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VILLAGE COUNCIL MEETING

TAKEN:

DECEMBER 16, 2009

5:00 P.M.

PRESENT:

MAYOR JOHN LICASTRO

MARY BECKENBACH

GREGORY BINFORD

RICHARD SEMERSKY

WILLIAM BOLTON

BRENDA BROWNRIGG

GEORGE MATEYO

ADAM CORNETT, ESQ.

Nancy L. Molnar, RPR

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

4           MR. GALLAGHER: Ms. Beckenbach?

5           MS. BECKENBACH: Here.

6           MR. GALLAGHER: Mr. Binford?

7           MR. BINFORD: Here.

8           MR. GALLAGHER: Mr. Bolton? Ms.  
9 Brownrigg? Mr. Mateyo?

10          MR. MATEYO: Here.

11          MR. GALLAGHER: Mr. Semersky?

12          MR. SEMERSKY: Here.

13          MR. GALLAGHER: Thank you.

14          MAYOR LICASTRO: Mr. Bolton and Ms.  
15 Brownrigg should be here shortly. Madam  
16 President.

17          MS. BECKENBACH: I'd like to make a  
18 motion to move into executive session for the  
19 purpose of discussing personnel.

20          MR. BINFORD: Second.

21          MR. CORNETT: And pending litigation.

22          MS. BECKENBACH: And pending litigation.

23          MAYOR LICASTRO: Roll call, please.

24          MR. GALLAGHER: Ms. Beckenbach?

25          MS. BECKENBACH: Aye.

1 MR. GALLAGHER: Mr. Binford?

2 MR. BINFORD: Aye.

3 MR. GALLAGHER: Mr. Mateyo?

4 MR. MATEYO: Aye.

5 MR. GALLAGHER: Mr. Semersky?

6 MR. SEMERSKY: Aye.

7 MR. GALLAGHER: Thank you.

8 MAYOR LICASTRO: Okay. If you'd excuse  
9 us, please.

10 (Whereupon, the Council went into  
11 executive session.)

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1           MAYOR LICASTRO: Okay. We're back in  
2 open session. Before we begin the agenda, Mr.  
3 Binford has a motion to make, please.

4           MR. BINFORD: I'd like to introduce a  
5 motion approving of and authorizing the Mayor to  
6 enter into a separation agreement and release  
7 relating to the employment of Officer Masters  
8 subject to the final approval of the Village  
9 solicitor.

10           MAYOR LICASTRO: Is there a second?

11           MS. BECKENBACH: Second.

12           MAYOR LICASTRO: Discussion? All in  
13 favor of the motion?

14           Ayes: 6. Nays: 0.

15           MAYOR LICASTRO: Thank you. We have the  
16 minutes of the November meeting. Would someone  
17 like to move to approve, please?

18           MR. BINFORD: So move.

19           MR. MATEYO: Second.

20           MAYOR LICASTRO: Any discussion or  
21 corrections? All in favor of the motion?

22           Ayes: 6. Nays: 0.

23           MAYOR LICASTRO: The Mayor's court  
24 report for November, the County Treasurer  
25 received \$690; the Village of Bratenahl \$30,294;

1 the Treasurer of the State of Ohio \$5,930; and  
2 the court computer fund \$1,534. Any questions  
3 about this? Thank you. Yes, I'm sorry.

4 MS. MEADE: For the minutes I was just  
5 curious, do minutes need to reflect anything that  
6 about executive session, because it wasn't in  
7 there, that it was held or resumed or anything.

8 MAYOR LICASTRO: That would defeat the  
9 purpose of executive session.

10 MR. CORNETT: It should have at least  
11 mentioned that it was held that we went into  
12 executive session.

13 MS. MEADE: I didn't catch it.

14 MR. CORNETT: I did not review it, but  
15 at least there should be an indication that at  
16 some point --

17 MS. MEADE: I didn't see it, that's why  
18 I asked.

19 MR. CORNETT: It should be in the  
20 beginning.

21 MAYOR LICASTRO: We can add that.

22 MS. MEADE: Thank you.

23 MAYOR LICASTRO: We deal with many  
24 public entities here, Northeast Regional Sewer,  
25 CEI, et cetera, et cetera. One of them, of

1 course, is ODOT. And having a portion of the  
2 freeway in our community makes our relationship  
3 with ODOT even more significant. Through the  
4 years we've gotten to know several of the  
5 officials there, one of whom is here today,  
6 Bonnie Teeuwen, who is a deputy director of ODOT  
7 district 12 in which Bratenahl is, of course, a  
8 part.

9 I asked her to come here today to bring  
10 us up to speed on what ODOT is up to and also to  
11 talk about our very favorite subject, sound  
12 walls, so Bonnie, would you please.

13 MS. TEEUWEN: Thank you. I appreciate  
14 being here, being invited, and also being on the  
15 first part of the agenda, because I do have to  
16 get to a soccer game.

17 Kind of a brief update. Every time I  
18 see the Mayor, he does ask me about noise walls.  
19 Our challenge with the noise walls have always  
20 been the funding of the noise walls. One of the  
21 concerns that you have in your area is the gap at  
22 the bridge. We've always said that as soon as we  
23 replace the bridge or deck on the bridge, we  
24 would include the noise walls at that time. We  
25 did the analysis and we can't put noise walls on

1 the existing structure because of the weight of  
2 it at this time. So we'll do that when we  
3 replace the deck.

4           We've had some issues as far as  
5 maintenance of noise walls and how to fund the  
6 maintenance of existing noise walls. We've never  
7 had a mechanism to be able to do that, so we're  
8 working with the central office to find the way  
9 to fund the maintenance of the noise walls and  
10 we're close to that, so hopefully some of these  
11 issues that we have with these noise walls, just  
12 maintaining the existing noise walls, we can  
13 address those in the near future hopefully in the  
14 next year or two. But the big news that I bring  
15 today --

16           MAYOR LICASTRO: Before you leave sound  
17 walls, it's really a mystery why we see areas on  
18 71 that have Strongsville, Brunswick, Eastlake, I  
19 know it's a different county, that have sound  
20 walls that are being built I'm assuming at ODOT's  
21 expense. Whereas, some of the retrofit areas  
22 such as Bratenahl continue to be ignored. And I  
23 know you and I talked about this at length. I  
24 talked to some of your supervisors and they keep  
25 saying it's a question of monies. And yet there

1 seem to be monies available for other areas of  
2 Cuyahoga County and other counties as well. I  
3 don't really understand the dichotomy. To me,  
4 there's something that's missing.

5 MS. TEEUWEN: We have two programs for  
6 noise walls. I believe it was in -- don't quote  
7 me on the time frame, but in the 80s at some  
8 point the federal government, part of their  
9 environmental document stated that when you go  
10 through a community and you either build an  
11 interstate or you increase the capacity of that  
12 interstate, you're required to do a noise  
13 analysis.

14 So we get into the situation where we  
15 look at 71 on the south end, Brunswick,  
16 Strongsville, on 77 in the City of Independence  
17 where we're adding lanes and we're adding  
18 capacity, we were required to do a noise  
19 analysis. If the noise is increased to a certain  
20 level, we're required by federal law to put in  
21 noise walls or do some type of noise abatement in  
22 those areas.

23 Now, any of the interstates that was  
24 built before that time we weren't required by law  
25 to look at those, the noise impact. What the

1 State of Ohio has done on their own is they  
2 understand that in areas that have already been  
3 developed that there's noise issues. So across  
4 the whole State of Ohio, they have ranked the  
5 noise levels in different areas and they've  
6 ranked them across the state. And they've  
7 contributed and this is not mandated, we've done  
8 it all on our own, we've contributed about five  
9 million dollars each year to build noise walls in  
10 the high noise impact areas.

11 Now, fortunately or unfortunately, a lot  
12 of those areas are in the Cleveland area, the  
13 district 12 area. So we've been slowly picking  
14 up some of those areas, but we've actually gone  
15 through all the interstates. We've measured the  
16 noise at each of the locations and we've ranked  
17 from the most noise level to the least noise  
18 level the areas. And we're picking those areas  
19 up one by one to get what we call the retrofit  
20 noise program.

21 MS. MEADE: Where does Bratenahl fall?

22 MS. TEEUWEN: It's not on the list as of  
23 now.

24 DR. SPANO: Why is that?

25 MS. TEEUWEN: The noise level isn't as

1 high as some of the other areas in the state.

2           MAYOR LICASTRO: There's a formula they  
3 use that I don't particularly agree with on how  
4 they determined what areas should be prioritized.  
5 As you're well aware, the Village, at its own  
6 expense, put the sound wall at the end of Coit  
7 because we felt the noise was overwhelming, plus  
8 it closes off the street.

9           MS. BECKENBACH: I received a letter and  
10 I can't remember who signed it, but it was either  
11 a state official or director from ODOT. It was  
12 at a high level whoever signed the letter. It  
13 said that Bratenahl, I'm giving you a synopsis,  
14 will never see a sound wall built in our  
15 community because of the highway, the buildings  
16 that have been added. The residential areas were  
17 built after the highway, so don't call us because  
18 it will never happen. I thought it was rather  
19 strong language used in the letter. I'll be  
20 happy to fax that to you if you'd like me to.

21           MS. TEEUWEN: I may have a copy of that.  
22 There's been several correspondence that have  
23 been going back and forth to different residents  
24 in Bratenahl. And I believe State Senator  
25 Shirley Smith has been involved.

1 MS. BECKENBACH: Thank you. She was the  
2 one who wrote it.

3 MAYOR LICASTRO: We have contacted the  
4 governor.

5 MS. BECKENBACH: The letter I got was  
6 from senator.

7 DR. SPANO: Is that the sentiment?

8 MS. BECKENBACH: The letter was dated  
9 this fall.

10 MS. TEEUWEN: There's a lot of different  
11 criteria and I don't know if we were as blunt as  
12 that. We try to be more polite.

13 DR. SPANO: You might be more polite,  
14 but it's still pretty arbitrary and capricious if  
15 you ask me. If sound is the issue, let's come  
16 and measure sound and see what it is.

