

CITY OF MIDDLEBURG HEIGHTS, OHIO

REGULAR MEETING  
JANUARY 27, 2026

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4 The Council of the City of Middleburg Heights, Ohio met in Council Chambers at  
5 City Hall on Tuesday, January 27, 2026 for the purpose of conducting a REGULAR  
6 MEETING. President of Council David Bortolotto called the meeting to order at  
7 6:00 p.m.  
8

9 PRESENT: Matthew Castelli Mayor  
10 David Bortolotto President of Council  
11 Tim Ali Councilman At Large  
12 Dan Sage Councilman At Large  
13 Bill Meany Councilman Ward 1  
14 Michael Ference Councilman Ward 3  
15 John Zakel Councilman Ward 4  
16 Mary Ann Meola Clerk of Council  
17  
18

19 STAFF

20 ATTENDING: Santo Incorvaia Law Director  
21 Nick Vitalone Asst. Finance Director  
22 Jim Herron Service Director  
23 Chuck Bichara Economic Development Director  
24 Briant Galgas Fire Chief  
25 Mark Elliott Recreation Director  
26  
27  
28

29 ABSENT: Councilman Matt McGregor  
30

31 MINUTES

32 Motion by Mr. Ali to approve the minutes of the regular meeting of January 13,  
33 2026. Seconded by Mr. Zakel. MINUTES  
34 APPROVED

35 ROLL CALL: YEAS 6, NAYS 0, MINUTES APPROVED  
36

37 Motion by Mr. Sage to approve the minutes of the executive session of January 13,  
38 2026. Seconded by Mr. Meany. MINUTES  
39 APPROVED

40 ROLL CALL: YEAS 5, NAYS 0, ABSTAIN, 1 ALL MINUTES APPROVED  
41

42 COMMUNICATIONS

43 Memorandum from Building Commissioner Foulkes advising the city engineer  
44 approved the lot split and consolidation for Kenneth Sapp, 6876 Big Creek  
45 Parkway. Further action needed by council. FILE AS  
46 RECORD

47 AUDIENCE PARTICIPATION

48 None.  
49

50 APPOINTMENTS AND CONFIRMATIONS

51 Mayor Castelli said he is looking for confirmation from city council on two  
52 appointments to the Tax Incentive Review Council (TIRC). He said at this time he  
53 would like to turn the meeting over to Economic Development Director Chuck  
54 Bichara.  
55

56 Mr. Bichara said this evening he is asking for council's consideration on  
57 appointments to the Tax Incentive Review Council. He said these appointments  
58 need to be updated every three years. Mr. Bichara said the last time this was done  
59 was in 2023, under the provisions set forth in Section 5709.95 of the Ohio Revised  
60 Code. He said Cuyahoga County does manage and run the Tax Incentive Review  
61 Council meetings. Mr. Bichara said they set the schedule for the meetings and they  
62 have their own appointments. He said each community that desires or has the

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1 ability to have anything related to tax incentives, does need to also provide two  
2 members. Mr. Bichara said both Becky Russo and Jason Stewart are residents of  
3 Middleburg Heights. He said Becky has served on many boards and commissions  
4 and is currently a member of the Board of Zoning and Building Appeals. Mr.  
5 Bichara said he spoke to her and she has taken it upon herself to do research and  
6 study the roles regarding the Tax Incentive Review Council members. Mr. Bichara  
7 said Jason Stewart has also served as a member on the Tax Incentive Review  
8 Council.  
9

10  
11 Mayor Castelli made a motion to appoint Becky Russo to serve on the Tax Incentive  
12 Review Council.

13 On behalf of the mayor, Mr. Bortolotto made a motion to appoint Becky Russo to  
14 the Tax Incentive Review Council. Seconded by Mr. Ference.

15 ROLL CALL: YEAS 6, NAYS 0, MOTION CONFIRMED  
16

MOTION 2026-7  
APPOINTMENT:  
BECKY RUSSO  
(TAX INCENTIVE  
REVIEW COUNCIL)

17  
18 Mayor Castelli made a motion to appoint our Finance Director Jason Stewart to  
19 also serve on the Tax Incentive Review Council.

