

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
APRIL 25, 2023

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, April 25, 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
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

ABSENT: Dan Sage, Councilman-At-Large, out of town

PLEDGE OF ALLEGIANCE

MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of April 11, 2023 and the executive session of April 11, 2023. Seconded by Mr. McGregor. MINUTES APPROVED

ROLL CALL: YEAS 6, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

None.

AUDIENCE PARTICIPATION

Mr. John Kilner, 13749 Bagley Road, asked if someone from the city could advise him as to what he should do regarding NOPEC.

Mayor Castelli said there is going to be a representative from NOPEC speaking to our senior group at the community center on Thursday at noon. He said a NOPEC representative will be there to talk about everything and to answer questions. Mayor Castelli said the residents voted to get into NOPEC, in which there were two votes, one for gas and one for electric. He said that happened in 2000 and 2003. Mayor Castelli said NOPEC is an organization that helps to take bulk pricing and try to negotiate the pricing down of those utilities. He said the bulk prices then get passed on to the communities that are in NOPEC.

Mr. Downey said the city has a new NOPEC representative, which was invited to meet city council a couple weeks ago. He said this representative is a very candid and upfront individual. Mr. Downey said everyone finally felt that we have someone to get the answers that people are looking for. He reiterated that she is scheduled for this Thursday at noon at the community center for a meeting where she will take all questions regarding NOPEC.

Discussion continued regarding NOPEC, and Mayor Castelli told Mr. Kilner if he could not attend the meeting to contact his office.

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1 Mr. Robert White, 13540 Indian Creek Drive, referred to the agenda regarding the
2 legislation selling a vacant lot on Bagley Road. He said if this sale is approved by
3 city council, he suggested the city take that money for the second phase of the
4 trail.

5 6 APPOINTMENTS AND CONFIRMATIONS

7 None.

8 9 10 ORDINANCES, RESOLUTIONS AND MOTIONS

11 CITY PARKS, RECREATION & SERVICES COMMITTEE – MR. ALI, 12 CHAIRMAN

13 No legislation.

14 15 FINANCE, TAXATION & ASSESSMENTS COMMITTEE – MR. 16 BORTOLOTTI, CHAIRMAN

17 Mr. Bortolotto reminded everyone that the Middleburg Heights Elected Officials
18 Food Drive will be held on Saturday, May 6th from 10:00 a.m. to 12:30 p.m. at
19 Heinen's.

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22 Mr. Bortolotto made a motion for Mr. Stewart to cut a check for \$2,000 for the
23 Middleburg Heights Food Pantry. Seconded by Mr. Ali.

24 ROLL CALL: YEAS 6, NAYS 0, MOTION APPROVED

MOTION 2023-19
DONATION TO
MIDDLEBURG HTS.
FOOD PANTRY

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26
27 Mr. Bortolotto made a motion for Mr. Stewart to cut a check for \$2,000 for
28 SCAN. Seconded by Mr. Ali.

29 ROLL CALL: YEAS 6, NAYS 0, MOTION APPROVED

MOTION 2023-20
DONATION TO
SCAN

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32 Mr. Bortolotto introduced ORDINANCE NO. 2023-33, An Ordinance to make
33 supplemental appropriations for current expenditures and expenses for the City of
34 Middleburg Heights for the calendar year 2023 and MOVED TO ADOPT.

35 Seconded by Mr. Grech.

36 Mr. Bortolotto said this was discussed at the finance committee meeting. He said
37 the service department is in need of a 500 gallon sprayer.

38 ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2023-33 ADOPTED

ORD. 2023-33
ADOPTED
SUPPLEMENTAL
APPROPRIATION

39 40 41 LEGISLATION & RULES COMMITTEE – MR. FERENC, CHAIRMAN

42 No legislation.

43 44 45 PUBLIC HEALTH, SAFETY & RELIEF COMMITTEE – MR. MCGREGOR, 46 CHAIRMAN

47 No legislation.

48 49 PUBLIC IMPROVEMENTS COMMITTEE – MR. SAGE, CHAIRMAN

50 No legislation.

51 52 53 STREETS, UTILITIES & RAILROAD COMMITTEE – MR. MEANY, 54 CHAIRMAN

55 Mr. Meany introduced RESOLUTION NO. 2023-34, A Resolution authorizing
56 the mayor and finance director to enter into a contract with Crossroads Asphalt
57 Recycling, Inc. for General Pavement Services for 2023 and MOVED TO
58 ADOPT. Seconded by Mr. Ference.

