

BRATENAHL VILLAGE
BRATENAHL VILLAGE HALL
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VILLAGE COUNCIL MEETING

TAKEN:

OCTOBER 20, 2010

5:30 P.M.

PRESENT:

MAYOR JOHN LICASTRO

MARY BECKENBACH

THOMAS McDONALD

WILLIAM BOLTON

GEORGE MATEYO

ANDREW KESSELEM

PAUL STEPHAN

DAVID J. MATTY, ESQ.

NANCY L. MOLNAR, RPR

 **MOLNAR MUNGUÍA**
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1 MAYOR LICASTRO: Okay. It's 5:30, I'd
2 like to call the meeting to order and ask the
3 clerk to call the roll, please.

4 MR. GALLAGHER: Good evening. Ms.
5 Beckenbach?

6 MS. BECKENBACH: Here.

7 MR. GALLAGHER: Mr. Bolton?

8 MR. BOLTON: Here.

9 MR. GALLAGHER: Mr. Kesselem?

10 MR. KESSELEM: Here.

11 MR. GALLAGHER: Mr. Mateyo?

12 MR. MATEYO: Here.

13 MR. GALLAGHER: Mr. McDonald?

14 MR. McDONALD: Here.

15 MR. GALLAGHER: Mr. Stephan?

16 MR. STEPHAN: Here.

17 MR. GALLAGHER: Thank you.

18 MAYOR LICASTRO: Thanks for coming
19 tonight. We have the minutes from the September
20 meeting. Is there any additions, corrections or
21 move to approve?

22 MR. MATEYO: Move to approve.

23 MR. BOLTON: Second.

24 MAYOR LICASTRO: Any discussion? There
25 being none, all favor of the motion.

1 Ayes: 6. Nays: 0.

2 MAYOR LICASTRO: Thank you. The Mayor's
3 Court Report for September, the County Treasurer
4 received \$925; the Village of Bratenahl, \$28,900;
5 the Treasurer of the State of Ohio, \$8,588; and
6 the Court Computer Fund, \$1,949. Any questions
7 on that or those numbers? Thank you.

8 Moving to correspondence, last Friday
9 trash's pickup elicited a lot of complaints and
10 concern regarding items left outside of the
11 containers. I've asked Mary to review the
12 contract for clarity and to reiterate that what
13 Mr. Gallagher put on the web to clarify this is
14 also correct. So, Ms. Beckenbach, if you please.

15 MS. BECKENBACH: I'll start with a
16 little background. We started with Allied Waste
17 in the fall of 2008, with a program to begin in
18 January of 2009. As you know, it is a container
19 system. Each resident received at that time a
20 96-gallon and one 64-gallon container. The
21 96-gallon is for waste and the 64-gallon is for
22 recycling materials.

23 An introductory report of the parameters
24 of the residents pickup was published in the
25 Lamplighter in the fall of 2008 and the full

1 requirements for pickup were published in the
2 Lamplighter in December of 2008. A flier was
3 mailed to each resident in January of 2009 and
4 again in April of 2009.

5 The December Lamplighter was very clear
6 in stating that all waste was to be in the
7 96-gallon container. And if you had a bulk item
8 that did not fit in the container, the resident
9 is to call Allied Waste to arrange for a special
10 pickup. These requests were mentioned five times
11 in the article. And the phone number to call was
12 also listed five times.

13 The two fliers also clearly define the
14 same information to the residents. Allied has
15 left notes continually on the cans explaining the
16 requirements even though they extended their
17 courtesy of removing materials not left in the
18 96-gallon container throughout 2009.

19 Allied can no longer permit the driver
20 to pick up waste not in a container, because it
21 dramatically slows down the route pickups. It is
22 not part of our contract and it defeats the
23 purpose of automation.

24 The Village of Bratenahl has the only
25 complete automated system in Cuyahoga County. We

1 can be very proud of that. One of the reason for
2 the new program was to increase our recycling
3 efforts. Our contract is a model for
4 Northeastern Ohio and has been initiated
5 throughout most of Lorain County.

6 The program has been most successful in
7 this Village. Our recycling tonnage doubled in
8 2009. And as of the end of August of this year,
9 we are realizing another substantial increase in
10 recycling material, which will be hopefully much
11 higher than that in 2009.

12 As of September of this year, we have
13 surpassed our tonnage, our recycling tonnage from
14 2009. So we still have three more months to go,
15 so evidently it's doing what we wanted it to do.
16 That's my report.

17 MAYOR LICASTRO: Thank you. There was
18 some confusion. Several residents took the time
19 and effort to take yard waste and put them in the
20 paper bags that are distributed or purchased at
21 Sam's Club or wherever they get them. And we
22 made it clear that as long as they're during the
23 yard waste pickup period of time, which ends
24 December --

25 MR. GALLAGHER: 15th.

1 MAYOR LICASTRO: -- 15th, the service
2 department can pick it up if they're left in
3 bulk. They really can't pick them up if they're
4 in bags, because they use the vac truck to do so.

5 So the people that took the extra time
6 to put them in bags because they didn't fit in
7 the recycling bin, they couldn't be picked up by
8 Allied Waste.

9 MS. BECKENBACH: The regular bin not the
10 recycling. You don't put leaves in the recycling
11 bin. That's another considered waste.

12 MAYOR LICASTRO: Another reason for the
13 service department to pick them up is because we
14 don't put them in the landfill. I think the
15 confusion has been clarified. I asked Mary to
16 reiterate what's in the nature of the contract so
17 there's no further confusion. Any further
18 questions on that? Mr. Bolton.

19 MR. BOLTON: We received a green trash
20 receptacle and a blue trash receptacle. Neither
21 one seems 96 gallons.

22 MS. BECKENBACH: The blue one is 96
23 gallons, the green one is 64 gallons.

24 MR. BOLTON: Well, I'm glad to know
25 that. It didn't seem that big.

1 MS. BECKENBACH: You can request another
2 can.

3 MR. BOLTON: That's what I was going to
4 ask how, because if a person gives a party for
5 more than eight or 10 people, you can't get all
6 the trash in that.

7 MAYOR LICASTRO: I think you pay for the
8 additional one, but you can request it.

9 MR. BOLTON: From Allied?

10 MS. BECKENBACH: From Allied.

11 MAYOR LICASTRO: We have the contact
12 numbers here. Basically, it needs to fit in the
13 container. If it doesn't fit in the container,
14 call them and they will make arrangements to pick
15 it up.

16 MS. BECKENBACH: Yes, they will do that.
17 And it's in all the literature we've sent out.

18 MAYOR LICASTRO: For example, the two
19 mattresses on the east side of the Village are
20 now removed. We had the resident pull them back
21 in. They can't do it on a regular trash run.
22 They have to send a special truck for the bulk
23 items. And, by the way, they say here in an
24 email written to me, 50-pound bags of leaves are
25 not considered bulk. They can really never pick

1 them up. Any other questions?

2 FEMALE VOICE: The rumor that I have
3 heard, I know it's floating out there from more
4 than one source, is that the last Friday of every
5 month you're allowed to put things out and they
6 will pick them up.

7 MS. BECKENBACH: You have to call them.

8 FEMALE VOICE: You might want to put
9 that in the Lamplighter again.

10 MS. BECKENBACH: Sure. I'll be happy
11 to.

12 MR. GALLAGHER: The last Friday of every
13 month is the designated bulk pickup. Mattresses,
14 appliances, not big piles of crap that you might
15 call bulk, but items which are too large to fit
16 in a can, the last Friday of each month is bulk
17 pickup.

18 MR. McDONALD: But you still have to
19 call.

20 MR. GALLAGHER: You don't have to call
21 them.

22 MAYOR LICASTRO: You know something,
23 when in doubt, call. I would recommend you call.
24 We get some conflicting whether you should call
25 or not. Our recommendation is call. But the

1 last Friday is designated for the bulk items.

2 MS. BECKENBACH: That was nice of them
3 to do, because in their contract and in the
4 literature that they sent me, it's by phone call,
5 so.

6 MAYOR LICASTRO: Our advice is to call.
7 But the last Friday is for the bulk items.

8 FEMALE VOICE: You might want to put it
9 in the Lamplighter.

10 MS. BECKENBACH: Sure.

11 MR. KESSELEM: Also include More
12 Bratenahl in that, please.

13 MAYOR LICASTRO: I received the annual
14 report from Northeast Ohio Regional Sewer
15 District. It's here for anyone to review. I'm
16 not going to go through it. It's a one-page
17 report. As you know, they're in charge of
18 sanitary and trying to be in charge of storm.
19 We'll see how that goes. This is here for anyone
20 to review if you so desire.

21 MS. MEADE: Do we have an update on the
22 stormwater, where that stands?

23 MAYOR LICASTRO: David?

24 MR. MATTY: No, no further action by the
25 court.

1 MAYOR LICASTRO: The motion to dismiss
2 is still pending.

3 MR. MATTY: Our joinder to the motion
4 has been filed and we're waiting the order of the
5 court.

6 MAYOR LICASTRO: Could be next week,
7 could be months from now. Who knows. We're
8 objecting to the process. Not the concept, the
9 process.

10 Moving to my report, I'm going to
11 combine legislative and an update on the State of
12 Ohio annual budget. I was in Columbus last week
13 meeting with staff and representatives from the
14 General Assembly. Basically, there's four areas
15 of the budget that are of concern that they're
16 concentrating on. Medicaid, primary and
17 secondary education, corrections, and the 12 and
18 a half percent property tax rollback.

19 Almost all of the budgetary, of the
20 State's budget, is pass-through. They don't have
21 a lot of latitude here. As they look to fill an
22 eight to nine billion dollar hole in the next
23 annual budget, these are the areas that are most
24 of the monies. If you talk about Medicaid,
25 primary and secondary education and corrections,

1 that's about 80 percent of the budget right
2 there.

3 Medicaid has increased from 9.8 billion
4 dollars to 14.3 billion estimated for 2011. A
5 huge increase. So they're looking at cutting
6 optional services such as dental, lowering
7 provider rates, perhaps lowering the ceiling for
8 prescription drugs. And, of course, managed care
9 is a huge drain on their budget, nursing homes,
10 et cetera, et cetera.

