

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
OCTOBER 8, 2024

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, October 8, 2024 for the purpose of conducting a REGULAR MEETING. President of Council David Bortolotto called the meeting to order at 7:00 p.m.

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| 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 |
| | Mike Ference | Councilman Ward 3 |
| | John Zakel | Councilman Ward 4 |
| | Trish Gable | Council Secretary |

STAFF

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|------------|-----------------|-------------------------------|
| ATTENDING: | Santo Incorvaia | Law Director |
| | Jason Stewart | Finance Director |
| | Jim Herron | Service Director |
| | Chuck Bichara | Economic Development Director |
| | Briant Galgas | Fire Chief |

ABSENT: Mark Elliott, Recreation Director

PLEDGE OF ALLEGIANCE

MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of September 24, 2024, and the minutes of the executive session meeting of September 24, 2024. Seconded by Mr. Sage. MINUTES APPROVED

ROLL CALL: YEAS 7, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

None.

AUDIENCE PARTICIPATION

Mr. John Kilner, 13749 Bagley Road, asked who owns the streets in the Middleburg Heights.

Mayor Castelli said it depends on the street. He said it could be the city of Middleburg Heights, it could be the county, or it could be a state route.

Mr. Kilner said 10 days ago he was traveling down W. 130th southbound in the left lane, and hit a hole in the street where they previously had done some excavating which had an asphalt patch on it that had sunk down in. He said he called the police and told them where this was at. Mr. Kilner said two days later he was on Sprague Road in the right lane going eastbound and an identical situation with a patch in the street caved in even worse. He also called police and gave the dispatcher the location which was by Home Depot, who responded that they already knew about that. Mr. Kilner asked if a permit needed to be obtained when construction was being done on the streets.

Mayor Castelli said the contractors would be responsible, not the city.

Mr. Herron said Cleveland Water sometimes gets called in and permits are not issued to Cleveland Water. He said they have the responsibility to fix water leaks anytime of the day or night. Mr. Herron said they do inform us, but not always as timely as we would like. He said the hole on Sprague Road was in Strongsville, so we called them to let them know. Mr. Herron referred to the hole on W. 130th Street, which caused a little bit of confusion because Medina Creative Housing owns a little slice of land that comes out to W. 130th Street, but the address shows

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1 up as Smith Road. He thought it might have had to do with the major project that
2 we have going on Smith Road. Mr. Herron said once we find out, we react
3 quickly and go out and check the hole to make sure it is done properly. He said
4 sometimes Cleveland Water doesn't leave it to what we think is a good standard.
5 Mr. Herron said once we go out, we immediately schedule a repair.
6
7 Mayor Castelli said there are times when things are not done the way they should
8 be, but they have to do it, they are required to do it.
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10 Mr. Herron encouraged Mr. Kilner to call the service department if they are open.
11 Mayor Castelli said you can call dispatch, but if it is during the day the service
12 department will react quickly.
13 Mr. Herron told Mr. Kilner they will take a look at the hole on W. 130th, south of
14 Smith in the left hand lane.
15 Mr. Ali said possibly a heavy truck ran over the patch causing it to sink in, but
16 you will get better results by calling the service department versus the police
17 station. He said the service department would send someone with cones, etc. and
18 then contact whoever did the work.
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20 Mayor Castelli said to go back to your original question as to who owns the
21 streets, unfortunately in any city there are a lot of different organizations and
22 contractors that are operating on our streets that are not necessarily the City of
23 Middleburg Heights. Mayor Castelli said but at the end of the day, if something
24 is not done right we would want to know and address it quickly.
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27 Dr. Conrad Lindes, 13375 Old Pleasant Valley, said one of the pieces of
28 legislation to be considered tonight is a bond issue dealing with underground
29 utilities on Smith Road. He asked if at that time you would let him know if the
30 remaining wires and cables that are still on poles will be put underground.
31
32 Mayor Castelli said some poles are going under, but he thinks there are three
33 poles near Krispy Kreme that are staying. He said the additional costs to put
34 those underground was extremely expensive. Mayor Castelli said several as you
35 get further in will go underground. He said he would prefer to have them
36 underground too, but the costs were too excessive.
37
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39 Mr. Mark Christie, County Emergency Manager, Cuyahoga County Office of
40 Emergency Management, is here with Sara Lippi, Senior Emergency
41 Management Specialist for our office, who actually administers the program that
42 he is here to talk about. He said a lot of what they do is to work and plan with our
43 local communities and first responders to ensure that response to a larger scale
44 issue/emergency in our county would be handled more effectively and efficiently,
45 especially when it involves different entities in our county that might not normally
46 work with one another. Mr. Christie said he was here five years ago for our initial
47 certification in the Ready Certify Certification Program. He said the program is
48 designed to enable a community to go above and beyond where we think they
49 should be for public safety and emergency management. Mr. Christie said it is
50 designed around a series of standards or benchmarks that are based off of best
51 practices and lessons learned. He said Middleburg Heights was initially certified
52 in this program five years ago and then went back through the process for a five
53 year recertification. Mr. Christie said this program is voluntary and not every
54 community does this, it is difficult and extra work. He read the plaque in its
55 entirety and presented the plaque to Chief Galgas.
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57 Chief Galgas thanked Mr. Christie and said the office of Emergency Management
58 has been great to work with.
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1 Mayor Castelli thanked the county for coming out. He said five years ago, when
2 he became mayor, this was one of the first things that Chief Galgas and he talked
3 about. Mayor Castelli said Chief Galgas mentioned that this was something that
4 he was thinking of doing and wanted to bring this to the City of Middleburg
5 Heights. He said Chief Galgas does a lot of things that are truly above and
6 beyond what he is required to do. Mayor Castelli said it was very important to
7 Chief Galgas to do all of the things that were necessary to ultimately receive this
8 recertification, which is a testament to his dedication to this community. He
9 reiterated his appreciation to Chief Galgas.

