

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

ORDINANCE NO.: 44-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE  
CO-SPONSORED: ALL OF COUNCIL PRESENT

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHM ADVISORS TO PROVIDE LAND SURVEYING SERVICES FOR THE MLK JR. BOULEVARD AND SOUTH PARKWAY DRIVE PROJECTS, AND DECLARING AN EMERGENCY

*WHEREAS*, the project will consist of performing land surveying services to create easements for the installation of new sewers along MLK Jr. Boulevard and South Parkway Drive.

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 enter into an agreement with OHM Advisors, to provide the land surveying services for the MLK Jr. Boulevard and South Parkway Drive projects, pursuant to the agreement attached hereto as Exhibit A.

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 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: 7-8-2024

APPROVED: Matthew A. Burke  
MAYOR

Avery Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly  
CLERK OF COUNCIL

EFFECTIVE DATE: 7-8-2024

## **Exhibit A**

June 11, 2024

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

**RE: South Parkway Drive and MLK Jr. Boulevard**

Dear Mayor Burke:

OHM Advisors (OHM) is grateful for the opportunity to provide land surveying services. This letter presents our project understanding, the scope of services, and fee.

**Project Understanding**

OHM is currently in the process of designing the sewer for two crucial projects along MLK Jr. Boulevard and South Parkway Drive in the City of Garfield Heights. During our detailed design, we discovered some significant aspects that require attention. There is no public right of way along MLK Jr. Boulevard between Thornhurst Avenue and Beachwood Avenue. Also, there are no easements for the combined sewer outlets. Similarly, the existing right-of-way of South Parkway Drive does not have enough space to accommodate the new sewer design. OHM must provide a boundary survey and legal descriptions of these areas to be used in acquiring easement rights to construct these projects. The boundary survey will be based on recorded legal documents and field-measured evidence. The easement exhibits and legal descriptions will detail the proposed lot consolidation, approximately 2.7 acres. The survey will include four descriptions.

**Scope of Services**

Based on the project understanding above, OHM will provide the following services and deliverables:

**Task #1 Boundary Survey**

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- **Limits of Survey:**
  - As shown in Exhibit 1
    - Right of way of South Parkway and MLK Boulevard
    - Cuyahoga County Parcel No.'s 546-31-015
  - Visit County Auditor's, Recorders, and Engineer's Office/Website (if available)
    - Research current and historical tax maps to identify subject and adjoining property's ownership and property sales
    - Research current deeds of subject and adjoining parcels
    - Research existing and historical road right-of-way records
    - Research private surveys for subject and surrounding parcels
  - Plot deeds and research in CAD
    - Identify overlaps or gaps in title
    - Identify controlling boundary line monuments for field reconnaissance
- **Field Traverse & Boundary Resolution**
  - Set survey control and traverse subject property locating all existing monumentation, evidence of occupation, or possible encroachments



- Office calculations to resolve current boundary location and parcel closure reports
- Set monumentation, as necessary, to witness each boundary corner

## **Task #2 Easement Exhibits & Legal Descriptions**

- Easement Exhibit includes the following:
  - Subject and adjoining property ownership and reference deed
  - Existing street right of way width and geometry
  - Existing boundary evidence and descriptions
  - Existing subject parcel geometry
  - Proposed geometry of easement areas
  - Set new monumentation (as necessary)
- Legal Descriptions
  - Based on field survey and exhibit
  - Four (4) descriptions – one (1) roadway dedication, three (3) utility easements

**Deliverables:** The deliverables include four (4) exhibits and legal descriptions signed and pre-approved by the county. Set monumentation of the proposed property corners. The plat shall be delivered within forty (40) working days of authorization to proceed.

**Exclusions:** This proposal does not include the preparation of legal recording instruments. An attorney must prepare a deed of easement in the State of Ohio.

## **Task #3 Meeting (As Needed)**

- Meet with the City of Cleveland to discuss the project scope and easement areas

## **Price Proposal**

We will perform the tasks listed above for the following fee schedule:

#	Tasks	Lump Sum Fee	Hourly Estimate Fee
Task #1	Boundary Survey	\$ 6,000	--
Task #2	Easement Exhibits & Legal Descriptions	\$ 6,750	--
	<b>Task #1 and #2 Total</b>	<b>\$12,750</b>	
Task #3	Meeting (As Needed)		\$1,500
	<b>Total All Tasks</b>	<b>\$14,250</b>	

### **Notes:**

1. "Lump Sum" fees, as proposed, shall be invoiced at the exact number shown.
2. "Hourly (Estimated Fee)" represents the budget estimate for the Task (per the rates identified in our Hourly Rate Schedule). Budget estimate shall serve as a maximum. Any requested work beyond this fee must be approved by client prior to proceeding.





### Authorization

If this proposal is acceptable to you, your signature on this letter, with a copy returned to me, will serve as our authorization to proceed. Upon execution, this Proposal, the Terms & Conditions in the annual engineer contract (as approved by Council Legislation), and the other attachments will form our agreement.

Thank you, again, for the opportunity to work with you on this project! Please do not hesitate to contact me directly at 330.801.3469, if you have any questions or need additional information.

Sincerely,  
OHM Advisors

  
Digitally signed by Branden V. Battig  
Date: 2024.06.11 12:20:58 -04'00'

Branden V. Battig, P.E., P.S., Ohio Survey Manager  
[Branden.battig@ohm-advisors.com](mailto:Branden.battig@ohm-advisors.com)  
D: 330.913.1059 C: 330.801.3469

Authorization to Proceed:

 7/8/24  
Signature Date

MATTHEW A BURKE Mayor  
Printed Name Title



**FISCAL OFFICER'S CERTIFICATION**

**Date: July 8, 2024**

**Ordinance 44-2024**

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

Not to exceed \$14,250.00

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:

#213 – Storm & Sanitary Fund

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

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**Fiscal Officer/Finance Director**

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

ORDINANCE NO.: 45-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO PURCHASE TWO (2) 2023 CHEVY TAHOE POLICE INTERCEPTORS FROM THE VILLAGE OF RIPLEY, OHIO, AND DECLARING AN EMERGENCY

*WHEREAS*, the City of Garfield Heights ("City") would like to purchase two (2) used 2023 Chevy Tahoe Police Interceptors from the Village of Ripley, Ohio; and

*WHEREAS*, one of the vehicles in in question is fully equipped to serve as a K-9 vehicle; and

*WHEREAS*, per Ohio Revised Code Section 307.86(C), governmental agencies may purchase equipment/services without bidding if the purchase is from the federal government, the state, another county or contracting authority of another county, or a board of education, educational service center, township, or municipal corporation.

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 purchase two (2) 2023 Chevy Tahoe Police Interceptors (price quote attached hereto as Exhibit A) from the Village of Ripley, Ohio at a total cost not to exceed \$130,000.00.

SECTION 2. 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 amount to be charged to the appropriate Fund.

SECTION 3. Council declares this Ordinance to be an emergency measure necessary for the preservation of the public health, safety and welfare and for the further reason that it relates to the daily operation of a municipal department(s), therefore this Ordinance shall be in full force and effect upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 7-8-2024

APPROVED: Matthew A. Burke  
MAYOR

Avery Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly  
CLERK OF COUNCIL

EFFECTIVE DATE: 7-8-2024

## **Exhibit A**





MARK KAYE  
CHIEF OF POLICE

# GARFIELD HEIGHTS

## POLICE DEPARTMENT



5555 TURNEY ROAD  
GARFIELD HEIGHTS, OH 44125  
216-475-1234

[WWW.GARFIELDHITS.ORG/195/POLICE](http://WWW.GARFIELDHITS.ORG/195/POLICE)

Dear Mr. Poole,

The Village of Ripley has posted two 2023 Chevy Tahoes for sale on Govdeals auction which has recently ended with the reserve not being met. The City of Garfield Heights is looking to work out an agreement for the purchase of two 2023, fully equipped, Chevy, Tahoe, 4x4, PPV police vehicles from the Village of Ripley. Per our conversation, it is my understanding that the Village of Ripley would be willing to sell the vehicles to the City of Garfield Heights if a reasonable offer is provided.

The City of Garfield Height is offering to pay the price listed below:

Year	Description	Offered price
2023	Chevy Tahoe 4x4 PPV that is K-9 equipment equipped with approximately 15,000 miles	\$65,000
2023	2023 Chevy Tahoe 4x4 PPV that is patrol equipped with approximately 5,000 miles	\$62,000
Total		\$127,000

The City of Garfield Heights will provide a check for this amount listed above which will avoid unnecessary cost to both agencies.

The City of Garfield Heights will provide:

- Drivers for these vehicles for their removal.
- Removal of radio equipment at no cost to the Village of Ripley which is currently installed in said vehicles.
- If possible (without damaging vehicles paint) the removal of decals identifying the vehicles as a Village of Ripley vehicle.

The Village of Ripley will provide:

- Both vehicles in operational order to be driven back to the City of Garfield Heights.
- All paperwork (Title, receipt of sale, equipment manuals, Radar certifications, etc.).
- Both vehicles fueled.

Sincerely,

Deputy Chief Dale Merchant



**FISCAL OFFICER'S CERTIFICATION**

**Date: July 8, 2024**

**Ordinance 45-2024**

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

Not to exceed \$130,000.00

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:

#231 – Police Criminal Justice Service Grant Fund

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

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**Fiscal Officer/Finance Director**

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

ORDINANCE NO.: 46-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHM ADVISORS TO PROVIDE ENGINEERING CONSTRUCTION SERVICES FOR THE 2024 PAVING PROGRAM PROJECT, PURSUANT TO THE AGREEMENT ATTACHED HERETO AS EXHIBIT A, AND DECLARING AN EMERGENCY

*WHEREAS*, the project will consist of rehabilitating the streets shown in Exhibit B including, but not limited to, resurfacing the road, and repairing curbs and catch basins.

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 enter into an agreement with OHM Advisors, to provide the engineering construction services for the 2024 Paving Program Project, pursuant to the agreement attached hereto as Exhibit A.

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 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: 7-8-2024

APPROVED: Matthew A. Burke  
MAYOR

Avery Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lothe Overly  
CLERK OF COUNCIL

EFFECTIVE DATE: 7-8-2024



July 2, 2024

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

**RE: 2024 Paving Program – Construction Services**  
Location: Garfield Heights, OH  
Proposal #23074A

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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Sincerely,  
OHM Advisors

**Gary Smolinski**

Digitally signed by Gary Smolinski  
DN: C=US,  
E=gary.smolinski@ohm-advisors.com,  
O=OHM Advisors, OU=Field Services  
(Construction), CN=Gary Smolinski  
Reason: I am the author of this document  
Date: 2024.07.02 15:48:17-04'00'

Gary Smolinski  
Project Manager  
Gary.smolinski@ohm-advisors.com  
D: 330.913.1077 C: 734.891.2443

Josh Slaga, PE  
Principal  
[josh.slaga@ohm-advisors.com](mailto:josh.slaga@ohm-advisors.com)

Authorization to Proceed

7-8-24

Signature

Date

Matthew A Burke Mayor

Printed Name

Title

**OHM Advisors®**

6001 EUCLID AVENUE SUITE 130  
CLEVELAND OHIO 44103

T 216.865.1335

[OHM-Advisors.com](http://OHM-Advisors.com)





## Project Understanding

The referenced project includes asphalt pavement mill and fill and chip seal, pothole patching, partial depth and full depth repairs, adjust manholes, catch basins, monument boxes, and other castings to grade, and site restoration. Also includes Bid Alternate #1 for extended work on Cranwood Park Boulevard from Forestdale Drive to Lawrence Avenue, and Bid Alternate #2 to add Chester Road.

This proposal includes professional services for bidding services and construction services, in accordance with the scoped tasks described herein.

## Scope of Services - Construction Services Tasks

### **Task #175      Pre-Construction Services**

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- The following services are included in the fee shown:
  - Obtain signatures on work agreements.
  - Pre-construction meeting
  - Coordination with Contractor, Utilities, Safety Forces, Residents, and Businesses
  - Personnel coordination and project schedule
  - Perform materials, suppliers, and shop drawing reviews and communicate revisions/approvals with contractor.
  - Review contractual items.
  - Distribution of documents/information (meeting records)

### **Task #176      Construction Services**

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- The following services are included in the fee shown:
  - Coordination with Contractor, Utilities, Safety Forces, Residents, and Businesses
  - Prepare daily inspection reports.
  - Regular progress meetings with contractor
  - Inspection and testing services
  - Response to RFIs (request for information) from contractor
  - Review of pay requests and recommendations for payment.
  - Negotiation of Change Orders
  - Prevailing Wage Verification
  - Coordination of Funding Reimbursements
  - Staffing will include the following:
    - Construction Inspector: On-Site during all working hours of construction
    - Field Client Representative: On-site weekly reviews with construction inspector, and Off-Site Coordination via phone with Inspector, Contractors, Owner, and Construction Manager
    - Construction Manager: On-site Reviews as needed/Off-Site Coordination with Inspector, Contractors, and Owner where possible via phone to control costs.
    - Construction Engineer: Involved on an as-needed basis to facilitate field decisions and design-related issues.
    - Construction Administrative Assistant: Coordination of all documentation from pre-construction, contracts, pay requests, and close-out documents.
    - Typical Weekly Staffing for a 40-hour/week construction project is approximately:
      - Construction Inspector: 40 Hours
      - Field Client Representative 4 Hours
      - Construction Manager: 4 Hours
      - Construction Engineer: 1 Hour



- Construction Admin: 2 Hours
  - **Total Budget Cost per 40-hour week Project = \$ 6,500**
- Total Cost is therefore directly related to the time duration of the construction project.

**Task #177 Post-Construction Services**

- The following services are included in the fee shown:
  - Review of final construction with contractor and Owner
  - Preparation, distribution, and approval of final punch list
  - Review of As-Built Drawings
  - Maintenance Bond Coordination
  - Lien releases, payments, and final acceptance

**Task #178 Additional Construction Services If Authorized**

- This task has been included as an “If Authorized” fee in the event that one or more of the following conditions occur:
  - The Contractor’s work schedule exceeds the number of weeks shown above in the Project Schedule
  - The Contractor’s work schedule includes work weeks exceeding 40 hours.
  - The Contractor’s work process requires multiple work crews and therefore multiple inspectors on-site simultaneously.
  - The Contractor is granted extra time (time extension) to complete the project.
  - The Contractor is awarded a change order for additional work or changed work conditions.
- If any of the above conditions apply, the Engineer shall document and estimate the total cost to complete the additional inspection services and request authorization/approval from the Owner to cover these costs.

**Price Proposal**

#	Construction Services Tasks	Fee
Task #175	Pre-Construction Services	\$ 3,000
Task #176	Construction Services	\$74,200
Task #177	Post Construction Services	\$ 2,500
Task #178	Additional Construction Services (If Authorized)	TBD
<b>Grand Total =</b>		<b>\$79,700</b>

**Compensation**

The price proposal above will be billed as a mixed fee project with the following breakdown:

- Construction Tasks will be billed as follows.
  - Task #175 & Task #177 will be billed as a lump sum.
  - Task #176 and Task #178 (If Authorized) will be billed at the Standard Hourly Rates
    - Fee shown represents (11) eleven weeks (55 working days) of full-time Construction Services per the Contractor’s anticipated work schedule. See task #176 on prior page for itemized breakdown of weekly Construction Services costs.