11 However, of course the people that
12 receive Medicaid are in need and, therefore, even
13 though it might be practical to cut it,
14 politically, they're very hesitant to do so.

15 Primary and secondary education is
16 something they're also looking to cut. Again,
17 the practical differentiates from the political.
18 There is some realistic funding they're looking
19 at. For example, Cleveland schools receive
20 funding for 38,000 students. There's only 14,000
21 students that actually attend Cleveland schools.
22 So they're looking at the close gap such as that,
23 but they're not much besides that.

24 Corrections is a nightmare. State
25 prisons have 130 percent occupancy rate. So in

1 order to correct that and have less back in the
2 budget, we're talking about sentencing reform.
3 Again, differentiate between the practical and
4 the political. People like to run for office
5 saying they're tough on crime, put them in jail.
6 There's no place to put them. So they need to
7 look at how courts sentence criminals and the
8 length of time they spend in prisons.

9 They're suggesting ankle bracelets,
10 community service, all those options. Almost 70
11 percent of the people in Ohio jails are there for
12 drug offenses. Only 15 percent are there for
13 violent crimes. So again, they're looking at
14 that. That's probably a longer term fix they can
15 do before March of 2011. I think that's when the
16 budget is actually due.

17 Of course, the 12-and-a-half percent
18 property tax rollback, the State picks up 12.5
19 percent of our property tax. That's something
20 they're looking at changing or adjusting or at
21 least entering into a dialogue to perhaps do so.

22 At the same time, the local government
23 fund, which was 1.6 billion dollars in 2004, in
24 2010 it's been reduced to 676 million. So
25 there's already been a huge reduction, something

1 that's on the trouble table.

2 The public library funds, all these
3 restricted funds are things they're going to look
4 at as they desperately try to close a hole. At
5 the same time, as they're looking at cuts, a lot
6 of these legislatures and candidates are taking
7 no tax pledges, which, again, sounds politically
8 wonderful, but practically I don't personally see
9 how they can close this gap without raising
10 taxes. I hope they can, but it's not likely.

11 MR. ROBINS: It's not possible.

12 MAYOR LICASTRO: I agree with you, Rich.
13 Both gubernatorial candidates have taken new tax
14 pledges. Good luck with that. So what this
15 working group from the Mayors Association is
16 doing is we will continue to meet with the
17 General Assembly and try to get them to make the
18 cuts less harsh and damaging to local
19 communities.

20 One final point, this is significant,
21 townships in the State of Ohio, which don't levy
22 income tax, get a big portion of their revenue
23 from the State. Some townships get as much as 80
24 percent of their revenue from the State
25 government. So they're also looking at changing

1 the structure of government and having townships
2 have the authority to levy an income tax
3 alleviating the pressure on the state budget,
4 but, again, we differentiate between practical
5 and political.

6 Most of the legislators in the General
7 Assembly are from townships. So are they going
8 to change the structure of government in order to
9 be practical, knowing that their constituents
10 won't like the fact it will increase their tax
11 burden? I'm not offering solutions here. I'm
12 just letting you know the dialogue. It's
13 ongoing, but it is a severe problem.

14 Last time they closed the gap with one
15 time monies, a lot of federal stimulus money.
16 There is none of that apparent on the horizon.
17 So whether it's cuts or increases, stay tuned.
18 I'll keep you posted.

19 Any comments or questions?

20 MR. ROBINS: Yes, this is just to
21 piggyback on your comment. I was in meeting
22 today. I'm the immediate past Board Chair for
23 Mental Health Services. We run the suicide
24 hotline, children witness violence programs, poor
25 housing, mentally ill, drug/alcohol abuse. As a

1 matter of fact, some of the ladies that were
2 Sowell strangled were some of our ladies.

3 We were looking at our 17 million dollar
4 operating budget. And worst case scenario, the
5 loss of seven million. There's a lot of
6 Medicaid. Over a quarter of the budget comes
7 from Medicaid. One of things that the State said
8 is they were going to start dumping the Medicaid
9 match more on the local authorities rather than
10 at the State level. I'm sure you heard the same
11 thing. With regard to prisoners it's 29,000 --

12 MAYOR LICASTRO: Before you go on to
13 that. This is a significant point. One reason
14 why they're hesitant to cut Medicaid is in Ohio,
15 the State picks up 73 cents of every dollar on
16 Medicaid. The State only 27 cents. Most states
17 it's about a 50/50 split, so they're giving up
18 two-thirds of the payment if indeed Medicaid is
19 cut. Again, making it difficult to justify cuts.
20 I'm sorry, continue.

21 MR. ROBINS: That's all right. Then the
22 average cost to incarcerate somebody is \$29,000 a
23 year. Cuyahoga County receives a quarter of the
24 prison release population every year in the State
25 of Ohio. And that's about, if I remember

1 correctly, about 8,000 people. Many of them go
2 to 2100 Lakeside. The big issue there is
3 recidivism. And one of the things that's going
4 to get cut are some of the programs that have
5 been very effective in keeping people from going
6 back to jail.

7 So this is an unintended consequence,
8 but as you say, no matter who becomes the
9 governor, they've got this big nut to crack. And
10 the only way they can realistically crack it is
11 both tax increase and further cuts.

12 MAYOR LICASTRO: Thank you. Yes, Mr.
13 Stephan.

14 MR. STEPHAN: Is there any explanation
15 why the State of Ohio sends Cleveland money for
16 38,000 students when there are only 14,000?

17 MAYOR LICASTRO: No. They offered no
18 explanation.

19 MR. MATEYO: Who has more votes?
20 Cleveland.

21 MAYOR LICASTRO: Things like that will
22 be -- I guarantee they'll be making cuts like
23 that, because it's not fair. They're throwing
24 away funding for 20,000 students that aren't
25 there.

1 MR. MATEYO: Would there be any linkage
2 if we were getting money for X and we only have X
3 minus 50, yet they want to put up more parking
4 spots here? They're getting money enough to do
5 that and there's nobody there to use them?

6 MAYOR LICASTRO: That's a great
7 question.

8 MR. MATEYO: It's a rhetorical question.

9 MAYOR LICASTRO: Make it rhetorical,
10 because I can't answer that. Mr. Robins
11 mentioned the suicide hotlines. I also attended
12 the Mental Health Advocacy Coalition. They had a
13 breakfast for public officials the 15th of
14 October. This organization is the overseer of
15 all these different organizations, including the
16 one that Rich mentioned.

17 Certainly 2.8 million Ohioans have a
18 mental illness. And the work that this
19 organization does to coordinate funding and the
20 specifics on how people with mental health issues
21 are treated is very important for all of us. And
22 I just thought I'd mentioned that. I attended
23 the breakfast and found it very informational.
24 Any questions on that?

25 MR. BOLTON: That number sounds a little

1 high, Mr. Mayor. That would be 28 percent,
2 roughly. There are a little over 10 million in
3 the State.

4 MAYOR LICASTRO: 2.8 million, that's
5 what's printed here. One in four Americans has a
6 mental illness. This can include things like
7 alcoholism. It's not strictly mental illness.

8 MR. MATEYO: I believe that. Just drive
9 on the freeway you can see it.

10 DR. SPANO: You don't have to go that
11 far.

12 MAYOR LICASTRO: For example suicides in
13 Ohio are at a 10-year high. It's not good out
14 there.

15 MR. ROBINS: Suicide is one of the
16 highest causes of death for youngsters.

17 MAYOR LICASTRO: That's correct.

18 MR. ROBINS: We broke up through the
19 suicide hotline, it will be in the newspaper,
20 four youngsters in Strongsville, 14 and 15 years
21 of age, who had a suicide pact. And we happen to
22 get a tip, got involved and were able to disrupt
23 the plan of the four kids.

24 MAYOR LICASTRO: For example, the Ohio
25 business roundtable estimates that the cost of

1 depression was between four and five billion
2 dollars in Ohio alone. For every dollar spent on
3 mental health services, \$5 are saved in overall
4 healthcare costs. 30 percent of homeless Ohioans
5 have a serious mental illness issue. It's
6 depressing. Thank God for an organization like
7 this that coordinates the effort and deals with
8 the individuals that are in need.

9 Two more items on my agenda. I've been
10 asked by the Probate Court of Cuyahoga County to
11 make an appointment to the Sewage Treatment
12 System Appeals Board, which offers an appeals
13 process for homeowners who wish to appeal the
14 decision on the Cuyahoga Board of Health
15 regarding household sewage disposal.

16 You should have a working knowledge and
17 experience with home sewage, septic systems,
18 water quality control and environmental
19 protection issues. This individual serves
20 without compensation. And the appointment, as
21 recommended and approved by the Probate Court,
22 will be the Chairman of this organization. So if
23 anyone is interested in this, I'm looking for
24 volunteers to come forward. I have to make the
25 appointment, or my recommendation I should say,

1 before Monday, November 8. Any questions on
2 that? Thank you.

3 And the last item on my report is I need
4 a motion to dispense with the door-to-door trick
5 or treating. This does not preclude your
6 grandchildren or children from visiting your
7 neighbors. This is Village wide. We've had a
8 ban on this for many years.

9 MR. MATEYO: So move.

10 MR. BOLTON: Second.

11 MAYOR LICASTRO: Any discussion on the
12 motion? All in favor of the motion.

13 Ayes: 6. Nays: 0.

14 MAYOR LICASTRO: Thank you. Ms.
15 Gallagher, when is the Halloween party at the
16 Center?

17 MS. GALLAGHER: It is the 30th from five
18 o'clock to six p.m. on the Community Center.

19 MAYOR LICASTRO: That ends my report.
20 Moving to department reports. We have Sergeant
21 Longley with us today. The Chief is in training
22 this week. Sergeant.

23 SERGEANT LONGLEY: As you Mayor stated,
24 that's why I'm here. The Chief wanted me to pass
25 along that he was unable to attend due to

1 training that he's in. However, the department
2 had one cocaine arrest, one marijuana arrest,
3 felony, one drug trafficking, one possession of
4 heroin, and one felony possession of drugs.

5 Getting to the entire stats here, felony
6 arrests, I've just mentioned a total of five
7 obviously. Misdemeanor arrests 21; warrants were
8 12; 40 driving under suspension; 15 operating a
9 vehicle under the influence arrests; 22 motor
10 vehicle accidents; 69 vehicles in total were
11 towed; 16 alarms were responded to; 10 911 calls
12 were responded to; three fire calls and a total
13 of 360 traffic citations were issued.