17 MAYOR LICASTRO: They do that.

18 MS. TEEUWEN: We do.

19 DR. SPANO: You're saying we don't  
20 qualify?

21 MAYOR LICASTRO: The formula they use  
22 says we do not qualify.

23 DR. SPANO: That's not what I'm hearing  
24 from --

25 MAYOR LICASTRO: That's not the sound

1 you're hearing from us, you're right.

2 DR. SPANO: They're just saying you  
3 don't stand a chance because of the dates of  
4 your --

5 MS. TEEUWEN: I don't remember the  
6 specifics of why there wasn't a --

7 MS. BECKENBACH: She did not refer to  
8 the sound.

9 MS. TEEUWEN: There's the dollar value  
10 and also noise levels and then how you rank on  
11 that list. There's a couple of different  
12 criteria.

13 MAYOR LICASTRO: Just to understand, we  
14 have been promised that when this bridge deck is  
15 replaced they will close that gap, correct?

16 MS. TEEUWEN: Yes.

17 MAYOR LICASTRO: That's the only promise  
18 they've made, Doctor, except to continue to  
19 listen to our pleas and hopefully consider sound  
20 walls in other areas in the Village. I've never  
21 been told we're never going to get them.

22 DR. SPANO: But that mitigates sound in  
23 just this one area, it will have little to do  
24 with elsewhere in Bratenahl, correct?

25 MS. BECKENBACH: The one at 105th,

1 right.

2 MAYOR LICASTRO: The gap we're talking  
3 about is right here.

4 DR. SPANO: It's only going to  
5 contribute to right here. We don't expect to get  
6 any other advantage.

7 MAYOR LICASTRO: The only promise  
8 they've made is to fill that gap.

9 MS. MEADE: Bonnie, do you know when the  
10 bridge deck is scheduled for?

11 MAYOR LICASTRO: Let's have council ask  
12 the question first.

13 MS. MEADE: My apologies.

14 MR. MATEYO: Both.

15 MS. TEEUWEN: I don't have the specifics  
16 here. It's not soon. I can tell you that. Not  
17 in the next five years. We program out six  
18 years.

19 MAYOR LICASTRO: Some of the residents  
20 here complain bitterly about the sound that comes  
21 through that gap. In fact, if you were to attend  
22 our Memorial Day ceremony, it drowns out pretty  
23 much everything if it's a heavy day of traffic on  
24 the freeway. It's something we really need.

25 DR. SPANO: But what's the rationale.

1 If they claim they're going to replace that gap,  
2 by virtue of what rationale are you replacing  
3 that gap?

4           MAYOR LICASTRO: Filling the gap after  
5 they replace the bridge deck.

6           DR. SPANO: By what rationale are you  
7 doing that?

8           MS. TEEUWEN: When we replace the bridge  
9 deck we have to.

10           DR. SPANO: I understand that. But why  
11 are you filling the gap? Why?

12           MAYOR LICASTRO: What I've heard,  
13 Bonnie, is the structure they're not sure it's  
14 structurally sound.

15           DR. SPANO: If it were there and you  
16 could support it, you would fill the gap?

17           MS. TEEUWEN: Correct.

18           DR. SPANO: Why?

19           MS. TEEUWEN: Because it's part of the  
20 noise wall mitigation in the area.

21           MAYOR LICASTRO: Because the formula  
22 works here.

23           DR. SPANO: Isn't that something you're  
24 saying the same traffic that passes by this  
25 bridge passes by everyone else in the Bratenahl,

1 but the formula only works right here.

2 MS. BECKENBACH: He's not telling you.

3 DR. SPANO: I know he's not making the  
4 rule here.

5 MAYOR LICASTRO: It's the number of  
6 homes impacted, the number of residents impacted.  
7 It's a very complicated formula. Because this is  
8 one of our heavily populated areas of the Village  
9 with Burton and Foster, et cetera, right here,  
10 the formula works. They claim it doesn't work in  
11 other areas. I don't agree. Let's have some  
12 other questions.

13 MS. MITCHELL: Why is it our noise wall  
14 seems to be something that was designed by an  
15 Eastern European, precommunism architect and be  
16 of such poor quality when just right up the road  
17 there are, I mean, noise walls of better quality?  
18 It's an embarrassment to drive past Bratenahl to  
19 see that blight.

20 MS. TEEUWEN: You're absolutely right.

21 MS. MITCHELL: So we're stuck with these  
22 until they completely crumble.

23 MS. TEEUWEN: The good news was in 1994  
24 this area was one of the first areas in the State  
25 of Ohio to get noise walls. That was the good

1 news back then. Unfortunately, in the year 2009,  
2 they're the oldest noise walls that the State of  
3 Ohio has.

4 MS. MITCHELL: So we're stuck with  
5 these.

6 MS. TEEUWEN: That's the funding  
7 mechanism that we're trying to work out now to  
8 repair, to maintain, to replace existing noise  
9 walls. So we're aware of that. We're working on  
10 that and we hope that sometime in the future that  
11 we can.

12 MS. MITCHELL: Thank you.

13 MAYOR LICASTRO: Mr. Bolton?

14 MR. BOLTON: I have all interrelated  
15 questions about what other sound attenuation  
16 methods or techniques are used by ODOT. For  
17 example, it doesn't need a five-ton concrete  
18 sound wall to make a material difference. It  
19 might be wood with insulation, two layers of  
20 insulation inside. So I wondered what sound  
21 barriers or different pavement when it's next  
22 repaved or a sound absorbant guardrails. What  
23 other method does ODOT use?

24 MS. TEEUWEN: Actually the turnpike did  
25 a study with the turnpike's money and we'll take

1 advantage of that as far as noise absorption  
2 walls, putting it on the median wall and seeing  
3 if that makes a difference. They found out that  
4 that really didn't make a difference. The new  
5 walls that they have right now that you're seeing  
6 out in Lake County are more of an absorptive wall  
7 and they have better affects again because these  
8 were the newer ones. Technology wasn't there.  
9 They looked like a hunk of concrete. They're not  
10 absorbing. So when we get to the situation where  
11 we replace and upgrade them, we'll look at more  
12 current technology.

13 MS. BECKENBACH: That won't be in my  
14 lifetime either, correct?

15 MAYOR LICASTRO: Don't be such a  
16 pessimist. This is why we have Ms. Teeuwen speak  
17 for ODOT's intention. Dr. Secura.

18 DR. SECURA: Two things, as I start to  
19 notice some place on 77, I believe, or 71, you  
20 have clear sound walls which probably are  
21 Plexiglass form, that's one, and I want to know  
22 about that.

23 The second part is out in that area is  
24 some nonferrous, noncement sound walls that look  
25 like maybe two sheets of aluminum that are bolted

1 together over a bridge and that is not very  
2 heavy. And so if the issue here is heaviness and  
3 you've got sound abatement walls already in place  
4 that are not heavy, I want to know why we don't  
5 have those same -- which are already out on  
6 bridges, why we don't have those same, because  
7 that would help immensely here.

8 MS. TEEUWEN: We've done the analysis  
9 with those exact same noise walls that you see on  
10 71. It's like you said, it's almost just like  
11 two pieces of metal or a piece of plywood.  
12 That's as lightweight as you can go. The  
13 configuration of this structure and the weight  
14 limits of this structure didn't allow us.

15 MAYOR LICASTRO: What we talk about  
16 here, Doctor, is not sound walls but baffles.  
17 That's what you're referring to. Even that  
18 structure can't be put on the bridge.

19 DR. SECURA: The other is Plexiglass.

20 MS. TEEUWEN: The other is Plexiglass.  
21 That's not as light as what you see on 77 across  
22 the bridges, because those have a metal mesh to  
23 them that makes them --

24 MAYOR LICASTRO: Let's take one more  
25 question on sound walls.

1 MR. KESSELEM: Thanks, Bonnie, for  
2 coming. One other things other than sound walls  
3 in the Village I think they can be cleaned up  
4 through the years and hopefully in the years to  
5 come we'll get new ones, but the way the Village  
6 is on 90 all the way through the Village, a good  
7 distance across from it like the railroad track  
8 areas, it looks like nothing's ever been taken  
9 care of over there. No grass clipping or all the  
10 weeds that grow. Is there any way to get that  
11 under control so it looks --

12 MS. TEEUWEN: On the inside of the  
13 fence?

14 MR. KESSELEM: Yeah.

15 MS. TEEUWEN: Are you talking about the  
16 south side?

17 MR. KESSELEM: Both sides would be nice  
18 to have happen. Months will go by without what  
19 looks like nice care taken to it.

20 MS. TEEUWEN: We do on a regular basis  
21 our mowing is four times a year.

22 MR. KESSELEM: To the fence. Is there  
23 any way to tell and who's the railroad, is it  
24 Conrail?

25 MAYOR LICASTRO: It's Conrail.

1 MR. KESSELEM: Is there any way to get  
2 them, because that's all gravel and it's going to  
3 eventually grow back into weeds. Short of a fire  
4 going and cleaning out, is there anything that  
5 ODOT can do?

6 MS. TEEUWEN: I wish I had control over  
7 the railroads.

8 MR. KESSELEM: Is there anything ODOT  
9 can say you need to control it because of a  
10 safety issue down the line?

11 MAYOR LICASTRO: Mr. Kesselem, we  
12 actually had that communication with Conrail,  
13 because that's where the rock throwers hide in  
14 the weeds and occasionally they'll deal with it.  
15 It's not ODOT's right-of-way, it's private  
16 property.

17 MR. KESSELEM: I understand that. I  
18 thought ODOT knowing their property line goes to  
19 that edge, they can say makes their look bad.

20 MAYOR LICASTRO: Why don't you move on  
21 to the good news.

22 MS. TEEUWEN: The good news is the Eddy  
23 Road bridge and the ramps on the south side,  
24 eastbound side, we're proposing to replace that  
25 structure. It needs to have a deck replacement

1 on that. We're currently now advertising for  
2 consultants to do the plans to replace that. We  
3 anticipate that the deck will be replaced,  
4 construction will probably start late 2012 or  
5 2013, but what we're going to do on that  
6 structure is we'll close half of it, we'll  
7 replace the deck, we'll maintain a lane in each  
8 direction of traffic. The ramps are actually  
9 bridges, too, so we're proposing to fill those in  
10 and use MSE walls, which I can't remember what  
11 MSE is. Don, can you help me out?

12 MR. BIERUT: I can't remember.  
13 Manufactured.

14 MS. TEEUWEN: So we'll fill those  
15 bridges in, which are the ramp, we'll fill those  
16 in with dirt so we'll have a little less  
17 structure we have to maintain.

18 MAYOR LICASTRO: When you travel  
19 eastbound on the on ramp off Eddy, eastbound on  
20 ramp, there is a cavern under that. There's a  
21 door there. That's just a big open chamber. We  
22 worry about homeless people going in there.

23 MS. TEEUWEN: One of our inspectors  
24 found a body in there one time. We're filling  
25 that in so that won't be an issue anymore. What

1 I would recommend, because we're in the end  
2 stages of that, if there's any recommendations  
3 that you guys would have as far as aesthetics, we  
4 do have a small percentage of the money we put  
5 toward the project can go towards concrete form  
6 liners, certain kind of coloring.

7 MS. BECKENBACH: A bridge thing like  
8 they have on 55 exit.

9 MS. TEEUWEN: I would recommend the  
10 community get together and write a letter  
11 requesting things.

12 MAYOR LICASTRO: Input, and that process  
13 has begun.

14 MS. TEEUWEN: We have not picked a  
15 consultant yet, but we will.

16 MAYOR LICASTRO: Will you keep us  
17 informed how that tracks so we're timely in our  
18 response?

19 MS. TEEUWEN: I will. I would recommend  
20 an introductory letter right now just saying you  
21 understand there's a deck replacement and you'd  
22 like to be involved in some enhancements.

23 MAYOR LICASTRO: Mr. Mateyo.

24 MR. MATEYO: I wondered between now and  
25 2012, my understanding is ODOT you have to go to

1 clean the ramps going up and down both  
2 directions. Is there any way to request a little  
3 more frequency so residents don't try to park  
4 their cars and do it themselves?

5 MS. TEEUWEN: If it gets real bad.

6 MS. BECKENBACH: It is bad now.

7 MS. TEEUWEN: We try to prioritize our  
8 work as much as possible. Basically our  
9 priorities are from the center line out. If it  
10 is bad, I will give the Mayor or somebody a  
11 contact of our maintenance manager that will  
12 come.

13 MAYOR LICASTRO: Thank you.

14 DR. SECURA: There is an ongoing, I  
15 feel, issue with Eddy Road ramp, which is the  
16 timing of the lights going south and then east on  
17 90. There's about eight seconds for you once the  
18 light goes green before it goes yellow. We've  
19 asked numerous times in the last three years for  
20 that to be reevaluated. I know it's a time  
21 demand, so when there's cars behind me, I know it  
22 goes longer, but it is inadequate because you're  
23 going uphill. In the wintertime you almost can't  
24 do it. And I don't see a do not turn right on  
25 red at the east ramp, so people are starting to

1 edge right in there and they don't even have a  
2 light.

3           And yet on the other end you can't turn  
4 right into Bratenahl on red, but they can turn  
5 down the ramp from Cleveland right in front of  
6 somebody that's coming off on a green left arrow.  
7 That really needs to be adjusted for the reality  
8 of snow and ice on the ramp not want to go floor  
9 their car and accelerate and then stop to get  
10 around the corner.

11           MS. BROWNRIGG: That's really important  
12 because guys coming out of Bratenahl, we're  
13 flying trying to catch what we can of that  
14 eight-second light. These guys, we're going this  
15 way and they're turning right on red.

16           MAYOR LICASTRO: It used to be four  
17 seconds, now it's eight or ten. It needs to be  
18 twice that, because what happens is if someone  
19 tries to jump the light, Dr. Secura is right,  
20 then you have people turning, that's a very  
21 dangerous, so it's the light controlling the  
22 eastbound on ramp at the top of Eddy Road. The  
23 left turn signal needs to be increased at least  
24 double what it is now.

25           MS. BROWNRIGG: There needs to be no

1 turn on red on that other one.

2 MAYOR LICASTRO: I'm not sure they can  
3 do that.

4 DR. SECURA: They did it on the other  
5 side.

6 MAYOR LICASTRO: At the very least we  
7 need that arrow to be longer. Are we done  
8 beating Bonnie Teeuwen?

9 MR. BOLTON: I think what you're going  
10 to find interesting in bike lanes and greenery on  
11 the deck replacement.

12 MAYOR LICASTRO: You can't ride a bike  
13 on the freeway, Mr. Bolton.

14 MR. BOLTON: It's on the overhead. I'm  
15 involved in some other entities and that seems to  
16 be a real trend in design today.

17 MS. TEEUWEN: Do you have --

18 MR. BOLTON: At least in the interest of  
19 the design.

20 MAYOR LICASTRO: We have a bike trail in  
21 the Village.

22 MS. TEEUWEN: We have to consider it.

23 MAYOR LICASTRO: I think it's the Lake  
24 Shore, I don't think it connects to Eddy Road.  
25 We'd have to look into that.

1 MS. TEEUWEN: To answer your question,  
2 we have to look at and consider bike lanes  
3 whenever we do an improvement project like that.  
4 If there is a bike lane that goes up on either  
5 side, obviously we consider it or if in your  
6 master plan if you have bike paths going up  
7 through.

8 MS. BECKENBACH: They don't go up  
9 through because the other side is Cleveland, so  
10 there's no bike path down there at all.

11 MR. BOLTON: And the green space and  
12 sometimes water features, there's a whole bunch  
13 of design things people are looking for.

14 MR. CORNETT: Let's try to get them to  
15 put some lights on Eddy Road while we're at it.

16 MAYOR LICASTRO: Let's not go there.  
17 Anything else?

18 MS. TEEUWEN: I'll take any more  
19 questions.

20 MAYOR LICASTRO: We need to move on.  
21 Thank you for coming, Bonnie, we appreciate it.  
22 We will abuse you on a yearly basis.

23 (Applause.)

24 MAYOR LICASTRO: Just a quick update. I  
25 received a notice of dredging of the Cleveland

1 harbor and river, Cuyahoga River. 675,000 cubic  
2 yards of material will be done in the spring of  
3 10. Those materials will go into the confined  
4 disposal areas 12 and 10B, they're existing.  
5 However, part of this is they are considering a  
6 new CDF off 55th, about 157 acres. This was  
7 supposed to be the new area of the port.

8           Now, what's happening with the port, I  
9 couldn't tell you. The Port Authority is in  
10 disarray since the surprise resignation of Adam  
11 Wasserman with whom, as you know, we've had a two  
12 and a half year dialogue voicing our concerns  
13 about that relocation of the port. So as far as  
14 I know, that whole project is on hold. However,  
15 the Army Corps of Engineers is looking to get  
16 approval for a CDF off 55th. I'll keep you  
17 posted. Any questions?

18           MS. MEADE: What's CDF?

19           MAYOR LICASTRO: Confined Disposal  
20 Facility. Thank you. We have with us Officer  
21 Mauk. Rachel Mauk has given us information in  
22 the past on projects she's working on. She has  
23 one to share with us today.

24           OFFICER MAUK: I just wanted to let  
25 everybody now our department, our police

1 department, has signed up for a new program  
2 called A Child is Missing. A Child is Missing is  
3 a nonprofit organization that was created solely  
4 to assist police departments completely free of  
5 charge. What this consists of is any time we  
6 take a missing person report whether or not for a  
7 juvenile, young adult, elderly or disabled  
8 person, we can contact this company by phone  
9 right from the scene that we're at, give them all  
10 of the pertinent information and they're able to  
11 track a system on their map and make phone calls  
12 to each and every residence in that area. They  
13 can do up to a thousand phone calls per minute.  
14 This will make phone calls to everybody's  
15 landline at their house as long as they are  
16 listed in the telephone book.

17           You can go on to their web site, sign up  
18 if your phone number is unlisted, and also give  
19 them your cell phone. It will not call you for  
20 every phone call they receive, it will only call  
21 you for calls within your area. So you don't  
22 have to worry about getting call after call  
23 throughout the days. I did print up fliers.  
24 They are sitting by the information window  
25 outside here. It gives you a copy of their web

1 site and more information about it.

2           The other part of this program that we  
3 did choose to become a part of is the sexual  
4 offender notification. If a sexual offender  
5 moves into the Village or becomes a part of the  
6 working environment in the Village, it will also  
7 make the phone calls to notify the area that  
8 needs to be notified that they are here and  
9 working here.

10           MAYOR LICASTRO: There was such an  
11 individual that moved into the west end a couple  
12 years ago. Our department had to make the phone  
13 calls. This agency will make the phone calls for  
14 us.

15           OFFICER MAUK: Actually, we went door to  
16 door again to do that. It is helpful and it is  
17 free of charge and there is more information on  
18 their web site. Just in the past year Ohio alone  
19 has had 14 incidents of them, four of them being  
20 in the local area with all successful recovery  
21 within eight hours, so thank you very much.

22           MR. ROBINS: Is there a cost, Rachel?

23           OFFICER MAUK: No, absolutely free of  
24 charge.

25           MAYOR LICASTRO: Rachel is in charge of

1 the jail inspections and does a wonderful job for  
2 our community. We're glad to have her on the  
3 force.

4 OFFICER MAUK: Thank you.

5 MAYOR LICASTRO: Thank you. I'm sad to  
6 say that we've received a letter of resignation  
7 from Ronnie Hlad. Ms. Beckenbach.