20 On behalf of the mayor, Mr. Bortolotto made a motion to appoint Jason Stewart to  
21 the Tax Incentive Review Council. Seconded by Mr. Zakel.

22 ROLL CALL: YEAS 6, NAYS 0, MOTION CONFIRMED  
23

MOTION 2026-8  
APPOINTMENT:  
JASON STEWART  
(TAX INCENTIVE  
REVIEW COUNCIL)

24 ORDINANCES, RESOLUTIONS AND MOTIONS

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

27 No legislation.  
28

29  
30 FINANCE, TAXATION & ASSESSMENTS COMMITTEE - MR.  
31 BORTOLOTTI, CHAIRMAN

32 No legislation.  
33

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35 LEGISLATION & RULES COMMITTEE - MR. ZAKEL, CHAIRMAN

36 No legislation.  
37

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39 PUBLIC HEALTH, SAFETY & RELIEF COMMITTEE - MR. MCGREGOR,  
40 CHAIRMAN

41 No legislation.  
42

43 PUBLIC IMPROVEMENTS COMMITTEE - MR. SAGE, CHAIRMAN

44 No legislation.  
45

46  
47 STREETS, UTILITIES & RAILROAD COMMITTEE - MR. MEANY,  
48 CHAIRMAN

49 Mr. Meany introduced RESOLUTION NO. 2026-9, A Resolution authorizing the  
50 mayor to enter into an agreement (LPA-ODOT-Let Project Agreement) to install a  
51 new traffic signal and right turn lane to the IR-71 northbound exit ramp to US-42  
52 (Pearl Road) in the City of Middleburg Heights and declaring an emergency and  
53 MOVED TO ADOPT. Seconded by Mr. Ference.

54 Mr. Meany said this is basically a cooperation agreement between the city and  
55 ODOT to install a new traffic signal and right turn lane to the I-71 northbound exit  
56 ramp to Pearl Road. He said work includes the removal of the existing right turn  
57 slip lane. Mr. Meany said the work should be completed this year.

58 Mr. Ali asked if they feel this is going to be close to the Lucerne and Pearl traffic  
59 light.  
60

61 Mr. Herron said no, they did a traffic study and they didn't seem to indicate that it  
62 would miserably impact the traffic on Pearl Road. He said coming off, you will  
still be able to make a right hand turn. Mr. Herron said it's just not the slip ramp

RES. 2026-9  
ADOPTED  
AGREEMENT:  
LPA-ODOT  
INSTALL NEW  
TRAFFIC SIGNAL  
AND RIGHT TURN  
LANE AT I-71  
NORTHBOUND  
EXIT RAMP

