

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 November 7th, 2016.

ORD. #16-70

ORDINANCE APPROVING AN APPROPRIATION FOR PERSONNEL EXPENSES IN THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-71

ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO APPROPRIATE FUNDS FOR ADDITIONAL LEGAL COSTS IN THE ADMINISTRATIVE DEPARTMENT AND PERSONNEL EXPENSES IN THE LEGISLATIVE DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-73

AN ORDINANCE AUTHORIZING THE APPOINTMENT OF PATRICK R. QUINN AS THE ARCHITECTURAL REVIEW STAFF FOR THE PLANNING COMMISSION OF THE VILLAGE OF EVENDALE AND AUTHORIZING THE MAYOR TO A CONTRACT FOR HIS SERVICES AND DECLARING AN EMERGENCY. Unanimously approved

ORD. # 16-74

ORDINANCE AUTHORIZING THE MAYOR TO HIRE AMANDA VANDERRYT AS THE PERMANENT PART-TIME CHILD CARE ATTENDANT SUB FOR THE RECREATION CENTER AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-75

AN ORDINANCE AUTHORIZING THE MAYOR TO COMPLETE THE ACQUISITION OF 24.5865 ACRES OF LAND FROM LANDMARK BAPTIST TEMPLE, INC., APPROVING THE SUBDIVISION NECESSARY TO ACCOMPLISH THE TRANSACTION AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-76

ORDINANCE TO AMEND ORDINANCE NO. 11-23 TO EXTEND BOUNDARIES OF THE READING-LOCKLAND-ARLINGTON HEIGHTS-EVENDALE ENTERPRISE ZONE WITHIN THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-80

ORDINANCE APPROVING LOT SPLITS FOR DYNAMIC SIGHT PROPERTIES/KINETIC VISION AND THE VILLAGE OF EVENDALE AT EVENDALE COMMONS AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-81

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A MASTER SERVICES AND LICENSE AGREEMENT BETWEEN SAFETYPAD AND THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-70**

**ORDINANCE APPROVING AN APPROPRIATION FOR PERSONNEL
EXPENSES IN THE POLICE 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, Funds are required for vacation payout to Lynne Thomas due to a qualifying pension; and

WHEREAS, The police 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 authorized to be expended from the 101 police department:

210-219 Personnel Expenses	\$6,100
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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 for the Village to make available immediately funds to pay for a vacation payout to Lynne Thomas due to a qualifying pension. This ordinance shall be effective upon passage.

Approved November 7th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: November 7th, 2016

Rules Suspended: November 7th, 2016

2nd and 3rd Reading: November 7th, 2016

Emergency Section Agreed to: November 7th, 2016

Notice of publication: Tri-County Press, November 16th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-71**

**ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO
APPROPRIATE FUNDS FOR ADDITIONAL LEGAL COSTS IN THE
ADMINISTRATIVE DEPARTMENT AND PERSONNEL EXPENSES IN THE
LEGISLATIVE 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,** Due to land purchase and economic development activity during the year legal counsel fees will exceed the original budget in the administrative department; and
- WHEREAS,** Personnel costs will exceed the original budget in the legislative department; and
- WHEREAS,** The administrative and legislative departments require 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	\$29,975
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To the 701 administrative department:

230-239 Contract Services	\$26,975
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To the 702 legislative department:

210-219 Personnel Expenses	\$3,000
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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 pay Village expenses in a timely manner. This ordinance shall be effective upon passage.

Approved November 7th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: November 7th, 2016
Rules Suspended: November 7th, 2016
2nd and 3rd Reading: November 7th, 2016
Emergency Section Agreed to: November 7th, 2016
Notice of publication: Tri-County Press, November 16th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-73**

AN ORDINANCE AUTHORIZING THE APPOINTMENT OF PATRICK R. QUINN AS THE ARCHITECTURAL REVIEW STAFF FOR THE PLANNING COMMISSION OF THE VILLAGE OF EVENDALE AND AUTHORIZING THE MAYOR TO A CONTRACT FOR HIS SERVICES AND DECLARING AN EMERGENCY

WHEREAS, James DeBrozzi has resigned his position as the Architectural Review Staff to the Village of Evendale Planning Commission; and

WHEREAS, Mr. DeBrozzi's appointment to that position was not scheduled to end until December 31, 2018; and

WHEREAS, it is now necessary to fill Mr. DeBrozzi's position and Patrick R. Quinn has been found to possess the necessary qualities and experience to do so; now, therefore,

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

SECTION 1: The appointment by the Mayor by Patrick R. Quinn as Architectural Review Staff for the Planning Commission of the Village of Evendale for a period beginning with the adoption of this ordinance and ending on December 31, 2018, is hereby concurred in by the Council of the Village of Evendale.

