

ORDINANCE NO. 2019- 41

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT WITH KENT STATE UNIVERSITY CROOKED RIVER ADVENTURES TO OPERATE A CANOE/KAYAK LIVERY AT JOHN BROWN TANNERY PARK, FOR A LONG TERM LEASE PROPOSING A FIVE (5) YEAR TERM WITH A FIVE (5) YEAR RENEW OPTION, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, the Kent Parks and Recreation Department wishes to renew the agreement with Kent State University Crooked River Adventures for the operation of a canoe/kayak livery at the John Brown Tannery Park and for Council to waive the bidding requirements for this lease; and

WHEREAS, the Kent State University Crooked River Adventures is proposing a five (5) year term with a five (5) year renew option; and

WHEREAS, the proposed payments for this lease will be \$4,000 (2019), \$4,500 (2020), \$5,000 (2021), \$5,000 (2022) and \$5,000 (2023); and

WHEREAS, the past requests for competitive bids to lease the property produced only one bid, that of the Kent State University; and

WHEREAS, Kent State University and the City of Kent have had a very successful relationship and this lease does not prohibit other vendors from using the leased land to set in their canoes and kayaks; and

WHEREAS, the canoe/kayak season will be starting soon, so time is of the essence.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the City Manager, or his designee, be and hereby is authorized to renew the agreement with Kent State University Crooked River Adventures to operate a canoe/kayak livery at John Brown Tannery Park, in substantial compliance with the terms of Exhibit "A", attached hereto.

SECTION 2. For the reasons set forth above, competitive bidding is hereby waived.

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 action, were in meetings open to the public in compliance with all legal requirements of 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, 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: April 17, 2019
Date

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

EFFECTIVE: April 17, 2019
Date

ATTEST: Dawn Bishop
Dawn Bishop
Interim Clerk of Council


I, DAWN BISHOP, 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. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

DAWN BISHOP
INTERIM CLERK OF COUNCIL



Kent Parks & Recreation Department

497 Middlebury Road Kent, Ohio 44240 (330) 673-8897 FAX: (330) 673-8898

TO: Dave Ruller, Hope Jones
FROM: John Idone 
DATE: March 25, 2019
RE: Canoe Livery Lease Renewal

*** M E S S A G E ***

The Parks & Recreation Board authorized, at the March 21, 2019 Board Meeting, the recommendation to City Council to renew the lease for Canoe Livery Operations at the John Brown Tannery and request that Council authorize the waiving of the bidding requirements for this lease. They have been operating the livery for the past seven years and the last two times this lease was publicly bid we only received on bidder. They have an excellent safety record and partner with Parks & Recreation on a variety of other programs and facility use.

Last season (2018) marked the third and final year under the existing lease. In order to provide more stability we are requesting that City Council waive the bidding requirements and allow us to enter into a long term lease with KSU. The lease proposes a five year term with a five year renew option. Rather than continuing to charge rent + 10% of gross sales I am proposing we go to a flat fee. The revenues have ranged over the past 7 years from \$2,500 to \$4,500 annually. The proposed payments for this lease are as follows: \$4,000 (2019), \$4,500 (2020), \$5,000 (2021), \$5,000 (2022) and \$5,000 (2023).

Your assistance in this matter is sincerely appreciated. If you have any questions please let me know.

PC: Dawn Bishop. Council
Kent P & R Board