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VILLAGE COUNCIL MEETING

TAKEN:

JANUARY 20, 2010

5:00 P.M.

PRESENT:

MAYOR JOHN LICASTRO

MARY BECKENBACH

THOMAS McDONALD

GEORGE MATEYO

WILLIAM BOLTON

ANDREW KESSELEM

PAUL STEPHAN

ADAM CORNETT, ESQ.

Nancy L. Molnar, RPR

1 MAYOR LICASTRO: I'm going to call the
2 meeting to order and ask the clerk to call the
3 roll, please.

4 MR. GALLAGHER: Ms. Beckenbach?

5 MS. BECKENBACH: Here. 17:03:19

6 MR. GALLAGHER: Mr. Bolton?

7 MR. BOLTON: Here.

8 MR. GALLAGHER: Mr. Kesselem?

9 MR. KESSELEM: Here.

10 MR. GALLAGHER: Mr. Mateyo? 17:03:27

11 MR. MATEYO: Here.

12 MR. GALLAGHER: Mr. McDonald?

13 MR. McDONALD: Here.

14 MR. GALLAGHER: Mr. Stephan?

15 MR. STEPHAN: Here. 17:03:30

16 MR. GALLAGHER: Thank you.

17 MS. BECKENBACH: I'd like to make a
18 motion to move into executive session.

19 MR. MATEYO: Second.

20 MAYOR LICASTRO: Roll call, please. 17:03:49

21 MR. GALLAGHER: Ms. Beckenbach?

22 MS. BECKENBACH: Aye.

23 MR. GALLAGHER: Mr. Bolton?

24 MR. BOLTON: Aye.

25 MR. GALLAGHER: Mr. Kesselem? 17:03:27

1 MR. KESSELEM: Aye.

2 MR. GALLAGHER: Mr. Mateyo?

3 MR. MATEYO: Aye.

4 MR. GALLAGHER: Mr. McDonald?

5 MR. McDONALD: Aye. 17:03:19

6 MR. GALLAGHER: Mr. Stephan?

7 MR. STEPHAN: Aye.

8 MR. GALLAGHER: Thank you.

9 (Whereupon, the Council went into

10 executive session.) 17:29:50

11 MS. BECKENBACH: I'd like to make a

12 motion that we move back to open session.

13 MAYOR LICASTRO: Roll call, please.

14 MR. GALLAGHER: Ms. Beckenbach?

15 MS. BECKENBACH: Aye. 17:03:19

16 MR. GALLAGHER: Mr. Bolton?

17 MR. BOLTON: Aye.

18 MR. GALLAGHER: Mr. Kesselem?

19 MR. KESSELEM: Aye.

20 MR. GALLAGHER: Mr. Mateyo? 17:03:19

21 MR. MATEYO: Aye.

22 MR. GALLAGHER: Mr. McDonald?

23 MR. McDONALD: Aye.

24 MR. GALLAGHER: Mr. Stephan?

25 MR. STEPHAN: Aye. 17:03:19

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MR. GALLAGHER: Thank you.

(Whereupon, Council came out of
executive session.)

1 MAYOR LICASTRO: Okay. As you know, we
2 opened the meeting and went into executive
3 session. Let the record reflect that. Mr.
4 Gallagher called the roll as a rule of law. We
5 are now back in open session. Welcome. Happy
6 New Year and welcome to our new Council members.
7 This is their first Council meeting.

00:00:39

8 And without further ado, I would ask to
9 move on with the agenda and ask for the
10 correction of the minutes for the December
11 meeting.

00:00:39

12 MS. MEADE: Was there anything to report
13 from executive session?

14 MAYOR LICASTRO: No.

15 MS. MEADE: Thank you.

00:00:39

16 MAYOR LICASTRO: Did you have some
17 corrections to make? Mr. Bolton, please.
18 Correction to the minutes?

19 MR. BOLTON: No, sir, I was waving to a
20 member of the audience.

00:00:39

21 MAYOR LICASTRO: Whoever it is, please
22 wave back to Mr. Bolton. Mr. Stephan, do you
23 have some questions?

24 MR. STEPHAN: I have a lot of
25 corrections, but we're not authorized to vote on

00:00:39

1 the minutes, so I withhold those.

2 MR. CORNETT: You can make suggestions
3 as to any additions or revisions to the minutes.

4 MR. STEPHAN: I've done that. She has
5 the corrections. 00:00:39

6 MR. CORNETT: I think one of the Council
7 members would like to recommend those corrections
8 and revisions be adopted or suggestions.

9 MR. MATEYO: I so move.

10 MR. BOLTON: Second. 00:00:39

11 MAYOR LICASTRO: So there's a motion to
12 accept the minutes as corrected and there's a
13 second. Any further discussion? All in favor of
14 the motion?

15 Ayes: 3. Nays: 0. Abstentions: 3. 00:00:39

16 MAYOR LICASTRO: And there's only three
17 people can vote. The other three are abstaining.

18 MR. STEPHAN: I do have some questions.
19 And as a matter of protocol, by what means would
20 you like for me to ask the questions or state
21 some observations? 00:00:39

22 MAYOR LICASTRO: Are they pertinent to
23 the minutes?

24 MR. STEPHAN: Yes.

25 MAYOR LICASTRO: Probably right now. 00:00:40

1 MR. STEPHAN: Well, my first observation
2 is there are 77 pages of transcription from the
3 previous month's minutes. And there are -- well,
4 there are not a whole lot of pages that relate to
5 the actual business of Council passing of motions
6 and so forth. 00:00:40

7 And so what I would like to -- again, I
8 don't know the formal procedure, but I would like
9 to ask looking at the agenda with a large
10 audience, and we've already been in executive
11 session for an hour. To get to the business at
12 hand, I would like to suggest suspending until
13 the end of the after new business or even
14 suspending permanently the certain items from the
15 minutes, the Mayor's court report, the
16 correspondence, the Mayor's report, just for the
17 sake of expediting the meeting. 00:00:40

18 I don't know what the proper mechanism
19 is, however, to do something like that, whether
20 it would be discussed in a committee or it's just
21 an observation. 00:00:40

22 MR. CORNETT: It would, in essence, have
23 to be suggested by Council and if it's approved
24 by Council, it would be --

25 MR. McDONALD: Are you suggesting doing 00:00:40

1 away with that part of the meeting.

2 MR. STEPHAN: No, not at all. I'm
3 suggesting that, for example, all of the
4 correspondence and the Mayor's report, for
5 example, and I think the Mayor's court report and 00:00:40
6 I would ask even department reports if those
7 could all be posted on the website and it may not
8 be necessary to take the time to go through all
9 of those items and to transcribe all of them at
10 each Council meeting; or they could be moved to 00:00:40
11 the end of the meeting.

12 I'm really pleased that there are so
13 many residents to see this level of interest in
14 Council activity. It's wonderful. And I'm just
15 asking if the business of Council could be 00:00:40
16 addressed first. It's just a question.

17 MAYOR LICASTRO: Mr. Stephan, this is
18 really the business of the Village. And
19 information that's disseminated from
20 correspondence and the Mayor's report and the 00:00:40
21 department reports really are pertinent to the
22 Village as a whole.

23 Now, if you're differentiating between
24 my role as Mayor and your role as a Council
25 person, that's all well and good, but I think 00:00:40

1 there's information that should be disseminated
2 here. And by the way, by talking about it at
3 this meeting, it does end up on the web in the
4 form of the minutes.

5 I think there's merit to this. I 00:00:40
6 suggest we go ahead with the agenda as written
7 and perhaps we can consider your concerns or
8 suggestions in the future.

9 MR. STEPHAN: So be it.

10 MAYOR LICASTRO: Was there more than 00:00:40
11 that, sir?

12 MR. STEPHAN: I'll withhold the other
13 questions at this point.

14 MAYOR LICASTRO: Thank you. Mr. Mateyo,
15 did you have a question? 00:00:40

16 MR. MATEYO: I have a follow-up to Paul.
17 Is there anything in the Ohio Revised Codes that
18 mandates how a meeting should or should not be
19 run?

20 I know it mandates what committees we 00:00:40
21 may or may not have. Does it mandate an agenda
22 or is that more of a Village guideline?

23 MR. CORNETT: It's more of a Village
24 guideline. It's not -- there are certain aspects
25 of things that need to be covered in the meeting, 00:00:40

1 in the minutes or at least in a meeting. And the
2 way that it's set out is done by Village
3 ordinances, at least Council rules that have been
4 voted on in the past.

5 MR. MATEYO: Thank you. 00:00:40

6 MAYOR LICASTRO: Thank you. The Mayor's
7 Court Report for December: The County Treasurer
8 received \$665; the Village of Bratenahl, \$36,586;
9 the Treasurer of the State of Ohio, \$5,410; and
10 the court computer fund, \$1,390. Any questions 00:00:40
11 on this? Thank you.

12 The Ohio Revised Code by matter of law
13 has the Mayor, as the president of Council.
14 However, we have a Council president pro tem.
15 That individual's primary function is in case 00:00:40
16 something were to happen to the Mayor, that
17 individual becomes the acting Mayor until the
18 next general election.

19 So at this particular point, we are
20 going to move to the election of Council 00:00:40
21 president pro tem. Are there nomination? Mr.
22 Stephan.

23 MR. STEPHAN: With respect to his
24 leadership and timely and complete communication
25 with every resident of the Village, I nominate 00:00:40

1 Mr. Bolton for president of Council.

2 MAYOR LICASTRO: Thank you. Are there
3 any other nominations? Mr. Mateyo.

4 MR. MATEYO: It gives me great pleasure
5 to nominate Ms. Beckenbach for president of
6 Village Council of Bratenahl. She successfully
7 won reelection to our Village Council, has
8 experienced interest and knowledge having served
9 as president of Council to continue to lead our
10 Council in this current term.

11 There are few, if any, streets she has
12 not walked and even fewer people she has not met.
13 She understands the workings of our Village and
14 the Ohio Revised Code under which we all must
15 work. I believe Mary is very qualified to be
16 president of the Bratenahl Village Council.

17 MAYOR LICASTRO: Are there any other
18 nominations? Would someone please move the
19 nominations be closed?

20 MR. McDONALD: So move.

21 MR. MATEYO: Second.

22 MAYOR LICASTRO: We have two very
23 qualified candidates. We can do this several
24 ways. We can do it by secret ballot or we can do
25 it by raising hands or voice ballot. What's

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1 Council's preference?

2 MR. STEPHAN: I have no preference.

3 MR. MATEYO: Voice, it's faster.

4 MR. BOLTON: If it goes to a second

5 ballot, perhaps that should go to a secret. 00:00:40

6 MAYOR LICASTRO: Whatever Council
7 prefers. So you want the first ballot to be by
8 voice and the second to be written.

9 MR. BOLTON: Please.

10 MAYOR LICASTRO: Then all those in favor 00:00:40
11 of Mr. Bolton as Council president pro tem, raise
12 your hands, please.

13 Thank you. All those in favor of Mary
14 Beckenbach as Council president, raise your
15 hands. 00:00:40

16 I see. Under the Ohio Revised Code I
17 have the right to cast the deciding vote in case
18 there's a tie, but let's go to a secret ballot
19 and see what transpires. Take one and pass them
20 down. If you could write the name of your 00:00:40
21 preferred candidate on a piece of paper and then
22 we'll have Mr. Cornett be our official tally
23 person.

24 MR. CORNETT: I can do that.

25 MAYOR LICASTRO: This has to be decided 00:00:40

1 by the majority of Council.

2 MR. CORNETT: Three for Mr. Bolton,
3 three for Ms. Beckenbach. The result is a tie.

4 MR. BOLTON: Mr. Mayor, could I make a
5 brief statement? 00:00:40

6 MAYOR LICASTRO: Absolutely, Mr. Bolton.

7 MR. BOLTON: Because I understand you're
8 going to place a vote to break the tie, I want to
9 say that whichever way you vote, I am going to

10 support you and look forward to working with 00:00:40

11 Council. If I'm the person you vote for, I'm
12 most honored and look forward to working with all
13 of Council; and if Ms. Beckenbach is chosen, I'm
14 looking forward to working with her and all of
15 Council, too. 00:00:40

16 MS. BECKENBACH: And I will do the same.
17 I appreciate that, Bill.

18 MAYOR LICASTRO: Thank you. That's very
19 nice to hear. Thanks, Mr. Bolton. With that
20 being said, again under the Ohio Revised Code I 00:00:40

21 have a right to cast a deciding vote. Even
22 though both candidates are very qualified and
23 willing to be cooperative, I would cast my vote
24 for Mary Beckenbach. Congratulations.