## Anticipated Project Schedule

Construction Services Tasks: August – October 2024

## Clarifications and Assumptions

- Our Proposal was prepared based on the following assumptions:
  - If additional labor effort or change in schedule is required beyond described herein, OHM Advisors will negotiate an amendment with the City of Garfield Heights. OHM Advisors will not proceed with additional services without written authorization to proceed from the City of Garfield Heights.
  - Meetings shall be conducted in accordance with the Scope of Services as described herein. Additional meetings, not described within our Scope of Services, shall be considered additional services, and will be billed on an hourly basis under the Additional As-Needed Services Allowance upon agreement with the City of Garfield Heights.

## Client Responsibilities

- City of Garfield Heights will provide a single point of contact to OHM Advisors who is knowledgeable about the project needs and desired outcomes.
- City of Garfield Heights will provide the following, if available, to assist us with the project: (prior as-builts and existing plans, plat maps, site surveys indicating site boundaries, existing topography, access to structures, easements and utility line information, utility availability, building information, etc.)

## Terms & Conditions

The Terms and Conditions contained in the Annual Engineering contract per ordinance number 104-2022 shall also apply to this contract.



**FISCAL OFFICER'S CERTIFICATION**

**Date: July 8, 2024**

**Ordinance 46-2024**

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

Not to exceed \$79,700.00

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 & Repair Fund

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

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**Fiscal Officer/Finance Director**



Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

ORDINANCE NO.: 47-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHM ADVISORS TO PROVIDE ENGINEERING CONSTRUCTION SERVICES FOR THE GRANGER ROAD HILL STORM SEWER PROJECT – PHASE 2, AND DECLARING AN EMERGENCY

*WHEREAS*, The City of Garfield Heights (“City”) wishes to improve drainage conditions along Granger Road heading downhill from Overdrive Way; and

*WHEREAS*, the City Engineer has prepared a proposal, Exhibit A, for the engineering construction service tasks.

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 enter into an agreement with OHM Advisors, to provide the engineering construction services for the 2024 Paving Program Project, pursuant to the agreement attached hereto as Exhibit A.

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 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: 7-8-2024

APPROVED: Matthew A. Burke  
MAYOR

Avery Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly  
CLERK OF COUNCIL

EFFECTIVE DATE: 7-8-2024

## **Exhibit A**



## Project Understanding

The referenced project includes concrete paved gutter installation behind the northern curb line, excavation and rock excavation, underdrain system installation beneath the pavement, excavation of subgrade with granular backfill, composite pavement removal with asphalt concrete base replacement and asphalt, and site restoration.

This proposal includes professional services for bidding services and construction services, in accordance with the scoped tasks described herein.

## Scope of Services - Construction Services Tasks

### **Task #175 Pre-Construction Services**

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- The following services are included in the fee shown:
  - Obtain signatures on work agreements.
  - Pre-construction meeting
  - Coordination with Contractor, Utilities, Safety Forces, Residents, and Businesses
  - Personnel coordination and project schedule
  - Perform materials, suppliers, and shop drawing reviews and communicate revisions/approvals with contractor.
  - Review contractual items.
  - Distribution of documents/information (meeting records)

### **Task #176 Construction Services**

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- The following services are included in the fee shown:
  - Coordination with Contractor, Utilities, Safety Forces, Residents, and Businesses
  - Prepare daily inspection reports.
  - Regular progress meetings with contractor
  - Inspection and testing services
  - Response to RFIs (request for information) from contractor
  - Review of pay requests and recommendations for payment.
  - Negotiation of Change Orders
  - Prevailing Wage Verification
  - Coordination of Funding Reimbursements
  - Staffing will include the following:
    - Construction Inspector: On-Site during all working hours of construction
    - Field Client Representative: On-site weekly reviews with construction inspector, and Off-Site Coordination via phone with Inspector, Contractors, Owner, and Construction Manager
    - Construction Manager: On-site Reviews as needed/Off-Site Coordination with Inspector, Contractors, and Owner where possible via phone to control costs.
    - Construction Engineer: Involved on an as-needed basis to facilitate field decisions and design-related issues.
    - Construction Administrative Assistant: Coordination of all documentation from pre-construction, contracts, pay requests, and close-out documents.
    - Typical Weekly Staffing for a 40-hour/week construction project is approximately:
      - Construction Inspector: 40 Hours
      - Field Client Representative 4 Hours
      - Construction Manager: 4 Hours
      - Construction Engineer: 1 Hour
      - Construction Admin: 2 Hours
- **Total Budget Cost per 40-hour week Project = \$ 6,200**



- Total Cost is therefore directly related to the time duration of the construction project.

#### **Task #177 Post-Construction Services**

- The following services are included in the fee shown:
  - Review of final construction with contractor and Owner
  - Preparation, distribution, and approval of final punch list
  - Review of As-Built Drawings
  - Maintenance Bond Coordination
  - Lien releases, payments, and final acceptance

#### **Task #178 Additional Construction Services If Authorized**

- This task has been included as an "If Authorized" fee in the event that one or more of the following conditions occur:
  - The Contractor's work schedule exceeds the number of weeks shown above in the Project Schedule
  - The Contractor's work schedule includes work weeks exceeding 40 hours.
  - The Contractor's work process requires multiple work crews and therefore multiple inspectors on-site simultaneously.
  - The Contractor is granted extra time (time extension) to complete the project.
  - The Contractor is awarded a change order for additional work or changed work conditions.
- If any of the above conditions apply, the Engineer shall document and estimate the total cost to complete the additional inspection services and request authorization/approval from the Owner to cover these costs.

### **Price Proposal**

#	Construction Services Tasks	Fee
Task #175	Pre-Construction Services	\$ 3,000
Task #176	Construction Services	\$49,900
Task #177	Post Construction Services	\$ 2,500
Task #178	Additional Construction Services (If Authorized)	TBD
	<b>Grand Total =</b>	<b>\$55,400</b>

### **Compensation**

The price proposal above will be billed as a mixed fee project with the following breakdown:

- Construction Tasks will be billed as follows.
  - Task #175 & Task #177 will be billed as a lump sum.
  - Task #176 and Task #178 (If Authorized) will be billed at the Standard Hourly Rates
    - Fee shown represents (8) eight weeks (40 working days) of full-time Construction Services per the Contractor's anticipated work schedule. See task #176 on prior page for itemized breakdown of weekly Construction Services costs.

### **Anticipated Project Schedule**

Construction Services Tasks: August – October 2024

#### **OHM Advisors®**

6001 EUCLID AVENUE SUITE 130  
 CLEVELAND OHIO 44103

T 216.865.1335

OHM-Advisors.com





## Clarifications and Assumptions

- Our Proposal was prepared based on the following assumptions:
  - If additional labor effort or change in schedule is required beyond described herein, OHM Advisors will negotiate an amendment with the City of Garfield Heights. OHM Advisors will not proceed with additional services without written authorization to proceed from the City of Garfield Heights.
  - Meetings shall be conducted in accordance with the Scope of Services as described herein. Additional meetings, not described within our Scope of Services, shall be considered additional services, and will be billed on an hourly basis under the Additional As-Needed Services Allowance upon agreement with the City of Garfield Heights.

## Client Responsibilities

- City of Garfield Heights will provide a single point of contact to OHM Advisors who is knowledgeable about the project needs and desired outcomes.
- City of Garfield Heights will provide the following, if available, to assist us with the project: (prior as-builts and existing plans, plat maps, site surveys indicating site boundaries, existing topography, access to structures, easements and utility line information, utility availability, building information, etc.)

## Terms & Conditions

The Terms and Conditions contained in the Annual Engineering contract per ordinance number 104-2022 shall also apply to this contract.



**FISCAL OFFICER'S CERTIFICATION**

**Date: July 8, 2024**

**Ordinance 47-2024**

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

Not to exceed \$55,400.00

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 & Repair Fund

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

A handwritten signature in blue ink, appearing to read "Michele Burt", is written over a horizontal line.

**Fiscal Officer/Finance Director**

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

ORDINANCE NO.: 48-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS, PER THE OHM ADVISORS PROPOSAL, AND TO GO OUT FOR COMPETITIVE BIDS, FOR THE EAST 126<sup>TH</sup> STREET & WOLF CREEK INTERCEPTOR IMPROVEMENTS EXTENSION PROJECT, AND AUTHORIZING PAYMENT OF COSTS THRU FUNDING BY THE NEORSD MCIP, THE NEORSD/COMMUNITY COST SHARE PROGRAM, AND OPWC, AND DECLARING AN EMERGENCY

*WHEREAS*, Ordinance Nos. 44-2022 and 81-2022 authorized the Mayor to apply for funding of the East 126<sup>th</sup> Street & Wolf Creek Interceptor Improvements project through the Northeast Ohio Regional Sewer District Program(s), and OPWC, and

*WHEREAS*, the purpose of this project is to eliminate residential basement flooding and property damage, reduce flows to the District's infrastructure for treatment of removing storm water from the currently combined sewer system and improve water quality in area waterways, and reduce and eliminate property damage to both public infrastructure and private property, and

*WHEREAS*, the City Engineer has prepared an estimate of the engineering, bidding, inspection, testing and construction costs attached here to as the Project Fact Sheet, and

*WHEREAS*, upon the opening and tabulation of the Public Bid process all construction bids received will be brought before the Board of Control for final approval.

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

SECTION 1. The City Engineer is hereby authorized and directed to prepare the necessary plans and specifications, per the OHM Advisors Proposal attached hereto as Exhibit "A", and to go out for competitive bids for the East 126<sup>th</sup> Street & Wolf Creek Interceptor Improvements extension project, and authorizing the payment of the costs for this project, which costs will be funded by the NEORSD MCIP, the NEORSD/Community Cost Share Program, and OPWC.

SECTION 2. Upon compilation and tabulation of the bids received for the project, the City Engineer shall present such tabulation to the Board of Control for approval of the required contracts.


SECTION 3. The Finance Director is hereby authorized and directed to issue her vouchers of the City for the purposes stated in Section 1. hereof, to OHM Advisors for the preparation of the plans, specifications and the public bidding costs to be charged to the appropriate fund.

SECTION 4. 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.

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

PASSED: 7-8-2024

APPROVED:   
MAYOR

  
PRESIDENT OF COUNCIL

ATTEST:   
CLERK OF COUNCIL

EFFECTIVE DATE: 7-8-2024

## **Exhibit A**





ARCHITECTS. ENGINEERS. PLANNERS.

June 3, 2024

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

**RE: East 126<sup>th</sup> Street & Wolf Creek Interceptor Improvements - Extension**  
Location: Garfield Heights, Ohio  
Proposal #21263A

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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Sincerely,  
OHM Advisors

David Bridenstine, PE, Project Manager  
David.bridenstine@ohm-advisors.com  
D: 330.913.1054 C: 330.608.9671

Josh Slaga, PE  
Principal  
[Josh.slaga@ohm-advisors.com](mailto:Josh.slaga@ohm-advisors.com)

Authorization to Proceed

Signature

Matthew A Burke Mayor

Printed Name

Title

**OHM Advisors®**

6001 EUCLID AVENUE SUITE 130  
CLEVELAND OHIO 44103

T 216.865.1335

[OHM-Advisors.com](http://OHM-Advisors.com)



## Project Understanding

During the initial design of the Wolf Creek Sanitary relocation design, a culverted stream was discovered under East 126<sup>th</sup> Street that was in direct conflict with the proposed sanitary sewer. Alternatives were considered to get under the culverted stream including an inverted siphon and lowering of the downstream sanitary sewer. Since the roadway and downstream sewer are both past their useful life, it was determined that replacement of the downstream sewer and roadway from Marymount Drive to Henry Street was the best alternative. This fee proposal includes topographical survey, geotechnical engineering, design engineering, and construction administration, in accordance with the scoped tasks described herein.

## Scope of Services - Information Gathering Tasks

### **Task #1A      Topographic & Right-of-Way Survey**

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- The following services are included in the fee shown:
  - Limits of Survey:
    - East 126<sup>th</sup> Street from Marymount Village Drive to McCracken Road, approximately 925 linear feet.
    - McCracken Road from Henry Street to East 126<sup>th</sup> Street, approximately 675 linear feet
  - Data Collected:
    - All existing utilities (overhead and underground), as marked by OUPS
    - All street pavement and curbs
    - Driveways, hard surfaces, landscape areas, trees, bushes, etc.
    - Contour elevations
    - Other important topographic features that might impact construction
    - Determine right-of-way and easement boundaries, in relation to proposed work.
  - This information will be collected and provided in an AutoCAD format for use in design

### **Task #4A      Geotechnical Engineering**

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- The following services are included in the fee shown:
  - Performance of four (4) soil boring locations to 25 feet each
  - Standard penetration sampling per current ASTM standards
  - Water level readings
  - Identification and evaluation of soil properties
  - Written report of findings and recommendations including:
    - Soil profile and subsurface conditions
    - Pavement design recommendation
    - Constructability cautionary notes, if applicable
  - This information will be used for follow-on engineering tasks.

## Scope of Services - Engineering Tasks

### **Task #58A      Schematic Design**

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- The following services are included in the fee shown:
  - Schematic design of sewer replacement/repair, water line replacement (if applicable), storm sewer replacement, and pavement repair, and resurfacing
    - Initial plan view layout



- Initial sanitary sewer layout
- Initial analysis of vehicular and pedestrian traffic issues
- Initial analysis of site impacts, beyond the roadway including driveways, side streets, and adjacent property
- Preparation of Schematic level construction cost estimate
- Coordination of initial design concepts with public agencies, including:
  - City of Garfield Heights Administration
  - Cuyahoga County Public Works
  - NEORS
- Submittal of Schematic Design Plans to Private Utility Companies for initial coordination of impacts/conflicts with their facilities for purposes of relocation.

#### **Task #59A      Design Development**

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- The following services are included in the fee shown:
  - Design Development of storm and sanitary sewer replacement, pavement reconstruction, curb, walk, and drive apron replacement
    - Street Design
      - Pavement section, width, and profile
    - Sanitary Sewer Design
      - Plan and profile design of sanitary sewer
    - Storm Sewer Design
    - Maintenance of Traffic Design
      - Preparation of lane use details
      - Preparation of local detours and signage
      - Preparation of local access details
      - Preparation of plan sheets showing MOT plan
  - Preparation of Design Development level construction cost estimate
  - Coordination of DD level plans with public agencies, including:
    - City of Garfield Heights Administration
    - Cuyahoga County Public Works
    - Cleveland Water Department, if applicable
    - NEORS
  - Submittal of Design Development Plans to private utility companies for further coordination of impacts/conflicts with their facilities for purposes of relocation.

#### **Task #60A      Construction Documents**

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- The following services are included in the fee shown:
  - Preparation of Construction Documents shall be as follows:
    - Title Sheet
    - Legend Sheet
    - Schematic Plan
    - Typical Section
    - General Notes & Specifications
    - Maintenance of Traffic Plan & Details
    - General Summary
    - Plan & Profile Sheets
    - Cross Sections
    - Drive Detail Sheets
    - Storm Sewer Crossings Profile Sheet





- Construction Details
- Cuyahoga County & NEORS D Sewer Detail Sheets
- SWPPP Site Plan
- Design will include all details and specifications required for public bidding of a unit price contract, in accordance with industry standards.
- Coordination and approval of Final Construction plans with public agencies, including:
  - City of Garfield Heights Administration
  - Cuyahoga County Public Works
  - Cleveland Water Department, if applicable
  - NEORS D
- Submittal of Final Construction plans to Private Utility Companies for follow-up and final coordination of impacts/conflicts with their facilities for purposes of relocation.

#### **Task #90A Official Engineer's Project Cost Estimate**

- The following services are included in the fee shown:
  - Determination of Estimated Quantities for Construction
  - Evaluation and Estimate of Construction Costs for use with Public Bidding Requirements

### **Scope of Services - Construction Services Tasks**

#### **Task #175A Pre-Construction Services**

- The following services are included in the fee shown:
  - Obtain signatures on work agreements
  - Pre-construction meeting
  - Coordination with Contractor, Utilities, Safety Forces, Residents, and Businesses
  - Personnel coordination and project schedule
  - Perform materials, suppliers, and shop drawing reviews and communicate revisions/approvals with contractor
  - Review contractual items
  - Distribution of documents/information (meeting records)

#### **Task #176A Construction Services**

- The following services are included in the fee shown:
  - Coordination with Contractor, Utilities, Safety Forces, Residents, and Businesses
  - Prepare daily inspection reports
  - Regular progress meetings with contractor
  - Inspection and testing services
  - Response to RFIs (request for information) from contractor
  - Review of pay requests and recommendations for payment
  - Negotiation of Change Orders
  - Prevailing Wage Verification
  - Coordination of Funding Reimbursements
  - Staffing will include the following:
    - Construction Inspector: On-Site during all working hours of construction
    - Field Client Representative: On-site weekly reviews with construction inspector, and Off-Site Coordination via phone with Inspector, Contractors, Owner and Construction Manager
    - Construction Manager: On-site Reviews as needed/Off-Site Coordination with Inspector, Contractors, and Owner where possible via phone to control costs
    - Construction Engineer: Involved on an as-needed basis to facilitate field decisions and design-related issues.





- Construction Administrative Assistant: Coordination of all documentation from pre-construction, contracts, pay requests, and close-out documents.
- Typical Weekly Staffing for a 40-hour/week construction project is approx.:
  - Construction Inspector: 40 Hours
  - Field Client Representative 8 Hours
  - Construction Manager: 4 Hours
  - Construction Engineer: 1 Hour
  - Construction Admin: 2 Hours
  - Total Budget Cost per 40-hour week Project = \$ 5,800
  - Total Cost is therefore directly related to the time duration of the construction project.

#### **Task #177A Post-Construction Services**

- The following services are included in the fee shown:
  - Review of final construction with contractor and Owner
  - Preparation, distribution, and approval of final punch list
  - Review of As-Built Drawings
  - Maintenance Bond Coordination
  - Lien releases, payments, and final acceptance

### **Price Proposal**

#	Information Gathering Tasks	Fee
Task #1A	Topographic & Right-of-Way Survey	\$ 16,000
Task #4A	Geotechnical Engineering	\$ 7,500
	<b>Subtotal =</b>	<b>\$ 23,500</b>
#	Design Tasks	Fee
Task #58A	Schematic Design	\$ 32,500
Task #59A	Design Development	\$ 38,500
Task #60A	Construction Documents	\$ 40,050
Task #90A	Official Engineer's Project Cost Estimate	\$ 1,500
	<b>Subtotal =</b>	<b>\$112,550</b>
#	Construction Services Tasks	Fee
Task #175A	Pre-Construction Services	\$ 4,000
Task #176A	Construction Services	\$185,600
Task #177A	Post Construction Services	\$ 3,200
	<b>Subtotal =</b>	<b>\$192,800</b>
	<b>Grand Total =</b>	<b>\$328,850</b>



## Compensation

The price proposal above will be billed as a mixed fee project with the following breakdown:

- Information Gathering tasks, Engineering tasks, & Bidding & Award tasks will be billed on a lump sum basis.
- Construction Tasks will be billed as follows
  - Task #175A & Task #177A will be billed on a lump sum basis.
  - Task #176A will be billed at the Standard Hourly Rates.
    - Fee shown represents (8) eight weeks (40 working days) of full-time Construction Services per the Contractor's anticipated work schedule. See task #176 on prior page for itemized breakdown of weekly Construction Services costs.

## Anticipated Project Schedule

Information Gathering Tasks:	June – July 2024
Design Tasks:	July – November 2024
Bidding & Award Tasks:	November 2024 – January 2025
Construction Tasks:	January – November 2025

## Clarifications & Assumptions

- Our Proposal was prepared based on the following assumptions:
  - If additional labor effort or change in schedule is required beyond described herein, OHM Advisors will negotiate an amendment with the City of Garfield Heights. OHM Advisors will not proceed with additional services without written authorization to proceed from the City of Garfield Heights.
  - Meetings shall be conducted in accordance with the Scope of Services as described herein. Additional meetings, not described within our Scope of Services, shall be considered additional services and will be billed on an hourly basis under the Additional As-Needed Services Allowance upon agreement with the City of Garfield Heights.

## Client Responsibilities

- City of Garfield Heights will provide a single point of contact to OHM Advisors who is knowledgeable about the project needs and desired outcomes.
- City of Garfield Heights will provide the following, if available, to assist us with the project: (prior as-builts and existing plans, plat maps, site surveys indicating site boundaries, existing topography, access to structures, easements and utility line information, utility availability, building information, etc.)

## Terms & Conditions

The Terms and Conditions contained in the Annual Engineering contract per ordinance number 104-2022 shall also apply to this contract.



## PROJECT FACT SHEET

**Name:** E 126<sup>th</sup> St. and Wolf Creek Sewer Interceptor Relocation - Extension Project

<b>Limits:</b>	<b>LOCATION</b>	<b>FROM</b>	<b>TO</b>	<b>LENGTH</b>
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<b>Scope:</b>	E 126 <sup>th</sup> St.	Near Tinkers Creek Apartments	McCracken	
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The purpose of this project is to relocate the deteriorated sewer currently located in Wolf Creek behind Tinkers Creek Apartments to E 126<sup>th</sup> Street and lower the sewer from the apartments to McCracken Road.

**Costs:**

\$ 2,811,000	Construction
\$ 136,000	Engineering & Design
<u>\$ 193,000</u>	Inspection & Testing
\$ 3,140,000	Total Project Cost

**Funding:**

\$ 2,355,000	MCIP (NEORS)
\$ TBD	OPWC & CCS (NEORS)
<u>\$ 0</u>	City of Garfield Heights (minimal)
\$ 3,140,000	Total Project Funding

<b>Schedule:</b>	July 2024 - December 2024	Engineering Design
	January 2025 – February 2025	Bid & Award
	February 2025	Begin Construction
	November 2025	End Construction

**Other:** Local lane closures. A portion of E 126<sup>th</sup> may be closed to traffic during construction.



**FISCAL OFFICER'S CERTIFICATION**

**Date: July 8, 2024**

**Ordinance 48-2024**

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

Not to exceed \$328,850.00

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:

#213 – Storm & Sanitary Sewer Fund

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

  
\_\_\_\_\_  
**Fiscal Officer/Finance Director**



Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 8-7-2024

RESOLUTION NO.: 16-2024

SPONSORED BY: COUNCILWOMAN JENNIFER NEWRONES  
CO-SPONSORED BY: ALL OF COUNCIL

A RESOLUTION ON BEHALF OF THE CITY OF GARFIELD  
HEIGHTS HONORING INIYA CHARLTON FOR HER ACADEMIC  
AND CO-CURRICULAR ACCOMPLISHMENTS

*WHEREAS*, Iniya Charlton is a Garfield Heights resident who recently completed her junior year at Trinity High School, having previously attended and graduated from St. Benedict Catholic School; and

*WHEREAS*, in addition to maintaining a 3.9 grade point average, Iniya is a member of Trinity's Track and Field team; and

*WHEREAS*, Iniya has participated in track and field since third grade, and developed her love for the sport due to the fact her parents are track coaches at St. Benedict School; and

*WHEREAS*, during her freshmen year at Trinity, Iniya qualified for regionals in the 100M dash, 4x100M and 4x200M relays, and the long jump; and

*WHEREAS*, during her sophomore year, Iniya placed seventh in the state in 100M dash, 200M dash, and 4x100M relay; and

*WHEREAS*, this year, Iniya became the state champion in the 100M dash, while also finishing as a runner up in the 200M dash and the 4x100M relay; and

*WHEREAS*, Iniya deserves recognition for accomplishing academic and co-curricular achievements that could only have been obtained through years of hard work and dedication, and

*WHEREAS*, the City would like to acknowledge Iniya, her family members, and school faculty for the roles they have played in helping Iniya succeed.

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

SECTION 1. The Mayor and Council, on behalf of the residents of the City of Garfield Heights, hereby honor Iniya Charlton for her outstanding achievements.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to transmit a copy of this Resolution to Iniya Charlton and to the local news media.

SECTION 3. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: 7-8-2024

APPROVED: [Signature]  
MAYOR

ATTEST: [Signature]  
CLERK OF COUNCIL

[Signature]  
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 8-7-2024

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

RESOLUTION NO.: 18-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

A RESOLUTION RATIFYING AN APPOINTMENT BY THE  
MAYOR OF BETTY MCNEAR AS A MEMBER OF THE TAX  
INCENTIVE REVIEW COUNCIL OF THE CITY OF  
GARFIELD HEIGHTS, AND DECLARING AN EMERGENCY

*WHEREAS*, Section 5709.85 of the Ohio Revised Code establishes a Tax Incentive Review Council; and

*WHEREAS*, Section 5709.85(A) of the Ohio Revised Code authorizes the chief executive of a municipal corporation to appoint two (2) members of the public to serve on the Council, at least one of which shall be a minority, with the concurrence of the legislative authority of the municipal corporation; and

*WHEREAS*, Betty McNear is to be appointed to serve on the Tax Incentive Review Council.

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

SECTION 1. The appointment of Betty McNear to the Tax Incentive Review Council of the City of Garfield Heights, Ohio, commencing July 9, 2024, to serve at the pleasure of the Mayor, 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 Tax Incentive Review Council 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: 7-8-2024

APPROVED:   
MAYOR

  
PRESIDENT OF COUNCIL

ATTEST:   
CLERK OF COUNCIL

EFFECTIVE DATE: 7-8-2024

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

RESOLUTION NO.: 19-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

A RESOLUTION RATIFYING AN APPOINTMENT BY THE MAYOR OF WAYNE WILLIAMS AS A MEMBER OF THE TAX INCENTIVE REVIEW COUNCIL OF THE CITY OF GARFIELD HEIGHTS, AND DECLARING AN EMERGENCY

*WHEREAS*, Section 5709.85 of the Ohio Revised Code establishes a Tax Incentive Review Council; and

*WHEREAS*, Section 5709.85(A) of the Ohio Revised Code authorizes the chief executive of a municipal corporation to appoint two (2) members of the public to serve on the Council, at least one of which shall be a minority, with the concurrence of the legislative authority of the municipal corporation; and

*WHEREAS*, Wayne Williams is to be appointed to serve on the Tax Incentive Review Council.

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

SECTION 1. The appointment of Wayne Williams to the Tax Incentive Review Council of the City of Garfield Heights, Ohio, commencing July 9, 2024, to serve at the pleasure of the Mayor, 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 Tax Incentive Review Council 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: 7-8-2024

APPROVED: Matthew A. Burke  
MAYOR

Amy Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lorraine Owens  
CLERK OF COUNCIL

EFFECTIVE DATE: 7-8-2024



Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: 7-8-2024

RESOLUTION NO. 20-2024  
SPONSORED BY: MAYOR MATTHEW BURKE  
CO-SPONSORED BY: COUNCIL AS A WHOLE

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF GARFIELD HEIGHTS, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2025, HERETO ATTACHED, AND SUBMITTING THE SAME TO THE CUYAHOGA COUNTY BUDGET COMMISSION, AND DECLARING AN EMERGENCY

*WHEREAS*, the Mayor has heretofore prepared a tentative budget for the City of Garfield Heights, Ohio, for the Fiscal Year beginning January 1, 2025 showing detailed estimates of all balances that will be available at the beginning of fiscal year, 2025, for the purpose of such year, and all revenues, costs, percentages, penalties, allowances, prerequisites, and all other types of classes of revenue; also, estimates of all expenditures of charges in or for the purposes of such Fiscal Year to be paid or met from the said revenue or balance; and otherwise conforming with the requirements of the law.

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

SECTION 1. The budget of the City of Garfield Heights, Ohio, for the Fiscal Year beginning January 1, 2025, hereto attached, heretofore prepared by the Mayor and submitted to this Council, copies of which have been and are on file in the Office of the Finance Director and Clerk of Council, be and it is hereby adopted as the official budget of the City of Garfield Heights, Ohio for the fiscal Year beginning January 1, 2025.

SECTION 2. The Finance Department be and it is hereby authorized and directed to transmit a certified copy of said budget and of this Resolution to the Cuyahoga County Budget Commission.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the public health, safety, and welfare of the citizens of Garfield Heights, Ohio, and for the further reason that it must be filed with the Cuyahoga County Budget Commission on or before July 19, 2024, and shall be in full force from and after its passage and approval by the Mayor, otherwise after the earliest period allowed by law.

PASSED: 7-8-2024

APPROVED: Matthew A. Burke  
MAYOR

Amy Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly EFFECTIVE DATE: 7-8-2024  
CLERK OF COUNCIL



## ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit City of Garfield Heights

For the Fiscal Year Commencing January 1, 2025

Fiscal Officer Signature *Barbara Baw* Date 7/08/2024

# COUNTY OF CUYAHOGA

### **Background**

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Under the law in effect prior to June 3, 2002, the budget commission could only waive the tax budget for a subdivision or other taxing unit that was receiving a share of the county undivided local government fund or the county undivided local government revenue assistance fund under an alternative method or formula pursuant to ORC Sections 5747.53 and 5747.63. Thus, tax budgets could be waived only for counties, municipalities, townships, and park districts. This restriction is now removed.

