

# Ordinance No. 1323-2024

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 Greek Garden Association of Cleveland Inc. to install a natural stone frieze at the Greek Cultural Garden and to accept funding from the Ohio Department of Natural Resources for this purpose.

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WHEREAS, the Cleveland Cultural Gardens are a collection of landscaped gardens within Rockefeller Park owned by the City of Cleveland and designated as a Cleveland Landmark; and

WHEREAS, the Greek Garden Association of Cleveland Inc. (“Association”) has submitted an application to the Ohio Department of Natural Resources (“ODNR”) for funding (“ODNR Funding”) to install a natural stone frieze to the Greek Cultural Garden (the “Improvement”); and

WHEREAS, in order to receive such ODNR Funding, the Association requires a joint use agreement with the City of Cleveland, as property owner of the Cleveland Cultural Gardens; and

WHEREAS, the proposed Improvement will benefit the City and its residents and advance the purposes of the Cleveland 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 Improvement to the Greek Cultural Garden will benefit the City and its residents and support the public purpose of the Cleveland 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 the Association to apply for and accept funding for its proposed Improvement to the Greek Cultural Garden and to construct said Improvement.

Section 3. That the joint use agreement shall not be assignable without the consent of the Director of Public Works; and shall require that the Association obtain all

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necessary City permits, including a Certificate of Appropriateness from the Cleveland Landmarks Commission, provide reasonable insurance, maintain any Improvement constructed in the Greek Cultural 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.

ST:uo  
11-25-2024  
FOR: Director Williams

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REPORT  
after second Reading

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**READ FIRST TIME on NOVEMBER 25, 2024**  
and referred to DIRECTORS of Public Works, Finance, Law;  
COMMITTEES on Municipal Services and Properties,  
Finance Diversity Equity and Inclusion

REPORTS

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CITY CLERK

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READ SECOND TIME

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CITY CLERK

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READ THIRD TIME

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PRESIDENT

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CITY CLERK

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APPROVED

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MAYOR

Recorded Vol. \_\_\_\_\_ Page \_\_\_\_\_

Published in the City Record \_\_\_\_\_

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**MUNICIPAL SERVICES  
AND PROPERTIES**

FILED WITH COMMITTEE

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

FILED WITH COMMITTEE

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