

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 July 12<sup>th</sup>, 2016.

ORD. #16-26

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE ELIMINATING FROM ARTICLE III, SECTION 6 THE PROVISION REQUIRING THAT THE SEAT OF A VILLAGE ELECTED OFFICIAL SHALL BE VACATED WHEN THE VILLAGE ELECTED OFFICIAL IS CERTIFIED AS A CANDIDATE FOR ANY OTHER ELECTED OFFICE AND TO SUBMIT SUCH CHARTER AMENDMENT QUESTION TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY

ORD. #16-27

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE TO AMEND ARTICLE III, ELECTED OFFICIALS, SECTION 7, VACANCIES TO BE FILLED, TO PROVIDE THAT WHERE IT IS NECESSARY TO CONDUCT AN ELECTION TO FILL A VACANCY ON COUNCIL, SAID ELECTION SHALL OCCUR AT THE NEXT MUNICIPAL GENERAL ELECTION AND TO SUBMIT SUCH CHARTER AMENDMENT QUESTION TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016 AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-28

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE BY AMENDING ARTICLE IV, APPOINTED OFFICERS, SECTION 3, VILLAGE SOLICITOR, CHANGING THE TITLE THROUGHOUT THAT SECTION FROM VILLAGE SOLICITOR TO VILLAGE LAW DIRECTOR AND TO SUBMIT SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-29 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE TO AMEND ARTICLE IV, APPOINTED OFFICERS, SECTION 4, ADMINISTRATIVE ASSISTANT, TO CHANGE THE TITLE FROM ADMINISTRATIVE ASSISTANT TO DIRECTOR OF ADMINISTRATIVE SERVICES AND TO SUBMIT SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-30– Third Reading

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE TO REPEAL ARTICLE VII, REVIEW OF AND AMENDMENT TO CHARTER, SECTION 2, FORM OF GOVERNMENT STUDY, AND REPLACE IT WITH THE RIGHT OF ELECTORS TO INITIATE A COMMITTEE TO REVIEW THE CHARTER AND RECOMMEND AMENDMENTS AND TO SUBMIT SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY.

Unanimously approved

ORD. #16-39

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE TO AMEND ARTICLE V, FISCAL MATTERS, SECTION 6, LIMITATION OF ISSUANCE OF BONDS WITHOUT VOTE OF THE PEOPLE TO INCREASE BONDING AUTHORITY LIMIT TO \$5,000,000 AND TO SUBMIT SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY

ORD. #16-42

ORDINANCE APPROVING THE 2017 TAX BUDGET OF THE VILLAGE OF EVENDALE AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-44

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH LANDMARK BAPTIST TEMPLE, INC. FOR THE PURCHASE OF PROPERTY AND TO APPROPRIATE THE FUNDS NECESSARY FOR THE PURCHASE AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #16-45

ORDINANCE APPROVING A TRANSFER IN THE GENERAL FUND TO APPROPRIATE FUNDS AND MAKE A DISBURSEMENT TO THE EVENDALE COMMUNITY IMPROVEMENT CORPORATION FOR THE PURPOSE OF MARKETING THE VILLAGE LAND AND DECLARING AN EMERGENCY.

Unanimously approved

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-26**

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE ELIMNATING FROM ARTICLE III, SECTION 6 THE PROVISION REQUIRING THAT THE SEAT OF A VILLAGE ELECTED OFFICIAL SHALL BE VACATED WHEN THE VILLAGE ELECTED OFFICIAL IS CERTIFIED AS A CANDIDATE FOR ANY OTHER ELECTED OFFICE AND TO SUBMIT SUCH CHARTER AMENDMENT QUESTION TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY**

**WHEREAS,** Council of the Village of Evendale finds that the proposed amendment to the City Charter should be put forward for consideration by the citizens of the Village of Evendale and, if approved by the voters, such amendment shall be incorporated within the Charter of the Village of Evendale; now

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

**SECTION 1:** There shall be submitted to the vote of the qualified electors of the Village of Evendale for their approval or disapproval at the General Election to be held November 8, 2016 an amendment to the Charter of the Village of Evendale, amending Article III, Section 6 to read as follows:

Article III, ELECTED OFFICERS

Section 6. VACATING THE SEAT OF ELECTED OFFICERS.

