

**Vote Outcome:** Passed  
**Yes:** 7 **No:** 0  
**Adopted Date:** 7-22-2024  
**Effective Date:** 7-22-2024

ORDINANCE NO. 49-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN ORDINANCE IMPOSING A MORATORIUM ON THE ISSUANCE AND PROCESSING OF ALL LICENSES, PERMITS, AND CERTIFICATES THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION, OR SALE OF ADULT USE CANNABIS IN THE CITY OF GARFIELD HEIGHTS FOR A PERIOD NOT TO EXCEED SIX (6) MONTHS, AND DECLARING AN EMERGENCY

*WHEREAS*, on November 7, 2023, Ohio voters approved State Issue 2, legalizing and providing for the regulation of adult use cannabis; and

*WHEREAS*, Ohio Revised Code Sections 3780.01 through 3780.99 permitting and regulating adult use cannabis came into effect on December 7, 2023, and the Ohio Division of Cannabis was provided nine months to implement rules and regulations regarding adult use cannabis; and

*WHEREAS*, this Council has determined that additional time is needed to review the applicable sections of Ohio Revised Code Chapter 3780, as well as the City's Codified Ordinances, to establish a plan for the future of adult use cannabis in the City of Garfield Heights ("City"); and

*WHEREAS*, Section 3780.25 of the Ohio Revised Code gives this Council the authority to adopt an ordinance to prohibit or limit the number of adult use cannabis operators licensed under Ohio Revised Code Chapter 3780 of the Revised Code within the City; and

*WHEREAS*, pursuant to the City Charter, as well as the Ohio Constitution, this Council has the power to enact planning, zoning, and business regulations and laws that further the health, safety, welfare, and peace of its citizens, including restricting or prohibiting certain business uses.

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

**SECTION 1.** This Council hereby establishes a moratorium on the issuance and processing of all licenses, permits, and certificates that would enable the cultivation, processing, distribution, or sale of adult use cannabis in the City of Garfield Heights for a period of six (6) months from the effective date of this ordinance.

**SECTION 2.** No existing business in the City of Garfield Heights shall change or expand in any way that would enable the cultivation, processing, distribution, or sale of adult use cannabis for the duration of the moratorium period established by this Ordinance.

**SECTION 3.** This Ordinance is declared to be an urgent measure necessary for the immediate preservation for the public peace, health and safety of the City and the inhabitants thereof for the reason that this action is necessary to enable the City to fully study the impacts of Chapter 3780 of the Ohio Revised Code and its effects on the City and the health, safety and general welfare of its inhabitants, and shall be in full force and effect immediately upon adoption by Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 7-22-2024

APPROVED: Matthew A. B. C.

MAYOR

ATTEST: Lothie Overly  
Clerk of Council

Amy Johnson

PRESIDENT OF COUNCIL

EFFECTIVE DATE: 7-22-2024

}

Vote Outcome: Passed  
Yes: 7 No: 0  
Adopted Date: 7-22-2024  
Effective Date: 7-22-2024

ORDINANCE NO.: 50-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN ORDINANCE AUTHORIZING THE MAYOR AND PRESIDENT OF COUNCIL TO RELEASE THE STANDARD EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF A WATER MAIN FOR THE PURPOSE OF SUPPLYING WATER SERVICE ON THE BRIDGEVIEW CROSSINGS PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, the City of Garfield Heights previously accepted an easement for water service at the Bridgeview Crossings Project; and

WHEREAS, the Bridgeview Crossing Project was never developed and therefore the easement for water service is no longer needed; and

WHEREAS, the City of Cleveland has released the water service easement and it has been determined it is in the best interest of the City of Garfield Heights to release any interest it has in this easement; and

WHEREAS, the Waterline Easement Release and its exhibits have been incorporated herein as Exhibit A.

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

SECTION 1. This Council hereby authorizes the Mayor and President of Council to enter into the Release of Easement for water main being attached hereto as Exhibit A and incorporated by reference herein.

SECTION 2. The Mayor is hereby authorized to execute without further action of Council any additional documents necessary to affect the intent of this Ordinance and accomplish the objectives set forth in the Release of Easement for Water Main attached as Exhibit A.

