

January 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 <i>NEW YEAR'S DAY</i> 	2 COUNCIL AND CAUCUS 7:00 STORM WATER, STREETS AND UTILITIES 6:00	3 PLANNING COMMISSION 7:00 CAUCUS 6:45	4	5
6	7	8	9	10	11	12
13	14 CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	15 COUNCIL AND CAUCUS 7:00 B&BC, FINANCE AND SAFETY 6:00	16	17 BZA 7:00 CAUCUS 6:45	18	19
20	21 <i>MARTIN LUTHER KING., JR DAY</i>	22	23	24	25	26
27	28	29 RECREATION BOARD 6:00	30	31		

All meetings will be held at City Hall 14600 State Road, unless otherwise noted.

**NORTH ROYALTON CITY COUNCIL
A G E N D A
JANUARY 2, 2019**

7:00 p.m. Caucus

Council Meeting 7:00 p.m.

REGULAR ORDER OF BUSINESS

1. Call to Order.
2. Opening Ceremony (Pledge of Allegiance).
3. Roll Call.
4. Approval of Consent Agenda: Items listed under the Consent Agenda are considered routine. Each item will be read individually into the record and the Consent Agenda will then be enacted as a whole by one motion and one roll call. There will be no separate discussion of these items. If discussion by Council is desired on any Consent Agenda item, or if discussion is requested by the public on any legislative item on the Consent Agenda, that item will be removed from the Consent Agenda and considered in its normal sequence under the Regular Order of Business.
 - a. Approval of Minutes: December 18, 2018
 - b. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).
5. Communications.
6. Mayor's Report.
7. Department Head Reports.
8. President of Council's Report.
9. Committee Reports:

Building & Building Codes	John Nickell
Finance	Larry Antoskiewicz
Review & Oversight	Dan Kasaris
Safety	Dan Langshaw
Storm Water	Gary Petrusky
Streets	Cheryl Hannan
Utilities	Paul Marnecheck
10. Report from Council Representatives to regulatory or other boards:

Board of Zoning Appeals	Dan Kasaris
Planning Commission	Larry Antoskiewicz
Recreation Board	Paul Marnecheck
11. Public Discussion: Five minute maximum, on current agenda legislation only.
12. LEGISLATION

THIRD READING CONSIDERATION

1. **18-119 - AN ORDINANCE UPDATING THE CREDIT CARD POLICY FOR THE CITY OF NORTH ROYALTON, REPEALING ORDINANCE 10-49, AND DECLARING AN EMERGENCY. First reading November 20, 2018 and referred to Finance Committee. Second reading December 4, 2018.**

SECOND READING CONSIDERATION

1. **18-137 - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF PERMANENT PARCEL NO. 482-01-006 FROM ITS PRESENT RESIDENTIAL (R1A) ZONING CLASSIFICATION TO GENERAL BUSINESS (GB) ZONING CLASSIFICATION AS REQUESTED BY APPLICANT OMNI SENIOR LIVING, AND DECLARING AN EMERGENCY. First reading December 18, 2018 and referred to Planning Commission and Building and Building Codes Committee. Planning Commission Public Hearing January 3, 2019.**

FIRST READING CONSIDERATION

- * 1. **19-01** - A RESOLUTION COMMENDING MATTHEW JOSEPH KRAYNIK ON THE ATTAINMENT OF THE RANK OF EAGLE SCOUT.

- 2. **19-02** - AN ORDINANCE AUTHORIZING A MODIFIED ONE YEAR EXTENSION OF THE JOINT MUNICIPAL IMPROVEMENT CONSORTIUM'S CONTRACT WITH PETROLEUM TRADERS FOR THE PURCHASE OF FUEL FOR THE 2019 SEASON, REPEALING ORDINANCE 18-118, AND DECLARING AN EMERGENCY.

- 13. Miscellaneous.

- 14. Adjournment.

ORDINANCE NO. 19-02

INTRODUCED BY: Hannan, Antoskiewicz, Nickell
Co-Sponsor: Marnecheck

AN ORDINANCE AUTHORIZING A MODIFIED ONE YEAR EXTENSION OF THE JOINT MUNICIPAL IMPROVEMENT CONSORTIUM'S CONTRACT WITH PETROLEUM TRADERS FOR THE PURCHASE OF FUEL FOR THE 2019 SEASON, REPEALING ORDINANCE 18-118, AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton is authorized to purchase fuel through its membership in the Joint Municipal Improvement Consortium (JMIC) at a lower rate than if purchased on the open market; and

