

ORDINANCE NO.: 60-2022

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT REPEALING SECTION 59 OF THE GARFIELD HEIGHTS CHARTER RELATING TO TRAFFIC LAW PHOTO-MONITORING DEVICES

WHEREAS, Section 52 of the Charter of the City of Garfield Heights permits this Council to submit proposed Charter amendments to the electors of the City upon a Council vote of two-thirds in favor of said change, and

WHEREAS, an affirmative vote of at least two-thirds of Council members present shall result in this amendment to be presented to the electors of the City on the November 8, 2022, General Election, and

WHEREAS, the Garfield Heights Charter Review Committee, pursuant to Section 57 of the Garfield Heights Charter, has reviewed the Charter of the City of Garfield Heights, Ohio, has recommended to Council the repealing of Section 59 of the Garfield Heights Charter relating to traffic law photo-monitoring devices, and

WHEREAS, the Council wishes to provide for said amendment.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Garfield Heights, Ohio that:

SECTION 1. Section 59 of the Garfield Heights Charter relating to traffic photo-monitoring devices shall be repealed in its entirety:

~~59.1. The City, including its various Boards, agencies and departments, shall not use any traffic law photo monitoring device for the enforcement of a qualified traffic law violation, unless a law enforcement officer is present at the location of the device and personally issues the ticket to the alleged violator at the time and location of the violation.~~

~~59.2. Definitions. As used in this Section 59:~~

~~a) "Law enforcement officer" means any law enforcement officer employed by the City or any other political jurisdiction in Ohio, including the State. The City may from time to time and in its discretion, by ordinance or resolution, designate which City employees are, "law enforcement officers" for purposes of this Section 59.~~

~~b) "Qualified law traffic violation" means a violation of any of the following: (1) any state or local law relating to complying with a traffic control signal or railroad crossing sign or signal; or (2) any state or local law limiting the speed of a motor vehicle.~~

~~c) "Ticket" means any traffic ticket, citation, summons, or other notice of liability (whether civil or criminal) issued in response to an alleged qualified traffic law violation detected by a traffic law photo-monitoring device.~~

~~d) "Traffic law photo-monitoring device" means an electronic system consisting of a photographic, video, or electronic camera and a means of sensing~~

~~the presence of a motor vehicle that automatically produces photographs, videotape, or digital images of the vehicle, its license plate or its operator.~~

~~59-3. Any ordinance enacted prior to the passage of this Amendment that contravenes any of the foregoing is void. After the enactment of this Amendment, the City shall not enact or enforce any ordinance that contravenes any of the foregoing. In the event that any provision of this Section 59 is found to be unconstitutional or impermissibly in conflict with state or federal law, only such provision found to be unconstitutional or impermissible will be stricken, and the remainder of this Section 59 will remain in full force and effect.~~

SECTION 2. The proposed amendment to Section 59 of the Garfield Heights Charter shall be submitted to a vote of the qualified electorate of the City of Garfield Heights at an election to be held November 8, 2022 during the regular hours of voting permitted as prescribed by law, where a majority affirmative vote is required for passage.

SECTION 3. The Law Director is hereby directed to transmit by certified mail a certified copy of this Ordinance and the following ballot language to the Cuyahoga County Board of Elections, c/o the Director's Office, located at 2925 Euclid Avenue, Cleveland, Ohio 44115 and/or to hand-deliver the same to the Issues Department located on the Third Floor of the Cuyahoga County Board of Elections and obtain a written and dated receipt therefore and he is further directed to make the necessary arrangements with the Board of Elections, Cuyahoga County, for giving notice of the proposed amendment of the municipal Charter and for compliance with other regulations including but not limited to appropriate ballot language in accordance with the Ohio Revised Code.

PROPOSED BALLOT LANGUAGE

SHALL SECTION 59 OF THE GARFIELD HEIGHTS CHARTER, WHICH CURRENTLY PROHIBITS THE USE OF PHOTO-MONITORING TRAFFIC DEVICES, BE REPEALED?

YES NO

SECTION 4. This Ordinance is declared to be an emergency measure for the best interest of the citizens of Garfield Heights and for the further reason that publication requirements of Ohio law pertaining to Charter amendments necessitates passage without undue delay, therefore this Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

EFFECTIVE DATE: _____

ORDINANCE NO.: 62-2022 (AMENDED)

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO SECTION 41 OF THE GARFIELD HEIGHTS CHARTER, PROVIDING FOR THE MAYOR TO SERVE AS THE PUBLIC SAFETY DIRECTOR

WHEREAS, Section 52 of the Charter of the City of Garfield Heights permits this Council to submit proposed Charter amendments to the electors of the City upon a Council vote of two-thirds in favor of said change, and

