

RECORD OF ORDINANCES

Ordinance No. 74-12 Passed August 27, 20 12

8/21/12-gmk
(Ordinance, Rules & Claims)

Ordinance No. 74-12

An ordinance authorizing all action necessary to support the continuation of a governmental natural gas aggregation program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code ("ORC") directing the Mayor of the City of North Canton to execute a Consulting Agreement with Independent Energy Consultants, Inc. and authorizing the Mayor to enter into a supply agreement(s) with a certified supplier(s) to continue a Natural Gas Aggregation Program beyond October 2012 when the current supply agreement ends and declaring the same to be an emergency.

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of municipal cities to aggregate the retail natural gas loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually; and

WHEREAS, this Council finds and determines that it is in the best interest of the City, its residents, businesses and other Natural Gas consumers located within the corporate limits of the City to continue its Natural Gas opt-out Aggregation Program subject to the conditions of a Natural Gas Supply Agreement that will take effect on or about October 2012; and

WHEREAS, Independent Energy Consultants, Inc. is an energy-consulting firm certified by the Public Utilities Commission of Ohio as a Broker and Aggregator of Natural Gas and has proven experience in the purchase of natural gas, and the construction and administration of government aggregation programs.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

- Section 1. That the Mayor of the City of North Canton, be, and is hereby directed to enter into an agreement with Independent Energy Consultants, Inc. for consulting services and any other required services related to the opt-out Natural Gas aggregation program for the City of North Canton.
- Section 2. That the Mayor of the City of North Canton, be, and is hereby authorized to enter into service agreement(s) to facilitate the sale and purchase of Natural Gas to consumers in the City's opt-out program. The Natural Gas supply service agreement shall only be with a Natural Gas supplier(s) certified by the Public Utilities Commission of Ohio and shall not exceed four (4) years in duration.
- Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 ORC.

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Dayton Legal Blank, Inc.

Form No. 30043

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Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to secure the most advantageous pricing and purchasing for the City of North Canton residents and business entities; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

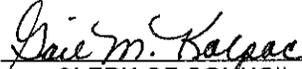
North Canton, OH
Passed: 8/27/12



MAYOR

SIGNED: 8/27, 2012

ATTEST:


CLERK OF COUNCIL

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