

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
FEBRUARY 14, 2023

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, February 14, 2023 for the purpose of conducting a REGULAR MEETING. President of Council David Bortolotto called the meeting to order at 7:00 p.m.

PRESENT: Matthew Castelli Mayor
David Bortolotto President of Council
Tim Ali Councilman At Large
Dan Sage Councilman At Large
Bill Meany Councilman Ward 1
Matthew McGregor Councilman Ward 2
Michael Ference Councilman Ward 3
John Grech Councilman Ward 4
Mary Ann Meola Clerk of Council

STAFF
ATTENDING: Santo Incorvaia Law Director
Jason Stewart Finance Director
Jim Herron Service Director
Chuck Bichara Economic Development Director
Mark Elliott Recreation Director
Bob Downey Executive Assistant

PLEDGE OF ALLEGIANCE

MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of January 24, 2023. Seconded by Mr. Grech. MINUTES APPROVED

ROLL CALL: YEAS 7, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

None.

AUDIENCE PARTICIPATION

Ms. Rose Welch, 6753 Cedarwood Trace, said with summer coming, the deer are unbelievable and are killing everything that she puts outside from the inside. She asked who she could contact in Columbus to reimburse her for everything that gets destroyed.

Mr. Bortolotto said that is a big problem for northeast Ohio, it isn't just a Middleburg Heights problem. He confirmed with Mr. Herron that the metroparks does the deer culling.

Mr. Herron said they do culling in the Mill Stream Run area in Strongsville.

Mayor Castelli said we are fortunate from the standpoint that we do have the metroparks that comes right through the center of our community. He said culling operations do happen in this general area. Mayor Castelli said they could look into to see how far up and down the metroparks they are going, and would be happy to get back to Ms. Welch to let her know what their process is and how it impacts the general area.

Mr. Ference added that this was discussed in committee a few years ago. He said the Ohio Department of Natural Resources and the metroparks gave a presentation on how severe the problem is and what could be done about it. Mr. Ference said as he understands it the culling that takes place in the metroparks, deals with the problems there. He said but what they learned from that meeting and other regional meetings, is that the problem we have within the city is deer that breed and live in the city.

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1 Mr. McGregor said as ODNR stated, there needs to be a certain amount of
2 acreage before bow hunters, or shooters can come in. He said within a smaller
3 community with lower acreage homes, the liability is huge and would be very
4 difficult to do within this city.

5 Mr. Ali suggested looking into deer repellent sprays that do also work.
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8 Mr. Robert White, 13540 Indian Creek Drive, asked the mayor for an update on
9 the Indian Creek sewer project.

10 Mayor Castelli said there was a meeting last week with our stormwater
11 consultant. He said our engineers are looking at some of the information that
12 came out of that meeting. Mayor Castelli said he is hoping within the next week
13 or so to have a game plan. He said we are looking at some alternatives. Mayor
14 Castelli said as you know, the cost for the relief sewer has gone extremely high.
15 He said we did bid the project, but no one bid and it has become a very costly
16 project. Mayor Castelli said we are looking at two options and are waiting to get
17 that information finalized. He said when he gets more information, he will reach
18 out to Mr. White to walk through it.
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22 Dr. Conrad Lindes, 13375 Old Pleasant Valley, referred to NOPEC grant
23 legislation on the agenda, and had a few questions that he was hoping could be
24 addressed when that legislation is discussed. Dr. Lindes asked for the grant
25 amount, how much the grant is going to cost utility rate payers in Middleburg
26 Heights so NOPEC has the money to pay the grant, what is the grant going to be
27 used for and what would the city do if it doesn't get the grant.
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30 APPOINTMENTS AND CONFIRMATIONS

31 None.
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33 ORDINANCES, RESOLUTIONS AND MOTIONS

34 CITY PARKS, RECREATION & SERVICES COMMITTEE – MR. ALI 35 CHAIRMAN

36 No legislation.
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38 FINANCE, TAXATION & ASSESSMENTS COMMITTEE – MR. 39 BORTOLOTTI, CHAIRMAN

40 Mr. Bortolotto introduced ORDINANCE NO. 2023-8, An Ordinance to make
41 supplemental appropriations for current expenditures and expenses for the City of
42 Middleburg Heights for the calendar year 2023 and MOVED TO ADOPT.
43 Seconded by Mr. Ference.

