

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
MARCH 12, 2024

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, March 12, 2024 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 Zakel, Jr.	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
	Ed Tomba	Police Chief

PLEDGE OF ALLEGIANCE

MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of February 27, 2024. Seconded by Mr. McGregor.

MINUTES
APPROVED

ROLL CALL: YEAS 7, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

None.

AUDIENCE PARTICIPATION

Mr. Robert White, 13540 Indian Creek Drive, referred to Sears and said he thought the city was going to pursue remediation and go after a state grant and asked the mayor if he could explain.

Mayor Castelli said there are two items that the city is going after. He said the first one, the one that you are mentioning, is we were able to get a zero interest loan, so we will get \$500,000 up front and then we have zero interest to pay it back over ten years. Mayor Castelli said the second part that you are referring to is the Brownfield Grant from the state of Ohio. He said the city applied for this and hope that we are positioned well. Mayor Castelli said what we are hearing right now is that we are positioned well to receive that grant, and hope to see an announcement over the next month or two. He said the state has not said exactly when they are going to announce who has received those grants.

APPOINTMENTS AND CONFIRMATIONS

None.

ORDINANCES, RESOLUTIONS AND MOTIONS

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

No legislation.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
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
MARCH 12, 2024
PAGE 2

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

Mr. Bortolotto introduced ORDINANCE NO. 2024-12, An Ordinance to make supplemental appropriations for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2024 and MOVED TO ADOPT. Seconded by Mr. Meany.

ORD. 2024-12
ADOPTED
SUPPLEMENTAL
APPROPRIATIONS

Mr. Bortolotto said this was discussed at the finance committee meeting. He said the city will be finishing off the window replacements at city hall and LED lighting for the service garage.

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2024-12 ADOPTED

Mr. Bortolotto introduced ORDINANCE NO. 2024-13, An Ordinance authorizing the mayor and finance director to enter into a contract with The Ohio Floor Company and MOVED TO ADOPT. Seconded by Mr. Ference.

ORD. 2024-13
ADOPTED
CONTRACT: THE
OHIO FLOOR CO.

Mr. Bortolotto said this was also discussed at the finance committee meeting. He said this is to resurface the multi-purpose gym floor at the community center in the amount of \$49,900.

Mr. Ference asked if the floor in the multi-purpose gym is original.

Mr. Stewart said he believes so.

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2024-13 ADOPTED

Mr. Bortolotto introduced ORDINANCE NO. 2024-14, An Ordinance authorizing all actions necessary to accept a Northeast Ohio Public Energy Council (NOPEC) 2024 Energized Community Grant and MOVED TO ADOPT. Seconded by Mr. McGregor.

ORD. 2024-14
ADOPTED
ACCEPT NOPEC
GRANT

Mr. Bortolotto said this too was discussed at the finance committee meeting. He said this goes hand in hand with the first piece of legislation. Mr. Bortolotto said the grant from NOPEC is in the amount of \$48,000, to cover the costs of the new windows at city hall and the lighting at the service garage.

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2024-14 ADOPTED

LEGISLATION & RULES COMMITTEE - MR. ZAKEL, CHAIRMAN

No legislation.

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

No legislation.

ZONING & BUILDING CODE COMMITTEE - MR. FERENCE, CHAIRMAN

No legislation.

Mayor Castelli introduced RESOLUTION NO. 2024-15, A Resolution establishing a temporary one-time position of Building Commissioner in Training and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Meany.

RES. 2024-15
ADOPTED
TEMPORARY ONE-
TIME BUILDING
COMMISSIONER IN
TRAINING

Mayor Castelli said this resolution will allow us to bring on our new building commissioner, Keith Foulkes. He said Keith will start on as a building commissioner in training. Mayor Castelli said at the beginning of the year, we

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
MARCH 12, 2024
PAGE 3

1 provided for an overlap of about 90 days or so to allow for Norm Herwerden, our
2 existing building commissioner to spend time with the new building
3 commissioner. He said there is no need for an additional appropriation, this just
4 allows the two individuals to work together. Mayor Castelli said Mr. Herwerden
5 will be retiring on May 31, 2024.

6
7 Mr. Ali confirmed that after May 31st, this legislation is over.
8 Mayor Castelli said that is correct. He said after that Keith Foulkes will become
9 our acting building commissioner.

