

**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 April 14<sup>th</sup>, 2015.

ORD. #15-23

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND CONVEY AN EASEMENT FOR UTILITY PURPOSES TO CINCINNATI BELL TELEPHONE AND DECLARING AN EMERGENCY

ORD. #15-24

ORDINANCE CONSENTING TO AND COOPERATING WITH THE OHIO DEPARTMENT OF TRANSPORTATION IN THE COMPLETION OF THE THROUGH THE VALLEY PROJECT AND DECLARING AN EMERGENCY.

ORD. #15-25

ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO APPROPRIATE FUNDS FOR ADDITIONAL UNBUDGETED EXPENSES IN THE ADMINISTRATIVE DEPARTMENT.

ORD. #15-26

ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO APPROPRIATE FUNDS FOR DEMOLITION OF THE FEIBELMAN PROPERTY IN THE BUILDING MAINTENANCE DEPARTMENT.

ORD. #15-27

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE 2015 STREET IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

ORD. #15-28

AN ORDINANCE APPROVING AN ADDITIONAL APPROPRIATION IN THE MUNICIPAL MOTOR VEHICLE FUND TO COVER IBI GROUP CONTRACT COSTS FOR INITIAL THROUGH THE VALLEY CONCEPT DESIGN AND DECLARING AN EMERGENCY.

ORD. #15-29

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PROVIDE ELECTRICAL GENERATION SUPPLY AND RELATED SERVICES BY AND BETWEEN THE VILLAGE OF EVENDALE AND DYNEGY ENERGY SERVICES (EAST), LLC, AND DECLARING AN EMERGENCY

**VILLAGE OF EVENDALE  
ORDINANCE #15-23**

**ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND CONVEY AN  
EASEMENT FOR UTILITY PURPOSES TO CINCINNATI BELL TELEPHONE  
AND DECLARING AN EMERGENCY**

**WHEREAS,** Cincinnati Bell Telephone has requested an easement granting the right to locate certain utility facilities in a location on Evendale property (N.E. corner of Lot 120) in the Carpenter Creek Subdivision; and

**WHEREAS,** The Village Engineer has recommended said easement be approved and conveyed in order to control where the utility equipment is located; now,

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

**SECTION 1:** The easement attached hereto and incorporated by reference herein is hereby approved and the Mayor is authorized to execute said easement and deliver it to Cincinnati Bell.

**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 need to provide the easement as soon as possible so that utility equipment may be installed and services provided to the Village of Evendale as soon as possible.. Therefore, this ordinance shall become effective immediately.

Approved April 14<sup>th</sup>, 2015

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Mayor, Village of Evendale

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Solicitor

1<sup>st</sup> Reading: April 14<sup>th</sup>, 2015  
Rules Suspended: April 14<sup>th</sup>, 2015  
2<sup>nd</sup> and 3<sup>rd</sup> Reading: April 14<sup>th</sup>, 2015  
Emergency Section Agreed to: April 14<sup>th</sup>, 2015  
Notice of Publication: Tri- County Press, April 22<sup>nd</sup>, 2015

**VILLAGE OF EVENDALE  
ORDINANCE #15-24**

**ORDINANCE CONSENTING TO AND COOPERATING WITH THE OHIO  
DEPARTMENT OF TRANSPORTATION IN THE COMPLETION OF THE THROUGH  
THE VALLEY PROJECT AND DECLARING AN EMERGENCY**

