

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
DECEMBER 10, 2024

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, December 10, 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 |
| | Mike Ference | Councilman Ward 3 |
| | John Zakel | Councilman Ward 4 |
| | Mary Ann Meola | Clerk of Council |

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

ABSENT: Councilman Matthew McGregor

PLEDGE OF ALLEGIANCE

MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of November 26, 2024. Seconded by Mr. Meany. MINUTES APPROVED

ROLL CALL: YEAS 6, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

None.

AUDIENCE PARTICIPATION

(Name and Address Inaudible) distributed a Middleburg Heights Deer Sterilization Project Proposal (see attached) outlining various statistics and findings. He said given the ethical concerns that come with killing deer, he asked that other non-lethal options be explored. He also asked that lethal control efforts be put on hold to evaluate the potential for sterilization to reduce the herd size. He said he would like to set up meetings with each of you individually or in groups to discuss the implications of a sterilization program.

Ms. Rose Hollingsworth, 11405 Love Lane, Strongsville, is here on behalf of the Middleburg Heights Historical Society. She said she would like to thank each of you for coming forward and purchasing the Little Red Schoolhouse. Ms. Hollingsworth said as you know, she has been adamant about this for many years. She said it is not just her, she said the people here with her are the rock in their group. Ms. Hollingsworth said you are making their work come to fruition. She said one of their members, Natalie Borisa, has taken it upon herself to come up with a gift for each of you. Ms. Hollingsworth said when you open this, you will see how significant this is. She said Renee Slovick also made a beautiful card in honor of their thanks.

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
DECEMBER 10, 2024
PAGE 2

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2 Mr. Bortolotto thanked the members of the Middleburg Heights Historical
3 Society. He said it is a nice treat to see all of their glowing faces in our council
4 chambers. Mr. Bortolotto said one of the things he loves best in our city is the
5 fact that there is a lot of heart and a lot of love. He said the Historical Society
6 expressed that by doing this and again expressed his thanks.

7
8 Mayor Castelli thanked the Historical Society for everything they have done over
9 the years. He said they have kept the importance of preserving our really only
10 true recognizable historical building in the community. Mayor Castelli said it is
11 your efforts that ultimately led to this moment. He said there will be more to
12 discuss in the coming year, and looks forward to meeting with you to discuss the
13 improvements that will be done to improve the building.

14 Mr. Ference thanked the Historical Society for the lovely gift. He said seeing all
15 of you here, brings to light how enthusiastic you all are about preserving a piece
16 of history.

17
18 Mr. Ali said you have a great group that works great together. He said there is a
19 lot of history in this city.
20

21 APPOINTMENTS AND CONFIRMATIONS

22 None.
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24 ORDINANCES, RESOLUTIONS AND MOTIONS

25 CITY PARKS, RECREATION & SERVICES COMMITTEE - MR. ALL
26 CHAIRMAN

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28 No legislation.
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30 FINANCE, TAXATION & ASSESSMENTS COMMITTEE - MR.
31 BORTOLOTTI, CHAIRMAN

32
33 Mr. Bortolotto introduced ORDINANCE NO. 2024-99, An Ordinance amending
34 Section 111.01 "Rules of Council - Meetings" of the Middleburg Heights
35 Codified Ordinances and MOVED TO ADOPT. Seconded by Mr. Meany.

ORD. 2024-99
ADOPTED
AMEND CODIFIED:
RULES OF COUNCIL -
MEETINGS

36 Mr. Bortolotto said we are changing our starting time from 7:00 p.m. to 6:00 p.m.
37 He said this will be more consistent with the nights that we have our committee
38 meetings. Mr. Bortolotto said it will also help all of the administrators here to
39 shorten their day a little bit. He said he appreciated the support from council.

40
41 Mr. Ali said this is a smart move, because there is so much going on in the city.
42 He said we are having so many meetings which are going so much longer. Mr.
43 Ali said he is looking forward to the 6:00 p.m. start time.

44 ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2024-99 ADOPTED
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46
47 LEGISLATION & RULES COMMITTEE - MR. ZAKEL, CHAIRMAN

48 No legislation.
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50 PUBLIC HEALTH, SAFETY & RELIEF COMMITTEE - MR. MCGREGOR,
51 CHAIRMAN

52 No legislation.
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55 PUBLIC IMPROVEMENTS COMMITTEE - MR. SAGE, CHAIRMAN

56 No legislation.
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59 STREETS, UTILITIES & RAILROAD COMMITTEE - MR. MEANY,
60 CHAIRMAN

61 Mr. Meany introduced ORDINANCE NO. 2024-100, An Ordinance accepting the
62 dedication of Benedict Drive in the Benedict Subdivision as a public street in the
city of Middleburg Heights and MOVED TO ADOPT. Seconded by Mr. Zakel.

ORD. 2024-100
ADOPTED
ACCEPT DEDICATION:
BENEDICT DRIVE

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
DECEMBER 10, 2024
PAGE 3

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2 Mr. Meany said this is an extension of Benedict Drive off of Fry Road, between
3 71 and Fry on the east side. He said this is for the Ruggiero subdivision, which
4 will have 16 houses with an HOA maintaining the properties. Mr. Meany said the
5 city will be maintaining the street and the infrastructure.

6 Mr. Herron said Mr. Ruggiero couldn't be here tonight, but wanted his thanks
7 extended to council.

8 Mayor Castelli said it is exciting to see a project like this in the city, it has been
9 awhile since we have had for sale homes being built in the city. He said even in
10 the communities attached to us there haven't been a lot of developments like this
11 in the last few years. Mayor Castelli said we are excited to see new homeowners
12 coming to Middleburg Heights.

13 ROLL CALL: YEAS 5, NAYS 0, ABSTAIN 1, ALL ORDINANCE NO. 2024-
14 100 ADOPTED

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16
17 ZONING & BUILDING CODE COMMITTEE – MR. FERENCE, CHAIRMAN

18 No legislation.

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20
21 Mayor Castelli referred to ORDINANCE NO. 2024-93, An Ordinance declaring
22 the improvement to certain parcels of real property within the city to be a public
23 purpose and exempt from taxation pursuant to ORC 5709.40(B); providing for the
24 collection and deposit of service payments and specifying the purposes for which
25 those service payments may be expended; specifying the public infrastructure
26 improvements directly benefiting the parcels; and declaring an emergency (PPN:
27 372-28-038) and moved to adopt. On behalf of the mayor, Mr. Bortolotto
28 MOVED TO ADOPT. Seconded by Mr. Meany.

ORD. 2024-93
ADOPTED
TIF ORDINANCE -
INDIA GROCERS

29 Mayor Castelli read the title and said this ordinance is a TIF ordinance related to
30 India Grocers. He said this will be a public TIF and the money that would be
31 collected will be used for public infrastructure improvements for streets and items
32 that are in and near this particular development.

33 Mr. Bichara added that this action does not in any way affect the funding for the
34 Berea City Schools or Polaris Career Center. He said we did give notice to them
35 on November 21st in accordance with ORC and you are able to take final action
36 on this ordinance this evening.

37 Mayor Castelli said we have been very fortunate, as you know to bring a lot of
38 new developments occurring throughout the community. He said this is an
39 opportunity to create funding resources for us to do infrastructure work in and
40 around these areas. Mayor Castelli said that is why we would like to advantage of
41 that for India Grocers, and added that the next ordinance relates to Honda.

42 ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2024-93 ADOPTED

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45 Mayor Castelli referred to ORDINANCE NO. 2024-94, An Ordinance declaring
46 the improvement to certain parcels of real property within the city to be a public
47 purpose and exempt from taxation pursuant to ORC 5709.40(B); providing for the
48 collection and deposit of service payments and specifying the purposes for which
49 those service payments may be expended; specifying the public infrastructure
50 improvements directly benefiting the parcels; and declaring an emergency (PPN:
51 373-21-007) and moved to adopt. On behalf of the mayor, Mr. Bortolotto
52 MOVED TO ADOPT. Seconded by Mr. Ference.

