

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
SEPTEMBER 26, 2023

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, September 26, 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
	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 September 12, 2023. Seconded by Mr. Sage.

MINUTES
APPROVED

ROLL CALL: YEAS 6, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

None.

AUDIENCE PARTICIPATION

Dr. Conrad Lindes, 13375 Old Pleasant Valley Road, pointed out that the minutes for tonight's meeting were not posted on the website.

Mr. Len Wodzisz, 6920 Big Creek Parkway, said he has received different notices in violation of the code regarding a boat in his driveway. He said this is his third year in the house, and fully intends to build a garage/structure to enclose the boat. Mr. Wodzisz said last year he put a roof on the house and this year he is replacing the septic. He said there were some points in the code that he would like to question.

Mr. Incorvaia said he would talk to him after the meeting to go over the code.

Mr. Robert White, 13540 Indian Creek Drive, referred to the legislation applying for the Brownfield grant, and asked if that would include the old police station as well.

Mayor Castelli said we have looked at potentially doing multiple, but said our focus is mainly on doing the larger parcel. He said funds have already been appropriated to demo the old police station. Mayor Castelli said one of the concerns we have is that we don't want to ask for too much. He said we are focusing on our largest and most important need.

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
SEPTEMBER 26, 2023
PAGE 2

1 Ms. Maureen O'Brien, 15021 Indian Creek Drive, said there is a large parcel of
2 land at the corner of Sprague and Pearl, where at one point senior independent
3 living was being considered, but she believed they backed out. She said that big
4 parcel abuts the Big Creek Path, and is very similar to the Baldwin Creek path.
5 Ms. O'Brien said the Baldwin Creek path is used all of the time and this area has
6 even more trees and wetlands. She said with the city purchasing the Sears
7 property, she wondered if consideration could be given to purchase this parcel as
8 well and save it as greenspace.
9

APPOINTMENTS AND CONFIRMATIONS

10 None.

ORDINANCES, RESOLUTIONS AND MOTIONS

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

11 No legislation.

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

12 No legislation.

LEGISLATION & RULES COMMITTEE – MR. FERENC, CHAIRMAN

13 No legislation.

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

14 No legislation.

PUBLIC IMPROVEMENTS COMMITTEE – MR. SAGE, CHAIRMAN

15 No legislation.

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

16 Mr. Meany introduced RESOLUTION NO. 2023-71, A Resolution requesting
17 Cuyahoga County to proceed with the rehabilitation of Smith Road from Sheldon
18 Road to Pearl Road in the City of Middleburg Heights resolving to pay one
19 hundred percent (100%) of the construction and construction supervision for the
20 replacement of sidewalk, storm sewer, and waterline including all associated work
21 within the City of Middleburg Heights, and declaring an emergency and MOVED
22 TO ADOPT. Seconded by Mr. McGregor.

23 Mr. Meany said the description in the title encompasses everything. He said this
24 is just a matter of formality that we have to do to make sure the county pays for
25 this.

26 ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2023-71 ADOPTED

ZONING & BUILDING CODE COMMITTEE – MR. GRECH, CHAIRMAN

27 No legislation.

28 Mayor Castelli introduced RESOLUTION NO. 2023-72, A Resolution supporting
29 an application for Ohio Brownfield Remediation Program funding and moved to
30 adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded
31 by Mr. Sage.

32 Mayor Castelli said at the last meeting, city council made a motion in support of
33 the Brownfield grant application process. He said this is the resolution that
34 ultimately hopefully passes this evening that will be part of that application,

RES. 2023-71
ADOPTED
REQUEST COUNTY
TO PROCEED
WITH SMITH ROAD
REHABILITATION

RES. 2023-72
ADOPTED
SUPPORT AN
APPLICATION FOR
OHIO BROWNFIELD
REMEDIALTION
PROGRAM FUNDING

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
SEPTEMBER 26, 2023
PAGE 3

1 which would be submitted to the County Land Bank this Friday. Mayor Castelli
2 said Mr. Bichara and the Middleburg Heights team have been working on this
3 application. He said this is extremely important for our community. Mayor
4 Castelli said as you know, we just recently purchased the Sears property and this
5 is one of the potential sources of revenue that can assist our community in
6 demolishing the buildings that are on that site that would ultimately lead to
7 redevelopment. He asked Mr. Bichara if he would like to add any comments
8 regarding the application process.
9

10 Mr. Bichara said everything that the mayor had said was correct. He thanked
11 everyone here for their support. Mr. Bichara thanked Mayor Castelli for his
12 support and diligence in all of this. He also thanked Mr. Incorvaia for the
13 countless hours so far, and the assembly getting ready to submit this to first the
14 County Land Bank, subsequently from the Land Bank to the Ohio Department of
15 Development. He said he will keep council posted as this unfolds.
16