WHEREAS: Council adopted Ordinance 17-123 accepting the bid of Petroleum Traders through the JMIC, for the purchase of fuel for the City of North Royalton for the 2018 season with an optional second year renewal; and

WHEREAS: Council adopted Ordinance 18-118 which authorized the acceptance of the one year extension offered by Petroleum Traders; and

WHEREAS: Petroleum Traders notified the Joint Municipal Improvement Consortium on December 11, 2018 that it was exercising its option to terminate the agreement based on the current economics stated in the agreement; and

WHEREAS: The consortium members have accepted a modified and continuing service agreement with Petroleum Traders for the 2019 season; and

WHEREAS: Council wishes to accept the modified contract price of Petroleum Traders for fuel for the 2019 season; and

WHEREAS: The city is purchasing this product at a cost which meets or exceeds the specifications of the Ohio Cooperative Purchasing Program of the Department of Administrative Services, as required by House Bill 204.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby accepts the modified contract price of Petroleum Traders, through the Joint Municipal Improvement Consortium, for the purchase of fuel for the City of North Royalton 2019 season which is in accordance with the specifications on file in the Office of the Service Director.

Section 2. Ordinance 18-118 is hereby repealed in its entirety.

Section 3. The Mayor is hereby authorized and directed to enter into a contract on behalf of the City of North Royalton with Petroleum Traders, pursuant to terms and conditions approved by the Director of Law and substantially similar to a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten.

Section 4. The Service Director is hereby authorized and directed to forward a certified copy of this Ordinance to Petroleum Traders.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this 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 6. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to provide for the purchase of fuel for the City of North Royalton.



**PETROLEUM TRADERS
CORPORATION**

7120 Point Inverness Way
Fort Wayne, IN 46804-7928

December 11, 2018

City of Brecksville
Attn: Rebecca Riser, Director of Purchasing
9069 Brecksville Road
Brecksville, OH 44141

RE: Purchasing Consortium Agreement—Petroleum Traders Supplier of Gasoline & Diesel Fuel to City of Brecksville Signed by Petroleum Traders 10/17/17. Extension of Agreement No. 17-5117-01, signed by PTC and City of Brecksville on 11/6/2018, renewing Contract for second year, 1/1/19-12/31/19.

Dear Ms. Riser,

While your business is appreciated, Petroleum Traders Corporation ("PTC") has elected to exercise its option to terminate the above written agreement with The City of Brecksville ("The City"). Please allow this letter to serve as notice of termination to The City. Our election to terminate this agreement is based on the current economics as stated in the Agreement. PTC values your business and would be open to continuing servicing your account under a different pricing model. Please let us know if you would like to discuss this option. As required by the Agreement, under the Instructions to Bidder, PTC is required to provide (30) thirty days written notice. The date of this correspondence shall serve as the effective date of notice and the termination shall be final on January 10, 2019. Please note, that all orders and deliveries should be completed prior to the January 10, 2019 termination date.

PTC wishes The City well with its future endeavors. If you should have any questions, or wish discussing an extension of our services under different pricing, please do not hesitate to contact me.

Sincerely,

Gayle Newton,

Bids Dpt.—Contracts Sales Manger
Direct Line: 260-207-6347

Laura Haller

From: Robert Stefanik
Sent: Wednesday, December 26, 2018 2:08 PM
To: Laura Haller
Subject: FW: Fuel Contract for Consortium - Acceptance of Pricing Amendment
Attachments: Modified Extension.pdf

From: Riser, Rebecca [mailto:rriser@brecksville.oh.us]
Sent: Wednesday, December 26, 2018 1:35 PM
To: Robert Stefanik <mayorstefanik@northroyalton.org>; Nick Cinquepalmi <servicedir@northroyalton.org>
Cc: Amanda Andrasak <aandrasak@northroyalton.org>
Subject: FW: Fuel Contract for Consortium - Acceptance of Pricing Amendment

Mayor Stefanik & Nick:

I am replying to both of your voicemails from today with this email as it relates to the pricing amendment from Petroleum Traders for 2019.

As you will see in the email exchange below with Mariah Moonen of Petroleum Traders, once the consortium members responded that they were in agreement with accepting the amendment and continuing service with Petroleum Traders in 2019, I notified Mariah of this acceptance. The attachment is what the City of Brecksville uses for Agreement Extensions which we executed back in November, and that Petroleum Traders edited and initialed for the pricing amendment with our City.

We will present this to our City Council at their next regular meeting on January 15 for official approval by Motion. I had previously requested our acceptance of the 2nd year pricing for the Agreement Extension at the first meeting of Brecksville City Council in November.

