

**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 8th, 2015.

RESOLUTION #15-05

A RESOLUTION APPOINTING DAVID HARWOOD AND CAROLYN SMILEY-ROBERTSON TO VACANCY SEATS ON EVENDALE VILLAGE COUNCIL

ORDINANCE #15-48

AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILTY OF FUNDS AND DECLARING AN EMERGENCY

ORDINANCE #15-50

ORDINANCE AUTHORIZING THE MAYOR TO APPROVE CERTIFIED ELECTRIC AGGREGATION POWER SUPPLY RATE AND TERMS WITHIN A SPECIFIC RANGE, AND DECLARING AN EMERGENCY

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #15 -48**

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) Camp Safety Equipment -- \$7,009.02 – Equip new police car#4
- 2) O'Rourke Wrecking Co. -- \$12,565.00 – Asbestos Abatement for 1500 Glendale Milford Road, 9746 Reading Road and 3046 Inwood Drive.

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 8th, 2015

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: September 8th, 2015

Rules Suspended: September 8th, 2015

2nd and 3rd Reading: September 8th, 2015

Emergency Section Agreed to: September 8th, 2015

Notice of Publication: Tri-County Press, September 8th, 2015

**VILLAGE OF EVENDALE
ORDINANCE #15-50**

**ORDINANCE AUTHORIZING THE MAYOR TO APPROVE CERTIFIED
ELECTRIC AGGREGATION POWER SUPPLY RATE AND TERMS WITHIN A
SPECIFIC RANGE, AND DECLARING AN EMERGENCY**

- WHEREAS,** On April 14, 2015, the Village of Evendale entered into a Council-approved Master Agreement with Dynegy Energy Service (East), LLC (aka Dynegy) to provide electric generation supply and related services
- WHEREAS,** On June 30, 2015, the Ohio Public Utilities Commission certified the Village of Evendale as a competitive retail electric service provider (Certificate Number 07-138(1)) authorized to provide governmental aggregation services.
- WHEREAS,** On July 7, 2015, the Village of Evendale requested and received from Duke Energy an electric boundary verified aggregation list of eligible Evendale customers.
- WHEREAS,** Dynegy, using the eligibility list, is continuously seeking competitive pricing and terms for electric supply services
- WHEREAS,** To enable Evendale the ability to act quickly on favorable rates and terms as received by Dynegy via monthly electric supply auctions, the Mayor seeks Council authorization to negotiate favorable electric supply rates and terms with Dynegy which would be applicable to all eligible Evendale customers in accordance with Evendale's Opt-Out Electric Aggregation Program.

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

- SECTION 1:** The Village of Evendale Council hereby authorizes the Mayor to negotiate with Dynegy a favorable electric supply rate not to exceed 5.96 cents per kilowatt per hour for a fixed period of time no longer than through June 2018 in accordance with Section 2 1-2.1 of the Village's Master Agreement with Dynegy.
- SECTION 2:** If the Mayor is successful in obtaining favorable electric rates and terms within the conditions set forth in Section 1 above, the Mayor may then authorize Dynegy to offer eligible Evendale residents such rate for such fixed period of time through the Evendale Opt-Out Electric Aggregation Program, the terms and conditions of which are attached hereto.
- 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 to provide, as rapidly as possible, an electric rate, the quote of which is only valid for 7 days after being offered, lower than Duke Energy's current price-to-compare rate, thereby enabling eligible participants to save money on the electric supply portion of their bill. Therefore, this ordinance shall become effective immediately.

Approved September 8th, 2015

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: September 8th, 2015
Rules Suspended: September 8th, 2015
2nd and 3rd Reading: September 8th, 2015
Emergency Section Agreed to: September 8th, 2015
Notice of Publication: Tri-County Press, September 8th, 2015

**VILLAGE OF EVENDALE, OHIO
RESOLUTION #15-05**

**A RESOLUTION APPOINTING DAVID HARWOOD AND
CAROLYN SMILEY-ROBERTSON TO VACANCY SEATS ON
EVENDALE VILLAGE COUNCIL**

WHEREAS, vacancies exist on Evendale Village Council as a result of the resignations of Councilmembers Catherine Hartman and Richard Finan; and

WHEREAS, pursuant to Article III, Section 7 of the Charter of the Village of Evendale, the remaining members of Council shall, by concurrence of a majority, choose qualified electors of the Village to fill such vacancies; and

WHEREAS, it is necessary to fill such vacancies immediately;

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

SECTION I The Council of the Village of Evendale finds that David Harwood is a qualified elector of the Village of Evendale and hereby appoints David Harwood to fill the vacant seat which term expires November 30, 2015. Mr. Harwood shall take office and perform the duties of Councilmember of the Village of Evendale upon the passage of this resolution and being sworn in.

SECTION II The Council of the Village of Evendale finds that Carolyn Smiley-Robertson is a qualified elector of the Village of Evendale and hereby appoints Carolyn Smiley-Robertson to fill the vacant seat which term expires on November 30, 2017. Ms. Smiley-Robertson shall take office and perform the duties of Councilmember of the Village of Evendale upon the passage of this resolution and being sworn in.

SECTION III The Clerk of Council shall notify the Hamilton County Board of Elections of both the resignation of Councilmembers Hartman and Finan and the appointments of David Harwood and Carolyn Smiley-Robertson.

Approved September 8th, 2015

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: September 8th, 2015

Rules Suspended: September 8th, 2015

Notice of Publication: Tri-County Press, September 16th, 2015