44 Mr. Bortolotto said these appropriations and expenditures were discussed in
45 committee last Monday. He said the police cruiser replacements and two dump
46 truck bodies cost more than anticipated and budgeted. Mr. Bortolotto asked Mr.
47 Stewart to explain the additional \$46,000 (insurance reimbursement – Signal
48 Service).
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50 Mr. Stewart said on New Year's Eve, the traffic control box at the corner of Smith
51 Road and Big Creek Parkway was hit by a driver. He said this is for the
52 replacement of that traffic control box, which has already been submitted to our
53 insurance company. Mr. Stewart said they will submit the claim to the driver's
54 insurance company.
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56 Mr. Bortolotto said this will be a wash, as the city will receive the \$46,000 back
57 from the insurance company.
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59 ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-8 ADOPTED
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ORD. 2023-8
ADOPTED
SUPPLEMENTAL
APPROPRIATIONS

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1 Mr. Bortolotto introduced ORDINANCE NO. 2023-9, An Ordinance authorizing
2 the mayor to enter into a contract extension with Senior Transportation
3 Connection of Cuyahoga County for Senior Transportation Services and declaring
4 an emergency and MOVED TO ADOPT. Seconded by Mr. Meany.

5 Mr. Bortolotto said this was discussed at our committee meeting. He said this
6 went from \$7,300 per month to \$8,000 per month. Mr. Bortolotto said this is used
7 by our seniors, and is a great benefit for those that really need it.

8 ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-9 ADOPTED

ORD. 2023-9
ADOPTED
CONTRACT
EXTENSION:
SENIOR
TRANSPORTATION
SERVICES

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10 Mr. Bortolotto introduced RESOLUTION NO. 2023-10, A Resolution
11 authorizing the mayor and finance director to enter into a contract with Leswego
12 Corporation – Anglin Equipment and MOVED TO ADOPT. Seconded by Mr.
13 McGregor.

14 Mr. Bortolotto said this was discussed in committee as well. He said the service
15 department has an apparatus that washes the undercarriage of our vehicles that is
16 broken and needs replaced. Mr. Bortolotto said the purchase price for this piece
17 of equipment is \$38,000.

18 Mr. McGregor added that Mr. Herron said how bad the salt deteriorates these
19 trucks, and this machine lasted at least 20 years. He said it is imperative to have
20 this replaced, just for the longevity of the vehicles.

21 Mr. Bortolotto said this may seem like an unusual tool, but it does give longevity
22 to our trucks and vehicles.

23 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2023-10 ADOPTED

RES. 2023-10
ADOPTED
CONTRACT:
LESWEGO
CORPORATION

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27 Mr. Bortolotto introduced RESOLUTION NO. 2023-11, A Resolution
28 authorizing the mayor to enter into an agreement with Midwest Land Clearing,
29 Inc. for the Abram Creek Detention Basin 3 Project and MOVED TO ADOPT.
30 Seconded by Mr. Ference.

31 Mr. Bortolotto said this was discussed in committee as well. He said he is elated
32 that we are proposing this and moving forward to cut down the trees. Mr.
33 Bortolotto said he has been on council for many years, and is glad we are moving
34 forward by cutting these trees before that bats have their say.

35 Mr. Ference said this is another major visible step in the solution that the
36 administration has proposed to solve the flooding problems on Big Creek
37 Parkway. He said up until now there have been a lot of questions, but now people
38 driving up and down the parkway will see results and progress. Mr. Ference said
39 he is really happy to see this progress.

