

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 33-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

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

WHEREAS, Court Community Service provides supervised community service work crews to complete cleanup and landscaping projects throughout various cities; and

WHEREAS, the City of Garfield Heights would like to renew the agreement entered into last year with Court Community Service, and

WHEREAS, currently, the City's agreement with Court Community Service is set to expire; this renewal will add one (1) additional year to the agreement, and

WHEREAS, there will be no increase in cost for the year 2024.

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 (attached hereto as Exhibit A and included as if fully written within) on behalf of the City of Garfield Heights with Court Community Service for a period of twelve months at a cost not to exceed \$79,160.00 to be invoiced and paid on a monthly basis.

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

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

PASSED: 6-10-2024

APPROVED: Matthew A. Burke
MAYOR

ATTEST: Lottie Overby
CLERK OF COUNCIL

Avery Brown
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 6-10-2024

Exhibit A

Court Community Service
Garfield Heights Work Crew Program 2024

This contract, made and executed in duplicate, by and between the Court Community Service ("CCS"), of 820 West Superior Ave. Suite 310 Cleveland, Ohio 44113 and the City of Garfield Heights ("CITY"), of 5407 Turney Rd. Garfield Heights, Ohio 44125, witnesseth:

Project Description:

CCS will provide CITY with a supervised community service work crew to implement cleanup and landscaping projects on public properties. The work crew may also perform property cleanups as ordered to by the Garfield Heights Municipal Court. In addition, the crew may also be assigned to perform snow shoveling on public properties.

Services Provided by CCS:

CCS will provide a Work Crew Supervisor and a crew of a minimum of three (3) community service workers four days per week excluding holidays. The project will provide CITY with a minimum of one hundred and ninety-two (192) days of service per year. CCS will provide transportation, tools, supplies, and equipment required for litter collection and basic landscaping projects. CCS will also provide personal safety equipment, insurance, and related administrative services.

CITY will provide CCS with secured parking for an equipment trailer and disposal services (dumpsters) for trash and debris collected. CITY will be responsible for the disposal of all trash and debris.

Option to Include Additional Work Days

When supervisors and crews are available, CCS will offer to CITY the opportunity to have court community service workers complete additional work days, bringing the weekly total up to five days. In the event CITY accepts on a given day, CCS will provide the same service to CITY on said days, and CITY will pay the same daily rate as a regular day.

Project Cost:

The cost of the project, without additional work days, for a period of twelve (12) months is \$62,520.00. CITY shall pay CCS in twelve (12) monthly payments of \$5,210.00. CCS shall submit a monthly invoice including a detailed report indicating the work performed during the month (listed by date of service) and summary statistics.

In the event CCS provides court community service workers on additional days, CCS will denote such days on the monthly invoice. CITY shall pay \$320.00 for each additional day worked by CCS.

Coordination with CITY:

CITY will provide the CCS Work Crew Supervisor with the locations and types of work to be performed at each location. CCS will contact the designated CITY liaison with any concerns or questions. A daily report will be provided to CITY outlining the work performed.

Effective Date:

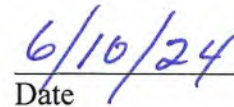
The terms of this contract will go into effect immediately upon the conclusion of the original contract so as to ensure that there is no gap in service or payment.

Paul Klodor, Executive Director of Court Community Service

Date



Matthew A. Burke, Mayor of the City of Garfield Heights


Date



FISCAL OFFICER'S CERTIFICATION

Date: June 10, 2024

Ordinance 33-2024

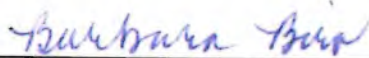
It is hereby certified that the amount, or estimated amount, identified as follows:

Not to exceed \$79,160.00

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:

#101 – General Fund

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

A handwritten signature in blue ink, which appears to read "Barbara Biss", is written over a horizontal line.

Fiscal Officer/Finance Director

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 34-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

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

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council.

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

SECTION 1. The ordinances of the City of Garfield Heights, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2024 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

301.35	School Bus. (Amended)
303.991	Committing an Offense While Distracted Penalty. (Amended)
331.35	Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion. (Amended)
331.38	Stopping for School Bus; Discharging Children. (Amended)
331.45	Restrictions on the Operation of School Buses. (Added)
333.01	OVI; Willful Misconduct; Speed. (Amended)
333.03	Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
333.11	Electronic Wireless Communication Device Use Prohibited While Driving. (Amended)
335.07	Driving Under Suspension or License Restriction. (Amended)
335.071	Driving Under OVI Suspension. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Amended)
335.073	Driving Without Complying With License Reinstatement Requirements. (Amended)
335.074	Driving Under License Forfeiture or Child Support Suspension. (Amended)

Traffic Code (Cont.)

337.16	Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)
337.22	Windshield and Windshield Wiper; Sign or Poster Thereon. (Amended)
337.26	Child Restraint System Usage. (Amended)
337.33	Lights and Sign on Transportation for Preschool Children. (Added)
341.01	Commercial Drivers Definitions. (Amended)
341.04	Commercial Drivers Prohibitions. (Amended)
341.05	Criminal Offenses. (Amended)

General Offenses Code

501.01	General Provisions and Penalty Definitions. (Amended)
501.99	Penalties for Misdemeanors. (Amended)
505.12	Coloring Rabbits or Baby Poultry; Sale or Display of Poultry. (Amended)
505.28	Rights of Blind, Deaf or Hearing Impaired, or Mobility Impaired Person, or Trainer with Assistance Dog. (Added)
509.04	Disturbing a Lawful Meeting. (Amended)
509.06	Inducing Panic. (Amended)
509.14	Impeding Public Passage of an Emergency Service Responder. (Added)
513.01	Drug Abuse Control Definitions. (Amended)
513.03	Drug Abuse; Controlled Substance Possession or Use. (Amended)
513.04	Possessing Drug Abuse Instruments. (Amended)
513.12	Drug Paraphernalia. (Amended)
513.121	Marihuana Drug Paraphernalia. (Amended)
513.16	Adult Use Cannabis Control; Limitations on Conduct by Individuals. (Added)
517.08	Raffles. (Amended)
521.10	Nonsmoking Areas in Places of Public Assembly. (Amended)
521.19	Spreading Contagion. (Added)
525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
505.24	Assaulting Police Dog or Horse or Service Dog. (Amended)
529.02	Sales to and Use By Underage Persons; Securing Public Accommodations. (Amended)
529.07	Open Container Prohibited. (Amended)
533.01	Obscenity and Sex Offenses Definitions. (Amended)
533.06	Voyeurism. (Amended)
533.08	Procuring; Engagement in Sexual Activity for Hire. (Amended)
537.03	Assault. (Amended)
537.06	Menacing. (Amended)
537.07	Endangering Children. (Amended)
537.12	Misuse of 9-1-1 System. (Amended)
537.15	Temporary Protection Order. (Amended)
537.19	Hazing Prohibited. (Added)
545.05	Misdemeanor Theft. (Amended)
549.02	Carrying Concealed Weapons. (Amended)
549.04	Improperly Handling Firearms in a Motor Vehicle. (Amended)
549.20	Possessing Replica Firearm in School. (Amended)
549.21	Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Amended)

SECTION 3. The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A.

SECTION 4. Council declares this ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health and safety for the reason that it is imperative to approve and distribute current replacement pages at the earliest possible time to facilitate the administration and daily operation of the City and avoid practical and legal entanglements; it shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 6-10-2024

APPROVED: Matthew A. B. L.
MAYOR

Amy Johnson
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 6-10-2024

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 35-2024

SPONSORED BY: MAYOR MATTHEW A. 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), 351.04(g)(1)(A)(ii), AND 351.04(m) WITH RESPECT TO HANDICAPPED PARKING, AND DECLARING AN EMERGENCY

WHEREAS, the Garfield Heights City Council ("Council") has previously enacted section 351.04 of the Codified Ordinances to provide for the parking of vehicles in the City of Garfield Heights ("City") and penalties for the violation thereof; and

WHEREAS, the Council wishes to reconcile Section 351.99 of the Codified Ordinances regarding traffic code penalties with aforesaid Section 351.04 in order to eliminate any confusion as to the penalties that apply to violations of Section 351.04(g)(1)(A)(i), 351.04(g)(1)(A)(ii) and 351.04(m), of the Codified Ordinances regarding handicapped parking.

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

SECTION 1. Section 351.99 of the Codified Ordinances shall be amended to read as follows:

Except as otherwise provided herein, whoever violates any provision of Chapter 351 except for Sections ~~351.16~~ 351.04(g)(1)(A)(i), 351.04(g)(1)(A)(ii), or 351.04(m) or as otherwise provided, may upon entering a plea of guilty, and further waiving the right of appeal and error, pay to the Clerk of Courts, or in the absence of the Clerk of Courts, to the Police Division, the sum of twenty-five dollars (\$25.00) within forty-eight hours of the violation, or the sum of forty dollars (\$40.00) within seventy-two hours of the violation, otherwise such violator shall be subject to the penalty provided in Section 303.99. Whoever violates any provision of Chapter 351, Section ~~351.04(f)~~ and/or ~~351.04(g)~~ relative to handicapped parking shall pay to the Clerk of Courts, or in absence of the Clerk of Courts, to the Police Division, the sum of one hundred and fifty dollars (\$150.00) Section 351.04(g)(1)(A)(i) or 351.04(g)(1)(A)(ii) shall be subject to the penalties in Section 351.04(o)(1)(A) of the Codified Ordinances. Whoever violates Section 351.04(m) of the Codified Ordinances shall be subject to the penalties contained in Section 351.04(o)(2) of the Codified Ordinances. Whoever displays a "special handicapped license plate" or "parking card" on a vehicle which is not being operated by, or for, the transport of a handicapped person, is in violation of ~~351.04(f)~~, and shall pay to the Clerk of Courts, or in absence of the Clerk of Courts, to the Police Division, the sum of two hundred dollars (\$200.00).

SECTION 2. The updated version of Section 351.99 is attached hereto as Exhibit A.

SECTION 3. Council declares this Ordinance to be an emergency measure necessary for the immediate 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: 6-10-2024

APPROVED: Matt A. B. C.
MAYOR

ATTEST: Lottie Overly
CLERK OF COUNCIL

Avery Johnson
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 6-10-2024

EXHIBIT A

Codified Ordinances of the City of Garfield Heights Section 351.99

Except as otherwise provided herein, whoever violates any provision of Chapter 351 except for Sections 351.04(g)(1)(A)(i), 351.04(g)(1)(A)(ii), or 351.04(m) or as otherwise provided, may upon entering a plea of guilty, and further waiving the right of appeal and error, pay to the Clerk of Courts, or in the absence of the Clerk of Courts, to the Police Division, the sum of twenty-five dollars (\$25.00) within forty-eight hours of the violation, or the sum of forty dollars (\$40.00) within seventy-two hours of the violation, otherwise such violator shall be subject to the penalty provided in Section 303.99. Whoever violates any provision of Sections 351.04(g)(1)(A)(i) or 351.04(g)(1)(A)(ii) shall be subject to the penalties in Section 351.04(o)(1)(A) of the Codified Ordinances. Whoever violates Section 351.04(m) of the Codified Ordinances shall be subject to the penalties contained in Section 351.04(o)(2) of the Codified Ordinances. Whoever displays a "special handicapped license plate" or "parking card" on a vehicle which is not being operated by, or for, the transport of a handicapped person, is in violation of 351.04(f), and shall pay to the Clerk of Courts, or in absence of the Clerk of Courts, to the Police Division, the sum of two hundred dollars (\$200.00).

