

CITY OF MIDDLEBURG HEIGHTS, OHIO

Council Agenda

November 22, 2022

7:00 P.M. REGULAR MEETING

- CALL TO ORDER
- ROLL CALL
- PLEDGE OF ALLEGIANCE

Minutes of the Regular Meeting of November 8, 2022

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

NOVEMBER 22, 2022

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UN-NUMBERED LEGISLATION

INTRODUCED BY MR. BORTOLOTTTO

A Resolution accepting life insurance proposal from National Insurance Services, Inc.

INTRODUCED BY MR. BORTOLOTTTO

A Resolution authorizing the mayor and finance director to enter into contracts for employee health coverage with Medical Mutual of Ohio for a period of one year.

INTRODUCED BY MR. BORTOLOTTTO

Declaring the improvement to certain parcels of real property within the city to be a public purpose and exempt from taxation pursuant to ORC 5709.40(B); providing for the collection and deposit of service payments and specifying the purposes for which those service payments may be expended; specifying the public infrastructure improvements directly benefiting the parcels; and authorizing school compensation payments (Southland Redevelopment).

INTRODUCED BY MAYOR CASTELLI

An Ordinance to make supplemental appropriations for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2022.

City of Middleburg Heights

LIFE INSURANCE RES 2022.doc

RESOLUTION NUMBER 2022-_____

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

A RESOLUTION ACCEPTING LIFE INSURANCE PROPOSAL FROM NATIONAL INSURANCE SERVICES, INC.,

WHEREAS, proposals were received by the Director of Finance of the City of Middleburg Heights, Ohio for the purchase of life insurance coverage for the City of Middleburg Heights' employees for the period beginning January 1, 2018 to December 31, 2018, and;

WHEREAS, the proposal of Madison National Life Insurance Company, as carrier for the furnishing of life insurance coverage was considered best, and;

WHEREAS, Madison National Life Insurance Company has agreed to extend the contract for the furnishing of life insurance coverage for the two year period commencing January 1, 2023 at no increase in premium;

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

Section 1. That the Mayor and Finance Director are authorized to enter into a contract renewal with National Insurance Services, Inc. as agent with Madison National Life Insurance Company, as carrier for the furnishing of life insurance coverage for a two year period beginning January 1, 2023.

Section 2. It is 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 Section 121.22 of Ohio Revised Code.

PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____

APPROVED ON _____

PRESENTED TO MAYOR _____

MAYOR

ROLL CALL	YEAS	NAYS
BORTOLOTTI	_____	_____
ALI	_____	_____
SAGE	_____	_____
MEANY	_____	_____
MCGREGOR	_____	_____
FERENCE	_____	_____
GRECH	_____	_____

October 2022

Jason Stewart
Director of Finance
City of Middleburg Heights
15700 East Bagley Road
Middleburg Heights, OH 44130-4896

RE: Insurance Renewal for City of Middleburg Heights , Group # 030490
Life, Madison National Life Insurance Company, Inc.
Carrier Policy # 4386, NIS Policy # 15247

Dear Mr. Stewart:

The Life Insurance renews January 1, 2023. I am pleased to inform you that Madison National Life Insurance Company, Inc. has determined that a rate adjustment is not needed. Your renewal rates are as follows:

Life and AD&D

Class Title	Current Rate Per \$1,000 of Coverage	Renewal Rate Per \$1,000 of Coverage	Impact
All Classes	\$0.189/\$0.027	\$0.189/\$0.027	Pass/Pass

These rates are guaranteed for 2 Years until January 1, 2025, assuming no changes to the current benefit structure.

We believe our level of commitment to you is most evident in our ongoing efforts to secure both competitive pricing and extended rate guarantees. We truly appreciate your business and the opportunity to continue negotiating on your behalf.

Thank you for your continued business. Please do not hesitate to call me if you have any questions.

