

# CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING  
APRIL 11, 2023

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, April 11, 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           |

ABSENT: Bob Downey, Executive Assistant

## PLEDGE OF ALLEGIANCE

## MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of March 28, 2023. Seconded by Mr. Grech. MINUTES APPROVED

ROLL CALL: YEAS 7, NAYS 0, MINUTES APPROVED

## COMMUNICATIONS

None.

## AUDIENCE PARTICIPATION

None.

## APPOINTMENTS AND CONFIRMATIONS

None.

## ORDINANCES, RESOLUTIONS AND MOTIONS

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

No legislation.

FINANCE, TAXATION & ASSESSMENTS COMMITTEE – MR. BORTOLOTTI, CHAIRMAN

Mr. Bortolotto introduced ORDINANCE NO. 2023-28, An Ordinance to make supplemental appropriations for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2023 and MOVED TO ADOPT. ORD. 2023-28 ADOPTED SUPPLEMENTAL APPROPRIATIONS

Seconded by Mr. Sage.

Mr. Bortolotto said this was discussed in committee and relates to holiday lights that were damaged this winter.

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-28 ADOPTED

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1 Mr. Bortolotto introduced ORDINANCE NO. 2023-29, An Ordinance authorizing  
2 the mayor and finance director to enter into a contract with Taylor Consulting  
3 Group, LLC and MOVED TO ADOPT. Seconded by Mr. Meany.

4 Mr. Bortolotto said this was also discussed in committee. He said this legislation  
5 has to do with the design of the roof replacement at the fire station.

6 Mr. Ference asked for the timeline as to when this would be started if this  
7 legislation is approved.

8 Mr. Herron said he would guess two to four weeks for plans, and then it would  
9 need bid, so probably July or August.

10 ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-29 ADOPTED

11 Mr. Bortolotto introduced ORDINANCE NO. 2023-30, An Ordinance authorizing  
12 the mayor and finance director to enter into a contract with Infinity from Marvin-  
13 Cleveland and MOVED TO ADOPT. Seconded by Mr. Meany.

14 Mr. Bortolotto said this was discussed at the finance committee meeting. He said  
15 this falls under the NOPEC grant, and is for the replacement of the city council  
16 chamber windows.

17 Mr. Herron said we are using this grant money for replacement of these windows.  
18 He said we have also purchased windows in the past, as well as boilers with the  
19 NOPEC grants. Mr. Herron said this is the annual grant that they have provided  
20 to us, as was discussed last night in committee.

21 Mr. Ali asked if this was the Infinity from Marvin-Cleveland located here in  
22 Middleburg Heights.

23 Mr. Herron said yes it is. He said there are a couple windows that haven't been  
24 replaced that are custom windows, but we are primarily done.

25 Mr. Stewart said after these are replaced, he believes there are three windows left.

26 Mr. Ali asked what else that money could be used for.

27 Mr. Stewart said we have used it for energy efficiency projects, and as Mr. Herron  
28 said we have used for boilers, HVAC units, lighting, etc.

29 Mr. Ali asked if all of the lighting was updated.

30 Mr. Herron said most of the community center is LED, and most of our building  
31 here has also been converted to LED. Mr. Herron said there isn't a shortage of  
32 energy efficient projects, and suggestions are certainly welcomed.

33 Mr. Bortolotto said he appreciated both Mr. Herron and Mr. Stewart for looking  
34 for these grants. He also thanked the service department for all of their help as  
35 well.

36 ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2023-30

37 Mr. Bortolotto introduced RESOLUTION NO. 2023-31, A Resolution  
38 authorizing the mayor and finance director to enter into a contract with the Ohio  
39 Association of Public Treasurers and Sedgwick for Workers' Compensation  
40 Group Experience Rating Program for the year 2024 and MOVED TO ADOPT.  
41 Seconded by Mr. McGregor.

42 Mr. Bortolotto said this was discussed at the finance committee meeting as well,  
43 and deferred to Mr. Stewart for some highlights.

44 Mr. Stewart said we were offered to participate in two separate group  
45 retrospective rating programs. He said a group rating is a less risky and  
46 recommends going forward with that, which will save us approximately \$13,000  
47 on our workers' compensation premiums.

48 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2023-31 ADOPTED

ORD. 2023-29  
ADOPTED  
CONTRACT:  
TAYLOR CONSULTING  
GROUP

ORD. 2023-30  
ADOPTED  
CONTRACT:  
INFINITY FROM  
MARVIN-CLEVELAND

RES. 2023-31  
ADOPTED  
CONTRACT:  
WORKERS'  
COMPENSATION GROUP  
EXPERIENCE RATING  
PROGRAM

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1 Mr. Bortolotto asked Mr. Bichara to provide some highlights on the next five  
2 motions regarding the job creation grants for 2022.

