

# CITY OF MIDDLEBURG HEIGHTS, OHIO

## Council Agenda

---

December 10, 2024

---

### 7:00 P.M. REGULAR MEETING

- CALL TO ORDER
- ROLL CALL
- PLEDGE OF ALLEGIANCE

Minutes of the Regular Meeting of November 26, 2024

### COMMUNICATIONS

### AUDIENCE PARTICIPATION

### APPOINTMENTS AND CONFIRMATIONS

### ORDINANCES, RESOLUTIONS AND MOTIONS

1. City Parks, Recreation & Services Committee – Mr. Ali, Chairman
2. Finance, Taxation & Assessments Committee – Mr. Bortolotto, Chairman
3. Legislation & Rules Committee – Mr. Zakel, Chairman
4. Public Health, Safety & Relief Committee – Mr. McGregor, Chairman
5. Public Improvements Committee – Mr. Sage, Chairman
6. Streets, Utilities & Railroad Committee – Mr. Meany, Chairman
7. Zoning & Building Code Committee – Mr. Ference, Chairman

### MAYOR'S REPORT

1. Law Director
2. Finance Director
3. Recreation Director
4. Economic Development Director
5. Service Director

### ADJOURNMENT

---

**2024 PENDING LEGISLATION**

**ORDINANCE NO. 2024-88 – INTRODUCED BY COUNCILMAN FERENCE**

An Ordinance amending various sections of the Middleburg Heights Zoning Code.

**1<sup>st</sup> Reading and Referred to Planning Commission – 11/12/24**

**2<sup>nd</sup> Reading – 11/26/24**

**ORDINANCE NO. 2024-93 -INTRODUCED BY MAYOR CASTELLI**

An Ordinance declaring the improvement to certain parcels of real property within the city to be a public purpose and exempt from taxation pursuant to ORC 5709.40(B); providing for the collection and deposit of service payments and specifying the purposes for which those service payments may be expended; specifying the public infrastructure improvements directly benefiting the parcels; and declaring an emergency. (PPN: 372-28-038)

**1<sup>st</sup> Reading – 11/26/24**

**ORDINANCE NO. 2024-94 - INTRODUCED BY MAYOR CASTELLI**

An Ordinance declaring the improvement to certain parcels of real property within the city to be a public purpose and exempt from taxation pursuant to ORC 5709.40(B); providing for the collection and deposit of service payments and specifying the purposes for which those service payments may be expended; specifying the public infrastructure improvements directly benefiting the parcels; and declaring an emergency. (PPN: 373-21-007)

**1<sup>st</sup> Reading – 11/26/24**

**UN-NUMBERED LEGISLATION**

**INTRODUCED BY COUNCIL PRESIDENT BORTOLOTTO**

An Ordinance amending Section 111.01 “Rules of Council – Meetings” of the Middleburg Heights Codified Ordinances.

**INTRODUCED BY COUNCILMAN MEANY**

An Ordinance accepting the dedication of Benedict Drive in the Benedict Subdivision as a public street in the city of Middleburg Heights.

**INTRODUCED BY MAYOR CASTELLI**

An Ordinance to make supplemental appropriations for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2024.

**INTRODUCED BY MAYOR CASTELLI**

An Ordinance to make appropriations for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2025.

# CITY OF MIDDLEBURG HEIGHTS, OHIO

Ordinance No. 2024-

Introduced By: Mr. Bortolotto  
Mr. Ali, Mr. Sage, Mr. Meany, Mr. McGregor, Mr. Ference, Mr. Zakel

## AN ORDINANCE AMENDING SECTION 111.01 "RULES OF COUNCIL-MEETINGS" OF THE MIDDLEBURG HEIGHTS CODIFIED ORDINANCES

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: That Section 111.01 of the Middleburg Heights Codified Ordinances "Rules of Council-Meetings" is hereby amended to read as follows:

### 111.01 RULES OF COUNCIL

#### I. MEETINGS

Effective ~~September 12, 2017~~, **January 1, 2025**, the regular meetings of Council shall be held in the Municipal Building at ~~7:00 p.m.~~ **6:00 p.m.** on the second and fourth Tuesdays of each and every calendar month. Special meetings of Council may be called by the Mayor or by any three members of Council by having the Clerk of Council serve written notice of the call of such meeting upon each member of Council and upon the Mayor in person or by delivering a copy thereof to the usual place of residence of such persons not less than twelve hours prior to the holding of such meeting. Such notice shall specify the time and place for the holding of such meeting.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_

Clerk of Council

Approved On: \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

	Yea	Nay
Bortolotto	_____	_____
Ali	_____	_____
Sage	_____	_____
Meany	_____	_____
McGregor	_____	_____
Ference	_____	_____
Zakel	_____	_____