### **Ohio Revised Code Section 5705.281**

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

### **County Budget Commission Duties**

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

### **County Budget Commission Action**

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

### **Alternative Tax Budget Information Filing Deadline**

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

# DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)  
(List All Levies Of The Taxing Authority)

City of Garfield Heights

## SCHEDULE 1

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized By Voters On MM/DD/YY	Levy Type	Number Of Years Levy To Run	Tax Year Begins/ Ends	Collection Year Begins/ Ends	Maximum Rate Authorized	\$ AMOUNT Requested Of Budget Commission
Inside Millage								
Bond Retirement	Debt					2025	3.64	\$1,264,557.00
Outside Millage								
General Fund	Current Ex	00/00/72	Charter	Continuous	1976	2025	1.76	\$611,434.00
Police Pension	Pension	00/00/72	Charter	Continuous	1976	2025	.30	\$104,222.00
Fire Pension	Pension	00/00/72	Charter	Continuous	1976	2025	.30	\$104,222.00
Permanent Improve	Capital Ex	00/00/72	Charter	Continuous	1976	2025	1.00	\$347,406.00
Recreation	Programs	00/00/72	Charter	Continuous	1976	2025	.15	\$52,111.00
Street Lighting	Security	00/00/72	Charter	Continuous	1976	2025	1.15	\$399,517.00
Average Pay	Current Ex	00/00/72	Charter	Continuous	1976	2025	22	\$7,642,928.00
Totals							30.30	\$10,526,397.00

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

City of Garfield Heights

## SCHEDULE 2

I Fund BY Type	II Beginning Estimated Unencumbered Fund Balance	III Property Taxes and Local Government Revenue	IV Other Sources Receipts	V Total Resources Available for Expenditures	VI Total Estimated Expenditures & Encumbrances	VII Ending Estimated Unencumbered Balance
General Fund	1,005,000.00	1,981,434.00	20,530,155.00	23,516,589.00	22,840,995.00	675,594.00
Street Lighting Fund	0.00	399,517.00	94,983.00	494,500.00	494,500.00	0.00
Debt Service Fund	260,840.00	1,264,557.00	0.00	1,525,397.00	1,081,137.00	444,260.00
Average Pay Fund	0.00	7,642,925.00	6,651,998.00	14,294,923.00	14,294,923.00	0.00
Police Pension Fund	0.00	104,222.00	955,005.00	1,059,227.00	1,059,227.00	0.00
Fire Pension Fund	0.00	104,222.00	1,003,246.00	1,107,468.00	1,107,468.00	0.00
Permanent Improvement Fund	524,806.00	347,406.00	49,745.00	921,957.00	554,605.00	367,352.00
Recreation Fund	259,790.00	52,111.00	1,118,420.00	1,430,321.00	1,238,850.00	191,471.00
Street Constr Maint & Repair Fund	216,250.00	0.00	2,296,485.00	2,512,735.00	2,191,110.00	321,625.00
State Highway Fund	202,640.00	0.00	11,100.00	213,740.00	105,505.00	108,235.00
City Income Tax Fund	0.00	0.00	15,010,600.00	15,010,600.00	15,010,600.00	0.00
Motor Vehicle License Tax Fund	169,625.00	0.00	170,000.00	339,625.00	170,000.00	169,625.00
Storm & Sanitary Sewer Fund	88,252.00	0.00	798,923.00	887,175.00	750,000.00	137,175.00
Water Main & Distribution Fund	50,000.00	0.00	3,105,000.00	3,155,000.00	3,105,000.00	50,000.00
Federal Nutrition Budget Fund	163.00	0.00	546,830.00	546,993.00	546,830.00	163.00
Community Development Fund	19,750.00	0.00	1,000.00	20,750.00	1,000.00	19,750.00
Page Totals	2,797,116.00	11,896,394.00	52,343,490.00	67,037,000.00	64,551,750.00	2,485,250.00

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

City of Garfield Heights

## SCHEDULE 2

I Fund BY Type	II Beginning Estimated Unencumbered Fund Balance	III Property Taxes and Local Government Revenue	IV Other Sources Receipts	V Total Resources Available for Expenditures	VI Total Estimated Expenditures & Encumbrances	VII Ending Estimated Unencumbered Balance
Law Enforcement Trust Fund	37,610.00	0.00	1,000.00	38,610.00	15,000.00	23,610.00
Indigent Driver Alcohol Treatment Fund	365,620.00	0.00	47,000.00	412,620.00	107,000.00	305,620.00
Enforcement & Education Fund	16,835.00	0.00	2,250.00	19,085.00	2,000.00	17,085.00
FEMA Fund	0.00	0.00	0.00	0.00	0.00	0.00
Debt Amortization Fund	694,000.00	0.00	1,016,615.00	1,710,615.00	1,016,617.00	693,998.00
Opoid Settlement Fund	25,000.00	0.00	5,000.00	30,000.00	0.00	30,000.00
Municipal Court Probation Service Fund	250.00	0.00	130,000.00	130,250.00	130,250.00	0.00
Municipal Court Special Service Fund	318,475.00	0.00	250,100.00	568,575.00	243,000.00	325,575.00
Municipal Court Capital Improvement Fund	2,330.00	0.00	134,000.00	136,330.00	125,600.00	10,730.00
GH Family Resource Fund	2755	0	11845	14,600.00	11845	2,755.00
Municipal Court Special Building Fund	64860	0	100000	164,860.00	20000	144,860.00
Municipal Court Traffic Camera Fund	0	0	1252000	1,252,000.00	1252000	0.00
Granger/Transportation Improvement Fund	896,358.00	0.00		896,358.00	896,358.00	0.00
Street Improvement Note (2024)	0.00		5,125,995.00	5,125,995.00	5,125,995.00	0.00
1480 Granger Rd Interchange Fund	0.00		200,000.00	200,000.00	200,000.00	0.00
Transportation/Artenucci Improvement Note Fund	297,100.00	0.00	0.00	297,100.00	297,100.00	0.00
Revolving Equipment Fund	0.00	0.00	1,112,688.00	1,112,688.00	1,112,688.00	0.00
Restricted Fund	415,262.00	0.00	103,000.00	518,262.00	103,000.00	415,262.00
American Rescue Act 2021	0.00	0.00	0.00	0.00	0.00	0.00
GH Public Imkprovement Tax Increment Fund	1,200.00	0.00	1,200.00	2,400.00	0.00	2,400.00
Page Totals	3,136,455.00	0.00	9,492,693.00	12,627,948.00	10,658,453.00	1,969,495.00
Grand Totals (2 pages)	5,933,571.00	11,896,394.00	61,836,183.00	79,664,948.00	75,210,203.00	4,454,745.00



(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)  
(Do Not Include General Obligation Debt Being Paid By Other Sources)  
(Do Not Include Special Obligation Bonds & Revenue Bonds)

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Revised 3-2004

## EXHIBIT VI

PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 Mill Limit*	Date of Issue	Date Due	Ordinance or Resolution	Serial or Term	Rate of Interest	Amount of Bonds and Notes Outstanding at Beginning of Budgeted Year	BUDGET YEAR	
								Amount Required for Principal and Interest	Amount Receivable from Other Sources to Meet Debt Payments
Payable from Bond Retirement Fund:	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	1/1/25 to 12/31/25	1/1/25 to 12/31/25
Inside 10 Mill Limit	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Various Purpose Bonds Refunded 2020		09-16-20	2028	39-2020	8 Yrs	1.34	1,470,000.00	531,950.00	531,950.00
Various Purpose Bonds 2012		10-30-12	2027	67-2012	15 Yrs	Various	1,805,000.00	549,187.00	549,187.00
General Obligation Note - 2025	Sec 22a City Charter	6-12-24	6/11/25	19-2025 20- 2025 21-2025	1	4.625	4,900,000.00	5,125,995.00	5,125,995.00
TOTAL							8,175,000.00	6,207,132.00	6,207,132.00
Outside 10 Mill Limit:	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Total							0.00	0.00	0.00

\* If the levy is outside the 10 mill limit by vote enter the words "by vote" and the date of the election.  
If outside the 10 mill limit without a vote, enter the reference to the statute under which the levy is exempt from the 10 mill limit.

(Bonds Or Notes Must Actually Be Issued In Order To Commence Collection Of Property Taxes For Debt Service)

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Revised 3-2004

## **MINUTES OF A CAUCUS COUNCIL MEETING**

### **CITY OF GARFIELD HEIGHTS, OHIO**

**Monday – June 10, 2024 - 6:30 pm**

**Council President Avery Johnson** called to order the Caucus Meeting at 6:30 pm

#### **Roll Call for Members Present:**

WARD 1: COUNCILWOMAN STACEY COLLIER  
WARD 2: COUNCILWOMAN TENISHA MACK  
WARD 3: COUNCILMAN MARK SMITH  
WARD 4: COUNCILMAN AVERY JOHNSON  
WARD 5: COUNCILWOMAN RACHELLE TONSING  
WARD 7: COUNCILWOMAN JENNIFER NEWRONES

**Councilwoman Tonsing** made a motion to excuse Councilman Kelley from the Caucus meeting. Councilwoman Collier Seconded.

All in favor say Yea. Any Opposed say Nay. Vote: 6 Yeas – 0 Nays  
(Councilman Kelley Joined the meeting around 6:45pm)

#### **DISPOSAL OF LAST MEETING MINUTES:**

**Councilman Smith** made a motion to dispose of caucus meeting minutes from the May 13, 2024 Meeting. Councilwoman Collier Seconded.

All in favor say Yes: 6 Yes - 0 Oppose.

**INVOCATION AND PLEDGE OF ALLEGIANCE** Councilwoman Collier to lead on the floor.

**COMMUNICATIONS TO COUNCIL:** A Letter from resident Debbie Ballenchino to be addressed on the floor.

**COMMITTEE REPORTS:** None reported

#### **REPORTS FROM DIRECTORS:**

**City Engineer Jim Sickels** gave an update on construction around the city.

-Granger and East 98<sup>th</sup>: finishing up the striping. 98<sup>th</sup> and Midwest should be opened up public in the next day or two.

-Antenucci have the intermediate layer down there. The asphalt top layer will be coming soon.. Some of the landscaping and bushes and trees are going in.

**Law Director Milko Cecez** gave an update on a law suit against the city of Garfield Heights. "We had a lawsuit where a person has sued the city who was walking down a sidewalk tripped and fell and claimed a bunch of injuries. This happened a while but it took forever to sue. We filed a motion to dismiss their lawsuit because that's not something that we should be liable over. We filed a motion to dismiss because they did not properly plead a complaint one and two because we have immunity as a city, and the court granted our motion to dismiss so that case has been dismissed.



## ORDINANCES AND RESOLUTIONS:

A request to move Resolution 17-2024 to the front of the meeting so the firefighters would not have to sit for the entire Regular Council meeting.

Councilwoman Collier made a motion to admit Councilman Kelley into the Caucus meeting.  
Councilwoman Tonsing Seconded. Vote: 6 yeas – 0 Nays.  
Councilman Kelley apologized for his tardiness.

**Ordinance 33-2024:** Tonsing to introduce

**Ordinance 34-2024:** Newrones to introduce

**Ordinance 35-2024:** Smith to introduce

**Ordinance 36-2024:** Mack to introduce

**Ordinance 37-2024:** Collier to introduce

**Ordinance 38-2024:** Tonsing to introduce

**Ordinance 39-2024:** Newrones to introduce

**Ordinance 40-2024:** Kelley to introduce

**Ordinance 41-2024:** Collier to introduce

**Ordinance 42-2024:** Collier to introduce

**Ordinance 43-2024:** Smith to introduce

**Resolution 14-2024:** Mack to introduce

**Resolution 15-2024:** Tonsing to introduce

**Resolution 16-2024:** Newrones to introduce and ask to hold until next meeting for resident to be present for the reading.

**Resolution 17-2024:** Kelley to introduce.

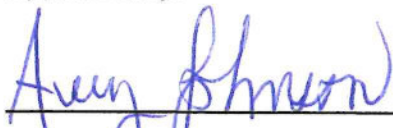
**Councilman Smith** asked for clarification on Resolutions not to have the waiver of rule 24.  
Law Director stated if there is no money involved, then the waiver of rule 24 is not necessary.

## Adjournment

Councilman Kelley made a motion to adjourn the meeting.  
Councilwoman Newrones Seconded  
All in favor say Yes. 7 Yes – 0 Opposed

**The meeting adjourned at 6:49 pm.**

Approved by:



Councilman Avery Johnson  
Council President

Respectfully submitted by:



Lottie Overby  
Clerk of Council

Vote Outcome: passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: \_\_\_\_\_

**MINUTES OF A REGULAR COUNCIL MEETING  
CITY OF GARFIELD HEIGHTS, OHIO  
Monday – June 10, 2024 – 7:00 pm**

The Meeting was called to order at 7:00 pm.

**PRESIDENT JOHNSON:** First of all let me welcome again all of our guesses our residents to the city council meeting at Garfield heights for June the 10th 2024. Again, we want to say welcome to everyone. Tonight we will begin with our invocation and pledge of allegiance. That'll be done by Councilwoman council president pro tem Collier.

**CLWN COLLIER:** It is our prayer as public officers that we create a plan of action for the citizens of Garfield Heights. Again, we pray for the Fallen victims of violence and for families, for their families, and to keep God's plan in mind for our lives, in the lives of the citizens of Garfield Heights. We pray for our fire department and all the officials that work in the fire department that they're able to safely put fires out for the community and go in and come out without harm. The Bible says to whom much is given, much is required, and we live in a blessed nation. Our prayers are for this council to foster love, peace, joy and happiness for the citizens of Garfield Heights, working side by side to solve the city's issues. Amen.

**PRESIDENT JOHNSON:** Clerk of council, can we please have a roll call.

**ROLL CALL FOR MEMBERS PRESENT:** All members present.

WARD 1: COUNCILWOMAN STACEY COLLIER

WARD 2: COUNCILWOMAN TENISHA MACK

WARD 3: COUNCILMAN MARK SMITH

WARD 4: COUNCILMAN AVERY JOHNSON

WARD 5: COUNCILWOMAN RACHELLE TONSING

WARD 6: COUNCILMAN CLIFFORD KELLEY

WARD 7: COUNCILWOMAN JENNIFER NEWRONES

**Disposal of Minutes**

**CLMN KELLEY:** I make a motion to dispose of the council meeting, minutes for the council meeting, Monday, May 13. There's a correction that needs to be made on page nine under miscellaneous business, I made the comment in regards to grass cutting and I refer to Mr. Jerome when I should have said Mr. Paul Birk.

**PRESIDENT JOHNSON:** It's been so moved by Councilman Kelley for corrections on the Notice from my last Council meeting. Can I please get a second? (Tonsing: I second). It has been so moved and seconded by Councilman Tonsing. All those in favor say aye. So moved by Ayes. That passes seven-zero for the corrections now we need one for disposal? (reply Yes by Clerk)

**CLMN KELLEY:** Mr. President, I make a motion for disposal of the minutes with corrections made.

**PRESIDENT JOHNSON :** It has been so moved by Councilman Kelley for the disposal of the Minutes for Corrections that's been made. Can I get a second, please? (Tonsing: I'll second) It has been moved and seconded by Clwn Tonsing all those in favor say Aye. Any oppose? 7 Ayes - 0 Nays

### **COMMUNICATIONS TO COUNCIL**

**CLMN KELLEY:** Now from the email that is supposed to be address.

**PRESIDENT JOHNSON:** That will be addressed by the Law Director Milko.

**CLMN KELLEY:** That's the only thing that I am aware of.

**Law Director: Milko Cecez:** She had asked that the email be addressed.

**PRESIDENT JOHNSON:** Would you like want to read it? Clerk replied that it was her understanding that the individual did not want it read.

**PRESIDENT JOHNSON:** The individual, Mr. Milko, asked that it not be read that we address it. Council to go ahead and address that issue at this time.

**Law Director: Milko Cecez :** I can address it. I'll have to at least summarize the issue so the public is aware of what's going on. We received a complaint that essentially the police were issuing tickets for overnight parking, and they were writing 3am to 6am on tickets. Now, we did amend an ordinance in 2023. This predates me, but we did in fact amend our ordinance. It was 70- 2023 to actually change our overnight parking, it used to be 3am to 6am. It is now 2 am to 6am when you cannot park overnight, and as part of that the fees were increased as well. The issue that the resident had was that the police when they were ticketing, they were still using the old fees of \$25 versus a new fee of \$50. I did have a meeting with the police chief today in person to address this issue right away, do we don't sit on it. Part of the reason was that the tickets themselves actually have the amounts on the back, So I think when the court was doing, they were just looking at that. So then it might be the reason for the discrepancy. We can't exactly figure out why some of the police officers were writing three to six. They're aware of the police chief was part of the safety meetings when we're having in discussing these issues. The police as well aware that it's 2am to 6am, not 3am to 6am. The chief is going to send out another reminder to the staff. My guess, as an attorney, frankly, is if you have an officer who's been an officer for a long time, I should take it I write 3 to 6, because that's been our law for longest time here. That doesn't invalidate a ticket whatsoever. You can read the skies green, frankly, you're still saving an ordinance. The ticket is still valid. As part of this, again, I talked to the chief he'll remind his staff what's going on. He is ordering new tickets, they're going to have the proper amounts on the back, as well as the court is actually transitioning to an electronic system. On one of the ordinances you will see tonight is legislation accepting grant money from the Supreme Court of Ohio to improve our municipal court technology systems. So that's kind of coming in the future as well. So we are working on this issue. As far as I'm concerned. From a legal perspective, it is almost a non-issue. But I still want to address it. And I don't know if this resident is here tonight. And if she is I can answer any other questions.

