

# CITY OF MIDDLEBURG HEIGHTS, OHIO

## Council Agenda

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April 14, 2026

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### 6:00 P.M. REGULAR MEETING

- CALL TO ORDER
- ROLL CALL
- PLEDGE OF ALLEGIANCE

Minutes of the Regular Meeting of March 24, 2026  
Minutes of the Executive Session of March 24, 2026

### COMMUNICATIONS

Notice to legislative authority requesting liquor permit transfer from Meijer Stores, Cleveland Clinic Market to Meijer Stores Middleburg Heights. No objection from Police Chief.

### 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

APRIL 14, 2026

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### 2026 PENDING LEGISLATION

#### UN-NUMBERED LEGISLATION

##### INTRODUCED BY COUNCIL PRESIDENT BORTOLOTTO

An Ordinance to make supplemental appropriations for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2026.

##### INTRODUCED BY COUNCILMAN MEANY

A Resolution authorizing the mayor and finance director to enter into a contract with Crossroads Asphalt Recycling, Inc. for general pavement services for 2026.

##### INTRODUCED BY COUNCILMAN MEANY

A Resolution authorizing the mayor and finance director to enter into a contract with Fabrizi Trucking & Paving Co., Inc. for the Indian Creek /Gerald Sanitary Relief Sewer Improvement Project Phase 1.

##### INTRODUCED BY MAYOR CASTELLI

A Resolution authorizing the mayor to enter into a joint construction project agreement for the construction of a new sanitary sewer along W. 130<sup>th</sup> Street from West Sprague Road to Bagley Road.



MIDDLEBURG HEIGHTS CITY COUNCIL
ATTN CLERK OF COUNCIL
15700 BAGLEY RD
MIDDLEBURG HEIGHTS OH 44130

NOTICE TO LEGISLATIVE AUTHORITY

TO

Form for permit 05811144-112, TRFL TYPE, MEIJER STORES LIMITED PARTNERSHIP, MIDDLEBURG HEIGHTS MEIJER, 6950 WEST 130TH STREET, MIDDLEBURG HEIGHTS OH 44130

FROM 3/16/2026

Form for permit 05811144-91, MEIJER STORES LIMITED PARTNERSHIP, STORE #654 - CLEVELAND CLINIC MARKET, 2190 E 105TH ST, CLEVELAND OH 44106

MAILED 3/16/2026

RESPONSES MUST BE POSTMARKED NO LATER THAN 04/16/2026

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: OCT TRFL 05811144-112 (TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD [ ] IN OUR COUNTY SEAT [ ] IN COLUMBUS

WE DO NOT REQUEST A HEARING [ ]

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

Signature line with (Signature), (Title) - [ ] Clerk of City Council [ ] Township Fiscal Officer, (Date)

Printed Name, Email Address, Telephone No.

City of Middleburg Heights, Ohio

Ordinance No. 2026-\_\_\_\_\_

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

AN ORDINANCE
TO MAKE SUPPLEMENTAL APPROPRIATIONS
FOR CURRENT EXPENDITURES AND EXPENSES
FOR THE CITY OF MIDDLEBURG
HEIGHTS FOR THE CALENDAR YEAR 2026

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 2026, the following sums be appropriated from the Police Prof. Training
Fund:

Table with 2 columns: Description, Increase (Decrease). Row 1: Police - Other - Training, \$ 10,000.00. Row 2: Total Increase to the Police Professional Training Fund, \$ 10,000.00.

Section 2. 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

## CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2026-

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

### **A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC. FOR THE GENERAL PAVEMENT SERVICES FOR 2026**

WHEREAS, pursuant to legal advertisement duly made, sealed bids were received on March 25, 2026, for **General Pavement Services for 2026** in accordance with specifications on file with the City Engineer; and

WHEREAS, the bid of Crossroads Asphalt Recycling, Inc., 13421 Hawke Road, Columbia Station, OH 44028 for General Pavement Services for 2026 in the amount of \$534,297.50 being the only bid submitted, is determined to be the lowest and best bid, therefore.

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

Section 1: That the bid of Crossroads Asphalt Recycling, Inc. for General Pavement Services for 2026 in an amount not to exceed \$500,000.00 being the only bid submitted, pursuant to legal advertisement and specifications on file with the City Engineer, be and the same is hereby accepted.

Section 2: That the Mayor and Finance Director are hereby authorized to enter into a contract with Crossroads Asphalt Recycling, Inc., 13421 Hawke Road, Columbia Station, OH 44028 in accordance with Section 1 of this Resolution.

