

EMERGENCY

AKS

- 2023

AUTHORIZING the transfer and appropriation of \$75,000 from the unappropriated surplus of Oakley Equivalent Fund 499 to the Department of Community and Economic Development non-personnel operating budget account no. 499x164x7200 to provide resources for remediation of the coal boiler at MadTree Brewing Co. and public parking improvements; and **DECLARING** expenditures related to the remediation of the coal boiler to be a public purpose and constitute a “Public Infrastructure Improvement” (as defined in Section 5709.40(A)(8) of the Ohio Revised Code) that will benefit and/or serve the District 20-Oakley Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

WHEREAS, with the assistance of The Port and the recommendation of the Department of Community and Economic Development, MadTree Brewing Co. received a \$150,000 State Brownfield Remediation Grant from the Ohio Department of Development to cover approximately 67 percent of the project cost for remediation of the coal boiler at MadTree Brewing Co. and public parking improvements; and

WHEREAS, in a letter dated April 7, 2023, the Oakley Community Council expressed its unanimous support of the use of \$75,000 Tax Increment Financing (TIF) for the MadTree Coal Boiler Remediation and Demolition Project on Madison Road; and

WHEREAS, the remediation of the coal boiler at MadTree Brewing Co. will directly benefit District 20 – Oakley Incentive District in the Oakley community; and

WHEREAS, Oakley Equivalent Fund 499 has sufficient resources available to cover this cost; and

WHEREAS, the remediation of the coal boiler at MadTree Brewing Co. is in accordance with the “Live” goal to “[c]reate a more livable community” and the “Compete” goal to “[c]ultivate our position as the most vibrant and economically healthiest part of our region” as described on pages 156 and 114, respectively, of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the transfer and appropriation of \$75,000 from the unappropriated surplus of Oakley Equivalent Fund 499 to the Department of Community and Economic Development non-personnel operating budget account no. 499x164x7200 is authorized for the purpose of

providing resources for remediation of the coal boiler at MadTree Brewing Co. and public parking improvements.

Section 2. That Council declares that the remediation of the coal boiler at MadTree Brewing Co. (a) constitutes a “Public Infrastructure Improvement” (as defined by Section 5709.40(A)(8) of the Ohio Revised Code (“R.C.”)), that will benefit and/or serve the District 20 – Oakley Incentive District, subject to compliance with R.C. Sections 5709.40 through 5709.43 and (b) serves a public purpose because the project will remediate an existing environmental issue and create additional public parking.

Section 3. That the proper City officials are hereby authorized to take all appropriate actions to carry out this ordinance including, but not limited to, the appropriations and transfers authorized herein.

Section 4. That Sections 1 through 3 shall become effective as of July 1, 2023.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the need to have funding in place to carry out the remediation in the City’s Fiscal Year 2024, which begins July 1, 2023.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk