

ORDINANCE NO. 2012-

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AMENDMENT FOR THERESA TRIVELLI dba CAPELLI FOR THE PREMISES KNOWN AS 209 EAST SUMMIT STREET, KENT, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to extend its lease with Theresa Trivelli for an additional year making her term ending on July 31, 2013; and

WHEREAS, rents will be adjusted pursuant to the City's incubator policies; and

WHEREAS, time is of the essence to extend the current lease as it expired at the end of July, 2012.

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

SECTION 1. That Council does hereby accepts and authorizes the City Manager to execute the Lease Amendment with Theresa Trivelli dba Capelli for 209 East Summit Street, Kent, Ohio in substantial conformity with the amendment marked as 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: 09/19/2012
DATE

MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2012- 96 was duly enacted this 19 day of September,
2012 by the Council of the City of Kent, Ohio.

Linda M. Copley, Clerk of Council

EXHIBIT "A"

LEASE AMENDMENT

THIS AMENDMENT is for the lease, dated June 7, 2007, by and between the CITY OF KENT, OHIO ("Lessor") and THERESA TRIVELLI, dba Capelli ("Lessee"), for the space known as 209 East Summit Street, Kent, Ohio.

Pursuant to the City of Kent Summit Street Incubator Program Policies and Administrative Rules, the lease between the City of Kent, Ohio and Theresa Trivelli, dba Capelli is extended for a period of up to twelve (12) months, or July 31, 2013, with the following terms and conditions:

1. Rent for August, September and October, 2012 will be \$5.00 per square foot for a monthly payment of \$316.67.
2. Rent for November, December, 2012 and January, 2013 will be \$5.50 per square foot, for a monthly payment of \$348.33.
3. Rent for February, March and April, 2013 will be \$6.05 per square foot, for a monthly payment of \$383.17.
4. Rent for May, June and July, 2013 will be \$6.65 per square foot, for a monthly payment of \$421.17.
5. Lessee may terminate this Agreement before July 31, 2012 by giving the City thirty (30) days at the end of the stated thirty (30) day period, written notice to the Lessor of her interest to vacate the premises.

This Lease Amendment is executed this _____ day of _____, 2012.

THERESA TRIVELLI dba CAPELLI, LESSEE

CITY OF KENT, OHIO, LESSOR

By: _____
Theresa Trivelli dba Capelli

By: _____
David Ruller, City Manager

APPROVED AS TO FORM:

James R. Silver, Law Director