10
11 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-15 ADOPTED

12
13 Mayor Castelli introduced RESOLUTION NO. 2024-16, A Resolution supporting
14 the Ohio Commission for the United States Semiquincentennial (America250-
15 OH) and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO
16 ADOPT. Seconded by Mr. Zakel.

RES. 2024-16
ADOPTED
SUPPORT OHIO
COMMISSION FOR
U.S. SEMIQUIN-
CENTENNIAL
(AMERICA250-OH)

17 Mayor Castelli said the Ohio Legislature and Governor created America250-OH.
18 He said what this commission will do is help in the commemoration and
19 celebration of our 250th anniversary of the United States that will be coming up in
20 2026. Mayor Castelli said we would like to be part of that celebration. He said we
21 are also going to be working with our Historical Society in coordinating with the
22 State Commission to come up with activities and ways to get everyone involved
23 to celebrate America's 250th year. Mayor Castelli said there will be more info to
24 come.

25
26
27 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-16 ADOPTED

28
29 Mayor Castelli introduced RESOLUTION NO. 2024-17, A Resolution accepting
30 an equipment grant from the Ohio Department of Commerce, Division of State
31 Fire Marshal and moved to adopt. On behalf of the mayor, Mr. Bortolotto
32 MOVED TO ADOPT. Seconded by Mr. McGregor.

RES. 2024-17
ADOPTED
ACCEPT GRANT:
OHIO DEPARTMENT
OF COMMERCE,
DIVISION OF STATE
FIRE MARSHAL

33 Mayor Castelli said this resolution will enable us to accept a \$10,000 grant from
34 the Ohio Department of Commerce, Division of State Fire Marshal. He said the
35 fire department has been looking at purchasing a laser sensory leak detector.
36 Mayor Castelli said one of our lieutenants worked on a grant and was successful
37 in receiving a \$10,000 grant. He said the total price for the equipment is \$13,500.
38 Mayor Castelli is asking that we accept this grant and apply the \$10,000 towards
39 this purchase.

40 Mr. Ference said in the legislation it says that this detector is a methane leak
41 detector and asked if this detector also detects natural gas.

42 Mayor Castelli said that is his understanding in talking with the fire department.
43 He said he could clarify, but that again is his understanding.

44
45
46
47 ROLL CALL: YEAS 7 NAYS 0, RESOLUTION NO. 2024-17 ADOPTED

48
49 Mayor Castelli introduced RESOLUTION NO. 2024-18, A Resolution
50 authorizing the mayor and finance director to enter into a contract with Zambelli
51 Fireworks Manufacturing Company and moved to adopt. On behalf of the mayor,
52 Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Ference.

RES. 2024-18
ADOPTED
CONTRACT:
ZAMBELLI
(FIREWORKS)

53 Mayor Castelli said this is a reoccurring resolution that we do yearly before we
54 have Summer in the City. He said as you know, we have worked with Zambelli
55 for years. Mayor Castelli said they would like to move forward with this
56 resolution again for the upcoming Summer in the City event, scheduled for June
57 13th-June 15th.

58
59
60 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-18 ADOPTED

61
62

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
MARCH 12, 2024
PAGE 4

1 Mayor Castelli introduced RESOLUTION NO. 2024-19, A Resolution
2 authorizing the mayor to enter into a Northeast Ohio Brownfield Program Loan
3 Agreement with the Northeast Ohio Areawide Coordinating Agency (NOACA)
4 and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO
5 ADOPT. Seconded by Mr. Meany.

6 Mayor Castelli said this was referred to by Mr. White as he asked a question
7 during audience participation. He said we have been doing a lot of work on this
8 to ultimately get this loan agreement finalized. Mayor Castelli said Mr. Bichara
9 and Mr. Stewart have spent a lot of time on this. He asked Mr. Bichara to share
10 details with city council on the loan agreement and how it will work.

11 Mr. Bichara said this program was just started by NOACA, comes from the
12 USEPA and provides funding for remediation that we will experience at the
13 Sear's building for asbestos removal and hazardous waste material removal. He
14 said this will add to the financing stack that will allow us to ultimately demolish
15 that building and clear the site for future redevelopment.

