

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
NOVEMBER 12, 2024

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, November 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
	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

PLEDGE OF ALLEGIANCE

MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of October 22, 2024. Seconded by Mr. McGregor.

MINUTES
APPROVED

ROLL CALL: YEAS 7, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

None.

AUDIENCE PARTICIPATION

Mr. Phillip LoDolce, 14380 Uhlin Drive, said his electricity went out this past Sunday for about 10 minutes. He said every time they lose their electricity, it's only the north side of Uhlin and Old Pleasant Valley, the south side seems to be ok.

Mr. Herron said he would have to assume that they are on different circuits, but he wasn't aware of any issues.

Mayor Castelli said they will talk to First Energy and our representative to get a sense of how often you are losing power on your street. He said they can communicate with Councilman Ference and he will get back to you. Mayor Castelli said we can research the outages over the past couple years, and added that it will also say what caused the outage.

Mr. Ference said when an outage happens, he would recommend that Mr. LoDolce call 1-888-LIGHTSS. He said that puts in on record with First Energy that the outage happened.

Mr. Bortolotto said he lives on Newton and he also lost his electricity on Sunday afternoon.

Mr. Herron said the city participates and works closely with First Energy, but he said if residents have higher concerns that they could always communicate directly with the Public Utilities Commission of Ohio.

Mr. Ali said a transformer blew on Sunday on Smith Road. He said they had three vehicles there to replace it.

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
NOVEMBER 12, 2024
PAGE 2

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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. BORTOLOTTI, CHAIRMAN

Mr. Bortolotto introduced ORDINANCE NO. 2024-85, 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. Sage.

ORD. 2024-85
ADOPTED
SUPPLEMENTAL
APPROPRIATIONS

Mr. Bortolotto said this was basically a year-end clean up that was discussed at the finance committee meeting.

ROLL CALL: YEAS 7, NAYS 0, ORDINANCE NO. 2024-85 ADOPTED

Mr. Bortolotto introduced RESOLUTION NO. 2024-86, A Resolution authorizing the mayor and finance director to enter into contracts for employee health coverage with Medical Mutual of Ohio for a period of one year and MOVED TO ADOPT. Seconded by Mr. Meany.

RES. 2024-86
ADOPTED
CONTRACT:
MEDICAL MUTUAL

Mr. Bortolotto said this was also discussed at the finance committee meeting. He said overall this is a contract for employee health coverage with Medical Mutual of Ohio for a period of one year. Mr. Bortolotto said surprisingly the increase was only 2.3 percent.

ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-86 ADOPTED

Mr. Bortolotto introduced RESOLUTION NO. 2024-87, A Resolution accepting life insurance proposal from National Insurance Services, Inc. and MOVED TO ADOPT. Seconded by Mr. Zakel.

RES. 2024-87
ADOPTED
ACCEPT PROPOSAL:
LIFE INSURANCE

Mr. Bortolotto said this too was discussed at the finance committee meeting. He said there was no increase at all with this premium.

ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-87 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

Mr. Meany made a motion authorizing the City or its representative to announce and advertise a "Request for Qualifications" to establish a shortlist for abatement and demolition services. Seconded by Mr. McGregor.

MOTION 2024-29
ADVERTISE RFQ
FOR ABATEMENT &
DEMOLITION SERVICES
(SOUTHLAND)

Mr. Meany said this will be in reference basically to the demolition at Southland. He said recently the state awarded \$55,000,000 in demo work for numerous sites

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
NOVEMBER 12, 2024
PAGE 3

throughout Cleveland and Lorain County (Midway Mall). He said this will place us to get us ahead of the ball for the demo contractor.

ROLL CALL: YEAS 7, NAYS 0, MOTION APPROVED

ZONING & BUILDING CODE COMMITTEE – MR. FERENCE, CHAIRMAN

Mr. Ference introduced ORDINANCE NO. 2024-88, An Ordinance amending various sections of the Middleburg Heights Zoning Code and PLACED ON FIRST READING AND REFERRED TO THE PLANNING COMMISSION.