8 MS. BECKENBACH: I'd like to read her  
9 letter of resignation. Dear Fellow Villagers,  
10 thank you for allowing me to serve as the Shade  
11 Tree Commission chairperson for the past 15  
12 years. With the help of fellow tree  
13 commissioners, Dorothy Jackson, Pat Meade, Ava  
14 Peterson, Mary Beckenbach and our service  
15 department director Joe Zalar, Bratenahl was able  
16 to recover from the devastating storm of 1993 to  
17 become a beautiful Tree City USA in 2009. With  
18 the encouragement and continual budget approval  
19 of the Council and Mayor, we were able to plant  
20 over 450 tree lawn and park trees. Our landscape  
21 design has given us a fine mix of young,  
22 deciduous and pine trees, which compliments our  
23 strong stately old forest. Our fall colors seem  
24 to be more brilliant each year. Not chairing the  
25 Shade Tree Commission in 2010 will be difficult,

1 but I must ask you to accept my resignation  
2 because of declining health reasons. After all  
3 these years, I would not want sickness to prevent  
4 me from providing my very best efforts for the  
5 Village. I trust you understand. If I can be of  
6 any assistance to a new appointee, please do not  
7 hesitate to ask. Merry Christmas. And may the  
8 good Lord bless you all in 2010. Veronica Hlad.

9           MAYOR LICASTRO: Sadly indeed. Please  
10 keep Ms. Hlad in your prayers. And I ask Council  
11 to approve writing up a proclamation for Ms. Hlad  
12 to acknowledge her contributions.

13           MR. BINFORD: So move.

14           MR. MATEYO: Second.

15           MAYOR LICASTRO: All in favor.

16           Ayes: 6. Nays: 0.

17           MAYOR LICASTRO: Thank you. Also on a  
18 sad note I'd like to mention the passing of  
19 Bettie Wiechelman. Those of you have known  
20 Bettie, Bettie lived in the Village I think  
21 almost her entire life. She loved this  
22 community. Even though the service was private,  
23 the obituary in the paper talked about her love  
24 of the Village. And she will be sorely missed.  
25 She's been in a nursing home for a couple of

1 years, Doctor, is that correct? But she was  
2 truly in depth of her soul a Bratenahl villager  
3 and she will be missed.

4 MS. BECKENBACH: I would like to take  
5 this opportunity to report that John Licastro has  
6 been unanimously elected as president of the  
7 67-member Cuyahoga County Mayors and City  
8 Managers Association effective through the year  
9 2011. This is a great opportunity not only for  
10 John, but for our Village. The Association's  
11 mission is in part to take stands as a collective  
12 body on relevant public issues so that a unified  
13 voice may be heard and felt not only at the local  
14 level, but also at the state level and  
15 occasionally at the federal level.  
16 Congratulations, John.

17 MAYOR LICASTRO: Thank you, Mary.

18 (Applause.)

19 MAYOR LICASTRO: It wasn't unanimous by  
20 the way, but that's all right. It was four to  
21 one. Speaking of the Mayors & Managers  
22 Association, in my legislative report there are  
23 three issues that are of grave concern to the  
24 Village. First of all, understand the manner in  
25 which the general assembly operates.

1           In 2009, this body of representatives  
2 and senators passed nine bills. That's it. Nine  
3 bills in 12 months of session. Now there are  
4 recesses in there, but I think that's -- we pass  
5 that in a couple months in the Village of  
6 Bratenahl. I think that's absolutely amazing.  
7 They're still struggling with the budget. As a  
8 matter of fact, I got an update today that said  
9 that the stalemate over how to repair the 851  
10 million dollar shortfall appears to be growing.

11           The senate republicans are prepared to  
12 vote on an alternative version of the bill, which  
13 would give the governor the authority to balance  
14 the budget through spending reductions, but would  
15 prohibit cuttings in K to 12 education, libraries  
16 and the local government fund. Realize the  
17 Village gets about \$70,000 a year in the local  
18 government fund and other communities get a lot  
19 more than that.

20           Previously there was debate about the  
21 delaying the implementation of a final year of  
22 the five-year plan to reduce Ohio income tax by  
23 21 percent. Legislators have until December 31  
24 to indeed agree to that delay. If that window of  
25 time is lost, that is off the table. So again,

1 actually the governor is insisting that they come  
2 back into session even if it's Christmas Day to  
3 get this done. It's not good news. Again, I've  
4 told you before the next biannual budget looks  
5 even bleaker. We're looking at a five to seven  
6 billion dollar hole for 11 and 12, so it's not  
7 looking good.

8           As I mentioned, two other items. The  
9 oil and gas committee met per the Mayors &  
10 Managers with the with Sean Logan, the director  
11 of ODNR, another good person for us to know. The  
12 legislation that now exists for the regulation of  
13 gas wells pretty much removes all input and  
14 control from local communities. It used to be  
15 entirely controlled by local communities. By the  
16 way, Bratenahl has three working gas wells in our  
17 community.

18           The latest bill, senate bill 165  
19 sponsored by Senator Niehouse would allow local  
20 communities more input, but no more control.  
21 It's an improvement over what is there now. This  
22 is a home rule issue. As you know, the general  
23 assembly continually tries to reduce the amount  
24 of local control. We're trying to lobby in on  
25 this and at least get more input if not control.

1           And the last is, of course, the estate  
2 tax. There is bipartisan support in the general  
3 assembly for the elimination of estate tax.  
4 They're not doing it for a couple of things,  
5 couple reasons. Number one, they can't live  
6 without the revenue. There's already almost a  
7 billion dollar hole in the budget. It would  
8 create a bigger hole.

9           Also, local communities such as  
10 Bratenahl, which historically has gotten hundreds  
11 of thousands of dollars a year on estate tax,  
12 don't have a way to replace the funds. Our  
13 mantra is if you're going to get rid of it, give  
14 us a way to replace the funds. Shaker Heights  
15 gets three million dollars a year in estate tax.  
16 As you know, historically most of our estate tax  
17 has been used to repair infrastructure and even  
18 occasionally balance the budget. So we're very  
19 concerned about this active legislative at the  
20 general assembly level. Right now it's not on  
21 the radar because they can't afford to reduce  
22 their own revenue. What happens in the future,  
23 we'll track and keep you informed. Any questions  
24 on that?

25           Mr. Zalar has to go to another concert

1 for his children. Do you want to give your  
2 department report?

3 MR. ZALAR: Finishing up one season,  
4 we're actually complete with our leaf collection.  
5 We're waiting on the final tallies of all the  
6 tonnages that we've collected and dropped off.  
7 Actually, I'll be working with Ms. Beckenbach so  
8 we can get our Cuyahoga County report completed  
9 with some people from Allied Waste.

10 We are gearing up for the winter season.  
11 We're about 75 percent complete on all the  
12 equipment getting it ready for the loads.  
13 Although, if we have a storm, we'll be fine. We  
14 also had received 90 ton of salt for our season.  
15 As long as the weather stays like this, I think  
16 we're going to be in pretty good shape.

17 The last project that we are working on  
18 at the community center was the chimney and the  
19 roof. The chimney was completed last month. By  
20 tomorrow the roofing repair will be complete and  
21 they will be finished. That's it.

22 Oh, one other thing. For the residents  
23 that have been dropping off computers at the  
24 service garage, thank you. I'm glad that they're  
25 coming in so we don't have to collect them out

1 there and pull them out of the trash. Any  
2 questions?

3           MAYOR LICASTRO: I might add that repair  
4 of the chimney and roof was paid for with  
5 insurance money from the lightning strike that  
6 destroyed the chimney.

7           MR. ROBINS: Joe, in addition to the  
8 computers, do you take dead printers as well?

9           MR. ZALAR: Yes, we do.

10          MR. ROBINS: Thanks.

11          MAYOR LICASTRO: Anything else? Joe, go  
12 enjoy your concert.

13          MR. ZALAR: Merry Christmas, everyone.

14          MAYOR LICASTRO: We got a notification  
15 from NOPEC, which announced a nine-year deal with  
16 FES. This will start in 2011 and involves 126  
17 communities that are part of NOPEC. It's about a  
18 six-percent reduction in cost effective in 11 for  
19 residential and about four-percent reduction for  
20 business customers.

21                 NOPEC has done a yeoman's job in terms  
22 of electric rates. I think they've done a really  
23 poor job in terms of gas rates. I know Mr.  
24 Sutton has had conversations with me. There are  
25 better deals on natural gas rates than what NOPEC

1 offers. Even though we're part of that  
2 consortium, I urge you to figure out your  
3 options. If you find a better rate than theirs,  
4 pursue it.

5 MR. SUTTON: You can go to Dominion's  
6 web site. They have an apples to apples  
7 comparison.

8 MAYOR LICASTRO: And NOPEC does not fair  
9 well in that comparison. They've done a much  
10 better job in electricity. I think this will  
11 serve us well. Any questions? Thank you.

12 2010 is a census year. And if you want  
13 to know my opinion of the four hundred million  
14 dollars that's been budgeted for this, they spent  
15 about 200 million on paperwork. This is just  
16 what we received at our Mayors meeting and  
17 everyone got one of these. Basically, the  
18 timeline is after the first of the year everyone  
19 will be sent a form. Their motto is 10 minutes  
20 to answer 10 questions. If you return that form,  
21 you're done. If you don't, beginning April 1,  
22 which is national census day, people will be  
23 going door to door to knock on your door to get  
24 information.

25 Now, they carry proper identification.

1 They'll check in with the police department. My  
2 recommendation is make it easy on yourself, fill  
3 out the questionnaire and it's straightforward  
4 and it is confidential. Certainly they'll come  
5 up with a summary of what our nation is and who  
6 comprises the United States of America. Personal  
7 information will be confidential. Here's the  
8 form right here. Indeed it is 10 questions on  
9 one side of the paper. You'll see that at the  
10 first of the year. My recommendation is respond  
11 and you'll be done. Any questions on that?  
12 Thank you.

13           With the pending arrival of Mr. McDonald  
14 to Council and, again, the swearing in is 10:00  
15 a.m. on the morning of January 1, it creates  
16 avoid on the audit committee. I'm happy to say I  
17 caught Ms. Brownrigg at a weak moment and she has  
18 offered to fill that void effective January 1.

19           Now, the audit committee is comprised of  
20 Lee Blazey and Beth Mooney. I talked to them and  
21 they think it's a great idea. I hope we all  
22 concur. So before she changes her mind, would  
23 someone make a motion?