17 Mayor Castelli said this is a similar process to approximately a year ago, the city
18 assisted Brixmor, who owns central Southland. He said we assisted them with a
19 Brownfield grant that they were ultimately successful in getting to demolish the
20 old Burlington site.
21

22 Mr. Ali asked if there was a timeframe once we apply.
23

24 Mayor Castelli said right now, we are ultimately waiting for the state to open up
25 the grant process. He said the County Land Bank is opening up their portal,
26 sooner than actually they can even submit. Mayor Castelli said we want to be
27 first and ready so we have a comprehensive application that will be submitted
28 right away. He said everything we are hearing at this point, is that it sounds like
29 the state will be opening up the application process toward the end of this year, or
30 possibly the beginning of next year. Mayor Castelli said we do not have any
31 definitive date yet.
32

33 ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2023-72 ADOPTED
34

35 COUNCIL COMMITTEE REPORTS

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

37 Mr. Ali said the Carl Burgio Pavilion dedication will be at the Bark Park on
38 Thursday, October 12th at 5:30 p.m. He said they also put together a volunteer
39 committee, and said two volunteers will keep the bags restocked. Mr. Ali said the
40 volunteers are incredible people that really want to help make this a successful
41 park.
42

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

44 No report.
45

46 Legislation & Rules Committee – Mr. Ference, Chairman

47 Mr. Ference said during audience participation, a resident missed the opportunity
48 to speak. He said with your permission, he would like to give her the opportunity
49 to speak.
50

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

52 No report.
53

54 Public Improvements Committee – Mr. Sage, Chairman

55 No report.
56

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

58 No report.
59
60
61
62

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
SEPTEMBER 26, 2023
PAGE 4

Zoning & Building Code Committee – Mr. Grech, Chairman

No report.

MAYOR'S REPORT

No report.

LAW DIRECTOR

No report.

FINANCE DIRECTOR

No report.

RECREATION DIRECTOR

Mr. Elliott reported that our upcoming big event will be Fall Fest on October 6th and 7th. He said the Billy Joel Tribute Band will be on October 6th and on October 7th, from 1:00 p.m. on, there will be many events throughout the day and will be topped off with the Elton John Experience Band, which will be followed by fireworks. Mr. Elliott said on Thursday, October 12th the Chamber of Commerce is kind enough to help and partner with us for a field trip for an apple picking adventure at Quarry Hill Orchard in Berlin Heights.

Mr. Bortolotto asked Mr. Elliott to thank his staff for doing such a great job.

Mr. Meany asked Mr. Elliott if the Cricket tournament is still on board for this weekend.

Mr. Elliott said a Cricket tournament will be played on our ball fields on September 30th.

Mayor Castelli said this is the first Cricket tournament that we have ever had.

ECONOMIC DEVELOPMENT DIRECTOR

Mr. Bichara thanked members of council for their support of the resolution this evening for the application to the Brownfield grant. He said they have been working on the Sears building and announced in strange ways, it is already paying dividends. Mr. Bichara said in the Sears automotive building, there were a number of sewer grates in the ground that were part of that building. He said this was discovered by Marty. Mr. Bichara said he has seen two fit our service garage grates as replacements. He said over the years, these grates become deteriorated. Mr. Bichara said the sewer grates in our service garage were from a company that made those grates which were approximately two feet long by approximately 13¾ inches wide. He said the standard size is 14 inches, which is the size that was in the Sears building. Mr. Bichara said we have 77 grates to be used for replacements. He said a place was needed to machine them down so they would work in our service garage. Mr. Bichara said he consulted with Polaris to see if they knew of a machine company that was willing to do it. He said the dilemma being this is a large job and a lot of machine shops wouldn't want to tie up their equipment. Mr. Bichara said it turns out that Polaris was willing to do the job themselves, to train the students. He said being the fact that the company that made our grates is out of business, we would have to buy the now standard size and machine those down to size. Mr. Bichara said that would be a total cost of approximately \$40,000. He said partnering with Polaris and reusing the grates from the old Sears building is a tremendous savings for the city. Mr. Bichara thanked Polaris, Marty and the service department for the true collaboration for a win-win already.