25 MS. BECKENBACH: Thank you. 00:00:40

1 MAYOR LICASTRO: Moving on to
2 correspondence. Last month we had Bonnie Teeuwen
3 here from ODOT. And we expressed concern over
4 several issues, sound walls, the baffle on the
5 bridges and the light timing and sequence on Eddy
6 Road. Perhaps some of you are aware that they
7 were very proactive and within a week of our
8 meeting they had crews on site that did correct
9 the timing of the lights at Eddy Road.

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10 So specifically the eastbound light that
11 controls the on ramp, because of microwave relays
12 in the ground will now hold for 24 seconds. It
13 used to be about four. If you're coming from
14 Bratenahl Place and trying to get through the
15 first light and make the second, it's almost
16 impossible. It's now very possible. So again,
17 thanks to ODOT for their efforts.

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18 Again, it's not just a temporary fix.
19 There are now microwave loops in the ground that
20 if the traffic is sufficient and triggers the
21 loop, again, it's up to 24 seconds to make that
22 turn without having to crash the light. So FYI.
23 Thank you.

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24 Council received a letter from Mr. Peter
25 Broer who lives on the boulevard expressing some

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1 concern with the outside inspection program.

2 Do you want to comment on that, Ms.
3 Beckenbach?

4 MS. BECKENBACH: No.

5 MAYOR LICASTRO: She doesn't want to 00:00:40
6 comment. Anyway, Mr. Broer feels that the
7 appearance of interior courtyard spaces that are
8 not visible to the street or neighbors should not
9 be of concern to the Village or its ordinances as
10 it's our private business whether our garage door 00:00:40
11 needs painting or not. It's visible to no one.

12 He goes on to say some other things that
13 pretty much expresses displeasure with the
14 outside inspection program. As most of you know,
15 we've had this program in place for over a year. 00:00:40
16 I can't be certain of my numbers, but the initial
17 violation notices were about 180. There were
18 about 90 or so that went out as second
19 violations. How many third violations, Mr.
20 Jamieson? 00:00:40

21 MR. JAMIESON: Here's the report.

22 MAYOR LICASTRO: Thank you.

23 MR. JAMIESON: It's a summary of the
24 whole area.

25 MAYOR LICASTRO: Thank you. 565 00:00:40

1 inspections; 312 had no violations; 353
2 violations; extensions were granted to 141; 93
3 complied; and only 19 residents have a third
4 violation notice pending. That's a really
5 wonderful response from the residents. We thank
6 them for their efforts. The value of our housing
7 stock and its condition is credible on the fiscal
8 health of this community, which is why Council
9 took this action to institute this plan.
10 Regardless, Mr. Broer has expressed some
11 displeasure.

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12 MS. BECKENBACH: I just want to say I
13 think the program itself has been incredibly
14 successful. And people seem to have welcomed it
15 and have welcomed it in the past and that's why
16 we initiated it in the first place. For example,
17 if you go down Foster, the improvements, I would
18 say, 100 percent of the houses down there is
19 remarkable. It's just like a brand-new street.
20 It's quite, quite beautiful.

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21 And I think because all of the houses
22 within this community are old, it's important for
23 us to keep them in the appropriate condition in
24 order to have this Village stay as lovely as it
25 is not only in a historical perspective, but in

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1 an economic perspective and in a house value's
2 perspective. And we've done a wonderful job.

3 MAYOR LICASTRO: Did you have your hand
4 up, Mr. Mateyo?

5 MR. MATEYO: I think it's very important 00:00:40
6 and I feel wonderful when I see Dr. Rollins, when
7 I see Dr. Robins and what they are doing in the
8 inside of their home. It would seem to me it's
9 good for all of us. So the inspection is the
10 outside, but I think it's very important that the 00:00:40
11 more we keep adding and upgrading, the better off
12 we all are on a continuing historical basis.

13 MAYOR LICASTRO: Thank you, sir. Anyone
14 else? Mr. Bolton.

15 MR. BOLTON: I have the pleasure to be 00:00:40
16 Mr. Broer's neighbor and friend. And I know that
17 they take great pride in their house and they
18 work very hard to keep it up. I would urge that
19 the responsible committee consider the letter and
20 consider whether there's a better way to 00:00:40
21 communicate both the coming of an inspection and
22 the results of the inspection so that the
23 homeowner or any homeowner doesn't feel surprised
24 or angry about the fact that their house was
25 inspected or any particular violations which they 00:00:40

1 might have received.

2 MS. BECKENBACH: I'll be happy to put
3 that in the community affairs committee if you'd
4 like.

5 MAYOR LICASTRO: Is that a motion? 00:00:40

6 MS. BECKENBACH: I move that it go to
7 the community affairs committee.

8 MAYOR LICASTRO: Is there a second?

9 MR. BOLTON: I second.

10 MAYOR LICASTRO: Any discussion? All in 00:00:40
11 favor of the motion.

12 Ayes: 6. Nays: 0.

13 MAYOR LICASTRO: Thank you. We received
14 a notification from the Waste Management
15 advisory. Perhaps you're aware we contract with 00:00:40
16 Court Community Service to clean the on and off
17 ramps on the freeway. That's the ODOT
18 right-of-way. The amount of garbage that
19 accumulates there is just beyond belief in the
20 course of a couple days. So this is a report 00:00:40
21 that shows the work done by this entity to pick
22 up this litter for 2009.

23 Now, the good news is that Bratenahl
24 ended up in fourth place, but that, of course, is
25 also the bad news. East Cleveland had 691 bags 00:00:40

1 picked up; Bratenahl had 302; for a total
2 expenditure of 395 man-hours. It's disturbing
3 that that much trash is thrown out of people's
4 windows. I don't really understand the mindset,
5 but we're fortunate that the Court Community
6 Service takes misdemeanor offenders that can't
7 perhaps afford the fines and puts them to work.
8 You'll see them out there with their orange vests
9 on the freeway in the right-of-way picking up the
10 trash. So we wish it didn't have to be so.

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11 We actually wish they'd come out more
12 than the 11 times they came out last year. We
13 always are on their case, Mr. Zalar will attest
14 to that, to try to get them out more frequently,
15 but certainly it would be a lot worse if they
16 didn't do what they do. Any questions on that?

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17 We received an email actually from Beau
18 Daane, good to see you tonight, regarding the
19 First Energy plan for metal contamination
20 abatement in the power plant effluent.

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21 Basically, what First Energy is
22 suggesting is they be permitted to modify their
23 permit to change the way copper and mercury are
24 both defined in their wastewater and the way
25 they're regulated. I know several of the Council

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1 people are going to be attending the public
2 hearing at the end of this month.

3 MS. BECKENBACH: Tomorrow.

4 MR. DAANE: It's tomorrow night.

5 MAYOR LICASTRO: Thank you very much. 00:00:41

6 In that regard, I drafted a letter and sent it to
7 Council for their consideration and signature.

8 And it expresses to the Ohio EPA this Council and
9 my concern that indeed First Energy's request be

10 denied. Now, I could read you the letter. It's 00:00:41

11 a little bit wordy. You're welcome to have a
12 copy of it. But, I'm assuming that is Council's
13 intent, everyone thinks this is a bad idea.

14 MR. MATEYO: Yes.

15 MAYOR LICASTRO: I would ask for those 00:00:41
16 that attend the meeting tomorrow, please give us
17 a report at the next Council meeting to let us
18 know what transpired. Yes.

19 MR. DAANE: If I could say it's open to
20 anybody. It's 6:30 tomorrow night at Horizon 00:00:41

21 Academy, which is the old AAA right next to the
22 Fox offices over here, 55th basically. 6:30

23 tomorrow night. I think as many people of
24 Bratenahl that shows up is a good thing to fight
25 this. 00:00:41

1 MAYOR LICASTRO: I'll read some of the
2 key points. Number one, First Energy's requests
3 for two modifications regarding the environmental
4 permit as it pertains to the discharge of copper
5 and mercury. We respond by saying copper and
6 mercury can have a detrimental affect on human
7 health. We refer to a letter from the Sierra
8 Club that Beau sent us in his email. As a source
9 of our drinking water, fish and recreational use,
10 any additional pollutants in Lake Erie has a
11 direct impact on Bratenahl as well as surrounding
12 communities.

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13 Number two, the public has responded by
14 urging the EPA to reject First Energy's requests
15 for a permit modification. We respond by saying
16 on behalf of our community, we add our voice to
17 urge the EPA to reject the requests.

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18 Number three, the lack of demonstrative
19 need and justification for raising limits on
20 copper discharge and issuing a variance on
21 mercury levels, again refers to this Sierra Club
22 letter. We respond by saying we agree that
23 neither has been sufficiently proven by First
24 Energy.

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25 In conclusion, we say we urge the EPA to

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1 reject First Energy's permit modification
2 regarding discharge of copper and mercury into
3 Lake Erie. We will forward this on.

4 MS. BECKENBACH: Do you want us to
5 individually sign it? 00:00:41

6 MAYOR LICASTRO: I don't know if there's
7 room to do so, but you can do so if you want to
8 sign it.

9 MS. BECKENBACH: I think we should all
10 sign it. 00:00:41

11 MR. KESSELEM: Part of the links along
12 with this process, they had a schematic of the
13 fish that through the years over the last 10 or
14 15 years the fish taken from Lake Erie from
15 around our region area. And it did show such an
16 increase of mercury through the last maybe 10
17 years of fish. And this is going to add to that
18 amount of mercury within the water. 00:00:41

19 Is it minute? Yes, but it's almost one
20 percent of fish right at this time, so it's going
21 to add some more to it. It just shows the amount
22 of concentration of mercury within just our close
23 region. 00:00:41

24 MAYOR LICASTRO: Thank you, Mr.
25 Kesselem. Mr. Stephan. 00:00:41

1 MR. STEPHAN: My point is very simple.
2 Ohio EPA has set action levels for a reason. And
3 there's no reason that an individual should be
4 exempt from respecting those action levels. So
5 to request, had they made this request the minute 00:00:41
6 the action levels were set, because they were
7 invalid at the levels determined by Ohio EPA,
8 that would have some merit, but to wait until the
9 last minute because they don't -- for whatever
10 their reason, I don't know their motivation, it 00:00:41
11 seems to me that if there is a regulation, it
12 should be respected and go through the normal
13 channels. And if this is the normal channel,
14 fine, they can appeal, but we should say yes
15 because it's a food chain. It's not only the 00:00:41
16 fish, it's what then collects in the sediment and
17 gets stirred up later, so it's been known for a
18 long time. Johnny come lately request for appeal
19 doesn't impress me.

20 MAYOR LICASTRO: And the letter states 00:00:41
21 that and thank you all for signing it. One more
22 first -- oh, Mr. Robins.

23 MR. ROBINS: I wanted to support Andy's
24 comment that mercury is a well-known cumulative
25 in the food chain. But I'm curious, is this 00:00:41

1 increased mercury and copper content in the water
2 outflow or is it in the burning of the high
3 sulfur coal or a combination thereof?

4 MAYOR LICASTRO: It's the wastewater
5 that emanates from the plant, the Lake Shore
6 power plant. By the way, copper is necessary to
7 a certain level in human beings. Mercury is a
8 poison.

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9 MALE VOICE: Is there a way for us to
10 email the EPA and express our concerns about this
11 and say, hey, we don't want this and we're
12 opposed to raising their limits?

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13 MAYOR LICASTRO: We're going to send
14 this by email and carrier.

15 MR. KESSELEM: I'll be happy to send you
16 the link.

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17 MS. BECKENBACH: Beau, do you want to
18 tell us the link?

19 MR. DAANE: I can't remember. You can
20 email and just come see me after and I'll give
21 you my email. Andy, I think everybody has it.

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22 MR. KESSELEM: There's a very good part
23 on the website where the EPA is asking for
24 letters from all residents, not just government
25 facilities.

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1 MR. DAANE: I think you have one more
2 week to comment. One more week of public
3 comment.

4 MAYOR LICASTRO: Thank you.

5 MR. BOLTON: Mr. Mayor, thank you for 00:00:41
6 drafting the letter.

7 MAYOR LICASTRO: Thank you for helping
8 edit it. We received some coastal erosion
9 information that I've asked Mr. Bierut, our
10 Village engineer, to comment on. Would you 00:00:41
11 please, Don.