**CLMN KELLEY:** I do have I do have a question and I don't think the residents here yet.

**PRESIDENT JOHNSON:** Point of order, Councilman Kelley, I want to please ask that we acknowledge the chair before we speak. ( Kelley: Yes sir, my apologies) . No problem. Please, Councilman Kelley continue.

**CLMN KELLEY:** Thank you, my question is in the array of confusion with the times, I've asked this quite a couple of times. When are we actually going to change the signs. Have the signs actually been changed yet? Because it the last time I saw a sign, I when did we change the sign. I think the last time I saw sign it said 3am.

**Law Director: Milko Cecez:** I would have to talk to the service department in terms of the signs I'm not sure and not even sure what they currently say to be honest with you, but I could jot that down. I'll talk to Mark Sikon, the service director and make sure we update our signs, It's 2am to 6am. It's the law. That's the ordinance. It's updated on the website, as well. One of the things that I'm doing in the law department now is pushing that these updates be more regular in our website, because what happens often is will pass an ordinance. We'll do so here, it becomes law. But we work with a company who hosts our ordinances on our website. Sometimes there's a lag of time by time they actually update I want the residents to have most up-to-date. If we change something, you want it on the website. Most of us in 2024, go on our website to look at things, including myself. So one of the pushes that I'm making is to make sure that this company is providing regular updates, versus just every six months or a year. Obviously, that's too long of a time, in my opinion. So I'm pushing for quarterly updates at this point, which is good because they can do. So that's part of it here. In fact, if you went even a month ago, and if you looked at this ordinance, you probably would have said three to six, it's finally up-to-date. If I go on right now, it will say 2am to 6am. As far as the signs, I'll have to check and I'll check with Mr. Sikon. Ms. Newrones believes that it might already be updated. I'm not sure myself.

**PRESIDENT JOHNSON:** Thank you. Any other questions and concerns from council on that issue? <none replied> At this time, we will go to our committee reports. Are there any committee reports at this time? <none reported> There are no committee reports. We'll go to the reports of the mayor and or directors.

#### **REPORT FROM THE MAYOR AND DIRECTORS**

**MAYOR BURKE:** Mr. President, if I could respectfully ask that Council make a motion to take resolution 17 2024 and place it on the agenda at this time so that we can honor the heroes that we have in our room tonight.

**PRESIDENT JOHNSON :** We have no problems with that at all. The Mayor asked if we can make a motion that we can move Number 17. Is that correct?

**MAYOR BURKE:** Number 17 2024. Resolution 17- 2024.

**PRESIDENT JOHNSON:** Can we get a motion from Council on resolution Number 17.

**CLMN KELLEY:** Mr. President, I'll make a motion that we move resolution 17- 2024. to the top of the agenda right now, if that's possible.

**PRESIDENT JOHNSON:** Yes. Can I get a second please? ( Collier: I'll second) It's been so moved and seconded by Councilwoman Collier. All those in favor say aye. 7 Ayes and 0 Nays.

**PRESIDENT JOHNSON:** At this time when the council clerk calls your name, will you please step forward please?

**RESOLUTION NUMBER:** 17- 2024. Sponsored by Mayor Matthew Burke, Co- sponsored by all of Council (Collier, Mack, Smith, Johnson, Tonsing, Kelley, Newrones)

A RESOLUTION BY THE MAYOR AND COUNCIL ON BEHALF OF THE RESIDENTS OF THE CITY OF GARFIELD HEIGHTS, HONORING AND COMMENDING GARFIELD HEIGHTS FIREFIGHTERS, CAPTAIN JAMES TOTH, DAVID POHLCHUCK, , STEVE KORDAS, LIEUTENANT MARK, CREQUE, DANIEL HOUGH, DEVIN MILAM, JOSHUA RUSS, KEVIN STRAKA AND COLIN WILSON AND RESPONDING POLICE OFFICERS AND DISPATCHERS WHO BRAVELY GAVE SELFLESS RESPONSE TO CITIZENS IN NEED.



**MAYOR BURKE:** I would ask that, I really would ask that this be read in its entirety at the time. I just want to make a couple comments here. I for one am very grateful to have these men that are on this piece of paper here as part of our fire department. On May 31, they really answered the call and had not had not been for their actions. We may have been talking about fatalities. And I really, really want to say thank you on behalf of the residents of the city of Garfield Heights, I want to say thank you to Captain James Toth, Firefighter David, Pohlchuvk, , firefighter Steve Kordas, Lieutenant Mark, Creque, Firefighter Daniel Hough, Firefighter Devin Milam, firefighter Joshua Russ, firefighter Kevin Straka and firefighter Colin Wilson, as well as all the responding police officers and the dispatchers that were on duty that day. What you all did you is something that we often talk about that we hope never has to happen; but you have answered the call. I appreciate you 100% and I know the residents of the city of Garfield Heights do and on behalf of them, I thank you. And I will turn the mic over now to Chief Strope.

**CHIEF STROPE:** Thank you, Mr. Chairman. On May 31, at 1:39am engine one, engine two and squad two, along with mutual aid companies were dispatched for a house fire on McCracken Road. With two people trapped in, Engine One arrived on scene within three minutes of being dispatched with only three firefighters who squad one was on another call. PD was already on scene attempting to locate the occupants, but heavy smoke conditions prevented them from making entry. Captain Toth arrived on scene gave a quick size up of heavy smoke coming from windows on all four sides of a two-story bungalow. He also located two occupants in the second story window on the B side his crew quickly laddered the building and carried an elderly female down the ladder. They then assisted the other occupant down the ladder, both occupants were located and removed to safety within two minutes arriving on scene in heavy smoke conditions. Engine one's crew then transitioned to a fire attack the fire was under control shortly after. When squad one, squad two and engine two arrived on scene, they proceeded to assist with patient care securing a water source and checking for extension in the house. Cuyahoga Heights transported the occupant to the hospital. This rescue is an example of how dedication training and concern for our citizens and visitors was shown by the Garfield heights safety forces from the receipt of the 911 call to prompt dispatch, and crucial information being relayed to responding units. The assistance of the police department assisting our crews with the rescue. emergency responses of all types occurred daily and the citizens and visitors of our city can be certain they are being protected by the best responders possible. Thank you

**PRESIDENT JOHNSON:** At this time we would like to have those officers to stand this time I like for all councils to stand and give them a round of applause. And if you stand in the audience. At this time if you would like Mayor, they can come forward. Point of Order: We're gonna pass the resolution first.

**MAYOR BURKE:** I would request that the clerk re-read the ordinance or the resolution and said entirety and then move on with your consideration and vote. Motion

**RESOLUTION NUMBER 17- 2024:** Sponsored by Mayor Matthew Burke, Co- sponsored by all of Council. (Collier, Mack, Smith, Johnson, Tonsing, Kelley, Newrones).

A RESOLUTION BY THE MAYOR AND COUNCIL ON BEHALF OF THE RESIDENTS OF THE CITY OF GARFIELD HEIGHTS, HONORING AND COMMENDING GARFIELD HEIGHTS FIREFIGHTES AND RESPONDING POLICE OFFICERS AND DISPATCHERS WHO BRAVELY GAVE SELFLESS RESPONSE TO CITIZENS IN NEED. WHEREAS THE MAYOR AND COUNCIL ON BEHALF OF THE RESIDENTS OF GARFIELD HEIGHTS WISH TO HONOR THE GARFIELD HEIGHTS

FIREFIGHTERS CAPTAIN JAMES TOTH, DAVID POHLCHUCK, , STEVE KORDAS, LIEUTENANT MARK CREQUE, DANIEL HOUGH, DEVIN MILAM, JOSHUA RUSS, KEVIN STRAKA AND COLIN WILSON AND RESPONDING OFFICERS AND DISPATCHERS FOR BRAVELY HELPFULLY HELPING RESCUE GARFIELD HEIGHTS RESIDENTS FROM A BURNING HOME ON MAY 31, 2024. WHEREAS THESE GARFIELD HEIGHTS FIREFIGHTERS AND POLICE OFFICERS PUT THEIR OWN WELL BEING AT RISK BY RESCUING AND OTHERS REPRESENTING A SYMBOL OF STRENGTH, COMPASSION AND AN INSPIRATION TO OTHERS. NOW THEREFORE IT BE RESOLVED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS OHIO, THAT SECTION ONE, THE MAYOR AND COUNCIL ON BEHALF OF THE RESIDENTS OF THE CITY OF GARFIELD HEIGHTS JOIN TO PAY TRIBUTE TO CAPTAIN JAMES TOTH, DAVID POHLCHUCK, , STEVE KORDAS, LIEUTENANT MARK, CREQUE, DANIEL HOUGH, DEVIN MILAM, JOSHUA RUSS, KEVIN STRAKA AND COLIN WILSONAS WELL AS THE RESPONDING POLICE OFFICERS AND DISPATCHERS AND CONGRATULATE THEM ON THEIR SELFLESSNESS AND BRAVERY. THE CLERK OF COUNCIL IS HEREBY AUTHORIZED AND DIRECTED TO TRANSMIT A COPY OF THIS RESOLUTION TO THE LOCAL NEWS MEDIA. THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT FROM AN AFTER THE EARLIEST PERIOD ALLOW BY LAW.

**CLMN KELLEY:** Mr. President, I make a motion to make a motion for consideration by title resolution 17-2024.

**PRESIDENT JOHNSON :** It's been so moved by Councilman Kelley, by the title for resolution number 172024. Can I get a second please? (Tonsing: I Second) t has been so moved and seconded by ClwnTonsing, all those in favor say yes. Any opposed say no? Vote: 7 Yes - 0 No

**CLMN KELLEY:** Mr. President, I'll make a motion for suspension of the three- reading rule.

**PRESIDENT JOHNSON :** It has been so moved by Councilman Kelley for suspension of the three reading rules. Can I get a second, (Tonsing: I Second, it's been so moved and seconded by Clwn Tonsing. All those in favor say Yes. Any opposed say no: Vote: 7 Yes - 0 No

**PRESIDENT JOHNSON:** I will call for the adoption beginning with Councilman Kelley.

**CLMN KELLEY:** Before I vote, I just want to say thank you so much. There's a lot of jobs that you know that there's a pros and cons of it and when you deal with the con, somebody will say Well, that's that part of the job you accept as part of the job. Well, no one, no one can compare what you have to do with when you look at this being part of the job, because your life is actually on the line, and so we're so grateful that you all responded that everyone is all right, that you are all right, that you can go home and that your family can see you one more day, one more night to celebrate you. Again, I'm in awe of what you do. I congratulate you. Thank God for you. With that, I say yes.

**CLWN NEWRONES:** Before I vote I would like to say thank you also for your bravery, and for keeping us all safe in Garfield heights. I appreciate you not only your guys, but the rest of the crew as well or Well, I don't know who it is. But to all the police officers, firefighters, everyone keeping us safe every day. Thank you so much for everything you do. And with that, I vote yes,

**CLWN COLLIER:** Before I vote, I want to again, acknowledge you all for the wonderful job that you're doing. Fire Station one and two, particularly to just no favoritism. But I do appreciate all that you do. I appreciate you so much that I am going to: this is my birthday cake. And before you all leave, I'm asking Would you all please take my birthday cake with you all to enjoy at the firehouse I say thank you. Thank you. Yes.

**CLWN MACK:** Before I vote, I would like to say thank you for everything that you all do for the city, and all of the first responders as well. And with that, yes.

**CLMN MARK SMITH:** Thank you. And the answer is yes.

**PRESIDENT JOHNSON:** Again, I think I want to thank our chief, but I want to thank those men and police officers that responded to this particular incident. There is no greater love that a person can have than to lay down their own lives for somebody else. And you guys face this every day. And so we are extremely grateful for each and every last one of you for the excellent work that you do. I've been there on many responses to fires here in the city. I've actually seen how you guys really work and care for this community. And I cannot say enough that we are just extremely grateful for each and every last one of you and I ask that God bless every last one of you. With that I say Yes.

**CLWN TONSING:** I just want to say you are never thanked enough for your jobs, for protecting our community. So I just thank you for your selfless act of bravery to help our citizens in our community. And I just want to say God bless you all and thank you for all you do. Thank you. And I vote yes.

#### **Roll Call on the Adoption of Resolution 17-2024**

Kelley-Yes, Newrones-Yes, Collier-Yes, Mack-Yes, Smith-Yes, Johnson-Yes, Tonsing-Yes,

**PRESIDENT JOHNSON** That passes seven to zero.

**MAYOR BURKE:** If I can also have the firefighters and The lieutenant and Captain come up to here . if I did not get a picture of the Neighborhood News will absolutely....I'll get my camera.

<group picture taken>

**CLWN COLLIER:** Point of order. Excuse me, firemen. Citizens of Garfield. I was asked to explain why I had a fruitcake. I have an egg allergies and gluten allergies. So our clerk of court graciously instead of having a cake or cupcakes for me to eat that I for you all to eat that I'm not allowed to. She graciously gave me a cake of fruit. So please enjoy. Thank you.

