

ORDINANCE NO. 97-32 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH CAROL ZAVODSKY FOR CONTINUING SERVICES
RELATED TO THE OPERATION OF WESTWOOD CEMETERY AND
DECLARING AN EMERGENCY

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 enter into the attached Agreement with Carol Zavodsky for services related to the operation of Westwood Cemetery.

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 - March 3, 1997 (E)
2nd Reading -
3rd Reading -

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: March 4, 1997

EFFECTIVE DATE: March 4, 1997

AGREEMENT

This Agreement is entered into on the date set forth below, by and between the City of Oberlin, Ohio, hereinafter referred to as "City", and Carol Zavodsky, hereinafter referred to as "Zavodsky".

W I T N E S S E T H:

WHEREAS, Zavodsky has, for a number of years, provided certain cemetery sexton services to the City of Oberlin in cooperation with her late husband, Frank Zavodsky; and,

WHEREAS, such services included the occupancy of the property owned by the City and located at 429 Morgan Street, Oberlin, Ohio; and,

WHEREAS, Frank Zavodsky recently died and the City desires that his widow, if she is willing, continue some of the services that were previously provided to the City by Frank and Carol Zavodsky.

NOW, THEREFORE, in consideration of the foregoing representations and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Zavodsky will continue to occupy the property owned by the City and located at 429 Morgan Street, Oberlin, Ohio. That occupancy will be free of rent. The City will provide maintenance to the grounds and the permanent fixtures within the residence. Zavodsky will pay for any utilities she uses or consumes at the premises.

2. In exchange for such benefit received from the City, Zavodsky agrees that she will perform, to the best of her ability, for a minimum of twenty (20) hours per month, the following duties:

a. Contact the Oberlin Police Department if any suspicious occurrences or suspicious actions are observed on the cemetery grounds.

b. Promptly answer calls and steer citizens, as well as funeral directors, to the appropriate City office for assistance with cemetery operations or cemetery records.

c. When possible, assist the cemetery department of the City with tours and research information and with the history of Westwood Cemetery. These activities are to be coordinated through the office of the Oberlin Community Service Director.

3. This agreement shall continue indefinitely unless terminated by advance written notice given to the other party according to the following time schedule:

- a. If given by Zavodsky to the City, at least thirty (30) days advance written notice.
- b. If given by the City to Zavodsky, at least six (6) months advance written notice.
- c. Such notices shall be, in the case of Zavodsky, directed to her and addressed to 429 Morgan Street, Oberlin, Ohio 44074, and in the case of the City, directed to the office of the City Manager, Oberlin Municipal Building, 85 South Main Street, Oberlin, Ohio 44074.

IN WITNESS WHEREOF, the parties have affixed their signatures to this agreement on this 3RD day of MARCH, 1997.

WITNESSES:

Eric R. Severs
Eugene F. Simon

CITY OF OBERLIN, OHIO

by: Robert DiSpirito
Robert DiSpirito, City Manager

Carol Zavodsky
Carol Zavodsky

Approved as to form:

Eric R. Severs
Eric R. Severs, City Solicitor