

ORDINANCE NO. 36-2026

**TITLE: ENTER INTO AGREEMENT
NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC)**

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (“NOPEC”) AND THE EXECUTION AND DELIVERY OF THE AGREEMENT ESTABLISHING NOPEC AND APPROVING THE BYLAWS OF NOPEC, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Barberton, Ohio (the “City”) wishes to establish an electric aggregation program pursuant to Section 4928.20, Ohio Revised Code (the “Electric Program”), for the residents, businesses and other consumers located within the City, and for that purpose, to act jointly with any other village, city, township, municipal corporation, county or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, by joining the Northeast Ohio Public Energy Council (“NOPEC”), the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefit of electric deregulation through group purchasing efforts.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City Of Barberton, Summit County, and State of Ohio, that:

SECTION 1. The Council of the City (the “Council”) finds and determines that it is in the best interest of the City, including the electric consumers located within the City, to join NOPEC and to adopt the NOPEC Bylaws, for the purpose of establishing and implementing the Electric Program within the City.

SECTION 2. The Mayor of the Council is hereby authorized and directed to execute and deliver the Agreement Establishing the Northeast Ohio Public Energy Council, as amended (the “NOPEC Agreement”). The NOPEC Agreement shall be substantially in the form presented to this Board and on file with the Clerk, subject to such changes, insertions and omissions which are consistent with this Ordinance and are not substantially adverse to the City and as may be approved by the Mayor of the Council, which approval shall be conclusively evidenced by the execution of the NOPEC Agreement.

SECTION 3. The Council hereby approves and adopts the Bylaws of NOPEC (in the form attached to the NOPEC Agreement).

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings 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 the City’s Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, wherefore, this Ordinance shall be in full force and effect immediately upon its adoption and approval by the Council.

SECTION 5. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to maximize the potential benefit through the Electric Program provided by NOPEC.

Passed March 9, 2026

Clerk of Council

President of Council

Approved _____ 2026

Mayor