

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING  
OCTOBER 22, 2024

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, October 22, 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
	Bill Meany	Councilman Ward 1
	Matthew McGregor	Councilman Ward 2
	Mike Ference	Councilman Ward 3
	John Zakel	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
	Ed Tomba	Police Chief

ABSENT: Dan Sage, Councilman At Large

PLEDGE OF ALLEGIANCE

MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of October 8, 2024. Seconded by Mr. McGregor.

MINUTES  
APPROVED

ROLL CALL: YEAS 6, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

Notice to Legislative Authority requesting a new liquor license permit for 7571 Pearl Road (Jia Wei Tang). No objection from Police Chief Tomba.

MOTION 2024-28  
RETURN LIQUOR  
PERMIT REQUEST  
WITHOUT OBJECTION  
(7571 PEARL ROAD)

Mr. Bortolotto made a motion to return the new liquor license permit request without objection. Seconded by Mr. Meany.

ROLL CALL: YEAS 6, NAYS 0, MOTION APPROVED

APPOINTMENTS AND CONFIRMATIONS

Chief Tomba formally introduced our newest police officer, Michael Shamblin. He said Michael was sworn in last week by the mayor in a private ceremony. Chief Tomba said Michael is currently in training this week. He said Mike was currently employed with the Lorain PD and Hinckley PD. Chief Tomba said Mike has been in law enforcement for 11 years, and is a Navy Reservist and a graduate of Ohio Northern University. He said Mike lives in Strongsville and is married and has one daughter.

Mr. Bortolotto welcomed Officer Shamblin to Middleburg Heights.

AUDIENCE PARTICIPATION

Mr. Fred Major, 6528 Fairweather Drive, said he is here tonight to talk about a reoccurring issue that has been going on for over a year on Fairweather Drive. He said there is a very large, oversized, overweight vehicle that is being parked there breaking branches, and is definitely too big for the street. Mr. Major said before covid the residents that live at this address were forming a food truck business and cooking out of their homes. He said that was handled as you cannot be running a business out of your home. Mr. Major said for well over a year, there have been several trucks and know that they are running businesses out of their home. He

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2 said the truck should not be there and is a danger to the area and to the residents.  
3 Mr. Major said he has contacted and talked to the residents, and have talked to  
4 three different officers over the past year. He said no one seems to read the  
5 ordinance the same way. Mr. Major said the last officer that he spoke to in person  
6 at the station literally went to their front door and said this is not acceptable. He  
7 said it is not always the same truck there. Mr. Major said the truck is not there all  
8 of the time, but it was there this weekend. He said he called the police again on  
9 Sunday night, and said he doesn't understand why this hasn't been ticketed or  
10 towed by now as it has been sitting there for two and a half days. Mr. Major said  
11 dispatch asked him if he would like a response from the police and he said yes,  
12 either give him a call or stop by. He said this was during shift change so he  
13 waited a good hour and called back, and a message was left with dispatch if he  
14 was to call back saying the officer in charge gave them permission for them to do  
15 that. Mr. Major said if the resident felt it was necessary to ask for permission,  
16 then they know it is illegal. He said if the officer gave permission, then he too  
17 knows it is illegal.  
18

19 Discussion continued.

20 Chief Tomba said he will look into this and report back to Mr. Major.

21 Mr. Ali asked if the truck is parked there overnight.

22 Mr. Major said yes.

23 Mr. Ali asked Mr. Herron if a no parking after 2:00 a.m. sign could be installed  
24 there.

25 Mr. Herron said we could, but under state law the signs are to be posted at the  
26 entrance of a city. He said if we want a sign, we can put a sign there.

27 Mayor Castelli said overnight is an easy solution, they shouldn't be parking there  
28 overnight. He said Chief Tomba will handle that.

