

ORDINANCE NO. 01-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

Passed 7-0
eff. 1-8-2024
adopted. 1-8-2024

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE COMMISSIONER OF PURCHASES AND SUPPLIES, FINANCE DIRECTOR, THE MAYOR, OR HIS DESIGNEE TO ADVERTISE FOR PROPOSALS FOR VARIOUS MATERIALS, SERVICES AND SUPPLIES FOR THE YEAR ENDING DECEMBER 31, 2024

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

SECTION 1. For the year ending December 31, 2024, the Commissioner of Purchases and Supplies, Finance Director, the Mayor or his Designee be and they are hereby authorized and directed to advertise for proposals for furnishing the following equipment, materials, services and supplies to be used by various departments of the City where it is reasonable to expect the expenditures for the following items will exceed Seventy-five Thousand Dollars (\$75,000.00) (pursuant to ORC 735.05) during such year:

Gasoline, kerosene, diesel fuel, lubricating and fuel oil, vehicle fluids and greases, salt, calcium chloride, liquid chlorine;

Sand, slag, stone, slag screening, gravel, limestone, paving brick, premixed concrete, rock asphalt, hot and cold premixed bituminous asphalt filler, asphalt, asphalt emulsion, penetration asphalt, and road oil;

Sewer brick, vitrified sewer pipe, vitrified liner plate, concrete sewer pipe, corrugated metal sewer pipe, cast iron manhole or catch basin frames and covers, miscellaneous castings;

Cast iron pipe, hydrants, hydrant repair services, valves and other appurtenances;

Cables, illuminating traffic signals and appurtenances, traffic signs and appurtenances, steel poles, street name signs and appurtenances;

Paint, building brick, glass block, lumber, plumbing fixtures and supplies, electrical fixtures and supplies, roofing materials, fencing materials, building tile, asphalt materials, printing, swimming and ice supplies, tree grates, tree planting, painting of swimming pool and recreation buildings, flooring materials and installation, sodium hyper chlorite;

Cinders, topsoil, sod, grass seed, leaf disposal, fertilizer, shrubs, trees and other materials for planting and improving city property, playground equipment, playground oil and spray materials, cleaning of buildings and windows, recreation shirts, caps and trophies, refuse collection and

disposal, linen service, employee uniform service, building mats and appurtances, paint striping and glass beads, snow removal for seniors;

Fire hose, tires and tubes, police revolvers, street sweeper broom fiber, warning lanterns, parts for automobiles, trucks, road maintenance equipment, towing services, snow equipment, radio, radio appurtenances, office furniture, copy equipment, and office supplies;

Automobile insurance, general liability insurance, property insurance, public officials' insurance, crime policy, inland marine policy, false arrest insurance, boiler and machinery insurance, electronic equipment/media coverage, employer's liability coverage, employee benefits liability, public liability insurance, insurance for senior center, umbrella policy insurance, police professional insurance, fire department error & omissions insurance, comprehensive governmental package policies;

Building maintenance, repairs and remodeling;

Heating and cooling maintenance, and repairs, plumbing maintenance and repairs, vehicle maintenance and repairs;

Furnishing lines to Fire and Police Departments, ammunition, emergency light bars and sirens;

Active fund depository, interim fund depository, computer hardware and software, fireworks, tree trimming and removal, independent private audit of City records.

Said bids and specifications to be filed in the Division of Purchases and Supplies, in the Department of Finance; and that the Mayor, or his designee, is hereby authorized and directed to enter into contracts with the lowest and best bidder upon approval of the Board of Control.

SECTION 2. The authority granted under this Ordinance expires December 31, 2024.

SECTION 3. This Ordinance is declared to be an emergency measure in that the adoption of the Charter created the Division of Purchases and Supplies and it is immediately necessary to make purchases for the conduct of the ordinary affairs of the City, and for the health, welfare, peace, and safety of its residents, and it shall take effect immediately upon its passage and approval by the Mayor.

PASSED: 1-8-2024

APPROVED: 
MAYOR


PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL

EFFECTIVE DATE: 1-8-2024

ORDINANCE NO. 02-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

Eff 1-8-2024
adopted 1-8-2024
Passed 7-0

AN EMERGENCY ORDINANCE TO ESTABLISH A
MAXIMUM AMOUNT FOR BLANKET CERTIFICATES
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024

WHEREAS, Ohio Rev. Code § 5705.41(D) states that fiscal officers may prepare so-called "blanket" certificates for a certain sum of money not in excess of an amount established by resolution or ordinance adopted by a majority of the members of the legislative authority against any specific line item account over a period not running beyond the end of the current fiscal year. The blanket certificates may, but need not, be limited to a specific vendor. Only one blanket certificate may be outstanding at one particular time for any one particular line item appropriation, and

WHEREAS, the City of Garfield Heights uses blanket certificates, also referenced as blanket purchase orders, throughout the year, and

WHEREAS, this City Council wishes to establish each fiscal year a maximum amount for which blanket purchase orders will be used by the City in accordance with the above Ohio Rev. Code Section through a formal ordinance.

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

SECTION 1. For the year ending December 31, 2024, the Finance Director, is hereby authorized and directed to establish blanket certificates also referenced as blanket purchase orders for furnishing equipment, materials, services, maintenance, utilities, insurance and supplies to be used by various departments of the City where it is reasonable to expect the blanket purchase orders for the following items will not exceed Seventy-Five Thousand Dollars (\$75,000.00) during such year:

SECTION 2. The authority granted under this Ordinance expires December 31, 2024.

SECTION 3. This Ordinance is declared to be an emergency measure in that the adoption of the Charter created the Division of Purchases and Supplies and it is immediately necessary to make purchases for the conduct of the ordinary affairs of the City, and for the health, welfare, peace, and safety of its residents, and it shall take effect immediately upon its passage and approval by the Mayor.

PASSED: 1-8-2024

APPROVED: Matthew A. Burke
MAYOR

Amy Phelan
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 1-8-2024

Passed 7-0
eff. 1-8-2024
adopted 1-8-2021

ORDINANCE NO.: 03-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO RENEW AN AGREEMENT ON BEHALF OF THE CITY OF GARFIELD HEIGHTS WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT FOR THE PURPOSE OF PARTICIPATING IN THE STORM WATER POLLUTION PREVENTION PROGRAM

WHEREAS, each year, the City of Garfield Heights contracts with the Cuyahoga Soil and Water Conservation District (SWCD) to ensure compliance with the Environmental Protection Agency's National Pollutant Discharge Elimination System Storm Water Permit, and

WHEREAS, under the agreement, the City will continue to be provided with on-site technical assistance, storm water pollution prevention reviews, monthly inspections, and many other benefits (a letter of intent to renew said agreement is attached hereto as Exhibit A and incorporated as if fully written within).

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 renew an agreement on behalf of the City of Garfield Heights with Cuyahoga Soil and Water Conservation District for a period of twelve (12) months following the passage of this Ordinance, the fee for services provided to not exceed Nine Thousand Four Hundred and Fifty Dollars (\$9,450).

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

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 effective immediately upon the adoption by Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 1-8-2024

APPROVED: Matthew A. Burke
MAYOR

Amy J. Smith
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 1-8-2024

MEMORANDUM OF UNDERSTANDING

Between Cuyahoga Soil and Water Conservation District

and the

City of Garfield Heights

This Memorandum of Understanding ("MOU") is made this ____ day of _____, 2024 ("Effective Date"), between Cuyahoga Soil and Water Conservation District (SWCD) and City of Garfield Heights ("City"), for assistance with technical assistance in implementing soil and water conservation measures.

Purpose – Implementation of a conservation program that promotes best practices for pollution prevention and corresponds with the City's Municipal Separate Storm Sewer System (MS4) permit.

Recognizing the need for effective collaboration in protecting soil and water resources and in carrying out its mandated responsibilities, especially related to the National Pollutant Discharge Elimination System (NPDES) Stormwater Permit, the City and Cuyahoga SWCD accept this agreement as the document which describes the process for exchange. Cooperation between these two units of government facilitates solutions to problems encountered by the City as it plans for the development/redevelopment and conservation of its environment and water quality improvements. The Ohio Revised Code, Chapter 940, describes Cuyahoga SWCD's authority for engaging in this Mutual Agreement.

NOW, THEREFORE, the parties' understanding is as follows:

Project Tasks

Cuyahoga SWCD and the City have mutually agreed to the scope of technical assistance related to pollution prevention on disturbed sites, including construction sites disturbing one or more acres of total land, including the entire area disturbed in the larger common plan of development or sale (≥ 1 acre) as required under the NPDES rules. Construction activities disturbing less than one acre and not part of a larger common plan of development or sale of total land (< 1 acre), and not covered under the NPDES rules, will be reviewed by Cuyahoga SWCD as requested by the City.

Cuyahoga SWCD will: (i) perform stormwater pollution prevention plan (SWP3) reviews for proposed development, redevelopment and infrastructure renovation projects; (ii) perform abbreviated construction plan reviews, as requested by the City; (iii) perform field reviews of active construction projects; (iv) perform long-term maintenance field reviews of post-construction water quality facilities; and (v) provide written technical advisory reports detailing plan review recommendations, site conditions, and recommendations for compliance and/or maintenance activities needed.

NPDES, Minimum Control Measure 4 – Stormwater Pollution Prevention/Erosion & Sediment Control

1. Cuyahoga SWCD will provide technical assistance, related to stormwater pollution prevention and stormwater quality management, as requested, including:
 - a. Preliminary site planning meetings or conference calls; and
 - b. Review of erosion and sediment control plans (ESCs) for development, redevelopment, and infrastructure renovation plans for compliance with NPDES rules (Ohio Revised Code 3745 39-04 (B) (1) through (6)) and the current edition of Ohio's Rainwater and Land Development standard guidance manual.
2. The annual conservation program will include technical assistance related to NPDES covered construction activities of an estimated of:

- a. Technical advisory inspections (field reviews) and reporting (12 per year per site) of 6-10 active construction sites (≥ 1 acre)
- b. 1-5 initial ESC plan reviews, as received (≥ 1 acre)
- c. Subsequent SWP3 review, *as needed* (≥ 1 acre)
- d. Plan reviews for abbreviated construction plans will be performed at the request of the City.

3. Active construction program **\$5,500.00**

NPDES, Minimum Control Measure 5 – Post Construction Stormwater Management

- 1. Cuyahoga SWCD will provide technical assistance, related to stormwater pollution prevention and stormwater quality management, as requested, including: preliminary discussion, review, and technical assistance for SCM selection, including long term maintenance requirements for property owners; and
 - a. Design review of post-construction stormwater quality control measures (SCMs) for development, redevelopment, and infrastructure renovation plans for compliance with NPDES rules (Ohio Revised Code 3745 39-04 (B) (1) through (6)) and the current edition of Ohio's Rainwater and Land Development standard guidance manual.
 - b. 1-5 initial SCM plan reviews (≥ 1 acre)
 - c. Initial SWP3 reviews, as received (≥ 1 acre)
 - d. Subsequent SWP3 review, *as needed* (≥ 1 acre)
 - e. Installation inspection of select SCMs, including trees and other items as requested.
- 2. As required under the MS4 Permit, Cuyahoga SWCD will also provide annual inspections of post construction stormwater control measures (water quality and water quantity basins):
 - a. Transition meetings will be held with SWCD staff, city personnel and site personnel to review long-term operations and maintenance needs, and reporting requirements
 - b. Up to 25 water quality stormwater control measures, annual long-term maintenance field reviews of post- construction water quality facilities
 - c. Technical advisory inspection and reporting to the City and landowners with SCMs on their properties
 - d. Maintenance program fact sheets, individual site assessments and training, as needed or requested

3. Post-construction program **\$3,100.00**

Additional services Cuyahoga SWCD will provide:

- 1. Planning assistance, technical advice, and landowner follow up, including:
 - a. Technical assistance on local legislation if the City pursues universal application of accepted best management practices at construction sites;
 - b. Sound stormwater management;
 - c. Protection of sensitive natural areas;
 - d. General evaluation of sensitive areas such as creeks, floodplains, soils, slopes, wetlands, watersheds, woodlands, or other unique areas that are planned for development
 - e. Recommendations for stream bank and wetlands restoration, slope erosion control;
 - f. Enhancement of small drainage systems and wildlife habitat enhancements; and
 - g. Resident and landowner assistance, as requested, to advise on SCM maintenance strategies.
- 2. Cuyahoga SWCD will provide administrative support, including:
 - a. Provide an annual report of all activities undertaken (including copies of any other data collected);
 - b. Project file management;
 - c. Mapping of facility locations;

- d. Documenting LTOM plans and recorded LTMA agreements; and
 - e. Data and assistance with MS4 reporting, as requested.
3. Additional services cost **\$850.00**.

Cuyahoga SWCD's Role and Responsibilities Related to Stormwater Pollution Prevention Activities

1. Annual review of MOU services and portfolio of active and post-construction inspection sites
2. Coordinate a yearly stormwater program kickoff meeting.
3. Maintain contact lists.
4. Provide technical assistance as needed.

City's Role and Responsibilities Related to Stormwater Pollution Prevention Activities

1. The City will provide an annual appropriation, not to exceed **\$9,450** for technical assistance related to NPDES covered construction activities. Should additional services be requested outside the scope of this MOU written amendments will be made and additional costs agreed upon by both parties. This memorandum of understanding will be reviewed each year to ensure agreed upon assumptions are still valid.
2. The City will designate one individual to serve as the City's liaison for the stormwater pollution prevention program.
3. The City will recognize the environmental and economic functions of naturally vegetated open spaces, such as wetlands, stream corridors, ravines, woodlands, and fields as worthy of the City's protection as open space.
4. The City will utilize Cuyahoga SWCD's technical assistance including plan reviews, project inventories, evaluations, and inspections of planned construction sites, water quality and water quantity basins or sensitive natural areas of concern.
5. The City will direct builders, developers, and consultants to Cuyahoga SWCD for assistance on planning and conservation early in the concept planning stage of the construction planning cycle.
6. The City will adopt, apply, and enforce Cuyahoga SWCD recommendations by not authorizing commencement and/or issuing work stoppage and other remedies. See city roles and responsibilities below for more information.
7. The City will provide Cuyahoga SWCD with field surveys, proposed layouts, designs or meeting notices needed for adequate technical assistance in a timely manner.
8. The City recognizes that Cuyahoga SWCD has no regulatory authority to enforce NPDES rules.

Agreed Procedures

- The City recognizes that Cuyahoga SWCD has expertise in compliance with the requirements of the OEPA's NPDES regulations and is relying on such expertise.
- Cuyahoga SWCD recognizes that the City is the regulating authority.

- Consequently, Cuyahoga SWCD shall not send correspondence without the City first reading and approving such correspondence. The City shall notify SWCD of any questions, comments, and/or requested changes in a timely fashion.
- Cuyahoga SWCD shall respond to such questions, comments and make such changes in a timely fashion.
- Cuyahoga SWCD is not granted regulatory authority in the Ohio Revised Code.
- Cuyahoga SWCD and the City will meet at least once a year to coordinate a work plan and exchange information.
- Cuyahoga SWCD will provide the City with a written annual summary, relevant to its role, as outlined in this MOU.
- The NPDES rules, current edition of Ohio's Rainwater and Land Development standard guidance manual, and standards of the USDA, Natural Resources Conservation Service will be used in planning and application of conservation measures.
- That both parties will review the quality of assistance and address concerns as they arise.
- There shall be no discrimination exercised against any person because of race, color, religion, national origin, sex, gender, ancestry, age, disability, sexual orientation, sexual identify, genetic information, political affiliation, or military status when fulfilling the purpose of this engagement.
- The City recognizes Cuyahoga SWCD's obligation to make its reports and other written materials available to the public on request in accordance with the Ohio Public Records Act.
- The City agrees to grant an annual conservation appropriation to Cuyahoga SWCD, not to exceed \$20,000 per twelve-month period following the Effective Date and Cuyahoga SWCD agrees to use the grant funds to provide a comprehensive conservation program for the City.
- The City and Cuyahoga SWCD will determine the most effective manner to appropriate the funds.
- The City will provide a resolution to Cuyahoga SWCD that acknowledges this working agreement and provides documentation to facilitate dispersal of funds to Cuyahoga SWCD on an annual basis.