40 Mr. Herron thanked the mayor and council for their support. He said a
41 construction drive will be put in on Pearl Road. Mr. Herron said they are working
42 with Fabrizi for a quote to put in proper stones, so dirt doesn't get all over the
43 road. He said you may see that even by the end of the week, and there will be
44 proper signage too so people understand. Mr. Herron said there will be some
45 people that don't want to see the trees cleared, but he wants everyone to
46 understand why this is being done. He said trees will be planted around the basins
47 once they are in. Mr. Herron said lastly, they received their Ohio EPA permit,
48 which is important and are finishing up details with the Army Corps of Engineers.
49 Mr. Ali said that is a lot of trees, and a very good price for that work.

50 Mr. Bortolotto said for years, Mr. Ali was beating the drum for the dog park and
51 for years, we have been beating the drum to try to stop/slow down this flooding.
52 He commended the administration for putting their efforts and their focus on
53 getting the dog park done, and getting the flooding resolved.

54 Mr. Herron said the exciting part obviously, is the project will be put out to bid
55 and then council will hopefully be able to consider the proposals, and
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RES. 2023-11
ADOPTED
AGREEMENT:
MIDWEST LAND
CLEARING

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recommendations that come back in spring. He said their goal is to see digging this year.

ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2023-11 ADOPTED

Mr. Bortolotto introduced ORDINANCE NO. 2023-12, An Ordinance repealing existing Chapter 747 of the Middleburg Heights Codified Ordinances entitled "Mechanical and Electronic Amusement Devices and Game Rooms" and MOVED TO ADOPT. Seconded by Mr. Sage.

ORD. 2023-12
ADOPTED
REPEAL CODIFIED
CHAPTER 747

Mr. Bortolotto said this was discussed at the finance committee meeting last Monday. He said we amended and repealed existing Chapter 747, which is no longer needed.

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-12 ADOPTED

Mr. Bortolotto introduced ORDINANCE NO. 2023-13, An Ordinance authorizing all actions necessary to accept a Northeast Ohio Public Energy Council (NOPEC) 2023 Energized Community Grant and declaring an emergency and MOVED TO ADOPT. Seconded by Mr. Meany.

ORD. 2023-13
ADOPTED
ACCEPT NOPEC
GRANT

Mr. Bortolotto said this was discussed in committee and asked Mr. Stewart to address the questions that Dr. Lindes asked.

Mr. Stewart said this is a grant that the city receives each year from NOPEC. He said this year, the grant is for \$49,474. Mr. Stewart said we have used this grant in the past to do a number of window upgrades, as well as, HVAC upgrades throughout the city campus. He said we envision using this current grant to finalize the windows here at city hall, which are the ones surrounding us here.

Mr. Stewart said that would complete all of the windows. He said the grant amount is given to each community, based on a dollar amount and the number of people that are included in the NOPEC programs. Mr. Stewart said if we were not to receive this program, we would have to come up with the funds to finish the windows from our general fund. He said this offsets the costs to our taxpayers to be able to do this.

Mr. Bortolotto asked Dr. Lindes if he had any additional questions.

Dr. Lindes asked if it was x number of dollars for each utility payer or is it a percent of the bill.

Mr. Stewart said it is x number of dollars based on the number of people enrolled in the program.

Dr. Lindes asked who pays those dollars.

Mr. Stewart said a contract is negotiated with the energy provider. He said he could provide Dr. Lindes with the exact numbers what they are per resident.

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-13 ADOPTED

LEGISLATION & RULES COMMITTEE – MR. FERENC, CHAIRMAN

No legislation.

PUBLIC HEALTH, SAFETY & RELIEF COMMITTEE – MR. MCGREGOR, CHAIRMAN

No legislation.

PUBLIC IMPROVEMENTS COMMITTEE – MR. SAGE, CHAIRMAN

No legislation.

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STREETS, UTILITIES & RAILROAD COMMITTEE – MR. MEANY, CHAIRMAN

Mr. Meany introduced ORDINANCE NO. 2023-14, An Ordinance authorizing the mayor to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District (SWCD) to carry out mandated responsibilities related to the NPDES Storm Water Permit and MOVED TO ADOPT. Seconded by Mr. McGregor.

Mr. Meany said Cuyahoga Soil and Water provides technical assistance in helping Middleburg Heights carry out its mandated responsibilities to promote best practices for pollution prevention and corresponds with the city's municipal separate storm sewer system permit.

Mr. McGregor asked if this addresses septic systems that are bad in the city.

Mr. Herron said this does not. He said they check our construction sites, and check all the storm water basins and review construction and storm water plans for new development sites. Mr. Herron said we also consult with them too on other storm water issues. He said they provide an annual report that we have to submit to the Ohio EPA every year, that is called an MS4 report. Mr. Herron said each city has to get a storm sewer license to discharge waters in the state of Ohio. He said the Board of Health is responsible for monitoring septic systems. Mr. Herron said he and Mr. Meany have discussed having the Board of Health come back in to talk about septic systems again.

Mr. Ference confirmed with Mr. Herron that the city has to pass the water standards of all the discharge that comes out of the city.

Mr. Herron said we receive an annual permit from the Ohio EPA, and a report needs to be done annually regarding the monitoring of construction sites, etc.

Mr. Ference said this ordinance allows us to partner with them to make sure we are doing the right things so we can pass that.

Mr. Herron said that is correct.

Mr. Ali referred to the MOU and asked Mr. Herron if every street storm drain is checked.

Mr. Herron said no, they do not check storm drains. He said we go out annually and clean ¼ of our catch basins. Mr. Herron said the detention basins are checked, and if they are deficient, letters are sent to follow-up.

Mr. Ali asked if the Vac Truck takes care of the catch basins.

Mr. Herron said yes it does. He said we very rarely have catch basin issues like in the past.

Mayor Castelli said the benefit of this, is that they are experts that we can go to that are handling this. He said otherwise, we would have to hire people and do this ourselves, while making sure we are doing it properly. Mayor Castelli said that is why communities of our size want to partner with organizations that have the resources to do this type of work. He said over the last couple years, the city has rectified some of the worst illicit discharges.

Mr. Herron said there are a lot of eyes looking at these projects, making sure that the storm water work is done right.

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-14 ADOPTED

ZONING & BUILDING CODE COMMITTEE – MR. GRECH, CHAIRMAN

Mr. Grech placed ORDINANCE NO. 2023-6, An Ordinance approving the proposed zoning code edits submitted by Stewart Land Use on SECOND READING.

Mayor Castelli introduced RESOLUTION NO. 2023-15, A Resolution accepting the FY2021 Assistance to Firefighters Grant (AFG) from the U.S. Department of Homeland Security and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Grech.

Mayor Castelli said this grant is funded through FEMA. He said this was back in actually 2021, when we were working on getting this particular grant. Mayor

RES. 2023-14
ADOPTED
ENTER MOU -
CUYAHOGA SOIL
AND WATER
CONSERVATION
DISTRICT

ORD. 2023-6
SECOND READING

RES. 2023-15
ADOPTED
ACCEPT FY2021
ASSISTANCE TO
FIREFIGHTERS
GRANT

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1 Castelli said the grant is for the purchase of five new cardiac monitors for our
2 vehicles. He said this is different from an AED because it transmits directly to the
3 emergency room. Mayor Castelli said it is a diagnostic grade EKG. He said
4 doctors at the emergency room can better prepare for the patient because the
5 information is sent to them while they are being transported. Mayor Castelli said
6 these monitors can take repeated blood pressures, temperature, monitor CO2
7 levels, monitors how well someone is breathing, provides different levels of shock
8 therapy, etc. He said we have these in the vehicles now, but they are older and the
9 equipment cannot be replaced if they go bad. Mayor Castelli said this was one of
10 the items that was placed in our five-year capital plan. He said the good news is
11 that we received a grant in the amount of \$190,000 to replace those monitors.
12 Mayor Castelli said the city will be responsible for providing \$9,000 and FEMA
13 will cover \$181,000 to replace these monitors.

