

# CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING  
JUNE 11, 2024

1 The Council of the City of Middleburg Heights, Ohio met in Council Chambers at  
2 City Hall on Tuesday, June 11, 2024, for the purpose of conducting a REGULAR  
3 MEETING. President of Council David Bortolotto called the meeting to order at  
4 7:00 p.m.

5 PRESENT: Matthew Castelli Mayor  
6 David Bortolotto President of Council  
7 Tim Ali Councilman At Large  
8 Dan Sage Councilman At Large  
9 Bill Meany Councilman Ward 1  
10 Matthew McGregor Councilman Ward 2  
11 Mike Ference Councilman Ward 3  
12 John Zakel Councilman Ward 4  
13 Mary Ann Meola Clerk of Council  
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16 STAFF  
17 ATTENDING: Santo Incorvaia Law Director  
18 Jason Stewart Finance Director  
19 Jim Herron Service Director  
20 Chuck Bichara Economic Development Director  
21 Mark Elliott Recreation Director  
22 Briant Galgas Fire Chief  
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## 26 27 PLEDGE OF ALLEGIANCE

## 28 29 MINUTES

30 Motion by Mr. Ali to approve the minutes of the regular meeting of May 28, 2024 MINUTES  
31 and the minutes of the executive session meeting of May 28, 2024. Seconded by APPROVED  
32 Mr. Sage.  
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34 ROLL CALL: YEAS 7, NAYS 0, MINUTES APPROVED  
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## 36 COMMUNICATIONS

37 None.  
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## 39 AUDIENCE PARTICIPATION

40 Ms. Theresa Schultz, 17125 Benedict Dr., said she is here this evening because  
41 she has been made aware of a halfway house coming to her neighborhood. She  
42 said all of the neighbors are concerned. Ms. Schultz said she found out that it  
43 may be a Section 8 house. She asked if there were things that needed to be done  
44 to qualify, and said she doesn't know if anybody knew about it prior to them  
45 moving in.  
46

47 Mr. Incorvaia said he didn't have any information on the particular house that she  
48 is speaking of. He said if she did find out any information, he would be happy to  
49 take a look at it and review it. Mr. Incorvaia said if there is a halfway house or a  
50 residential family home, they don't need to notify the city based on the type of  
51 housing that it is. He said any additional information that you get, please feel free  
52 to reach out to him and he will be happy to look into it.  
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54 Mayor Castelli said he spoke with Mr. Meany about this, and we are reviewing to  
55 see exactly what is there. He said they did not notify the city, so again we are  
56 trying to obtain some information. Mayor Castelli said when we get a little more  
57 information, we will be happy to share that with you. He said all we know is who  
58 owns the home, but they have not submitted as a group home. Mayor Castelli  
59 said typically group homes submit to our police department so we know that they  
60 are there. He said we did not get that and are reviewing further.  
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1 Mr. Meany said we know who the owner is and we tried contacting him but we  
2 haven't heard anything back. He said we really don't know what is there. Mr.  
3 Meany said we are looking into this.

4 Mayor Castelli asked where she heard it was a Section 8 House or halfway house.

5 Ms. Schultz said Section 8 was on the auditor's site, and the halfway house came  
6 from the people that are living there.

7 Discussion continued.

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10 Mayor Castelli said he doesn't have anything to confirm one way or another, but  
11 asked Mr. Incorvaia if he could give an overview from a standpoint of what is  
12 legal and what can come into the city, whether the city approves it or not.

13 Mr. Incorvaia said adult, residential homes are permitted as a right. He said if a  
14 family is moving in, we do not have the ability to question who is moving in. Mr.

15 Incorvaia said group homes are considered to be a family and are permitted in  
16 single family and multi-family residential districts. He said there is nothing that  
17 a local entity can do, unless they exceed a certain number of people in that house.

18 Mr. Incorvaia said there would be another procedure for that. He said we do not  
19 have any notification and they are not required to give us notification. Mr.

20 Incorvaia said if it is a halfway house or we have some confirmation that it is one,  
21 we certainly take that extra step and look into that. He said we have to abide by  
22 the fair housing laws.