Term, Renewal, Termination

The term of this CONTRACT shall begin on the Effective Date first stated above and when SWCD receives written notice from the City, in a form approved by SWCD and in accordance with Sections 5705.41 and 5705.44 of the Ohio Revised Code; and shall end on the same date twelve (12) months thereafter, unless this CONTRACT is terminated sooner, or unless the CONTRACT is extended by the CITY, for one additional one-year term of twelve (12) months, at the sole discretion of the CITY. If the CITY exercises its option to renew the CONTRACT for one additional twelve-month period, the CONTRACT shall continue in effect for said periods, unless the CONTRACT is terminated sooner, or unless it is further extended by mutual agreement, in writing, of the parties hereto.

The exercise by the CITY of its option to extend the CONTRACT for one additional twelve (12) month period is subject to appropriation by City Council. Any such extension shall be under the same terms and conditions as set forth in this CONTRACT. The CITY shall provide notice in writing to SWCD before the end of the initial

twelve (12) month term if the CITY has determined to extend the CONTRACT for an additional one-year period.

This MOU may be amended or terminated at any time by mutual consent of both parties or the agreement may be terminated by either party giving thirty (30) day's advance written notice to the other.

In witness thereof, the Memorandum executed and agreed to on the latest day, month and year written below:

Cuyahoga Soil & Water
Conservation District

City of Garfield Heights

By: _____
Board Chair

By: Hon. Matthew Burke
Mayor

Date:

Date:



FISCAL OFFICER'S CERTIFICATION

Date: January 8, 2024

Ordinance 03-2024

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

Not to exceed \$9,450.00 per year

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:

#101 – General Fund

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

Barbara Biro

Fiscal Officer/Finance Director

ess 1-8-2024
adopted 1-8-2024
Passed 7-0

ORDINANCE NO.: 04-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY ORDINANCE AUTHORIZING THE FINANCE DIRECTOR, OR HER DESIGNEE, TO SUBMIT PAYMENT TO THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR THE PURPOSE OF PUBLIC INVOLVEMENT AND PUBLIC EDUCATION REGARDING SOIL AND WATER CONSERVATION FOR 2024

WHEREAS, In Ordinance 03-2021, to ensure Environmental Protection Agency compliance, this Council authorized the City of Garfield Heights to enter into a contract with the Cuyahoga Soil and Water Conservation District (SWCD) and Northeast Ohio Regional Sewer District (NEORS) for the implementation of education, stewardship and public involvement activities regarding soil and water conservation measures for the years 2021-2025, and

WHEREAS, in accordance with that contract, Council now authorizes the Finance Director, or her designee, to submit payment in the amount of \$6,000.00 to Cuyahoga Soil and Water Conservation District (SWCD) and Northeast Ohio Regional Sewer District (NEORS) for the year 2024.

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

SECTION 1. The Finance Director, or her designee, is hereby authorized and directed to submit payment to Cuyahoga Soil and Water Conservation District and Northeast Ohio Regional Sewer District for year 2023, the fee for services provided to not exceed six thousand dollars (\$6,000); under the terms of the agreement the full \$6,000 cost to the city is reimbursable through Northeast Ohio Regional Sewer District.

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

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 effective immediately upon the adoption by Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 1-8-2024

APPROVED: Matthew A. Burke
MAYOR

Avery Johnson
PRESIDENT OF COUNCIL

ATTEST: Lothe Owens
CLERK OF COUNCIL

EFFECTIVE DATE: 1-8-2024



FISCAL OFFICER'S CERTIFICATION

Date: January 8, 2024

Ordinance 04-2024

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

Not to exceed \$6,000.00 per year

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:

#101 – General Fund

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

Barbara Biro

Fiscal Officer/Finance Director

Passed 7-0
eff. 1-8-2024
adopted 1-8-2024

RESOLUTION NO.: 01-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN EMERGENCY RESOLUTION RATIFYING THE APPOINTMENT BY THE MAYOR OF MILKO CECEZ TO SERVE AS THE DIRECTOR OF LAW FOR THE CITY OF GARFIELD HEIGHTS AND TO SERVE AT THE PLEASURE OF THE MAYOR

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

SECTION 1. The appointment of Milko Cecez to act as the Director of Law for the City of Garfield Heights, Ohio, to serve at the pleasure of the Mayor is hereby ratified and approved by this Council.