SECTION 3. This Release of Easement for Water Main shall be approved by the Director of Law and shall be duly recorded in the office of the Cuyahoga County Recorder by the Director of Law.

SECTION 4. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the citizens of the City of Garfield Heights and shall be in full force and effect immediately after its adoption by Council and approved by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED: 7-22-2024

APPROVED: Matthew A. Burke  
MAYOR

Amy Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly  
Clerk of Council

EFFECTIVE DATE: 7-22-2024

**Exhibit A**

**RELEASE OF EASEMENT  
FOR  
WATER MAIN**

KNOW ALL MEN BY THESE PRESENTS:

That the City of Garfield Heights, Ohio, acting through its Mayor, pursuant to the Ordinance, passed \_\_\_\_\_, for valuable consideration received and to be received to its satisfaction, does hereby release, cancel, rescind, vacate, and hold for naught the perpetual right-of-way and easement for the installation, repair, and maintenance of a water main granted to the City of Garfield Heights, by instrument recorded December 6, 2007 with record No. 200712060576 of the records of Cuyahoga County, Ohio in the following described premises, to wit:

A copy of the legal description of the Premises is attached hereto as Exhibit "A" and a graphic depiction of the Premises is attached hereto as Exhibit "B", both Exhibits are made a part hereof as if fully written herein.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand at, Cuyahoga County Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

SIGNED IN THE PRESENCE OF:

CITY OF GARFIELD HEIGHTS

---



Mayor

---



President of Council

STATE OF OHIO )  
 )  
 ) SS  
 CUYAHOGA COUNTY )

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named \_\_\_\_\_, \_\_\_\_\_, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, personally and as such officer, and the free act and deed of said municipal corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at \_\_\_\_\_, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_,

Notary Public

This instrument prepared by:

Kathryn Weber, Esq.  
Mansour Gavin LPA  
1001 Lakeside Ave., Suite 1400  
Cleveland, Ohio 44114

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

Milko Cecez, Director of Law

ORDINANCE NO.: 51-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

Vote Outcome: Passed  
Yes: 7 No: 0  
Adopted Date: 7-22-2024  
Effective Date: 7-22-2024

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS, AND TO COMPETITIVELY BID FOR THE MULTI-STREET RECONSTRUCTION & WATERLINE REPLACEMENT PROJECT – PHASE 9, AND AUTHORIZING THE PAYMENT OF COSTS FOR THIS PROJECT, WHICH WILL BE FUNDED THROUGH THE CITY OF GARFIELD HEIGHTS, THE CLEVELAND WATER DEPARTMENT, AND AN OHIO PUBLIC WORKS COMMISSION FUNDING PROGRAM, AND DECLARING AN EMERGENCY

WHEREAS, the current condition of the waterlines in the streets listed in Exhibit A meet the requirements of the Cleveland Water Department's waterline replacement guidelines; and

WHEREAS, the City of Garfield Heights (“City”) will apply for the Ohio Public Works Commission Funding Programs to reconstruct the roadway in the listed streets upon completion of the waterline replacement; and

WHEREAS, the City Engineer has prepared an estimate of the engineering, bidding, inspection, testing, and construction costs for this project; and

WHEREAS, in order to maintain the timing requirements associated with the Ohio Public Works Commission Funding Programs, it is now necessary for the City Engineer to begin the preparation of detailed plans and specifications for all work to be included in this project; and

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

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

SECTION 1. The City Engineer is hereby authorized and directed to prepare the necessary plans and specifications, per the OHM Advisors proposal attached hereto as Exhibit A, and to competitively bid for the Multi-Street Reconstruction & Waterline Replacement Project – Phase 9, and authorizing the payment of costs for this project, which will be funded through the City of Garfield Heights, the Cleveland Water Department, and Ohio Public Works Commission Funding Programs.

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

SECTION 3. The Finance Director is hereby authorized and directed to issue her vouchers of the City for the purposes stated in Section 1. hereof, to OHM Advisors for the preparation of the plans, specifications and the public bidding costs of the project in an amount not to exceed \$240,000; and further to the awarded contractor(s) for the construction costs associated with this project upon the approval of the Board of Control. Said vouchers to be charged to the appropriate fund.

