

**CITY OF MIDDLEBURG HEIGHTS, OHIO**

Ordinance No. 2020- **76**

Introduced By: Mayor Matthew Castelli

**AN ORDINANCE  
AUTHORIZING THE MAYOR AND FINANCE DIRECTOR  
TO ENTER INTO A PURCHASE AGREEMENT FOR THE PURCHASE OF  
CERTAIN REAL ESTATE IN THE CITY OF MIDDLEBURG HEIGHTS TO BE  
USED FOR THE CONSTRUCTION OF ABRAM CREEK DETENTION  
BASINS NEAR BIG CREEK PARKWAY PROJECT  
AND DECLARING AN EMERGENCY**

WHEREAS, flooding of public and private property has been a concern throughout the City of Middleburg Heights ("City") for many years; and

WHEREAS, it is the desire of the Mayor and Council to work towards the elimination of all flooding concerns within the City and to improve stormwater management within the City; and

WHEREAS, the acquisition of these parcels of land will allow the City to proceed with certain necessary improvements to increase stormwater detention capacity to reduce flooding within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: That the Mayor and Finance Director are hereby authorized to enter into a purchase agreement, a copy of which is attached hereto and marked "Exhibit A", for the purchase of certain real estate and improvements in the City of Middleburg Heights.

Section 2: That there is hereby appropriated sufficient funds to implement this Ordinance.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City. Wherefore, provided this Ordinance receives the affirmative vote of at least two-thirds (2/3) of the members of Council it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 9/22/20

*David Bortolotto*  
President of Council

Attest: M. Meola  
Clerk of Council

Approved On: 9-23-2020

Presented to Mayor: 9/23/20

*Matthew Coe*  
Mayor

	Yea	Nay
Bortolotto	<u>X</u>	_____
Ali	<u>X</u>	_____
Sage	<u>X</u>	_____
Meany	<u>X</u>	_____
McGregor	<u>X</u>	_____
Ference	<u>X</u>	_____
Grech	<u>X</u>	_____

I, Mary Ann Meola Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord. 2020-76 adopted by the Council of the City of Middleburg Hts., on 9/22/20 was posted for a period of fifteen days, beginning 9/23/20 and remained so posted for fifteen days at the two posting places as designated by Charter.

*Mary Ann Meola*  
Clerk

**CERTIFICATE**

I, Mary Ann Meola Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ord. 2020-76 passed on the 22<sup>nd</sup> day of September 2020 by said Council.

*Mary Ann Meola*  
Clerk of Council