14 Mr. Ali asked if the old monitors could be sold.

15 Mayor Castelli said we could talk to the chief as to what could be done with the
16 old monitors.

17 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2023-15 ADOPTED

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19 Mayor Castelli introduced RESOLUTION NO. 2023-16, A Resolution
20 authorizing the engagement of Weston Hurd, LLP to provide legal services in
21 regard to labor, employment and other legal services and moved to adopt. On
22 behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Ali.
23 Mayor Castelli said the city uses multiple different law firms for employment,
24 labor and legal services. He said Mr. Max Rieker, was previously with Walter
25 Haverfield, who is our main labor law attorney, and have also used other
26 individuals from the employment law team at Walter Haverfield. Mayor Castelli
27 said they made a transition with their firm, where they are focusing more on real
28 estate law and other types of practices. He said they basically sold their
29 employment law practice to a new firm, Weston Hurd. Mayor Castelli said Mr.
30 Rieker is now working with Weston Hurd, so a new services agreement is needed
31 with them. He said there aren't any changes or increases to Mr. Rieker's fees.

32 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2023-16 ADOPTED

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34 Mayor Castelli introduced RESOLUTION NO. 2023-17, A Resolution
35 authorizing the mayor and finance director to enter into an agreement with Osborn
36 Engineering for the Smith Road Re-Alignment, Stormsewer and Resurfacing
37 Improvement Project. On behalf of the mayor, Mr. Bortolotto moved for
38 suspension of Charter Section 4.10 (5 day delivery requirement) and Council Rule
39 3 (24 hour agenda requirement). Seconded by Mr. Meany.

40 ROLL CALL: YEAS 7, NAYS 0, RULES SUSPENDED

41 Mayor Castelli moved to adopt.

42 On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr.
43 Ference.

44 Mayor Castelli said both this piece of legislation and the next piece of legislation
45 were discussed at the finance committee meeting. He said this is the remainder of
46 Smith Road to do the resurfacing, as well as storm sewer and re-alignment work
47 that will also be done. Mayor Castelli said that resurfacing is with the county, and
48 is excited that this project will be moving forward. He said estimates were given
49 as to what the engineering costs would be, and the good news is this came in
50 under the estimates that were given to you. Mayor Castelli said the total design
51 fee for the project is \$247,888.00.
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RES. 2023-16
ADOPTED
AUTHORIZE
ENGAGEMENT OF
WESTON HURD

RES. 2023-17
ADOPTED
AGREEMENT:
OSBORN
ENGINEERING
(SMITH ROAD
RE-ALIGNMENT/
RESURFACING
IMPROVEMENT
PROJECT)

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1 Mr. Herron said more details regarding the work will be discussed at the next
2 streets committee meeting. He said Osborn will forward their plans to the county,
3 and then they will prepare the bid process. Mr. Herron said legislation will be
4 needed to enter into a contract with the county for this work.

5 Mayor Castelli said this project is a multi-million dollar project and we are very
6 excited that the county will be paying for 70-80 percent, at least the resurfacing
7 part. He said we think it makes sense to look at re-aligning that street because of
8 the curve in front of Rivals, making it a little safer. Mayor Castelli said they also
9 found some storm sewer issues and replacements needed there. He said they want
10 to get all of that work done while they are doing the resurfacing project.

11 Mr. Ference said this is a significant improvement for all users of Smith Road.
12 He said one of the biggest questions that he receives as a ward three councilman,
13 is what can be done to make Smith Road a little smoother. Mr. Ference said re-
14 aligning that curve will be a significant safety improvement.

15 Mr. Herron said he will provide some better pictures. He said the sewer district
16 brought to our attention that there are some sewers from Wood Creek down to
17 Stroud that are poor and undersized, with rusting culverts.

18 Mr. Ference asked if this will impact the proposed retention basin for that area.

19 Mr. Herron said it will not. He said they worked closely with Osborn and the
20 Regional Sewer District at the end of last summer. Mr. Herron said this will not
21 impact this project. He said the road work will be done, and then the detention
22 project will be done.