WHEREAS, an affirmative vote of at least two-thirds of Council members present shall result in this amendment to be presented to the electors of the City on the November 8, 2022, General Election, and

WHEREAS, the Garfield Heights Charter Review Committee, pursuant to Section 57 of the Garfield Heights Charter, has reviewed the Charter of the City of Garfield Heights, Ohio, has recommended to Council amending Section 41 of the Garfield Heights Charter providing for the Mayor to serve as the Public Safety Director, and

WHEREAS, the Council wishes to provide for said amendment.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Garfield Heights, Ohio that:

SECTION 1. Section 41 of the Garfield Heights Charter shall be amended as follows:

The Department of Public Safety shall be in the charge of the Safety Director. There shall be in the Department of Public Safety a Police Division and a Fire Division. There shall be in the Department of Public Safety a Division of Building, Engineering and Inspection. **The Mayor shall serve as Safety Director.**

41-A Annual rate of pay to be paid members of the police division. The annual rate of compensation for the members of the police division, Department of Public Safety, shall be no less than the average that is paid to members of police divisions in the suburban cities with a population of ten thousand (10,000) or more whose boundary lines are contiguous to the City of Cleveland.

On or about the first day of April of each year, the Council shall cause a survey to be made as to the rate of compensation paid to members of the police divisions of suburban cities whose population is ten thousand (10,000) or more, whose boundary lines are contiguous to the City of Cleveland, based upon the latest federal decennial census. Not later than the first day of June of each year, Council shall enact legislation providing for the payment of a rate of compensation for the members of the police division not less than the average compensation paid to the aforementioned suburban cities, which such rate of compensation shall become effective on and shall be paid from the first day of June of that year.

The expression "rate of compensation" or pay, as used in this section, shall apply only to a basic amount of wages and does not include such benefits as

might be set up by any city by way of holidays, vacations, other permitted absences, overtime, longevity, night or split shifts, pay for specialized service within a classification or rank, or other premium pay differentials or any type whatsoever. The foregoing enumeration is not exclusive; it is the intent of this section that nothing other than a basic amount of wages, with included range scales, be included within the meaning of "rate of compensation" or pay.

Upon passage of this Charter Amendment, a special survey shall be made in accordance with the hereinbefore stated provisions, and the new rate shall be paid beginning January 1, 1973.

For the purpose of this section, the pay ranges of 1971 shall be considered as a base. Such additional funds as shall be required by the operation of this Section in addition to the 1971 base, shall be generated by an increase in the limitation on the rate of taxation as provided in Section 21 of this Charter.

Council is hereby authorized to increase the limitation on the rate of taxation by such millage as shall be needed to realize the funds required.

41-B Annual rate of pay to be paid members of the fire division. The annual rate of compensation for members of the fire division, Department of Public Safety, shall be no less than the average that is paid to members of the fire divisions in the suburban cities with a population of ten thousand (10,000) or more whose boundary lines are contiguous to the City of Cleveland.

On or about the first day of April of each year, the Council shall cause a survey to be made as to the rate of compensation paid to members of the fire divisions of suburban cities whose population is ten thousand (10,000) or more, whose boundary lines are contiguous to the City of Cleveland, based upon the latest Federal decennial census. Not later than the first day of June of each year, Council shall enact legislation providing for the payment of a rate of compensation for the members of the fire department not less than the average compensation paid to the aforementioned suburban cities, which such rate of compensation shall become effective on and shall be paid from the first day of June of that year.

The expression "rate of compensation" or pay, as used in this section, shall apply only to a basic amount of wages and does not include such benefits as might be set up by any city by way of holidays, vacations, other permitted absences, overtime, longevity, night or split shifts, pay for specialized service within a classification or rank, or other premium pay differentials or any type whatsoever. The foregoing enumeration is not exclusive; it is the intent of this section that nothing other than a basic amount of wages, with included range scales, be included within the meaning of "rate of compensation" or pay.

Upon passage of this Charter Amendment, a special survey shall be made in accordance with the hereinbefore stated provisions, and the new rate shall be paid beginning January 1, 1973.

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Council is hereby authorized to increase the limitation on the rate of taxation by such millage as shall be needed to realize the funds required.

SECTION 2. The proposed amendment to Section 41 of the Garfield Heights Charter shall be submitted to a vote of the qualified electorate of the City of Garfield Heights at an election to be held

November 8, 2022 during the regular hours of voting permitted as prescribed by law, where a majority affirmative vote is required for passage.

