

CITY OF MIDDLEBURG HEIGHTS, OHIO

Council Agenda

June 10, 2025

6:00 P.M. REGULAR MEETING

- CALL TO ORDER
- ROLL CALL
- PLEDGE OF ALLEGIANCE

Minutes of the Regular Meeting of May 27, 2025
Minutes of the Executive Session of May 27, 2025

COMMUNICATIONS

Memorandum from Planning Commission to Council advising members recommended approval, with conditions, of the Meijer Stage 2 Planned Mixed Use Development, 6950 W. 130th Street.

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

CITY OF MIDDLEBURG HEIGHTS, OHIO

Council Agenda

JUNE 10, 2025

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UN-NUMBERED LEGISLATION

INTRODUCED BY COUNCIL PRESIDENT BORTOLOTTI

A Resolution adopting the Alternative Tax Budget Information of the City of Middleburg Heights, Ohio, for the fiscal year beginning January 1, 2026, and submitting the same to the Budget Commission of Cuyahoga County.

INTRODUCED BY COUNCIL PRESIDENT BORTOLOTTI

A Resolution to adopt the Solid Waste Management Plan for the Cuyahoga County Solid Waste Management District.

INTRODUCED BY MAYOR CASTELLI

A Resolution extending a temporary moratorium on vape and smoke establishments or shops within the City of Middleburg Heights and declaring an emergency.

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 2025.

City of Middleburg Heights, Ohio

Resolution No. 2025-_____

Introduced by: Mr. Bortolotto, Mr. Meany and Mr. Ference

**A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET
INFORMATION OF THE CITY OF MIDDLEBURG HEIGHTS, OHIO,
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2026, AND
SUBMITTING THE SAME TO THE BUDGET COMMISSION OF
CUYAHOGA COUNTY**

WHEREAS, on October 11, 2002, the Cuyahoga County Budget Commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (including schools) to adopt a Tax Budget as provided under O.R.C. Section 5705.281, but instead requires the filing of Alternative Tax Budget Information on an annual basis; and,

WHEREAS, the Alternative Tax Budget Information for the City of Middleburg Heights, Ohio for the fiscal year beginning January 1, 2026 has been prepared and presented to the Council; and,

WHEREAS, Council, after due consideration, desires that the said Alternative Tax Budget Information be adopted;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, CUYAHOGA COUNTY, STATE OF OHIO:

Section 1: That the Alternative Tax Budget Information of the City of Middleburg Heights, Ohio for the fiscal year beginning January 1, 2026 be and the same is hereby adopted and placed on file with the Director of Finance.

Section 2: That the Director of Finance be and is hereby directed to forward a copy of said Alternative Tax Budget Information to the Budget Commission of Cuyahoga County, Ohio, at the earliest possible time.

Section 3. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage of this resolution 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

DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)

(List All Levies Of The Taxing Authority)

SCHEDULE 1 - 2026

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized by Voters on MM/DD/YY	Levy Type	Number of Years Levy to Run	Tax Year Begins/Ends	Collection Year Begins/Ends	Maximum Rate Authorized	\$ Amount Requested of Budget Commission
General Fund	Current Expenses		Inside	Continuous			3.75 mills or Max available	\$ 3,200,000
Bond Retirement Fund	Debt Retirement		Inside	Continuous			.1 mill	\$ 80,000
Police Pension	Current Expenses		Inside	Continuous			.3 mills	\$ 250,000
Fire Pension	Current Expenses		Inside	Continuous			.3 mills	\$ 250,000
Southwest General Health Center	Current Expenses	11/5/2024	Special Levy	5	2025-2029	2026-2030	1 mill	\$ 250,000