14 Mayor, if I could, I would like to let
15 Council know and you also, Mayor, worked real
16 hard effortlessly to obtain -- it's called an
17 Automated License Plate Scanner. This is one of
18 the latest pieces of high tech law enforcement
19 equipment that's on the market with all this
20 technology. I won't go into detail, but what it
21 does it can scan up to 500 plates within -- it
22 depends on how much activity is found on it, but
23 this is within a matter of minutes. This thing
24 is unbelievable.

25 The cost, it's not a cost, the price of

1 the unit is \$38,000, but through applying through
2 a grant with Cleveland Police and my contacts
3 with Cleveland Police, we obtained this camera
4 for a price of zero. It's already installed. It
5 will be up and running in a couple weeks.

6 There's some programs that need to be loaded on.
7 I just wanted to bring that everyone's attention.

8 MR. McDONALD: You mean while the
9 traffic is moving?

10 SERGEANT LONGLEY: Yes, sir.

11 MAYOR LICASTRO: I saw a segment on 60
12 Minutes on this. It's fascinating. It
13 automatically scans license plates within a
14 certain parameter. And if any of them are --
15 there's an outstanding warrant or stolen car,
16 they get a hit on it and the officer is then
17 notified by some sort of audio signal immediately
18 that there's a car and let's them know what the
19 car is. The technology is absolutely incredible.
20 And it operates 360 degrees.

21 MR. McDONALD: I've seen cars with
22 lights and stuff on top. Is it exterior to the
23 car.

24 SERGEANT LONGLEY: They're mounted on
25 the trunk. You can move them. I'm considering

1 moving one to up front. My opinion on the matter
2 is I'm so used to obviously checking the car in
3 front of you. What it's doing is checking the
4 cars pulling up behind you and coming up next to
5 you on both sides. And it can scan up to three
6 and a half almost four lanes of the freeway. It
7 gets somebody coping at you, somebody going by
8 you, it's amazing. If you like, I'll take you
9 out.

10 We took it out just for a trial. It
11 scanned -- we were out for an hour and a half and
12 it scanned 485 plates and 25 hits on the plates.
13 I mean, obviously, we weren't stopping everybody
14 because we need to get a policy and procedure in
15 place also related to it. I've already checked
16 with the prosecutors. It just needs to be
17 finalized before we can, but like I said, it's
18 amazing.

19 What it's doing is taking away from the
20 officer while he's trying to drive the vehicle
21 running the plate on the MVT, no longer has to do
22 this. This camera is doing that. When there's a
23 hit on the vehicle, it sends off an alarm and
24 also on the MVT screen puts a photo image, the
25 time, the date, and all this can be kept. It's

1 been used in other communities, too.

2 Just like on basic patrol, something
3 does happen and somebody gives a plate, you can
4 go back into this file. Julie can probably help
5 me out more along those lines. I'm not quite up
6 to par on all this high tech. It has so many
7 other options, it's just amazing. It's an
8 amazing tool.

9 MS. BECKENBACH: Congratulations.

10 MAYOR LICASTRO: Do we have it on loan?

11 SERGEANT LONGLEY: No, it's ours.

12 MR. McDONALD: Congratulations on a
13 great price.

14 MR. ROBINS: Did you guys steal it?

15 SERGEANT LONGLEY: They came out and
16 installed it. Everything is at no cost so
17 everybody is aware, it's at no cost to Bratenahl
18 at all or the department.

19 MR. ROBINS: How did you get it for zero
20 cost?

21 SERGEANT LONGLEY: Actually, through
22 contacts I've known over the years and made a few
23 phone calls. What they did is they have a grant.
24 And it's homeland security money and they just
25 added our department onto theirs.

1 MR. ROBINS: Thank you.

2 SERGEANT LONGLEY: You're welcome.

3 MR. MATEYO: If you're on the inbound
4 lane going west and you're waiting for somebody
5 and you see somebody, do you have to pick them up
6 in the Bratenahl confines? The berm is so
7 narrow. I keep seeing -- not you, but the force
8 someone pulls over, there can't be room enough to
9 open the door and we can't get over fast enough.
10 Can you pull them down to MLK?

11 SERGEANT LONGLEY: Sure. We can follow
12 them, I mean, within reason. You don't want to
13 follow them a couple miles, but you are correct,
14 the department does not have to stop within the
15 jurisdiction of city lines of the Village.

16 MAYOR LICASTRO: They'll almost always
17 do it past MLK, because the berm is wider.

18 MR. MATEYO: That's what I'm saying,
19 it's so narrow.

20 MAYOR LICASTRO: Thank you, Sergeant.
21 Mr. Jamieson.

22 MR. JAMIESON: Thank you, Mayor. The
23 building department performed 14 new inspections
24 in the month of September, registered nine new
25 contractors, issued a total of 15 new building

1 permits, five certificates of compliance. And we
2 had six citations or summons to Mayor's Court,
3 three appeared. There's a warrant for one. And
4 two others have special circumstances that we're
5 working with. That would conclude my report.

6 MAYOR LICASTRO: Thank you. Any
7 questions for Mr. Jamieson? Mr. Stephan.

8 MR. STEPHAN: In the transcript from
9 last month's meeting, you identified nine
10 property owner citations for exterior maintenance
11 inspection and they were coming to Mayor's Court.

12 MR. JAMIESON: Right. We had six, three
13 complied, came forward after the last notice that
14 we sent out. And they've committed and asked for
15 extensions and we're working with them. Six we
16 didn't get any response from. They received
17 tickets. Three showed up. Two, just for an
18 example, there's an elderly lady all by herself
19 in an old age home, senior home, she owns the
20 property on 140. We're trying to make contacts
21 with her relatives. And I know that the Mayor is
22 familiar with that, too, so.

23 MAYOR LICASTRO: Yes, we actually
24 reconvene court for that purpose. I believe it's
25 this coming Tuesday, the 26th, and we expect the

1 three that asked for continuance to return and we
2 will discuss their situations with them
3 personally. Any other questions? Thank you.

4 Mr. Zalar.

5 MR. ZALAR: Just a short report tonight.
6 Just kind of a little bit of information. It has
7 to do with the rubbish collection. The bags are
8 a nice thing and everything for us to put them on
9 trucks and everything, but we have to physically
10 empty those bags out, because when we take it to
11 our landfill, we don't get charged for that.

12 We're probably one of the only
13 municipalities around that don't get charged for
14 our yard debris and that type of stuff as long as
15 we keep all the trash and papers out of it. We
16 do a real good job of making sure that stays that
17 way. There have been municipalities that have
18 taken it there and have actually been kicked out.
19 And then they actually started to charge those
20 municipalities. So that's one thing.

21 MAYOR LICASTRO: So you prefer they're
22 left in bulk.

23 MR. ZALAR: Right. During our specific
24 times of pickup, which is the spring, April 15 to
25 May 15, and the September 30 to December 15,

1 that's the bulk, just put it out on the tree
2 lawns. Sticks and leaves are separate, of
3 course, because it makes it a lot easier to pick
4 it up. And grass clippings are okay mixed in
5 with the leaves, but grass clippings, they really
6 don't like that down there. I don't know why,
7 but they suggested we try to mix them in with the
8 leaves as much as possible.

9 The other thing is we got an order of
10 salt in. If anybody wants to see a nice pile of
11 salt, it's beautiful over there. Nice big pile
12 of salt.

13 MAYOR LICASTRO: Only service directors
14 call piles of salt beautiful. Thank you, Mr.
15 Zalar.

16 MR. ZALAR: I placed each grain
17 specifically.

18 MAYOR LICASTRO: Any questions for Mr.
19 Zalar. By the way, the striping looks excellent
20 on the street. It's been done in the last few
21 weeks. I'm sure you've all noticed. We used
22 restricted monies from the State to pay for the
23 striping, so it looks really good. That's it for
24 department report.

25 Moving to committee reports. Finance.

1 MR. McDONALD: Finance did meet the
2 first Monday of October. I was the only member
3 present. The treasurer was there and Rich and
4 Pat were there. So we basically sat around and
5 talked about where we are and where we think we
6 might end up the year.

7 As far as our expenses go, we're right
8 in line with where we should have spent up until
9 now. On the income tax side, we are being
10 reclaimed in the now money that we got paid that
11 wasn't ours, I think it was in August, and we
12 have about \$113,000 left to pay back through the
13 end of the year.

14 MR. GALLAGHER: It was 113 to begin
15 with. That was the total over pay in August.

16 MR. McDONALD: Do you know what we have
17 left?

18 MR. GALLAGHER: 54.

19 MR. McDONALD: We have 54,000 that has
20 to be reclaimed. We know we're going to get more
21 income tax, because we've already received
22 1,081,000 and we budgeted a million. It's very
23 difficult to say where our carry-over will end
24 up, but it looks like we will end up with a
25 carry-over. And it depends on how the expenses

1 come in and how some of the yet to be received
2 income comes in.

3 MAYOR LICASTRO: Thank you.

4 MR. ROBINS: Question. Jim, how is it
5 that they would over pay us 113,000? That's a
6 lot of money and it kind of smacks of
7 incompetence.

8 MR. GALLAGHER: Yes, it does, doesn't
9 it?

10 MR. ROBINS: Yes, it certainly does.

11 MR. GALLAGHER: When you play in big
12 numbers, big mistakes happen.

13 MAYOR LICASTRO: Look at the communities
14 that those monies should have been allocated to
15 that they didn't get them.

16 MR. McDONALD: That's a nightmare.

17 MR. ROBINS: It's just bothersome
18 because you can't rely.

19 MAYOR LICASTRO: One thing they do as a
20 courtesy is they don't take it back all in one
21 month. They spread it over four or five months.

22 DR. SPANO: How are we recognized?

23 MAYOR LICASTRO: Oh, they recognize it.
24 It slips through the cracks.

25 MR. McDONALD: The community that didn't

1 get it probably complained.

2 DR. SPANO: Is that how or do they
3 correct their own mistakes?

4 MAYOR LICASTRO: I have to ask Sheila
5 how that's done.

6 DR. SPANO: They did recognize it. You
7 wonder how they did that.

8 MAYOR LICASTRO: I don't know how, but
9 they did catch the mistakes and we're paying the
10 monies back. Ms. Birch would not allow them to
11 take money back. The humor tonight is off the
12 charts.

