

BRATENAHL VILLAGE
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VILLAGE COUNCIL MEETING

TAKEN:

June 18, 2008

5:30 P.M.

PRESENT:

MAYOR JOHN LICASTRO

MARY BECKENBACH

GREGORY BINFORD

RICHARD SEMERSKY

WILLIAM BOLTON

GEORGE MATEYO

BRENDA BROWNRIGG

ADAM CORNETT, ESQ.

Nancy L. Molnar, RPR

MOLNAR & MUNGUÍA
COURT REPORTING, LLC

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

4 MR. GALLAGHER: Let me start the
5 recorder. Good evening. Ms. Beckenbach?

6 MS. BECKENBACH: Here.

7 MR. GALLAGHER: Mr. Binford?

8 MR. BINFORD: Here.

9 MR. GALLAGHER: Mr. Bolton?

10 MR. BOLTON: Here.

11 MR. GALLAGHER: Ms. Brownrigg?

12 MS. BROWNRIGG: Here.

13 MR. GALLAGHER: Mr. Mateyo?

14 MR. MATEYO: Here.

15 MR. GALLAGHER: Mr. Semersky?

16 MR. SEMERSKY: Here.

17 MR. GALLAGHER: Thank you.

18 MAYOR LICASTRO: You received a copy of
19 the minutes from the May meeting. Is there a
20 motion to approve?

21 MR. BINFORD: So move.

22 MR. MATEYO: Second.

23 MAYOR LICASTRO: Any discussion? All in
24 favor of the motion?

25 Ayes: 6. Nays: 0.

1 MAYOR LICASTRO: Motion carries. Thank
2 you. The Mayor's Court report for the month of
3 May, the County Treasurer received \$640; the
4 Village of Bratenahl, \$22,182.10; the Treasurer
5 of the State of Ohio, \$3,043; and the Village of
6 Bratenahl Court Computer Fund, \$1,300. Any
7 comments or questions on this?

8 MR. BOLTON: Mr. Mayor, do you have any
9 feeling on how this compares to our projected --

10 MAYOR LICASTRO: We are running a bit
11 behind. We ended up at about 370 last year. If
12 you were to predict where we might end up, Mrs.
13 Kreiner, could you give a rough estimate?

14 MS. KREINER: I think we're probably
15 running about 20 percent behind.

16 MAYOR LICASTRO: And I have an update on
17 Mayor's Court, but I'll wait and leave that for
18 legislative. Thank you.

19 Under correspondence, I received our
20 annual recycling report from the Cuyahoga County
21 Solid Waste District. You'll be pleased to know
22 that in 2006, the Village of Bratenahl recycled
23 47 percent of all recyclable material possible, I
24 guess. And last year in 2007 it was 52.42
25 percent, so we were up a few points. This is

1 well below some other communities and well above
2 others as well. So I think it's interesting East
3 Cleveland recycled 1.51 percent. Wow. Any
4 comments on this? Thank you.

5 I mentioned a legislative update under
6 my report. Two items in the general assembly,
7 more than two, but two in particular I'd like to
8 comment on. First of all, the Great Lakes
9 Compact, I think you all read in the paper. They
10 have decided to move forward with this very
11 important piece of legislation, which will help
12 protect the watershed of the Great Lakes. We're
13 pretty much the last state to ratify it. And now
14 that that's done, it has to be approved by the
15 federal government as everybody believes that
16 will indeed happen.

17 There will be an amendment to the Ohio
18 constitution on the November ballot that will
19 deal with property rights, which, of course, was
20 the issue that Senator Tim Grendell brought to
21 the floor and why he was reluctant to move
22 forward on this. Regardless, they have moved
23 forward and it certainly is a good thing for this
24 area of the country. Certainly we all agree that
25 fresh water is far and away one of our greatest

1 assets. This will protect that asset.

2 As far as Mayors Court is concerned, for
3 the time being it's been put on a back burner.
4 The speaker of the house has acknowledged it does
5 not have the votes to pass it at this time. The
6 concern we have still pending for this year is
7 what happens in the lame duck session, which will
8 be after the November elections. Sometimes that
9 can be kind of scary with legislators that are
10 leaving office, you never quite know what they're
11 apt to do.

12 However, as I mentioned, I sent a letter
13 to every senator and representative with the help
14 of Merele and Julie Kreiner. And there was also
15 a letter sent from Mayor Randy Westfall from
16 Valley View, which was signed by several other
17 mayors. And pressure like that, we think was
18 instrumental to getting this pushed to a back
19 burner. Any questions on that?

20 Thank you. I'm pleased to announce that
21 I have been selected to be a member of the 2009
22 class of Leadership Cleveland. This is a
23 marvelous opportunity to interact and educate
24 myself in all kinds of detail. And I'll just
25 give you an idea as to the agenda. There is

1 about one day a month that's involved in this
2 ongoing seminar with topics such as civic
3 leadership, civic engagement in our community.
4 There's a joint program with members of Northeast
5 Ohio Leadership Organizations, economic
6 development, education, a diversity retreat,
7 human services, quality of life, and government.

8 And certainly it is very flattering to
9 be selected for this. There has been 1,500
10 people participate in this over the last 31
11 years. One of whom is our own George Mateyo who
12 is class of 91.

13 MR. MATEYO: It's called the best class,
14 John. I think it was wonderful to see your name.
15 John's name came across the Leadership Cleveland
16 website. It was wonderful to see Bratenahl, Ohio
17 and even better to see Mayor John Licastro there.
18 It truly is a great, great program. It's one of
19 the finest years I think I ever had and I
20 congratulate you. It doesn't happen easily. It
21 takes a lot, a lot of people to write a lot of
22 letters, so I think it's wonderful that you're
23 doing it. I congratulate you and it makes it
24 even more proud to be from Bratenahl, Ohio.

25 MAYOR LICASTRO: Thank you, George. The

1 letters that I received that were very
2 congratulatory, one in particular, George, has a
3 lists of dos and don'ts. And it says don't say
4 you are the best class ever, but the other 18 or
5 20 all said they were from the best class ever.

6 MR. MATEYO: You'll get the proper
7 indoctrination quickly.

8 MAYOR LICASTRO: Thank you, George.

9 MS. BROWNRIGG: Can we put this under
10 training for appropriations? I just want to keep
11 my records straight.

12 (Laughing.)

13 MAYOR LICASTRO: We can get all the
14 training. Thank you. Thank you very much.

15 The audit committee is a committee that
16 was formed by a motion several years ago. And
17 the purpose of the audit committee, the function
18 of the committee is to be called when asked by
19 Council, committee or myself as Mayor to help us
20 in our decision making process when it comes to
21 finances. They are, as all committees, they're
22 to recommend and give guidance. And I am pleased
23 to say I've spoken to three individuals with the
24 fourth pending. The three individuals are Tom
25 McDonald, Lee Blazey and Beth Mooney. Tom

1 McDonald, of course, is a financial advisor; Lee
2 Blazey is a professor of accounting; and Beth
3 Mooney, as we all know, is a senior executive at
4 KeyCorp.

5 I would like to ask that Council make a
6 motion to formally appoint those individuals to
7 the audit committee. There's a fourth individual
8 who is not a resident, Frank Gilson that I would
9 like to have on as a special consultant.

10 MR. MATEYO: So move.

11 MR. BINFORD: Second.

12 MAYOR LICASTRO: We're looking for other
13 opinions, another set of eyes to look what we do
14 not only with the pending levy for November, but
15 other aspects of finance as well. Any
16 discussion? All in favor of the motion.

17 Ayes: 6. Nays: 0.

18 MAYOR LICASTRO: Thank you. And that
19 ends my report. Department reports, I'd like to
20 step in for Mr. Jamieson. Unfortunately, Mr.
21 Jamieson's brother passed away at a very -- how
22 old was he, Jim?

23 MR. GALLAGHER: 55.

24 MAYOR LICASTRO: 55. A series of
25 problems, so Mr. Jamieson is actually at the wake

1 tonight. His report includes the fact that there
2 were 21 inspections for the month of May, 14
3 contractors were registered, six permits were
4 issued and four occupancy permits were also
5 issued for May. One in Bratenahl Place, one on
6 Lakehurst, one on Corning and one in Oakshore.
7 Any comments on his report? Thank you.

8 The chief is also on vacation this week.
9 He's with his grandchildren. We have Sergeant
10 Barton who stepped in for him. Would you like to
11 give the report?

12 SERGEANT BARTON: Starting May 21st of
13 08 to June 18, 08, felony arrests we've had six;
14 misdemeanor arrests we've had 40; warrant arrests
15 are at 15; driving under suspension arrests are
16 at 22; driving under the influence arrests, 11;
17 and we've had 41 tows; 13 motor vehicle
18 accidents; 12 alarms, which were false; 12 fire
19 alarms calls, which zero assistance was needed on
20 that; 911 calls were 27, and 18 of them were
21 false; assistance needed was nine; and a total of
22 tickets, 228 tickets.

