

BRATENAHL VILLAGE
BRATENAHL VILLAGE HALL
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VILLAGE COUNCIL MEETING

TAKEN:

DECEMBER 22, 2010

5:00 P.M.

PRESENT:

MAYOR JOHN LICASTRO
MARY BECKENBACH
THOMAS McDONALD
WILLIAM BOLTON
GEORGE MATEYO
ANDREW KESSELEM
DAVID J. MATTY, ESQ.
NANCY L. MOLNAR, RPR



3

1 MR. MATEYO: Aye.
2 MR. GALLAGHER: Mr. McDonald?
3 MR. McDONALD: Aye.
4 MR. GALLAGHER: Thank you.
5 (Whereupon, Council moved into executive
6 session.)
7 ****
8 MR. GALLAGHER: It's been moved and
9 seconded we resume the public session.
10 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: Thank you.
21 (Whereupon, Council moved into public
22 session.)
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1 MAYOR LICASTRO: Okay. I will 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.
6 MR. GALLAGHER: Mr. Bolton? Mr.
7 Kesselem?
8 MR. KESSELEM: Here.
9 MR. GALLAGHER: Mr. Mateyo?
10 MR. MATEYO: Here.
11 MR. GALLAGHER: Mr. McDonald?
12 MR. McDONALD: Here.
13 MR. GALLAGHER: Mr. Stephan? Thank you.
14 MAYOR LICASTRO: We need a motion to go
15 into executive session. Ms. Beckenbach?
16 MS. BECKENBACH: I move that we go into
17 executive session.
18 MR. MATEYO: Second.
19 MAYOR LICASTRO: Roll call on executive
20 session, please.
21 MR. GALLAGHER: Ms. Beckenbach?
22 MS. BECKENBACH: Aye.
23 MR. GALLAGHER: Mr. Kesselem?
24 MR. KESSELEM: Aye.
25 MR. GALLAGHER: Mr. Mateyo?

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1 MAYOR LICASTRO: Okay. We're back in
2 open session. We have an exceptionally long
3 agenda, so let's move with whatever speed we can.
4 MS. MEADE: Is there anything to report
5 from executive session?
6 MAYOR LICASTRO: Not at this time.
7 MS. MEADE: Thank you.
8 MAYOR LICASTRO: I'm going to ask for a
9 motion to approve the minutes for the November
10 meeting.
11 MS. BECKENBACH: So move.
12 MR. MATEYO: Second.
13 MAYOR LICASTRO: Any comments or
14 corrections?
15 MR. KESSELEM: I would like to correct
16 just a small part. Page 81 regarding Mayor
17 Licastro's remarks for the Communications
18 Committee choosing the Chair. And he states that
19 he discussed this with Mary and the rest of you.
20 I was not informed of that, so just for
21 the record, I did not know who the committee, how
22 it was going to be made up at that time.
23 MAYOR LICASTRO: I beg to differ. We
24 had that dialogue.
25 MR. GALLAGHER: Is that a correction to

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1 the minutes?

2 MR. KESSELEM: Yes.

3 MAYOR LICASTRO: We had that dialogue,
4 sir.

5 MR. KESSELEM: I'm sorry, Mayor, but I
6 was never informed that the Chair was going to be
7 George. And I was informed that I was going to
8 be the Chair, so.

9 MAYOR LICASTRO: Because we changed, I
10 had told you about my decision and what was in
11 the best interest of the Village. I told you
12 that.

13 MR. KESSELEM: Yes, you said that at the
14 meeting.

15 MAYOR LICASTRO: No, I told you that
16 prior.

17 MR. KESSELEM: No, you did not, sir.

18 MAYOR LICASTRO: Well, I beg to differ.
19 We had the dialogue and I'll say that for the
20 record. Any other changes?

21 MR. GALLAGHER: Excuse me, Mayor, are we
22 making a change to the minutes?

23 MAYOR LICASTRO: Not in my opinion.

24 MR. GALLAGHER: Okay.

25 MAYOR LICASTRO: All in favor of the

1 minutes, please.

2 Ayes: 4.

3 MAYOR LICASTRO: Anyone opposed?

4 MR. KESSELEM: I am.

5 MS. MEADE: Thank you. For the Mayor's
6 Court report for November are the County
7 Treasurer received \$810; the Village of
8 Bratenahl, \$28,499; the Treasurer of the State of
9 Ohio \$7,736; and the Court Computer Fund \$1,680.

10 I'm not sure what happened to my
11 year-to-date, but is Mrs. Kreiner in the room?
12 The total year-to-date is \$378,832.69, that's
13 all, that's total.

14 MR. McDONALD: You have one more column.

15 MS. BECKENBACH: 363,936.

16 MR. GALLAGHER: That's received in this
17 year. Julie reports it by the month that it was
18 booked, so you'll get December's in January.
19 Received so far in calendar 2010 is the 363
20 number.

21 MAYOR LICASTRO: Thank you. Any
22 questions on that? Thank you. There's two items
23 of correspondence. The first is regarding the
24 Euclid creek storage project, which is the
25 tunneling project that was moved to -- the

1 initial site was to be White City. At our
2 instance, Northeast Regional moved it to the Nine
3 Mile site, which is south of the Shoreway, the
4 former Forest City property which was purchased
5 by Northeast Ohio Regional a year or so ago for
6 this purpose.

7 This site is the terminus of the
8 tunneling project that will eventually collect
9 stormwater and have it be treated as sewage
10 before it is discharged into the lake. Right
11 now, as you know, with our combined sewers after
12 a rain event, sanitary overflows to the storm and
13 raw sewage is pumped directly into streams and
14 Lake Erie. This is a half a billion dollar
15 project. It's ongoing. And Northeast Regional
16 has already started some of the tunneling in
17 different areas of Northeast Ohio.

18 When they talked about the terminus at
19 White City, they made it clear that it would go
20 on for years. There would be hundreds of trucks
21 to and from carrying debris from the tunnels 24/7
22 for, again, a period that would exceed three or
23 four years. We found that completely
24 unacceptable at the White City site and
25 recommended they look at the Nine Mile site that

1 was then owned by Forest City.

2 They did pursue that and acquired the
3 property for that purpose. So Army Corps and the
4 EPA have found that basically there's a finding
5 of no significant impact. I had Don Bierut's
6 office look at this as well. And basically,
7 there's four project components, the Euclid Creek
8 Tunnel, the dewatering pump station, the Nine
9 Mile electrical sub station and the Dugway
10 storage tunnel. These projects are all located
11 and will be located at the Nine Mile site in the
12 Village of Bratenahl where I had indicated.

13 The site contains 8.44 acres of
14 wetlands. And there are three stream channels
15 totaling 1,175 linear feet. Over the next 10
16 years, 4.22 acres of these wetlands will be
17 filled to construct the tunnels, shafts and
18 facilities. There's no significant impact to the
19 streams.

20 Because they're filling 4.22 acres of
21 wetlands, Northeast Ohio Regional Sewer has
22 proposed mitigation, compensation, for the loss
23 of these wetlands through wetlands preservation
24 and creation and enhancement activities at the
25 Nine Mile Creek site and preserving valuable

1 green space in an off-site location north of the
2 project site in the Village.

3 The off-site location is 22.5 acres in
4 size and is basically on the Ireland property,
5 which, of course, is north of the Shoreway
6 through which Nine Mile runs. Part of this
7 project necessitated an easement agreement
8 between Northeast Ohio Regional and the Irelands.
9 They have obtained that easement, because they
10 have to get the sewage from point A to point B.
11 Point A being the Nine Mile site, point B being
12 the easterly sewage treatment plant.

13 So again, the conclusion is based upon a
14 reduction in the volume and frequency of combined
15 sewer overflow event that the combined sewer
16 overflow project will provide and the type of
17 wetland mitigation being proposed by Northeast
18 Ohio Regional Sewer District to compensate for
19 the loss of 4.22 acres of wetlands, it is my
20 opinion, that being Don, that the project
21 component set forth in the public notice should
22 be supported. So we're very pleased to see this
23 move forward. We're very pleased to see them
24 mitigate wetlands. And they were able to come to
25 agreement with the Ireland family on easement.

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1 Again, this was also signed off by
2 Cleveland because of the impact to the Cleveland
3 neighborhood you see right there above Ken Spano
4 will be minimal, but certainly more impact there
5 than the Village of Bratenahl. It's my opinion
6 that had this been in White City, it would have
7 devastated the east end of our Village.

8 They would have had to purchase six or
9 eight homes in Bratenahl, probably a dozen homes
10 in Cleveland. This is much preferred and it
11 looks to be moving forward.

12 Any questions? Mr. Kesselem.

13 MR. KESSELEM: Is this going to bring
14 any employment to the Village?

15 MAYOR LICASTRO: There will be people
16 working there on site. Certainly the supervisory
17 employees are there for extended periods. Ms.
18 Birch is already all over it. Whenever they
19 start, whatever employment income tax we can
20 garner from the site, we will. Keep in mind, one
21 of the best things about this is the access for
22 the trucks, they have to construct a road from
23 140th directly to the site.

24 Now, once they're done with this
25 project, Northeast has indicated they have no

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1 further use, there will only be a manhole that
2 will be visible as a result of this project.
3 They will be looking to sell this multi-acre
4 parcel. It's been impossible to develop, because
5 you can't get there. To wind through the
6 residential streets has never been a viable
7 option.

8 Through the Sign-Lite property they'd
9 have to have an easement, which does not make
10 sense. So when this is done, we'll have a site
11 in the Village in our commercial district with
12 direct access.

13 MS. BECKENBACH: Off of St. Clair, isn't
14 it?

15 MAYOR LICASTRO: It's off 140th. So
16 when this is done, and this might take eight or
17 10 years to be done, there's some commercial
18 development possible on that site that is not now
19 possible given this limited access.

20 Anything else? Thank you.

21 DR. SPANO: Doesn't the mitigation have
22 to be at a ratio greater than one-to-one, as I
23 recall? Did they tell you what the mitigation of
24 wetlands ratio is going to be? It's some number
25 greater than one-to-one that comes to mine four

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1 to one, but it may be two to one.

2 MAYOR LICASTRO: I don't know, sir.
3 They talk about 4.22 acres that need to be
4 mitigated and be replaced by 4.22 acres.

5 DR. SPANO: That's one-to-one. I
6 thought it was some number greater than that.

7 MAYOR LICASTRO: I can ask Mr. Bierut on
8 that.

9 DR. SPANO: Wetlands are very well
10 protected. And for that reason, it makes it that
11 much more difficult for any builder, private, to
12 destroy wetlands, because he has to mitigate to a
13 ratio, as I best recall, going back to the
14 Dale/Ross issue, was somewhere between two to two
15 and four to one.

16 MAYOR LICASTRO: Mr. Bolton?

17 MR. BOLTON: I was going to ask whether
18 this means that land, which you refer to as the
19 Ireland property, would now be donated to the
20 Village as further green space.

21 MAYOR LICASTRO: I don't know.

22 MR. BOLTON: I just wondered if that was
23 part of the package of their remediating
24 property.

25 MAYOR LICASTRO: There's implication

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1 that that has been considered, but I can't speak
2 to what the private negotiations are between
3 Northeast Regional and the Ireland family. I'm
4 sure if it does happen, we'll be informed.

5 MR. ROBINS: You said north of the
6 boulevard?

7 MAYOR LICASTRO: Of the Shoreway. If I
8 said boulevard, I'm sorry.

9 MR. ROBINS: So the property on the
10 south, the property behind you.

11 MAYOR LICASTRO: Yes, it's behind my
12 home, behind Mr. Kesselem's home. As you know, I
13 put an conservation easement on what I call the
14 valley to protect the Nine Mile watershed. What
15 the Ireland family intends to do, I don't know,
16 but it sounds good to me. You can all see it's
17 the big open space right above Ken, just go like
18 that, you can just see it right above your head.

19 MR. ROBINS: What did they do exactly,
20 more watershed or not watershed, but
21 more wetlands?

22 MAYOR LICASTRO: Wetlands? I believe
23 they have to create more wetlands. I believe
24 that's correct. And Mr. Bierut was unable to be
25 here tonight, but we'll find out more at the

1 January meeting. Thank you.

2 Legislative report, I have this brief.
3 Again, not to belabor a point, but the bi-annual
4 budget is eight point something billion dollars
5 in the hole. Oh, I forgot something. I forgot
6 to mention that we got copies of letters from
7 ODNR saying we are this compliance with the FEMA
8 flood plan program. Remember Council passed a
9 series of ordinances to be in compliance. We are
10 in compliance. Thank you.