**CITY OF MIDDLEBURG HEIGHTS, OHIO**

Ordinance No. 2024-

Introduced By: Mr. Meany  
Co-Sponsors: Mr. Ali, Mr. McGregor

**AN ORDINANCE  
ACCEPTING THE DEDICATION OF BENEDICT DRIVE IN THE BENEDICT  
SUBDIVISION AS A PUBLIC STREET IN THE CITY OF MIDDLEBURG HEIGHTS**

WHEREAS, by Motion No. 2024-10 on February 27, 2024, Council granted final approval of the Benedict Subdivision as submitted by Ruggiero Construction and approved by the Planning Commission on December 13, 2023; and

WHEREAS, a city street named Benedict Drive with appurtenances thereto was constructed in Benedict Subdivision according to all city standards and the Engineer has recommended acceptance of the proposed dedication of Benedict Drive; and

WHEREAS, 16825 Benedict Drive LLC has submitted the following:

Letter of Credit or Cash deposit of \$31,428.16 for a period of two years.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: That Benedict Drive and appurtenances thereto as shown on the Benedict Subdivision Improvement Plans approved by Motion 2024-10, is hereby accepted as a duly dedicated public street and the Clerk is authorized to sign said dedication plat and record the same.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved On: \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

	Yea	Nay
Bortolotto	_____	_____
Ali	_____	_____
Sage	_____	_____
Meany	_____	_____
McGregor	_____	_____
Ference	_____	_____
Zakel	_____	_____

# City of Middleburg Heights, Ohio

## Ordinance No. 2024-\_\_\_\_\_

Introduced by: Mayor Matthew Castelli

**AN ORDINANCE  
TO MAKE SUPPLEMENTAL APPROPRIATIONS  
FOR CURRENT EXPENDITURES AND EXPENSES  
FOR THE CITY OF MIDDLEBURG  
HEIGHTS FOR THE CALENDAR YEAR 2024**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. That in order to provide for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2024, the following sums be appropriated from the General Fund:

<u>Description</u>	<u>Increase (Decrease)</u>
Police - Wages & Fringe Benefits - Regular Wages	\$ (65,000.00)
Police - Wages & Fringe Benefits - Police Pension	\$ 30,000.00
Police - Wages & Fringe Benefits - Part-time Wages	\$ 27,000.00
Police - Wages & Fringe Benefits - Overtime	\$ 16,000.00
Police - Wages & Fringe Benefits - Hospitalization	\$ 12,000.00
Service - Wages & Fringe Benefits - OT Wages	\$ (4,000.00)
Facility Maint. - Wages & Fringe Benefits - OT Wages	\$ 4,000.00
<b>Total Increase to the General Fund</b>	<b>\$ 20,000.00</b>

Section 2. That in order to provide for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2024, the following sums be appropriated from the Board of Building Standards Fund:

<u>Description</u>	<u>Increase (Decrease)</u>
Building - Other - State Fee (Adjust to Actual)	\$ (446.44)
<b>Total Decrease to the Board of Bldg. Standards Trust Fund</b>	<b>\$ (446.44)</b>

Section 3. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were adopted in an open meeting of this council, and that all deliberations of this council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including chapter 107 of the Codified Ordinances and section 121.22 of Ohio Revised Code.

PASSED \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

PRESENTED TO MAYOR \_\_\_\_\_

APPROVED ON: \_\_\_\_\_

	YEAS	NAYS
BORTOLOTTO	_____	_____
ALI	_____	_____
SAGE	_____	_____
MEANY	_____	_____
MCGREGOR	_____	_____
FERENCE	_____	_____
ZAKEL	_____	_____

\_\_\_\_\_  
MAYOR



# City of Middleburg Heights, Ohio

## Ordinance No. 2024-\_\_\_\_\_

Introduced by: Mayor Matthew Castelli

**AN ORDINANCE  
TO MAKE APPROPRIATIONS  
FOR CURRENT EXPENDITURES AND EXPENSES  
FOR THE CITY OF MIDDLEBURG  
HEIGHTS FOR THE CALENDAR YEAR 2025**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS,  
CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. That in order to provide for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2025, the following sums shall be appropriated as shown in the attached 2025 Appropriations schedule, marked Exhibit A.

Section 2. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were adopted in an open meeting of this council, and that all deliberations of this council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including chapter 107 of the Codified Ordinances and section 121.22 of Ohio Revised Code.

