ORDINANCE NO. 08-04 AC CMS

AN ORDINANCE RESCINDING ORDINANCE NO. 07-69 AC CMS WHICH APPROVED THE FORM AND AUTHORIZED THE EXECUTION OF A POWER SALES CONTRACT WITH AMERICAN MUNICIPAL POWER-OHIO, INC. (AMP-OHIO) 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 Ordinance No. 07-69 AC CMS, passed by Oberlin City Council on October 1st, 2007, which approved the form and authorized the execution of a power sales contract with American Municipal Power-Ohio, Inc.(AMP-Ohio) is hereby rescinded, and pursuant to Section 31(D) of the proposed contract, the City of Oberlin does hereby repudiate said contract and the City Manager is hereby directed to transmit a certified copy of this ordinance to AMP-Ohio at the earliest possible date in order to ensure its receipt by AMP-Ohio prior to March 1, 2008.

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 is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

>   *"to ensure that the City of Oberlin has timely taken action to avoid participating in the proposed American Municipal Power Generating Station project",*

and it shall take effect immediately upon passage.

PASSED: **1st Reading – January 22, 2008**
              2nd Reading – February 04, 2008
              3rd Reading –

ATTEST:

_____   _____
Belinda B. Anderson   **David E. Sonner**
CLERK OF COUNCIL   **PRESIDENT OF COUNCIL**

POSTED: **EFFECTIVE DATE:**

ORD08-04RescindingAMPGSPROJECT