

ORDINANCE NO. 01-52 AC CMS

AN ORDINANCE AUTHORIZING AN INTERIM AGREEMENT WITH OBERLIN CABLE CO-OP, INC., FOR THE PROVISION OF CABLE COMMUNICATIONS SERVICES TO THE CITY OF OBERLIN UNTIL SUCH TIME AS THE CITY OF OBERLIN RENEWS ITS FRANCHISE AGREEMENT WITH OBERLIN CABLE CO-OP, INC., OR SELECTS A NEW GRANTEE FOR SAID SERVICES 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 to enter into an Interim Agreement with Oberlin Cable Co-op, Inc., for the provision of cable communications services to the City of Oberlin, Ohio, until such time as the City of Oberlin has completed its evaluation process pursuant to Sections 4.14 and 5.6 of the Oberlin Cable Communication Regulatory Ordinance and has either renewed its franchise with Oberlin Cable Co-op, Inc., or selected a new provider for said services.

SECTION 2. That said Interim Agreement shall be on the same terms and conditions as the original agreement between the City of Oberlin and Oberlin Cable Co-op, Inc., as approved by Oberlin City Council pursuant to Ordinance No. 86-24 AC CMS, except as to term.

SECTION 3. 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 4. That this ordinance is hereby declared 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 authorize an interim agreement for cable communications services within the City of Oberlin as soon as possible in order to avoid any lapse in service or inconvenience to the public,"

and shall take effect immediately upon passage.

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PASSED: 1st Reading - June 4, 2001 (E)
2nd Reading -
3rd Reading -

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: June 5, 2001

EFFECTIVE DATE: June 5, 2001

Interim Franchise Agreement

This Agreement is made this fourth day of June 2001, between the City of Oberlin, Ohio, a Municipal Corporation and Cable Co-op, Inc., a Cooperative Association incorporated under the laws of the State of Ohio Corporation.

Whereas, the City of Oberlin grants an Interim Franchise Agreement to Cable Co-op, Inc. to continue operations of providing Cable Communications Services to the City of Oberlin until such time as the City of Oberlin renews its Franchise Agreement with Cable Co-op, Inc. or selects a new Grantee for said services.

The terms and conditions of this agreement are, with the exception of "Term", as set forth in the provisions of Ordinance Number # 1718 AC CMS, and the proposal of Cable Co-op dated September 15, 1983.

This agreement was approved by the Oberlin City Council by Ordinance Number 01-52 AC CMS on June 4, 2001.

IN WITNESS WHEREOF, the parties hereto have set their hands to triplicate copies of this Agreement, each shall constitute an original, on the day and year first above mentioned.

WITNESSES:

Shawn Pearson
Wendie Fleming
Mark J. Baum

City of Oberlin, Ohio

By: Rob Dispirito
Rob Dispirito, City Manager

Approved As To Form

Eric R. Severs
Eric R. Severs
Oberlin City Solicitor

Cable Co-op, Inc.

By: Herbert C. Willis
Herbert Willis, President