ORD. 2024-94
ADOPTED
TIF ORDINANCE -
HONDA

53 Mayor Castelli said this is very similar to the first ordinance. He reiterated what
54 Mr. Bichara said that this does not impact our schools or Polaris. Mayor Castelli

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CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
DECEMBER 10, 2024
PAGE 4

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3 said but this does provide the City of Middleburg Heights with an opportunity to
4 create public infrastructure improvements in and around the area, so we create a
5 fund that this tax will go into for a designated period of time.

6 ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2024-94 ADOPTED
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9 Mayor Castelli introduced ORDINANCE NO. 2024-101, An Ordinance to make
10 supplemental appropriations for current expenditures and expenses for the City of
11 Middleburg Heights for the calendar year 2024 and moved to adopt. On behalf of
12 the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Meany.

ORD. 2024-101
ADOPTED
SUPPLEMENTAL
APPROPRIATIONS

13 Mayor Castelli said this supplemental relates to safety forces wages, and allows
14 us to make sure everything is covered as we get through the end of the year.

15 Mr. Stewart said this is the annual clean-up that we do this year. He said we have
16 one payroll left, and doesn't think we will need it all but didn't want a reason that
17 we would have to come back later on.

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19 ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2024-101 ADOPTED
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21 Mayor Castelli introduced ORDINANCE NO. 2024-102, An Ordinance to make
22 appropriations for current expenditures and expenses for the City of Middleburg
23 Heights for the calendar year 2025 and moved to adopt. On behalf of the mayor,
24 Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Ference.

ORD. 2024-102
ADOPTED
2025 BUDGET

25 Mayor Castelli said last week, we had a few hour discussion in regards to our
26 2025 budget. He said from the 2024 budget to the 2025 budget, we only have an
27 increase of approximately 1.6%. Mayor Castelli said he thinks it is a really strong
28 and fiscally responsible budget. He said we will be focusing again quite a bit, as
29 we have the last few years on improving our infrastructure.

30 Mr. Ali tipped his hat to Mayor Castelli and all of the administration. He said
31 with the out of control expenses that are hitting the United States and all of the
32 inflation, to keep this budget at a 1.6% increase in phenomenal.

33 Mr. Bortolotto concurred and said we are very blessed to have a phenomenal
34 finance director, along with all of the other administration and the mayor as well.
35 He said when it comes to our budget hearing, it was an enjoyable meeting. Mr.
36 Bortolotto again expressed his thanks.

37 Mr. Ali said dealing with a multi-million dollar budget, anytime we have a
38 question Mr. Stewart is always there to give us the right answer. He too extended
39 his thanks and appreciation.

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41 ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2024-102 ADOPTED
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45 COUNCIL COMMITTEE REPORTS

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

47 Mr. Ali wished everyone a very Merry Christmas and a Happy, Healthy 2025.
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50 Finance, Taxation & Assessments Committee – Mr. Bortolotto, Chairman

51 No report.
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54 Legislation & Rules Committee – Mr. Zakel, Chairman

55 No report.
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58 Public Health, Safety & Relief Committee – Mr. McGregor, Chairman

59 No report.
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61 Public Improvements Committee – Mr. Sage, Chairman

62 Mr. Sage also wished everyone a Merry Christmas and a Happy New Year. He
also thanked the Historical Society for being here and for the lovely presents.

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
DECEMBER 10, 2024
PAGE 5

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

No report.

Zoning & Building Code Committee – Mr. Ference, Chairman

Mr. Ference said as 2024 winds down, he thinks this has been an excellent year for city council. He said we have discussed a lot of very important stuff, working together with the administration. Mr. Ference said we have witnessed a lot of progress in the city, and said he is happy to be part of this team. He also wished everyone a Happy Holiday and a Merry Christmas.

MAYOR'S REPORT

Mayor Castelli wished everyone a Merry Christmas.

LAW DIRECTOR

Mr. Incorvaia wished everyone the best for the holidays and into the new year.

FINANCE DIRECTOR

No report.