SECTION 3. The Law Director is hereby directed to transmit by certified mail a certified copy of this Ordinance and the following ballot language to the Cuyahoga County Board of Elections, c/o the Director's Office, located at 2925 Euclid Avenue, Cleveland, Ohio 44115 and/or to hand-deliver the same to the Issues Department located on the Third Floor of the Cuyahoga County Board of Elections and obtain a written and dated receipt therefore and he is further directed to make the necessary arrangements with the Board of Elections, Cuyahoga County, for giving notice of the proposed amendment of the municipal Charter and for compliance with other regulations including but not limited to appropriate ballot language in accordance with the Ohio Revised Code.

PROPOSED BALLOT LANGUAGE

SHALL SECTION 41 OF THE GARFIELD HEIGHTS CHARTER BE AMENDED TO PROVIDE THAT THE MAYOR SHALL SERVE AS SAFETY DIRECTOR?

YES _____ NO _____

SECTION 4. This Ordinance is declared to be an emergency measure for the best interest of the citizens of Garfield Heights and for the further reason that publication requirements of Ohio law pertaining to Charter amendments necessitates passage without undue delay, therefore this Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____
MAYOR _____ PRESIDENT OF COUNCIL _____

ATTEST: _____
CLERK OF COUNCIL _____ EFFECTIVE DATE: _____

ORDINANCE NO.: 76-2022

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND
DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER INTO
A PURCHASE AGREEMENT WITH ALTEC NUECO, LLC FOR
THE PURCHASE OF A USED 2015 FREIGHTLINER FORESTRY
BUCKET TRUCK

WHEREAS, The City of Garfield Heights would like to purchase a used 2015 Freightliner M2-106 Forestry Bucket Truck to replace the City's current 1991 GMC Topkick Forestry Truck, and

WHEREAS, Altec Nueco, LLC is currently selling a 2015 Freightliner M2-106, with 44,730 miles, equipped with an Altec LR756 Articulating Overcenter Aerial Device with insulating lower and upper booms to reach a platform height of 56.3 feet and side reach of 44.4 feet, and

WHEREAS, the cost of a new forestry bucket truck is approximately \$275,000.00; the total cost of this vehicle will not exceed \$132,000.00.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Garfield Heights, Ohio, that:

SECTION 1. The Mayor, or his designee, is authorized and directed to enter into a purchase agreement with Altec Nueco, LLC to purchase a 2015 Freightliner Forestry Bucket Truck for a cost not to exceed \$132,000.00.

SECTION 2. The Finance Director is directed to issue her vouchers of the City for the purpose set forth in Section 1 hereof.

SECTION 3. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare and shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____
MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

EFFECTIVE DATE: _____

ORDINANCE NO.: 77-2022

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH CUYAHOGA COUNTY AND THE CITIES OF CLEVELAND, EAST CLEVELAND, EUCLID, CLEVELAND HEIGHTS AND PARMA FOR THE PURPOSE OF JOINTLY APPLYING FOR THE 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

WHEREAS, Each year the City of Garfield Heights applies to receive funding available through the Edward Byrne Memorial Justice Assistance Grant, and

WHEREAS, this year, the City wishes to apply for the grant jointly with Cuyahoga County and the cities of Cleveland, East Cleveland, Euclid, Cleveland Heights, and Parma, and

WHEREAS, in the event the City is awarded funding, the City intends to use the grant to purchase a barcoding system for labeling and managing evidence and (2) two ballistic entry shields.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Mayor, or his designee, is hereby authorized and directed to enter into a Memorandum of Understanding (attached hereto as Exhibit A and incorporated as if fully written within) for purposes of jointly applying for the 2022 Edward Byrne Memorial Justice Assistance Grant.

SECTION 2. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation and protection of the public peace, health, safety, and general welfare of the inhabitants of the City of Garfield Heights and shall take effect and be in full force immediately upon its adoption by this Council and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____
MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

EFFECTIVE DATE: _____

MEMORANDUM OF UNDERSTANDING

BETWEEN THE CITIES OF EAST CLEVELAND, EUCLID, PARMA, AND CLEVELAND HEIGHTS, CUYAHOGA COUNTY, AND THE CITY OF CLEVELAND.

Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant

This agreement is made and entered into this _____ day of _____, 2022, by and among the cities of Euclid, Parma, Garfield Heights, and Cleveland Heights, Cuyahoga County, hereinafter referred to as JURISDICTIONS, and the City of Cleveland, hereinafter referred to as CLEVELAND, witnesseth:

WHEREAS, each governing body, in performing governmental functions of paying for the performance of governmental functions hereunder, shall make the performance of those payments from current revenues legally available to that party through a lump sum payment; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the Edward Byrne Memorial Justice Assistance Grant is designed to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for the administration of criminal justice; and

WHEREAS, the JURISDICTIONS and CLEVELAND agree that CLEVELAND will be the Fiscal Agent for this grant; and

WHEREAS, CLEVELAND agrees to provide the JURISDICTIONS funding from the U.S Department of Justice Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant (FY22 JAG) total award of \$690,022.00 for programs approved by the Bureau of Justice Assistance; and

WHEREAS, the JURISDICTIONS and CLEVELAND believe it to be in their best interest to allocate the FY22 JAG funds.

