

ORDINANCE RECORD**VILLAGE OF NEWBURGH HEIGHTS, OHIO****ORDINANCE NO. 2021-35**

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SHORT-TERM LEASE WITH 1127 CONSTRUCTION, INC. FOR USE OF THE PROPERTY AT 4605 HARVARD AVENUE AS A STAGING AREA FOR A CONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, 1127 Construction, Inc. has been hired by Dominion Energy to perform certain construction services in the Village of Newburgh Heights;

WHEREAS, 1127 Construction, Inc. wishes to utilize certain parcels on Harvard Avenue as a staging area during the course of the construction project, including the property at 4605 Harvard Avenue, which is owned by the Village;

WHEREAS, pursuant to the term of the Lease, 1127 Construction, Inc is obligated to return the vacant land at 4605 Harvard Avenue to a condition better than its condition upon commencement of the Lease;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF NEWBURGH HEIGHTS, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1: Village Council hereby authorizes the Mayor to enter into a certain Land Lease with 1127 Construction, Inc. for the lease of certain vacant real property at 4605 Harvard Avenue, a copy of which is attached hereto as Exhibit A, and which is incorporated herein by reference as if fully rewritten.

Section 2. 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.

Section 3: 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 Village of Newburgh Heights, such emergency being the need for 1127 Construction, Inc. to begin its construction project in the immediate future; wherefore, provided it receives the affirmative vote of four (4) 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.

PASSED: October 5, 2021

Approved as to Form

John F. McMillan
Solicitor

Trevor Elkins
Trevor Elkins, Mayor
Village of Newburgh Heights, Ohio

Cathleen Nagorski
Cathleen Nagorski, Fiscal Officer
Village of Newburgh Heights, Ohio

1ST Reading: 10/5/21
2ND Reading: 10/5/21
3RD Reading: 10/5/21