13 Public improvements. Mr. Bolton.

14 MR. BOLTON: Did not meet.

15 MAYOR LICASTRO: But while we're on your
16 committee, I'd like to make a suggestion to
17 Council. The sewer project is almost completed.
18 Coit needed some additional cleaning. I think it
19 was about \$1,500 added to the contract. We're
20 still struggling to get reasonable quotes on the
21 road repair. Mr. Zalar has identified -- Joe,
22 why don't you tell them what areas need to be
23 done.

24 MR. ZALAR: We brought this up at last
25 Council meeting. The intersection right here in

1 front of the driveway, they wanted some work done
2 on that because I think I explained that it's
3 about 10 years ago we had a water main break and
4 they did the repair in the middle of winter and
5 everything was frozen.

6 After this time of period it's tended to
7 dry out and everything sank back down to where
8 it's supposed to be. We need to bring that back
9 up, because the major problem with fire trucks
10 and cars going up and down and this winter I know
11 it's going to be a big headache with plows.

12 We also have two areas out here that
13 Cleveland Water, we finally got the information
14 straightened out that we have two areas, one on
15 Brighton and one over here on 357 Bratenahl Road
16 that we have to have it repaired and we send the
17 bills to them to be reimbursed. So those are the
18 three areas we have to left.

19 MAYOR LICASTRO: Initial estimates come
20 in with a high of about 17,000 a couple others
21 less than that. However, there's a couple
22 companies that have not yet responded. I would
23 suggest that Council make a motion to not exceed
24 17,000. When we get a final bid, we can run it
25 past Mr. Bolton's committee for their approval.

1 My concern is if we wait until the
2 November meeting, then we have weather issues as
3 we get into late November and December that might
4 preclude us doing these necessary repairs yet
5 this year.

6 MR. McDONALD: Do you want the motion
7 now?

8 MAYOR LICASTRO: If you don't mind.

9 MR. McDONALD: I so move.

10 MR. BOLTON: Second.

11 MAYOR LICASTRO: Any discussion? All in
12 favor of the motion?

13 Ayes: 6. Nays: 0.

14 MAYOR LICASTRO: I'll communicate with
15 your committee. It should be less than 17, but
16 there's a couple companies we think will give us
17 a more competitive bid. Thank you. Legislative.

18 MR. MATEYO: Did not meet.

19 MAYOR LICASTRO: Public safety.

20 MS. BECKENBACH: Did not meet.

21 Community Affairs did not meet, either.

22 MAYOR LICASTRO: Thank you, Ms.
23 Beckenbach. Did the Recreation Commission meet?

24 MR. BAUMAN: Yes. Community Center
25 usage, security and maintenance, really no new

1 issues to report there. Activities
2 launched/planned, we expect to have
3 recommendations for the two new commission
4 members by next month's Council meeting. Both
5 mine and Donna Walsh's terms are -- we hit our
6 term limits, so we expect to have the
7 recommendation for the replacements by next
8 month's Council meeting.

9 MAYOR LICASTRO: Mr. Bauman, does that
10 mean a new Chair?

11 MR. BAUMAN: Yes, we'll be voting on
12 officers. And I expect the December meeting is
13 probably going to be a little bit of a busy one.
14 We'll be voting on new officers and new committee
15 members, two new committee members.

16 Let's see, the upcoming events, kids
17 Halloween party Saturday, October 30, from five
18 to six p.m. at the Community Center. Club 55,
19 Tuesday, November 16, at 10:00 a.m. Holiday
20 brunch with Santa, December 19, noon to 2:00 p.m.
21 at the Community Center. Flu shots, Thursday,
22 October 28, at 1:30 p.m. also at the Community
23 Center.

24 The budget for 2010 is currently on
25 track. And we are working on the 2011 budget.

1 And I expect to have something ready for review
2 by the Finance Committee shortly after next
3 month's Recreation Commission meeting. And that
4 concludes my report.

5 MAYOR LICASTRO: Thank you, Mr. Bauman.
6 Any questions for Mr. Bauman? Moving on,
7 Planning Commission.

8 MS. BECKENBACH: Planning Commission met
9 on September 16. And we had one item, the Sennet
10 property, which is located in Lakehurst, they
11 want to put on an enclosed addition to the back
12 of their house. And we have a resolution number
13 870 on your list here that we have to pass
14 tonight. The only reason it's been brought to
15 Council is because it's an amendment to the final
16 plan, so we need the approval of Council.

17 MAYOR LICASTRO: We actually have the
18 architect, I believe he's in the lobby, if
19 Council has any questions. He's brought plans
20 and designs if you'd like to review them.

21 MR. GALLAGHER: Do you want to jump
22 ahead to that resolution now?

23 MAYOR LICASTRO: Is there a report for
24 Shade Tree Commission? No? We did take down two
25 trees as an emergency. Mr. Sutton worked with us

1 as Chair. One here in Village Park and one over
2 on Foster. Sir, will you identify yourself?

3 MR. MYERS: Joe Myers, the architect for
4 the project.

5 MAYOR LICASTRO: Do you want to just
6 briefly recap the project for us?

7 MR. MYERS: Yes. The project includes
8 an addition of a sun room on the back of the
9 house. And in this type of development, there's
10 a planned unit development. In order to do the
11 addition, they would require a variance here to
12 get closer to the property line that was
13 originally established in the development plan.

14 The Zoning Board of Appeals, where this
15 is located is along the green space that's in the
16 development. And he owns the lot next door, so
17 the variance is from a green space and his own
18 lot, so it's not getting any closer to any
19 surrounding residences. So they didn't have an
20 issue with it. Because it's a planned unit
21 development, it's not really a variance to a
22 public ordinance. It's just a refinement of the
23 original development plan that was approved by
24 Council back when they put the development in.
25 So any change to that development plan would have

1 to be recognized by Council.

2 MAYOR LICASTRO: For clarification, this
3 is not a zoning variance, per se. It's a
4 different legal path. This has been approved by
5 the Planning Commission and by David Hartt. He
6 deemed the two-foot encroachment into the common
7 area to be immaterial and not have any lasting
8 impact on the Village or development.

9 The association also approved this prior
10 to the Planning Commission reviewing it. And if
11 I can jump the agenda to resolution number 870,
12 of course I have a copy of that, you don't have a
13 copy of it.

14 MS. BECKENBACH: Nobody has a copy of
15 it.

16 MR. McDONALD: We're saving trees.

17 MS. BECKENBACH: I'd like to introduce
18 resolution number 870 for suspension, a
19 resolution approving an amendment to the
20 Lakehurst plan, a residential development plan,
21 to permit an addition to the existing residence
22 at 230 Lakehurst Drive.

23 MAYOR LICASTRO: Second on suspension,
24 please.

25 MR. McDONALD: Second.

1 MAYOR LICASTRO: Roll call on
2 suspension, please.

3 MR. GALLAGHER: Ms. Beckenbach?

4 MS. BECKENBACH: Aye.

5 MR. GALLAGHER: Mr. Bolton?

6 MR. BOLTON: Aye.

7 MR. GALLAGHER: Mr. Kesselem?

8 MR. KESSELEM: Aye.

9 MR. GALLAGHER: Mr. Mateyo?

10 MR. MATEYO: Aye.

11 MR. GALLAGHER: Mr. McDonald?

12 MR. McDONALD: Aye.

13 MR. GALLAGHER: Mr. Stephan?

14 MR. STEPHAN: Aye.

15 MR. GALLAGHER: Thank you.

16 MS. BECKENBACH: I'd like to ask for
17 resolution 870 for passage.

18 MR. McDONALD: Second.

19 MAYOR LICASTRO: Any further discussion?

20 MR. BOLTON: Well, I have a question. I
21 understand that the homeowners association
22 speaking on behalf of the owners of the green
23 space approved it. About the lot owned by the
24 homeowner, I've never lived in a development, a
25 condominium association type of property. I'd

1 like to ask if the current homeowner sells that
2 lot, how will it affect the adjoining lot, which
3 he currently owns?

4 MR. MYERS: I guess because it will
5 already be within that proximity, the property
6 before they purchase the lot, it wouldn't be a
7 surprise. They're purchasing with full knowledge
8 that that is the distance they have to the
9 property line. If somebody had already owned it
10 and then you moved closer to it after they own
11 it, it would be different than buying it knowing
12 full well that that's what you're purchasing.

13 MR. BOLTON: I don't have an agenda.
14 I'm asking for information. Would typically the
15 association require the maintenance of the same
16 distance between houses so that the line of what
17 part is buildable would move two feet?

18 MR. MYERS: Each plan is reviewed at
19 Planning Commission.

20 MAYOR LICASTRO: Yes, our zoning code
21 specifies inter-building distances, so because of
22 this two-foot encroachment, the home builder on
23 the next lot would have to move over two feet to
24 compensate for that encroachment.

25 MR. BOLTON: Thank you very much.

1 MAYOR LICASTRO: Thank you, sir. Any
2 further questions? Mr. Stephan.

3 MR. STEPHAN: If I understand you
4 correctly, you said that if someone were to buy
5 this second lot, the two feet of encroachment and
6 I may have the two issues confused, the buyer
7 would buy it and accept it as is because it's
8 already been approved by us.

9 MR. MYERS: Correct. And it's not an
10 encroachment into that property, it's closer to
11 -- if it was required to be, you know, 15 feet
12 away, it's 13 feet, it's two foot closer than
13 what what's required. It's still 11 feet from
14 their property line, but it's closer to it than
15 the other properties in the neighborhood.

16 MR. KESSELEM: But if it were sold, the
17 next property owner of that structure would have
18 to be 20 foot from that measure.

19 MR. MYERS: They would have to maintain
20 the minimum distance between houses, yes.

21 MAYOR LICASTRO: It's more than 20 feet,
22 but, yes, the answer to your question.

23 MR. STEPHAN: The reason I'm asking is
24 for the precedent, because if there are other
25 issues in the Village regarding landscaping that

1 encroached on an adjacent piece of property at
2 the time the sale was consummated, then the new
3 owner has to accept that encroachment. That's
4 what I'm hearing you say.