SECTION 4. Council declares this Ordinance to be an emergency measure necessary for the preservation of the public health, safety and welfare; therefore, this Ordinance shall be in full force and effect immediately upon the adoption by Council and approval by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED: 7-22-2024

APPROVED: Matthew A. B.C.

MAYOR

Amy Johnson

PRESIDENT OF COUNCIL

ATTEST: Lottie Overby EFFECTIVE DATE: 7-22-2024

CLERK OF COUNCIL

**Exhibit A**

July 2, 2024

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

**RE: Multi Street Phase 9**  
Location: Garfield Heights, OH  
Proposal #23133

Dear Mayor Burke:

The following scope of services, price proposal, and project schedule which represent our understanding of the project, based upon prior discussions, meetings, and/or additional project information made available at the time of this proposal. Should you have any questions, please let us know.

### Proposal Outline

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Sincerely,  
OHM Advisors

Chad M. Lewis, PE  
Project Manager  
[Chad.lewis@ohm-advisors.com](mailto:Chad.lewis@ohm-advisors.com)  
D: 216.865.1345

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

Authorization to Proceed

Signature

7/23/24

Date

Matthew A. Barker Mayor

Printed Name

Title

## Project Understanding

Part A of the referenced project includes watermain replacement on five (5) streets as listed in Task #2 below. The watermain replacements are part of Cleveland Water Department's (CWD) partnership with the City of Garfield Heights under the Suburban Water Main Renewal (SWMR) Program.

Part B of the project includes pavement repairs and resurfacing across the same streets and limits following the water main replacements.

This proposal includes professional services for pavement cores, topographic survey, design engineering, and bidding services, in accordance with the scoped tasks described herein.

## PART A

### Scope of Services - Information Gathering Tasks

#### Task #2 Topographic Survey

- The following services are included in the fee shown:
  - Limits of Survey:
    - East 85<sup>th</sup> Street from Birchwood Road to Grand Division Avenue ..... 1,035 LF
    - East 110<sup>th</sup> Street from Plymouth Avenue to Vernon Avenue ..... 315 LF
    - Park Heights Avenue from East 98<sup>th</sup> Street to East 104<sup>th</sup> Street ..... 1,070 LF
    - Orme Road from Turney Road to East 130<sup>th</sup> Street ..... 1,100 LF
    - Hathaway Road from East 135<sup>th</sup> Street to East 140<sup>th</sup> Street ..... 1,240 LF
  - Total survey length: 4,760 LF
  - From roadway centerline to 10 feet outside of right-of-way limits
  - Project Control Benchmarks:
    - GPS Site Control Points: Ohio State plane Coordinate System, North Zones, (2011)
    - Vertical Benchmarks: North American Vertical Datum of 1988 (NAVD88)
  - Existing Centerline and Right of Way – Monumentation Recovery:
    - Research and analysis of existing tax maps, deeds, plats, and surveys
    - Field reconnaissance and recovery of existing centerline and right of way monuments
    - Retrace existing centerline and right of way lines
  - Field Survey and Base-Mapping

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- Existing Conditions Survey
  - Topographic & Planimetric Features
    - Curb, walk, drive, and pavement locations and material
    - Existing building and structure locations
    - Vegetation: Trees (larger than 12" in wooded areas), stumps, shrubs, flower beds, wood lines, and landscaped areas
  - Located using ODOT field codes
- SUE Level C – Existing Utilities (gas, electric, telephone, water, storm, or sanitary sewer, etc)
  - Field observation: Lines marked by OHIO811 (OUPS) Utility Members, utility poles, overhead wires, valves, hydrants, pull boxes, cleanouts, drainage and sewer structures, and inverts elevations
  - Record Plan Information
    - Obtained from provided construction or as-built drawings
    - Obtained from design OUPS ticket
    - Scaled and “best-fit” into the survey base map
  - Existing Sewer Network
    - Flowline elevations and connectivity of existing storm and sanitary structures and pipes
  - Existing Surface
    - Based on spot elevations and break lines (crown/edge of pavement, curb lines, tip/toe of slopes, drainage swales, retaining walls etc.)