The Council shall declare vacant the seat of any elected officer of the Village who shall cease to be a resident or an elector of the Village, or who shall hold any other elected public office or any other Village employment, except that of unpaid member of any Village commission, board, or committee. Also, the Council may vacate the seat of any elected officer of the Village when such officer is found guilty of gross misconduct, malfeasance, misfeasance or nonfeasance in or for disqualification for office or for the conviction while in office of a crime involving moral turpitude, or for the violation of the oath of office. Such vacating shall require the concurrence of five members of Council and shall not take place unless and until said elected officer has been notified in writing of the charge or until the elected officer and counsel shall have been given an opportunity to be heard, present evidence, and examine witnesses appearing in support of such charges.

**SECTION 2:** That the form of the submission of the proposed amendment to the electors shall be substantially as follows:

<p><b>CHARTER AMENDMENT</b></p> <p><b>A majority vote is necessary for passage.</b></p>
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YES	Shall the Charter of the Village of Evendale be amended to provide that the following two sentences shall be deleted from Article III, Elected Officers, Section 6, Vacating the Seat of Elected Officers. “Furthermore, Council will declare the seat vacant of any elected officer who files nominating petitions during his term in office for any other elected position. The forfeiture of the seat and declaration of vacancy shall occur at the meeting immediately following the certification of the nominating petition of such elected officer as a valid nominating petition for such other office”?
NO	

**SECTION 3:** That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211(B) of the Ohio Revised Code.

**SECTION 4:** That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the Board to submit the proposed Charter Amendment to the Electors of the Village of Evendale as provided by law.

**SECTION 5:** That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the results of the vote upon said amendment, and if said amendment is approved by the majority of the electors voting thereon, Article III, Elected Officers, Section 6, Vacating the Seat of Elected Official, of the Charter of the Village of Evendale, shall be amended as provided for in Section 1 and the two sentences struck through be repealed.

**SECTION 6:** 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 operation of a department or office of the Village of Evendale. The reason for said emergency is to meet the deadline for placing this matter on the ballot at the November 2016 general election. Therefore, this ordinance shall become effective immediately.

Approved July 12, 2016

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: May 10<sup>th</sup>, 2016  
Rules Suspended: May 10<sup>th</sup>, 2016  
2nd Reading: June 14<sup>th</sup>, 2016  
3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016  
Emergency Section Agreed to: July 12<sup>th</sup>, 2016  
Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-27**

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE TO AMEND ARTICLE III, ELECTED OFFICIALS, SECTION 7, VACANCIES TO BE FILLED, TO PROVIDE THAT WHERE IT IS NECESSARY TO CONDUCT AN ELECTION TO FILL A VACANCY ON COUNCIL, SAID ELECTION SHALL OCCUR AT THE NEXT MUNICIPAL GENERAL ELECTION AND TO SUBMIT SUCH CHARTER AMENDMENT QUESTION TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016 AND DECLARING AN EMERGENCY**

**WHEREAS,** The current Article III, Section 7 of the Charter of the Village of Evendale can, under certain circumstances, require a municipal election to be held during a non-municipal year and may require candidates to run two years in a row; and

**WHEREAS,** Council finds that the proposed amendment should be put forward for consideration by the citizens of the Village of Evendale at the General Election to be held on November 8, 2016, and if approved by the voters, such amendment shall be incorporated within the Charter of the Village of Evendale; now

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

**SECTION 1:** That there shall be submitted to the vote of the qualified electors of the Village of Evendale for their approval or disapproval at the General Election to be held on November 8, 2016, an amendment to the Charter of the Village of Evendale, amending Article III, Elected Officials, Section 7, Vacancies to be Filled, to read as follows:

Article III, ELECTED OFFICERS

Section 7. VACANCIES TO BE FILLED.