23 Mr. McGregor thanked the decision makers on this. He said he knew from Mr.
24 Meany when Middlebrook was done, and we had to go back in looking at the
25 sewers to repair some things and repave. Mr. McGregor said it was like the cart
26 was before the horse on that, and then we discovered that. He said doing this
27 now, is essential before the road gets put in, so we have that assurance that we
28 don't have to go back in and dig it up.

29 Mr. Meany said he just had a discussion with a constituent about the widening, or
30 possibly a turning lane being added. He said he explained that the right-of-way
31 was an issue, water lines, sewer lines, utilities, moving of poles and things of that
32 nature. Mr. Meany didn't know if there was anything that could be added.

33 Mayor Castelli said the city has been working with the county regarding funding
34 the resurfacing, that discussion came up with them as to if a third lane (turning
35 lane) to help with traffic, and from their perspective as well as ours, we need to
36 get the resurfacing done no matter what. He said even if we ended up saying that
37 today we are going to do this widening and do that project, they said it would
38 probably take between seven and ten years to get that done. Mayor Castelli said
39 we want the resurfacing done first, because there is no question that it is needed.
40 He said then we are going to continue to look at this, but that is going to be a
41 project that is going to take a lot of time because there isn't a lot of right-of-way,
42 so there will be a lot of purchasing of property. Mayor Castelli said that
43 potentially is a future project.

44 Mr. Herron said the traffic counts were looked at, and he said he knows there are
45 certain times of the day obviously with school and school buses that contributes,
46 but beyond that it is a limited 15 minutes here or there. He said it really isn't a
47 street to put the time and effort to hire a real estate firm to get more public right-
48 of-way. Mr. Herron said you would have to spend a lot of money, and you're not
49 going to get much more value, it isn't going to help traffic that much more.

50 Mr. Ali said this is probably the trickiest turn in the entire city and is looking
51 forward to see what the engineers come up with. He said he believes this is the
52 last main artery in the city to be repaved. Mr. Ali said kudos to everyone to get
53 this done and tackled.

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Mr. Herron said city council was very helpful in helping us purchase that parcel for the sewer district because now it aligns us to realign this road and it is our land. He said this will allow us to do the realignment and will be a great safety enhancement.

ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2023-17 ADOPTED

Mayor Castelli introduced RESOLUTION NO. 2023-18, A Resolution authorizing the mayor and finance director to enter into an agreement with Osborn Engineering for the Smith Road Streetscape Design and Reconstruction at Southland, Phase 2 and Phase 3. On behalf of the mayor, Mr. Bortolotto moved for suspension of Charter Section 4.10 (5 day delivery requirement) and Council Rule 3 (24 hour agenda requirement). Seconded by Mr. McGregor.

ROLL CALL: YEAS 7, NAYS 0, RULES SUSPENDED

Mayor Castelli moved to adopt.

On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Grech.

Mayor Castelli said this was discussed with city council at the finance committee meeting. He said at that time, we had estimates but the good news here as well, is that the numbers came in under our estimate. Mayor Castelli said the total number for the engineering as well as the planning services will be \$395,531. He said this came in under the \$500,000, which was estimated. Mayor Castelli thanked Osborn Engineering, as they were asked to go back and sharpen their pencils, which they did.

Mr. Sage asked if this part of Smith Road will be in coordination with the legislation we just passed.

Mayor Castelli said we will work on figuring out how everything will come together, because we don't know exactly when the resurfacing will take place. He said we will have to coordinate how that comes together.

Mr. Herron said he would anticipate Smith Road between Sheldon Road and Pearl to be first, but as the mayor said it depends when the bids come in, etc.

Mayor Castelli said there will be discussions with council to review this. He said there are things to be done on the Southland side in 2024 like the multi-purpose trail and things like that. Mayor Castelli said the good thing is that Osborn Engineering is doing both projects, and we feel that will be extremely helpful.

ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2023-18 ADOPTED

COUNCIL COMMITTEE REPORTS

City Parks, Recreation & Services Committee – Mr. Ali, Chairman

No report.

Finance, Taxation & Assessments Committee – Mr. Bortolotto, Chairman

No report.

