

AN ORDINANCE AUTHORIZING THE CITY TO ADOPT A MODIFICATION OF THE ADMINISTRATIVE FEE PURSUANT TO AGREEMENT WITH KIMBLE RECYCLING & DISPOSAL INC. FOR THE COLLECTION OF SOLID WASTE AND RECYCLING WITHIN AVON LAKE AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 715.43 and 3707.43 of the Ohio Revised Code, the City contracted for the collection, transfer, and disposal of solid waste, yard waste, and recyclable materials with Kimble Recycling & Disposal Inc (“Kimble”); and

WHEREAS, the contract for services, effective April 1, 2019, authorizes Kimble to collect and remit a quarterly per residential unit administrative fee in an amount to be determined by the City (the “Fee”); and

WHEREAS, the City and all other members of the Lorain County Solid Waste and Recycling Collection Consortium (“Consortium”) agree to reduce the current Fee as permitted by Section 6.2 of the contract for services; and

WHEREAS, this Ordinance shall authorize Kimble to collect and remit a quarterly per residential unit administrative fee in an amount of \$0.60 commencing on April 1, 2021.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the City Council of Avon Lake, Ohio does hereby authorize and direct Kimble, pursuant to Section 6.2 of the contract for service to collect a Fee of \$0.60 per quarter from each residential unit customer in the City receiving solid waste and recyclable materials collection, transfer, and disposal services commencing on April 1, 2021.

Section No. 2: That the City Council of Avon Lake, Ohio does hereby authorize and direct Kimble to remit the Fee collected from City residential units to the Lorain County Solid Waste Management District, as treasurer of the Consortium, so that the funds may be used for expenses incurred by the Consortium.

Section No. 3: That 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 which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of authorizing a contract at favorable terms to ensure uninterrupted garbage and rubbish service for the preservation of the peace, health, safety, and general welfare of the residents of Avon Lake. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

PASSED: 2/22/2021

/s/ Martin E. O'Donnell

President of Council

POSTED: 2/26/2021

APPROVED: 2/23/2021

ATTEST: /s/Valerie E. Rosmarin
Clerk of Council

/s/ Gregory J. Zilka
Mayor