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3 idea but there will be a left turn lane and a right turn lane. He said they didn't think  
4 it would impact the traffic. Mr. Herron said it will also be connected to our traffic  
5 system too.  
6 Mr. Ali asked if the right turn lane will be kept there.  
7 Mr. Herron said they will remove the slip ramp. He said when you come up to the  
8 light there will be a left turn lane and a right turn lane. Mr. Herron said if there  
9 wasn't any traffic coming north on Pearl Road you would still be able to make a  
10 right turn on red with caution.  
11 Mr. Zakel asked if going onto the ramp would stay the same.  
12 Mr. Herron said yes.  
13 Mr. Ference said he is happy to see this. He said for traffic coming on the turnpike  
14 and if you get off at Pearl Road, it is almost impossible to turn left. Mr. Ference  
15 said if you get off at the Pearl Road exit from the turnpike ramp that is no easier.  
16 He said there aren't any good options of going westbound on Pearl. Mr. Ference  
17 said for the sake of safety, this would be very welcomed.  
18 Mr. Herron said they had to do a traffic study, like we would do to justify a traffic  
19 light there. He said obviously they met the criteria under the Ohio manual for traffic  
20 control devices. Mr. Herron said a study was done, they can't just throw  
21 unwarranted lights up so to speak. He said the mayor could attest of the many  
22 complaints that we have received over the years. Mr. Herron said even a slip ramp  
23 is dangerous, people don't pay attention and they just pull out. He said this will  
24 make for a safer intersection. Mr. Herron said it might impact traffic slightly at  
25 Lucerne. He said that light needs some work, adding that they need to talk to the  
26 Honda dealership because their apron needs repaired and to install a new traffic  
27 loop over there doesn't make sense when it is so beaten up. Mr. Herron said they  
28 would be talking to the dealership within the next few weeks.  
29 Mr. Ali said we are hoping that we do not end up with a do not turn on red there,  
30 because then we would be backing up everyone.  
31 Mr. Herron said no, they were not planning on that. He said that was not discussed  
32 at all.  
33 Mr. Ali said Lucerne does have a do not turn on red.  
34 Mayor Castelli said his understanding is that this will be very similar to what we  
35 have right here on Bagley Road. He said you will be able to take a right turn at any  
36 time. Mayor Castelli said to Service Director Herron's comments, there are certain  
37 areas of the city where we get requests for lights and that is one of the biggest areas  
38 where people feel it is very dangerous trying to make a left turn. He said that is  
39 why ODOT is recommending this, they had a lot of feedback on this too.  
40 Mr. Herron said this is not a cheap traffic signal, they are spending approximately  
41 \$950,000.  
42 Mr. Ference said even a right turn onto Pearl is difficult, because if your turning  
43 right and you look left you cannot tell if the oncoming northbound traffic is getting  
44 on the highway or if they are coming straight. He said this will help motorists in  
45 both directions.  
46 Mr. Herron said the poles will be brown like our current poles, and they will be nice  
47 galvanized poles so they will not rust and will last longer. He said we put a battery  
48 in the control box on that light, so if the power goes out the light will still operate.  
49 Mr. Herron said eventually all of our control boxes will have batteries in them,  
50 adding that we have done that at a couple intersections recently.  
51 Mr. Zakel asked if that exit will be closed off, while they are making this change.  
52 Mr. Herron said no, traffic will be impacted but they have to maintain traffic. He  
53 said they will not shut an exit ramp down. Mr. Herron said we will get more plans,  
54 and will schedule something with Mr. Meany and the streets committee when we  
55 get closer to this. He said we want to make sure everyone understands the

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3 maintenance of traffic, who the contractor is and any answer any questions. Mr.  
4 Herron said ODOT will be running the project, but he will be in contact with them.  
5 Mr. Ali wondered if they could look at the no turn on red at Lucerne at this time.  
6 He said if you're going to have a light at that intersection which is really close to  
7 it, he really doesn't think they need a no turn on red. Mr. Ali said you should be  
8 able to turn on red because you are going to have traffic stopped.  
9 Mr. Herron said we can actually do that with our turn light, and said we could do  
10 that with TMS Engineers, who is our traffic consultant. He said we have discussed  
11 this at other intersections too. Mr. Herron said we were going to bring that forward  
12 with a couple others that we have that at. He said they aren't legally required, but  
13 said if you want to get rid of them we should study that to make sure it is appropriate  
14 and that it doesn't impact pedestrian traffic. He said after TMS does the appropriate  
15 study, he would come back to council with their findings.  
16 Mr. Ali said Lucerne and Normandie are both a cut through from Strongsville.  
17 ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2026-9 ADOPTED  
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21 ZONING & BUILDING CODE COMMITTEE – MR. FERENCE, CHAIRMAN  
22 Mr. Ference introduced ORDINANCE NO. 2026-10, An Ordinance accepting a lot  
23 split and consolidation and dedication for 6876 Big Creek Parkway and MOVED  
24 TO ADOPT. Seconded by Mr. Meany.  
25 Mr. Ference said this was discussed in committee. He said there are two lots at the  
26 corner of Big Creek Parkway and Smith. Mr. Ference said they are consolidating  
27 the two lots into one. He said but the property on Smith includes part of the road.  
28 Mr. Herron said Smith Road is an old road and like other recent consolidations that  
29 we have done, the property line goes halfway into Smith Road. He said that should  
30 officially be part of the public right-a-way.  
31 Mr. Ference said this is a two part ordinance for a lot split and consolidation.  
32 ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2026-10 ADOPTED  
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ORD. 2026-10  
ADOPTED  
ACCEPT LOT SPLIT/  
CONSOLIDATION/  
DEDICATION  
(6876 BIG CREEK  
PARKWAY)