Legislation & Rules Committee – Mr. Ference, Chairman

No report.

Public Health, Safety & Relief Committee – Mr. McGregor, Chairman

No report.

Public Improvements Committee – Mr. Sage, Chairman

No report.

RES. 2023-18
ADOPTED
AGREEMENT:
OSBORN
ENGINEERING
(SMITH ROAD
STREETSCAPE/
RECONSTRUCTION
AT SOUTHLAND -
PHASE 2 & PHASE 3)

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Streets, Utilities & Railroad Committee – Mr. Meany, Chairman

Mr. Meany said at one of the upcoming committee meetings in March or April, we will have the Department of Health based on their schedule, to discuss septic systems.

Zoning & Building Code Committee – Mr. Grech, Chairman

Mr. Grech said we received an unusual request at Woodvale Cemetery. He said Mr. Jimmy Milano, who owns Milano Monuments, would like to put his own family's mausoleum at Woodvale Cemetery. Mr. Grech said he wasn't sure how to go about this, as to if both council's approval is needed, or if the mayor's approve or even possibly the Board of Director's at Woodvale. He said he didn't know if he wants to purchase land, but he wants to put his own family mausoleum at Woodvale. Mr. Grech asked Mr. Incorvaia for his input. Mayor Castelli asked if Mr. Milano wants to pay for a mausoleum. Mr. Grech said he would pay for everything, it wouldn't cost us a penny. Mr. Incorvaia said he would be happy to go over that with Mr. Grech.

MAYOR'S REPORT

Mayor Castelli said moving the police station over has been happening for the past week or two. He said they will officially be operating out of the new police station tomorrow at 1:00 p.m.

Mr. Downey said there was a great deal of camaraderie that came to the table in the form of all the policemen and policewomen wanting to help make this move. He said for the past couple of days, there has been a path from the old station to the new station. Mr. Downey said it was very refreshing to see the energy, enthusiasm and excitement that they have for moving into the new police station.

Mayor Castelli said with the help of the police and service departments, we were able to save quite a bit of money with the moving expenses. He thanked the service department and the police personnel for all of their work. Mayor Castelli said signs will be put up, directing people to the new police station.

LAW DIRECTOR

Mr. Incorvaia said over the past few months, he had been in communication with the Planning Commission Chair. He said unfortunately, one of the members of the Planning Commission has not been able to attend meetings over the past few months. Mr. Incorvaia said the Commission member was Christina Elffers. He said after our last meeting, she indicated to the Planning Commission Secretary that she had other commitments that were making it difficult to attend meetings. Mr. Incorvaia said the Planning Commission secretary has reached out to Mrs. Elffers, and I have reached out to her and have not gotten a response or heard back from her. He said we hope that she is doing well and have appreciated her service on the Planning Commission. Mr. Incorvaia said the Planning Commission still has business to take care of. He said the process for removal of a member is listed in our City Charter in Section 4.04. Mr. Incorvaia said he contacted Mrs. Elffers by mail and made her aware that this would be brought up at tonight's meeting. He said he invited her to the meeting tonight, and at this point, he is asking City Council to consider the formal removal of Ms. Elffers from the Planning Commission by motion.

Mr. Bortolotto made a motion to remove Ms. Elffers from the Planning Commission pursuant to Section 4.04 of the Middleburg Heights City Charter.
Seconded by Mr. Meany.

Mr. Grech confirmed with Mr. Incorvaia that he could vote on this, being he is the council representative for the Planning Commission.

Mr. Incorvaia said yes.

ROLL CALL: YEAS 7, NAYS 0, MOTION APPROVED

MOTION 2023-8
REMOVAL OF
PLANNING
COMMISSION
MEMBER
(CHRISTINA ELFFERS)

CITY OF MIDDLEBURG HEIGHTS, OHIO

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1 Mr. Incorvaia asked that council consider a motion to convene into Executive
2 Session to consider the purchase of property for public purposes pursuant to ORC
3 121.22(G)(2). He would ask that the executive session occur just prior to
4 adjournment.