12 MR. BIERUT: Sure. Ohio Department of
13 Natural Resources released its 2010 Ohio Coastal
14 Erosion Areas first dated 1988 and maybe do it
15 every 22 years, I'm not sure, but this is the new 00:00:41
16 one. And what they do is they take an aerial
17 photograph. They took one in 1990, then another
18 one in 2004 and they locate the top of the bluff
19 or the edge of the water or whatever. They run
20 it through a computer analysis and try to figure 00:00:41
21 out if erosion is occurring. And there is. I
22 think we all know that.

23 None of Bratenahl falls in what they
24 call the coastal erosion area, but they do
25 identify -- they go about every hundred feet 00:00:41

1 where they have these points and they check both
2 in 1990 and where it was in 2004. And then using
3 some type of modeling that I'm not sure what it
4 is, they projected 30 years in the future and
5 they say, okay, at what we're seeing now you're
6 going to lose this much or gain this much of your
7 shoreline.

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8 So it requires you to go through this
9 and this and match it up and try to find out
10 where you're at. There's no addresses on this
11 thing, it's just a photograph. So what I've done
12 is I've marked up what they gave us at the points
13 where there's erosion occurring 30 years from
14 now. I'm going to leave both these here at the
15 Village Hall so anybody can take a look at them.

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16 It varies from under a foot to up to
17 five feet in a couple of areas about 30 years
18 from now. Don't forget that. It requires no
19 action by the Village because we're not in a
20 coastal erosion area. If you fall into that,
21 it's a permit issue and there's a lot more
22 regulations. There's also a website you can go
23 at to view this. I was on it today. It's a
24 little bit cumbersome. It's Ohiodnr.com/ceam.
25 So I assume that's Coastal Erosion Area Map

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1 maybe, Ohiodnr.com/ceam.

2 It's interesting. 30 years is a long
3 time. It doesn't take anything in what's been
4 done after 2004. So between 2004 and right now
5 2010, if anything's been done to the shoreline,
6 any erosion protection measures or construction,
7 it's not going to be reflected in what's been
8 done. So there is a lag.

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9 MAYOR LICASTRO: Thank you.

10 MR. BIERUT: If you come here and take a
11 look at this and are initially confused as I was,
12 you can call my office and I'll walk you through
13 it.

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14 MAYOR LICASTRO: The reason I wanted Mr.
15 Bierut to comment is I couldn't figure it out.

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16 If you have lake shore property and are
17 concerned, this copy is Village. Dr. Secura.

18 DR. SECURA: I'd like to know what their
19 assumptions are. Are they assuming the lake
20 level will stay the same? Based on what we see
21 with water usage, that may not be a good
22 assumption.

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23 MR. BIERUT: I spent a good amount of
24 time on the website and the limited material they
25 gave us and they don't list the assumptions. And

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1 they also don't list how you get from say they
2 predict five foot of erosion. Well, they have
3 this limit which puts you in the coastal erosion
4 category, but they don't tell you what that is.
5 They say based on certain parameters. I'm sure
6 we can find out, but I wasn't able to do it in
7 the time I worked on it.

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8 MAYOR LICASTRO: Thank you. One more
9 First Energy comment. We are, of course, aware
10 on Christmas Day we all had multiple momentaries
11 when the electricity goes off and resets, it's
12 called a momentary. I called Mr. Hogan on
13 Christmas Day twice and wished him a very happy
14 holiday. He is our rep with First Energy and
15 told him of the problem. I counted at least
16 eight or nine. There might have been more.

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17 MS. BECKENBACH: I had 22.

18 MAYOR LICASTRO: Mary had 22, her roast
19 never got done.

20 MR. MATEYO: Is that good or bad?

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21 MAYOR LICASTRO: At my insistence, CEI
22 did a complete early check, visual check of all
23 lines and tree branches. They indeed found a
24 tree south of the boulevard near the Coit Road
25 substation that was the culprit. The tree has

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1 been trimmed. They feel the problem has been
2 addressed. However, we're probably going to be
3 looking at some additional tree trimming in the
4 Village this year. It's an ongoing project for
5 First Energy, but at least the issues that caused
6 the momentaries on Christmas Day has been
7 resolved. Any questions? Thank you.

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8 The legislative report. Every month I
9 give an update on what's going on with the
10 general assembly. They've been in recess.
11 There's two items that are high on their radar.
12 Additional legislation regarding the regulation
13 oil and gas wells. We have four working wells in
14 the Village. We'll keep you apprised of how that
15 goes. They basically removed local control and
16 it's now being administered by ODNR. It used to
17 be under the purview of local communities and the
18 general assembly is always trying to usurp local
19 control. We will track that for you.

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20 The other thing that's on a fast track
21 is banning texting while driving. I saw a bumper
22 sticker it said, "Honk if you love Jesus. Text
23 if you want to meet him."

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24 MR. DAANE: That's pretty good.

25 MAYOR LICASTRO: The other thing in

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1 regard to legislation, as I've sent this to the
2 Council members asking them to consider these
3 items in 2010. The control of Pods, those are
4 the portable storage units you'll see throughout
5 various communities. The control of Pods,
6 they're placement and use. My concern is
7 temporary becomes permanent.

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8 We have a water service agreement with
9 the City of Cleveland that has been brought
10 before this Council actually for a couple years.
11 We need to consider if indeed we want to
12 participate in that or the City of Cleveland
13 takes over maintenance of the water system.
14 There's some tradeoffs, but I think it's
15 something that should be referred to committee
16 and discussed.

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17 Again, we need some oil and gas
18 legislation here in the Village. Even though
19 local control is all but gone, I think we need
20 something here regarding landscaping aesthetics
21 if indeed more people want to drill oil and gas
22 wells, gas wells in particular.

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23 I know Mr. Mateyo is talking about
24 permits and fees for landscapers and snow removal
25 that's already on the radar. And given the new

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1 apparent mandate by Northeast Ohio Regional Sewer
2 District and stormwater, we need to look at our
3 ordinances regarding rainbarrel and stormwater
4 retention. Right now the ordinances say
5 everything must be tied to the storm sewer. With
6 the new fees that might be incurred with this
7 program under the Northeast Ohio Regional, you
8 actually get a credit on your monthly bill if
9 indeed you retain stormwater and don't just flush
10 it down the gutters and the into Lake Erie.

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11 Also various ordinance need to be
12 amended regarding these topics. The police
13 staffing, for example, the police staffing
14 ordinance says the Village shall have 15
15 officers. We have nine plus the chief. And that
16 should be -- we can't afford 15, so again that
17 needs to be changed.

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18 There are some discrepancies in the
19 service department wage ordinance. And there's
20 also some tweaking we have to do with the sign
21 ordinance. Again, this is a partial list. I'm
22 sure it will grow, but something for Council to
23 consider off the bat. Any questions? Thank you.

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24 The census 2010, the Community Center is
25 being used for training for the census takers.

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1 Again, if you fill out the document you get in
2 the mail, you won't see a census taker. If you
3 don't, you will. If you do, make sure they're
4 properly identified. They will have
5 documentation, a badge. Don't let anybody in
6 your house, not even a census taker, but
7 certainly make sure they're identified.

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8 Again, if you want to avoid that, fill
9 out the form you'll be getting in, I believe it's
10 late March and it will be a moot point.

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11 Questions on that?

12 Mr. Gallagher and I got a call from
13 Marty Flask, the head of public safety for the
14 City of Cleveland. And Dennis Eckart who is in
15 control of --

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16 MR. GALLAGHER: Dennis's brother.

17 MAYOR LICASTRO: Ed Eckart. Thank you,
18 Mr. Gallagher. He is in control of EMS. As most
19 of you know, the Village has a fire contract with
20 the City of Cleveland. Talk about regionalism,
21 Bratenahl already practices regionalism, sharing
22 the services with Cleveland. It is an incredibly
23 lucrative deal for the Village of Bratenahl.

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24 We pay about 160 some thousand a year
25 for fire service. What was made clear in this

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1 meeting is the cost of one firefighter and
2 subsequent equipment to the City of Cleveland is
3 1.7 million dollars a year. The EMS service we
4 have with Cleveland is done on a handshake.

5 There was no formal agreement to this. And they
6 also are staged at the fire station that serves
7 Bratenahl on 102nd and St. Clair. We're all
8 aware of the fiscal constraints that Cleveland is
9 struggling with.

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10 What was suggested by Mr. Eckart and Mr.
11 Flask is that the Village pay \$25,000 the first
12 year and up to \$50,000 over a three-year period
13 not to exceed 50,000 starting in 2011. I made it
14 clear to Mayor Jackson and his staff we did not
15 have any additional funds to even consider doing
16 so in 2010. They're operating under a mandate
17 from city council. Even though it was informal
18 meeting, they had to address us, address us and
19 they did.

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20 I know Mr. Gallagher has met with other
21 communities to see if indeed we can pick up EMS
22 service from them more cheaply. But Cleveland's
23 proximity to Bratenahl, don't forget Cleveland on
24 three sides, Canada on the fourth really makes it
25 clear that there's an advantage to the Village to

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1 consider continuing our arrangement with EMS.

2 I did talk to Mayor Jackson and asked
3 him to please to not have this be an overture to
4 talk about major increases in the fire contract.

5 He personally assured me that it would not. 00:00:42

6 However, as this goes forward, I think something
7 in writing that would state that would make all
8 of us feel a lot more comfortable. So the
9 individuals I mentioned, Flask and Eckart offered
10 to come to a committee meeting and discuss this 00:00:42
11 with Council committee so you can hear firsthand
12 what their concerns are and what their plan is.
13 And then we can take it back to Council for its
14 consideration. Any questions on this?

15 By the way, most of the ambulances hang 00:00:42
16 in Bratenahl. They're in the Village. The
17 response time is immediate. And that's something
18 I think we should consider as we go forward with
19 this. Ms. Goyanes.

20 MS. GOYANES: When you call EMS if 00:00:42
21 there's an accident on the freeway and in the
22 Bratenahl section and EMS is called, is that
23 Bratenahl's responsibility? Let's just say you
24 decide that you're not going to have EMS from
25 Cleveland and you have an accident on the 00:00:42

1 freeway, would EMS come? Is that considered
2 Bratenahl or is that Cleveland?

3 MAYOR LICASTRO: Well, the Shoreway is
4 in the Village of Bratenahl. We have a mutual
5 aid agreement in Cleveland. The other day we had 00:00:42
6 to close the freeway of Martin Luther King. It's
7 in Cleveland. We helped close the freeway. So
8 there's a symbiotic relationship, if you will.
9 It serves both Cleveland and Bratenahl well.
10 There have been multiple times Cleveland EMS 00:00:42
11 responds to accident on the freeway.

12 I made clear to Martin Flask and Ed
13 Eckart that the advantage they have in making
14 runs in Bratenahl is our insurance pays for the
15 run. The problem they have in Cleveland is a lot 00:00:42
16 of people don't have insurance. Therefore,
17 they're not being paid. I stressed there's a
18 reason to keep the arrangement with Bratenahl and
19 they're considering doing so. But if we went to
20 a different community, Laura, like Euclid or East 00:00:42
21 Cleveland, would they respond on the freeway?
22 Practically, I'm not sure they could.

23 MS. GOYANES: That's what I'm wondering.

24 MAYOR LICASTRO: We're not negotiating
25 from a power of strength, I have to tell you, but 00:00:42

1 they will be informative. Council will listen to
2 their concern and hopefully come up with an
3 agreement that is fiscally responsible and
4 practical as well. Mr. Stephan.

5 MR. STEPHAN: Is there any charge per 00:00:42
6 call rather than us having to come up with a flat
7 fee.

8 MAYOR LICASTRO: We actually left it as
9 I stated and didn't discuss it further. Bring it
10 up in the committee meeting. Any other 00:00:42
11 questions?

12 MR. KESSELEM: Is there any average that
13 we have in the Village, how many calls they
14 receive?

15 MAYOR LICASTRO: We have. We just 00:00:42
16 received documentation a couple days ago.
17 Basically there were 90 EMS runs in the Village
18 of Bratenahl including freeway in 09; 64 were
19 transported. There's the rub. If there's no
20 transport, insurance doesn't pay for it. That 00:00:42
21 was part of their point, that not every run is a
22 transport. So the insurance theory doesn't apply
23 to all of the runs. Anyway, stay tune. I think
24 it should be referred to committee, public safety
25 perhaps. Would someone make a motion to do so? 00:00:42

1 MS. BECKENBACH: I so move.

2 MR. McDONALD: Second.

3 MAYOR LICASTRO: Any discussion? All in
4 favor of the motion?

5 Ayes: 6. Nays: 0.

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6 MAYOR LICASTRO: Let me know when
7 there's a meeting. We'll get them to attend so
8 we can hear it firsthand.