Whenever one or two vacancies shall happen in the membership of Council, the remaining members thereof shall by the concurrence of a majority choose a qualified electro of the Village to fill such vacancy until such time as an election may be had to fill such unexpired term. An election to fill such unexpired term or terms shall be held at the next general municipal election occurring more than one hundred twenty days after the vacancy on Council is declared. If three or more vacancies shall happen in the membership of Council, a special election shall be held to fill those seats for the remainder of the unexpired terms.

**SECTION 2:** That the form of the submission of the proposed amendment to the electors shall be substantially as follows:

<b>CHARTER AMENDMENT</b>	
<b>A majority vote is necessary for passage.</b>	
YES	Shall the Charter of the Village of Evendale be amended to provide that where an election is necessary to be held to fill one or two vacancies on Village Council, such election shall occur at the next general municipal election?
NO	

**SECTION 3:** That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211(B) of the Ohio Revised Code.

**SECTION 4:** That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the Board to submit the proposed Charter Amendment to the Electors of the Village of Evendale as provided by law.

**SECTION 5:** That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the results of the vote upon said amendment, and if said amendment is approved by the majority of the electors voting thereon, Article III, Elected Officers, Section 7, Vacancies to be Filled, of the Charter of the Village of Evendale, shall be amended as provided for herein.

**SECTION 6:** 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 operation of a department or office of the Village of Evendale. The reason for said emergency is to meet the deadline for placing this matter on the ballot at the November 2016 general election. Therefore, this ordinance shall become effective immediately.

Approved July 12, 2016

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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Village Solicitor

1st Reading: May 10<sup>th</sup>, 2016  
Rules Suspended: May 10<sup>th</sup>, 2016  
2nd Reading: June 14<sup>th</sup>, 2016  
3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016  
Emergency Section Agreed to: July 12<sup>th</sup>, 2016  
Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-28**

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE BY AMENDING ARTICLE IV, APPOINTED OFFICERS, SECTION 3, VILLAGE SOLICITOR, CHANGING THE TITLE THROUGHOUT THAT SECTION FROM VILLAGE SOLICITOR TO VILLAGE LAW DIRECTOR AND TO SUBMIT SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY**

**WHEREAS,** Council finds that the proposed amendment to the Village Charter should be put forward for consideration by the citizens of Evendale at the General Election to be held on November 8, 2016, and if approved by the voters, such amendment shall be incorporated within the Charter of the Village of Evendale; and

**WHEREAS,** It is believed that the title Village Law Director is more understandable to the general public than the term Village Solicitor; now

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

**SECTION 1:** There shall be submitted to the vote of the qualified electors of the Village of Evendale for their approval or disapproval at the General Election to be held on November 8, 2016 an amendment to the Charter of the Village of Evendale amending Article IV, Appointed Officers, Section 3, Village Solicitor, to read as follows:

Article IV, APPOINTED OFFICERS

Section 3. LAW DIRECTOR.

The Mayor shall appoint, with the concurrence of Council, a Village Law Director to serve at the pleasure of Council. The Law Director shall be an attorney-at-law admitted to practice in Ohio, shall be a resident of Hamilton County, shall be the legal advisor of and attorney and counsel for the Village and for all officers and departments thereof in all matters relating to their official duties, and shall, upon request therefor, give legal opinions in writing. Law Director shall represent the Village in all litigation to which it may be a party, and shall prosecute for all offenses against the ordinances of the Village and for offenses against the laws of Ohio except in cases where Council by ordinance engages special counsel. Law Director shall be responsible for the preparation of all contracts, bonds, and other instruments in writing in which the Village is concerned, and shall endorse on each the approval of the form and correctness thereof. Law Director shall perform all other duties of a legal nature imposed by ordinance or resolution, or imposed upon the chief legal officers of municipalities by general law which it is not competent for the Village to modify or set aside.

**SECTION 2:** That the form of the submission of the proposed amendment to the electors shall be substantially as follows:

<b>CHARTER AMENDMENT</b>	
<b>A majority vote is necessary for passage.</b>	
YES	Shall the Charter of the Village of Evendale be amended in Article IV, Appointed Officers, Section 3, Village Solicitor, by changing the title of Village Solicitor to Village Law Director throughout?
NO	

**SECTION 3:** That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211(B) of the Ohio Revised Code.

**SECTION 4:** That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the Board to submit the proposed Charter Amendment to the Electors of the Village of Evendale as provided by law.

