

**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 October 13th, 2015.

ORD. #15-55B
ORDINANCE UPHOLDING THE DECISION OF THE BOARD OF ZONING APPEALS DENYING A VARIANCE FROM THE TWO-ACRE MINIMUM LOT SIZE REQUIREMENT FOR THE PROPERTY AT 10825 READING ROAD (PID 611-30-15) OWNED BY ROBERT S. BROWN, TRUSTEE

ORD. #15-51
AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILITY OF FUNDS AND DECLARING AN EMERGENCY

ORD. #15-52
AN ORDINANCE APPROVING AN ADDITIONAL APPROPRIATION IN THE LAW ENFORCEMENT TRUST FUND AND THE DRUG LAW FUND TO ACQUIRE FORENSIC SOFTWARE AND DECLARING AN EMERGENCY.

ORD. #15-53
ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE HAMILTON COUNTY BOARD OF COMMISSIONERS FOR THE MAINTENANCE AND REPAIR OF FIRE HYDRANTS WITHIN THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY

ORD. #15-54
ORDINANCE AUTHORIZING THE RECREATION DIRECTOR TO TRANSFER AND DONATE TO THE HAMILTON COUNTY AGRICULTURAL SOCIETY THREE NO-LONGER-USED INFLATABLES AND TWO BLOWERS AND DECLARING AN EMERGENCY

ORD. #15-56
ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO APPROPRIATE FUNDS FOR INCOME TAX REFUNDS IN THE EARNINGS TAX DEPARTMENT AND DECLARING AN EMERGENCY.

ORD. #15-57
ORDINANCE AUTHORIZING AN APPROPRIATION FROM THE CAPITAL FUND FOR ENGINEERING SERVICES FOR THE READING ROAD PROJECT AND DECLARING AN EMERGENCY

ORD. #15-58

ORDINANCE AGREEING TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND ITS DIRECTOR IN THE REPAIR AND RESURFACING OF READING ROAD (US-42) FROM INWOOD DRIVE TO THE NORTHERN CORPORATE LIMITS OF THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY

RES. #15-06

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

RES. #15-07

A RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF EVENDALE THROUGH ITS VILLAGE COUNCIL TO APPROPRIATE TO PUBLIC USE ALL RIGHT, TITLE AND INTEREST IN REAL PROPERTY NECESSARY FOR THE CREATION OF A TURN LANE AT THE SOUTHWEST CORNER OF GLENDALE-MILFORD ROAD AND PLAINFIELD ROAD TO IMPROVE TRAFFIC FLOW AND PROMOTE THE SAFETY OF THE PUBLIC AND DECLARING AN EMERGENCY

RES. #15-08

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO AND GOLD MEDAL PRODUCTS CO. ("GOLD MEDAL") 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

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #15-55B**

**ORDINANCE UPHOLDING THE DECISION
OF THE BOARD OF ZONING APPEALS
DENYING A VARIANCE FROM THE TWO-
ACRE MINIMUM LOT SIZE
REQUIREMENT FOR THE PROPERTY AT
10825 READING ROAD (PID 611-30-15)
OWNED BY ROBERT S. BROWN, TRUSTEE**

WHEREAS, On June 23, 2015, Sean Suder, Esq. submitted to the Board of Zoning Appeals (“BZA”) a request for a variance from Evendale Zoning Code (“EZC”) Schedule 1248.07 for the property at 10825 Reading Road (PID 611-30-15, hereinafter “subject property”); and

WHEREAS, The variance requested from EZC Schedule 1248.07 is to allow a lot split which would result in one vacant lot of 2.689 acres and one developed lot of 1.06 acres upon which an auto parts retail store is located; and

WHEREAS, The EZC requires parcels in the “HC” Heavy Commercial District to be a minimum of two acres in area per Schedule 1248.07; and

WHEREAS, The Evendale BZA unanimously denied the requested variance on August 3, 2015; and

WHEREAS, The Applicant appealed the BZA’s decision to Village Council; and

WHEREAS, The Village Council held a public hearing on the requested variance as required by EZC § 1284.06; and

WHEREAS, The Village Council has reviewed the standards of EZC § 1284.05(c), standards for variances, and considered the requested variance under those standards; and