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 36-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

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

WHEREAS, in Resolution 27-2023, this Council authorized the Mayor, or his designee to apply for the Violent Crime Reduction Grant Program for 2024, administered by the Ohio Office of Criminal Justice Services (OCJS); and

WHEREAS, as a result of the application, the City of Garfield Heights was awarded a grant in the amount of \$403,295.00; and

WHEREAS, accordingly, at this time, the City wishes to accept said grant.

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

SECTION 1. The Mayor, or his designee, is hereby authorized to accept the grants totaling in the amount of \$403,295.00 from the Ohio Office of Criminal Justice Services.

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: 6-10-2024

APPROVED: Matthew A. Burke
MAYOR

Angela Johnson
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 6-10-2024



FISCAL OFFICER'S CERTIFICATION

Date: June 10, 2024

Ordinance 36-2024

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

Not to exceed \$403,295.00

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 – Criminal Justice Services Grant Fund

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



Fiscal Officer/Finance Director

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 37-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

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

WHEREAS, the City of Garfield Heights ("City") has requested funding from the ARPA Community Grant Fund for the Garfield Heights Park Equipment Upgrade project in Cuyahoga County, Ohio ("Project"); and

WHEREAS, pursuant to County Council Approval, the County will award an amount not to exceed \$284,000.00 ("Award") to the City to support the Project, as more fully described in the "Project Award Agreement" ("Agreement") between the City and the County, attached hereto as Exhibit 1;

WHEREAS, the County and the City desire to enter into this Agreement to govern their respective obligations with respect to the Award for the Project.

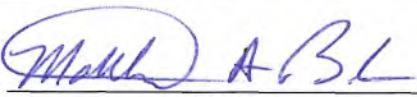
NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS, OHIO, THAT:

SECTION 1. The Mayor, or his designee, is hereby authorized to enter into the Agreement, attached hereto as Exhibit 1, with the Cuyahoga County, and accept the grant totaling \$284,000.00.

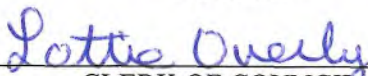
SECTION 2. The Finance Director is hereby authorized and directed to issue her vouchers of the City for the purposes stated in Section 1. hereof, said vouchers to be charged to the appropriate fund.

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: 6-10-2024

APPROVED: 
MAYOR


PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL

EFFECTIVE DATE: 6-10-2024

Exhibit A

PROJECT AWARD AGREEMENT BETWEEN
CITY OF GARFIELD HEIGHTS AND CUYAHOGA COUNTY

THIS PROJECT AWARD AGREEMENT ("Agreement") is made and entered into as of the date signed by the Cuyahoga County Executive ("Effective Date") by and between the County of Cuyahoga County, Ohio, a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof (the "County") and the City of Garfield Heights, ("Recipient"), a body corporate and politic and a political subdivision of the State of Ohio, having a principal place of business at 5407 Turney Road, Garfield Heights, Ohio 44125.

RECITALS

WHEREAS, Recipient has requested funding from the ARPA Community Grant Fund for the Garfield Heights Park Equipment Upgrade project in Cuyahoga County, Ohio ("Project"); and

WHEREAS, pursuant to County Council Approval, the County will award an amount not to exceed \$284,000.00 (the "Award") to Recipient to support the Project, as more fully described in Exhibit 1;

WHEREAS, the County and Recipient desire to enter into this Agreement to govern their respective obligations with respect to the Award for the Project.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties from the other, and intending to be legally bound, the Parties agree as follows:

AGREEMENT

1. **ACCURACY OF RECITALS; DEFINED TERMS**

The Parties acknowledge the accuracy of the above Recitals, which are incorporated into and made a part of this Agreement.

2. **CONFIRMATION OF AWARD**

Recipient has requested, and the County has awarded Recipient, an award in an amount not to exceed \$284,000.00 to be disbursed to Recipient in one disbursement. If the Project has more than one funding source, the Award shall be disbursed to Recipient upon the receipt by Recipient of all other funding sources.

3. CONDITIONS

The obligations of the County under this Agreement are subject to the satisfaction of the following condition, which condition may only be waived by the County (in the County's sole discretion and in writing), for whose sole benefit such conditions exist:

- A) Recipient agrees its Award shall not be used to pay for costs outside of those listed on Exhibit 1, which is incorporated herein by reference.

4. REPORTING REQUIREMENTS

Recipient shall provide annual reports to the County of the status of the Project and provide detailed documentation of all expenditures made from the Award as of the date of the submission of the annual report. The report shall be due one year from the date of the disbursement of funds from the County to the Recipient or upon completion of the Project whichever is earlier.

The County reserves the right to request additional reports pertaining to the Project. It is the responsibility of Recipient to furnish the County with reports as requested.

Failure to provide reports, maintain documentation, and/or provide any additional reporting requested by the County may result in the declaration of an Event of Default as outlined in Section 8 of this Agreement.

5. INDEMNIFICATION

The Parties acknowledge that as a political subdivision of the State of Ohio, the County does not indemnify any person or entity. The Parties agree that no provision of this Agreement may be interpreted to obligate the County to indemnify or defend another party.

6. PUBLIC RECORDS; CONFIDENTIALITY

The Parties acknowledge that the County is a political subdivision of the State of Ohio and as such is subject to the Ohio Revised Code and other laws related to the keeping of and access to public records, including any and all applicable Sunshine Laws, open meeting requirements, and retention schedules effecting any and all manner of communication with the County and Recipient and any and all documents in any format or media.

7. REPRESENTATIONS

Recipient represents and warrants:

- A. It has full power and authority to execute, deliver, and perform this Agreement and its obligations; and
- B. The execution, delivery, and performance by Recipient under this Agreement does not, and will not, violate any provision of law or any court order applicable to Recipient, and does

not, and will not, conflict with or result in a default, under any agreement or instrument to which Recipient is a party or by which it or any of its property or assets is or may be bound; and

- C. This Agreement has by proper action been duly authorized, executed, and delivered and constitutes the legal, valid, and binding obligations of Recipient.

8. DEFAULT

If Recipient breaches any of its representations under this Agreement or fails to perform any of its obligations or is in default under any other condition of this Agreement for a period of thirty (30) days after date of the County's written notice thereof to Recipient ("Event of Default"), the County may, at its sole option, terminate this Agreement and will be under no further obligation to disburse any Award funds remaining under this Agreement. In addition, the County reserves the right, upon an Event of Default, to seek recovery of any Award funds previously disbursed.

9. TERM OF AGREEMENT

This Agreement shall become effective as of the Effective Date and shall remain in full force and effect until the Project is completed, subject to the terms of this Agreement, unless extended by written agreement of the Parties.

If at the end of the term the Recipient has not spent all of the Award on the Project, the Recipient shall return the remaining funds to the County.

10. MISCELLANEOUS

- A. This Agreement, with its exhibits, contains the Parties' entire agreement with respect to the subject matter herein. This Agreement may not be modified except by written instrument signed by both Parties and referring to the specific provisions to be modified.
- B. This Agreement and the rights and obligations of the Parties hereunder shall be construed in accordance with and shall be governed by the laws of the State of Ohio and applicable federal law. Recipient and the County agree that state and federal courts in Cuyahoga County, Ohio will have exclusive jurisdiction over any claim arising out of this Agreement and Recipient and the County consent to the exclusive jurisdiction of such courts. Recipient agrees not to challenge this provision and agrees not to attempt to file, or remove, any legal action related to this Agreement or any alleged breach of this Agreement outside of Cuyahoga County for any reason.
- C. All County contracts, including this Agreement, are subject to all applicable laws adopted in the Cuyahoga County Code, including, but not limited to, Title IV (Ethics) and Title V (Contracts and Purchasing). The Cuyahoga County Code and enacted County ordinances are available at <http://code.cuyahogacounty.us>.
- D. If any part of the Award is used for construction-related labor, Recipient agrees that wages paid to laborers and mechanics employed on the Project under contracts or subcontracts shall be paid at not less than the prevailing rates of wages for laborers and mechanics for the applicable class of work called for by the Project, which wages shall be determined in accordance with the requirements of Chapter 4115, Ohio Revised Code, or the Davis-

Bacon Act, and shall cause such wages to be paid in accordance therewith, and Recipient shall require compliance by all contractors and subcontractors of all applicable requirements of Sections 4115.03 through 4115.16, Ohio Revised Code, or the Davis-Bacon Act, including, without limitation, (i) obtaining from the Ohio Department of Industrial Relations, or its federal equivalent, a determination of the prevailing rates of wages to be paid for all classes of work called for by the Project, (ii) obtaining the designation of a Prevailing Wage Coordinator for the Project pursuant to Section 4115.071, Ohio Revised Code, or the Davis-Bacon Act and (iii) ensuring that all contractors and subcontractors receive notification of changes in prevailing wage rates as required under Section 4115.05, Ohio Revised Code, or the Davis-Bacon Act

- E. Recipient's employees may not acquire any personal interest that conflicts with Recipient's responsibilities under this Agreement. Additionally, Recipient will not knowingly permit any public official or public employee who has any responsibilities related to this Agreement to acquire an interest in anything or any entity under Recipient's control, if such an interest would conflict with that official's or employee's duties. Recipient will disclose to the County knowledge of any such person who acquires an incompatible or conflicting personal interest related to this Agreement. Recipient will take all legal steps to ensure that such a person does not participate in any action affecting the work under this Agreement, unless the County has determined that, in the light of the personal interest disclosed, that person's participation in any such action would not be contrary to the public interest.
- F. All notices, requests, demands, or other communications which are required or may be given pursuant to the terms of this Agreement shall be in writing and shall be deemed to have been duly given (i) on the date of delivery if delivered by hand or by confirmed facsimile; (ii) upon the fifth day after such notice is deposited in the United States mail, if mailed by registered or certified mail, postage prepaid, return receipt requested, or (iii) upon the date of the courier's verification of delivery at the specified address if sent by a nationally recognized overnight express courier.

County's address for notification is:

Cuyahoga County Office of the Council
2079 East 9th Street
Cleveland, Ohio 44115
Attention: Cynthia Mason, Research and Policy Analyst

With a copy to:

Cuyahoga County Department of Law
2079 East 9th Street
Cleveland, Ohio 44115
Attention: Director of Law

Recipient's address for notification is:

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

- G. Neither Party shall be in default if its failure to perform any obligation hereunder is caused solely by supervening conditions beyond that Party's reasonable control, including, without limitation, acts of God, civil commotion, strikes, labor disputes, or governmental demands or requirements.
- H. The failure of either Party to require performance by the other party of any provision of this Agreement or any exhibit shall not affect its right to require such performance at any time thereafter; nor shall the waiver by either party of a breach of any provisions of this Agreement be taken or deemed to be a waiver of the provision itself.
- I. If any provision of this Agreement is invalid or unenforceable, that provision will be changed and interpreted to accomplish the Parties' objectives to the greatest extent possible under applicable law and the remaining provisions of this Agreement will continue in full force and effect.
- J. The section headings appearing in this Agreement are inserted only as a matter of convenience and in no way define, limit, or describe the scope or extent of such section.
- K. Recipient may not assign this Agreement without the prior written consent of the County.
- L. Except as expressly provided in this Agreement, no amendment, change, waiver, or discharge of this Agreement is valid unless in writing and signed by both of the Parties.
- M. Each of the Parties will comply with all state and federal laws regarding equal employment opportunity and fair labor and employment practices, including ORC Section 125.111 and all related Executive Orders.
- N. Each of the Parties shall comply with all applicable state and federal laws regarding keeping a drug-free workplace.
- O. Recipient agrees to make all pertinent books and records and other documents pertaining to its obligations under this Agreement available to the County and its designated agents for purpose of audit and examination upon reasonable request during the term of this Agreement and for a period of two (2) years from the completion date of the Project or final payment under this Agreement, whichever is later.
- P. Recipient agrees to cooperate with the Cuyahoga County Agency of Inspector General or the Department of Internal Audit if it is determined there should be an investigation or audit.
- Q. This Agreement may be executed in separate original or facsimile counterparts, each of which shall be deemed an original, and all of which shall be deemed one and the same instrument.