23 Ms. Schultz said they are nervous about the possibility of crime that comes along  
24 with halfway house residents.

25 Mayor Castelli said we appreciate the feedback and understand her concerns. He  
26 said we are looking into exactly what we can figure out legally, to have a good  
27 understanding of what is there and what we can communicate back.

28 Ms. Schultz said that is what she is here to do, she is here to get an understanding  
29 because not everybody will come to these meetings, and if they do they aren't  
30 always willing to speak up.

31 Mr. Bortolotto thanked Ms. Schultz for coming and said she will be kept  
32 informed.

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APPOINTMENTS AND CONFIRMATIONS

None.

ORDINANCES, RESOLUTIONS AND MOTIONS

CITY PARKS, RECREATION & SERVICES COMMITTEE - MR. ALI,

CHAIRMAN

No legislation.

FINANCE, TAXATION & ASSESSMENTS COMMITTEE - MR.

BORTOLOTTO, CHAIRMAN

Mr. Bortolotto introduced RESOLUTION NO. 2024-46, A Resolution adopting  
the Alternative Tax Budget Information of the City of Middleburg Heights, Ohio,  
for the fiscal year beginning January 1, 2025, and submitting the same to the  
Budget Commission of Cuyahoga County and MOVED TO ADOPT. Seconded  
by Mr. Meany.

Mr. Bortolotto said this is the 2025 tax budget which was discussed at the finance  
committee meeting. He said this legislation shows our need as a city to levy  
property taxes. Mr. Bortolotto said an annual tax budget resolution is required to  
be passed by the Ohio Revised Code and is sent to Cuyahoga County Budget  
Commission.

Mr. Vitalone said this is an annual requirement that is procedural and needs to be  
done every year according to the ORC. He said this is the kickoff to the 2025  
budget.

ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-46 ADOPTED

RES. 2024-46  
ADOPTED  
ADOPT ALTERNATIVE  
TAX BUDGET  
INFORMATION

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1  
2 LEGISLATION & RULES COMMITTEE – MR. ZAKEL, CHAIRMAN

3 No legislation.

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

7 No legislation.

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10 PUBLIC IMPROVEMENTS COMMITTEE – MR. SAGE, CHAIRMAN

11 No legislation.

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

15 No legislation.

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18 ZONING & BUILDING CODE COMMITTEE – MR. FERENEC, CHAIRMAN

19 No legislation.

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21 COUNCIL COMMITTEE REPORTS

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

23 Mr. Ali said he looks forward to seeing everyone at the Summer in the City this  
24 weekend.

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

28 Mr. Bortolotto concurred with Mr. Ali's sentiments and looks forward to seeing  
29 everyone this weekend too.

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32 Legislation & Rules Committee – Mr. Zakel, Chairman

33 No report.

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

36 Mr. McGregor said they met last night and minutes will be distributed tomorrow.

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39 Public Improvements Committee – Mr. Sage, Chairman

40 No report.

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

43 Mr. Meany said they met last night and minutes will be emailed to everybody.

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46 Zoning & Building Code Committee – Mr. Ference, Chairman

47 Mr. Ference said the committee met on June 3<sup>rd</sup> and minutes have been  
48 distributed.

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50 MAYOR'S REPORT

51 Mayor Castelli said he is also looking forward to seeing everyone at the Summer  
52 in the City. He said everyone should have received the city newsletter that was  
53 delivered this week. Mayor Castelli said there is a lot of information in the  
54 newsletter and if there are any questions on any of that, to please feel free to have  
55 residents call his office.

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58 LAW DIRECTOR

59 Mr. Incorvaia asked that council consider a motion to convene into executive  
60 session to consider the purchase of property for public purposes pursuant to ORC  
61 Section 121.22(G)(2).  
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2  
3 Mr. Bortolotto made a motion to go into executive session to consider the  
4 purchase of property for public purposes pursuant to ORC Section 121.22(G)(2).  
5 Seconded by Mr. Zakel.