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	_____	_____

ENGINEERING DEPARTMENT



Matthew J. Castelli, Mayor

**Kimberly R. Kerber, PE**  
Senior Engineering Manager - Cleveland  
Principal Engineer

**M E M O**

TO: Mayor Castelli and Council  
FROM: Kimberly R. Kerber  
DATE: March 30, 2026  
RE: 2026 General Pavement Services  
CC: Jim Herron  
Jason Stewart


Attached is the bid tabulation for the referenced project. We have reviewed the bid and we also performed a certified search of the unresolved findings database for Crossroads Asphalt Recycling, Inc., and a copy is attached hereto.

The low bidder was Crossroads Asphalt Recycling, Inc. in the amount of \$534,297.50. Crossroads Asphalt Recycling, Inc. has the required experience and equipment, and has previously provided this work in Middleburg Heights and similar type of work in several cities including Berea and Olmsted Falls. Antonio Armagno with the City of Berea; and Joe Borczuch, Olmsted Falls Service Director gave favorable recommendations. Crossroads Asphalt Recycling, Inc. is ODOT prequalified.

I recommend that the contract in the amount of \$500,000.00 be awarded to

Crossroads Asphalt Recycling, Inc.  
13421 Hawke Road  
Columbia Station, OH 44028

as being the lowest and best bid.

  
Kimberly R. Kerber  
City Engineer

\brj



**Office of Auditor of State**  
88 East Broad Street  
Post Office Box 1140  
Columbus, OH 43216-1140

Auditor of State - Unresolved Findings for Recovery Certified Search

(614) 466-4514  
(800) 282-0370

I have searched The Auditor of State's unresolved findings for recovery database using the following criteria:

Contractor's Information:

Name: **CIEHANOSKI, JEREMY**  
Organization: **CROSSROADS ASPHALT**  
Date: **3/30/2026 2:37:08 PM**

This search produced the following list of **17** possible matches:

Name/Organization	Address
Partlow, Jeremy	8839 East Glow Ct.
Cleveland Academy of Math, Science and Technology	
Crocker, James	15921 St. Route 709 Lot10
Crockett, Steve	3280 Morse Rd., Suite 214
Crosby, Ph.D., Edward	437 Silver Meadows Blvd.
Crossroads Preparatory Academy	350 Columbus City Center Drive
Darst, Jerry	4027 Kemper Hollow
Harte Crossroads Academy	350 Columbus City Center Drive
Harte Crossroads High School	350 Columbus City Center Drive
Harte Crossroads Public Schools	350 Columbus City Center Drive
Johnson, Jerome	2378 North Bend Rd. #4
Kimbrough, Jermaine	2000 Prespect Avenue #101
McKinney, Jerry	McKinney & Assoc. Realty, P.O. Box 9392
McKinney, Jerry	5701 Market st.
Miles, Jeremiah	
Unimicro, Inc., Mr. Benedict Uguru, President	1463 Warrensville Center Road #106
Worthington, Jerry	142 E. Raymond St.

The above list represents possible matches for the search criteria you entered. Please note that pursuant to ORC 9.24, only the person (which includes an organization) actually named in the finding for recovery is prohibited from being awarded a contract.

If the person you are searching for appears on this list, it means that the person has one or more findings for recovery and is prohibited from being awarded a contract described in ORC 9.24, unless one of the exceptions in that section apply.

If the person you are searching for does not appear on this list, an initialed copy of this page can serve as documentation of your compliance with ORC 9.24(E).

Please note that pursuant to ORC 9.24, it is the responsibility of the public office to verify that a person to whom it plans to award a contract does not appear in the Auditor of State's database. The Auditor of State's office is not responsible for inaccurate search results caused by user error or other circumstances beyond the Auditor of State's control.

## CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2026-

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

### **A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING & PAVING CO., INC. FOR THE INDIAN CREEK/GERALD SANITARY RELIEF SEWER IMPROVEMENT PROJECT PHASE 1**

WHEREAS, pursuant to legal advertisement duly made, sealed bids were received on February 27, 2026, for the **Indian Creek/Gerald Sanitary Relief Sewer Improvement Project Phase 1 OPWX No. CA13Y** in accordance with specifications on file with the City Engineer; and

WHEREAS, the City Engineer is recommending acceptance of the bid of Fabrizi Trucking & Paving Co., Inc., 20389 First Avenue, Middleburg Heights, OH 44130 for the Indian Creek/Gerald Sanitary Relief Sewer Improvement Project Phase 1 OPWX No. CA13Y in the amount of \$10,284,080.00 being the only bid submitted, is determined to be the lowest and best bid, therefore.