59 Mr. Meany said Middleburg Heights requested bids for General Pavement
60 Services program. He said the lowest and best bid was from Crossroads Asphalt
61 Recycling, Inc. for \$700,000. Mr. Meany said Crossroads Asphalt has had this
62 contract since 2019, and urges everyone to vote for this legislation.

RES. 2023-34
ADOPTED
CONTRACT:
CROSSROADS ASPHALT
(GENERAL PAVEMENT
SERVICES)

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Mr. Ali said he is happy to see that Crossroads was the best bid, because they really do a good job.

ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2023-34 ADOPTED

ZONING & BUILDING CODE COMMITTEE – MR. GRECH, CHAIRMAN

No legislation.

Mayor Castelli introduced ORDINANCE NO. 2023-35, An Ordinance authorizing the sale of real estate consisting of a vacant lot on Bagley Road no longer needed for any municipal purpose and known as Cuyahoga County Permanent Parcel Number 372-28-035 and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Meany.

ORD. 2023-35
ADOPTED
SALE OF VACANT
LOT (BAGLEY ROAD-
OLD SUBURBAN SITE)

Mayor Castelli said this is the property that was discussed at our last meeting. He said this particular lot is a non-conforming lot as it sits today, and has been vacant for years. Mayor Castelli said this used to be the site where the old Suburban was located. He said we opened up opportunities for all of the adjacent properties to purchase this lot. Mayor Castelli said where Speedy Gas is located, which eventually will be the Marathon station wanted the parcel. Mayor Castelli said they believe they can put together a much nicer project by having this lot as well. He said Law Director Incorvaia negotiated the agreement with the Marathon owner.

Mr. Incorvaia said there are some provisions that require them to consolidate the lot in a short period of time, as well as to begin the demolition to the building that is presently there in a short period of time.

Mr. Ali asked if there is anything to make sure that we approve of the building and all of that other stuff.

Mr. Incorvaia said in Section 2(b), the purchaser will have to make application for necessary approvals and permits from the City of Middleburg Heights, including the approval of design standards of the building and development by the City of Middleburg Heights.

Mr. Ali said then there is the safe guard so this doesn't get transferred until we are 100 percent sure that they are going forward with this project.

Mr. Incorvaia said it will get transferred but there is a provision that the property would revert back to us in the event they don't follow through with the development of that parcel.

Mayor Castelli said the entire parcel is to be redeveloped.

Mr. Herron said they are planning on putting in new tanks and reconfiguring the canopy so you could pull in off of Bagley.

Mr. McGregor said he didn't know as gas stations change hands, if the tanks could be reused.

Mr. Herron said they theoretically could, but for insurance purposes they would probably put in new fiberglass tanks to make sure the tanks are clean.

Mayor Castelli said above ground, everything will be new.

Mr. Ali said he would believe the tanks would be inspected when the property was purchased. He said they are fiberglass tanks, which usually last quite a few years.

ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2023-35 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.

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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

No report.

Zoning & Building Code Committee – Mr. Grech, Chairman

No report.

Mr. Grech said he would like to offer our condolences to the Sage family for their loss.

MAYOR'S REPORT

Mayor Castelli said Dan Sage lost his father and is in our prayers. He said last week was the State of the City. Mayor Castelli said in summary, the state of the city is very good. He said he would be happy to share any information with anyone that had any questions. Mayor Castelli appreciated the attendance of the members of council that were able to attend. He said one item that was discussed at the State of the City was the India Grocers, and you will be seeing a lot more activity on that site. Mayor Castelli said they are having weekly meetings with the contractor, as well as the owner. He said as of today's meeting, they plan to have everything finished by the end of the year. Mayor Castelli highlighted some of the topics that were reviewed at the State of the City. He said finances are very strong, and over the last four years the city has been able to double our cash carryover balances. Mayor Castelli also said that over the last four years, we have had our largest street programs in the history of the community. He said in addition, we are working on multiple flooding initiatives. Mayor Castelli said it is exciting to see the projects that have been done recently addressing concerns. He said there is more to come, and hopes to be able to announce at some point that we may be getting a large grant for Indian Creek. Mayor Castelli said he will advise if that ultimately comes to fruition. He said there is some good news, but there are some additional things that still need to be worked on before we can announce that we are getting that grant to install the relief sewer. Mayor Castelli said that relief sewer project is an eight million dollar project, and it would be extremely exciting to be able to accomplish that project with grant funding. He said there are a lot of initiatives taking place in the Southland District. Mayor Castelli said there are multiple projects at different phases being worked on right now. He said we also talked about Central Park and the next steps as we go through that project with OHM, whom is helping with the master plan for Central Park. Mayor Castelli said there is a survey out right now where we are asking residents for their feedback, as well as what types of amenities would like to be seen at Central Park.