WHEREAS, The Village Council finds that the requested variance, at almost 50% of the required lot size, is substantial, that the spirit and intent of the Zoning Code would not be observed and substantial justice would not be done by granting the variance, the property owner purchased the property knowing the limitation, and the property owner’s request is based solely on a desire to sell the proposed 1.06 acre lot according to the potential buyer’s preference in terms of lot size; and

WHEREAS, The Village Council finds that the requested variance does not meet the standards of EZC § 1284.05(c), is not in the public interest nor is it consistent with the general intent of the Zoning Code; now, therefore:

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

SECTION I: The decision of the Board of Zoning Appeals is upheld and the requested variance from the minimum lot size requirement of EZC Schedule 1248.07 in the “HC” Heavy Commercial District is hereby denied.

SECTION II: This ordinance shall take effect and be in force from the earliest date allowed by law.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015

Rules Suspended: Octo October 13th

2nd and 3rd Reading: October 13th, 2015

Notice of publication: Tri-County Press, October 21st, 2105

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #15-51**

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) Innovative Concrete and Utility Construction, LLC -- \$47,736.00 for Repairs to Glendale Milford Road at Cunningham Drive.
- 2) University of Cincinnati Research Institute -- \$5,000.00 for Aerospace R&D Project all phases Evendale portion.
- 3) Ragnasoft Incorporated -- \$4,044.00 for renewal of Planit time tracking software.
- 4) Commercial Fitness Solutions -- \$4,490.00 Treadmill Police workout room
- 5) Vickerman Company -- \$3,000.00 for Village holiday lights.

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 October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: September 8th, 2105

Rules Suspended:

2nd Reading: October 13th, 2105

3rd Reading: November 17th, 2015

Notice of publication: Tri-County Press, November 25th, 2105

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #15-52**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN
THE LAW ENFORCEMENT TRUST FUND AND THE DRUG LAW
FUND TO ACQUIRE FORENSIC SOFTWARE 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 Police department would like to obtain equipment which will allow for forensic analysis of mobile devices and computers: and

WHEREAS, Using both the Law Enforcement Trust Fund and the Drug Law Fund will allow for sufficient funds to procure the equipment; and

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 Law Enforcement Trust Fund (208) and the Drug Law Fund (209) to the following objects:

Law Enforcement Trust Fund (208)	
250-259 Capital Purchased	\$7,350.00
Drug Law Fund (209)	
250-259 Capital Purchased	\$3,734.00

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 departmental budgets not exceed the appropriation amounts approved by Council and it is in the public interest to have the ability to forensically analyze mobile devices and computers as soon as possible. This ordinance shall be effective upon passage.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015

Rules Suspended: October 13th

2nd and 3rd Reading: October 13th, 2015

Emergency Section Agreed to: October 13th, 2015

Notice of publication: Tri-County Press, October 21st, 2105

**VILLAGE OF EVENDALE
ORDINANCE #15-53**

**ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH THE HAMILTON COUNTY BOARD OF
COMMISSIONERS FOR THE MAINTENANCE AND REPAIR OF FIRE
HYDRANTS WITHIN THE VILLAGE OF EVENDALE AND DECLARING AN
EMERGENCY**

- WHEREAS,** From time to time, fire hydrants in the Village of Evendale are in need of repair and maintenance; and
- WHEREAS,** Hamilton County’s Department of Planning and Development’s Field Operations personnel have the expertise to perform such work on an as-needed basis; and
- WHEREAS,** The Fire Chief of the Village of Evendale has recommended the proposed agreement between the Hamilton County Board of Commissioners and the Village of Evendale.
- WHEREAS,** The Council of the Village of Evendale finds the proposed agreement between the Board of County Commissioners of Hamilton County, Ohio and the Village of Evendale to be an appropriate and beneficial means of fulfilling this need; now,

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

SECTION 1: The Mayor is hereby authorized to execute on behalf of the Village of Evendale the attached agreement between the Board of County Commissioners, Hamilton County, Ohio, and the Village of Evendale, in order to provide for the repair and maintenance of fire hydrants within the Village of Evendale.

