

**RESOLUTION NO. 2023-
OF THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA**

**A RESOLUTION APPROVING AN
EMERGENCY MUNICIPAL SOLID WASTE, RECYCLABLE, AND
COMPOST COLLECTION AND DISPOSAL CONTRACT FOR
THE TOWN OF ZIONSVILLE, INDIANA**

WHEREAS, pursuant to the authority in Ind. Code 36-9-30 *et seq.*, the Town Council of the Town of Zionsville (“Town Council”) issued a request for sealed bids pursuant to Ind. Code § 36-9-30-5 and Ind. Code § 36-9-30-5.3 for collection and solid waste disposal services and recycling services for the Town of Zionsville (“Town”); and

WHEREAS, on Monday, March 20, 2023 the Town Council, assisted by the Director of the Department of Public Works opened the sealed bids and announced the key terms of each sealed bid in a public meeting of the Town Council; and

WHEREAS, after reviewing the responsive bids the Town has determined the Priority Waste (“Priority”) was the lowest responsive and responsible bidder and has selected Priority for a three (3) year initial contract with the Town which can be renewed for an additional three (3) year term locked in at the pricing structure of year three (3) of the contract (“Contract”); and

WHEREAS, pursuant to the Contract, Priority shall comply with the terms of the sealed bid that Priority submitted to the Town as well as applicable local, state and federal laws and regulations; and

WHEREAS, the Town Council passed Resolution 2023-08 declaring an emergency pursuant to Ind. Code § 36-1-12-9 authorizing the Town to enter into a short-term contract with a bidder with capability of providing service immediately upon the conclusion of the current contract with Waste Management (“WM”) expiring on March 29, 2023 until such time that a final contract could be executed with the responsive bidder pursuant to the public bidding; and

WHEREAS, Priority was able to accommodate the Town and begin services immediately upon the conclusion of the WM contract; and

WHEREAS, the Town entered into a contract with Priority for such services which was executed by Mayor Emily Styron on behalf of the Town and Jason Plunkett on behalf of the Town Council (“Emergency Contract”) to ensure the Emergency Contract could take effect immediately; and

WHEREAS, as required by state statute, the Town Council wishes to approve the Emergency Contract.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Zionsville, Indiana as follows:

Section 1. Approval of Priority Emergency Contract. The Town Council hereby approves an Emergency Contract with Priority pursuant to the terms of the Contract and in compliance with Priority’s sealed bid, unless modified by the Emergency Contract and all applicable local, state and federal laws and regulations.

Section 2. Duration and Effective Date. The provisions of this Ordinance shall take effect following the date of its passage and action by the Mayor and/or the Town Council in the manner prescribed by Reorganization section ZR2A18 and shall remain in full force and effect until amended or repealed by ordinance of the Town Council.

Introduced and filed on the 10th day of April, 2023. A motion to consider was properly made and seconded and approved by a vote of _____ in favor and _____ opposed, pursuant to Indiana Code § 36-5-2-9.4 and § 36-5-2-9.6.

DULY PASSED AND ADOPTED this ____ day of _____, 2023, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

Resolution 2023-09

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

**YEA
Signature**

**NAY
Signature**

Jason Plunkett President		
Brad Burk, Vice-President		
Josh Garrett, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Bryan Traylor, Member		

Town Council
Town of Zionsville, Boone County, Indiana
A Resolution Approving An Emergency Municipal Solid Waste, Recyclable, and Compost Collection and Disposal
Contract

Resolution 2023-09

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2023 at _____ a.m. /p.m.

ATTEST: _____

Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR’S APPROVAL

Emily Styron, Mayor

DATE

MAYOR’S VETO

Emily Styron, Mayor

DATE

This Resolution was prepared by Heather D. Harris, Partner, Barnes & Thornburg LLP serving as Legal Counsel to the Town Council, Town of Zionsville, Boone County, Indiana on April 3, 2023 at 10:01. EST. No subsequent revision to this Resolution has been reviewed by Ms. Harris for legal sufficiency or otherwise.