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

PASSED: 1-8-2024

APPROVED: Matthew A. Burke
MAYOR

Avery Rhmon
PRESIDENT OF COUNCIL

ATTEST: Lottie Owens
CLERK OF COUNCIL

EFFECTIVE DATE: 1-8-2024

P. 7-0

Adopted 1-8-2024

eff. 1-8-2024

ORDINANCE NO.: AMENDED 46-2023

SPONSORED BY: MAYOR MATTHEW BURKE

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 51-2022 TO UPDATE THE SALARIES OF THE POLICE DEPARTMENT FOR 2023 IN ACCORDANCE WITH SECTION 41 OF THE GARFIELD HEIGHTS CHARTER

WHEREAS, this Ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department, and

WHEREAS, Section 41 of the Garfield Heights Charter provides that the rate of compensation for members of the police and fire division of the Department of Public Safety shall be no less than the average that is paid to the members of the police and fire divisions in suburban cities with a population of ten thousand (10,000) or more whose boundary lines are contiguous to the City of Cleveland, and

WHEREAS, the Collective Bargaining Agreement between the City of Garfield Heights and the Ohio Police Benevolent Association and the Fraternal Order of Police provides that the following rates shall be paid beginning January 1, 2023.

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

SECTION 1. Ordinance No. 51-2022 is amended to read as follows:

Paragraph 1.

(A) There shall be one (1) Chief of the Police Department who shall receive the sum of One Hundred Twenty-Four Thousand, Seven Hundred, and Forty dollars (\$124,740.00) per annum and payable every two (2) weeks.

(B) There shall be no more than two (2) Captains of the Police Department who shall receive the sum of One Hundred and Ten Thousand, Six Hundred, and Twenty-Three Dollars (\$110,623.00) per annum, payable every two (2) weeks.

(C) There shall be no more than ~~six (6)~~ seven (7) Lieutenants of the Police Department who shall each receive the sum of Ninety-Nine Thousand, Two Hundred and Twenty-Five Dollars (\$99,225.00) per annum, payable every two (2) weeks.

(C) There shall be no more than ~~six (6)~~ Sergeants of the Police Department who shall each receive the sum of Eighty-Eight Thousand, Seven Hundred, Ninety Dollars (\$88,790.00) per annum, payable every two (2) weeks.

(D) There shall be no more than ~~forty (40)~~ thirty-nine (39) Patrolmen of the Police Department whose salaries shall be as follows:

(1) First Class Patrolmen with two (2) years or more of service shall each receive the sum of Seventy-Seven Thousand, Eight Hundred, and Forty-Six Dollars (\$77,846.00) per annum, payable every two (2) weeks.

(2) Second Class Patrolmen with more than one (1) year but less than two (2) years of service shall each receive the sum of Sixty-Seven Thousand, and Sixteen Dollars (\$67,016.00) per annum, payable every two (2) weeks.

(3) Third Class Patrolmen with one year or less of service shall each receive the sum of Sixty Thousand, and Thirty-Five Dollars (\$60,035.00) per annum, payable every two (2) weeks.

SECTION 2. Those provisions contained in Ordinance No. 51-2022 are inconsistent with the provisions in this Ordinance, are hereby repealed from and after the effective date of this Ordinance.

SECTION 3. *Transitioning employees:* In the event an employee is preparing to leave the service of the City (i.e. retirement, resignation, termination, etc.), the City shall be permitted to hire and employ an additional person at that same position for a period not to exceed ninety (90) days for the purposes of training the new employee.

SECTION 3 4. The Finance Director is hereby authorized and directed to issue her vouchers of the City for the purpose set forth in Section 1. hereof, said vouchers to be charged to the appropriate fund.

SECTION 4 5. 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 effective immediately upon the adoption by Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 1-8-2024

APPROVED: 
MAYOR


PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL

EFFECTIVE DATE: 1-8-2024

P. 7-0
Adopted 1-8-24
Eff. 1-8-2024

ORDINANCE NO.: AMENDED 47-2023

SPONSORED BY: MAYOR MATTHEW BURKE

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 52-2022 TO REFLECT INCREASED SALARIES OF THE FIRE DEPARTMENT FOR 2023 IN ACCORDANCE WITH SECTION 41 OF THE GARFIELD HEIGHTS CHARTER

WHEREAS, this Ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department, and

WHEREAS, Section 41 of the Garfield Heights Charter provides that the rate of compensation for members of the police and fire division of the Department of Public Safety shall be no less than the average that is paid to the members of the police and fire divisions in suburban cities with a population of ten thousand (10,000) or more whose boundary lines are contiguous to the City of Cleveland, and

WHEREAS, the Collective Bargaining Agreement between the City of Garfield Heights and the Local 340 of International Assn. of Firefighters, AFL-CIO provides that the new rates shall be paid beginning January 1, 2023.

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

SECTION 1. Ordinance No. 52-2022 is amended to read as follows:

Paragraph 1.

(A) There shall be one (1) First Class Fireman known as Chief of the Fire Department who shall receive the sum of One Hundred Twenty-One Thousand, One Hundred, Seventy-Five Dollars (\$121,175.00) per annum, payable every two (2) weeks.

(B) There shall be no more than four (4) Third Class Firemen who shall be known as Captains of the Fire Department who shall each receive the sum of Ninety-Nine Thousand, One Hundred, Ninety-Eight Dollars (\$99,198.00) per annum, payable every two (2) weeks.

(C) There shall be no more than seven (7) Fourth Class Firemen known as Lieutenants of the Fire Department who shall each receive the sum of Eighty-Eight Thousand, Six Hundred, Sixty-One Dollars (\$88,661.00) per annum, payable every two (2) weeks.

(D) There shall be no more than ~~thirty-two (32)~~ **thirty-three (33)** Fifth Class Firemen whose salaries shall be as follows:

(1) Fifth Class Fireman, First Grade with two (2) years or more of service and reached the rank of Fifth Class Fireman, First Grade prior to January 1, 2018 shall

each receive the sum of Seventy-Seven Thousand, Nine Hundred, Fifty-Three Dollars (\$77,953.00) per annum, payable every two (2) weeks.

(2) Fifth Class Fireman, First Grade with two (2) years or more of service and reached the rank of Fifth Class Fireman, First Grade on or after January 1, 2018 shall each receive the sum of Seventy-Seven Thousand, Seven Hundred, Ninety-Four Dollars (\$77,794.00) per annum, payable every two (2) weeks.

(3) Fifth Class Fireman, Second Grade with more than one (1) year but less than two (2) years of service shall each receive the sum of Sixty-Six Thousand, Fifty-Nine Dollars (\$66,059.00) per annum, payable every two (2) weeks.

(4) Fifth Class Fireman, Third Grade with one year or less of service shall each receive the sum of Fifty-Six Thousand, Two Hundred, Thirty-Nine Dollars (\$56,239.00) per annum, payable every two (2) weeks.

SECTION 2. Those provisions contained in Ordinance No. 52-2022 which are inconsistent with the provisions in this Ordinance, are hereby repealed from and after the effective date of this Ordinance.

SECTION 3. *Transitioning employees:* In the event an employee is preparing to leave the service of the City (i.e. retirement, resignation, termination, etc.), the City shall be permitted to hire and employ an additional person at that same position for a period not to exceed ninety (90) days for the purposes of training the new employee.

SECTION 3 4. The Finance Director is hereby authorized and directed to issue her vouchers of the City for the purpose set forth in Section 1. hereof, said vouchers to be charged to the appropriate fund.

SECTION 4 5. 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 effective immediately upon the adoption by Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 1-8-2024

APPROVED: 
MAYOR


PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL

EFFECTIVE DATE: 1-8-2024