Sincerely,

Landon Mowry
Account Representative, Insured Products

Renewal eForm # 12630

Insurance Renewal for City of Middleburg Heights , Group # 030490
Life, Madison National Life Insurance Company, Inc.
Carrier Policy # 4386, NIS Policy # 15247

DELIVERED NOV 17 2022

City of Middleburg Heights

RESOLUTION NUMBER 2022-_____

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

**A RESOLUTION
AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO
ENTER INTO CONTRACTS FOR EMPLOYEE HEALTH
COVERAGE WITH MEDICAL MUTUAL OF OHIO
FOR A PERIOD OF ONE YEAR**

WHEREAS, proposals were received by the City for the furnishing of administrative services and stop-loss insurance coverage for the City of Middleburg Heights' employee health coverage for the period beginning January 1, 2023 to December 31, 2023, and;

WHEREAS, The Fedeli Group, the City's health insurance broker, has recommended accepting the proposal of Medical Mutual of Ohio, as carrier for the furnishing of administrative services and stop-loss insurance coverage for the City of Middleburg Heights' employee health coverage, a copy of said recommendation is attached hereto and marked "Exhibit A" and;

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

Section 1. That the Mayor and Finance Director are authorized to enter into contract renewals with Medical Mutual of Ohio for a one year period beginning January 1, 2023.

Section 2. It is 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 Section 121.22 of Ohio Revised Code.

PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____

APPROVED ON _____

PRESENTED TO MAYOR _____

MAYOR

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

2023 Employee Benefits Medical/Prescription Review – City of Middleburg Heights

Prepared by: **The Fedeli Group**

Submitted: November 4, 2022

Overview of Request for Proposals

The Fedeli Group received the January 1, 2023 medical and prescription renewal for the self-funded plan. In anticipation of the renewal, our firm prepared a comprehensive Request for Proposals (RFP) seeking competitive options from stop-loss insurers.

The purpose of this report is to summarize the renewal and offer a recommendation.

Medical Mutual's initial renewal included a 2.5% increase for administration. This increase is consistent with other Medical Mutual renewals. The initial stop-loss increase was 16.3%. The total fixed cost increase was 13.8%. The overall increase, at the maximum claims level, with fixed costs is an adjustment of 6.8%.

Fedeli was able to negotiate a better renewal with Medical Mutual for stop loss using competitive proposals from Berkley, Berkshire Hathaway, and Sun Life Financial. While all three insurers proposed savings, the offers are not firm. In addition, using a third party stop loss vendor carries certain disadvantages:

- \$5 PEPM outside stop loss administration fee charged by Medical Mutual
- No immediate claim takeover – the City would fund full claim and submit for reimbursement
- Manual pharmacy, stop loss claim reconciliation

The Fedeli Group used the competitive proposals to arrive at a more appropriate stop loss offer from Medical Mutual. MMO has agreed to revise the renewal adjustment from 16.3% to 9%. With the revision, the total fixed costs will increase 7.7% compared to 13.8%. The total plan adjustment with fixed costs and maximum claims is an increase of 5.4%. The recommended increase is much lower than regional norms.

Recommendation

The Fedeli Group recommends the City of Middleburg Heights renew with Medical Mutual for administration and stop loss, dental administration, and vision administration.

	MMO- 2022	MMO Renewal (revised) 2023	Adjustment
Administration	\$139,757	\$143,257	2.5%
Stop Loss + Aggregate	\$696,504	\$757,464	8.7%
Maximum Claims	\$3,639,452	\$3,826,978	5.1%
Total	\$4,389,942	\$4,624,063	5.1%
Dental (Admin + Claims)	\$142,572	\$156,492	9.76%
Vision (Admin Only)	\$2,007	\$2,073	3%



Prepared for:



Presented by:

Mike McGrath, Senior Vice President
Jayne Czech, Client Manager

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City of Middleburgh Heights

Effective Date: 1/01/2023

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Medical & Pharmacy

City of Middleburgh Heights

Effective Date: 1/01/2023

		Current		Renewal		Revised Renewal	
		MMO	MMO	MMO	MMO	MMO	MMO
		\$350 Southwest Plan	\$1000 Southwest Plan	\$350 Southwest Plan	\$1000 Southwest Plan	\$350 Southwest Plan	\$1000 Southwest Plan
		Current		Renewal		Revised Renewal	
Carrier		Medical Mutual		Medical Mutual		Medical Mutual	
Coverage Included		Medical & Rx		Medical & Rx		Medical & Rx	
Contract Basis		Incurred in 18 / Paid in 12		18/12		18/12	
Administration							
	Medical Claim Administrator	Medical Mutual of Ohio		Medical Mutual of Ohio		Medical Mutual of Ohio	
	Prescription Drug Administrator	Express Scripts		Express Scripts		Express Scripts	
	Network	Medical Mutual Services Direct SuperMed		Medical Mutual Services Direct SuperMed		Medical Mutual Services Direct SuperMed	
Specific Contract							
	Deductible Level	\$75,000		\$75,000		\$75,000	
	Terminal Liability	No		No		No	
Aggregate Contract							
	Maximum Aggregate Benefit	\$1,000,000		\$1,000,000		\$1,000,000	
	Aggregate Corridor	125%		125%		125%	
	Terminal Liability	None		None		None	
Underwriting							
	Laser Liability / No New Laser Provision	None		None		None	
	Renewal Rate Cap	N/A		N/A		N/A	
Administration		COST DEVELOPMENT		COST DEVELOPMENT		COST DEVELOPMENT	
	PEPM Composite	56	\$86.27 79	\$86.27	56	\$88.43 79	\$88.43
Monthly			\$4,831	\$6,815		\$4,952	\$6,986
Monthly Total			\$11,646			\$11,938	
% Change						2.5%	
Specific Stop Loss							
	PEPM Composite	56	\$412.53 79	\$412.53	56	\$479.77 79	\$479.77
Monthly			\$23,102	\$32,590		\$25,171	\$35,510
Monthly Total			\$55,692			\$64,769	
% Change						16.3%	
Aggregate Stop Loss							
	PEPM Composite	56	\$17.77 79	\$17.15	56	\$20.08 79	\$19.38
Monthly			\$995	\$1,355		\$1,124	\$1,531
Monthly Total			\$2,350			\$2,656	
% Change						13.0%	
Attachment Rates							
	PEPM Composite	56	\$2,290.40 79	\$2,215.51	56	\$2,413.05 79	\$2,326.38
Monthly			\$128,262	\$175,025		\$135,131	\$183,784
Monthly Total			\$303,288			\$318,915	
% Change						5.2%	
Expected Rates							
	PEPM Composite	56	\$1,832.32 79	\$1,772.41	56	\$1,930.44 79	\$1,861.10
Monthly			\$102,610	\$140,020		\$108,105	\$147,027
Monthly Total			\$242,630			\$255,132	
% Change						5.2%	

Medical & Pharmacy

City of Middleburgh Heights

Effective Date: 1/01/2023

	Current		Renewal		Revised Renewal	
	MMO	MMO	MMO	MMO	MMO	MMO
	\$350 Southwest Plan	\$1000 Southwest Plan	\$350 Southwest Plan	\$1000 Southwest Plan	\$350 Southwest Plan	\$1000 Southwest Plan
	Current		Renewal		Revised Renewal	
Carrier	Medical Mutual		Medical Mutual		Medical Mutual	
Coverage Included	Medical & Rx		Medical & Rx		Medical & Rx	
Contract Basis	Incurred in 18 / Paid in 12		18/12		18/12	
Administration						
Medical Claim Administrator	Medical Mutual of Ohio		Medical Mutual of Ohio		Medical Mutual of Ohio	
Prescription Drug Administrator	Express Scripts		Express Scripts		Express Scripts	
Network	Medical Mutual Services Direct SuperMed		Medical Mutual Services Direct SuperMed		Medical Mutual Services Direct SuperMed	
Specific Contract						
Deductible Level	\$75,000		\$75,000		\$75,000	
Terminal Liability	No		No		No	
Aggregate Contract						
Maximum Aggregate Benefit	\$1,000,000		\$1,000,000		\$1,000,000	
Aggregate Corridor	125%		125%		125%	
Terminal Liability	None		None		None	
Underwriting						
Laser Liability / No New Laser Provision	None		None		None	
Renewal Rate Cap	N/A		N/A		N/A	
Financial Summary						
Annual Administration	\$139,757		\$143,257		\$143,257	
Annual Specific Premium	\$668,299		\$777,227		\$728,174	
Annual Aggregate Premium	\$28,200		\$31,866		\$29,292	
Estimated Annual Rebates	(\$85,766)		(\$103,637)		(\$103,637)	
Total Annual Fixed Costs	\$750,489		\$848,713		\$797,085	
% Change			13.1%		6.2%	
Maximum Claim Liability	\$3,639,452		\$3,826,978		\$3,826,978	
% Change			5.2%		5.2%	
Expected Claim Liability	\$2,911,562		\$3,061,582		\$3,061,582	
% Change			5.2%		5.2%	
Total Fixed + Maximum Claims Liability	\$4,389,942		\$4,675,691		\$4,624,063	
% Change			6.5%		5.3%	
Total Fixed + Expected Claims Liability	\$3,662,051		\$3,910,295		\$3,858,667	
% Change			6.8%		5.4%	

