



Legislation Text

File #: O-169-23, **Version:** 1

DPYS 2023 Sterling Park Rugby Club Lease
Parks and Youth Services
Joe Fausnaugh (x3884)
Revised

Authorizing the Mayor to enter into a five-year Lease, with two optional five-year renewals with the Toledo Celtics Rugby Inc. for the operation and maintenance of a rugby field located at city-owned Sterling Park, Toledo, Lucas County Ohio; waiving the 30-day notice requirement of Toledo Municipal Code Chapter 187; making certain findings with respect thereto; and declaring an emergency.

SUMMARY & BACKGROUND:

This legislation authorizes the Mayor to enter into a new lease for an initial term of five years with two renewals for five years each at an annual rent of \$500.00 per year. Operating expenses, including taxes, and insurance are to be paid by Toledo Celtics. Trash collection will remain the responsibility of the City.

Per the lease terms, the City and Toledo Celtics will meet annually to discuss long-term maintenance issues and approve a schedule of capital improvements to the Premises.

Toledo Celtics will use the premises for the purpose of conducting activities related to the sport of rugby, including games, practices and other associated activities, which includes all activities related to or in furtherance of the operation of same including but not limited to public recreational and instructional rugby events, and food and beverage concessions. No assignments or sublease rentals will be permitted without the prior written consent of City.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is authorized to execute a Lease Agreement between the City of Toledo and the Toledo Celtics Rugby Inc. for a term of five years and an additional two renewal terms of five years for the operation and maintenance of a rugby field located at city-owned Sterling Park, Toledo, Lucas County Ohio, subject to terms and conditions deemed necessary and proper by the Mayor, the Department of Law and the Department of Parks and Youth Services.

SECTION 2. That the Lease shall contain an annual rent of \$500.00 which is hereby authorized to be deposited into the General Fund Account Code 1001-40100- 7000380STDADM.

SECTION 3. That the Lease “Premises” described in substantial final form in Exhibit A is incorporated by reference.

SECTION 4. That this Council finds and determines that the Lease Premises during the lease term or any renewals is not needed by the City for any municipal purpose and further waives the 30-day notice

provision contained in Toledo Municipal Code Chapter 187.19.

SECTION 5. That it is found and determined that all formal actions of Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of Council and any of its committees that result in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 6. That this Ordinance is declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this Ordinance must be immediately effective to facilitate the continuous maintenance and activation of this property by the Toledo Celtics for rugby related activities.

Vote on emergency clause: yeas 11, nays 0.

Passed: April 4, 2023, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

April 4, 2023
Wade Kapszukiewicz
Mayor