

Passed 7-0  
adopted 11-27-2023  
ess. 11-27-2023

ORDINANCE NO.: 95-2023

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO DO ALL THINGS NECESSARY TO PARTICIPATE IN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORSD) PROGRAM(S), FOR THE PURCHASE OF LEAF PICK UP MACHINES, INCLUDING, BUT NOT LIMITED TO EXECUTING ANY AND ALL APPLICATIONS, AGREEMENTS AND /OR CONTRACTS AS MAY BE REQUIRED BY THE NEORSD IN ORDER TO SECURE THE FUNDS REQUESTED, PER THE APPLICATION AS PREPARED BY THE CITY ENGINEER

WHEREAS, Garfield Heights is pursuing funding to purchase (2) two Leaf Pick Up Machines;

WHEREAS, this purchase is eligible for funding through the Northeast Ohio Regional Sewer District Program(s), and

WHEREAS, the City of Garfield Heights desires to make an application for funding for this purchase through Northeast Ohio Regional Sewer District.

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 Northeast Ohio Regional Sewer District Program(s), for funding for the purchase of two (2) Leaf Pick Up Machines, including, but not limited to executing any and all applications, agreements and/or contracts as may be required by the Northeast Ohio Regional Sewer District, in order to secure the funds requested, as prepared by the City Engineer.

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: 11-27-2023

APPROVED: Matthew Burke  
MAYOR

ATTEST: Lottie O'neill  
CLERK OF COUNCIL

Avery Johnson  
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 11-27-2023



Best Equipment Co  
12620 York Delt North Dr

City Of Garfield Height Ohio  
13600 McCracken Rd,  
Garfield Heights, OH  
Sourcewell #

10/25/2023	Sourcewell Contract # 031121-CD8	MSRP
SKU#		
DCL800TM14	X-TREME VAC BY ODB MODEL DCL800TM14 SOURCEWELL DISCOUNT 4.5%	\$ 90,858.25 \$ (4,088.62)
JD74P	John Deere Diesel, 74 HP Final Tier 4 Standard curb side pickup Hopper - 14 cubic yards 28" diameter suction impeller with six 3/8" thick T-1 steel blades 4-groove power band belt drive for suction impeller 40-gallon polyethylene fuel tank Electronic engine controls with engine safety shut down system 13" clutch assembly with a 2.25" diameter PTO shaft & safety engagement Hydraulic hose boom powered by 12v electric/hydraulic pump 16" diameter x 120" rubber suction hose with steel nozzle Gear driven hydraulic pump powers 15.2 ton capacity hoist Boxed perforated pleated radiator screen Underbody type hoist that dumps to 52 degrees and is power up/down HD height adjustable pintle eye with 3 quick release pins Manual parking jack with drop foot LED type DOT lights and 2 oval LED amber flasher lights at rear Electric brakes with break-away actuator Combined rating 16,000 lbs. Tires (4) 235/85R16 radial tires mounted on steel wheels	\$ 12,891.60
34OPT	DCL bottom exhaust 14&20 box (Perf Screens Standard)	\$ 8,301.24
LCSDH16120UC	Urethane suction hose in lieu of rubber Deduction	\$ (208.00)
19OPT	Remote electric throttle for engine (Standard on 2/3 Axis)	\$ 1,020.91
29OPT	Remote Electric Clutch For Engine (Standard on 2/3 Axis)	\$ 1,115.12
PPG800	Paint, Special: White enamel replaced by color	\$ 1,221.43
	Equipment Total:	\$ 111,111.93
	Local Delivery, Dealer PDI and Training:	\$ 1,950.00
	FREIGHT:	\$ 2,310.00
	Net Equipment Total :	\$ 115,371.93

Make Purchase Orders Out To: ODB 5118 Glen Alden Dr, Richmond, VA 23231

Contact: MJ Dubois Phone: 410-924-1004 Email: MJ.DUBOIS@DUCOLL.C

Send copy of PO to: [odbsales@odbc.com](mailto:odbsales@odbc.com) (Please include Delivery State in the subject line.)

Document ID	Prepared For	Prepared On	Pricing Valid Through
0064x00000RUpyWAAT	Garfield Heights, OH	10/31/2023	14 Days

Procurement	Payment Terms	FOB
Sourcewell, Old Dominion Brush: #031121-ODB   Maturity Date: 4/30/2025	Invoice	Garfield Heights Ohio

Product	Unit Price	Quantity	Total
New Equipment ODB DCL800TM	\$115,371.93	1.00	\$115,371.93
DCL800TM14			
New Equipment ODB DCL800TM	\$118,853.67	1.00	\$118,853.67
DCL800TM20			
		Subtotal	\$234,225.60
		Grand Total	\$234,225.60

### Agreement

Sign below to accept and agree to this sales proposal and all terms and conditions. Any changes to this agreement must be done so in writing. This agreement is binding. By signing, you agree that you are authorized to execute this contract.

Signature

Title

Date

## Notes

2 -ODB - DCL800TM  
1- 20 yd unit,  
1-14 yd unit

New equipment includes pre-delivery inspection, delivery to customer site, and basic operational and maintenance training. Standard Manufacturer's warranty applies. Warranty Statements are available upon request.

## BestCare

Need a plan to take care of your investment? BestCare is Best Equipment Company's preventative maintenance program, offering you customized plans to properly maintain and extend the life of your equipment. Email us at [bestcare@bestequipmentco.com](mailto:bestcare@bestequipmentco.com) to learn more.

## Terms and Conditions

### Quotation

This document is for quotation purposes only. Do not pay from this quotation. An invoice will be prepared and sent for final total due.

### Taxes

Applicable taxes are not included at time of quotation. Tax estimations can be provided upon request. If any tax figures are included, they are deemed reliable but not guaranteed. Exact taxes will be calculated at the time of invoice.

### Payment

All payments for the Equipment are due from Buyer on the date of the invoice unless other terms are agreed to in writing between the Seller and Buyer. Contractors are COD.

### Delivery

Delivery dates are estimations. Best Equipment Company, Inc. does not guarantee delivery dates. Best Equipment Company, Inc. is not financially responsible for lost time, revenue, or any other losses. Liability of the goods/equipment in this sales quote transfers to the buyer, once the equipment is unloaded /delivered to the buyer, as acknowledged by the signature of this sales quote.

### COVID and Supply Chain

Due to the volatile nature of the market and ongoing supply chain constraints, prices and lead times are subject to change without notice.

### Financing

If customer is seeking financing, shall be executed and in place in a timely manner. Customer delays due to seeking financing may result in termination of agreement.

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ORDINANCE NO.: 96-2023

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO DO ALL THINGS NECESSARY TO PARTICIPATE IN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORSD) PROGRAM(S), FOR THE PURCHASE OF EQUIPMENT FOR A COMBINATION JET / VACUUM MACHINE, INCLUDING, BUT NOT LIMITED TO EXECUTING ANY AND ALL APPLICATIONS, AGREEMENTS AND /OR CONTRACTS AS MAY BE REQUIRED BY THE NEORSD IN ORDER TO SECURE THE FUNDS REQUESTED, PER THE APPLICATION AS PREPARED BY THE CITY ENGINEER

WHEREAS, In Garfield Heights Ordinance 05-2022, Garfield Heights City Council authorized and directed the Mayor, or his designee, to enter into an agreement to purchase one (1) Combination Jet / Vacuum Machine, and

WHEREAS, this purchase/ is eligible for funding through the Northeast Ohio Regional Sewer District Program(s), and

WHEREAS, the City of Garfield Heights wishes to make an application for funding for this purchase to the Northeast Ohio Regional Sewer District.

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 Northeast Ohio Regional Sewer District Program(s), for the purchase of equipment for a Combination Jet / Vacuum Machine, including, but not limited to executing any and all applications, agreements and/or contracts as may be required by the Northeast Ohio Regional Sewer District, in order to secure the funds requested, as prepared by the City Engineer.

