



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 September 13, 2022.

ORD. #22-67

ORDINANCE PROMOTING SERGEANT GREG TITGEMEYER TO LIEUTENANT AND; PROMOTING POLICE OFFICERS MARC TERHAR, PETE FAILLACE, AND TYLER TRAME TO SERGEANTS OF THE EVENDALE POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

ORD #22-60

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF EVENDALE BY REZONING PARCEL 611-0040-0079 FROM IF-1 (INDUSTRIAL FLEX-1) TO PUD-ID (INNOVATION DISTRICT PUD), AND REZONING PARCELS 611-0040-0004, 611-0040-0002 AND 611-0040-0049 AND PART OF PARCELS 611-0040-0001 AND 611-0040-0003 FROM PF (PUBLIC FACILITIES) TO PUD-ID (INNOVATION DISTRICT PUD) AND ZONING PARCEL 611-0040-0065 PUD-ID (INNOVATION DISTRICT PUD. (Unanimously Approved)

ORD #22 -64

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

ORD #22-65

AN ORDINANCE APPROVING A TRANSFER FROM THE CONTINGENCY FUND TO THE POOL DEPARTMENT AND DECLARING AN EMERGENCY. (Unanimously Approved)

ORD #22-66

AN ORDINANCE APPROVING AN ADDITIONAL APPROPRIATION IN THE GENERAL FUND FOR THE CAPITAL BUDGET AND DECLARING AN EMERGENCY. (Unanimously Approved)

ORD.# 22-68

ORDINANCE AUTHORIZING THE MAYOR TO HIRE KARA BROWN AS THE PERMANENT PART-TIME ADMINISTRATIVE ASSISTANT FOR THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY (Unanimously Approved)

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-67**

**ORDINANCE PROMOTING SERGEANT GREG
TITGEMEYER TO LIEUTENANT AND; PROMOTING
POLICE OFFICERS MARC TERHAR, PETE FAILLACE,
AND TYLER TRAME TO SERGEANTS OF THE
EVENDALE POLICE DEPARTMENT AND DECLARING
AN EMERGENCY.**

WHEREAS, In compliance with the ordinances of the Village of Evendale, the Mayor and Council have interviewed members of the police department eligible for promotion to the positions of lieutenant and sergeant in the Village of Evendale Police Department and have determined that Greg Titgemeyer, Marc Terhar, Pete Faillace and Tyler Trame are qualified for such promotions; now, therefore,

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

SECTION 1: Sergeant Greg Titgemeyer is hereby promoted to the position of Lieutenant in the Evendale Police Department. The hourly rate for Lieutenant shall be \$46.88 hourly, \$97,510.40 annually based on 2,080 hours of work. Said promotion shall be effective with the effective date of 13 September 2022. The permanent promotion of Greg Titgemeyer 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 certifications for such position, compliance with minimum required physical standards and conformance to the Evendale Municipal Code and good behavior.

SECTION 2: Police officers Marc Terhar, Pete Faillace, and Tyler Trame are hereby promoted to the position of Sergeant in the Evendale Police Department. The hourly rate for Sergeant shall be \$43.88 hourly, \$91,270.40 annually based on 2,080 hours of work. Said promotion shall be effective with the effective date of 13 September 2022. The permanent promotions of Marc Terhar, Pete Faillace and Tyler Trame are 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 certifications for such position, compliance with minimum required physical standards and conformance to the Evendale Municipal Code and good behavior.

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

Approved September 13, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 13, 2022
Rules Suspended: September 13, 2022
2nd Reading September 13, 2022
3rd Reading: September 13, 2022
Emergency Section Agreed to: September 13, 2022
Notice of publication: Cincinnati Court Index, September 20, 2022

**VILLAGE OF EVENDALE
ORDINANCE #22-60**

**ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF
EVENDALE BY REZONING PARCEL 611-0040-0079
FROM IF-1 (INDUSTRIAL FLEX-1) TO PUD-ID (INNOVATION DISTRICT PUD), AND
REZONING PARCELS
611-0040-0004, 611-0040-0002 AND 611-0040-0049 AND PART OF PARCELS 611-0040-
0001 AND 611-0040-0003 FROM PF (PUBLIC FACILITIES) TO PUD-ID (INNOVATION
DISTRICT PUD) AND ZONING PARCEL 611-0040-0065 PUD-ID (INNOVATION
DISTRICT PUD)**