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. The reason for said emergency is the requirement to maintain fire hydrants within the Village of Evendale on an immediate and ongoing basis in order to ensure that hydrants are ready and available for use by the Fire Department when needed. Therefore, this ordinance shall become effective immediately.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015
Rules Suspended: Octo October 13th
2nd and 3rd Reading: October 13th, 2015
Emergency Section Agreed to: October 13th, 2015
Notice of publication: Tri-County Press, October 21st, 2105

**VILLAGE OF EVENDALE
ORDINANCE #15-54**

**ORDINANCE AUTHORIZING THE RECREATION DIRECTOR TO
TRANSFER AND DONATE TO THE HAMILTON COUNTY
AGRICULTURAL SOCIETY THREE NO-LONGER-USED
INFLATABLES AND TWO BLOWERS AND DECLARING AN
EMERGENCY**

WHEREAS, The Village of Evendale Recreation Department has in its possession three inflatables which have been previously used for Village recreational activities; and

WHEREAS, It has been determined by the Recreation Department that these inflatables and the two blowers associated with them are no longer needed for Village purposes; and

WHEREAS, An attempt to sell the inflatables on the Hamilton County Internet sale site failed to draw any bidders; and

WHEREAS, The Hamilton County Agricultural Society, which operates the Hamilton County Fair, has expressed an interest in the inflatables and two associated blowers; and

WHEREAS, The Recreation Department reports that it would prefer to give the blowers and inflatables to a public non-profit entity such as the Hamilton County Agricultural Society and eliminate the need to store the materials on Village property, taking up space that could be otherwise used; now,

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

SECTION 1: The Recreation Department is authorized to transfer to the Hamilton County Agricultural Society three inflatables, along with two blowers, such items being identified as:

- 1) Cameron the Caterpillar with two high output multi-speed blowers;
- 2) Balloon Typhoon; and
- 3) Bounce House.

Provided, however, that before any transfer of these items to the Hamilton County Agricultural Society can take place, the Hamilton County Agricultural Society must sign a release that is accepting the materials in an as-is condition, understanding that the Village provides no warranties or guarantees about the fitness of the materials and the Hamilton County Agricultural

Society fully releases the Village of Evendale and its personnel from any and all liabilities associated with the future use of these items.

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. The reason for said emergency is the immediate need to clear out the space used for storing these materials so that it may be used for ongoing public purposes of the Recreation Department. Therefore, this ordinance shall become effective immediately.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015

Rules Suspended: October 13th

2nd and 3rd Reading: October 13th, 2015

Emergency Section Agreed to: October 13th, 2015

Notice of publication: Tri-County Press, October 21st, 2105

VILLAGE OF EVENDALE, OHIO
ORDINANCE #15-56

ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO APPROPRIATE FUNDS FOR INCOME TAX REFUNDS IN THE EARNINGS TAX 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 appropriations; and
- WHEREAS,** Income tax refunds are anticipated to exceed initial appropriated funds; and
- WHEREAS,** Funding is available in the contingency line item to supplement the tax refund account; and
- WHEREAS,** The tax department requires funding be available for these various expenses; now, therefore,

BE IT 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	\$31,300
----------------	----------

To the 750 earnings tax department:

260-290 Refunds	\$31,300
-----------------	----------

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 operations of a department or office of the Village of Evendale. It is necessary that this measure be put into effect immediately because the public welfare and daily operations of the Village require that line items within departmental budgets not exceed the appropriation amounts approved by Council and it is in the public interest to provide funds for income tax refunds as required by law. This ordinance shall be effective upon passage.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015
Rules Suspended: Octo October 13th
2nd and 3rd Reading: October 13th, 2015
Emergency Section Agreed to: October 13th, 2015
Notice of publication: Tri-County Press, October 21st, 2105

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #15-57**

**ORDINANCE AUTHORIZING AN APPROPRIATION FROM
THE CAPITAL FUND FOR ENGINEERING SERVICES FOR
THE READING ROAD PROJECT AND DECLARING AN
EMERGENCY**

WHEREAS, The Village of Evendale has received a grant from OKI for Reading Road improvements to occur in 2016; and

WHEREAS, The Village of Evendale must submit plans and specifications to ODOT prior to the end of calendar year 2015; and

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

SECTION 1: The following sums are appropriated from the unappropriated Capital Improvement Fund to the following objects:

400.201.525590 Street improvements engineering	\$45,000.00
--	-------------

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 work be executed as soon as possible in order to meet the deadline required by the granting agency. This ordinance shall be effective upon passage.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015
Rules Suspended: October 13th
2nd and 3rd Reading: October 13th, 2015
Emergency Section Agreed to: October 13th, 2015
Notice of publication: Tri-County Press, October 21st, 2105

**VILLAGE OF EVENDALE
ORDINANCE #15-58**

**ORDINANCE AGREEING TO COOPERATE WITH THE OHIO
DEPARTMENT OF TRANSPORTATION AND ITS DIRECTOR IN THE
REPAIR AND RESURFACING OF READING ROAD (US-42) FROM
INWOOD DRIVE TO THE NORTHERN CORPORATE LIMITS OF THE
VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY**

WHEREAS, The Village of Evendale (the local public agency, aka LPA), has determined that there is a need for the project described as:

Repair and Resurfacing of Reading Road (US-42)
from Inwood Drive to the Northern Village Corp. Line
(north of McSwain Drive).

Also included is driveway reconstruction, drainage improvements, replacement of existing and deteriorating concrete sidewalk, replacement of curb and application of new pavement markings; now,

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

SECTION 1: It being in the public interest, the Village of Evendale gives consent to the Director of Transportation of the State of Ohio to complete the above-described project.

SECTION 2: The Village of Evendale shall cooperate with the Director of Transportation in the above-described project as follows:

a) The Village of Evendale agrees to participate in the cost of the project. The Village of Evendale will be responsible for 100% of the PE and right-of-way phases, plus the non-federal share of the construction phase.

b) The Village of Evendale further agrees to pay 100% of the cost of those features requested by the Village of Evendale which are determined by the State and Federal Highway Administration to be unnecessary for the project.

c) The Village of Evendale further agrees the change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The state shall not approve a change order or extra work contract until it first gives notice, in writing, to the Village of Evendale. The Village of Evendale shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION 3: The Village of Evendale agrees to acquire and/or make available to the Ohio Department of Transportation, in accordance with current state and federal regulations, all necessary right-of-way required for the described project. The Village of Evendale also understands that right-of-way includes eligible utility costs.

The Village of Evendale agrees to be responsible for all utility accommodate, relocation and reimbursement and agrees that such accommodation, relocations and reimbursements shall comply with current provisions of 23 CFR 645 and the Ohio Department of Transportation Utilities Manual.

SECTION 4: Upon completion of the project, and unless otherwise agreed, the Village of Evendale shall:

- 1) Provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116;
- 2) Provide ample financial resources, as necessary, for the maintenance of the project;
- 3) Maintain the right-of-way, keeping it free of obstructions; and
- 4) Hold said right-of-way inviolate for public highway purposes.

SECTION 5: The Mayor of the Village of Evendale is hereby empowered on behalf of the Village of Evendale to enter into contracts with the Ohio Department of Transportation – Pre-Qualified Consultants, for the preliminary engineering phase of the project and to enter into contracts with the Director of Transportation which are necessary to complete the above-described project.

Upon request of the Ohio Department of Transportation, the Mayor of the Village of Evendale is also empowered to assign all rights, title, and interests of the Village of Evendale to the Ohio Department of Transportation arising from any agreement with its consultant in order to allow the Ohio Department of Transportation to direct additional or corrective work, recover damages to errors or omissions, and to exercise all other contractual rights and remedies, afforded by law or equity.

The Village of Evendale agrees that if federal funds are to be used to pay the cost of any consultant contract, the Village of Evendale shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further, the Village of Evendale agrees to incorporate the Ohio Department of Transportation’s “specifications for consulting services” as a contract document in all of its consultant contracts. The Village of Evendale agreed to require, as a scope of services clause, that all plans prepared by the consultant must conform to the Ohio Department of Transportation’s current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the project. The Village of Evendale agrees to include a completion schedule acceptable to the Ohio Department of Transportation and to assist the Ohio Department of Transportation in rating the consultant’s performance through ODOT’s consultant evaluation system.

