

ORDINANCE NO. 18-3599

**AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE VILLAGE MANAGER TO EXECUTE A SUPPLY AGREEMENT WITH IGS ENERGY TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND APRIL 2019 WHEN THE CURRENT SUPPLY AGREEMENT ENDS AND DECLARING AN EMERGENCY**

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of Cities, Villages, Townships and Counties 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 Village, its residents, businesses and other Natural Gas consumers located within the limits of the Village 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 April 2019; and

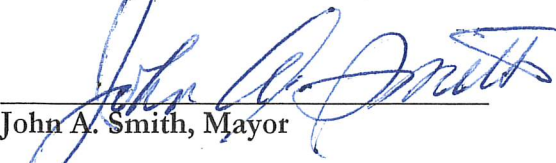
NOW, THEREFORE, BE IT ORDAINED by the council of the Village of Silverton, Hamilton County, State of Ohio, that:

**SECTION I.** The Village Manager is hereby authorized to take all administrative action necessary to support the continuation of the Village's Natural Gas Aggregation Program including but not limited to entering into a Master Service Agreement for Natural Gas Supply Services with IGS Energy (attached hereto and incorporated herein by reference as Exhibit A) to facilitate the sale and purchase of Natural Gas to consumers in the Village's opt-out program.

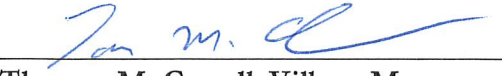
**SECTION II.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION III.** This Ordinance is declared to be an emergency measure necessary to preserve the public peace, health, safety and welfare of the citizens of the Village of Silverton; the reason for the emergency being the immediate need to accept the bid rates provided by IGS Energy through a competitive bidding process including four other bidders. Accordingly, this Ordinance shall take effect and be in force from and after its passage and approval.

Passed this 1<sup>st</sup> day of November, 2018.

  
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John A. Smith, Mayor

ATTEST:

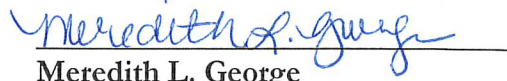
  
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Thomas M. Carroll, Village Manager

Approved as to form:

  
\_\_\_\_\_  
Bryan E. Pacheco, Village Solicitor

**CERTIFICATION:**

I, Meredith L. George, Clerk of Council of the Village of Silverton, County of Hamilton, State of Ohio; do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Ordinance No. 18-3599 has been duly made by posting true copies in two (2) places that are accessible by the public in said municipality, as determined by Council as follows: 1) Silverton Town Hall lobby area and Council Chambers foyer; and 2) Silverton's official website. Said posting was for a period of fifteen days commencing Nov 2, 2018.

  
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Meredith L. George  
Clerk of Council of Silverton, Ohio