

ORDINANCE NO. 9-19

AN ORDINANCE AUTHORIZING THE MAYOR TO EXTEND THE CONCESSIONS AGREEMENT BETWEEN THE BIG SHOW LTD. AND THE CITY ENTERED INTO ON MAY 8, 2017 PURSUANT TO ORDINANCE NO. 36-17 AND DECLARING AN EMERGENCY

WHEREAS, the Avon Aquatic Facility has been in operation since July, 2015; and

WHEREAS, City Council passed Ordinance No. 80-15 on July 13, 2015 to authorize the Mayor to contract with The Big Show, Ltd. as the exclusive food concessionaire at that facility through the 2016 season; and

WHEREAS, Council authorized the Administration to extend this concessions contract to include concessions at Veterans Park, Little League Park and Schwartz Road Park for the balance of the 2017 and 2018 seasons in Ordinance 36-17 passed May 8, 2017; and

WHEREAS, the Administration is very satisfied with the way The Big Show has operated the concessions stands at these parks for the past two years and, pursuant to Paragraph 18 of 2017 Addendum, desires to extend the contract for an additional two (2) years;

WHEREAS, Council, having been fully informed on the operations of the concessions and having received no major complaints from residents or other visitors to the parks, finds it to be in the best interests of the health, safety and welfare of the citizens of Avon to authorize the Mayor to extend the Agreement and Addendum thereto for the 2019 and 2020 recreation seasons.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the Mayor is hereby authorized to extend the current Concessions Agreement with The Big Show, Ltd., an Ohio Limited Liability Company, dba "A Big Show" in substantially the form set forth in Ordinance No. 36-17, a copy of which is attached hereto as Exhibit A and incorporated herein, for the 2019 and 2020 recreation seasons.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to authorize the Mayor to extend the current Concessions Agreement and Addendum thereto with The Big Show, Ltd. to handle the food and beverage concession at the City's Aquatic Facility and three (3) other City parks for the 2019 and the 2020 recreation seasons; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 9-19 (Con't.)

PASSED: _____

DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara J. Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director