

**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO
RESOLUTION 23 - 06, 2023**

**RESOLUTION AUTHORIZING THE EXPENDITURE OF HAMILTON
COUNTY CDBG-CV GRANT FUNDS FOR THE PURPOSE OF
FINANCING THE CONSTRUCTION, IMPROVEMENT AND
FURNISHING OF AN OUTDOOR DINING SEATING AREA,
AUTHORIZING THE EXECUTION OF A CONSTRUCTION EASEMENT
OR SIMILAR RIGHT TO CONSTRUCT, AND OTHER MATTERS
RELATED THERETO, AND DISPENSING WITH THE SECOND
READING AND DECLARING AN EMERGENCY**

WHEREAS, the Board of Trustees (the "Board of Trustees") of Columbia Township, Hamilton County, Ohio (inclusive of the Board of Trustees, the "Township"), by virtue of the laws of the State of Ohio (the "State"), including Article VIII, Section 13 of the Ohio Constitution and Chapter 165 of the Ohio Revised Code (collectively, the "Act"), desires to construct an outdoor seating area (the "Project") for the benefit of certain eligible dining establishments at the Mariemont Promenade shopping center, generally located at 7227 Wooster Pike, Columbia Township, Hamilton County, Ohio 45227 (the "Mariemont Promenade Center") by participating in the Hamilton County, Ohio, Community Development Block Grant Program in cooperation with Charter Commercial MMP, LLC, as the owner of the Mariemont Promenade Center (as defined below) (the "Owner"), which Project is also a "project" as defined in the Act; and

WHEREAS, in accordance with the Act, the Board of Trustees hereby determines that the Project will serve the public purposes of the State and the Township to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State and the Township (collectively, the "Public Purposes"); and

WHEREAS, pursuant to resolutions previously adopted by the Board of Trustees, particularly Resolution No. 20-45, adopted October 13, 2020, the County of Hamilton, Ohio has awarded, and the Board of Trustees have accepted, a grant in the amount of \$100,000 from the federal Community Development Block Grant (CDBG-CV) program (the "Grant") authorized by the Coronavirus Aid, Relief and Economic Security Act (the "CARES Act"), the proceeds of which Grant may be used for economic development purposes in accordance with the CARES Act; and

WHEREAS, in connection with the Project, the Board of Trustees hereby determines it will be necessary to authorize the execution and delivery of a temporary easement or similar right to construct the Project at the Mariemont Promenade Center (the "Easement"); and

WHEREAS, the Board of Trustees has determined, and hereby confirms, in part based on representations of the Owner, that the execution and delivery of the Easement and the completion of the Project will be in the best interest of the Township and will further the Public

Approved February 14, 2023

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Purposes set forth in the Act, and that the Township will be acting in a manner consistent with and in furtherance of the provisions of the laws of the State, particularly the Act;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Columbia Township, County of Hamilton, Ohio:

SECTION 1. That the Board of Trustees hereby finds and determines, based in part on representations of the Owner, that the Project and the expenditure of the Grant proceeds in the manner described herein will serve the public purposes of the State and the Township to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State and the Township, all in accordance with and in furtherance of the Public Purposes set forth in the Act and the purposes set forth in the CARES Act.

SECTION 2. That, to provide for the completion of the Project, the Board of Trustees hereby approves the Easement, in a form to be approved by the Law Director of the Township, and hereby authorizes and directs the Township Administrator to execute and deliver the Easement. The Township Administrator is further authorized to take any and all actions and to execute such other documents, agreements and/or instruments that may be necessary or appropriate in order to effect the completion of the Project and the intent of this Resolution.

SECTION 3. That it is found and determined that all formal actions of the Board of Trustees concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board of Trustees, and that all deliberations of the Board of Trustees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 4. The Board of Trustees, upon majority vote, hereby dispenses with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

SECTION 5. This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, and welfare of the Township; the reason for the emergency being the need to bid the Project immediately to obtain the most favorable pricing with respect to the Project and to expend the Grant proceeds at the earliest possible time in accordance with the CARES Act.