29 Mr. Ference said that stretch of Fairweather is a bit of a challenge, because it goes  
30 to the right. He said when you are going northbound, it looks like you are going  
31 head on to the car going the other direction until the last second. Mr. Ference said  
32 you have to use a lot of caution there to begin with. He said he did pass that truck  
33 on Sunday, and what Mr. Major said is exactly right because once an oncoming  
34 car clears, you don't have any vision if there is anyone else coming. Mr. Ference  
35 said in addition to that truck, oddly on Sunday there were a U.S.P.S. truck parked  
36 in that spot that caused the same problem. He said there was also a Spectrum  
37 truck there on Sunday, and pointed out that spot is particularly sensitive to  
38 navigate is his point.

39 Mr. Bortolotto thanked Mr. Major for bringing this to their attention and said  
40 Chief Tomba will follow-up with him.  
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42 ORDINANCES, RESOLUTIONS AND MOTIONS

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

45 No legislation.  
46

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

49 No legislation.  
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51 LEGISLATION & RULES COMMITTEE – MR. ZAKEL, CHAIRMAN

52 No legislation.  
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54 PUBLIC HEALTH, SAFETY & RELIEF COMMITTEE – MR. McGREGOR,  
55 CHAIRMAN

56 No legislation.  
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1 PUBLIC IMPROVEMENTS COMMITTEE – MR. SAGE, CHAIRMAN

2 No legislation.

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

7 No legislation.

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10 ZONING & BUILDING CODE COMMITTEE – MR. FERENCE, CHAIRMAN

11 No legislation.

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13 COUNCIL COMMITTEE REPORTS

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

15 Mr. Ali said he is hosting with Friends that Care, our annual fundraiser for the  
16 Middleburg Heights Food Pantry. He said they raise money to buy Christmas  
17 presents for those that belong to that organization. Mr. Ali said he can't hold a  
18 Bowl-A-Thon at Southland Lanes anymore since they have closed, so they  
19 decided to do a pasta dinner at Rival's on Sunday, November 10<sup>th</sup> from 4:00-6:00  
20 p.m. He said that is an off week for the Browns, and hoped to see everyone there.

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

24 No report.

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27 Legislation & Rules Committee – Mr. Zakel, Chairman

28 No report.

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

32 No report.

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34 Public Improvements Committee – Mr. Sage, Chairman

35 No report.

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

38 No report.

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

42 No report.

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44 MAYOR'S REPORT

45 Mayor Castelli deferred his report to the directors, as they are going to talk about  
46 the same items.

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49 LAW DIRECTOR

50 No report.

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53 FINANCE DIRECTOR

54 No report.

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56 RECREATION DIRECTOR

57 Mr. Elliott said on Monday, October 28<sup>th</sup>, they will host a senior health fair from  
58 10:00 a.m. – noon. He said flu shots will also be available that day. Mr. Elliott  
59 said looking ahead, on Saturday, November 2<sup>nd</sup> the Sinatra and Friends Vegas  
60 Night will be at our facility beginning at 5:30 p.m. and tickets are still available  
61 for \$55 per person.  
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ECONOMIC DEVELOPMENT DIRECTOR

Mr. Bichara reported that as of today, October 22, 2024, India Grocers opened at the Plaza on Pearl to a very large bustling crowd. He said in the Hindu religion, this marks Diwali, which is their festival of lights, which is a large religious celebration. Mr. Bichara said he was very impressed to see the turnout that was there. He said had it not been for Mayor Castelli's personal involvement stepping in and stepping up weekly meetings with that project to bring it across the finish line, he doesn't think that project would have finished. Mr. Bichara said for all of the parties working together, it has finished and is a beautiful building. He said they are working on getting the rest of the buildings leased.

Mr. Bortolotto thanked Mr. Bichara for the exciting news. He too concurred with Mr. Bichara with the effort that he and Mayor Castelli have put into pushing that project along, and again thanked them for all of their efforts.

SERVICE DIRECTOR

Mr. Herron said Sheldon Road was temporarily striped and now has two-way traffic. He said they contacted the county to find out how much we would owe for Sheldon Road and they said we owe nothing, adding that the project was totally paid for by NOACA and the Ohio Public Works Commission. Mr. Herron said it cost the city more money for the easements and property acquisitions that we had to do for the federal funding, than the out of pocket to do that project. He said permanent striping will be done in the future.