9 The last item on my Mayor's report. I
10 was asked by a resident to keep with our mantra
11 of making a tax increase a last option not a
12 first. In that regard, it was recommended we
13 look at traffic cameras as an option. Now, no
14 one likes --

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15 MS. BECKENBACH: Tell them to give the
16 good stuff.

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17 MAYOR LICASTRO: No one likes traffic
18 cameras, but in doing our diligence to look at
19 options, Chief Dolbow did meet with a company a
20 couple weeks ago and has two more meetings
21 scheduled in the near future. Now, we're not
22 saying this is a good idea. We're not saying
23 we're going to do it, but it's an option we think
24 we need to pursue, again, to try to keep a tax
25 increase as a last and final option not a first

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1 option.

2 Chief, do you want to comment on this?

3 CHIEF DOLBOW: Just as you said, I met
4 with a company called ACS. I've got another
5 appointment with Gatso on February 9. These are 00:00:42
6 two reputable companies in Cleveland referred to.
7 It has its pros and cons obviously. And the only
8 viable spot that I think we can use them on would
9 be the Eddy Road bridge, but I haven't met with
10 the company yet to see what their -- 00:00:42

11 MAYOR LICASTRO: I'm sorry, Eddy Road
12 bridge. The lights at Eddy Road are a real
13 safety concern. We've had an officer seriously
14 injured up there patrolling that area. And Chief
15 Dolbow has suggested that that's probably the 00:00:42
16 only place that makes sense. Plus, there's a
17 place where it's just not our residents, it's
18 people from all over the area that continually
19 crash those lights. It's not just about revenue,
20 it's about safety. 00:00:42

21 CHIEF DOLBOW: I see hands going up.

22 MS. ROBINS: How much does one camera
23 cost?

24 CHIEF DOLBOW: There is no charge to the
25 Village. They would do a risk assessment to see 00:00:42

1 when they would make their money back, because
2 obviously they're going to take a portion of it.
3 They're going to come set up the equipment,
4 they're going to maintain it. They send us all
5 the reports, all the violations and then
6 obviously they would send out the billings and
7 then we would collect our portion of the revenue.

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8 MS. ROBINS: What about the garbage?

9 MR. KESSELEM: It could hand out a
10 litter fine, also.

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11 CHIEF DOLBOW: We don't see the litter
12 violations very often because they see us with
13 our marked cruisers. The camera may allow us to
14 get a digital impression of the plate and send
15 them a litter ticket.

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16 MAYOR LICASTRO: I'm not sure everyone
17 heard the Chief. The only revenue that the
18 company receives is a percentage of the proceeds
19 from the ticket. There's no cost to the Village,
20 which is why again I think it's something we need
21 to discuss. Mr. Stephan.

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22 MR. STEPHAN: Is it possible to put
23 those cameras on the freeway so our officers
24 don't have to be on the freeway, which is
25 obviously the most high risk area of their

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1 activity.

2 CHIEF DOLBOW: They did say they could
3 do that. The technology is advanced to the
4 degree that they can monitor all our traffic
5 lights. Obviously we would slow traffic down as
6 a result of that because it would be a multitude
7 of tickets.

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8 MAYOR LICASTRO: Obviously we would be
9 able to suspend all tax levies in the Village
10 forever in that event.

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11 FEMALE VOICE: I'm curious what the
12 recovery rate is for those tickets.

13 MR. MATEYO: Enormous.

14 MAYOR LICASTRO: I think Cleveland has
15 about 80 percent. If you notice in the paper,
16 there are people that owe over \$200,000 and have
17 not paid their fines.

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18 FEMALE VOICE: In the past I don't think
19 that's been put on your license or anything. I
20 don't know initially. I got one a couple years
21 ago.

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22 CHIEF DOLBOW: It's considered a civil.
23 There would be no points assessed.

24 DR. SPANO: But people are challenging
25 that. Who would adjudicate that, this court?

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1 MAYOR LICASTRO: It would come through
2 Mayor's Court, yes.

3 DR. SPANO: But people are challenging
4 that.

5 MAYOR LICASTRO: You're correct, Doctor.
6 This company did say they met every criteria
7 established by the Supreme Court.

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8 CHIEF DOLBOW: They've not lost any.
9 It's gone as far as the Supreme Court and they've
10 won.

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11 MS. BECKENBACH: Ohio or federal?

12 CHIEF DOLBOW: I think it's federal.

13 FEMALE VOICE: Is there a reason why the
14 community wouldn't be interested in putting
15 cameras on Lake Shore. We are a walking
16 community and there are mornings when I take the
17 RTA downtown that I literally have to run across
18 Lake Shore or else I'm going to be hit.

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19 MAYOR LICASTRO: The deal, as described
20 to the Chief, did include a mobile camera that we
21 can put pretty much wherever we want.

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22 CHIEF DOLBOW: We can set them up
23 anywhere. I suggested Eddy Road only because
24 it's going to be my phone ringing every day when
25 your relatives and friends are receiving tickets

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1 in the mail. I have better things to do than fix
2 tickets all day long.

3 MAYOR LICASTRO: If anyone drives in
4 East Cleveland, they are everywhere.

5 MR. DAANE: If we're looking at a lot of
6 different locations, let's definitely consider
7 I-90 as one of those.

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8 MAYOR LICASTRO: The main question is do
9 we even want to participate?

10 MR. DAANE: I would say definitely.

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11 MAYOR LICASTRO: If we do, then we have
12 options of where to put it.

13 MALE VOICE: What percentage does the
14 company get from the ticket revenue and what
15 percentage does the Village get?

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16 CHIEF DOLBOW: We're not at that level.
17 I've only called on the Mayor's behalf to ask
18 them to show me what they got, what it's going to
19 cost Bratenahl, just basic simple questions.

20 Then that way we can come and talk about it
21 openly because obviously if we get to that point,
22 we're going to have to educate our families and
23 friends when you come into Bratenahl, you have to
24 slow down.

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25 We already have a reputation of physical

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1 bodies out there. You start getting digital
2 technology, you're going to see a lot more
3 violations. And there again, like I said, I
4 don't want my phone ringing every day. We have
5 to educate our friends, our relatives to abide by
6 the law when you come into Bratenahl.

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7 MAYOR LICASTRO: And there would have to
8 be signs posted. There's a whole procedure to go
9 through. I think there's enough interest to at
10 least pursue this with public safety, so let's
11 move on.

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12 Committee assignments, we've tweaked
13 this several times, Ms. Beckenbach and I. We got
14 input from Council members. They are as follows:
15 Legislative chaired by Mr. Mateyo with Mr.
16 McDonald and Mr. Stephan. Finance chaired by Mr.
17 McDonald with Mr. Bolton and Mr. Mateyo. Public
18 improvements chaired by Mr. Bolton with Mr.
19 Kesselem and Mr. Stephan. Public safety chaired
20 by Ms. Beckenbach with Mr. McDonald and Mr.
21 Stephan. Community affairs chaired by Ms.
22 Beckenbach with Mr. Kesselem and Mr. Bolton.

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23 Commissions and liaisons, the Planning
24 Commission Ms. Beckenbach, Recreation Commission
25 Mr. Mateyo, stormwater management Mr. Kesselem,

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1 Shade Tree commission Mr. Bolton, and Bratenahl
2 Land Conservancy Mr. Mateyo. I need a motion by
3 Council approving these appointments.

4 MS. BECKENBACH: So move.

5 MR. STEPHAN: Second. 00:00:42

6 MAYOR LICASTRO: Any questions?

7 MR. KESSELEM: I have one question. I
8 know I asked you to switch me from the
9 legislative and I thank you for that. Being
10 placed on stormwater management, after talking to 00:00:42
11 Mr. Bolton, he has a lot of concerns about our
12 stormwater management. I didn't know if there
13 was any concerns, Mr. Bolton.

14 MR. BOLTON: I'm happy to stay on it,
15 but if you want to change, I'm happy to change. 00:00:42
16 Whatever you want.

17 MR. KESSELEM: Do you see any changes
18 within the commissions and liaisons that we might
19 be able to keep Bill Bolton on stormwater
20 management? 00:00:42

21 MAYOR LICASTRO: Well, let me suggest
22 this. This is kind of a delegate balance to make
23 sure that everyone has equal responsibility. For
24 the time being, let's approve it and we'll
25 consider changing it before the February meeting, 00:00:42

1 is that okay?

2 MR. KESSELEM: I'm fine with that.

3 MR. BOLTON: Great.

4 MAYOR LICASTRO: Any other comments?

5 MR. KESSELEM: And input from all 00:00:42
6 Council members that are here and standing now
7 and those that participated for the past year, I
8 think we need their input, also.

9 MAYOR LICASTRO: This was given -- yeah, 00:00:42
10 so we have time to discuss it. It doesn't have
11 to be definitive, but it's a good start. Any
12 other comments? All in favor of the motion,
13 please.

14 Ayes: 6. Nays: 0.

15 MAYOR LICASTRO: Thank you. Department 00:00:42
16 reports. Mr. Jamieson.

17 MR. JAMIESON: Thank you, Mayor. The
18 Village of Bratenahl in December we did 12
19 building inspections; we registered four new
20 contractors; eight total building permits were 00:00:42
21 issued; and three certificate of occupancies.
22 And the Mayor gave my annual summary for exterior
23 maintenance program. And that would conclude my
24 report.

25 MAYOR LICASTRO: Any questions for Mr. 00:00:42

1 Jamieson?

2 MR. BOLTON: Mr. Jamieson, how long have
3 you held this position for Village, is it three
4 years?

5 MR. JAMIESON: It is three years, yes. 00:00:42

6 MR. BOLTON: I want to say what a good
7 job you've done in that time.

8 MR. JAMIESON: Thank you.

9 MR. STEPHAN: I have a general question
10 for department reports. And, Tom, I don't know 00:00:42
11 if you have enough data, but it would be very
12 helpful to see from either December 09 and a
13 comparison with December 08 and December 07 or
14 similar to sales or other kinds of performance
15 reports so that we can make a comparison instead 00:00:42
16 of just hearing a raw number and I have no
17 ability to know whether or not that makes a
18 difference.

19 MR. JAMIESON: Paul, we can do that for
20 you. December is always a slower month than 00:00:42
21 January, February. We see a lot of contractor
22 registration in January and February because the
23 notices go out. I'll be glad to do that for you.
24 I bet it's pretty much the same.

25 MR. STEPHAN: That's the whole point. I 00:00:42

1 expect, too, that it would be the same. I'm
2 agreeing with you, but on the other hand perhaps
3 with respect to safety or we see felonies or
4 whatever, we're looking for patterns and it's
5 impossible to see a pattern with just a one-shot
6 number.

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7 MR. JAMIESON: I can do that based on
8 the last -- it would be the first year for the
9 exterior maintenance, but all the buildings of
10 inspections I can do a comparative analysis for
11 you.

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12 MAYOR LICASTRO: Anyone else. Yes, Mr.
13 Daane.

14 MR. DAANE: As someone who was cited for
15 having rainbarrels at his house, I want to echo
16 the need to green the code. I don't know who's
17 going to take the charge, whether it's stormwater
18 committee or legislative.

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19 MAYOR LICASTRO: Legislative.

20 MR. ROBINS: Doubling the fines, Beau.

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21 MR. DAANE: So I'd like to see that
22 happen.

23 MAYOR LICASTRO: Thank you.

24 MR. MATEYO: Double the fines.

25 MR. DAANE: No, the greening of the

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1 code.

2 MAYOR LICASTRO: Chief.

3 CHIEF DOLBOW: December 17 through
4 January 20, we had eight felony arrests; 13
5 misdemeanor arrests; six warrant arrests; 18
6 driving under suspension arrests; 12 OVIs; we had
7 a total of 22 vehicles towed; we had 15 motor
8 vehicle accidents; we had 25 false alarms; we had
9 one fire alarm; we had a total of looks like 42
10 911 calls; 24 of which were false; 18 assistance
11 were needed; and we issued a total of 226 traffic
12 tickets.

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13 MAYOR LICASTRO: Questions for the
14 Chief?

15 MR. STEPHAN: Same comment as before, if
16 we could see a comparison with December last year
17 or the whole year to see if there are trends? I
18 would expect you would have more break ins and so
19 forth now with the economy the way it is than a
20 year ago or two years ago. For example, and it
21 would be helpful to have a tracking, some sort of
22 a compare over time rather than just having one
23 number. That number for pick one of them, 911
24 calls, honestly could be three times higher than
25 it was in November and I have no way of knowing

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1 that. So I have difficulty deriving any
2 resulting opinion. I just trust that you're
3 doing a good job with or without the report.