11 Again, the legislative report, the
12 budget committee that I Chair for the Mayors
13 Association has met several times in Columbus.
14 We met with the budget director, they're going to
15 be creative in how they address this. For
16 example, they've already recommended they look at
17 the collective bargaining. That's an issue with
18 other communities, not Bratenahl.

19 The governor has made it clear he wants
20 to talk about that, about revamping the
21 bargaining system. Securitization of Ohio's
22 assets is a possibility. For example, selling
23 the turnpike to garner funds. Medicaid and
24 higher education are going to be on the chopping
25 block. I can't tell you how much. The one thing

1 they pledge to do is not raise taxes.

2 Now, what they mean by that is the state
3 won't raise taxes. What they push down to the
4 local community is a different subject. They
5 have emphasized we are taxing authorities. And
6 if they remove revenue from us looking like local
7 government will be reduced by 20 percent, perhaps
8 more, we can replace those revenues by taxing our
9 people even more.

10 The 12.5 percent property tax rollback
11 is also on the chopping block. All of us have
12 12.5 percent of our property tax paid by the
13 state. They're indicating they will no longer
14 pay that. If they don't, all of a sudden our
15 property taxes just went up 12.5 percent. And
16 they're making it clear if they take revenue away
17 from us or put the burden on us, we're not to
18 look to them for redemption or reimbursement.
19 It's up to local communities to find a way to
20 come up with the monies.

21 This probably will not be finalized
22 until June of 11. That's when the budget has to
23 be in place. March of 11 we'll know a lot more.
24 The rumors are that there's already a template
25 for the budget. We have not seen it. But if you

1 saw 60 Minutes last Sunday, almost every state in
2 the country is dealing with this. Illinois is
3 six months in arrears on their payment and their
4 budget deficit is like 40 billion dollars.

5 New Jersey is in a similar state,
6 Indiana. California is out of money. So the
7 segment on 60 Minutes is the next crisis after
8 foreclosure will be crisis in state and local
9 governments given the fact that most states are
10 way worse off than Ohio, but all I can tell you
11 is we're going to monitor it, we're trying to be
12 reasonable what they expect from the state.

13 A lot of the restricted funds we have
14 here in the Village flow through a transportation
15 bill and are not subject to cuts in this
16 budgetary cycle. So our street and maintenance
17 funds, license plates, things like that, are not
18 affected in that. Really the most important
19 aspect is local government up 70,000 a year, 20
20 percent reduction would not be devastating.

21 Townships in Ohio, some receive 70 or 80
22 percent of their revenue from local government.
23 We're talking about that. Why should townships
24 get so much more of the local government pie,
25 Villages and cities a much smaller amount. Well,

1 townships don't have an income tax. Maybe it's
2 time they do. Regardless, it's a very
3 complicated matter. We're on top of it. We
4 continue to report to you, but we're going to see
5 cuts at some point, I can't tell you what.

6 MS. MEADE: If cuts are made, are you
7 saying that Council will pass them on to
8 residents?

9 MS. BECKENBACH: No.

10 MS. MEADE: But if it gets cut and you
11 have to make up the money, I'm just wondering.

12 MAYOR LICASTRO: I did not suggest that,
13 nor would I ever suggest that.

14 MS. MEADE: That's why I'm asking.

15 MAYOR LICASTRO: I think we have to wait
16 and see what happens before that question can be
17 answered.

18 MS. MEADE: Thank you.

19 MAYOR LICASTRO: Any other questions?
20 Thank you. Department reports, chief.

21 CHIEF DOLBOW: Bratenahl Police
22 Department had two felony cases from November 17
23 through December 22. One was for theft, the
24 other was for drug abuse. We had seven
25 misdemeanor arrests, 17 warrant arrests, 16

1 driving under suspensions, 10 operating a vehicle
2 while intoxicated, 23 motor vehicle accidents,
3 total of 40 vehicles were towed. We had 37 false
4 alarms. We had 19 911 calls, seven of which were
5 false. We had one false fire call. And a total
6 of 235 tickets were issued.

7 On behalf of the Bratenahl Police
8 Department, I wish you a Merry Christmas and a
9 Happy New Year.

10 MAYOR LICASTRO: Any questions? Thank
11 you. Mr. Zalar.

12 MR. ZALAR: I really don't have a report
13 per se, but we are obviously in the middle of
14 winter and everything is going well so far. We
15 are starting to look at our equipment for next
16 year to see what repairs are going to need to be
17 made on summer and spring equipment.

18 The roads seem to be holding up pretty
19 good so far. Salt, we're in pretty good shape on
20 that so far. So as the Chief said, Merry
21 Christmas to everyone from my family and my guys
22 in the garage. Happy New Year, because I'm going
23 on vacation.

24 MAYOR LICASTRO: Unless it snows, right,
25 Joe? Again, the frightening thing is yesterday

1 was the first day of winter. We're not in the
2 middle of it. Mr. Zalar and Mr. Bierut and I are
3 working on a capital plan for the Village. I
4 mentioned this at finance. We should have a
5 draft to start the process in January. We'll
6 bring it to public improvement for further input
7 and revision and eventually have it in place
8 hopefully early in 2011. Thank you for your help
9 there.

10 Mr. Jamieson.

11 MR. JAMIESON: Thank you, Mayor. For
12 the month of November, there were 14 inspections
13 that occurred. Six new contractors were
14 registered, eight building permits and four new
15 certificates of compliance. And that would
16 conclude my report. And the building department,
17 too, would like to wish everyone a Merry
18 Christmas and a Happy New Year.

19 MAYOR LICASTRO: I see a common theme.
20 Thank you, Mr. Jamieson. Mr. Robins.

21 MR. ROBINS: We have talked for well
22 over a year now about Sign-Lite. Have we made
23 any progress?

24 MR. JAMIESON: In regards to the signs?

25 MR. ROBINS: The violation of the
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1 Village ordinance and the failure to have it
2 fully implemented.

3 MR. JAMIESON: In regards to the sign
4 ordinance?

5 MR. ROBINS: Yes.

6 MR. JAMIESON: That, I referred to the
7 law department. You may want to ask Mr. Matty
8 where that's at. I know we've been trying to get
9 a meeting together with the owner of that
10 business. And I'm not sure where we stand at
11 this point.

12 MAYOR LICASTRO: There's also some
13 issues with the Atlantic equipment parcels as
14 well. I talked about it briefly with Mr. Matty.
15 We need to pursue it after the first of the year
16 and try to get some resolution on this.

17 MS. MEADE: Was there any action on the
18 home with the truck that had the signage? Did
19 you do anything with that since the last meeting?

20 MR. JAMIESON: We were going to send one
21 of the policemen over there.

22 MAYOR LICASTRO: I'm not sure if there
23 was an officer sent. We'll have to get back to
24 you on that. I'm not sure.

25 MS. MEADE: Okay.

1 MAYOR LICASTRO: Did that answer your
 2 question?
 3 MR. ROBINS: I'll wait for Mr. Matty's
 4 report.
 5 MAYOR LICASTRO: Moving to committee
 6 reports. Finance.
 7 MR. McDONALD: Finance Committee met on
 8 May the 13th, Monday, May the 13th, to further
 9 discuss the 2011 budget. It continues to evolve.
 10 And I'll be introducing an ordinance here for
 11 temporary appropriations, which we're zeroing in
 12 on the General Fund budget, but we're not there
 13 yet. As we just heard, we've got a new number
 14 for court income today. We were talking 380 last
 15 month. It looks like it's coming in at 363, so
 16 that is still an evolving number.
 17 As far as the appropriations for this
 18 year in December or at the end of November, 91
 19 percent of theoretically the expenditures should
 20 be made, that stands at 84.75 percent. So I
 21 think we're in good shape as far as not
 22 overspending the budget.
 23 And once again, the income seems to be
 24 -- looks like it's going to come in higher than
 25 we expected in a couple of places, but we're not

1 there yet. This temporary appropriation will get
 2 us to be able to pay our bills in January and
 3 then we'll come back and finalize the
 4 appropriation when we finalize the budget, which
 5 will happen hopefully in January. We have until
 6 March, but we want to get it done before then.
 7 MR. ROBINS: Tom, you said May 13, you
 8 meant December 13th.
 9 MR. McDONALD: I have a very good
 10 memory. I would like to introduce ordinance
 11 number 3499, an ordinance to make temporary
 12 appropriations for current expenses and other
 13 expenditures and declaring an emergency in the
 14 amount of \$4,575,758.79.
 15 MS. BECKENBACH: Second.
 16 MAYOR LICASTRO: Roll call on
 17 suspension, please.
 18 MR. GALLAGHER: Ms. Beckenbach?
 19 MS. BECKENBACH: Aye.
 20 MR. GALLAGHER: Mr. Bolton?
 21 MR. BOLTON: Aye.
 22 MR. GALLAGHER: Mr. Kesselem?
 23 MR. KESSELEM: Aye.
 24 MR. GALLAGHER: Mr. Mateyo?
 25 MR. MATEYO: Aye.

1 MR. GALLAGHER: Mr. McDonald?
 2 MR. McDONALD: Aye.
 3 MR. GALLAGHER: Thank you.
 4 MR. McDONALD: I would like to offer
 5 that same ordinance for passage.
 6 MS. BECKENBACH: Second.
 7 MAYOR LICASTRO: Any comments?
 8 MR. KESSELEM: Tom, I don't say it
 9 enough to you, but I know that you put a ton of
 10 heart into these things, but from the 13th, the
 11 December 13 meeting to now, I've spotted 47
 12 changes to 106 different items. That's not
 13 really whittling this thing down.
 14 MR. McDONALD: It's kind of hard to do
 15 that when the year is not closed. We don't know
 16 where we're going to end up at the end of the
 17 year until the end of the year, so we may have to
 18 change another 147 things before we get a final
 19 budget.
 20 MR. KESSELEM: My question, I guess, is
 21 can we get the bird a little bit bigger so we
 22 know what it is that we're shooting at, because
 23 this thing is just changing back and forth on us.
 24 MR. McDONALD: It is not a static
 25 document.

1 MR. KESSELEM: Item after item. I know,
 2 but you're asking us to approve --
 3 MR. McDONALD: Temporary.
 4 MAYOR LICASTRO: Mr. Kesselem, let me
 5 just explain. This is a temporary measure taken
 6 every year by local governments to allow us to
 7 continue to pay our bills. It's not finite or
 8 definitive. That happens in March with final
 9 appropriations. But in order to pay our bills,
 10 we have to have an appropriation ordinance in
 11 place. This is not meant to be specific. It's
 12 supposed to be close, but not what we'll pass in
 13 March.
 14 The March appropriation is the one that
 15 is definitive. And to change, we have to go
 16 through a legal process to change appropriations,
 17 so this is just to get us --
 18 MR. KESSELEM: So the March one is the
 19 one that we're going to --
 20 MAYOR LICASTRO: That's the one that has
 21 to be definitive.
 22 MR. BOLTON: Could I interrupt?
 23 MR. KESSELEM: Before you do, one of my
 24 concerns is that Bill Bolton, who is on the
 25 committee, wasn't available for the last meeting,

1 also. And I rely on all three of you guys to go
2 over it, see the stuff, agree on stuff before
3 it's brought from committee to Council.

4 MR. McDONALD: As I have said in
5 response to a number of her questions and on
6 other occasions, this is not a finite document.
7 The document that I brought with me tonight that
8 I worked on this week does not agree with this
9 ordinance. It will have to change. One or both
10 will have to change because it's not final.

11 MR. BOLTON: What I was going to say
12 was, and I know Dr. Robins will agree, that since
13 I became involved on Council, this is the most
14 advanced set the budgeting has been. I can
15 understand how coming in and going through the
16 process for the first time it seems like why
17 isn't it exact, but I can tell you it's far more
18 exact and better defined than it's ever been
19 since I've been aware of it if that will help put
20 you at ease.

21 MR. KESSELEM: Yeah, I just want to feel
22 more comfortable that having these numbers start
23 to get down to the last five or 10 items that
24 are, you know, moving around on us than half the
25 budget is moving on us.

1 MAYOR LICASTRO: And it will be the
2 March process that will come up with the finite
3 numbers. It's meant to be fluid until then.
4 This is just the way it's done. That's why it's
5 called temporary appropriations.

6 Any other questions from Council? Ms.
7 Meade.

8 MS. MEADE: With the nonwage line items,
9 is the Communications Committee budget included
10 in that?

11 MR. McDONALD: We talked about that at
12 finance. It's in the rainy day fund if we apply
13 money to that. We talked about this at finance.
14 The Communications Committee has some proposals
15 out from some web designers that would cost 30
16 grand to revamp the website. And we talked about
17 it at the Finance Committee is there money
18 available to do that?

19 There is a rainy day fund. And the
20 rainy day fund by definition can be used for
21 whatever the General Fund wants to do, whatever
22 the sense of the Council wants, but we haven't
23 put it in it budget yet, but we'll take it up at
24 your meeting.