11. NON-DISCRIMINATION

Recipient agrees to provide the services hereunder without discrimination on account of gender, race, sex, color, religion, national origin, age, occupation, physical or mental disability or veteran status, to the extent required by law. The Parties agree that discrimination and affirmative action clauses contained in Executive Order 11246, as amended by Executive Order 11375, relative to Equal Employment Opportunity for all persons without regard to race, color, religion, sex or national origin, and the implementing rules and regulations prescribed by the Secretary of

Labor in Title 41, Part 60 of the Code of Federal Regulations, are incorporated to the extent binding upon Recipient.

12. ELECTRONIC SIGNATURE POLICY

Recipient, its officers, employees, subcontractors, agents, or assigns, agree that this transaction may be conducted by electronic means and agree that all documents requiring the County's signatures and Recipient's signatures, including this Agreement, may be executed by electronic means, and that the electronic signature affixed by either Party to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. Recipient also agrees on behalf of the aforementioned entities and persons, to be bounded by the provisions of Chapter 304 and 1306 of the Ohio Revised Code.

IN WITNESS WHEREOF, this Agreement has been duly signed and delivered by the undersigned as of the day and year first above written.

City of Garfield Heights, Ohio

COUNTY OF CUYAHOGA, OHIO

By: 

By: _____
Chris Ronayne, County Executive

Its: MAYOR

The legal form and correctness
of this Contract is hereby approved:
Law Department
County of Cuyahoga, Ohio

Richard D. Manoloff, Director of Law

By: _____
Assistant Director of Law

Electronic Signature:

EXHIBIT 1

(Recipient's application submitted to the County requesting ARPA funding for the Project)



Cuyahoga County Council

2079 East 9th Street, 8th Floor • Cleveland Ohio 44115
(216) 698-2010

COUNTY AMERICAN RESCUE PLAN ACT APPLICATION

APPLICANT INFORMATION:	
Name of Requesting Entity (City, Business, Non-Profit, etc.): City of Garfield Heights	
Address of Requesting Entity: 5407 Turney Rd. Garfield Hts. Ohio 44125	
County Council District # of Requesting Entity: 8	
Address or Location of Project if Different than Requesting Entity: 	
County Council District # of Address or Location of Project if Different than Requesting Entity: 	
Contact Name of Person Filling out This Request: Matthew Burke Mayor	
Contact Address if different than Requesting Entity: 	
Email: Mburke@garfieldhts.org	Phone: 216-475-4388
Federal IRS Tax Exempt No.: 346001195	Date: Feb. 14, 2024

PROJECT DESCRIPTION

REQUEST DESCRIPTION (include the project name, a description of the project, why the project is important or needed, and timeline of milestones/tracking of the project):

I am asking for assistance in obtaining the funding necessary to improve and upgrade equipment within our city-owned Parks.

We are currently working on our city Parks and Trails Master Plan. We have had many community engagement meetings and online surveys in order to get an understanding of what our community would like to see. We are 90% complete with this process and will be moving towards the next phase which is implementation.

I would like to upgrade the signage throughout the City of Garfield Heights as well.

I would like to address the following:

Canvas Products:	New park furniture made out of repurposed wind turbines	\$30,000.00
Royal Landscape:	Landscaping improvements to Debelak Park Tennis Courts area.	\$40,000.00
Snider Recreation:	Forestdale Park Playground Equipment	\$20,000.00
Snider Recreation:	Debelak Park Playground Equipment and Improvements.	\$150,000.00
Resurfacing of Courts:	Debelak Park	\$10,000.00
Hoops:	Debelak Park	\$20,000.00
Johns-Carabelli Semerano		
Monuments & Flowers:	New Safety Memorial	\$14,000.00
Total:		\$284,000.00

I am asking on behalf of the residents of Garfield Heights for consideration for funding of these improvement projects that will help bring our diverse community together.

Thank you,

Matt Burke
Mayor

Project Start Date:
3/1/2024

Project End Date:
12/31/2024

IMPACT OF PROJECT:

Who will be served:

Garfield Heights residents and visitors.

How many people will be served annually:

The city's population is nearly 30,000 and we would encourage all to visit our parks and recreation spaces. We also welcome visitors from other communities!

Will low/moderate income people be served; if so how:

Yes, we do not charge admission to our park spaces.

How does the project fit with the community and with other ongoing projects?

The city has been working on a Parks and Trails plan for the past year and these upgrades are a crucial part to provide much needed equipment improvements and better amenities for our residents.

If applicable, how many jobs will be created or retained (specify the number for each) and will the jobs be permanent or temporary:

If applicable, what environmental issues or benefits will there be:

We will eliminate wind turbine propellers from landfills with the purchase of benches made from the recycled product.

If applicable, how does this project serve as a catalyst for future initiatives:

This will be a first phase for implementing our new Master and Parks and Trails Plans and we will continue to budget future dollars for other suggested improvements in future years.

FINANCIAL INFORMATION:
Total Budget of Project: \$4,000,000.00 plus
Other Funding Sources of Project (list each source and dollar amount separately): City ARPA funds City Recreation funds
Total amount requested of County Council American Resource Act Dollars: \$400,000.00
Since these are one-time dollars, how will the Project be sustained moving forward: Through the city parks and recreation funds.

DISCLAIMER INFORMATION AND SIGNATURE:

Disclaimer:

I HEREBY CERTIFY that I have the authority to apply for financial assistance on behalf of the entity described herein, and that the information contained herein and attached hereto is true, complete, and correct to the best of my knowledge.

I acknowledge and agree that all County contracts and programs are subject to Federal Guidelines and Regulations, the Ohio Revised Code, the Cuyahoga County Charter, and all County Ordinances including all information submitted as part of this application is a public record.

I understand that any willful misrepresentation on this application or on any of the attachments thereto could result in a fine and/or imprisonment under relevant local, state, and/or federal laws or guidelines.

I agree that at any time, any local, state, or federal governmental agency, or a private entity on behalf of any of these governmental agencies, can audit these dollars and projects.

Printed Name: Matthew A. Burke

Signature:

Date: 03/21/2024

Additional Documents

Are there additional documents or files as part of this application? Please list each documents name:

DISCLAIMER INFORMATION AND SIGNATURE:

Disclaimer:

I HEREBY CERTIFY that I have the authority to apply for financial assistance on behalf of the entity described herein, and that the information contained herein and attached hereto is true, complete, and correct to the best of my knowledge.

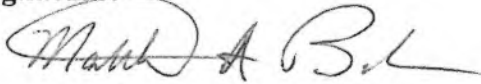
I acknowledge and agree that all County contracts and programs are subject to Federal Guidelines and Regulations, the Ohio Revised Code, the Cuyahoga County Charter, and all County Ordinances including all information submitted as part of this application is a public record.

I understand that any willful misrepresentation on this application or on any of the attachments thereto could result in a fine and/or imprisonment under relevant local, state, and/or federal laws or guidelines.

I agree that at any time, any local, state, or federal governmental agency, or a private entity on behalf of any of these governmental agencies, can audit these dollars and projects.

Printed Name: Matthew A. Burke

Signature:



Date: 03/21/2024

Additional Documents

Are there additional documents or files as part of this application? Please list each documents name:



FISCAL OFFICER'S CERTIFICATION

Date: June 10, 2024

Ordinance 37-2024

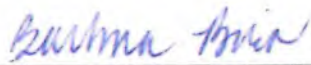
It is hereby certified that the amount, or estimated amount, identified as follows:

Not to exceed \$284,000.00

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:

#223 - ARPA Fund

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



Fiscal Officer/Finance Director

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 38-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE
CO-SPONSORED BY:

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

WHEREAS, the Supreme Court of Ohio announced the availability of grant funds to support local court technology projects; and

WHEREAS, this grant is a special one-time funding opportunity focused on the upgrade to the Municipal Court Information System, which will include a Victims Advocate Module; and

WHEREAS, the Supreme Court has offered a grant to the Garfield Heights Municipal Court totaling \$57,370.00.

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

SECTION 1. The Presiding Judge of the Garfield Heights Municipal Court is hereby authorized to accept the grant totaling \$57,370.00 from the Supreme Court of Ohio for the purpose of upgrading the Municipal Court Information System, including a Victims Advocate Module, used in the Garfield Heights Municipal Court.

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: 6-10-2024

APPROVED: Matthew A. Burke
MAYOR

Amy Johnson
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 6-10-2024



FISCAL OFFICER'S CERTIFICATION

Date: June 10, 2024

Ordinance 38-2024

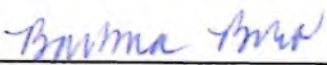
It is hereby certified that the amount, or estimated amount, identified as follows:

Not to exceed \$57,370.00

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:

#227 – GHMC Court Capital Improvement Fund

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



Fiscal Officer/Finance Director

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 39-2024

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 ENGINEERING TASKS FOR THE GARFIELD HEIGHTS CIVIC CENTER PARKING PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, the project will consist of rehabilitating the Civic Center Parking Lot including, but not limited to, resurfacing the parking lot, 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 tasks for the Garfield Heights Civic Center Parking 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 effective immediately upon the adoption by Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 6-10-2024

APPROVED: Matthew A. Burke
MAYOR

Amy Brown
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 6-10-2024

Exhibit A



May 30, 2024

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

RE: Garfield Heights Civic Center Parking
Location: Garfield Heights, Ohio
Proposal #23134

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

Proposal Outline	1
Project Understanding	2
Scope of Services - Information Gathering Tasks	2
Scope of Services - Design Engineering Tasks	2
Scope of Services - Bidding and Award Tasks	3
Scope of Services - Construction Services Tasks	3
Price Proposal	6
Compensation	6
Anticipated Project Schedule	7
Clarifications and Assumptions	7
Client Responsibilities	7
Terms & Conditions	7

Sincerely,
OHM Advisors

Chad M. Lewis, PE
Project Manager
Chad.lewis@ohm-advisors.com
D: 216.865.1345

Josh Slaga, PE
Principal
Josh.slaga@ohm-advisors.com

Authorization to Proceed

Signature

Date

Printed Name

Title



Project Understanding

The referenced project includes parking lot improvements at the Garfield Heights Civic Center. The project will consider measures to reduce traffic shortcut speed to and from Granger Road.

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

Scope of Services - Information Gathering Tasks

Task #3 Pavement Cores

- The following services are included in the fee shown:
 - Performance of four (4) pavement cores
 - Advancement to 18 inches below the pavement base material
 - Identification and evaluation of pavement properties and thickness
 - Identification and evaluation of subbase soil properties
 - Water level readings, if encountered
 - Core photos
 - Constructability cautionary notes, if applicable
 - Summary page of each core
 - This information will be used for follow-on engineering tasks.