NOW THEREFORE, the JURISDICTIONS and CLEVELAND agree as follows:

City of Cleveland	\$ 527,840.00
City of Garfield Hts	\$ 11,274.00
City of Euclid	\$ 26,768.00
City of Cleveland Hts	\$ 11,309.00
City of Parma	\$ 12,831.00
Cuyahoga County	\$ 100,000.00
TOTAL	\$ 690,022.00

Section 1.

CLEVELAND will allocate a maximum of \$26,392.00 (5%) of their total FY22 JAG award for administrative purposes.

Section 2.

The JURISDICTIONS agree to use FY22 JAG funds not to exceed their individual allocation for expenses for the period October 1, 2021 until September 30, 2025.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against CLEVELAND or the JURISDICTIONS.

Section 4.

Each party to this Agreement will be responsible for providing services under this agreement, and shall not be liable for any civil liability that may arise from the furnishing of the services for the other party.

Section 5.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 6.

By entering this Agreement, the parties do not intend to create any obligations expressed or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 7.

It is understood that the allocated funds shall be advanced to the JURISDICTIONS in a lump sum. With this transfer of funds, the JURISDICTIONS agree to abide by OMB 133 and the U.S. Department of Justice, Office of Justice Programs Financial Guide regarding the expenditure of funds, including submission of quarterly fiscal and quarterly program reports detailing how funds are expended under this agreement. Fiscal Reports should be directed to:

Amy Hewett, Budget Administrator
Department of Public Safety
601 Lakeside Ave, Room 230
Cleveland, OH 44114

Program reports should be directed to:

Dawn Heartsong, Public Safety Grants Coordinator
Cleveland Division of Police
1300 Ontario Street, #828
Cleveland OH 44113

CLEVELAND will expedite all necessary paperwork for disbursements of funds. CLEVELAND shall release funds within ninety (90) days after first draw down. All JURISDICTIONIS will be notified upon receipt of the initial draw down of funds.

Section 8

This agreement may be modified whenever such modifications are deemed necessary by the mutual consent of CLEVELAND and the JURISDICTIONS. Any such modifications shall be in writing and signed by both parties.

Section 9

All notices and communications provided for herein shall be in writing and sent by email or via the United States Postal Service, first class prepaid, to the following:

Dawn Heartsong, Public Safety Grants Coordinator
Cleveland Division of Police
1300 Ontario Street, #828
Cleveland OH 44113
dheartsong@city.cleveland.oh.us

IN WITNESS THEREOF, we, the undersigned have caused this agreement to be executed this _____ day of _____, 2022.

CITY OF CLEVELAND, OHIO, CUYAHOGA COUNTY

CITY OF CLEVELAND, OHIO
Justin M. Bibb, Mayor

CITY OF GARFIELD HEIGHTS, OHIO
Matt Burke, Mayor

CITY OF CLEVELAND HEIGHTS, OHIO
Kahlil Seren, Mayor

CITY OF PARMA, OHIO
Timothy J. DeGeeter, Mayor

CITY OF EUCLID, OHIO
Kirsten Holzheimer, Mayor

CUYAHOGA COUNTY
Armond Budish, County Executive

ATTEST & APPROVED AS TO FORM:

Dawn Heartsong, Grants Coordinator,
City of Cleveland

ORDINANCE NO.: 78-2022

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING
THE FINANCE DIRECTOR TO ESTABLISH THE MUNICIPAL
COURT TRAFFIC CAMERA REVENUE FUND, NUMBER 230,
WITHIN THE CITY'S BUDGETARY FUND STRUCTURE.

WHEREAS, Current Ohio law requires local governments to pay costs and fees in advance when taking civil action to enforce traffic-camera citations (excluding citations issued in school zones), and

WHEREAS, the villages of Newburgh Heights and Walton Hills both issue traffic-camera citations that will may result in civil actions being filed in the Garfield Heights Municipal Court, and

WHEREAS, accordingly, the City must establish a fund for the Garfield Heights Municipal Court to manage the revenue from the traffic-camera citations.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Finance Director is hereby authorized and directed to establish the Municipal Court Traffic Camera Revenue Fund, number 230, within the City's budgetary fund structure.