**SECTION 5:** That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the results of the vote upon said amendment, and if said amendment is approved by the majority of the electors voting thereon, Article IV, Appointed Officers, Section 3, Village Solicitor, shall be amended in the Charter of the City of Cincinnati and the term Solicitor shall be repealed and replaced with the term Law Director.

**SECTION 6:** 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 operation of a department or office of the Village of Evendale. The reason for said emergency is to meet the deadline for placing this matter on the ballot at the November 2016 general election. Therefore, this ordinance shall become effective immediately.

Approved July 12, 2016

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Mayor

Attest:

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

Approved as to Form:

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

1st Reading: May 10<sup>th</sup>, 2016  
 Rules Suspended: May 10<sup>th</sup>, 2016  
 2nd Reading: June 14<sup>th</sup>, 2016  
 3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016  
 Emergency Section Agreed to: July 12<sup>th</sup>, 2016  
 Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016



**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-29**

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE TO AMEND ARTICLE IV, APPOINTED OFFICERS, SECTION 4, ADMINISTRATIVE ASSISTANT, TO CHANGE THE TITLE FROM ADMINISTRATIVE ASSISTANT TO DIRECTOR OF ADMINISTRATIVE SERVICES AND TO SUBMIT SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY**

- WHEREAS,** The current title Administrative Assistant fails to accurately reflect the breadth of the work currently performed by that office, which has been the case for some years; and
- WHEREAS,** The term Director of Administrative Services is more reflective of the duties of that position and would assist the holder of that position in the performance of their duties; and
- WHEREAS,** Council finds that such proposed amendment to the Charter of the Village of Evendale should be put forward for consideration by the citizens of Evendale at the General Election to be held on November 8, 2016, and if approved by the voters, such amendment shall be incorporated within the Charter of the Village of Evendale; now

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

**SECTION 1:** There shall be submitted to a vote of the qualified electors of the Village of Evendale, for their approval or disapproval at the General Election to be held on November 8, 2016, an amendment to the Charter of the Village of Evendale, amending Article IV, Appointed Officers, Section 4, Administrative Assistant, to read as follows:

Article IV, APPOINTED OFFICERS

Section 4. DIRECTOR OF ADMINISTRATIVE SERVICES.

The Council shall by ordinance provide for and the Mayor may appoint with the concurrence of Council, a Director of Administrative Services to assist the Mayor in the performance of duties, but such appointment shall not relieve the Mayor as the responsible executive officer of the Village. The Mayor, with concurrence of Council, may delegate to the Director of Administrative Services the authority to execute on behalf of the Mayor all documents necessary to obtain goods and services not exceeding five thousand dollars (\$5,000) for any department or office of the Village.

**SECTION 2:** That the form of the submission of the proposed amendment to the electors shall be substantially as follows:

<b>CHARTER AMENDMENT</b>	
<b>A majority vote is necessary for passage.</b>	
YES	Shall the Charter of the Village of Evendale be amended to change the title of Administrative Assistant throughout Article IV, Appointed Officers, Section 4, Administrative Assistant, to Director of Administrative Services?
NO	

**SECTION 3:** That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211(B) of the Ohio Revised Code.

**SECTION 4:** That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the Board to submit the proposed Charter Amendment to the Electors of the Village of Evendale as provided by law.

**SECTION 5:** That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the results of the vote upon said amendment, and if said amendment is approved by the majority of the electors voting thereon, Article IV, Appointed Officers, Section 4, Administrative Assistant, shall be amended to change the title Administrative Assistant to Chief Administrative Officer. The term Administrative Assistant being repealed and Chief Administrative Officer being inserted in its place.

**SECTION 6:** 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 operation of a department or office of the Village of Evendale. The reason for said emergency is to meet the deadline for placing this matter on the ballot at the November 2016 general election. Therefore, this ordinance shall become effective immediately.

