

ORDINANCE NO. 109-25

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH REPUBLIC SERVICES, INC.
FOR THE COLLECTION OF SOLID WASTE, RECYCLABLES, YARD WASTE AND
BULK MATERIAL FROM RESIDENTS IN THE CITY OF AVON FOR THE
PERIOD JANUARY 1, 2026 THROUGH DECEMBER 31, 2030
AND DECLARING AN EMERGENCY**

WHEREAS, the City desires to facilitate the residents' ability to continue to contract with Republic Services, Inc. for the collection of solid waste, recyclables, yard waste and bulk materials through a Memorandum of Understanding (MOU); and

WHEREAS, the former MOU, adopted February 18, 2019, in Ord. No. 22-19, expired on April 30, 2024; and

WHEREAS, after continuing negotiations with Republic Services, Inc., Republic agrees to provide services to the City's residents pursuant to a new MOU covering the period of January 1, 2026 through December 31, 2030; and

WHEREAS, Council, having reviewed the MOU (Exhibit A), deems it desirable and in the best interests of the health, safety, and welfare of the residents of Avon to authorize the Mayor to enter into said MOU thereby facilitating the collection of solid waste, recyclables, yard waste and bulk materials for the period January 1, 2026 through December 31, 2030.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the City, through the office of the Mayor, is hereby authorized to execute a Memorandum of Understanding with Republic Services, Inc., to establish the guidelines and facilitate contracts between the City's residents and Republic Services, Inc. for the collection of solid waste, recyclables, yard waste and bulk material for the period January 1, 2026 through December 31, 2030. A copy of said Memorandum of Understanding is attached hereto and incorporated herein as Exhibit A.

Section 2 - That is found and determined that all formal actions of this Council concerning and relating to the passage 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 which resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public, health, safety, and welfare of the citizens of the City of Avon, Ohio, the immediate emergency being the necessity to enter into a Memorandum of Understanding with Republic Services, Inc. to facilitate contracting with residents for the removal of solid waste, recyclables, residential yard waste and bulk material beginning January 1, 2026 through December 31, 2030; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 109-25 (Con't)

PASSED: November 24, 2025 DATE SIGNED: November 24, 2025

BY: Brian Fischer
Brian Fischer, President of Council

DATE APPROVED BY THE MAYOR: November 25, 2025

[Signature]
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Barbara J. Brooks, Clerk of Council

POSTED: November 26, 2025
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 109-25, passed by the Council of said City on November 24, 2025.

IN WITNESS WHEREOF, I have on this 25th day of November 2025, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

**MEMORANDUM OF UNDERSTANDING (MOU)
 BETWEEN THE CITY OF AVON, OHIO and
 REPUBLIC SERVICES OF ELYRIA (BFIO).**

(Exhibit A - per Ordinance No. 109-25)

The details below cover the **City of Avon** residential solid waste collection and disposal, recycling materials collection/processing and yard waste collection and disposal/processing.

Section 1. TERM

The term of this MOU shall be for five (5) years beginning January 1, 2026 through December 31, 2030 with a bilateral renewal option of five (1) year terms beginning January 1, 2031.

Section 2. PRICING

- A). Beginning January 1, 2026, BFIO's rate per quarter for standard service will be **\$74.43** Qtr
- B). Beginning with this new term, BFIO's rate per quarter for an "eligible senior citizens" will be **\$ \$71.43** Qtr. Republic Services is solely responsible for defining the status of an "eligible senior citizen" and will utilize the Lorain County Homestead Exemption guidelines as a standard (subject to change).
- C). All rates for years 2027, and 2028 are subject to a 4.0% increase on January 1 of each year.
- D). On January 1st of 2029 and January 1st thereafter, BFIO shall increase the rates for all rates in an amount equal to the most recently available trailing 12 months' average in the Consumer Price Index for All Urban Consumers (Water, Sewer and Trash Collection Services) U.S. City Average, as published by the United States Department of Labor, Bureau of Statistics (the "CPI") from September through September of the preceding year; provided, however, such increase shall not exceed 5% or fall below 3%. BFIO's Municipal Manager and/or members of BFIO's leadership team agrees to an annual meeting with the City of Avon's leadership team at the beginning of September to review CPI for the upcoming year and program service levels/potential changes.
- E.) Change in Law Adjustments. Upon 30 days written notice, BFIO may increase the rates for Services as a result of increases in costs incurred by Company due to (a) changes in local, state, federal or international rules, ordinances or regulations; (b) changes in taxes, fees or other governmental charges (other than income or real property taxes); (c) uncontrollable prolonged operational changes (i.e., a major bridge closure); (d) changes in costs due to a Force Majeure Event. Any of the foregoing cost adjustments shall be retroactive to the effective date of such increase or change in cost.

(EXHIBIT A)

Avon, OH	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	option 1	option 2	option 3	option 4	option 5
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
P.I.	4.00%	4.00%	4.00%	WST	WST	WST	WST	WST	WST	WST
Regular Quarterly rate (96/64 carts) Month	\$ 74.43	\$ 77.41	\$ 80.51	WST	WST	WST	WST	WST	WST	WST
Senior Quarterly rate	\$ 71.43	\$ 74.41	\$ 77.51	WST	WST	WST	WST	WST	WST	WST

Section 3. INCLUDED SERVICES

- A.) Weekly solid waste and recycled materials collection including carts for each single family household (96- gallon for trash and 64- gallon recycled materials container)
- B.) Weekly curbside yard waste collection weekly throughout the year
- C.) Weekly bulk items collection - 4 item limit per week (see Republic Services published Rules and Regulations for details)
- D.) Commercial collection services for all municipal buildings at no cost to City
- E.) Commercial collection services for all Avon public schools at no cost to Avon Schools or City
- F.) Collection day will be Mondays of each week unless a holiday week causes a one day delay

Section 4. 30 YARD ROLL OFF PRICING

- A.) \$ 89.00 delivery fee-subject to annual 4.0% increase for 2027, 2028, 2029, 2030
- B.) \$444.00 per haul charge-subject to annual 4.0% increase for 2027, 2028, 2029, 2030
(6 tons maximum tonnage) (\$99.00 ton for extra tonnage for 2025- rates to increase annually at above PI)

BROWNING-FERRIS INDUSTRIES OF OHIO, INC

Chase Ritenauer, General Manager

Date

CITY OF AVON, OHIO



Mayor, Bryan K. Jensen

11-25-25

Date