

ORDINANCE NO.:

18-2025

Vote Outcome: Passed
Yes: 6 No: 0
Adopted Date: 3-10-2025
Effective Date: 3-10-2025

SPONSORED BY:

MAYOR MATTHEW A. BURKE

CO-SPONSORED BY:

COUNCIL PRESIDENT AVERY JOHNSON

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH OHM ADVISORS TO PROVIDE PUBLIC SECTOR ENGINEERING REVIEW AND CONSTRUCTION SERVICES TO THE CITY OF GARFIELD HEIGHTS FOR A TERM BEGINNING ON MARCH 1, 2025 AND ENDING ON DECEMBER 31, 2026, AND DECLARING AN EMERGENCY

WHEREAS, the Council of the City of Garfield Heights has deemed it to be in the best interest of the City of Garfield Heights ("City") to enter into an agreement with OHM Advisors to provide public sector engineering review and construction services to the City.

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 incorporated as if fully written within) with OHM Advisors to provide public sector engineering review and construction services to the City of Garfield Heights for a term beginning on March 1, 2025 and ending on December 31, 2026, at a cost not to exceed \$40,000.00.

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: 3-10-2025

APPROVED: Matthew A. Burke
MAYOR

ATTEST: Lottie Overly
CLERK OF COUNCIL

Avery Johnson
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 3-10-2025

ARCHITECTS. ENGINEERS. PLANNERS.



March 3, 2025

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

RE: Public Sector Engineering Review and Construction Services
Proposal # 25043

Dear Mayor Burke:

The following scope of services, price proposal, and project schedule 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

James Sickels
Project Manager
James.sickels@ohm-advisors.com
D: 330.913.1050 C: 330.338.5349

Authorization to Proceed

Signature

Date

Signature

Date

Printed Name

Title

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

OHM Advisors®

388 SOUTH MAIN STREET, SUITE 301
AKRON, OHIO 44311

T 330.913.1080
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Project Understanding

The purpose of this contract is to support and supplement the daily needs of the City of Garfield Heights as broadly outlined below. The City's primary point of contact with OHM will be James Sickels. When requested, OHM will provide engineering review services and construction services for public projects.

Scope of Services

Any/all services listed below will be performed at the request and direction of the City of Garfield Heights. Additional technical services, not specifically outlined or anticipated below, can also be performed under this contract.

Task #1 Public Sector Plan Review

- Example services include, but not limited to:
 - Perform record plat, site plan, and engineering plan review when requested by public entities to ensure Garfield Heights standards are met. Agencies requesting reviews for projects planned within Garfield Heights may include ODOT, NEORSD, Cuyahoga County Public Works, and other public sector entities.

Task #2 Public Sector Construction Services

- Example services include, but not limited to:
 - Attend pre-construction and progress meetings
 - Respond to RFI's (Request For Information)
 - Provide the following staff when requested:
 - Construction Inspector
 - Field Client Representative
 - Construction Engineer

Price Proposal

Services provided by this Public Sector Engineering Review and Construction Services Contract shall be invoiced hourly, at OHM standard hourly rate (updated annually) at a not-to-exceed fee of \$40,000.

- March 1, 2025 through December 31, 2025 \$20,000
- January 1, 2026 through December 31, 2026 \$20,000

Client Responsibilities

City of Garfield Heights will provide a single point of contact to OHM Advisors who is knowledgeable about the project's needs and desired outcomes.

Contract Terms

Contract term shall be March 1, 2025 to December 31, 2026

Terms & Conditions

The Terms and Conditions contained in the Annual Engineering contract per ordinance number 03-2025 shall also apply to this contract.

OHM Advisors®

388 SOUTH MAIN STREET, SUITE 301
AKRON, OHIO 44311

T 330.913.1080
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OHM-Advisors.com



FISCAL OFFICER'S CERTIFICATION

Date: March 10, 2025

Ordinance 19-2025

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

2025 - \$20,000.00
2026 - \$20,000.00

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:

#101 General Fund

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

Barbara Biro
Fiscal Officer/Finance Director

ORDINANCE NO.:

19-2025

Vote Outcome: Passed
Yes: 6 No: 0
Adopted Date: 3-10-2025
Effective Date: 3-10-2025

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:

VEHICLE AND EQUIPMENT

1. Fire Engine #3 1998 Sutphen Fire Pumper – VIN# 1S9A1BLD7W1003029
2. Various Equipment Ground ladders, porta power, hand tools and other items.

