

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda NOVEMBER 9, 2015 6:40 PM

1. Discussion Items
2. Motion Items
 - (a) To allow the City Manager to enter into a one (1) year contract with Medical Mutual Services/FlexSave for the administering of our flexible spending program for the year 2016.
 - (b) Motion to allow the City Manager to enter into an agreement with Medina County Office for Older Adults to organize and operate senior services for the City of Brunswick.
 - (c) A motion to allow the City Manager to enter into an agreement with Totally Toned, LLC. and Getting Fit, LLC. for the benefit of personal training services for the City of Brunswick Community Recreation and Fitness Center.
 - (d) Motion to appoint special counsel for personnel purposes.
3. Review Legislation
 - (a) **RES. NO. 99-15** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles, acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Julie Murawski*)
 - (b) **RES. NO. #100-15** - An emergency resolution authorizing the City Manager to renew the agreement with My Office Products for the provision of office supplies for a period of one (1) year from January 1, 2016 through December 31, 2016 - **1st Reading** (To be brought from Committee of the Whole. *Administration/Julie Murawski*)
4. General Discussion
5. Executive Session
 - (a) Motion to go into Executive Session for the purpose of discussing pending litigation and to discuss the appointment, employment, dismissal, discipline, demotion or compensation of a public employee.
6. Adjournment

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/09/2015

TO: Vice Mayor Vince Carl and Members of City Council

FROM: Anthony J. Bales, City Manager
Julie Murawski, Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 99-15** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles, acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Julie Murawski*)

BACKGROUND: For the past several years we have utilized the internet auction for sale of personal property of the City of Brunswick. City Council is required to adopt an annual resolution permitting the City to utilize the internet auction provisions of O.R.C. Section 721.15.

PURPOSE AND EXPLANATION: In order to allow the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal offices and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, legislation must be adopted by City Council annually.

IMPLEMENTATION SCHEDULE: The legislation would be effective for the year 2016.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: If the City were to use this avenue to sell obsolete or unfit personal property, we would realize an amount of income.

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 99-15

BY: Committee-of-the-Whole

A RESOLUTION PERMITTING THE CITY ADMINISTRATION TO SELL, THROUGH PUBLIC INTERNET AUCTIONS, PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, WHICH ARE NOT NEEDED FOR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED FOR THE YEAR 2016.

WHEREAS: Ohio Revised Code Section 721.15 permits municipalities to sell obsolete/unfit items by internet auction; and

WHEREAS: An annual Resolution adopted by City Council is required to permit the City to utilize the internet auction provision of ORC Section 721.15.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That this Council hereby permits the City Administration to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2016.

SECTION 2: That the Clerk of Council shall cause notice of the adoption of this resolution to be published, in a newspaper of general circulation in the City, of the City's intent to sell unneeded, obsolete or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published at least two (2) times. The second and any subsequent notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice.

SECTION 3: That the Clerk of Council shall cause a notice to be posted continually throughout the calendar year in a conspicuous place in the offices of the Clerk of Council and the City Council and shall cause said notice to be posted continuously throughout the year on the City website.

SECTION 4: That the City shall conduct the internet auction via eBay (or other similar bidding site as long as notice is given) using the parameters provided by the

auction site. Minimum price or reserve may be set, but is not required by law.

SECTION 5: That bidding shall continue for no less than fifteen (15) days, including Saturdays, Sundays and legal holidays, and shall be set for each item as noted on the internet auction site.

SECTION 6: That all terms and conditions of sale, including but not limited to pick-up and delivery, method of payment, sales tax, complete descriptions and/or pictures of the items, shall be specified for each item on the internet auction site.

SECTION 7: That the highest bidder upon the close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon the close of the auction, the City shall remit an invoice to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten days of receipt of the invoice. Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City's Finance Director.

SECTION 8: That all communication with the successful bidder shall occur in writing. Arrangements and costs associated with delivery to the successful bidder shall be the sole responsibility of the successful bidder. Risk of loss will be transferred to the successful bidder upon the tendering of the goods to the shipping company chosen by the successful bidder.

SECTION 9: That all items shall be sold without warranty in "AS IS" condition. All advertisements, listings, and notices shall be subject to the following language:

"The City of Brunswick, its officers, employers and agents offer this item for sale "AS IS" without any warranty or condition, express, implied or statutory. The City of Brunswick, its officers, employers and agents, specifically disclaim any implied warranties of title, merchantability, fitness for a particular purpose and non-infringement."

SECTION 10: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 11: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1ST reading _____

2ND reading _____

3RD reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/09/2015

TO: Vice Mayor Vince Carl and Members of City Council

FROM: Anthony J. Bales, City Manager
Julie Murawski, Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. #100-15** - An emergency resolution authorizing the City Manager to renew the agreement with My Office Products for the provision of office supplies for a period of one (1) year from January 1, 2016 through December 31, 2016 - **1st Reading** (To be brought from Committee of the Whole. *Administration/Julie Murawski*)

BACKGROUND: We are currently in a one year contract with My Office Products for office supplies. This contract has one remaining one (1) year renewal option. We are asking Council to authorize the renewal option.

PURPOSE AND EXPLANATION: My Office Products of 807 S. Broadway, Akron, Ohio has been providing us with office supplies through their contract that was effective January 1, 2014. There have not been any issues with their products and service.

IMPLEMENTATION SCHEDULE: The current contract expires on December 31, 2015. We ask that Council authorize the renewal option of a one (1) year contract from January 1, 2016 to December 31, 2016.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Each department is charged with their office supply expense while remaining within their budgets. Appropriations are legally established by Council legislative action. Each Department is required to live within those established appropriations as outlined in ORC Section 5705.38 (C).

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	Yes
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

There is sufficient time to read the legislation three times. However, if we wait the thirty (30) days after the last reading, the contract would not be effective until January 6, 2016.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 100-15

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW THE AGREEMENT WITH MY OFFICE PRODUCTS FOR THE PROVISION OF OFFICE SUPPLIES FOR A PERIOD OF ONE (1) YEAR FROM JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.

WHEREAS: Upon compliance with public bidding requirements, on November 25, 2013, City Council adopted Resolution No. 96-13 authorizing the City Manager to enter into a one (1) year agreement with My Office Products, the lowest and best bidder, for the provision of office supplies in an amount not to exceed submitted bid prices with two (2) one (1) year renewal options;

WHEREAS: On December 8, 2014, City Council adopted Resolution No. 104-14 exercising the first renewal option with My Office Products from January 1, 2015 through December 31, 2015 in an amount not to exceed submitted bid prices; and

WHEREAS: The City wishes to exercise its second and final renewal option with My Office Products from January 1, 2016 through December 31, 2016 in an amount not to exceed submitted bid prices.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to renew the Agreement with My Office Products for the provision of office supplies in an amount not to exceed submitted bid prices.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that emergency passage is necessary to ensure that the renewal of the Agreement with My Office Products is effective as of January 1, 2016. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____
2nd Reading _____
3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz, CMC