

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING  
MAY 27, 2025

The Council of the City of Middleburg Heights, Ohio met in Council Chambers at City Hall on Tuesday, May 27, 2025 for the purpose of conducting a REGULAR MEETING. President of Council David Bortolotto called the meeting to order at 6:00 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  
Michael 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  
Mark Elliott Recreation Director  
Ed Tomba Police Chief

PLEDGE OF ALLEGIANCE

MINUTES

Motion by Mr. Ali to approve the minutes of the regular meeting of May 13, 2025. Seconded by Mr. Ference.

MINUTES  
APPROVED

ROLL CALL: YEAS 6, NAYS 0, MINUTES APPROVED

COMMUNICATIONS

None.

AUDIENCE PARTICIPATION

Ms. Karen Voytek, said she has been a resident for 29 years. She said she contacted Councilman Zakel in regards to the deer issues in our city. Ms. Voytek referred to an article in the Plain Dealer last week regarding the City of Parma using their SWAT team as sharp shooters to cull the herd. She said they have accidents over there and their numbers were quite high, and in the first five months of this year their numbers have gone down. Ms. Voytek said she knows she's not the only one that likes to have flowers and yards looking nice. She said it's been many years and thousands of dollars trying to find things that the deer don't eat. Ms. Voytek inquired as to if Middleburg Heights is going to cull or use birth control as was done when she first moved here in 1996.

Mayor Castelli said what we have been doing is the same process that other communities have done. He said you have to go through a process of collecting data, and since Chief Tomba is here and very much involved in this process, he can go over what has been done so far and what the next steps will be.

Chief Tomba said so far, we have collected data through the Ohio Department of Wildlife Control. He said the next step was to have them make up a survey for us so we could get the community's involvement. Chief Tomba said we just received that survey in the last week. He said that survey and all of the information that we have still has to go in front of the safety committee and then city council and the mayor. Chief Tomba said then that survey would then need to get out to the residents. He said eventually it will end up back here in council chambers for a decision.

Mayor Castelli said as the chief mentioned, we have already collected a lot of data. He said what that data has shown is that we have a lot of deer for the size of our community. Mayor Castelli said he thinks based on every square mile, we

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3 seem to be double what we should have. He said we know that there definitely is  
4 a challenge and the next step is how to mitigate it.  
5 Ms. Voytek asked how long the survey would take to come out to the residents.  
6 Chief Tomba said he would anticipate that it would be out in the fourth quarter of  
7 the year. He said this has to go before the safety committee, and we are going to  
8 schedule that meeting in September.  
9 Mayor Castelli said based on the feedback, we will construct a plan of how to  
10 move forward.  
11 Mr. Ference said he has done a lot of research along with some of the other  
12 councilmen and attended some workshops and meeting about the deer problems.  
13 He said one of the biggest components of that problem is residents feeding deer.  
14 Mr. Ference said when residents feed deer they are inviting them into the  
15 neighborhood. He said you could almost observe that deer migrate from one  
16 feeding spot to another. Mr. Ference said we are going to have a problem as long  
17 as people are feeding them. He said what residents can do immediately is to stop  
18 feeding the deer. Mr. Ference said that is not him speaking, that came right from  
19 the Ohio Department of Natural Resources Wildlife Division.  
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23 APPOINTMENTS AND CONFIRMATIONS

24 None.

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27 ORDINANCES, RESOLUTIONS AND MOTIONS

28 CITY PARKS, RECREATION & SERVICES COMMITTEE – MR. ALI,  
29 CHAIRMAN

30 No legislation.

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33 FINANCE, TAXATION & ASSESSMENTS COMMITTEE – MR.  
34 BORTOLOTTI, CHAIRMAN

35 No legislation.

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37 LEGISLATION & RULES COMMITTEE – MR. ZAKEL, CHAIRMAN

38 No legislation.

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41 PUBLIC HEALTH, SAFETY & RELIEF COMMITTEE – MR. MCGREGOR,  
42 CHAIRMAN

43 No legislation.

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46 PUBLIC IMPROVEMENTS COMMITTEE – MR. SAGE, CHAIRMAN

47 No legislation.

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49 STREETS, UTILITIES & RAILROAD COMMITTEE – MR. MEANY,  
50 CHAIRMAN

51 Mr. Meany introduced RESOLUTION NO. 2025-28, A Resolution authorizing  
52 the mayor to enter into an agreement with Cuyahoga County for Pavement  
53 Preventative Maintenance Services and MOVED TO ADOPT. Seconded by Mr.  
54 Sage.

55 Mr. Meany said this is a one-time free service for the county to provide crack  
56 sealing and striping for Sheldon Road. He said the county will provide this  
57 service to 24 projects throughout the county. Mr. Meany said this is due to many  
58 communities, not Middleburg Heights, of not following up with crack sealing  
59 after the county paves the roads. He said this will increase the life expectancy of  
60 the roads.  
61  
62

Mr. Ali asked if there was a reason they were only doing Sheldon Road from  
Engle to Smith.