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: 3-10-2025

APPROVED: Matthew A. Burke
MAYOR

ATTEST: Sottie Overby
CLERK OF COUNCIL

Avery Johnson
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 3-10-2025

Vote Outcome: Passed
Yes: 6 No: 0
Adopted Date: 3-10-2025
Effective Date: 3-10-2025

ORDINANCE NO.: 20-2025

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

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT THE CUYAHOGA COUNTY SOLID WASTE DISTRICT 2025 COMMUNITY RECYCLING AWARENESS GRANT, AND DECLARING AN EMERGENCY

WHEREAS, in Resolution 04-2025, this Garfield Heights City Council authorized the City of Garfield Heights ("City") to apply for the Cuyahoga County Solid Waste District's 2025 Community Recycling Awareness Grant; and

WHEREAS, the City has been awarded \$4267.00, which it would like to accept via this ordinance.

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 funds it was awarded through the Cuyahoga County Solid Waste District's 2025 Community Recycling Awareness Grant.

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: 3-10-2025

APPROVED: Matthew A. Burke
MAYOR

Avery Johnson
PRESIDENT OF COUNCIL

ATTEST: Lottie Overy
CLERK OF COUNCIL

EFFECTIVE DATE: 3-10-2025



FISCAL OFFICER'S CERTIFICATION

Date: March 10, 2025

Ordinance 21-2025

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

\$4,267.00 grant funds

Required to meet the contract, agreement, obligation, payment or expenditure, identified in the attached ordinance or resolution, has been, or is now being, lawfully appropriated or authorized or directed for such purchase and is in the Treasury of the City, or is in the process of collection to the credit of fund, or funds identified as follow:

#101 General Fund

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

Barbara Biro
Fiscal Officer/Finance Director

RESOLUTION NO.: 12-2025

Vote Outcome: Passed
Yes: 6 No: 0
Adopted Date: 3-10-2025
Effective Date: 3-10-2025

SPONSORED BY:

MAYOR MATTHEW A. BURKE
COUNCIL PRESIDENT AVERY JOHNSON

CO-SPONSORED BY:

A RESOLUTION RATIFYING THE MAYOR'S APPOINTMENT OF STEPHEN SETTLE TO THE RECREATION BOARD OF THE CITY OF GARFIELD HEIGHTS TO COMPLETE THE UNEXPIRED TERM OF FORMER MEMBER KURT MARIOLA, AND DECLARING AN EMERGENCY

WHEREAS, in Resolution 10-2022, this Garfield Heights City Council ("Council") ratified the Mayor's appointment of Kurt Mariola to the Recreation Board of the City of Garfield Heights ("City") for a term set to expire on December 31, 2026; and

WHEREAS, Kurt Mariola is stepping away from his role on the Recreation Board, which thus creates a vacancy; and

WHEREAS, the City would like to appoint Stephen Settle to the Recreation Board to fill the vacancy and complete the unexpired term of Kurt Mariola.

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

SECTION 1. The appointment of Stephen Settle to the Recreation Board of the City of Garfield Heights to complete the unexpired term of Kurt Mariola, effective immediately and ending on December 31, 2026, is hereby ratified and approved by this Council.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, health and welfare of the citizens of the City of Garfield Heights, Ohio and to enable the Zoning Board of Appeals of the City of Garfield Heights, Ohio to function as prescribed by law and the City Charter, and shall be in full force and effect from and after its passage and approval by the Mayor, otherwise at the earliest period allowed by law.

PASSED: 3-10-2025

APPROVED: Matthew A. Burke
MAYOR

Avery Johnson
PRESIDENT OF COUNCIL

ATTEST: Lottie Oueley
CLERK OF COUNCIL

EFFECTIVE DATE: 3-10-2025



FISCAL OFFICER'S CERTIFICATION

Date: March 10, 2025

Resolution 12-2025

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

\$520.00 per year per term

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:

#207 Recreation Fund

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

Barbara Biro
Fiscal Officer/Finance Director

Vote Outcome: Passed
Yes: 6 No: 0
Adopted Date: 3-10-2025
Effective Date: 3-10-2025

RESOLUTION NO: 13-2025

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

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES VIOLENT CRIME REDUCTION GRANT PROGRAM FOR 2025, AND DECLARING AN EMERGENCY

WHEREAS, The Ohio Office of Criminal Justice Services (“OCJS”) is a division of the Ohio Department of Public Safety which coordinates the state’s comprehensive criminal justice plan; and