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

Section 1: That the bid of Fabrizi Trucking & Paving Co., Inc. for the Indian Creek/Gerald Sanitary Relief Sewer Improvement Project Phase 1 in the amount of \$10,284,080.00 being the only bid submitted, pursuant to legal advertisement and specifications on file with the City Engineer, be and the same is hereby accepted.

Section 2: That the Mayor and Finance Director are hereby authorized to enter into a contract with Fabrizi Trucking & Paving Co., Inc., 20389 First Avenue, Middleburg Heights, OH 44130 in accordance with Section 1 of this Resolution.

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	_____	_____

ENGINEERING DEPARTMENT



Matthew J. Castelli, Mayor

**Kimberly R. Kerber, PE**  
Senior Engineering Manager - Cleveland  
Principal Engineer

MEMO

TO: Mayor Matthew J. Castelli and Council  
FROM: Kimberly R. Kerber  
DATE: March 30, 2026  
RE: Indian Creek / Gerald Sanitary Relief Sewer Improvement Project Phase 1  
O.P.W.C. No. CA13Y

CC: Jim Herron  
Jason Stewart

We received one bid on February 27, 2026 from Fabrizi Trucking & Paving Co., Inc (Fabrizi) in the amount of \$10,284,080.00 for the Indian Creek/Gerald Sanitary Relief Sewer Project. Attached is the bid tabulation for the referenced project. We have reviewed the bid and we also performed a certified search of the unresolved findings database for Fabrizi and a copy is attached hereto.

Fabrizi has the required experience and equipment, and has previously provided a similar type of work in several cities including Fairview Park, Strongsville and Parma. Michael Evans from DLZ with the City of Shaker Heights, Bryan Celik with the City of Cleveland Heights and Shaun Duffala with Lorain County have provided favorable recommendations.

Fabrizi's bid was over the engineer's estimate of \$ 8,900,000.00, but within the twenty percent (20%) threshold allowed to award the project. The administration has had discussions with the Northeast Ohio Regional Sewer District (NEORS) regarding availability of additional funds for the project. The NEORS said the City can apply for an additional Member Community Infrastructure Program (MCIP) grant even if the project is awarded by City Council. The NEORS is releasing the MCIP application process in early April and applications will be due in May. As in past years we anticipate that MCIP project awards will be announced in September 2026.

We plan to pursue this additional funding, which will delay beginning construction until Fall 2026. We are requesting the project be awarded to Fabrizi so that they can secure the necessary materials (pipe) at current prices.

ENGINEERING DEPARTMENT



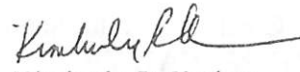
Matthew J. Castelli, Mayor

**Kimberly R. Kerber, PE**  
Senior Engineering Manager - Cleveland  
Principal Engineer

I recommend that the contract in the amount of \$10,284,080.00 be awarded to

Fabrizi Trucking & Paving Co., Inc.  
20389 First Avenue  
Middleburg Heights, Ohio 44130

as being the lowest and best bid.

  
Kimberly R. Kerber  
City Engineer

\brj

ENGINEERING DEPARTMENT



Matthew J. Castelli, Mayor

Kimberly R. Kerber, PE  
Senior Engineering Manager - Cleveland  
Principal Engineer

**BID TABULATION**

**Indian Creek / Gerald Sanitary Relief Sewer Improvement Project Phase 1 O.P.W.C. No.  
CA13Y**

**March 30, 2026**

<u>Contractor</u>	<u>Bid Amount</u>	<u>Difference from Lowest Bidder</u>
Fabrizi Trucking & Paving Co., Inc.*	\$ 10,284,080.00	

\*denotes a mathematical error

Engineers Estimate: \$ 8,900,000.00



Office of Auditor of State  
88 East Broad Street  
Post Office Box 1140  
Columbus, OH 43216-1140

Auditor of State - Unresolved Findings for Recovery Certified Search

(614) 466-4514  
(800) 282-0370

I have searched The Auditor of State's unresolved findings for recovery database using the following criteria:

Contractor's Information:

Name: **Fearer, Maria**  
Organization: **Fabrizi Trucking & Paving Co., Inc.**  
Date: **3/25/2026 12:32:48 PM**

This search produced the following list of **43** possible matches:

Name/Organization	Address
Ford, Maria	1105 Lantern Trail Ave.
Mirza, Maria	2200 Old U.S. Highway 33
Stiffler, Maria	
Anderson, Margie	1248 Paddock Hills
Bates, Marvin	12 Tank Hill
Brown, Tamara	Unknown
Bruno, Mary	30 West Front Street
Congo, H. Marie	5170 Poets Way
Coon, Marion	3 N. High Street
Cortes, Tamara	11770 Lassiter Drive
Culp, Mary	423 Buckeye Street
D'Amico, Mario	4999 Pine Avenue
Daugherty, Mary	118 Bone Street Apt. #3
Dozier, Margaret	248 Main Street
Dozier, Margaret	248 Main Street
Gaddiss, Tamara	
Grinner, Martha	
Hill, Marlene	2470 Chelsea Drive
Holeton, Tamara	1317 Mills St.
Ireton, Margaret	2800 Hatfield Road
Jeffers, Marilyn	8411 Stout Road
Johnson, Marcia A.	4502 East Paradise Village Parkway S. Apartment 20
Johnson, Mary	1853 Finley Chapel Rd.
Lisath, Mark	3280 Morse Rd., Suite 214
May, Marcus	DC# F30130
McMullen, Margie	905 Linkwood Drive
Nichol, Mark	7360 S.R. 45

Name/Organization	Address
Olds, Mark	38510 Flanders Drive
Pavlovsky, Marilyn	1096 Shepherd Lane
Pawlowski, Mary	3671 Good road
Perkins, Martha	163 S. High St.
Potts, Mark	107 Boulder Drive
Reynolds, Maranda	204 E. Main Street
Rhinehart, Mary	3151 Clime Road
Ricketts, Mark	335 Willow Road
Roberts, Mary B	2922 Norwood Dr
Robinson, Mary Sue	2414 North 2nd Street
Robinson, Markisha	3897 E. 155th Street
Robinson, Kimberly Marie	
Schweikert, Mark	109 Conren Drive
Silliman, Margaret	4999 Polecat Rd
Thompson, Marcy	16576 State Route 45
Wright (AHRMS Management Company), Marcus	

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The above list represents possible matches for the search criteria you entered. Please note that pursuant to ORC 9.24, only the person (which includes an organization) actually named in the finding for recovery is prohibited from being awarded a contract.

If the person you are searching for appears on this list, it means that the person has one or more findings for recovery and is prohibited from being awarded a contract described in ORC 9.24, unless one of the exceptions in that section apply.

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**CITY OF MIDDLEBURG HEIGHTS, OHIO**

Resolution No. 2026-

Introduced By: Mayor Matthew Castelli

**A RESOLUTION**

**AUTHORIZING THE MAYOR TO ENTER INTO A JOINT CONSTRUCTION PROJECT AGREEMENT FOR THE CONSTRUCTION OF A NEW SANITARY SEWER ALONG WEST 130<sup>TH</sup> STREET FROM WEST SPRAGUE ROAD TO BAGLEY ROAD**

WHEREAS, West 130<sup>th</sup> Street is a major thoroughfare, running in a north/south direction and borders Middleburg Heights and Parma; and

WHEREAS, the City of Middleburg Heights and the City of Parma, (“the parties”) are desirous of working collaboratively to install a new sanitary sewer along West 130<sup>th</sup> Street from West Sprague Road to Bagley Road; and

WHEREAS, the parties wish to enter into an agreement to formalize the understanding of each party’s duties and obligations associated with this project.

NOW, THEREFORE, BE IT RESOLVED 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 joint construction project agreement with the City of Parma for the construction of a new sanitary sewer along West 130<sup>th</sup> Street from West Sprague Road to Bagley Road, 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 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: \_\_\_\_\_

Approved On: \_\_\_\_\_

Clerk of Council

Presented to Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

**AGREEMENT FOR A JOINT CONSTRUCTION PROJECT BETWEEN THE MUNICIPALITIES OF  
MIDDLEBURG HEIGHTS AND PARMA FOR THE CONSTRUCTION OF A NEW SANITARY  
SEWER ALONG WEST 130<sup>TH</sup> STREET FROM WEST SPRAGUE ROAD TO BAGLEY ROAD**

This Agreement (the "Agreement") made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by and between the city of Middleburg Heights, Ohio, an Ohio municipal corporation, with its main offices located at 15700 Bagley Road, Ohio 44130 (the "Middleburg Heights") and the city of Parma, Ohio, an Ohio corporation, with its main offices located at 6611 Ridge Road, Parma, Ohio 44129, County of Cuyahoga, State of Ohio, collectively referred to as the "Parties"

