

# CITY OF MIDDLEBURG HEIGHTS, OHIO

## Council Agenda

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January 12, 2021

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### **7:00 P.M. REGULAR MEETING**

- CALL TO ORDER
- ROLL CALL
- PLEDGE OF ALLEGIANCE

Minutes of the Regular Meeting of December 22, 2020

### COMMUNICATIONS

### AUDIENCE PARTICIPATION

### APPOINTMENTS AND CONFIRMATIONS

### ORDINANCES, RESOLUTIONS AND MOTIONS

1. City Parks, Recreation & Services Committee – Mr. Ali, Chairman
2. Finance, Taxation & Assessments Committee – Mr. Bortolotto, Chairman
3. Legislation & Rules Committee – Mr. Ference, Chairman
4. Public Health, Safety & Relief Committee – Mr. McGregor, Chairman
5. Public Improvements Committee – Mr. Sage, Chairman
6. Streets, Utilities & Railroad Committee – Mr. Meany, Chairman
7. Zoning & Building Code Committee – Mr. Grech, Chairman

### MAYOR'S REPORT

1. Law Director
2. Finance Director
3. Recreation Director
4. Economic Development Director
5. Service Director
6. Executive Assistant

### ADJOURNMENT

# CITY OF MIDDLEBURG HEIGHTS, OHIO

## Council Agenda

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### 2020 PENDING LEGISLATION

- |     |                |   |   |
|-----|----------------|---|---|
| 32  | Grech          | An Ordinance amending Section 1133.14 of the Middleburg Heights Zoning Code.                                      | 1st. Rdg. 3-24-20<br>Refer to Planning<br>3-24-20<br>2nd. Rdg. 6-9-20<br>Pub. Hrg. 9-8-20 |
| 100 | Mayor Castelli | An Ordinance amending Chapter 1140 Mixed Use (MU) Districts of the Zoning Code of the City of Middleburg Heights. | 1st. Rdg. 12/22/20<br>Refer to Planning<br>12/22/20                                       |

### UN-NUMBERED LEGISLATION

- |                |  |
|----------------|--|
| Bortolotto     | A Resolution authorizing the sale by internet auction during calendar year 2021 of municipally owned personal property which is not needed for public use, or which is obsolete or unfit for the use for which it was acquired, pursuant to Ohio Revised Code Section 721.15(D). |
| Mayor Castelli | A Resolution waiving permit fees for Southwest General Health Center for the renovation and expansion of the Maternity Services Facility.  |
| Mayor Castelli | A Resolution waiving permit fees for Southwest General Health Center for renovation of the MRI Vascular Lab.   |

# CITY OF MIDDLEBURG HEIGHTS, OHIO

## Council Agenda

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### ZONING & BUILDING CODE COMMITTEE – Mr. Grech, Chairman

9-24-19 Discussion regarding ordinance regulating fences

### FINANCE, TAXATION & ASSESSMENTS COMMITTEE – Mr. Bortolotto, Chairman

### CITY PARKS, RECREATION & SERVICES COMMITTEE – Mr. Ali, Chairman

2-13-18 Dog Park

11-13-18 Ordinance No. 2018-92, Dedicated space for seniors in community center

2-26-19 Proposed Charter Amendments – mayor term limits/firing of directors

### LEGISLATION & RULES COMMITTEE – Mr. Ference, Chairman

2-26-13 Vote Abstention Rule

9-10-19 Term Limits

### PUBLIC HEALTH, SAFETY & RELIEF COMMITTEE – Mr. McGregor, Chairman

9-22-20 Hotel/Motel Security Legislation

### PUBLIC IMPROVEMENTS COMMITTEE – Mr. Dan Sage, Chairman

6-26-12 Police Department Expansion Project or new facility

### STREETS, UTILITIES & RAILROAD COMMITTEE – Mr. Meany, Chairman

1-22-19 Letter from Diane Bickett, Executive Director, dated January 7, 2019 regarding ratification of the Cuyahoga County Solid Waste Management Plan update

### AD-HOC COMMITTEE

12-22-09 Preservation of the Little Red School House

Regular Council Meeting January 12, 2021  
Tue, Jan 12, 2021 7:00 PM - 8:00 PM (EST)

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# CITY OF MIDDLEBURG HEIGHTS

## RESOLUTION NO. 2021 - \_\_\_\_\_

Introduced by: Mr. Bortolotto, Mr. Meany, and Mr. Grech

### A RESOLUTION

#### **AUTHORIZING THE SALE BY INTERNET AUCTION DURING CALENDAR YEAR 2021 OF MUNICIPALLY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, PURSUANT TO OHIO REVISED CODE SECTION 721.15(D)**

WHEREAS, Ohio Revised Code Section 721.15(D) authorizes legislative authority of a municipal corporation to sell personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, by Internet auction; and

WHEREAS, Ohio Revised Code Section 721.15(A) allows for personal property not needed for municipal purposes, the estimate value of which is less than one thousand dollars, to be sold by the board or officer having supervision or management of that property.