SECTION 2: Patrick R. Quinn shall be compensated for his services as Architectural Review Staff for the Planning Commission of the Village of Evendale at the rate of \$200 per Planning Commission meeting he attends.

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 adequate architectural review services are available to the Planning Commission and to the Village of Evendale on an ongoing basis, such services being critical to the function of the Village and enforcement of the Evendale Zoning Code. This ordinance shall therefore take effect and be in force immediately from and upon its passage.

Approved November 7th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: November 7th, 2016

Rules Suspended: November 7th, 2016

2nd and 3rd Reading: November 7th, 2016

Emergency Section Agreed to: November 7th, 2016

Notice of publication: Tri-County Press, November 16th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 16-74**

**ORDINANCE AUTHORIZING THE MAYOR TO HIRE
AMANDA VANDERRYT AS THE PERMANENT PART-
TIME CHILD CARE ATTENDANT SUB FOR THE
RECREATION CENTER AND DECLARING AN
EMERGENCY**

WHEREAS, the Council of the Village of Evendale has enacted Chapter 260 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 Amanda VanderRyt as a permanent part-time childcare attendant sub for Recreation Department; and,

WHEREAS, the Mayor and the administration has fully complied with Section 260.06(a) 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 November 12, 2016 by the Mayor of the Village of Evendale as a permanent part-time Childcare Attendant Sub for the Recreation Department at an hourly rate established below:

Amanda VanderRyt: Hourly Pay: \$8.50

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 Recreation 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 November 7th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: November 7th, 2016

Rules Suspended: November 7th, 2016

2nd and 3rd Reading: November 7th, 2016

Emergency Section Agreed to: November 7th, 2016

Notice of publication: Tri-County Press, November 16th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-75**

**AN ORDINANCE AUTHORIZING THE MAYOR TO COMPLETE
THE ACQUISITION OF 24.5865 ACRES OF LAND FROM
LANDMARK BAPTIST TEMPLE, INC., APPROVING THE
SUBDIVISION NECESSARY TO ACCOMPLISH THE
TRANSACTION AND DECLARING AN EMERGENCY**

- WHEREAS,** the Council of the Village of Evendale by Ordinance No. 16-44 authorize the Mayor to execute an Agreement to purchase property from Landmark Baptist Temple, Inc.; and
- WHEREAS,** Title, environmental and other reviews regarding the transaction and the acquisition of the property have been completed; and
- WHEREAS,** a title defect was identified and has been corrected; and
- WHEREAS,** the consolidation of certain parcels and the preparation of a subdivision plat necessary to complete the transaction have been completed (see Exhibit "A"); and
- WHEREAS,** in preparation for the completion of this transaction Landmark has consolidated the three parcels involved and has caused to be prepared a subdivision plat which divides the consolidated parcel into one parcel (24.1009 acres) that will be retained by Landmark and the other parcel (24.5865 acres) that will be transferred to Evendale; and
- WHEREAS,** the Planning Commission has reviewed and approved the proposed subdivision and the Chairman of the Planning Commission has been authorized to affix his signature demonstrating that approval; now, therefore,

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

- SECTION 1:** The Mayor is hereby authorized to consummate the Contract to Purchase Real Estate (see Exhibit "B") to acquire 24.5865 acres of land from Landmark Baptist Temple, Inc. as contemplated by Ordinance No. 16-44 at the earliest possible time once title counsel is satisfied that the necessary preliminaries have been completed. Funds to complete the purchase were already appropriated by Ordinance No. 16-44 so no further appropriation action is necessary.
- SECTION 2:** The Council of the Village of Evendale hereby approves the subdivision of Landmark Baptist Temple, Inc. real estate described above and described more completely on the plat attached hereto (see Exhibits "A" and "C"), on which the Mayor is authorized to affix his signature documenting the final approval of the subdivision.
- SECTION 3:** Council further approves and authorizes the Mayor to execute a Grant of Easements and Maintenance Agreements substantially in the form attached hereto (see Exhibit "D") which is a part and parcel of the Contract to Purchase Real Estate.

SECTION 4: Pursuant to Article III Section 5 of the Charter of the Village of Evendale, should the Mayor be out of town or otherwise unavailable when the closing takes place or documents related to this transaction are required to be signed, the Vice Mayor of the Village is authorized to act in the place of the Mayor and execute necessary documents.