STATEMENT OF FUND ACTIVITY

SCHEDULE 2 - 2026

Fund By Type	Beginning Estimated Fund Balance	Property Taxes and Local Government Revenue	Other Sources Receipts	Total Estimated Receipts	Total Resources Available For Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
TOTAL ALL FUNDS	\$ 12,078,100.00	\$ 3,850,000.00	\$ 37,919,400.00	\$ 41,769,400.00	\$ 53,847,500.00	\$ 42,242,400.00	\$ 11,605,100.00
General Fund (101)	8,727,000.00	3,110,000.00	23,771,000.00	26,881,000.00	35,608,000.00	26,770,000.00	8,838,000.00
S.C.M. & R. Fund (201)	359,000.00		2,004,500.00	2,004,500.00	2,363,500.00	2,350,000.00	13,500.00
State Highway Fund (202)	392,000.00		96,000.00	96,000.00	488,000.00	193,000.00	295,000.00
Recreation Fund (204)	200,000.00		3,615,900.00	3,615,900.00	3,815,900.00	3,502,000.00	313,900.00
Court Computer Fund (207)	15,000.00		3,000.00	3,000.00	18,000.00	12,000.00	6,000.00
L.E. Education (208)	8,600.00		1,000.00	1,000.00	9,600.00	-	9,600.00
L.E. Drug Penalty (210)	14,000.00		-	-	14,000.00	-	14,000.00
L.E. Contra Seizure (211)	47,000.00		2,500.00	2,500.00	49,500.00	2,000.00	47,500.00
L.E. Drug Fine (212)	8,300.00		-	-	8,300.00	-	8,300.00
Police Prof. Training Fund (213)	90,000.00		10,000.00	10,000.00	100,000.00	25,000.00	75,000.00
One Ohio Opioid Settlement Fund (214)	45,000.00		15,000.00	15,000.00	60,000.00	-	60,000.00
Medical Transport Fund (215)	92,000.00		225,000.00	225,000.00	317,000.00	132,000.00	185,000.00
FEMA Grant Fund (217)	-		-	-	-	-	-
Coronavirus Relief Fund (218)	-		-	-	-	-	-
Local Fiscal Recovery Fund (219)	-		-	-	-	-	-
PACE Special Assessment Fund (220)	-		295,000.00	295,000.00	295,000.00	295,000.00	-
Bond Retirement (302)	500,000.00	76,000.00	1,527,000.00	1,603,000.00	2,103,000.00	1,629,000.00	474,000.00
Capital Improvements (401)	50,000.00		1,311,000.00	1,311,000.00	1,361,000.00	1,311,000.00	50,000.00
Street/Infrastructure Improvements (402)	24,000.00		1,225,000.00	1,225,000.00	1,249,000.00	1,106,000.00	143,000.00
Fat Head's Brewing TIF Fund (425)	-		80,000.00	80,000.00	80,000.00	80,000.00	-
Vitalia/Omni TIF Fund (426)	-		-	-	-	-	-
Pearl Plaza TIF Fund (427)	-		-	-	-	-	-
WXZ TIF Fund (428)	40,000.00		27,000.00	27,000.00	67,000.00	-	67,000.00
Serpentini TIF Fund (429)	30,500.00		30,500.00	30,500.00	61,000.00	-	61,000.00
Health Insurance Reserve (555)	1,045,000.00		3,492,000.00	3,492,000.00	4,537,000.00	3,824,000.00	713,000.00
Police Pension Fund (701)	68,000.00	229,000.00	-	229,000.00	297,000.00	192,000.00	105,000.00
Fire Pension Fund (702)	68,000.00	229,000.00	-	229,000.00	297,000.00	192,000.00	105,000.00
Architect Trust Fund (712)	9,000.00		4,000.00	4,000.00	13,000.00	13,000.00	-
Builders Bond Trust (713)	84,000.00		20,000.00	20,000.00	104,000.00	104,000.00	-
Examination of Plans (714)	16,000.00		50,000.00	50,000.00	66,000.00	66,000.00	-
Yard Grade Trust (715)	1,500.00		1,000.00	1,000.00	2,500.00	2,500.00	-
Sidewalk Grade Trust (716)	-		-	-	-	-	-
Tree Planting Trust (717)	7,000.00		-	-	7,000.00	7,000.00	-
Misc Inspection Deposit (718)	12,000.00		10,000.00	10,000.00	22,000.00	22,000.00	-
Unclaimed Monies Trust (720)	105,000.00		12,000.00	12,000.00	117,000.00	117,000.00	-
Veterans Memorial (722)	7,500.00		-	-	7,500.00	7,500.00	-
Rental Deposit Fund (723)	1,400.00		-	-	1,400.00	1,400.00	-
Flexible Spending Fund (724)	-		80,000.00	80,000.00	80,000.00	80,000.00	-
Tri-City Bark Park Fund (725)	11,300.00		10,000.00	10,000.00	21,300.00	-	21,300.00
Bd. of Building Stds. (790)	-		1,000.00	1,000.00	1,000.00	1,000.00	-
Southwest General (799)	-	206,000.00	-	206,000.00	206,000.00	206,000.00	-

UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt to Be Paid From Inside/Charter Millage Only)

(Do Not Include General Obligation Debt Being Paid By Other Sources)

(Do Not Include Special Obligation Bonds & Revenue Bonds)