23 MAYOR LICASTRO: Thank you. We have one
24 of our officers receiving the dog training for
25 K-9, is that correct?

1 SERGEANT BARTON: Yes, Michael Flanagan.
2 And we're in the process right now of finding out
3 the best school for him to attend. And I believe
4 that's going to be through a place in Wapakoneta
5 and it's going to be assisted by Rick Macenardo.
6 The Shaker Heights Police Department is assisting
7 us as well because he's also a K-9 officer.

8 MAYOR LICASTRO: If I understand
9 correctly, we've received enough funds to
10 purchase the dog. I think the car is still in
11 question, but the chief is trying to work a deal
12 with Shaker for one of the vehicles they had used
13 for this purpose to see if we can acquire it for
14 very little money. Any other questions of the
15 Sergeant?

16 MR. MATEYO: Isn't there also to be a
17 letter going out over Paul Falzone's signature
18 pretty soon?

19 SERGEANT BARTON: Yes.

20 MR. MATEYO: It's a terrific letter. If
21 that doesn't kick us over 40, I'll be very, very
22 surprised. Your leadership got it done. Thank
23 you.

24 MR. BINFORD: Thank you.

25 MAYOR LICASTRO: Thank you, Sergeant.

1 MALE VOICE: Are we over 40?

2 MS. BECKENBACH: I thought it was 50, it
3 called for 50.

4 MAYOR LICASTRO: I'm not sure how much
5 we've acquired. We're apparently not at 40 yet.
6 Mr. Day-Glo in the back, Mr. Zalar, would you
7 show off your new uniform shirt?

8 MR. BIERUT: And matching hoodie.

9 MR. ZALAR: We have a couple of items
10 we've been working on. We had Gable Elevator
11 come out and take a look at the first part of
12 installing some new parts on there. We're still
13 waiting on a few more to get that taken care of.
14 By next meeting or next couple weeks here it will
15 be finished.

16 The asbestos removal was completed at
17 the garage just last Thursday. We also took care
18 of three properties on Lake Shore Drive as far as
19 grass cutting due to some heightened visibility
20 problems down there. We also helped the estate
21 down there on Martin Luther King Drive down there
22 where you couldn't even see the stop sign it was
23 about three foot high we knocked down around the
24 corner down there. Also AKE, which I'm sure Don
25 will probably talk a little bit more on this,

1 they started doing our -- that's the company
2 that's going to contract or that's going to be
3 doing our sewer cleaning. They started doing the
4 vacuuming of the catch basins today. We also
5 started a project pressure washing and sanding
6 the gazebo. We're about three-quarters done so
7 that will be completed shortly. That's it.

8 MAYOR LICASTRO: We asked AKE to give us
9 a price on cleaning the rest of the catch basins.
10 They're not part of this contract. We do that
11 every year prior to the application of the
12 mosquito larvicide. Do we have larvicide at the
13 garage, Joe?

14 MR. ZALAR: They actually started doing
15 that already. I talked to Joe from the county.
16 He said as long as it's in there and for the
17 amount of time it's been in there, we should be
18 good to go even if they do vac out the leaves and
19 material in there.

20 MAYOR LICASTRO: Thank you. Any
21 questions of Mr. Zalar? Mr. Mateyo.

22 MR. MATEYO: I know the service center
23 is not a thing of beauty, but, Joe, I have to
24 congratulate you with the removal of the asbestos
25 pipe, it really makes it look much, much better.

1 I thank you for that.

2 MAYOR LICASTRO: And safer.

3 MR. MATEYO: And safer.

4 MAYOR LICASTRO: Thank you, Mr. Zalar.

5 MR. ZALAR: You're welcome.

6 MAYOR LICASTRO: Moving along to
7 committee reports. Finance.

8 MS. BROWNRIGG: The Finance Committee
9 met on June 9th at 5:30 at Village Hall. Present
10 were Brenda Brownrigg, Rick Semersky, George
11 Mateyo, Bill Bolton, John Licastro, Jim
12 Gallagher, Merele Ehleringer, residents Jim
13 Regan, Paul Stephan, Rich Robins and Ken Spano.

14 Brenda Brownrigg presented a five-year
15 appropriations projection to cover the 2009 to
16 2013 year period that would represent a new levy
17 period after the expiration of our current
18 operating levy ending this year. It showed
19 approximately \$850,000 in additional revenue
20 needed over the five-year period. A four mill
21 replacement levy would yield approximately
22 \$770,000, just short of the amount needed. Ms.
23 Brownrigg suggested this as a reasonable amount,
24 because the projections had been worst case
25 scenario, and because we have another levy set to

1 expire in 2010, which could be used to make
2 adjustments if the worst case scenario does, in
3 fact, present itself. It was also suggested that
4 an income tax increase could be another source of
5 revenue. Caution was expressed about the attempt
6 to fill the gap in one swoop in case the cost
7 gaps do not yield to be as large as projected or
8 in case they indeed project or realize themselves
9 as being larger.