WHEREAS, the Village of Evendale has adopted the “AeroHub Innovation District Master Plan”; and

WHEREAS, in support of AeroHub, Evendale has already spent over ten million dollars to acquire property and develop roads and other infrastructure in support of creating a high-tech, low environmental impact, industrial park in conformance with the AeroHub Innovation District Master Plan. That new infrastructure already includes significant roadway improvements, water lines and drainage improvements and has attracted Kinetic Vision to relocate its headquarters, innovative research and development operation to AeroHub and is currently well into its construction; and

WHEREAS, Evendale staff initially recommended to the Planning Commission, that all of the remaining Landmark property in Evendale and all of the St. Rita’s property owned by the Archbishop of Cincinnati as Trustee be rezoned from either IF-1 (Industrial Flex 1) or PF (Public Facilities) to PUD-ID (Innovation District); and

WHEREAS, the Planning Commission initially delayed consideration of this matter from its meeting on April 19, 2022 to its meeting on May 17, 2022 at which time the Commission conducted a public hearing at which the Commission heard from legal counsel for both property owners and from others voicing concerns about the rezoning as proposed; and

WHEREAS, in order to accommodate the requests of the property owners to not impose limitations on the major buildings on their properties by making them subject to the limitations of legal but nonconforming uses, the Planning Commission staff subsequently recommended to the Commission the more limited rezoning provided for in this Ordinance; and

WHEREAS, a significant portion of the Landmark property containing the worship center, school building and gymnasium will remain zoned PF. Similarly, on the St. Rita’s/Archbishop site, the St. Rita school building, as well as two buildings to the east, will remain zoned PF; and

WHEREAS, the Planning Commission considered the revised recommendation from the Planning staff and heard again from counsel for both property owners on June 21, 2022; and

WHEREAS, the Planning Commission recommended at that June 21, 2022 meeting the adoption of the zone changes provided for in this Ordinance; and

WHEREAS, Village Council advertised for, and provided the proper public notice and held a public hearing on the Commission’s recommendation at its meeting on August 9, 2022; and

WHEREAS, the Council of the Village of Evendale finds it appropriate to amend the official zoning map of the Village of Evendale as provided for by this Ordinance; now therefore,

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

SECTION 1: The official map of the Village of Evendale shall be amended as follows as depicted on Exhibit 1 attached hereto and incorporated by reference herein, specifically:

Parcel 611-0040-0079 shall be rezoned from IF-1 (Industrial Flex-1) to PUD-ID (Innovation District PUD);

Parcels 611-0040-0002, 622-0040-0004 and 611-0040-0049 shall be rezoned from PF (Public Facilities) to PUD-ID (Innovation District);

Parcel 611-0040-0065, for which no zoning was previously depicted on the Official Zoning Map is hereby zoned PUD-ID (Innovation District);

Portions of parcels 611-0040-0001 and 611-0040-0003 shall be rezoned from PF (Public Facilities) to PUD-ID (Innovation District). A legal description of the portions of parcels 611-0040-0001 and 611-0040-0003 which shall remain zoned PF (Public Facilities) is Exhibit 2 attached hereto and incorporated by reference herein. The remainder of those two parcels not within that legal description are, by the attached ordinance, rezoned to PUD-ID (Innovation District).

Parcels 611-0050-0001 and 611-0040-0075 are unaffected by this Ordinance and shall remain zoned PF (Public Facilities) as shall those portions of parcels 611-0040-0001 and 611-0040-0003 included within the legal description attached as Exhibit 2.

SECTION 2: This Ordinance shall take effect and be enforced from the earliest date allowed by law.