RECREATION DIRECTOR

Mr. Elliott said the Breakfast with Santa and Friends is at the community center this Saturday, December 14th from 9:00-11:00 a.m. He too wished everyone a happy, healthy holiday.

Mr. Sage asked Mr. Elliott to give our kudos to everyone at the community center, and for Mr. Herron to extend kudos to the service department as well. He said the tree lighting event was phenomenal. Mr. Sage said this event grows every year and he has heard nothing but positive responses from members of our community that attended.

Mayor Castelli said it was really awesome that one of our employees built a sleigh for one of our festivals.

Mr. Elliott said John Root, our custodial supervisor, was given a challenge a couple years ago to build Santa's mailbox that is out in front of the building. He said if you were at the tree lighting last year and this year, you would have seen railroad crossings that light up as well that were built by Mr. Root. Mr. Elliott said this year the challenge was to build a sleigh. He said the sleigh is about eight feet long by four feet wide. Mr. Elliott said it was absolutely wonderful. He said this weekend it will be in the community room for the Breakfast with Santa, but after that it will be moved into the lobby.

Mr. Bortolotto asked that their appreciation be extended.

ECONOMIC DEVELOPMENT DIRECTOR

No report.

SERVICE DIRECTOR

Mr. Herron said they will be collecting leaves through next week, when they aren't pushing snow. He said if you receive calls from residents, encourage them to get their leaves out now. Mr. Herron said if there are small piles they could certainly be put in the garbage or they could bag them.

FIRE CHIEF

No report.

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
DECEMBER 10, 2024
PAGE 6

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2 Mr. Bortolotto said the next council meeting falls on Christmas Eve. He said if a
3 meeting would be needed, a special meeting would be scheduled.
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5 There being no further business, Mr. Bortolotto made a motion to adjourn.
6 Seconded by Mr. Sage. Mr. Bortolotto adjourned the meeting at 7:30 p.m.
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11 David Bortolotto
12 President of Council
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17 Mary Ann Meola
18 Clerk of Council
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Middleburg Heights Deer Sterilization Project Proposal

Purpose:

To initiate the exploration and eventual implementation of deer sterilization with the least lethal collateral damage for deer as a main method for herd population control

Definitions:

- **“White-Tailed Deer”** is the only species of Cervidae, the family of true deers, in Ohio.
- **“Sharp Shooting”** is a deer management strategy involving targeted killings.
- **“Surgical Sterilization”** is a deer management strategy involving surgical medical procedures that remove a deer's reproduction ability.
- **“Immunocontraception”** is a deer management strategy that involves manipulating a deer's immune system to prevent it from fertilizing offspring, usually through a vaccine.

Findings:

- During colonization, native wildlife in Ohio faced perpetual conflict with the rapidly growing settler population. White Tailed Deer were just one of the big game species experiencing major population declines due to habitat destruction and excessive hunting. By the early 1900s, most of Ohio's large mammal populations were extirpated from the state. This includes Mountain Lions, Black Bears, Wolves, Elk, and White Tailed Deer. By 1940, White-Tailed Deer made a resurgence and began repopulating the state. Most predators to date have never returned to the state, except for a small population of black bears. Lacking stabilization from predators, the White-Tailed Deer population exploded (1).
- In 1970, the deer population hit a modest 17,000 with the next several decades enduring exponential growth reaching into the hundreds of thousands by the late 90's. The

post-reintroduction population hit an all-time record of 750,000 to 800,000 according to two prominent studies. At this time, the state aimed at reducing the over-abundant herd by loosening hunting restrictions, which proved somewhat effective, and by 2005 the population fell to 650,000 (2). However, the deer population has since rebounded. The most recent statewide population estimate in 2021 recorded a total population between 600,000 to 750,000. Entering 2024 many areas of the state are continuing to experience rapid herd growth. According to the Ohio Division of Wildlife, this is due to a decline in hunters and subsequent lower demand for antlerless deer. (2 & 3). The number of deer permits issued in Ohio has fallen from 625,000 in 2009 to 404,000 in 2021, a decline of 35% (2 & 4).