4 CHIEF DOLBOW: It's in the minutes every
5 month on the Internet. 00:00:43

6 MR. STEPHAN: I'm suggesting that we see
7 an accumulative for comparison purposes rather
8 than --

9 CHIEF DOLBOW: To be read each month or
10 hand you physically? 00:00:43

11 MR. BOLTON: Could I suggest that
12 perhaps Mr. Stephan could meet with the public
13 safety committee and they can review the
14 information, because I think Mr. Stephan raised
15 an interesting point, but it might take longer in
16 the meeting. 00:00:43

17 MAYOR LICASTRO: Mr. Stephan is actually
18 on the public safety committee.

19 MR. BOLTON: May I suggest your
20 committee review that? 00:00:43

21 MR. STEPHAN: We'll do that.

22 CHIEF DOLBOW: We're in the process now
23 of updating our reporting system. At some point
24 I'll be able to show you graphs, flow charts,
25 everything. We're just not at that point yet. 00:00:43

1 We're now starting implement the data.

2 MR. STEPHAN: Then you're already done.

3 That was the question.

4 MAYOR LICASTRO: We've already begun.

5 We haven't finished yet. Ms. Meade.

00:00:43

6 MS. MEADE: Were there any new hires?

7 MAYOR LICASTRO: Oh, yes, thank you for

8 mentioning that.

9 CHIEF DOLBOW: We did replace

10 part-timer, Ted Szalay is retiring. We've

00:00:43

11 brought on Richard Renshaw who is a previous

12 employee here. He required no training

13 whatsoever, other than to refamiliarize himself

14 with some of the changes we've made around here.

15 We've also replaced Officer Masters who has moved

00:00:43

16 to the West Coast seeking employment elsewhere.

17 She was replaced with Officer Durand

18 from our part-time pool. And we hired one

19 part-time dispatcher Stacey Williamson who is

20 doing quite well. She has extensive experience

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21 from Gates Mills and she's doing our part-time

22 staff.

23 MAYOR LICASTRO: We are constantly look

24 for additional part-time hires. We use them to

25 make certain our staffing levels are proper and

00:00:43

1 to eliminate overtime. And most typically when
2 we do promote to full-timers, we promote from the
3 part-time staff. We did an assessment of
4 potential hires for full-timers several months
5 ago and several people in this room participated. 00:00:43

6 The number one individual on that list,
7 Michael Pollock, was hired several months ago.
8 Officer Durand was number two on the list, so
9 we're happy to have him be part of our
10 full-timers. Ms. Robin. 00:00:43

11 FEMALE VOICE: Chief is he full-time or
12 part-time?

13 CHIEF DOLBOW: Part-time. He is with
14 ESX police department.

15 MALE VOICE: In the interview process, 00:00:43
16 one of the people that we interviewed said that
17 there are for free bar coding devices where you
18 can keep better track of items that have been
19 retrieved.

20 CHIEF DOLBOW: We already have that in 00:00:43
21 place.

22 MAYOR LICASTRO: Did I see a hand?

23 DR. SECURA: This is a totally different
24 subject. I would like to know if the law has
25 changed about children driving in the front seat. 00:00:43

1 I got some information from a nephew that that
2 has just gone into effect in Ohio. It's 80
3 pounds for the front seat, booster seat for the
4 back. It may or may not have occurred.

5 CHIEF DOLBOW: That's out of my league. 00:00:43
6 I'd have to look at the ORC.

7 DR. SECURA: You haven't seen?

8 CHIEF DOLBOW: I haven't been out there
9 enforcing traffic laws in about a year. I
10 haven't seen anything come across my desk. 00:00:43

11 DR. SECURA: Any idea where the best
12 place to try to verify it.

13 MS. KREINER: Bureau of motor vehicle,
14 go to their website and they'll show you all the
15 law changes that have occurred up to the last two 00:00:43
16 years and state how a toddler, booster seat and
17 all that.

18 MAYOR LICASTRO: Mrs. Kreiner our clerk
19 of courts of courts. Any more questions of the
20 Chief? Joe. 00:00:43

21 MR. ZALAR: Over the last month
22 obviously we've busy with snow. Over the last
23 month since we last met we've used 109 tons of
24 salt. That's about one-third of what we use in a
25 general winter season, which is basically January 00:00:43

1 to December. Right now we're in the process of
2 gearing up with our equipment to get it ready for
3 spring, which hopefully is right around the
4 corner.

5 We will be within the next week, I 00:00:43
6 believe, we're going to start switching over our
7 new police vehicles, parts from one to another
8 and that type of stuff. So we're keeping busy
9 just on a mechanical end of the equipment that we
10 have and that's it. Any questions? 00:00:43

11 MAYOR LICASTRO: Questions for Mr.
12 Zalar? And, Joe, yeoman's job with keeping the
13 streets and sidewalks clear. I know for a couple
14 weeks you guys were out there 24/7. We
15 appreciate the effort. 00:00:43

16 MR. ZALAR: I got a few phone calls.
17 This has to do with driveway aprons. There is no
18 policy the Village has that says we do driveway
19 aprons. This is something that the service
20 department started a few years back. There was a 00:00:43
21 few -- there was a question brought up that we
22 could do it for the elderly. It started out as
23 nine, then it went up to 20 then pretty soon we
24 were doing 50, then it got out of control. So we
25 still try to hit the few aprons that we do know 00:00:43

1 that people need to get access in and out of.

2 As our larger storms like we just had
3 about a week and a half ago, generally I go out
4 and do the aprons because there's a certain way I
5 like to get it out of the way. After all of our
6 plowing is done and everything is taken care of,
7 then we go out and do aprons. And this is
8 something the service department tries to help
9 people out. It's not something that's a policy
10 in the Village. A lot of people think it's a
11 policy, but it is not.

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00:00:43

12 I actually covered Foster, Garfield,
13 Burton, Brighton, 105th and part of Lakeside
14 Boulevard after that storm was cleared. Most of
15 the people on the boulevard was cleared. We did
16 get a few at the other end of the Village. Most
17 of the people on the boulevard have personal plow
18 people that do their driveways, so I just wanted
19 to make sure everybody understood that.

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20 MAYOR LICASTRO: This is really offered
21 by Mr. Zalar and his department as a courtesy.
22 And for people that can't do their driveway
23 aprons, as always in Bratenahl, we try to help
24 those that really can't help themselves. So
25 thank you, Mr. Zalar.

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1 Committee reports. Finance.

2 MR. McDONALD: Finance met in December
3 and I was there as a visitor, wasn't on the
4 committee at that point in time, but during that
5 meeting the budget for 2010 was presented. And
6 the finance committee recommends that Council
7 adopt the budget, which given a CER and the
8 carry-over is in balance for the year, but it
9 does eat up most of the carry-over for the year.

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10 So we still need either speed cameras or
11 something to supplement the revenue side of the
12 budget. But actually, the appropriations side of
13 the budget was really, really reduced with the
14 cooperation of the police department and the
15 service department. We cut it as far as we felt
16 like we could and we did get it in balance. And
17 I would like to make a motion that that
18 preliminary budget be approved.

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19 MS. BECKENBACH: I second the motion.

20 MAYOR LICASTRO: Discussion? Mr.
21 Stephan.

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22 MR. STEPHAN: Is that the budget that we
23 just received this evening?

24 MR. McDONALD: That's right. That's
25 what we did in December.

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1 MS. MEADE: Could you read those numbers
2 for us?

3 MR. STEPHAN: I can't vote on something
4 I haven't seen.

5 MAYOR LICASTRO: Then don't. 00:00:43

6 MR. McDONALD: The appropriation is
7 \$2,805,817 versus what was spent in 2009,
8 \$2,953,476. And the CER looks to be, and I don't
9 have the exact last end of the year, but I think
10 it's two million eight, call it \$2,825,000. 00:00:43

11 MAYOR LICASTRO: The cuts we made were
12 deep. We did ask service and police to give up
13 some of their perks, if you will. We were able
14 to achieve a balanced budget. I use that term
15 loosely because we are eating into our 00:00:43
16 carry-over, without layoffs, without furlough,
17 without salary cuts.

18 However, things like mutt mitts, for
19 example, where we used 30,000 mutt mitts last
20 year. 30,000 with the cost of about \$5,000. 00:00:43
21 It's something we have targeted to stop because,
22 again, we had options.

23 Our refresh program, which is what the
24 police do to walkers and joggers giving out
25 water, we've stopped that. That was over \$3,000. 00:00:43

1 There's not a whole lot left to cut. We cut
2 really as deeply as we could within reason
3 without jeopardizing our services and certainly
4 our safety.

5 Again, this was recommended from
6 finance. This is really informal. There's no
7 rule of law that says communities have to
8 establish a budget. It's been done the last
9 couple years as a matter of practicality. The
10 March meeting where appropriations are approved
11 is definitive in terms of the monies the Village
12 has to spend. So this is just done really to
13 plug the numbers into the UAN system, which is
14 the accounting system we use in order to function
15 as a government.

16 MR. GALLAGHER: I'd also like to
17 underscore the numbers that we seek out are just
18 the general funds, it's not the entire budget.

19 MAYOR LICASTRO: Right. And that's a
20 good point. The other thing that we targeted is
21 being much more aggressive in the manner in which
22 we use restricted funds. Restricted funds have
23 restricted revenue into them and can only be used
24 for specific purposes.

25 For example, the State gives us money

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1 for street maintenance. From that we use money
2 to buy salt for Mr. Zalar and his department to
3 sweep the street. So we're leaving no stone
4 unturned to use the monies frugally and
5 reasonably without making further cuts, which
6 would devastate the level of services, et cetera.
7 Mr. Bolton.

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8 MR. BOLTON: I had a question for Mr.
9 McDonald. I was unfortunately unable to make
10 this meeting. It was a rescheduled meeting and I
11 had attended most of the finance meetings that
12 related to the budget. And I wondered, because
13 I've also just seen this for the first time
14 today, whether you expect to hold a finance
15 committee meeting prior to the March meeting
16 where we could review this?

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17 MR. McDONALD: Absolutely. There will
18 be two prior to the March meeting.

19 MR. BOLTON: Okay.

20 MAYOR LICASTRO: Any other questions?

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21 MR. BOLTON: I actually did have a
22 second. Are we approving this as a line by line
23 budget or as a total, because that arose in one
24 of the finance committee meetings last year, so
25 I'm not holding Mr. McDonald to this. I just

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1 want to know, because I believe it's better
2 financial management and it draws attention to
3 administrative management when money has to be
4 moved between accounts. I believe it's a better
5 practice to pass the budget on a line by line
6 basis rather than a bulk.

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7 MR. McDONALD: I would have the
8 intention of having this as a line item budget.
9 And we are going to look at the budgetary process
10 as we go forward and hopefully come up with some
11 sort of calendar budget in addition to an annual
12 budget so that we know where we are throughout
13 the year. And that's going to take some work on
14 Jim and Merele's part and my part to figure out
15 where expenditures take place during the year and
16 try to map that out as well as you can. You
17 can't do that 100 percent, but at least it will
18 give us an early warning that we're overspending
19 or underspending or whatever.

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20 MR. BOLTON: Terrific. Thank you.

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21 MAYOR LICASTRO: Mr. Stephan.

22 MR. STEPHAN: Because I haven't looked
23 at any of the numbers, I want to say what I think
24 I heard you say with respect to the budget. We
25 have a ballpark of how much we're going to

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1 realize in revenue during the year. We have a
2 ballpark of how much we're going to spend during
3 the year. And I think I heard you say that what
4 we're going to spend exceeds what we will be
5 receiving in revenue.

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6 MR. ROBINS: No, just the opposite.

7 MR. McDONALD: He's technically correct,
8 because the carry-over is involved, so we will
9 not receive the carry-over during the year.
10 We've just carried it over. So the revenue that
11 we're taking in is under what we intend to spend.
12 We will match, we will balance that budget by
13 using the carry-over, in other words, eating our
14 seed corn.

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15 MR. STEPHAN: That's the question I
16 asked. This projects at the end of this year,
17 2010, at this point there will be no carry-over
18 to 2011.

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19 MR. McDONALD: Small, insignificant in
20 compared to the budget. Therefore, we do not
21 have a wonderful fiscal picture. We've got to
22 address that and we'll address that at Future
23 Search and during the year. We've got to figure
24 out how we're going to address the finances of
25 the Village, there's no question.