Mayor Castelli said the contract that the county awarded to the contractor allowed them to finish in December.

Mr. Herron said he did call them up, and said it is a standard county contract giving them 120 days.

Mayor Castelli thanked Mr. Herron for all of his efforts calling the county making sure that it didn't take until December to get that project finished.

Mr. Bortolotto said with money that was saved on that project, he hoped we could spend that money on Smith Road and get that done soon.

Mr. Herron said the resurfacing he would anticipate would go out to bid in April/May. He said we will have better numbers by the budget, but it is not looking out of hand at all between the state grant we received and the county money. Mr. Herron said by the time we reimburse ourselves for the water and sewer lines, it is going to be a very reasonable number.

Mayor Castelli said there were some challenges as to why this wasn't started in the fall based on the water department and we wanted to share that with city council.

Mr. Herron said there was a delay on some water line approvals and Cleveland Water has to approve the water line plan. He said sometimes it takes a few months to get their approval. Mr. Herron said Columbia Gas also had some issues that they had to resolve.

Mayor Castelli said with Sheldon Road being worked on, and Smith at Southland being worked on, so the timing of having Smith from Sheldon to Pearl moving it to spring will be a better traffic flow for everyone versus having all of this happening at the same time.

Mr. Herron said it will be a little bit busy at Southland, but it will be a much nicer surface for one-way traffic to drive on.

Mayor Castelli said the plan is by November 2025, everything will be finished from Sheldon Road to W. 130<sup>th</sup> Street.

Mr. Ali asked if there was any way this could be bid before May.

Mr. Herron said they are preparing the bid specs right now, and then have to run their process. He said he will have a better date from them within a month. Mr. Herron said it might be April, but he should find out within the next month.

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1 Mr. Ference asked Mr. Herron if he could remind us of what the plan is for Smith  
2 Road between Pearl and W. 130<sup>th</sup>, mainly for the rest of 2024 as to what that is  
3 going to look like.

4 Mr. Herron said they are finishing the pavement on the Sear's side, and they  
5 should be able to transfer the traffic shortly. He said they are going to try to do  
6 some work on the other side, including catch basin work. Mr. Herron said they  
7 want to have everything wrapped up right before Thanksgiving. He said we told  
8 them we wanted this open for the Christmas holiday. Mr. Herron said by then, the  
9 traffic will be two-way. He said the medians were all in, and said this will not be  
10 the final course of asphalt. Mr. Herron said they are going to leave an  
11 intermediate course of asphalt so they do the final course next year. He said they  
12 are a week or two ahead of schedule right now.

13 Mr. Ference asked if the same thing will be done next spring shutting down one  
14 direction for a while.

15 Mr. Herron said that is correct, it will go back to one-way next spring. He said in  
16 April is probably when the multi-purpose path trail will start. Mr. Herron said  
17 that is going out for bid in December. He said First Energy has to relocate some  
18 poles too.

19 Mr. Ference asked if there will still be access to the post office.

20 Mr. Herron said they are going to maintain access to the businesses as best as  
21 possible. He said there may be some delays, but they have been very good about  
22 maintaining access throughout the process.

23 Mayor Castelli reiterated that this is not the final surface coat of asphalt, this is  
24 just a mid-coat that is drivable. He said next year will be more of the  
25 streetscaping, pavers, lights, traffic signals, etc. including the multi-purpose trail  
26 and then the final surface coat and landscaping.

27 Mr. Ference said by the end of 2025, ward three is going to be awesome.

28 Mayor Castelli said it is already awesome, but it is going to be even more  
29 awesome.

30 Mr. Herron added that leaf pickup is going great.

31 POLICE CHIEF

32 No report.

33 There being no further business, Mr. Bortolotto made a motion to adjourn.  
34 Secended by Mr. Ference. Mr. Bortolotto adjourned the meeting at 7:32 p.m.

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37 David Bortolotto  
38 President of Council

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41 Mary Ann Meola  
42 Clerk of Council

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