I'm not sure what your City's procedures and requirements are for legislation, approvals, documentation, etc. But at this time, our consortium's previous acceptance of the 2nd year agreement with our fuel supplier(s) has simply been modified with this price amendment from Petroleum Traders that results in minimal increases to the overall invoices. As I mentioned in a previous email, for example, if you order a quantity of 7,000 gallons for either gasoline or diesel, it would equate to \$1.12 more on the total order cost. If this amendment requires Council action on your end, then you are correct in presenting that at your next Council meeting with whatever process and/or documentation that you require.

If you don't currently use an Agreement Extension document like Brecksville's (attached), please feel free to copy ours if you would like...and simply change out the agreement number and City references.

Please let me know if you have any additional questions.

Thank you!

Becki Riser, Director of Purchasing
City of Brecksville
(440) 526-2622

From: Mariah Moonen [<mailto:mmoonen@PetroleumTraders.com>]
Sent: Friday, December 21, 2018 1:26 PM
To: Riser, Rebecca <rriser@brecksville.oh.us>
Subject: RE: Fuel Contract for Consortium - Acceptance of Pricing Amendment

Please initial and date the changes made to the extension on the corresponding lines and return at your earliest convenience. Once this has been completed, our letter of termination will officially be considered rescinded due to the mutual agreement between Petroleum Traders Corporation and the City of Brecksville to modify the pricing. Please let me know if you have any questions or concerns. Thank you.

From: Riser, Rebecca
Sent: Monday, December 17, 2018 1:46 PM
To: 'Mariah Moonen' <mmoonen@PetroleumTraders.com>
Subject: Fuel Contract for Consortium - Acceptance of Pricing Amendment

Hi, Mariah-

The consortium members have all agreed to the pricing amendment for 2019, as outlined below in your email from 12/11/18.

Could you please provide a new letter that negates the contract termination, and lists the amended pricing?

Thank you!

Becki Riser, Director of Purchasing
City of Brecksville
(440) 526-2622

From: Riser, Rebecca
Sent: Tuesday, December 11, 2018 4:01 PM
To: Mariah Moonen <mmoonen@PetroleumTraders.com>
Subject: RE: Fuel Contract Letter of Termination

Mariah-

I'm going to present this pricing amendment to the consortium members for approval.
I'll be back in touch with you as soon as I have that confirmed.

Thank you,

Becki

From: Mariah Moonen [<mailto:mmoonen@PetroleumTraders.com>]
Sent: Tuesday, December 11, 2018 3:03 PM
To: Riser, Rebecca <rriser@brecksville.oh.us>
Subject: RE: Fuel Contract Letter of Termination

In order to continue service through this contract we would need the following pricing model:

-0.0057 over the Cleveland, OH OPIS daily contract average for gasoline

+0.0088 over the Cleveland, OH OPIS daily contract average for diesel

From: Riser, Rebecca [<mailto:rriser@brecksville.oh.us>]
Sent: Tuesday, December 11, 2018 2:51 PM
To: Mariah Moonen <mmoonen@PetroleumTraders.com>
Subject: RE: Fuel Contract Letter of Termination
Importance: High

Mariah-

Can you please share at your earliest convenience the pricing model that Petroleum Traders is willing to offer in order to continue service through this contract term ending 12/31/19?

Thank you,

Becki Riser, Director of Purchasing
City of Brecksville
(440) 526-2622

From: Mariah Moonen [<mailto:mmoonen@PetroleumTraders.com>]
Sent: Tuesday, December 11, 2018 1:28 PM
To: Riser, Rebecca <rriser@brecksville.oh.us>
Subject: Fuel Contract Letter of Termination
Importance: High

Good afternoon,

After further review of our contract with the city, Petroleum Traders Corporation will be unable to continue providing services under the terms of this contract. Please see the attached letter of termination for a more complete explanation. Please let Gayle or myself know if there are any questions. I sincerely apologize for any inconvenience this causes.

