

BRATENAHL VILLAGE  
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VILLAGE COUNCIL MEETING

TAKEN:

MARCH 17, 2010

5:30 P.M.

PRESENT:

MAYOR JOHN LICASTRO

MARY BECKENBACH

THOMAS McDONALD

GEORGE MATEYO

WILLIAM BOLTON

ANDREW KESSELEM

PAUL STEPHAN

ADAM CORNETT, ESQ.

NANCY L. MOLNAR, RPR

1           MAYOR LICASTRO: Okay. It's 5:30.  
2 Welcome on this St. Patrick's Day. I'm going to  
3 ask the clerk to call the roll, please.

4           MR. GALLAGHER: Good evening, ladies and  
5 gentlemen. Ms. Beckenbach?

6           MS. BECKENBACH: Here.

7           MR. GALLAGHER: Mr. Bolton?

8           MR. BOLTON: Here.

9           MR. GALLAGHER: Mr. Kesselem?

10          MR. KESSELEM: Here.

11          MR. GALLAGHER: Mr. Mateyo?

12          MR. MATEYO: Here.

13          MR. GALLAGHER: Mr. McDonald?

14          MR. McDONALD: Here.

15          MR. GALLAGHER: Mr. Stephan?

16          MR. STEPHAN: Present.

17          MR. GALLAGHER: Thank you.

18          MAYOR LICASTRO: Thank you. We have the  
19 minutes from the February Council meeting. I  
20 need a motion to approve, please.

21          MS. BECKENBACH: So move.

22          MR. McDONALD: Second.

23          MAYOR LICASTRO: Any corrections or  
24 discussion?

25          MR. BOLTON: One correction. John

1 Carnes is Don Cairns and I can give you the page  
2 after the meeting.

3           MAYOR LICASTRO: Anything else, Mr.  
4 Bolton?

5           MR. BOLTON: No, sir.

6           MAYOR LICASTRO: A motion to approve as  
7 corrected.

8           MR. McDONALD: So move.

9           MR. BOLTON: Second.

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

12           Ayes: 6. Nays: 0.

13           MAYOR LICASTRO: Thank you. The Mayor's  
14 court report for February, the treasurer of the  
15 county received \$535; the Village of Bratenahl  
16 \$21,232; the Treasurer of the State of Ohio,  
17 5,092; and the Court Computer Fund \$1,248. Any  
18 questions on that? Thank you.

19           Before we get on with the agenda, it's  
20 always intriguing to me how this Village has had  
21 residents involve themselves deeply in very  
22 important issues. And as evidence of that we  
23 have Anita Gray with us tonight. Anita is very  
24 involved and heading the effort on the health and  
25 human services levy. And I told her she can have

1 a couple minutes to address the crowd. Anita, if  
2 you would, please.

3 MS. GRAY: Thank you. I'm a life-long  
4 resident of Cuyahoga County. And I wouldn't  
5 really want to live anywhere else. And now that  
6 I found Bratenahl for the last five years,  
7 although I've been coming here 18, I think  
8 they're going to take me out by my boots. But  
9 for me, when I think of Cuyahoga County, it was  
10 this amorphous thing that I mailed my tax check  
11 downtown.

12 And as campaign manager for issue 15,  
13 which is the health and human services levy, what  
14 this has done for me was to get to know the  
15 county a little bit better and particularly to  
16 put a face on it and understand exactly what it  
17 does and doesn't in many cases do.

18 And one of the major things, one of the  
19 most major things that the County of Cuyahoga  
20 does is provide health and human services for all  
21 of us. It's a safety net for all of us. It's  
22 not just for the poor. This levy will raise,  
23 it's a continuing levy, so your taxes will not go  
24 up. It will raise 87 million dollars to fund the  
25 only level one trauma center here we have in

1 Cuyahoga County, which is at MetroHealth  
2 Hospital. It will fund their NICU unit. It will  
3 fund the Life Flight services. God forbid any of  
4 you need it on the side of a road or whatnot, a  
5 helicopter to take you from point A to point B  
6 and get emergency services, that's where the  
7 money comes from.

8           And I never thought I would need that in  
9 my family, but my own brother who lives in  
10 Twinsburg was Life Flighted at one point. And it  
11 was there, it was a safety net, for all of us.  
12 It also funds health and human services in terms  
13 of the seniors. It keeps seniors in their homes.  
14 It funds family and children programs; drug,  
15 alcohol and mental health. It really, I think,  
16 defines us as who we are as members of Cuyahoga  
17 County.

18           So I'm urging your support on our next  
19 election, which is May 4, to vote yes for issue  
20 15, Cuyahoga County's health and human services  
21 levy. And I thank you, Mayor, for the time to  
22 address the body.

23           MAYOR LICASTRO: Thank you.

24           MR. McDONALD: May I add some seconds to  
25 what she has proposed. As a trustee of the

1 MetroHealth medical system, I know that it's  
2 essential that this levy pass to let us maintain  
3 our safety net coverage of the community and all  
4 of the other services. And this is going to be a  
5 rough year for passing just about anything. So  
6 if you could talk to your friends and neighbors  
7 about it, it is absolutely essential that this  
8 levy pass so that we can maintain our services.

9 MAYOR LICASTRO: Mr. Stephan, did you  
10 have your hand up?

11 MR. STEPHAN: Yes. I'd like to know  
12 what's the issue number?

13 MS. GRAY: The issue number is 15.

14 MR. STEPHAN: 15? And how should we  
15 vote?

16 MS. GRAY: Thank you for that  
17 clarification.

18 MAYOR LICASTRO: Dr. Robins.

19 MS. ROBINS: I'm really delighted,  
20 Anita, that you presented this. And Tom is a key  
21 man serving on the board of trustees at Metro  
22 General. I can't emphasize enough it's  
23 absolutely critical for the unfortunate in  
24 Cuyahoga County. I also serve as Board Chair for  
25 Mental Health Services, which is one of the

1 provider agencies under the alcohol, drug abuse  
2 and mental health board, so-called ADAMH Board,  
3 that Bill Denihan heads up.

4           The services, in addition to what Anita  
5 mentioned, include a lot of homeless people who  
6 are underemployed. It includes support for  
7 supportive housing. There's an initiative called  
8 Housing First Initiative throughout Cuyahoga  
9 County. At Mental Health Services we run the  
10 suicide hotline, for example. And we get asked  
11 things like why don't you go fee for service.  
12 And we tell the funders, well, just a minute,  
13 I've got a guy that's ready to jump off a bridge  
14 and commit suicide, excuse me, sir, could I have  
15 your credit card number, please? I mean, this  
16 just doesn't make sense.

17           We have a nationally recognized children  
18 who witness violence program. The lads who were  
19 shot down on East 12th, we work with their  
20 families for violent trauma. Some of the ladies  
21 who were strangled by Mr. Sowell were our ladies.  
22 We run the women's homeless shelter on Payne  
23 Avenue and many supportive housing units  
24 throughout Cuyahoga County.

25           One that is over here at 100 and St.

1 Clair. Most people in Bratenahl don't even  
2 realize that. And it's not an attractive  
3 nuisance, let me hasten to add. The people were  
4 there anyway. As a matter of fact, some of the  
5 people say they're not too comfortable there  
6 because they feel the neighborhood is too  
7 dangerous, but nevertheless, this is something  
8 that is absolutely vital to each and every one of  
9 us. And I just want to throw my support behind  
10 Tom and Anita for voting yes on issue 15. Thank  
11 you.

12           MAYOR LICASTRO: Hopefully everyone can  
13 look to support this. Thank you.

14           Moving to the agenda, the NOPEC grant.  
15 I was informed that our community has qualified  
16 for \$50,000 from NOPEC to pursue energy  
17 conservation and things of that ilk. It's  
18 actually, that dollar amount was determined by  
19 the size of our community. They're offering this  
20 to all member communities and the dollar amount  
21 differs from community to community.

22           For example, these monies can be used  
23 for energy conservation, advance energy projects,  
24 energy education, economic development and  
25 financial stress. The packet is quite long as

1 you can imagine. We have until February 28th of  
2 2011 to apply for these funds and hopefully we  
3 will qualify. In speaking to Lee Harrington, the  
4 director of NOPEC, he pretty much says if you  
5 come up with something at all reasonable, we'll  
6 get the funds. So it's \$50,000 we can use for  
7 various projects.

8 For example, you could insulate Village  
9 Hall. You could do all kinds of different  
10 things. I'd like to refer this to Mr. Bolton's  
11 Public Improvement Committee to have them look at  
12 this and hopefully the committee approves. You  
13 can fill out the grant application.

14 MR. BOLTON: We may not be able to get  
15 to this.

16 MAYOR LICASTRO: But it's something I  
17 think is certainly worthwhile. It looks like  
18 it's money there for the taking is how it was  
19 presented to me.

20 MR. BOLTON: Would that benefit from the  
21 assistance of Mr. Bierut filling out the papers?

22 MAYOR LICASTRO: Pass that buck, well  
23 said. I'm sure Mr. Bierut would love to fill out  
24 the application.

25 MR. BIERUT: Do I have a whole year to

1 do it?

2           MAYOR LICASTRO: I have the packet here,  
3 Mr. Bolton.

4           MR. BOLTON: Of course. It sounds  
5 great.

6           MAYOR LICASTRO: Yeah, it really is. It  
7 sounds like something we should pursue. You'll  
8 be pleased to know that May 2 through May 8 is  
9 national drinking water week. And you have an  
10 opportunity to take a free public tour of the two  
11 major water works facilities here in the  
12 Cleveland area, the Nottingham Water Works, which  
13 is on Chardon Road; and Crown Water Works, which  
14 is in Westlake. I've actually toured Nottingham.  
15 It's an absolutely amazing facility. They  
16 process millions of gallons of water so we drink  
17 clean water.

18           The contact information, there's a phone  
19 number 664-2444. If you're interested in  
20 pursuing this, again it's open to the public.  
21 And if you're interested in this kind of thing,  
22 it's again a fascinating tour and I urge you to  
23 participate.

24           One last thing under correspondence. I  
25 received a document from the Board of Health

1 stating that effective April 22 of this year, all  
2 contractors performing renovation repairs and  
3 painting projects in homes, child care facilities  
4 or schools built before 1978 must be certified by  
5 the EPA in lead safe work practices to prevent  
6 lead contamination.

7           Mr. Jamieson, of course, is aware of  
8 this. We'll be handing this out to contractors.  
9 It's the contractors' burden to be certified, but  
10 it's going to be something we're going to do as a  
11 matter of course. So again, effective April 22  
12 of this year. Any questions on that? Mr.  
13 Kesselem?

14           MR. KESSELEM: Is this something that  
15 Joe needs to be certified at in order to do  
16 service in both this building and the Community  
17 Center?

18           MAYOR LICASTRO: I'm certain he would be  
19 certified anyway. I'm not sure if it applies to  
20 his employees, but certainly we'll broach that.

21           MR. KESSELEM: Is it something that we  
22 have to, whenever we're going to do any kind of  
23 renovation or fix at the Community Center or  
24 here, is it something we have to always send in  
25 to say is it lead safe?

1           MAYOR LICASTRO: Once we're certified as  
2 a Village, I think that suffices. Also, if  
3 someone is working in your home, I know your home  
4 was built before 1978, they would have to be  
5 certified. Mr. Jamieson, you'll shepherd this  
6 for us?

7           MR. JAMIESON: I will be glad to  
8 shepherd that for you.

9           MAYOR LICASTRO: Thank you. Any  
10 questions? Moving to Mayor's report, I don't  
11 have a legislative report, except at the end of  
12 this month the Mayors Association is going on  
13 Columbus to lobby for several issues. For  
14 example, Senate Bill 165, which is oil and gas  
15 legislation. I know that there's only a couple  
16 of working wells here in Bratenahl. We work very  
17 hard to get it more user friendly.

18           Don't forget, a lot of the general  
19 assembly does affect home rule. Communities  
20 years ago had pretty much control over all of  
21 these issues, including the drilling of gas  
22 wells. The last piece of legislation we have no  
23 control. Senate Bill 165 gives us additional  
24 control as far as notification, the permitting  
25 process, safety issues, setbacks, where they cut

1 access roads, et cetera, et cetera. That's the  
2 kind of thing we do as an organization to try to  
3 be certain that local communities aren't ignored  
4 in these processes. That's an example of how the  
5 law was, how it was changed and how we're getting  
6 it to change back.

7           The topic, even though it's premature,  
8 it's still dominating the general assembly is  
9 their bi-annual budget, they're projecting an  
10 eight to nine billion dollar hole. So believe  
11 me, there's going to be something done with  
12 taxes. I don't think it's avoidable. I'll keep  
13 you posted. Any questions on that?

14           Bratenahl has again been named a Tree  
15 City USA. The award will be coming in the mail.  
16 Again, thanks to the Shade Tree Commission and  
17 the dearly departed Ronnie Hlad for pursuing  
18 this. This is our third consecutive year as a  
19 member of Tree City USA. So kudos to the Shade  
20 Tree Commission and kudos to Bratenahl.

21           In that same vein, we have a vacancy on  
22 Shade Tree. I've spoken to the Shade Tree  
23 Commission members. Ava Peterson is here and I  
24 think Mr. Mateyo or Mr. Bolton I think is the  
25 appointee of the Shade Tree. I think that's

1 correct. Keith Sutton has asked to be appointed  
2 to the commission and also offered to chair it.

3 Dorothy Jackson, the other member of the  
4 committee thinks that's a wonderful idea. And I  
5 spoke to Pat as well. Thank you, Pat, I didn't  
6 mean to ignore you there. Keith, as you know, is  
7 a qualified urban Forrester. He has been very  
8 helpful to the Land Conservancy to figure out a  
9 plan to utilize our two pieces of green space.