SCHEDULE 3 - 2026

I	II	III	IV	V	VI
Purpose of Bonds or Notes	Date of Issue	Final Maturity Date	Principal Amount Outstanding At The Beginning Of The Calendar Year	Amount Required to Meet Calendar Year Principal & Interest Payments	Amount Receivable From Other Sources To Meet Debt Payments
Street Improvements, Series 2021	2021	2032	2,485,000.00	376,032.50	376,032.50
Various Purpose Improvements, Series 2022	2022	2047	13,090,000.00	1,109,256.26	1,109,256.26
Totals			15,575,000.00	1,485,288.76	1,485,288.76

CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2025-

Introduced By: Mr. Bortolotto

Co-Sponsors: Mr. Meany, Mr. Ference

A RESOLUTION

TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT

WHEREAS, the City of Middleburg Heights is located within the jurisdiction of the Cuyahoga County Solid Waste Management District (District); and

WHEREAS, the Cuyahoga County Solid Waste Management District Policy Committee prepared and adopted a final draft of the Cuyahoga County Solid Waste Management Plan Update in accordance with *Ohio Revised Code Sections 3734.53, 3734.54 and 3734.55*; and

WHEREAS, the District provided a copy of the Cuyahoga County Solid Waste Management Plan Update (2026-2040) for ratification to each of the legislative authorities of the District; and

WHEREAS, the City of Middleburg Heights must decide whether it approves of said Solid Waste Management Plan Update no later than August 10, 2025.

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

Section 1: The City of Middleburg Heights approves the Cuyahoga County Solid Waste Management Plan Update.

Section 2: That the Clerk is hereby directed to send the District a copy of this resolution to the attention of Elizabeth Biggins-Ramer, Executive Director, Cuyahoga County Solid Waste Management District, 4750 East 131 Street, Garfield Heights, OH 44105.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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

Resolution No. 2025-

Introduced By: Mayor Matthew Castelli

A RESOLUTION EXTENDING A TEMPORARY MORATORIUM ON VAPE AND SMOKE ESTABLISHMENTS OR SHOPS WITHIN THE CITY OF MIDDLEBURG HEIGHTS AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting areas used for business and trade; and

WHEREAS, on April 23, 2024, this Council passed Resolution 2024-32 establishing a temporary moratorium on Vape and Smoke Establishments or Shops within the City of Middleburg Heights; and

WHEREAS, this Council desires to extend the moratorium, for a temporary period of time to further undertake a review of information on the effects of vaping and e-cigarettes and a review and/or study of the ordinances of the City of Middleburg Heights, including zoning, building, and business regulations; and

WHEREAS, this Council will be able to enact reasonable regulations to protect the health, safety, welfare, peace, and comfort of the citizens of the City of Middleburg Heights more effectively if a moratorium is in place.

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

Section 1: That this Council hereby extends the temporary moratorium, for a period of six months from the effective date of this resolution, that the City shall not accept, process, or approve any new applications or issue any new permits, licenses, variances, or any zoning applications from or for vape/smoke establishments or shops within the City of Middleburg Heights.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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 Resolution 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 this measure is necessary in order to establish this temporary moratorium as soon as possible. Wherefore, provided this Resolution 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: _____

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. 2025-_____

Introduced by: Mayor Matthew J. Castelli

AN ORDINANCE TO MAKE SUPPLEMENTAL 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 be appropriated from the General Fund:

<u>Description</u>	<u>Increase (Decrease)</u>
Transfers - Transfer to Capital Imp. Fund - MEMO Grant Program	\$ 50,000.00
Total Increase to the General Fund	\$ 50,000.00

Section 2. That in order to provide for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2025, the following sums be appropriated from the Capital Improvements Fund:

<u>Description</u>	<u>Increase (Decrease)</u>
Capital - Gen. Govt. - MEMO Grant Program	\$ 50,000.00
Total Increase to the Capital Improvements Fund	\$ 50,000.00

Section 3. That in order to provide for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2025, the following sums be appropriated from the Streets/Infrastructure Imp. Fund:

<u>Description</u>	<u>Increase (Decrease)</u>
Streets - Capital - Big Creek Detention Basins (Electrical Re-feed - Basin 2)	\$ 47,000.00
Total Increase to the Streets/Infrastructure Imp. Fund	\$ 47,000.00

Section 4. 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
BORTOLOTTA	_____	_____
ALI	_____	_____
SAGE	_____	_____
MEANY	_____	_____
MCGREGOR	_____	_____
FERENCE	_____	_____
ZAKEL	_____	_____

MAYOR