

Ordinance No. 268-2022

By Council Members Conwell, Bishop and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Works to execute a Joint Use Agreement, and other required documents to permit the Friends of Carpatho-Rusyn Cultural Garden of Cleveland to construct improvements at the Carpatho-Rusyn Garden aka Rusin Garden and to accept funding from the Ohio Department of Natural Resources for this purpose.

WHEREAS, the Friends of the Carpatho-Rusyn Cultural Garden of Cleveland, Inc. (“Friends”) has submitted an application to the Ohio Department of Natural Resources (“ODNR”) for funding (“ODNR Funding”) to construct improvements (“Improvements”) to the Carpatho-Rusyn Cultural Garden, fka Rusin Garden (“Garden”); and

WHEREAS, in order to receive such ODNR Funding, the Friends require a joint use with the City of Cleveland (as owner of the Cultural Gardens’ property); and

WHEREAS, the proposed Improvements will benefit the City and its residents and advance the purposes of the Cultural Gardens; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the proposed Improvements to the Garden will benefit the City and its residents and support the public purpose of the Cultural Gardens to educate the public about the history of the various peoples who have settled in the City of Cleveland.

Section 2. That the Director of Public Works is authorized to enter into a Joint Use Agreement and any other required documents to allow Friends to apply for and accept funding for its proposed Improvements to the Garden and to construct said improvements.

Section 3. That the Joint Use Agreement shall not be assignable without the consent of the Director of Public Works; and shall require that Friends provide reasonable insurance, maintain any Improvements constructed in the Garden; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 4. That the Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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REPORT
after second Reading

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READ FIRST TIME on MARCH 21, 2022
and referred to DIRECTORS of Public Works,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Finance Diversity Equity and Inclusion

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record _____

PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION

FILED WITH COMMITTEE