Mariah Moonen
Petroleum Traders Corporation
Bids Specialist
Ph: (260)207-6396
Fx: (260)498-2835

EXHIBIT 1

Purchasing Consortium
 Supplying Gasoline & Diesel Fuel - Specifications
 2017/2018

Page 6

BID FORM - CONTRACT YEAR ONE (12/9/17 - 12/31/18)

Note: Price Differentials for current contract are: Unleaded 87 = (.0311) ULS #2 Diesel = (.0311)

	Price Differential	OPIS Average	Taxes & Fees (does not include Activity Tax)	Total Cost per Gallon (less Activity Tax)
	<i>Bidder's Adder - Used to determine best bid</i>	<i>Sample OPIS Average Pricing</i>	<i>\$.001 Fed LUST \$.28 OH Tax \$.0019 Oil Spill Tax</i>	<i>OPIS Avg + Price Differential + Taxes & Fees</i>
NO LEAD PREMIUM GASOLINE, 93 OCTANE, w/ 10% Ethanol Blend				
Transport	\$.0217	\$2.6800	\$0.2829	\$ 2.9412
Tankwagon	\$NO BID	\$2.6800	\$0.2829	\$ NO BID
Product Bid	Various to include: Marathon, Musket, Global, Husky, & etc.			
Name & Location of Refiner	Marathon, Cleveland, OH			
NO LEAD MID-GRADE GASOLINE, 89 OCTANE, w/ 10% Ethanol Blend				
Transport	\$.0217	\$2.3200	\$0.2829	\$ 2.5812
Tankwagon	\$NO BID	\$2.3200	\$0.2829	\$ NO BID
Product Bid	Various to include: Marathon, Musket, Global, Husky, & etc.			
Name & Location of Refiner	Marathon, Cleveland, OH			
NO LEAD REGULAR GRADE GASOLINE, 87 OCTANE, w/ 10% Ethanol Blend				
Transport	\$.0217	\$2.1100	\$0.2829	\$ 2.3712
Tankwagon	\$NO BID	\$2.1100	\$0.2829	\$ NO BID
Product Bid	Various to include: Marathon, Musket, Global, Husky, & etc.			
Name & Location of Refiner	Marathon, Cleveland, OH			
ULTRA LOW SULFUR #2 DIESEL				
Transport	\$.0072	\$1.6835	\$0.2829	\$ 1.9592
Tankwagon	\$NO BID	\$1.6835	\$0.2829	\$ NO BID
Product Bid	Various to include: Marathon, Musket, Global, Husky, & etc.			
Name & Location of Refiner	Marathon, Cleveland, OH			

NAME OF BIDDER Petroleum Traders Corporation

EXHIBIT 1

Purchasing Consortium
 Supplying Gasoline & Diesel Fuel - Specifications
 2017/2018

Page 7

BID FORM - CONTRACT YEAR TWO (OPTION TO RENEW, 1/1/19 -- 12/31/19)

	Price Differential	OPIS Average	Taxes & Fees (does not include Activity Tax)	Total Cost per Gallon (less Activity Tax)	
	Bidder's Adder - Used to determine best bid	Sample OPIS Average Pricing	\$.001 Fed LUST \$.28 OH Tax \$.0019 Oil Spill Tax	OPIS Avg + Price Differential + Taxes & Fees	
NO LEAD PREMIUM GASOLINE, 93 OCTANE, w/ 10% Ethanol Blend	-0.0057	\$2.6960		2.9572	6w
Transport	\$ -.0217	-\$2.6800	\$0.2829	\$ -2.0412	
Tankwagon	\$ NO BID	\$2.6800	\$0.2829	\$ NO BID	12/21
Product Bid	Various to include: Marathon, Musket, Global, Husky, & etc.				
Name & Location of Refiner	Marathon, Cleveland, OH				
NO LEAD MID-GRADE GASOLINE, 89 OCTANE, w/ 10% Ethanol Blend	-0.0057	\$2.3360		2.5972	6w
Transport	\$ -.0217	-\$2.3200	\$0.2829	\$ -2.5812	
Tankwagon	\$ NO BID	\$2.3200	\$0.2829	\$ NO BID	12/21
Product Bid	Various to include: Marathon, Musket, Global, Husky, & etc.				
Name & Location of Refiner	Marathon, Cleveland, OH				
NO LEAD REGULAR GRADE GASOLINE, 87 OCTANE, w/ 10% Ethanol Blend	-0.0057	\$2.1260		2.3872	6w
Transport	\$ -.0217	-\$2.1100	\$0.2829	\$ -2.3712	
Tankwagon	\$ NO BID	\$2.1100	\$0.2829	\$ NO BID	12/21
Product Bid	Various to include: Marathon, Musket, Global, Husky, & etc.				
Name & Location of Refiner	Marathon, Cleveland, OH				
ULTRA LOW SULFUR #2 DIESEL	+0.0088	\$1.6995		1.9752	6w
Transport	\$.0072	-\$1.6835	\$0.2829	\$ -1.9592	
Tankwagon	\$ NO BID	\$1.6835	\$0.2829	\$ NO BID	12/21
Product Bid	Various to include: Marathon, Musket, Global, Husky, & etc.				
Name & Location of Refiner	Marathon, Cleveland, OH				

