

**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 12th, 2016

ORD. #16-15

ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO APPROPRIATE FUNDS FOR THE TAX DEPARTMENT TO PAY REQUIRED TAX REFUNDS NOW DUE AND DECLARING AN EMERGENCY. Unanimously approved.

ORD. #16-16

AN ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO THE MUNICIPAL MOTOR VEHICLE FUND TO RESURFACE PLAINFIELD ROAD AND DECLARING AN EMERGENCY. Unanimously approved.

ORD. #16-17

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

ORD. #16-18

ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND TO THE OPERATIONS AND MAINTENANCE ACCOUNT IN THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved.

ORD. #16-19

AN ORDINANCE AUTHORIZING THE MAYOR TO HIRE A CURRENT PART-TIME EMPLOYEE IN AN ADDITIONAL PART-TIME CAPACITY AND SETTING A PAY RATE AND DECLARING AN EMERGENCY. Unanimously approved.

ORD. #16-20

ORDINANCE ESTABLISHING THE POSITION OF RECREATION DEPARTMENT CUSTODIAN, MANDY INGRAM AS FULL TIME AND DECLARING AN EMERGENCY. Unanimously approved.

ORD. #16-21

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE TLC DEMOLITION PROJECT AND DECLARING AN EMERGENCY. Unanimously approved.

ORD. #16-22

AN ORDINANCE APPROVING AN APPROPRIATION FROM THE GENERAL FUND TO COVER IBI GROUP CONTRACT COSTS FOR THROUGH THE VALLEY PHASE 1 SCHEMATIC DESIGN AND DECLARING AN EMERGENCY. Unanimously approved.

ORD. #16-23

AN ORDINANCE AUTHORIZING THE MAYOR TO DETERMINE AND IMPLEMENT THOSE STEPS NECESSARY TO SELL THE PROPERTY LOCATED AT 3680 GLENDALE MILFORD ROAD, SPECIFICALLY HAMILTON COUNTY PROPERTY BOOK 611, PAGE 10, PARCEL 24 AND DECLARING AN EMERGENCY. Unanimously approved.

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-15**

**ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND
TO APPROPRIATE FUNDS FOR THE TAX DEPARTMENT TO PAY
REQUIRED TAX REFUNDS NOW DUE 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, Additional tax refunds are due and owing; and

WHEREAS, The Tax Department requires funding be available for this expense; now, therefore,

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

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

101.799.579900	\$74,000
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To the 750 Tax Department:

260-290 Refunds	\$74,000
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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 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 immediately available funds for tax refunds to its local constituents. This ordinance shall be effective upon passage.

Approved April 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016
Rules Suspended: April 12th, 2016
2nd and 3rd Reading: April 12th, 2016
Emergency Section Agreed to: April 12th, 2016
Notice of publication: Tri-County Press- April 20th, 2016

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

**AN ORDINANCE APPROVING A TRANSFER FROM THE
GENERAL FUND TO THE MUNICIPAL MOTOR VEHICLE
FUND TO RESURFACE PLAINFIELD ROAD 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,** the City of Blue Ash is going to resurface Plainfield Road and has requested Village participation in the project for our portion of the road; and
- WHEREAS,** it is more efficient to work in conjunction with our neighbors and will be a cost savings to the Village in the long term; and
- WHEREAS,** Evendale has agreed with Blue Ash to expend up to Thirty Thousand Dollars (\$30,000.00) as Evendale's share of the project pursuant to Ordinance #16-10; now

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

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

101.799.579900	\$30,000.00
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To the Municipal Motor Vehicle Fund:

255.000.499999	Transfer in	\$30,000.00
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SECTION 2: This ordinance is declared to be an emergency measure 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. 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 resurface Evendale's portion of Plainfield Road. This ordinance shall be effective upon passage.

Approved April 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016

Rules Suspended: April 12th, 2016

2nd and 3rd Reading: April 12th, 2016

Emergency Section Agreed to: April 12th, 2016

Notice of publication: Tri-County Press- April 20th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16 -17**

**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, five 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) Dalene M. Pride -- \$3,617.00 -- Audit Services
- 2) Lexipol LLC -- \$4,038.00 – Fire Policy Manual Update
- 3) Duke Energy -- \$10,209.30 – Phase 3 Electric

SECTION II 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 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 April 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016
Rules Suspended: April 12th, 2016
2nd and 3rd Reading: April 12th, 2016
Emergency Section Agreed to: April 12th, 2016
Notice of publication: Tri-County Press- April 20th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-18**

**ORDINANCE APPROVING A TRANSFER FROM THE GENERAL FUND
TO THE OPERATIONS AND MAINTENANCE ACCOUNT IN THE FIRE
DEPARTMENT AND DECLARING AN EMERGENCY.**

