

**ORDINANCE NO. 122-25**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ADDENDUM TO THE CURRENT MEMORANDUM OF UNDERSTANDING WITH BROWNING-FERRIS INDUSTRIES OF OHIO, INC. (BFIO), (dba REPUBLIC SERVICES, INC.) TO INCLUDE ADDITIONAL CART SERVICES AND RATES FOR RESIDENTS FROM JANUARY 1, 2026 THROUGH DECEMBER 31, 2030 AND DECLARING AN EMERGENCY**

**WHEREAS**, on November 24, 2025, Avon City Council passed Ordinance No. 109-25 authorizing the Mayor to execute a Memorandum of Understanding (MOU) with Republic Services, Inc.; and

**WHEREAS**, after passage of Ordinance 109-25, it was discovered that the topic of additional cart availability for residents was never addressed nor discussed in the MOU.

**WHEREAS**, some residents request and require additional cart services and the rates shown on the Addendum to the MOU between Browning-Ferris Industries of Ohio, Inc. (BFIO), (dba Republic Services, Inc.), and the City of Avon, Ohio, should be included in the 11/24/25 MOU; and

**WHEREAS**, Council finds that executing the Addendum and addressing the need for additional cart services as requested will ensure uniformity in pricing and be in the best interests of the health, safety, and welfare of the citizens of Avon.

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

Section 1 – That the Mayor is hereby authorized to execute an Addendum to the Memorandum of Understanding passed in Ordinance No. 109-25 (November 24, 2025) with Browning-Ferris Industries of Ohio, Inc. (BFIO), (dba Republic Services, Inc.), which is set forth in Exhibit A and incorporated herein by this reference, to include the pricing for additional cart services.

Section 2 – That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those 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 3 – That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to execute an Addendum to the November 24, 2025 MOU with Browning-Ferris Industries of Ohio, Inc. (BFIO), (dba Republic Services, Inc.), to include the pricing for additional cart services before the start of new pricing in January of 2026; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: December 15, 2025 DATE SIGNED: December 15, 2025

BY: Brian Fischer  
Brian Fischer, President of Council

DATE APPROVED BY THE MAYOR: December 16, 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: December 18, 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. 122-25, passed by the Council of said City on December 15, 2025.

IN WITNESS WHEREOF, I have on this 16<sup>th</sup> day of December 2025, affixed my signature and official seal.

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

## EXHIBIT A TO ORDINANCE NO. 122-25

### ADDENDUM TO MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN BROWNING -FERRIS INDUSTRIES OF OHIO, INC (BFIO) and THE CITY OF AVON, OHIO FOR THE RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL, RECYCLING MATERIALS COLLECTION/PROCESSING AND YARD WASTE COLLETION AND DISPOSAL/PROCESSING.

Per the terms of the original MOU signed November 25th, 2025, the parties have agreed to having Republic Services provide carts and collection services to the city for five years starting January 1<sup>st</sup>, 2026, and ending December 31, 2030, with additional extension options available.

In the original MOU document, the topic of additional cart availability for residents was never addressed, nor discussed. Since many residents' request and require additional cart services, the below rates shall be added to the five-year agreement.

Both parties agree to add the additional service offerings to residents as requested.

| EXHIBIT "A"                                                                                                           |                  |
|-----------------------------------------------------------------------------------------------------------------------|------------------|
| Pricing for Additional Cart(s)                                                                                        | Quarterly Charge |
| 96 - Gallon Solid Waste Cart                                                                                          | \$ 32.25         |
| 64- Gallon Recycling Cart                                                                                             | \$ 24.14         |
| ** Delivery/Removal/Exchange = \$50.00                                                                                |                  |
| *** Above annual rate increase starting 1/1/27 to be the same as the P.I. rate listed on original MOU dated 11/25/25. |                  |

Browning Ferris Industries of Ohio, Inc.

City of Avon, Ohio

\_\_\_\_\_  
Chase Ritenauer, General Manager

  
\_\_\_\_\_  
Mayor, Bryan K. Jensen

Date \_\_\_\_\_

Date 12/16/25