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: 11-27-2023

APPROVED: Matthew A. Burke

MAYOR

ATTEST: Lotte Overly

CLERK OF COUNCIL

Amy Johnson  
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 11-27-2023



The Safety Company LLC dba MTech  
7401 First Place, Suite G  
Cleveland OH 44146  
800.362.0240  
sales@MTechCompany.com

Quote  
#QU0002564  
11/03/2023

Bill To

Garfield Heights, City of  
5407 Turney Rd.  
Garfield Hts OH 44125  
United States

Customer Information

Account #: OH475110  
Email:  
Phone: 216.475.1107  
Delivery:

Expires	Exp. Close	Terms	Sales Rep	Account #
12/03/2023	11/03/2023	Net 20	Donald J Houck	OH475110
FOB		Shipping Method	COL/PPD	
Origin		30 - SEE DETAILS	Prepay & Add	

Quantity	Item	Unit Price	Total
1	<b>216-LHD-71.16</b> 1' Bulldozer Nozzle * for use in lines 12' and up * 6 rear jets w/ anti-roll cage & high pressure swivel * 29 lbs. * Please specify GPM, PSI, and Hose Length when ordering	\$3,796.00	\$3,796.00
1	<b>216-LHD-72.16</b> Power Bulldozer 1", Advanced Workhorse with (8) conical ceramic inserts, jetted as follows:... GPM @ PSI, w feet of hose	\$4,190.00	\$4,190.00
1	<b>216-LHD-50.16</b> Spider 80 Chain Cutter Nozzle 1in.	\$2,650.00	\$2,650.00
1	<b>254-PIP008568</b> ALUM TUBE 8 X .072 X 7 FT LG WITH WELD ON ALUM ENDS	\$257.67	\$257.67
1	<b>254-PIP008575</b> ALUM TUBE 8 X .072 X 8 FT LG WITH WELD ON ALUM ENDS	\$311.40	\$311.40
1	<b>315-POOK</b> Manhole Hook, Triangle Handle Style: 39" long W/ 90° Bent Tip	\$242.00	\$242.00
1	<b>999-Freight Ins Grd</b> Freight Insured Ground - ESTIMATED FOR MULTIPLE SHIPMENTS OF NON STOCKED ITEMS	\$375.00	\$375.00

Note	<b>Subtotal</b>	\$11,822.07
• Mastercard, Visa, American Express accepted. Charges subject to a processing fee.	<b>Shipping</b>	
• All returns subject to a 20% restocking fee and customer is responsible for all shipping charges.	<b>Tax Total (0%)</b>	\$0.00
Signature _____	<b>Total</b>	\$11,822.07

Customer is responsible to winterize/drain all water/air out all systems before leaving any vehicle on MTech's premises



QU0002564

ORDINANCE NO.:

97-2023

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Eff. 11-27-2023

SPONSORED BY:

MAYOR MATTHEW BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING  
THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A PAYMENT  
AGREEMENT WITH THE VILLAGE OF NEWBURGH HEIGHTS

WHEREAS, the Village of Newburgh Heights ("Village") is within the territory of the Garfield Heights Municipal Court ("GHMC"); and

WHEREAS, Ohio Revised Code Section 1901.026 states that the current operating costs of a municipal court that has territorial jurisdiction under section 1901.02 or 1901.182 of the Revised Code that extends beyond the corporate limits of the municipal corporation in which the court is located shall be apportioned among all of the municipal corporations that are within the territory of the court; and

WHEREAS, additionally, each municipal corporation within the territory of the municipal court shall be assigned a proportionate share of the current operating costs of the municipal court that is equal to the percentage of the total criminal and civil caseload of the municipal court that arose in that municipal corporation or township; and

WHEREAS, each municipal corporation is liable for its assigned proportionate share of the current operating costs of the court; and

WHEREAS, the City is the municipal corporation in which GHMC is located; and

WHEREAS, pursuant to Ohio Revised Code Section 1901.026(C), the City Finance Director is charged with collecting amounts apportioned to each respective municipal corporation, and has presented the Village with a statement for apportioned costs for calendar year 2022 in the amount of \$213,702.86; and

WHEREAS, in order to resolve any dispute between the City and the Village.