- WHEREAS,** The annual Fire policy manual update was billed in full by Lexipol rather than at the discounted amount as was done in the past; and
- WHEREAS,** Lexipol is going to send a rebate directly to the Village which must be deposited in the General Fund; and
- WHEREAS,** The Fire Department has paid the total bill. As a result, the Fire Department Operations and Maintenance Account will be left short for the year since the discount was expected to be included in the invoice; and
- WHEREAS,** Funding is available in the General Fund Contingency line item to supplement the Fire Department account; and
- WHEREAS,** The Fire Department requires funding be available for various expenses from its Operations and Maintenance Account; and
- WHEREAS,** The General Fund will be made whole when the rebate is received from Lexipol; now, therefore,

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

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

101.799.579900	\$1,300
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To the 102 Fire Department:	
240-249 Operation and Maintenance	\$1,300

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 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 sufficient funds for the operation of the Fire Department. This ordinance shall be effective upon passage.

Approved April 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016
Rules Suspended: April 12th, 2016
2nd and 3rd Reading: April 12th, 2016
Emergency Section Agreed to: April 12th, 2016
Notice of publication: Tri-County Press- April 20th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-19**

AN ORDINANCE AUTHORIZING THE MAYOR TO HIRE A CURRENT PART-TIME EMPLOYEE IN AN ADDITIONAL PART-TIME CAPACITY AND SETTING A PAY RATE AND DECLARING AN EMERGENCY

WHEREAS, The Council of the Village of Evendale enacted Chapter 260 of the Codified Ordinances of the Village of Evendale by passing Ordinance #15-65 hiring Tara Bain as a Childcare Attendant, through the year ending December 31, 2016, at \$9.60 per hour: and

WHEREAS, The Mayor has recommended Tara Bain to be employed or reemployed, on a part-time basis for the year ending December 31, 2016, in an additional capacity, with the Recreation Department, as a Clerk; and

WHEREAS, The Mayor has fully complied with Section 260.06(a) of the Codified Ordinances of Evendale and recommended that Council authorize the hiring of Tara Bain for the part-time position for which employment is authorized by this ordinance; and

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

SECTION 1 Tara Bain may be employed during the year ending December 31, 2016, by the Mayor of the Village of Evendale as a part-time employee as both a Clerk and Child Care Attendant at the hourly rate established by this Ordinance.

<u>RECREATION DEPARTMENT</u>		Hourly Pay
Tara Bain, Clerk/Child Care Attendant	Start 03/16/16	\$9.64

SECTION 2 Tara Bain's total hours worked in both capacities shall not exceed her status as a part time employee.

SECTION 3 This ordinance is hereby declared to be an emergency measure by a concurrence of five members of Council. The ordinance is an emergency necessary to preserve the health, safety and general welfare of the Village of Evendale or to provide for the daily operation of a department or office of the Village. It is necessary that this measure be put into immediate effect because the public welfare required that this position be filled on the effective dates specified in order to meet the needs of the Recreation Department and Tara Bain should be paid on the regular schedule for Village employees. This Ordinance shall be effective upon passage and Tara Bain is approved for pay at the rate established by this Ordinance retroactive to March 16, 2016.

Approved April 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016
Rules Suspended: April 12th, 2016
2nd and 3rd Reading: April 12th, 2016
Emergency Section Agreed to: April 12th, 2016
Notice of publication: Tri-County Press- April 20th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-20**

**ORDINANCE ESTABLISHING THE POSITION OF RECREATION
DEPARTMENT CUSTODIAN, MANDY INGRAM AS FULL TIME AND
DECLARING AN EMERGENCY**

- WHEREAS,** The position of Recreation Department Custodian had been full time until the retirement of the person holding that position occurred; and
- WHEREAS,** The Recreation Department was using two part time personnel to provide the custodial services to the Recreation Center; and
- WHEREAS,** The Recreation Department would like to benefit from the efficiency of having that position be staffed consistently with one full time staff rather than two part time staff; and
- WHEREAS,** This change will not require a budget adjustment for the Recreation Department as funding is available in the current budget to make the adjustment from part time to full time as there will also be a concurrent part time staff reduction in said position from two part time to one full time; and
- WHEREAS,** As the employee is not a new hire nor is the position a new position, further compliance with Chapter 258 of the Codified Ordinances of the Village of Evendale regarding the hiring of new employees is not necessary, nor is a probationary period appropriate; now, therefore,

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

SECTION 1 The following position is hereby designated as a full-time position during which the incumbent shall work 37.5 hours per week to be specifically determined by the Mayor in consultation with the Recreation department head. The pay rate shall be fixed below:

Recreation Center Custodian – Mandy Ingram \$17.00 per hour

The incumbent in this position shall be entitled to the same benefits as all other full-time Village employees.