SECTION 2. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation and protection of the public peace, health, safety, and general welfare of the inhabitants of the City of Garfield Heights and shall take effect and be in full force immediately upon its adoption by this Council and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____
MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL
EFFECTIVE DATE: _____

ORDINANCE NO.: 79-2022

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING
THE FINANCE DIRECTOR TO ESTABLISH THE ONEOHIO
OPIOID SETTLEMENT FUND, NUMBER 224, WITHIN THE CITY'S
BUDGETARY FUND STRUCTURE.

WHEREAS, Ohio reached an \$808 million agreement with the three largest distributors of opioids. The state developed the OneOhio plan, a mechanism to ensure that any money from a negotiated settlement is distributed fairly to the communities hit hardest by the opioid crisis, and

WHEREAS, the settlement agreement allocates 30% to local governments (LG Share), 55% to a foundation that will distribute funds to projects, and 15% to the Office of the Ohio Attorney General as Counsel for the State of Ohio, and

WHEREAS, Ohio Rev. Code §5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax, which the law requires to be used for a particular purpose, and

WHEREAS, at this time, the City wishes to establish a OneOhio Opioid Settlement Fund in accordance with Ohio Rev. Code §5705.09(F) for the above-stated purposes.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Finance Director is hereby authorized and directed to establish the OneOhio Opioid Settlement Fund, number 224, within the City's budgetary fund structure.

SECTION 2. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation and protection of the public peace, health, safety, and general welfare of the inhabitants of the City of Garfield Heights and shall take effect and be in full force immediately upon its adoption by this Council and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____
MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____ EFFECTIVE DATE: _____
CLERK OF COUNCIL

ORDINANCE NO.: 80-2022

SPONSORED BY: MAYOR MATTHEW BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHM ADVISORS TO PROVIDE ECONOMIC DEVELOPMENT / PLANNING SERVICES TO THE CITY OF GARFIELD HEIGHTS FOR 2022, 2023 AND 2024.

WHEREAS, The City of Garfield Heights desires to enter into an agreement with OHM Advisors to provide Economic Development/Planning services to the City for 2022, 2023 and 2024, and

WHEREAS, this matter was brought before Council in Garfield Heights Ordinance 70-2022 and did not receive the requisite number of votes; as a result, this agreement has been renegotiated and is being resubmitted to Council for approval with the key amendment being that OHM has increased the amount of work hours provided to the City on a weekly-basis without any additional cost from the originally-proposed agreement.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Mayor be and he is hereby authorized and directed to enter into an agreement with OHM Advisors to provide Economic Development/Planning services to the City of Garfield Heights for 2022, 2023 and 2024 as delineated in Exhibit A attached hereto and made a part hereof as if fully rewritten herein.

SECTION 2. The Finance Director is hereby authorized and directed to issue her vouchers of the City for the purposes stated in Section 1. hereof, said vouchers to be charged to the appropriate fund.

SECTION 3. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation and protection of the public peace, health, safety, and general welfare of the inhabitants of the City of Garfield Heights and shall take effect and be in full force immediately upon its adoption by this Council and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____
MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

EFFECTIVE DATE: _____

July 27, 2022

Mayor Matthew Burke
City of Garfield Heights
5407 Turney Road
Garfield Heights, OH 44125

**Re: Economic Development / Planning Services
Proposal #22215**

Dear Mayor Burke:

The following scope of services, price proposal, and project schedule which represent our understanding of the project, based upon prior discussions, meetings, and/or additional project information made available at the time of this proposal. Should you have any questions, please let us know.

Proposal Outline

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Identification

The parties of the Agreement shall be referred to within this document as follows:

- “Municipality” shall refer to the City of Garfield Heights, Cuyahoga County, Ohio
- “OHM” shall refer to Orchard, Hiltz & McCliment, Inc., dba OHM Advisors



Scope of Services

OHM is pleased to enter into a contract to assist the City of Garfield Heights with Economic Development (ED) and Planning Services. The purpose of the Economic Development Consultation Service is to identify the community's economic potential to attract and retain high quality businesses and development in the City. This service is intended to serve in helping guide policymakers, community's stakeholders, local businesses, and future investors. It will outline actionable goals and tactics that help to strengthen the economic vitality of Garfield Hts. By doing this, the strategy will help to align projects, programs, and policies to ensure the City's economic priorities are being addressed, and that these actions will not take place in a piecemeal fashion. This will help ensure the City's resources are used efficiently to plan for new growth and that future plans for development are targeted to areas in the community with the greatest economic potential.

Project Area

The project study area is the city limits of Garfield Heights with a focus on commercial corridors throughout the City.

Assumptions

The following assumptions have been made in preparing the approach. These assumptions not only shape the approach, but also the timeline and proposed cost.

