

MINUTES OF PUBLIC HEARING

December 4, 2017

Temp. Ord. B-100

An ordinance authorizing the city to enter into the Northeast Ohio Public Energy Council (“NOPEC”) and authorizing the execution and delivery of the agreement establishing NOPEC and approving the bylaws of NOPEC, and declaring an emergency.

On the 4th day of December 2017, at 2345 Fourth Street, Cuyahoga Falls, Ohio at 7:08 p.m. EST, public hearings were called to order and conducted regarding Temp. Ord. B-100, Temp. Ord. B-101 and Temp. Ord. B-102 dealing with amending specific sections of the Codified Ordinances of the City of Cuyahoga Falls, Ohio. Notice of the hearings were published twice in the Falls News Press, a newspaper of general circulation in the City of Cuyahoga Falls, at least fourteen days prior to the date of these hearings, to-wit November 26, 2017 and December 3, 2017. A true and accurate copy of the published Notices are attached to these Minutes.

Mrs. Pyke asked who will be speaking in favor of this tonight. Mr. Anthony Zumbo, Service Director, stated that there are representatives present from NOPEC. Ms. Brenda Fargo stated that she is with NOPEC. Typically, at this point, it's for the public to come forward and say yea or nay. The reason they are having this public hearing is it's required by law, that any time that there is an operation of planning governance for an aggregation program, two public hearings must be conducted. There was one this afternoon at 3:00. There was no one there, but it was held. This is what the second public hearing is about. This is for the public to have an opportunity to talk about the aggregation program before it goes into effect. Ms. Fargo stated that she is not really hear to speak in favor of it, because that is really for the public to do, but it's a requirement by law and they are here to answer any questions that the public might have.

No further comments, either for or against the legislation, were offered by anyone in attendance.

Temp. Ord. B-101

An ordinance authorizing the Mayor to enter into a natural gas program agreement with the Northeast Ohio Public Energy Council and declaring an emergency.

No comments, either for or against the legislation, were offered by anyone in attendance.

Temp. Ord. B-102

Public Hearing
December 4, 2017 – Page 2

An ordinance approving the plan of operation and governance for the NOPEC Gas Aggregation Program for the purpose of jointly establishing and implementing a gas aggregation program and declaring an emergency.

No comments, either for or against the legislation, were offered by anyone in attendance. Council President, Mary Ellen Pyke, declared the public hearing closed at 6:41 p.m.

Certification

The undersigned, Dana M. Capriulo, Clerk of Cuyahoga Falls City Council, hereby certifies that the foregoing is a true and correct copy of the minutes of the public hearing held by the Council of the City of Cuyahoga Falls, Ohio at 7:08 p.m. on Monday, December 4, 2017, in the City Council meeting room located in the Cuyahoga Falls Natatorium.

Dated: January 1, 2018

Dana M. Capriulo, Clerk
Cuyahoga Falls, Ohio City Council

Proof of Publication

Record Publishing Company
1050 W. Main Street,
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I, *James Thompson* being first duly sworn depose and say that I am Advertising Clerk of
Record Publishing Company

30 South Zone a newspaper printed and published in the city of Kent, and of General circulation in the County of Portage, State of Ohio, and personal knowledge of the facts herein stated and that the notice hereto annexed was Published in said newspapers for 2 insertions on the same day of the week from and after the 26th day of November, 2017 and that the fees charged are legal.

James Thompson

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Sworn to and subscribed before this 17th day of January, 2018.

Elizabeth McDaniel

Elizabeth McDaniel
Notary Public
Commission Expires June 19, 2021

LEGAL NOTICE

Notice is hereby given that there will be **two (2) Public Hearings** in the Council Chambers in The Natatorium, 2345 Fourth Street, Cuyahoga Falls, Ohio on Monday, December 4, 2017 at **3:00 PM** and **6:30 PM** relative to the ordinance bearing temporary numbers A-100, A-101 and A-102.

Public Affairs Committee:

Temp Ord B-100
AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL ("NOPEC") AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE AGREEMENT ESTABLISHING NOPEC AND APPROVING THE BYLAWS OF NOPEC, AND DECLARING AN EMERGENCY.

Temp Ord B-101
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NATURAL GAS PROGRAM AGREEMENT WITH THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL AND DECLARING AN EMERGENCY.

Temp Ord B-102
AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE NOPEC GAS AGGREGATION PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING A GAS AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY.

By Order of the Clerk of Council
Dana Capriulo
FNP, Nov 26, Dec 3, 2017,
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