25 MR. KESSELEM: The Communications

1 Committee did pass a motion that we ask for
2 \$30,000 budget.

3 MR. McDONALD: After the Finance
4 Committee met.

5 MR. KESSELEM: No, it was before.

6 MS. MEADE: No, and brought up to
7 finance.

8 MAYOR LICASTRO: We talked about it in
9 finance and Mr. McDonald indicated he thought the
10 monies would be available.

11 MR. KESSELEM: I'd like to see a line
12 item.

13 MAYOR LICASTRO: Well, final
14 appropriations it will have to be.

15 MS. MEADE: Thank you.

16 MAYOR LICASTRO: There being no further
17 comments, roll call on passage, please.

18 MR. GALLAGHER: Ms. Beckenbach?

19 MS. BECKENBACH: Aye.

20 MR. GALLAGHER: Mr. Bolton?

21 MR. BOLTON: Aye.

22 MR. GALLAGHER: Mr. Kesselem?

23 MR. KESSELEM: Aye.

24 MR. GALLAGHER: Mr. Mateyo?

25 MR. MATEYO: Aye.

1 MR. GALLAGHER: Mr. McDonald?

2 MR. McDONALD: Aye.

3 MR. GALLAGHER: Thank you.

4 MR. McDONALD: Also, at last Council
5 meeting and at Finance Committee we talked about
6 refinancing the Eddy Road project. And I
7 suggested at the Finance Committee meeting that
8 we pay \$37,500 of principal to Eddy Road. That
9 note rolls over in January. I'm going to
10 introduce an ordinance here to refinance that
11 note at no more than \$375,000, which would be
12 rolling the whole thing over. The idea is to
13 let's pay some principal down. And I've made a
14 suggestion. We'll see if that holds up when we
15 get to the final number.

16 With that, I would to introduce 3498, an
17 ordinance to provide for the issuance and sale
18 not to exceed \$375,000 of notes in anticipation
19 of the issuance of bonds for the purpose of
20 paying a portion of the cost of improving Eddy
21 Road between certain termini by providing full
22 width and depth pavement removal and replacement,
23 repair the concrete deck, installation of curbs,
24 sidewalks and drive aprons, replacement of the
25 driveway cut-throughs, replacement of the tree

1 lawns, construction of a new median, replacement
2 of the damaged storm sewer and installation of
3 lighting improvements, and declaring an
4 emergency.

5 MS. BECKENBACH: Second.

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

8 MR. GALLAGHER: Before the suspension
9 vote, I have the fiscal officer certificate,
10 which says basically that the estimated life or
11 period of usefulness of this improvement is at
12 least five years, that the maximum maturity of
13 bonds is 20 years, the maximum maturity of notes
14 is December 31, 2026.

15 MAYOR LICASTRO: Thank you, Mr.
16 Gallagher. Now roll call on suspension, please.

17 MR. GALLAGHER: Ms. Beckenbach?

18 MS. BECKENBACH: Aye.

19 MR. GALLAGHER: Mr. Bolton?

20 MR. BOLTON: Aye.

21 MR. GALLAGHER: Mr. Kesselem?

22 MR. KESSELEM: Aye.

23 MR. GALLAGHER: Mr. Mateyo?

24 MR. MATEYO: Aye.

25 MR. GALLAGHER: Mr. McDonald?

1 MR. McDONALD: Aye.

2 MR. GALLAGHER: Thank you.

3 MR. McDONALD: I'd like to introduce
4 3498 for passage.

5 MS. BECKENBACH: Second.

6 MAYOR LICASTRO: Discussion? When do
7 you think you can come up with a final number?

8 MR. McDONALD: Before March.

9 MR. KESSELEM: Those moving numbers,
10 Tom, they're killing me.

11 MR. ROBINS: I have a question if no one
12 on Council does.

13 MAYOR LICASTRO: Anyone on Council have
14 a question? Mr. Robins.

15 MR. ROBINS: My question is a procedural
16 one. It relates to the cost for Squire Sanders &
17 Dempsey. I think in the past it cost us around
18 \$2,500 or something to roll the note. And I
19 noticed in reading the ordinance, reading the
20 ordinance, it did not include that \$2,500, so I
21 just wondered where is that, how is that being
22 accounted for and should that be part of the
23 ordinance as well?

24 MAYOR LICASTRO: It's not part of the
25 note.

1 MR. ROBINS: It's not part of the note,
2 but it's part of the cost of the Village.

3 MR. McDONALD: In the budget I've
4 over-allotted interest expense. We'll move some
5 of that out of the interest. I've got \$40,000
6 for interest on those two notes. It's more like
7 23,000, so we have money to move it down to pay.

8 MR. ROBINS: So you have it included in
9 some place else is what you're saying.

10 MR. McDONALD: We can take it out of the
11 interest.

12 MAYOR LICASTRO: Any other questions?
13 Roll call on passage, please.

14 MR. GALLAGHER: Ms. Beckenbach?

15 MS. BECKENBACH: Aye.

16 MR. GALLAGHER: Mr. Bolton?

17 MR. BOLTON: Aye.

18 MR. GALLAGHER: Mr. Kesselem?

19 MR. KESSELEM: Aye.

20 MR. GALLAGHER: Mr. Mateyo?

21 MR. MATEYO: Aye.

22 MR. GALLAGHER: Mr. McDonald?

23 MR. McDONALD: Aye.

24 MR. GALLAGHER: Thank you.

25 MAYOR LICASTRO: Does that end your

1 report.

2 MR. McDONALD: That ends my report.

3 MAYOR LICASTRO: Thank you. Public
4 improvements.

5 MR. BOLTON: Public improvements did not
6 meet, but there's three issues I'd like to just
7 mention to people. I received a letter, an email
8 from Ms. Laura Bacci Merhaut about the NOPEC
9 grant committee BSAT met with the Cuyahoga County
10 Planning Commission to more clearly define the
11 scope and work plan for the Bratenahl green grant
12 audit, so that is underway.

13 The second thing is that a villager, Mr.
14 Beau Daane, wrote this email to Ms. Jocelynn
15 Clemings, public information officer of the Ohio
16 Department of Transportation, concerning the
17 possibility of immediate installation of sound
18 walls on the bridge right next to Village Hall
19 here.

20 She wrote back, because of some
21 structural modifications that need to be made to
22 the bridge, the current concrete barriers cannot
23 support the weight of noise walls. Therefore,
24 noise walls are not in place. The bridge deck is
25 still in good condition so a project to replace

1 the bridge deck has not yet been programmed.
2 The last thing she mentioned, which I
3 thought was interesting, is the noise barriers in
4 Bratenahl are reflective in nature, as there are
5 no homes across the freeway, the material of
6 absorption material was limited at the time the
7 original walls were installed. ODOT now installs
8 absorptive barriers. So in short, no plan, can't
9 do it with the current bridge.

10 I don't remember the third. Oh, yes, I
11 do. I met with Dr. Secura and Mr. Kincaid
12 concerning the possibility of applying to NOPEC
13 for a grant to change the lamps in the street
14 lights, traffic signals -- sorry. Thank you
15 everybody, from incandescent to LED. We had to
16 reschedule the meeting, which was scheduled for
17 last week, and that will be in early January.
18 That concludes my report.

19 MAYOR LICASTRO: Any questions? Dr.
20 Secura.

21 DR. SECURA: Not so much a question, but
22 we've had the same story from ODOT now for a few
23 years. And two situations that I've asked about
24 and I'm not getting answers for are the
25 following. One, is there not some land next to

1 the bridge that they could put a beam across and
2 pilings down and make a sound wall? No answer.

3 Second one is we're seeing them put up
4 Plexiglass style reflective sound walls. They
5 don't weigh anything compared to what all these
6 cement things. I've asked about it, still no
7 answer. We're getting the same answer to
8 different questions. And I feel that we're
9 either getting road-blocked, we're not getting
10 good responses, or they're not being creative
11 enough.

12 I don't know whether we need to look at
13 that land next to the bridge as a Village and say
14 we'll put down some pilings and we'll build a
15 bridge. We'll build a wall not on their bridge,
16 but next to their bridge where we own the land.
17 I don't know, but I feel this is really
18 unresponsive. And I think that everybody who
19 lives here and the people who work here would
20 love to see that somehow get reflected.

21 I would say, Mr. Mayor, these answers
22 are not good to hear and they should be
23 questioned. They're not really being creative
24 about solving it.

25 MAYOR LICASTRO: No one has lobbied more

1 for sound walls here than I. It's been an
2 ongoing battle for years. This bridge deck in
3 particular, and for those of you who attend the
4 Memorial Day ceremony, it's hard to even hear
5 because of the noise that emanates. We're here
6 everyday. For those of us that work here, it can
7 be very bad.

8 I'm not sure what land you're talking
9 about. They have to put the baffles. And there
10 are Plexiglass baffles on the bridge deck itself.
11 They have to be attached to the bridge deck.

12 DR. SECURA: Why is that?

13 MAYOR LICASTRO: That's what was
14 described to me.

15 DR. SECURA: Maybe our own engineers
16 have to look at it and not their engineers.

17 MR. KESSELEM: If I can, the email Beau
18 Daane received from ODOT explained it a little
19 bit differently in that the baffles, even though
20 they're sound walls, they need to be structurally
21 attached harder so that the wind force doesn't
22 push them off the yards, instead of just
23 attaching them to the walls and hoping that it
24 protects us from sound. They're not worried
25 about just attaching them for sound. The torque

1 that will come off the freeway, they're afraid of
2 that. And that's what our bridge doesn't afford
3 us to be able to do right now. That's why I
4 think the deck has to be replaced.

5 MAYOR LICASTRO: The only good news in
6 sound walls is when they replace the ones in the
7 Village, the new ones are more resorptive, if I'm
8 saying that correctly. Sometimes at 11 that is
9 scheduled to happen. If you've seen the ones
10 being replaced in Euclid, the new ones look
11 great.

12 However, I didn't like the fact that
13 there was no sound walls for five or six months.
14 So when ODOT let's us know we're next in line, I
15 think it goes Euclid, Parma, Bratenahl for
16 replacement, we're going to have a pre con and
17 talk about removing the walls and replacing them
18 in short order, not having them open for sound
19 for months on end.

20 Certainly anyone's letter who wants to
21 write to ODOT, we appreciate the help. We talked
22 to Ms. Bonnie Teeuwen, the deputy director of
23 district 12 on a regular basis. We have here at
24 Council chamber to address this directly. I
25 think the whole Village should be behind the

1 sound wall, but ODOT talks about having money for
2 new projects. We see it in Strongsville and
3 different areas of the state. They don't have
4 money for -- I forget the term they use, for
5 retrofit, that's the word.

6 DR. SECURA: Let me run it to you one
7 other way. I think we see it up there going to
8 the airport. I don't know why there wasn't sound
9 walls before. They put down cement, steel beam
10 into the ground, they put in the sound wall and
11 they're on to the next sound wall. There's no
12 bridge. There's no torquing. There's no --
13 they're certainly going to be wind, so I don't
14 think this answer we're getting is, one, sounds
15 engineering-wise doesn't match what they're doing
16 already and we're getting shined. We're getting
17 the same answer. No one is being creative and I
18 think it's the wrong answer.

19 MAYOR LICASTRO: I'm not going to debate
20 that with you. Bridge decks that are suspended
21 and up in the air have a very different
22 engineering problem to solve. There's wind
23 torque, there's the fact you can't sink the
24 pylons. All I can tell you is write them a
25 letter, we'll continue keep the pressure on.

1 DR. SECURA: I did.

2 MAYOR LICASTRO: In 2011, I intend to
3 have Ms. Teeuwen here again and we can re-invite
4 her.

5 DR. SECURA: I would ask to bring the
6 engineer who is saying these things to her.

7 MAYOR LICASTRO: I can suggest that.

8 DR. SECURA: She only can tell us what
9 they tell her. I want our engineer to have some
10 dialogue with their engineer and us, too.

11 MAYOR LICASTRO: Thank you. Were you
12 done with all three of your items, Mr. Bolton?

13 MR. BOLTON: Yes.

14 DR. SECURA: We would like to make a
15 tiny presentation to the Council, so they know
16 what's coming next month. There's a real
17 timeline that this application has to be in by
18 February 28. And Mr. Kincaid has a few words
19 that he could kind of fill you in real quickly if
20 we can do that at this time.

21 MAYOR LICASTRO: Have you done it in
22 public improvements yet?

23 MR. BOLTON: No.

24 MAYOR LICASTRO: Would that be a more
25 appropriate forum?

1 MR. KINCAID: We would like to bring it
2 up now only for the expediency of when we get the
3 grant completed and written in only so the
4 Council is aware of the fact that it is coming
5 before you next month. And then it will have to
6 be passed next month in order for us to meet the
7 timeline of the application, which is due in
8 February, which will be before your meeting in
9 February.

