid of Neyra Construction dba Neyra Paving for the Municipal Parking Lot Improvements Project in the amount of \$358,776.00 is hereby accepted. The Mayor is authorized to enter into a contract with Neyra Construction for this project.

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 improvements as weather permits. This ordinance shall be effective upon passage.

Approved September 15, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 8, 2020

Rules Suspended: September 15, 2020

2nd and 3rd Reading: September 15, 2020

Emergency Section Agreed to: September 15, 2020

Notice of publication: Tri-County Press, September 23, 2020

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #20-66**

**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) All Valley Plumbing – install water meter - \$3,000.00
- 2) Bayer Becker – Phase 2 plan - \$17,951.40
- 3) Integra Realty Resources -Appraisal - \$3,250.00

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 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 September 15, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 8, 2020

Rules Suspended: September 15, 2020

2nd and 3rd Reading: September 15, 2020

Emergency Section Agreed to: September 15, 2020

Notice of publication: Tri-County Press, September 23, 2020

VILLAGE OF EVENDALE, OHIO
ORDINANCE #20-67

**AN ORDINANCE APPROVING A TRANSFER FROM THE
AEROHUB TIF FUND TO THE DEBT SERVICE FUND AND
DECLARING AN EMERGENCY**

- WHEREAS,** Pursuant to legislation properly adopted by the Council of the Village of Evendale, certain expenditures will take place that need to be appropriately reflected as an appropriation; and,
- WHEREAS,** The Village received additional premium funds of \$2,300.00 from the issuance of Public Infrastructure Special Obligation Income Tax Revenue Bonds, Series 2020; and
- WHEREAS,** State law requires that premium funds are accounted for in a separate debt service fund and used as soon as possible to pay interest and closing costs on the associated issued debt; and
- WHEREAS,** The Village will need to make the appropriate budget adjustments to adhere to state law accounting requirements related to the generated premium; 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 transferred from the 420 Aerohub TIF Fund:

420.799.599999 transfer out	\$2,300.00
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To the 808 Debt Service Fund:

808.000.419100 Transfer in	\$2,300.00
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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 premium funds must be immediately accounted for in a separate account pursuant to State law. This ordinance shall be effective upon passage.

Approved September 15, 2020

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 8, 2020

Rules Suspended: September 15, 2020

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