10 So if there's a motion to accept Mr.  
11 Sutton, I would be pleased, Mr. Bolton.

12 MR. BOLTON: So move.

13 MR. MATEYO: Second.

14 MAYOR LICASTRO: Any discussion? All in  
15 favor of the appointment?

16 Ayes: 6. Nays: 0.

17 MAYOR LICASTRO: Thank you very much.  
18 Glad to have Keith onboard. Monday of this week  
19 I attended the Board of Health meeting. As you  
20 know, Bratenahl is a member of the Board of  
21 Health. Most small communities are. The Board  
22 of Health does a fabulous job of terms of H1N1.  
23 They gave over 9,000 vaccinations in the past  
24 couple months.

25 And just on that note, it's interesting

1 that the H1N1 is no longer in the news and  
2 appears to be no longer prevalent. This is  
3 typical of the life cycle of these type of flu  
4 viruses. That's not surprising. What's more  
5 surprising is seasonal flu, knock on wood, really  
6 never happened this weather. They're not certain  
7 if that's because of H1N1 or whatever, but this  
8 is the entity that really helps guide us through  
9 issues like this.

10           They have free immunization. They do  
11 informational clinics for health as far as  
12 healthy hearts. If you have any smokers in your  
13 house, they're a wonderful resource to try to  
14 convince people to quit. 30 percent of the  
15 people in Ohio still smoke. And I think that  
16 that's a safety concern certainly, so again,  
17 wonderful organization, we're proud to be a  
18 member there. And they are available via phone  
19 or email if anyone has questions of anything that  
20 pertain to community health. Any questions on  
21 that? Thank you.

22           Before we go to Officer Pollock's  
23 report, we did put our two used police cars out  
24 for bid. The 2006 Crown Vic and the 2008 Crown  
25 Vic. We received eight bids on each. The bids

1 ranged from a low on the Crown, the 2006 Crown  
2 Vic of \$1,559 to a high bid of \$3,860. The 2008  
3 had a low bid of \$2,559 and a high bid of \$8,766.  
4 I'm always amazed at the difference between high  
5 and low bids.

6 The two high bids total \$12,626 dollars.  
7 The high bid on the 2006 was from Asia Motors.  
8 The high bid on the 2008 was from Grace Motors.  
9 Is there a motion to approve these?

10 MR. BOLTON: So move.

11 MAYOR LICASTRO: Is there a second?

12 MR. MATEYO: So move.

13 MAYOR LICASTRO: Is there any  
14 discussion? Again, \$12,626. All in favor of the  
15 motion?

16 Ayes: 6. Nays: 0.

17 MAYOR LICASTRO: Thank you very much.

18 Officer Pollock, where are you?

19 OFFICER POLLOCK: Here.

20 MAYOR LICASTRO: We have Lieutenant  
21 LoBello and, of course, our Chief. I had a  
22 conversation with Officer Pollock in the last  
23 couple days. And there's really a disturbing  
24 trend we're seeing in this area regarding the use  
25 of heroin. Heroin has really become the drug of

1 choice. I know it sounds amazing, but it is.  
2 And a lot of what we're experiencing here in  
3 Bratenahl and across the region is a lot of the  
4 people from the wealthy suburbs that probably  
5 have the money it takes to buy this drug, are  
6 coming into the poor neighborhoods and acquiring  
7 this drug.

8 The people that use it are often quite  
9 desperate. And there are safety concerns I've  
10 asked Officer Pollock to address with us today.

11 OFFICER POLLOCK: Good evening, Mayor,  
12 Council, thank you for having me, Chief and  
13 lieutenant here. As the Mayor summed up for you,  
14 through our patrol -- first of all, let me  
15 introduce myself. I'm Michael Pollock. I'm a  
16 newly hired full-time officer here at Bratenahl.  
17 I'm very honored to be here this evening. The  
18 Mayor asked me to come and speak.

19 Basically, we've started to notice -- as  
20 a department, our goal is to keep this Village  
21 safe, keep the residents, people coming in and  
22 out safe. And we've noticed on traffic stops  
23 lately a lot of individuals from suburbs, Lake  
24 County, from Medina, other counties, as well as  
25 other cities within Cuyahoga County, using our

1 access through the inner city to purchase  
2 narcotics.

3           The big drug of choice now is heroin.  
4 And through us reaching out to other departments  
5 and other departments reaching out to us, we're  
6 starting to work together as a team to try to get  
7 rid of this issue and try to resolve this problem  
8 and keep everything safe here as well as anyone  
9 else around this area.

10           I've actually brought some photos of  
11 some of the narcotics and the instruments used  
12 that we've recovered. Also a packet for you,  
13 Mayor, and Council, effects and trends.

14           MAYOR LICASTRO: These usually happen  
15 during traffic stops.

16           OFFICER POLLOCK: Yes. However, we have  
17 noticed, we have had a couple of incidences where  
18 on some of our side streets where people have  
19 purchased and used our side streets to sit and do  
20 their business. As the Mayor and I spoke, like  
21 he said last week, with the economy being as  
22 tough as it is right now and people using drugs,  
23 these people are becoming desperate because this  
24 drug is an addicting drug.

25           We want to reach out to the residents

1 and kind of tell you guys to make sure you lock  
2 your doors. If you see anything out of the  
3 ordinary, please give us a call. That's what  
4 we're here for. As you and I talked about the  
5 home invasions, other departments or other cities  
6 have dealt with people that not only are just  
7 desperate for drugs, but for money, anything with  
8 these tough economic times, you're finding these  
9 home invasions in houses where what it is is when  
10 people are home, individuals are breaking in  
11 their homes and unfortunately tying them up,  
12 robbing them and leaving them stranded.

13           And this is something that we want you  
14 guys to know as from our half of the department  
15 that we're taking all these matters very  
16 seriously and we're doing the best we can to  
17 patrol and keep everything safe here in  
18 Bratenahl.

19           MAYOR LICASTRO: Chief, anything you'd  
20 like to add?

21           CHIEF DOLBOW: No, Michael and  
22 lieutenant and Vince Trusso are heading up our  
23 interdiction program as far as the heroin and  
24 have been doing an outstanding job and helping us  
25 suppress and move that area away from Bratenahl,

1 that problem away from Bratenahl.

2           MAYOR LICASTRO: I also met with Mayor  
3 Jackson last Thursday and talked about our  
4 concerns particularly on 140th Street, which  
5 we've done a really good job working with  
6 Cleveland to move some of the drug traffic out of  
7 this area and, unfortunately, it moves further  
8 east. We're not trying to scare anybody here,  
9 but people feel very safe in this community and  
10 don't lock their doors. I mean, it is 2010. I  
11 think you really need to lock your doors and be  
12 aware. There's some people out there that can be  
13 really scary.

14           Officer Pollock, as he mentioned, is one  
15 of our newest hires. He's brought wonderful  
16 energy to the department and we thank him for his  
17 presentation.

18           OFFICER POLLOCK: Thank you.

19           MAYOR LICASTRO: Any questions?

20           MR. BOLTON: I have read that heroin  
21 addicts are typically nonviolent. Is that  
22 correct or is this a different kind of drug?

23           CHIEF DOLBOW: Typically they aren't,  
24 but as Officer Pollock pointed out, they have to  
25 buy the drug. They have to have money to do so,

1 so they will rob you blind. If you leave a bike  
2 in the front yard, they'll take it, lawnmower.  
3 If a shed is open, they'll help themselves to  
4 whatever is in it. If they try your door and  
5 it's unlocked, they'll take your TV, stereo,  
6 whatever they can get their hands on. That's how  
7 they fund their habit is by stealing.

8 This drug problem is nothing new. It's  
9 just we're taking a different stance and we're  
10 trying to be proactive and suppress it and get it  
11 away from Bratenahl. Yes, sir.

12 MR. VANUUM: I'd like to ask, how would  
13 you recognize, what symbols or whatnot, how would  
14 you recognize that there exists a problem?

15 OFFICER POLLOCK: As far as?

16 MR. VANUUM: Drugs in general.

17 OFFICER POLLOCK: As far as on a simple  
18 traffic stop if someone is a user, is that what  
19 you're trying to say?

20 MR. VANUUM: Exactly. In other words,  
21 how would you see the things click in your mind  
22 that there's a problem here?

23 OFFICER POLLOCK: I think a lot of it  
24 comes from, as lieutenant and Chief, I think,  
25 agree with me, a lot of it comes from experience

1 with dealing with it. Sometimes there aren't any  
2 signs and it may be that this individual has a  
3 warrant or they're driving under suspension. And  
4 by doing a simple vehicle inventory so their  
5 vehicle can be towed for their arrest, you'll  
6 find these drugs. And you start seeing certain  
7 types of individuals. Through your experience,  
8 you start to learn. It's just you start to  
9 realize where it's coming from. These  
10 individuals will talk to you and explain who they  
11 are, where they've come from and their background  
12 as well.

13           MAYOR LICASTRO: Keep in mind we, of  
14 course, have Eric, the K-9 officer. We use his  
15 services to find illegal drugs. I find this  
16 really shocking, but oftentimes as people are so  
17 disoriented that if the officers ask them if they  
18 have anything illegal in the car, they say yes  
19 and that leads to a search.

20           Plus, 30 or 35 percent of the traffic  
21 stops we make here in Bratenahl involve  
22 individuals that have had their license  
23 suspended. They're driving without a valid  
24 license. That can also lead to an arrest and the  
25 car being towed.

1           Did you have something to add to that.

2           LT. LOBELLO: To further respond to the  
3 question, under Chief Dolbow, he's done, in my  
4 opinion, a great job of encouraging his  
5 department to go beyond just scratching the  
6 surface. We've always been out there doing  
7 traffic enforcement. We've been encouraged and  
8 allowed to seek a lot of free training that he's  
9 providing to us. We understand our budget is  
10 low, so we take advantage of all free training  
11 and schooling available to us.

12           Through the trainings and through just  
13 the prodding of the administration, the current  
14 administration, we've gone beyond and we're  
15 trying to bring our young officers up to speed.  
16 They've done a great job and are very responsive,  
17 is just get beyond just the traffic stop, can I  
18 have your license, here's your ticket, have a  
19 good day.

20           Strike up a casual normal conversation  
21 with the people. What are you doing here? Are  
22 you still living here? Innocuous questions,  
23 seemingly innocuous questions that may be  
24 innocuous to the driver, but you're building  
25 suspension what they're saying doesn't make

1 sense. And like I said, the young officers have  
2 really grasped a hold of it. And that is one of  
3 the predominant ways that we're able to get  
4 inside the vehicles, just through casual  
5 conversation with the occupants and the drivers  
6 to get from regular traffic stop to suspicion to  
7 drugs in the car.

8 MR. VANUUM: One further question.  
9 Underneath HIPPA, HIPPA, the law, how far can you  
10 ask somebody questions that are not related  
11 exactly to the violation that they had? Just out  
12 of curiosity, under the laws of HIPAA.

13 MAYOR LICASTRO: Rather than going into  
14 that detail, Mr. Vanuum, there's a very ridged  
15 policy they have of what they can and cannot ask.  
16 HIPAA allows people privacy for their  
17 medications. But there's a series of questions  
18 they can ask. And usually there's something  
19 about the stop that triggers a suspicion and can  
20 often lead to arrest.

21 Yes, Mr. Kesselem?

22 MR. KESSELEM: Is there any particular  
23 time that's typical that you're finding more drug  
24 arrests happening? Is it in the evenings or is  
25 it all during the day?

1           OFFICER POLLOCK: As far as heroin,  
2 Lieutenant, you agree with me, typically it's  
3 mostly during the day. It is usually a daytime,  
4 early morning hours.

5           LT. LOBELLO: Through the people that  
6 we've arrested and just talked to, they're a  
7 valuable source of information as well. I've  
8 been able to glean from most of them that they're  
9 early to midmorning people because they buy their  
10 drug in the morning, they go back to where they  
11 come from, they do their drug, it lasts them  
12 through the night. They wake up in the morning  
13 feeling sick from withdrawal and it starts the  
14 process all over again.

15           MAYOR LICASTRO: Incredible.

16           FEMALE VOICE: I would like to  
17 acknowledge the black shields you're wearing in  
18 memory of the police officer.

19           MAYOR LICASTRO: Actually, two police  
20 officers. The one in Cleveland Heights that died  
21 and the Elyria officer that was killed in the  
22 line of duty. And we intend on sending cars to  
23 both of their funerals. That's one way the  
24 comradery the police show for their fallen  
25 comrade.

1 DR. SPANO: Are these coincidental stops  
2 as they pass-through the 90 corridor; or is  
3 Bratenahl truly being targeted as a place to come  
4 to obtain the means with which to buy drugs or  
5 actually do the buys occur here within the  
6 confines of the Village?

7 CHIEF DOLBOW: Most of the purchases are  
8 in the City of Cleveland, but to get there,  
9 they're exiting at Eddy Road, Martin Luther King,  
10 East 140th. And in the process of doing so,  
11 oftentimes their plates are expired. They're  
12 violating right turn on red, whatever, and our  
13 officers being diligent are initiating traffic  
14 stops and their mannerism, as the lieutenant  
15 explained, leads to further investigation and  
16 subsequent arrests.

17 DR. SPANO: So the buys aren't by here?

18 CHIEF DOLBOW: Not in Bratenahl, so to  
19 speak, it's the outlying area, but the danger is  
20 they have to exit and enter the freeway.

21 MAYOR LICASTRO: We haven't had any home  
22 invasions. We don't want them, we're just trying  
23 to inform all of you to be careful and be  
24 cautious.

25 FEMALE VOICE: I just want to thank you

1 all for being so visible and being there every  
2 time we turnaround. And whenever I call Village  
3 Hall, because I saw something funny, you're  
4 always so nice and show up and check it out, so  
5 thank you.

6 CHIEF DOLBOW: Please continue to call.  
7 If something doesn't seem right, it's probably  
8 not, please call.

9 MR. ROBINS: Perhaps this is since the  
10 patrolman is new, maybe this is better addressed  
11 to you, Chief. What's your train line analysis  
12 show? What's the data over the last five years?  
13 The statement was made that we're seeing a  
14 substantial increase of stops related to drugs,  
15 double, four times, 10 times. There ought to be  
16 some data some place to help us.