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Motion to accept Resolution made by: MR. KUBICKI

Seconded by: MR. LAMAR

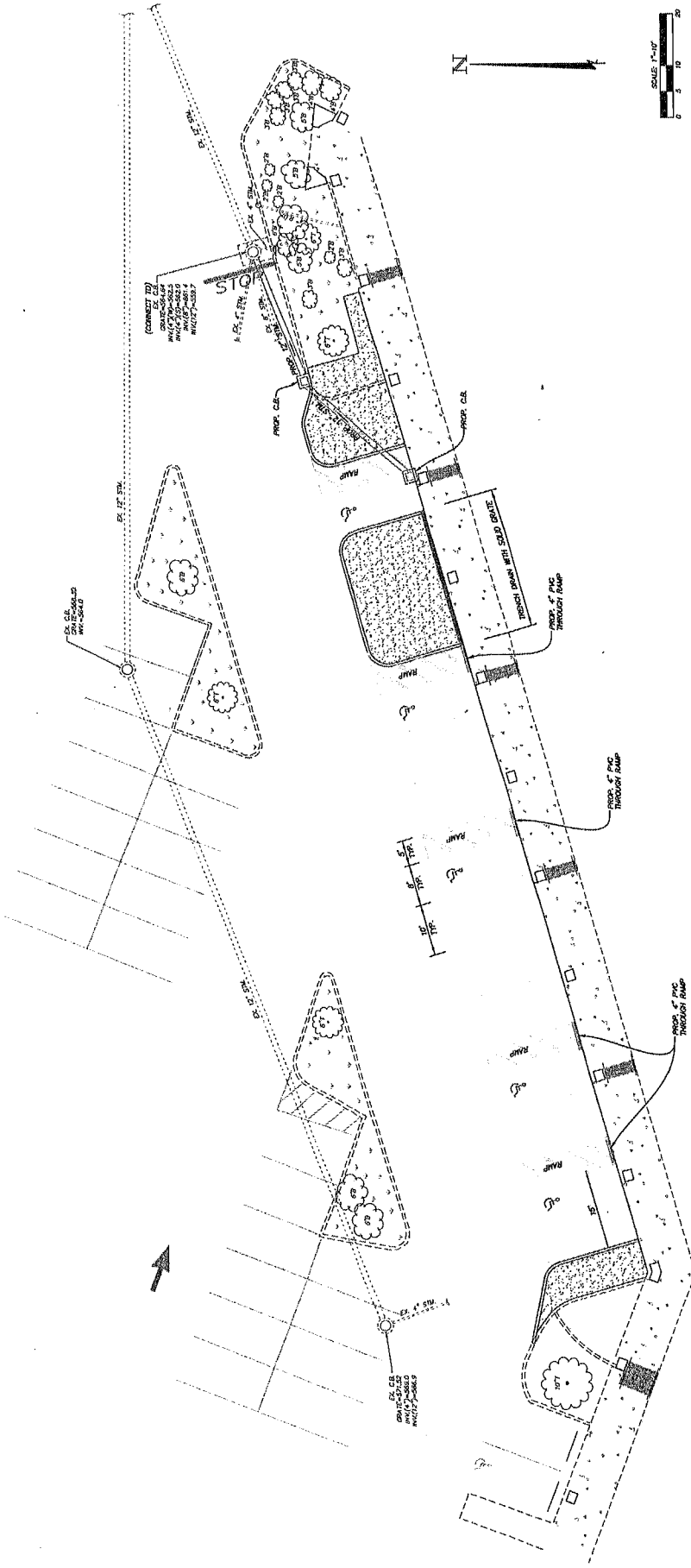
VOTE:

TRUSTEE	VOTING	SIGNATURE	DATE
David Kubicki, President	<u>yes</u>	<u>[Signature]</u>	<u>2/14/23</u>
Brian Lamar, Vice-President	<u>yes</u>	<u>[Signature]</u>	_____
Susan Hughes, Trustee	<u>yes</u>	<u>[Signature]</u>	_____

ATTEST: [Signature] 2.14.23
Caroline Heekin, Fiscal Officer

APPROVED as to form: _____
Township Legal Counsel

Passed this 14th day of FEBRUARY, 2023



SITE PLAN

PROMENADE SHOPPING CENTER
COLUMBIA TOWNSHIP
HAMILTON COUNTY, OHIO

SCALE: 1"=10'
DATE: 5-11-2021
JOB NUMBER: 4239

REVISIONS

DATE	REVISIONS
5-11-2021	
5-11-2021	