24           MR. MATEYO: So move.

25           MR. SEMERSKY: Second.

1           MAYOR LICASTRO: All in favor of the  
2 motion? Brenda, you can't vote on this.

3           Ayes: 5. Nays: 0.

4           MAYOR LICASTRO: That ends my report.  
5 Department reports. Who's on top there? Mr.  
6 Jamieson, please.

7           MR. JAMIESON: Thank you, Mayor. The  
8 building department report for last month. We  
9 did a total of 12 inspections, registered five  
10 new contractors, issued six permits, as well as  
11 six certificates of compliance. And we will have  
12 in our annual report an entire exterior  
13 maintenance program report for you. And that  
14 concludes my report.

15           MAYOR LICASTRO: Any questions for Mr.  
16 Jamieson? Thank you, Tom.

17           MR. JAMIESON: Happy holidays.

18           MAYOR LICASTRO: Chief.

19           CHIEF DOLBOW: November 18 through  
20 December 16, we had a total of 10 felony arrests,  
21 seven misdemeanor arrests, 10 warrant arrests, 17  
22 driving under suspension arrests, nine OVI  
23 arrests, total of 25 vehicles were towed. We had  
24 11 motor vehicle accidents. We had 21 false  
25 alarm drops. We had four false fire alarm drops.

1 We had a total of 24 911 calls, five of which  
2 were false and 18 we assisted the residents. We  
3 had a total of 247 traffic tickets. Any  
4 questions? Yes, sir.

5 MR. ROBINS: No question, but a  
6 compliment. We had workmen, we have workmen  
7 working constantly at our place on something.  
8 And the dust set off the smoke alarm, as you  
9 know. And your guys were there so quickly that  
10 the workmen were impressed. They live in our  
11 communities and they said wow, you know, if this  
12 was in our community, my wife's tires would be  
13 gone from the car and a couple other things would  
14 be stolen, so I thought you'd like to hear that  
15 indirect compliment.

16 CHIEF DOLBOW: I appreciate that, sir.

17 MAYOR LICASTRO: Anyone else? Thank  
18 you, Chief.

19 CHIEF DOLBOW: Thank you.

20 MAYOR LICASTRO: Who else? That's it.  
21 All right. Moving to committee reports.

22 Finance.

23 MS. BROWNRIGG: Finance did not meet.  
24 We had a meeting scheduled for Monday to further  
25 discuss the 2010 budget, but the certificate of

1 estimated resources had huge errors in them and  
2 so we didn't have reliable income prediction, so  
3 we canceled the meeting. The meeting will be  
4 this coming Monday at 5:30. We could have had a  
5 meeting without it, but at that point mostly we  
6 would have been able to talk about how to replace  
7 possible gaps in revenue.

8 We felt it was important to have all the  
9 information available, because if we start  
10 talking about tax increases, we want to make sure  
11 that we have done everything else before we get  
12 there. And without the revenue stream, that was  
13 not possible so we will have the meeting on  
14 Monday.

15 MAYOR LICASTRO: And subsequent to that,  
16 as we did last year, we're probably going to have  
17 a special Council meeting at the end of the month  
18 to approve the budget going into 2010. So those  
19 of you that think you're done today, you might  
20 not be done yet.

21 MS. BROWNRIGG: And the reason that's  
22 important is that one incident of budget is that  
23 we don't have to do retroactive payments for  
24 salaries after March. So we'd like for whatever  
25 it is we're going to try to do by March to

1 finalize the budget to be really close to what we  
2 come up with at the end of the year.

3           MAYOR LICASTRO: As Ms. Brownrigg is  
4 aware, we've been working really hard with the  
5 department heads and Mr. Gallagher and Ms.  
6 Ehleringer to find out where we can cut. We want  
7 tax increases to be our last resort, not our  
8 first. Dr. Robins.

9           MR. ROBINS: Yeah, it was disappointing  
10 that there was a meeting as you point out,  
11 Brenda. The meeting could have taken place  
12 without having a Certificate of Estimated  
13 Resources and certainly could have worked on the  
14 expense side. The Certificate of Estimated  
15 Resources, of course, has a lot of data in and  
16 much of that data comes from us. So we have to  
17 understand what comes from us in the first place  
18 and analyze that.

19           So I look forward to Monday's meeting.  
20 But in addition to that, I just wanted to point  
21 out that with today's approval of pay claims  
22 you'll see another \$9,281 for legal expenses  
23 which will bring us this year to \$197,521 or 8.4  
24 percent of our year-to-date expenditure. That's  
25 a very, very significant number and I think all

1 of you up there would be interested in knowing  
2 that number.

3           And it did raise the question about the  
4 executive session. You said you went into  
5 executive session to deal with a personnel matter  
6 and pending litigation. You came out of  
7 executive session and addressed publically a  
8 personally matter. Perhaps the pending  
9 litigation was related to the personnel matter.  
10 If it wasn't, then it does raise the specter of  
11 continuing large expenditures for legal expenses.  
12 That, coupled with the ongoing Fallon fiasco  
13 raises some serious issues. So I'd like to have  
14 some response.

15           MR. CORNETT: To the extent that you're  
16 requesting any information that was discussed in  
17 executive session, I would say that Council does  
18 not need to respond, it should not respond to  
19 that.

20           MAYOR LICASTRO: We certainly think and  
21 hope that 2009 was an anomaly and that it will be  
22 different in 2010. We had issues in this Village  
23 we've never had before and hopefully they won't  
24 reoccur.

25           Are you done with your report? Public

1 improvements.

2 MR. SEMERSKY: Public improvements met  
3 at 9:30 a.m. on December 9 at Village Hall. The  
4 full committee was in attendance along with Mayor  
5 Licastro, Bill Roediger and a handful of Village  
6 residents.

7 The issue of the Roediger Family's  
8 request for naming rights on their former  
9 property, now owned by the Village through an  
10 easement from the Western Reserve Land  
11 Conservancy was the only agenda item.

12 Mr. Roediger presented a copy of the  
13 contract in which his family entered into for the  
14 sale of the property to the Western Reserve Land  
15 Conservancy. It clearly stated that the Western  
16 Reserve Land Conservancy was to make best efforts  
17 to include in the final easement the right for  
18 the Roediger Family to officially name the  
19 property.

20 The Chair shared with the committee and  
21 those in attendance that he was unaware of any  
22 effort by the Western Reserve Land Conservancy to  
23 include that provision in the easement and that  
24 as far as he knew the first the Village was made  
25 aware of this issue was when Mr. Roediger

1 informed the Village after the property  
2 transferred.

3           Vicki Broer spoke in reference to the  
4 process that the Bratenahl chapter of the Western  
5 Reserve Land Conservancy went through in regards  
6 to the fundraising efforts and ultimate purchase  
7 of the property. She commended the Roediger  
8 Family in regards to their efforts in preserving  
9 the property, but also noted that many others  
10 contributed considerable time and money to the  
11 process.

12           Mr. Roediger stated that his family's  
13 intent was to have their family simply recognized  
14 in regards to the property and that he was open  
15 to how that could be ultimately accomplished.

16           The committee agreed in concept that the  
17 Roediger Family should be given some type of  
18 recognition, but questioned the proper format to  
19 do so.

20           Mr. Bolton moved that more discussion  
21 should be had with the Roediger Family and the  
22 Village before any decision is to be made.

23           Therefore, as outgoing chairman of the  
24 Public Improvements Committee, I would ask that  
25 the new Chair, whoever he or she may be, place

1 this on the agenda for the first Public  
2 Improvements meeting of 2010 so that the Roediger  
3 Family's request may be granted in a way that  
4 both parties see fit.

5           Also included, Mr. Mayor, is a letter  
6 from Mr. Roediger I received after the meeting  
7 just simply stating their family's intention.  
8 He's hopeful that a resolution can be had after  
9 the first of the year. That ends my report for  
10 that meeting.

11           MAYOR LICASTRO: Thank you, Mr.  
12 Semersky.

13           MR. SEMERSKY: The only other issue I  
14 have, if there's no questions in regard to that,  
15 must be Roediger day today. Mr. Stanley  
16 Roediger, who everyone knows lives in the  
17 business corner of Eddy and Lake Shore Boulevard,  
18 asked me to pass it along to the new Chair of the  
19 Public Improvements Committee in regards to  
20 questions he has on the easement he's given the  
21 Village for the underground transformer that does  
22 not seem to be going to be needed in the near  
23 future. So I will pass along that letter to you,  
24 sir.

25           MAYOR LICASTRO: Thank you. Any

1 questions? Thank you. Legislative.

2 MR. MATEYO: Legislative Committee had a  
3 regularly scheduled meeting at 5:30, Monday,  
4 December 7, 2009. In attendance was the Chairman  
5 as well as Mary Beckenbach as well as a number of  
6 Bratenahl residents.

7 The meeting was called to discuss  
8 possible regulations for snowplowing within the  
9 Village as well as regulations for landscaping  
10 services. In addition, we discussed "political"  
11 signage. The Chairman suggested Bratenahl adopt:  
12 A, a suitable application for permits for  
13 snowplowing; B, the necessary fee for these  
14 permits; C, including the requirement for safety  
15 equipment-flashing amber lights; and D, the  
16 necessary required proof of insurance.

17 All of these also apply to commercial  
18 landscaping services. Regarding political  
19 signage, it was recommended that the Chairman  
20 call other communities in Northeast Ohio to  
21 secure their ordinances pertaining to any and all  
22 signage within their municipalities. The meeting  
23 was adjourned at 6:20 p.m.

24 MAYOR LICASTRO: Thank you, Mr. Mateyo.  
25 The permitting process for landscapers is

1 something that really came from the Chief and his  
2 department so we can keep a better track of who's  
3 working in our community. Thank you for dealing  
4 with that in a timely manner. Any questions for  
5 Mr. Mateyo? Thank you. Public safety.

6 MR. BINFORD: Safety did not meet.

7 MAYOR LICASTRO: Community affairs.

8 MS. BECKENBACH: We did not meet, but I  
9 have two sort of announcements. Future Search  
10 will have a task force meeting this Friday at  
11 4:00 o'clock. So for all of those who would be  
12 interested in participating in the task force,  
13 we'd love to have you join us. Leslie Yerkes is  
14 the facilitator for the Future Search.