3 Mr. Bichara said this year for 2022, there are five active agreements under the  
4 city's Job Creation Grant Program. He said the reviews for each of the active  
5 agreements were discussed at the April 3 finance committee. Mr. Bichara said  
6 motions need to be made authorizing payments under that program. He said  
7 council will recall that the Job Creation Grant Program has been successful in the  
8 past. Mr. Bichara said it does not impact any funding to the Berea City School  
9 District. He said the program always provides a positive return to the city. Mr.  
10 Bichara said they do calculate what that return is each year, along with the  
11 individual reports. He said he provided a summary report for the program as well.  
12 Mr. Bichara said for 2022, which is what we are reviewing, for each dollar spent  
13 on job creation grants the city receives at least \$2.12 in return from direct payroll  
14 withholding taxes. He said this does not include any net profits taxes collected by  
15 the city, property tax collected, or indirect employment taxes and revenues  
16 benefiting the city. Mr. Bichara said for 2022, the Job Creation Grant Program is  
17 directly responsible for the creation or retention of 633 jobs.

18 Mr. Bortolotto thanked Mr. Bichara for all of his hard work.

19 Mr. Bortolotto made a motion to authorize the finance director to make payment  
20 in the amount of \$38,000 for a grant to Quadax, Incorporated for the Quadax Job  
21 Creation Grant. Seconded by Mr. Grech.

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

MOTION 2023-14  
PAYMENT: QUADAX  
(JOB CREATION  
GRANT)

23 Mr. Bortolotto made a motion to authorize the finance director to make payment  
24 in the amount of \$24,172.50 for a grant to Fat Head's Brewing for the Fat Head's  
25 Brewing Job Creation Grant. Seconded by Mr. McGregor.

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

MOTION 2023-15  
PAYMENT: FAT  
HEAD'S (JOB  
CREATION GRANT)

27 Mr. Bortolotto made a motion to authorize the finance director to make payment  
28 in the amount of \$57,538.80 for a grant to Codonics, Incorporated for the  
29 Codonics, Incorporated Job Creation Grant. Seconded by Mr. Sage.

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

MOTION 2023-16  
PAYMENT: CODONICS  
(JOB CREATION  
GRANT)

31 Mr. Bortolotto made a motion to authorize the finance director to make payment  
32 in the amount of \$117,783.40 for a grant to Bagley AHI, LLC for the Bagley AHI  
33 LLC Job Creation Grant. Seconded by Mr. Ference.

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

MOTION 2023-17  
PAYMENT: BAGLEY  
AHI, LLC (JOB  
CREATION GRANT)

35 Mr. Bortolotto made a motion to authorize the finance director to make payment  
36 in the amount of \$11,010.94 for a grant to Hopebridge, LLC for the Hopebridge,  
37 LLC Job Creation Grant. Seconded by Mr. Meany.

38 Mr. Ference said he wanted to reiterate a point that Mr. Bichara made at the  
39 finance committee meeting. He said there is a secondary benefit to these jobs  
40 being kept in Middleburg Heights, having employees working here using our  
41 retail and so on. Mr. Ference said that is a nice additional benefit of keeping  
42 people employed in Middleburg Heights. He also thanked Mr. Bichara for his  
43 efforts.

44 Mr. Bortolotto said he wholeheartedly agreed. He said not only are we making  
45 more money back on our return, but we are also bringing in more workers to the  
46 area.

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

MOTION 2023-18  
PAYMENT:  
HOPEBRIDGE, LLC  
(JOB CREATION  
GRANT)

48 LEGISLATION & RULES COMMITTEE – MR. FERENCE, CHAIRMAN  
49 No legislation.

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

No legislation.

PUBLIC IMPROVEMENTS COMMITTEE – MR. SAGE, CHAIRMAN

No legislation.

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

Mr. Meany introduced RESOLUTION NO. 2023-32, A Resolution authorizing the mayor to enter into an agreement with the City of Brook Park for the Sheldon Road Water Main Project and MOVED TO ADOPT. Seconded by Mr. Sage.