5 MAYOR LICASTRO: Understand if you read
6 Mr. Hartt's letter, which was sent to you, the
7 property to the north, while a separate lot, is
8 owned by the Sennet family. They already own the
9 lot. The property to the west is the Lakehurst
10 common area.

11 MR. STEPHAN: The question is if they
12 sell that lot, does the buyer have to accept,
13 because it will be a different owner at that
14 time.

15 MAYOR LICASTRO: I would say the answer
16 is obviously yes. Yes. Yes, by a matter of law,
17 Mr. Stephan, which is what we're approving today.
18 Any further questions? Roll call on passage,
19 please.

20 MR. GALLAGHER: Ms. Beckenbach?

21 MS. BECKENBACH: Aye.

22 MR. GALLAGHER: Mr. Bolton?

23 MR. BOLTON: Aye.

24 MR. GALLAGHER: Mr. Kesselem?

25 MR. KESSELEM: Aye.

1 MR. GALLAGHER: Mr. Mateyo?

2 MR. MATEYO: Aye.

3 MR. GALLAGHER: Mr. McDonald?

4 MR. McDONALD: Aye.

5 MR. GALLAGHER: Mr. Stephan?

6 MR. STEPHAN: Aye.

7 MR. GALLAGHER: Thank you.

8 MAYOR LICASTRO: Thank you, sir. Thank
9 you very much. You'll contact the building
10 department for the permitting process, et cetera?

11 MR. MYERS: Yes, we will.

12 MAYOR LICASTRO: Good luck to the
13 Sennets. Thank you. Moving to old business,
14 which you don't have a copy of. Resolution
15 number 866.

16 MR. McDONALD: Is this for passage?

17 MAYOR LICASTRO: This is third reading,
18 so it's for passage, yes.

19 MR. McDONALD: I'd like to introduce
20 resolution 866, a resolution authorizing the
21 Mayor to enter into an amendment to the Water
22 Service Agreement with the City of Cleveland for
23 passage.

24 MS. BECKENBACH: Second.

25 MAYOR LICASTRO: This is on third

1 reading. Everyone knows the nature of this.
2 We've been talking about it for several months.
3 There's no need for suspension. It is offered
4 for passage. Is there any discussion? There
5 being none, roll call on passage, please.

6 MR. GALLAGHER: Ms. Beckenbach?

7 MS. BECKENBACH: Aye.

8 MR. GALLAGHER: Mr. Bolton?

9 MR. BOLTON: Aye.

10 MR. GALLAGHER: Mr. Kesselem?

11 MR. KESSELEM: Aye.

12 MR. GALLAGHER: Mr. Mateyo?

13 MR. MATEYO: Aye.

14 MR. GALLAGHER: Mr. McDonald?

15 MR. McDONALD: Aye.

16 MR. GALLAGHER: Mr. Stephan?

17 MR. STEPHAN: Aye.

18 MR. GALLAGHER: Thank you.

19 MAYOR LICASTRO: Moving to resolution
20 867. Mr. Bolton.

21 MR. BOLTON: I'd like to introduce
22 resolution number 867 for passage, a resolution
23 authorizing the Mayor to enter into an asset
24 transfer agreement with the City of Cleveland in
25 connection with the amendment to the Water

1 Service Agreement.

2 MS. BECKENBACH: Second.

3 MAYOR LICASTRO: Mr. Kesselem, did you
4 have a question?

5 MR. KESSELEM: I did have a question.
6 The only resolutions that I have are the ones
7 that have been redacted a little bit and changed.
8 Is there a way that Mr. Gallagher can send us
9 fresh, the final copies?

10 MAYOR LICASTRO: I'm sure he can. Any
11 other questions? There being none, roll call on
12 passage, please.

13 MR. GALLAGHER: Ms. Beckenbach?

14 MS. BECKENBACH: Aye.

15 MR. GALLAGHER: Mr. Bolton?

16 MR. BOLTON: Aye.

17 MR. GALLAGHER: Mr. Kesselem?

18 MR. KESSELEM: Aye.

19 MR. GALLAGHER: Mr. Mateyo?

20 MR. MATEYO: Aye.

21 MR. GALLAGHER: Mr. McDonald?

22 MR. McDONALD: Aye.

23 MR. GALLAGHER: Mr. Stephan?

24 MR. STEPHAN: Aye.

25 MR. GALLAGHER: Thank you.

1 MAYOR LICASTRO: Moving to resolution
2 868. Mr. Mateyo.

3 MR. MATEYO: I'd like to introduce
4 resolution 866, a resolution authorizing the
5 Mayor to enter into a joint economic development
6 zone agreement with the City of Cleveland in
7 connection with the amendment to the Water
8 Service Department.

9 MS. BECKENBACH: Second.

10 MR. ROBINS: You said 866, just
11 clarification.

12 MAYOR LICASTRO: It is 868. There's
13 been a second. Any further discussion? There
14 being none, roll call on passage, please.

15 MR. GALLAGHER: Ms. Beckenbach?

16 MS. BECKENBACH: Aye.

17 MR. GALLAGHER: Mr. Bolton?

18 MR. BOLTON: Aye.

19 MR. GALLAGHER: Mr. Kesselem?

20 MR. KESSELEM: Aye.

21 MR. GALLAGHER: Mr. Mateyo?

22 MR. MATEYO: Aye.

23 MR. GALLAGHER: Mr. McDonald?

24 MR. McDONALD: Aye.

25 MR. GALLAGHER: Mr. Stephan?

1 MR. STEPHAN: Aye.

2 MR. GALLAGHER: Thank you.

3 MAYOR LICASTRO: Moving to new business,
4 we've already passed resolution 870. Before we
5 go to resolution 871, Mr. Gallagher, would you
6 explain the nature of this, please.

7 MR. GALLAGHER: Sure. Late in September
8 I was told at a workshop that the county was
9 putting on an energy block grant program that's
10 being run through the Cuyahoga County Planning
11 Commission. I attended the workshop on September
12 27 where they explained that there is money
13 available. It's ARRA monies funneled through a
14 block grant.

15 Anyway, it's available to us for two
16 things. One, to have an energy audit done on all
17 Village facilities. We've sort of done that
18 through Bruner Garrett. Most of you have seen
19 the report from them. One of the county's
20 prerequisites is that whoever does the energy
21 audit cannot participate in the projects
22 themselves.

23 They want a clean uninterested auditor
24 of certain specifications, which I believe I sent
25 in the email, to conduct the audit. So the

1 bottom line is even though we know we have a very
2 good idea of what projects we want to do, we
3 can't implement them using the block grant money
4 until we use their block grant money to do
5 another independent audit.

6 Having done all this work before, I was
7 back and forth with the Planning Commission
8 trying to decide if we can apply for projects at
9 the same time as the audit application. They
10 initially said no. I found out this morning that
11 maybe we can, so I may be adjusting our
12 application, but right now we are applying to the
13 county for them to award us money to do an
14 independent energy audit of the Village
15 facilities.

16 It will cost us nothing except my time
17 to put all this stuff together and Joe's to get
18 me the square footage of the building. Once we
19 submit this, they'll give us a yay or nay.
20 They'll tell us how much money we're going to
21 get. Then we go out and get an auditor, contract
22 with them, they do the audit, we turn in the
23 audit and then invoice to the county and they
24 reimburse us. And that's where we are.

25 MAYOR LICASTRO: Mr. Kesselem.

1 MR. KESSELEM: Resolution number 871, a
2 resolution authorizing John M. Licastro, Mayor,
3 to prepare and submit an application to
4 participate in the Cuyahoga County Municipal
5 Energy Program, MEP, and to execute contracts as
6 required and declaring an emergency.

7 MS. BECKENBACH: Second.

8 MAYOR LICASTRO: Roll call on
9 suspension, please.

10 MR. GALLAGHER: Ms. Beckenbach?

11 MS. BECKENBACH: Aye.

12 MR. GALLAGHER: Mr. Bolton?

13 MR. BOLTON: Aye.

14 MR. GALLAGHER: Mr. Kesselem?

15 MR. KESSELEM: Aye.

16 MR. GALLAGHER: Mr. Mateyo?

17 MR. MATEYO: Aye.

18 MR. GALLAGHER: Mr. McDonald?

19 MR. McDONALD: Aye.

20 MR. GALLAGHER: Mr. Stephan?

21 MR. STEPHAN: Aye.

22 MR. GALLAGHER: Thank you.

23 MAYOR LICASTRO: For passage, please.

24 MR. KESSELEM: For passage, resolution
25 number 871.

1 MR. MATEYO: Second.

2 MAYOR LICASTRO: Questions? Do you have
3 a question?

4 MR. KESSELEM: The person, the group
5 that's going to be doing the audit, do we have
6 that person's or that company's name?

7 MR. GALLAGHER: We do not. We have not
8 determined an auditor yet. And the Planning
9 Commissioner is staying out of the auditor
10 selection business. We have to find our own.

11 MAYOR LICASTRO: This is the Cuyahoga
12 County Planning Commission. It's not our
13 Planning Commission.

14 MR. KESSELEM: So we will still have to
15 find somebody that's going to be doing the audit
16 portion?

17 MR. GALLAGHER: Yes. I've reached out
18 to a couple of organizations, the Association of
19 Energy Engineers and a couple of others to give
20 us some ideas. The bottom line now is we need to
21 get this in before November 1. In the meantime,
22 I'm trying to figure out who can do it.

23 MAYOR LICASTRO: Did you have a
24 question, Mr. Stephan?

25 MR. STEPHAN: Is there a deadline for

1 submission of the applications to actually do the
2 work?

3 MR. GALLAGHER: I believe it's the
4 middle of February. At which time there will
5 probably be extra money left over assuming that
6 all of the entities that they contacted don't
7 follow through with this program, then we can use
8 that money to fund our project.

9 That's what they're telling me, except
10 for what I heard this morning from the
11 sustainability people at the county. So I'll be
12 checking on that tomorrow.

