

CITY OF OBERLIN, OHIO

ORDINANCE No. 18-06 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH NEXUS GAS TRANSMISSION, LLC AND DECLARING AN EMERGENCY

WHEREAS, Council for the City of Oberlin deems it to be in the interest of the City to avail itself of the benefits of the settlement of pending litigation with the NEXUS Gas Transmission, LLC as are set forth in Exhibit “A” attached hereto.

THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City Manager is hereby authorized and directed to execute a settlement agreement with NEXUS Gas Transmission, LLC in substantially the form attached hereto as **Exhibit “A”**.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or 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, 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 immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: to receive the benefits of settlement without delay and to minimize the further expenditure of funds for the continued pursuit of the litigation that is the subject of the settlement agreement authorized hereunder and shall take effect immediately upon passage.

PASSED: 1st Reading: February 5, 2018

2nd Reading: February 20, 2018

3rd Reading: March 20, 2018 (UNANIMOUSLY FAILED)

ATTEST:

BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 03/06/2018

EFFECTIVE DATE: N/A