6 ROLL CALL: YEAS 7, NAYS 0, MOTION APPROVED  
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8 FINANCE DIRECTOR

9 No report.  
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11 RECREATION DIRECTOR

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13 Mr. Elliott said on Thursday, following the parade, the driveway right past the fire  
14 station on the west side of the building, is where he would ask that council pull in  
15 as there will be some parking spots held in there. He said to then proceed to right  
16 here in front of city hall, along with the mayor where you will be asked you to cut  
17 the ribbon. He said he will remind you again at the starting point at Pearl and  
18 Smith Roads right by Krispy Kreme.

19  
20 Mr. Ference referred to the pickle ball courts, and said there was a report that  
21 there was a group from another city trying to hold the courts and reserve for their  
22 usage which discouraged some of our residents from going over there because  
23 they were confused by it.  
24

25 Mr. Elliott said explained what had happened. He said the problem is when  
26 people want to come there more socially, as pickle ball is a very fast growing  
27 sport and we try to bring organization to it. Mr. Elliott said people do bring their  
28 friends from other cities and it is very difficult to stop that. He said it is the time  
29 when people want to just go there and play that is posing a problem. Mr. Elliott  
30 said he spoke to a couple people here in Middleburg Heights and a couple people  
31 outside who help pass messages around. He said for the next couple weeks Safety  
32 Town is going to be in our building so the courts will not be available in there.  
33 Mr. Elliott said an email will be sent out so there is pretty good communication  
34 that way. He said at some point, more courts will help us with that problem. Mr.  
35 Elliott said one of the things that council had mentioned earlier in the year was  
36 starting a little bit later at 8:00 a.m. and that is working out better. He said they  
37 are trying to do the right things, but can't accomplish everything.  
38

39 Mr. Ference said he and the residents were happy changing the start time to 8:00  
40 a.m., since it gets very loud when the paddle hits the ball. He said he remembered  
41 several years ago the administration was considering putting in an outdoor court  
42 somewhere, and instead of that we went with the former Midpark tennis courts.  
43

44 Mayor Castelli said we are still looking at potentially a multi-purpose functional  
45 court for the future, but yes we went with having it at the tennis courts because it  
46 was an infrastructure that was already in place.  
47

48 Mr. Ference said and at that point, he thought the administration felt that would be  
49 adequate with the four courts, and were at that time unsure of the popularity of  
50 this sport. He said he thought that was something in the future to consider as part  
51 of our campus.  
52

53 Mayor Castelli said Mr. Elliott is looking into some options.

54 Mr. Elliott said when it was Midpark, the residents put up with football practice,  
55 track, band, etc. but the sound of a pickle ball is becoming the most annoying  
56 thing.  
57

58 Mr. Ali asked if we were lining up down Smith or down Pearl for the parade.

59 Mr. Elliott said you will line up on Smith and will also use the side of the old  
60 Burlington parking lot. He said fire vehicles and police vehicles will be on the  
61 street already.

62 Mr. Bortolotto confirmed with Mr. Elliott that council will park behind the fire  
department when the parade ends and then proceed to the front of city hall to cut  
the ribbon.