SECTION 2 Mandy Ingram's position as a full time employee shall begin on May 16, 2016.

SECTION 3 This ordinance is declared to be an emergency measure by a concurrence of five members of Village Council. The reason for said emergency is to promote the health, safety and general welfare of the Village and the daily operation of the Recreation Department. It is necessary that this be an emergency measure in order to provide adequate time to complete pre-hiring work including a physical and afford Mandy Ingram time to give notice to her other employer, all in order to meet the start date of May 16, 2016. Therefore this Ordinance shall become effective immediately.

Approved April 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016

Rules Suspended: April 12th, 2016

2nd and 3rd Reading: April 12th, 2016

Emergency Section Agreed to: April 12th, 2016

Notice of publication: Tri-County Press- April 20th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-21**

**ORDINANCE AUTHORIZING MAYOR TO ENTER INTO
CONTRACT WITH THE LOWEST AND BEST BIDDER FOR
THE TLC DEMOLITION PROJECT AND DECLARING AN
EMERGENCY**

WHEREAS, The Village of Evendale has received bids for the TLC Demolition 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, five members concurring, that:

SECTION 1: The base bid of Logan Creek Excavating for the TLC Demolition Project in the amount of \$73,800.00 is hereby accepted. The Mayor is authorized to enter into a contract with Logan Creek Excavating for this project.

SECTION 2: This ordinance is declared to be an emergency measure by a concurrence of five 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 Demolition 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 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016
Rules Suspended: April 12th, 2016
2nd and 3rd Reading: April 12th, 2016
Emergency Section Agreed to: April 12th, 2016
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**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-22**

**AN ORDINANCE APPROVING AN APPROPRIATION FROM THE
GENERAL FUND TO COVER IBI GROUP CONTRACT COSTS FOR
THROUGH THE VALLEY PHASE 1 SCHEMATIC DESIGN**

- 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 has entered into contract with landscaping design firm IBI Group to derive conceptual design related to the Through the Valley Highway project; and
- WHEREAS,** Funding is required to move forward with Phase 1 schematic design work related to the Through the Valley project; and

BE IT THEREFORE ORDAINED by the Council of the Village of Evendale, State of Ohio, five members concurring that:

SECTION I The following sums are appropriated from the General fund to the following:

Administrative Department 701:

101.701.523407 Professional Consulting	\$192,400
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SECTION II 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 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, as soon as possible. This ordinance shall be effective upon passage.

Approved April 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016
Rules Suspended: April 12th, 2016
2nd and 3rd Reading: April 12th, 2016
Emergency Section Agreed to: April 12th, 2016
Notice of publication: Tri-County Press- April 20th, 2016

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #16-23**

AN ORDINANCE AUTHORIZING THE MAYOR TO DETERMINE AND IMPLEMENT THOSE STEPS NECESSARY TO SELL THE PROPERTY LOCATED AT 3680 GLENDALE MILFORD ROAD, SPECIFICALLY HAMILTON COUNTY PROPERTY BOOK 611, PAGE 10, PARCEL 24 AND DECLARING AN EMERGENCY

WHEREAS, the Village of Evendale is the owner of three parcels of land: Book 611, Page 10 Parcels 23, 24 and 157, said parcels being previously owned by the Cincinnati Nature Center and prior to that by Ruth P. and Stanley W. Trosset; and,

WHEREAS, on two of those parcels, 23 and 157, the Trossets placed substantial restrictions in order to create and preserve a wildflower sanctuary, and on those parcels, the ability of the Village of Evendale to transfer the property is limited to the Hamilton County Park District or other governmental or charitable organizations willing to agree to the restrictions ; and

WHEREAS, a house exists on Parcel 24 and the restrictions applicable to the other two parcels do not apply to Parcel 24. It may therefore be sold to anyone; and

WHEREAS, said house has been vacant for some time and the Village has determined it is no longer necessary for any governmental purposes and that the lot and house would be better placed back into the single-family use for which the house was originally built and the parcel designed; 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 and directed to determine and take those steps necessary to sell the property identified in the property records of Hamilton County in Book 611, Page 10, Parcel 24. The Mayor shall evaluate the best method of selling the property, including the possibility of transferring the property to the Evendale Community Improvement Corporation or directly selling the property as provided for in Chapter 721 of the Ohio Revised Code.

SECTION 2: This ordinance is declared to be an emergency measure 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 the desire to see that the house on the property is brought up to code and put back into use as a single-family home as soon as possible, or alternatively, it is demolished and a new single-family home is built on the property as soon as possible. Therefore, this ordinance shall become effective immediately.

Approved April 12th, 2016

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Solicitor

1st Reading: April 12th, 2016
Rules Suspended: April 12th, 2016
2nd and 3rd Reading: April 12th, 2016
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