

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

RESOLUTION NO. 44 - 14

An Ordinance authorizing the Mayor and the Safety Service Director of the City of Orrville, Ohio, to enter into a contract with Kimble Recycling and Disposal, Inc., competitively bid by the City of Newburgh Heights, Ohio, for refuse collection and disposal and curbside recycling services and declaring an emergency.

*Rescinding Resolution 34-14*

WHEREAS, Ohio Revised Code Section 9.48 permits a political subdivision to participate in a contract that another political subdivision has competitively bid for the "acquisition of equipment, materials, supplies or services"; and,

WHEREAS, the current contract between the City of Orrville and Kimble Recycling and Disposal Inc., for refuse collection and disposal and curbside recycling services will expire on December 31, 2014, making it necessary for the City of Orrville to obtain said services; and,

WHEREAS, the City of Newburgh Heights has entered into a contract with Kimble Recycling and Disposal Inc., for refuse collection and disposal and curbside recycling services with said contract having been competitively bid by the City; and,

WHEREAS, the City of Orrville has requested that it be permitted to participate in the contract with Kimble Recycling and Disposal Inc., as entered into by the City of Newburgh Heights; and,

WHEREAS, the City of Newburgh Heights will permit the City of Orrville to participate in the contract which Newburgh Heights has entered into with Kimble Recycling and Disposal Inc.

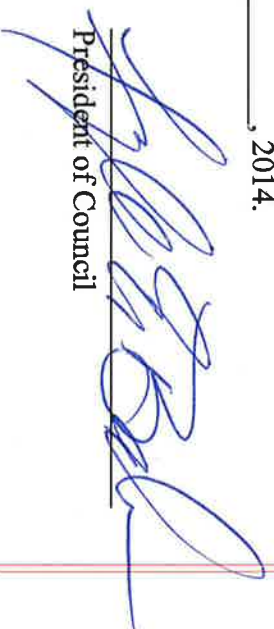
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ORRVILLE, STATE OF OHIO:

- Section 1: That the Mayor and the Safety Service Director are hereby authorized to enter into a contract with Kimble Recycling and Disposal Inc., competitively bid through the City of Newburgh Heights, for refuse collection and disposal and curbside recycling services on the terms and conditions contained in the contract entered into by the City of Newburgh Heights, and on such further terms contained in the contract between the City of Orrville and Kimble Recycling and Disposal Inc., and the City of Orrville shall be responsible for payment for services to Kimble Recycling and Disposal Inc., directly;
- Section 2: 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 the 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: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Orrville, and for the further reason that this measure is necessary in order to enter into a contract for the service necessary in a timely manner, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

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

Passed this 17 day of November, 2014.

  
\_\_\_\_\_  
President of Council

Attest:

  
\_\_\_\_\_  
Clerk of Council

Approved:

  
\_\_\_\_\_  
Mayor

Date 11/17/14