10 MAYOR LICASTRO: If you can give us a
11 brief summary, sir, that will be great.

12 MR. KINCAID: We have looked at the four
13 locations that are out there currently. And we
14 do have some concerns that we would like to
15 obviously spend more money, but right now we have
16 12,500 that is still left on that grant. We have
17 gotten one quote in so far that you'll use 12,000
18 about 470 bucks of that.

19 What we are looking at is a direct
20 replacement currently of our traffic signal
21 devices by taking out incandescent lamps and
22 putting in LED lights, which will do several
23 things for us. It will reduce the overall
24 consumption of power. And secondly, it will
25 increase the length of time that it will be

1 before we have to go in and do maintenance on
2 those.

3 So instead of having maintenance
4 performed maybe once a year on those signal
5 devices, we may be able to extend it to two or
6 three. And we have talked with the chief a
7 little bit about that and he has agreed that it
8 is a better signaling device. And if you'll look
9 throughout the Northeast Ohio area, you'll see a
10 number of those devices have already been
11 changed. What we're looking for is once we
12 present that application, that you approve that
13 so that we can move forward and submit it to
14 them.

15 MAYOR LICASTRO: And, Mr. Kincaid, I
16 must mention, your expertise on this, I've heard
17 several people refer to it, has been exceptional
18 and very helpful to this process.

19 MS. MEADE: And Raj.

20 MAYOR LICASTRO: And Raj. And Dr.
21 Secura as well. Aren't you in the field of
22 lighting?

23 MR. KINCAID: That's my expertise.

24 MAYOR LICASTRO: Kudos. Communities
25 affairs. I skipped right over legislative.

1 MR. MATEYO: Legislative Committee was
2 scheduled and held on December 6. Quorum was
3 present as were many residents of the Village of
4 Bratenahl. The single item for discussion was
5 the temporary storage facility known as pods.
6 And in that regard, I'd like to present an
7 Ordinance 3507 for first reading and it's a
8 suspension.

9 An ordinance adding Section 1411.28 of
10 the housing code to provide for the regulation of
11 temporary structures in residential districts and
12 amending Section 1311.02 of the building code to
13 add a permit fee for such structures.

14 MAYOR LICASTRO: Mr. Mateyo, given the
15 fact it's on first reading, there's no other
16 action necessary. Could you just sort of
17 summarize the intent of the ordinance?

18 MR. MATEYO: To summarize the intent of
19 the ordinance, it's to make sure we have some
20 regulation on temporary storage facilities,
21 better known as pods. So in one case I'm aware
22 of in the Village, it's right in the driveway.
23 It's very public. And it's been there for four
24 or five, six months. Other communities, we were
25 advised by Mr. Matty, Ms. Garrett, what their

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1 regulations are, how they charge for it, how they
2 legislate for it. And we drafted our comments
3 from the Legislative Committee, went back to
4 Council and they put it in the form of ordinance
5 3507.

6 MAYOR LICASTRO: Well summarized. Thank
7 you. Ms. Beckenbach.

8 MS. BECKENBACH: Mr. Matty, is this
9 still a fluid document where we can go to the
10 meeting?

11 MAYOR LICASTRO: It's only on a first
12 reading.

13 MR. MATTY: Absolutely. We attempted
14 to, and Mr. Mateyo sent us a summary of the
15 committee's discussion and points of interest and
16 we simply attempted to put that in this as a
17 draft, and we expected first reading tonight with
18 further discussion.

19 MR. KESSELEM: That was my question is
20 that we're bringing it for first reading, but it
21 didn't go back to committee to approve the
22 verbiage?

23 MR. MATEYO: Correct.

24 MR. KESSELEM: Is that fair?

25 MR. MATTY: Correct.

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1 MAYOR LICASTRO: First reading just gets
2 it out there. It's really a way to let residents
3 know that something that hadn't been regulated
4 might indeed be regulated. Council can take as
5 much time as they want to revamp it, rewrite it,
6 reconsider it or even pass it if you think it's
7 necessary.

8 MR. KESSELEM: I guess my other question
9 is thinking back to the Audit Committee and their
10 recommendations on funding in the Village and
11 things like that, one of their thoughts was no
12 more nickel and diming the Village. I'm wonder
13 if we're starting to begin to nickel and dime for
14 everything that happens in the Village.

15 If somebody needs a pod because of an
16 emergency at their home, is this a situation
17 which I understand other communities have charged
18 for these things, but instead of regulating it as
19 a dollar and cents item, is time frame it.

20 MS. BECKENBACH: Why don't we discuss
21 that at Legislative Committee?

22 MR. KESSELEM: Just food for thought.

23 MAYOR LICASTRO: Ms. Meade.

24 MS. MEADE: I'm just clarifying. This
25 ordinance has not been reviewed or discussed by a
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1 committee yet, correct, it will be the next
2 meeting?

3 MR. MATEYO: Suggestions were made to
4 counsel. Counsel drafted it in the form I read,
5 3507. I understand it goes back to Legislative
6 Committee on January 3 I think it is, so we can
7 revise it and come back and then go back to
8 counsel, go back and come back here. That's my
9 understanding.

10 MS. MEADE: Thank you.

11 MAYOR LICASTRO: Thank you. Public
12 safety.

13 MS. BECKENBACH: Public safety did not
14 meet. Do you want to talk about the EMS fire
15 contract at this point?

16 MAYOR LICASTRO: Sure. As everyone is
17 aware, we've been negotiating with Cleveland to
18 formalize an EMS contract and have been going
19 through this for the last several weeks and
20 beyond. Cleveland is mandated to charge the
21 Village for what was formerly a free service.

22 Initially we were approached by Martin
23 Flask, who is the director of public safety, and
24 Eddy Eckart, the head of Cleveland EMS, that they
25 needed a compensation of \$25,000 a year with

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1 increments of additional \$5,000 a year of going
2 forward.

3 Just to summarize our efforts, after
4 several meetings and several periods of
5 negotiation, they agreed to indeed charge us
6 \$25,000 a year with only a three percent rider
7 increase on a year to year basis, certainly a
8 much better deal for the Village.

9 MS. BECKENBACH: Comes up to \$750 per
10 year versus 5,000.

11 MAYOR LICASTRO: We also found there
12 were other aspects of the contract that we did
13 not find to our liking, specifically some
14 insurance clauses. We met with our insurance
15 company and our agent and representative, the law
16 director of Cleveland and Mr. Matty and worked
17 very hard to make these revisions.

18 Do you want to comment on that, Dave?

19 MR. MATTY: Yes, Mayor, I think Council
20 should know that the efforts, at least as far as
21 the law department and the Villages insurance
22 representatives, was to refine what was in the
23 1984 agreement on a couple of issues.

24 One was insurance. One was indemnity.

25 One was the Village's responsibility to pay for
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1 damaged equipment. And the other was the
2 Village's responsibility to pay for injury to
3 Cleveland's work force if it occurred in our
4 Village.

5 As the Mayor had indicated, we were
6 successful in having a meeting with not only
7 Director Flask and Commissioner Eckart, but the
8 Cleveland Law Department and our insurance
9 people. And I'm pleased to report that you'll
10 see now a refinement of those issues where the
11 Village has no what I will say is upside risk.

12 We will not be responsible for damage to
13 equipment, for injury to their workers, unless
14 our employees are, in fact, responsible for that
15 in their actions in a mutual assistance
16 situation. Cleveland will be responsible for its
17 own equipment, for its own workers as far as
18 those types of situations. And the indemnity
19 clause has been completely eliminated from the
20 fire contract and can be completely eliminated
21 from the EMS contract. We will not be
22 responsible for any indemnification.

23 I'm pleased to report that to you,
24 because with the Mayor's efforts on the money
25 end, I am very pleased with those results,

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1 because, again, the catastrophic loss that may
2 have been in 1984, our responsibility will not be
3 our responsibility any longer. If you do pass
4 this this evening, which I would ask if you could
5 consider that, that fire contract change happens
6 immediately. And that's the way this is drafted.

7 The EMS contract is not to occur until
8 1/1/11, but the provisions that I spoke to you
9 that refine, that comes to our benefit starting
10 today if you pass it and the Mayor signs this.

11 MAYOR LICASTRO: Let me also add
12 negotiations with Cleveland were very amiable.
13 We found them very receptive to these significant
14 changes. It's hard to go back and renegotiate a
15 contract that was originally signed in 1984 by no
16 one that's in this room now, but I found them to
17 be very reasonable.

18 I want to thank Mayor Jackson for his
19 efforts behind the scenes to effectuate this.
20 This is a much, much better deal for the Village.
21 And there's a reason why we made the change to
22 the fire contract effective today, to eliminate
23 any ongoing liability.

24 I also want to add that the insurance
25 company and agent were very pleased and
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1 comfortable with this. They participate in
2 negotiations and signed off on the final copy as
3 well. So insurance is pleased, legal is pleased,
4 and I think we ended up for an excellent deal for
5 the Village.

6 Let me make something clear, a fire
7 engine, a hook and ladder costs about \$800,000.
8 Our liability here is about 165 a year for fire
9 and about 25 for EMS. And also as protocol,
10 they'll continue whenever possible to do dynamic
11 staging. That means having an EMS unit in
12 Village proper. It's usually on the grounds of
13 Barbara Byrd Bennett Center. And, of course,
14 everyone knows the fire station from which the
15 fire trucks are dispatched and also the EMS
16 station is on 102nd and St. Clair. Their
17 proximity to the Village is remarkable. They're
18 usually here in less than two minutes.

19 Ms. Beckenbach and her committee looked
20 at various other options for EMS and found
21 nothing on an apples to apples comparison, so
22 yes, thank you for summarizing this and/or
23 allowing me to summarize this. I think we found
24 the best deal possible. Initially the EMS
25 contract insurance clauses mirrored the fire

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1 contract. We did not deem them acceptable and
2 got them to change both.

3 Do you want to go ahead and introduce
4 this?

5 MS. BECKENBACH: I'd like to introduce
6 ordinance number 3503 for suspension, an
7 ordinance authorizing the Mayor and Village clerk
8 to enter into a supplement and amendment to
9 agreement number 34990 with the City of Cleveland
10 for the provision of Emergency Medical Services,
11 and for certain changes in terms for fire
12 protection services, and declaring an emergency.

13 MR. McDONALD: Second.

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

16 MR. GALLAGHER: Ms. Beckenbach?

17 MS. BECKENBACH: Aye.

18 MR. GALLAGHER: Mr. Bolton?

19 MR. BOLTON: Aye.

20 MR. GALLAGHER: Mr. Kesselem?

21 MR. KESSELEM: Aye.

22 MR. GALLAGHER: Mr. Mateyo?

23 MR. MATEYO: Aye.

24 MR. GALLAGHER: Mr. McDonald?

25 MR. McDONALD: Aye.

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1 MR. GALLAGHER: Thank you.

2 MS. BECKENBACH: I'd like to introduce
3 ordinance number 3503 for passage.

4 MR. BOLTON: Second.

5 MAYOR LICASTRO: Discussion or
6 questions?

7 MR. KESSELEM: The one thing I wish, as
8 important as this document is for the Village, I
9 think it was necessary also to bring it to the
10 Safety Committee and present it to the citizens
11 at that time, also, as best we could. I think
12 we're trying to -- by passing this boatload of
13 paperwork we are today in emergency, it disturbs
14 me that we have committees, we need to follow
15 those committees, you know, in trying to present
16 this stuff to the citizens. Open and transparent
17 government, that is all we're trying to do, so if
18 we can try to follow those rules.

19 MAYOR LICASTRO: Thank you. Mr. Mateyo.

20 MR. MATEYO: I agree with Andy
21 completely. In trying to get a Communications
22 Committee done, we had to go back and we had to
23 do this and we had to do that. Here we have
24 public improvements, there was no meeting. Here
25 we have safety, there was no meeting. From a

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1 procedural standpoint, if we're going to have
2 committees, then we ought to meet and discuss it
3 and then go to Council. It should not come to
4 Council directly.

5 MAYOR LICASTRO: Ms. Beckenbach.

6 MS. BECKENBACH: Well, I'm not
7 apologizing for anything, but we have talked
8 about this issue at four meetings. We did hours
9 and hours and hours of research with other
10 communities.