16 Mr. Bortolotto thanked Mr. Bichara for all of his efforts.

17 Mr. Ference asked if this was similar or different from the Brownfield grant that
18 we have.

19 Mayor Castelli said it is a similar use ultimately, but this is a loan of \$500,000
20 which would be paid back with zero interest over ten years. He said the grant that
21 we are going for through the state of Ohio, is a multi-million dollar grant with a
22 20 percent match if we receive the grant. Mayor Castelli said to Mr. Bichara's
23 point, we are looking to assemble pieces to ultimately bring down the cost as
24 much as possible for us to take down those buildings.

25 Mr. Ali said he feels very confident that we can get this cost into the big picture
26 on the final end price of this project.

27 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-19 ADOPTED

28 COUNCIL COMMITTEE REPORTS

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

30 Mr. Ali said three or four months ago, he and Mary Ann went onto a special
31 assignment. He said we are putting together an animal shelter in our beautiful
32 city of Middleburg Heights. Mr. Ali said this has absolutely been an incredible
33 team effort starting with Mayor Castelli and everybody that participated,
34 including Chief Tomba who is amazing. He said they are going to have a
35 volunteer meeting soon. Mr. Ali said they want to put together a strong team of
36 volunteers so we can have the animal shelter open to the public to adopt out the
37 animals. He said Dani was hired on Monday to lead the way of the volunteers,
38 and added that she is absolutely incredible. Mr. Ali said anyone that would like to
39 attend the meeting is welcomed, and said there would be a social media blitz
40 starting tomorrow. He said this was a challenge, and thanked everyone for their
41 help.

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

43 Mr. Bortolotto announced that the annual food drive will be held on Saturday,
44 May 4th from 10:00 a.m. to 12:30 p.m. at Heinen's.

45 Legislation & Rules Committee – Mr. Zakel, Chairman

46 No report.

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

48 No report.

49 Public Improvements Committee – Mr. Sage, Chairman

50 No report.

RES. 2024-19
ADOPTED
ENTER INTO
NORTHEAST OHIO
BROWNFIELD
PROGRAM LOAN
AGREEMENT WITH
NOACA

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
MARCH 12, 2024
PAGE 5

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

Mr. Meany said the committee met last night, and minutes were emailed to you this afternoon. He said in the future they will be having the traffic engineering company come in. Mr. Meany said Mr. Herron asked if you have any specific questions to call or text him with them, so they can come prepared and able to answer any questions you may have. He said that meeting will either be at the next streets committee meeting or the one after that depending on their availability.

1
2
3
4
5
6

Zoning & Building Code Committee – Mr. Ference, Chairman

Mr. Ference asked if it would be possible to get the new building commissioner to come into a committee meeting before Norm officially retires.

Mayor Castelli said sure.

Mr. McGregor asked if the new inspector could be included too.

Mayor Castelli said as a side note, we are doing an orientation, an on-boarding process with the new building commissioner. He said he has asked Mr. Meany and any other council members that would like to have one on one time. Mayor Castelli said he would still like to have Mr. Meany spend some time during that week or two to get into some details on items that have come up. He asked if you have more specific questions, please pass them on to Mr. Meany or himself.

7
8
9
10
11
12
13
14
15
16
17
18
19
20

MAYOR'S REPORT

Mayor Castelli said a couple meetings ago, a resident came forward and expressed concerns regarding the traffic signals on Bagley Road, especially in the early morning. He said work has been done over the past week to make adjustments. Mayor Castelli said his understanding from the service department is that the resident is very satisfied with those changes. He said if anyone else received any additional feedback to let him know. Mayor Castelli said TMS is also working with the facilities manager at the new Cleveland Clinic Family Health Center, to figure out the best way to manage traffic in that area. He said some adjustments were made, and there are some additional things that we are going to continue to work on over there.

21
22
23
24
25
26
27
28
29
30
31
32
33
34

LAW DIRECTOR

No report.

35
36
37

FINANCE DIRECTOR

No report.

38
39
40

POLICE CHIEF

Chief Tomba thanked Mr. Ali and Mary Ann for all of their hard work over at the shelter.

41
42
43
44
45

ECONOMIC DEVELOPMENT DIRECTOR

No report.

46
47
48

SERVICE DIRECTOR

No report.

49
50
51

There being no further business, Mr. Bortolotto made a motion to adjourn. Seconded by Mr. Meany. Mr. Bortolotto adjourned the meeting at 7:25 p.m.

52
53
54

David Bortolotto

David Bortolotto
President of Council

55
56
57
58
59
60

Mary Ann Meola

Mary Ann Meola
Clerk of Council

61
62