36 Mayor Castelli introduced RESOLUTION NO. 2026-11, A Resolution extending a  
37 temporary moratorium on vape and smoke establishments or shops within the City  
38 of Middleburg Heights and declaring an emergency and moved to adopt.  
39 On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr.  
40 Meany.  
41 Mayor Castelli said some items have already been updated in our zoning code to  
42 reflect vape and smoke shop establishments ability and accessibility in certain areas  
43 of the city. He said we want to continue to review this, adding that there are some  
44 cases that our law director continues to monitor. Mayor Castelli said as there is  
45 finalization to those cases, we want to come back and take a look at potential  
46 updates to our zoning code in regards to vape and smoke shop establishments. He  
47 said this will give us another six month moratorium. Mayor Castelli said we hope  
48 at the end of those six months that we will be able to provide some finality to what  
49 we would like to see going forward.  
50 Mr. Ali asked if we've had this for a while, how the smoke shop next to Jet's Pizza  
51 got in.  
52 Mayor Castelli said that has been there for a while. He said everything you see  
53 currently has been in the city for some time.  
54 Mr. Incorvaia said the code was amended a few years back, but it did allow some  
55 vape shops and we are at the maximum. He said recently there are some court cases  
56 throughout the country regarding vape shops. Mr. Incorvaia said there might be a  
57 law forthcoming that would indicate that you don't have to have vape shops in your  
58 community. He said we are taking a look at this and said there is some new health  
59 information about vape products and some studies that have been done that could  
60 be supportful.  
61  
62

RES. 2026-11  
ADOPTED  
EXTEND  
MORATORIUM -  
VPEE SHOPS

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Mr. Ali said any doctor you talk to would tell you that vaping is worse than smoking cigarettes.

Mayor Castelli said that is why Mr. Incorvaia continues to monitor this as these cases come up. He said we will come back with some recommendations as we get to the end of this moratorium, or maybe even sooner.

ROLL CALL: YEAS 6, NAYS 0, RESOLUTION NO. 2026-11 ADOPTED

Mayor Castelli introduced ORDINANCE NO. 2026-12, An Ordinance amending section 123.045 "Composition of Department" of the Middleburg Heights Codified Ordinances and moved to adopt. On behalf of the mayor, Mr. Bortolotto MOVED TO ADOPT. Seconded by Mr. Meany.

ORD. 2026-12  
ADOPTED  
AMEND CODIFIED:  
SECTION 123.045  
"COMPOSITION  
OF DEPARTMENT"

Mayor Castelli said as you know, approximately a year or so ago we went through the different departments making sure everything is updated from a current standpoint from a staffing level. He said we just recently finished negotiations with our service department. Mayor Castelli said out of those negotiations several of these positions were discussed, again just to make sure that there was clarification and to be consistent with the positions that are currently held today. He said this ordinance is reflective of the people in their positions today.

ROLL CALL: YEAS 6, NAYS 0, ORDINANCE NO. 2026-12 ADOPTED

COUNCIL COMMITTEE REPORTS

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

No report.

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

Mr. Bortolotto thanked everyone for coming out this evening in this horrible weather.

Legislation & Rules Committee – Mr. Zakel, Chairman

No report.

Public Health, Safety & Relief Committee – Mr. McGregor, Chairman

No report.

Public Improvements Committee – Mr. Sage, Chairman

Mr. Sage asked Mr. Herron to express gratitude to the service guys for that fantastic job they did with this storm over the weekend. He said they continue doing a great job and he said he has been receiving a lot of very good positive feedback on the social media pages. Mr. Sage said it's not always negative, and there have been a lot of positive comments saying they can definitely tell when they drive into Middleburg Heights from other surrounding communities.

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

No report.

Zoning & Building Code Committee – Mr. Ference, Chairman

Mr. Ference said despite the media predictions of terrible weather over the weekend, he was never worried about the streets in Middleburg Heights for one minute.