SECTION 5: 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. The reason for said emergency is the desire to complete this real estate transaction at the earliest possible date so that plans for the future use of the property can proceed and thereby advancing the economics and employment opportunities within the economics of and employment opportunities in the Village of Evendale at the earliest possible time. Therefore, this ordinance shall become effective immediately.

Approved November 7th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: November 7th, 2016

Rules Suspended: November 7th, 2016

2nd and 3rd Reading: November 7th, 2016

Emergency Section Agreed to: November 7th, 2016

Notice of publication: Tri-County Press, November 16th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-76**

**ORDINANCE TO AMEND ORDINANCE NO. 11-23 TO
EXTEND BOUNDARIES OF THE READING-LOCKLAND-
ARLINGTON HEIGHTS-EVENDALE ENTERPRISE ZONE
WITHIN THE VILLAGE OF EVENDALE AND
DECLARING AN EMERGENCY**

WHEREAS, the Ohio Enterprise Zone Act (“the Act”), under Ohio Revised Code Section 5709.61 through 5709.66, has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones; and

WHEREAS, the Council of the Village of Evendale, by adopting Ordinance No. 94-23 on November 3, 1994, has designated an Enterprise Zone which encompasses Census Blocks 101, 108, 117, and 118 of the 1990 United States Census Tract 0231, and by adopting Ordinance No. 95-48 on May 4, 1995, extended the boundaries of the Enterprise Zone to include Census Blocks 113 and 114 of the 1990 United States Census Tract 0231 and by adopting Ordinance No. 97.33 on April 10, 1997, extended the boundaries of the Enterprise Zone to include Census Block 120 within 1990 United States Census Tract 0231, and by adopting Ordinance No. 11-23 on May 10, 2011, extending the boundaries of the Enterprise Zone to include Census Blocks 1010, 1011, 1012, 1016, 1017, 2018, 2019, 2020 within the 2000 United States Census Tract 0231 within the boundaries of the Village of Evendale to promote the economic welfare of said Municipality; and

WHEREAS, the Board of Commissioners of Hamilton County, by Resolution February 8, 1995, Volume 257 Image 2011, authorized a petition to the State of Ohio for the City of Reading, the Village of Lockland, and the Village of Evendale to be certified as a distressed Urban Jobs and Enterprise Zone; and

WHEREAS, the Board of Commissioners of Hamilton County, by Resolution July 12, 1995, volume 259 Image 316, authorized a petition to the State of Ohio for an amendment to said Urban Jobs and Enterprise Zone to extend the boundaries within the Village of Evendale; and

WHEREAS, the Board of Commissioners of Hamilton County, by Resolution April 16, 1997, Volume 266, Image 742, authorized a petition to the State of Ohio for an amendment to said Urban Jobs and Enterprise Zone to extend the boundaries within the Village of Evendale; and

WHEREAS, the Board of Commissioners of Hamilton County, by Resolution May 11, 2011, Volume 322, Image 3924, authorized a petition to the State of Ohio for an amendment to said Urban Jobs and Enterprise Zone to extend the boundaries within the Village of Evendale; and

WHEREAS, effective July 2, 1997, the Director of Development of the State of Ohio determined that the area designated by the Board in its Enterprise Zone Resolution contains the characteristics set forth in O.R.C. Section 5709.61 (A) and certified said area as an Enterprise Zone under said Chapter 5709; and

WHEREAS, the above-referenced Census Blocks in 1990 U.S. Census Tract 0231 are now known as Blocks 1007, 1008, 1009, 1018, 1019, 1020, 1021, 2016, 2017, 2024, 2025, 2028 and 2030 of 2000 U.S. Census Tract 231; and

WHEREAS, the Village Council upon due consideration desires to extend the boundaries of the Enterprise Zone to also include Blocks 1013, 1014, 1015, 2013, 2014, 2015, 2026, 2027, 2029 of 2000 United States Census Tract 0231; and

WHEREAS, it is necessary for the Council for formally request from the Board of County Commissioners of Hamilton County, Ohio, the inclusion of areas of the municipality within an Enterprise Zone and to include such resolution in a petition to the Directory of Development of the State of Ohio to certify the area described as such a zone; now,

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

SECTION 1: The Village Council hereby amends Council Ordinance No. 11-23 to include Blocks 013, 1014, 1015, 2013, 2014, 2015, 2026, 2027, 2029 within 2000 United States Census Tract 231, and amends Exhibit A of that ordinance to reflect this change.