Scope of Services - Design Engineering Tasks

Task #56 Pre-Design and Field Analysis

- The following services are included in the fee shown:
 - Field visit of the following project locations
 - Garfield Heights Civic Center Parking Lot
 - Determine and quantify appropriate rehabilitation measures.
 - Manholes, catch basins, and other visible castings.
 - Adjustments to grade
 - Pavement
 - Concrete walks, drive aprons, and curb replacement
 - ADA ramps and detectable warning pads replacement/installation
 - Concrete pavement area replacement
 - Asphalt partial and full-depth replacement areas
 - Asphalt resurfacing limits
 - Traffic Control
 - Traffic sign replacement
 - Pavement markings
 - Establish design criteria, standards, and specifications.
 - Develop preliminary cost estimate.
 - The engineer will verify scope and cost estimate with the client's expectations.



Task #60 Construction Documents

- The following services are included in the fee shown:
 - Preparation of 8.5x11" Construction Plan Exhibits shall be as follows:
 - Location Map
 - Pavement Typical Section
 - General Summary of Work Pay Items
 - Plan View Exhibits
 - Project Details
 - Design will include all details and specifications required for public bidding of a unit price contract, in accordance with industry standards.
 - Deliverables:
 - Construction Plan Exhibits to be included in the Bidding Documents

Scope of Services - Bidding and Award Tasks

Task #151 Bidding and Contract Documents

- The following services are included in the fee shown:
 - Preparation of bid documents including legal advertisement, instructions to bidders, bid forms, contract forms and affidavits, prevailing wage forms, EEO forms, scope of work, schedule, and other Owner forms and requirements to be added to the public bidding process.
 - These documents will be 100% complete, ready for bidding of the Public Project
 - Bid books will be made available for purchasing by bidders.
 - Contract Documents
 - Upon community legislation to award the construction bid, OHM will prepare (3) three copies of contract documents for execution, bonding, insurance, etc.
 - OHM will prepare the notice of commencement for signature(s)

Task #152 Bid Process, Review, and Award

- The following services are included in the fee shown:
 - Addendums/Clarifications
 - This activity is necessary to provide written explanation to all bidders for any questions regarding the bid documents and plans.
 - Depending upon the size and complexity of the project, multiple addendums/clarifications may be required for the project.
 - OHM will prepare addendums/clarifications and any necessary supporting documents and distribute to plan holders.
 - Post-Bid Activities
 - Evaluation of bids and contractor qualifications
 - Pre-Award Meeting to review all bid items with apparent low bidder.
 - Recommendation of Award to the Owner
 - The fee provided includes one bidding process only. In the event the project needs re-bid, a contract modification will be submitted for the additional bidding services provided.

Scope of Services - Construction Services Tasks

Task #175 Pre-Construction Services

- The following services are included in the fee shown:
 - Obtain signatures on work agreements.

OHM Advisors'

6001 EUCLID AVENUE, SUITE 130
CLEVELAND OHIO 44103

T 216.865.1335
F 330.319.8691

OHM-Advisors.com



- 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

- 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 = \$6,880**
- 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:

OHM Advisors'

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CLEVELAND OHIO 44103

T 216.865.1335
F 330.319.8691

OHM-Advisors.com



- 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

#	Information Gathering Tasks	Fee
Task #3	Pavement Cores	\$ 2,500
	Subtotal =	\$ 2,500
#	Design Engineering Tasks	Fee
Task #56	Pre-Design and Field Analysis	\$ 7,500
Task #60	Construction Documents	\$13,000
	Subtotal =	\$20,500
#	Bidding and Award Tasks	Fee
Task #151	Bidding and Contract Documents	\$ 3,000
Task #152	Bid Process, Review, and Award	\$ 3,000
	Subtotal =	\$ 6,000
#	Construction Services Tasks	Fee
Task #175	Pre-Construction Services	\$ 3,720
Task #176	Construction Services	\$41,280
Task #177	Post Construction Services	\$ 5,000
Task #178	Additional Construction Services (If Authorized)	TBD
	Subtotal =	\$50,000
	Grand Total =	\$79,000

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 as a lump sum.
- 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 (6) six weeks (30 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 2024
Design Engineering Tasks:	June 2024
Bidding & Award Tasks:	June – July 2024
Construction Services Tasks:	August – September 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.

OHM Advisors'

6001 EUCLID AVENUE, SUITE 130
CLEVELAND OHIO 44103

T 216.865.1335
F 330.319.8691

OHM-Advisors.com



FISCAL OFFICER'S CERTIFICATION

Date: June 10, 2024

Ordinance 39-2024

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

Not to exceed \$79,000.00

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:

#216 – Community Development Fund

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

Fiscal Officer/Finance Director

Vote Outcome: PASSED
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 40-2024

SPONSORED BY: MAYOR MATTHEW A. 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

WHEREAS, the City of Garfield Heights ("City") has requested and received funding from Cuyahoga County's ARPA Community Grant Fund for the Garfield Heights Park Equipment Upgrade project ("Project") in an amount not to exceed \$248,000.00 ("Award"); and

WHEREAS, in Ordinance 37-2024, the Council authorized the Mayor or his designee to accept the Award; and

WHEREAS, as part of the Project, the City desires to use a portion of the Award to design a new playground, remove existing play equipment and surfacing, and purchase and install new equipment and surfacing, including basketball systems, at the Frank J. Debelak Recreation Area; and

WHEREAS, the total cost of the equipment and design will be \$141,393.00; and

WHEREAS, at this time, the City wishes to enter accept a proposal from Snider Recreation Inc. to design the playground, remove existing, and purchase and install new play equipment and surfacing for the Frank J. Debelak Recreation Area; and

WHEREAS, the equipment and design are available for purchase without bidding through the City's membership with Sourcewell (formerly National Joint Powers Alliance) under Contract #010521-BUR at a total cost to the City not to exceed one hundred and fifty thousand dollars (\$150,000.00).

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

SECTION 1. The Mayor, or his designee, is hereby authorized to accept the proposal, attached hereto as Exhibit A, from Snider Recreation Inc., at a cost not to exceed \$150,000.00, to design a new playground, remove existing play equipment and surfacing, and purchase and install new equipment and surfacing, including basketball systems, at the Frank J. Debelak Recreation Area.

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: 6-10-2024

APPROVED: Matthew A. B. L.
MAYOR

Amy Pherson
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 6-10-2024

Exhibit A



Snider Recreation Inc.

10139 Royalton Road, Suite K
North Royalton, OH 44133

Ph (440)877-9151 Toll Free (800)888-2889 Fx (440)877-9159

www.cvsnyder.com

info@cvsnyder.com

Estimate

Date	Estimate #
6/5/2024	13671S

Name / Address
City of Garfield Heights Mary Nichols 5411 Turney Road Garfield Heights, OH 44125

Ship To
City of Garfield Heights Paul Birk, Sr. Director of Parks & Recrea 5411 Turney Road Garfield Heights, OH 44125

Terms	Rep	Customer Phone	Customer Fax	Tax Exempt Number	County
Due on Receipt	JS	216-475-7272 ex...	216-475-6686		Cuyahoga

Item	Description	Qty	Rate	Total
	Debelak Park			
BCI Burke	Play Design NU-3306 - Special pricing	1	21,347.00	21,347.00
560-2581	Verve VI Climber	1	5,990.00	5,990.00
BCI Burke	Belt Swing Seat Package	4	187.00	748.00
SRI	Basketball System - 5-9/16 OD gooseneck post, steel rectangle backboard, double rim with nylon net	2	2,900.00	5,800.00
SRI	Basketball System - adjustable, steel rectangle backboard, breakaway rim with nylon net	2	3,000.00	6,000.00
Freight	Shipping Charges	1	4,708.00	4,708.00
Installation	Removal of existing play equipment and poured rubber play surfacing	1	10,000.00	10,000.00
Installation	Installation of Equipment including basketball systems	1	16,000.00	16,000.00
Installation	Compacted stone base for poured rubber play surfacing	1	9,000.00	9,000.00
SRI	Poured Rubber Play Surfacing - 3,000 Sq Ft., 3.5" thick, 50% standard color 50% black speckled mix, material provided and installed	1	58,800.00	58,800.00
SRI	Engineered Wood Fiber Safety Surfacing - for existing swing area, 50 CY provided and installed	1	3,000.00	3,000.00
	Notes: Sourcewell Contract #010521-BUR Existing swing set frame stays			

If tax exempt certificate is not provided appropriate sales tax will be charged. Quote valid for 30 days.

Freight subject to fuel charge. Payment via credit card will incur an additional 3% administrative fee.

Subtotal	\$141,393.00
Sales Tax (7.75%)	\$0.00
Total	\$141,393.00

FEIN 46-5631661



FISCAL OFFICER'S CERTIFICATION

Date: June 10, 2024

Ordinance 40-2024

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

\$150,000.00

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:

#223 - ARPA Fund

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

Fiscal Officer/Finance Director

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 41-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

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

WHEREAS, in Resolution 27-2023, this Council authorized the Mayor, or his designee to apply for the Violent Crime Reduction Grant Program for 2024, administered by the Ohio Office of Criminal Justice Services (OCJS); and

WHEREAS, as a result of the application, the City of Garfield Heights was awarded a grant in the amount of \$403,295.00; and

WHEREAS, as part of the Violent Crime Reduction Grant Program, the City is now able to obtain an additional 2024 State Violent Crime Grant for license plate readers in the amount of \$60,500.00; and

WHEREAS, accordingly, the City wishes to apply for and, if approved, authorize acceptance of said 2024 State Violent Crime Grant.

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

SECTION 1. The Mayor, or his designee, is hereby authorized to apply for, and accept, the 2024 State Violent Crime Grant for license plate readers totaling in the amount of \$60,500.00 from the Ohio Office of Criminal Justice Services.

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: 6-10-2024

APPROVED: Matthew A. Burke
MAYOR

Amy Johnson
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 6-10-2024



FISCAL OFFICER'S CERTIFICATION

Date: June 10, 2024

Ordinance 41-2024

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

\$60,500.00

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 – Criminal Justice Services Grant Fund

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

Fiscal Officer/Finance Director

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO: 42-2024

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

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO APPLY AND ACCEPT GRANT FUNDING FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY'S OHIO TRAFFIC SAFETY OFFICE UNDER THE IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP) AND THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP), AND DECLARING AN EMERGENCY

WHEREAS, the U.S. Department of Transportation provides federal funds administered through the Ohio Department of Public Safety (ODPS), Ohio State Highway Patrol (OSHP) / Ohio Traffic Safety Office (OTSO) to eligible entities to be used in part for, but not limited to, traffic safety education, enforcement and awareness; and

WHEREAS, the City of Garfield Heights would like to apply for funding from ODPS under the Impaired Driving Enforcement Program (IDEP) and the Selective Traffic Enforcement Program (STEP); and

WHEREAS, IDEP and STEP provide funding to pay for officers to work additional shifts on specific days throughout the year (Super Bowl, Thanksgiving, Christmas, New Years, July 4th, etc.) where there is traditionally an increase in alcohol-related driving offenses.

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

SECTION 1. The Mayor is hereby authorized to apply for, and accept, the above-mentioned grant funding as deemed appropriate for the City of Garfield Heights.

