

CITY OF MIDDLEBURG HEIGHTS, OHIO

Ordinance No. 2025- **1**

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

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT (SWCD) FOR NPDES STORM WATER PERMIT MINIMUM CONTROL MEASURES 4 AND 5 AND EXTENDING THE AGREEMENT ENTERED INTO BY ORDINANCE 2024-2 THROUGH DECEMBER 31, 2025, IN AN AMOUNT NOT TO EXCEED \$31,000.00 AND DECLARING AN EMERGENCY

WHEREAS, the Cuyahoga Soil and Water Conservation District (SWCD) and the City of Middleburg Heights recognize the need for effective collaboration in protecting soil and water resources and in carrying out its mandated responsibilities, especially related to the National Pollutant Discharge Elimination System (NPDES) Storm Water Permit; and

WHEREAS, it is therefore necessary to authorize the Mayor to enter into a Memorandum of Understanding between the Cuyahoga Soil and Water Conservation District and the City of Middleburg Heights for NPDES Storm Water Permit Minimum Control Measures 4 and 5 and extending the agreement entered into by Ordinance 2024-2 through December 31, 2025, in an amount not to exceed \$31,000.00.

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

Section 1: That the Mayor is hereby authorized to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for NPDES Storm Water Permit Minimum Control Measures 4 and 5 extending the agreement entered into by Ordinance 2024-2 through December 31, 2025, in an amount not to exceed \$31,000.00, a copy of which is attached hereto and marked "Exhibit A".

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.

Section 3: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare of said City, and for the further reason that it is immediately necessary to authorize the Mayor to enter into an extended Memorandum of Understanding between the Cuyahoga Soil and Water Conservation District and the City of Middleburg Heights for NPDES Storm Water Permit Minimum Control Measures 4 and 5 extending the agreement entered into by Ordinance 2024-2 through December 31, 2025 in an amount not to exceed \$31,000.00 to provide for an effective collaboration in carrying out Clean Water Act responsibilities, especially related to National Pollutant Discharge Elimination System (NPDES) rules. Wherefore, provided this Ordinance receives the affirmative vote of at least two-thirds (2/3) of the members of Council it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 1/14/25

David Bortolotto
President of Council

Attest: M. Meola
Clerk of Council

Approved On: 1-15-25

Presented to Mayor: 1/15/25

Matthew Gaska
Mayor

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

CERTIFICATE

I, Mary Ann Meola, Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ord. 2025-1 passed on the 14th day of January 2025 by said Council.

Mary Ann Meola
Clerk of Council

I, Mary Ann Meola, Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord. 2025-1 adopted by the Council of the City of Middleburg Hts., on 1/14/25 was posted for a period of fifteen days, beginning 1/16/25 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meola
Clerk

OFFICE OF THE MAYOR



Matthew J. Castelli, Mayor

January __, 2025

By email only

khall@cuyahogawcd.org

Kristin Hall

Cuyahoga Soil & Water Conservation District

3311 Perkins Ave, Suite 100

Cleveland, Ohio 44114

Re: Notice of Renewal for calendar Year 2025 – MCM #4 Active Construction & MCM #5 Post-Construction

Dear Ms. Hall:

This Letter shall constitute written notice that the City of Middleburg Heights, Ohio wishes to continue to have Cuyahoga Soil & Water Conservation District perform SWP3 plan reviews, active construction site inspections and reporting and post-construction stormwater facility inspections and reporting through 2025 as outlined in the current memorandum of Understanding dated January 29, 2024, at an annual cost of Thirty-One Thousand Dollars and No/Cents (\$31,000.00).

Thank you for your continued service to the City. Should you have any questions please contact me.

Sincerely,

Matthew J. Castelli, Mayor

cc: James Herron, Director of Public Service

Keith Foulkes, Building Commissioner

Kim Kerber, City Engineer

Approved as to form:

[LAW DIRECTOR]

Mike Jirousek, Cuyahoga SWCD Board Chair

Date:

Date:

