

DEC - 2 2013

ORDINANCE NO. 3077

J. Ronald Colyer
City Clerk

**AN ORDINANCE AMENDING THE CITY OF COLUMBIA,
ILLINOIS' REFUSE COLLECTION AGREEMENT WITH
RELIABLE SANITATION SERVICE, INC. OF WATERLOO,
ILLINOIS**

WHEREAS, the City of Columbia, Illinois ("City") entered into a Refuse Collection Agreement, dated December 10, 2012 (pursuant to the passage of Ordinance No. 2987), with Reliable Sanitation Service, Inc. of Waterloo, Illinois ("Reliable Sanitation"), to provide for the collection and disposal of garbage, refuse and recyclables in the City for a three (3) year period from December 1, 2012 to November 30, 2015 ("Refuse Collection Agreement"); and

WHEREAS, Paragraph 10 of the Refuse Collection Agreement describes the monthly amounts to be charged to the City by Reliable Sanitation for the services it provides to the City pursuant to the Refuse Collection Agreement after the agreement's initial one year term; and

WHEREAS, the City and Reliable Sanitation desire to amend Paragraph 10 of the Refuse Collection Agreement to reduce the monthly collection fees described therein; and

WHEREAS, it is necessary and appropriate that this Ordinance be enacted for the purpose of authorizing the City to enter into an amendment to the Refuse Collection Agreement to reflect the monthly collection fee reductions agreed upon by the City and Reliable Sanitation.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. The City Council of the City of Columbia, Illinois, does hereby authorize and direct the Mayor to execute and deliver an Amendment to Refuse Collection Agreement, in the form attached hereto, to reflect a reduction in the monthly collection fees charged by Reliable Sanitation to the City pursuant to the terms of the Refuse Collection Agreement, which Amendment to Refuse Collection Agreement is hereby approved as to form, in as many counterparts as the Mayor shall determine, and the City Clerk is hereby authorized and directed to attest the same and affix thereto the corporate seal of the City.

Section 3. This Ordinance shall be in full force and effect following its passage and approval, as provided by law.

Alderman Reis moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Mathews, and the roll call vote was as follows:

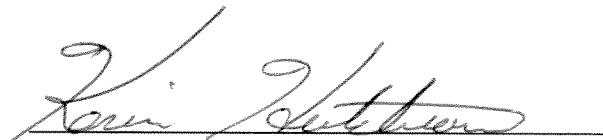
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp.

NAYS: None.

ABSENT: None.

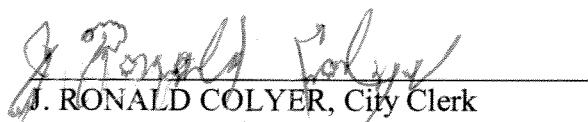
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 2nd day of December, 2013.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF TRUE COPY

I, J. Ronald Colyer, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 3077, entitled:

**“AN ORDINANCE AMENDING THE CITY OF COLUMBIA,
ILLINOIS’ REFUSE COLLECTION AGREEMENT WITH
RELIABLE SANITATION SERVICE, INC. OF WATERLOO,
ILLINOIS”**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois, City Council held on the 2nd day of December, 2013.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 2nd day of December, 2013.

J. Ronald Colyer
J. RONALD COLYER, City Clerk

(SEAL)

AMENDMENT TO REFUSE COLLECTION AGREEMENT

This AMENDEMNT TO REFUSE COLLECTION AGREEMENT (“Amendment”) is entered into this _____ day of _____, 2013, by and between the City of Columbia, Illinois (“City”) and Reliable Sanitation Service, Inc. of Waterloo, Illinois (“Reliable Sanitation”) and amends the Refuse Collection Agreement entered into by the City and Reliable Sanitation, dated December 10, 2012, wherein Reliable Sanitation agreed to furnish services to the City for the collection and disposal of garbage, refuse and recyclables for the three (3) year period from December 1, 2012 to November 30, 2015 (“Refuse Collection Agreement”).

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Reliable Sanitation agree as follows:

1. That the language appearing in Paragraph 10 of the Refuse Collection Agreement is hereby deleted in its entirety and it is hereby replaced with the following:

“10. This agreement shall be in effect from December 1, 2012 to November 30, 2015. After the initial one year term, the monthly charge shall be increased by \$.44 to \$13.12 effective December 1, 2013 and by another \$.51 to \$13.63 effective December 1, 2014.

After said three (3) year term, this agreement shall automatically renew for successive twelve (12) month terms at a 3.9% annual increase on the same terms and conditions of the prior year, except under circumstances wherein either the City or the Company shall notify the other, in writing, of their intentions of termination or renegotiation, such notice of termination or renegotiation (A) shall be served at least sixty (60) days prior to the expiration of the original term hereof; or (B) may occur any time after the original term hereof upon at least sixty (60) days notice.”

2. In the event of any inconsistencies between the Refuse Collection Agreement and this Amendment, the terms of this Amendment shall control. Except as amended hereby, all other terms and provisions of the Refuse Collection Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City and Reliable Sanitation have caused this Amendment to be executed as the date first above written.

City of Columbia, Illinois

Reliable Sanitation Service, Inc.

By: _____
Kevin B. Hutchinson, Mayor

By: _____
Timothy L. Scheibe, President

Attest:

Attest:

J. Ronald Colyer, City Clerk

Timothy L. Scheibe, Secretary

AMENDMENT TO REFUSE COLLECTION AGREEMENT

This AMENDEMNT TO REFUSE COLLECTION AGREEMENT ("Amendment") is entered into this 3rd day of DECEMBER, 2013, by and between the City of Columbia, Illinois ("City") and Reliable Sanitation Service, Inc. of Waterloo, Illinois ("Reliable Sanitation") and amends the Refuse Collection Agreement entered into by the City and Reliable Sanitation, dated December 10, 2012, wherein Reliable Sanitation agreed to furnish services to the City for the collection and disposal of garbage, refuse and recyclables for the three (3) year period from December 1, 2012 to November 30, 2015 ("Refuse Collection Agreement").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Reliable Sanitation agree as follows:

1. That the language appearing in Paragraph 10 of the Refuse Collection Agreement is hereby deleted in its entirety and it is hereby replaced with the following:

"10. This agreement shall be in effect from December 1, 2012 to November 30, 2015. After the initial one year term, the monthly charge shall be increased by \$.44 to \$13.12 effective December 1, 2013 and by another \$.51 to \$13.63 effective December 1, 2014.

After said three (3) year term, this agreement shall automatically renew for successive twelve (12) month terms at a 3.9% annual increase on the same terms and conditions of the prior year, except under circumstances wherein either the City or the Company shall notify the other, in writing, of their intentions of termination or renegotiation, such notice of termination or renegotiation (A) shall be served at least sixty (60) days prior to the expiration of the original term hereof; or (B) may occur any time after the original term hereof upon at least sixty (60) days notice."

2. In the event of any inconsistencies between the Refuse Collection Agreement and this Amendment, the terms of this Amendment shall control. Except as amended hereby, all other terms and provisions of the Refuse Collection Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City and Reliable Sanitation have caused this Amendment to be executed as the date first above written.

City of Columbia, Illinois

By:

Kevin B. Hutchinson, Mayor

Attest:

J. Ronald Colyer
J. Ronald Colyer, City Clerk

Reliable Sanitation Service, Inc.

By:

Timothy L. Scheibe, President

Attest:

T.L. Scheibe
Timothy L. Scheibe, Secretary