1. The OHM Team will be led by John Lippus (Economic Development Strategist). Dave Krock will serve as the principal in charge for OHM Advisors.
2. OHM anticipates working closely with city staff and leadership, as well as community stakeholders to complete the scope of work.
3. OHM proposes to setup an Economic Development Task Force made up of city staff, leadership, and local stakeholders to guide a new ED strategy and decision-making process.

Task #1 Standard Economic Development Services:

- The following services are included in the fee shown:
 - Help identify and create new economic development projects to further the community's mission and to provide new opportunities for its citizens
 - Coordinate with staff and help prepare effective strategies to develop local economy in coordination with key stakeholders and provide consultation on economic development issues.
 - Help identify and utilize creative funding opportunities in the private and public sectors to advance business and community projects. (upon request for City leadership establish relationship with municipal finance consulting firm)
 - Help staff to develop/maintain programs related to residential and commercial vacant properties
 - Assist city administration, and public officials to promote economic development activities
 - Assist with ED webpage redevelopment and maintaining updates
 - Attend city council and planning commission meetings (as needed)
 - Respond to Economic Development RFQ's and RFP's – assist in the preparation of formal community presentations

OHM Advisors'

6001 EUCLID AVENUE, SUITE 130
CLEVELAND OHIO 44103

T 216.865.1335
F 330.319.8691

OHM-Advisors.com



Task #2 Project Specific Economic Development Services

- In the event that economic development activities arise on projects or opportunities that exceed the monthly hours of the Standard Economic Development Services, the following shall occur:
 - OHM shall develop an outline of the scope of services, timeframe, and approximate fee budget
 - The City shall review and approve these project specific services, prior to OHM commencing work.

Compensation

The proposed scope of work based on 6 hours a week as outlined on a monthly and annual basis. The fee proposal above shall be completed on a fixed fee basis.

<i>Task</i>	<i>Description</i>	<i>2022</i>	<i>2023</i>	<i>2024</i>
<i>Task #1</i>	<i>Standard Economic Development Services</i>	<i>\$3,200/month \$16,000/year (Aug -Dec)</i>	<i>\$ 3,400/month \$40,800/year</i>	<i>\$ 3,600/month \$43,200/year</i>
<i>Task #2</i>	<i>Project Specific Economic Development Services</i>		<i>Specific Contract for each Project (Separate Approval Required)</i>	

OHM Advisors'

6001 EUCLID AVENUE, SUITE 130
CLEVELAND OHIO 44103

T 216.865.1335
F 330.319.8691

OHM-Advisors.com



Contract Term

Contract Term shall commence on August 1, 2022 and terminate on December 31, 2024.

Termination Clause

Upon 90 days advance written notice, either contracted party (Municipality or OHM), may request termination of the contract. The termination date shall be the last day of any month, a minimum of 90 days from the date of written notice. The timeframe shown in this Termination Clause shall take precedent and override the timeframe shown in the Terms and Conditions. All contract requirements and payment requirements shall apply through the final date of termination.

Terms and Conditions

The Terms and Conditions contained in the Annual Engineering contract per ordinance #50-2019 shall also apply to this contract.

Authorization

OHM Advisors

David G. Krock, PE
Vice President

City of Garfield Heights, Ohio

Name Date

Approved as to form:

Name Date

ORDINANCE NO.: 81-2022

SPONSORED BY: MAYOR MATTHEW BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO DO ALL THINGS NECESSARY TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), FOR THE EAST 126TH STREET AND WOLF CREEK INTERCEPTOR RELOCATION PROJECT, INCLUDING, BUT NOT LIMITED TO EXECUTING ANY AND ALL APPLICATIONS, AGREEMENTS AND /OR CONTRACTS AS MAY BE REQUIRED BY THE OPWC IN ORDER TO SECURE THE GRANT FUNDS REQUESTED, PER THE APPLICATION AS PREPARED BY CITY ENGINEER DAVID KROCK

WHEREAS, The current condition of the sewer lines located in Wolf Creek have deteriorated to a point that it has been determined to cause environmental and public health concerns, and

WHEREAS, the East 126th Street and Wolf Creek Interceptor Relocation Project will have the sewer lines repaired and replaced as needed, and

WHEREAS, the sewer repair, will improve the health and safety of the residents in the area, and

WHEREAS, this reconstruction project is eligible for funding through the OPWC Program(s), and

WHEREAS, the City of Garfield Heights wishes to make an application for grant funding for this project to the OPWC (Project Fact Sheet attached hereto).

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Mayor is hereby authorized and directed to do all things necessary to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s), for the East 126th Street and Wolf Creek Interceptor Relocation Project, including, but not limited to executing any and all applications, agreements and/or contracts as may be required by the OPWC, in order to secure the funds requested, as prepared by City Engineer, David Krock.