10 Mayor Licastro advised that the Village
11 is reactivating the audit committee to act as an
12 objective Council in such matters. The committee
13 will be formed by the end of June and will be
14 asked to review the appropriations projections
15 presented at the finance meeting.

16 Mr. Bolton and Mr. Mateyo requested to
17 see income projections for the same period as the
18 appropriation projection. Ms. Brownrigg
19 acknowledged the difficulty in projecting income
20 tax revenue. Mr. Robins requested additional
21 information regarding the other sources of
22 revenue found on the 2008 certificate of
23 resource. There was speculation from the group
24 as to whether or not estate tax revenue and
25 carry-over are included in that amount. Jim

1 Gallagher agreed to contact the county to clear
2 up this matter before the next finance meeting.
3 Ms. Brownrigg and Mr. Gallagher will work
4 together to prepare income tax projections for
5 the audit committee to review and then present
6 them to the group at the next Finance Committee
7 meeting.

8 Pending receipt of all the additional
9 information needed to move forward, the committee
10 adjourned at approximately 6:35.

11 MAYOR LICASTRO: Any questions of Ms.
12 Brownrigg?

13 MR. BOLTON: Have you scheduled the next
14 meeting?

15 MS. BROWNRIGG: No, I'm trying to wait
16 for the final formation of the audit committee so
17 they can look at this so I'll know for sure when
18 we need to have that meeting.

19 MAYOR LICASTRO: We want the audit
20 committee to meet first and then we're thinking
21 of a joint meeting sometime early in July, Mr.
22 Bolton, with the audit committee. And, Ms.
23 Brownrigg, I know you're not feeling well, thank
24 you very much for making the effort to be here.
25 Any questions? Public improvements.

1 MR. SEMERSKY: Public improvements did
2 not meet.

3 MAYOR LICASTRO: Legislative.

4 MS. BROWNRIGG: Legislative did not
5 meet.

6 MAYOR LICASTRO: Safety.

7 MR. BINFORD: Did not meet.

8 MAYOR LICASTRO: Community affairs.

9 MS. BECKENBACH: Community affairs met
10 twice in the last month. One was on June 3.
11 Present were Beckenbach, Binford, Mateyo,
12 Licastro and Joe Zalar. The Village of Bratenahl
13 received four responses to the solid waste
14 program invitation to bid documents that were
15 advertised in the Plain Dealer and opened on May
16 27, 2008.

17 Allied, J&J, Recycle Midwest and Waste
18 Management, whose response was a letter declaring
19 that they would not be bidding. Community
20 Affairs Committee reviewed the three bids and
21 determined that J&J Refuse of the Kimble Company
22 Group was the only company that submitted a
23 responsive bid to our initial invitation to bid.

24 The reasons for not accepting the other
25 two are: Allied, which is BFI, bid on only the

1 public streets and Bratenahl One and Two. There
2 was no bid for the Condo Associations. Allied
3 has no small trucks as part of their fleet.
4 Thus, Allied was not able to perform on the
5 contract and did not meet the bid specifications.

6 Recycle Midwest bid to service the
7 public streets with box trucks and manually
8 unload and load at each residence. Recycle
9 Midwest does not have automated vehicle nor do
10 they have waste pickup vehicles. Therefore, the
11 bid was not responsive in the waste collection
12 and was not adequate.

13 J&J has a transfer station in Twinsburg
14 and a material recovery station in Canton. They
15 use the cart system that was requested on the
16 invitation to bid. They have large trucks for
17 the public streets, Bratenahl One and Two and
18 smaller 30,000 pound vehicles for the Condo
19 Associations. J&J would also use the smaller
20 trucks for the public streets and recycling pick
21 up. Since our recycling collection is smaller
22 than other communities, J&J determined that the
23 smaller truck would be more efficient and less
24 costly, especially considering the cost of fuel.
25 They would make two passes through the Village,

1 the first pass for collection of trash, the
2 second pass for collection of recyclables. J&J's
3 contract mirrors the bid requirements.