WHEREAS, An annual resolution adopted by City Council is required to permit the City to utilize the internet auction provision of ORC Section 721.15.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, CUYAHOGA COUNTY, STATE OF OHIO

Section 1. That the Mayor and Finance Director be authorized to place for auction and to sell to the highest bidder such unneeded, obsolete or unfit personal property by Internet auction.

Section 2. That the Finance Director shall cause notice of adoption of this resolution to be published, in a newspaper of general circulation in the City, of the City's intent to sell unneeded, obsolete or unfit personal property by Internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published at least twice. The second and any subsequent notice shall be published not less than ten nor more than twenty days after the previous notice.

Section 3. That the Finance Director shall cause a notice to be posted continually throughout the calendar year in a conspicuous place in the office of the Director of Finance and shall cause said notice to be posted continuously throughout the year on the City website.

Section 4. That the City shall conduct the internet auction via GovDeals (or other similar bidding site as long as notice is given) using the parameters provided by the auction site. Minimum price or reserve may be set, but is not required by law.

Section 5. That bidding shall continue for no less than 10 days, including Saturday, Sunday and legal holidays, and shall be set for each item as noted on the internet auction site.

Section 6. That all terms and conditions of sale, including but not limited to pick-up and delivery, method of payment, sales tax, complete descriptions and/or pictures of the items, shall be specified for each item on the internet auction site.

Section 7. That the highest bidder upon close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon closing of the auction, the City shall remit an invoice to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten (10) days of receipt of the invoice. Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City Finance Director.

Section 8. That all items shall be sold without warranty in "AS IS" condition. All advertisements, listings, and notices shall be subject to the following language:

"The City of Middleburg Heights, its officers, employees and agents offer this item for sale "AS IS" without any warranty or condition, express, implied or statutory. The City of Middleburg Heights, its officers, employees and agents, specifically disclaim any implied warranties of title, merchantability, fitness for a particular purpose and non-infringement."

Section 9. That the Director having supervision or management of the asset is hereby authorized to dispose of any property that is listed for auction and does not sell as a result of not receiving bids.

Section 10. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage of this resolution 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 Codified Ordinances and Section 121.22 of the Ohio Revised Code.

PASSED \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

PRESENTED TO MAYOR \_\_\_\_\_

APPROVED ON: \_\_\_\_\_

	YEAS	NAYS
BORTOLOTTA	_____	_____
ALI	_____	_____
SAGE	_____	_____
MEANY	_____	_____
MCGREGOR	_____	_____
FERENCE	_____	_____
GRECH	_____	_____

\_\_\_\_\_  
MAYOR

**CITY OF MIDDLEBURG HEIGHTS, OHIO**

Resolution No. 2021-

Introduced By: Mayor Matthew Castelli

**A RESOLUTION  
WAIVING PERMIT FEES FOR SOUTHWEST GENERAL HEALTH CENTER  
FOR THE RENOVATION AND EXPANSION OF THE MATERNITY  
SERVICES FACILITY**

WHEREAS, Southwest General Health Center has a deep commitment to providing personalized care and building a healthy future for the patients, families and communities it serves; and

WHEREAS, Southwest General Health Center is dedicated to providing outstanding, family-centered care to provide an optimal birth experience, offering numerous maternity services designed to help both before and after birth, including childbirth and family life classes; and

WHEREAS, the Maternity Services facility will undergo a 17,000 square foot interior expansion and renovation of the existing space; and

WHEREAS, contractor registrations and plan review fees will not be waived.

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

Section 1: That Council hereby authorizes 25% of the estimated \$90,531.95 permit fees for the expansion and renovations of the existing space for the Maternity Services at Southwest General Health Center be waived.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved On: \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

	Yea	Nay
Bortolotto	_____	_____
Ali	_____	_____
Sage	_____	_____
Meany	_____	_____
McGregor	_____	_____
Ference	_____	_____
Grech	_____	_____



DELIVERED JAN 07 2021

**CITY OF MIDDLEBURG HEIGHTS, OHIO**

Resolution No. 2021-

Introduced By: Mayor Matthew Castelli

**A RESOLUTION  
WAIVING PERMIT FEES FOR SOUTHWEST GENERAL HEALTH CENTER  
FOR RENOVATION OF THE MRI VASCULAR LAB**

WHEREAS, Southwest General Health Center has a deep commitment to providing personalized care and building a healthy future for the patients, families and communities it serves; and

WHEREAS, Magnetic Resonance Imaging is a painless diagnostic exam that allows physicians to see inside the body without using surgery or radiation. MRI uses a magnetic field, radio waves and a computer to create detailed images of the internal organs and tissues; and

WHEREAS, Southwest General Health Center will undergo renovation of the MRI Vascular Lab; and

WHEREAS, contractor registrations and plan review fees will not be waived.

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

Section 1: That Council hereby authorizes 25% of the estimated \$8,978.92 permit fees for the renovations of the existing space for the MRI Vascular Lab at Southwest General Health Center be waived.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved On: \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

	Yea	Nay
Bortolotto	_____	_____
Ali	_____	_____
Sage	_____	_____
Meany	_____	_____
McGregor	_____	_____
Ference	_____	_____
Grech	_____	_____