

ORDINANCE NO. 13-2019 (SMS), *Second Reading*

By Council Member Yasinow

An Ordinance creating the City Community Improvement Corporation and authorizing the City Manager to file appropriate Articles of Incorporation, and declaring an emergency.

WHEREAS, it is hereby determined that it is the policy of the City of Cleveland Heights to promote health, safety, and the general welfare of its residents and growth and development of business and industry within the City through the designation of a community improvement corporation as such agency, and therefore, in accordance with the provisions of Chapter 1724 of the Ohio Revised Code, the City desires to create the City Community Improvement Corporation;

WHEREAS, the City Community Improvement Corporation shall be for the purpose of advancing, encouraging and promoting the industrial, economic, commercial and civic development of the City of Cleveland Heights;

WHEREAS, Council wishes to designate the City Community Improvement Corporation as its agent for industrial, commercial, distribution, and research development;

WHEREAS, the City Community Improvement Corporation shall serve all territory within the territorial boundaries of the City of Cleveland Heights, Ohio;

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Council hereby declares that it is the policy of the City of Cleveland Heights to promote health, safety, and the general welfare of its residents and growth and development of business and industry within the City through the designation of a community improvement corporation as such agency, and therefore, in accordance with the provisions of Chapter 1724 of the Ohio Revised Code, the City Manager is authorized to file Articles of Incorporation with the Ohio Secretary of State for the City Community Improvement Corporation.

SECTION 2. The City Community Improvement Corporation shall be for the purposes of economic development and all other related applicable purposes set forth in Chapter 1724 of the Ohio Revised Code, for the purposes of implementation of the City's most recent Master Plan and any update thereto, for other real estate and community development purposes, and shall be authorized to sell public property without public bidding upon prior approval of this Council.

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SECTION 3. The City Community Improvement Corporation's powers shall include, but not necessarily be limited to, those powers set forth in Ohio Revised Code Section 1724.02.

SECTION 4. The City Community Improvement Corporation shall be governed by a Board of Directors having five (5) members, composed as follows:

- (i) The City Manager
- (ii) The Mayor
- (iii) The Chairperson of the Planning and Development Committee of City Council
- (iv) The Director of Housing
- (v) One (1) Member Appointed by the City Manager, subject to the approval of Council

The City Manager's appointed member to the City Community Improvement Corporation shall serve for a period of three (3) years, and thereafter each subsequent City Manager appointee shall serve for a period of three years. An appointee may be appointed for multiple terms. Any Member who is not appointed shall hold his/her position as Member for the duration of his/her tenure in the office or position to which his/her Board Member position relates.

The City Community Improvement Corporation shall have officers as follows:

- President – City Manager
- Vice President – Mayor
- Secretary/Treasurer – as appointed by Board

SECTION 5. The City Community Improvement Corporation shall promptly adopt a Code of Regulations for the conducting of its business.

SECTION 6. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for prompt action to benefit the Cleveland Heights community. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

SECTION 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in such formal action occurred in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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CAROL ANN ROE, Mayor
President of Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED: March 4, 2019