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
SEPTEMBER 26, 2023
PAGE 5

SERVICE DIRECTOR

Mr. Herron thanked council for supporting the rehabilitation of Smith Road resolution. He said more importantly, they worked with the Ohio Department of Public Works who does a very good job of submitting grants. Mr. Herron said Middleburg Heights is now the applicant for Smith Road. He said we submitted a grant request to the Ohio Public Works Council website. Mr. Herron thanked Mr. Stewart for his assistance, and said the grant amount of \$1,370,600. He said if we receive that grant, our participation and costs will come way down on the project. Mr. Herron said we should have a good idea as to where we stand by mid-December, when they come out with the preliminary rankings. He said the final rankings will be in February 2024. Mr. Herron said if you receive a grant, then the grant award is executed July 1, 2024. He also thanked the County Public Works, and said we just received our county road preventative maintenance reimbursement program dollars back. Mr. Herron said the city just received a check in the amount of \$64,173. He said the Sheldon Road waterline is going well. Mr. Herron said that project started September 18th and is expected to last approximately 55 days. He referred to the Sanitary Sewer Backup Reduction Grant legislation that was passed on September 12th and by September 18th it was on the city website. Mr. Herron said in addition, 115 applications were mailed to homeowners that reported flooding. He said as of today we have had 14 total applicants, two are completely approved and will be awaiting their reimbursement request, and one is awaiting the engineer's approval. Mr. Herron explained the steps that need to be taken, and said dye tests need done by the county to make sure there are no problems before a check valve would be placed. He said they have approximately \$35,000 in grant commitments at this time. Mr. Herron thanked Assistant Director Jeff Minch for primarily working on this. He said working directly with the homeowners, sitting down with them walking them through the process, getting them the county information, educating them and going over all the little steps is full time in itself. Mr. Herron again thanked council and said this is off to a great start. He also thanked the mayor for coming up with this idea.

Mayor Castelli asked Mr. Herron to update council on Belmeadow.

Mr. Herron said they are starting with the lining and then will be doing the manhole work. He said we are actually lining all the way up to the clean outs on every property. Mr. Herron said they will be starting that work tomorrow, and would guess it will take approximately two to three weeks.

Mayor Castelli said based on the analysis and testing that has been done, we know that the lining that has already taken place with the main and now all the way to the clean outs we will be eliminating a lot of infiltration because we saw where a lot of these cracks and problems were. He said this will be a big positive for the area.

Mr. Herron agreed this will be a big benefit for that area. He said five picnic tables were purchased for the dog park pavilion, which will be there by October 4th.

Mr. Ference said now that we have the sanitary sewer reduction program in place, it is interesting that you contacted the people who called in. He said going forward, it makes it even more important that people that have a problem let us know so they can be made aware of this program. Mr. Ference said he knows at

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
SEPTEMBER 26, 2023
PAGE 6

1 times, folks hesitate to call when they have a problem, but this makes that call a
2 lot more important.

3 Mr. Herron said if this is wildly successful, then we will have another
4 conversation with the mayor and council and talk about how to proceed further.
5 He said this is great, and said the residents have been really great to work with
6 and are very appreciative of this program.

7 Mr. Sage thanked Mr. Herron and his crew for the quick attention to the issue on
8 Revere Circle with CEL. He said the issue got resolved rather quickly, and
9 appreciated his follow through on that.

10 EXECUTIVE ASSISTANT

11 No report.

12
13 Mr. Bortolotto thanked our animal control officer who was present this evening,
14 along with one of her wonderful volunteers as well.

15
16 There being no further business, Mr. Bortolotto made a motion to adjourn.
17 Seconded by Mr. Meany. Mr. Bortolotto adjourned the meeting at 7:30 p.m.

18
19
20
21
22
23
24
25
26 David Bortolotto
27 President of Council

28
29
30 Mary Ann Meola
31 Mary Ann Meola
32 Clerk of Council
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
SEPTEMBER 26, 2023
PAGE 6

1 times, folks hesitate to call when they have a problem, but this makes that call a
2 lot more important.

3 Mr. Herron said if this is wildly successful, then we will have another
4 conversation with the mayor and council and talk about how to proceed further.
5 He said this is great, and said the residents have been really great to work with
6 and are very appreciative of this program.

7 Mr. Sage thanked Mr. Herron and his crew for the quick attention to the issue on
8 Revere Circle with CEL. He said the issue got resolved rather quickly, and
9 appreciated his follow through on that.

10
11
12
13 EXECUTIVE ASSISTANT

14 No report.

15
16 Mr. Bortolotto thanked our animal control officer who was present this evening,
17 along with one of her wonderful volunteers as well.

18
19
20 There being no further business, Mr. Bortolotto made a motion to adjourn.
21 Seconded by Mr. Meany. Mr. Bortolotto adjourned the meeting at 7:30 p.m.

22
23
24
25 

26 David Bortolotto
27 President of Council

28
29
30
31 

32 Mary Ann Meola
33 Clerk of Council

34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62