**I. RECITALS**

**A. General Background**

1. West 130<sup>th</sup> Street is a major thoroughfare, running in a north/south direction and borders Middleburg Heights and Parma.
2. The parties are desirous of the installation of a new sanitary sewer along West 130<sup>th</sup> Street from West Sprague Road to Bagley Road. (the "Project").
3. This portion of West 130<sup>th</sup> Street is located on the border of Middleburg Heights and Parma. The corporate limit is approximately the center line of West 130<sup>th</sup> Street.
4. The parties have agreed that, regardless of city boundaries, the fees for Construction Services for this project will be split equally between each party, unless otherwise mutually agreed upon.
5. The parties are desirous of working collaboratively to install this new sanitary sewer along West 130<sup>th</sup> Street and enter this Agreement to formalize the understanding of each party's duties and obligations associated with this project.
6. The parties acknowledge that numerous sources of funding may be incorporated into this project, including but not limited to funds from the Northeast Ohio Regional Sewer District (NEORS), the Ohio Public Works Commission (OPWC), the Environmental Protection Agency (EPA), and/or others as mutually agreed upon by both Middleburg Heights and Parma. The parties agree that should those funding streams be decreased, or cease to be available for this project, the fees for the Construction Services relating to this project will continue to be split equally between the parties.
7. The parties agree that any changes to this Agreement shall be in writing and agreed upon by the signature of representatives of each party.

## **B. Municipal Authority**

1. The Parties, each being authorized by Article XVIII of the Ohio Constitution and Section 715.02 of the Ohio Revised Code and their respective Charter and Ordinances, are fully authorized to enter into, execute, and carry out the terms of this Agreement. This Agreement is predicated upon the parties' mutual understanding that the installation of a new sanitary sewer along West 130<sup>th</sup> Street will be a great benefit to the Parties and their residents.
2. Pursuant to Ohio Revised Code Section 715.02, the Parties wish to provide for apportionment of construction, maintenance and/or management costs affiliated with this project.
3. Pursuant to Ohio Revised Code Section 715.02, the Parties have taken all steps to properly have this Agreement ratified, including approval by the necessary legislative bodies of Middleburg Heights and Parma.
4. This Agreement memorializes the understanding of the Parties relative to the completion of this Project and is intended to be comprehensive in scope.

## **II. AGREEMENT**

In consideration of the foregoing recitals, and in consideration of the performance of various commitments detailed herein, and acting in good faith in compliance with the terms herein, the Parties hereby agree as follows:

### **A. Cooperation**

The Parties wish to cooperate fully as set forth in the terms of this Agreement to fulfill the public purpose of providing a new sanitary sewer as described herein to be shared by Middleburg Heights and Parma and to complete this project in a safe, efficient, and economical manner.

### **B. Parma's Duties and Responsibilities:**

1. Parma shall cooperate in a timely fashion to provide appropriate turnarounds for all required reviews and approvals such that construction can commence, proceed, and conclude in a prompt and efficient manner.
2. Parma will serve as the "lead" entity on this project and agrees to promptly share any information, details, and updates concerning this project and its funding with Middleburg Heights.
3. Parma agrees to work collaboratively with Middleburg Heights on matters generally included in the design and construction process, including but not limited to the logistics and costs for temporary signage, traffic control components, and flagmen.

4. Parma will submit all correspondence, including any billing statements, to Middleburg Heights, addressed as follows:

James Herron  
Director of Public Service  
15700 Bagley Road  
Middleburg Heights, Ohio 44130

**C. ~~Middleburg Heights~~ Duties and Responsibilities:**

1. Middleburg Heights shall cooperate in a timely fashion to provide appropriate turnarounds for all required reviews and approvals such that construction can commence, proceed, and conclude in a prompt and efficient manner.
2. Middleburg Heights will submit all correspondence, including any billing statements, to the City of Parma, addressed as follows:

Hasmukh Patel, P.E.  
City Engineer  
City of Parma  
6611 Ridge Road  
Parma, OH 44129

3. Middleburg Heights agrees to work collaboratively with Parma on matters generally included design and construction process, including but not limited to the logistics and costs for temporary signage, traffic control components, and flagmen.

**III. AGREED UPON SCHEDULE**

The parties agree to the following schedule for this project:

- Funding Applications April 2026 ☐ October 2026
- Design December 31<sup>st</sup>, 2026
- Construction March 2027 ☐ Nov. 2027
- Project Closeout December 2027

**SIGNATURE:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City of Parma

TITLE:

\_\_\_\_\_  
Middleburg Heights

TITLE: