

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 23-19

INTRODUCED BY: Mayor Antoskiewicz

AN ORDINANCE AUTHORIZING THE MAYOR TO GRANT FORMAL CONSENT TO THE ASSIGNMENT OF THE AGREEMENT BETWEEN THE CITY OF NORTH ROYALTON AND WIDE OPEN WEST OHIO, LLC (WOW) TO A NEWLY DESIGNATED PROVIDER ATLANTIC BROADBAND, LLC dba BREEZELINE, AND DECLARING AN EMERGENCY

WHEREAS: In 2003, the City of North Royalton entered into Agreement with Wide Open West Ohio, LLC (WOW) to serve as a provider of cable television services; and

WHEREAS: That agreement contained provision for the future assignment of the agreement to a new and successor cable television provider; and

WHEREAS: The agreement allows for the provider to make such an assignment; and

WHEREAS: It has now come to the attention of the Administration that such an assignment was made and the parties are seeking the city's consent to the assignment; and

WHEREAS: Council desires to fulfill its obligations under the agreement and give consent to the assignment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby authorizes the Mayor to grant formal consent to the assignment of the agreement between the City of North Royalton and Wide Open West Ohio, LLC (WOW) to a newly designated provider Atlantic Broadband, LLC dba Breezeline, and as further described in Exhibit A attached hereto and incorporated as if fully rewritten.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to fulfill the city's obligations under the agreement and give consent to the assignment.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Paul F. Marnecheck
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
MAYOR

DATE PASSED: February 21, 2023

DATE APPROVED: February 22, 2023

ATTEST: /s/ Dana A. Schroeder
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading February 21, 2023
Amended February 21, 2023

YEAS: Marnecheck, Nickell, Barath, Krejci,
Dietrich, Vos

NAYS: none