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. This Resolution is hereby declared to be an emergency measure necessary for the peace, health, safety, and welfare of the citizens of the City of Garfield Heights, Ohio, and for the daily operation of the Municipal Department and shall be in full force and after passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 6-10-2024

APPROVED: Matthew A. Burke
MAYOR

ATTEST: Lottie Overly
CLERK OF COUNCIL

Avery Johnson
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 6-10-2024

Vote Outcome: passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

ORDINANCE NO.: 43-2024

SPONSORED BY: MAYOR MATTHEW A. 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

WHEREAS, The City of Garfield Heights would like to expend ARPA grant funding to replace the rooftop air-conditioning unit located at Garfield Heights Fire Station #1; and

WHEREAS, the rooftop air-conditioning unit located at Garfield Heights Fire Station #1 is original to the building and has sustained a catastrophic failure; and

WHEREAS, at this time, the City wishes to enter into an agreement with Relmec Mechanical, LLC to install a new Carrier rooftop air-conditioning unit at Garfield Heights Fire Station #1; and

WHEREAS, the aforementioned equipment is available for purchase without bidding through the City's membership with Sourcewell (formerly National Joint Powers Alliance) under Contract #070121-CAR at a total cost to the City not to exceed \$82,000.00.

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

SECTION 1. The Mayor or his designee is hereby authorized and directed to enter into an agreement with Relmac Mechanical, LLC for the purchase and installation of a rooftop air conditioning unit for Garfield Heights Fire Station #1 (agreement attached hereto as Exhibit A and incorporated as if fully written within) at a total cost not to exceed \$82,000.00.

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

PASSED: 6-10-2024

APPROVED: Matthew A. Burke
MAYOR

ATTEST: Lottie Overly
CLERK OF COUNCIL

Avery Rhoads
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 6-10-2024

Exhibit A



4975 Hamilton Avenue - Cleveland, Ohio 44114-3977 - Phone 216/391-1030 - Fax 216-391-1817
Plumbing - Heating - Air Conditioning - Power & Process Piping - Fire Protection

May 14, 2024

Garfield Heights
13600 McCracken Rd
Garfield Hts, Oh. 44125

Attn: Tony Lovano
Re: Fire Station 1 RTU replacement

Tony,

We propose to provide the labor and material to replace the 30 ton roof top unit on Fire Station 1. This will include the following primary items:

- Disconnect existing unit
- Provide crane service to remove and scrap the existing unit and set new unit
- Provide a new Trane unit of the same capacity, currently a 16 week delivery
- Provide curb adapter
- Reconnect to existing electrical
- Start up and one year warranty

Total Price \$ 92,650.00

Deduct \$ 20,000.00 from the price above to use a Carrier unit of the same capacity. Currently a 24 week delivery.

Please note: Our price is based on working hours of 7a.m. to 3:30p.m. Monday through Friday. Our price is good for 30 days. Both units are currently using R410A refrigerant. This will change soon and the units will change to R454B which will increase delivery times.

Thank you for the opportunity to quote you on this project. If you have any questions or require any additional information, please do not hesitate to call.

Sincerely,

Kurt Kendig

C: File

Equal Opportunity Employer



Address 9800 Rockside Rd
STE 1100
Valley View OHIO 44125
Phone 2163172155
Fax
E-mail jason.lockett@carrier.com

Contact Name Paul Sesse
Account CITY OF GARFIELD HEIGHTS
Phone (216) 310-8247

Site Address 5115 Turney Rd
Cleveland
OH
44125-2648
United States

Estimate Date 05/31/2024

Quote Number 00753797

Job Description S - Carrier RTU & controls turnkey project (FD #1)

Scope of Work

Carrier Commercial Service will provide a turnkey 30-ton VAV RTU (cooling only) to the Garfield Hts Fire Dept. #1. This project will be procured by Sourcewell. Sourcewell is a cooperative purchasing organization.
Carrier's contract # #070121-CAR
City of Garfield Hts is a member of Sourcewell

Pre-installation

CCS (Carrier Commercial Service) Project Manager will meet with Paul Sesse and others to discuss our plan for installation. We'll share details including a tentative timeline, delivery dates and other important details for installation
CCS will recover and dispose the existing refrigerant
Disconnect the electrical
Disconnect the existing piping and unit from the curb
Prep for installation

Installation

Remove existing unit
Crane in the new RTU
Set curb adapter and make sheet metal alterations
Reconnect power
Start & adjust

Controls

Install Carrier iVu (physical system will be at this site. The system will be "homebase" for Fd #2 and Civic equipment we're controlling)
Carrier's iVu system will control the pumps, boilers and the new RTU
CCS will install sensors, all new wiring to convert the existing pneumatic controls
Provide new controller(s)
Provide 16 hours of support

Equipment

50A7-030CNM54AHP
Packaged Rooftop Cooling Unit
VAV Vertical With GreenSpeed Intelligence
No Electric Heat
30 Tons
208/230-3-60
EconoMiSer
Modulating Power Exhaust
No Convenience Outlet
"Microchannel Heat Exchanger (MCHX) Condenser, Al/Cu Evaporator with Variable Compressor"
Galvanized Drain Pan

Quote #00753797

2-inch Filter Track
10 Hp Supply fan motor with Variable Frequency Drive (VFD) without VFD Bypass
Return Air Smoke Detector
Non-Fused Disconnect
Standard Ambient

Warranty
1st year complete unit
Year 2-5 compressor only

Work to be performed M-F during normal business hours

Exclusions / Clarifications

This quote does not include the waste disposal and labor performed outside normal business hours unless otherwise noted. In addition, the quoted price does not include any sales, excise, or similar taxes, any that apply will be added at cost.

Total Quoted Price

Total Price for Scope of Work excluding applicable taxes: \$98,000.00

This proposal is valid for 30 days from the date of proposal. Carrier's terms and conditions will govern in lieu of any other terms and conditions contained in any resulting Purchase, Order, Contract, Agreement, etc. Carrier would like to thank you for the continuing opportunity to be of service.

Sincerely,

Jason Lockett Sr

Carrier Commercial Service

Title

Customer Acceptance (signature)

Date

Purchase Order

The attached Terms & Conditions shall govern.



FISCAL OFFICER'S CERTIFICATION

Date: June 10, 2024

Ordinance 43-2024

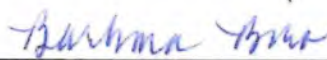
It is hereby certified that the amount, or estimated amount, identified as follows:

\$82,000.00

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:

#223 - ARPA Fund

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



Fiscal Officer/Finance Director

Vote Outcome: Passed
Yes: 6 No: 1
Adopted Date: 6-10-2024
Effective Date: 7-10-2024

RESOLUTION NO.: 14-2024

SPONSORED BY: COUNCILWOMAN DR. TENISHA MACK
CO-SPONSORED BY: COUNCILWOMAN STACEY 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

WHEREAS, the City of Garfield Heights recognizes the importance of equality and acceptance for all its residents and strives to be a community where all individuals are respected and celebrated; and

WHEREAS, the month of June is nationally recognized as LGBTQIA+ Pride Month, commemorating the Stonewall Riots of June 1969, which initiated the gay rights movement; and

WHEREAS, LGBTQIA+ Pride Month provides an opportunity to acknowledge the achievements, contributions, and struggles of LGBTQIA+ individuals and communities throughout history and to reaffirm our commitment to equality and inclusion for all; and

WHEREAS, the City of Garfield Heights is committed to promoting a safe, inclusive, and welcoming environment for residents and visitors regardless of their sexual orientation or gender identity; and

WHEREAS, celebrating Pride Month helps increase awareness, reduce discrimination, and promote a culture of respect and acceptance. It serves as a reminder of the ongoing efforts needed to achieve full equality and to combat discrimination and prejudice against the LGBTQIA+ community; and

WHEREAS, the City of Garfield Heights acknowledges the important work of LGBTQIA+ organizations and advocates who tirelessly work to advance the rights and well-being of LGBTQIA+ individuals.

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

SECTION 1. Garfield Heights City Council and the Mayor hereby officially recognize the month of June as LGBTQIA+ Pride Month in the City of Garfield Heights.

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

PASSED: 6-10-2024

APPROVED: Mark A.B.C.
MAYOR

Avery Johnson
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 7-10-2024

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 6-10-2024

RESOLUTION NO: 15-2024

SPONSORED BY: MAYOR MATTHEW A. 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

WHEREAS, the City of Garfield Heights owns the real property located on E. 88th Street,
Garfield Heights, Ohio, and known as Cuyahoga County Permanent Parcel Number 541-24-023
("Property"); and

WHEREAS, the Northeast Ohio Regional Sewer District, including its employees,
consultants, and contractor, desires to enter the Property for the purposes of a sewer maintenance
and rehabilitation project, and the City desires to permit temporary entry upon the Property.

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

SECTION 1. The Mayor is hereby authorized to enter into and execute the Right of Entry
Agreement, attached hereto as Exhibit A.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary
for the peace, health, safety, and welfare of the citizens of the City of Garfield Heights, Ohio, and
for the daily operation of the Municipal Department and shall be in full force and after passage
and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 6-10-2024

APPROVED: Matthew A. Burke
MAYOR

Avery Johnson
PRESIDENT OF COUNCIL

ATTEST: Lotho Overly
CLERK OF COUNCIL

EFFECTIVE DATE: 6-10-2024

Exhibit A

RIGHT OF ENTRY AGREEMENT

This Right of Entry Agreement is made this ____ day of _____, 20__, between the Northeast Ohio Regional Sewer District ("District"), a regional sewer district organized and existing as a political subdivision of the State of Ohio under Chapter 6119 of the Ohio Revised Code, acting pursuant to its Bylaws Article XIV.H.2 authority, and the City of Garfield Heights, an Ohio municipal corporation ("Owner") (collectively the "Parties").

WHEREAS, the Owner owns the real property located on E. 88th Street, Garfield Heights, Ohio, and known as Cuyahoga County Permanent Parcel Number 541-24-023 ("Property"); and

WHEREAS, District, including its employees, consultants, and contractor, desires to enter the Property for the purposes of a sewer maintenance and rehabilitation project, and Owner desires to permit entry upon the Property.

NOW, THEREFORE, in consideration of the terms and conditions herein stated, District and Owner agree as follows:

1. Owner hereby grants District, its employees, consultants, and contractor, the right of entry and the right to use the Property for the construction of the District's maintenance and rehabilitation project ("Project").
2. The Property will be used for construction, construction staging, material storage, and access to the Project work site.
3. This Agreement is temporary. It shall commence upon the date listed above (the "Commencement Date") and shall expire and automatically terminate on December 31, 2024. Upon the expiration of the term of this Agreement, the District shall take any and all reasonable action requested by Owner to evidence the termination of this Agreement.
4. The District shall promptly restore the Property to its condition, as nearly as possible, prior to any disturbance to the Property by the District, its employees, agents, designees and/or contractors during the exercise of its rights herein.
5. The Project and access to the Property by the District, its employees, agents, designees and/or contractors shall not interfere with Owner's use and occupancy of the Property and, if requested by the Owner, the District shall schedule its Project to minimize any interference with the Owner's use and occupancy of the Property.
6. The District is responsible for all costs associated with the Project. The Owner acknowledges that no compensation is due Owner for authorizing access onto Owner's property or as a result of the Project.
7. This Agreement shall be construed and enforced in accordance with the laws of the State of Ohio without regard to its choice of law provisions.

8. This Agreement may be executed by email and/or in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which together shall constitute one and the same instrument.
9. The Owner shall have the right to assign its rights and obligations pursuant to this Agreement to any purchaser of the Property. The District shall cooperate with the Owner to execute on a timely basis any and all documents required by the Owner in connection with such assignment.
10. Each party to this Agreement agrees that it will be responsible for its own acts and omissions and the results thereof; and, shall not be responsible for the acts and omissions of the other party and the results thereof. Each party agrees that it will assume all risk and liability to itself, its agents, or its employees for any injury to persons or property resulting in any manner from conduct of its own operations and the operations of its agents or employees under this Agreement.
11. This Right of Entry Agreement becomes effective upon owner signing document.