Mr. Meany said the county will be replacing Sheldon Road between Smith Road and Engle Road. He said prior to that, it is necessary for us to replace a 12" water main that serves the south side of Brook Park, and the north side of Middleburg Heights. Mr. Meany said the costs will be split between the two cities. He said the estimated cost is \$854,970.72. Mr. Meany said the cost for Middleburg Heights is approximately \$427,485 minus any reimbursements from the county.

Mayor Castelli said the city has had multiple conversations with Brook Park as this project moves forward to resurface Sheldon Road. He said there have been multiple breaks in that area. Mayor Castelli said this particular water main does service actually a little more of our residents than Brook Park residents. He said since we are doing a resurfacing project at this point, it makes sense to do the water main as well.

Mr. Ali asked if this water main goes to our pumping station on Engle Road.

Mr. Herron said no.

Mr. Ference said it is a good idea to stay ahead of these projects. He said the infrastructure is getting old, whenever there is a chance to replace a major water main like this it is a good idea.

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

ZONING & BUILDING CODE COMMITTEE – MR. GRECH, CHAIRMAN

No legislation.

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.

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

Mr. Meany said the committee met last night and minutes will be forthcoming.

RES. 2023-32  
ADOPTED  
AGREEMENT: CITY  
OF BROOK PARK  
(SHELDON ROAD  
WATER MAIN  
PROJECT)

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## Zoning & Building Code Committee – Mr. Grech, Chairman

Mr. Grech said he met last night and minutes will be coming shortly. He also reported that the quarterly Woodvale Board of Director's meeting is tomorrow at 5:30 p.m.

## MAYOR'S REPORT

Mayor Castelli said as of yesterday, work has officially begun at the India Grocers site. He said you will start to see more and more activity over the next several weeks. Mayor Castelli said as of right now, we are being told that the project should be completed before the end of this year.

Mr. Ali asked if they have a tenant for the other building.

Mayor Castelli said they have been working on leases, he didn't know if they had anything official. He said there was a pause in construction and now that is getting going again, they will start to look at opportunities to bring tenants in. Mayor Castelli said they had quite a bit of interest.

## LAW DIRECTOR

Mr. Incorvaia said there is a real estate matter that has come to his attention, and asked that council consider a motion to convene into executive session at some point prior to adjournment to discuss and consider the potential sale of real estate pursuant to ORC 121.22(G)(2).

On behalf of Mr. Incorvaia, Mr. Bortolotto made a motion to convene into executive session prior to adjournment to consider and discuss the sale of real estate property pursuant to ORC 121.22(G)(2). Seconded by Mr. Meany.

Mr. Sage asked if that discussion also involved purchasing, or if that would be a separate motion.

Mr. Incorvaia said that would be a separate motion.

Mr. Sage asked if he could make that motion.

Mr. Incorvaia said that could be added to it.

Mr. Sage asked if he could he make that motion, could that be added to our executive session.

Mr. Incorvaia said sure, that would also be pursuant to ORC 121.22(G)(2). He said it could be separate motion, or you could amend this motion to include that.

Mr. Bortolotto asked Mr. Incorvaia what he would recommend.

Mr. Incorvaia said if there is support to amend it, he would recommend that.

Mr. Bortolotto amended the motion to include purchasing. Seconded by Mr. Meany.

ROLL CALL: YEAS 7, NAYS 0, MOTION APPROVED

## FINANCE DIRECTOR

No report.

## RECREATION DIRECTOR

Mr. Elliott said the Berea City School District is on spring break this week, so we are offering a two-day program for the kids. He said there were approximately 80 kids that participated today, and they will be back on Thursday.

Mr. Bortolotto commended Mr. Elliott and his team for the fantastic Easter Egg Hunt. He said as always, it was awesome.

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ECONOMIC DEVELOPMENT DIRECTOR

No report.

SERVICE DIRECTOR

No report.

EXECUTIVE ASSISTANT

No report.

Start Executive Session: 7:25 p.m.

Following the Executive Session, Mr. Bortolotto reconvened the Regular Meeting of Council at 7:55 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     |

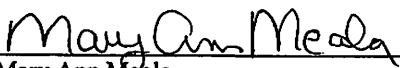
STAFF:

|                 |                               |
|-----------------|-------------------------------|
| Santo Incorvaia | Law Director                  |
| Jason Stewart   | Finance Director              |
| Jim Herron      | Service Director              |
| Chuck Bichara   | Economic Development Director |

There being no further business, Mr. Bortolotto made a motion to adjourn.  
Seconded by Mr. Ali. Mr. Bortolotto adjourned the meeting at 7:55 p.m.



David Bortolotto  
President of Council



Mary Ann Meola  
Clerk of Council