RES. 2025-28  
ADOPTED  
AGREEMENT WITH  
COUNTY:  
PAVEMENT  
PREVENTATIVE  
MAINTENANCE  
SERVICES

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Mr. Herron said that was the last thing that they paved, they are only doing the recent projects that they did. He said this was just implemented in the last three or four years.

ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2025-28 ADOPTED

ZONING & BUILDING CODE COMMITTEE – MR. FERENCE, CHAIRMAN

Mr. Ference asked the clerk to schedule a public hearing after receipt of planning commission’s recommendation on a Planned Mixed Use development application submitted by Meijer’s for June 24, 2025 at 5:55 p.m.

SET PUBLIC HRG.  
(MEIJER’S)

Mayor Castelli introduced RESOLUTION NO. 2025-29, A Resolution accepting the grant of an easement from Medina Creative Housing, Inc. and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Zakel.

RES. 2025-29  
ADOPTED  
ACCEPT GRANT OF  
AN EASEMENT:  
MEDINA CREATIVE  
HOUSING

Mayor Castelli said this is an easement that will be necessary for the future installation of a traffic signal, which will be on Smith Road in the area of Medina Creative Housing, as well as, where the new Meijer’s store is going to be located. He said this is a traffic signal that Meijer’s will be paying for and installing. Mayor Castelli said ultimately we needed an easement from Medina Creative Housing to ensure that the loop detectors would work on their drive.

ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2025-29 ADOPTED

Mayor Castelli introduced RESOLUTION NO. 2025-30, A Resolution authorizing the mayor to enter into a Memorandum of Understanding with the Cuyahoga County Public Library for a Reading Garden adjacent to the Library and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Ference.

RES. 2025-30  
ADOPTED  
MOU: CUYAHOGA  
COUNTY PUBLIC  
LIBRARY  
(READING GARDEN)

Mayor Castelli said as you are all aware, we have been working on Central Park and said this is the first phase of the Central Park Project over by the County Library area. He said there is approximately 11 acres in that area around the library. Mayor Castelli said this is going to be phase one of potentially two phases. He said this is the Reading Garden, which will be adjacent to the library that will have multiple amenities. Mayor Castelli said we are working on the design and amenity features right now. He said we will come back to a public meeting to share all of that with you and our residents. Mayor Castelli said what is excited to note here, is that we have received \$900,000 in grants to get this started. He said this Memorandum of Understanding allows us to accept the \$500,000 from the County Library. Mayor Castelli said we look forward to ultimately getting this project started later this year. He said the \$900,000 is made up of \$500,000 from the County Library System and \$400,000 from the state of Ohio.

ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2025-30 ADOPTED

Mayor Castelli introduced RESOLUTION NO. 2025-31, A Resolution authorizing the mayor or his designee to enter into an agreement with the Berea City School District for the use of BCSD owned equipment to perform training exercises and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Meany.

RES. 2025-31  
ADOPTED  
AGREEMENT: BCSD  
(USE OF EQUIPMENT  
FOR TRAINING  
EXERCISES)

Mayor Castelli said the safety forces for the Cities of Berea, Brook Park and Middleburg Heights and the Southwest Enforcement Bureau and Southwest Emergency Response Teams desire to use two older Berea City School District (BCSD) owned school buses to perform training exercises at the Middleburg Heights Fire Training Facility. He said both fire and police will also be involved in training exercises using these buses. Mayor Castelli said ultimately when we

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1 are done with the training exercises, the school district has agreed to pick those  
2 buses up and remove them from the premises and discard them, Mayor Castelli  
3 said this is training is good for our community, the surrounding communities and  
4 the school district too.

5 ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2025-31 ADOPTED

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7 COUNCIL COMMITTEE REPORTS

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

9 No report.

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12 Finance, Taxation & Assessments Committee – Mr. Bortolotto, Chairman

13 No report.

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15 Legislation & Rules Committee – Mr. Zakel, Chairman

16 Mr. Zakel reported that the food trucks are coming back to Indian Creek on  
17 Baldwin Creek starting tomorrow. He said from 5:00 – 7:00 p.m. there will be a  
18 food truck down by the trail if anyone is looking for some dinner. Mr. Zakel said  
19 they have also starting doing some coffee trucks on Sunday mornings for families  
20 to walk down. He said to feel free to join at any time and he will keep everybody  
21 updated.  
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24 Public Health, Safety & Relief Committee – Mr. McGregor, Chairman

25 No report.

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28 Public Improvements Committee – Mr. Sage, Chairman

29 No report.

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

33 No report.

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35 Zoning & Building Code Committee – Mr. Ference, Chairman

36 Mr. Ference complimented the administration on a very honorable and dignified  
37 Memorial Day ceremony yesterday. He said this was a very appropriate and  
38 moving ceremony that remembered our nation's heroes.  
39