WHEREAS, Governor Mike DeWine designated OCJS to administer the Ohio Violent Crime Reduction Grant Program, which supports local communities in their efforts to reduce violent crime; and

WHEREAS, in Resolution 27-2023, this Council authorized the Mayor or his designee to apply for the Violent Crime Reduction Grant Program, which the City of Garfield Heights (“City”) was awarded in 2024; and

WHEREAS, upon winning the grant, the City used the funds to purchase necessary software and law enforcement equipment, as well as provide additional staffing at the Garfield Heights Police Department; and

WHEREAS, the City would like to once again apply for the OCJS Violent Crime Reduction Grant Program for the year 2025; the application deadline for this grant is March 19, 2025.

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

SECTION 1. The Mayor or his designee is hereby authorized and directed to apply for the OCJS Violent Crime Reduction Grant Program for 2025.

SECTION 2. Council declares this Resolution 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: 3-10-2025

APPROVED: Matthew A. Burke
MAYOR

ATTEST: Lotte Avery
CLERK OF COUNCIL

Avery Johnson
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 3-10-2025

RESOLUTION NO: 14-2025

SPONSORED BY:
CO-SPONSORED BY:

MAYOR MATTHEW A. BURKE
COUNCIL PRESIDENT AVERY JOHNSON

Vote Outcome: Passed
Yes: 6 No: 0
Adopted Date: 3-10-2025
Effective Date: 3-10-2025

A RESOLUTION AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO RECEIPT ANY CANNABIS FUNDS DISTRIBUTED BY THE HOST COMMUNITY CANNABIS FUND INTO THE GENERAL FUND, PER OHIO AUDITOR OF STATE RECOMMENDATIONS, AND DECLARING AN EMERGENCY

WHEREAS, in 2023, Ohio voters approved adult-use cannabis, codified in Chapter 3780 of the Ohio Revised Code; and

WHEREAS, Section 3780.23 of the Revised Code mandates that thirty-six percent (36%) of all monies collected from the tax levied shall be distributed to the Host Community Cannabis Fund, from which it will then be transferred to municipalities and townships that have adult use dispensaries based on the percentage of adult use tax attributable to each municipality or township; and

WHEREAS, on February 25, 2025, the Ohio Auditor of State (“AOS”) issued a Bulletin addressing the distribution of monies collected from the taxation of adult use cannabis and how municipalities should receipt the funds (attached hereto as Exhibit A); and

WHEREAS, the AOS Bulletin explains the funds distributed to municipalities and townships will be classified as intergovernmental revenue, and will contain no restrictions; and

WHEREAS, the AOS recommends that this revenue be receipted into the general fund with an ordinance or resolution passed documenting as such; and

WHEREAS, per the AOS recommendations, the City of Garfield Heights (“City”) desires to receipt any cannabis money to the City’s General Fund via this resolution.

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

SECTION 1. The Finance Director is hereby authorized and directed to receipt any cannabis funds distributed by the Host Community Cannabis Fund to the City into its General Fund.

SECTION 2. Council declares this Resolution 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: 3-10-2025

APPROVED: Matthew A. Burke
MAYOR

Avery Johnson
PRESIDENT OF COUNCIL

ATTEST: Sottle Oweley
CLERK OF COUNCIL

EFFECTIVE DATE: 3-10-2025

OHIO AUDITOR OF STATE KEITH FABER



Auditor of State Bulletin 2025-003

DATE ISSUED: February 25, 2025

TO: City Auditors and Finance Directors
Villages
Townships
Independent Public Accountants

FROM: Keith Faber
Ohio Auditor of State

SUBJECT: Cannabis Revenue

Background

In 2023, the voters approved adult-use cannabis. Ohio Revised Code Chapter 3780 addresses Adult Use Cannabis Control, specifically section 3780.23 addresses the funds created. A ten percent adult use tax will be levied and collected by the State of Ohio on all adult use consumers dispensaries. The adult use tax is collectable when the sale is made. All monies collected from the adult use tax will be deposited into the State's adult use tax fund and will be distributed as follows:

1. Thirty-six per cent to the cannabis social equity and jobs fund to be used to implement the requirements of 3780.19 of the Revised Code;
2. Thirty-six per cent to the host community cannabis fund for the benefit of municipal corporations or townships that have adult use dispensaries, and the municipal corporations or townships may use such funds for any approved purpose. Distributions to municipal corporations or townships shall be based on the percentage of adult use tax attributable to each municipal corporation or township;
3. Twenty-five per cent to the substance abuse and addiction fund to support the efforts of the department of mental health and addiction services to alleviate substance and opiate abuse and related research in the state under section 3780.30 of the Revised Code; and
4. Three per cent to the division of cannabis control and tax commissioner fund to support the operations of the division of cannabis control and to defray the cost of the department of taxation for administering the tax levied under section 3780.22 of the Revised Code.