15 I am just the person who brought people  
16 together, so I really can't comment on what the  
17 meeting is going to entail. I'm assuming she's  
18 going to talk about the three days and how that  
19 is going to come together and probably job  
20 assignments. There's a lot of planning involved  
21 when you do a three-day conference, so my guess  
22 is that that might be part of the conversation.

23 MAYOR LICASTRO: That will be the focus.  
24 There's a lot of work to do as a steering  
25 committee. You have to contact every villager,

1 every entity that deals with the Village, the  
2 surrounding neighborhood. It's a lot of work.  
3 The more we have to share the burden, the easier  
4 it will be. So if you come, please come with  
5 your sleeves rolled up, because we don't have  
6 that much time. Future Search is the end of  
7 February, I believe the last weekend in February.

8 MR. GALLAGHER: Where will the task  
9 force meeting be held?

10 MAYOR LICASTRO: 4:00 p.m. this Friday  
11 here.

12 MS. BECKENBACH: I thought I said that.  
13 I apologize. And then after two and a half  
14 months of calling seven people on a daily basis,  
15 I have learned that this is in the City of  
16 Cleveland in the building department, I have  
17 learned that number 618 on East 140th Street is  
18 scheduled to tear down. We have recommended, we  
19 have six more buildings to go, so hopefully.

20 MAYOR LICASTRO: That's in Cleveland.

21 MS. BECKENBACH: This is all in  
22 Cleveland. As you well know, we have formed a  
23 collaboration with the residents and the  
24 Community Development Corporation, ward 10. It's  
25 been a two-year program and so hopefully we'll

1 see some progress. Thank you.

2 MAYOR LICASTRO: Any questions?

3 MR. BOLTON: Which building is it?

4 MS. BECKENBACH: Unfortunately, I drove  
5 up and down the street, there are no addresses on  
6 any of the buildings, because they're all boarded  
7 up.

8 MAYOR LICASTRO: Do you know if it's on  
9 the east side or west?

10 MS. BECKENBACH: East side. And my  
11 guess is it's either the yellow building across  
12 from the chicken place where the Waterloo comes  
13 together.

14 MAYOR LICASTRO: That's the west side.

15 MS. BECKENBACH: I'm sorry, west side,  
16 or the first building under the bridge. But all  
17 the windows and doors and everything else have  
18 been removed as has the address, so it's one of  
19 those two. I'm hoping it's the one.

20 MAYOR LICASTRO: I've encouraged Ms.  
21 Beckenbach to partner with Judge Pianka, the  
22 judge of our housing court. We have a good  
23 relationship with Judge Pianka. I saw him at a  
24 meeting last month and he promised to cooperate  
25 as much as he could in concert.

1 MS. BECKENBACH: My understanding is  
2 since I've done some work on that, too, if it's  
3 not in his court, he has no control. So I don't  
4 know if any of these are in his court. I sent  
5 him a letter.

6 MAYOR LICASTRO: Thank you.

7 MR. SUTTON: Ms. Beckenbach, what CDC is  
8 it you're dealing with?

9 MS. BECKENBACH: It's called the Euclid  
10 St. Clair Community Development.

11 MR. SUTTON: Who are you calling at the  
12 City of Cleveland on a daily basis?

13 MS. BECKENBACH: On a daily basis,  
14 O'Leary and his assistant and Freddie Collier and  
15 a gal in the Mayor's office and the building  
16 inspector. And I can't remember their names.  
17 And the guy who's in charge of the demolition. I  
18 have a list at home.

19 MS. GOYANES: What happens after these  
20 buildings are torn down, is it green space?

21 MS. BECKENBACH: The goal at Community,  
22 their goal is to -- at least the one on 140th  
23 Street, we have the two buildings that's been  
24 torn down. Once the next building goes down,  
25 first of all, there's a philosophy, we'd like to

1 keep the property in green for a period of years,  
2 because then the residents have ownership and you  
3 either turn it into a park or vegetable garden or  
4 whatever the residents so choose. It's not very  
5 costly to do that.

6 Then they have ownership and it's a  
7 mentality of protection. All kind of things  
8 happen when the community becomes involved.  
9 Right now they are not. And there's a fear  
10 factor.

11 MS. GOYANES: It's Cleveland not  
12 Bratenahl.

13 MS. BECKENBACH: It's Cleveland. But as  
14 that strip goes, so goes Bratenahl.

15 MAYOR LICASTRO: I think there's half a  
16 dozen properties in Bratenahl that are owned by  
17 the Village, perhaps four, one of which we  
18 purchased I believe in 96 and tore down and it's  
19 now just gone. It's pretty much the last  
20 property in the Village if you're going past Lake  
21 Shore Drive, you're going south on 140th, I  
22 believe it's two properties south of the terminus  
23 of Lake Shore Drive. We tore that down.

24 MS. BECKENBACH: There's a second house  
25 on the right, that would be on the west side that

1 is boarded up. My guess is they're in  
2 foreclosure, don't have any money, but we're  
3 wanting to one day buy that. If we can get the  
4 whole street, the potential is immense.

5 MS. GOYANES: Sure. So we own, it would  
6 be west of 140th, we don't own anything,  
7 Bratenahl is not on east.

8 MS. BECKENBACH: The east side is  
9 Cleveland.

10 MAYOR LICASTRO: And the property that  
11 we tore down is the last property in the Village.

12 MS. BECKENBACH: We own two properties  
13 on that street.

14 MS. GOYANES: Bratenahl kitchen is not  
15 in Bratenahl.

16 MAYOR LICASTRO: No. The Pen.

17 MR. ROBINS: The Pen, it's the Pen  
18 without the O.

19 MAYOR LICASTRO: Has anyone ever eaten  
20 there? Nor will you. Recreation Commission.

21 MS. MITCHELL: The Recreation Commission  
22 did meet. And we have revised our budget given  
23 that due to decrease in property taxes, our levy  
24 will bring in \$11,000 less, so we revised our  
25 budget and submitted it to the finance committee

1 for their review, approval and submission to the  
2 Council for its approval.

3 Most notably this coming Sunday from 12  
4 to 2 is our Christmas in the Village party at the  
5 Community Center where there will be a party  
6 buffet, Santa, carriage rides, live music and  
7 singing. And all villagers and their family are  
8 welcome.

9 And coming up the third Thursdays wine  
10 education and tasting seminars will begin in  
11 January. January, February, March, third  
12 Thursdays, reservations required, space limited.

13 And this is my last meeting to deliver a  
14 Recreation Commission report because my tenure on  
15 the commission ends as I've completed my many  
16 years of service there. So I want to thank the  
17 Village and the Council for their support of the  
18 parks and recreation department. It's been a  
19 pleasure working with everybody.

20 MS. BECKENBACH: As the liaison to the  
21 Recreation Commission, you were a pleasure to  
22 work with. You are an outstanding leader and I  
23 thank you for your service, you're a very special  
24 gal.

25 (Applause.)

1 MS. BECKENBACH: And I'd like to make a  
2 motion that we have a proclamation for her.

3 MR. BINFORD: So move.

4 MAYOR LICASTRO: All in favor of the  
5 motion.

6 Ayes: 6. Nays: 0.

7 MS. MITCHELL: I'll give it to my mom.  
8 Ms. Sue Egan is also term limiting out and she's  
9 been on the Commission for many, many years.

10 MAYOR LICASTRO: 20 years.

11 MS. MITCHELL: Yeah. So we are  
12 following the bylaws and letting people go. It's  
13 not a lifetime sentence.

14 MAYOR LICASTRO: Do you have a suggested  
15 replacement for Ms. Egan?

16 MS. MITCHELL: No. That will be the  
17 first order of business taken up with Mr. Bauman.  
18 Tim Bauman will be the new Chair of the  
19 commission. And you've probably met Tim on many  
20 occasions. He has a great background in  
21 buildings, maintenance and finance. And he's a  
22 good guy to work with. You can take his word to  
23 the bank. And he's a good team player and very  
24 respectful. You'll be well served by Tim.

25 MAYOR LICASTRO: Regardless, we'll miss

1 you, Maureen. Thank you. Any questions?

2 Planning Commission.

3 MR. BINFORD: The Planning Commission  
4 met on Wednesday, December the 9th here at  
5 Village Hall at 5:30. All members were present  
6 with the exception of Mr. Young. There was only  
7 one item on the agenda that involved 13718 Lake  
8 Shore Boulevard. It's the home of Mr. and Mrs.  
9 James Graham.

10 The item under discussion was the  
11 demolition of the existing garage and the  
12 replacement of the garage at the same dimensions.  
13 After reviewing the plans and discussing the  
14 project with the owners and one set of the  
15 neighbors, the proposal was approved.

16 MAYOR LICASTRO: Any questions for Mr.  
17 Binford? Thank you. Shade Tree Commission.

18 MS. BECKENBACH: Shade Tree Commission  
19 did not meet.

20 MAYOR LICASTRO: Thank you. Moving to  
21 new business, resolution 858.

22 MS. BECKENBACH: I'd like to introduce  
23 resolution number 858 for suspension. A  
24 resolution requesting the county auditor to  
25 advance taxes from the proceeds of levies to

1 section 321.34 of the Ohio Revised Code.

2 MR. BINFORD: Second.

3 MAYOR LICASTRO: Roll call on  
4 suspension, please.

5 MR. GALLAGHER: Ms. Beckenbach?

6 MS. BECKENBACH: Aye.

7 MR. GALLAGHER: Mr. Binford?

8 MR. BINFORD: Aye.

9 MR. GALLAGHER: Mr. Bolton?

10 MR. BOLTON: Aye.

11 MR. GALLAGHER: Ms. Brownrigg?

12 MS. BROWNRIGG: Aye.

13 MR. GALLAGHER: Mr. Mateyo?

14 MR. MATEYO: Aye.

15 MR. GALLAGHER: Mr. Semersky?

16 MR. SEMERSKY: Aye.

17 MR. GALLAGHER: Thank you.

18 MS. BECKENBACH: I'd like to introduce  
19 resolution number 858 for passage.

20 MR. BINFORD: Second.

21 MAYOR LICASTRO: Would you explain this  
22 for us, please.

23 MR. GALLAGHER: Yes. Every year we have  
24 to tell the county auditor that we want our taxes  
25 as soon as they'll give them to us rather than

1 waiting until June when they do their semi-annual  
2 settlement. So by doing so we start getting the  
3 tax revenue in January in the way of advances  
4 that are then settled in June and November.