10 Mr. McGregor asked how many cities in the county do this.
11 Mr. Christie said currently 22 cities have gone through this, and five
12 organizations. He said some of the large organizations consisted of Case Western
13 Reserve, Cleveland State, Cuyahoga Community College and NEORS D.

14 Mayor Castelli said there are approximately 59-60 communities that would be
15 eligible to go through this.

16 Mr. Christie said they have done two or three recertification's this year. He said
17 with COVID, timeframes were altered and some recertification's got pushed
18 back.

19 Mr. Ali thanked the office of Emergency Management for coming this evening.
20 Mayor Castelli said the county brings a lot of resources to the table for
21 communities like us. He said there is something to be said about having that
22 preparedness.

23 APPOINTMENTS AND CONFIRMATIONS

24 None.

25 ORDINANCES, RESOLUTIONS AND MOTIONS

26 CITY PARKS, RECREATION & SERVICES COMMITTEE - MR. ALI,
27 CHAIRMAN

28 No legislation.

29 FINANCE, TAXATION & ASSESSMENTS COMMITTEE - MR.
30 BORTOLOTT O, CHAIRMAN

31 Mr. Bortolotto introduced ORDINANCE NO. 2024-79, An Ordinance to make
32 supplemental appropriations for current expenditures and expenses for the City of
33 Middleburg Heights for the calendar year 2024 and MOVED TO ADOPT.
34 Seconded by Mr. Meany.

ORD. 2024-79
ADOPTED
SUPPLEMENTAL
APPROPRATIONS

35 Mr. Bortolotto said this was addressed at our committee meeting last night.

36 ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2024-79 ADOPTED

37 Mr. Bortolotto introduced RESOLUTION NO. 2024-80, A Resolution
38 authorizing the mayor and finance director to enter into a contract with Selective
39 Insurance Company and Travelers Insurance Company and The Fedeli Group for
40 the city's insurance coverages and MOVED TO ADOPT. Seconded by Mr.
41 McGregor.

RES. 2024-80
ADOPTED
CITY'S
INSURANCE
COVERAGES

42 Mr. Bortolotto said this was addressed last night at the finance committee
43 meeting. He said our current insurance ends October 30th and we are looking to
44 extend it through The Fedeli Group.

