

RESOLUTION 25-2023

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA OHIO TO AUTHORIZE THE MAYOR OF THE CITY TO ENTER INTO A USE AGREEMENT WITH THE BOARD OF EDUCATION OF THE NEW PHILADELPHIA CITY SCHOOL DISTRICT FOR USE OF THE TENNIS COURTS LOCATED AT TUSCORA PARK LOCATED AT 161 TUSCORA AVE. NW IN NEW PHILADELPHIA, OHIO FOR USE BY THE SCHOOL DISTRICTS TENNIS TEAMS DURING THEIR ATHLETIC COMPETITIONS AND PRACTICES, AND DECLARING AN EMERGENCY.

WHEREAS, the city of New Philadelphia Ohio and the Board of Education of the new Philadelphia school district have cooperated over the years to allow the district to use city-owned tennis courts for sporting events and practices; and

WHEREAS, the Board of Education of the New Philadelphia School District desires to help contribute to the continued maintenance and upkeep of the same; and

WHEREAS, in order for the Board of Education of the New Philadelphia School District to be able to legally contribute financial assistance to the same, a use agreement needs to in place to facilitate such contributions.


NOW THEREFORE, BE IT RESOLVED BY THE CITY OF NEW PHILADELPHIA, OHIO, AS FOLLOWS:

SECTION 1. The Mayor of the City of New Philadelphia is hereby authorized and directed to enter into the use agreement attached hereto and incorporated herein by reference as if fully rewritten on behalf of the City of New Philadelphia, Ohio for the purposes stated therein.

SECTION 2. This Resolution is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of New Philadelphia, Ohio.

SECTION 3. This Resolution shall take effect immediately upon its passage and approval.

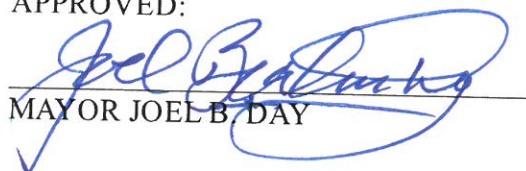
PASSED: December 2020 25


DONALD C. KEMP
PRESIDENT OF COUNCIL

ATTEST:


JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:


MAYOR JOEL B. DAY

SPONSORED BY: PARKS AND RECREATION COMMITTEE

USE AGREEMENT

Between

The City of New Philadelphia, Ohio

And

The Board of Education of the New Philadelphia City School District

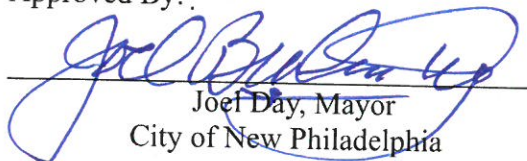
This Use Agreement is made and entered into as of _____, 2023 by and between the City of New Philadelphia, Ohio, a municipal corporation and political subdivision of the State of Ohio, with a mailing address of 150 East High Avenue, New Philadelphia, Ohio, 44663, and the Board of Education of the New Philadelphia City School District, a public school district and political subdivision of the State of Ohio, with a mailing address of 248 Front Avenue, SW, New Philadelphia, Ohio, 44663.

The City of New Philadelphia and the New Philadelphia City School District agree that the School District shall have the right to use the Tennis Courts located at Tuscora Park, 161 Tuscora Ave NW, New Philadelphia, Ohio, for the use of the New Philadelphia City Schools' tennis teams during their athletic competitions and practices.

In return for this use, the School District shall pay the City of New Philadelphia \$1.00 each year for a term of ten (10) years. This agreement shall be renewable by the School District for an additional term of ten (10) years upon notice given to the City prior to expiration of the initial term. This agreement thereafter shall automatically renew for successive five (5) year renewal terms unless either party provides notice to the other of that party's intent not to renew the agreement, such notice to be given no less than 30 days prior to the expiration of the term of the agreement. The "term" of this agreement shall include the initial term and any renewal term.

The School District shall also agree to contribute one-half of the replacement of the tennis court surfaces. The replacement of the courts will be done in 2024, and thereafter, every five (5) to seven (7) years, based upon professional recommendation.

Approved By:



Joel Day, Mayor
City of New Philadelphia

Date

Amy D. Wentworth, Superintendent
New Philadelphia City Schools

Date