ORD. 2024-88
1ST READING AND
REFER TO PLANNING

Mayor Castelli introduced RESOLUTION NO. 2024-89, A Resolution establishing a moratorium on the establishment or commencement of fireworks retail establishments within the City of Middleburg Heights and declaring an emergency and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Ference.

RES. 2024-89
ADOPTED
ESTABLISH
MORATORIUM -
FIREWORKS RETAIL
ESTABLISHMENTS

Mayor Castelli said as we all know, there were changes to the law to allow consumer fireworks to be blown off on certain dates. He said we just recently updated our zoning code, and he thinks this is one of the retail uses that we didn't have much discussion on. Mayor Castelli said because of some of the challenges that come with it, we want to make sure residents, businesses, etc. are safe. He thinks this is something that we should look at to see if that is something that we would allow the sale of in our community. Mayor Castelli said if it is something that we do allow, where it should be placed is what we will be looking into.

ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-89 ADOPTED

Mayor Castelli introduced RESOLUTION NO. 2024-90, A Resolution authorizing the mayor, or his designee, to file an application for the Ohio Department of Natural Resources Land and Water Conservation Fund (LWCF) Grant for the Central Park Water Feature and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. McGregor.

RES. 2024-90
ADOPTED
FILE APPLICATION -
ODNR AND LWCF
(CENTRAL PARK
WATER FEATURE)

Mayor Castelli said as you are all aware, within the last six months or so we had released the master plan for Central Park. He said this year and into next year we are focusing on assembling grants, as well as, other financial opportunities to help make Central Park a reality. Mayor Castelli said this is one of those grants that we are looking to hopefully be successful in receiving. He said this would help with the development with the Central Park Water Feature that would be used as infrastructure to help with retention of storm water and ground water as well as become an aesthetic piece to Central Park.

Mr. Ference said he likes what he saw on the proposed water feature. He asked the mayor what type of grant we were applying for.

Mayor Castelli said we are applying for a \$500,000 grant, and there would be a match from us that would go along with that.

ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-90 ADOPTED

Mayor Castelli introduced RESOLUTION NO. 2024-91, A Resolution authorizing the mayor to enter into a contract setting forth requirements associated with the LPA-ODOT-Let Project Agreement and establishing responsibilities for the administration of the project and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Meany.

RES. 2024-91
ADOPTED
ENTER CONTRACT
SETTING REQUIRE-
MENTS ASSOCIATED
WITH LPA-ODOT-
LET PROJECT AGREE-
MENT

Mayor Castelli said this legislation is in regards to the multimodal trail that we will be adding on Smith Road between Pearl and W. 130th. He said as you all recall, we received a grant from NOACA for \$280,000 and we will be going out to bid to get work started in Spring 2025. Mayor Castelli said because of the type of project that this is that is receiving federal funding, you have to have an LPA

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
NOVEMBER 12, 2024
PAGE 4

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3 (Local Public Agency). He said ODOT is an LPA and there are certain
4 requirements and responsibilities to hold that designation.

5 ROLL CALL: YEAS 7, NAYS 0, RESOLUTION NO. 2024-91 ADOPTED
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7 COUNCIL COMMITTEE REPORTS

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

9 Mr. Ali thanked the community for joining them at the fundraiser that was held
10 this past Sunday at Rival's. He said in two hours, they raised over \$8,000 to buy
11 Christmas presents for the kids at the food pantry. Mr. Ali said there is plenty of
12 money to not only buy Christmas presents, but also enough money to buy many
13 of their Christmas dinners too as we will be buying gift cards for food. He said
14 this was the first time they held the fundraiser at Rival's and didn't know what to
15 expect, but was thrilled and again expressed his appreciation and thanks.
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19 Finance, Taxation & Assessments Committee – Mr. Bortolotto, Chairman

20 No report.
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22 Legislation & Rules Committee – Mr. Zakel, Chairman

23 No report.
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26 Public Health, Safety & Relief Committee – Mr. McGregor, Chairman