17 And then on top of that, some data that  
18 shows how much Erok has helped. When you stop  
19 somebody for plates and then you get suspicious,  
20 do you call Erok and have him do a sniff?

21 CHIEF DOLBOW: There are occasions, yes.

22 MR. ROBINS: What do you do?

23 CHIEF DOLBOW: We call the K-9 when it  
24 is warranted and obviously he's not working 24/7.  
25 He's not able available to us 24/7 unless the

1 situation arises where we have to call him out,  
2 but, yes, there is an increase in stats we've  
3 doubled just this past month since we've been  
4 paying closer attention to the issue at hand.

5           Going back five years, we've had to do  
6 an actual physical hand check on each case by  
7 case, but it's pretty much always been initiated  
8 through traffic stops here in the Village of  
9 Bratenahl.

10           MR. ROBINS: Well, could you do some  
11 stops for whatever is convenient, last couple of  
12 years or something so that can be published and  
13 be made available to the community at large with  
14 some guidance like the guidance that's been  
15 provided here tonight.

16           MAYOR LICASTRO: I think, Chief, you can  
17 get those from the county. This is a countywide  
18 problem. It's not just here in Bratenahl. We're  
19 seeing it across the whole county. Perhaps the  
20 county can give you some of those stats. Anyone  
21 else? Thank you, Officer Pollock.

22           (Applause.)

23           MAYOR LICASTRO: Moving to department  
24 reports. Chief.

25           CHIEF DOLBOW: Happy St. Patrick's Day,

1 everyone. February 17 through March 17, we've  
2 had 10 felony arrests; 32 misdemeanor arrests;  
3 three warrants; 14 driving under suspension  
4 arrests; three OVIs; 18 motor vehicle accidents;  
5 42 vehicles were towed; 17 false alarm drops; 11  
6 911 calls; two false 911 calls; two false fire  
7 calls; and a total of 244 tickets.

8 Of those 10 felony arrests, 10 total,  
9 six were for possession of drugs. Two were for  
10 possession of drug abuse instruments. One was  
11 theft related. And one was trademark violations.  
12 That's all I have.

13 MAYOR LICASTRO: Did you want to mention  
14 what you're doing with the trademark violation,  
15 the program you're involved in?

16 CHIEF DOLBOW: Not at this time. I'll  
17 have a more in-depth report next month.

18 MAYOR LICASTRO: Thank you. Any  
19 questions for the Chief? Mr. Jamieson.

20 MR. JAMIESON: Thank you, Mayor. The  
21 month of February, the building department  
22 performed 11 inspections of varying degrees,  
23 registered 14 new contractors, issued six  
24 building permits, as well as three new  
25 certificates of occupancy. That would conclude

1 my report.

2           MAYOR LICASTRO: Any questions for Mr.  
3 Jamieson? Thank you. Mr. Zalar, are you up  
4 there?

5           MR. ZALAR: Can everybody see me? Just  
6 a couple of things. One is an update. I'm sure  
7 everybody is aware that our dump truck had a fire  
8 last month or earlier this year. Actually, it  
9 was just taken in to have repairs done.  
10 Estimated time is, according to the service  
11 manager there, is about three weeks. It will be  
12 just in time for spring cleanup.

13           On that note, April 15, the reminder,  
14 April 15 is when spring cleanup starts and we go  
15 for a full month till May 15. We also already,  
16 all of our equipment, you probably see it in our  
17 pay claims, our leaf machine, we've done all our  
18 repairs on that. We're ready for spring cleanup  
19 in another month. That's it. Any questions?

20           MAYOR LICASTRO: Any questions for Mr.  
21 Zalar? Mr. Stephan.

22           MR. STEPHAN: Will you please install a  
23 traffic mirror at Burton and Lake Shore?

24           MR. ZALAR: Similar to the one on  
25 Corning?

1 MR. STEPHAN: Yes.

2 MAYOR LICASTRO: We have to look at  
3 that, Mr. Stephan. I think we looked at that  
4 before and there was some question about how  
5 effective it would be and where it would be  
6 placed. We can look at it again. The one on  
7 Corning was pretty straightforward coming up the  
8 hill. We'll have to look and see where we can  
9 put it on Burton. Thank you, Mr. Zalar.

10 Before we move to committee reports, we  
11 have Beverly Charles here from Representative  
12 Fudge's office. And I'm certain you'd love an  
13 opportunity to talk.

14 MS. CHARLES: Good evening to everyone.  
15 I'd like to introduce myself to those who do not  
16 know me and reintroduce myself to those who do.  
17 My name is Beverly Charles. And previously I  
18 worked for Congresswomen Stephanie Tubbs Jones,  
19 so I have been in your presence before. But  
20 today I'm here to let you know that I am now with  
21 Congresswoman Marcia Fudge.

22 I am a senior staffer in the office and  
23 I do handle issues related to seniors and  
24 healthcare, but I did bring along some  
25 informational pieces that will list each and

1 every one of our staff. And it let's you know  
2 what each staff does, what disciplines they are  
3 connected with. And I'm just here just to kind  
4 of hear what you have to say, if you have any  
5 questions or concerns for our office or for me or  
6 for the Congresswoman that I can definitely get  
7 back to her and let her know.

8           And I would like to come periodically  
9 just to see if there's anything that we need to  
10 know, that we need to be aware of or maybe  
11 something that you need to be more aware of  
12 that's going on in our office. So I'm here at  
13 your service, and it's Beverly Charles. And  
14 thank you for letting me address you this  
15 evening.

16           MAYOR LICASTRO: Can we pass out those  
17 brochures? Thank you. Any questions for Ms.  
18 Charles? Dr. Secura.

19           DR. SECURA: Ms. Charles, what are the  
20 offices specifically you're representing or just  
21 Ms. Jones? What is the name of the office you  
22 represent?

23           MS. CHARLES: Congresswomen Marcia  
24 Fudge. She is the representative for the 11th  
25 congressional district.

1 DR. SECURA: And she set up this seniors  
2 program?

3 MS. CHARLES: No, no, that's just an  
4 area that, say, if a senior has a question or an  
5 issue related to Medicare or Social Security or  
6 Medicaid, I can help them kind of navigate  
7 through that system, direct them to -- if it's  
8 not us, but direct them to the correct  
9 organization or agency.

10 MAYOR LICASTRO: Thank you, Ms. Charles.  
11 I have had the pleasure of working with Ms.  
12 Charles for a number of years and we haven't seen  
13 you in a while.

14 MS. CHARLES: I know. I've been absent  
15 for a while. I've been naughty. I have to do  
16 better. I intend to do better.

17 MAYOR LICASTRO: Moving to committee  
18 reports. Finance.

19 MR. McDONALD: Finance Committee met  
20 last week. And we had a very productive meeting  
21 and later in this meeting we will vote on the  
22 appropriation for 2010, but I wanted to share  
23 some information regarding those appropriations  
24 that we made some changes last week in the  
25 appropriations.

1           One of our contract services budget line  
2 items was decreased in an effort to save money.  
3 And we discovered that we could not decrease it  
4 by the amount we did. Therefore, the  
5 appropriations were increased by \$10,200. And  
6 then because those people contributed to the  
7 PERS, the 13 percent of whatever the increase  
8 was, was added to that and three percent for  
9 contingency was added. So the new allocation is  
10 \$2,817,794.

11           And then as an educational effort for  
12 me, it was pointed out that the report  
13 appropriation status did not agree with that  
14 appropriation. The appropriation status I have  
15 now learned is something that the clerk does on  
16 January 1 so that we can operate. He picks some  
17 numbers and puts them in various places. And  
18 this number, the 2.619 will be replaced after  
19 this vote on the 2.817. So it's a temporary  
20 holding number that was never meant to last  
21 through the fiscal year and it will change as we  
22 appropriate, as we approve the appropriations.

23           In addition, we've had some good news.  
24 The \$12,000 from the sale of the police cars will  
25 be applied to the purchase of the new cars that

1 we've already had with money, money, money, so we  
2 have \$12,000 in addition to the CER. It was not  
3 contained in the CER, the estimated revenue  
4 certificate. In addition, we've received \$26,042  
5 in estate taxes.

6 MR. ROBINS: 142. 26,142.

7 MAYOR LICASTRO: Actually, we got 20.  
8 There's another 6,000. They made a mistake. The  
9 check is still in the mail.

10 MR. McDONALD: \$26,000, roughly in  
11 estate taxes. And in addition to that, our  
12 income tax receipts are running ahead of a  
13 typical year, but income taxes are notoriously  
14 volatile, so we can't count on that.

15 All of that being said, what we are  
16 going to vote on this afternoon is a basically  
17 break-even budget, including the carry-over,  
18 which means, and we talked about this before, but  
19 I want to reiterate because it's important to  
20 understand that we are not funding our current  
21 expenditures with the incomes that we have right  
22 now due to the economy, due to whatever number of  
23 issues that we have. We have to address that.  
24 We have to address that this year.

25 It is imperative that we do whatever we

1 have to do to make sure that we continue to have  
2 a balanced budget going forward to take that to  
3 2011. If we had the same situation in 2011, we  
4 would not have a balance budget, because we won't  
5 be carrying into 2011 the carry-over that we  
6 carried into this year. So it's going to be this  
7 committee's work this year, along with the audit  
8 committee and the rest of Council, that we're  
9 going to have to endeavor to figure out ways to  
10 fund the business of the community going forward.

11           And I think our first step is Future  
12 Search. And I know that that's going to be my  
13 thrust is to get the community come together and  
14 think about how we can fund things going forward.  
15 In addition, at the meeting I said that I was  
16 going or actually in the agenda it said I was  
17 going to talk about purchasing procedures here in  
18 the Village.

19           I had an opportunity to talk to Merele  
20 and Jim and Sergeant Longley about their  
21 purchasing procedures. And I came away from that  
22 heartened that we are not going around spending  
23 the Village's money willy-nilly, but we're  
24 getting competitive bids and doing a very good  
25 job in making sure that we get good deals.

1           I did not have to chance to talk to Joe,  
2 but Rich in the Finance Committee said if I did  
3 talk to Joe, that we would find that he's a  
4 skinflint, also. So we are getting good deals on  
5 what we purchase and I appreciate that.

6           MR. ZALAR: I'm a typical Slovenian.

7           MR. ROBINS: That's what I said.

8           MR. McDONALD: And that concludes my  
9 report.

10           MAYOR LICASTRO: Thank you. I might add  
11 in order to get to a somewhat balanced budget, we  
12 work with the departments to cut back wherever  
13 possible and we avoided layoffs. We avoided wage  
14 givebacks. We're a small enough community and  
15 our services are important enough that we don't  
16 really have additional personnel that we can just  
17 put by the wayside. So thanks to the employees  
18 here in the Village for their cooperation,  
19 police, service, et cetera, of course doing a  
20 wage freeze this year.

21           And Mr. McDonald is right, we've cut  
22 this about as much as we can possible cut it  
23 without really impacting services, so please work  
24 with us and stay tuned for solutions. Mr.  
25 Robins.

1           MR. ROBINS: I'm not sure if this is the  
2 right place, if it isn't, just tell me, but later  
3 on we have a couple of ordinances. One that  
4 involves the police and I was looking for a  
5 companion ordinance to involve the service  
6 department. But one of the things that was done  
7 during the line items in addition to give back on  
8 some holiday pay for both the police and the  
9 service department was cutting out the clothing  
10 allowances.

11           And if I remember correctly, the  
12 clothing allowances had been part and parcel to  
13 the contracts that we had that were memorialized  
14 in earlier ordinances. So my first question is  
15 is that true? My second question then would be  
16 do we have to then make some changes in our  
17 ordinances to reflect that change in going to  
18 zero clothing allowance for both the service  
19 department and for the police department.

20           MR. GALLAGHER: We did not go to zero  
21 for either the police department nor the service  
22 department.

23           MR. McDONALD: It got moved.

24           MR. ROBINS: Where did it get moved to?

25           MR. GALLAGHER: Payroll.

1 MR. ROBINS: Oh, it's in payroll now.

2 MR. GALLAGHER: Thank you, IRS.

3 MR. ROBINS: I went through it and  
4 couldn't find it. I didn't know it was moved.  
5 Thank you.

6 MAYOR LICASTRO: Any other questions for  
7 Mr. McDonald? Thank you. Public improvements.

8 MR. BOLTON: Did not meet.

9 MAYOR LICASTRO: Legislative.

10 MR. MATEYO: Legislative committee  
11 meeting was held on Monday, March 1, 2010 at the  
12 Village of Bratenahl at 5:30 p.m. In attendance  
13 were Tom McDonald, Paul Stephan and residents.  
14 The discussion concerned the Bratenahl ordinances  
15 in chapter 139 regarding police staffing, and  
16 specifically the word "shall" should be changed  
17 to "would". And a number of other questions  
18 regarding duties, hours, titles, et cetera.

19 The Chairman said he would discuss this  
20 with the Village solicitor with the proper  
21 wording, which I believe has now been put in that  
22 might be considered, such as staffing, et cetera.  
23 The meeting was adjourned at 6:26 p.m.

24 MAYOR LICASTRO: Thank you, Mr. Mateyo.  
25 Any questions? Public safety. I'm sorry, Ms.

1 Meade.

2 MR. GALLAGHER: Remind the committee  
3 heads that a report read into the record is a  
4 public record and that I need to get a copy of  
5 it.

6 MAYOR LICASTRO: Thank you.

7 MS. MEADE: From that meeting, when the  
8 ordinance language was going to be changed, was  
9 the action that was taken then to come back to  
10 committee to review it first?

11 MR. MATEYO: No, the action was to go to  
12 the Village solicitor to change the ordinance as  
13 it read, which I believe has been done.

14 MAYOR LICASTRO: They're on the agenda.

15 MR. MATEYO: So now Council has it on  
16 the agenda. Whether we approve it or disapprove  
17 it, then it goes into the record as an ordinance,  
18 my understanding.

19 MS. MEADE: So the committee hasn't seen  
20 or discussed what is presented tonight in a  
21 public meeting. This is the first time we're  
22 actually seeing it?

