

ORDINANCE NO. 95-31 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO
A CONTRACT WITH THE OBERLIN EARLY CHILDHOOD CENTER

WHEREAS, the City of Oberlin has the authority by virtue of Chapter 5104 O.R.C. to operate a child day-care center within the City of Oberlin, and,

WHEREAS, the Council of the City of Oberlin deems it necessary to enter into a contract with the Oberlin Early Childhood Center, formerly the Oberlin Day Care Center, to authorize it to operate such a center and provide financial assistance for the same; and,

WHEREAS, the Oberlin Early Childhood Center is a non-profit corporation operating under and by virtue of the laws of the State of Ohio and is duly licensed to operate a child day-care center; and,

WHEREAS, the Oberlin Early Childhood Center offers to the residents of the City of Oberlin the following personal services:

- (a) to plan, conduct, and administer high quality educational programs and related activities during the work day for children of pre-school and other young ages;
- (b) to make available such high quality educational programs and related activities to children of pre-school and other young ages, without undue financial hardship to their parents and legal guardians, thereby making such programs and activities available to children without regard to their economic background;
- (c) to develop and implement educational programs designed to bring together children from different economic, racial, religious, and ethnic backgrounds in such a manner that the children may have a positive educational experience which will enable them to become responsible adults who lack prejudice and discriminatory attitudes;
- (d) to provide a new, modern facility, including buildings and an outside play area, that will be specifically designed, built, equipped, and operated for children of pre-school and other young ages; and,

WHEREAS, said services are highly specialized and there is no other organization available which is licensed by the State of Ohio to provide said services or which is otherwise possessed of the required skills or capabilities to provide said services; and,

WHEREAS, City Council desires to authorize the City Manager to enter into a contract with the Oberlin Early Childhood Center, under the terms of which the said center shall operate a child day-care center and furnish its services to the residents of the City of Oberlin, and in return for which the City shall provide financial assistance to the said center.

NOW, THEREFORE, 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 City Manager be, and is hereby authorized to enter into a contract with the Oberlin Early Childhood Center, whereby the City will provide financial assistance to the said center in an amount of \$16,000.00 as previously appropriated through Ordinance 94-102 for the 1995 Fiscal Year, to be used for operating purposes and in consideration therefore said center will operate a child day-care center and provide to the residents of the City of Oberlin the services above set forth for the Fiscal Year 1995, said contract being attached hereto as "Exhibit A" and incorporated herein by reference.

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 shall take effect at the earliest date allowed by law.

PASSED:	1st Reading -	April 3, 1995
	2nd Reading -	April 17, 1995
	3rd Reading -	May 1, 1995 (E)

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: May 5, 1995

EFFECTIVE DATE: May 2, 1995

EXHIBIT A - ORDINANCE NO. 95-31 AC CMS

AGREEMENT

This Agreement made and concluded at Oberlin, Ohio, this 2nd day of May, 1995, by and between the City of Oberlin, a municipal corporation (herein referred to as "City"), and the Oberlin Early Childhood Center, an Ohio non-profit corporation (hereinafter referred to as "Childhood Center"),

WITNESSETH:

WHEREAS, the CITY has the authority pursuant to Chapter 5104 O.R.C. to operate a child day-care center within the City of Oberlin, Ohio; and

WHEREAS, the City Council has, through the 1995 Appropriations Ordinance No. 94-102 AC CMS, deemed it necessary to authorize the expenditure of SIXTEEN THOUSAND DOLLARS (\$16,000.00) to the CHILDHOOD CENTER, whereby said program will provide such activities to the residents on behalf of the CITY.

WHEREAS, the Council of the City has by Ordinance No. 95-31 AC CMS, effective May 2, 1995 . deemed it necessary to authorize the City Manager to enter into an agreement with the CHILDHOOD CENTER whereby said CHILDHOOD CENTER will operate such a child day-care center and will provide the following services to the residents of the City of Oberlin, to-wit:

- (a) to plan, conduct, and administer high quality educational programs and related activities during the work day for children of pre-school and other young ages;
- (b) to make available such high quality educational programs and related activities to children of pre-school and other young ages, without undue financial hardship to their parents and legal guardians, thereby making such programs and activities available to children without regard to their economic background;

- (c) to develop and implement educational programs designed to bring together children from different economic, racial, religious, and ethnic backgrounds in such a manner that the children may have a positive educational experience which will enable them to become responsible adults who lack prejudice and discriminatory attitudes;
- (d) to provide a new, modern facility, including buildings and an outside play area, that will be specifically designed, built, equipped, and operated for children of pre-school and other young ages; and

WHEREAS, the CITY in return for the services to be rendered by said CHILDHOOD CENTER will provide financial assistance to the CHILDHOOD CENTER in an amount of \$16,000.00 for the 1995 Fiscal Year, being the amount heretofore appropriated for such purpose.

NOW, THEREFORE, in consideration of the premises and other valuable consideration, it is agreed by and between the parties hereto as follows:

SECTION 1. That for the 1995 Fiscal Year, the CHILDHOOD CENTER will operate a child day-care center in the City of Oberlin, Ohio, and provide to the residents of the CITY the services as above set forth.

SECTION 2. That the CITY, in consideration for said services will provide financial assistance for the operations of said CHILDHOOD CENTER, for the 1995 Fiscal Year, in the amount of \$16,000, to be paid upon a reimbursement basis.

SECTION 3. That the CHILDHOOD CENTER shall provide the City with a written report each month which specifically itemizes each and every expenditure of the CHILDHOOD CENTER and details the use of said funds provided to the CHILDHOOD CENTER by the CITY.

SECTION 4. That the CITY shall have the right to appoint a non-voting member to the Board of the CHILDHOOD CENTER. Said non-voting member shall be appointed by Oberlin City Council and shall serve a term of two years.

IN WITNESS WHEREOF, the parties have hereunto set their hands to duplicates hereof the day and year first above mentioned.

IN THE PRESENCE OF:

Roslyn C. Hill
Witness

THE CITY OF OBERLIN, OHIO

Gay Gaddis
City Manager

L. Harrell
Witness

THE OBERLIN EARLY CHILDHOOD
CENTER

Hail A. Brubaker
Director

APPROVED AS TO FORM:

Erin R. Brown
City Solicitor