

**RESOLUTION NO.
OF THE
CITY OF ERLANGER**

WHEREAS, the City of Erlanger has established a grant program for facades and exterior improvements as outlined in the Erlanger Code of Ordinances Section 37.15 through Section 37.19.

WHEREAS 4506 Dixie LLC has applied for a grant and meets all the requirements for receiving a grant and therefore has been tentatively approved by the Mayor and Economic Director for receiving a grant. The grant is a matching grant with the City of Erlanger.

WHEREAS councilmember Tyson Hermes' brother Erik Hermes is an owner of 4506 Dixie LLC.

WHEREAS Section 43 of the Erlanger Code of Ordinances details the City of Erlanger Code of Ethics; and

WHEREAS Section 43.016 details conflicts of interests in contracts and states:

No officer, board member, or employee of the city or any city agency shall directly or through others undertake, execute, hold or enjoy, in whole or in part, any contract made, entered into, awarded or granted by the city or a city agency, except as follows.

(A) The prohibition in this section shall not apply to contracts entered into before an elected officer filed as a candidate for city office, before an appointed officer was appointed to a city or city agency office, before a board member was appointed to a city board, or before an employee was hired by the city or a city agency. However, if any contract entered into by a city or city agency officer, employee, or board member before he or she became a candidate, became a board member, was appointed to office, or was hired as an employee, is renewable after he or she becomes a candidate, assumes the appointed office, or is hired as an employee, the prohibition in this section shall apply to the renewal of the contract.

(B) The prohibition in this section shall not apply if the contract is awarded after public notice and competitive bidding, unless the officer, board member, or employee is authorized to participate in establishing the contract specifications, awarding the contract, or managing contract performance after the contract is awarded. If the officer or employee has any of the authorities set forth in the preceding sentence, then the officer or employee shall have no interest in the contract, unless the requirements set forth in division (C) below are satisfied.

(C) The prohibition in this section shall not apply in any case where the following requirements are satisfied:

- (1) The specific nature of the contract transaction and the nature of the officer's, board member's, or employee's interest in the contract are publicly disclosed at a meeting of the governing body of the city or city agency.
- (2) The disclosure is made a part of the official record of the governing body of the city or city agency before the contract is executed.
- (3) A finding is made by the governing body of the city or city agency that the contract with the officer, board member, or employee is in the best interests of the public and the city or city agency because of price, limited supply or other specific reasons; or
- (4) The finding is made a part of the official record of the governing body of the city or city agency before the contract is executed.

WHEREAS the requested grant amount is _____ for reimbursement for _____.

NOW, THEREFORE, BE IT RESOLVED:

The City Council finds that all four provisions of the Erlanger Ethics Code are met, as exceptions and 4506 Dixie LLC shall receive a matching grant for _____.

Adopted this ___ day of October 2025.

CITY OF ERLANGER

BY: Jessica Fette, Mayor

ATTEST: Sherry Hoffman

City Clerk