Approved July 12, 2016

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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Village Solicitor

1st Reading: May 10<sup>th</sup>, 2016  
Rules Suspended: May 10<sup>th</sup>, 2016  
2nd Reading: June 14<sup>th</sup>, 2016  
3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016  
Emergency Section Agreed to: July 12<sup>th</sup>, 2016  
Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-30**

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE TO REPEAL ARTICLE VII, REVIEW OF AND AMENDMENT TO CHARTER, SECTION 2, FORM OF GOVERNMENT STUDY, AND REPLACE IT WITH A CHARTER REVIEW COMMITTEE AT LEAST ONCE EVERY TEN YEARS AND TO SUBMIT SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVEMBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY**

**WHEREAS,** The Charter of the Village of Evendale currently requires the appointment of a committee to study the Village form of government every five years and requires that committee be composed in part of the owner, officer or employee of a business or industry operating in the industrial area of Evendale; and

**WHEREAS,** Experiences indicate that the current charter serves the Village of Evendale well and studies every five years are unnecessary; and

**WHEREAS,** It is no longer believed to be appropriate to require that any such committee include the owners, officers or employees of a business or industry existing in the industrial area of the Village of Evendale; and

**WHEREAS,** The Council finds that such proposed amendment to the City Charter should be put forward for consideration by the citizens of the Village of Evendale at the General Election to be held on November 8, 2016, and if approved by the voters, such amendment shall be incorporated within the Charter of the Village of Evendale; now

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

**SECTION 1:** There shall be submitted to a vote of the qualified electors of the Village of Evendale, for their approval or disapproval at the General Election to be held on November 8, 2016, an amendment to the Charter of the Village of Evendale, amending Article VII, Review of and Amendments to Charter, Section 2, Form of Government Study, said section to read as follows:

Article IV, REVIEW OF AND AMENDMENTS TO CHARTER

Section 2. CHARTER REVIEW COMMITTEE.

In addition to the methods of amending this Charter provided for in Article VII, Section 3, which conforms to the Ohio Constitution Article XVIII, Section 9, no less than once every ten years the Mayor shall appoint a committee to review this Charter. The committee shall be composed of four electors of the Village of Evendale and one member of the Evendale Village Council. The committee shall, within 90 days of its appointment, report its results and recommendations to Village Council, which shall consider such report and determine what, if any, proposed amendments to this Charter to submit to the voter as provided for in Article VII, Section 3.

**SECTION 2:** That the form of the submission of the proposed amendment to the electors shall be substantially as follows:

<b>CHARTER AMENDMENT</b>	
<b>A majority vote is necessary for passage.</b>	
YES	Shall the Charter of the Village of Evendale be amended to provide for the deletion of current Section 2 of Article VII, Review of and Amendments to Charter, and its replacement with language providing for the appointment of a Charter Review Committee at least once every ten years.
NO	

**SECTION 3:** That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211(B) of the Ohio Revised Code.

**SECTION 4:** That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the Board to submit the proposed Charter Amendment to the Electors of the Village of Evendale as provided by law.

**SECTION 5:** That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the results of the vote upon said amendment, and if said amendment is approved by the majority of the electors voting thereon, Article VII, Review of and Amendments to Charter, Section 2, Form of Government Study, shall be repealed and the Section replaced with the language as shown in Section 1 above.

**SECTION 6:** 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 operation of a department or office of the Village of Evendale. The reason for said emergency is to meet the deadline for placing this matter on the ballot at the November 2016 general election. Therefore, this ordinance shall become effective immediately.

Approved July 12, 2016

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: May 10<sup>th</sup>, 2016

Rules Suspended: May 10<sup>th</sup>, 2016

2nd Reading: June 14<sup>th</sup>, 2016

3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016

Emergency Section Agreed to: July 12<sup>th</sup>, 2016

Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-39**

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF EVENDALE TO AMEND ARTICLE V, FISCAL MATTERS, SECTION 6, LIMITATION OF ISSUANCE OF BONDS WITHOUT VOTE OF THE PEOPLE TO INCREASE BONDING AUTHORITY LIMIT TO \$5,000,000 AND TO SUBMIT SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE VILLAGE OF EVENDALE AT THE NOVMEBER 8, 2016 GENERAL ELECTION AND DECLARING AN EMERGENCY**