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1 MAYOR LICASTRO: In regard to the
2 preliminary budget, all in favor of the motion to
3 accept?

4 Ayes: 4. Nays: 0. Abstention: 2.

5 MAYOR LICASTRO: Anyone against? 00:00:43

6 MR. BOLTON: There were some
7 abstentions, I think.

8 MAYOR LICASTRO: Two abstentions. Thank
9 you. This is a preliminary and stay tune for
10 more fun and games. 00:00:43

11 Public improvement? Legislative, did
12 you meet, Mr. Mateyo?

13 MR. MATEYO: No, next meeting is
14 February 1.

15 MAYOR LICASTRO: Safety did not meet. 00:00:43
16 Community affairs, Ms. Beckenbach.

17 MS. BECKENBACH: Community affairs did
18 not meet. We're meeting next Tuesday.

19 MAYOR LICASTRO: Did you want to mention
20 Future Search? 00:00:43

21 MS. BECKENBACH: Future Search has had
22 two meetings. And we have a task force of, I
23 think, 22, and very good task force. A lot of
24 people have volunteered to give their time to
25 this. And basically, the tentative of the task 00:00:43

1 force is to go out and call all you guys to make
2 sure you come. And we have another meeting,
3 another task force meeting on next Thursday, I
4 believe.

5 MAYOR LICASTRO: Is it Tuesday or
6 Thursday?

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7 MS. BECKENBACH: Tuesday or Thursday.
8 Unfortunately, I don't have my calendar with me.

9 MS. MEADE: Do you want to explain the
10 date change?

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11 MS. BECKENBACH: As you know or if
12 anybody even remembers, the event was scheduled
13 for the last week in February. That is not going
14 to happen. The date change will now be the 23rd,
15 24th and 25th of April. Then there was a
16 mailing, an invitation went out to every resident
17 in the Village to come to this event and that was
18 mailed today. And so, as I say, we welcome you
19 to join us in April. And you should receive your
20 mail regarding that tomorrow or Friday. And
21 that's it.

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22 MAYOR LICASTRO: Thank you. Any
23 questions? Mr. Stephan.

24 MR. STEPHAN: Is this a function on
25 activities sponsored by the Village?

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1 MAYOR LICASTRO: Yes.

2 MR. STEPHAN: There is an expense for
3 the event?

4 MAYOR LICASTRO: That's correct. The
5 facilitator, Leslie Yerkes, lives at Bratenahl
6 Place. She has offered her services for free,
7 which is incredibly generous. She normally
8 receives thousands of dollars for the effort. We
9 have some materials to purchase. We're hoping to
10 get the food donated. There are a few thousand
11 dollars that will be expended to put this event
12 on. We think that getting people in a room to
13 establish priorities for the Village is really
14 priceless, so we feel it's money well-spent.

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15 MR. STEPHAN: But it's not a strategic
16 plan. She said at the meeting this is not
17 strategic planning.

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18 MAYOR LICASTRO: The thing with Future
19 Search is you don't steer it before it starts.
20 The meeting really has a life of its own given
21 input from the participants. I hope a strategic
22 plan comes out of it. Those are my wishes, but
23 again, it's not something we're imposing on the
24 process. The process will determine priorities.
25 Hopefully, that's one. Anyone else? Thank you.

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1 Dr. Secura.

2 DR. SECURA: I know that at the Rec
3 Center if you have expenditures, they have to be
4 kept track of like in kind and donations. What
5 is going to happen, how is this supposed to be 00:00:43
6 handled with the steering team where we have in
7 kind donations? Does it have to be kept track?
8 Do we report to Council?

9 MS. BECKENBACH: What do you mean in
10 kind? 00:00:43

11 MAYOR LICASTRO: You mean like a
12 donation?

13 DR. SECURA: Yes.

14 MAYOR LICASTRO: That can be a tax
15 write-off for the individual making the donation. 00:00:43

16 DR. SECURA: What do we do with that
17 information? Do we have to keep track of it as a
18 team?

19 MAYOR LICASTRO: I think the individuals
20 that donate the money should keep track of it. 00:00:43

21 DR. SECURA: We don't have to keep track
22 of it?

23 MAYOR LICASTRO: I don't believe so.

24 MS. BECKENBACH: In kind is a different
25 thing. 00:00:43

1 MR. CORNETT: It should be given to Mr.
2 Gallagher as the clerk.

3 MR. McDONALD: If it's cash.

4 MAYOR LICASTRO: Yes, if you give cash
5 donations, see Mr. Gallagher, but in kind is a 00:00:43
6 different thing.

7 DR. SPANO: You're still supposed to
8 record that just like campaign contribution. In
9 kind contributions should be.

10 MAYOR LICASTRO: In kind contributions 00:00:44
11 are something you have to track for political
12 campaigns, not for something like this. Correct?

13 DR. SPANO: If the individual is going
14 to deduct it, you do, and I assume they are.

15 MR. CORNETT: Either way, if there's any 00:00:44
16 kind of contribution done to any municipality for
17 any reason, it should be kept track of by the
18 municipality or at least noted for the record.

19 MAYOR LICASTRO: If in doubt, see Mr.
20 Gallagher. 00:00:44

21 MS. BECKENBACH: Well, the individual
22 has to let us know. I'm trying to figure out
23 what in kind donation has happened thus far.

24 DR. SPANO: Well, none yet.

25 MR. CORNETT: The Council is not going 00:00:44

1 to be granting tax exemptions.

2 MS. MEADE: I have with the photocopy.

3 MAYOR LICASTRO: Keep track of it and
4 see Mr. Gallagher. All matters financial go to
5 Mr. Gallagher. Recreation Commission. 00:00:44

6 MR. BAUMAN: Recreation Commission,
7 Community Center usage and security maintenance,
8 nothing new to report at this time. No security
9 issues or anything like that. Group 55 Plus
10 continues to meet. Check the Lamplighter and/or 00:00:44
11 call the Center for details.

12 The Christmas party and carriage rides
13 were successful with approximately 125 attendees.
14 Just to let everybody know, the third Thursday
15 wine tasting start actually tomorrow night, every 00:00:44
16 third Thursday and that's January, February and
17 March. Tomorrow night is the first date at seven
18 o'clock at the Community Center.

19 MR. GALLAGHER: And no Village money
20 will be spent on it. 00:00:44

21 MR. BAUMAN: There was a little
22 miscommunication there and we have rectified that
23 situation. The McKeon room dedication, we'll be
24 dedicating one of the rooms of the Community
25 Center to former Mayor McKeon. And that 00:00:44

1 dedication will take place, assuming it will be
2 like punch and cookies kind of thing, on February
3 28.

4 And the Chinese New Year dinner will be
5 held at Li Wah restaurant on St. Clair Avenue,
6 February 26 at 6:00 p.m., or 27th.

00:00:44

7 MAYOR LICASTRO: 27th. 30th and Payne.
8 30 and Payne.

9 MR. MATEYO: It's Friday the 26th.

10 MR. BAUMAN: Yes, Friday February 26th.

00:00:44

11 And the budget, as for the budget, we had
12 submitted a preliminary budget to Mr. Mateyo.
13 And I'm assuming that will be reviewed at the
14 next finance committee meeting. And we actually
15 have a new treasurer and that's Paul Kesselem
16 who's right here. And that concludes my report.

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17 MAYOR LICASTRO: Any questions for Mr.
18 Baumann? Yes, Ms. Robins.

19 MS. ROBINS: Tim, how many people are in
20 the 55 club?

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21 FEMALE VOICE: On average I'd say eight
22 to 10.

23 MS. ROBINS: And it's once a month?

24 MS. GALLAGHER: Yes, third Tuesday of
25 every month.

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1 MAYOR LICASTRO: So everybody in the
2 Village is younger than 55, is what you're
3 saying?

4 MS. GALLAGHER: It's actually 55 and
5 older, but about 90 percent of the people that
6 show up is 70 and 80s. It's more of a senior
7 club. 00:00:44

8 MAYOR LICASTRO: Thank you, Mr. Bauman.
9 Planning Commission did not meet. Shade Tree
10 Commission did not meet. Keep Ms. Hlad in your
11 thoughts and prayers. She is seriously ill. 00:00:44

12 And moving to old business, we have a
13 resolution honoring Ms. Hlad.

14 MR. STEPHAN: Question, I'm sorry, under
15 the committee report, the Audit Committee is not
16 listed here. Is that a standing committee? 00:00:44

17 MAYOR LICASTRO: No, it's not. That's
18 an ad hoc committee.

19 MR. STEPHAN: Then I have a question.
20 There was an audit report. What committee
21 addresses the findings of the audit report from
22 the state? 00:00:44

23 MR. CORNETT: I think it's -- well,
24 generally it's Council as a whole and not
25 necessarily a committee, with the input obviously 00:00:44

1 of Mr. Gallagher and any other elected officials
2 associated with the Village. If you would like
3 to send it to a committee for consideration,
4 you're more than welcome to do so.

5 MR. STEPHAN: I don't know if there are 00:00:44
6 findings, I would like some reassurance that
7 they've been implemented. That's all.

8 MR. CORNETT: I think that a lot of the
9 finances have been discussed or implemented or if
10 there were changes, they were. Jim, do you want 00:00:44
11 to comment on that?

12 MR. MATEYO: I would think that would go
13 to finance, Paul.

14 MAYOR LICASTRO: Refer it to finance for
15 a discussion. Is that a motion, Mr. Stephan? 00:00:44

16 MR. STEPHAN: No, just a point of
17 information.

18 MR. MATEYO: I will make that.

19 MR. BOLTON: I'll second it.

20 MAYOR LICASTRO: All in favor of the 00:00:44
21 motion?

22 Ayes: 6. Nays: 0.

23 MAYOR LICASTRO: Anyone opposed? Thank
24 you, resolution 859.

25 MS. BECKENBACH: I'd like to introduce 00:00:44

1 resolution 859, a resolution commending and
2 expressing appreciation to Veronica Hlad for her
3 outstanding service as the Chair of the Shade
4 Tree Commission of the Village of Bratenahl.

5 MAYOR LICASTRO: Is there a second? 00:00:44

6 MR. MATEYO: Second.

7 MAYOR LICASTRO: Any discussion? I'm
8 assuming we can pass this by acclimation; is that
9 a fair assumption? Thank you. Do you want to
10 read the body of it? 00:00:44

11 MS. BECKENBACH: Whereas, Veronica Hlad
12 served the Village of Bratenahl and its residents
13 as the Chair of the Shade Tree Commission for the
14 past 18 years and; whereas, in her capacity as
15 the Chair of the Shade Tree Commission, Veronica 00:00:44
16 Hlad has performed her duties with devotion and
17 distinction:

18 Now, therefore, be it resolved by the
19 Council of the Village of Bratenahl, State of
20 Ohio, that: Section one, the Mayor and Village 00:00:44
21 of Council, on behalf of the Village and all its
22 residents, hereby express their deep gratitude
23 and appreciation to Veronica Hlad for her devoted
24 service to the Village of Bratenahl as the Chair
25 of the Shade Tree Commission for the past 18 00:00:44

1 years.

2 Section two, the Clerk of Council is
3 hereby authorized and directed to furnish a duly
4 inscribed and certified copy of this resolution
5 to Veronica Hlad and family.

00:00:44

6 Three, this resolution shall take effect
7 at the earliest time provided by law.

8 MAYOR LICASTRO: Thank you. We'll
9 forward this to Ms. Hlad. Next item on the
10 agenda, resolution 860. Mr. McDonald.

00:00:44

11 MR. McDONALD: I'd like to introduce
12 resolution 860, a resolution commending and
13 expressing appreciation to Maureen Mitchell for
14 her outstanding service as a member and Chair of
15 the Recreation Commission of the Village of
16 Bratenahl.

00:00:44

17 MAYOR LICASTRO: Is there a second?

18 MS. BECKENBACH: Second.

19 MAYOR LICASTRO: Could you read the body
20 of it, please.

00:00:44

21 MR. McDONALD: Whereas, Maureen Mitchell
22 has served the Village of Bratenahl and its
23 residents as a member of the Recreation
24 Commission for the past four years; and whereas,
25 in her capacity as a member and Chair of the

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1 Recreation Commission, Maureen Mitchell has
2 performed her duties with devotion and
3 distinction:

4 Now, therefore, be it resolved by the
5 Council of the Village of Bratenahl, State of
6 Ohio, that: Section one, the Mayor and Village
7 Council, on behalf of the Village and all of its
8 residents, hereby express their deep gratitude
9 and appreciation to Maureen Mitchell for her
10 devoted service to the Village of Bratenahl as a
11 member and Chair of the Recreation Commission for
12 the past four years.

