

Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

RESOLUTION NO. 39-13

A RESOLUTION AUTHORIZING THE PUBLIC UTILITIES BOARD OF CONTROL TO EXECUTE A CONTRACT OR CONTRACTS WITHOUT BID FOR COAL SUPPLY AND ASH DISPOSAL FOR A TWO (2) YEAR PERIOD, AND DECLARING AN EMERGENCY.

WHEREAS, approximately 200,000 tons of crushed and stoker coal are required each year to generate power; and

WHEREAS, a two-year contract will provide price stability with known price escalation; and will include options to extend the contract period if mutually beneficial; and

WHEREAS, escalation of the coal contract price will be tied to the price of diesel fuel and will only be allowed based on an index to minimize risk due to market volatility; and

WHEREAS, multiple coal and ash disposal suppliers may be contracted with for future and back up needs.

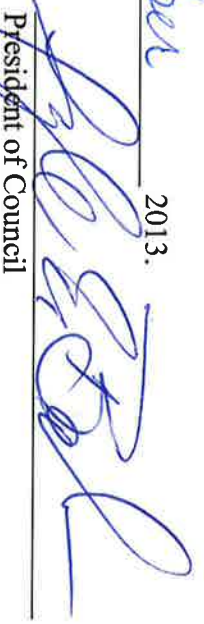
BE IT RESOLVED, by the Council of the City of Orrville, County of Wayne, and State of Ohio, that:

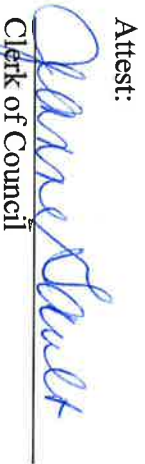
Section 1: The City of Orrville authorizes the Public Utility Board of Control to execute a contract and/or contracts for coal supply for a two-year period commencing January 1, 2014;

Section 2: That all legislation inconsistent herewith is hereby released; and

Section 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of said City, and for the further reason that it is necessary to continue to provide a healthy, quality environment for the residents of the City, and electricity at the lowest reasonable cost; therefore, this Resolution shall be in full force and effect immediately after its passage and approval by the Mayor.

Passed this 7<sup>th</sup> day of October 2013.

  
President of Council

Attest:  
  
Clerk of Council

Approved:  
  
Mayor Date 10/17/13