Payments to municipal corporations and townships will be made by the end of the month following the end of each calendar quarter.

These payments will be made to townships and municipal corporations by the Department of Taxation.

Accounting Guidance

The cannabis money received by townships and municipal corporations is an allocation of the adult use tax levied by the State of Ohio and will be classified as intergovernmental revenue. There are no restrictions on the use of cannabis money; therefore, the Auditor of State (AOS) recommends the revenue be receipted into the general fund with an ordinance or resolution passed documenting as such. Township trustees or municipal corporation council may choose to commit the adult use cannabis tax dollars to a specific purpose with the adoption of a resolution to use the dollars for a restricted purpose. The township or municipal corporation resolution could commit the adult use cannabis tax dollars to a specific purpose and report those amounts in a separate special revenue fund, commit or assign cannabis dollars for capital purposes and report in a capital projects fund, or earmark for use in a specific enterprise fund. These separate funds should also be established by resolution. If the township or municipal corporation changes the constraints placed on the cannabis dollars, a mechanism should be in place to track expenditures of the accumulated balance at the time of the change according to the old constraints, separate from expenditures of resources received after the change is effective which would be tracked according to the new constraints. Municipal corporations and townships should set up a separate revenue line item within the intergovernmental category. Townships using UAN should use receipt code 599, "Other—Other Intergovernmental," and Villages using UAN should use receipt code 290, "Other—State Shared Taxes and Permits." The use of a separate fund would be subject to Auditor of State fund approval.

Cannabis money is a state-levied shared tax for Generally Accepted Accounting Principles (GAAP) reporting purposes and will be accounted for like voluntary or government-mandated nonexchange transactions. Since no time requirements are specified, the applicable period is therefore the State of Ohio's fiscal year (July through June). At December 31, a township or municipal corporation preparing GAAP financial statements would record a receivable for the following January through June distributions. The entire amount will be recorded as revenue on the accrual basis; however, some or all of this amount may be recorded as a deferred inflow of resources – unavailable revenue under the modified accrual basis, depending on when the resources are received.

Questions

If you have any questions regarding the information in this Bulletin, please contact the Local Government Services staff of the State Auditor's Office at (800) 345-2519.



Keith Faber
Ohio Auditor of State

RESOLUTION NO.: 15-2025

Vote Outcome: Passed
Yes: 6 No: 0
Adopted Date: 3-10-2025
Effective Date: 3-10-2025

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

A RESOLUTION SUPPORTING THE RELOCATION OF THE GARFIELD HEIGHTS MUNICIPAL COURT TO THE VILLAGE OF NEWBURGH HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, the Garfield Heights Municipal Court currently serves the following communities: Brecksville, Cuyahoga Heights, Garfield Heights, Independence, Maple Heights, the Metroparks, Newburgh Heights, Valley View, and Walton Hills; and

WHEREAS, due to the outdated structure that currently houses the Municipal Court, the City of Garfield Heights ("City") has spent years developing, reviewing, and assessing potential new locations for the Municipal Court, both within the City and the other communities within the Court's jurisdiction; and

WHEREAS, throughout this process, the City has been in contact the Village of Newburgh Heights, who has expressed an interest in being the new home of the Municipal Court; and

WHEREAS, the Village of Newburgh Heights currently has the largest annual caseload of all the communities in the jurisdiction (having recently surpassed Garfield Heights), which is traditionally a hallmark of the community who houses a municipal court; and

WHEREAS, at this time, having reviewed all potential options and the costs associated with each, the City believes it is in the best interest to work in conjunction with the Village of Newburgh Heights to explore the possibility of relocating the Municipal Court to the Village.

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

SECTION 1. The Mayor and Council wish to express their complete support in exploring the possibility of relocating the Garfield Heights Municipal Court to the Village of Newburgh Heights.

SECTION 2. Council declares this Resolution 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: 3-10-2025

APPROVED: Matthew A. Burke
MAYOR

ATTEST: Lottie Overby
CLERK OF COUNCIL

Amy Brown
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 3-10-2025