11 MR. MATEYO: I understand.

12 MS. BECKENBACH: Because this contract
13 is up in January or December 31 --

14 MAYOR LICASTRO: Well, the period of
15 free EMS is up December 31.

16 MS. BECKENBACH: Well, we're renewing a
17 contract. If we were to wait and not renew the
18 contract --

19 MAYOR LICASTRO: EMS is a new contract.

20 MS. BECKENBACH: New contract.

21 MR. MATEYO: There's no reason not to
22 have a meeting.

23 MS. BECKENBACH: Were we not to pass the
24 new EMS contract at this meeting, we will have a
25 window of danger for the residents in the

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1 Village, because through January 1 through
2 whenever the next meeting is the 15th, if
3 something happened to a resident in this
4 community where they required EMS, they would not
5 receive it during that period, because we did not
6 have a contract. So I am comfortable with the
7 way it's been so far.

8 MR. MATEYO: When did we know the
9 contract was going to expire? Years and years
10 ago.

11 MS. BECKENBACH: We started
12 negotiations.

13 MAYOR LICASTRO: EMS only started a
14 couple months ago, Mr. Mateyo.

15 MR. MATEYO: All I'm asking is if we are
16 going to have a procedure, then let's have a
17 procedure. If we have a committee, then let's
18 have a committee. I think Mr. Bolton is entitled
19 to bring whatever he has up, but it needs to go
20 to committee. We were blocked, and pushed and
21 pushed and pushed on communications, and that's
22 fine, we came to this, we went to that. All I'm
23 saying is to come directly to Council doesn't go
24 through the protocol that's been established.

25 MAYOR LICASTRO: Let's agree to this.

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1 Certainly there's a need for Council committees.
 2 They should meet on a regular basis, all of them.
 3 There's a reason why we have them. Understand
 4 that given that fact, you know, as an
 5 administrative individual, we did our best faith
 6 in negotiation and I think came up with a great
 7 deal for the Village, but your point is well
 8 taken. And I don't think anyone disagrees.

9 MR. KESSELEM: I don't want to diminish
 10 the work that Mary did with Paul. You guys did
 11 your work on it. It's just that everybody was
 12 concerned about EMS in this Village because for
 13 the past six months we heard EMS has got to be
 14 paid for now and will we have a good contract,
 15 what is that contract.

16 We finally whittle it down to what the
 17 contract is and now we're passing it and no one's
 18 heard about it. I prefer to get it to the public
 19 first, not that there's argument to it.

20 MAYOR LICASTRO: Our job, it's always
 21 Council's job to do theirs. I also want to thank
 22 Dave Matty in his involvement in negotiations.
 23 It was very helpful to have legal at the table
 24 with their legal representative. But do we need
 25 more committee meetings? Then the answer is yes.

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1 Ms. Meade.

2 MS. MEADE: To clarify some of Mary's
 3 points, I think the subject was brought up all
 4 year. While there were four meetings, it was
 5 looking at private and public EMS providers. And
 6 I don't believe the ordinance or any of the
 7 contract language was discussed at any meeting.

8 I do concur with some of the comments
 9 that Council should have public discussion once
 10 it's been negotiated and to whatever extent
 11 permitted by law, to review the content language,
 12 should be shared and discussed publicly before
 13 asking for approval.

14 MAYOR LICASTRO: Let me make one point.
 15 One reason why, the major reason why we changed,
 16 the reason why we changed the meeting from last
 17 week to this is because we needed additional time
 18 to hammer this out with Cleveland. We were
 19 working on this the eleventh hour. There wasn't
 20 a whole lot of time frame here to do what is
 21 normally preferred. And again, I'm not
 22 disagreeing with your point about more meetings,
 23 but this was a lot of sweat equity and lot of
 24 hours and effort went into this as far as myself
 25 and Mr. Matty.

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1 I think we even ended up with a better
 2 deal in the Village than we have in the past. So
 3 let's agree to meet more often, but let's move
 4 forward on this one because it's a job well done.

5 MS. BECKENBACH: I also think the
 6 question the Council committee made up a list of
 7 questions that we not only took to Cleveland, but
 8 that we took to other communities around
 9 Northeast Ohio, and came back with answers. And
 10 I think the answers were presented. And I think
 11 we did a remarkable job of, you know, all of us
 12 at the table did a remarkable job in handing in
 13 one of the better contracts we have.

14 MAYOR LICASTRO: Regardless, we need
 15 more committee meetings. That being said, roll
 16 call on passage, please.

17 MR. ROBINS: Just a question, quick one.
 18 Jim, you would know this, but in the pre-read,
 19 does that include all of the items that Mr. Matty
 20 just referred to or does Council have something
 21 different than we saw in the preview.

22 MAYOR LICASTRO: Why don't you have Mr.
 23 Matty answer that question?

24 MR. MATTY: What are we talking about,
 25 Jim, as the pre-read?

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1 MR. ROBINS: There was an ordinance that
 2 was proposed. And I read the ordinance and I saw
 3 1984, the fire thing. Some of the concerns you
 4 expressed, I had some of those same concerns.
 5 You've addressed those, great. But, I didn't see
 6 in the earlier part of the ordinance that was
 7 provided to us that some of those issues have
 8 been taken care of in the way you just described.
 9 I'm delighted that they're taken care of.

10 MR. MATTY: It's in the content of the
 11 Exhibit and not the ordinance, because the
 12 ordinance was drafted as a supplement and
 13 amendment to the Exhibit A.

14 MR. ROBINS: Fine. I was just wondering
 15 if I missed something. The second thing is just
 16 a general information thing, we don't have to
 17 waste time on it here tonight, but when you go in
 18 the EMS, you end up paying if you have insurance.
 19 I paid in the past when I've gone on EMS. I'm
 20 just curious, because the 25,000 is basically to
 21 have something in reserve if we need it. But,
 22 I'm sure that they collected a certain amount of
 23 money per year from villagers from Bratenahl.
 24 I'm just curious if we have some way to find out
 25 what that is.

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1 MS. BECKENBACH: We have all those
2 numbers. The EMS only collects when there's a
3 transport.

4 MAYOR LICASTRO: 60 percent of the runs
5 do not result in transport.

6 MR. ROBINS: Mine was a transport.

7 MAYOR LICASTRO: I'm sorry to hear that.
8 We did make mention that EMS service in
9 Bratenahl, they get compensated. A lot of runs
10 in Cleveland, people don't have insurance. We
11 made that clear.

12 MR. ROBINS: I'm just curious.

13 MAYOR LICASTRO: And used it as a
14 negotiating ploy. The trouble is, 60 percent of
15 the calls don't result in transport.

16 MR. ROBINS: That's a useful piece of
17 information. All right. That's enough.

18 MAYOR LICASTRO: I agree. Roll call on
19 passage, 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: Thank you.

6 MAYOR LICASTRO: Mr. Bolton.

7 MR. BOLTON: Mr. Mayor, I would like to
8 congratulate you and Mr. Matty on the clarity of
9 the language and cleaning up the issues.

10 MAYOR LICASTRO: Thank you for your
11 comments.

12 MR. MATTY: Mr. Bolton, as the Mayor
13 said, we will take that thank you, but Cleveland
14 truthfully was a big part of this, because they
15 also came to negotiate and they also came in very
16 good faith. And their law department person is
17 on vacation this week. And as I told the Mayor,
18 she worked harder last week than I think I did
19 and I worked hard to get the language right, but
20 she wasn't going to leave Friday until it was
21 right.

22 And Dianne and I had emails back and
23 forth, back and forth. And we told her
24 supervisor that in my 30 years, I've never worked
25 with somebody from Cleveland's law department

1 that was as diligent as Mrs. Kelly.

2 MAYOR LICASTRO: Nancy Kelly.

3 MR. MATTY: She was very, very diligent
4 and she was not only representing Cleveland, she
5 was concerned about the issues that we raised.
6 And she talked to her director immediately about
7 them and we started to see change occurring,
8 which actually benefits Cleveland, too, because
9 of the standpoint they know what their
10 responsibility is and what ours should be and
11 it's in the document.

12 MAYOR LICASTRO: Let me make something
13 clear, negotiation implies a give and take. We
14 got everything we asked for. Everything. And
15 that's almost unheard of. Ms. Beckenbach.

16 MS. BECKENBACH: I also think that it's
17 wonderful for us to know that we have a rather
18 outstanding collaboration and rapport with the
19 entire staff of the City of Cleveland. And
20 that's good for both of us. And this whole
21 Council can take credit as certainly the Mayor
22 can and Mr. Matty for their working with these
23 groups in a collaborative way. I think that's
24 key to why we are so successful in some of the
25 things that we do with outside groups. Thank

1 you.

2 MAYOR LICASTRO: Regionalism and
3 collaboration are just words, but in Bratenahl we
4 practice them and most specifically with
5 Cleveland. Thank you. Community Affairs.

6 MS. BECKENBACH: Community Affairs met
7 on November 22. The agenda item was rain
8 barrels. Rain barrels to divert and reduce the
9 flow of rainwater into the storm sewer system and
10 allow the residents to harvest the water for
11 landscaping purposes.

12 Community Affairs committee currently
13 supports the concept of rain barrels, but
14 recognizes the need to research other communities
15 options and impacts. We also need to determine
16 the scope of the permits, regulations, styles,
17 colors, locations, encroachment issues and their
18 general use on public and private properties.

19 The committee members were asked to
20 research the rain barrel concepts in surrounding
21 communities, their requirements for rain barrels,
22 the permit, if applicable, and the code
23 regulations, if available.

24 And each committee member was assigned
25 three to four cities and villages to research and

1 we are in the process of doing that. The meeting
2 was adjourned at 6:25 p.m.

3 MR. ROBINS: Are you doing rain gardens
4 as well?

5 MS. BECKENBACH: Just rain barrels at
6 this time.

7 MR. ROBINS: I encourage rain gardens as
8 well.

9 MAYOR LICASTRO: That's part of the
10 conversation. We had a lengthy conversation.
11 Rain barrels has changed in the zoning code, so
12 it has to go to Planning Commission and they have
13 to go through a process, because right now the
14 zoning codes says you have to have a gutter that
15 goes into the storm sewer. Certainly that can be
16 part of it, but this is more a matter of the law.

17 MR. ROBINS: I understand that. There's
18 some issues about the law as it relates to what
19 some people are doing now with rain gardens.

20 MS. BECKENBACH: We talked about that.

21 MAYOR LICASTRO: Thank you. Mr.
22 Kesselem.

23 MR. KESSELEM: Regarding our rain
24 barrels conversation, it originally started with
25 the public buildings that we had in using rain

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1 barrels on the buildings itself. I guess what I
2 first thought about that is what kind of cost are
3 we going to save by the wastewater and things
4 like that that we're going to be getting taxed on
5 possibly or a fee on. And I guess we don't get
6 that as public entities.

7 So I didn't know. I think, Joe, if you
8 could come to one of our meetings and give us
9 your input regarding the structures in the
10 Village, if it's feasible, if it's something we
11 should be looking at.

12 MR. ZALAR: I think right now just as
13 you mentioning it, just looking at the sheer
14 volume coming off of one of these structures,
15 it's astronomical.

16 MAYOR LICASTRO: It would take a big
17 barrel, but it's something we should talk about.

18 MR. KESSELEM: But it went into the rain
19 gardens and things like that that shows you a
20 sense of it not going just into our sewers.
21 That's part of our problems. So, yes, we don't
22 want it to go in the streets, but we do want to
23 try to alleviate a lot of the rain.

24 MAYOR LICASTRO: Maybe some of the rain
25 collected at the Community Center can be used for

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1 the garden right there. Something to think
2 about.

3 MR. KESSELEM: The driving force and we
4 originally thought we were going to save
5 ourselves some tax or fee or whatever via public
6 entities. Our research shows that we're not
7 going to be taxed or the fee is not going to be
8 associated.

9 MAYOR LICASTRO: We're not charged for
10 sewage. Thank you. Communications.

11 MR. MATEYO: Communications Committee
12 met on Thursday, December 2, 2010, at 5:30, the
13 Village Hall. There was a quorum present as well
14 as a number of residents. The agenda included,
15 one, functions of the Communications Committee
16 going forward. It was agreed that a "strategic
17 plan" for the committee was necessary.

18 Two, meeting dates, should the committee
19 have specific dates on the Bratenahl calendar for
20 regularly scheduled and post meetings.

21 Three, review of current Village of
22 Bratenahl communications efforts, and involvement
23 in evaluating future enhancements in the
24 Bratenahl web site for the benefit of all
25 Bratenahl residents.

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1 Four, Paul Stephan presented possible
2 "projects" for the Village of Bratenahl,
3 including, but not limited to, the bulletin
4 board, notice boxes, U.S. mail, emails, web site
5 ownership and expansion, telephone systems, radio
6 systems, emergency power systems, transparency,
7 and the Ohio Revised Code pertaining to document
8 storage, record retention/retrieval, Sunshine
9 Laws, and the role of Legislative Committee and
10 the Administration in communication efforts.

