

ORDINANCE NO. 2024-113

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW A LEASE AGREEMENT WITH WEST RIVER MEDICAL, LLC (WRM) FOR THE USE OF PARKING SPACES IN THE MUNICIPAL LOT AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent would like to renew a lease agreement with West River Medical, LLC (307 West Main street) for the use of parking spaces in the municipal lot; and

WHEREAS, the parking spaces being used are located on the northwest corner of West Main Street and Gougler Avenue as described in the agreement attached hereto as Exhibit "A"; and

WHEREAS, expense of landscaping, snow plowing, and general trash pickup associated with the parking lot will be shared by the City and WRM.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio:

SECTION 1. That Kent City Council authorizes the City Manager, or his designee, to renew a lease agreement with West River Medical, LLC to continue to use parking spaces in the municipal lot and is more fully outlined on Exhibit "A", attached hereto and incorporated herein.

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

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: November 20, 2024
Date


Jerry T. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: November 20, 2024
Date

ATTEST: Kathleen Coleman
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2024-113, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON November 20, 2024.

(SEAL)


KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL

PARKING LOT AGREEMENT

This agreement is entered into by and between the City of Kent, Ohio (hereafter the City), and West River Medical, LLC (hereafter WRM), their heirs, successors, and assigns, to be effective on _____ November, 2024.

Whereas, WRM purchased the building located at 307 West Main Street, Kent, Ohio; and

Whereas, WRM wishes the exclusive use of the parking spaces in the municipal lot on the northwest corner of West Main Street and Gougler Avenue, more fully described in "Exhibit A," during the business hours Monday-Friday, 7:00 a.m.-5:00 p.m.; and

Whereas, the City would like to provide public access to parking, after work hours and on the weekends;

Now therefore, it is agreed between the parties that:

1. The City and WRM will have access in the parking lot at the times outlined in this agreement between the City and WRM.
2. The expense of landscaping, snow plowing, and general trash pickup associated with the parking lot will be shared by the City and WRM. WRM will provide proof of costs incurred for landscaping, snowplowing and general trash pickup and invoice the City, once annually, a not to exceed amount of \$5,000.00 per year. The parking lot will be snow plowed in a manner consistent with City standards.
3. The City will continue to insure the City's parking lot and will provide for any capital repairs to the parking lot, including resurfacing and striping, as needed.

This agreement will renew automatically on an annual basis for a period of five (5) years and can be continued for an additional five (5) years upon agreement of both parties.

The parties hereby set their signature to this agreement, in the City of Kent, Portage County, Ohio on the dates set out below.

CITY OF KENT, OHIO

_____ Date _____
Dave Ruller, City Manager

WEST RIVER MEDICAL, LLC

_____ Date _____
Dr. Scott Hussing

APPROVED AS TO FORM

Hope Jones, Law Director
City of Kent

EXHIBIT "A"

5485 McCORMICK ROAD
P.O. BOX 528
RAVENNA, OH 44266

PH 330-296-2375

DON TROCCHIO
REGISTERED SURVEYOR

City of Kent, Ohio to City of Kent, Ohio
Northwest corner W. Main & Gougler Ave. (new parking lot)

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of original Franklin Township Lot No.25 and is further described as follows:

Beginning at a point in the northerly line of West Main Street. 100' wide at this point, at its intersection with the westerly line of Gougler Ave., 60' wide: said point has observed NAD 83 Ohio State Plane Rectangular Grid Coordinates of N543890.125 E2282303.621 and is witnessed by a drill hole I set in the sidewalk bearing N 89° - 29' - 22" E a distance of 2.00 feet from said beginning point;

Thence along the northerly line of West Main Street S 89° - 29' - 22" W a distance of 161.47 feet to a point intending to be on the dividing line between lands on the east now or formerly owned by the K.D.C.R. Corp. (180/15) and lands on the west now or formerly owned by R.C. Ackworth (259/289); an iron pipe was found N 81° - 25' - 18" W a distance of 1.78 feet from said point;

Thence along said dividing line N 00° - 28' - 41" W a distance of 102.64 feet to an iron pipe set and passing over an iron rod set at a distance of 7.00 feet;

Thence S 86° - 05' - 04" E a distance of 168.72 feet to a point in the westerly line of Gougler Ave.; this point is witnessed by a drill hole I set in the sidewalk bearing S 86° - 05' - 04" E a distance of 2.00 feet from said point;

Thence along the westerly line of Gougler Ave. S 03° - 49' - 48" W a distance of 89.88 feet to the beginning and containing 0.3643 acres of land be the same more or less as surveyed and described in April 1998 by Don Trocchio Registered Surveyor No.6445;

Note: Bearings used in this description are Grid North, NAD 83, Ohio State Plane Rectangular Coordinates, North Zone; all grid dimensions have been divided by a combined scale factor of 0.99989367 to obtain surface dimensions;