13 MR. ROBINS: Why did they wait so late,
14 Jim?

15 MR. GALLAGHER: I don't think they knew
16 what they were doing until then.

17 MR. ROBINS: If you hadn't gone to the
18 workshop --

19 MR. GALLAGHER: We wouldn't have it at
20 all.

21 MAYOR LICASTRO: Kudos to Mr. Gallagher.

22 MR. GALLAGHER: Laura Bacci went with
23 me.

24 MR. KESSELEM: They really only gave
25 them one month to prepare for it, too.

1 MS. BECKENBACH: Usually they give you
2 24 hours, the ones I get.

3 MAYOR LICASTRO: Again, I'm not sure
4 everyone heard, kudos to Mr. Gallagher for
5 pursuing this. Any other questions? There being
6 none, roll call on passage, please.

7 MR. GALLAGHER: Ms. Beckenbach?

8 MS. BECKENBACH: Aye.

9 MR. GALLAGHER: Mr. Bolton?

10 MR. BOLTON: Aye.

11 MR. GALLAGHER: Mr. Kesselem?

12 MR. KESSELEM: Aye.

13 MR. GALLAGHER: Mr. Mateyo?

14 MR. MATEYO: Aye.

15 MR. GALLAGHER: Mr. McDonald?

16 MR. McDONALD: Aye.

17 MR. GALLAGHER: Mr. Stephan?

18 MR. STEPHAN: Aye.

19 MR. GALLAGHER: Thank you.

20 MAYOR LICASTRO: Mr. Stephan, ordinance
21 3494, please.

22 MR. STEPHAN: I introduce ordinance 3494
23 for suspension. Do you want me to read the
24 ordinance?

25 MAYOR LICASTRO: You can read the dollar

1 amount, if you will.

2 MR. BOLTON: And declaring an emergency?

3 MR. STEPHAN: The ordinance Pay Claims
4 in the amount of \$56,421.54.

5 MAYOR LICASTRO: That's correct. So you
6 asked for suspension and emergency, correct?

7 MR. STEPHAN: Correct.

8 MR. McDONALD: Second.

9 MAYOR LICASTRO: Roll call on
10 suspension, please.

11 MR. GALLAGHER: Ms. Beckenbach?

12 MS. BECKENBACH: Aye.

13 MR. GALLAGHER: Mr. Bolton?

14 MR. BOLTON: Aye.

15 MR. GALLAGHER: Mr. Kesselem?

16 MR. KESSELEM: Aye.

17 MR. GALLAGHER: Mr. Mateyo?

18 MR. MATEYO: Aye.

19 MR. GALLAGHER: Mr. McDonald?

20 MR. McDONALD: Aye.

21 MR. GALLAGHER: Mr. Stephan?

22 MR. STEPHAN: Aye.

23 MR. GALLAGHER: Thank you.

24 MR. STEPHAN: Introduce ordinance 3494
25 for passage.

1 MR. McDONALD: Second.

2 MAYOR LICASTRO: Questions? Concerns?

3 MR. MATEYO: Just out of curiosity, the
4 gasoline expense of \$4,100 is a little high. I
5 know Elliott goes all over the place.

6 MAYOR LICASTRO: It's to fill the tank
7 at the service garage. How many gallons does
8 that hold Jim?

9 MR. ZALAR: It's a 2,000-gallon tank,
10 but we get it filled. Usually one of them is the
11 diesel.

12 MAYOR LICASTRO: It's to fill the tanks
13 at the service garage. It's not just one
14 vehicle.

15 MR. KESSELEM: The pricing for gasoline
16 is broken out for the police and then one for the
17 service, correct? Is it both for gasoline or is
18 it combined diesel and gas, fuel?

19 MR. ZALAR: No, diesel comes to us and
20 gasoline is split between the two departments,
21 but it's under one bill. They view that
22 internally.

23 MR. STEPHAN: I have two purchases. I
24 see we bought Eddy Road litter sign for \$93.74.
25 Is that something we just purchased and put in

1 place even though it's State property?

2 MAYOR LICASTRO: We communicated with
3 ODOT. They gave us permission to do so. There's
4 a litter sign there that's a property of ODOT.
5 We added two signs that say Litter Hurts, \$500
6 fine with a contact number, call for violations,
7 report violators with the Bratenahl Police
8 number.

9 So ODOT gave us permission to put them
10 there. There's one about halfway up the ramp and
11 the other one at the end of the ramp to try to
12 deal with the amount of trash we're trying to
13 curtail on Eddy Road.

14 MR. STEPHAN: In order to draw attention
15 to those littering, anti-littering signs, is it
16 possible to take down some of the other signs?
17 There are now approximately a dozen signs on that
18 ramp.

19 MAYOR LICASTRO: I'm not sure if there's
20 a dozen, but I think the rest all belong to ODOT.

21 MR. ZALAR: That's something that we
22 can't do. That's all ODOT. The ramp is ODOT's
23 property.

24 MR. STEPHAN: I understand. I'm asking
25 if we can add signs, can we subtract signs?

1 MAYOR LICASTRO: Well, the signs we
2 added are ours. The signs that are there are
3 ODOT's. I don't know, Mr. Stephan. What sign is
4 it you'd like to take down?

5 MR. STEPHAN: I'd like to take some
6 down. We've done it elsewhere in the Village.
7 We removed signs because there were too many
8 signs. I thought it would draw attention to the
9 litter signs that we want people to see if we can
10 take some of the others down. I don't have any
11 individual signs in mind. It's a general
12 questions.

13 MAYOR LICASTRO: The signs we took were
14 in our right-of-way. This is ODOT's
15 right-of-way. I can ask, but I'm sure they think
16 they have a purpose.

17 MR. STEPHAN: Secondly, the signal
18 service company, Lake Shore and Bratenahl Road
19 \$1,450.

20 MAYOR LICASTRO: That's the timing of
21 the lights, isn't it, Jim?

22 MR. ZALAR: Traffic signal.

23 MAYOR LICASTRO: Every so often they
24 have to be maintained and the timing checked.

25 MR. STEPHAN: Seems like it's an awful

1 lot of money to check the timing.

2 MR. ZALAR: There was a board replaced
3 in the main panel box down here. That was one
4 that -- was it two years ago? About two years
5 ago that control panel box on Lake Shore in the
6 northwest corner of the intersection was damaged
7 by a tree limb that had come down. They replaced
8 the panel.

9 One of the boards inside malfunctioned,
10 so they had to replace it, because that was the
11 newest, that one is digital where the other
12 signal controllers are all electric mechanical.
13 These are all digital up here now.

14 MR. STEPHAN: Do we have insurance since
15 it was a tree limb falling on the unit that
16 damaged it? Do we have insurance to cover that
17 cost?

18 MAYOR LICASTRO: I think we did two
19 years ago. This was a malfunction in the board.

20 MR. ZALAR: This was a malfunction in
21 the control box.

22 MR. KESSELEM: Is the new one capable of
23 taking the new LED lights?

24 MR. ZALAR: We believe so, yes. The
25 only thing we have to check into, I think, is the

1 traffic signal out by DCMA. I believe we
2 maintain them, but they were purchased by DCMA,
3 is that correct?

4 MAYOR LICASTRO: That's correct. The
5 signal that's in front of DCMA is a crosswalk
6 signal put in at the request of DCMA for
7 employees that are headed eastbound can across
8 the boulevard without putting themselves in
9 jeopardy. The deal with DCMA was they purchased
10 the equipment, we maintain it. Anything else?

11 MR. KESSELEM: I see that the tree
12 service, the 2,800 for the tree removal, the
13 Broken Branch Tree Care, how does that fit within
14 the budget that we've been working with this
15 year, \$5,000? Is that above and beyond or in the
16 middle?

17 MR. GALLAGHER: It's a little more than
18 half of it.

19 MAYOR LICASTRO: Is there still half
20 left?

21 MR. GALLAGHER: Yes.

22 MAYOR LICASTRO: There's about \$2,200
23 left. We've been frugal. These are safety
24 issues.

25 MR. KESSELEM: It has to be done, I

1 understand that. I just wanted to get an idea
2 how we were doing in the 5,000.

3 MR. ROBINS: There was \$5,000 in the
4 budget. This is the first expenditure against
5 that 5,000.

6 MAYOR LICASTRO: Anyone else? There
7 being no further questions, roll call on passage.

8 MR. GALLAGHER: Ms. Beckenbach?

9 MS. BECKENBACH: Aye.

10 MR. GALLAGHER: Mr. Bolton?

11 MR. BOLTON: Aye.

12 MR. GALLAGHER: Mr. Kesselem?

13 MR. KESSELEM: Aye.

14 MR. GALLAGHER: Mr. Mateyo?

15 MR. MATEYO: Aye.

16 MR. GALLAGHER: Mr. McDonald?

17 MR. McDONALD: Aye.

18 MR. GALLAGHER: Mr. Stephan?

19 MR. STEPHAN: Aye.

20 MR. GALLAGHER: Thank you one and all.

21 MAYOR LICASTRO: Anyone else on Council?

22 MR. BOLTON: Is this old business?

23 MAYOR LICASTRO: This is old, new or
24 intermediate.

25 MR. BOLTON: A couple of things. I

1 wondered what the status was of the ordinance
2 establishing the Council communications
3 committee.

4 MAYOR LICASTRO: We have a last minute
5 remission from Mr. Kesselem on Monday. I asked
6 legal to review it. Mr. Matty has been down for
7 the count for a couple days. He's back in the
8 saddle. He'll review the language and refer it
9 to Mr. Mateyo's committee for final review and
10 then it should come to Council.

11 MR. BOLTON: Thank you. I had a new
12 thing, also.

13 MR. STEPHAN: Could the communications
14 committee ordinance, continuing that discussion,
15 is it possible to pass on the third reading and
16 then consider the amendment to the ordinance at
17 the next Legislation Committee meeting, but go
18 ahead and establish the committee with the third
19 reading since it's sitting on the table.

20 MAYOR LICASTRO: There's been revisions
21 that have to be reviewed by legal.

22 MR. STEPHAN: The original ordinance has
23 not been changed. So we've gone through two
24 readings and with the delays and difficulty in
25 getting revisions, is it possible to pass the

1 original ordinance third reading, establish the
2 committee and then if there are revisions to the
3 ordinance, go through legislation to revise the
4 ordinance, which establishes the committee.

5 MR. MATTY: I'd want to make sure what
6 version of the ordinance we're talking about,
7 because I do know that we worked through Mr.
8 Mateyo's committee to get a version of the
9 ordinance prepared for Council.

