

**ORDINANCE NO. 77-2013**

**TITLE:     AMEND ORDINANCE NO. 142-2012 TO INCLUDE ITEMS THAT  
WERE NOT PRESENT AT THE TIME OF THE ORIGINAL AGREEMENT**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER  
AN AMENDMENT TO AN AGREEMENT TO CREATE A JOINT DISPATCH CENTER  
WITH THE CITY OF NORTON AND COPLEY TOWNSHIP, AND DECLARING AN  
EMERGENCY.**

**WHEREAS**, the City, Copley Township and the City of Norton (collectively, the  
“Cooperative Parties”) previously entered into a Joint Dispatch Pilot Project Memorandum of  
Understand effective January 12, 2009 as a pilot program for combining the public safety  
dispatch centers of the Cooperative Parties; and

**WHEREAS**, a Cooperative Parties have applied for and receive a \$300,000 Local  
Government Innovation Fund loan to pay the costs of combining the dispatch centers for the  
Cooperative Parties; and

**WHEREAS**, the Cooperative Parties entered into an Agreement between the Cities of  
Barberton, Norton and the Township of Copley for the Purpose of Creating a Shared Public  
Safety Dispatch Center dated September 24, 2012 (the “Original Agreement”) to jointly manage  
the planning, designing, construction and completion of a new, shared public safety dispatch  
center (the “Dispatch Center”) to service the Cooperative Parties;

**WHEREAS**, the Cooperative Parties entered into an Agreement dated November 19,  
2012 to create a regional council of governments pursuant to Chapter 167 of the Ohio Revised  
Code named the Southwest Summit council of Governments for the purpose of sharing services,  
including management and operation of the Dispatch Center;

**WHEREAS**, the Cooperative Parties now desire to amend the Original Agreement by  
executing and delivering the amended Agreement between the Cities of Barberton, Norton, and  
the Township of Copley for the Purpose of Creating a Shared Public Safety Dispatch Center in  
the form attached as **Exhibit A** hereto (the “Amended Agreement”) to provide for additional  
terms and conditions pursuant which the Cooperative Parties will operate and manage the  
Dispatch Center.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Barberton,  
State of Ohio:

**SECTION 1.** This Council hereby authorizes the Mayor or his designee to execute and  
deliver the Amended Agreement in the form attached hereto as Exhibit A, together with such  
changes as shall be approved by the Mayor and shall not be adverse to the City, which approval  
shall be conclusively evidenced by the execution thereof by the Mayor or his designee.

**SECTION 2.** That it is hereby found and determined that all formal actions of this  
Council concerning and relating to the passage of this ordinance were taken 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 meetings open to the public in compliance with the law.

**SECTION 3.** That this ordinance is hereby declared to be an emergency measure  
necessary for the immediate preservation of the public peace, health, safety, convenience and  
welfare of the City of Barberton and the inhabitants thereof, for the reason that time is of the  
essence due to time constraints in the development process of this project, and provided it  
receives the necessary votes required by the City Charter, shall be in full force and effect from  
and after its passage and approval; otherwise to be in full force and effect from and after the  
earliest period allowed by law.

Passed \_\_\_\_\_ 2013

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved \_\_\_\_\_ 2013

\_\_\_\_\_  
Mayor