

ORDINANCE O-11-2022

AN ORDINANCE RECOGNIZING THE ALREADY EXISTING CITY OF FORT THOMAS GROW GRANT PROGRAM AS WELL AS THE ESTABLISHMENT OF CERTAIN FUNDING THEREFORE AND OPERATIONAL PROCEDURES.

BE IT ORDAINED BY THE CITY OF FORT THOMAS, CAMPBELL COUNTY, KENTUCKY:

SECTION I

The City of Fort Thomas is committed to the development and support of small businesses in our community. Therefore, the City of Fort Thomas, Kentucky heretofore established the City of Fort Thomas Grow Grant in 2018, which said Funds were established to foster and promote economic development in the City. Whereas, said Funds have been successful in promoting economic development, the Board of Council of the City of Fort Thomas, Kentucky does hereby recognize the ongoing need for the Funds and approves the continuation thereof.

SECTION II

It is acknowledged that the City of Fort Thomas, Kentucky receives sixty thousand dollars (\$60,000.00) per year from rental of the cell tower behind the Fort Thomas City Building, 130 N. Ft. Thomas Avenue, Fort Thomas, Kentucky. The Board of Council hereby establishes that the proceeds from the cell tower rental, so long as they exist or until otherwise ruled upon by subsequent ordinance, shall also be used to fund the Grow Grant Program.

The Grow Grant has two categories of improvement, exterior facade and interior improvement. This grant opportunity is available to provide funding for current small businesses and commercial property owners to invest in the community. Through the grant opportunity, the business or property owner will be responsible for at least 50% of the full cost of the project. This is a reimbursable grant after the business owner or property owner has completed the work and inspections from the city are finalized.

SECTION III

It is further established that the Grow grant program will be administered, implemented and approved by staff members of the City of Fort Thomas, Campbell County, Kentucky.

DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AESTHETIC AND STRUCTURAL IMPROVEMENTS. Façade improvements, structural improvements, painting of the exterior building, installation of awnings, new exterior doors/windows are examples of approved improvements.

GRANT. An amount of matching fund provided by the City of Fort Thomas not to exceed \$20,000.00.

ELIGIBLE BUSINESS. Any franchise, trade, occupation, profession or other business within the meaning and context of KRS 92.280, 92.281 and § 181 of the Kentucky Constitution, that has less than \$750,000 in annual payroll (Defined as W-2 wages or K-1 wages) other than:

- (1) Those business activities of sexually oriented businesses or sexual encounter establishments as elsewhere defined and regulated in other ordinances of the city; and
- (2) Those business activities which receive incentives from the Commonwealth that involve occupational license fees for which the City already is contributing to those incentives; and
- (3) Those businesses that have been approved for a Grow grant within the past 2 years
- (4) Those businesses that have exceeded or would exceed \$25,000 of any city grant over a 5 year period, unless approved by city council.

SECTION IV

The following establishes the procedure for application, review and consideration of Grant requests.

GRANT CERTIFICATION

- (A) An Eligible Business may qualify for a Grant established in this chapter by submitting a completed written application packet to the city with all the information required therein, which shall include, without limitation:
 - a. Proof of property ownership/Occupational License
 - b. City of Fort Thomas's Certificate of Appropriateness (if applicable)
 - c. Fort Thomas Building Permit (if applicable)
 - d. Copy of Inspection completed by Building Inspector
 - e. Copy of plans submitted by a licensed contractor

- f. Business Tenant conditional lease agreement (if applicable)
 - g. Description of property and history of the business/company
 - h. Completed W-9 form
 - i. Yearly payroll reconciliation (documentation of payroll less than \$750,000 annually)
 - j. An explanation for how the improvements of the business meets any of the following factors:
 - i. Improve property aesthetics within the City of Fort Thomas
 - ii. The businesses' aesthetic and structural improvements will increase the property tax value
 - k. The anticipated cost of the proposed improvements and the amount requested by the Business.
- (B) Applications that are received with missing documentation will be denied the grant opportunity. The collection of documentation is the responsibility of the business or property owner.
- (C) All improvements must meet Design Review Board, zoning, or other standards within the City of Fort Thomas, if applicable.
- (D) An application for the Grow Grant established in this ordinance shall be reviewed by the Economic Development Director for completeness and that it meets the qualifications of the grant. The Economic Development Director will present each qualifying grant to the Mayor and City Administrator for approval. The Grow Grant is only approved after the business or property owner has received a signed approval from the City of Fort Thomas.

PERMITTED USE OF GRANT FUNDS

1. Accessibility improvements (walkways, ADA compliance, etc)
2. Storefront improvements (including exterior painting, awning, fencing, permanent benches, permanent planters, bike racks, long lasting landscaping and repairs)
3. Decorative lighting - installation, repair or replacement of fixtures on exterior of facade
4. Renovation or restoration to improve architectural and historic details
5. Masonry work (cleaning, repair, brick work, tuck pointing) to improve the structural or appearance of a building/space.
6. Energy Efficiency Items - Replacement or repair (windows, doors).
7. Exterior Signage - installation, improvement or replacement of permanent signage fixtures.
8. Mechanical, electrical, utility, and/or plumbing improvements.
9. HVAC, fire suppression, improvement costs of bringing the building up to code.
10. Permanent flooring, lighting, and fixtures
11. Improved customer restrooms

12. Construction of new walls/demolition of unnecessary existing walls
13. Support mechanisms (foundation, support beams, columns, trusses, etc.) This excludes roof repairs/replacement.

NON-PERMITTED USE OF GRANT FUNDS

- (1) Home based business.
- (2) Design fees related to websites branding or marketing.
- (3) Professional fees unrelated to the project.
- (4) Point of sale items.
- (5) Payroll or salaries unrelated to the project.
- (6) Projects or programs that have started prior to written approval of the grant.
- (7) The purchase for resale, ingredients or items otherwise related to daily sales.
- (8) Replacement or new purchase of items that will directly affect the output of services (new oven, freezer, printing stations, CPU, copiers, etc.).
- (9) Branded signage.
- (10) Delinquency in the payment of any taxes, assessments, fees, or other debts owed to the city.
- (11) Additions to the commercial property.

REIMBURSEMENT OF EXPENSES PURSUANT TO THE GRANT

The approved business shall submit documentation satisfying the City of Fort Thomas Economic Development Director, showing proof of the approved Aesthetic and Structural improvements. The City of Fort Thomas shall reimburse the business or property owner in an amount up to Fifty (50) percent of said improvements, but in no circumstances shall the City's contribution exceed \$20,000.00.

SECTION IV

This Ordinance shall be in full force and effect from and after its passage, approval and publication as designated by law.

APPROVED:

Eric Haas, Mayor

1st Reading: October 17, 2022

ADOPTED: November 21, 2022

ATTEST:

Melissa K. Beckett, City Clerk