

**RESOLUTION NO.:** 2020-R85  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** NOVEMBER 24, 2020 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION APPROVING A SECOND AMENDMENT TO AN EXCLUSIVE AGREEMENT/PERMIT BETWEEN THE CITY OF GREEN AND KIMBLE RECYCLING & DISPOSAL, INC, FKA J&J REFUSE, INC, AND DECLARING AN EMERGENCY.**

WHEREAS, Green City Council unanimously approved Resolution 2010-R56, a First Amendment to Exclusive Agreement/Permit between the City of Green and Kimble Recycling & Disposal, Inc., fka J&J Refuse, Inc (“Kimble”); and

WHEREAS, the Administration and Kimble have engaged in conversations regarding the extension of their Curbside Recycling Program; and

WHEREAS, the Administration has also determined that it is in the City’s best interest to extend the term of this Agreement until March 31, 2021, by exercising the options contained in Exhibit “A”, a copy of which is attached; and

WHEREAS, the original Agreement between the City of Green and Kimble requires Green City Council to approve any amendments to the Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:**

**SECTION ONE:**

Green City Council approves the First Amendment to Exclusive Agreement/Permit between the City of Green and Kimble Recycling & Disposal, Inc, fka J&J Refuse, Inc. A copy of the First Amendment is attached to this Resolution as Exhibit “A”.

**SECTION TWO:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this 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.

**SECTION THREE:**

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

**Page 2**  
**Resolution 2020-R85**

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Molly Kapeluck, Clerk

\_\_\_\_\_  
Barbara Babbitt, Council President

APPROVED: \_\_\_\_\_, 2020

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2020

ON ROLL CALL:   Babbitt                    Brandenburg            DeVitis            France  
                          Shaughnessy            Yeargin                Young

*Suburbanite* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Molly Kapeluck, Clerk

11/20/2020 Approved as to form and content by Lisa Carey Dean, Director of Law \_\_\_\_\_