

ORDINANCE NO.: 81-2024

Vote Outcome: Passed  
Yes: 16 No: 0  
Adopted Date: 11-12-2024  
Effective Date: 11-12-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE  
CO-SPONSORED BY: COUNCIL PRESIDENT AVERY JOHNSON

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO PURCHASE ONE (1) 2025 MACK MD7 TRUCK THROUGH M&K TRUCK CENTERS UNDER OHIO REVISED CODE SECTION 125.04(C), AND DECLARING AN EMERGENCY

WHEREAS, the City of Garfield Heights ("City") would like to purchase one (1) new 2025 Mack MD7 medium duty truck for use in the Garfield Heights Service Department's vehicle fleet; and

WHEREAS, the total cost of the truck will be \$99,698.00; and

WHEREAS, per Ohio Revised Code Section 125.04(C) governmental agencies may purchase equipment/services without bidding so long as the equipment/service has been purchased for less than or equal to the cost of the state contract; and

WHEREAS, these items are available for purchase without bidding under Ohio Department of Transportation Contract #023-24

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

SECTION 1. The Mayor or his designee is hereby authorized and directed to purchase one (1) 2025 Mack MD7 truck through M&K Truck Centers at a cost not to exceed \$105,000.00 (quotation attached hereto as Exhibit A).

SECTION 2. The Finance Director will determine the options for the purchase of the equipment contained herein and said amount will 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: 11-12-2024

APPROVED: Matthew A. Burke  
MAYOR

Avery Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lottie Overly  
CLERK OF COUNCIL

EFFECTIVE DATE: 11-12-2024



2679 Sidley Ct. | Austintburg, OH 44010

# EQUIPMENT PURCHASE AGREEMENT

PURCHASER INFO			
PURCHASER City of Garfield Heights			
ADDRESS 13600 McCracken Road			
CITY Garfield Heights	STATE Ohio	ZIP 44125	
CELL PHONE 1-216-401-2869	BUSINESS PHONE		
EMAIL NJackson@GarfieldHts.org			
MC/EXEMPTION/D.O.T. DRIVERS LICENSE NO.			
ADDITIONAL INFORMATION: (Lessee)			

DELIVERY DATE	
LIEN HOLDER INFO	
LIEN HOLDER(S)	
WORK TO BE DONE BEFORE DELIVERY	
WARRANTY DESCRIPTION (PRICE IN LINE #6)	
a.	\$
b.	\$
c.	\$
d.	\$

SALESPERSON / DATE			
SALESPERSON Bill Golden		DATE 10/24/2024	
TRUCK(S) SOLD INFO			
<input checked="" type="checkbox"/> NEW <input type="checkbox"/> USED	YEAR 2025	MAKE Mack	MODEL MD7
MILEAGE 400			
VEHICLE IDENTIFICATION NUMBER(S) 1M2MDBAA8SS076822			
ENGINE Cummins ISB 6.7 300HP		TRANSMISSION Allison 3000 RDS	
STOCK NO. AON1022		CAB CONFIGURATION Cab Chassis	
TRADE-IN INFO			
YEAR	MAKE	MODEL	STOCK NO.
VEHICLE IDENTIFICATION NUMBER			
APPRaised VALUE		TRADE-IN ALLOWANCE	
CURRENT MILEAGE READING		BALANCE OWED (10-DAY PAYOFF)	

PRICE OF EQUIPMENT	
1. SUBTOTAL OF WORK TO BE DONE BEFORE DELIVERY (a, b, c & d above)	\$ 0.00
2. BASE PRICE OF EQUIPMENT (WITHOUT FET)	\$ 99,481.00
3. DEALER DOCUMENT FEE	\$ 55.00
4. SALES TAX (STATE/LOCAL)	\$
5. FEDERAL EXCISE TAX	\$
6. ADD-ONS NOT SUBJECT TO FET (Warranty, APU)	\$
7. TITLE FEE	\$ 162.00
8. PLATE FEE	\$
9. TOTAL PRICE, per piece of equipment	\$ 99,698.00
10. PIECES OF EQUIPMENT ORDERED ( 1 )	
11. TOTAL AMOUNT OF AGREEMENT	\$ 99,698.00
12. DEPOSIT AMOUNT (Receipt # _____)	\$
13. BALANCE OF TRADE	\$
14. FINAL AMOUNT DUE ON DELIVERY	\$ 99,698.00

THIS EQUIPMENT PURCHASE AGREEMENT ("Agreement") IS NOT BINDING UNTIL SIGNED BY THE PURCHASER AND AN AUTHORIZED DEALER EMPLOYEE.