Approved September 13, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 9, 2022

Rules Suspended: September 13, 2022

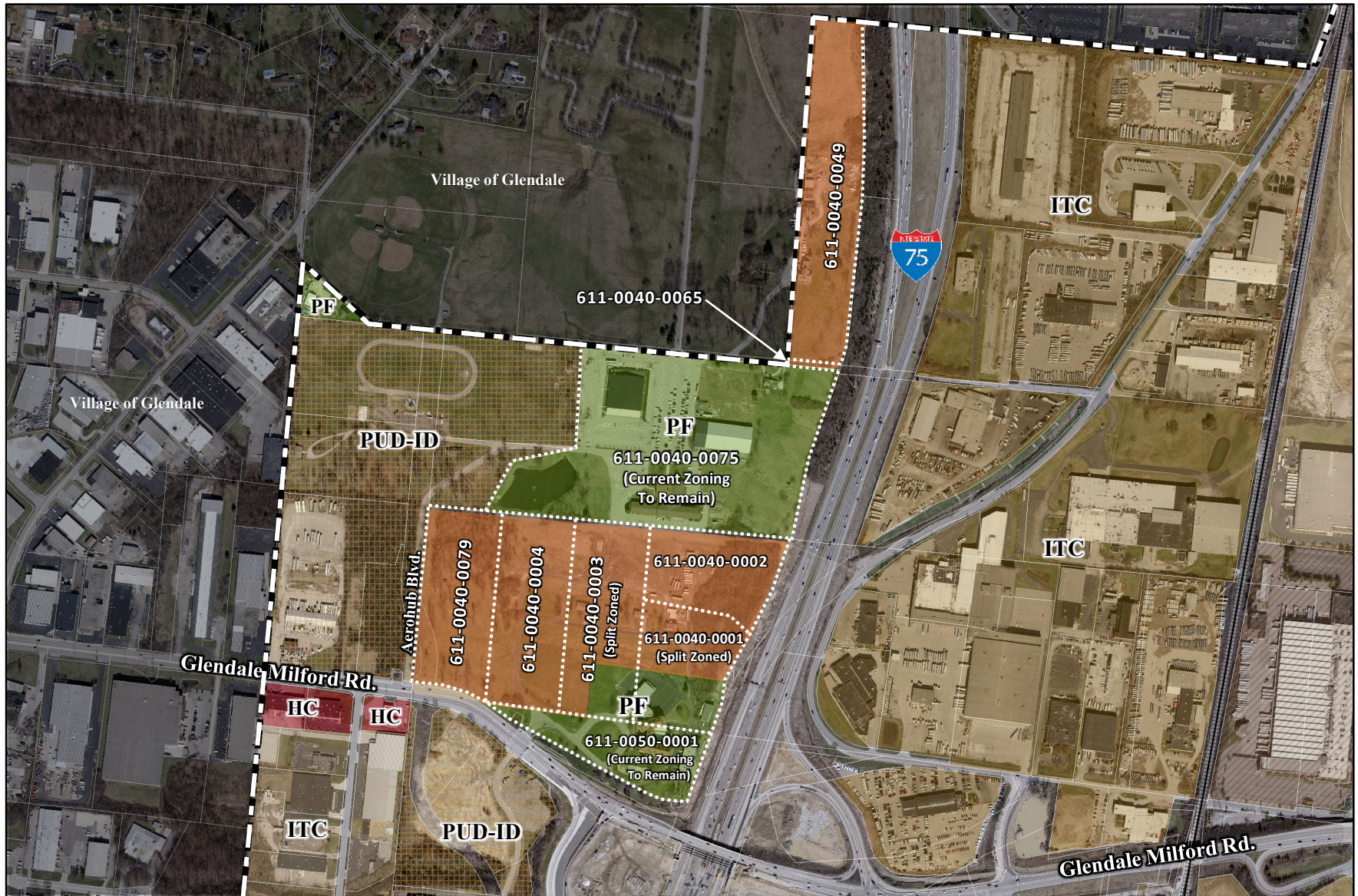
2nd Reading September 13, 2022

3rd Reading: September 13, 2022


Emergency Section Agreed to: September 13, 2022

Notice of publication: Cincinnati Court Index, September 20, 2022

EXHIBIT 1



CASE NO. EDB22-01 – ZONING MAP AMENDMENT

 - Parcels to be rezoned

VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-64

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) G. Robert Hines –Legal Work - \$7,160.00
- 2) Mike Hensley’s Plumbing – Septic system - \$5,000.00