23 MR. MATEYO: That's correct.

24 MS. MEADE: I didn't know if it had to  
25 go to committee first to recommend to Council.

1 MR. MATEYO: No. According to the  
2 Village solicitor, it does not have to go to  
3 committee. It goes to Council.

4 MR. CORNETT: It does not have to go to  
5 Council prior to becoming an ordinance.

6 MR. GALLAGHER: It can go to committee  
7 if Council would like that. It's up to Council.

8 MS. MEADE: Thank you.

9 MAYOR LICASTRO: Public safety.

10 MS. BECKENBACH: Public safety did not  
11 meet. We had two meetings of the Community  
12 Affairs committee.

13 MAYOR LICASTRO: Well, let's hear what  
14 happened at Community Affairs.

15 MS. BECKENBACH: Community Affairs met  
16 on February 23. Present were Beckenbach,  
17 committee members Bolton, Kesselem and Council  
18 members McDonald and Stephan. Residents had  
19 requested a public meeting to discuss resident  
20 participation in public meetings. This  
21 committee, by definition, handles the programs  
22 designed to collect and respond to committee  
23 concerns.

24 Mrs. Beckenbach provided documents  
25 detailing the protocol for residents

1 participation in other Ohio communities as a  
2 starting point for discussion. Some examples  
3 used in other cities and villages were one half  
4 hour open public participation at the end of a  
5 public meeting or speaking time limits such as  
6 five minutes per person or a maximum number of  
7 questions submitted by one individual as well as  
8 examples it may well be deemed severe.

9           Following discussion by the committee  
10 members, residents in the audience were asked if  
11 they had any remarks and the comments have been  
12 summarized and approved. Ms. Carol Brown  
13 requested that the Council establish simplified  
14 rules on how they conduct meetings. She  
15 suggested that more residents might attend  
16 Council meetings if they understood the process.  
17 Rules are a necessary part of conducting a good  
18 meeting.

19           Dr. Spano said that he disagreed with  
20 the residents request to have formal procedures  
21 or changes or add any rules of order. He feels  
22 that limits would impede the free flow of  
23 information and stifle public dialogue if  
24 restricted. He endorsed open discussions after  
25 each agenda item.

1           Mr. O'Rourke asked if we could agree to  
2 use Roberts rules as a format that does not  
3 stifle healthy debate. He suggested that we  
4 might consider taking the highlights of the rules  
5 and compile those that make sense. Mr. McDonald  
6 said that during his campaign, residents  
7 expressed concerns about civility at meetings and  
8 that the discussions brought to Council by  
9 residents were anger based.

10           Mr. Garfinkle used the word polemic as  
11 the word he used that comes to his mind. The  
12 audience needs to tone it down, abandon the us  
13 against them, good versus evil mentality and  
14 leave the personal dislike at home. Stick with a  
15 common purpose. Today there's a high degree of  
16 discussion in many areas of the country about  
17 civility in government. Let's practice it in  
18 Bratenahl.

19           Mr. Bauman reminded the audience that  
20 extensive deliberative discussions with the  
21 possibility of arriving at decisions to present  
22 to Council are made at the committee level and,  
23 therefore, should not be belabored at the Council  
24 level. He submitted that the emotional level of  
25 some resident villagers at various government

1 meetings invokes inappropriate comments.

2           He perceived some as bordering on  
3 personal attacks directed at elected officials,  
4 thus adding no value and creating a hostile  
5 atmosphere that discourages others from  
6 participating.

7           Ms. Sarah Kesselem over the last four  
8 years says there has been an intense lack of  
9 civility. Let's be kind and aware by not taking  
10 an inordinate amount of time in questions and  
11 commence.

12           Two residents asked that we keep the  
13 same format at meetings and not make any changes.  
14 Mr. Bolton and Mr. Kesselem were both in  
15 agreement that our current open town hall format  
16 used at our public meetings was preferable.  
17 There was no action taken regarding the meeting  
18 procedures.

19           Mrs. Beckenbach requested that a date  
20 change for all future meetings of the Community  
21 Affairs be moved to or asked if Mr. Bolton would  
22 make a motion to move the meetings to the fourth  
23 Monday of each month at 5:30. It was seconded by  
24 Mr. Kesselem and unanimously passed. Meeting  
25 adjourned at 6:50.

1           The Community Affairs committee meeting,  
2 the next one was held on March 15. Beckenbach  
3 was present as was Mr. Bolton and Mr. Kesselem.  
4 A resident requested that we review the outside  
5 inspection program to determine its purpose and  
6 to review the wording of the notices sent to  
7 residents and possibly make changes in the  
8 format.

9           By definition, this committee is  
10 designed to collect and respond to community  
11 concerns and that's why we addressed this issue,  
12 because it was residence requested. Therefore,  
13 this meeting agenda was to discuss the outside  
14 inspection program, its mission and the outcome  
15 of the first complete inspection of residential  
16 units throughout the Village.

17           Mr. Jamieson, the building inspector,  
18 gave a detailed report of the process, which is  
19 available in the building department office. The  
20 Village inspections of the entire exterior of  
21 each residential unit, as passed by Council after  
22 three readings on June 18, 2008, have been  
23 concluded.

24           The process takes three years to  
25 complete, including violations and enforcement.

1 It commenced in July 2008 beginning on the west  
2 side of the Village and ending on the eastern end  
3 of the Village. This year the department will  
4 deal only with property owners that have not  
5 responded to any correspondence sent throughout  
6 the entire two years.

7           There were 565 inspections conducted.  
8 312 properties had no violations. 253 had  
9 violations and the first notices were sent.  
10 After reinspection of the 253 units, 93  
11 properties had made the requested repairs. 141  
12 properties either requested an extension or asked  
13 the inspector to reinspect the repairs or consult  
14 about the repairs. 19 properties were sent a  
15 third and final notice at which two responded.  
16 17 properties require further action.

17           Mr. Bolton requested that the committee  
18 review the process to make the program more user  
19 friendly. The 12 residents in attendance  
20 representing the western end of the Village,  
21 Bratenahl Road neighborhood, the gated  
22 communities and the eastern end of the Village  
23 were asked if they had questions or comments  
24 either from the committee or Mr. Jamieson.

25           Each of the 12 residents requested that

1 the program continue in its present form. The  
2 process was indeed user friendly, that they  
3 appreciated the program and its mission, said the  
4 program is long overdue and enforcement was the  
5 key to this program's success. Enforcement was  
6 discussed at length.

7           Mr. Jamieson made every attempt to work  
8 with each resident to complete the violations  
9 through the extension process. For the homeowner  
10 who does not respond at all, the violator will be  
11 summoned to Mayor's court. The appeals process  
12 following the judgment of Mayor's court is  
13 housing court. Mr. Stephan recommended that this  
14 year we complete every violation, including  
15 enforcement. It was determined that the Village  
16 will see the entire process to its completion so  
17 that we can better understand its success and  
18 that the program will remain in its current form  
19 and will continue on a three-year cycle as stated  
20 in ordinance number 3399. Respectfully  
21 submitted.

22           MAYOR LICASTRO: Questions?

23           MR. BOLTON: I'd like to make a comment  
24 at this time.

25           MAYOR LICASTRO: Please.

1           MR. BOLTON: I received a letter. And I  
2 suspect all Council did. This refers to --

3           MAYOR LICASTRO: Mr. Bolton, that's a  
4 unanimous letter. We don't really acknowledge  
5 unanimous letters.

6           MR. BOLTON: All I wanted to say was  
7 that the meeting concerning rules, there was a  
8 tremendous unanimity of support for open speech  
9 and that I think everybody should realize that.  
10 And there were very eloquent statements made  
11 about the value of being able to speak in open  
12 forum.

13           MS. BECKENBACH: Um-hum.

14           MAYOR LICASTRO: Mr. Stephan.

15           MR. STEPHAN: Point of clarification. I  
16 may have misheard. I thought you said that  
17 during this year Tom Jamieson will address the 40  
18 nonrespondent violations?

19           MAYOR LICASTRO: 17.

20           MS. BECKENBACH: But it's confusing  
21 because you're right, there are 40 -- do you want  
22 to address that?

23           MR. JAMIESON: There are 40. In a  
24 nutshell, there are 40 property owners that will  
25 be subject to Mayor's court. 17 in one

1 classification and 16 in another. Two different  
2 reasons. One is we never heard from them and  
3 some we did and they never responded. So this  
4 year, as was decided by the committee, we're  
5 going to first address those properties and get  
6 them summons into court. And we're also going to  
7 be following up on all the extensions that were  
8 requested and, of course, responding to  
9 complaints that may occur.

10 MR. STEPHAN: That was my point that  
11 violations as well as extensions which were  
12 granted will all be followed during this final  
13 year of the three-year program.

14 MR. JAMIESON: That's the course this  
15 summer exterior maintenance season will take.  
16 And then we're going to reevaluate it next year  
17 and see if we want to start on, which way we're  
18 going after it plays itself out.

19 Like I said, in the committee report,  
20 it's worked really well and really successful.  
21 We're always open for improvement and the  
22 residents seem to be pretty happy.

23 MR. STEPHAN: I have another question,  
24 just as a point of information. There was  
25 reference made to and I apologize for it, it

1 might not be the right title. A Board of Zoning  
2 Appeals, does one exist?

3 MR. JAMIESON: Well, the question came  
4 up if someone were to disagree with the violation  
5 notice, what would be the appeal process? And I  
6 think if they disagreed with you and we couldn't  
7 come to an agreement or solution, they would  
8 appeal the Mayor's court's decision in that  
9 sense.

10 MAYOR LICASTRO: The Board of Zoning  
11 Appeals is comprised of three individuals by  
12 statutory law. Myself as Mayor, Mary as Council  
13 president, and we have a resident freeholder Fred  
14 Kreiner. No one has asked for that option in the  
15 process. It is there on an appeal basis and it's  
16 on all the documents distributed in the  
17 inspection process.

18 MR. STEPHAN: So that is an option?

19 MAYOR LICASTRO: It is as option.

20 MR. JAMIESON: We have a Board of Zoning  
21 Appeals in place someone could go to, yes.

22 MAYOR LICASTRO: Ms. Bacci.

23 MS. BACCI: Laura Bacci. I would like  
24 to think that you could certainly work those  
25 things out before we ever got to that point.

1 There used to be Cuyahoga County programs that  
2 helped maybe with someone that has a lower income  
3 that can't afford to jump and do the things we  
4 want them to do when we want them to do them. So  
5 it would help between maybe the building  
6 department or in newsletters we could let people  
7 know that those programs still exist.

8 MR. JAMIESON: You're absolutely  
9 correct. We try to work with everybody to help  
10 them the best way. And there are programs that  
11 we have, pamphlets we pass out. I believe we put  
12 them on the web site for low-income individuals  
13 for assistance as well as low-income loans,  
14 low-interest loans.

15 MS. BACCI: There was also a county  
16 program approved by our lovely local banks, I'm  
17 not sure if that's still in business or not, but  
18 it was an enhancement loans, housing improvement,  
19 and that might be something that would help  
20 someone at a lesser rate than the normal bank  
21 rates --

22 MR. JAMIESON: Absolutely.

23 MS. BACCI: -- to get some things done.

24 MR. JAMIESON: There's a program the  
25 county has for seniors or under disability.

1 Actually, it's free, and each community gets so  
2 many allocations.

3 MS. BACCI: The other thing that I  
4 wanted to say is I'm a newlywed, so I can't get  
5 to all of these meetings anymore.

6 MAYOR LICASTRO: Congratulations.

7 MS. BACCI: But I was not able to attend  
8 your committee meeting. And I want to go on  
9 record, I don't have anything eloquent to say,  
10 but I think it's critical to Democracy that  
11 people be allowed to speak and say what needs to  
12 be said.

13 And if you can't get to a committee  
14 meeting, you know, you might not know what  
15 happened at the committee meeting so you need to  
16 ask in a general forum like this. So I think  
17 that that's critical. And I don't want to see  
18 any special rules and gagging people from voicing  
19 their American right.

20 MAYOR LICASTRO: Thank you.

21 DR. SPANO: In the appeal process, at  
22 what point in the process does one appear before  
23 the Zoning Appeals? Does it antedate the Mayor's  
24 court appearance?

25 MAYOR LICASTRO: I'm not quite sure.

1 MR. JAMIESON: How would they go about  
2 appealing?

3 DR. SPANO: Yeah. Do they have to first  
4 appear before Mayor's court and then proceed with  
5 the appeal or would they do that if they didn't  
6 agree with the inspection decision.

7 MR. JAMIESON: As the Mayor said, we  
8 have not had anyone request an appeal.

9 MAYOR LICASTRO: I think it happens  
10 before they go to Mayor's court.

11 DR. SPANO: I would think, but maybe  
12 they don't know that they can do that.

13 MAYOR LICASTRO: It's on all the  
14 documents.

15 DR. SPANO: Fortunately, I didn't get  
16 one.

17 MAYOR LICASTRO: The really disturbing  
18 thing here is the people that put themselves in  
19 jeopardy just haven't responded. If people have  
20 a project that they don't have the money for or  
21 need to delay, all they have to do is tell us  
22 that and we'll give them a reasonable amount of  
23 time to respond.

24 The 43 that Mr. Jamieson referred to  
25 really we've had no communication. A lot of them

1 are the absentee landlords on 140th Street. We  
2 just can't find them. It comes back addressee  
3 unknown, but the BZA process is available before  
4 Mayor's court.

5 DR. SPANO: How did we leave it with the  
6 resident who wrote the letter?

7 MAYOR LICASTRO: Mr. Broer you mean?

8 DR. SPANO: I wasn't going to say his  
9 name.

10 MAYOR LICASTRO: It's a matter of public  
11 meeting.

12 MR. BAUMAN: He said he wasn't at the  
13 meeting.

14 DR. SPANO: I wondered how we resolved  
15 the issue.

16 MAYOR LICASTRO: I don't know it has  
17 resolved. Ms. Gray.

18 MS. GRAY: As a fundraiser, there's a  
19 great free site. It's the county auditor's web  
20 site, because all those addresses have to have  
21 tax bills sent somewhere.