**WHEREAS,** The limitation on the authority of Evendale Village Council to issue bonds without a vote of the electorate has not been adjusted in over a quarter century; and

**WHEREAS,** It is appropriate that such authority be increased in order to allow the sound fiscal operations of the Village of Evendale; and

**WHEREAS,** Council finds that a proposed amendment to the Charter of the Village of Evendale to increase the bonding authority to \$5,000,000 should be put forward for consideration by the citizens of Evendale at the general election to be held on November 8, 2016, and if approved by the voters, such amendment shall be incorporated within the Charter of the Village of Evendale; now

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

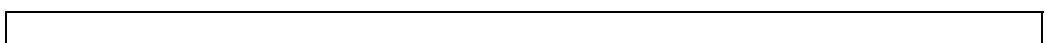
**SECTION 1:** There shall be submitted to a vote of the qualified electors of the Village of Evendale, for their approval or disapproval at the General Election to be held on November 8, 2016, an amendment to the Charter of the Village of Evendale, amending Article V, Fiscal Matters, Section 6, Limitation of Issuance of Bonds Without Vote of the People, to read as follows:

ARTICLE V. FISCAL MATTERS

SECTION 6. LIMITATION OF ISSUANCE OF BONDS WITHOUT VOTE OF THE PEOPLE.

Notwithstanding any provision of general law, the amount of bonds, except special assessment bonds, issued by the Council without vote of the electors, and payable from the proceeds of taxes upon real and personal property according to value, shall never exceed Five Million Dollars (\$5,000,000) outstanding at any one time.

**SECTION 2:** That the form of the submission of the proposed amendment to the electors shall be substantially as follows:



<b>CHARTER AMENDMENT</b>	
<b>A majority vote is necessary for passage.</b>	
YES	Shall the Charter of the Village of Evendale be amended to provide that the authority of Council to issue bonds without a vote of the electors shall never exceed Five Million Dollars (\$5,000,000) outstanding at any one time? Said amendment to be provided for in Article V, Fiscal Matters, Section 6, Limitation of Issuance of Bonds Without Vote of the People.
NO	

**SECTION 3:** That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211(B) of the Ohio Revised Code.

**SECTION 4:** That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the Board to submit the proposed Charter Amendment to the Electors of the Village of Evendale as provided by law.

**SECTION 5:** That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the results of the vote upon said amendment, and if said amendment is approved by the majority of the electors voting thereon, Article V, Fiscal Matters, Section 6, Limitation of Issuance of Bonds Without Vote of the People, shall be amended to provide that Council's bonding authority shall never exceed Five Million Dollars (\$5,000,000).

**SECTION 6:** 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 operation of a department or office of the Village of Evendale. The reason for said emergency is to meet the deadline for placing this matter on the ballot at the November 2016 general election. Therefore, this ordinance shall become effective immediately.

Approved July 12, 2016

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: June 14<sup>th</sup>, 2016  
 Rules Suspended: June 14<sup>th</sup>, 2016  
 2nd Reading: July 12<sup>th</sup>, 2016  
 3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016  
 Emergency Section Agreed to: July 12<sup>th</sup>, 2016  
 Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-42**

**ORDINANCE APPROVING THE  
2017 TAX BUDGET OF THE VILLAGE OF EVENDALE  
AND DECLARING AN EMERGENCY**

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

**SECTION 1:** Following a public hearing, as required by law, the 2017 Tax Budget for the Village of Evendale, set out in full as **Exhibit 1** to this Ordinance, is hereby approved.

**SECTION 2:** The Chief Fiscal and Accounting Officer is authorized and directed to forward all necessary and appropriate copies of the 2017 Tax Budget to the Hamilton County Auditor.

**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 of the legal requirement to promptly submit the 2017 tax budget to the Hamilton County Auditor and to enable the Village to properly plan its fiscal operations in the coming months. This ordinance shall therefore become effective upon passage.