5 MAYOR LICASTRO: Any questions?  
6 Discussion? There being none roll call for  
7 passage, please.

8 MR. GALLAGHER: Ms. Beckenbach?

9 MS. BECKENBACH: Aye.

10 MR. GALLAGHER: Mr. Binford?

11 MR. BINFORD: Aye.

12 MR. GALLAGHER: Mr. Bolton?

13 MR. BOLTON: Aye.

14 MR. GALLAGHER: Ms. Brownrigg?

15 MS. BROWNRIGG: Aye.

16 MR. GALLAGHER: Mr. Mateyo?

17 MR. MATEYO: Aye.

18 MR. GALLAGHER: Mr. Semersky?

19 MR. SEMERSKY: Aye.

20 MR. GALLAGHER: Thank you.

21 MAYOR LICASTRO: Next item is ordinance  
22 number --

23 MR. GALLAGHER: Before presenting the  
24 next ordinance, I have to tell you that I've  
25 executed the fiscal officer's certificate in

1 conjunction with this note. There are three main  
2 points to it. First is that the usefulness, the  
3 useful life of this improvement is at least five  
4 years. That the maximum security, the maximum  
5 maturity of the bond is 20 years and that that  
6 maturity is to January 31, 2026, which is 20  
7 years from the issuance of the original notes.

8           MAYOR LICASTRO: Thank you. Moving  
9 forward with ordinance 3467, please.

10           MR. BINFORD: I'd like to introduce  
11 3467, an ordinance to provide for the issuance  
12 and sale of not to exceed \$375,000 of notes, in  
13 anticipation of the issuance of bonds, for the  
14 purpose of paying a portion of the cost of  
15 improving Eddy Road between certain termini, by  
16 providing full width and depth pavement removal  
17 and replacement, repair of the concrete deck,  
18 installation of curbs, sidewalks and drive  
19 aprons, replacement of the driveway cut-throughs,  
20 replacement of the tree lawns, construction of a  
21 new median, replacement of the damaged storm  
22 sewer and installation of lighting improvements,  
23 and declaring the same to be an emergency.

24           MS. BECKENBACH: Second.

25           MAYOR LICASTRO: Roll call on

1 suspension, please.

2 MR. GALLAGHER: Ms. Beckenbach?

3 MS. BECKENBACH: Aye.

4 MR. GALLAGHER: Mr. Binford?

5 MR. BINFORD: Aye.

6 MR. GALLAGHER: Mr. Bolton?

7 MR. BOLTON: Aye.

8 MR. GALLAGHER: Ms. Brownrigg?

9 MS. BROWNRIGG: Aye.

10 MR. GALLAGHER: Mr. Mateyo?

11 MR. MATEYO: Aye.

12 MR. GALLAGHER: Mr. Semersky?

13 MR. SEMERSKY: Aye.

14 MR. GALLAGHER: Thank you.

15 MR. BINFORD: I'd like to introduce 3467

16 for passage.

17 MS. BECKENBACH: Second.

18 MAYOR LICASTRO: Discussion? Anyone on

19 Council? Dr. Robins.

20 MR. ROBINS: Just to point out that this

21 375,000 of debt should be coupled in the context

22 with the 530,000 that remains for Dale/Ross. And

23 in the context of future discussions about

24 Village finances, it has to be understood that we

25 have over \$900,000 of unfunded debt with no debt

1 repayment schedule.

2 In addition, we pay about 25,000 a year  
3 for rolling the notes between these two notes  
4 between legal fees and interest, so there is an  
5 ongoing expense as well, but that has to come out  
6 of the general fund.

7 MAYOR LICASTRO: Thank you. No further  
8 discussion, roll call for passage, please.

9 MR. GALLAGHER: Ms. Beckenbach?

10 MS. BECKENBACH: Aye.

11 MR. GALLAGHER: Mr. Binford?

12 MR. BINFORD: Aye.

13 MR. GALLAGHER: Mr. Bolton?

14 MR. BOLTON: Aye.

15 MR. GALLAGHER: Ms. Brownrigg?

16 MS. BROWNRIGG: Aye.

17 MR. GALLAGHER: Mr. Mateyo?

18 MR. MATEYO: Aye.

19 MR. GALLAGHER: Mr. Semersky?

20 MR. SEMERSKY: Aye.

21 MR. GALLAGHER: Thank you.

22 MAYOR LICASTRO: Ordinance number 3468,  
23 pay claims.

24 MR. SEMERSKY: I'd like to introduce  
25 ordinance 3468 for suspension, ordinance for pay

1 claims in the amount of \$88,205.17, and declaring  
2 an emergency.

3 MR. BINFORD: Second.

4 MAYOR LICASTRO: Roll call for  
5 suspension, please.

6 MR. GALLAGHER: Ms. Beckenbach?

7 MS. BECKENBACH: Aye.

8 MR. GALLAGHER: Mr. Binford?

9 MR. BINFORD: Aye.

10 MR. GALLAGHER: Mr. Bolton?

11 MR. BOLTON: Aye.

12 MR. GALLAGHER: Ms. Brownrigg?

13 MS. BROWNRIGG: Aye.

14 MR. GALLAGHER: Mr. Mateyo?

15 MR. MATEYO: Aye.

16 MR. GALLAGHER: Mr. Semersky?

17 MR. SEMERSKY: Aye.

18 MR. GALLAGHER: Thank you.

19 MR. SEMERSKY: I'd like to introduce  
20 ordinance 3468 for passage.

21 MR. BINFORD: Second.

22 MAYOR LICASTRO: Discussion, comments,  
23 questions? Mr. Mateyo.

24 MR. MATEYO: One of them is JTO for  
25 \$5,500. I don't know what JTO is.

1           MAYOR LICASTRO: JTO is a tree service.  
2 We were given two projects to consider from the  
3 Shade Tree Commission, one of which was a pruning  
4 project and one of which was a removal. That  
5 totaled well over almost \$9,000. I asked Mr.  
6 Zalar, given our -- determined to be very frugal  
7 to re-evaluate the proposal and just deal with  
8 the safety issues themselves. That's what this  
9 does. Once we're aware of safety issues, we just  
10 can't ignore them. So this is the minimum we  
11 need to spend not to exceed to deal with the  
12 safety issues. Anyone else? Mr. Bolton.

13           MR. BOLTON: Best Truck Lawnmower  
14 backpack, it's on page 3, \$6,200. Did we buy a  
15 new lawnmower?

16           MAYOR LICASTRO: I think we bought a  
17 lawnmower and a backpack, which was the blower  
18 that was on his list for this year, two items,  
19 Mr. Bolton. Any other questions? There being  
20 none, roll call on passage, please.

21           MR. GALLAGHER: Ms. Beckenbach?

22           MS. BECKENBACH: Aye.

23           MR. GALLAGHER: Mr. Binford?

24           MR. BINFORD: Aye.

25           MR. GALLAGHER: Mr. Bolton?

1 MR. BOLTON: Aye.

2 MR. GALLAGHER: Ms. Brownrigg?

3 MS. BROWNRIGG: Aye.

4 MR. GALLAGHER: Mr. Mateyo?

5 MR. MATEYO: Aye.

6 MR. GALLAGHER: Mr. Semersky?

7 MR. SEMERSKY: Aye.

8 MR. GALLAGHER: Thank you.

9 MAYOR LICASTRO: On behalf of the  
10 Village, I would like to personally thank our  
11 outgoing Council people, Mr. Binford, Ms.  
12 Brownrigg and Mr. Semersky and our treasurer, Ms.  
13 Kesselem. We appreciate what you've done for the  
14 Village as citizen politicians and applaud your  
15 efforts. Thank you very much.

16 (Applause.)

17 MAYOR LICASTRO: Anyone else on Council?

18 MR. BOLTON: Yes. I'm sorry, the agenda  
19 moved around to the last minute today. I know  
20 there were apologies and all, but it brought to  
21 my attention that there was a conflict between  
22 the Internet and what was posted and that the  
23 written agenda didn't have a time on it.

24 I just want to bring it up so that next  
25 time there will be a change on the Internet so

1 that we can check it. And perhaps on the written  
2 agenda if it could have the scheduled time.  
3 There are obviously situations where things have  
4 to change at the last minute, but it was hard to  
5 verify from the standard methods.

6           MAYOR LICASTRO: That's a fair request.  
7 Thank you, Mr. Bolton. Anyone else on Council?  
8 Dr. Robins.

9           MR. ROBINS: At the last Council meeting  
10 there was a brief discussion about the state  
11 audit and then there was going to be an internal  
12 follow-up meeting, which I presume has taken  
13 place. I don't know if that's taken place yet or  
14 not. Has that taken place?

15           MAYOR LICASTRO: Yes.

16           MR. ROBINS: Okay. And now this will be  
17 made public, I imagine, because as you described  
18 at the last meeting, Jim, there were  
19 disagreements about certain things. We had the  
20 Fishbach issue and our legal people called it a  
21 structured settlement issue, but the State of  
22 Ohio called it -- they didn't say a legal issue,  
23 but an inappropriate something or other. And so  
24 we would like to know as citizens what the  
25 outcome was of these quite many -- there were

1 quite a few disagreements with the state auditor,  
2 that just being one and how these have been  
3 resolved.

4 MR. GALLAGHER: Well, they're not  
5 completely resolved yet. They're not published.  
6 I think when all is said and done you'll be  
7 pleased with that particular issue is all I can  
8 say at the moment.