45 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-80 ADOPTED

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1 Mr. Bortolotto introduced ORDINANCE NO. 2024-81, An Ordinance providing
2 for the issuance and sale of not to exceed \$3,600,000 of Economic Development
3 Nontax Revenue Bond Anticipation Notes, in anticipation of the issuance of
4 bonds, for the purpose of paying costs of acquiring lots and lands in the city
5 identified in the records of the Cuyahoga County Fiscal Officer as (i) Permanent
6 Parcel No. 372-31-006, approximately 14.93 acres, (ii) Permanent Parcel No.
7 372-31-009, approximately 3.86 acres, and (iii) Permanent Parcel No. 372-30-
8 019, approximately 7.275 acres, each for sale or lease for private redevelopment,
9 and declaring an emergency and MOVED TO ADOPT. Seconded by Mr.
10 Ference. (ORD. 2024-81
11 ADOPTED
12 ISSUANCE AND SALE
13 OF NOTES -
14 ECONOMIC DEVELOP-
15 MENT NONTAX REVENUE
16 BOND ANTICIPATION
17 NOTES
18 (\$3,600,000)

13 Mr. Bortolotto said there was a presentation last night at our committee meeting
14 and this was discussed. He said this has to do with the properties that we have
15 recently purchased in the Southland District. Mr. Bortolotto said we are going to
16 be refinancing them for another year.
17 Mayor Castelli said we are in the process of potentially purchasing the 7.275 acres
18 and hopefully will finalize that soon. He said obviously if that transaction doesn't
19 go forward then the issuance of notes would be adjusted.
20 ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2024-81 ADOPTED
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23 Mr. Bortolotto introduced ORDINANCE NO. 2024-82, An Ordinance providing
24 for the issuance and sale of not to exceed \$4,780,000 of notes, in anticipation of
25 the issuance of bonds, for the purpose of paying costs of reconstructing,
26 resurfacing, grading, draining, paving and curbing Smith Road including
27 constructing related sidewalks, waterlines and related water supply facilities,
28 sanitary sewers and related sanitary facilities, storm sewers and related drainage
29 facilities, installing signage and traffic signalization, and relocating existing
30 utilities as necessary, together with the necessary related improvements and
31 appurtenances thereto, as designated in the plans approved or to be approved by
32 council, and declaring an emergency and MOVED TO ADOPT. Seconded by
33 Mr. Ference. (ORD. 2024-82
34 ADOPTED
35 ISSUANCE AND SALE
36 OF NOTES -
37 SMITH ROAD
38 (\$4,780,000)

36 Mr. Bortolotto said this was discussed as well in committee. He said this has to
37 do with Smith Road between Pearl Road and W. 130th Street.
38 Mr. Bortolotto thanked the administration for all of their hard work in the
39 Southland area.
40 ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2024-82 ADOPTED
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43 LEGISLATION & RULES COMMITTEE – MR. ZAKEL, CHAIRMAN
44 No legislation.

46 PUBLIC HEALTH, SAFETY & RELIEF COMMITTEE – MR. MCGREGOR,
47 CHAIRMAN
48 No legislation.

50 PUBLIC IMPROVEMENTS COMMITTEE – MR. SAGE, CHAIRMAN
51 No legislation.

53 STREETS, UTILITIES & RAILROAD COMMITTEE – MR. MEANY,
54 CHAIRMAN
55 No legislation.

57 ZONING & BUILDING CODE COMMITTEE – MR. FERENCE, CHAIRMAN
58 No legislation.

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1 Mayor Castelli introduced RESOLUTION NO. 2024-83, A Resolution
2 authorizing the mayor to enter into an independent contractor agreement with
3 Timothy R. Wagner of CPL Architects, Engineers, Landscape Architects, D.P.C.
4 for Plans Examiner Services in connection with the Building Code of the City of
5 Middleburg Heights and the Ohio Building Code and moved to adopt. On behalf
6 of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Zakel.
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8 Mayor Castelli said we have used CPL in the past as a plans examiner. He said
9 our building commissioner is going through all of the agreements and noticed that
10 this is something that needs to be updated. Mayor Castelli said and the next piece
11 of legislation is just to have an option as well if we need it, or depending on what
12 is being reviewed is why there is an agreement with Sipka Architects as well.
13 Mr. Incorvaia said there is no cost involved. He said the applicant makes a
14 deposit and the cost is deducted from that deposit.
15 Mayor Castelli said this is nothing new, this is just formalizing something that has
16 been a process that has been done in the past. He said now we will have actual
17 documentation and an agreement to go along with that relationship.
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19 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-83 ADOPTED
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RES. 2024-83
ADOPTED
PLANS EXAMINER
SERVICES
(CPL ARCHITECTS)