- WHEREAS,** The Village of Evendale desires to cooperate with the Ohio Department of Transportation in the completion of the Through the Valley Project; and
- WHEREAS,** The Ohio Department of Transportation has asked that the Village adopt the following provision; and
- WHEREAS,** The following is enacted by the Village of Evendale, Hamilton County, Ohio (hereinafter referred to as “The Local Public Agency” (LPA); and
- WHEREAS,** This project has been identified by the Ohio Department of Transportation as PID No. 82288 & 88135, County/Route/Section HAM-75-12.60 & HAM-GE Parkway; and
- WHEREAS,** The LPA has identified the need for the described project:
- PID82288  
Phase I of the HAM-75 Corridor Projects. Reconstruct the interstate between Shepherd Lane and Glendale-Milford Rd. Work includes the redesign of the Shepherd Ln. interchange, removal of the collector distributor system and improvements to the Glendale-Milford interchange. (Phase 1 TTV).
- PID88135  
All local roadway connection on east side of IR75, aka GE Parkway. Provide southbound IR75 ramp to GE Parkway from Glendale-Milford Road. (Phase 2 TTV).

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

**SECTION 1: Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION 2: Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

ODOT shall assume and bear 100% of the necessary cost of the above described project. In the event that the Village requests certain features or appurtenances be included within the project, and which features and appurtenances are determined by the State and Federal Highway Administration to be not necessary for the State’s project, the Village shall contribute 100% of the cost of those items.

**SECTION 3: Utilities and Right-of-Way Statement**

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal

regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION 4: Maintenance**

Upon completion of the Project, and unless otherwise agreed, ODOT shall (1) provide adequate maintenance for the Project in accordance with all applicable state and federal laws, including, but not limited to, Title 23, U.S.C. Section 116; (2) provide ample financial provisions, 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: Authority to Sign**

The Mayor of said Village of Evendale of Hamilton County, Ohio is hereby empowered on behalf of the Village of Evendale to enter into contracts with the Director of Transportation necessary to complete the above-described project.

**SECTION 6:**

This ordinance is declared to be an emergency 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 expedite the Through the Valley Highway Project and to promote highway safety. Therefore, this ordinance shall take effect immediately upon its passage.

Approved April 14<sup>th</sup>, 2015

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Mayor, Village of Evendale

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Solicitor

1<sup>st</sup> Reading: April 14<sup>th</sup>, 2015  
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2<sup>nd</sup> and 3<sup>rd</sup> Reading: April 14<sup>th</sup>, 2015  
Emergency Section Agreed to: April 14<sup>th</sup>, 2015  
Notice of Publication: Tri- County Press, April 22<sup>nd</sup>, 2015

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #15-25**

**ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND  
TO APPROPRIATE FUNDS FOR ADDITIONAL UNBUDGETED  
EXPENSES IN THE ADMINISTRATIVE DEPARTMENT.**

- 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,** Various expenses have occurred in contract services that were not included in the original budget; and
- WHEREAS,** Various expenses have occurred in operations and maintenance that were not included in the original budget; and
- WHEREAS,** The administrative 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	\$32,000
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To the 701 administrative department:

230-239 Contract Services	\$26,500
240-249 Operations and Maintenance	\$5,500

**SECTION 2** This Ordinance shall take effect and be in force from the earliest date allowed by law.

Approved April 14<sup>th</sup>, 2015

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Mayor, Village of Evendale

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Solicitor

1<sup>st</sup> Reading: April 14<sup>th</sup>, 2015  
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Emergency Section Agreed to: April 14<sup>th</sup>, 2015  
Notice of Publication: Tri- County Press, April 22<sup>nd</sup>, 2015

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #15 - 26**

**ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND  
TO APPROPRIATE FUNDS FOR DEMOLITION OF THE FEIBELMAN  
PROPERTY IN THE BUILDING MAINTENANCE DEPARTMENT.**

**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,** Funds were not included in the original budget for the demolition of the building on the Feibelman property; and

**WHEREAS,** The building maintenance department requires funding be available for this expense; 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	\$49,700
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To the 705 Building Maintenance department:

250-259 Capital	\$49,700
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**SECTION 2** This Ordinance shall take effect and be in force from the earliest date allowed by law.