11 Meeting was adjourned at 6:35 p.m. with
12 a second scheduled meeting for December 7.
13 December 7 meeting was called to order at 5:30, a
14 quorum was present. Andy and Paul presented a
15 flow chart outlining the posting process as is
16 presently organized, and is the best process
17 going forward.

18 The possible budget for the
19 communications efforts was discussed and
20 presented, showing a possibility of \$30,000 for
21 web site redevelopment, the Bratenahl Community
22 Foundation currently has ownership of our web
23 site, which might include new hosting, emails,
24 possible domain name change, and a video-sound
25 recording, as well as direct mail campaign,

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1 printing and design, TV cable, a networked copier
2 machine, and WiFi at Village Hall.

3 Since we are in the last month of the
4 years, it was agreed that Communications
5 Committee would adjourn, and await for possible
6 reappointments made by the Mayor for the New
7 Year. Meeting was adjourned at 6:30 p.m.

8 MAYOR LICASTRO: Thank you, Mr. Mateyo.
9 Any questions? Recreation Commission.

10 MR. BAUMAN: Recreation Commission,
11 let's see here, Community Center usage, security
12 and maintenance, nothing new to report there.

13 Activities launched and planned, right now we're
14 still in the process of reviewing and updating
15 the policies and procedures manual. That will be
16 an ongoing process. Zumba classes are to start
17 in February. We don't have an exact date yet, so
18 check the web site Community Center for details.

19 MAYOR LICASTRO: What class, Tim, Zumba?
20 Weren't those the horns they used at the World
21 Cup?

22 MR. BAUMAN: Somebody probably knows
23 more of what Zumba is than I do, but it's kind of
24 an aerobics class.

25 MR. McDONALD: It attaches to the Wii
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1 game.

2 MR. ROBINS: It does. It does, yeah.

3 MR. BAUMAN: So those are coming in
4 February. I think everybody ought to enjoy that.
5 Upcoming events, I'm sure everybody will be glad
6 to hear the third Thursday winter wine tastings
7 are back. The first one is on Thursday, January
8 20 at the Community Center at 7:00 p.m..

9 Chinese New Year will happen either in
10 late January or early February. The date is
11 still to be decided. Check the web site or call
12 the Community Center for details.

13 The budget is on track for 2010. 2011's
14 budget is finalized and ready for review by the
15 Finance Committee. Obviously, in going back to
16 the discussion we had on the Village budget, once
17 the year end closes, we may want to make a few
18 tweaks, but we're ready for a preliminary review
19 on that whenever you guys are ready.

20 The new commission members and officers,
21 we had new officer appointments for 2011. Paul
22 Kesselem is our new Chairman. Dr. Clarence Mixon
23 will remain as vice-Chairman. Our treasurer is
24 Andre McKinney over here. And Jim Murphy stepped
25 up as secretary. So those guys will do a great

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1 job, I know.

2 And last, but not least, the Recreation
3 Commission asked the Village Council to approve
4 the appointment of Jody Scott to the commission.

5 MAYOR LICASTRO: Is there a motion to do
6 so?

7 MS. BECKENBACH: I so move.

8 MR. MATEYO: Second.

9 MAYOR LICASTRO: Any discussion or
10 comments? There being none, all in favor of the
11 motion?

12 Ayes: 5.

13 MAYOR LICASTRO: Anyone opposed?

14 MR. BAUMAN: Merry Christmas and Happy
15 New Year from the Recreation Commission.

16 And on a personal note, since this is my
17 last official function as a member of the
18 commission, I just would like to thank and
19 literally everybody in this room for the support
20 that everybody has shown the commission in my
21 tenure on there. You guys have made my job easy,
22 made our jobs easy. And I've really enjoyed my
23 time there and look forward to working with
24 everybody ongoing in the future in some other
25 capacity.

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1 MS. BECKENBACH: You were an outstanding
2 president.

3 MAYOR LICASTRO: On behalf of the
4 Village, we thank you for your Chairmanship, for
5 your tenure on the commission. We hope you don't
6 go away. We need your input. But, in a manner
7 in which to thank you, how about a round of a
8 applause. You deserve it.

9 (Applause.)

10 MR. McDONALD: Someone from the Rec
11 Commission should come to the Finance Committee
12 meeting in January so you can show that, so we
13 can prepare it.

14 MAYOR LICASTRO: Didn't you move your
15 meeting back?

16 MR. McDONALD: The 10th is what's on my
17 calendar.

18 MAYOR LICASTRO: The Recreation
19 Commission is not until the 11th, but I think you
20 have the budget prepared.

21 MALE VOICE: Tom is interested in, just
22 like you guys, we haven't gotten a final number
23 on things, but we're ready for the meeting.

24 MAYOR LICASTRO: Planning Commission did
25 not meet. Did the Shade Tree commission meet?

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1 MS. MEADE: No.
2 MAYOR LICASTRO: Did not. Moving to new
3 business, resolution number 873, Mr. Gallagher,
4 do you want to explain this, please?

5 MR. GALLAGHER: Yes. Every year we have
6 to tell the auditor that we would like them to
7 give us our portions of the taxes as they receive
8 it, rather than waiting for the semiannual
9 settlement. So in order to get money in January,
10 we have to pass this resolution and we do it
11 every year.

12 MAYOR LICASTRO: Ms. Beckenbach.

13 MS. BECKENBACH: I'd like to introduce
14 resolution number 873 for suspension, a
15 resolution requesting the county auditor to
16 advance taxes from the proceeds of levies
17 pursuant to Section 321.34 of the Ohio Revised
18 Code.

19 MR. BOLTON: Second.

20 MAYOR LICASTRO: Roll call on
21 suspension, please.

22 MR. GALLAGHER: Ms. Beckenbach?

23 MS. BECKENBACH: Aye.

24 MR. GALLAGHER: Mr. Bolton?

25 MR. BOLTON: Aye.

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1 MR. GALLAGHER: Mr. Kesselem?

2 MR. KESSELEM: Aye.

3 MR. GALLAGHER: Mr. Mateyo?

4 MR. MATEYO: Aye.

5 MR. GALLAGHER: Mr. McDonald?

6 MR. McDONALD: Aye.

7 MR. GALLAGHER: Thank you.

8 MS. BECKENBACH: I'd like to introduce
9 resolution number 873 for passage.

10 MR. MATEYO: Second.

11 MAYOR LICASTRO: Questions or concerns?
12 There being none roll call on 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: Thank you.

24 MAYOR LICASTRO: Moving to ordinance
25 3497, Mr. Gallagher, do you want to describe what

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1 this is, please?

2 MR. GALLAGHER: As you know, a couple
3 months ago we changed to update the posting
4 places. I was looking for something and found
5 another place in our codified ordinances where
6 the posting places are listed. They were the old
7 ones. This just makes the two sections, sections
8 123 and 125 consistent.

9 MR. McDONALD: I'd like to introduce
10 ordinance number 3497 for suspension, an
11 ordinance amending Section 123.01 of the
12 Administrative code to provide that the posting
13 and publication locations are consistent with
14 public meeting notice posting locations provided
15 in Section 125.01(f) and declaring an emergency.

16 MS. BECKENBACH: Second.

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

19 MR. GALLAGHER: Ms. Beckenbach?

20 MS. BECKENBACH: Aye.

21 MR. GALLAGHER: Mr. Bolton?

22 MR. BOLTON: Aye.

23 MR. GALLAGHER: Mr. Kesselem?

24 MR. KESSELEM: Aye.

25 MR. GALLAGHER: Mr. Mateyo?

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1 MR. MATEYO: Aye.

2 MR. GALLAGHER: Mr. McDonald?

3 MR. McDONALD: Aye.

4 MR. GALLAGHER: Thank you.

5 MR. McDONALD: Introduce for passage.

6 MS. BECKENBACH: Second.

7 MAYOR LICASTRO: Now, Mr. Kesselem,
8 please.

9 MR. KESSELEM: Jim, if I'm not mistaken,
10 the last, after the letter (e) for Lake Shore
11 Boulevard, 9721 Lake Shore Boulevard, also see
12 section 125.01(f). When I looked at 125.01, it
13 also included the web site.

14 MR. GALLAGHER: Yes.

15 MR. KESSELEM: Is that included then on
16 to this ordinance?

17 MR. GALLAGHER: No. This section says
18 the five most public places are.

19 MR. KESSELEM: So are we eliminating the
20 web site.

21 MR. GALLAGHER: No, it still sits there
22 as a posting place, as the other one. This just
23 references five places.

24 MR. McDONALD: This is only changing
25 part of the ordinance. The rest of it stays the

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1 same.

2 MR. KESSELEM: Okay. So the two
3 ordinances are just a smidge different?

4 MR. MATTY: They're a smidge different
5 because the web site will be used for public
6 meeting notices. The web site will not be used
7 for publication of ordinances, resolution and
8 notices at the request of Mr. Gallagher. So that
9 is a difference, that is intended, Councilman,
10 according to our direction from Mr. Gallagher.

11 MR. KESSELEM: Thank you.

12 MAYOR LICASTRO: Any other questions?
13 There being none, roll call on passage, please.

14 MR. GALLAGHER: Ms. Beckenbach?

15 MS. BECKENBACH: Aye.

16 MR. GALLAGHER: Mr. Bolton?

17 MR. BOLTON: Aye.

18 MR. GALLAGHER: Mr. Kesselem?

19 MR. KESSELEM: Aye.

20 MR. GALLAGHER: Mr. Mateyo?

21 MR. MATEYO: Aye.

22 MR. GALLAGHER: Mr. McDonald?

23 MR. McDONALD: Aye.

24 MR. GALLAGHER: Thank you.

25 MAYOR LICASTRO: Mr. McDonald, regarding
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1 the next three ordinances, would you talk about
2 the recommendation of those items?

3 I'm sorry, Ms. Meade.

4 MS. MEADE: A question pertaining to
5 what was just voted on. Was this ordinance
6 discussed at any public committee meeting before
7 bringing brought to Council?

8 MR. GALLAGHER: No.

9 MAYOR LICASTRO: This was kept just to
10 be sure we were consistent.

11 MS. MEADE: Thank you.

12 MR. McDONALD: The next three ordinances
13 are pertaining to raises that we are recommending
14 from the Finance Committee to give to all of our
15 employees a three percent raise. It's been a
16 while since our employees have received raises.
17 We need to maintain our competitiveness in the
18 job market. And we heartily recommend passage of
19 these three ordinances.

20 MAYOR LICASTRO: Thank you. Mr. Bolton,
21 are you next to line? I believe you are.

22 MR. MATEYO: Can we do them all at once?

23 MAYOR LICASTRO: 3500.

24 MR. BOLTON: I'd like to introduce
25 ordinance 3500, an ordinance fixing compensation

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1 of the police department of the Village of
2 Bratenahl and declaring an emergency.

3 MR. MATEYO: Second.

4 MAYOR LICASTRO: Roll call on
5 suspension, 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: Thank you.

17 MR. MATEYO: I'd like to introduce
18 ordinance number 3500 for passage.

19 MS. BECKENBACH: Second.

20 MAYOR LICASTRO: Comments?

21 MR. KESSELEM: This is, I guess, another
22 one of my requests that it come in front of
23 committees before it's shown at Council. All
24 three of these ordinances I feel should have come
25 in front of Safety Committee and discussed in

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1 public before it was brought to our attention.

2 MR. McDONALD: It did come. I mean, it
3 wasn't Safety Committee, but it did come before
4 the Finance Committee.

5 MR. KESSELEM: But, because it is in
6 some cases two of the ordinances are police
7 oriented, I think it should have been open for
8 discussion within -- whether finance or safety, I
9 wish it would be more open for us.

10 MAYOR LICASTRO: Didn't finance make a
11 recommendation on this?

12 MR. McDONALD: Yes.

13 MS. MEADE: Clarification, but were the
14 ordinances presented at finance for discussion
15 and to review this way or was it off of the
16 preliminary budget and just a general discussion
17 about a three percent increase?

18 MR. McDONALD: It was not a general
19 discussion. We recommended that Council pass a
20 three percent increase for all employees.

21 MS. MEADE: But was it based on the
22 preliminary budget sheets or was it based on this
23 documentation we're looking at right now?

