RECORD OF ORDINANCES

Ordinance No. 2015- 26 Passed JULY 27 20 15

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND THE FISCAL OFFICER TO ENTER INTO AN AMENDMENT TO A LEASE AGREEMENT WITH BALTIMORE DOWNTOWN RESTORATION COMMITTEE FOR THE THEATER LOCATED ON THE UPPER FLOORS OF THE VILLAGE TOWN HALL AT 103 WEST MARKET STREET, BALTIMORE, OHIO, AND THE DECLARATION OF AN EMERGENCY

WHEREAS, the Village previously entered into a lease agreement, in Ordinance 2013-40, with the Baltimore Downtown Restoration Committee (hereinafter "Committee"), which Committee is engaged in the business of repairing, restoring and improving the former theater located on the upper floors of the Village Town Hall; and,

WHEREAS, the Committee currently leases the former theater space from the Village on the unused and unoccupied upper floors of the Village Town Hall located at 103 West Market Street; and,

WHEREAS, the original lease agreement was amended in Ordinance 2015-03, to provide for an additional lease period of five (5) years from December 31, 2018, in order to qualify for funding for the repair, restoration and improvement of the former theater; and,

WHEREAS, Committee desires an amendment to the original lease agreement in order to provide for an additional lease period of seven (7) years from December 31, 2018, in order to qualify for funding for the repair, restoration and improvement of the former theater; and the condition and age of the former theater make it impractical for the Village to consider leasing the building to a for-profit entity, or for proceeding with formal bidding; and,

WHEREAS, the Village's Service Committee has reviewed the proposed amendment to the original lease agreement and recommends approval of the same; and,

WHEREAS, as the Committee desires to move forward with the process of securing funding and commencing restoration in an expeditious fashion, Council desires to approve this ordinance on an emergency basis;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY,
OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: The Village Administrator and the Fiscal Officer are hereby authorized and directed to enter into an amendment to the original lease agreement, to provide for an additional seven (7) year period from December 31, 2018, for the former theater on the upper floors of Village-owned property at 103 West Market Street, Baltimore, Ohio. The lease agreement, once amended, shall expire on December 31, 2025. A copy of said Amendment to Lease Agreement is attached hereto and incorporated herein.

SECTION 2: For the reasons noted in the preamble, this Ordinance is declared to be an emergency measure necessary for the health, safety and general welfare of the community. Therefore, this ordinance shall become effective immediately upon its passage by Council.

Robert M. Kalish

Robert M. Kalish, Mayor

DATE OF PASSAGE: JULY 27, 2015

EFFECTIVE DATE: JULY 27, 2015

RECORD OF ORDINANCES

Ordinance No. 2015- 26 *Passed* JULY 27 *20* 15

ATTEST: _____
Kathryn E. Jenkins, Fiscal Officer

SPONSOR: HOCHRADEL

APPROVED AS TO FORM: _____
Jeffrey Feyko, Village Solicitor