NAME OF BIDDER Petroleum Traders Corporation

EXHIBIT

Purchasing Consortium
Supplying Gasoline & Diesel Fuel - Specifications
2017/2018

Page 8

TRANSPORT DELIVERY: 8500 (gasoline)
7500 (diesel) GALLONS OR MORE

TANKWAGON DELIVERY: No Bid GALLONS MINIMUM

BID FORM SIGNATURE PAGE

NAME & ADDRESS OF BIDDER

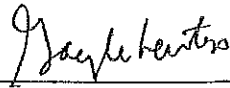
Petroleum Traders Corporation

7120 Pointe Inverness Way

Fort Wayne, IN 46804

E-Mail: gnewton@petroleumtraders.com

AUTHORIZED SIGNATURE & TITLE



Gayle Newton, Contract Sales Manager
(Please type or print name)

Phone: 800-348-3705 x4

Fax: 260-203-2824

NAME & ADDRESS OF DELIVERY AGENT, IF DIFFERENT FROM BIDDER:

Phone: _____

Fax: _____

E-Mail: _____

ENCLOSED: 10% BID BOND, OR \$ _____ BID CHECK

DATE OF BID 10/17/17

EXHIBIT 1

*Purchasing Consortium
Supplying Gasoline & Diesel Fuel - Specifications
2017/2018*

Page 9

EXCEPTION SHEET

List here any and all exceptions to specifications upon which your bid is based. If there are no exceptions listed here, your bid will be considered to be in complete accordance with specifications.

NAME OF BIDDER Petroleum Traders Corporation

EXHIBIT 1

Purchasing Consortium
Supplying Gasoline & Diesel Fuel - Specifications
2017/2018

Page 10

REFERENCES

List references for similar contract work completed during the last three years. Include name and phone number of a contact person for each reference listed.

Name: Greater Cleveland Regional Transit Authority
Address: 1240 West 6th Street; Cleveland, OH 44113
Phone: 216-421-2808
Contact Name: Joe Horowski

Name: City of Lima
Address: 240 North Central Avenue; Lima, OH 45801
Phone: 419-221-5165
Contact Name: Saul Allen

Name: City of North Olmsted
Address: 5200 Dover Center Road; North Olmsted, OH
Phone: 440-716-4137
Contact Name: Renee Overstreet

NAME OF BIDDER Petroleum Traders Corporation

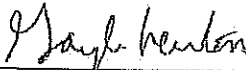
CERTIFICATE OF COMPLIANCE

By signing this certificate, I certify that I/my company is in full compliance with the political contributions limitations established in Ohio Revised Code 3517.13, and is therefore eligible to receive a contract from the City of Brecksville.

Ohio Revised Code 3517.13 states in part that no political subdivision shall award any contract for the purchase of goods or services with a cost aggregating more than ten thousand dollars in a calendar year, to any individual, partnership or other unincorporated business, if any member of the firm, their spouse and/or certain other individuals has made within the previous twenty-four months, one or more contributions totaling in excess of one thousand dollars to the holder of the public office having ultimate responsibility for the award of the contract or to the public officer's campaign committee, or one or more contributions totaling in excess of two thousand dollars for the business. Bidders are responsible for understanding the code, how it pertains to their business and whether they comply. The complete Code can be found at <http://codes.ohio.gov/orc/3517.13>.

Brecksville's elected officials are: Mayor Jerry N. Hruby, Gerald F. Broski, Louis N. Carouse Jr., Michael Harwood, Nora Murphy, Laura Redinger, Gregory Skaljac, Kimberly Veras.

COMPANY NAME Petroleum Traders Corporation
ADDRESS 7120 Pointe Inverness Way; Fort Wayne, IN 46804


AUTHORIZED SIGNATURE _____

Gayle Newton, Contract Sales Manager
PRINTED NAME _____

gnewton@petroleumtraders.com
EMAIL ADDRESS _____

10/17/17
DATE SIGNED _____

DESCRIPTION OF WORK TO BE PERFORMED
Supplying Gasoline & Diesel Fuel

FINDINGS FOR RECOVERY CERTIFICATION

I am aware that Ohio law, under certain circumstances, prohibits a political subdivision from awarding a contract for goods, services or construction to any person against whom a finding of recovery has been issued by the Auditor of State, if that finding is unresolved.

I hereby certify that an unresolved finding for recovery has not been issued against:

Petroleum Traders Corporation

(Company Name)

Signature: Gayle Newton

Printed Name: Gayle Newton

Title: Contract Sales Manager

Date: 10/17/17