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41 MAYOR'S REPORT

42 Mayor Castelli said as you are all aware, last week an article came out from  
43 Crain's Business. He said we were honored to be recognized with the headline  
44 "Middleburg Heights unlocks the secret to development boom." Mayor Castelli  
45 said as you know, there is a lot of development going on and we have been very  
46 successful over the past several years in bringing in a lot of new businesses.  
47 Mayor Castelli said a lot of strategic investment in the community has been  
48 created. He said he really appreciates the recognition and the support of city  
49 council. Mayor Castelli said it is the collaborative effort that makes us a  
50 successful community.  
51

52  
53 LAW DIRECTOR

54 Mr. Incorvaia asked that council consider a motion to convene into executive  
55 session for the following purpose or purposes: (1) Consider the sale of real  
56 property pursuant to ORC Section 121.22(G)(2); (2) Discussion of pending or  
57 imminent litigation pursuant to ORC Section 121.22(G)(3); and (3) Discussion of  
58 preparation for, conducting, or reviewing a collective bargaining strategy pursuant  
59 to ORC Section 121.22(G)(4).  
60

61 Mr. Bortolotto made a motion on behalf of Mr. Incorvaia that we go into  
62 executive session prior to the ending of the meeting. Seconded by Mr. Meany.

ROLL CALL: YEAS 6, NAYS 0, MOTION APPROVED

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1 Mr. Incorvaia said he would like to reserve a few minutes for his report for  
2 discussion after the executive session.  
3

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5 FINANCE DIRECTOR

6 No report.  
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8 RECREATION DIRECTOR

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10 Mr. Elliott said as you can tell by the parking lot, tonight was opening night for  
11 our baseball and softball programs. He also reported that this Saturday will be  
12 our first of many summer concerts. Mr. Elliott said the concert this Saturday  
13 begins at 6:30 p.m. and is a Journey Tribute Band.  
14

15 ECONOMIC DEVELOPMENT DIRECTOR

16 No report.  
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18 SERVICE DIRECTOR

19  
20 Mr. Herron reminded everyone that the Smith Road construction will officially be  
21 starting on May 30<sup>th</sup>. He said many of us have waited decades for this  
22 reconstruction. Mr. Herron said it will be an inconvenience for our residents for a  
23 short period of time, but Smith Road has needed this for at least 15 years. He said  
24 this will be a very nice project to be completed. Mr. Herron said this is from  
25 Sheldon Road to Pearl Road. He said there will be a lot of nice amenities  
26 including the realignment of the curve, new sidewalks from Big Creek up to Pearl  
27 Road to connect to our new multi-purpose path, and brand new aprons. Mr.  
28 Herron said they will get the water department to fix the water leak sooner rather  
29 than later.  
30

31 Mayor Castelli said obviously the resurfacing and realignment and the other items  
32 that Mr. Herron mentioned, but also the waterline and storm sewer improvements  
33 as well. He said during heavy rain events, that is an area that tends to flood.  
34 Mayor Castelli said this will address those issues.  
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37 POLICE CHIEF

38 No report.  
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41 Start Executive Session: 6:25 p.m.

42 Following the Executive Session, Mr. Bortolotto reconvened the Regular Meeting  
43 of Council at 7:19 p.m.  
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46 PRESENT: Matthew Castelli Mayor  
47 David Bortolotto President of Council  
48 Tim Ali Councilman-At-Large  
49 Dan Sage Councilman-At-Large  
50 Bill Meany Councilman Ward 1  
51 Michael Ference Councilman Ward 3  
52 John Zakel Councilman Ward 4  
53 Mary Ann Meola Clerk of Council  
54 Santo Incorvaia Law Director  
55 Jason Stewart Finance Director  
56 Jim Herron Service Director  
57 Ed Tomba Police Chief  
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On behalf of Mr. Incorvaia, Mr. Bortolotto made a motion to authorize the mayor to enter into an Arbitration Settlement Agreement and Release with the Local Association of Public Service Workers (LAPSW) and the former full-time Animal Control Officer. Seconded by Mr. Meany.  
ROLL CALL: YEAS 6, NAYS 0, MOTION APPROVED


MOTION 2025-11  
ENTER INTO AN  
ARBITRATION  
SETTLEMENT  
AGREEMENT -  
FORMER ACO

Mayor Castelli introduced ORDINANCE NO. 2025-32, An Ordinance to make supplemental appropriations for current expenditures and expenses for the city of Middleburg Heights for the calendar year 2025 and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Sage.  
ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2025-32 ADOPTED

ORD. 2025-32  
ADOPTED  
SUPPLEMENTAL  
APPROPRIATION

There being no further business, Mr. Bortolotto made a motion to adjourn. Seconded by Mr. Sage. Mr. Bortolotto adjourned the meeting at 7:21 p.m.

  
David Bortolotto  
President of Council

  
Mary Ann Meola  
Clerk of Council