22 MAYOR LICASTRO: And we've used that and  
23 it still comes back addressee unknown or unopened  
24 or whatever. Some people are using it perhaps in  
25 a manner that's not appropriate. We will

1 eventually find out who and contact them and  
2 handle this in a genteel manner.

3           We're not looking to be punitive, but  
4 the health of a community's housing stock is  
5 critical to the fiscal health of the community.  
6 And for those in the room that live on Foster,  
7 we've already seen a major upgrade really across  
8 the entire Village in people improving their  
9 homes and property. We applaud that effort and  
10 support that effort to improve their properties.  
11 Yes, Mr. Stephan.

12           MR. STEPHAN: Just an expectation for  
13 people who are referred to Mayor's court,  
14 whatever the number, do we have any idea how soon  
15 those violations, if there's still resistance,  
16 how soon those violations will be corrected, how  
17 that process works? I have no idea whether it's  
18 six months, six years.

19           MR. JAMIESON: That will be up to the  
20 magistrate. That will be up to the magistrate to  
21 handle it however he can. If they're guilty, he  
22 gives them some more time, he commits them, et  
23 cetera. It's a misdemeanor, you know, you can  
24 have successive daily penalties. Hopefully by  
25 the time they got to Mayor's court you'd have to

1 pay the cost and go do what they had to do and  
2 that would help us gain compliance, but if, you  
3 know, I mean, it could be that someone could just  
4 sink deeper and deeper. I mean, they would have  
5 a warrant out for them if they never showed up.

6           MAYOR LICASTRO: We hope to not get to  
7 that.

8           MR. STEPHAN: So there is an option to  
9 collect some money and generate revenue for the  
10 Village as a result of their citation in front of  
11 Mayor's court?

12           MAYOR LICASTRO: Yes, there can be court  
13 costs and fines. Mr. Kesselem, did you have your  
14 hand up?

15           MR. KESSELEM: It was followed up.

16           MAYOR LICASTRO: Mrs. Vanuum.

17           MS. VANUUM: I read your article in the  
18 Plain Dealer, the tip off article. And my  
19 concern is the article said that this discussion  
20 about open questions at meetings has been tabled  
21 and no new rules have been established.

22                   Is the committee going to keep  
23 considering strict rules for questions at our  
24 meetings and not allow us to ask what we don't  
25 understand and want clarification for?

1           What is going to happen, because that  
2 was one of the major reports by Mrs. Beckenbach.

3           MS. BECKENBACH: The committee, there  
4 was not a motion made, but they said that they  
5 were happy with the current format. So when no  
6 action is taken, it's a dead issue.

7           MS. VANUUM: Thank you. That clarifies  
8 it.

9           MAYOR LICASTRO: Mr. Bauman.

10          MR. BAUMAN: I read the Plain Dealer  
11 article. And I was at the meeting. And to be  
12 honest with you, my opinion of the article was  
13 not unlike my opinion of some of the reporting by  
14 the Plain Dealer. I felt we were in two  
15 different places at the same time. I felt that  
16 that article, the way it was written, was made to  
17 make some of our Council members look like idiots  
18 and it was slanted that way.

19          These people did a very good job, tried  
20 very hard to get an open discussion on the table.  
21 And like I said, as usual, and I don't know, I  
22 was at the meeting. I'm still very curious as to  
23 how the Plain Dealer got that information, so.

24          MS. BECKENBACH: And the reporter was  
25 not at the meeting.

1           MAYOR LICASTRO: Nor did he speak to you  
2 or anybody else.

3           MR. BAUMAN: I don't think it was  
4 verified by a second source.

5           MS. VANUUM: Thank you.

6           MR. BOLTON: As a member of that  
7 committee, I'd like to repeat what I said there.  
8 Those who were there can confirm it. That I  
9 personally support openness and transparency in  
10 government and all for maintaining of freedom of  
11 speech.

12           MS. BECKENBACH: The reason this was  
13 brought up is because residents asked and that's  
14 the role of our committee. The committee did not  
15 arbitrarily sit down and say, okay, let's do  
16 this. People asked us to do this. That is the  
17 role of the Community Affairs committee.

18           MAYOR LICASTRO: For example, we were  
19 also asked to pursue traffic cameras. We made no  
20 decision, but a resident asked us to broach it,  
21 it was discussed at committee. It's still  
22 pending as far as what we're going to do. Is it  
23 something we come up? Occasionally we do, but  
24 usually it's resident driven and those two topics  
25 in particular were resident driven. What we do

1 in the future, please participate in the process  
2 and help us figure out what's best. Mr.  
3 Kesselem.

4 MR. KESSELEM: Every week goes by and  
5 I'm constantly amazed at how much we are, as a  
6 small community, just like the United States,  
7 like Congress working on problems that are larger  
8 than what we feel ours are, but the First  
9 Amendment is the First Amendment. Freedom of  
10 speech. And every time we try to tread on it a  
11 little bit, there's going to be a lot of backlash  
12 on that.

13 These things that we can set fire to I  
14 don't feel we need to touch. It's something  
15 that's our God given right as being an American  
16 citizen. We need to be real careful. Even if a  
17 resident brings it to us, it's our job to bring  
18 it to the table in our committees, but we also  
19 need to use real good judgment on where that sits  
20 on the constitution.

21 And I think we're going to try our best  
22 in the years to come to look at those efforts as  
23 they're brought to us. But if we go to the first  
24 one, holy mackerel, we're in for a lot of trouble  
25 if we go down the line now. So First Amendment

1 it set off some fireworks and it was a good  
2 discussion in our meeting.

3 DR. SPANO: I think Thomas Jefferson  
4 said it best when he said dissidence was the  
5 greatest form of Democracy.

6 MS. BECKENBACH: I happen to have that  
7 quote.

8 DR. SPANO: And greatest demonstration  
9 of patriotism.

10 MS. BECKENBACH: Absolutely.

11 MAYOR LICASTRO: Thank you, Mr.  
12 Jefferson. Mr. Vanuum.

13 MR. VANUUM: Ladies and gentlemen, in  
14 all candor, I can't understand, as I sit at these  
15 meetings here, why one of the most critical  
16 aspects of this entire situation is why a very  
17 prominent individual in our community, on the  
18 police force, was put through the mill with  
19 accusation after accusation and what did it all  
20 washout? Total, I mean, I don't understand why  
21 something is not being asked here.

22 How much has this cost this community  
23 here, the tax payers, how much has it cost? I'd  
24 like to hear an answer to that. I sincerely, I  
25 mean, this very candidly, isn't it about time --

1 you talk about transparency. In this regard,  
2 there had been no transparency whatsoever. We  
3 saw accusation after accusation after accusation  
4 against this man and he was wiped clean of all of  
5 it. We never found out, well, how come all these  
6 missing drugs, we never found out how all of a  
7 sudden where about 13 or 14 were totally  
8 dismissed. Totally dismissed.

9 Now, there's a proposed, what I hear, a  
10 levy. We don't have enough money to pay our  
11 bills. I would simply emphatically like to know  
12 very honestly what has it cost this community,  
13 the tax payers, what has it cost us? And then  
14 take it from there.

15 MAYOR LICASTRO: Thank you, Mr. Vanuum.

16 MS. BECKENBACH: May I say something  
17 first, before my committee meetings are gone?  
18 Future Search, which you addressed, we have now  
19 56 people coming. We'd like a total of 80. I'm  
20 convinced we're going to get that. It's on April  
21 23, 24 and 25. Americano is providing the food  
22 if that's an incentive for anyone. We're having  
23 dinners and lunches and little breakfasts and  
24 snacks all day. We'll probably be well fed.  
25 Thank you.

1           MR. GALLAGHER: Excuse me, Mayor, before  
2 we move from Community Affairs, does the  
3 committee's vote formally move the meeting or  
4 does Council have to approve that or you?

5           MAYOR LICASTRO: The committee could do  
6 that.

7           MR. GALLAGHER: So we're done.

8           MAYOR LICASTRO: Recreation Commission,  
9 Mr. Bauman.

10           MR. BAUMAN: Recreation Commission.  
11 Community Center usage, security and maintenance,  
12 nothing new to report at this time. Activities,  
13 as I had reported last month, the email list  
14 update for anyone wishing to receive emails about  
15 future rec activities, you can email Bratenahl,  
16 email the community center,  
17 Bratenahlcenter@sbcglobal.net.

18           The Community Center garden plots signup  
19 is still available. We are in the process of  
20 reviewing and updating our policies and  
21 procedures manual. Some of the upcoming events,  
22 breakfast with the Easter Bunny, March 28, 12 to  
23 2:00 p.m.; Club 55, Tuesday, April 20 at 10:00  
24 a.m.; community foundation plant sale, Saturday,  
25 May 21, nine to 5:00 p.m. and Sunday May 22, 12

1 to six p.m.; and the Memorial Day ceremony will  
2 be held Monday, May 31, 10:00 a.m. step off on  
3 Coit Road; and last, but not least, the budget is  
4 on track after two months.

5           MAYOR LICASTRO: Mr. Bauman, did you say  
6 the 22nd and 23rd of May for the plant ceremony?

7           MR. BAUMAN: Saturday the 21st and  
8 Sunday the 22nd.

9           MAYOR LICASTRO: In May? Saturday the  
10 22nd and Sunday the 23rd. Thank you. Any  
11 questions for Mr. Bauman.

12           MR. BOLTON: Mr. Bauman, does the web  
13 site, first of all, does the rec committee have a  
14 separate web site independent of the Village?

15           MR. BAUMAN: Yes, there is a portion of  
16 the web site. It is the Village web site, but  
17 there is a recreation link --

18           MAYOR LICASTRO: There's a link.

19           MR. BAUMAN: -- from the Village web  
20 site and it does have, it was recently updated  
21 and does have the latest programming and things  
22 like that up there and available for everybody.

23           MR. BOLTON: Well, I know Mr. Kesselem  
24 is looking at the capacity, but it struck me that  
25 many people don't get the word. I was thinking

1 of an email blast, which is something maybe you  
2 would confer with Mr. Kesselem.

3 MR. BAUMAN: Actually, me and Mr.  
4 Kesselem have talked about as he's bringing his  
5 efforts together, coordinating efforts a little  
6 bit with rec and we're very supportive of exactly  
7 that. It helps get the word out and it's almost  
8 zero cost way to do it.

9 MAYOR LICASTRO: Planning Commission.  
10 Ms. Beckenbach.

11 MS. BECKENBACH: Planning Commission met  
12 on February 24 at 5:30 p.m. in Village Hall.  
13 Those presents were Vikki Broer Chairperson, Mary  
14 Beckenbach and Duke Young. And Duke Young and  
15 Mary Beckenbach were there as members of the  
16 committee. Dave Dornback was absent due to  
17 illness.

18 There were two agenda items. The  
19 consolidation of sub lot 19 and sub lot 20 in  
20 Lakehurst. The gentleman also presented plans  
21 and new drawings for the new dwelling to go on  
22 those particular consolidated lots. We approved  
23 the consolidation because it will decrease the  
24 density of the properties. And the approval was  
25 conditional on receiving a detailed landscaping

1 plan for the site and its approval prior to the  
2 occupancy permit being issued. The Planning  
3 Commission also needs a letter from the Lakehurst  
4 Association indicating their approval of the  
5 plans and consolidation.

6           The other item on the table was the  
7 revision of the association declaration and  
8 bylaws of the Hamlet of the Bratenahl  
9 condominium. That doesn't make sense, but that's  
10 all right. The changes in the Hamlet's new  
11 bylaws are not in conflict with any of the  
12 Village's regulations, and that many of the  
13 changes were necessary to bring the condo  
14 association into compliance with the Village  
15 regulations and the Ohio Revised Code. There was  
16 motion made to accept the Hamlet condo  
17 association bylaws and it was unanimously passed.

18           MAYOR LICASTRO: That's on the agenda  
19 for Council to consider later today. Right now  
20 there's nothing on the agenda for next week's  
21 Planning Commission.

22           Moving to old business before we  
23 introduce resolution 860, this is the moral claim  
24 of filed by Marietta Roby. Be aware that we've  
25 been unable to contact Ms. Roby, so there's a

1 waiver we're going to ask her to sign. So if  
2 this is introduced, we need to put it on a first  
3 reading until we are able to contact Ms. Roby and  
4 have her sign a waiver.

5 MS. BECKENBACH: I'd like to introduce  
6 resolution number 860 for first reading. A  
7 resolution approving a moral claim for Marietta  
8 Roby in the amount of \$497.15. Is there a  
9 second?

10 MR. BOLTON: Second.

11 MAYOR LICASTRO: Just there's no second,  
12 it's just first reading. Thank you.

13 Moving to new business, ordinance 3475,  
14 appropriations.

15 MR. McDONALD: An ordinance to make  
16 appropriations for current expenses and other  
17 expenditures and declaring an emergency.

18 MR. BOLTON: Second.

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

21 MR. GALLAGHER: Ms. Beckenbach?

22 MS. BECKENBACH: Aye.

23 MR. GALLAGHER: Mr. Bolton?

24 MR. BOLTON: Aye.

25 MR. GALLAGHER: Mr. Kesselem?

1 MR. KESSELEM: Aye.

2 MR. GALLAGHER: Mr. Mateyo?

3 MR. MATEYO: Aye.

4 MR. GALLAGHER: Mr. McDonald?

5 MR. McDONALD: Aye.

6 MR. GALLAGHER: Mr. Stephan?

7 MR. STEPHAN: Yes.

8 MR. GALLAGHER: Thank you.

9 MAYOR LICASTRO: Before you offer it for  
10 passage, the master copy has been changed, the  
11 second line December 31, 2010. Introduce it for  
12 passage.

13 MR. McDONALD: Be it ordained by the  
14 Council of Bratenahl Village, State of Ohio:  
15 Section one, that to provide for the current  
16 expenses and other expenditures of said Bratenahl  
17 Village during the fiscal year ending December  
18 31, 2010, the following sums be and thereby set  
19 aside and appropriated from the General Fund:

20 A, that there be appropriated from the  
21 General Fund for administration of the following:  
22 Wages, police department.