SECTION 6: 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. The reason for said emergency is to expedite the highway project described herein to promote highway safety and the safety of the public which use the highway. Therefore, this ordinance shall become effective immediately.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015

Rules Suspended: October 13th

2nd and 3rd Reading: October 13th, 2015

Emergency Section Agreed to: October 13th, 2015

Notice of publication: Tri-County Press, October 21st, 2105

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR**

Village Council

Rev. Code, Secs. 5705.34

The Council of the Village of _____, Hamilton County,
Ohio, met in _____ session on the _____ day of _____,
20____, at the office of _____
with the following members present: _____

_____ moved the adoption of the following Resolution:

WHERE AS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 20 ____ ; and

WHERE AS, The Budget Commission of Hamilton County, Ohio, has certified its action Thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without, and what part within the ten-mill limitation; therefore be it

RESOLVED, By the Council of the Village of _____ Hamilton County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A
SUMMARY OF THE AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY THE BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

	Amount Approved by Budget Com- mission Inside 10M Limitation	Amount to be Derived from Levies Outside 10M Limitation	Tangible P.P. & P.U.P.P. State Reimbursements	Gross Levy Proceeds	County Auditor's Estimate of the Tax Rate to be Levied		
					Outside	Inside	TOTAL
GENERAL FUND	0	0	0	0	0.00	0.00	0.00
BOND	0	0	0	0	0.00	0.00	0.00
PENSION	0	0	0	0	0.00	0.00	0.00
FIRE PENSION	0	0	0	0	0.00	0.00	0.00
X6	0	0	0	0	0.00	0.00	0.00
X5	0	0	0	0	0.00	0.00	0.00
X4	0	0	0	0	0.00	0.00	0.00
X3	0	0	0	0	0.00	0.00	0.00
X2	0	0	0	0	0.00	0.00	0.00
X1	0	0	0	0	0.00	0.00	0.00
NEW	0	0	0	0	0.00	0.00	0.00
TOTAL	0	0	0	0	0.00	0.00	0.00

**SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

CURRENT EXPENSE LEVIES	PERIOD OF TIME	Mills	Fiscal Year
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
TOTAL		0.00	0
PENSION			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Proposed	0	0.00	0
TOTAL		0.00	0
FIRE PENSION			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Election Date	0	0.00	0
TOTAL		0.00	0
X6			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Enter Date of Election	0	0.00	0
TOTAL		0.00	0
X5			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Enter Date of Election	0	0.00	0
TOTAL		0.00	0

and be it further

RESOLVED, That the Clerk of this Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of Hamilton County.

_____ Seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____	,	_____
_____	,	_____
_____	,	_____
_____	,	_____
_____	,	_____
_____	,	_____
_____	,	_____

Adopted the _____ day of _____, 20_____

Attest:

President of Council

Clerk of Council

CERTIFICATE TO COPY

ORIGINAL ON FILE

THE STATE OF OHIO, HAMILTON COUNTY,

I, _____, Clerk of Council of the Village of
_____, within and for said County, and in whose custody the
files and records of said Council are required by the laws of the State of Ohio to be kept, do hereby
certify that the foregoing is taken and copied from the original _____

_____ now on file, that the foregoing has been compared by me with said original document, and that the
same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20 _____

Clerk of Council

1. A copy of this resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals.

Receipt

Adopted _____ 20 _____

Clerk of Council

Filed _____ 20 _____

Dusty Rhodes, Hamilton County Auditor

By: Deputy

**VILLAGE OF EVENDALE, OHIO
RESOLUTION #15-08**

**A RESOLUTION CONSENTING TO THE
EXECUTION OF AN AGREEMENT BETWEEN
THE BOARD OF COUNTY COMMISSIONERS OF
HAMILTON COUNTY, OHIO AND GOLD MEDAL
PRODUCTS CO. (“GOLD MEDAL”) 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, GOLD MEDAL now proposes a project which will create investment and employment opportunities in the Village of Evendale; and

WHEREAS, GOLD MEDAL has proposed a project which will involve an investment of approximately Four Million One Hundred Thousand Dollars (\$4,100,000.00); and the creation of thirty (30) new jobs over the next three years; and