Mr. Ference said as the mayor had mentioned, OHM was there and had a very nice display of what the possibilities are for Central Park. He said they actually invited audience participation and said there might have been approximately 100 different pictures of potential development and asked people to vote for what they wanted to see done by placing yellow stickers on their selection, which is a precursor to the survey that is being done.

Mayor Castelli said OHM is going through all of that information.

Mr. Ali said there are so many great things that are happening, and told the mayor he was doing a great job.

LAW DIRECTOR

No report.

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FINANCE DIRECTOR

No report.

RECREATION DIRECTOR

Mr. Elliott said the weekly food trucks will be back next week. He said the food trucks will be here every Wednesday from May 3rd until the end of August from 11:00 a.m. – 2:00 p.m. Mr. Elliott said the Red Cross is always looking for blood donations, and will be here on May 8th. He said just as a reminder, the NOPEC meeting is at noon, this Thursday in the community room.

ECONOMIC DEVELOPMENT DIRECTOR

Mr. Bichara referred to the closure of AmeriMark, which was in the City of Middleburg Heights for quite some time. He said we received notification that 151 employees in Middleburg Heights and 72 in the city of Berea would be losing their job as the company ceased operations. Mr. Bichara said we received the warn notice, which is the official notification of the closure on April 11th at 8:31 p.m. Mr. Bichara said the next day at 10:00 a.m., we already had a company in town looking to occupy that entire site. He said that was a company he has been working with for a number of months here in Middleburg Heights that wants to make a significant expansion but we did not have space for them. Mr. Bichara said that building is 113,000 square foot building. He said not only did they look at that site, by noon he had conversations with both the business and the landlord. Mr. Bichara said the landlord personally gave a tour of the building to that company, and that company looks to occupy the building. He said that company has already hired four of the AmeriMark employees and is looking to hire more, while trying to get in touch with the AmeriMark employees. Mr. Bichara said they are also looking to buy all of AmeriMark fulfillment equipment in the warehouse space. He said even though it is unfortunate that we are losing AmeriMark, through no fault of the city, it's just what happened to the company. Mr. Bichara said we will now be able to accommodate what is an up and coming growing company, mainly because of our knowledge of their needs and our relationship with the businesses. Mr. Bichara said he will keep council apprised of that situation as it develops.

Mr. Ference said it is great when we can take an existing building and put it to good use, much like we have with the old library, Kmart and now the AmeriMark building. He asked Mr. Bichara how long AmeriMark operated at that location.

Mr. Bichara said it's been for quite some time. He said the building landlord family started the business, and sold it to the previous owner who changed the name to AmeriMark. Mr. Bichara said since that time, there have been two changes in ownership of the company. He said when he first started in Economic Development in 2006, that was one of the first projects we did was to help them expand their parking lot to accommodate at one time over 500 employees in that building. Mr. Bichara said we did work with them over the years. He said he personally took the previous CEO of AmeriMark to Columbus twice to testify before the senate to retain funding for RTA because so many of their employees used public transportation.

SERVICE DIRECTOR

Mr. Herron reminded everyone that Arbor Day will be celebrated this Friday, April 28th at Big Creek Elementary at 9:30 a.m.

EXECUTIVE ASSISTANT

Mr. Downey reminded everyone again that this Thursday at noon will be when NOPEC will be at the community center to answer questions. He said if anyone had any questions in the mean time to get them to him and he will make sure they are received.

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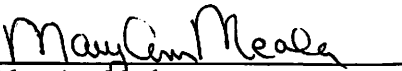
1 Mr. McGregor asked if that information was on the website for not only city hall,
2 but for the recreation center.

3 Mayor Castelli said it went out to the seniors. He said he knew there was a social
4 media blast to them, because it is a senior programming function. Mayor Castelli
5 said it could be put on the website, opening it up to anyone.

6 There being no further business, Mr. Bortolotto made a motion to adjourn.
7 Seconded by Mr. McGregor. Mr. Bortolotto adjourned the meeting at 7:40 p.m.
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12 David Bortolotto
13 President of Council
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18 Mary Ann Meola
19 Clerk of Council
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