10 I'd want to make sure that that's what
11 we're passing. That would work if there are
12 later requests for amendments, which would have
13 to go back to committee for discussion, but we'd
14 have to see and make sure everybody is on the
15 same page as to what version we're talking about.

16 So I mean, if you have that, Councilman,
17 in hand, I'll certainly take a look at it. I
18 want to make sure it's the last one that I
19 approved, because there's been two or three
20 versions that have come out with other
21 suggestions for recommendations for amendment,
22 which I did not approve.

23 And I did accept some of the amendments
24 that came out and we altered some of the
25 amendments that came out. So whatever version

1 you're talking about, yes, if everybody is in
2 concert, it could be entertained at third
3 reading.

4 MR. STEPHAN: I would like to introduce
5 that ordinance for third reading.

6 MR. MATTY: Do we have --

7 MAYOR LICASTRO: Mr. Stephan, I'm not
8 sure we understand what version that is. Why
9 don't we have Mr. Matty review the last
10 recommendations, make certain that they are
11 legal, make certain we're all on the same page
12 with how the ordinance reads, and then refer it
13 to committee and pass it in November. Why not be
14 accurate? We've waited this long, what's another
15 month?

16 MR. STEPHAN: Because it's become an
17 embarrassing long delay in forming the committee,
18 that's all.

19 MAYOR LICASTRO: Well, revisions will do
20 that. I understand we're trying to get it right.
21 My suggestion is let's make sure it's right
22 before we go forward. Anyone else? Mr. Bolton.

23 MR. BOLTON: I had one other thing. I
24 received an email, as perhaps all of us did, from
25 Mr. Daane suggesting that Bratenahl do what

1 Cleveland Heights has done about eliminating
2 toxic, going green on the lawn and weed products
3 that are used.

4 At first I understood that to be that
5 Council would entertain an ordinance prohibiting
6 homeowners from using certain products on their
7 lawn, which I understand to be contrary to our
8 authority, but I did agree to ask Mr. Matty
9 whether Village Council has the authority to
10 prohibit certain types of environmentally harmful
11 products on lawn care.

12 MAYOR LICASTRO: Before he answers that
13 question, understand as far as public properties,
14 we don't use toxic chemicals. We use either
15 organic or we don't fertilize at all. So as far
16 as what we do with public properties, we have it
17 firmly under control.

18 MR. BOLTON: I was going to next say
19 let's look into it, so that's terrific news.

20 MAYOR LICASTRO: I'm not sure what we
21 can do with private properties.

22 MR. MATTY: Councilman, unfortunately,
23 some of the communities that take that action are
24 relying upon their charter, which allows
25 ordinances to be passed in addition to what may

1 be in state law or inconsistent to state law. We
2 do not have a charter that would permit us to
3 take that type of action, but I would have to
4 research the Ohio Revised Code to see if in the
5 state law we, as a state authorized Council,
6 would have that authority.

7 And I don't know what the answer to that
8 is tonight, but we'll certainly research it for
9 you and get back to you on that subject. That
10 would be the only way if Council wished to
11 entertain that that we could, if there was
12 authorization in the state law to do so. And
13 then, of course, it would be your discretion to
14 do so or not, because you are dealing with
15 private property and private property owners who
16 have certain rights in that area as it relates to
17 their property.

18 MR. BOLTON: How do other Council
19 members feel about requesting Mr. Matty to look
20 into it?

21 MR. STEPHAN: I don't think that it's
22 appropriate for the Council for legislate lawn
23 treatment products on private property.

24 MR. BOLTON: Well.

25 MAYOR LICASTRO: Silence is deafening.

1 Again, the property over which we have control,
2 we don't use harmful chemicals. And, Mr. Bolton,
3 that can be a very slippery slope.

4 MR. BOLTON: I know.

5 MAYOR LICASTRO: You are the champion of
6 private properties rights.

7 MR. BOLTON: I think I'm the only one in
8 the Village who is opposed to mosquito spraying,
9 for example, so it cuts both ways. Perhaps the
10 appropriate venue would be for the next meeting
11 of Mr. Mateyo's Legislative Committee to discuss
12 it.

13 MR. MATEYO: I don't like mosquitoes,
14 either.

15 MAYOR LICASTRO: We haven't sprayed for
16 mosquitoes for years, by the way.

17 MS. MEADE: I support mosquito spray.

18 MAYOR LICASTRO: The only way they'll do
19 it now is if they trap and find mosquitoes with
20 the West Nile. Other than that, they won't do
21 the spraying. It's become very controversial.
22 They'll do it if they find a certain number of
23 mosquitoes. West Nile really has not been an
24 issue for the last several years. We've been
25 fortunate. Again, wet summers produce the

1 species that carry the West Nile, not dry
2 summers.

3 Were you done, Mr. Bolton?

4 MR. BOLTON: I am done.

5 MAYOR LICASTRO: Mr. Mateyo.

6 MR. MATEYO: I received.

7 MAYOR LICASTRO: Excuse me.

8 MRS. SPANO: I would like to make a
9 comment about the fertilizer on private property.
10 All that flows into the lake, which belongs to
11 all of us.

12 MS. MEADE: Maybe we have to educate
13 homeowners and maybe they'll take it upon
14 themselves to be better.

15 MAYOR LICASTRO: That's a well-taken
16 point. Education we can do. I'm not sure what
17 latitude we have to legislate what people do on
18 their own property. The courts are very apt to
19 side on the side of homeowners in regard to that.
20 We certainly don't want to get into litigation,
21 but certainly an education piece produced by
22 Council would make sense, because it does all
23 flow to the lake. Ms. Peterson.

24 MS. PETERSON: There's a precedence that
25 Cleveland Heights has done this. And it's a

1 question of whether we could legally do it?

2 MR. MATTY: Correct. Cleveland Heights
3 legal framework that their Council works under
4 may be totally different than ours.

5 MS. PETERSON: Unless we research it, we
6 don't know what our ability is to take a
7 leadership role in this.

8 MR. McDONALD: Mr. Bolton suggested it
9 go to George's committee, discuss it there and
10 then ask the solicitor to look into it.

11 MAYOR LICASTRO: Well, this comes under
12 the heading of Mr. Matty's retainer. So at some
13 point I'm sure he can research it, but perhaps
14 the dialogue at the committee level is best.

15 MR. MATTY: No use researching something
16 that a majority of the committee or the majority
17 of Council do not want to do. Believe me, we are
18 busy enough with what we do want to do. So if
19 there is a majority that wants to go forward,
20 certainly we will do that research. You have to
21 look at the framework of a community.

22 I don't know, Councilman, what Cleveland
23 Heights passed. I haven't seen the legislation.
24 And we can certainly check on that, but the fact
25 of the matter is some of these Councils have more

1 authority, broader authority than yours, because
2 we are limited to state law.

3 MAYOR LICASTRO: Ms. Beckenbach.

4 MS. BECKENBACH: We have an opportunity,
5 and I'm going to bring this to Community Affairs,
6 to offer suggestions to the community in the form
7 of they're not law. They're suggestions on how
8 to go green. And I have a huge packet at home
9 that refers to this and that's part of the
10 packet, but the City of Orange, there is no
11 ruling that you have to do this. These are
12 suggestions and building code, in their building
13 code and general code that relates to these green
14 topics.

15 MR. BOLTON: I have a question. Could
16 the NOPEC grant be used to offer incentives to
17 homeowners to use organic products?

18 MAYOR LICASTRO: I think the NOPEC grant
19 is about energy.

20 MS. MEADE: You can do education
21 regarding energy-related issues.

22 MAYOR LICASTRO: Is fertilizer energy
23 related?

24 MR. BOLTON: Some fertilizer is.

25 MS. MEADE: As it increases energy

1 efficiency, it would have to have that energy
2 compost.

3 MR. ROBINS: The manufacture of
4 fertilizer is very energy intensive.

5 MAYOR LICASTRO: Now, that's really a
6 stretch. Why don't we have Ms. Bacci look at
7 that. She's the most familiar with the grant.
8 Mr. Kesselem.

9 MR. KESSELEM: I was just suggesting
10 that I think it should go to Community Affairs
11 before we bring it into any sort of legislation.
12 I think the community forum of Community Affairs
13 allows it more talk and more speak in order for
14 us all to understand what it is that we're trying
15 to propose before we get into any kind of legal
16 sides of it.

17 MR. STEPHAN: I would like to point out
18 that our association investigates all organic
19 products, treatments for the 18 acres that we
20 have. And when something comes along that works
21 reasonably well and is less than three times as
22 expensive or twice as expensive, we certainly
23 will consider it.

24 We have many owners, myself included,
25 who are very interested in this issue, but we

1 don't do it right now for the reasons I just
2 cited.

3 MAYOR LICASTRO: Organic can be very
4 expensive. A lot more expensive.

5 DR. SPANO: What happens to it when it
6 falls into the lake?

7 MAYOR LICASTRO: Doctor, no one is
8 disputing that.

9 DR. SPANO: Well, you know, the Newport
10 development has a bit of a problem, too, in
11 contaminating the harbor. This year for the
12 first time we've seen an enormous increase in
13 luxuriant growth of weeds throughout the season,
14 not just the usually Curly-Leaf. I used to know
15 all these things, you hire these guys to come
16 out. But there are some tenacious ones that foul
17 the harbor and foul the boats and we actually had
18 to mechanically remove them with a diver, cost us
19 money.

20 I'm sure this is the result -- we used
21 to say it's the zebra mussels that cleaned up the
22 water and allowing the sunlight to pass-through
23 so, therefore, you have growth at the bottom, but
24 in addition, we have much more growth this year
25 than in years past.

1 And I believe it's related to the runoff
2 on this whatever material they're using for
3 fertilizer from the surrounding zones by one
4 person I'm sure you all know who does lots of
5 work here.

6 I'm not maligning him in any way, it's
7 just that there's an insistence by those zones to
8 maintain the grounds in the condition they wish
9 to have them in. And whatever that takes,
10 whether it be organic, inorganic, whatever
11 fertilizer, toxic or otherwise, that's being used
12 to accomplish that.