UNLESS A SEPARATE WARRANTY OR SERVICE CONTRACT IS FURNISHED BY THE DEALER TO THE PURCHASER, THIS EQUIPMENT IS SOLD "AS IS" WITHOUT ANY WARRANTY, EXPRESS OR IMPLIED. PURCHASER IS SOLELY RESPONSIBLE FOR THE COSTS TO REPAIR OR CORRECT ANY DEFECTS IN USED EQUIPMENT WHICH EXIST AT OR AFTER THE TIME OF PURCHASE.

SUBJECT TO PRIOR SALES: NO EQUIPMENT WILL BE HELD FOR MORE THAN 3 BUSINESS DAYS, AWAITING CREDIT APPROVAL.

I HAVE READ AND AGREE TO THE TERMS AND CONDITIONS OF THE AGREEMENT ON THE FRONT AND BACK OF THIS FORM AND ACKNOWLEDGE RECEIPT OF THE AGREEMENT.

X \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
PURCHASER'S SIGNATURE DATE

X \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
DEALER/MANAGER SIGNATURE DATE

X \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
GUARANTOR/CO-PURCHASER SIGNATURE DATE

SEE REVERSE SIDE FOR ADDITIONAL TERMS AND CONDITIONS



**FISCAL OFFICER'S CERTIFICATION**

**Date: November 12, 2024**

**Ordinance 81-2024**

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

Approximately \$105,000.00

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:

#209 State Highway Fund

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

*Barbara Biro*

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**Fiscal Officer/Finance Director**

ORDINANCE NO.: 82-2024

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 11-12-2024  
Effective Date: 11-12-2024

SPONSORED BY:

MAYOR MATTHEW A. BURKE  
COUNCIL PRESIDENT AVERY JOHNSON

CO-SPONSORED BY:

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH OHM ADVISORS TO COMPLETE ALL REQUIREMENTS NECESSARY TO COMPLY WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT'S UPDATED TITLE III AND TITLE IV CODE REGULATIONS, AND DECLARING AN EMERGENCY

WHEREAS, in December 2022, the Northeast Ohio Regional Sewer District ("NEORSD") approved updates to the NEORSD's Title III Separate Sewer Code of Regulations and Title IV Combined Sewer Code of Regulations, as well as issuing an updated Community Discharge Permit to regulate both local separate sanitary and combined sewers; and

WHEREAS, the NEORSD also allows communities to participate in the Water Quality Technical Support ("WQTS") Program, which enables them to apply for NEORSD Member Community Infrastructure Program ("MCIP") funding; and

WHEREAS, the City of Garfield Heights ("City") would like to enter into an agreement with OHM Advisors to review sewer collection system data and engineering reports to ensure compliance with the NEORSD's Community Compliance Plan and eligibility for the NEORSD MCIP funding.

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 OHM Advisors (attached hereto as Exhibit A and incorporated as if fully written within) to complete all requirements necessary to comply with the Northeast Ohio Regional Sewer District's updated Title III and Title IV code regulations.

SECTION 2. The Finance Director is hereby authorized and directed to issue her vouchers of the City for the purpose set forth in Section 1. Hereof, said amount to be charged to the appropriate Fund.

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

PASSED: 11-12-2024

APPROVED: Matthew A. Burke  
MAYOR

Avery Johnson  
PRESIDENT OF COUNCIL

ATTEST: Lotte Overly EFFECTIVE DATE: 11-12-2024  
CLERK OF COUNCIL

## **Exhibit A**



October 24, 2024

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

**RE: NEORSD Community Discharge Permit Program – Community Compliance Plan**  
Location: Garfield Heights, OH  
Proposal #24170

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
Price Proposal.....	2
Compensation .....	3
Anticipated Project Schedule.....	3
Clarifications and Assumptions.....	3
Client Responsibilities .....	3
Terms & Conditions.....	3

Sincerely,  
OHM Advisors

A handwritten signature in blue ink that reads "David Bridenstine".

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David Bridenstine, PE  
Project Manager  
[David.bridenstine@ohm-advisors.com](mailto:David.bridenstine@ohm-advisors.com)  
D: 330.913.1054 C:330.908.9671

A handwritten signature in blue ink that reads "Josh Slaga".

