

ORDINANCE NO. 2021 -091

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE CITY OF KENT'S RECYCLING SERVICE CONTRACT WITH PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT SPECIFICALLY TO CHANGE THE PICK-UP SCHEDULE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to amend the City's recycling service contract with Portage County Solid Waste Management District, specifically to change the pick-up schedule and pricing; and

WHEREAS, the County is asking the City to amend that contract to allow the County to transition to every other week curbside collection through December of 2021; and

WHEREAS, the City of Kent acknowledges the concerns that the Portage County Solid Waste Management District is experiencing and understands this is a temporary measure for the good of the County.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

**SECTION 1.** Council does hereby authorize the City Manager, or his designee to amend the City of Kent's recycling service contract with Portage County Solid Waste Management District to change their pick-up schedule from weekly curbside recycling to every other week curbside collection through December of 2021 and to adjust pricing accordingly.

**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 this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: August 18, 2021  
Date

J. Fiala  
Jerry T. Fiala  
Mayor and President of Council

EFFECTIVE: August 18, 2021  
Date

ATTEST: Amy Wilkens  
Amy Wilkens  
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2021-091, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON Aug 18, 2021.

(SEAL)

Amy Wilkens  
AMY WILKENS  
CLERK OF COUNCIL

**AGREEMENT BETWEEN**  
**BOARD OF COMMISSIONERS FOR THE PORTAGE COUNTY SOLID WASTE DISTRICT**  
**AND THE CITY OF KENT**  
**AMENDMENT NO. 1**

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the District Commissioners of the Portage County Solid Waste Management District (hereinafter "District Commissioners") and the City of Kent (hereinafter "City")

**WHEREAS**, an agreement between the parties was entered into and known as the Portage County Contract No \_\_\_\_\_ (the "Original Contract"); and

**WHEREAS**, the Parties desire to amend the Original Contract and, **WHEREAS**, the District Commissioners, by Resolution No. 2021- \_\_\_\_\_, attached hereto as Exhibit "A", has accepted the amended agreement; and

**WHEREAS**, the City, by Resolution No. 2021- \_\_\_\_\_, attached hereto as Exhibit "B", has accepted the amended agreement; and

**NOW, THEREFORE**, with the intent to be legally bound, and in consideration of the covenants and promises hereinafter made, the parties hereto agree as follows:

**The Original Contract section(s) shall be amended to read as follows:**

**SECTION 4 – Collection Service**

- 4.1 Service Provided - The District shall provide ~~weekly~~ **every other week** curbside collection service **on a temporary basis** from each residential dwelling unit for each of the following recyclable materials: that are designated annually by the District and the District's contracted processor. The list will be published on the District website [www.portagerecycles.com](http://www.portagerecycles.com) by January 15th of each calendar year. Written explanation for any changes shall be given to the City thirty (30) days prior to the effective changes and the District is responsible for notification to the residents of the changes.

## SECTION 9 – Basis and Method of Payment

### 9.1 Unit Prices Bid

The District and the City agree to convert to every other week service schedule **on a temporary basis** starting September 6, 2021, until December 31, 2021. The weeks of service shall be as follows:

Week of August 23 service

Week of August 30 service

~~Week of September 6 no service~~

Week of September 13 service

~~Week of September 20 no service~~

Week of September 27 service

~~Week of October 4 no service~~

Week of October 11 service

~~Week of October 18 no service~~

Week of October 25 service

~~Week of November 1 no service~~

Week of November 8 service

~~Week of November 15 no service~~

Week of November 22 service

~~Week of November 29 no service~~

Week of December 6 service

~~Week of December 13 no service~~

Week of December 20 service

~~Week of December 27 no service~~

Service fee from March 1, 2019 to February 28, 2020	\$5.50 per month
Service fee from March 1, 2020 to February 28, 2021	\$5.67 per month
Service fee from March 1, 2021 to <del>February 28, 2022</del>	\$5.83 per month
<b>Service fee from September 6, 2021 to December 27, 2021</b>	<b>\$2.92 per month EOW svc</b>
Service fee from March 1, 2022 to February 28, 2023	\$6.05 per month
Service fee from March 1, 2023 to February 28, 2024	6.19 per month

All other terms of the Original Contract shall remain in effect unless otherwise agreed to by this Amendment No. 1

The beginning and ending dates of the Agreement still remain in effect from September 6, 2021, to December 31, 2021.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year first written above.

**SOLID PORTAGE COUNTY WASTE MANAGEMENT DISTRICT BOARD OF COMMISSIONERS:**

\_\_\_\_\_  
Sabrina Christian-Bennett, President Date: \_\_\_\_\_

\_\_\_\_\_  
Anthony J. Badalamenti, Vice -President Date: \_\_\_\_\_

\_\_\_\_\_  
Vicki A. Kline, Board Member Date: \_\_\_\_\_

**City of Kent**

\_\_\_\_\_  
David Ruller, City Manager Date: \_\_\_\_\_

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
William G. Steiner, II Director Portage County Solid Waste Management District Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Assistant Prosecuting Attorney Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Hope Jones, Law Director Date: \_\_\_\_\_