23 MAYOR LICASTRO: You don't really have  
24 to do that. Just give the total.

25 MR. McDONALD: Total of General Fund of

1 \$2,817,794.27 and move for passage.

2 MS. BECKENBACH: Second.

3 MAYOR LICASTRO: Discussion, Mr. Mateyo.

4 MR. MATEYO: I just think it's important  
5 that, one, the date, as you said, was changed to  
6 2010. And I also think and I don't know if it  
7 has any formality at all, but up at the top the  
8 Council has changed. And I do want to make sure  
9 when it goes into the record, I think it's very  
10 important --

11 MR. GALLAGHER: It will be fixed, Mr.  
12 Mateyo. Thank you.

13 MR. MATEYO: That will be it.

14 MAYOR LICASTRO: Any further questions?  
15 Mr. Kesselem.

16 MR. KESSELEM: I have to say I approve  
17 it under a lot of angst. I thank Tom for trying  
18 to wrap his head around the finances of the  
19 Village. That's what he did as his political,  
20 when he ran for Council and he proposed that he'd  
21 do that. And I thank you very much, Tom, for  
22 trying to do this.

23 My perspective is are we living within  
24 our budget or are we living within our means?  
25 And I don't really know if we're living within

1 our means. We're making the budget. But I think  
2 we really need to all think are we living within  
3 our means?

4           It goes to department heads. When you  
5 think about things when we're going to look into  
6 the budget and the last appropriations, I just --  
7 I'm reading through, I don't know how many times  
8 we've bought flags this year. These are things  
9 -- Tom is struggling in trying to balance the  
10 budget and we're knocking out little things that  
11 we all have on our wish list. These wish list  
12 things I think we really need to holdback on and  
13 really think harder so Tom can get the numbers  
14 in.

15           MAYOR LICASTRO: We bought three flags,  
16 Mr. Kesselem.

17           MR. KESSELEM: I look at appropriations  
18 and maybe that can be explained, but I see it in  
19 about five different locations on the budget.  
20 When I ran for Council, I asked for proactive  
21 communications. From January 1, I understand  
22 that we're at a brand-new sector of our lives  
23 here as Council. We haven't talked very hard at  
24 that proactive side of things to say we really  
25 got to knock this thing out. Do we put it on the

1 May ballot? Do we do anything like that?

2 We've had inner communications, but  
3 proactively getting the message out to our  
4 Village, I think we have to really work hard at  
5 getting that message out. Many villagers know  
6 what it is, but some don't.

7 MR. McDONALD: I have in my own mind  
8 targeted Future Search. Now, that may be an  
9 incorrect assumption what's going on with Future  
10 Search, but that's the place we invited the  
11 entire Village to come and have input. I think  
12 it's important that they have input so that if  
13 they see there's going to be a levy, they  
14 understand why. And I think that that's my main  
15 thrust in Future Search. And I may be a wet hen  
16 for doing that.

17 MR. KESSELEM: I think that's a good  
18 step, but as Mary was saying, she's trying to get  
19 80 people at Future Search. I'm looking at 1,300  
20 villagers and saying, guys, everybody has to be  
21 on board with this thing. So proactive  
22 communications.

23 The fiscal responsibility, the way I'm  
24 looking at the budget is we clip 150,000 off of  
25 last year's budget so that we can balance our

1 budget. If that's the case, we overspend a good  
2 \$140,000 on legal bills last year. We need to  
3 really understand what all of that was about and  
4 how are we going to contain that stuff as a  
5 Council to try to put restrictions on that,  
6 whether it be with the Mayor or with spending  
7 within our employees.

8           We've got to instill -- we're all going  
9 through hardship on this thing. And the Village  
10 is going to be the one that's going to come to  
11 everybody and say I want some more money, and  
12 that's going to be a hard buy. So fiscal  
13 responsibility. I can stand back and wait for  
14 the sustainability, but I think it needs to be  
15 looked at, because that's a way to save some  
16 money in the Village if we look ahead on  
17 sustainability.

18           I'm not talking about buying green  
19 trees. I'm talking about trying to figure out  
20 how we can reduce our energy bills in the Village  
21 that we can save some money. The web site I  
22 understand, we can't touch the web site this  
23 year, folks. We don't have any money to get a  
24 web site done. We have to standby what we have  
25 now, but let's look forward to next year's budget

1 to say that's one, but I don't see that even  
2 talked about in looking into this year's budget.

3 I understand where Tom was coming on  
4 that. If it's a situation like that, and I run  
5 for Council, I'm sorry, I can't perform what I  
6 promised to everybody and that disappoints me.  
7 I'm going to work this year harder than hell to  
8 try to accomplish this budget, so that we can  
9 meet our bills and do this, but I'll be damned  
10 come September, October, November and I start  
11 seeing the numbers rise above it, holy mackerel  
12 we're going to have to hell to be paid, because  
13 it's not right. Everybody understands we got to  
14 keep to the numbers and cut them. That's the  
15 only way we can do that.

16 MAYOR LICASTRO: Mr. Kesselem, you're  
17 right. And that's what we work for everyday. We  
18 understand the limitations of what we have to  
19 work with. Every community in the country is  
20 dealing with these same issues. We decided early  
21 on we didn't have enough time to really  
22 understand the budget or get the word out for a  
23 May ballot issue. We have time before November  
24 to track where we are with revenue and certainly  
25 to maintain our frugal approach to all

1 expenditures. The givebacks from the departments  
2 and the carry-over did nothing but buy us time.  
3 We certainly understand that what happens in 10  
4 can't continue in 11.

5           We know, for example, Cleveland is  
6 asking for monies for EMS service, which has been  
7 sort of given gratis. Now they're asking for  
8 \$25,000 a year. Well spent. We're looking at  
9 other options. There really are no other  
10 options. As we go forward, we're not going to  
11 wait until September, October to be frugal.  
12 We're being frugal today.

13           Certainly educational process about what  
14 we need as a community for monies are something  
15 we're going to have to all work hard, not just  
16 Council, but the citizenry as well to get the  
17 word out and make certain we have the support of  
18 the villagers to get the revenue we need to  
19 maintain our services.

20           Mr. McDonald, did you have a question?

21           MR. McDONALD: No.

22           MR. BOLTON: That was me. I wanted to  
23 just briefly say I know it's late and it's gone a  
24 long time. I'll try not to speak at length. But  
25 I'm traditionally been a fiscal conservative on

1 Council. And so I wanted to say a couple of  
2 things about why I'm supporting the  
3 appropriations.

4 Mr. McDonald has put a lot of time into  
5 this. He was very kind to meet with me and go  
6 over each item line by line and any answer he  
7 didn't have, he found. So I am confident that he  
8 is, as much as anybody can be, on top of what  
9 income and expenses are. That happens to be a  
10 good feeling.

11 Second of all, there's been some good  
12 news, which he alluded to, that income taxes so  
13 far are higher than forecast. There's more to it  
14 than that though. He has expressed the desire to  
15 track the budget, which Mr. Kesselem referred to  
16 on a month by month basis. And if we're not  
17 making the budget, to look into taking the  
18 appropriate actions. So nothing is cast in  
19 stone, but I think it's as good as we're going to  
20 get at this point, so I support it.

21 MR. McDONALD: Thank you.

22 MAYOR LICASTRO: Mr. Mateyo.

23 MR. MATEYO: The only comment I'd like  
24 to make is when Andy and now Bill addressed Tom  
25 as Chairman of the Finance Committee.

1           MR. BOLTON: I didn't mean to leave you  
2 out, Mr. Mateyo, I apologize.

3           MR. MATEYO: My thought is Tom McDonald  
4 is head of the Finance Committee. He is not in  
5 charge of all of the finances for the Village of  
6 Bratenahl. I don't think it's correct to put him  
7 on a pedestal and at the same time tear him down.  
8 It's up to all of us to do this job, not just  
9 Tom.

10           He has to be the one with the title, but  
11 I don't want to target him saying he's done a  
12 good job, now we're in a deficit. That's not  
13 fair. It's up to all of us.

14           MAYOR LICASTRO: None of us work here as  
15 individuals. Mr. McDonald works with the clerk,  
16 with my office, with the department heads. We're  
17 doing a team approach. The Village has to look  
18 at this as a team approach. This isn't your  
19 government dictating what we need. We need you  
20 to help us figure out what our priorities are and  
21 where revenue has to come from.

22           I mean, again, every community in the  
23 country is struggling with this. We did a  
24 miraculous job coming up with quasi balanced  
25 budget for this year, but it's no panacea. We

1 can't rest on our laurels and say we can go  
2 forward like this. We know we can't. We know  
3 the additional expenditures already for 11.  
4 They're going to be coming up whether we like it  
5 or not.

6 And, again, we, as a community, have to  
7 figure out how to resolve this. So I think we  
8 introduced this for passage. It's been seconded.  
9 Mr. Stephan.

10 MR. STEPHAN: You made a reference  
11 earlier to purchases are being watched before  
12 approved. Did I hear that correctly?

13 MAYOR LICASTRO: I think Mr. McDonald  
14 made a statement that we're being very frugal.

15 MR. STEPHAN: I heard his, but I was  
16 referring to a statement that I thought I heard  
17 you say when purchases are made they're being  
18 watched and approved. And I'd just like a little  
19 description of that process. Are individuals  
20 looking at the budget? Do we know what the  
21 budgeted amount is?

22 MAYOR LICASTRO: We know the amount  
23 that's appropriated. Not budgeted, but  
24 appropriated.

25 MR. STEPHAN: Right.

1           MAYOR LICASTRO: And we operate under  
2 those. The numbers that are here are numbers we  
3 have been using for a couple months just to have  
4 the UAN system up and running. We operate under  
5 the appropriated amount for each of the line  
6 items that comprise the General Fund.

7           MR. STEPHAN: I'm just asking if that  
8 process is to look at the total or to look at the  
9 point in time during the calendar year what the  
10 two month total of the expenditures would be. I  
11 just would like an idea of the approval process  
12 of how it works.

13           MAYOR LICASTRO: Mr. Stephan, if you  
14 look at the fund balances and the appropriation  
15 status that you're given every month, it shows  
16 how much was appropriated and how much of those  
17 appropriated dollars have been spent  
18 year-to-date, so that's how we track it. We also  
19 look at requests from department heads, et  
20 cetera, and work with Merele and Mr. Gallagher to  
21 make certain that we operate under the auspice,  
22 the guidelines, the mandates that are the  
23 appropriations.

24           Plus, one reason why we have to pass  
25 this today is this will go to the county, the

1 county budget office. The county budget office  
2 will look at our certificate of estimated  
3 resources and our appropriations and say you got  
4 it right. If we did it wrong and we're spending  
5 more than what we anticipate in revenue,  
6 including carry-over, they would not approve our  
7 appropriations and we'd have to do it all over  
8 again.

9 So there are all kind of checks and  
10 balances at the county level, by the Finance  
11 Committee, by the clerk, by Ms. Ehleringer who is  
12 our watch dog, by department heads, by myself as  
13 the chief administrator, to make certain we work  
14 within these guidelines.

15 MR. STEPHAN: Good.

16 MAYOR LICASTRO: Dr. Secura.

17 DR. SECURA: Mr. Mayor, when I was  
18 director at the center, there seemed to be a  
19 development of a purchase order that Natalie, the  
20 clerk, signed to say there were funds to be  
21 spent. The process of picking three quotes and  
22 all that was ahead of time. And then she had a  
23 sign to say that we were within whatever, there  
24 was money, real money.

25 MAYOR LICASTRO: Everything purchased

1 here, there's a purchase order issued. It is  
2 signed by Mr. Gallagher to say the monies are  
3 available and signed by me as the chief  
4 administrator to be certain that it's an approved  
5 purchase. Nothing is purchased here without  
6 those purchase orders.

7 DR. SECURA: Good. That's all I wanted  
8 to know.

9 MAYOR LICASTRO: Ms. Meade.

10 MS. MEADE: When Tom had mentioned about  
11 Future Search and that I guess the budget or the  
12 levy would come up as a topic, just as point of  
13 clarification, I understood Future Search to be  
14 agenda free. Meaning when residents come to this  
15 meeting, it's whatever is of importance to them  
16 and they brainstorm. So they may, in fact, bring  
17 up the levy, but we should not be planting seeds  
18 in advance we want this discussed or that  
19 discussed.

20 MS. BECKENBACH: We're not allowed to do  
21 that.

22 MR. McDONALD: I'm bringing my agenda.

23 MAYOR LICASTRO: Future Search does not  
24 establish an agenda. But if Mr. McDonald feels  
25 strongly we should discuss finances, he can put

1 it on the wall. If there's a consensus to do so,  
2 we will pursue it. If there's not, we won't.

3 MS. MEADE: I didn't know if he was  
4 speaking on behalf of the Village, that that was  
5 a topic for the personal issue.

6 MR. McDONALD: Just me.

7 MS. MEADE: Thank you.

8 MR. McDONALD: I'll do my best to sell  
9 it.

10 MAYOR LICASTRO: Okay. Roll call on  
11 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: Mr. Stephan?

23 MR. STEPHAN: Aye.

24 MR. GALLAGHER: Thank you.

25 MAYOR LICASTRO: Ordinance 3476, police

1 overtime. I think this is the one Mr. Mateyo's  
2 committee is working on.

3 MR. BOLTON: I've got to find it, but  
4 I'd like to introduce ordinance number 3476 as an  
5 ordinance amending section 139.12 of the codified  
6 ordinances of the Village of Bratenahl for  
7 passage as emergency.

8 MS. BECKENBACH: Second.

9 MR. BOLTON: For suspension, that's the  
10 word.

11 MR. CORNETT: We did set this up as a  
12 first reading. To the extent you want to pass  
13 this.

14 MR. BOLTON: No, for first reading.

15 MAYOR LICASTRO: We wanted to make sure  
16 Mr. Mateyo's committee was comfortable with this.  
17 We don't have to do it on first reading. We can  
18 do it for passage. What would you recommend, Mr.  
19 Mateyo?