**MAYOR BURKE:** Mr. President, moving along with my report. I do want to acknowledge that the officers and the firefighters here, probably welcome to leave than sit and wait. There are 14 pieces of legislation. Thank you all very much. Continuing on with my report, I just want to say thank you to everybody that attended the Memorial Day events. We had a pretty fair turnout and let me tell you, it's hard to put together those three days. The Saturday with the touch- a - truck event, and the Sunday with the vintage cars the historic cars that are out there. And then to have the parade and I do have to say thank you to Jenn Newrones. This is what the third year since COVID, fourth year since COVID. And you've really, I've watched this thing grow the last three or four years and it's because of your hard work. Going through what you go through. I know it's not easy. It is very tough. I do want to thank an individual that is very important to the city of Garfield heights. And I know she's important to every one of us here. I notice she's not here tonight that kind of It hurts my feelings that she cuz she's usually at every one of these meetings and I hope that, you know, everything's okay with her and her family but she's kind of the one of the unsung heroes, you see you're taking pictures, a lot of times you see her taking her own, using her own camera, her own time and resources to really help the city of Garfield heights. And she doesn't ask for a whole lot. And I think it's only right that we say thank you to miss Wendy Walters, for the stuff that she does do for us. It's not easy to do that. And it's tough. for all of us. We're on our day to day business, day to day routine. We can hear a lot of criticism from a lot of people and you guys all know that. But she's never one to really criticize and she's always one that steps up and is right there to offer her help and her assistance and I thank her for that. I also want to We get into June here, because June is a very, very busy month, I would ask that everybody just stay up to date on our website, and what's going on Garfield hts.org. We try to list everything but we opened the pool this last weekend. And then the 18th we have a fair housing law update at the Civic Center, the 19th we have our Juneteenth Celebration. And I'm going to ask that members of council here too, if you're available to please come and speak and let people know what Juneteenth means to you. This is really the first year we've ever done any of this type of celebration, we're going to do this at the pool. As you



know, I closed the building down the very first year that it was made a holiday. And now that we are into this, we're looking for, you know, recommendations on how do we really put on a celebration for this. On the 20th of June, we have the 2024 Sexennial Ennio reappraisal. And this is something that county is coming out to help talk to residents to make them understand exactly what is behind the sexennial reappraisal, how it's going to affect you how it could affect your taxes, understands something that if our property values go up, 25- 30%, that doesn't necessarily mean that your taxes are gonna go up 25 and 30%. And that's the reason why the county wants to be in the forefront and come out and talk to you about it. The other thing they want to do is they want to come out and go over the process of how you can take your claim to the board of revisions, so that if you don't agree with the appraised value of your home, and they're going to do this based upon, comparable, but they want to also give you the roadmap on how to take your plea to the board of revisions and fight it if you feel that your house isn't appraised for what they say it is. And again, this is something that's put down by the state of Ohio, all ADA counties have to do this. On the 22nd of June, we have the community flea market. On the 25th of June, I'm inviting all the residents that want to come out and find out exactly what reimagining Turney road is going to be like. Recently I've gotten some criticism about we don't have enough housing in the city. There're people that want to rent and we can't seem to get the building department to get things done. Well, you know, I will tell you, I've totally revamped that entire building department. And we don't just push things through like we used to. Nowadays, you actually have to have your ducks in a row. You have to have the proper information, if you're going to get a permit. It takes time. Okay? But reimagining Turney road has to do with commercial real estate development, and what the possibilities look like. Not just for attorney road, but also for the East 131st corridor, that from Broadway up. And that's something that really, I would invite residents to come out to. It's going to be here at the Civic Center again, on the 25th of June. And then on the 29th we are going to co-host a pool party with Mayor Blackwell from Maple heights. Two years ago, the mayor said to me, I want to come swimming in your pool. And I said, just let me know when and let's do it. And so we put together June 29th, we're both going to be there. And we're opening it up to all residents at a discounted rate so that we can come and enjoy a day at the pool and really just have fun. With that. Let me get into tonight's legislation. Ordinance number 33 2024 is to renew an agreement with court community service. This is the same agreement we have every year and I'm glad that none of the costs have gone up. ordinance 34-2024 is just to revise the codified ordinances and place the current replacement pages pursuant to section 17 of the charter. Ordinance number 35-2024 is to a I'll update the section 351.99 with respect to the handicap parking in the city here. Ordinance number 36- 2024 is to accept the grant funds for the violent crime reduction grant. I do have to say in regards to that. The state of Ohio has recognized the city of Garfield heights Police Department, as a stellar department to the point where they're using us. Our members have to go down to Columbus every so often and attend meetings because we are now the standard by which other municipalities operate under. The state of Ohio has asked us to help other municipalities and how policing should be done. That's how well our police officers do and this is a \$403,000 grant that Governor DeWine is awarding to us. Ordinance number 37 2024 is to accept the \$284,000 grant that I worked on with council president Brunel Jones, council county council presidents Pernell Jones in regards to implementing some of the stuff in our parks master plan and moving our safety Memorial. ordinance number 38-2024. is accepting a grant that the presiding judge, Judge Nicastro has applied for and that is through the Ohio Supreme Court. And then, like Milko said, that's the one to improve the technology in the court system. ordinance number 39- 2024 is to provide engineering for the Garfield heights Civic Center parking lot. This is something that we get through our CDBG funds to really just redo our parking lot and you know what needs to be done here. ordinance number 40-2024. I will let Paul get into this but it's really to deal with our double act Park Recreation Area. Ordinance 41- 2024 is to accept the grant for license plate readers.



Ordinance number 42- 2024 is for us to accept the grant for impaired driving enforcement and also for selective traffic enforcement. This is something we have not seen in quite a while and I'm so glad that we qualified and got the grant this year. I don't believe we've gotten this one since before COVID. ordinance number 43-2024 is to replace the rooftop air conditioning unit for the Garfield heights fire station number one which is not operating currently. And as you can see, these firefighters really deserve it. Resolution 14 2024 is introduced and sponsored by Dr. Mack and it deals with Pride Month. Resolution number 15 -2024 is a right of entry agreement with the Northeast Ohio regional Sewer District. resolution 16- 2024 is honoring Iniya Charlton for winning the state championship in her I believe it's still 100-meter race. Garfield heights has a state champion. That is incredible. And then we've dealt with resolution number 17 2024 honoring those heroes that we had in the room tonight. And with that, Mr. President, you have my report.

**PRESIDENT JOHNSON:** Before we go Mayor, I want to thank you for that lengthy report and I asked everyone to be mindful of the events coming up in June. Mr. Paul Birk.

**Paul Birk-Recreation Director:** Thank you, council president. I'm here tonight to ask for support from council for ordinates 40-2024. That is for us to receive the grant money that county is going to give us to update some of our playground equipment. At Debelak Park, what would happen is we would have a totally, totally new playground area slides and everything like that. Also at Debelak Park, we're going to revamp the tennis courts. They will be patched resurfaced, and then also striped for one pickleball court and two basketball courts, as well as four sets of basketball hoops at Debelak Park. And then also part of that grant money is for Forestdale as well. We'll be replacing one of the old slides at Forestdale. Park, and then also putting in wood chips for safety for the for the kids. And that that's my report.

**PRESIDENT JOHNSON:** Thank you. Are there any other reports tonight?

**Law Director: Milko Cecez:** I don't have a report. Mr. President. Thank you.

**PRESIDENT JOHNSON:** Thank you Law Director. I appreciate that very kindly. Alright, with that note in mind, are there any communications on tonight's agenda? Are there any communications on tonight's agenda? There are no communications on tonight's agenda. We'll move forward with our ordinances and resolutions at this time.

## **ORDINANCES AND RESOLUTIONS**

**ORDINANCE NUMBER 33-2024:** Sponsored by Mayor Matthew Burke:

AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW AN AGREEMENT ON BEHALF OF THE CITY OF GARFIELD HEIGHTS WITH COURT COMMUNITY SERVICES, AND DECLARING AN EMERGENCY.

**CLWN TONSING:** Mr. President, I'd like to make a motion to consider by title Ordinance No. 33-2024.

**PRESIDENT JOHNSON:** It has been so moved by title by Clwn Tonsing. Can I get a second?

(Kelley-I Second) It has been so moved and seconded by Clmn Kelley.

All those in favor say yes, oppose say No. Vote: 7 Yes - 0 No

**CLWN TONSING:** Mr. President, I would like to make a motion to suspend the three-reading rule.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Tonsing to suspend the three-reading rules. Can I get a second? p (Kelley: I Second). So moved and seconded by Clmn Kelley. All those in favor say yes, Oppose say No. Vote: 7 Yes - 0 No

**CLWN TONSING:** Mr. President, I would like to make a motion to waive rule 24

**PRESIDENT JOHNSON:** It has been moved by Clwn Tonsing for the waiver of rule 24. Can I please get a second? (Kelley: I Second? It's been moved and seconded by Clmn Kelley.

All those in favor? Say yes. Any opposed say No: Vote: 7 Yes- 0 No

I will call for the roll call for adoption beginning with Clwn Tonsing.

**Roll Call on the Adoption of Ordinance 33-2024:**

Tonsing-Yes, Kelley-Yes, Newrones-Yes, Collier-Yes, Mack-Yes, Smith-Yes, Johnson-Yes

**PRESIDENT JOHNSON:** That passes Seven to zero.

**ORDINANCE NUMBER 34-2024:** Sponsored by Matthew Burke

AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES PURSUANT TO SECTION 17 OF THE CHARTER, AND DECLARING AN EMERGENCY.

**CLWN NEWRONES:** Mr. President, I'd like to make a motion to accept Ordinance 34-2024 by title

**PRESIDENT JOHNSON:** It's been so moved by Clwn Newrones to consider by title ordinance number 34-2024. Can I get a second? I Second. It has been moved and seconded by Councilman Tonsing. All those in favor say yes, any opposed say No: Vote: 7 Yes - 0 No

**CLWN NEWRONES:** Mr. President, I would like to make a motion to waive the three-reading rule.

**PRESIDENT JOHNSON:** It has been so moved for the suspension of the three rules by council woman the Rowan's gonna get a second. I second. It has been so moved in second by Councilman tumbling. All those in favor say yes. Yes. Any opposed say no.

**CLWN NEWRONES:** Mr. President, I would like to make a motion to waive rule 24.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Newrones for a waiver of rule 24. Can I get a second please? (Tonsing-I Second) It has been so moved and seconded by Clwn Tonsing, all those in favor say yes, any opposed say no: Vote: 7 Yes - 0 No

I will call for a roll call for the adoption beginning with Councilwoman Newrones.

**Roll Call on the Adoption of Ordinance Number 34-2024**

Newrones-Yes, Collier-Yes, Mack-Yes, Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley-Yes,

**PRESIDENT JOHNSON:** That passes Seven to zero.

**ORDINANCE NUMBER 35-2024:** Sponsored by Mayor Matthew Burke:

AN ORDINANCE AMENDING SECTION 351.99 OF THE CODIFIED ORDINANCES OF GARFIELD HEIGHTS, OHIO, PROVIDING INTER ALIA FOR PENALTIES FOR THE VIOLATION OF SECTION 351.04(G)(1)(A)(I), AND 351.04(G)(1)(A)(II), 351.04(M), WITH RESPECT TO HANDICAP PARKING AND DECLARING AN EMERGENCY.

**CLMN MARK SMITH:** Mr. President, I moved to consider by title ordinance 35-2024.

**PRESIDENT JOHNSON:** It has been so moved by Councilman Smith to consider by title. Can I get a second, please? (Kelley- I Second) It has been moved and seconded by Councilman Kelley. All those in favor say yes. All those opposed say no: Vote- 7 yes - 0 No

**CLMN MARK SMITH:** Mr. President, and I move to suspend the three-reading rule.

**PRESIDENT JOHNSON:** It has been so moved by Councilman Smith to suspend the three- reading rules. Can I get a second, please? ( Kelley- I Second). It's been so moved and seconded by Clmn Kelley. All those in favor say yes. Any opposed say no: Vote: 7 Yes - 0 No

**CLMN MARK SMITH:** Mr. President, I ask for a waiver of rule 24.

**PRESIDENT JOHNSON:** It has been so moved by Clmn Smith for waiver of rule 24. Can I get a second? (Kelley- I Second) It's been so moved and seconded by Clmn Kelley. All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No

I will call for a roll call for the adoption beginning with Councilman Smith.

**Roll Call on the Adoption of Ordinance 35-2024**

Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley-Yes, Newrones-Yes, Collier-Yes, Mack-Yes

**PRESIDENT JOHNSON** : That passes Seven to zero.

**ORDINANCE NUMBER 36-2024**: Sponsored by Matthew Burke

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT VIOLENT CRIMES REDUCTION GRANT MADE AVAILABLE BY THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES AND DECLARING AN EMERGENCY.

**CLWN MACK** :Mr. President, I would like to make a motion to consider by title ordinance 36- 2024.

**PRESIDENT JOHNSON**: It has been so moved by Councilwoman Mack to consider by title. Can I get a second? (Tonsing-I Second) It has been seconded by Clwn Tonsing. all those in favor say yes, any opposed say no: Vote: 7 yes - 0 No

**CLWN MACK**: Mr. President, I would like to make a motion to suspend the three-reading rules.

**PRESIDENT JOHNSON** : It's been so moved by Councilwoman Mack to suspend the three-reading rule. Can I get a second please?(Tonsing: I Second) It's been so moved and seconded by Clwn Tonsing. All those in favor say Yes. Any oppose say No: Vote: 7 yes - 0 No

**CLWN MACK**: Mr. President, I'd like to make a motion for waiver of rule 24.

**PRESIDENT JOHNSON**: It has been so moved for a waiver rule 24 by Clwn Mack, can I get a second please? Tonsing: I second) A second has been approved by ClwnTonsing. All those in favor say yes. Any opposed say no: Vote: 7 yes - 0 No

I will call for a roll call for the adoption beginning with Clwn Mack.

**Roll Call on the Adoption of Ordinance Number 36-2024**

Mack, Yes, Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley-Yes, Newrones-Yes, Collier-Yes

**PRESIDENT JOHNSON**: That Passes: 7-0

**ORDINANCE NUMBER**: 37-2024 Sponsored by Mayor Matthew Burke:

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT THE ARPA COMMUNITY GRANT FUNDS MADE AVAILABLE BY CUYAHOGA COUNTY, AND DECLARING AN EMERGENCY.

**CLWN COLLIER**: Mr. President, I'd like to make a motion to consider by title ordinance 37-2024

**PRESIDENT JOHNSON**: It has been so moved by Clwn Collier. Can I get a second? (Newrones: I Second) It's been moved in second by Clwn Newrones All those in favor? Say yes. A any opposed say no. Vote: 7 Yes - 0 No

**CLWN COLLIER**: Mr. President, I'd like to make a motion for the suspension of the three-reading rule.

**PRESIDENT JOHNSON**: It's been so moved by Clwn Collier for suspension of the three-reading rules. Can I get a second, (Newrones: I Second) It's been moved and seconded by Clwn Newrones. All those in favor say yes. Any oppose say No: Vote: 7 Yes - 0 No

**PRESIDENT JOHNSON**: It has been so moved by Clwn Collier for waiver rule 24. Can I get a second? (Newrones: I second) It's been moved and seconded by Clwn Newrones:

All those in favor say Yes. Any opposed say No. Vote: 7 Yes - 0 No:

I will call for the roll call for adoption beginning with Clwn Collier.

**Roll Call on the Adoption of Ordinance 37-2024**

Mack, Yes, Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley-Yes, Newrones-Yes, Collier-Yes

**ORDINANCE NUMBER** 38-2024:Sponsored by Mayor Matthew Burke

AN ORDINANCE AUTHORIZING THE PRESIDING JUDGE OF THE GARFIELD HEIGHTS MUNICIPAL COURT TO ACCEPT THE 2024 TECHNOLOGY GRANT MADE AVAILABLE BY THE SUPREME COURT OF OHIO, AND DECLARING AN EMERGENCY.

**CLWN TONSING:** Mr. President, I would like to make a motion to consider by title ordinance 38-2024.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Tonsing to consider by title for ordinance 37-2024. Can I get a second? (Mack: I Second) It has been so moved and seconded by Clwn Mack. All those in favor say Yes. Any opposed say no: Vote: 7 Yes - 0 No:

**CLWN TONSING:** Mr. President, I would like to make a motion to suspend the three-reading rule.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Tonsing for the suspension of the reading rules. Can I get a second? (Mack: I Second) It's been so moved and seconded by Clwn Mack. All those in favor say Yes. Any opposed say no. Vote: 7 Yes - 0 No:

**CLWN TONSING:** Mr. President, I would like to make a motion to waive a rule 24.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Tonsing for a waiver of rule 24. Can I get a second? (Mack: I Second) It has been moved and seconded by Clwn Mack. All those in favor say Yes. Any opposed say no. Vote: 7 Yes - 0 No

I will call for a roll call for the adoption beginning with Councilwoman Tonsing.