Exclusions:

1. Physical excavation and/or verification of buried utilities are not included in this survey estimate.

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**Task #3 Pavement Cores**

- The following services are included in the fee shown:
  - Performance of fourteen (14) 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**

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**Task #56A Pre-Design and Field Analysis**

- The following services are included in the fee shown:
  - Analysis
    - The engineer shall utilize a field review to verify existing basemap conditions for design considerations, construction, maintaining traffic, repair/replacement effort, and to make notations of specific areas of concern and caution for the engineering team and contractor.
  - Establish design criteria, standards, and specifications.
    - ODOT Location & Design Manuals
    - Cleveland Water Department

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- Cuyahoga County Department of Public Works (CCDPW)
- Recommendation
  - The engineer will verify limits and type of work to be performed on designated streets along with associated construction estimate updates to aid in project decision making.

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

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- The following services are included in the fee shown:
- Development of line, grade, and typical section design
  - Horizontal alignment of the 5 roadways
  - Vertical alignment of the 5 roadways
  - Roadway typical sections
  - Initial layout of proposed water mains and connections
  - Initial analysis of site impacts, beyond the roadway including driveways, side streets, and adjacent property
- Preparation of schematic-level plan set (30% design) to include:
  - Title Sheet
  - Legend Sheet
  - Schematic Plan
  - Typical Section
  - Maintenance of Traffic Detour Route
  - Plan & Profile Sheets
- Deliverables:
  - Submittal of 30% Design Plans to client
  - Updated construction cost estimate.
  - Submittal of 30% Design Plans to public agencies, including:
    - Cleveland Water Department
    - Cuyahoga County Department of Public Works
    - City of Cleveland (Grand Division Avenue impacts)
    - City of Maple Heights (East 140<sup>th</sup> Street impacts)
  - Submittal of 30% Design Plans set to private utility companies for initial coordination of location verification and potential impacts/conflicts with respective utilities.

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

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- The following services are included in the fee shown:
- Preparation of Construction Documents shall be as follows:
  - Title Sheet
  - Legend
  - Schematic Plan
  - Typical Section
  - General Notes
  - Maintenance of Traffic Notes and Plans
  - General Summary
  - Subsummaries
  - Plan & Profile (roadways)
  - Water Main Crossings Profiles
  - Drainage Details
  - Sanitary Sewer Details
  - Water Work Notes, Specifications, and Details
  - Miscellaneous Details
  - Traffic Control

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- Pavement Marking
- Signing
- Design will include all details and specifications required for public bidding of a unit price contract, in accordance with industry standards.
- Deliverables:
  - Submittal of 100% Design Plans to client
  - Updated construction cost estimate.
  - Submittal of 100% Design Plans to public agencies, including:
    - Cleveland Water Department
    - Cuyahoga County Department of Public Works
    - City of Cleveland
    - City of Maple Heights
  - Submittal of 100% Design Plans set to private utility companies for final resolution of conflicts with respective utilities.
  - Temporary Work Agreement Documents and Exhibits

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

- The following services are included in the fee shown:
  - Finalization of estimated quantities for construction
  - Evaluation and Estimate of Construction Costs based on historical bid pricing.

### **Scope of Services - Bidding and Award Tasks**

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#### **Task #151A    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 #152A    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

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- The fee provided includes one bidding process only. In the event the project needs rebid, a contract modification will be submitted for the additional bidding services provided. Additional services will commence upon approval of the contract modification.

## PART B

### Scope of Services - Design Engineering Tasks

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#### Task #56B Pre-Design and Field Analysis

- The following services are included in the fee shown:
  - Analysis
    - The engineer shall utilize a field review to verify existing basemap conditions for design considerations, construction, maintaining traffic, repair/replacement effort, and to make notations of specific areas of concern and caution for the engineering team and contractor.
  - Establish design criteria, standards, and specifications.
    - ODOT Location & Design Manuals
    - Cuyahoga County Department of Public Works (CCDPW)
  - Recommendation
    - The engineer will verify limits and type of work to be performed on designated streets along with associated construction estimate updates to aid in project decision making.

---

#### Task #60B Construction Documents

- The following services are included in the fee shown:
  - Preparation of Construction Documents shall be as follows:
    - Title Sheet
    - Legend
    - Schematic Plan
    - Typical Section
    - General Notes
    - Maintenance of Traffic Notes and Plans
    - General Summary
    - Subsummaries
    - Plan & Profile (roadways)
    - Pavement Repair Details, by street
    - Miscellaneous Details
    - Traffic Control
      - Pavement Marking
      - Signing
  - Design will include all details and specifications required for public bidding of a unit price contract, in accordance with industry standards.
  - Deliverables:
    - Submittal of 100% Design Plans to client
    - Updated construction cost estimate.
    - Submittal of 100% Design Plans to public agencies, including:
      - Cuyahoga County Department of Public Works
      - City of Cleveland
      - City of Maple Heights

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- Submittal of 100% Design Plans set to private utility companies for final resolution of conflicts with respective utilities.
- Temporary Work Agreement Documents and Exhibits

---

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

- The following services are included in the fee shown:
  - Finalization of estimated quantities for construction
  - Evaluation and Estimate of Construction Costs based on historical bid pricing.

### **Scope of Services - Bidding and Award Tasks**

---

#### **Task #151B 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 #152B 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 rebid, a contract modification will be submitted for the additional bidding services provided. Additional services will commence upon approval of the contract modification.



## Price Proposal

### PART A

#	<i>Information Gathering Tasks</i>	<i>Fee</i>
Task #2	<i>Topographic Survey</i>	\$33,320
Task #3	<i>Pavement Cores</i>	\$ 7,000
		<i>Subtotal =</i> \$ 40,320
#	<i>Design Engineering Tasks</i>	<i>Fee</i>
Task #56A	<i>Pre-Design and Field Analysis</i>	\$ 6,000
Task #58A	<i>Schematic Design</i>	\$ 30,000
Task #60A	<i>Construction Documents</i>	\$100,000
Task #90A	<i>Official Engineer's Project Cost Estimate</i>	\$ 3,000
		<i>Subtotal =</i> \$139,000
#	<i>Bidding and Award Tasks</i>	<i>Fee</i>
Task #151A	<i>Bidding and Contract Documents</i>	\$ 3,500
Task #152A	<i>Bid Process, Review, and Award</i>	\$ 3,500
		<i>Subtotal =</i> \$ 7,000
		<i>Part A Total =</i> \$186,320

### PART B

#	<i>Design Engineering Tasks</i>	<i>Fee</i>
Task #56B	<i>Pre-Design and Field Analysis</i>	\$ 12,000
Task #60B	<i>Construction Documents</i>	\$ 30,000
Task #90B	<i>Official Engineer's Project Cost Estimate</i>	\$ 1,500
		<i>Subtotal =</i> \$ 43,500
#	<i>Bidding and Award Tasks</i>	<i>Fee</i>
Task #151B	<i>Bidding and Contract Documents</i>	\$ 3,500
Task #152B	<i>Bid Process, Review, and Award</i>	\$ 3,500
		<i>Subtotal =</i> \$ 7,000
		<i>Part B Total =</i> \$ 50,500
		<b><i>PROJECT GRAND TOTAL =</i></b> \$236,820

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## Compensation

The fee proposal above shall be completed on a lump sum basis.

## Anticipated Project Schedule

Information Gathering Tasks: August – September 2024

Design Engineering Tasks: October 2024 – February 2025

Bidding & Award Tasks: March 2025

## 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, exiting 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.

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ORDINANCE NO.: 52-2024

Vote Outcome: Passed  
Yes: 7 No: 0  
Adopted Date: 7-22-2024  
Effective Date: 7-22-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN ORDINANCE AMENDING SECTION 181.2101 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS RELATIVE TO THE DISBURSEMENT OF RECEIPTS OF THE CITY INCOME TAX COLLECTION FOR THE YEAR 2024, AND DECLARING AN EMERGENCY

WHEREAS, a surplus has been accumulated in the City of Garfield Heights' ("City") Debt Amortization Fund in the year 2024; and

WHEREAS, as a result of this surplus, the City has deemed it necessary to adjust the disbursement of the income tax collections.

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

SECTION 1. Section 181.2101 of the Codified Ordinances of the City of Garfield Heights shall be amended to read as follows:

181.2101 DISBURSEMENT OF FUND COLLECTED

(a) The funds collected under the provisions of this chapter shall be disbursed in the following manner:

- (1) Such part as shall be necessary to defray all expenses of collecting the tax and of administering and enforcing the provisions of this chapter shall be paid.
- (2) Six percent (6%) shall be deposited in the Sewer Fund, pursuant to the Charter of the City of Garfield Heights, Section 22A as amended on November 3, 1987.
- (3) Six percent (6%) shall be deposited in the Street Fund, pursuant to the Charter of the City of Garfield Heights, Section 22A as amended on November 3, 1987.
- (4) Seventy-five percent (75%) shall be deposited in the General Fund.
- (5) Six percent (6%) shall be deposited in the Recreation Fund.
- (6) Seven percent (7%) shall be deposited in the Debt Amortization Fund.

(b) ~~For the year 2007 only, funds shall be disbursed as follow: For July 1, 2024 through December 31, 2024, funds shall be disbursed as follows:~~

- (1) Such part as shall be necessary to defray all expenses of collecting the tax and of administering and enforcing the provisions of this chapter be paid.
- (2) Six percent (6%) shall be deposited in the Sewer Fund, pursuant to the Charter of the City of Garfield Heights, Section 22A as amended on November 3, 1987.
- (3) Six percent (6%) shall be deposited in the Street Fund, pursuant to the Charter of the City of Garfield Heights, Section 22A as amended on November 3, 1987
- (4) ~~Seventy five percent (75%) Seventy eight percent (78%)~~ shall be deposited in the General Fund
- (5) Six percent (6%) shall be deposited in the Recreation Fund.
- (6) ~~One-tenth percent (.1%) Four percent (4%)~~ shall be deposited in the Debt Amortization Fund.
- (7) ~~Six and nine tenths percent (6.9%) shall be deposited in the Revolving Equipment Fund.~~

SECTION 2. Section 181.2101 of the Codified Ordinances of the City of Garfield Heights, as amended and supplemented herein shall be effective from and after July 1, 2024 and continue in effect until December 31, 2024, at which time the original language of the section shall revert back into law.

SECTION 3. A revised, clean version of Section 181.2101 of the Codified Ordinances of the City of Garfield Heights is attached hereto as Exhibit A

SECTION 4. Council declares this Ordinance to be an emergency measure necessary for the preservation of the public health, safety and welfare; therefore, this Ordinance shall be in full force and effect immediately upon the adoption by Council and approval by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED: 7-22-2024

APPROVED: Matthew A. B.L.  
MAYOR

Avery Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly EFFECTIVE DATE: 7-22-2024  
CLERK OF COUNCIL

## **Exhibit A**

### **181.2101 DISBURSEMENT OF FUND COLLECTED**

(a) The funds collected under the provisions of this chapter shall be disbursed in the following manner:

- (1) Such part as shall be necessary to defray all expenses of collecting the tax and of administering and enforcing the provisions of this chapter shall be paid.
- (2) Six percent (6%) shall be deposited in the Sewer Fund, pursuant to the Charter of the City of Garfield Heights, Section 22A as amended on November 3, 1987.
- (3) Six percent (6%) shall be deposited in the Street Fund, pursuant to the Charter of the City of Garfield Heights, Section 22A as amended on November 3, 1987.
- (4) Seventy-five percent (75%) shall be deposited in the General Fund.
- (5) Six percent (6%) shall be deposited in the Recreation Fund.
- (6) Seven percent (7%) shall be deposited in the Debt Amortization Fund.

(b) For July 1, 2024 through December 31, 2024, funds shall be disbursed as follows:

- (1) Such part as shall be necessary to defray all expenses of collecting the tax and of administering and enforcing the provisions of this chapter be paid.
- (2) Six percent (6%) shall be deposited in the Sewer Fund, pursuant to the Charter of the City of Garfield Heights, Section 22A as amended on November 3, 1987.
- (3) Six percent (6%) shall be deposited in the Street Fund, pursuant to the Charter of the City of Garfield Heights, Section 22A as amended on November 3, 1987
- (4) Seventy-seven percent (78%) shall be deposited in the General Fund
- (5) Six percent (6%) shall be deposited in the Recreation Fund.
- (6) Four percent (4%) shall be deposited in the Debt Amortization Fund.