13 They're saying with that use, you know,
14 I think that vis-a-vis this discussion of
15 legality, if you can prove that whatever they're
16 doing is following another zone and show that
17 it's costing us, then I would look to the
18 surrounding people who are creating this cost for
19 us and ask that they do something about that to
20 prevent that kind of growth.

21 Now, that's a bit of a stretch, too.
22 But it's more than just coincidental that this is
23 happening. And I think it has to do with
24 whatever it is they're using, because they didn't
25 use it in the past. And if organic does the same

1 thing, well, then it doesn't serve us very well
2 to use organic. I don't know what the answer is.

3 I think my wife wouldn't want to use any
4 fertilizer at all I suppose, but I'm not sure
5 that that's appropriate, either.

6 MAYOR LICASTRO: Certainly a dialogue at
7 Community Affairs makes sense so we can determine
8 the intent of Council and we can then pursue
9 what's legal and what's not.

10 DR. SPANO: We need to be informed.
11 Maybe someone can do some research on this about
12 what this one product do over another product.
13 At the Towers, I assume that's what you're
14 talking about, they're favoring certain products
15 regardless of expense, but how do they differ in
16 terms of the surrounding environment from other
17 products.

18 MR. McDONALD: That's a good point,
19 because if it promotes growth on the land, it's
20 probably going to do promote growth in the water.

21 DR. SPANO: How does that affect the
22 fish, the water we drink? Maybe we shouldn't use
23 any fertilizer.

24 MR. ROBINS: It comes back to Andy's
25 point about having a discussion at Community

1 Affairs, but all this can be brought back into a
2 more detailed discussion. I mean, one of the big
3 issues is nitrogen availability. The Maumee
4 River, what's happening in the west part of the
5 lake, there's a lot of discussion. I'm sure Beau
6 has a lot of knowledge or access to people with
7 knowledge. And we can talk until the cows come
8 home.

9 MAYOR LICASTRO: We're not going to
10 resolve this tonight. Let's refer this to
11 committee.

12 MR. BOLTON: As you say, I'm quite torn,
13 because I see both sides of this issue. I think
14 we'll have a more meaningful discussion if Mr.
15 Matty wouldn't mind looking at it. And in
16 particular not just can the Village of Bratenahl
17 do any type of legislating, but what kind. Can
18 it be a toxic, question of toxicity? Perhaps
19 with measurements or quantity so that a little
20 handheld Round-Up is all right, but a barrel of
21 Round-Up is too much.

22 In other words, what are the parameters
23 of a discussion that our Village can have? I
24 don't think we have to rush, because nobody is
25 going to be putting it on until spring.

1 MAYOR LICASTRO: How about a motion to
2 refer this to Community Affairs for further
3 discussion.

4 MR. McDONALD: So move.

5 MR. KESSELEM: Second.

6 MAYOR LICASTRO: All in favor of the
7 motion?

8 Ayes: 6. Nays: 0.

9 MAYOR LICASTRO: Does that sound like a
10 good starting point? Okay. Anyone else?

11 MR. MATEYO: Yes. I think many of us
12 received an email from Rich Semersky pertaining
13 to the Cleveland Metropolitan School District.
14 And there was a conversation with somebody
15 regarding their desire possibly put 75 more
16 parking spots where the building already is, the
17 Barbara Bird Bennett.

18 I went over and walked through Rick's
19 property with him. I don't know what committee
20 it should go to, but if it does come up, they
21 made promises to us that they wouldn't be doing
22 this. And in light of the population in the
23 schools being down, fewer teachers, fewer
24 students, it's actually mind boggling that they
25 want to put in 75 more parking spots.

1 MS. BECKENBACH: This will go under the
2 Planning Commission when the School Board makes a
3 request.

4 MAYOR LICASTRO: All they've had is an
5 informal discussion. There's been no formal
6 request.

7 MR. MATEYO: You can say an informal
8 discussion, you can sort of say, hey, don't go
9 forward with it. If they want to, fine, but
10 we're going to spend more money on it.

11 MAYOR LICASTRO: We forwarded the emails
12 as a matter of courtesy. They're aware of the
13 concern.

14 MR. MATEYO: Thank you.

15 MAYOR LICASTRO: Mr. Stephan.

16 MR. STEPHAN: In light of the election,
17 in our number of meetings that have been held
18 regarding the budget 2011 for the Village and the
19 five-year projection and so forth, I propose that
20 Council entertain -- I will just propose that we
21 as a Council schedule a special meeting of
22 Council on Saturday morning from eight to 11
23 after the election to consider the 2011 budget
24 for the Village and a full five-year projection
25 from that point forward.

1 Regardless of now when we don't know
2 what the outcome of the election will be, but it
3 it's pretty apparent that our budget, revenue and
4 expenses are going to be a serious issue for us
5 as a Council as a whole, I think, to consider and
6 the sooner that we begin, the better.

7 So I would propose that we schedule a
8 special meeting for Saturday immediately after
9 the election from eight to 11.

10 MAYOR LICASTRO: Thank you. Anyone
11 else? Mr. Robins.

12 MR. ROBINS: If you'll just indulge me
13 for a minute, please. One thing I wanted to tell
14 you is Tammy Westerman, who is a villager, is the
15 new Board Chair of Mental Health Services. So if
16 you see Tammy, lives in BP one, please
17 congratulate her.

18 As I said earlier, we have 17 million
19 dollar operating budget. One of the items that
20 we run is a women's homeless shelter. Next
21 Tuesday from three to six there is a launching of
22 a one and a half million dollar renovation of the
23 women's homeless shelter.

24 As I mentioned earlier, some of the
25 ladies that Sowell strangled were our ladies and

1 spent time in the women's shelter. The story
2 that is so significant here is there is a lady
3 who was very severely mentally ill. So severely
4 mentally ill that her daughters were taken away
5 many years ago and the names changed.

6 One daughter became a college professor,
7 the other daughter became a business person
8 owning an accounting firm. Well, this lady got
9 cancer and she was dying. And we managed to get
10 a hold of the daughters, bring the daughters to
11 hold their mother as she died so there was a
12 reconciliation.

13 The significance of all this is that
14 Tuesday is the relaunching of this million and a
15 half dollar renovation project, which is run by
16 Eaton Corporation. They build the homes and
17 facilities and we provide the services through
18 Mental Health Services.

19 One of the daughters has written a book.
20 And the book is being featured by Oprah. I think
21 this lady will be -- she's here. The new
22 facility is being named after the lady that died,
23 the mother that died. And the daughter that
24 wrote this book will be here. There will be a
25 lot of TV coverage, a lot of newspaper coverage.

1 And Hilary Swank has just asked for the book.

2 It's being published by Simon &
3 Schuster. And Hilary Swank wants to look at it
4 for making a movie. It's an interesting thing
5 that's happening in Cleveland. It's a good feel
6 story and I just wanted to share it with you.

7 MAYOR LICASTRO: Thank you. Ms. Meade.

8 MS. MEADE: Yes, just a few status
9 report updates. Earlier in the year did we
10 mention that sound walls were going to be
11 replaced this fall?

12 MAYOR LICASTRO: I don't think they said
13 this fall. The sequence is Cleveland, Parma and
14 then Bratenahl. They haven't finished the
15 Cleveland project yet. Parma is next and then we
16 are. I'm not sure what the time frame is, but
17 that was the sequence.

18 MS. BECKENBACH: I think it's Euclid,
19 too.

20 MAYOR LICASTRO: Cleveland and Euclid.
21 I'm sorry Euclid, Parma, Bratenahl.

22 MS. MEADE: Then the performance audit,
23 will that be scheduled before year end?

24 MR. GALLAGHER: We've pretty much come
25 to the conclusion that the \$5,000 that we set

1 aside is not going to provide any meaningful
2 information, so we're putting it off until after
3 the election to see if we can add some more to
4 the pot and do something right.

5 MS. MEADE: Did we review the status of
6 EMS or is that still pending?

7 MAYOR LICASTRO: We've started our
8 diligence and dialogue with Martin Flask. We
9 haven't had a meeting with him yet. We have one
10 scheduled sometime in November.

11 MS. MEADE: And then my last question, I
12 wasn't sure who's responsible right now for
13 maintaining the creaks in our Village?

14 MAYOR LICASTRO: The creaks? The
15 property owners that own the property, the state
16 owns the water.

17 MS. MEADE: Okay. Because I had thought
18 that -- I had heard that the Village was
19 responsible and if the stormwater project goes
20 through then Regional Sewer will take over. My
21 question is like behind our home, we've had a lot
22 of huge trees fall. So when we get a hard fast
23 rain, it floods. I was wondering if someone
24 could cut and remove those trees, whomever's
25 responsibility that is.

1 MAYOR LICASTRO: That would be the
2 property owner. And that's on the Weller
3 property, Ireland property.

4 MS. MEADE: Thank you.

5 MAYOR LICASTRO: One last question we
6 hope.

7 MR. DAANE: I wanted to remind people
8 that trash walk at our two large parcels is
9 Saturday November 6 at 9:30. I believe that's
10 two Saturdays away. Saturday, November 6 at
11 9:30, meet at Corning and Lake Shore, rain or
12 shine.

13 MAYOR LICASTRO: Thank you.

14 MR. KESSELEM: One last thing. Also, I
15 don't know if this is for Elliott or for you,
16 John. There's been a couple of accidents
17 eastbound on 90. And the chain link fence has
18 been destroyed. One at almost Eddy Road exit and
19 the other one further down.

20 MAYOR LICASTRO: We've already notified.
21 That's ODOT. There was a tree that came down on
22 again the ODOT right-of-way. They've been
23 notified. Elliott, will you follow-up on that.

24 SERGEANT LONGLEY: I sure will.

25 MR. BOLTON: A house was torn down at

1 the east end of the Village. I just wanted to
2 make sure that all appropriate procedures were
3 followed.

4 MS. BECKENBACH: Yes, they were.

5 MAYOR LICASTRO: It was purchased by
6 Sarah and Paul Kesselem. They bought the lot,
7 tore down the house. It was in dismal shape. I
8 told them it will be a beautiful chipping green
9 and they should keep it as such. Anyone else?
10 Ms. Beckenbach.

11 MS. BECKENBACH: I move to adjourn.

12 MAYOR LICASTRO: We're adjourned. Thank
13 you. Have a nice Halloween.

14 (Meeting adjourned at 6:55 p.m.)

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