

ORDINANCE NO. 16-17  
INTRODUCED BY: Mr. Tadych

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO ENTER INTO AN ECOLOGICAL  
COMPOSTING FACILITY AGREEMENT WITH THE CITY OF WESTLAKE,  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Cities of Bay Village and Westlake, on or about August 7, 1989, established an Ecological Composting Facility at the former Westlake landfill (the "Facility"); and

**WHEREAS**, the Cities of Bay Village and Westlake jointly purchased a windrow composting machine to implement and operate a community composting program; and

**WHEREAS**, the Cities of Bay Village and Westlake have determined that the health and welfare of the Cities would be promoted and preserved by the continued operation and maintenance of said Facility and the continued implementation of composting programs; and

**WHEREAS**, the Cities of Bay Village and Westlake entered into a Westlake-Bay Ecological Compost Facility Agreement which expired February 28, 2009; and

**WHEREAS**, both communities face a continued need to address leaf disposal;

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Bay Village, Ohio

**SECTION 1.** That the Mayor be and she is hereby authorized to enter into an Ecological Composting Facility Agreement with the City of Westlake. The Agreement shall be effective from the date of execution and shall remain in effect until the 31<sup>st</sup> day of December, 2026 unless terminated earlier as provided for in said Agreement. However, at the end of the initial five (5)-year-term the parties shall review the contract and mutually agree on any price adjustment going forward for the next five (5) years. Said agreement shall be approved by the Director of Law.

**SECTION 2.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

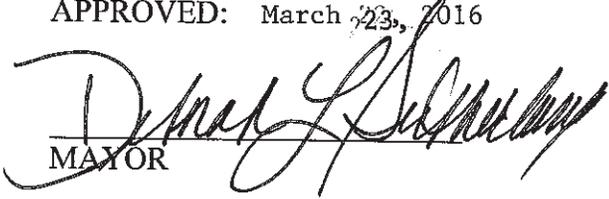
**SECTION 3.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, property and safety, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: March 21, 2016

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

APPROVED: March 23, 2016

  
MAYOR

3/16/16 II