PASSED \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

PRESENTED TO MAYOR \_\_\_\_\_

APPROVED ON: \_\_\_\_\_

	YEAS	NAYS
BORTOLOTTO	_____	_____
ALI	_____	_____
SAGE	_____	_____
MEANY	_____	_____
MCGREGOR	_____	_____
FERENCE	_____	_____
ZAKEL	_____	_____

\_\_\_\_\_  
MAYOR

CITY OF MIDDLEBURG HEIGHTS  
APPROPRIATIONS 2025

EXHIBIT A

Department	Total Wages & Fringe Benefits	Total Other	Department Total
Police	\$ 6,074,693.04	\$ 1,199,330.00	\$ 7,274,023.04
Fire	4,888,851.61	578,314.00	5,467,165.61
Senior Bus	-	96,000.00	96,000.00
Planning & Zoning	120,118.57	4,700.00	124,818.57
Building Department	722,852.72	33,000.00	755,852.72
Engineer	-	62,096.93	62,096.93
Refuse Removal	-	1,653,600.00	1,653,600.00
Mayor's Court	324,100.06	8,400.00	332,500.06
Community Diversion	-	8,860.00	8,860.00
Mayor	456,422.32	10,300.00	466,722.32
Economic Development	193,773.90	424,350.00	618,123.90
Finance	696,656.60	51,600.00	748,256.60
Law Department	384,263.99	243,350.00	627,613.99
Service Department	3,305,954.92	483,800.00	3,789,754.92
Service Department Fac. Maint	508,074.64	410,000.00	918,074.64
Council	524,478.41	98,250.00	622,728.41
Boards & Commissions	3,290.23	7,900.00	11,190.23
City Hall/Gen'l Gov't	200,000.00	1,043,250.00	1,243,250.00
Statutory Accounts	-	1,005,632.00	1,005,632.00
Transfers	-	1,110,000.00	1,110,000.00
Advances	-	-	-
<b>TOTAL GENERAL FUND</b>	<b>\$ 18,403,531.01</b>	<b>\$ 8,532,732.93</b>	<b>\$ 26,936,263.94</b>
S.C.M. & R. Fund	\$ 1,127,917.63	\$ 1,350,450.00	\$ 2,478,367.63
State Highway Fund	-	65,000.00	65,000.00
Recreation Fund	2,493,875.69	1,016,350.00	3,510,225.69
Court Computer	-	14,500.00	14,500.00
L.E. Education	-	-	-
L.E. Drug Penalty	-	-	-
L.E. Contra Seizure	-	2,000.00	2,000.00
L.E. Drug Fine Fund	-	-	-
Police Prof. Training Fund	-	6,300.00	6,300.00
One Ohio Opioid Settle. Fund	-	-	-
Medical Transport Fund	50,964.58	402,000.00	452,964.58
FEMA Grant Fund	-	-	-
Local Fiscal Recovery Fund	-	-	-
PACE Special Assessment Fund	-	294,650.98	294,650.98
Bond Retirement	-	1,641,570.00	1,641,570.00
Capital Improvements	-	5,766,910.95	5,766,910.95 *
Streets/Infrastructure Imp.	-	15,567,075.00	15,567,075.00 **
Fat Head's Brewing TIF Fund	-	81,000.00	81,000.00
Health Insurance Reserve	-	4,125,000.00	4,125,000.00
Police Pension Fund	192,000.00	100.00	192,100.00
Fire Pension Fund	192,000.00	100.00	192,100.00
Architect Trust Fund	-	11,000.00	11,000.00
Builders Bond Trust	-	75,000.00	75,000.00
Examination of Plans	-	59,000.00	59,000.00
Yard Grade Trust	-	2,200.00	2,200.00
Sidewalk Grade Trust	-	-	-
Tree Planting Trust	-	7,000.00	7,000.00
Misc Inspection Deposit	-	20,000.00	20,000.00
Unclaimed Monies Trust	-	117,900.00	117,900.00
Veterans Memorial	-	7,600.00	7,600.00
Rental Deposit Fund	-	1,000.00	1,000.00
Flexible Spending Trust Fund	-	80,000.00	80,000.00
Tri-City Bark Park Fund	-	-	-
Bd. of Building Stds.	-	10,000.00	10,000.00
Southwest General	-	206,000.00	206,000.00
<b>TOTAL ALL FUNDS</b>	<b>\$ 22,460,288.91</b>	<b>\$ 39,462,439.86</b>	<b>\$ 61,922,728.77</b>

\* - Includes an additional \$5,000 for the annual tree planting program as discussed at the 12/2/2024 Budget Hearing.

\*\* - Includes an additional \$15,000 for the annual sidewalk program as also discussed at the 12/2/2024 Budget Hearing.