**Roll Call on the Adoption of Ordinance 38-2024**

Tonsing-Yes, Kelley-Yes, Newrones-Yes, Collier-Yes, Mack- Yes, Smith-Yes, Johnson-Yes

**ORDINANCE NUMBER 39-2024:** Sponsored by Mayor Matthew Burke and Co-sponsored by all of council present: Collier, Mack, Smith, Johnson, Tonsing, Kelley, Newrones

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHM ADVISORS TO PROVIDE ENGINEERING TASKS FOR THE GARFIELD HEIGHTS CIVIC CENTER PARKING PROJECT, AND DECLARING AN EMERGENCY.

**CLWN NEWRONES:** Mr. President, I'd like to make a motion to accept ordinance 39-2024. by title.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Newrones, Can I get a second? (Kelley: I Second) It's been moved and seconded by Clmn Kelley.

All those in favor say Yes. Any opposed say No. Vote: 7 Yes - 0 No

**CLWN NEWRONES:** Mr. President, I'd like to make a motion to waive the three-reading rule.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Newrones to suspend the three-reading rules. Can I get a second? (Kelley: I Second) It's been so moved and seconded by Clmn Kelley. All those in favor say Yes. Any opposed say No. Vote: 7 Yes - 0 No:

**CLWN NEWRONES:** Mr. President I'd like to make a motion to waive rule 24.

**PRESIDENT JOHNSON:** It's been so moved for a waiver of rule 24 by Clwn Newrones. Can I get a second? (Kelley-I Second) It's been moved and seconded by Clmn Kelley. All those in favor say Yes. Any opposed say no. Vote: 7 Yes - 0 No

I will call for the roll call for adoption beginning with Councilwoman Newrones.

**Roll Call on the Adoption of Ordinance 39-2024**

Newrones-Yes, Collier-Yes, Mack- Yes, Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley-Yes

Pass: 7 Yes - 0 No

**ORDINANCE NUMBER 40-2024:** Sponsored by Mayor Matthew Burke.

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A PROPOSAL FROM SNIDER RECREATION INC. TO PERFORM PLAYGROUND DESIGN, REMOVE EXISTING, AND PURCHASE AND INSTALL NEW PLAY EQUIPMENT AND SURFACING AT THE FRANK J DEBELAK RECREATION AREA AS PART OF THE GARFIELD HEIGHTS PARK EQUIPMENT UPGRADE PROJECT, AND DECLARING AN EMERGENCY.



**CLMN KELLEY:** Mr. President, I make a motion to consider by title ordinance 40-2024.

**PRESIDENT JOHNSON:** Clmn Kelley has made a motion to consider ordinance by title. Can I get a second? Second? It's been moved in second by Councilwoman Collier.

All those in favor say yes. any oppose say no Vote: 7 Yes - 0 No:

**CLMN KELLEY:** Mr. President I make a motion suspension, the three-reading rule.

**PRESIDENT JOHNSON:** It's been so moved for suspension of the three- reading rules by Clmn Kelley, can I get a second? (Collier- Second). It has been seconded by Councilwoman Collier. All those in favor say Yes. Any opposed say No. Vote: 7 Yes - 0 No:

**CLMN KELLEY:** Mr. President, I make a motion for waiver of rule 24.

**PRESIDENT JOHNSON :** It has been so moved by Councilman Kelley for the waiver of rule 24. Can I get a second? Second? It's been second by Councilwoman Collier. All those in favor Say Yes. Any opposed say No: Vote: 7 Yes - 0 No:

I will call for a roll call for the adoption beginning with Clmn Kelley.

**CLMN KELLEY:** Before I Vote, We've been looking for some changes in our recreation area for quite some time. Glad to see that. That money is moving now we can find the grants and you know really spruce up the city and everything we had conversations about, as it pertained to our recreation here in the city. And so I'm looking forward to seeing exactly what the turnout is going to be when we when we finish? With that? I say yes.

**CLWN COLLIER:** Before I vote, aye. concur with my colleague, Councilman Kelly. Paul, we've had many a conversation about parks and recreation, about the master plan and my niece who was normally here at every council meeting, we'll be glad to know that what she called the pink Park won't be the pink Park anymore. So with that, I'm voting yes.

**Roll Call on the Adoption of Ordinance 40-2024**

Kelley-Yes, Newrones-Yes, Collier-Yes, Mack-Yes, Smith-Yes, Johnson-Yes, Tonsing-Yes : Pass 7-0

**PRESIDENT JOHNSON** That passes Seven to zero.

**ORDINANCE NUMBER 41 -2024:** Sponsored by Mayor Matthew Burke

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR AND ACCEPT THE 2024 STATE AND VIOLENT CRIME GRANT FOR LICENSE PLATE READERS MADE AVAILABLE BY THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES AND DECLARING AN EMERGENCY.

**CLWN COLLIER:** Mr. President, I'd like to make a motion to consider by title ordinance no. 41 -2024.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Collier to consider by title. Can I get a second? )(Mack: I Second) It's been so moved and seconded by Clwn Mack.

All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No.

**CLWN COLLIER:** Mr. President I'd like to make a motion for the suspension of the three-reading rule.

**PRESIDENT JOHNSON :** It has been so moved by Councilman Collier for the suspension of the three-reading rules. Can I get a second?(Mack: I Second) It's been so moved and seconded by Clwn Mack.

All those in favor say yes, any oppose say no. Vote: 7 Yes - 0 No:

**CLWN COLLIER:** Mr. President, I would like to make a motion for the waiver of rule 24

**PRESIDENT JOHNSON:** It has been so moved for a waiver of rule 24 by Clwn Collier. Can I get a second (Mack: I Second) It has been so moved and seconded by Clwn Mack.

All those in favor say Yes. Any opposed say no. Vote: 7 Yes - 0 No:

I will call for the roll call for the adoption beginning with Councilwoman Collier.

**Roll Call on the Adoption of Ordinance number 41-2024**

Collier-Yes, Mack- Yes, Smith-Yes, Johnson-Yes , Tonsing-Yes, Kelley-Yes, Newrones-Yes: pass 7-0

**PRESIDENT JOHNSON :** That passes Seven to zero.

**ORDINANCE NUMBER 42-2024:** Sponsored by Mayor Matthew Burke

Co-sponsored by all of Council present : (Collier, Mack, Smith, Johnson, Tonsing, Kelley, Newrones)  
AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR AND ACCEPT  
GRANT FUNDING FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY'S OHIO TRAFFIC  
SAFETY UNDER THE IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP) AND THE  
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) AND DECLARING AN EMERGENCY

**CLWN COLLIER:** Mr. President, I'd like to make a motion to consider ordinance 42-2024 by title.

**PRESIDENT JOHNSON:** It's been so moved by Clwn Collier to consider by title. Can I go second?  
(Newrones: I second) It has been moved by (collier) second by Clwn Newrones.

All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No

**CLWN COLLIER:** Mr. President, I'd like to make a motion for the suspension of the three-reading rule.

**PRESIDENT JOHNSON** It has been so moved by Clwn Collier for suspension of the three- reading  
rules. Can I get a second? ( Newrones: I Second) It's been moved and seconded by Clwn Newrones:

All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No

**CLWN COLLIER :** Mr. President, I'd like to make a motion for the waiver of rule 24.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Collier for waiver of rule 24. Can I get a  
second, please? (Newrones: I Second) It has been moved and seconded by Clwn Newrones.

All in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No:

I will call for a roll call for the adoption beginning with Councilwoman Collier.

**Roll Call on the Adoption of Ordinance Number 42-2024**

Collier-Yes, Mack- Yes, Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley-Yes, Newrones-Yes

Pass: 7 Yes - 0 No

**PRESIDENT JOHNSON:** That passes Seven to zero.

**ORDINANCE NUMBER 43-2024:** Sponsored by Mayor Matthew Burke

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER  
INTO AN AGREEMENT WITH RELMAC MECHANICAL, LLC FOR THE PURCHASE AND  
INSTALLATION OF A CARRIER ROOFTOP AIR- CONDITIONING UNIT FOR GARFIELD HEIGHTS  
FIRE STATION #1 AND DECLARING AN EMERGENCY.

**CLMN MARK SMITH:** Mr. President, I moved to consider by title ordinance number 43-2024.

**PRESIDENT JOHNSON:** It has been so moved by Clmn Smith to consider by title.

Can I get a second? (Tonsing: I Second) It's been seconded by Clwn Tonsing.

All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No:

**CLMN MARK SMITH:** Mr. President, I move to suspend the three- reading rules.

**PRESIDENT JOHNSON:** It has been so moved by Clmn Smith to suspend the three-reading rules. Can  
I get a second? (Tonsing: I Second) It's been so moved and seconded by Clwn. Tonsing. All those in  
favor say yes. Any opposed say no. Vote: 7 Yes - 0 No:

**CLMN MARK SMITH:** Mr. President, I call for a waiver of rule 24.

**PRESIDENT JOHNSON:** It has been so moved by Clmn Smith for a waiver of rule 24. Can I get a  
second? (Tonsing: I Second) It's been moved and seconded by Clwn Tonsing. All those in favor say  
yes. Any opposed say no. Vote: 7 Yes - 0 No: I will call for the adoption beginning with Clmn Smith.

**Roll Call on the Adoption of Ordinance Number 43-2024**

Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley-Yes, Newrones-Yes, Collier-Yes, Mack

Pass: 7 Yes - 0 No

**Pres Johnson:** That passes Seven to zero.

**RESOLUTION NUMBER 14-2024:** Sponsored by Councilwoman Dr. Tenisha. Mack and Co-sponsored by Councilwoman Stacy Collier, Councilman Mark Smith, Councilman Avery Johnson, Councilwoman Rachelle Tonsing, Councilwoman Jennifer Newrones.

A RESOLUTION RECOGNIZING THE MONTH OF JUNE AS LGBTQIA+ PRIDE MONTH IN THE CITY OF GARFIELD HEIGHTS.

**CLWN MACK:** Mr. President, I would like to make a motion to consider title resolution 14-2024.

**PRESIDENT JOHNSON:** It has been so moved by Councilwoman Mack to consider by title. Can I get a second? (Collier: I Second. It has been motioned and seconded by Clwn Collier. All those in favor say yes. Any opposed say no. Mr. President, Councilman Kelly,

**CLMN KELLEY:** Mr. President, I'm going to abstain from voting on this resolution.

**Law Director: Milko Cecez :** You can be excused from voting as whole. You can allow to abstain otherwise, as a member of council you have a duty to vote. I'm asking the Council to excuse Council Kelley from voting on this.

**CLWN MACK:** Mr. President, I would like to make a motion to excuse Councilman Kelley from voting on resolution 14 -2024.

**PRESIDENT JOHNSON:** It has been so moved by Clwn Collier to allow Clmn Kelley to abstain. Can I get a second? (Tonsing- I Second) It's been so moved and second by Clwn Tonsing. All those in favor Say Yes, Any opposed say no? ( Clmn Mark Smith: No) Vote 6 yes- 1 No

**PRESIDENT JOHNSON:** He can vote for himself. That Passes

**Law Director: Milko Cecez:** I'm gonna just read the duty of all member: Every member present shall vote and all questions upon by a unanimous consent of the council....

**CLMN KELLEY :**Okay, I will. No, let's move on.

**PRESIDENT JOHNSON :** Point of order, Do we need to recend that motion.

**Law Director: Milko Cecez:** We just have to go to the roll call. The motion passed but it doesn't excuse him. He has to vote. He can't abstain from voting.

**CLWN MACK:** Mr. President, I'd like to make a motion to suspend the three-reading rule.

**PRESIDENT JOHNSON** It's been so moved by Clwn Mack for suspension in the three reading rules. Can I get a second? (Collier: I second). It has been so moved and second by Clwn Collier. All those in favor say yes. Any opposed say no. ( Clmn Kelley: No) We have six Yes. One No.

I will call for the roll call for the adoption beginning with Councilwoman Mack.

**Roll Call on the Adoption of Resolution 14-2024:**

Mack- Yes, Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley-No, Newrones-Yes, Collier-Yes

Pass: 6 Yes - 1 No

**Resolution number 15-2024:** Sponsored by Mayor Matthew Burke, co-sponsored by all of Council. A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A RIGHT OF ENTRY AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT, AND DECLARING AN EMERGENCY.

**CLWN TONSING:** Mr. President, I would like to make a motion to consider by title resolution 15-2024.

**PRESIDENT JOHNSON:** It has been so moved by Councilwoman Tonsing by title Can I get a second? (Newrones-I Second) It's been moved and seconded by Clwn Newrones.

All those in favor say yes. Any opposed say no. Vote: 7 Yes - No

**CLWN TONSING:** Mr. President, I would like to make a motion to suspend the three-reading rule.

**PRESIDENT JOHNSON:** It's been so moved by Clwn Tonsing for suspension of the three-reading rules. Can I get a second? (Newrones- I Second) It has been so moved and seconded by Clwn Newrones. All those in favor say yes, Any Oppose say no. Vote: 7 Yes - No

**CLWN TONSING :** Mr. President, I would like to make a motion to waive a rule 24

**PRESIDENT JOHNSON:** It has been so moved for motion for waiver rule 24 by Clwn Tonsing. Can I get a second? ( Newrones: I second). It has been so moved and seconded by Clwn Newrones. All those in favor say yes, Any Oppose say no. Vote: 7 Yes - No

I will call for a roll call for the adoption beginning with Councilwoman Tonsing.

**Roll Call on the Adoption of Resolution 15-2024**

Tonsing-Yes, Kelley-Yes, Newrones-Yes, Collier-Yes, Mack-Yes, Smith-Yes, Johnson-Yes

Pass: 7 Yes - 0 No

**PRESIDENT JOHNSON:** That Passes seven o zero.

**RESOLUTION NUMBER 16-2024:** Sponsored by Councilwoman Jennifer Newrones: Co-sponsored by all of Council: :(Collier, Mack, Smith, Johnson, Tonsing, Kelley, Newrones)

A RESOLUTION ON BEHALF OF THE CITY OF GARFIELD HEIGHTS HONORING INIYA CHARLTON FOR ACADEMIC AND CO-CURRICULAR ACCOMPLISHMENTS.

**CLWN COLLIER:** Mr. President, I will ask that we postpone The reading of this and voting on resolution 16-2024 to our July 8, meeting.

**PRESIDENT JOHNSON:** It has been so moved to postpone the resolution number 16-2024. Can I get a second?(Newrones- I second) It has been moved in second by Clwm Newrones. All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No

**PRESIDENT JOHNSON** All right, that takes care of our ordinances and resolutions for this evening. We will now move on to comments by citizens.

**COMMENTS BY CITIZENS**

**PRESIDENT JOHNSON :** Can you please Clerk, read the rules?

**RULES:** *Comments shall be restricted to any problem a resident has which had previously been submitted to his or her council person or to the City Hall department directly involved. If submission of a problem to the City Hall department or council person is made, and there is a lack of service rendered in this regard, the problem may then be presented during comments by citizens at a future meeting. It is the intention of this rule that no request of a first nature is presented on the floor at this time. Comments shall be limited to five minutes. No citizens shall be heard more than once.*

**PRESIDENT JOHNSON:** All right, at this time, Arlene white, will you please?Can I ask a question? Did you contact your council person first?

**Ms.Arlene White:** No

**PRESIDENT JOHNSON** Then respectfully, I would ask that you address those issues and concerns with that person? What ward? Reply Ward 6.

**CLMN KELLEY** The issue that well, apparently no, the issue that I thought that we're talking about?

**Arlene White :** It's just questions I had that I just wanted that information on .

**PRESIDENT JOHNSON:** According to the council rules. Now, to be fair to the council individual, you will have to address that with them first, to give them a chance to be able to answer your questions and to see if you have already contacted someone in the city to therefore to answer those questions prior to addressing them on the council floor. That's only being fair to your council member as well as to the



department in the city that will be responsible to address those issues. But if it has not been addressed, we will not allow that to take place on the council floor. ( reply Thank you).