SECTION 2: The Clerk of the Board of County Commissioners, of Hamilton County, Ohio, is hereby authorized to amend and resubmit its petition to the Director of Development of the State of Ohio to incorporate this change in boundaries of the Reading-Lockland-Evendale Enterprise Zone.

SECTION 3: 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 and; to promote economic development and job creation in Evendale and; to provide for the daily operation of a department or office of the Village of Evendale. For these reasons, it is necessary that this ordinance be put into immediate effect. This ordinance shall be effective upon passage.

Approved November 7th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: November 7th, 2016

Rules Suspended: November 7th, 2016

2nd and 3rd Reading: November 7th, 2016

Emergency Section Agreed to: November 7th, 2016

Notice of publication: Tri-County Press, November 16th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE 16-80**

**ORDINANCE APPROVING LOT SPLITS FOR DYNAMIC SIGHT
PROPERTIES/KINETIC VISION AND THE VILLAGE OF EVENDALE
AT EVENDALE COMMONS
AND DECLARING AN EMERGENCY**

WHEREAS, Kinetic Vision has applied for a lot split to allow for the construction of an office building to be constructed upon the Evendale Commons Business Park property.; and

WHEREAS, Lot D of the Evendale Commons Business Park is to be subdivided upon the sale and construction of a new development; and,

WHEREAS, to maintain regional storm drainage for the development of Evendale Commons the Village of Evendale will accept and maintain the property that contains the regional detention basin located to the south of the existing Kinetic Vision buildings; and

WHEREAS, Such lot splits have been considered by Planning Commission; and

WHEREAS, Council desires to encourage the development of office buildings on that portion of the Evendale Commons Business Park site that was planned for such development; now

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

SECTION 1: The Lot Splits depicted on the plat attached hereto and incorporated by reference herein, is hereby granted.

SECTION 2: The existing Lot D-3A will be split to create three lots; 1) Lot D-7 (1.0553 acres) will be deeded to The Village of Evendale and will contain the region detention pond; 2) Lot D-8 will be deeded to Dynamic Sight Properties/Kinetic Vision (3.4874 acres); and Lot D-9 will be the remainder of southern D section of Evendale Commons (5.2035 acres) Control Permit is conditioned upon Approval by the Building Department of the proposed plans.

SECTION 3: 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. It is necessary that this measure be put into immediate effect because the public safety and welfare require work commence immediately to promote the construction of the site improvements and therefore the economic health of the Village of Evendale at the earliest possible date. This ordinance shall be effective upon passage.

Approved November 7th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: November 7th, 2016

Rules Suspended: November 7th, 2016

2nd and 3rd Reading: November 7th, 2016

Emergency Section Agreed to: November 7th, 2016

Notice of publication: Tri-County Press, November 16th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-81**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A
MASTER SERVICES AND LICENSE AGREEMENT BETWEEN
SAFETYPAD AND THE VILLAGE OF EVENDALE AND
DECLARING AN EMERGENCY**

WHEREAS, Both because the current contract providing the software and services by which the Fire Department provides electronic patient care reporting is expiring and because of changes in applicable regulations, it is necessary for the Fire Department to contract for the use of software and services capable of addressing those regulations; and

WHEREAS, the Fire Department has determined that SafetyPAD is best equipped to meet the needs of the Fire Department in providing an electronic patient care reporting system that complies with applicable regulations; and

WHEREAS, the new software and services has to be in place to commence operation on January 1, 2017 and time to train on the new software is necessary prior to that so that the Fire Department personnel is prepared to convert to the new software and related equipment prior to that; now, therefore,

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

SECTION 1: The Mayor is hereby authorized to enter into a Master Services and License Agreement between SafetyPAD and the Village of Evendale substantially in the form attached hereto and incorporated by reference herein, said agreement being hereby approved.

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. The reason for said emergency is to have the new contract in place for software and services related to the electronic reporting of patient care in place at the earliest possible date to ensure that ample time is available to train Fire Department personnel so that the transition from the current software to the new software can be seamlessly accomplished on January 1, 2017, thereby providing ongoing care and recordkeeping meeting the needs of patients serviced by the Village of Evendale Fire Department. Therefore, this ordinance shall become effective immediately.

Approved November 7th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: November 7th, 2016

Rules Suspended: November 7th, 2016

2nd and 3rd Reading: November 7th, 2016

Emergency Section Agreed to: November 7th, 2016

Notice of publication: Tri-County Press, November 16th, 2016