

ORDINANCE NO. 2015-83

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND
THEREAFTER ENTER INTO A MULTI-YEAR LEASE
AGREEMENT FOR CITY-OWNED REAL PROPERTY LOCATED
AT SUMMIT PARK; AND DECLARING AN EMERGENCY

WHEREAS, Section 9.12 of Article IX of the Charter of the City of Blue Ash, Ohio, provides the method under which the City Manager shall make certain purchases and enter into contracts on behalf of the City, including contracts affecting real and personal property rights; and

WHEREAS, the need exists for the City to work diligently towards the realization of the goals of the Summit Park Master Plan which envisions one or more dining options for the benefit of park patrons; and

WHEREAS, with the commencement of Summit Park development and through the services of a commercial real estate agent authorized by City Council under Ordinance 2013-45, a restaurant tenant has been identified to lease property at Summit Park in Building B; and

WHEREAS, the Project Team recommends that the City Manager be authorized to enter into a Lease Agreement with August Food and Wine, LLC, to open a second Senate restaurant location at Summit Park in Blue Ash; and

Be it ordained by the Council of the City of Blue Ash, not less than five (5) members thereof concurring,

SECTION I.

The City Manager is hereby authorized to negotiate and thereafter enter into a multi-year real estate lease agreement with The Senate, d/b/a August Food and Wine, LLC, an Ohio limited liability company, for the City-owned property at Summit Park. The City Manager, as the City's chief executive officer, is hereby authorized to execute all related documents, and subsequent revisions, related to the intended multi-year lease of this property, and the agreement shall be approved by the City Solicitor.

SECTION II.

The Treasurer is hereby authorized to accept lease money and expend the necessary funds relating to the improvement and tenant allowance per the lease agreement, in substantially similar format to the attached, therefor, which funds are hereby appropriated to improve the economic welfare of the City of Blue Ash's citizens as authorized under Article VIII, Section 13 of the Ohio Constitution.

SECTION III.

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 City of Blue Ash, Ohio; the reason for the emergency being the immediate need to fulfill the vision of the Summit Park Master Plan and to enter into a lease securing a restaurant tenant to operate in Building B at Summit Park as soon as possible. Therefore, this ordinance shall take effect and be in force from and after its passage.

PASSED this 10th day of December, 2015.

Lee Czerwonka, Mayor

Jamie K. Eifert, Clerk of Council

APPROVED AS TO FORM:

Bryan E. Pacheco, Solicitor