SECTION 2. Council declares this Ordinance to be an emergency measure necessary for the preservation of the public health, safety and welfare; therefore, this Ordinance shall be in full force and effect immediately upon the adoption by Council and approval by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

EFFECTIVE DATE: _____



The City of Garfield Heights

5407 TURNER ROAD • GARFIELD HEIGHTS, OHIO 44125 • PHONE 216/475-1504
FAX 216/475-3807

PROJECT FACT SHEET

Name: E 126th St. and Wolf Creek Interceptor Relocation Project

Limits:	LOCATION	FROM	TO	LENGTH
	E 126 th St.	Near Tinkers Creek Apartments		

Scope: The purpose of this project is to relocate the deteriorated sewer from Wolf Creek behind Tinkers Creek Apartments to E 126th Street.

Costs:

\$ 725,000	Construction
\$ 119,000	Engineering & Design
<u>\$ 50,000</u>	Inspection & Testing
\$ 894,000	Total Project Cost

Funding:

\$ 669,675	MCIP (NEORSD)
\$ 224,325	OPWC (Fall 2022 Application)
<u>\$ 0</u>	City of Garfield Heights
\$ 894,000	Total Project Funding

Schedule:

Jan 2022 - Jun 2023	Engineering Design & Approvals and PTI application Complete
July 2023	Bid & Award
Aug 2023 - May 2024	Construction

Other: Local lane closures.

Questions?

David G. Krock, PE, City Engineer // City Hall: 216.475.1504 // Mobile: 330.350.0521 // david.krock@ohm-advisors.com

ORDINANCE NO.:

82-2022

SPONSORED BY:

MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO DO ALL THINGS NECESSARY TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), FOR THE ANTENUCCI BOULEVARD RECONSTRUCTION PROJECT, INCLUDING, BUT NOT LIMITED TO EXECUTING ANY AND ALL APPLICATIONS, AGREEMENTS AND /OR CONTRACTS AS MAY BE REQUIRED BY THE OPWC IN ORDER TO SECURE THE GRANT FUNDS REQUESTED, PER THE ATTACHED FACT SHEET AND OPWC APPLICATION AS PREPARED BY CITY ENGINEER DAVID KROCK.

WHEREAS, Antenucci Boulevard is in need of reconstruction and will be repaired as needed, and

WHEREAS, Antenucci Boulevard, listed in the Project Fact Sheet attached hereto as Exhibit A and incorporated as if fully written within will be reconstructed with this project, and

WHEREAS, the street reconstruction will improve the health and safety of the residents and businesses in the area, and

WHEREAS, this reconstruction project is eligible for funding through the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Grant Program(s), and

WHEREAS, the City of Garfield Heights wishes to make an application for grant funding for this project to the Ohio Public Works Commission, and

WHEREAS, the City of Garfield Heights' local share match for this project will be funded as identified in the attached Project Fact Sheet through NOACA.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Mayor is hereby authorized and directed to do all things necessary to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s), for the Antenucci Boulevard Reconstruction Project, including, but not limited to executing any and all applications, agreements and/or contracts as may be required by the OPWC, in order to secure the grant funds requested, per the attached fact sheet, as prepared by City Engineer, David Krock.

SECTION 2. Council declares this Ordinance to be an emergency measure necessary for the preservation of the public health, safety and welfare; therefore, this Ordinance shall be in full force and effect immediately upon the adoption by Council and approval by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____ EFFECTIVE DATE: _____

CLERK OF COUNCIL



The City of Garfield Heights

5407 TURNER ROAD • GARFIELD HEIGHTS, OHIO 44125 • PHONE 216/475-1504
FAX 216/475-3807

Antenucci Blvd Resurfacing
OPWC Submittals
August, 2022

PROJECT FACT SHEET

Name: Antenucci Blvd Resurfacing

Limits:	PHASE LOCATION	FROM	TO	LENGTH
	Antenucci Blvd	Turney	Transportation	3,650 Lf

Scope: The purpose of this project is to resurface Antenucci Blvd. and update curb ramps to meet current ADA standards. Minor repairs to curb and walk.

Costs:

\$ 660,000	Construction
\$ 103,000	Engineering & Design
<u>\$ 50,000</u>	Inspection & Testing
\$ 813,000	Total Project Cost

Funding:

\$ 500,000	Funding thru NOACA
\$ 200,000	OPWC (Fall 2022 Application)
<u>\$ 113,000</u>	City of Garfield Heights
\$ 813,000	Total Project Funding

Schedule:

Oct 2021 - Oct 2022	Engineering Design & Approvals and PTI application Complete
July 2023	Bid & Award
Aug 2023 - Nov 2023	Construction

Other: Local lane closures.