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 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 13, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 13, 2022

Rules Suspended: September 13, 2022

2nd Reading September 13, 2022

3rd Reading: September 13, 2022

Emergency Section Agreed to: September 13, 2022

Notice of publication: Cincinnati Court Index, September 20, 2022

VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-65

**AN ORDINANCE APPROVING A TRANSFER FROM THE
CONTINGENCY FUND TO THE POOL DEPARTMENT AND
DECLARING AN EMERGENCY**

- WHEREAS,** Pursuant to legislation properly adopted by the Council of the Village of Evendale, certain expenditures will take place that need to be appropriately reflected as an appropriation; and,
- WHEREAS,** Additional funds are needed for the repair, sandblasting and painting of the pool; and
- WHEREAS,** Funding is available in the contingency line item to supplement the funds necessary; now

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

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

101.799.579900 Contingency	\$ 25,000.00
----------------------------	--------------

To the 304 Pool Department:

101.304.525211 Capital Improvement	\$ 25,000.00
------------------------------------	--------------

SECTION 2: These appropriated funds are authorized to be expended for repair, sandblasting and painting of the pool.

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 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 have the pool properly maintained for use. This ordinance shall be effective upon passage.

Approved September 13, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 13, 2022

Rules Suspended: September 13, 2022

2nd Reading September 13, 2022

3rd Reading: September 13, 2022

Emergency Section Agreed to: September 13, 2022

Notice of publication: Cincinnati Court Index, September 20, 2022

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-66**

**AN ORDINANCE APPROVING AN ADDITIONAL
APPROPRIATION IN THE GENERAL FUND FOR THE CAPITAL
BUDGET 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 Recreation Center roof project will require funds beyond the original amount appropriated by Council to complete all aspects of the project; and

WHEREAS, Funds are available in the General 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 sum is appropriated from the unappropriated General Fund (101) to the following line:

101.705.525211 Capital Improvements \$55,000.00

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 Recreation Center roof to be repaired and or replaced. This ordinance shall be effective upon passage.

Approved September 13, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 13, 2022

Rules Suspended: September 13, 2022

2nd Reading September 13, 2022

3rd Reading: September 13, 2022

Emergency Section Agreed to: September 13, 2022

Notice of publication: Cincinnati Court Index, September 20, 2022

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #22-68**

**ORDINANCE AUTHORIZING THE MAYOR TO HIRE
KARA BROWN AS THE PART-TIME ADMINISTRATIVE
ASSISTANT FOR THE FIRE DEPARTMENT AND
DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Evendale has enacted Chapter 258 of the Codified Ordinances of the Village of Evendale, requiring authorization by Council for the Mayor to hire a part-time employee; and,

WHEREAS, the Mayor has recommended the hiring of Kara Brown as a part-time administrative assistant for the Fire Department; and,

WHEREAS, the Mayor and the administration has fully complied with Chapter 258 of the Codified Ordinances of the Village of Evendale; now

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

SECTION 1: The following person may be employed, effective September 12, 2022, by the Mayor of the Village of Evendale as a part-time administrative assistant for the Village Fire Department at an hourly rate established below:

Kara Brown: Hourly Pay: \$24.12

SECTION 2: This ordinance is hereby declared to be an emergency measure by a concurrence of six members of the Village Council. The reason for said emergency is to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operations of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect in order to ensure that the Village Fire Department has the staffing necessary to provide for and to perform its critical functions to the Village and its citizens. Therefore, this ordinance shall be effective upon passage.

Approved September 13, 2022

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: September 13, 2022

Rules Suspended: September 13, 2022

2nd Reading: September 13, 2022

3rd Reading: September 13, 2022

Emergency Section Agreed to: September 13, 2022

Notice of publication: Cincinnati Court Index, September 20, 2022