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**CITY OF MADEIRA
MEMORANDUM**

TO: Council
FROM: Barb Griffin
SUBJECT: Ordinance No. 24-08- Amending Portions of Ordinance No. 24-06
DATE: August 23, 2024

At the time the packets were assembled, Ordinance No. 24-08 was not available. Mr. Fox will bring a copy of the Ordinance to Council meeting on Monday, August 26, 2024.



ORDINANCE NO. 24-08
APPROVING THE DONATION OF PROPERTIES LOCATED AT
7010 AND 7014 MIAMI AVENUE TO THE COMMUNITY IMPROVEMENT
CORPORATION OF GREATER CINCINNATI, INC.

WHEREAS, the City of Madeira is a chartered home rule municipality of the State of Ohio;

WHEREAS, City Council desires to donate two City-owned properties located at 7010 and 7014 Miami Avenue to the Community Improvement Corporation of Greater Cincinnati, Inc.;

WHEREAS, the conveyance of both parcels will allow the Community Improvement Corporation of Greater Cincinnati, Inc. to act as the City's agent in the sale of the subject properties in furtherance of the City's economic development goals and in alignment with the City's Comprehensive Plan;

WHEREAS, community improvement corporations, by statute, are nonprofit corporations organized under the provisions of Chapter 1724 of the Ohio Revised Code and subject to the general nonprofit corporation provisions of Chapter 1702 of the Ohio Revised Code to the extent such provisions are not inconsistent with Chapter 1724;

WHEREAS, R.C. 1724.01 provides that community improvement corporations (such as the Community Improvement Corporation of Greater Cincinnati, Inc.) are organized "for the sole purpose of advancing, encouraging, and promoting the industrial, economic, commercial, and civic development of a community or area;"

WHEREAS, Article VIII, Section 13 of the Ohio Constitution, in authorizing the creation of organizations such as community improvement corporations, speaks of "corporations not for profit designated...as...agencies or instrumentalities;"

WHEREAS, R.C. 1724.10(B)(3) authorizes the conveyance of municipal property no longer needed for municipal purposes to the Community Improvement Corporation of Greater Cincinnati, Inc. without advertisement for bids;

WHEREAS, the donation of the subject properties to the Community Improvement Corporation of Greater Cincinnati, Inc. will promote private investment and community improvement and relieve City taxpayers of the burden of ongoing maintenance for both parcels;

WHEREAS, the City of Madeira has previously adopted legislation designating the Community Improvement Corporation of Greater Cincinnati, Inc. as agent of the City in order to further the policy of the City to advance, promote and encourage the industrial, commercial, distribution and research development of the City;

WHEREAS, Madeira and the Community Improvement Corporation of Greater Cincinnati, Inc. have previously entered into a certain agreement authorizing the Community Improvement Corporation of Greater Cincinnati, Inc. to, among other things, sell lands or interests in lands owned

by the City of Madeira determined from time to time by the City not to be needed for public purposes;

WHEREAS, the Community Improvement Corporation of Greater Cincinnati, Inc. accepted the designation of agent and resolved, as of August 22, 2024, to accept the donation of the two City-owned properties located at 7010 and 7014 Miami Avenue from Madeira;

WHEREAS, the Community Improvement Corporation of Greater Cincinnati, Inc. further resolved on August 22, 2024 to accept the donation of the subject parcels in order to assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of Madeira, thereby providing additional opportunities for their gainful employment; and

WHEREAS, David K. Main, as President of the Community Improvement Corporation of Greater Cincinnati, Inc., was further authorized on August 22, 2024 to execute any and all documents necessary to complete said acceptance.

NOW, THEREFORE, CITY COUNSEL HEREBY RESOLVES AND ORDAINS AS FOLLOWS:

Section 1. *Purpose.* City Council has determined that the properties located at 7010 and 7014 Miami Avenue (Hamilton County Parcel Nos. 525-0002-0059-00 and 525-0002-0057-00) are no longer needed for municipal purposes and are better utilized accomplishing the City's economic development goals within the City's central business district.

Section 2. *Public Good.* The City's donation of the subject parcels of real property to the Community Improvement Corporation of Greater Cincinnati, Inc. will help promote the welfare of the people of the City, and will further promote the utilization of the City's central business district for commercial opportunities, benefiting the community of Madeira.

Section 3. *Agreement.* City Council hereby authorizes and directs City Manager Michael Norton-Smith to execute any and all documents necessary to complete said donation with the Community Improvement Corporation of Greater Cincinnati, Inc., provided the relevant conveyance documents are substantially similar to the business and legal terms set forth in Exhibit A to Madeira Ordinance 24-05, and to do all things necessary in furtherance thereof.

Section 4. *Purchase Price.* In connection with the donation contemplated hereby, City Council hereby establishes the minimum sales price for both properties is \$280,000.

Section 5. *Timing.* 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 sell this municipal property at the earliest possible time to avoid incurring additional costs to maintain the property. Therefore, provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage; otherwise, from and after the earliest period allowed by law.

Section 6. Severability. If any provision or clause of this Ordinance or its application to any person or in any circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance shall be severable.

PASSED ON THE 26th DAY OF AUGUST, 2024 BY THE FOLLOWING __ - __ VOTE:

YEA	NAY	ABSTAIN	ABSENT
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Doug Moorman
Tom Henning
Logan Junger
Alicia Camper
Chad Shaffer
Tim Brock
Ramzi Takieddine

Doug Moormann, Mayor

Holly Richards, Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council of the City of Madeira, hereby certifies this to be a true and exact copy of Ordinance No. 24-08, adopted by the Council of the City of Madeira on August 26, 2024.

Holly Richards, Clerk of Council