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3 Mayor Castelli referred to parking for the Summer in the City and said a lot of  
4 lots can be used. He said the information is on the website and the parking lots  
5 include Bethel Church, Community Center, Big Creek Elementary (will have a  
6 shuttle), Community Church at the parkway can be used and also the middle  
7 school (will have a shuttle). Mayor Castelli said the shuttles will run throughout  
8 the whole festival.  
9  
10 Mr. Elliott said the shuttles will not be running during the parade. He said on  
11 Saturday there will be third shuttle. Mr. Elliott said Southwest General is lending  
12 a hand with one of their drivers and their shuttle. He said they will not shuttle the  
13 parade, they will be shuttling the parking lots.  
14 Mayor Castelli said approximately eight to ten months ago we had to make a  
15 determination as to where Summer in the City was going to be. He said if you  
16 don't, you will lose the ride company, vendors, etc. Mayor Castelli said at that  
17 time, as you know we have been working on the Smith Road project and weren't  
18 sure when that was going to start. He said everything pointed that it may start  
19 before our typical Summer in the City. Mayor Castelli said in this situation, it is  
20 going to start July 5<sup>th</sup>, so it was very close to this period of time. He said ten  
21 months in advance, a decision needed to be made and we didn't want to have a  
22 situation where we could potentially run into a problem where you are unable to  
23 do the festival or you have a contractor that says you are interfering in their  
24 contract. Mayor Castelli said we decided to do the festival here, and the reality is  
25 once the street is done, this is going to be the place where it is going to happen  
26 because you are not going to have the space anymore on the street. He said that is  
27 something to be looked at down the road. Mayor Castelli said he has had  
28 questions as to why Summer in the City is being done here this year. He again  
29 reiterated because we had to make a decision ten months ago, and didn't know  
30 when the construction would be taking place on Smith Road. Mayor Castelli said  
31 he thinks this is nicer, and thinks people are going to like it. He said in talking  
32 with the police department, we have a stronger advantage of security and  
33 management as to what is going on. Mayor Castelli said we had challenges in the  
34 Southland District. He said there were even people running on roofs last year. He  
35 said he thinks we can do an extremely good job of seeing everything that is going  
36 on here. Mayor Castelli said another thing to look at as we look at large festivals  
37 is what is best from a security standpoint too.  
38  
39 Mr. Elliott said in each of the lots that were mentioned, one of the local churches  
40 has volunteered to provide volunteers with radios to help guide people to parking  
41 spaces.  
42  
43 Mayor Castelli said he thought everyone was doing a great job and said all of the  
44 departments have come together really well to make sure everything is set and  
45 ready to go.  
46  
47 Mr. Ali asked if anyone ever gave thought of combining with a neighboring city  
48 like Berea or Brook Park and have it at the fairgrounds and split the costs.  
49  
50 Mayor Castelli said we have had conversations of potentially doing at the  
51 fairgrounds if we ever needed to if the space didn't work. He thinks it is  
52 something to look at but thinks there is value in having your own event. Mayor  
53 Castelli said he thinks there is value in having the hometown feel here at city hall  
54 and the park. He said those are things we can always talk about. Mayor Castelli  
55 said it was a good suggestion and certainly we could look at that.  
56  
57 Mr. Ali thought maybe like every five years just have a blowout.  
58  
59 Mayor Castelli said the challenge is, if you skip a year and lose a ride company, it  
60 is very hard to get them back. He said we had a different one before, and once we  
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lost them that was it, we could never get them back. Mayor Castelli said or your dependent on the time they want to do it which could be months later.

ECONOMIC DEVELOPMENT DIRECTOR

Mr. Bichara said he would like to report that Enterprise Data Solutions, Inc., a leading provider of IT solutions specializing in cybersecurity and cloud data protection, is bringing its headquarters and a new state-of-the-art data center to Middleburg Heights at 6993 Pearl Road. He said he met with their leadership today and said they had an employee walk through of the facility. Mr. Bichara said he has been working with them for the past four months, and have been working with the previous owner of the building since that building was vacated by SCT. He said SCT incidentally still has their operations in Middleburg Heights in the office buildings across from Southwest General. He said they will begin the buildout, replace the entire HVAC system, buildout the data center and will have their 25 employees there in one month, and are hiring more employees as we speak.

SERVICE DIRECTOR

Mr. Herron said we just finished our first general pavement services contract road, which was Ragall Parkway. He said it came out very nice and they have received some nice phone calls as well. Mr. Herron said he hoped the mayor, Mr. McGregor and the other council members receive nice phone calls regarding that project. Mr. Herron said they will have an update by the next meeting of the next road projects beginning in July. He said those projects will include Sheldon, Smith, Arrowhead and Grant.

FIRE CHIEF

No report.


Start Executive Session: 7:37 p.m.

Following the Executive Session, Mr. Bortolotto reconvened the Regular Meeting of Council at 8:05 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	Councilman Ward 4
	Mary Ann Meola	Clerk of Council
	Santo Incorvaia	Law Director
	Jim Herron	Service Director
	Chuck Bichara	Economic Development Director
	Nick Vitalone	Asst. Finance Director

There being no further business, Mr. Bortolotto made a motion to adjourn. Seconded by Mr. Sage. Mr. Bortolotto adjourned the meeting at 8:05 p.m.

  
\_\_\_\_\_  
David Bortolotto  
President of Council

  
\_\_\_\_\_  
Mary Ann Meola  
Clerk of Council