Mr. Meany asked Mr. Ference if he could put the Dr. Kavlich property issue on the zoning committee meeting agenda.

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3 MAYOR'S REPORT

4 Mayor Castelli said he recently received a letter from the Bureau of Workers'  
5 Compensation PERRP, which is sort of the OSHA for public entities. He said we  
6 were the lucky recipients of a surprise investigation to see how we stack up and  
7 how we are doing and performing at our service center. Mayor Castelli read the  
8 first sentence as follows: "An enforcement investigation was conducted between  
9 December 10, 2025 and January 6, 2026 and no citations were issued as a result of  
10 this investigation." He thanked the service department, superintendent and  
11 foreman. Mayor Castelli said Mr. Minch has also been involved, and said we have  
12 been doing a lot of safety training meetings over the past several years. He is very  
13 happy and said that was a pretty extensive investigation and we didn't have any  
14 citations.  
15

16  
17 Mayor Castelli said he appreciates the great job the service guys have done on the  
18 streets, and the good news is they get to keep doing it.  
19

20 LAW DIRECTOR

21 No report.  
22

23 FINANCE DIRECTOR

24 No report.  
25  
26

27 RECREATION DIRECTOR

28 Mr. Elliott said with the weather like this, we are a very busy facility. He said all  
29 of the winter programs are underway, and we are looking ahead and working on a  
30 lot of the spring and summer activities.  
31

32 ECONOMIC DEVELOPMENT DIRECTOR

33 No report.  
34  
35

36 SERVICE DIRECTOR

37  
38 Mr. Herron said the news media has been saying that no one has any salt, but  
39 Middleburg Heights has salt. He thanked Cargill Salt and Abraxas Trucking for  
40 providing the salt. Mr. Herron said we had salt delivered today, and looks like we  
41 will be ok for the season with our contract through Brecksville. He said excluding  
42 what is in the dome, we have used up to 5,000 tons this year but in our contract we  
43 can go up to 9,200 tons.  
44

45 Mr. Ali wondered what your opinion was if we were able to get another salt dome.  
46 Mr. Herron said we can certainly talk about that with the mayor and in our capital  
47 discussions. He said we have had that discussion over the past couple years. Mr.  
48 Herron said we have some ideas that may be more financially feasible, rather than  
49 the financial impact we were initially looking at. He said he's sure a lot of other  
50 cities are in the same boat, and said you would like to be able to store three or four  
51 thousand tons depending on your size and then you don't have to worry about  
52 deliveries. Mr. Herron said it's great when you have so many thousands of tons  
53 ordered, but if you can't get it delivered it doesn't matter. He said we use ClearLane  
54 and have a stockpile of that. Mr. Herron said it helps us that we are no longer on  
55 the ODOT contract anymore, we got out of that eight to ten years ago. He said  
56 approximately ten or twelve years we had a winter like this and ODOT had lots of  
57 salt, but all communities were rationed because you were under their contract. Mr.  
58 Herron said ODOT's contract was number one and everyone else was number two.  
59  
60 He said with our contract with the other cities, it's us that is number one.  
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FIRE CHIEF

Chief Galgas said just a small reminder with the inclement weather, Code Red is a great way for residents to stay connected with what is going on in the community, weather, etc.

Mr. Herron said he sent a senior driveway message out the other day, and wondered if everyone received that.

Mayor Castelli said he knows that Ready Notify had some challenges over the past year, and asked if that has been worked through.

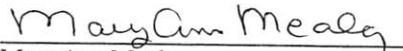
Chief Galgas said there are a couple issues going on, and said they have been bought and sold twice recently. He said they are working through it, and the county has been really good trying to make sure that they have a product that we can use effectively. Chief Galgas said there were a couple weeks where it was sort of down and slow, but since that it's been working.

Mayor Castelli said on the county's behalf, they do have a resource page and an individual that answers the phone will actually help residents out.

There being no further business, Mr. Bortolotto made a motion to adjourn. Seconded by Mr. Meany. Mr. Bortolotto adjourned the meeting at 6:34 p.m.



David Bortolotto  
President of Council



Mary Ann Meola  
Clerk of Council