9 MR. ROBINS: Okay. But there will be a  
10 public -- are you saying there will or will not  
11 be a public review?

12 MR. GALLAGHER: There will be a public  
13 report. We're not done yet.

14 MR. ROBINS: Do you have any kind of  
15 time frame to estimate about that?

16 MR. GALLAGHER: Shortly.

17 MR. ROBINS: It's not six months from  
18 now?

19 MR. GALLAGHER: No.

20 MR. ROBINS: It's more like six weeks.

21 MR. GALLAGHER: I would say less than  
22 that.

23 MR. ROBINS: Thank you.

24 MAYOR LICASTRO: Ms. Meade.

25 MS. MEADE: Yes. At the last Council

1 meeting we were talking about in trying to  
2 determine the total costs for the police  
3 investigation and we had Lillie's cost and you  
4 said you were working with Merele to try to get  
5 Taft's total cost. Has that total been  
6 calculated yet?

7           MAYOR LICASTRO: Well, we have the  
8 totals. We're finding it very difficult if not  
9 impossible to break it down further. We're  
10 working with Mr. Cornett and Mr. O'Bryan to see  
11 if that is possible and still don't have a  
12 determination.

13           MS. MEADE: If you don't have a  
14 definitive, would you be able to estimate?

15           MAYOR LICASTRO: Well, we're reluctant  
16 to do that. Certainly we know totals, but I'm  
17 not sure how accurate an estimate would be.  
18 We'll continue to try to come up with something.

19           MS. MEADE: One last question.

20           MAYOR LICASTRO: Really?

21           MS. MEADE: There might be follow-ups to  
22 this one.

23           MS. GOYANES: I have one.

24           MS. MEADE: Go ahead.

25           MS. GOYANES: In today's paper under

1 Road Rant, I don't know if anybody saw this, but  
2 the City of Wickliffe was awarded \$1.3 million in  
3 stimulus money to upgrade their traffic signals.

4           What I'd like to know is did we apply  
5 for any stimulus money for our Eddy Road lights  
6 project, the light signals at Eddy Road that we  
7 discussed earlier? Something for the service  
8 department, I know for years we talked about  
9 upgrading the service department, the building,  
10 and Lake Shore Boulevard that you discussed.

11           MAYOR LICASTRO: The Eddy Road lights  
12 are owned by ODOT. Actually those are run by the  
13 City of Cleveland.

14           MS. GOYANES: Our service department.

15           MAYOR LICASTRO: We did not apply. I  
16 discussed the options with Mr. Bierut. We didn't  
17 think we qualified. We did not apply for  
18 stimulus funds.

19           MS. GOYANES: All they can say is no.

20           MR. BOLTON: We did talk about it I  
21 think in public meetings and nobody had an idea  
22 that anybody felt would go forward. I remember  
23 that, so those were all good ideas.

24           MS. GOYANES: I mean, they can always  
25 just say no. There's always a possibility.

1           MAYOR LICASTRO:  There's still stimulus  
2 money out there.  They've only spent a small  
3 portion of it.  Perhaps the Public Improvement  
4 Committee can earmark projects.

5           MS. GOYANES:  \$1.3 million for traffic  
6 lights is a lot of lights.

7           MR. KESSELEM:  I recall a meeting back,  
8 it's probably been six months now, where Paul  
9 Falzone had said that there was something on the  
10 table about replacing the traffic lights along  
11 Lake Shore Boulevard that had to be up to a  
12 different kind of standard.  Is that something  
13 that -- is that Village property?  Is that ODOT?

14           MAYOR LICASTRO:  We own the traffic  
15 lights and that discussion was like almost like  
16 three years ago.

17           MR. KESSELEM:  Has that changed?  I  
18 noticed in Euclid they are changing all their  
19 lights to LED.

20           MAYOR LICASTRO:  I believe there were  
21 some funds available for that project.  I'm not  
22 certain what happened to those funds.

23           MS. BECKENBACH:  They're part of the  
24 Eddy Road project.

25           MR. KESSELEM:  Is it a regulation that

1 we might have to get into two years from now, six  
2 years from now?

3 MR. BIERUT: I can look into it. It is  
4 not a regulation that we have to do that. I'm  
5 not sure what the circumstance was three to five  
6 years ago. It's not a regulation that we have to  
7 do that. It's not a requirement. The LED is  
8 something that some of the communities are doing  
9 to try to save money. So they are expensive to  
10 put in.

11 MR. KESSELEM: We're only concerned  
12 about a couple traffic lights in the Village  
13 really. It's really a major factor for us.

14 MAYOR LICASTRO: Wickliffe has something  
15 like 73 or some crazy number like that. We have  
16 four.

17 MR. MCDONALD: Are there guidelines  
18 about what the stimulus money can be used for?

19 MAYOR LICASTRO: Oh, yeah. It probably  
20 cost a million dollars to publish the guidelines  
21 for the stimulus money. There are.

22 MS. GOYANES: You can apply for it  
23 online, because we're reworking our lake front at  
24 Bratenahl Place. And I thought I'm going to  
25 apply for it. Of course we didn't. They said no

1 to me. They said no, but all you do is apply for  
2 it.

3           MAYOR LICASTRO: I think it's an  
4 excellent suggestion and the Public Improvement  
5 Committee will pursue it. All right. Ms. Meade.

6           MS. MEADE: In that October Council  
7 meeting, I need to better understand this. I  
8 know we talked about Lillie's final payment was  
9 paid in June and he didn't complete all the  
10 deliverables. And I'm not sure I understood the  
11 reasoning for that. I know we had talked about  
12 that records were being subpoenaed by the Grand  
13 Jury. And I didn't understand why the payment  
14 was -- why it was made if things weren't done and  
15 how that conversation went. Could you kind of  
16 re-explain?

17           MAYOR LICASTRO: I think Mr. Bolton  
18 addressed that question when you posed it last.

19           MR. BOLTON: Yes, I did.

20           MS. MEADE: Right. It wasn't really  
21 clear to me. So it sounded like it was paid  
22 because records were being subpoenaed by the  
23 Grand Jury and Lillie would be unable to submit a  
24 report involving those materials until they were  
25 returned and it could take years. So I didn't

1 really understand what that meant in regards to  
2 why we had to pay him then. If he didn't get  
3 paid, are you saying he couldn't turnover  
4 paperwork or did we, the Village, ask him to stop  
5 work so he could get paid and then things could  
6 move forward?

7           So I'm trying to understand how the  
8 payment pertained to the Grand Jury. It all  
9 sounded kind of garbled and jumbled to me and I  
10 didn't understand that. I'm trying to better  
11 understand why an April payment was withheld.  
12 Two months later it was paid. And then when I  
13 asked for the explanation, it just seemed it  
14 wasn't clear to me, so I'm asking for a better  
15 explanation.

16           MAYOR LICASTRO: Perhaps Mr. Bolton who  
17 answered the question last time could discuss it  
18 with you after the meeting.

19           MS. MEADE: Could we talk now?

20           MR. BOLTON: That was my understanding  
21 from the earlier meetings as to what Judge Lillie  
22 has said. I didn't personally talk to him. I  
23 was just relaying what was in an earlier meeting.

24           MS. MEADE: What I'm not understanding,  
25 was the payment made so work could be stopped and

1 completed and he can get payment so then the  
2 Grand Jury and all the other steps then could  
3 take place?

4           Was payment helpful to make that happen;  
5 or was payment separate and had to deal with  
6 something else? That's what I don't understand.

7           MAYOR LICASTRO: I'm not sure I  
8 understand your question.

9           MR. MCDONALD: Can I take a shot at it?

10          MAYOR LICASTRO: Please.

11          MR. MCDONALD: What he turned over to  
12 the Grand Jury was the completed work. We just  
13 can't get it back from the Grand Jury to read it,  
14 so it can't come back to us, but he completed his  
15 work and then delivered that work to the Grand  
16 Jury.

17          MS. MEADE: But at the meeting it was my  
18 understanding that not all the work was not  
19 completed and that's where I'm trying to  
20 understand.

21          MR. BOLTON: In other words, he was  
22 going to give the Village guidelines on best  
23 practices for the evidence room and give specific  
24 recommendations how to make sure to the extent  
25 possible that the Village could do.

1           Now, we did have reports that the  
2 evidence room had -- procedures had been changed,  
3 but there was no report from him to compare it  
4 against.

5           MAYOR LICASTRO: We followed BCI  
6 guidelines to upgrade the evidence room.

7           MS. MEADE: And he was going to attend a  
8 public meeting, too.

9           MR. BOLTON: The other thing was he was  
10 going to make a presentation to villagers. My  
11 understanding was he wasn't able to do without  
12 his underlying materials, but I didn't talk to  
13 him, so that's just my understanding.

14           MR. CORNETT: Some of the information he  
15 turned over to or what I'm not even sure what he  
16 turned over, whatever was subpoenaed could have  
17 been his own files. Some of those files, those  
18 aren't public records. Those are his own  
19 documents associated with his investigation,  
20 which would fall as an exception under public  
21 records document. So I don't even know what he  
22 turned over exactly under that subpoena.

23           And to the extent that it needs to come  
24 back here, I think that payment was made based on  
25 the fact that previous services rendered based on

1 his investigation at that time was wrapped up.

2 MS. MEADE: So payment was made,  
3 according to your understanding, based on that  
4 work was wrapped up.

5 MR. CORNETT: Well, it's Council's  
6 understanding. Council are the one that voted an  
7 approval of payment.

8 MS. MEADE: Is that a fair  
9 characterization? You believe work was completed  
10 so you authorized the payment even though there  
11 have been other issues that have brought up that  
12 they were not completed by other Council members?

13 MR. CORNETT: I think his investigation  
14 to a certain extent was complete. Now, if you're  
15 talking about extraneous services or additional  
16 information that you'd like to get from Judge  
17 Lillie, I think that's something different.

18 MS. MEADE: It wasn't me. I just didn't  
19 know what the agreement was.

20 MAYOR LICASTRO: I think the  
21 understanding was his report was complete and he  
22 was paid. Beyond that, perhaps there's still  
23 pending issues. I don't know.

24 MS. MEADE: I'll ask you after the  
25 meeting. All right. Thank you.

1           MAYOR LICASTRO:  Anyone else?  Then I  
2 wish everyone a happy holidays.  Thank you.  Ms.  
3 Beckenbach.

4           MS. BECKENBACH:  Meeting adjourned.

5           MR. BINFORD:  Second.

6           MAYOR LICASTRO:  We are adjourned.

7           (Meeting adjourned at 6:47 p.m.)

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