00:00:44

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13 Section two, the Clerk of Council is
14 hereby authorized and directed to furnish a duly
15 inscribed and certified copy of this resolution
16 to Maureen Mitchell and family.

00:00:44

17 Section three, this resolution shall
18 take effect at the earliest time provided by law.

19 MAYOR LICASTRO: I'm assuming as well
20 that this will be passed by acclamation, correct?
21 Thank you very much. Mr. Stephan.

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22 MR. STEPHAN: I don't know the
23 procedure, but could Council consider a
24 resolution to honor Sue Egan in the same fashion
25 for 20 years of service to the Rec Commission?

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1 MAYOR LICASTRO: Are you making a motion
2 to do so?

3 MR. STEPHAN: I so move.

4 MR. BOLTON: Second.

5 MAYOR LICASTRO: All in favor of the 00:00:44
6 motion?

7 Ayes: 6. Nays: 0.

8 MAYOR LICASTRO: Thank you very much.
9 Before we move to new business, ordinance 3469,
10 which appoints the law firm of Taft, Stettinius & 00:00:44
11 Hollister, there's been some concern that the
12 Village look at other options in terms of having
13 a law director or law firm.

14 Taft has been the law firm here for 40
15 years. Back to the days when it was Kelly, 00:00:44
16 McCann & Livingston with Walter Kelly as law
17 director. Steve O'Bryan has been the primary law
18 director here for over 30 years. We have had
19 Adam Cornett here the last couple. We don't hire
20 an individual at Taft, we hire the firm. 00:00:44

21 That's why this ordinance appoints Taft
22 for three months in order to go through a process
23 to put out RFPs and consider other law firms as
24 alternatives and, of course, consider keeping
25 Taft as well. 00:00:44

1 In that regard, I have formed an ad hoc
2 committee with Mr. Bolton as a representative
3 from Council; former Council member Ms.
4 Brownrigg; Russell O'Rourke, also a former
5 Council person and former president of Council;
6 Don Cairns, one of the leading attorneys in the
7 Village of Bratenahl and the State of Ohio. I'm
8 demeaning you, the City of Cleveland and the
9 State of Ohio; and chaired by Tim O'Brien. Tim
10 O'Brien has stepped forward to help us with the
11 search for Chief, et cetera, and that's pretty
12 much what he does for a living.

00:00:44

00:00:44

13 So this committee will undertake an
14 effort to consider other options. Thank you very
15 much for coming forward. It's a powerful group.
16 I'm certain they'll be make a recommendation to
17 Council they deem to be in the best interest of
18 the Village.

00:00:44

19 MS. BECKENBACH: I'd like to say it's
20 wonderful to see such leading residents volunteer
21 their service to this important committee. And
22 we, as members of the Council, are certainly
23 grateful that you have and are willing to give
24 your time to this Village for this purpose.

00:00:44

25 MAYOR LICASTRO: Thank you. Mr. Mateyo

00:00:44

1 ordinance 3469, please.

2 MR. MATEYO: I would like to introduce
3 ordinance 3469, an ordinance approving a contract
4 with and appointing Taft, Stettinius & Hollister,
5 LLP as legal counsel for the Village of 00:00:44
6 Bratenahl. Providing for the payment of
7 compensation to Taft, Stettinius & Hollister, LLP
8 and declaring an emergency.

9 MS. BECKENBACH: Second.

10 MAYOR LICASTRO: Roll call on 00:00:44
11 suspension, please.

12 MR. GALLAGHER: Ms. Beckenbach?

13 MS. BECKENBACH: Aye.

14 MR. GALLAGHER: Mr. Bolton?

15 MR. BOLTON: Aye. 00:00:44

16 MR. GALLAGHER: Mr. Kesselem?

17 MR. KESSELEM: Aye.

18 MR. GALLAGHER: Mr. Mateyo?

19 MR. MATEYO: Aye.

20 MR. GALLAGHER: Mr. McDonald? 00:00:44

21 MR. McDONALD: Aye.

22 MR. GALLAGHER: Mr. Stephan?

23 MR. STEPHAN: Aye.

24 MR. GALLAGHER: Thank you.

25 MR. MATEYO: I'd like to introduce 00:00:44

1 ordinance 3469 for passage.

2 MS. BECKENBACH: Second.

3 MAYOR LICASTRO: Would you read section
4 one, please, Mr. Mateyo?

5 MR. MATEYO: Section one, the Village, 00:00:44
6 with the passage of this ordinance hereby enters
7 into a contract with the law firm of Taft,
8 Stettinius & Hollister, LLP, for said firm to act
9 as a legal counsel for the Village until April
10 21, 2010, with such successive 30-day extension 00:00:44
11 as agreed to by both parties and provide
12 professional and efficient legal counsel and
13 representation to the Village as an independent
14 contractor subject to the pleasure of the
15 Council. 00:00:44

16 MAYOR LICASTRO: Any further discussion?
17 There being none, roll call on passage, please.

18 MR. GALLAGHER: Ms. Beckenbach?

19 MS. BECKENBACH: Aye.

20 MR. GALLAGHER: Mr. Bolton? 00:00:44

21 MR. BOLTON: Aye.

22 MR. GALLAGHER: Mr. Kesselem?

23 MR. KESSELEM: Aye.

24 MR. GALLAGHER: Mr. Mateyo?

25 MR. MATEYO: Aye. 00:00:44

1 MR. GALLAGHER: Mr. McDonald?

2 MR. McDONALD: Aye.

3 MR. GALLAGHER: Mr. Stephan?

4 MR. STEPHAN: Aye.

5 MR. GALLAGHER: Thank you.

00:00:44

6 MAYOR LICASTRO: Before we proceed to
7 ordinance 3470, I would like to hereby recommend
8 to Council that Council appoint Mr. Zalar as the
9 street commissioner for the Village of Bratenahl.

10 MR. MATEYO: So move.

00:00:44

11 MAYOR LICASTRO: Well, you can move that
12 by moving to ordinance 3470. Mr. Bolton, please.

13 MR. BOLTON: I would like to introduce
14 ordinance number 3470 for passage and declaring
15 an emergency.

00:00:44

16 MAYOR LICASTRO: Is there a second?

17 MR. MATEYO: Second.

18 MAYOR LICASTRO: Roll call on
19 suspension, please.

20 MR. GALLAGHER: Ms. Beckenbach?

00:00:44

21 MS. BECKENBACH: Aye.

22 MR. GALLAGHER: Mr. Bolton?

23 MR. BOLTON: Aye.

24 MR. GALLAGHER: Mr. Kesselem?

25 MR. KESSELEM: Aye.

00:00:44

1 MR. GALLAGHER: Mr. Mateyo?
2 MR. MATEYO: Aye.
3 MR. GALLAGHER: Mr. McDonald?
4 MR. McDONALD: Aye.
5 MR. GALLAGHER: Mr. Stephan? 00:00:44
6 MR. STEPHAN: Aye.
7 MR. GALLAGHER: Thank you.
8 MR. BOLTON: I'd like to introduce
9 ordinance number 3470, an ordinance confirming
10 the appointment of a street commissioner of the 00:00:44
11 Village of Bratenahl and declaring an emergency
12 for passage.
13 MAYOR LICASTRO: Is there a second?
14 MS. BECKENBACH: Second.
15 MAYOR LICASTRO: Roll call for passage, 00:00:44
16 please.
17 MR. GALLAGHER: Ms. Beckenbach?
18 MS. BECKENBACH: Aye.
19 MR. GALLAGHER: Mr. Bolton?
20 MR. BOLTON: Aye. 00:00:44
21 MR. GALLAGHER: Mr. Kesselem?
22 MR. KESSELEM: Aye.
23 MR. GALLAGHER: Mr. Mateyo?
24 MR. MATEYO: Aye.
25 MR. GALLAGHER: Mr. McDonald? 00:00:44

1 MR. McDONALD: Aye.

2 MR. GALLAGHER: Mr. Stephan?

3 MR. STEPHAN: Aye.

4 MR. GALLAGHER: Thank you.

5 MAYOR LICASTRO: Next ordinance number 00:00:44
6 3471, Village prosecutor.

7 MR. KESSELEM: 3471 ordinance,
8 introducing appointing Thomas A. Rein as the
9 Village prosecutor for the year 2010 providing
10 for his payment and compensation affixing his 00:00:44
11 duties and declaring an emergency.

12 MS. BECKENBACH: Second.

13 MAYOR LICASTRO: Roll call on
14 suspension, please.

15 MR. GALLAGHER: Ms. Beckenbach? 00:00:44

16 MS. BECKENBACH: Aye.

17 MR. GALLAGHER: Mr. Bolton?

18 MR. BOLTON: Aye.

19 MR. GALLAGHER: Mr. Kesselem?

20 MR. KESSELEM: Aye. 00:00:44

21 MR. GALLAGHER: Mr. Mateyo?

22 MR. MATEYO: Aye.

23 MR. GALLAGHER: Mr. McDonald?

24 MR. McDONALD: Aye.

25 MR. GALLAGHER: Mr. Stephan? 00:00:44

1 MR. STEPHAN: Aye.

2 MR. GALLAGHER: Thank you.

3 MR. KESSELEM: I'd like to introduce
4 ordinance 3471 for passage.

5 MAYOR LICASTRO: Is there a second? 00:00:44

6 MR. BOLTON: Second.

7 MAYOR LICASTRO: And it's Rein by the
8 way. Any discussion? There being none, roll
9 call on passage, please.

10 MR. GALLAGHER: Ms. Beckenbach? 00:00:44

11 MS. BECKENBACH: Aye.

12 MR. GALLAGHER: Mr. Bolton?

13 MR. BOLTON: Aye.

14 MR. GALLAGHER: Mr. Kesselem?

15 MR. KESSELEM: Aye. 00:00:44

16 MR. GALLAGHER: Mr. Mateyo?

17 MR. MATEYO: Aye.

18 MR. GALLAGHER: Mr. McDonald?

19 MR. McDONALD: Aye.

20 MR. GALLAGHER: Mr. Stephan? 00:00:44

21 MR. STEPHAN: Aye.

22 MR. GALLAGHER: Thank you.

23 MAYOR LICASTRO: Last agenda item,
24 ordinance 3472, Pay Claims, Mr. Stephan.

25 MR. STEPHAN: I introduce ordinance 3472 00:00:44

1 to the Pay Claims against Bratenahl Village as
2 hereby direct.

3 MAYOR LICASTRO: For suspension, please.

4 MR. STEPHAN: And suspend the rules.

5 MS. BECKENBACH: Second. 00:00:44

6 MAYOR LICASTRO: Roll call on
7 suspension, please.

8 MR. GALLAGHER: Ms. Beckenbach?

9 MS. BECKENBACH: Aye.

10 MR. GALLAGHER: Mr. Bolton? 00:00:44

11 MR. BOLTON: Aye.

12 MR. GALLAGHER: Mr. Kesselem?

13 MR. KESSELEM: Aye.

14 MR. GALLAGHER: Mr. Mateyo?

15 MR. MATEYO: Aye. 00:00:44

16 MR. GALLAGHER: Mr. McDonald?

17 MR. McDONALD: Aye.

18 MR. GALLAGHER: Mr. Stephan?

19 MR. STEPHAN: Aye.

20 MR. GALLAGHER: Thank you. 00:00:44

21 MR. STEPHAN: I introduce ordinance 3472
22 for passage.

23 MS. BECKENBACH: Second.

24 MAYOR LICASTRO: Questions? Mr. Mateyo.

25 MR. MATEYO: I had a question. I didn't 00:00:44

1 understand JTO. I don't know what JTO is for
2 \$2,222.

3 MAYOR LICASTRO: If you recall, we
4 discussed some tree trimming that we needed to do
5 as a safety issue. 00:00:44

6 MR. MATEYO: I'm sorry.

7 MAYOR LICASTRO: The initial bid was
8 over 5,000. We did just the safety aspect of the
9 trimming. That's what that bill pertains to.

10 MR. MATEYO: Thank you. 00:00:44

11 MAYOR LICASTRO: Any other questions?

12 MR. BOLTON: I have not looked at this
13 closely nor compared it to the prior months, but
14 the payroll seems higher. Were there three pays
15 in December? 00:00:44

16 MR. GALLAGHER: No, there are not three
17 pays in December. We get paid twice a month. We
18 had holiday pay and uniform allowances at the end
19 of the year.