Vote Outcome: Passed  
Yes: 7 No: 0  
Adopted Date: 7-22-2024  
Effective Date: 7-22-2024

ORDINANCE NO.: 53-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE

AN ORDINANCE AUTHORIZING THE MAYOR TO DO ALL THINGS NECESSARY TO APPLY FOR AND ACCEPT THE BUREAU OF WORKERS' COMPENSATION SAFETY INTERVENTION GRANT TO BE USED TO PURCHASE SAFETY EQUIPMENT, AND DECLARING AN EMERGENCY

WHEREAS, The Ohio Bureau of Workers' Compensation ("BWC") has made available grant funding to local municipalities through the Safety Intervention Grant for the purposes of purchasing equipment that will improve the overall safety of the workplace; and

WHEREAS, the City would like to purchase the following items with the funding available: 1) Model 2010 Material Lift, 2) Carriage Fork Extension Kit, 3) Pipe Cradle Sumner, 4) Boom Assembly Sumner, and 4) 10-inch Wheel Kit Sumner; and

WHEREAS, the aforementioned equipment will be used by the Garfield Heights Fire Department and Service Department; and

WHEREAS, under the terms of the grant, the City will be responsible to pay for twenty-five percent (25%) of the total cost of the equipment; accordingly, approximately \$4500.00 will be paid for using grant funding and the City will pay remaining amount of approximately \$1250.00.

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

SECTION 1. The Mayor is hereby authorized and directed to do all things necessary to apply for and accept an Ohio Bureau of Workers' Compensation grant and purchase the aforementioned equipment at a cost to the City not to exceed \$1,500.00 (quote attached hereto as Exhibit A and incorporated as if fully written within).

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 amounts to be charged to the appropriate fund (s), upon completion of the normal purchase order system purchasing requirements.

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

PASSED: 7-22-2024

APPROVED: Matthew A. Burke

MAYOR

Avery Johnson

PRESIDENT OF COUNCIL

ATTEST: Lorraine Overy  
CLERK OF COUNCIL

EFFECTIVE DATE: 7-22-2024

**Exhibit A**



**Industrial  
Products®**

**ndustria Products Limited LLC**

**QUOTE**

Number

40303932 0



**the  
STAIRWAY SHOP**

a division of Industrial Products

Quote Date

07/11/2024

Page

1

Bill to: CITY OF GARFIELD HEIGHTS  
5407 TURNY RD  
CLEVELAND, OH 44125-3203

Email: DMCKEE@GARFIELDHTS.ORG  
Phone: (216) 475-1100

Ship to: CITY OF GARFIELD HTS SERVICE DEPT  
13600 MCCRACKEN RD  
CLEVELAND, OH 44125-1976

Attn: MARK SIKON  
Phone: 2164753373

Cust Code	Ordered By	Salesman	Job/Rel#	Customer PO	Wanted Date
346001195	HOUSE ACCOUNT				07/18/2024
Entered By	Ship Via	Terms	Ship Via Account		
BEsway	BEST WAY - PREPAID & ADD	NET 30 DAYS			

**Customer/Order Instructions**

ESTIMATED SHIP DATE IS MID TO END OF NOVEMBER 2024. LEAD TIME IS ONLY AN ESTIMATE AND IS SUBJECT TO CHANGE.

MATERAIL QUOTE IS VALID FOR 30 DAYS.  
SHIPPING QUOTE IS VALID FOR 10 DAYS.

Quantity	U/M	Item #	Description	Weight	Wh Price	Extension
Order	Ship	Back				
1	1	0 EACH	783700	230.00000	4	2,990.00
			2010 MATERIAL LIFT 10 FT 1000 LBS CAPACITY			2990.00
1	1	0 EACH	783691	35.00000	4	178.92
			CARRIAGE FORK EXTENSION KIT SUMNER			178.92
1	1	0 EACH	783705	22.00000	4	246.25
			PIPE CRADLE SUMNER			246.25
1	1	0 EACH	783642	26.00000	4	346.30
			BOOM ASSEMBLY SUMNER			346.30
1	1	0 EACH	783736	18.00000	4	195.06
			10 IN WHEEL KIT SUMNER			195.06

SubTotal	3956.53
SHIPPING	502.69
<b>Total</b>	<b>4,459.22</b>



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