20 MR. MATEYO: I think it should be first  
21 reading.

22 MAYOR LICASTRO: Then it's been  
23 introduce on first reading.

24 MR. BOLTON: I have a question about it.  
25 It says overtime is for work in excess of 171

1 hours in the 28-day work period. I thought  
2 federal law required over 40 hours in a work  
3 week.

4 MR. CORNETT: No, that's incorrect now.  
5 This is for police personnel.

6 MR. BOLTON: Okay.

7 MR. CORNETT: For other general service  
8 employees I think it's different, but for police  
9 personnel, fire personnel, emergency workers,  
10 they have separate requirements basically because  
11 of their jobs. Some weeks they work more than 40  
12 hours a week, some weeks they work less.

13 MAYOR LICASTRO: Dr. Secura.

14 DR. SECURA: This is for Jim. I didn't  
15 hear a second on the passing of the  
16 appropriations. Did you get a recorded second on  
17 that?

18 MR. GALLAGHER: It was seconded so many  
19 minutes ago.

20 MR. MATEYO: I know I seconded it.

21 MS. BECKENBACH: I seconded it.

22 MAYOR LICASTRO: Moving on the agenda to  
23 ordinance number 3477, police personnel.

24 MR. MATEYO: I'd like to introduce  
25 ordinance 3477, an ordinance amending section

1 139.01 of the codified ordinances of the Village  
2 of Bratenahl for first reading.

3 MAYOR LICASTRO: Thank you.

4 MR. CORNETT: If I may, we can add my  
5 two cents to this. This is coming out of  
6 George's committee. It's basically dealing with  
7 modifying the police personnel instead of saying  
8 shall have a certain number.

9 MR. MATEYO: It still is in there,  
10 shall.

11 MR. CORNETT: But not the number of  
12 employees.

13 MR. MATEYO: You took that number out.

14 MR. CORNETT: I want to emphasize, too,  
15 that the Village has flexibility and always has  
16 had flexibility as to the number of personnel it  
17 can hire in a department.

18 MR. MATEYO: Fine. You put in may  
19 include, but I thought that was better than  
20 saying have to. Thank you.

21 MAYOR LICASTRO: May include in the  
22 second last line. Thank you. Ordinance number  
23 3478, the Hamlet minutes.

24 MR. KESSELEM: Introduce ordinance 3478,  
25 an ordinance approving the third amendment to the

1 declaration of condominium for the Hamlet at  
2 Bratenahl Condominium and declaring an emergency.

3 MS. BECKENBACH: 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: Mr. Stephan?

17 MR. STEPHAN: Aye.

18 MR. GALLAGHER: Thank you.

19 MR. STEPHAN: Why is this an emergency?

20 MR. CORNETT: I can discuss this, also.

21 This basically was requested by Hamlet at  
22 Bratenahl. The reason being they're required  
23 under their declaration in order to have Village  
24 approve any modifications that there may be to  
25 the condominium associated by declarations and

1 bylaws.

2 As a result, they are trying to move  
3 forward with that process. They have been for a  
4 while. Obviously it takes a while to go through  
5 the municipality's process for approval. And by  
6 passing it on an emergency basis, it will allow  
7 them to move forward and implement these  
8 declarations and bylaws effective immediately, in  
9 essence, once they can do it on their own.

10 MAYOR LICASTRO: It was approved by the  
11 Planning Commission as well, Mr. Stephan.

12 MR. CORNETT: The reason being that you  
13 want to do it quicker than a three-reading  
14 process, which will be three months, is that they  
15 are asking for permission to update their  
16 condominium bylaws to allow greater enforcement  
17 under the Revised Code and bring it, in essence,  
18 in line with the condominium bylaws or the  
19 requirements under code bylaws, so.

20 MR. STEPHAN: I have another question.

21 MAYOR LICASTRO: Why don't we introduce  
22 it for passage and second it and then we'll have  
23 discussion.

24 MR. STEPHAN: I'm sorry.

25 MAYOR LICASTRO: Mr. Kesselem?

1 MR. KESSELEM: Passage.

2 MS. BECKENBACH: He introduced it for  
3 passage and it was seconded.

4 MAYOR LICASTRO: No, it was suspension.

5 MS. BECKENBACH: I'm sorry, Andy.

6 MR. KESSELEM: I'm sorry. Ordinance  
7 3478 for passage.

8 MS. BECKENBACH: Thank you.

9 MR. McDONALD: Second.

10 MR. KESSELEM: I'll get it in a couple  
11 months.

12 MR. MATEYO: You may not.

13 MAYOR LICASTRO: Mr. Mateyo, did you  
14 have a question?

15 MR. BOLTON: I do and I think Mr.  
16 Stephan does.

17 My question is I didn't read this  
18 closely. It says, whereas, the developer and all  
19 the unit owners of the condominium desire to  
20 amend the declaration, to ratify the second  
21 amendment.

22 And, you know, my experience is that  
23 when people amend the collection procedures,  
24 somebody is not paying. So do we have  
25 confirmation that this is unanimous within the

1 association?

2 MR. CORNETT: That was represented in  
3 the document that's associated with it by their  
4 attorney. I did not, obviously, do a straw poll  
5 to determine whether or not they all agree. I  
6 don't think that they have to all agree. I think  
7 it's only a majority, but I can modify that  
8 language.

9 MR. BOLTON: Well, I'm just wondering  
10 what our role is as Council if say it's a very  
11 close vote and we're going into the assumption  
12 it's unanimous.

13 MR. CORNETT: Our role or the Village's  
14 role is that simply for approval, not necessarily  
15 for an espousment of the declarations. They  
16 wrote it in to allow, I guess, greater backstop  
17 to have another set of eyes look at it.

18 MS. BECKENBACH: I happen to live in a  
19 condominium. The rules are changed through  
20 usually their attorney. And I don't know who the  
21 attorneys are, but the rules of condominium  
22 associations have changed dramatically over the  
23 past year and a half. But, what your question is  
24 is yes, it's a majority vote of the residents.  
25 And if the residents are not present, they send

1 in a proxy and the proxy allows the Board to act  
2 on their behalf, and that's the way it works.

3 But, if they're trying to get, if  
4 they're trying to -- my guess is by reading the  
5 rules that they particularly want to embrace are  
6 getting them into the 20th Century with the laws  
7 provided by the State of Ohio.

8 MR. BOLTON: I'm not opposed to the  
9 change. I'm wondering what our position is. How  
10 would their role be if one of them is adamantly  
11 opposed and this document says they're unanimous?

12 MR. CORNETT: It wouldn't affect it.

13 MS. BECKENBACH: It affects the  
14 association, not the Village. We're just okaying  
15 the fact that they want to have these rules.

16 MR. CORNETT: In addition, it's in a  
17 whereas clause. The whereas clause is  
18 introductory as opposed to being law.

19 MAYOR LICASTRO: Any further discussion?  
20 Mr. Stephan.

21 MR. STEPHAN: It seems to me the second  
22 whereas paragraph, the last phrase "after the  
23 authority of the developer to expand to  
24 condominium expired;" should read after the  
25 authority of the developer to expand the

1 condominium expired. The developer died.

2 And the second amendment was not filed  
3 in time, they are not in compliance. The purpose  
4 of this and the reason that I think we should  
5 pass it as an emergency ordinance is to allow  
6 them to get in compliance with a new developer,  
7 but it's the owners who are taking control of the  
8 association. So I think it's important that that  
9 word be changed. I don't know who's the author.

10 MAYOR LICASTRO: From "to" to "the"?

11 MR. STEPHAN: That's how the amendment  
12 itself reads.

13 MR. CORNETT: That's fine. As I said,  
14 before these whereas clause are introductory as  
15 opposed to law. You can pass it with that  
16 subject to that modification.

17 MAYOR LICASTRO: Do we need a motion to  
18 second it?

19 MR. CORNETT: No.

20 MAYOR LICASTRO: Ms. Meade.

21 MS. MEADE: I had a comment on the  
22 previous ordinance and just wasn't recognized.

23 MAYOR LICASTRO: Well, there's a motion  
24 on the floor with this ordinance. We have to  
25 finish this order of business before we move to

1 something else on the agenda. Any other comments  
2 on this ordinance? There be being none, roll  
3 call for passage, please.

4 MR. GALLAGHER: Ms. Beckenbach?

5 MS. BECKENBACH: Aye.

6 MR. GALLAGHER: Mr. Bolton?

7 MR. BOLTON: Aye.

8 MR. GALLAGHER: Mr. Kesselem?

9 MR. KESSELEM: Aye.

10 MR. GALLAGHER: Mr. Mateyo?

11 MR. MATEYO: Aye.

12 MR. GALLAGHER: Mr. McDonald?

13 MR. McDONALD: Aye.

14 MR. GALLAGHER: Mr. Stephan?

15 MR. STEPHAN: Aye.

16 MR. GALLAGHER: Thank you.

17 MAYOR LICASTRO: Before we move to Pay  
18 Claims, do you have a questions?

19 MS. MEADE: Ordinance 3477, could we  
20 just make the language gender neutral?

21 MR. CORNETT: Sure. I think that's a  
22 valid suggestion.

23 MS. MEADE: Foreman, policeman.

24 MAYOR LICASTRO: You go, girl. We'll do  
25 that. Ordinance 3479, Pay Claims, Mr. Stephan.

1 MR. STEPHAN: I'd like to introduce  
2 ordinance 3479 for suspension.

3 MAYOR LICASTRO: Is there a second on  
4 suspension?

5 MS. BECKENBACH: Second.

6 MAYOR LICASTRO: Roll call on  
7 suspension, 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: Mr. Stephan?

19 MR. STEPHAN: Aye.

20 MR. GALLAGHER: Thank you.

21 MR. STEPHAN: I'd like to introduce  
22 ordinance 3479 for passage.

23 MS. BECKENBACH: Second.

24 MAYOR LICASTRO: Would you read the  
25 total amount on the last page, Mr. Stephan?

1           MR. STEPHAN: I'd like to introduce 3479  
2 for passage with a total of \$178,913.31.

3           MR. BOLTON: I have the earlier draft.

4           MAYOR LICASTRO: The second draft  
5 excluded a specific bill from Taft. The amount  
6 that really needs to be approved is the \$66,438.  
7 The rest is for record only. It's payroll.

8           MR. STEPHAN: I would like to introduce  
9 ordinance 3479 for passage with a total spending  
10 amount of \$66,438.

11           MAYOR LICASTRO: Is there a second?

12           MR. MATEYO: Second.

13           MAYOR LICASTRO: Any discussion or  
14 questions? Mr. Kesselem.

15           MR. KESSELEM: If I can then get some  
16 idea of looking at flags and online storage where  
17 I still see a description of flags, 50 flags for  
18 light poles, Memorial Day flags.

19           MAYOR LICASTRO: Did we buy those flags?

20           MR. GALLAGHER: Yes.

21           MR. KESSELEM: Another online store for  
22 flags for 41.47.

23           MR. GALLAGHER: Andy, if I can shortstop  
24 you there. We bought three flags. One is paid  
25 for by rec, one is paid for by the police

1 department and one is paid for by the  
2 administration. That's why they're in three  
3 different places. The 50 is for lining the  
4 boulevard in advance of the Memorial Day parade  
5 and the administration takes that.

6 MR. KESSELEM: And 50 flags for light  
7 poles.

8 MR. GALLAGHER: That's what I just said.

9 MR. KESSELEM: That's one of the three  
10 flags?

11 MR. GALLAGHER: No. We bought three  
12 flags for the Village flag poles. The other ones  
13 are to line the boulevard for the Memorial Day  
14 parade. They're replacements.

15 MR. KESSELEM: So a total of 53 flags we  
16 bought.

17 MR. GALLAGHER: That's correct. They're  
18 different sizes. The three that we purchased, we  
19 purchased three to get a spare and there was a  
20 price break of three, so bought three for the  
21 third one. And the 50 are smaller ones that go  
22 on the light poles along the boulevard.

23 MAYOR LICASTRO: Any other questions?

24 MR. STEPHAN: I have a question on page  
25 4 under consultant . I see two bills for legal

1 services, January and February.

2 MR. GALLAGHER: Yes. You didn't have  
3 the bill on time for Council to approve it last  
4 month, so we're paying two this month.

5 MR. STEPHAN: That's fine. I'm looking  
6 at the dollar amount is more than double in  
7 February over the amount in January. I'm curious  
8 why the increase. Is there an explanation?

9 MR. GALLAGHER: There was more work done  
10 by the firm in February than there was in  
11 January.

12 MR. CORNETT: There were various legal  
13 issues that needed to be addressed. Aside from  
14 getting into the specifics, I can apprise you in  
15 executive session, but I'm not going to get into  
16 it in public session.

17 MR. STEPHAN: I'm not interested in  
18 those details. I'm being budget conscious and  
19 I'm looking at the fact that the dollar amount in  
20 the second month is more than double the dollar  
21 amount in the first month and just asking for  
22 someone to say yeah, we did twice the amount of  
23 work.

24 MR. CORNETT: There was a lot more legal  
25 work in February.

1 MR. STEPHAN: And it's been noted and  
2 it's appropriate.

3 MAYOR LICASTRO: Actually, Mr. Stephan,  
4 the \$3,497 for January was really low. I think  
5 we appropriated 80,000 for the year, so the bill  
6 of 3,500 is really an anomaly. It should average  
7 around 7,000 or 6,000.

8 MR. GALLAGHER: \$6,600 a month.

9 MAYOR LICASTRO: So between the two,  
10 we're actually below where we are on pace for  
11 12,000 two months.

12 MR. STEPHAN: I was hoping someone would  
13 say the \$3,497 is what it's going to be and  
14 February were an anomaly.