24 MR. McDONALD: It was based on a need to
25 be competitive in the job market and to give our

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1 people raises when they haven't had raises for a
 2 while.
 3 MS. MEADE: So my question is did
 4 Finance Committee members see this ordinance and
 5 written up this way for their discussion?
 6 MR. McDONALD: No.
 7 MR. MATEYO: No, we did not.
 8 MR. MATTY: The way you would write-up
 9 an ordinance is you would know what the
 10 compensation package is for 2010 and you would
 11 add the three percent to 2011. I am assuming
 12 that Mr. Gallagher can chime in, but I'm assuming
 13 that's what was done here.
 14 MR. GALLAGHER: It's exactly the same
 15 format. Excel executed the three percent
 16 adjustment for me, so I used the same thing, I
 17 just hit times 1.03, change the numbers.
 18 MR. McDONALD: We made the
 19 recommendation to use 1.03 to multiply it.
 20 MS. BECKENBACH: Doesn't it go to law
 21 director or somebody and then comes back to
 22 Council.
 23 MS. MEADE: But the point is this was
 24 never shared publicly by a committee in this
 25 format, it was a preliminary budget with a three

1 percent across the board.
 2 MR. KESSELEM: Mary, I hear your side
 3 that I wish we could keep going on, but this is
 4 what our governing is about. It's to bring it to
 5 the public first. And that's all we're asking.
 6 I think the Communications Committee recognizes
 7 that we need to have our committee meetings and
 8 this stuff brought to our attention so that the
 9 public will have a chance to see these and hear
 10 it before we bring it to Council. That's all.
 11 MAYOR LICASTRO: But to counter that, it
 12 was brought to finance. This is the result of
 13 that recommendation. And I see your point.
 14 MR. KESSELEM: I'm not disagreeing
 15 whether it's finance or safety, just bring it to
 16 public's awareness.
 17 MAYOR LICASTRO: That's what we're doing
 18 now.
 19 MR. BOLTON: May I ask a question
 20 following up on Mr. Kesselem's concept. I think
 21 we all support the three percent raise, or at
 22 least I certainly do, given the difficult past
 23 couple of years.
 24 The issues that might be discussed in
 25 another forum are is this the right increase for

1 service in the department or service in gray. Is
 2 this the right starting salary? And so I throw
 3 the question out as to whether we should separate
 4 those issues and pass a three percent increase
 5 for our current employees and forward to
 6 committee any other issues related to
 7 compensation for review by the committee of those
 8 issues.
 9 MAYOR LICASTRO: Well, those can always
 10 be reviewed by committee, Mr. Bolton. The
 11 passage of this pay increase does not preclude
 12 those other issues being debated at any point in
 13 time. Council can always change an ordinance.
 14 MR. BOLTON: I see. So would it be fair
 15 then to say Mr. Kesselem is requesting that the
 16 public safety commission and finance review the
 17 other issues raised by this ordinance?
 18 MR. McDONALD: Are you suggesting that
 19 we open up all of our personnel costs to review?
 20 And if that's the case, that's a completely
 21 different issue and completely different
 22 undertaking.
 23 MAYOR LICASTRO: It doesn't deal with
 24 other personnel issues, which Council can always
 25 review.

1 MR. KESSELEM: I guess my concern is if
 2 there's going to be an introduction of an
 3 ordinance to Council, I think it needs to come in
 4 front of the committee for a motion to pass, to
 5 bring it to Council, to allow that to happen.
 6 That way it brings it in front of the people and
 7 allows them to see what we're going to be doing
 8 in the following week.
 9 MAYOR LICASTRO: Whatever the path is,
 10 but again, let's just reiterate again, finance
 11 made the recommendation of three percent, you're
 12 saying you didn't see it in this format. I
 13 understand it.
 14 MS. MEADE: And another question, when
 15 the discussion took place, I know, if I recall
 16 right, there was some discussion about -- I think
 17 they called it compensation and some of the
 18 benefits, are they included in the three percent
 19 or do they still have to be worked out and does
 20 this include benefits or just salary only?
 21 MR. McDONALD: Benefits are tied to
 22 this by law. We pay a percentage of compensation
 23 into the Ohio Police & Fire, Ohio Public
 24 Employees, Medicare, the whole thing, it's all
 25 tied together.

1 MS. MEADE: So did the outstanding
2 issues that were raised at the last Finance
3 meeting, have they been resolved outside of that
4 meeting and are reflected in this ordinance?

5 MAYOR LICASTRO: This is a three percent
6 pay increase. That's what it is. That's all it
7 is.

8 MR. ROBINS: But there was confusion at
9 the last Finance meeting. Specifically, go back
10 and look at the documentation, the spreadsheet,
11 the 1.03 that Jim talked about was applied to
12 salaries, but it was not applied to benefits.
13 He's made that change in the latest document,
14 which I reviewed in detail. I talked to Tom
15 about it.

16 MR. McDONALD: That was my mistake, not
17 his. I didn't go down enough lines.

18 MR. ROBINS: Well, whatever, that create
19 confusion.

20 MAYOR LICASTRO: If they get a three
21 percent increase in compensation, then there's
22 more money in the PERS, all of it. It's across
23 the board.

24 MS. MEADE: I didn't know if it was
25 resolved in the last meeting and didn't know if

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1 it was reflected here, that's all.

2 MR. McDONALD: The benefits are not
3 reflected here. This is just compensation. The
4 benefits are changed.

5 MR. ROBINS: In the appropriations.

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

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: Thank you.

19 MAYOR LICASTRO: Mr. Mateyo, I believe
20 you're 3501.

21 MR. MATEYO: I'd like to introduce
22 ordinance 3501, an ordinance fixing compensation
23 of the police department dispatchers of the
24 Village of Bratenahl and declaring an emergency.

25 MS. BECKENBACH: Second.

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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: Thank you.

14 MR. MATEYO: For passage.

15 MR. ROBINS: You have to say the words.

16 MR. MATEYO: I'd like to offer 3501 for
17 passage.

18 MS. BECKENBACH: Second.

19 MAYOR LICASTRO: Discussion? There
20 being none, roll call on passage, please.

21 MR. GALLAGHER: Ms. Beckenbach?

22 MS. BECKENBACH: Aye.

23 MR. GALLAGHER: Mr. Bolton?

24 MR. BOLTON: Aye.

25 MR. GALLAGHER: Mr. Kesselem?

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1 MR. KESSELEM: Aye.

2 MR. GALLAGHER: Mr. Mateyo?

3 MR. MATEYO: Obviously, yes.

4 MR. GALLAGHER: Mr. McDonald?

5 MR. McDONALD: Aye.

6 MR. GALLAGHER: Thank you.

7 MAYOR LICASTRO: That was funny, George.
8 That was funny.

9 MR. MATEYO: It wasn't meant to be.

10 MAYOR LICASTRO: Mr. Kesselem, 3502.

11 MR. KESSELEM: I guess for this one I'm
12 going to be Semersky on top.

13 MR. GALLAGHER: Yes. I told you I used
14 the old form. If that's not frugal, I don't know
15 what is.

16 MR. KESSELEM: I like to introduce
17 ordinance 3502, an ordinance fixing compensation
18 of the service department of the Village of
19 Bratenahl and declaring an emergency.

20 MR. McDONALD: Second.

21 MAYOR LICASTRO: Roll call on
22 suspension, please.

23 MR. GALLAGHER: Ms. Beckenbach?

24 MS. BECKENBACH: Aye.

25 MR. GALLAGHER: Mr. Bolton?

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1 MR. BOLTON: Aye.
 2 MR. GALLAGHER: Mr. Kesselem?
 3 MR. KESSELEM: Aye.
 4 MR. GALLAGHER: Mr. Mateyo?
 5 MR. MATEYO: Aye.
 6 MR. GALLAGHER: Mr. McDonald?
 7 MR. McDONALD: Aye.
 8 MR. GALLAGHER: Thank you.
 9 MR. KESSELEM: Ordinance number 3502 for
 10 passage.
 11 MS. BECKENBACH: Second.
 12 MAYOR LICASTRO: Any discussion?
 13 MR. BOLTON: I would appreciate it if in
 14 the first six months of next year the salaries
 15 could be reviewed, not with an eye to any
 16 existing employee, but with an eye to reviewing
 17 whether laborer B and laborer C starting salaries
 18 are appropriate given our market.
 19 MAYOR LICASTRO: I think there was some
 20 work done in that, but of course it can be
 21 reviewed again. Thank you, Mr. Bolton. Anyone
 22 else? Roll call on passage, please.
 23 MR. GALLAGHER: Ms. Beckenbach?
 24 MS. BECKENBACH: Aye.
 25 MR. GALLAGHER: Mr. Bolton?

1 MR. BOLTON: Aye.
 2 MR. GALLAGHER: Mr. Kesselem?
 3 MR. KESSELEM: Aye.
 4 MR. GALLAGHER: Mr. Mateyo?
 5 MR. MATEYO: Aye.
 6 MR. GALLAGHER: Mr. McDonald?
 7 MR. McDONALD: Aye.
 8 MR. GALLAGHER: Thank you.
 9 MAYOR LICASTRO: Before we introduce
 10 ordinance number 3504, I think it's back to you,
 11 Mary, the Village has had Tom Rein as prosecutor
 12 for the past seven or eight years. Effective the
 13 end of this year month, we are no longer going to
 14 be using Mr. Rein's services.
 15 I did conduct several interviews with
 16 potential hires. And I'm pleased to say that I'm
 17 recommending to Council that we hire the firm of
 18 Joe Diemert to give us prosecutorial legal advice
 19 and a personages.
 20 We met with Mr. Diemert & Associates
 21 Tuesday of this week. We feel, and I can speak
 22 for the police department and Mrs. Kreiner, that
 23 this will do a better job of serving the Village
 24 in terms of legal advice, availability. And also
 25 the police department, insomuch as not only will

1 there be quarterly court meetings that there
 2 always have been, but Mr. Diemert under this
 3 contract with no additional compensation will do
 4 quarterly updates and meetings with the police
 5 department to inform them of changes in the law
 6 and things of which they need to be aware of.
 7 It's always interesting to talk to
 8 various communities and various attorneys that
 9 are prosecutors, but I think that Mr. Diemert's
 10 expertise and experience and availability, we
 11 made it clear to Mr. Diemert that we know where
 12 he lives. And he did offer his services 24/7 if
 13 there's any need for such to serve the Village.
 14 So I'm very pleased to ask Ms. Beckenbach to
 15 introduce ordinance number 3504, please.
 16 MR. ROBINS: Just to add to your
 17 comment, he also actually conducted that function
 18 for us when Mr. Rein was ill.
 19 MAYOR LICASTRO: It was actually Mr.
 20 Hanculak. Mr. Hanculak will be the primarily
 21 prosecutor, not Mr. Diemert. Mr. Hanculak,
 22 himself. Mr. Hanculak, along with Diane Calta
 23 and Mark, I can't think of Mark's last name, will
 24 work as a team. But Mr. Hanculak filled in for
 25 the eight weeks that Mr. Rein was ill back in 08

1 that gave us a working knowledge of his
 2 capabilities, which really made it a no-brainer
 3 to hire him. It will be a huge advantage to the
 4 Village. Let's get it introduced and we'll take
 5 questions.
 6 MS. BECKENBACH: I'd like to introduce
 7 ordinance number 3504 for suspension.
 8 MR. McDONALD: Second.
 9 MS. BECKENBACH: An ordinance
 10 establishing terms, conditions and compensation
 11 for prosecutorial services for Bratenahl Village,
 12 Ohio and declaring an emergency.
 13 MAYOR LICASTRO: Roll call on
 14 suspension, 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: Thank you.

1 MS. BECKENBACH: I'd like to introduce
 2 ordinance number 3504 for passage.
 3 MR. McDONALD: Second.
 4 MAYOR LICASTRO: Mr. Mateyo, please.
 5 MR. MATEYO: When we pass this, what's
 6 the difference in cost between what we've been
 7 using and Mr. Diemert?
 8 MAYOR LICASTRO: The compensation, as
 9 far as the retainer, is the same. It's the same
 10 \$30,000. We did adjust the hourly rate in case
 11 we ever have to use his firm as a fallback,
 12 that's not likely. The old rate was \$75. He
 13 wanted to be paid in the same matter as Mr. Matty
 14 was compensated. We changed it to \$140 an hour
 15 realizing that would be a very unusual
 16 circumstance, but the \$30,000 is exactly the
 17 same.
 18 MR. MATEYO: Does Mr. Matty, the
 19 solicitor, have any comment on Mr. Diemert's
 20 firm?
 21 MR. MATTY: It's a very reputable firm.
 22 And Mr. Hanculak and Diane Calta, who I've had
 23 extensive dealings with know what they're doing
 24 in the area of prosecution.
 25 MR. MATEYO: Thank you.