Questions?

David G. Krock, PE, City Engineer // City Hall: 216.475.1504 // Mobile: 330.350.0521 // david.krock@ohm-advisors.com

ORDINANCE NO.: 83-2022

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO LEVY SPECIAL ASSESSMENTS TO THE COUNTY AUDITOR, AS IDENTIFIED IN ATTACHMENT A, AND INCORPORATED HEREIN, (LESS ANY PAYMENTS RECEIVED OR CORRECTIONS AUTHORIZED BY THE FINANCE DIRECTOR), TO BE ASSESSED AND COLLECTED ON THE NEXT TAX COLLECTION, PURSUANT TO THE REQUIREMENTS OF ORDINANCE 56-2012: COST OF GARBAGE AND REFUSE COLLECTION.

WHEREAS, On March 22, 2010, this Council adopted Ordinance 19-2010 which placed into effect Section 913.08: Cost of Garbage and Refuse Collection in the Codified Ordinances of the City of Garfield Heights, and on December 13, 2010, this council adopted Ordinance 87-2010 which amended this section, and on August 27, 2012, this council adopted Ordinance 56-2012 which amended the costs to be charged to each individual property in the City, and

WHEREAS, pursuant to this legislation, the cost of garbage and refuse collection for the tax collection year 2023 shall be collected in the manner provided by law for assessments, and

WHEREAS, pursuant to this section, Council shall review this section on a yearly basis and certify the charges to the County Auditor in time for the charges to be added to the tax duplicates and collected in the next collection year, and

WHEREAS, in order for these charges to be collected by the County as an assessment they must be certified to the County Auditor by September 12, 2022, and

WHEREAS, any payments received by the Finance Department, or corrections to individual parcels authorized by the Finance Director, may be amended from the amounts listed in Attachment A.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Finance Director is hereby authorized and directed to levy special assessments to the County Auditor, as identified in Attachment A, incorporated herein, (less any payments received or corrections authorized by the Finance Director), to be assessed and collected on the next tax collection, pursuant to the requirements of Ordinance 56-2012: Cost of Garbage and Refuse Collection.

SECTION 2. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation and protection of the public peace, health, safety, and general welfare of the inhabitants of the City of Garfield Heights and shall take effect and be in full force immediately upon its adoption by this Council and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____
MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

EFFECTIVE DATE: _____

ORDINANCE NO.: 84-2022

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO LEVY SPECIAL ASSESSMENTS TO THE COUNTY AUDITOR, AS IDENTIFIED IN ATTACHMENT A AND INCORPORATED HEREIN (LESS ANY PAYMENTS RECEIVED OR CORRECTIONS MADE BY THE FINANCE DIRECTOR OR THE BUILDING COMMISSIONER), TO BE ASSESSED AND COLLECTED ON THE NEXT TAX COLLECTION, PURSUANT TO THE REQUIREMENTS OF CODIFIED ORDINANCES CHAPTER 551: LOT MAINTENANCE.

WHEREAS, On July 9, 2001 this Council adopted Ordinance 36-2001 which placed into effect Codified Ordinances Chapter 551: Weeds; and on July 11, 2005 this Council amended Section 551.05 Charges for Cutting of Weeds; and on July 11, 2016 this Council amended Chapter 551: Lot Maintenance, and

WHEREAS, the various City Departments involved have performed their respective duties as identified in the provisions of this Chapter, and

WHEREAS, pursuant to Chapter 551: Weeds – Section 551.03 the Finance department has developed a listing of unpaid invoices, as identified in Attachment A, incorporated herein, and

WHEREAS, pursuant to Chapter 551: Weeds – Section 551.04, the total cost for all residents shall be presented to City Council by ordinance, and

WHEREAS, once approved by the City Council, the total cost of the assessments remaining unpaid may then be certified to the County Auditor to be placed on the tax duplicate to be assessed and collected on the next tax collection, and

WHEREAS, the last day to certify assessments to the County Auditor for collection on the next tax duplicate is September 12,2022 and

WHEREAS, any payments received or corrections to individual parcels authorized by the Finance Director or the Building Commissioner, may be amended from the amounts listed in Attachment A.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Finance Director is hereby authorized and directed to levy special assessments to the County Auditor, as identified in Attachment A and incorporated herein (less any payments received or any corrections made by the Finance Director or the Building Commissioner), to be assessed and collected on the next tax collection, pursuant to the requirements of Codified Ordinances Chapter 551: Lot Maintenance.

SECTION 2. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation and protection of the public peace, health, safety, and general welfare of the inhabitants of the City of Garfield Heights and shall take effect and be in full force immediately upon its adoption by this Council and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____
MAYOR

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

EFFECTIVE DATE: _____