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

#### Authorization to Proceed

A handwritten signature in blue ink that reads "Matt A. Burke".  
\_\_\_\_\_  
Signature Date 11/12/24

A handwritten signature in blue ink that reads "Matthew A. Burke".  
\_\_\_\_\_  
Printed Name Title 11/12/24



**FISCAL OFFICER'S CERTIFICATION**

**Date: November 12, 2024**

**Ordinance 82-2024**

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

Approximately \$10,000.00

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:

#213 Storm & Sanitary Sewer Fund

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

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*Barbara Biro*  
Fiscal Officer/Finance Director

ORDINANCE NO.: 83-2024

Vote Outcome: Passed  
Yes: 10 No: 0  
Adopted Date: 11-12-2024  
Effective Date: 12-12-2024

SPONSORED BY:  
CO-SPONSORED BY:

MAYOR MATTHEW A. BURKE  
COUNCIL PRESIDENT AVERY JOHNSON

AN ORDINANCE AUTHORIZING THE SALE AND DISPOSAL OF MUNICIPALLY OWNED PROPERTY WHICH HAS BEEN DETERMINED TO BE NO LONGER NEEDED FOR MUNICIPAL PURPOSES PURSUANT TO SECTION 129.02 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS

WHEREAS, pursuant to Section 129.02 of the Codified Ordinances of the City of Garfield Heights, various departmental Directors of the City have determined that certain municipally owned properties are no longer needed for municipal uses or have become unsuitable for such uses; and

WHEREAS, the Mayor of the City of Garfield Heights, also pursuant to Section 129.02 of the Codified Ordinances, has approved this determination in writing; and

WHEREAS, the City of Garfield Heights intends to utilize the GovDeals Online Auction Site for the disposal of the various items identified herein as authorized pursuant to Ordinance 81-2010.

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

SECTION 1. Pursuant to Section 129.02 of the Codified Ordinances of the City of Garfield Heights, this Council hereby approves the sale of the following municipally owned properties which have been determined by the various Directors to be no longer needed for municipal uses or have become unsuitable for such uses, and such determination being approved by the Mayor in writing:

#### EQUIPMENT

##### 1. Service – Office Furniture – Misc. Equipment

SECTION 2. The Finance Director is hereby authorized and directed to post the items identified herein for disposal/sale through the GovDeals Public Auction on-line system pursuant to the agreement entered into with GovDeals under Ordinance 81-2010 and in accordance with Section 129.02 of the Codified Ordinances.

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

PASSED: 11-12-2024

APPROVED: Matthew A. Burke  
MAYOR

ATTEST: Lottie Avery  
CLERK OF COUNCIL

Avery Johnson  
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 12-12-2024

ORDINANCE NO.: 84-2024

Vote Outcome: Passed  
Yes: 10 No: 0  
Adopted Date: 11-12-2024  
Effective Date: 11-12-2024

SPONSORED BY:  
CO-SPONSORED BY:

MAYOR MATTHEW A. BURKE  
COUNCIL PRESIDENT AVERY JOHNSON

AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW AND AMEND AN AGREEMENT WITH CUYAHOGA COUNTY AND CUYAHOGA COUNTY JUVENILE COURT TO CONTINUE PARTICIPATING IN THE CUYAHOGA COUNTY COMMUNITY DIVERSION PROGRAM, AND DECLARING AN EMERGENCY

WHEREAS, Cuyahoga County, together with the City of Garfield Heights and Cuyahoga County Juvenile Court, would like to amend their agreement to use a Community Diversion Program for the adjudication of juveniles between the ages of 10 to 17 from December 31, 2024 to December 31, 2026; and

WHEREAS, the Community Diversion Program allows for the adjudication of low-level offenders within the City of Garfield Heights as opposed to sending the juveniles to Cuyahoga County Juvenile Court; and

WHEREAS, the budget to participate in the program will be provided by Cuyahoga County Juvenile Court and will impose no additional costs to the City of Garfield Heights.

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

SECTION 1. The Mayor is hereby authorized and directed to enter into the amended and renewed agreement presented by Cuyahoga County and Cuyahoga County Juvenile Court, attached hereto as Exhibit A.

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 vouchers to be charged to the appropriate fund.