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1 MAYOR LICASTRO: Chuck Bauernschmidt, a
 2 long time magistrate and villager described Mr.
 3 Hanculak as a class act. He certainly can be
 4 described as such. I think we're going to be
 5 well served with his firm.
 6 MR. MATEYO: Because he likes red wine
 7 as Mr. Bauernschmidt did.
 8 MAYOR LICASTRO: Did you get that for
 9 the record, Ms. Molnar.
 10 MR. MATEYO: That's the reason I
 11 whispered.
 12 (Laughter.)
 13 MAYOR LICASTRO: Mr. Bolton.
 14 MR. BOLTON: Mr. Tom Rein served the
 15 Village for a long time. Do you have any comment
 16 about why he's not being proposed at this time?
 17 MAYOR LICASTRO: Certainly he served the
 18 Village well. I applaud him for his
 19 contributions. Let's just say that I felt it was
 20 time to move in a different direction.
 21 Mr. Robins.
 22 MR. ROBINS: The \$30,000, where does
 23 that show up in the appropriations budget?
 24 MAYOR LICASTRO: I think it's under
 25 prosecutor. There's a line item for prosecutor.

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1 Any other questions?
 2 MR. ROBINS: Fine. Making sure it's in
 3 there.
 4 MAYOR LICASTRO: No further questions,
 5 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: Thank you.
 17 MAYOR LICASTRO: We're getting there.
 18 3505, Mr. McDonald.
 19 MR. McDONALD: I'd like to introduce
 20 ordinance number 3505, an ordinance to make
 21 additional appropriations for current expenses
 22 and other expenditures and further amending
 23 appropriations ordinance number 3475 and
 24 declaring an emergency for suspension.
 25 MS. BECKENBACH: Second.

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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: Thank you.
 14 MR. McDONALD: I'd like to submit 3505
 15 for passage.
 16 MS. BECKENBACH: Second.
 17 MAYOR LICASTRO: Mr. Gallagher, do you
 18 want to explain this first?
 19 MR. GALLAGHER: This is a restricted
 20 fund. We received more money than we thought we
 21 would, so we're appropriating so we can pay for
 22 some of the police equipment out of that
 23 restricted fund. It will mean that we have to go
 24 to the auditor to get a revision to the CER, but
 25 that will be taken care of and we'll be fine.

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1 MAYOR LICASTRO: Well said. Any further
 2 comments? Roll call on passage, 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: Michael McDonald?
 12 MR. McDONALD: Aye.
 13 MR. GALLAGHER: Thank you.
 14 (Laughter.)
 15 MAYOR LICASTRO: It's been a long day.
 16 The last item on the agenda, pay claims, is that
 17 you, Mr. Bolton?
 18 MR. BOLTON: Again? I'd like to
 19 introduce ordinance number 3506, pay claims.
 20 MAYOR LICASTRO: It's on the back page.
 21 MR. BOLTON: Did I get a second pay
 22 claims? There it is. I'd like to introduce
 23 ordinance number 3506 in the amount of
 24 \$82,397.85.
 25 MR. McDONALD: Second.
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1 MAYOR LICASTRO: For suspension.
 2 MR. BOLTON: For suspension.
 3 MAYOR LICASTRO: Second on suspension.
 4 MR. McDONALD: Second.
 5 MAYOR LICASTRO: Roll call on
 6 suspension.
 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: Thank you.
 18 MR. BOLTON: I'd like to introduce
 19 ordinance number 3506 for passage.
 20 MS. BECKENBACH: Second.
 21 MAYOR LICASTRO: Questions? Yes, Mr.
 22 Kesselem.
 23 MR. KESSELEM: The AKE Environmental &
 24 Construction on page 2, catch basin cleaning, I
 25 thought we were caught up with all of our catch
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1 basins.
 2 MAYOR LICASTRO: There was an additional
 3 heavy cleaning that was necessary when they did
 4 the televising. They found a lot of debris in
 5 Coit specifically and one other area as well, so
 6 they had to go back and do this. This is an
 7 amendment to the original contract, but they
 8 found enough debris.
 9 MR. KESSELEM: Is it appropriated?
 10 MAYOR LICASTRO: That's correct.
 11 MR. KESSELEM: Also, a little bit
 12 further down, Illuminating Company, traffic
 13 signals, it's \$67.04, is that our typical monthly
 14 fees so that the guys working on the NOPEC grant
 15 can use an idea for that?
 16 MR. GALLAGHER: Where are you, Mr.
 17 Kesselem?
 18 MR. KESSELEM: Further down,
 19 Illuminating Company, page two, traffic signals.
 20 Is that just like a normal amount that they just
 21 charge us?
 22 MR. GALLAGHER: It's actually a little
 23 low. It runs in the low 70s.
 24 MAYOR LICASTRO: We don't pay much for
 25 those. The return on investment is not the way
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1 to look at that. The fact is they're not going
 2 to be making the replacement bulbs for those
 3 after the year 2012. It's another reason to move
 4 forward with LED. It's only \$75 a year.
 5 Anyone else? Mr. Mateyo.
 6 MR. MATEYO: On page 2, Treasurer State
 7 of Ohio, OPWC loans.
 8 MR. GALLAGHER: It's the DOPWIC.
 9 MR. McDONALD: Left the D off.
 10 MAYOR LICASTRO: Mr. Bolton.
 11 MR. BOLTON: On the back page for record
 12 only, Gable Elevator, annual contract for \$45.
 13 My understanding is that we're getting our monies
 14 worth and that the elevator doesn't run.
 15 MAYOR LICASTRO: They're out here a lot.
 16 And even though they're out here a lot, we still
 17 struggle with the elevator. If we had to be
 18 charged every time they came out, the amount
 19 would be astronomical. It's a well spent \$45.
 20 MR. BOLTON: I understand, but I
 21 wondered if they're the right company, because I
 22 know how many elevator troubles we have.
 23 MAYOR LICASTRO: We'll be willing to
 24 listen to our alternatives. I mean, eventually
 25 we're going to have to get rid of it. Someone
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1 have another question?
 2 MR. KESSELEM: I think at the finance
 3 meeting John was talking about working on the
 4 master plan trying to figure out a way to get rid
 5 of it.
 6 MAYOR LICASTRO: A ramp. But, in the
 7 meantime, we need to maintain it. A ramp is, in
 8 my opinion, the only way to go. Every time we go
 9 to use it, it doesn't work. Not every time.
 10 Any other questions? There being none,
 11 roll call for passage, please.
 12 MR. GALLAGHER: Ms. Beckenbach?
 13 MS. BECKENBACH: Aye.
 14 MR. GALLAGHER: Mr. Bolton?
 15 MR. BOLTON: Aye.
 16 MR. GALLAGHER: Mr. Kesselem?
 17 MR. KESSELEM: Aye.
 18 MR. GALLAGHER: Mr. Mateyo?
 19 MR. MATEYO: Aye.
 20 MR. GALLAGHER: Mr. McDonald?
 21 MR. McDONALD: Aye.
 22 MR. GALLAGHER: Thank you.
 23 MR. McDONALD: Indulge just quickly a
 24 more direct answer to Rich's question regarding
 25 when are we going to be able to know how much
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1 we're going to pay down on that. We have to be
 2 able to know before the 26th, because that's when
 3 we're going to roll it. So on the 13th we'll
 4 determine, and I think it's the sense of Council
 5 that we do want to pay principal on Eddy Road, so
 6 we have to figure out how much and we'll have
 7 that done before next Council meeting.
 8 MAYOR LICASTRO: Anyone else on Council?
 9 Ms. Meade.
 10 MS. MEADE: Yes. Mr. Mayor, do you have
 11 an update on what's happening with the Huron
 12 Trauma Center talks regarding closing?
 13 MAYOR LICASTRO: There have not been any
 14 meetings that I'm aware of. I know that Metro
 15 has come forward to offer themselves as an
 16 alternative, but nothing more specific than that.
 17 MS. MEADE: Have you heard if they have
 18 a potential timeline for making a final decision?
 19 Has anything like that been discussed?
 20 MAYOR LICASTRO: I know that litigation
 21 offered by East Cleveland and Cleveland was
 22 withdrawn to have a dialogue I heard the end of
 23 January, but I don't know if that's been changed.
 24 MS. MEADE: So you're hopeful meetings
 25 will happen sometime in January before the
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1 decision?
 2 MAYOR LICASTRO: I would hope, but
 3 whether we participate in those, I can't speak to
 4 that. I was there really as president of the
 5 Mayors Association. Right now I have nothing
 6 new.
 7 MR. ROBINS: I know that everybody wants
 8 to stay here until eight o'clock, but I'll try to
 9 move this along. I looked quickly through the
 10 line items for the \$30,000 and I can't find it.
 11 So perhaps, Jim, you could find it for the
 12 prosecutor and just send to us by email what line
 13 item that \$30,000.
 14 MR. GALLAGHER: He's in with the other
 15 contract services, with Jamieson and Bierut, 72.
 16 MR. ROBINS: There is a 795, 79,200 that
 17 said Bierut, so that's where it is?
 18 MR. GALLAGHER: It's Bierut, Jamieson
 19 and Rein or now Diemert.
 20 MR. ROBINS: Thank you.
 21 MAYOR LICASTRO: Were you done, Rich?
 22 MR. ROBINS: Yes, I'm done.
 23 MAYOR LICASTRO: Doctor.
 24 DR. SECURA: Jim, just for
 25 clarification, that \$75 is an electric cost for
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1 the operation of the traffic lights, is that
 2 correct?
 3 MAYOR LICASTRO: That's what CEI charges
 4 us, yes.
 5 DR. SECURA: I understand that that can
 6 be negotiated down once they know we have LEDs,
 7 because that's a flat rate and I understand
 8 there's no meter.
 9 MR. GALLAGHER: I'm not sure what they
 10 do with those. It fluctuates. I mean, it's not
 11 like our other flat rates that are the same every
 12 month. I think there is a meter.
 13 DR. SECURA: Who would do that process?
 14 MAYOR LICASTRO: We would bring it to
 15 Mr. Logan's attention and have him carry it
 16 forward.
 17 DR. SECURA: Okay. One other question
 18 had to do with the web site and what was being
 19 posted and what's being posted on the boxes. I'd
 20 like to know a rationale of why everything that
 21 is on the boxes is not on the web site. Aren't
 22 the ordinances and things and notices, that
 23 wasn't clear at all, so I'm just asking for some
 24 clarification of the differentiation between the
 25 web site postings and the box postings.
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1 MR. McDONALD: Good question for a
 2 Communications Committee.
 3 MAYOR LICASTRO: I don't have an answer
 4 for that. Can we discuss that afterwards or in
 5 committee? I'm not sure we have an easy answer.
 6 I don't have an answer for that.
 7 DR. SECURA: All right.
 8 MAYOR LICASTRO: Ms. Meade.
 9 MS. MEADE: I'm not sure if this
 10 question should be posed to the clerk or to legal
 11 counsel. Do we know how much, if any, legal fees
 12 have been incurred to date on the stormwater
 13 district's lawsuit?
 14 MS. EHLERINGER: There has been some,
 15 but I would have to look at the bills. It's a
 16 very small amount, two or \$300 a month.
 17 MR. MATTY: I don't know what the exact
 18 amount is, but it's a small number compared to
 19 the total fees charged the Village. I can tell
 20 Council I'm very pleased eight months into this
 21 contract, we have a not-to-exceed amount of
 22 \$61,000. And I think as of last month, we have
 23 only spent \$21,000 of that 61,000, so we are
 24 running way ahead of schedule at least as far as
 25 a progression.

1 told you that, Ms. Meade, but we will pursue what
 2 we need to pursue. And perhaps in January I'll
 3 have an update for you on that.
 4 MS. MEADE: Thank you. That was it.
 5 MR. MATEYO: Move to adjourn?
 6 MS. BECKENBACH: I so move.
 7 MAYOR LICASTRO: Thank you. Happy
 8 Holidays, everybody. Take care.
 9 (Meeting adjourned at 7:20 p.m.)

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1 MAYOR LICASTRO: Perhaps way behind.
 2 MR. MATTY: Depending how you're looking
 3 at it. I know how Council looks at their dollars
 4 and that's why I say that. I would estimate that
 5 we're probably in the Northeast Ohio Regional
 6 Sewer District case in the area of anywhere from
 7 \$1,250 to \$1,750 total fees on that.
 8 MS. MEADE: And then my last question.
 9 MR. MATTY: That's probably a high
 10 estimate, but I give that to you as just a guess.
 11 MS. MEADE: Thanks. Then last month
 12 when I was asking for an update on the
 13 overpayment from the auditor's report. And I
 14 believe it was said that the auditors are
 15 pursuing the repayment of it. When I was looking
 16 into it, I was given different information and I
 17 was wondering if you could help clarify this for
 18 me.
 19 I was told that it's up to legal
 20 counsel, if they receive the report, that it goes
 21 to the local legal counsel or administration to
 22 actually be pursuing the repayment and not the
 23 auditor. So I'm wondering if that's an accurate
 24 statement that I was told from other sources.