IN WITNESS WHEREOF, the Parties hereunto have caused this Agreement to be executed on the day and year first above written.

NORTHEAST OHIO REGIONAL SEWER DISTRICT

By: _____
Kyle Dreyfuss-Wells, Chief Executive Officer

CITY OF GARFIELD HEIGHTS

By: Matthew A Burke

Print: Matthew A Burke

Title: MAYOR

The legal form and correctness of the within instrument is hereby approved.

Eric Luckage
Chief Legal Officer

By: _____
Julie A. Blair
Assistant General Counsel
Date: _____

Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: 7-10-2024

RESOLUTION NO.: 17-2024

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

A RESOLUTION BY THE MAYOR AND COUNCIL ON BEHALF OF THE RESIDENTS OF THE CITY OF GARFIELD HEIGHTS HONORING AND COMMENDING GARFIELD HEIGHTS FIREFIGHTERS: CAPT. JAMES TOTH, DAVID POHLCHUCK, STEVE KORDAS, LT. 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

WHEREAS, the Mayor and Council on behalf of the residents of the City of Garfield Heights wish to honor Garfield Heights firefighters Capt. James Toth, David Pohlchuck, Steve Kordas, Lt. Mark Creque, Daniel Hough, Devin Milam, Joshua Russ, Kevin Straka, and Colin Wilson, and responding police officers and dispatchers, for bravely helping rescue Garfield Heights residents from a burning home on May 31, 2024; and

WHEREAS, these Garfield Heights firefighters and police officers put their own wellbeing at risk by rescuing others, representing a symbol of strength, compassion and an inspiration to others.

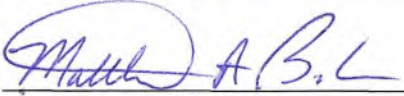
NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Garfield Heights, Ohio that:

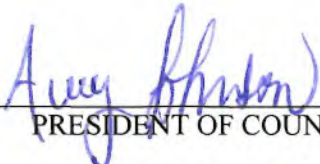
SECTION 1. The Mayor and Council on behalf of the residents of the City of Garfield Heights join to pay tribute to Capt. James Toth, David Pohlchuck, Steve Kordas, Lt. Mark Creque, Daniel Hough, Devin Milam, Joshua Russ, Kevin Straka, and Colin Wilson, as well as to the responding police officers and dispatchers, and congratulate them on their selflessness and bravery.

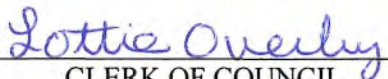
SECTION 2. The Clerk of Council is hereby authorized and directed to transmit a copy of this resolution to the local news media.

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

PASSED: 6-10-2024

APPROVED: 
MAYOR


PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL

EFFECTIVE DATE: 7-10-2024

MINUTES OF A CAUCUS COUNCIL MEETING
CITY OF GARFIELD HEIGHTS, OHIO
Monday May 13, 2024 - 6:30 pm

Council President Avery Johnson called to order the Caucus Meeting at 6:31 pm

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 LAST MEETING MINUTES:

Councilman Kelley made a motion to dispose of caucus meeting minutes from the April 22nd Meeting. Councilwoman Collier Seconded.

All in favor say Yes: 7 Yes to 0 Oppose.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilwoman Collier to lead on the floor.

COMMUNICATIONS TO COUNCIL

Councilwoman Newrones has a report from Brilliance School

COMMITTEE REPORTS:

None reported

REPORTS FROM DIRECTORS:

Finance Director, Barb Biro asked for support from council on Ordinance 29-2024 and 30-2024 for the calculation of the average pay fund for the police and fire department for the raises they will be receiving. She also asked for support on Ordinance 31-2024 to apply for the ODOT Salt contract. The city will be requesting 3000 tons.

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

-Antenucci Blvd should have two-way traffic by the end of the month depending on the weather.

-E. 98 is nearing completion by the end of the month.

-The multi-street Project which is the water main project: Russel Avenue wrapped up the landscaping last week. E. 98th the houses are being connected to the new main. Wadsworth

Ave, the houses are being connected to the new main. Next up is 115th street, and then Shady Oak Blvd will be the last and is about a month to six weeks out.

Law Director Milko Cecez gave a brief statement on Ordinance 32 which is the ability to culvert and need a temporary easement for up to 12 months for \$800. Resolution 09-2024-County nine review Committee select a person in Euclid for the 911/emergency line/

Chief of Staff Jeff Jerome asks for support on Resolution 09 and 10, 11-2024 from the Mayor's office. Resolution 12 is for recognition of Marcia Fudge sponsored by Councilman Kelley and Resolution 13 from Councilwoman Mack to recognize May as Mental Health Awareness

Other Business:

Councilwoman Collier asked for some housekeeping on Seconding Motions and asked if the same person could second all the motions on each piece of legislation introduced. All agreed it was a great idea.

The Caucus meeting prematurely adjourned but was re-opened to discuss Ordinance and Resolutions.

ORDINANCES AND RESOLUTIONS:

Ordinance 29-2024: Councilman Kelley to introduce

Ordinance 30-2024: Councilwoman Newrones to introduce

Ordinance 31-2024: Councilman Smith to introduce

Ordinance 32-2024: Councilwoman Tonsing to introduce

Resolution 09-2024: Councilwoman Collier to introduce

Resolution 10-2024: Councilwoman Mack to introduce

Resolution 11-2024: Councilman Kelley to introduce

Resolution 12-2024: Councilman Kelley to introduce

Resolution 13-2024: Councilwoman Mack to introduce

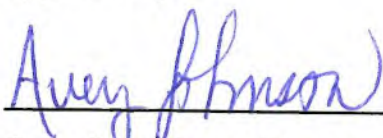
Adjournment

Councilwoman Collier Made a motion to adjourn the meeting. Councilwoman Tonsing second. All in favor say Yes. 7 Yes – 0 Opposed

The meeting adjourned at 6:49 pm.

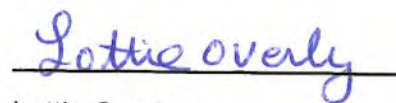
Vote Outcome: Passed
Yes: 7 No: 0
Adopted Date: 6-10-2024
Effective Date: Approved

Approved by:



Councilman Avery Johnson
Council President

Respectfully submitted by:



Lottie Overby
Clerk of Council

**MINUTES OF A REGULAR COUNCIL MEETING
CITY OF GARFIELD HEIGHTS, OHIO
Monday – May 13, 2024 – 7:00 pm**

Amended: Page 9

The meeting was called to order at 7:00 pm

PRESIDENT JOHNSON: First of all let me say welcome everyone to the Garfield Heights City council meeting. We're glad to see our residents present tonight. Glad to see all of our colleagues here on council again night and we will promptly begin with tonight's with our invocation, and then our Pledge of Allegiance by Councilwoman Collier. Immediately following after that, I want to just say to everybody, we're going to have a moment of silence, and I'll remind you again for the officer that lost his life in Euclid Saturday

INVOCATION AND PLEDGE OF ALLIGIANCE

CLWN COLLIER: God, we do good work, important work. Continue to instill in us a spirit of service for our community. We ask that you bring us together in this difficult time as we pray for Euclid police officer Jacob Durbin, please grant us the strength to show compassion and understanding towards law enforcement and one another in our communities. May we use this tragedy to unite as one community to stop gun violence. Help us to honor not just also Durbin, but all the fallen officers throughout the years and remember their service to our communities. We pray for peace and comfort to his friends, family, community and colleagues. Help us to show love and kindness to one another. May the fruit that we bear from this tragedy help us to strive for a better tomorrow. We ask this as we ask all things in your name. Amen.

The Pledge of Allegiance was recited by all.

PRESIDENT JOHNSON: Please remain standing. At this time, I'd like to ask everyone that to remember office Sir Jake Durbin while we have a moment of silence for him. (Moment of Silence)

PRESIDENT JOHNSON: Madam Clerk, can we have a roll call please?

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 LAST MEETING MINUTES

PRESIDENT JOHNSON: We have a quorum. At this time, can I get a reading of the disposal of our last minutes?

CLMN KELLEY: Mr. President, I make a motion to dispose/accept the minutes from our last Council meeting. Monday, April 22.

PRESIDENT JOHNSON: It has been so moved by Councilman Kelley to accept our last minutes on April 22. Can I get a second please? (Councilwoman Collier Seconded).

PRESIDENT JOHNSON: All those in favor say Yes. Any Oppose say No: Vote: 7 yes- 0 No

COMMUNICATION TO COUNCIL AND COMMITTEE REPORTS

PRESIDENT JOHNSON: At his time, do we have any written Communications to Council?

CLWN NEWRONES: I had a written communication from the Brilliance school. They just wanted to let everyone know that May 30 will be their last day of school. On May 23rd. They'll be celebrating Kindergarten and Eighth grade graduation and they wanted to let everyone know that they are holding a summer camp with serene counseling and wellness, and that will be held June 3 through the 27th and they do have fliers if anyone is interested in the camp. Thank

PRESIDENT JOHNSON: Thank you very much for your report. Councilwoman Newrones. Are there any committee reports at this time? Any committee reports? There are none. We'll move right along to the report for the mayor or the directors.

MAYOR BURKE: Thank you, Mr. President, Council. I don't have much of a report today but just wanted to let you all know I came back from Jamaica that's the reason why I have this tan. Just got off the plane about a half an hour ago. I had the exquisite pleasure of sitting next to one of our residents, the entire flight back from Jamaica. Her name is Aisha Ransom. And she lives in Ward one on Osborne. We were talking about you Stacey and how great of a job you're doing and I'm happy to report that she wants to be on the Community Development Committee so you never know where you're going to be but I'm always promoting Garfield Heights. I just want to remind everybody that we have a town hall meeting coming up on Thursday evening. We are still also hiring. At the town hall meeting, it's at I believe 6:30-8pm. We're going to introduce the Rec department to you. The all new rec department. And then also we are in the midst of trying to hire for lifeguards and grass crew members. My office has been getting phone calls about the grass and we're trying to tackle the grass however, we only have one crew. So if you know anybody that's interested in making about 13 or \$14 an hour, have them apply it are on our website, have them call and we will try to get them employed if they can use a lawn mower. And then, I just want to remind everybody about the Memorial Day event coming up May 25 26th and 27th. We have our three- day event coming up and I appreciate everybody's support on all that. And then also happy belated Mother's Day to all the moms out there, as of yesterday. The only other thing I have is and I will defer to the to my Chief of Staff for the the other legislation but I just asked her support for Resolution 10- 2024 from my colleague, Mayor Gale in Euclid. She has stepped up to volunteer to be our voice for all the communities In regards to the 911, new system that they want to impose. So with that, you have my report. Thank you.

REPORT FROM THE MAYOR AND DIRECTORS

PRESIDENT JOHNSON: We thank the mayor for his report. Can we move over to the Chief of Staff?

JEFF JEROME-Chief of Staff: Thank you Mr. president. I'll be brief. We asked your support this evening on Ordinances 29 and 30. It's our average pay ordinances that we put up every time or every year at this time. Ordinance 31. Is us getting ready to purchase rock salt for next winter. It's also one

that comes up about this time each year. Ordinance 32. As the law director, described, during caucus, it's fair an agreement with ODOT to get some work done on a piece of property that we have control over. The mayor touched on both resolutions for with respect to county 911. Resolution number 11. we asked your support now that we're receiving an updated parks and transportation master plan. Resolution 12, it was brought forth by Councilman Kelly. We asked your support on that. And then resolution 13 from Dr. Mack. We ask for your support on that as well. Thank you, Mr. President.

PRESIDENT JOHNSON: At this time we have our law director, Mr. Milko

Law Director: Milko Cecez: Thank you, Mr. President. I do not have a report. Thank you.

COMMENTS ON TONIGHTS AGENDA

PRESIDENT JOHNSON: There is no comments on tonight's agenda. So we'll move right all along. We'll move into our Ordinances for tonight and resolutions. We will begin with Ordinance No. 29-2024.

ORDINANCES AND RESOLUTIONS

ORDINANCE NUMBER 29-2024: SPONSORED BY MAYOR MATTHEW BURKE

CO- SPONSORED BY COUNCIL AS A WHOLE:

AN ORDINANCE AMENDING ORDINANCE NUMBER 46- 2023 TO UPDATE THE SALARIES OF THE POLICE DEPARTMENT FOR 2024 IN ACCORDANCE WITH SECTION 41 OF THE GARFIELD HEIGHTS CHARTER AND DECLARING AN EMERGENCY.

CLMN KELLEY: Mr. President, I make a motion to consider ordinance 29-2024 by title.

PRESIDENT JOHNSON: It has been so moved by Councilman Kelley for ordinance number 29-2024.

Can I get a second? (Councilwoman Newrones: I Second) It's been so moved and seconded by Councilwoman Newrones. Councilman. All those in favor Say yes. Any opposed say no.

Vote: 7 yes - 0 No

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

PRESIDENT JOHNSON: It's been so moved by Councilman Kelley for suspension of the reading rules.

Can I get a second? (Councilwoman Newrones: I'll second) It's been so moved and second by Councilwoman Newrones. All those in favor say yes. Any opposed say no: Vote: 7 Yes- 0 No

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

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

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

Roll Call on the Adoption of Ordinance 29-2024

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

Vote: 7 Yes - 0 No Passed

PRESIDENT JOHNSON: That passes Seven to zero. We'll move on to our next ordinance council Clerk, please.

ORDINANCE NUMBER 30-2024: SPONSORED BY MAYOR MATTHEW BURKE, CO-SPONSORED BY COUNCIL AS A WHOLE.

AN ORDINANCE AMENDING ORDINANCE NUMBER 47- 2023 TO UPDATE THE SALARIES OF THE FIRE DEPARTMENT FOR 2024 IN ACCORDANCE WITH SECTION 41 OF THE GARFIELD HEIGHTS CHARTER AND DECLARING AN EMERGENCY.

CLWN NEWRONES: Mr. President, I'd like to make a motion to accept Ordinance 30-2024 by title.

PRESIDENT JOHNSON: It's been so moved by Councilwoman Newrones to consider by title. Can I get a second please? (Collier: I'll second) It's been so moved in second by Councilwoman Collier, all those in favor say yes, 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. That

PRESIDENT JOHNSON: Mr. President, I would like to make a motion to waive rule 24.

PRESIDENT JOHNSON: It's been so moved by Councilwoman Newrones for the waiver of rule 24.

Can I get a second, please?(Collier: I'll second) It has been so moved and seconded by Councilwoman Collier. All those in favor say yes, Any opposed say no. Vote: 7 Yes- 0 No

PRESIDENT JOHNSON: It's been so moved by councilman Newrones to suspend the three-reading rules. Can I get a second please? (Collier: I'll second) It's be moved and seconded by Councilwoman Collier. All those in favor say yes, Any opposed say no. Vote: 7 Yes - 0 No

PRESIDENT JOHNSON: I will call for a roll call on the adoption beginning with Clwn Newrones.

Roll Call on the Adoption of Ordinance 30-2024

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

Vote: 7 Yes- 0 No ----- Passed

PRESIDENT JOHNSON: That passes seven to Zero... Council clerk.

ORDINANCE NUMBER 31-2024: SPONSORED BY MAYOR MATTHEW BURKE

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A PURCHASING PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF SODIUM CHLORIDE, ROCK SALT FOR THE 2024 2025 SEASON.

CLMN MARK SMITH: Mr. President, I move to consider by title ordinance Number 31-2024.

PRESIDENT JOHNSON: It been so moved by title by Councilman Smith. Can I get a second?

(Tonsing-I'll second). It has been so moved in second by Councilwoman Tenzin. All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No

CLMN MARK SMITH: I moved to suspend the three-reading rules.

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

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

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

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

Roll Call on the Adoption of Ordinance 31-2024

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

Vote: 7 Yes - 0 No Passed

PRESIDENT JOHNSON: That passes Seven to zero.

ORDINANCE NUMBER 32-2024: SPONSORED BY MAYOR MATTHEW BURKE
AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE
TO ENTER INTO A TEMPORARY EASEMENT AGREEMENT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION TO AID THE REHABILITATION OF CULVERTS.

CLWN TONSING: Mr. President, I'd like to make a motion to consider by title ordinance No. 32-2024.

PRESIDENT JOHNSON: It has been so moved by Councilwoman Tonsing for Ordinance No. 32-2024.
Can I get a second, please? (Kelley: I Second) It's been so moved and seconded by Councilman
Kelley. All those in favor Say Yes. All those 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 to suspend the three rules by Councilwoman Tonsing
Can I get a second, please ?(Kelley: Second) It's been so moved in second by Councilman Kelley. All
those in favor say yes. Any appose say No. Vote: 7 Yes- 0 No.

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

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

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

Roll Call on the Adoption of Ordinance 31-2024

Tonsing-Yes, Kelley-Yes, Newrones-Yes, Collier-Yes, Mack-Yes, Smith-Yes, Johnson Yes
Vote: 7 Yes - 0 No Passed

PRESIDENT JOHNSON: That passes Seven to zero.

RESOLUTION NUMBER 09- 2024: SPONSORED BY MAYOR MATTHEW BURKE
AN EMERGENCY RESOLUTION APPROVING THE CUYAHOGA COUNTY 911 PLAN AS ADOPTED
BY THE CUYAHOGA COUNTY 911 PROGRAM REVIEW COMMITTEE.

CLWN COLLIER: Mr. President, I would like to make a motion to consider resolution 9-2024 by title.

PRESIDENT JOHNSON: It has been so moved by Councilwoman Collier to consider by title. Can I get
a second? (Mack: I Second? It's been so moved and seconded by Councilwoman 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 Clwn Collier to suspend the three-reading rule. Can
I get a second please?(Mack: I second). It has been so moved in second by Councilwoman Mack. All
those in favor say yes. Opposed say no. Vote: 7 yes- 0 No.

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

Roll Call on the Adoption of Resolution 09-2024

Collier-Yes, Mack-yes, Smith-Yes, Johnson-Yes, Tonsing-Yes, Kelley- Yes, Newrones- Yes,
Vote: 7 Yes - 0 No---- Passed

PRESIDENT JOHNSON: That passes Seven to zero. All right. We'll move right into our comments by citizens. Clerk, can you please read the rules? Hold off on that. Okay. No one signed it. We must want to get to that basketball game pretty bad.

CLMN KELLEY: Point of order. Is there a waiver of rule 24 or do we need to do that?

PRESIDENT JOHNSON: It's a resolution. There's no money involved.

CLMN KELLEY: I'm sorry. We just all out of sorts of night. My apologies.

PRESIDENT JOHNSON: That passes Seven to zero.

RESOLUTION 10- 2024: SPONSORED BY MAYOR MATTHEW BURKE

AN EMERGENCY RESOLUTION SELECTING MAYOR HOUSE HOMER GAIL, AS THE MAYOR OF THE CITY OF EUCLID IN CUYAHOGA COUNTY TO SERVE AS A MEMBER OF THE CUYAHOGA COUNTY 911 PROGRAM REVIEW COMMITTEE,

CLWN MACK: Mr. President, I make a motion to consider by title or resolution 10-2024.

PRESIDENT JOHNSON: It has been so moved by title by Councilwoman Mack. Can I get a second, please? (Collier: I Second). It has been so moved and seconded by Councilwoman Collier. All those in favor say yes, Any opposed say no. Vote: 7 yes- 0 No

CLWN MACK: I would like to make a motion to suspend the three-reading rule.

PRESIDENT JOHNSON: It has been so moved and by Councilwoman Mack to suspend the three-reading rule. Can I get a second, please? (Collier: I'll second) It has been so moved and seconded by Councilwoman Collier. All those in favor say Yes. Any opposed say no. Vote: 7 yes - 0 No

I will call for the adoption beginning with Councilwoman Mack.

Roll Call on the Adoption of Resolution 10-2024.

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

Vote: 7 Yes - 0 No Passed

PRESIDENT JOHNSON: That passes Seven to zero.

RESOLUTION NUMBER 11- 2024. SPONSORED BY MAYOR MATTHEW BURE

AN EMERGENCY RESOLUTION DIRECTING THE MAYOR TO ACCEPT THE CITY OF GARFIELD HEIGHTS, PARKS AND TRANSPORTATION MASTER PLAN PREPARED BY O M.

CLMN KELLEY: Mr. President I'll make a motion to consider by title Resolution 11- 2024.

CLMN SMITH: Point of order. Ordinance.

CLWN COLLIER: It's a Resolution.

CLMN KELLEY: Right. Thank you. I'll make a motion to consider by title resolution 11-2024.

PRESIDENT JOHNSON: It's been so moved by title by Councilman Kelley. Can I get a second?

(Tonsing: I Second) It has been so moved and seconded by Councilwoman Tonsing. All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No

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

PRESIDENT JOHNSON: It has been so moved by Councilman Kelley to suspend the three reading rules. Can I get a second? (Tonsing: I Second) It's been so moved in second by Councilman Tonsing. All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No I will call for an adoption on the beginning with Councilman Kelley.

Roll Call on the Adoption of Resolution 11-2024

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

Vote: 7 Yes - 0 No ---- Passed

PRESIDENT JOHNSON That passes Seven to zero.

RESOLUTION NUMBER 12- 2024 SPONSORED BY COUNCILMAN CLIFFORD KELLEY,
CO-SPONSORED BY ALL OF COUNCIL
A RESOLUTION BY COUNCIL HONORING MARCIA FUDGE FOR HER OUTSTANDING SERVICE
TO THE OHIO'S 11TH CONGRESSIONAL DISTRICT AND TO THE UNITED STATES OF AMERICA.

CLMN KELLEY: Mr. President, I make a motion to consider resolution 12-2024 by title

PRESIDENT JOHNSON: It has been so moved by Councilman Kelley for a resolution number 12-2024.
Can I get a second? (Newrones: I Second) It has been so moved and seconded by Councilwoman
Newrones. all those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No

CLMN KELLEY: Mr. President, I'll make a motion to suspend the three-reading rule.

PRESIDENT JOHNSON: It has been so moved by Councilman Kelley to suspend the three- reading
rules. Can I get a second? (Newrones: I Second). It's been so moved and seconded by
Councilwoman Newrones. All those in favor say yes. Any opposed say no. Vote: 7 Yes - 0 No I will
call for a roll call on the adoption beginning with Councilman Kelley.

CLMN KELLEY: Before I vote on this, I thought it very necessary that we esteem her high for the work
that she's done. Not just her work in HUD, representing Cleveland as she worked, , in our government,
United States, but her work in the city. She's been a jewel and a Gem and I think she deserve some
type of recognition before she goes on to whatever her next venture is in life. And so with that, I simply
just say yes.

Roll Call on the Adoption of Resolution 12-2024.

