

ORDINANCE NO. 15-14

AN ORDINANCE ADOPTING THE FIRST AMENDMENT TO THE AGREEMENT WITH THE CITY OF BRUNSWICK FOR RECIPROCAL BACKUP CHIEF BUILDING OFFICAL SERVICES, AND DECLARING AN EMERGENCY.

WHEREAS: On or about September 11, 2012, the Cities entered into an Agreement for Reciprocal Backup Chief Building Official Services, which was authorized by Medina City Council pursuant to Ordinance No. 64-07 and by Brunswick City Council pursuant to Resolution No. 88-12; and

WHEREAS: That the Cities desire to amend the Agreement as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the First Amendment to the Agreement with the City of Brunswick for Reciprocal Backup Chief Building Official Services is hereby adopted and accepted.

SEC. 2: That a copy of the First Amendment is marked Exhibit A, attached hereto, and incorporated herein.

SEC. 3: That the funds to cover the amendment, not to exceed \$6,000.00 are available in Account No. 001-0430-52215.

SEC. 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 the law.

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that the services are currently being provided retroactive to December 12, 2013; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: January 27, 2014

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: January 28, 2014

SIGNED: Dennis Hanwell
Mayor

Ord. 15-14
Exh. A.

**FIRST AMENDMENT TO AGREEMENT FOR RECIPROCAL BACKUP
CHIEF BUILDING OFFICIAL SERVICES**

THIS FIRST AMENDMENT (the "First Amendment") is entered into this 27th day of January, 2014, by and between the City of Medina and the City of Brunswick (the "Cities").

WHEREAS, on or about September 11, 2012, the Cities entered into an Agreement for Reciprocal Backup Chief Building Official Services (the "Agreement"), which was authorized by Medina City Council pursuant to Ordinance No. 64-07 and by Brunswick City Council pursuant to Resolution No. 88-12; and

WHEREAS, the Cities desire to amend the Agreement as provided herein.

WHEREFORE, in consideration of the mutual promises, covenants and obligations contained herein, the Cities hereby agree as follows:

- 1) Section III of the Agreement is hereby deleted in its entirety and replaced with the following language:

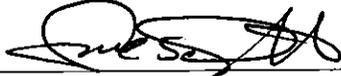
"The Cities agree to provide the services of their respective Chief Building Official pursuant to this Agreement free of charge, with the exception of services provided for a period of time in excess of three (3) consecutive weeks. If the services provided exceed three (3) consecutive weeks, each City agrees to reimburse the City providing such services at a rate of 1.5 times the hourly rate for the official for actual time providing such services, which shall include one-half (1/2) hour drive time for each day servicing the other City. The City providing the service will invoice the City receiving the service every two (2) weeks for hours and days that services were provided, which shall be paid within ten (10) days of receipt thereof."

- 2) The terms and provisions of the Agreement shall remain in full force and effect except as otherwise modified by this First Amendment.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS AWHEREOF, the parties hereto have caused this First amendment to be executed as of the dates indicated below.

CITY OF BRUNSWICK



Carl DeForest, Temporary City Manager/
Safety Director

Date: 2/11/14

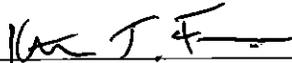
CITY OF MEDINA



Dennis Hanwell, Mayor

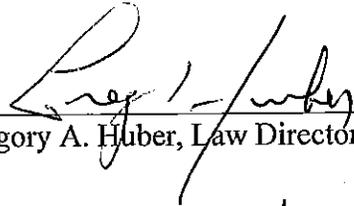
Date: January 29, 2014

Approved as to form:



Kenneth J. Fisher, Law Director

Approved as to form:



Gregory A. Huber, Law Director