15 MAYOR LICASTRO: So were we. Mr.  
16 Cornett, so note it.

17 MR. CORNETT: I will try my best.

18 MR. BOLTON: A complaint and a  
19 compliment. The complaint is that this has been  
20 going on since I've got on Council, that there  
21 are changes between the Friday when this is sent  
22 out and the day we vote on it. And I think I've  
23 heard nearly unanimous expressions of let's cut  
24 it off when it's sent to us. I just wanted to  
25 reiterate it. That's the complaint.

1           The compliment is to rec, because I see  
2 back here the McKeon room dedication expenses and  
3 that was just a terrific event.

4           MR. BAUMAN: Thank you.

5           MAYOR LICASTRO: Any other questions?  
6 Ms. Bacci.

7           MS. BACCI: Not a question. As you go  
8 through your process with that NOPEC grant, and I  
9 don't know --

10          MAYOR LICASTRO: A motion has been made  
11 and seconded and we need to deal with this issue.

12          MR. KESSELEM: From recreation, the  
13 waste rental, it's a monthly charge of \$75. Do  
14 you know what that is?

15          MR. BAUMAN: Yeah, that's the  
16 Port-A-Potty out in the park here. We actually  
17 talked about possibly, you know, for years it's  
18 been there all year and we're actually going to  
19 look into not having it for the winter months,  
20 but it may drop charges and stuff like that, pick  
21 up and drop charges may negate doing anything  
22 there.

23          MAYOR LICASTRO: Any other questions or  
24 comments? There being none, roll call for  
25 passage, please.

1 MR. GALLAGHER: Ms. Beckenbach?

2 MS. BECKENBACH: Aye.

3 MR. GALLAGHER: Mr. Bolton?

4 MR. BOLTON: Aye.

5 MR. GALLAGHER: Mr. Kesselem?

6 MR. KESSELEM: Aye.

7 MR. GALLAGHER: Mr. Mateyo?

8 MR. MATEYO: Aye.

9 MR. GALLAGHER: Mr. McDonald?

10 MR. McDONALD: Aye.

11 MR. GALLAGHER: Mr. Stephan?

12 MR. STEPHAN: Aye.

13 MR. GALLAGHER: Thank you all.

14 MAYOR LICASTRO: Anyone else on Council?

15 Mr. Stephan?

16 MR. STEPHAN: Are we in new business?

17 MAYOR LICASTRO: We're done with the  
18 agenda, sir.

19 MR. STEPHAN: I would like for Council  
20 for create a communications committee. And I'll  
21 be so bold as to recommend that Andy Kesselem be  
22 named Chair of that committee, although that's  
23 beyond the purview of my authority. But I would  
24 like for Council to consider creation of a new  
25 committee for communications.

1           MAYOR LICASTRO: Was this discussed at  
2 committee?

3           MR. MATEYO: We discussed it at  
4 legislative committee.

5           MAYOR LICASTRO: Was there a motion to  
6 move forward?

7           MR. MATEYO: Yes. I sent it so  
8 everybody got one.

9           MAYOR LICASTRO: It wasn't in your  
10 minutes, sir. I'm just wondering.

11          MR. MATEYO: It was in the minutes,  
12 director of communications, specifically  
13 mentioning Mr. Andy Kesselem.

14          MS. BECKENBACH: The one you read today?

15          MR. MATEYO: It wasn't read into the  
16 minutes, but it was in the email that I sent to  
17 everybody. We discussed it at the legislative.

18          MR. KESSELEM: I wasn't at the meeting,  
19 so I was able to listen to the meeting this  
20 afternoon. I think there needs to be an  
21 understanding, which I was trying to bring to  
22 Community Affairs, that in order for us to  
23 proceed to Council with something, we have to  
24 produce a motion. And I'm not quite sure if that  
25 was actually done at the last meeting, so a

1 motion needs to be presented at that point in  
2 time.

3 MR. MATEYO: We'll bring it up.

4 MR. KESSELEM: Knowing the budget, Tom,  
5 we've got time.

6 MR. McDONALD: Plenty of time.

7 MR. STEPHAN: The procedure is? Explain  
8 again, please.

9 MAYOR LICASTRO: This will be a motion  
10 made by committee to recommend to Council action  
11 by Council.

12 MR. MATEYO: Is that legislative?

13 MAYOR LICASTRO: Yes.

14 MR. MATEYO: Motion will be done. Thank  
15 you.

16 MAYOR LICASTRO: Anyone else on Council?  
17 Ms. Meade.

18 MS. MEADE: Based on what was said  
19 earlier with the ordinance as you said, a  
20 recommendation was not necessarily needed and it  
21 could come right to Council.

22 MAYOR LICASTRO: I didn't say that. Mr.  
23 Cornett said that.

24 MS. MEADE: Does that only apply to  
25 ordinances?

1           MR. CORNETT: Ultimately, Council can do  
2 whatever it likes in terms of necessity or for  
3 the Village. I think it's a better practice to  
4 go to committee, but I don't think it's outside  
5 the realm.

6           MAYOR LICASTRO: Pat, I, unfortunately,  
7 wasn't at the meeting. And I'd like to  
8 participate in the dialogue and see what the  
9 intent is here. Anyone else? Ms. Bacchi had a  
10 question earlier.

11           MS. BACCI: Back to your NOPEC grant.  
12 As you explore that, I'm going to come to Future  
13 Search. And it would be a good idea if you have  
14 a possible \$50,000 in your hand to maybe leverage  
15 it with the Cuyahoga County community development  
16 block grants. I don't know what's going to  
17 happen with our rec center if we're going to end  
18 up owning that building.

19           MAYOR LICASTRO: We already own it.

20           MS. BACCI: Oh, I must have been busy  
21 with Norman.

22           MAYOR LICASTRO: When did you get  
23 married by the way?

24           MS. BACCI: Last May.

25           MAYOR LICASTRO: I thought you said you

1 were a newlywed.

2 MS. BACCI: I am, nine months and  
3 counting and we're not pregnant yet. (Laughter.)

4 MAYOR LICASTRO: Too much information.

5 MS. BACCI: Anyway, sir, I think you  
6 could leverage the potential 50,000 from NOPEC  
7 with an application for a community block grant,  
8 development grant, and maybe pool those things  
9 together to accomplish something we need urgently  
10 or will have to pay in the future. So I would  
11 more than happy to work with anybody who wants  
12 to.

13 MR. BOLTON: So if the Mayor were to  
14 appoint you as the citizen representative to this  
15 committee, would you accept?

16 MS. BACCI: I'd help you.

17 MAYOR LICASTRO: We don't have to do  
18 that formally. She's going to help regardless.  
19 Dr. Secura, did you have a question?

20 DR. SECURA: Yes. In regards to the  
21 communications committee, I would recommend to  
22 the Legislative Committee that there's a full  
23 list of duties and responsibilities and make sure  
24 that it doesn't cross other paths of other  
25 committees so it's unique or they've been changed

1 accordingly in case there is overlap. And that  
2 that's presented at your next meeting.

3 MR. MATEYO: Thank you.

4 MAYOR LICASTRO: We have to make sure  
5 it's not redundant. Mr. Kesselem.

6 MR. KESSELEM: I have three questions I  
7 guess. I received an email from Beau Daane  
8 regarding the sounds barriers when he found out  
9 we have a possible replacement of sound barriers  
10 in the Village.

11 MAYOR LICASTRO: Was that a question?

12 MR. KESSELEM: No. His question that he  
13 posed to me was the Bratenahl Community  
14 Foundation planted vines, some kind of vines  
15 along the sound barriers.

16 MAYOR LICASTRO: They didn't survive.

17 MR. KESSELEM: So they're dead now and  
18 we're not going to replace them.

19 MAYOR LICASTRO: They might replace  
20 them, but the ones that are there are gone. The  
21 trouble is that they planted them in heavily  
22 shaded areas.

23 MR. KESSELEM: I wanted to reply back to  
24 him and let him know they're not going to be  
25 replaced.

1           MAYOR LICASTRO: Unless they decide to  
2 replace them.

3           MR. KESSELEM: Two things happened  
4 before we became Council members. One of them  
5 was a request by Stan Roediger with this vault in  
6 his front yard, that he requested that if we  
7 weren't going to do anything with anymore of the  
8 lighting or any other process within the Eddy  
9 Road, that they be removed, I believe. I'm not  
10 certain of all of his verbiage.

11           MAYOR LICASTRO: I think he asked us to  
12 landscape them. I'm not sure he asked us to  
13 remove them. I think he asked what's going to  
14 happen and right now we're not sure.

15           MR. KESSELEM: Whose committee is that?

16           MS. BECKENBACH: Public improvements.

17           MR. BOLTON: Mr. Zalar, didn't you plant  
18 some bushes around that last year.

19           MAYOR LICASTRO: We did.

20           MR. ZALAR: Yes.

21           MR. KESSELEM: I think we just need to  
22 go back and readdress exactly what was said in  
23 the letter, because that was in December of the  
24 year. Also, the naming rights to the green  
25 space.

1 MS. BECKENBACH: That's also in public  
2 improvement. You can do that all in one meeting,  
3 in his meeting, in Bill's meeting.

4 MR. BOLTON: I'm smiling because each of  
5 these is so meaty, there's no way to get them all  
6 in one meeting.

7 MAYOR LICASTRO: All right. Anything  
8 else? Ms. Meade.

9 MS. MEADE: Tom, perhaps you can answer  
10 Mr. Vanuum's question when he was asking for a  
11 total cost. I know at your committee meeting I  
12 had posed that question and you had offered an  
13 explanation and that might be helpful for him.

14 MR. McDONALD: It's been requested  
15 numerous times that we understand exactly how  
16 much the Lillie investigation cost. The clerk  
17 and assistant clerk have tried to determine that.  
18 Councilman Stephan tried to determine that. It  
19 is impossible to pull those numbers apart from  
20 the rest of our legal bills, because you would  
21 say Taft would bill us for 35 minutes for the  
22 Lillie investigation, for the X, for the Y, for  
23 the Z. Nobody can tell you how many minutes are  
24 what.

25 They made the mistake of trying to

1 estimate what it was and then they sent that to  
2 Taft to confirm that, completely off base  
3 according to what Taft had, but we can argue the  
4 other way. It is just so intertwined, it is  
5 impossible to pull those things apart to know  
6 exactly how many dollars were spent specifically  
7 for the Falzone/Lillie investigation. We know it  
8 cost a lot.

9           MAYOR LICASTRO: We know how much we  
10 paid Lillie.

11           MR. McDONALD: Right. We paid Lillie  
12 \$35,000, but then we had legal counsel working  
13 throughout that investigation. So it is  
14 unfortunately just not possible to reconstruct  
15 that.

16           MR. VANUUM: May I ask why is there  
17 commentary about a proposed levy all of a sudden?  
18 Apparently we are short of funds. To put it  
19 bluntly, we are short of funds, and is there a  
20 connection?

21           MR. McDONALD: Well, there's a  
22 connection, a one-year connection, but we ate  
23 through or we will eat through \$360,000 worth of  
24 carry-over this year. We came out of last year  
25 with \$360,000 worth of carry-over. How much did

1 we come in, 550, so we ate \$190,000 last year.

2           Was that all legal fees? I can't say  
3 that it is, because we've only budgeted \$80,000  
4 for this year and we're going to eat more than  
5 that this year. So it's a matter of the expenses  
6 inherent with conducting the business of the  
7 Village increasing. And as well managed as they  
8 are, they do inevitably increase. And property  
9 tax has been decreasing. Income tax in a  
10 recession decreases.

11           We have to be creative. And we can't  
12 just keep saying we're going to raise the levy,  
13 we're going to raise income tax. We have to  
14 figure out how we can make this Village work a  
15 little bit more efficiently.

16           MR. VANUUM: Before we do that, I think  
17 there is a way, a method of how much did it cost  
18 in that prosecution? That prosecution, I think  
19 that can be taken and put on the table.

20           MR. McDONALD: Let's say it cost  
21 everybody --

22           MAYOR LICASTRO: The Village did not  
23 prosecute anybody. The Village did not prosecute  
24 anybody. That was done by the state. Ms. Meade.

25           MS. MEADE: I didn't hear anyone provide

1 an update on the legal firm review or search.

2 MAYOR LICASTRO: We did initial  
3 interviews and we'll continue with the process.

4 MS. MEADE: I know originally there was  
5 an April deadline, so by next month's Council  
6 meeting there might be a recommendation?

7 MAYOR LICASTRO: That's our intention.  
8 They come to a recommendation at the April  
9 meeting.

10 MR. McDONALD: If you wanted to -- I'm  
11 sorry to go back to this. If you wanted to say,  
12 okay, our average legal bill is \$80,000 a year  
13 and last year we spent \$180,000, we can say  
14 Lillie cost \$100,000. There's no way to --

15 MS. VANUUM: There is some truth to that  
16 regard.

17 MR. McDONALD: Could be.

18 DR. SPANO: He's just saying that this  
19 whole thing exacerbated the predicament we're in  
20 now.

21 MR. McDONALD: No question about it.

22 MAYOR LICASTRO: It didn't help.

23 MR. MCDONALD: No question.

24 DR. SPANO: And if that could somehow be  
25 quantified for the people, I think that's really

1 all he's asking.

2 MR. McDONALD: We can't do it.

3 MAYOR LICASTRO: We need to move on.

4 MR. STEPHAN: An observation. This  
5 gives us, this experience gives us the  
6 opportunity to request that legal counsel in the  
7 future identify each entry on their monthly  
8 statements in a manner that will allow this type  
9 of question to be answered, which will provide us  
10 with a means of better control of our legal  
11 expenses.

12 As we move forward, we have the  
13 opportunity to do that and I recommend that we  
14 take advantage of that in our stipulations  
15 through the process of selecting legal counsel.

16 MAYOR LICASTRO: We talked about that at  
17 length with all the interviewees. I'm not  
18 certain if all that stuff will be anything other  
19 than attorney/client privilege, but we are  
20 talking about the manner in which they delineate  
21 and specify their fees.

22 Are we done? Is there a motion to  
23 adjourn, please.

24 MR. MATEYO: So move.

25 MAYOR LICASTRO: Thank you.

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(Meeting adjourned at 7:30.)

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