Approved July 12<sup>th</sup>, 2016

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: July 12<sup>th</sup>, 2016  
Rules Suspended: July 12<sup>th</sup>, 2016  
22<sup>nd</sup> and 3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016  
Emergency Section Agreed to: July 12<sup>th</sup>, 2016  
Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-44**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH LANDMARK BAPTIST TEMPLE, INC. FOR THE PURCHASE OF PROPERTY AND TO APPROPRIATE THE FUNDS NECESSARY FOR THE PURCHASE AND DECLARING AN EMERGENCY**

- WHEREAS,** the Council of the Village of Evendale has previously authorized the Mayor to execute an agreement with Landmark Baptist Temple, Inc. (“Landmark”) for the purchase of certain property; and
- WHEREAS,** those negotiations have continued and changes have occurred in the agreement that the Mayor was previously authorized to sign; and
- WHEREAS,** Landmark has approved the revised agreement; and
- WHEREAS,** Council of the Village of Evendale is satisfied that the revised agreement conforms to the desires of the Village of Evendale and that the Mayor should proceed to execute the revised agreement; and
- 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; 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 and directed to execute an agreement substantially in the form of the **agreement attached** hereto and incorporated by reference herein, which agreement is hereby approved. The Mayor is authorized to approve exhibits to the agreement which shall conform to the terms set forth in the agreement.

**SECTION 2:** The following sum is to be appropriated in the General Fund and transferred from the General Fund to the Capital Fund and appropriated for real estate acquisition:

General Fund:

101.799.599999	Transfers Out	\$2,750,000.00
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Capital Fund 400 account:

400.000.499999	Transfers In	\$2,750,000.00
400.701.525130	Real Estate Acquisitions	\$2,750,000.00

Said funds to be used for the acquisition contemplated by the attached agreement, the closing on which shall only take place after due diligence has been completed to the satisfaction of the Village.

**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. The reason for



said emergency is for Evendale to have the ability to move ahead as soon as possible with the due diligence necessary to proceed with the property acquisition and to have the funds available for the purchase. Therefore, this ordinance shall become effective immediately.

Approved July 12<sup>th</sup>, 2016

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

1st Reading: July 12<sup>th</sup>, 2016

Rules Suspended: July 12<sup>th</sup>, 2016

2<sup>nd</sup> and 3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016

Emergency Section Agreed to: July 12<sup>th</sup>, 2016

Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016

**VILLAGE OF EVENDALE, OHIO  
ORDINANCE #16-45**

**ORDINANCE APPROVING A TRANSFER IN THE GENERAL FUND TO  
APPROPRIATE FUNDS AND MAKE A DISBURSEMENT TO THE  
EVENDALE COMMUNITY IMPROVEMENT CORPORATION FOR  
THE PURPOSE OF MARKETING THE VILLAGE LAND 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 Evendale Community Improvement Corporation (CIC) is empowered under Ohio Revised Code 1724.01 to assist in, among other things, the advancement, encouragement and promotion of the industrial, economic, commercial, and civic development of a community; and

**WHEREAS,** The Community Improvement Corporation will have additional expenditures for marketing the Village and as they have little remaining funds will need advance cash flow; 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	\$75,000
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To the 499 Other Community Environment account:

101.499.527100 Evendale CIC	\$75,000
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**SECTION 2** This Ordinance is hereby declared to be an emergency measure 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 department budgets not exceed the appropriation amounts approved by Council. Further, this ordinance is required to be an emergency so that the funds can immediately be available for the marketing expenses of the Community Improvement Corporation. This ordinance shall therefore be effective upon passage.

Approved July 12<sup>th</sup>, 2016

\_\_\_\_\_  
Mayor

Attest:

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Village Clerk

Approved as to Form:

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Village Solicitor

1st Reading: July 12<sup>th</sup>, 2016

Rules Suspended: July 12<sup>th</sup>, 2016

2<sup>nd</sup> and 3<sup>rd</sup> Reading: July 12<sup>th</sup>, 2016

Emergency Section Agreed to: July 12<sup>th</sup>, 2016

Notice of publication: Tri-County Press, July 20<sup>th</sup>, 2016