WHEREAS, The Council of the Village of Evendale has reviewed the proposed project and is of the opinion that GOLD MEDAL 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 GOLD MEDAL, 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 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 so the Board of County Commissioners may promptly proceed to enter into the Agreement with GOLD MEDAL and the benefits of such agreement be obtained as promptly as possible. This resolution shall be effective upon passage.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015

Rules Suspended: October 13th

2nd and 3rd Reading: October 13th, 2015

Emergency Section Agreed to: October 13th, 2015

Notice of publication: Tri-County Press, October 21st, 2105

**VILLAGE OF EVENDALE, OHIO
RESOLUTION #15-07**

**A RESOLUTION DECLARING THE INTENT OF
THE VILLAGE OF EVENDALE THROUGH ITS
VILLAGE COUNCIL TO APPROPRIATE TO
PUBLIC USE ALL RIGHT, TITLE AND INTEREST
IN REAL PROPERTY NECESSARY FOR THE
CREATION OF A TURN LANE AT THE
SOUTHWEST CORNER OF GLENDALE-
MILFORD ROAD AND PLAINFIELD ROAD TO
IMPROVE TRAFFIC FLOW AND PROMOTE THE
SAFETY OF THE PUBLIC AND DECLARING AN
EMERGENCY**

WHEREAS, The Village of Evendale is desirous of creating a turn lane on Glendale-Milford Road at the southwest corner of Glendale-Milford Road and Plainfield Road; and

WHEREAS, Such turn lane would promote the movement of traffic and the safety of the motoring public within the Village of Evendale; and

WHEREAS, In order to construct that turn lane, it is necessary for the Village of Evendale to acquire portions of property that are currently privately owned; and

WHEREAS, Exhibit A, attached hereto and incorporated by reference herein, describes property currently owned by Stonemor, Ohio, LLC; while Stonemor Ohio, LLC has indicate a willingness to cooperate with the Village of Evendale, it is necessary to proceed with the acquisition of the property now in order for the turn lane to be constructed as soon as possible;

WHEREAS, Exhibit B, attached hereto and incorporated by reference herein, describes property currently owned by Rest Haven Memorial Park, Inc. Rest Haven Memorial Park has indicated a willingness to donate the property described on Exhibit A for the purpose of accomplishing the completion of the turn lane;

NOW THEREFORE, BE IT RESOLVED by the Village Council of the Village of Evendale, Hamilton County, Ohio, six members concurring, that:

SECTION I It is necessary for the public welfare of the Village of Evendale to construct a turn lane on Glendale-Milford Road at the southwest corner of Glendale-Milford Road and Plainfield Road. In order to promote the interest and safety of the motoring public and improve traffic flow through and in the Village of Evendale. Therefore, it is necessary to acquire the real estate described in this ordinance in order to accomplish this public purpose.

SECTION II The property to be appropriated includes the real estate more fully described on **Exhibit A** currently owned by Stonemor Ohio, LLC, it being necessary for highway improvement purposes.

Also described on the records of the Hamilton County Auditor as a portion of Parcel No. 611-70-76.

SECTION III That the property to be appropriated also includes the real property more fully described on **Exhibit B**, currently owned by Rest Haven Memorial Park, Inc., being necessary for highway improvement purposes.

Being also known on the records of the Hamilton County Auditor as a portion of Parcel No. 611-70-19.

SECTION IV It is hereby ordered and directed that the Clerk of Council shall service as required by law upon the owners of the real estate described in the preceding Sections I through III.

SECTION V This resolution is hereby declared to be an emergency measure and shall be enforced and in effect from and after its passage. The reason for said emergency lies in the fact that the same is necessary for the immediate preservation of the public peace, health, safety and welfare and in order to secure to the Village of Evendale and its citizens, the highway improvement project described in this Resolution and the benefits thereof, as more fully described in the preceding Whereas clauses. Therefore, this Resolution shall become effective immediately.

Approved October 13th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: October 13th, 2015

Rules Suspended: October 13th

2nd and 3rd Reading: October 13th, 2015

Emergency Section Agreed to: October 13th, 2015

Notice of publication: Tri-County Press, October 21st, 2105