

City of Oberlin, Ohio

ORDINANCE No. 12-58 AC CMS

AN ORDINANCE APPROVING A DEVELOPMENT CONSTRUCTION AGREEMENT WITH TRIAD REALTY, LLC FOR THE CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS RELATED TO THE OBERLIN CROSSROADS COMMERCIAL DEVELOPMENT AND DECLARING AN EMERGENCY

Whereas, Triad Realty, LLC has submitted plans to the Oberlin Planning Commission and the City of Oberlin for the proposed Oberlin Crossroads Commercial Development, and;

Whereas, the Oberlin Planning Commission has approved the site plan and the improvement plans for same, and;

Whereas, the City of Oberlin desires to enter into a Development Construction Agreement with Triad Realty, LLC to ensure the proper construction of the proposed public improvements in the proposed commercial development in accordance with the approved improvement plans.

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 proposed Development Construction Agreement between the City of Oberlin, Ohio, and Triad Realty, LLC for the construction and installation of the proposed public improvements located at and adjacent to 46023-46041 U.S. Route 20 Oberlin, Ohio, a copy being attached hereto and incorporated herein by reference, is hereby approved, and the City Manager is hereby authorized and directed to execute same on behalf of the City.

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 approve a Development Construction Agreement in a timely manner so as to avoid construction delays”, and shall take effect immediately upon passage.

PASSED: 1st Reading – August 20, 2012 Tabled, September 4, 2012 (S, E)
 2nd Reading –
 3rd Reading –

ATTEST:



BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

POSTED: 09/05/2012



RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 09/04/2012