5 On behalf of Mr. Incorvaia, Mr. Bortolotto made a motion to convene into
6 Executive Session to consider the purchase of property for public purposes
7 pursuant to ORC 121.11(G)(2). He asked that the executive session occur just
8 prior to adjournment. Seconded by Mr. McGregor.

9 ROLL CALL: YEAS 7, NAYS 0, MOTION APPROVED

10
11 Mr. Grech said they are having a special Woodvale meeting on Thursday,
12 February 23rd, and asked if Mr. Incorvaia would be available prior to that so he
13 can take the information back with him.

14 Mr. Incorvaia said he would be available.

15 16 FINANCE DIRECTOR

17 No report.

18 19 20 RECREATION DIRECTOR

21 Mr. Elliott said we have the spring and summer programming, and registrations
22 are continuing for the Adaptive Soccer Program, baseball, softball, flag football,
23 volleyball and learn to swim.

24 Mayor Castelli said he was at the fundraiser for Friends and Fans of Special
25 Athletes. He said there were a lot of Middleburg Heights residents there, and also
26 individuals from other communities that thanked our community for having these
27 types of programs. Mayor Castelli said this has been such a well-received
28 program, and now having Mr. Urban with his background, and with Mr. Elliott's
29 help there has been a lot that they have been able to add and continue to do. He
30 thanked Mr. Elliott for his efforts.

31 32 33 34 ECONOMIC DEVELOPMENT DIRECTOR

35 No report.

36 37 38 SERVICE DIRECTOR

39 No report.

40 Mr. Meany said he recently had a conversation with the Columbia Gas
41 management team, and they stated that our city and Mr. Herron is one of the
42 handful of communities that regularly coordinates construction and street
43 activities with the gas company. He said that communication helps avoid any
44 conflicts or delays between the city and Columbia Gas. Mr. Meany thanked Mr.
45 Herron, and said that Columbia Gas does recognize what he does.

46 47 48 EXECUTIVE ASSISTANT

49 No report.

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Start Executive Session: 8:15 p.m.

Following the Executive Session, Mr. Bortolotto reconvened the Regular Meeting of Council at 8:39 p.m.

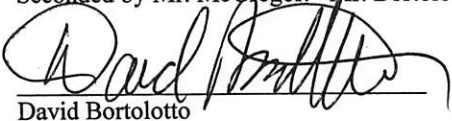
PRESENT:	Matthew Castelli	Mayor
	David Bortolotto	President of Council
	Tim Ali	Councilman-At-Large
	Dan Sage	Councilman-At-Large
	Bill Meany	Councilman Ward 1
	Matthew McGregor	Councilman Ward 2
	Michael Ference	Councilman Ward 3
	John Grech	Councilman Ward 4
	Mary Ann Meola	Clerk of Council
STAFF:	Santo Incorvaia	Law Director
	Jason Stewart	Finance Director
	Jim Herron	Service Director
	Bob Downey	Executive Assistant

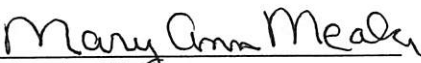
Mayor Castelli introduced ORDINANCE NO. 2023-19, An Ordinance authorizing the mayor and finance director to enter into an agreement for the purchase and retention of certain real estate in the City of Middleburg Heights and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Grech. Mayor Castelli said as we discussed, this will add another five acres to the Baldwin Creek Preserve. He said we will ultimately have 20 plus acres of green space that has been preserved in our community. Mayor Castelli said we are excited to add this additional land.

ORD. 2023-19
ADOPTED
AGREEMENT:
REAL ESTATE
PURCHASE
(ADDITIONAL LAND -
BALDWIN CREEK
PRESERVE)

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-19 ADOPTED

There being no further business, Mr. Bortolotto made a motion to adjourn. Seconded by Mr. McGregor. Mr. Bortolotto adjourned the meeting at 8:40 p.m.


David Bortolotto
President of Council


Mary Ann Meola
Clerk of Council