

ORDINANCE NO.: 32-2023

SPONSORED BY: MAYOR MATTHEW BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A PURCHASING PARTICIPATION AGREEMENT, ATTACHED HERETO AS EXHIBIT A, WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR THE 2023-2024 SEASON

WHEREAS, Section 5513.01 of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles, and

WHEREAS, there exists in the Ohio Department of Transportation, Office of Contracts, Contract #018-24, for the purchase of Sodium Chloride (rock salt), which the City has participated in for many years, and

WHEREAS, in order to participate in this contract the City of Garfield Heights must complete and submit the purchasing participation agreement for the purchase of Sodium Chloride (rock salt), attached hereto as Exhibit A.

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 purchasing participation agreement, attached hereto as Exhibit A, with the Ohio Department of Transportation, for the purchase of Sodium Chloride (rock salt) for the 2023-2024 winter season.

**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 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: 4-10-2023

APPROVED: Matthew A. Burke  
MAYOR

ATTEST: Jennifer Sopko  
CLERK OF COUNCIL

Thomas J. Vayh  
PRESIDENT OF COUNCIL

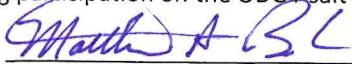
EFFECTIVE DATE: 4-10-2023

**RESOLUTION AUTHORIZING PARTICIPATION  
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023**

WHEREAS, the (INSERT POLITICAL SUBDIVISION NAME, COUNTY LOCATION) (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1<sup>st</sup>, by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:



(Authorized Signature) 4-12-2023 Approval Date

\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN MAY 1<sup>st</sup>, 2023.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

Ord 3d-2023

**FISCAL OFFICER'S CERTIFICATION**

Date: April 6, 2023

It is hereby certified that the amount, or estimated amount, identified as follows:

estimated 3,000 tons x \$725,000<sup>00</sup>  
final price/cost will be determined in ODOT BID/  
Required to meet the contract, agreement, obligation, payment or expenditure, identified  
in the attached ordinance or resolution, has been, or is now being, lawfully appropriated  
or authorized or directed for such purchase and is in the Treasury of the City, or is in the  
process of collection to the credit of fund, or funds identified as follow

# 208 - Street Construction

and is free from any obligation, encumbrance, or certification now outstanding.

*Barbara Biro*

---

Fiscal Officer/Finance Director

RESOLUTION NO.: 10-2023

SPONSORED BY: COUNCILPERSON THOMAS VAUGHN

A RESOLUTION PROVIDING FOR ONLY ONE COUNCIL MEETING TO BE HELD ON THE SECOND MONDAY, DURING THE MONTHS OF MAY, JUNE, JULY, AND AUGUST, 2023.

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

SECTION 1. In accordance with Section 10 of the Charter of the City of Garfield Heights, Ohio, Council will hold only one (1) meeting during the months of May, June, July, and August 2023, said meetings to be held on the second Monday of each month.

SECTION 2. This Resolution shall be in full force and effect from and after the earliest period allowed by law.

PASSED: 4-10-23

APPROVED: Matthew A. Bla  
MAYOR

ATTEST: Jennifer Saponica  
CLERK OF COUNCIL

Thomas J. Vaughn  
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 5-10-2023

RESOLUTION NO.: 11-2023

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY RESOLUTION APPOINTING FOUR (4) MEMBERS TO THE GARFIELD HEIGHTS LAND REUTILIZATION PROGRAM, COMMENCING IMMEDIATELY AND ENDING DECEMBER 31, 2026

WHEREAS, In Ordinance No. 67-1987, The Department of Economic Development implemented and adopted a Land Reutilization Program established pursuant to Chapter 5722 of the Ohio Revised Code to allow the City to manage, upgrade, and improve nonproductive lands within the City of Garfield Heights; and

WHEREAS, Ordinance No. 45-1993 amended the policy established for the Garfield Heights Land Reutilization Program ("GHLRP"); and

WHEREAS, the Mayor wishes to appoint the following four (4) members to the Garfield Heights Land Reutilization Program for the term commencing immediately and ending on December 31, 2026:

**Lottie Overby      Eileen Gryszel**  
**Cotilia Decembly      Donna Bell**

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

**SECTION 1.** The appointments of Lottie Overby, Eileen Gryszel, Cotilia Decembly, and Donna Bell to the Garfield Heights Land Reutilization Program of the City of Garfield Heights, Ohio, commencing immediately and ending December 31, 2026, is hereby ratified and approved by this Council.

**SECTION 2.** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of the City of Garfield Heights, Ohio, and to enable the Garfield Heights Land Reutilization Program of the City of Garfield Heights, Ohio to function as prescribed by law and the City Charter, and shall be in full force and effect from and after its passage and approval by the Mayor, otherwise at the earliest period allowed by law.

PASSED: 4-10-2023

APPROVED: Matthew A. Burke

MAYOR

Thomas V. Johnson

PRESIDENT OF COUNCIL

ATTEST: Jennifer Soprano

CLERK OF COUNCIL

EFFECTIVE DATE: 4-10-2023