(Based on current enrollment)

Dental

City of Middleburgh Heights

Effective Date: 1/01/2023

		Current		Renewal	
		MMO		MMO	
		Superior Dental		Superior Dental	
		NETWORK	NON-NETWORK	NETWORK	NON-NETWORK
Deductible					
	Single		\$0		\$0
	Family		\$0		\$0
Class I: Preventive		80%	80%	80%	80%
Class II: Basic		80%	80%	80%	80%
Class III: Major		50%	50%	50%	50%
Class IV: Orthodontia		50%	50%	50%	50%
Adult		N/A	N/A	N/A	N/A
Benefit Waiting Periods			N/A		N/A
Annual Maximum			Unlimited		Unlimited
Lifetime Orthodontia Limit		N/A	N/A	N/A	N/A
Endodontics			Class II		Class II
Periodontics			Class II		Class II
Implants		Class III	Class III	Class III	Class III
Notes					
	<u>Contracts</u>	136	Current	Renewal	
	Administration Fee		\$5.29	\$5.48	
	Aggregate Stop Loss Fee		\$0.87	\$0.97	
	Attchment Rates		\$101.50	\$111.80	
Annual Fixed Costs		136	\$10,053	\$10,526	
Annual Max Claims			\$165,648	\$182,458	
Annual Expected Claims			\$132,518	\$145,966	
	Total Fixed Costs		\$10,053	\$10,526	
	% Change		N/A	4.71%	
	Total Fixed + Maximum Claims Liability		\$175,701	\$192,984	
	% Change		N/A	9.84%	
	Total Fixed + Expected Claims Liability		\$142,572	\$156,492	
	% Change		N/A	9.76%	

(Based on current enrollment)

Vision

City of Middleburgh Heights

Effective Date: 1/01/2023

		Current	Option 1
		Medical Mutual	Medical Mutual
		Plan	Plan
		NETWORK	NETWORK
Frequency			
	Exam	12 months	12 months
	Lens	12 months	12 months
	Frame	12 months	12 months
Exam Co-Pay		Up to \$35 Per Exam	Up to \$35 Per Exam
Lens Co-pay	Single	Up to \$150 Per Pair	Up to \$150 Per Pair
	Bifocal	Up to \$150 Per Pair	Up to \$150 Per Pair
	Trifocal	Up to \$150 Per Pair	Up to \$150 Per Pair
	Lenticular	Up to \$150 Per Pair	Up to \$150 Per Pair
Frames Allowance		Up to \$70	Up to \$70
Contact Lenses	Elective	Up to \$100	Up to \$100
	Medically Necessary	Up to \$100	Up to \$100
Notes			
		Current	Option 1
	<u>Contracts</u>		
Admin Fee	136	\$1.23	\$1.27
Monthly	136	\$167	\$173
Annual		\$2,007	\$2,073
\$ Adjustment			\$65
% Adjustment			3%
(Based on estimated enrollment)			

Compensation Disclosure - How We Get Paid

The Fedeli Group is committed to evaluating, developing, and executing strategy based on your specific needs. This includes providing insurance placement, communications, compliance, advocacy and other related services to you, our client. For our efforts, we are compensated in a variety of ways, primarily in the form of commissions paid by insurance companies and, sometimes, fees paid by clients.

Commission Income:

Commission, calculated as a percentage of the premium paid or PEPM, is paid to us by the insurer for the sale and servicing of an insurance policy. Our commission is included in the premium paid by you.

Indirect Compensation:

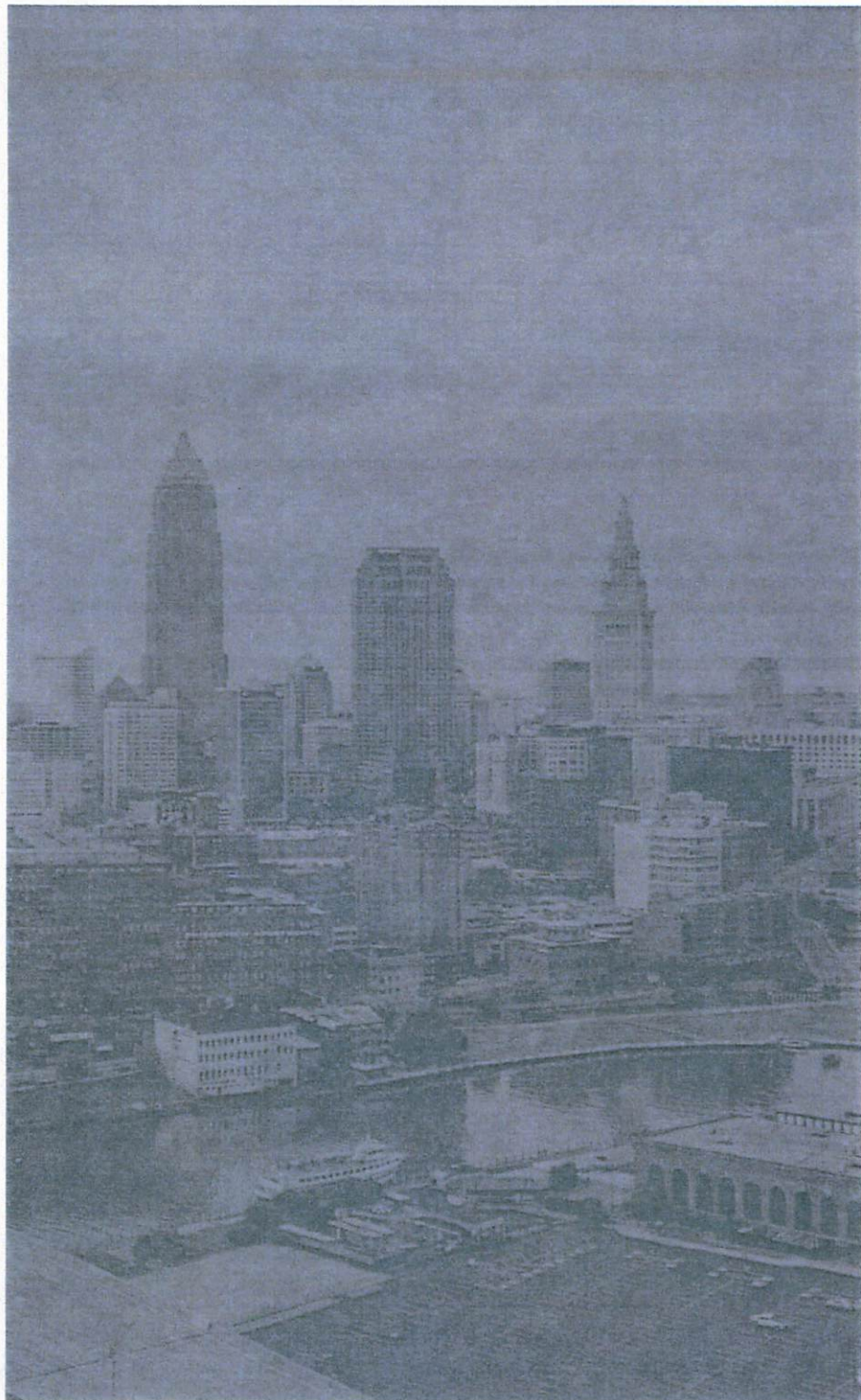
On occasion, we may be eligible for indirect compensation in the form of override income and other benefits. These forms of compensations are not guaranteed and will change based on the ongoing fluctuation of overall books of business with each unique carrier.

Override Income: These commissions, in fixed amounts, are established annually in advance based on historical performance measured by criteria comparable to those by which contingent commissions are calculated. We refer to these commissions as overrides or guaranteed supplemental commissions. **Override income does not impact your premiums.**

Other Compensation and Benefits: We may receive revenue or further benefits from our insurance activities in other ways, including, but not limited to, insurance company promotional events, payment from insurers for promotional marketing and/or employee training and development, fees or a percentage of the interest paid to us for the administration of premium finance contracts and interest paid to us by financial institutions earned on accounts in which we hold your premium payments pending remittance to the insurance company. **Any other compensation or benefits will not impact your premiums.**

Fees Paid by Clients:

Any fee charged for the placement of insurance, or any other consulting service(s), will be detailed in our agreed to Scope of Service prior to engagement of the project. **Any direct fees paid will not impact your premium.**



THE
FEDELI  GROUP

DELIVERED NOV 17 2022

City of Middleburg Heights, Ohio

Ordinance No. 2022-_____

Introduced by: Mr. Bortolotto Co-Sponsors: Mr. Meany, Mr. Grech

**DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL
PROPERTY WITHIN THE CITY TO BE A PUBLIC PURPOSE AND
EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B);
PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE
PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE
SERVICE PAYMENTS MAY BE EXPENDED; SPECIFYING THE
PUBLIC INFRASTRUCTURE IMPROVEMENTS DIRECTLY
BENEFITING THE PARCELS; AND AUTHORIZING SCHOOL
COMPENSATION PAYMENTS (SOUTHLAND REDEVELOPMENT)**

WHEREAS, Ohio Revised Code (“ORC”) 5709.40, 5709.42, and 5709.43 (collectively, the “TIF Act”) authorize this Council, by ordinance, to declare the improvement to parcels of real property located within the City to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a municipal public improvement tax increment equivalent fund for the deposit of the those service payments, and specify the purposes for which money in that fund will be expended; and

WHEREAS, the City desires to implement a tax increment financing program on the Parcels (as defined in Section 1) pursuant to the TIF Act to enable the City to make public infrastructure improvements that will directly benefit the Parcels; and

WHEREAS, notice of this proposed ordinance has been delivered to the Board of Education of the Berea City School District (the “School District”) and Polaris Joint Vocational School District (“PJVSD”) in accordance with and within the time periods prescribed in ORC 5709.40 and 5709.83; and

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

Section 1: Parcels. The real property subject to this ordinance is identified and depicted on Exhibit A (as currently or subsequently configured, the “*Parcels*”, with each individual parcel a “*Parcel*”).

Section 2: Public Infrastructure Improvements. This Council hereby designates the public infrastructure improvements described in Exhibit B (the “*Public Infrastructure Improvements*”) and any other public infrastructure improvements hereafter designated by ordinance as public infrastructure improvements made, to be made or in the process of being made by the City that directly benefit, or that once made will directly benefit, the Parcels.

Section 3: Authorization of Tax Exemption. This Council hereby finds and determines that 100% of the increase in assessed value of each Parcel subsequent to the effective date of this ordinance (which increase in assessed value is hereinafter referred to as the "*Improvement*" as defined in ORC 5709.40(A)) is hereby declared to be a public purpose and will be exempt from taxation in accordance with ORC 5709.40(B) for a period commencing for each Parcel (separate exemption periods for each Parcel) with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a new structure on that Parcel first appears on the tax list and duplicate of real and public utility property were it not for the exemption granted by this Ordinance and ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act. The exemption provided by this ordinance is subordinate to any exemption for a Parcel granted pursuant to ORC 3735.65 to 3735.70.

Section 4: Service Payments. As provided in ORC 5709.42, the owner of each Parcel is hereby required to make service payments in lieu of taxes with respect to the Improvement allocable to each Parcel to the Cuyahoga County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes. The service payments in lieu of taxes will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3 of this Ordinance, including any penalties and interest (collectively, the "*Service Payments*"). The Service Payments, and any other payments with respect to each Improvement that are received in connection with the reduction required by ORC 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "*Property Tax Rollback Payments*"), shall be deposited and distributed in accordance with Section 6.

Section 5: TIF Fund. This Council establishes, pursuant to and in accordance with the provisions of ORC 5709.43, the Southland Redevelopment Tax Increment Equivalent Fund (the "*TIF Fund*"), into which the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels will be deposited. The TIF Fund will be maintained in the custody of the City. The City may use amounts deposited into the TIF Fund only for the purposes authorized in the TIF Act and this Ordinance (as it may be amended). The TIF Fund will remain in existence so long as the Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with ORC 5709.43.

Section 6: Distributions. Pursuant to the TIF Act, the County Treasurer is requested to distribute the Service Payments and Property Tax Rollback Payments as follows:

- (i) To each of the School District and the PJVSD, an amount equal to the amount the school district would otherwise receive as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance.

(ii) To the City, all remaining amounts for further deposit into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements and any other lawful purpose.

All distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions. The City shall make any distributions to the extent not made by the County Treasurer.

Section 7: Further Authorizations. This Council hereby authorizes and directs the Mayor, the Law Director, the Director of Finance, Director of Economic Development or other appropriate officers of the City to deliver a copy of this Ordinance to the Ohio Department of Development within fifteen days after its effective date, in accordance with ORC 5709.40(I), and to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the Mayor, the Law Director, the Director of Finance, Director of Economic Development or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this ordinance.

Section 8: Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC 121.22.

Section 9: Effective Date. This ordinance is effective on the earliest date permitted by law.

Passed: _____

President of Council

Attest: _____

Clerk of Council

Approved On: _____

Presented to Mayor: _____

Mayor

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

EXHIBIT A
IDENTIFICATION AND MAP OF THE PARCELS

The area denoted on the following map specifically identifies and depicts the Parcels (tax parcel numbers 372-20-031 as of October 1, 2022) and constitutes part of this Exhibit A.

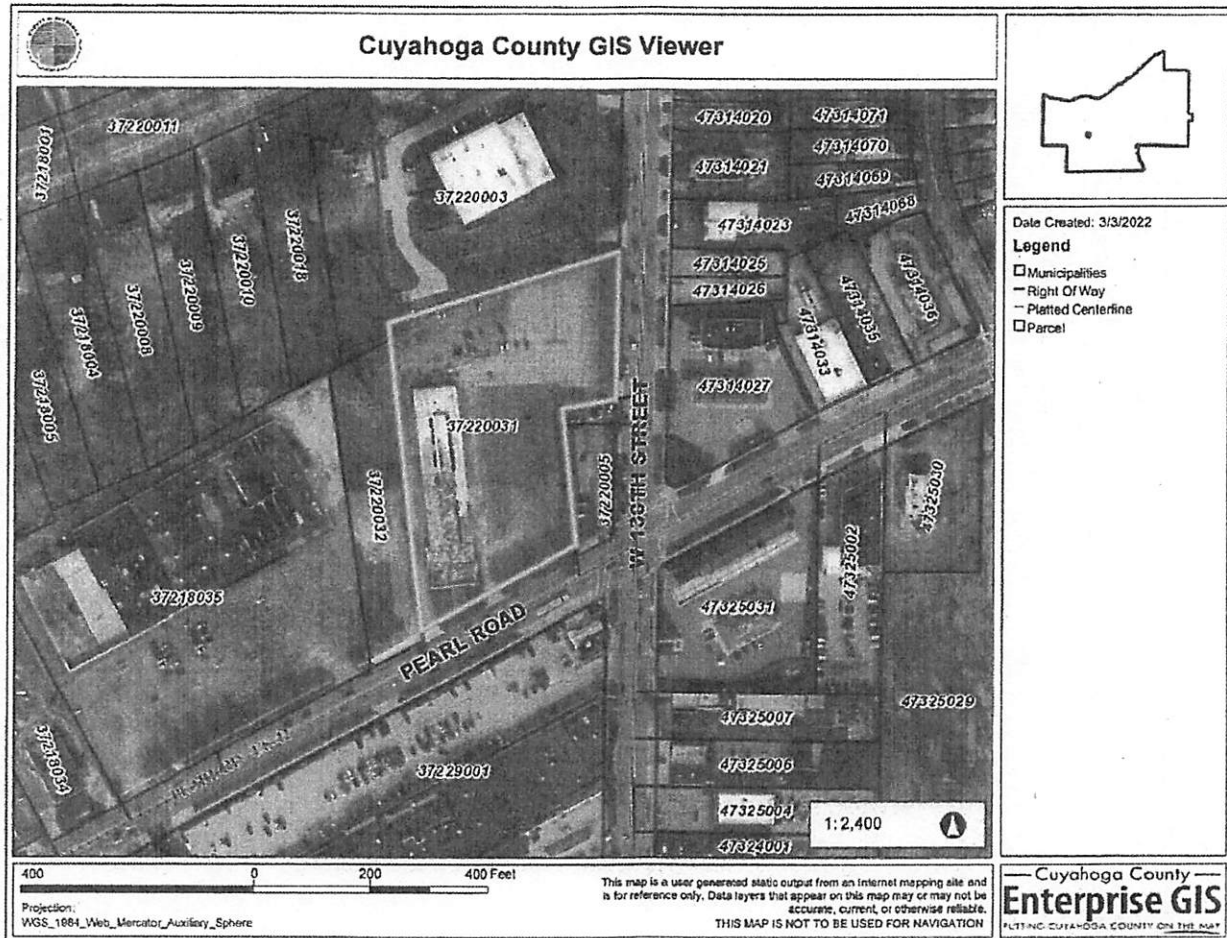


EXHIBIT B
PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements consist of any “public infrastructure improvement” defined under ORC 5709.40(A)(8) and that directly benefits the Parcels and specifically include, but are not limited to, any of the following improvements that will directly benefit the Parcels and all related costs of those permanent improvements (including, but not limited to, those costs listed in ORC 133.15(B)):

- **Roadways.** Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.
- **Water/Sewer.** Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto, including, but not limited to those associated with improvements described in “Roadways” above.
- **Environmental/Health.** Implementation of environmental remediation measures necessary to enable the construction of the private improvements on the Parcels or the Public Infrastructure Improvements, and the construction of public health facilities.
- **Utilities.** Construction, reconstruction, burial or installation of gas, electric and communication service facilities and all appurtenances thereto, including, but not limited to those associated with improvements described in “Roadways” above.
- **Stormwater.** Construction, reconstruction, relocation, modification and installation of stormwater and flood remediation projects and facilities, both for storm water quantity and quality, including the payment and reimbursement for such projects and facilities on private property when determined to be necessary for public health, safety and welfare.
- **Demolition.** Demolition, including demolition on private property when determined to be necessary for public health, safety and welfare.
- **Parks.** Construction or reconstruction of one or more public parks and park or recreational facilities, including grading, trees and other park plantings, park accessories and related improvements, multi-use trails and bridges, together with all appurtenances thereto.
- **Streetscape/Landscape.** Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including,

but not limited to streetscape improvements in conjunction with and along the roadway improvements described in "Roadways" above.

- **Real Estate.** Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research.
- **Professional Services.** Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.

City of Middleburg Heights, Ohio

Ordinance No. 2022-_____

Introduced by: Mayor Castelli

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENDITURES AND EXPENSES FOR THE CITY OF MIDDLEBURG HEIGHTS FOR THE CALENDAR YEAR 2022

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, CUYAHOGA COUNTY, STATE OF OHIO:

Section 1. That in order to provide for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2022, the following sums be appropriated from the Capital Improvements Fund:

<u>Description</u>	<u>Increase (Decrease)</u>
Capital - 2022 Pickup Truck Replacement	\$ 67,000.00
Total Increase to the Capital Improvements Fund	\$ 67,000.00

Section 2. That 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 Codified Ordinances and section 121.22 of 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