20 MR. BOLTON: Thank you. 00:00:44

21 MAYOR LICASTRO: Any other questions?

22 Mr. Robins.

23 MR. ROBINS: Pat has a question before
24 me.

25 MAYOR LICASTRO: Was that your question? 00:00:44

1 I was going to call on her next.

2 MR. ROBINS: Ladies before gentlemen.

3 MAYOR LICASTRO: Ms. Meade.

4 MS. MEADE: Are these for the December
5 expenses? 00:00:44

6 MAYOR LICASTRO: Yes.

7 MS. MEADE: Where it has Taft listed, I
8 don't see a dollar amount. Did I miss it? Were
9 there any expenses for Taft in the month of
10 December? 00:00:44

11 MR. CORNETT: There were. My
12 understanding is that I think our firm --

13 MR. GALLAGHER: We just got the bill
14 today.

15 MR. CORNETT: Right, so they're probably 00:00:44
16 not -- I don't know if they've been added.

17 MR. BOLTON: Pay claims listed amount
18 \$6,523.75.

19 MS. MEADE: My copy has a blank.

20 MAYOR LICASTRO: Yours is preliminary. 00:00:44

21 MR. ROBINS: I didn't hear the number.

22 MS. EHLERINGER: \$6,523.75 for Taft.

23 MR. ROBINS: Thank you. That's includes
24 the 1,600 retainer no doubt. The question I had
25 is under total all paid claims it lists an 00:00:44

1 asterisk. They have asterisk one, two, three,
2 four, five. The first asterisk is restricted
3 fund use. And when that's applied to a
4 particular line item, it means that that charge
5 is going against a particular restricted fund.

00:00:44

6 Mr. Mayor, you said earlier that in our
7 budgeting we're making sure, which we agreed to
8 do some years ago, by the way, that we would
9 charge as much of general operating expenses as
10 we could against restricted funds and you used
11 the example of salt.

00:00:44

12 If you look under service, two-thirds of
13 the way down, Morton Salt, December delivery
14 \$5,698.33, there's no asterisk there, which
15 suggests that that's not being charged against
16 the restricted fund or is that just an oversight?

00:00:44

17 MS. EHLERINGER: There's an oversight.
18 There may be a number of oversights because we
19 made some late additions to Pay Claims.

20 MR. ROBINS: No problems.

00:00:44

21 MS. EHLERINGER: It goes against the
22 restricted funds.

23 MR. GALLAGHER: To the extent the money
24 is there.

25 MR. ROBINS: Right. That's a very good

00:00:44

1 point that is. Thank you.

2 MAYOR LICASTRO: Anyone else? Mr.
3 Mateyo.

4 MR. MATEYO: I guess this is more
5 procedural. Is it possible more to the clerk, we 00:00:44
6 got the Pay Claims last week and I got it Friday
7 in the packet. And then we go over that and
8 these numbers have changed, and they have every
9 right to change.

10 Is it possible that we would find out 00:00:44
11 what was here when we walked in? Would it be
12 possible to get it two or three or four hours
13 earlier, because it's different than what we
14 looked at over the weekend. And I realize things
15 change. We're running an ongoing business, but 00:00:44
16 it's very difficult to try to compare what we
17 looked at before.

18 MR. GALLAGHER: I can email it to you
19 earlier in the day, sure.

20 MR. MATEYO: Would that be possible? 00:00:44

21 MR. GALLAGHER: Um-hum.

22 MR. BOLTON: I'd like to wholeheartedly
23 support Mr. Mateyo and even request that we make
24 the cutoff even earlier, of course, at the Chair
25 of finance's recommendation. 00:00:44

1 MR. McDONALD: Certainly. You mean
2 whether we --

3 MR. BOLTON: Whether it's Friday night
4 we get the real numbers Friday or Monday, I'd
5 like to have advance time to read it. I agree 00:00:44
6 with Mr. Mateyo completely.

7 MR. STEPHAN: I also, the point is just
8 whatever is distributed, freeze the Pay Claims as
9 of that date so that we have the actual report
10 when we receive it instead of getting an update. 00:00:44

11 MR. GALLAGHER: If you'd like to
12 transfer that conversation to a finance meeting,
13 we can talk about why we don't do that.

14 MR. MATEYO: Okay.

15 MAYOR LICASTRO: Anyone else? 00:00:44

16 MR. BOLTON: Could I have a final
17 comment here, Mr. Mayor?

18 MAYOR LICASTRO: Sure.

19 MR. BOLTON: I see for the record only
20 the Village got a really good buy on Santa's 00:00:44
21 Beard. I think that's what it is. Santa's Beard
22 was \$65, Santa's Beard purchase.

23 MS. GALLAGHER: John's Funhouse went out
24 of business, so they gave us the price.

25 MAYOR LICASTRO: Was that the extent of 00:00:44

1 your comment, Mr. Bolton, was that it?

2 MR. BOLTON: That's it.

3 MAYOR LICASTRO: Any other comments?

4 There being none, roll call on passage, please.

5 MR. GALLAGHER: Ms. Beckenbach?

00:00:44

6 MS. BECKENBACH: Aye.

7 MR. GALLAGHER: Mr. Bolton?

8 MR. BOLTON: Aye.

9 MR. GALLAGHER: Mr. Mateyo?

10 MR. MATEYO: Aye.

00:00:44

11 MR. GALLAGHER: Mr. Kesselem?

12 MR. KESSELEM: Aye.

13 MR. GALLAGHER: Mr. McDonald?

14 MR. McDONALD: Aye.

15 MR. GALLAGHER: Mr. Stephan?

00:00:44

16 MR. STEPHAN: Aye.

17 MR. GALLAGHER: Thank you.

18 MAYOR LICASTRO: The January meeting is

19 quite long. To do this in an hour and a half is

20 remarkable. Thank you for your patience and

00:00:45

21 diligence. Anyone else on Council? Anyone up in

22 the peanut gallery? No. Ms. Meade?

23 MS. MEADE: Does anyone else have

24 questions? I have several.

25 MAYOR LICASTRO: Excuse me, Mr. Stephan.

00:00:45

1 MR. STEPHAN: I just have a comment.
2 The letter that was distributed prior to the
3 meeting for the First Energy's request is
4 different from the letter we signed.

5 MAYOR LICASTRO: Well, it should be the 00:00:45
6 corrected copy. If it's not correct, we'll make
7 sure it's the right one and get it to you for
8 signature.

9 MS. BECKENBACH: We already signed it.

10 MR. McDONALD: What's the difference? 00:00:45

11 MR. GALLAGHER: We changed the spelling
12 of your name.

13 MAYOR LICASTRO: We changed the spelling
14 of your name.

15 MR. STEPHAN: The one we signed it's 00:00:45
16 still misspelled. I didn't read the text to know
17 if the earlier correction had been made either.

18 MAYOR LICASTRO: We sent you a corrected
19 copy. If it's the wrong one, we'll get it to you
20 for signature. We'll check it. The copy I had, 00:00:45
21 your name was spelled correctly. Ms. Meade.

22 MS. MEADE: Has the 2010 CER been issued
23 yet?

24 MAYOR LICASTRO: Yes.

25 MS. MEADE: Could I get a copy emailed 00:00:45

1 to me?

2 MAYOR LICASTRO: I don't know if we have
3 it electronically. Jim, do we have the CER
4 electronically?

5 MR. GALLAGHER: Yes. 00:00:45

6 MAYOR LICASTRO: Ms. Meade would like a
7 copy.

8 MR. GALLAGHER: Okay.

9 MAYOR LICASTRO: Anyone else?

10 MS. MEADE: I still have more questions. 00:00:45

11 MR. McDONALD: One second. Jim, I'd
12 like to see the CER with the updated carry-over
13 numbers in it.

14 MR. GALLAGHER: It's not done yet. We
15 haven't closed last year. 00:00:45

16 MR. MATEYO: That should be emailed to
17 all finance.

18 MAYOR LICASTRO: Why don't you give it
19 to everyone on Council.

20 MR. GALLAGHER: I will. 00:00:45

21 MS. MEADE: Looking back on 2009, could
22 you name like the top five accomplishments that
23 Village Council and yourself accomplished?

24 MAYOR LICASTRO: Well, you were about to
25 read the state of the Village, which is in the 00:00:45

1 Lamplighter. And the first sentence says we
2 survive. I mean, in 2009, that's certainly one
3 heck of an accomplishment. We dealt with some
4 very difficult issues here in the Village, legal
5 and otherwise.

00:00:45

6 We did what we had to do. And we're
7 fortunate to have individuals like Richard Dolbow
8 take over as Chief. And he's done really a
9 magnificent job in leading our department in the
10 future. We certainly welcome the new Council
11 people. Always an influx of new ideas and new
12 approaches is always a plus. And I think we were
13 as frugal as we could have been in regard to our
14 finances, understanding that legal obligations
15 did cause an expenditure that was really
16 unprecedented and unforeseen and hopefully will
17 not repeat itself.

00:00:45

00:00:45

18 MS. MEADE: I do have audit questions.

19 MR. STEPHAN: I'd like to suggest an
20 accomplishment. I thought the Memorial Day
21 parade in 2009 was dynamite.

00:00:45

22 MR. ROBINS: Very good.

23 MAYOR LICASTRO: Thank you, Mr. Stephan.

24 MS. MEADE: If I have audit questions
25 regarding the auditor's report, should I ask it

00:00:45

1 in the next finance committee?

2 MAYOR LICASTRO: Why don't you discuss
3 them with Mr. Gallagher. Okay?

4 MS. MEADE: You were appointed president
5 of Cuyahoga County Mayors and City Managers
6 Association; is that correct? 00:00:45

7 MAYOR LICASTRO: I was actually elected
8 to that position.

9 MS. MEADE: When does that go into
10 effect? Congratulations. And when does the term
11 end? 00:00:45

12 MAYOR LICASTRO: It's a two-year term
13 that began January 1.

14 MS. MEADE: Of 2010?

15 MAYOR LICASTRO: Yes. 00:00:45

16 MS. MEADE: And if I could as a public
17 record request, if I could get a copy of Mr.
18 Lillie's final contract for the police
19 investigation to review and if it's available by
20 email. 00:00:45

21 MR. CORNETT: It should be attached to
22 an ordinance.

23 MS. MEADE: The final, not the draft.

24 MR. CORNETT: I'm assuming the final
25 would have been attached to an ordinance and 00:00:45

1 would have been approved.

2 MS. MEADE: And regarding the trial that
3 started, if it's wrapped up in the next week or
4 so, once it's wrapped up, will there be a public
5 meeting then once that's resolved to answer the 00:00:45
6 public's questions regarding the investigation
7 even though I know the trial has nothing to do
8 with the police investigation issues, will that
9 happen after that time?

10 MAYOR LICASTRO: I don't know. 00:00:45

11 MS. MEADE: Can you explain why?

12 MAYOR LICASTRO: At this time, I'm not
13 going to comment given the fact I'm on the
14 witness list for the trial.

15 MS. MEADE: Okay. And I know the last 00:00:45
16 meeting I had asked regarding the legal expenses
17 and it wasn't able to be determined and an
18 estimate wasn't comfortable. I was wondering, I
19 know you were trying to make progress. I don't
20 know if it's still being worked on and if it will 00:00:45
21 be provided so residents will know how much
22 monies have been dedicated to this issue.

23 MAYOR LICASTRO: Certainly the public
24 record requests are totals. We've given you
25 that. We haven't really done much with this 00:00:45

1 given budget and other issues, not to mention
2 holiday. So I'm not sure if we'll be able to
3 meet your request, Ms. Meade. We can discuss
4 what nuance of the bills make it impossible to
5 determine what exactly is spent on what. And I
6 can make that clear after the meeting.

00:00:45

7 MS. MEADE: Okay. Then with the post,
8 there was an ordinance that passed where the
9 posting of meetings would occur. And they've
10 reduced the number of outdoor locations and the
11 posted boxes. I thought during the discussion we
12 talked about with that reduction that they were
13 still going to go ahead and post in all boxes
14 although it wasn't really required in the extras,
15 but it seems those extra boxes have been taken
16 down. I didn't know if that was temporary or
17 permanent or if something changed.

00:00:45

00:00:45

18 MR. MATEYO: I thought it was permanent.

19 MS. MEADE: Is it permanent? Okay.
20 That was it. Thank you very much.

00:00:45

21 MAYOR LICASTRO: Thank you. Anyone
22 else? Then Ms. Beckenbach.

23 MS. BECKENBACH: I'd like to adjourn the
24 meeting.

25 MR. MATEYO: Second.

00:00:45

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(Meeting adjourned at 7:09 p.m.)

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