

ORDINANCE NO. 88-35 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO RETAIN THE SERVICES OF THE LAW FIRM OF BELL & BENTINE CO., L.P.A., OF COLUMBUS, OHIO, AS SPECIAL LEGAL COUNSEL TO THE CITY OF OBERLIN, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the City of Oberlin, Ohio, operates a water system for the benefit of its residents and businesses.

WHEREAS, the City of Oberlin, Ohio, has an obligation to protect the water supply of that water system.

WHEREAS, the City of Oberlin, Ohio, along with the Village of Wellington, Ohio, and the Village of Grafton, Ohio, all having common interests wish to cooperate in the protection of said water supply.

WHEREAS, in furtherance of said cooperation the City of Oberlin, Ohio, the Village of Wellington, Ohio, and the Village of Grafton, Ohio, desire to retain the services of special legal counsel to consult with and advise them in matters pertaining to the protection of their water supply.

NOW, 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 Manger be, and hereby is, authorized to retain by contract the law firm of Bell & Bentine Co., L.P.A., of Columbus, Ohio, to act as the municipality's special counsel.

SECTION 2. That, recognizing that said special counsel will also represent the Village of Wellington, Ohio, and the Village of Grafton, Ohio, for such purposes, all charges by such special counsel shall be apportioned between said municipalities on the basis of metered water sales as follows:

Oberlin	255 Million Gallons per year (60.4%)
Wellington	105 Million Gallons per year (24.9%)
Grafton	<u>62 Million Gallons per year (14.7%)</u>
	422 Million Gallons per year (100%)

SECTION 3. Said charges payable by the City of Oberlin shall not exceed \$6,040.00 without further action of this body.

SECTION 4. 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 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to-wit:

"to engage special counsel to advise the City concerning matters pertaining to the City's water supply at the earliest possible date"

and shall take effect immediately upon passage.

PASSED: 1st Reading- May 16, 1988 (Emergency)  
2nd Reading-  
3rd Reading-

ATTEST:

Julia A. Simonson  
Clerk of Council

Robin E. Gindra  
Chairman of Council

POSTED: May 18, 1988