27 No report.
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29 Public Improvements Committee – Mr. Sage, Chairman

30 No report.
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33 Streets, Utilities & Railroad Committee – Mr. Meany, Chairman

34 Mr. Meany reminded everyone that the streets committee will meet on Monday,
35 November 18th at 6:30 p.m. He said a representative from the Department of
36 Health will be there to discuss septic systems and anything else that the attendees
37 would like to discuss.
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40 Zoning & Building Code Committee – Mr. Ference, Chairman

41 No report.
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43 MAYOR'S REPORT

44 Mayor Castelli thanked Mr. Ali for what he does to put these charity events on.
45 He said it really is eye opening to see how many families are in need, and how
46 many kids can go through Christmas without presents. Mayor Castelli said this is
47 really a great cause and again thanked Mr. Ali and the Friends that Care for
48 putting this fundraiser on.
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51 LAW DIRECTOR

52 Mr. Incorvaia asked for a motion to convene into executive session for the
53 following purpose or purposes: (1) To discuss personnel matters, relating to
54 employee discipline pursuant to ORC Section 121.22(G)(1); (2) Consider the
55 purchase of real property for public purposes, pursuant to ORC Section
56 121.22(G)(2); (3) Consider the sale of real property, pursuant to ORC Section
57 121.22(G)(2); (4) Economic Development matters, pursuant to ORC Section
58 121.22(G)(8), specifically, confidential information related to marketing plans,
59 specific business strategy, trade secrets, or personal financial statements of an
60 applicant for economic development assistance, or to negotiations with other
61 political subdivisions respecting requests for economic development assistance.
62 The information to be discussed is directly related to a request for economic

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
NOVEMBER 12, 2024
PAGE 5

1 development assistance that is provided or administered under the ORC chapters
2 and sections enumerated in ORC Section 121.22(G)(8)(a); the executive session is
3 necessary to protect the interests of the applicant, or the possible investment or
4 expenditure of public funds to be made in connection with the economic
5 development project.

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7 On behalf of Mr. Incorvaia, Mr. Bortolotto made motion to convene into
8 executive session for the following purposes just described by the law director.

9 Seconded by Mr. Ference.

10 ROLL CALL: YEAS 7, NAYS 0, MOTION APPROVED

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13 FINANCE DIRECTOR

14 No report.

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17 RECREATION DIRECTOR

18 Mr. Elliott said the next big event will be the tree lighting on Friday, November
19 29th.

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21 ECONOMIC DEVELOPMENT DIRECTOR

22 Mr. Bichara said he previously forwarded to City Council a notice regarding a
23 ribbon cutting event for Breaking Through Intensive Therapy, in its new location,
24 on Thursday, November 21st at 4:00 p.m. He said city council, Mayor Castelli
25 and the administration recently worked together to retain this expanding business
26 in Middleburg Heights.

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29 SERVICE DIRECTOR

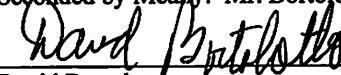
30 No report.

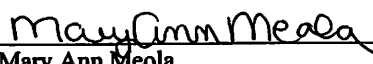
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33 Start Executive Session: 7:23 p.m.

34 Following the Executive Session, Mr. Bortolotto reconvened the Regular Meeting
35 of Council at 8:15 p.m.

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37 PRESENT: Matthew Castelli Mayor
38 David Bortolotto President of Council
39 Tim Ali Councilman-At-Large
40 Dan Sage Councilman-At-Large
41 Bill Meany Councilman Ward 1
42 Matthew McGregor Councilman Ward 2
43 Michael Ference Councilman Ward 3
44 John Zakel Councilman Ward 4
45 Mary Ann Meola Clerk of Council
46 Santo Incorvaia Law Director
47 Jason Stewart Finance Director
48 Jim Herron Service Director
49 Chuck Bichara Economic Development Director
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54 There being no further business, Mr. Bortolotto made a motion to adjourn.
55 Seconded by Meany. Mr. Bortolotto adjourned the meeting at 8:15 p.m.

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58 David Bortolotto
59 President of Council

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63 Mary Ann Meola
64 Clerk of Council