Approved April 14<sup>th</sup>, 2015

\_\_\_\_\_  
Mayor, Village of Evendale

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Solicitor

1<sup>st</sup> Reading: April 14<sup>th</sup>, 2015  
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Emergency Section Agreed to: April 14<sup>th</sup>, 2015  
Notice of Publication: Tri- County Press, April 22<sup>nd</sup>, 2015

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #15-27**

**ORDINANCE AUTHORIZING MAYOR TO ENTER INTO  
CONTRACT WITH THE LOWEST AND BEST BIDDER FOR  
THE 2015 STREET IMPROVEMENT PROJECT AND  
DECLARING AN EMERGENCY**

**WHEREAS,** The Village of Evendale has received bids for the 2015 Street Improvement Project after advertising in a newspaper of general circulation in the Village of Evendale; and

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

**SECTION 1:** The base bid of Adleta Construction Inc. for the 2015 Street Improvement Project in the amount of \$616,632.50 is hereby accepted. The Mayor is authorized to enter into a contract with Adleta Construction Inc for this project.

**SECTION 2:** The following sums are appropriated from the unappropriated Capital Fund to the following objects:

250-259	Service	\$90,000.00
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**SECTION 4:** 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 Road Improvements Project be executed as soon as possible in order to perform the work as weather permits. This ordinance shall be effective upon passage.

Approved April 14<sup>th</sup>, 2015

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Mayor, Village of Evendale

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Solicitor

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**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #15-28**

**AN ORDINANCE APPROVING AN ADDITIONAL APPROPRIATION IN  
THE MUNICIPAL MOTOR VEHICLE FUND TO COVER IBI GROUP  
CONTRACT COSTS FOR INITIAL THROUGH THE VALLEY  
CONCEPT DESIGN 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 Village of Evendale is entering into contract with landscaping design firm IBI Group to develop conceptual landscaping design related to the Through the Valley Highway project: and

**WHEREAS,** Funding is required to move forward with conceptual design work related to the Through the Valley; 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 Municipal Motor Vehicle fund to the following objects:

250	Street Improvements	\$45,000
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**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 provide funds for the contract with IBI group so that the landscape design work can keep pace with the Through the valley project. This ordinance shall be effective upon passage.

Approved April 14<sup>th</sup>, 2015

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Mayor, Village of Evendale

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Solicitor

1<sup>st</sup> Reading: April 14<sup>th</sup>, 2015

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Emergency Section Agreed to: April 14<sup>th</sup>, 2015

Notice of Publication: Tri- County Press, April 22<sup>nd</sup>, 2015



**VILLAGE OF EVENDALE  
ORDINANCE #15-29**

**ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN  
AGREEMENT TO PROVIDE ELECTRICAL GENERATION SUPPLY  
AND RELATED SERVICES BY AND BETWEEN THE VILLAGE OF  
EVENDALE AND DYNEGY ENERGY SERVICES (EAST), LLC, AND  
DECLARING AN EMERGENCY**

**WHEREAS,** The Citizens of the Village of Evendale have authorized by vote the aggregation of electrical services in order to allow for residents and businesses in the Village of Evendale to form a buying group and through mass buying power obtain reduced electrical rates; and

**WHEREAS,** The Village has been in negotiations with Duke Energy Retail Sales, LLC, now Dynegy Energy Services (East) LLC, for the purpose of contracting to provide such electrical services to Evendale customers on an opt-out basis; now,

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

**SECTION 1:** The Mayor of the Village of Evendale is hereby authorized to enter into a Master Agreement to provide electric generation supply and related services by and between the Village of Evendale and Dynegy Energy Services (East), LLC, substantially in the form of the draft of said Master Agreement, attached hereto and incorporated by reference herein.

**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 desire to obtain the reduced rates for electrical services expected to be provided by the Master Agreement for all participating Evendale electric customers at the earliest possible time. Therefore, this ordinance shall become effective immediately.

Approved April 14<sup>th</sup>, 2015

\_\_\_\_\_  
Mayor, Village of Evendale

Attest:

\_\_\_\_\_  
Village Clerk

Approved as to Form:

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Village Solicitor

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