SECTION 3. Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and 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: 11-12-2024

APPROVED: Matthew A. Burke  
MAYOR

ATTEST: Lottie Overly  
CLERK OF COUNCIL

Avery Johnson  
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 11-12-2024



**FISCAL OFFICER'S CERTIFICATION**

**Date: November 12, 2024**

**Ordinance 84-2024**

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

Approximately \$9,600.00

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:

#228 Garfield Heights Family Resource Fund

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

*Barbara Biro*

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**Fiscal Officer/Finance Director**

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 11-12-2024  
Effective Date: 12-12-2024

RESOLUTION NO.: 30-2024

SPONSORED BY: COUNCIL WOMAN STACEY COLLIER  
CO-SPONSORED BY: COUNCIL AS A WHOLE

A RESOLUTION REMEMBERING CAROLYN BARNES OWENS POLK AND CELEBRATING HER LIFELONG CONTRIBUTIONS TO THE CITY OF GARFIELD HEIGHTS

*WHEREAS*, Carolyn Barnes Owens Polk (née Barnes) was born on May 9, 1946 in Cleveland, Ohio, to Rose and Willie Douglas Barnes; and

*WHEREAS*, Carolyn was a student of the Cleveland Municipal School District, where she would receive her high school diploma; and

*WHEREAS*, throughout her life, Carolyn worked diligently in service to her community; she was the founder of the "Busy Bee Girls," a life skills and development group for young girls in the community, as well as the President of the Roosevelt Elementary School PTA; and

*WHEREAS*, Carolyn also served her community in her professional life, becoming the first Black housing inspector for the City of Garfield Heights, as well as a jailer at the Garfield Heights Police Department for more than 30 years; and

*WHEREAS*, Carolyn was best known for the deep love she held for her family; she served as the President of the BFN (Blackwell, Fortenberry, Nichols) Family Club - Ohio Chapter until 2018; and

*WHEREAS*, Carolyn is preceded in death by her parents Rose and Willie Barnes, and her sons Reginald Lee Owens, Roy Lee Owens Jr, and Roy Anthony Owens; and

*WHEREAS*, Carolyn Polk is survived by her sister Paulette Driscal, her companion of more than 20 years Ernest Watt, her five children: Marvin Mark Owens, Dana Lynn Owens, Brian Keith Owens, Dwayne Polk, and Kelly Polk, twelve grandchildren, fourteen great grandchildren, and many deeply loved extended family members and friends.

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

SECTION 1. The Mayor and Council, on behalf of the residents of the City of Garfield Heights, hereby remember and honor Carolyn Polk for her lifelong contributions to the City of Garfield Heights.

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

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

PASSED: 11-12-2024

APPROVED: Matt Abel

MAYOR

ATTEST: Sottle Overly

CLERK OF COUNCIL

Avery Johnson

PRESIDENT OF COUNCIL

EFFECTIVE DATE: 12-12-2024

Vote Outcome: Passed  
Yes: 6 No: 0  
Adopted Date: 11-12-2024  
Effective Date: 12-12-2024

RESOLUTION NO.: 31-2024

SPONSORED BY: MAYOR MATTHEW A. BURKE  
CO-SPONSORED BY: COUNCIL PRESIDENT AVERY JOHNSON

A RESOLUTION APPOINTING JENNIFER SOPKOVICH TO CONTINUE TO SERVE AS THE DIRECTOR OF THE GARFIELD HEIGHTS COMMUNITY DIVERSION PROGRAM FROM DECEMBER 31, 2024 TO DECEMBER 31, 2026

WHEREAS, in Ordinance 84-2024, this Council authorized the City of Garfield Heights ("City") to enter into an agreement with Cuyahoga County and Cuyahoga County Juvenile Court to continue to administer the Garfield Heights Community Diversion Program from December 31, 2024 through December 31, 2026, and

WHEREAS, the City wishes to have Jennifer Sopkovich continue to serve as the Director of the Community Diversion Program during this time period, and

WHEREAS, Mrs. Sopkovich will receive a yearly stipend in the amount of \$5,000.00 paid entirely through grant funding received from the agreement with Cuyahoga County and which will impose no cost to the City of Garfield Heights.

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

SECTION 1. The Mayor is hereby authorized to appoint Jennifer Sopkovich to continue to serve as the Director of the Garfield Heights Community Diversion Program commencing December 31, 2024 and concluding December 31, 2026.

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

PASSED: 11-12-2024

APPROVED: Matthew A. Burke  
MAYOR

ATTEST: Lottie Avery  
CLERK OF COUNCIL

Avery Johnson  
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 12-12-2024