**CLMN KELLEY:** Please, make sure you give me a call, or talk to me tonight when we dismiss

**Law Director: Milko Cecez:** I can clarify there real fast. J just to add to Mr. President, we have rules in place. Reach out to your council person. Many of issues that we have to simply be resolved and to take care of it if we cannot have just folks coming up for the first time. That's the idea behind it. It is not It's rules have been in place, frankly, as long as order has been in place. So no disrespect to anyone here. Just so it's clear to everybody.

**PRESIDENT JOHNSON:** Thank you, Mr. Milko. Again, please talk to your council members prior to come to council. Again, I think the law directors is clear. With that note in mind, we'll move on to our miscellaneous business and we'll begin beginning with Ward one.

Adam Nastick came forward to ask if he could speak.

**Law Director: Milko Cecez:** There is no problem with that. Just sign in.

**PRESIDENT JOHNSON :** No problems with that. You have five minutes, sir.

**Adam Nastick:** My name is Adam Nastick, 12-year resident first time attendee to a council meeting had an issue with a nuisance dog. I had the pleasure of speaking with Mr. Johnson probably two weeks ago. Never heard back. I printed out and reviewed the ordinance 505.09 barking or howling dogs. I reviewed that. I also submitted a form animal complaint. Online through the website city Garfield heights Police Department, animal complaint form. Dated 5-10- 24 11:19am. I Never heard back from that. Regarding this dog, I don't know how far back I have to go. It's been an issue for well over a year. Multiple calls to the police department. Multiple calls to animal control. Nobody wants to handle it. So spoken my council person spoke with the police, filed complaints online as I was supposed to. So I'm here. I don't know. What can we do? What are the next procedures for getting some resolution of this?

**MAYOR BURKE** Mr. President, May I. How do you spell your last name < Reply Nastick> I can, I can help you there? We actually have a brand-new animal warden now. (Nastick: New as in when?) as in probably two days ago. Or last week, our animal warden has left the city. The new person is a little bit older, a little bit more mature. I think he'll be better suited to handle this. If you could get me the information. I'm sure we have it but give me the information, I will see to it that he has that information and gets it handled. I mean, chances are we're going to have to confront the owner of the animal and make sure that they know number one, they have to comply with the ordinance. We have to give them ample time to comply even though you've been complaining. Now for the record, we're gonna have to give them ample time. And then once we do so, if they don't comply, they'll be cited, and then I'll have to go to court for that. But I do I need the information. So if if you can get it to me firsthand, I'll give you my contact information after the meeting if you'd like. Yeah, you can just email me It's mburke@garfieldhts.org. And I'll make sure that the do animal person. I don't know if he's considered a warden or if he's just an animal control officer will address it.

**Adam Nastick:** So I have to start all over with the online complaint? ( reply no by Johnson and Burke).

**MAYOR BURKE:** If you give me your information, give me the information. I'll have some way to research it by. And I'll make sure that it gets handled.

**PRESIDENT JOHNSON :** To be clear, Mr. Nastick. I know that there were two issues that we discussed. . On the dog issue itself, though, I did follow up and sent an email as well as sent online documentation saying that we need to address Mr. Nastick's issue. I just want to let you know, I did follow up.

**MAYOR BURKE:** I could just get it from Avery the information, and then I'll see to it that our new animal control officer has it.

**PRESIDENT JOHNSON :** I look forward to talking to you again.

**MAYOR BURKE:** And I apologize for that. That should never happen. But, you know, now we've got a new person in place for it.

**Adam Nastick:** I mean, if it wasn't serious, I wouldn't be standing here. I know this is a silly issue

**Law Director Milko Cecez:** There's an ordinance so it's not that silly.

### **MISCELLANEOUS BUSINESS**

**PRESIDENT JOHNSON** Miscellaneous Business beginning with Ward 1.

**CLWN COLLIER** First, I want to say opening day of the Rec. I've been at the Rec Sunday, Saturday and Sunday. Thank you, Paul. I apologize to anybody that I forgot that in your office. Please give them my apologies. I'm Stacy Collier. That's what I do. Last Thursday, June 6th Ward three, council president, Pastor Mark Smith, myself, Pastor Effinger and father David Dumansky, hosted Town Hall on gun violence, violence. We spoke about our youth in bridging the gap. Bridging the Gap, stopping resists and helping our youth and young adults with mental health and, and recreation. The mayor graciously attended. We want to thank county council President Pernel Jones for providing funding to allow this town hall to take place. The town hall was a community a Cuyahoga County effort. There were eight other churches who at the same time simulcast a town hall in their respective cities. We're looking forward to today, this was just the first conversation. I invite everyone in the City of Garfield heights, to look at the bringing back Ward one page on social media, I will make sure that all of your council representatives have the date for the next town hall. Once again, this is this was just the first where we were coming together as a community to try to come up with ways to help the community deterred the violence, gun violence, community violence, youth violence that is going on in our area. It was a very, very productive meeting and I look forward to the next meeting. I look forward to having more voices come in and engage in those conversations and help us to better the community. With that, I conclude my report.

**PRESIDENT JOHNSON:** At this time, I would like to take a pause here with moving on to ward two by saying but for all of Council. Happy Birthday Council Pro Tem Stacy Collier.

**CLWN COLLIER :** Thank you. Thank you.

**PRESIDENT JOHNSON:** Councilwoman Mack.

**CLWN MACK** I would like to thank all of my colleagues who have supported LGBTQIA+ resolution. It's important to me to recognize as June is Pride Month, and celebrating the contributions and existence of LGBTQIA+ individuals. This resolution promotes unity, diversity, and a culture of acceptance. This resolution reaffirms the city's commitment to equality and justice, and showing our residents feel valued and protected. By embracing these principles, we strengthen our community and pave the way for more inclusive, and impartial future for everyone. So I'd like to thank all my colleagues who supported that resolution. I would like to say Happy Father's Day for all my colleagues and all the other great fathers out there. Happy Juneteenth to everybody who celebrate and I want to say, all our men, remember that June is Men's Health Month. Do what you got to do get checked out. Make your health a priority. And happy early birthday, Stacey. And that is all I have.

**PRESIDENT JOHNSON:** Thank you, Clwmnn Mack . At this time, we'll go over to councilman Smith in ward three.

**CLMN MARK SMITH** Thank you, Mr. President, I will be brief in my constant effort to always challenge young people. And again, as I look in this room. Let me digress for a moment, my applaud is to all of you who are in the room at this particular time. It shows that you're interested in your city, and I'm extremely grateful. But there is one thing that's missing here is that we don't have multiple youth and it's always my charge and challenge to get the youth involved. In my travels in ward three, I came across a young college student that attends Cleveland State University and he addressed an issue that we think that is very pertinent and relevant to the City of Garfield heights. His name is Chris Smith and he's interested in actually giving out information. I don't have all the information. I'm not the encyclopedia, but he's the subject matter expert as far as lead abatement is concerned. So I had a little dialogue with the mayor, so we're going to utilize a young person in our next town hall meeting. I think that's fair housing meeting, perhaps we're going to allow this young man to have a little five-minute spill. I would hope that you all would come out and support our youth, our young people. Where there are no youth there is no progress and I think his intervention, and as it relates to his city shows that Garfield Heights is on the upswing and I'm grateful to him. So you'll hear more about that coming up and get I think we said June 18. Perhaps that's coming up. He will have a small segment. Bottom line is I let's support our youth. That's all I have. But I believe that's the correct date.

**MAYOR BURKE** June 18. Fair housing laws, it's kind of runs in with that.

**CLMN MARK SMITH** He will be giving a spill about lead abatement. Thank you.

**PRESIDENT JOHNSON:** Thank you, Councilman Smith. At this time we go over the Council on Tonsing Ward five. Good

**CLWN TONSING** Good evening, everyone. Thank you for coming out and thank you to those who are watching. I would just like to thank our police department, our service department, our grass department, our building department for all their hard work that they have been doing in the last few weeks. Getting all the unkept yards, grass cut cleaning areas that had issues with overgrown trees, shrubs, checking our streets and signs and reporting them. Also a traffic issue that could be unsafe. I know everything takes time, weather it was an issue, but it's getting done and I just want to thank you and I appreciate all of you. Also, there are so many things coming up in June so just keep on looking on the Garfield Heights website if you can, but I just want to remind you that also on June 26, there is a rain barrel pickup that is set 6pm to 7:30pm at the veteran's plaza and that is at the Garfield Heights Civic Center. You can register online at [www.Cuyahoga.swed.org](http://www.Cuyahoga.swed.org). And then all you do is click on Events June 26. And you can register there. Also don't forget it is on June 28 is the day I see your produce at Marymount hospital. That is from 12 to 2pm. You just drive up, open your trunk your door, just make sure it's clear cleared out and bring an ID, I just want to wish you a happy early birthday, Stacey, Happy Father's Day to all you fathers out there. And I just hope you all have a wonderful summer. And just remember to enjoy our big beautiful pool out there. It is open. So thank you and have a great night.

**PRESIDENT JOHNSON:** All right, this time, we will announce it Councilman Kelley ward six.

**CLMN KELLEY:** Good evening, everyone. I want to again thank our fire department for the work that they've done. And with the incident that happened on May 31, it was just great to be able to recognize them. Not only the work that they do, but when we see what's happening, the issues that happened in our city that our police department also have to respond to, you know, so many people who continue to say, you know, they keep on bringing up how, what Garfield used to be like and what it used to be like, and I I understand that, I understand that.



I also understand that times have changed and when times change and we don't keep up with the changing times, you don't have the money to keep up with the changing times, those who like to take advantage of laws and take advantage of things, you know, they have the upper hand, the city now is in a better place where we can address a lot of issues and I'm just glad to see that and our colleagues are here, making sure that you know we give our safety forces the police department, the fire department, the equipment and everything that they need in order to try and to try and help keep us safe. I'm glad that we have a new animal control officer or Warden, whatever we're calling them these days. I've had plenty of issues myself and we try and get those over to that department. I'm just as frustrated as you are I'm sitting on this side of the table and frustrated. You know, we as colleagues, my colleagues will tell you, that's not the only issue. There are many frustrating issues that we have to deal with. And a lot of times, you know, the residents think that hey, I called you about this, I complained about that complained about the other as my, as President of council stated, you know, he turned in one complaint, and still, you know, you're still dealing with the issue. So the frustrating part is that even when we do our jobs, we still have to wait on the outcome as well. And this is more frustrating for you. We understand because you're the one dealing with said issue. However, as council people, you know, we're dealing with issues too. I got issues on my street and some people don't care that I'm a council person, and they let you know that they don't care. But you still as a resident have to kind of deal with it. and I'm like, okay, you know, try not to call down thunder, in you're not carrying this. Garfield is in a very, we're in a better position, and I'm happy about that. I'm proud about that. And we're just gonna keep on pushing forward. With that I'm done.

**PRESIDENT JOHNSON:** All right. Thank you, Councilman Kelley for your remarks. Councilwoman Newrones and the great wards seven.

**CLWN NEWRONES:** Yes, the great word seven. I just want to say thank you to everyone for coming out tonight. First thing I wanted to bring up is the Memorial Day events and parade. Thank you to all of my volunteers to Wendy as the Mayor mentioned earlier, she's a big part of it. To anyone that participated to the people that lined the streets, it's amazing. I get to be in the last car and I get to see all of the people on the sides of the streets and it's just, you know, all the work that you put into it. It makes it so worthwhile to see everyone come out and enjoy it. So thank you very much to our city employees, the people in the service department, anyone that had a hand in helping with that. It was just amazing to see how well everyone worked together and to get it all done. So thank you to all of our city employees. I also wanted to thank cruising with the big boys, the Father's Day committee, Max USA, and everyone that had made donations to the parade. I can't do it alone. So to everyone that had a hand in helping Thank you very much. Second thing I wanted to bring up is on June 13, is this Thursday from five to eight. St. Monica's is having their party in the pavilion, they're having the Sweet Tarts as the entertainment. And they'll be selling food drinks and ice cream. St. Monica is is a big part of Ward seven. And they do provide us with a space to have our Black Watch meetings and you know, we appreciate them. So please come on out and support their entertainment for the night enjoy some music with your community. Word seven is having our Black Watch on June 27. We do a big picnic every summer. So this is going to be our big picnic. I would like to invite everyone on council, the mayor, anyone that would like to come June 27, seven o'clock at St. Monica's pavilion will be serving burgers and hotdogs. We'll also have drinks, we ask that you bring a side or dessert to share. And like I said, Everyone is welcome. You don't have to be a ward seven residents to attend. So please come out. Bring your neighbors. Happy Father's Day to everyone that's a father out there. Happy Juneteenth and happy birthday to miss Collier down there. That's all I have for tonight. Have a great night, everyone.



**PRESIDENT JOHNSON** All right, thank Councilman Newrones for her remarks. And last but not least, As the President of Council and I take great pride in saying thank you to the residents for doing this long meeting. I'm glad that you came out to see how your tax dollars are being spent. With that in mind, I represent Ward four. And I'm very proud of Ward four, of course, and I'll try to keep my comments very brief. First, I want to thank again our fire department and our police department for their response. In May, I want to thank each of the men and women that put their lives on the line for our residents every day. With that, I like to talk about East 98th Street. I am so proud that they are going to complete East nine AC because it calls in a backup all the way down Granger Road, all the way back to the access to transportation Boulevard that leaves into the highway. So that project will be completed within the next two days. For sure the residents in my ward are going to be extremely happy to see that completed with that also in mind, and a Tucci is coming along to this great. Excellent, from i 480. And seeing it being done is a beautiful thing for our city. And I look forward to seeing it completed as well. With that note in mind, I want to thank our residents for coming out again tonight. But before I say one other thing, too, is very important to me that we support the efforts that Paul Burke the mayor NIMH are doing to get our parks up to standard for our kids in the city. And we have the funds to revamp the port the tennis courts are and the old skateboard. Park is over on Granger and we're looking forward to seeing that project completed. So Mr. Birk, I thank you again for your efforts in that. With that note in mind, I'll be sponsoring on June the 29th or the 28th. I'm sorry, come out and meet your Councilman. Probably on a corner of East 88th Street and Plymouth. I'm looking forward to getting that done. We'll probably be there from 11 o'clock to two o'clock, where you'd come out and ask questions and the community can meet their Councilman at work in the city. With that note in mind. Can I get a motion to adjourn?

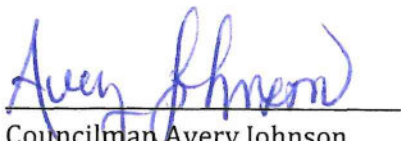
**CLWN COLLIER:** Mr. President, I'd like to make a motion that we adjourn the council meeting for June 10 ,2024.

**PRESIDENT JOHNSON:** It has been so moved by Councilwoman Collier to adjourn. Can I get a second? (Smith: second) So moved and second by Councilman Smith.

All those in favor say Yes. Any opposed. Vote: 7 Yes - 0 No  
Council is adjourned.

The meeting adjourned at 8:40 pm.

Approved by:



Councilman Avery Johnson  
Council President

Respectfully submitted by:



Lottie Overby  
Clerk of Council

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 7-8-2024  
Effective Date: \_\_\_\_\_