

ORDINANCE NO. 87-43 AC CMS

AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF OBERLIN
AND THE OBERLIN BASEBALL/SOFTBALL FEDERATION FOR THE
OPERATION OF A BASEBALL/SOFTBALL PROGRAM WITHIN THE CITY OF OBERLIN

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain,
State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That the proposed agreement between the City of Oberlin
and the Oberlin Baseball/Softball Federation for the operation of a baseball/-
softball program within the City of Oberlin, a copy being attached hereto
and incorporated by reference, is hereby approved, and the City Manager
is hereby authorized and directed to execute same on behalf of the City.

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 the 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 shall take effect at the earliest
date allowed by law.

PASSED: 1st Reading- June 15, 1987 (Emergency)
2nd Reading-
3rd Reading-

ATTEST:


Clerk of Council


Chairman of Council

POSTED: June 17, 1987

AGREEMENT

This Agreement will serve as confirmation of the City of Oberlin Recreation Department's proposed takeover of the Oberlin Baseball/Softball Federation. Following are terms by which both the City of Oberlin Recreation Department and the newly-titled "Baseball/Softball Committee" obligate themselves toward their participation in the implementation of a community-wide baseball and softball program for Oberlin youths.

This Agreement is made and entered into at Oberlin, Ohio, this 16th day of June, 1987, by and between the City of Oberlin Recreation Department (hereinafter referred to as "City") and the Oberlin Baseball/Softball Federation (hereinafter referred to as "Federation").

WHEREAS, the parties are desirous to implement a baseball and softball program for Oberlin youths,

In consideration of the mutual terms and obligations contained herein and other consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. Proposal and Terms of Agreement

The Federation has proposed that the City take over the responsibility of implementing the Oberlin youth baseball and softball program. This function had been previously performed by volunteers that constituted the Federation.

Both parties agree that the terms of this Agreement are for a one (1) year period with the City having the right to renew the Agreement for a period of two successive one (1) year periods, so long as each party abides by all the obligations set forth herein, subject, however, to termination as provided for herein.

2. Duties and Obligations of the City

The City shall perform the following duties and obligations during the term of this Agreement:

- (A) Provide field maintenance, which shall include preparing baseball/- softball diamonds for scheduled games.
- (B) Conduct player registration and handle all telephone inquiries regarding the baseball/softball program.
- (C) Provide training for volunteer baseball/softball coaches under the National Youth Sport Coaching Association (hereinafter referred to as "NYSCA").
- (D) Provide training for umpires that will conform with the Lorain County Hot Stove and Girls' Softball Association requirements.
- (E) Schedule and pay all umpires required for each game.
- (F) Provide liability insurance for town league and instructional teams if established.
- (G) Provide bathroom facilities to all baseball/softball facilities used during the season.
- (H) Provide for press releases that will be at no cost to the City.
- (I) Retain affiliation with the Lorain County Hot Stove Association/
Lorain-Medina Co. Girls Softball Association.

3. Duties and Obligations of the Federation

The Federation shall perform the following duties and obligations during the term of this Agreement:

- (A) Relinquish their title of "Oberlin Baseball/Softball Federation" and adopt a new title of "Oberlin Baseball/Softball Committee."
- (B) Recruit and provide sufficient volunteers to be trained for all coaching positions.
- (C) Provide for free transportation of players, coaches, scorekeepers and managers to and from games.

- (D) Require that all volunteers who will serve as drivers to and from a game present proof of auto insurance.
- (E) Require that all volunteers who will serve as a coach/manager be certified by the National Youth Sport Coaching Association.
- (F) Pay for all advertising not provided by the City assumed under Section 2(H) of this Agreement.
- (G) Coordinate and administer all fund-raisers required to help subsidize the baseball/softball program.
- (H) Continue to solicit funds from local merchants at a minimum of \$1,400 per year.
- (I) Require that all teams, during practices and games, be coached/supervised by at least two (2) adults eighteen years of age or older. At least one of these adults must be NYSCA trained.
- (J) Establish and submit for City approval, bylaws that will govern the Baseball/Softball Committee. These bylaws will be effective beginning May 1, 1987.
- (K) Provide a volunteer(s) representative to attend the County meetings for both Girls' Softball and Boys' Baseball. This person(s) must keep the City abreast of all information transpired at the meetings.
- (L) Surrender title to all assets, including equipment, to the City.

4. Termination

In the event that either party breaches the terms and conditions contained herein, this Agreement may be terminated by giving written notice to the other party of such termination at least thirty (30) days prior to the date of desired termination.

The Baseball/Softball Federation and the City of Oberlin hereby agree
with the terms of this Agreement.

THE CITY OF OBERLIN, OHIO

BY:

Dale S. Sugerman
Dale S. Sugerman
City Manager
City of Oberlin

OBERLIN BASEBALL/SOFTBALL FEDERATION

BY:

Richard M. Weinbauer
President of Federation

BY:

John L. Gmuro
Secretary of Federation
Treasurer

OBERLIN BASEBALL/SOFTBALL FEDERATION
Oberlin, Ohio