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

Vote: 7 Yes - 0 No ---- Passed

PRESIDENT JOHNSON: That passes Seven to zero.

RESOLUTION NUMBER 13- 2024: SPONSORED BY COUNCILWOMAN DR. TANISHA. MACK,
CO-SPONSORED BY ALL OF COUNCIL
A RESOLUTION RECOGNIZING ME AS MENTAL HEALTH AWARENESS MONTH IN THE CITY OF
GARFIELD HEIGHTS.

CLWN MACK: Mr. President, I'd like to make a motion to consider by title resolution 13-20 24.

PRESIDENT JOHNSON: It been so moved by Councilwoman Mack to consider by title. Can I get a
second, please? (Tonsing :I'll second). It has been so moved and second. All those in favor say yes.
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. It has been
so moved by Councilman Mack to suspend the three ring rules. Can I get a second, please?
(Tonsing :I'll second). It has been so moved and second. All those in favor say yes. Any opposed say
no. Vote: 7 yes - 0 No. I will call for the roll call and adoption beginning with Councilwoman Mack.

Roll Call on the Adoption of Resolution 13-2024

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

Vote: 7 Yes - 0 No Passed

PRESIDENT JOHNSON: That passes Seven to zero. All right. We'll move right into our comments by
citizens. Clerk, can you please read the rules? Hold off on that. Okay. No one signed it. We must want
to get to that basketball game pretty bad.

MISCELLANEOUS BUSINESS

PRESIDENT JOHNSON: At this time we'll go to miscellaneous business. And we'll begin with Ward one. Councilwoman Collirt.

CLWN COLLIER: Thank you. I'll keep it short and sweet. I just want to say first happy belated Mother's Day to all the mothers out there. Be blessed the rest of the year. Community picnic at Holy Spirit church being sponsored by Holy Spirit church, smart Academy, and Councilwoman Collier will be August the 11. All are welcome. It is a community event. Art reaching kids is a program that we have in Ward one for the youth of Ward one. Which includes hair braiding, bucket drumming and African dance. They will be having a performance of some of their; to showcase some of the talent that has come out of the first seven weeks of the program. This Sunday at two o'clock at Holy Spirit church. That's May 19 at 2pm at Holy Spirit church. We are doing monthly cleanups, community cleanups in Ward one. If you want to clean your street, please give me a call. I will supply trash bags, face masks and gloves. Lastly, the James Foundation has a presentation tomorrow at Garfield Heights High School in the evening, I want to say it's 4pm. I would have to do a double check. In the talk at the James foundation is founded because a young man was sex torsion and he committed suicide. So this James foundation talks about talks to young people and family members about how to find out about sex torsion. And if you're being extorted by for sexual contact, or what to do. I'll tell you it's a good presentation. Please go see it. It's very moving. And that concludes my report.

PRESIDENT JOHNSON: Thank you, Councilwoman Collier, let's move over to ward two and Councilwoman Mack.

CLWN MACK: Hello, Good evening, everyone. I like to thank everybody, all my colleagues for their support on the mental health awareness, resolution. And what, nine years dedicated in the field and 24 years of experience, this resolution was really important to me. And it also provides a dedicated platform to raising awareness and reducing stigma and performance understanding when it comes to mental health awareness. Also May is recognized for Lupus Awareness Month as well, which is also dedicated to re- raising awareness about lupus and which most people may know it's a chronic autoimmune disease that affects millions were worldwide and basically is there to celebrate it too. Educate, advocate and support those with lupus. And also, I wanted to make sure my support and my condolences for the family of Officer Jacob Durbin and as well as the Euclid Police Department and the city of Euclid. Ward two community club meeting on May 25. It is cancelled since nobody show up. That's all I have.

PRESIDENT JOHNSON: All right. We'll move right along with Councilman Mark Smith.

CLMN MARK SMITH: Thank you, Mr. President. My comments tonight are relevant to the format that we were given at the beginning of Council and I'm appreciative of the mayor for giving these this type of format being a new council person. I just I feel the need to address one particular portion and that is this portion of our meetings. Number 11. It says miscellaneous business and in bold letters it says make sure comments pertain to the city. Make sure the comments pertain to the ward. I am a firm believer that we as city council members should be good stewards of our taxpayer's money. I am here tonight to make a plea to my colleagues to please keep the message pertaining to our city and to our ward. I don't have time to hear about no punt intended Lottie Dottie and everybody I want to hear about my city. I want to hear about my ward. I think this is not an opportunity for any of us to use it as a launching tool or some kind of an aggressive attack on anyone. So if we could please maintain that and make sure we are in direct format and direct in line with the city and Ward business. It would be greatly

appreciated. So keeping that in mind, let's not be guilty of condemning my own self. The ward three police are that is the police department of Garfield Heights. I have had some discussion about the parking ban from 2am. till six. So we are taking an effort, we've had discussions with the chief about a focus and it is merely a focus on ward three, they're going to try to attempt to do a little bit more ticketing. So this is to our ward in ward three right now. They are the highlight of this new initiative that they're going to try to pull off. We, well, I am in hopes that we don't get complaints because we didn't take it this street or that street. It is merely a focus. Just a word of advice or information I should say to Councilwoman, Stacy, that James foundation is at 6pm. And that's all I have for tonight. Thank you.

PRESIDENT JOHNSON: Thank you, Councilman Smith, for your remarks. Duly noted. We'll move right along with Councilwoman Tonsing in Ward five.

CLWN TONSING: Good evening, everyone. Thank you for coming. And to those who are watching. I just have a couple reminders on this week is the last week for hazard waste collection. That is 730 to 3pm. And that is at 13600. McCracken, it's the last week for that. There's also the food bank distribution center and that is at the Civic Center. And that is May 15, 1pm to 2pm and may 16, 5pm to 6pm. And you can call 475-3244 to see if you qualify. Also shred date is May 18. I had some calls for that. That is 9am till noon, and that is at the Civic Center. Also, Marymount has their produce drive on May 22 and that's 12 to 2pm and bring an ID. And last but not least, if you have a complaint for grass, I'm going to give you the number it is 475-7776. You can call there and you can give the address and they will see to it that the grass will be cut. So and with that my prayers go out to the Euclid police officer Jacob Durbin. I feel for his family. And I'm just horrified by the heinous act of violence, towards our police officers. I just pray for his family. And with that, I hope you all have a good night and stay safe.

PRESIDENT JOHNSON: Thank you Councilwoman Tonsing for your remarks. Move over to Councilman Kelley for ward Six.

CLMN KELLEY: Good evening, everyone. Thank you Ms. Tonsing for the number. That was the first thing on my agenda to talk about the lawns. The information that's coming in and it is being passed on to where it needs to go. Or I should say the data has been collected. I'll just say that since I've sat here, this is one of the better years at this point. Not that uh, at least from my perspective, from what I've seen, but still, that let's be mindful those of us who actually live in our home, let's be mindful of just you know, taking some diligence to beautify, you know, what we have and everything it is a reflection of ourselves and a reflection of the city and I understand the vacant houses that we have to deal with. And so, again, as was already stated earlier, by the Mayor and I think, Mr. ^{Birk 30} Jerome now that the staff is being built something that they can address What's the blight? You know, in our wards. And so those of us who can take care of our business, let's just be diligent to do that. I want to make sure that it's clearly understood that whenever I make a comment, I'm always talking about representing our city. Well, whether it's the ward or the city, we reflect the city. So, you noticed, that's it? That's very clear. We are ambassadors of our wards and we collectively we are ambassadors of this city. is very clear. And with that, I'm done.

PRESIDENT JOHNSON: I thank Mr. Kelley for his remarks. We'll move right along towards seven Councilwoman Newrones.

CLWN NEWRONES: Hello everyone. I just wanted to I know you probably sick of hearing this by now. But the Memorial Day Parade is coming up. Yeah, our final parade meeting is May 22. This is the last

time this year you'll have to hear me say it. Six o'clock at the Civic Center. So it's your last chance to get in the parade if you'd like to get in, or I need volunteers for the day of the parade. So if you're willing to give a hand, I would appreciate it just contact me. I also wanted to make you aware of the Memorial Day events that are planned on the 25th 26th and the parade on the 27th. We'd invite you all to come out, spend some time with us and honor those heroes that died for freedom. The parade will start at Maple Leaf at 10am and it will travel north on Turney road up to the Civic Center, where there will be a ceremony at 11 o'clock at the Veterans Memorial. Also May 30 will be my block watch at 7pm at St. Benedict's in the cafeteria. Everyone is welcome to join us for that. And with that you have my report.

PRESIDENT JOHNSON: I want to thank my colleagues for your time and remarks tonight. I know if I want to get to that basketball game and since I'm the Council President, I'm not going to delay us getting out of here tonight. But one of the things I would like to again is to remember the life lost and Officer Jacob Durbin in Euclid. A lot of times, you know, we take things really for granted. Life can be very short. But this young man was about 23 I think somewhere between the 23 years of age, and he lost his life to an act of violence by a person that had a gun. I think again, and this is pertaining to our business here in the city, that we have to ask our residents to take a look at downstate, in Columbus, who are passing laws that does not address trafficking of those guns across the state of Indiana, the state of Michigan that comes into Ohio and comes into our major city areas like Cleveland. And since we are a suburb of Cleveland, it directly impacts us and impacts other areas of surrounding Cleveland. I want to thank you again. Keep this officer and his family in your prayers. It is really special to me because this young man belongs to the Army Reserves and I have a special place in my heart for those that served in the military and his entire family. He already put his life on the line for his country, as well as for his state and we must keep that in mind. All of my colleagues had great information tonight. From grass cutting details. I want to thank Councilwoman Mack for addressing the health issues. I want to thank Councilman Kelley for honoring Congress, our former Congresswoman that represented our district for well, Marcia Fudge, I want to talk about the safety meeting that Councilwoman Mack had the other day. She did an excellent job of addressing some issues here that we have in our city especially as parking that deals with a particular bar area here in the city. I just want to say again, thank you for everybody for your participation in that. I want everybody to remember again that the mayor is hosting on Thursday, May the 16th a town hall where you get to talk about our recreation department and some of the things they want to do. If you get some young people that are lifeguards, please tell everybody we're looking for them. And again, for my colleagues, I talked about the grass cutting detail. I went out and cut my grass today. I'm talking about so we're trying to be not only that, but we're setting good examples and we're trying to represent our communities as well by taking care of our own yards. Don't forget about the hazard waste collection. Don't forget about the shredding. And this Councilman will begin to start having in Ward four, the best ward in the world here in Garfield heights. We will begin to start having pop ups to address our local neighborhoods. I'll begin that in June with our first pop up will be on Plymouth and 88th. With that note in mind, can I get a motion to adjourn?

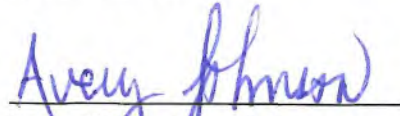
CLWN COLLIER: Mr. President, I'd like to make a motion to adjourn.

PRESIDENT JOHNSON: Can I get a second please? (Kelley Seconded). So moved and second by Clmn Kelley. All those in favor say yes. Any opposed say no.
Vote: 7 Yes - 0 No

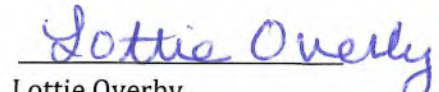
PRESIDENT JOHNSON: We are adjourned everybody.

The meeting adjourned at 7:48 pm

Approved by:


Councilman Avery Johnson
Council President

Respectfully submitted by:


Lottie Overby
Clerk of Council