- In Cuyahoga County, the primarily urban communities began to experience the harms of deer overpopulation stretching into the early 2000's and onwards. Attributed to higher Lyme disease rates, wildlife-vehicle collisions, and damaged undergrowth stemming from the depletion of native plants and flowers deers prey on, with profound ecological effects (5 & 6). This has spurred Cuyahoga County communities to take action to limit their deer herds.
- The vast majority of urban Cuyahoga communities with a deer problem initiated deer control through sharpshooting programs, in which trained hunters are brought in to strategically cull deer. According to a news article, 12 Cuyahoga County communities have started a culling program as of 2023 (7).
- The closest jurisdiction with a culling program is Parma Heights, which is geographically very similar to Middleburg Heights. The city officially kicked off a ten-year program in 2022, conducted by trained police sharpshooters. In the first year, 94 deer were killed,

followed by 80 in 2023, with plans to cull 70 in 2024 and 65 in 2025. The program has successfully reduced the deer population (8).

- However, culling is not without moral consequences. Overpopulation has been linked to declines in available food for deer as carrying capacities are breached, leading to mass starvation and malnutrition alongside ecosystem destruction (9). However, lethal management methods also pose a moral dilemma as they involve violence to cut a deer's life short. Cervids are among well-studied mammals known for having central nervous systems and neurological emotional displays akin to humans (10). This makes slaughter both a painful and emotionally traumatic process for deer.
- An extensive study in the forested northernmost section of Wisconsin on deer mortality revealed the profound effect of human predation even in an area heavily occupied by predators extirpated elsewhere in the US. This involved the radio collaring of hundreds of deer, the largest study on causes of death in deer. Results indicated 43% died from hunting, 9% from starvation, 7% from coyotes, 6% from wolves, and 6% from roadkills (11). As humans we have a responsibility over wildlife and the environment, as caretakers, we also have an obligation to the individual well-being of the wildlife we manage. Lethal controls for deer populations are not the only solution. Given that we are an altruistic species with a practical choice at hand that native predators do not have, to kill or not to kill, slaughtering deer is contradictory to good faith conservation.
- Research supporting non-lethal deer management alternatives has increased significantly in recent years. However, a variety of methods exist, with varying degrees of effectiveness largely dependent on many external factors.

- Immun contraception is one of the proposed methods of non-lethal population control, involving the manipulation of a deer's immune system. The most well-understood of these is through the two immun contraceptive vaccines PZP and GnRH, which result in reversible fertility. Booster shots are needed for permanence. A controlled study on PZP in deer found that it is effective in reducing birthing by 88% in the first two years (12). A controlled study on GnRH found a reduction in births by 89% in the first two years, and by 76% in six years after boosters (13). Cleveland Metroparks spent \$500,000 to study using immun contraception for deer reduction. Although birth rates in immunized deer did decline, immigration dispersed immunized deer and did not affect overpopulation. The fact that deer must be immunized multiple times and tracked over their lifetime to be continuously infertile makes this method impractical and expensive for most communities (14).
- Surgical sterilization is the other non-lethal option for birth control. Male deer were once targeted with vasectomies, but this was recognized as impractical due to their polygynous nature. Which means males breed and herd with multiple females. As a universal tactic, females are the targets of sterilization programs. There are three different prominent types of sterilization, tubal ligation, tubal transection, and ovariectomies. However, the non-ovariectomy procedures don't restrict hormonal function. This means female deers on tubal ligation or transection still have estrus cycling, which attracts males by hinting at availability for breeding (15).
- The Cornell University Campus found the issues that come with a lack of hormonal alteration in a sterilization program in which both tubal ligation and ovariectomies were used. 93 deer were sterilized in the first field trials, with repeated efforts continuing for a

6 year period. Using camera trap data it was concluded nearing the end of the study that the deer population had not decreased. However, the results did show a 38% decrease in adult females, a 79% decrease in fawns, and a surprising 873% in adult males. The sterilization of female deer did reduce the female deer population but tubal ligation resulted in male immigration into the area. The study concluded by recommending ovariectomy for surgical sterilization projects (16).

