

# BEREA CITY COUNCIL

*City of Berea, Ohio*

ORDINANCE NO. 2024- \_\_

By: \_\_\_\_\_

Sponsor: Mayor Cyril M. Kleem

## AN ORDINANCE

### **AUTHORIZING THE MAYOR TO ENTER INTO A TEMPORARY LEASE AGREEMENT WITH BEREA MIXED USE PROJECT, LLC FOR CERTAIN PARCELS OWNED BY THE CITY OF BEREA AND THE BEREA LAND UTILIZATION CORPORATION, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Berea Mixed Use Project, LLC, an affiliate of the Cleveland Browns, has expressed an interest in purchasing various parcels owned by the City of Berea and the Berea Land Utilization Corporation, for the purpose of future development; and

**WHEREAS**, the City is actively negotiating terms for the sale of these parcels to Berea Mixed Use Project, LLC, however, the parties have not yet finalized the terms of the proposed sales; and

**WHEREAS**, Berea Mixed Use Project, LLC wishes to apply for grant funding to be used toward the development of these parcels; and

**WHEREAS**, in order to meet the time requirements of the grant application, the applicant must demonstrate that it has a property interest and site control for each parcel; and

**WHEREAS**, the parties have agreed in good faith to continue negotiations for the anticipated sale of the parcels to Berea Mixed Use Project, LLC, which will provide Berea City Council sufficient time to review and consider approval of a purchase agreement for the sale of said parcels; and

**WHEREAS**, the parcels subject to this legislation are no longer needed for any municipal purpose.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

**SECTION 1.** That this Council finds that the parcels owned by the City, described in Exhibit "A", which is attached hereto and incorporated herein by reference, are not needed for any municipal purpose and hereby authorizes and directs the Mayor to enter into a Temporary Lease Agreement with Berea Mixed Use Project, LLC, which is attached hereto as Exhibit "C" and incorporated herein by reference.

**SECTION 2.** That this Council finds that the parcels owned by the Berea Land Utilization Corporation, described in Exhibit "B", which is attached hereto and incorporated herein by

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reference, are not needed for any municipal purpose and hereby authorizes and directs the Mayor to enter into a Temporary Lease Agreement with Berea Mixed Use Project, LLC, which is attached hereto as Exhibit "C" and incorporated herein by reference.

**SECTION 3.** 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 and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that it is in the best interests of the City to lease these properties at the earliest possible time in order to facilitate the redevelopment of the area. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:

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President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED:

APPROVED AS TO FORM:

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Mayor

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Director of Law