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 to enter into an agreement with the Village of Newburgh Heights for payment of operating costs as set forth in Exhibit "A" attached hereto.

SECTION 3. 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: 11-27-2023

APPROVED: Matthew A. Burke  
MAYOR

Aug. Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly  
CLERK OF COUNCIL

EFFECTIVE DATE: 11-27-2023

## **PAYMENT AGREEMENT**

THIS PAYMENT AGREEMENT (the "Agreement") is entered into this \_\_\_\_ day of October 2023 by and between the Village of Newburgh Heights, Ohio (the "Village") and the City of Garfield Heights, Ohio (the "City").

WHEREAS, the Village is within the territory of the Garfield Heights Municipal Court ("GHMC");

WHEREAS, Ohio Revised Code Section 1901.026 states that the current operating costs of a municipal court that has territorial jurisdiction under section 1901.02 or 1901.182 of the Revised Code that extends beyond the corporate limits of the municipal corporation in which the court is located shall be apportioned among all of the municipal corporations that are within the territory of the court;

WHEREAS, each municipal corporation within the territory of the municipal court shall be assigned a proportionate share of the current operating costs of the municipal court that is equal to the percentage of the total criminal and civil caseload of the municipal court that arose in that municipal corporation or township;

WHEREAS, each municipal corporation is liable for its assigned proportionate share of the current operating costs of the court;

WHEREAS, the City is the municipal corporation in which GHMC is located;

WHEREAS, pursuant to Ohio Revised Code Section 1901.026(C), the City Finance Director is charged with collecting amounts apportioned to each respective municipal corporation, and has presented the Village with a statement for apportioned costs for calendar year 2022 in the amount of \$213,702.86; and

WHEREAS, in order to resolve any dispute between the City and the Village;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the parties hereto now agree as follows:

1. The Village shall pay to the City the amount of its apportioned operating costs of the GHMC for calendar year 2022 in the amount of Two Hundred Thirteen Thousand Seven-Hundred and Two and 86/100 Dollars (\$213,702.86). Said amount shall not accrue interest.
2. The apportioned operating costs shall be paid in accordance with the payment schedule attached hereto as Exhibit A, which is incorporated herein by reference as if fully re-written.

3. This Agreement shall be governed by Ohio law.
4. This Agreement may be signed in counterparts, with each counterpart, when considered together, constituting one fully-executed and binding contract. This Agreement may be signed electronically, and any such electronic signature shall be considered as an original.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date first set forth above.

VILLAGE OF NEWBURGH HEIGHTS

By: \_\_\_\_\_  
Mayor Gigi Traore

Approved as to Form:

\_\_\_\_\_  
Luke F. McConville, Solicitor

CITY OF GARFIELD HEIGHTS

By: \_\_\_\_\_  
Mayor Matthew Burke

Approved as to Form:

\_\_\_\_\_  
Timothy Riley, Law Director

## PAYMENT SCHEDULE

<u>Date</u>	<u>Amount Due</u>
November 30, 2023	\$ 10,000.00
December 30, 2023	\$ 10,000.00
January 30, 2024	\$ 16,141.90
February 28, 2024	\$ 16,141.90
March 30, 2024	\$ 16,141.90
April 30, 2024	\$ 16,141.90
May 30, 2024	\$ 16,141.90
June 30, 2024	\$ 16,141.90
July 30, 2024	\$ 16,141.91
August 30, 2024	\$ 16,141.91
September 30, 2024	\$ 16,141.91
October 30, 2024	\$ 16,141.91
November 30, 2024	\$ 16,141.91
December 30, 2024	<u>\$ 16,141.91</u>
	= \$213,702.86