- Recently, a few jurisdictions have employed ovariectomy surgical sterilization studies to control their deer populations. Clifton Ohio, an urban neighborhood located in the Cincinnati metro area, is a prime example. In 2014, Cincinnati Parks proposed a bow hunting program in Clifton. However, there was pushback from local residents on ethical grounds. After a discussion with the local council and the parks, a one-year moratorium on any culling was successfully instituted to allow for research on non-lethal alternatives. Committed residents formed the Clifton Deer non-profit to collaborate with the council. White Buffalo, a company that generates funds for conservation programs, fielded the area and established a sterilization program. This has proved successful, with over 95% of the female deer in the area being sterilized, the average deer population dropping from 100 to 70 square miles (17).
- Fairfax Virginia is another jurisdiction that implemented a similar surgical sterilization program only this time in a city of 6 square miles, akin to the size of Middleburg Heights. The program achieved a 93% sterilization rate for female deer in the area and successfully reduced population density by around 20% by the time of the 3rd year (18).
- White Buffalo has been on the forefront of both sharpshooting and sterilization programs for white-tailed deer. Accordingly, sterilization is best suited for more dense urban areas,

and the results of such a program will not be felt until after the first year or so since it will take time for sterilized deer to die off Overall, the success of a sterilization program can depend on a variety of factors. If deaths and emigration exceed birth rates and immigration, this will result in a decrease in the population. Costs for sterilization are considered to be marginally more expensive than culling according to White Buffalo when factoring in medical supplies, tranquilizations, transit, and veterinary treatment and labor. But on-the-ground application can vary in cost. For example, using trained unpaid volunteers can reduce the cost (19). White Buffalo estimates that per deer sharpshooting costs range from \$200 to around \$600, while sterilization costs range from \$500 to \$1,500 (20). Costs vary by program. A study in Essex County found that the cumulative cost of sterilization would be cheaper in the long run compared to sharpshooting due to cheaper program upkeep (21).

- To conclude, the most humane and effective way to decrease the deer population of Middleburg Heights with the least collateral damage is by implementing an ovariectomy sterilization program. Given that White Buffalo has the best experience with vetting and supporting sterilization in Northeast Ohio and elsewhere, they will be working with me and you as city councilors to determine how a sterilization program can be implemented in Middleburg Heights.

Planning and Implementation:

- To explore the possible application of a sterilization method to deer control in Middleburg Heights, I am requesting that any lethal control efforts be put on hold to evaluate the potential for sterilization to be conducted effectively to reduce the herd size.

- White Buffalo is currently being consulted on the matter, any planned sterilization efforts must be under their expertise, as they have worked with and trained both volunteers and staff in other sterilization projects in Ohio with great success.
- Grassroots efforts to organize community members to support sterilization and volunteer if such a program is pursued by the city are to be explored in the near future as the city's plan to manage its deer overpopulation is underway.

Sources:

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10. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4494450/> - Published in the National Library of Medicine.
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14. <https://www.clevelandmetroparks.com/about/conservation/current-issues/deer-management-1> - Published by Cleveland Metroparks.
15. <https://digitalcommons.usu.edu/cgi/viewcontent.cgi?article=1141&context=hwi> - Published by Utah State University in *Human-Wildlife Interactions*.
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18. <https://www.biorxiv.org/content/10.1101/2020.07.22.216481v2.full> - Published by Cold Spring Harbor Laboratory.

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20. <https://www.whitebuffaloinc.org/deer-management> - Published by White Buffalo Inc.

21. https://www.hilltopconservancy.org/wp-content/uploads/2018/11/Deer_control-methods-cost-comparison-v10.pdf - Published by Hilltop Conservancy.



CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING
DECEMBER 24, 2024

1
2 Council Clerk Mary Ann Meola advised that there was no quorum to conduct business at
3 the Regular Council Meeting of December 24, 2024.
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6 Mary Ann Meola
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8 Mary Ann Meola
9 Clerk of Council

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