

TEMPORARY ORDINANCE NO. 22-20

PERMANENT ORDINANCE NO. 19-20

AN ORDINANCE REGARDING THE DISSOLUTION OF THE LANCASTER AREA COMMUNITY IMPROVEMENT CORPORATION ("LANCASTER CIC"), AND TO DECLARE AN EMERGENCY

WHEREAS, pursuant to Lancaster City Council Ordinance 34-70 passed on June 22, 1970 and approved by the Mayor on June 23, 1970, the Lancaster Area Community Improvement Corporation (hereinafter "Lancaster CIC") was established under the authority of Article VIII, Section 13, of the Ohio Constitution and Ohio Revised Code Chapter 1724; and

WHEREAS, Ohio Revised Code Chapter 1724 provides that the CIC exists as a not for profit corporate entity which can be designated by a municipal corporation as its agency to promote job creation and employment opportunities to improve the economic welfare of the City in regard to industrial, commercial, distribution and research development and the Lancaster CIC has performed these duties for the City admirably since its creation; and

WHEREAS, City Council subsequently created the Lancaster Port Authority (hereinafter "LPA") by Permanent Ordinance 86-05 pursuant to Ohio Revised Code Chapter 4582 as a body corporate and politic for the purposes of enhancing, fostering, providing or promoting transportation, economic development, housing, recreation, education, government operations, culture and research on behalf of the City and the LPA has been performing these duties for the City admirably since its creation; and

WHEREAS, the Lancaster CIC Board of Trustees, with the assistance of outside legal counsel, has decided to pursue statutory dissolution of the Lancaster CIC after discussion and concurrence that the Lancaster CIC has fulfilled its mission and the LPA now has greater powers and versatility to continue the mission of economic development for the City; and

WHEREAS, in furtherance of that decision, the Lancaster CIC will transfer all of its assets and liabilities to the LPA upon statutory dissolution of the Lancaster CIC; and

WHEREAS, one of the liabilities of the Lancaster CIC is the November 1, 2002 Agreement between the Lancaster CIC and the City regarding infrastructure improvement reimbursement payments to the City out of CIC land sale proceeds in the Rockmill Industrial Park;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio:

SECTION 1. That City Council recognizes and appreciates the economic development work accomplished by the Lancaster CIC and its Board of Trustees and is in agreement with the Boards decision to statutorily dissolve the Lancaster CIC and transfer all assets and liabilities of the Lancaster CIC to the LPA in furtherance of economic development by the LPA on behalf of the City and its citizens.

SECTION 2. That City Council hereby agrees to the termination of the November 1, 2002 Agreement between the Lancaster CIC and the City, and full release of any and all liability of the Lancaster CIC to the City pursuant to this Agreement, upon the successful statutory dissolution of the Lancaster CIC in conjunction with the successful transfer of all assets and liabilities of the Lancaster CIC to the LPA to further economic development for the City. Any land sales covered by the November 1, 2002 Agreement that are initiated by the Lancaster CIC prior to its statutory dissolution will be honored by the Agreement to provide reimbursement to the City of incurred infrastructure improvement costs expended by the City in the Rockmill Industrial Park.

SECTION 3. That City Council is not aware of any other agreements, obligations, or liabilities between the Lancaster CIC and the City, but agrees to terminate and release the Lancaster CIC from any and all other agreements, obligations, or liabilities to the City upon the successful statutory dissolution of the Lancaster CIC in conjunction with the successful transfer of all assets and liabilities of the Lancaster CIC to the LPA to further economic development for the City.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. That in the interest of the health, safety, and welfare of the community and more specifically in furtherance of economic development projects and initiatives on behalf of the City, City Council does hereby declare an emergency so that this ordinance shall take effect and be in full force immediately upon its passage by City Council and approval by the Mayor.

Passed: 10/12/20 after 2nd reading. Vote: Yeas 9 Nays 0

Approved: 10/12/20

Clerk: Teresa L. Sandy

David L. Scheffel
President of Council

Offered by: Don G. Mulan

David L. Scheffel
Mayor

Second by: Tom Sawyer

Requested by Economic Development Committee

I, Teresa L. Sandy, Clerk of Council do hereby certify that on _____, 2020 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council