

RESOLUTION NO. 60 -2005

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO A LEASE AGREEMENT WITH THE BATH-RICHFIELD KIWANIS CLUB FOR THE COMMUNITY DAYS PROGRAM AND DECLARING AN EMERGENCY

BE IT RESOLVED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That the Mayor and Finance Director be, and they hereby are, authorized and directed to enter into an agreement with the Bath-Richfield Kiwanis Club for the Community Days program, a copy of which Lease Agreement is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to be effective by Community Days; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 8/2/05

[Signature]
President of Council

[Signature]
Mayor

Dated: 8/3/05

ATTEST:
[Signature]
Clerk of Council

EXHIBIT "A"

LEASE AGREEMENT

THIS LEASE AGREEMENT made as of the 6th day of ^{October}~~September~~, 1998 by and between the VILLAGE OF RICHFIELD, 4410 West Streetsboro Road, P. O. Box 387, Richfield, Ohio 44286-0387 ("Richfield") and THE BATH-RICHFIELD KIWANIS CLUB, P. O. Box 211, Richfield, Ohio 44286 ("Kiwans").

WHEREAS, The Bath-Richfield Kiwanis Club has sponsored 27 annual Community Days; and

WHEREAS, the Community Days provide a sense of community spirit and assist an important non-profit organization in the Village; and

WHEREAS, Richfield wishes to encourage the continuation of the Community Day; and

WHEREAS, this Lease will serve to encourage the continuation of the Community Day as it is presently constituted and will establish the relationship between Richfield and the Kiwanis Club.

NOW, THEREFORE, IT IS HEREBY AGREED between the parties as follows:

1. Richfield shall lease to the Kiwanis Club sufficient area, as determined by Richfield, on Richfield grounds to allow the Kiwanis to hold its annual Community Day.
2. The Kiwanis shall pay Richfield the sum of One Dollar (\$1.00) per year for this Lease.
3. As part of Richfield's duties, it shall coordinate with the Kiwanis Club as far as the timing of the Community Day and will assist in setting up tents and booths, clean up and taking down of tents and booths to allow the Community Day to be held at a mutually agreeable time and place.
4. The Kiwanis shall organize the Community Day. The Kiwanis, in its sole discretion, shall acquire organizations and food concession stands for the Community Day. The Kiwanis shall

require each vendor to provide a \$1 million insurance policy with the Kiwanis and the Village of Richfield named as additional named insureds.

5. This Lease shall continue until terminated by either party, each party being required to give the other party at least six months' advance written notice.

IN WITNESS WHEREOF, the parties have set their hands as of the date and place first above written.

WITNESSES:

Sammy Wang
John Murphy

VILLAGE OF RICHFIELD

By: Arnold W. Larsen
Its Mayor

And: Elmer Lakovic
Its Finance Director

BATH-RICHFIELD KIWANIS CLUB

By: Sally J. Childs
Its President

And: Marguerite Inance
Its Secretary

And: May H. (Peggy) Malone
Chairman, Community Day

APPROVED AS TO FORM.

[Signature]
Charles T. Riehl, Law Director
Village of Richfield