22 Mayor Castelli introduced RESOLUTION NO. 2024-84, A Resolution
23 authorizing the mayor to enter into an independent contractor agreement with
24 Julie K. Sipka of Sipka Architects for Plans Examiner Services in connection with
25 the Building Code of the City of Middleburg Heights and the Ohio Building Code
26 and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO
27 ADOPT. Seconded by Mr. Meany.
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29 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-84 ADOPTED
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RES. 2024-84
ADOPTED
PLANS EXAMINER
SERVICES
(SIPKA ARCHITECTS)

32 COUNCIL COMMITTEE REPORTS

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

34 No report.

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

37 Mr. Bortolotto extended a great deal of appreciation to the administration, police,
38 fire, recreation and service department for all of their hard work with the Fall
39 Fest.
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42 Legislation & Rules Committee – Mr. Zakel, Chairman

43 No report.

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

46 No report.

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49 Public Improvements Committee – Mr. Sage, Chairman

50 Mr. Sage reminded council that the annual Joint Woodvale Council meeting was
51 tomorrow evening at Berea City Council Chambers.
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54 Streets, Utilities & Railroad Committee – Mr. Meany, Chairman

55 Mr. Meany said they met last night and minutes have been emailed to everyone.
56 He also thanked Beth Mlady for the great job that she did highlighting our Fall
57 Fest in Cleveland.com.
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60 Zoning & Building Code Committee – Mr. Ference, Chairman

61 Mr. Ference seconded the comments regarding another successful Fall Fest. He
62 congratulated all that were involved in putting together a first class event.

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MAYOR'S REPORT

Mayor Castelli also thanked all that were involved with the Fall Fest.

LAW DIRECTOR

No report.

FINANCE DIRECTOR

No report.

RECREATION DIRECTOR

No report.

ECONOMIC DEVELOPMENT DIRECTOR

No report.

SERVICE DIRECTOR

Mr. Herron said Springdale repavement started today between Newton and Sheldon and will be completed in two to three days. He said Sheldon Road was paved last night and said some apron work and restoration work will then be done, as well as the street markings. Mr. Herron said Sheldon Road should be opened up sometime next week.

Mr. Zakel said he received several calls from residents regarding how happy they were with the Arrowhead contractors.

Mayor Castelli said believe or not it is that time again for leaf pickup and asked Mr. Herron when that will begin.

Mr. Herron said very soon you will receive a community message regarding this. He said formally leaf collection will start October 14th. Mr. Herron said information is also on our website.

Mr. McGregor asked how many trucks usually run for leaf pickup.

Mr. Herron said it depends on the volume. He said they will usually start out with one or two, and then we have three other leaf collection machines so we can go up to five units at our heaviest times.

Mr. McGregor asked how many times collections were done on each street last year.

Mr. Herron said he thinks there were 11 collections, adding that they went all the way up to Christmas.

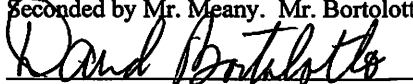
Mayor Castelli said it really is impressive that collections are done on each street every seven to ten days.

Mr. McGregor said he appreciates this because then they don't go into the sewers. He said getting the leaves picked up as quickly as possible is a huge help.

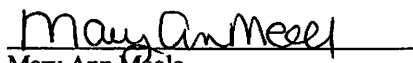
FIRE CHIEF

No report.

There being no further business, Mr. Bortolotto made a motion to adjourn. Seconded by Mr. Meany. Mr. Bortolotto adjourned the meeting at 7:38 p.m.



David Bortolotto
President of Council



Mary Ann Meola
Clerk of Council