4 J&J submitted an alternative fuel
5 adjustment formula that dealt with the risk
6 sharing for both entities, J&J and the Village.
7 The fuel adjustment mechanism was too unfair for
8 the Village while the hauler was assuming no
9 risk. The committee is uncomfortable raising the
10 issue with J&J, and the Cuyahoga County Solid
11 Waste District agrees with our concern.

12 Several questions were raised. Are
13 there possible alternatives to our current bid?
14 Should we readjust the bid and offer another
15 second invitation to bid? How important is the
16 smaller truck to the Condo/Homeowners'
17 Associations?

18 There is a scheduled public meeting on
19 June 10 at the Community Center at seven p.m.
20 for invited guests of the Homeowners'
21 Association. We plan to discuss all issues
22 related to our current bid and to see if the
23 associations are still interested in becoming
24 participants in our solid waste disposal program
25 under a new bid. The results of this meeting

1 will determine the Village's next step.

2 The second item on the agenda was an
3 item to determine the formal name of the
4 Dale/Ross property that is now owned by the
5 Village. This is in order to fulfill the federal
6 mandate and guidelines that came with the CELCP
7 funding. After discussion, it was moved by Mr.
8 Mateyo and seconded by Mr. Binford to change the
9 name to Bratenahl Greenspace Preserve and
10 recommend that Council accepts this new name.
11 The motion was passed unanimously. There being
12 no further business, the meeting was adjourned at
13 6:30.

14 The second meeting took place on
15 Tuesday, July 10, at the Community Center.
16 Present were Beckenbach, Mateyo, and John
17 Licastro. Association representatives were
18 Bratenahl Place One; Oakshore with two
19 representatives from them; Lakehurst, Mel Mellis
20 who is here in the audience; and Bill Beckenbach
21 of Haskell I and II; Hanna Court had two
22 representatives, and Hamlet Court was
23 represented.

24 Mayor Licastro gave an overview of the
25 process thus far and how we might move forward as

1 a result of the bids that were presented and
2 turned the meeting over to Patrick Holland,
3 director of the Cuyahoga County Solid Waste
4 District.

5 After explaining the three bids that
6 were presented as a result of the invitation to
7 bid, he recommended that Council reject all of
8 the bids.

9 The Associations discussed the
10 alternatives for the next bidding process and
11 talked about some of the possibilities, such as
12 residents purchasing the carts, the Village
13 buying their own trucks, extending the contract
14 from five to seven years, and adjustments to each
15 association that would require a smaller truck.

16 After further discussion, everyone
17 seemed to agree that all the Associations can
18 survive with a bid that only asks for a larger
19 truck, and that the trucks stay on the main
20 streets of the associations. The bids should
21 also reflect the cost on a unit basis only, not a
22 tonnage basis and a new formula for the fuel
23 charge should be part of the package, the revised
24 package.

25 The Village will contact all

1 associations when the next bid is opened to
2 determine their continued interest.

3 The meeting was adjourned at 8:15. At
4 this time I'd like to --

5 MAYOR LICASTRO: Before you do that,
6 given the fact that the bidding process is quite
7 specific and obviously legal in format, I asked
8 Steve O'Bryan and Adam to converse with Pat
9 Holland to be certain we were on sound legal
10 ground to indeed reject the bids. They all
11 concurred that we are and it is our right to do
12 so. Now you can proceed.

13 MS. BECKENBACH: I would like to make
14 two motions. The first one is to reject the bids
15 on the waste hauling contract.

16 MR. BINFORD: Second.

17 MAYOR LICASTRO: Discussion? Mr.
18 Bolton.

19 MR. BOLTON: I'm not sure I understood
20 what the problem with the so-called box trucks
21 was and manual loading. Is it a cost issue or is
22 it that the trucks aren't attractive?

23 MS. BECKENBACH: Well, it's not they're
24 unattractive, there could be issues. Let's
25 assume that because it's an open truck and it's a

1 windy day, we will have rubbish, I'm talking
2 trash, flying all over the streets.

3 MR. BOLTON: Boxed implies enclosed.

4 MAYOR LICASTRO: They're open dump
5 trucks.

6 MS. BECKENBACH: They're open dump
7 trucks.

8 MR. BOLTON: Oh, that's a problem.

9 MS. BECKENBACH: The back end falls off,
10 you can imagine what that would be.

11 MAYOR LICASTRO: Any other questions?

12 MS. BECKENBACH: That's the first
13 motion.

14 MAYOR LICASTRO: We have to do one at a
15 time.

16 MR. BOLTON: Is it permitted to go back
17 to request specific changes from specific
18 bidders? In other words, can the Village request
19 the open vehicle, we'd consider your bid if it
20 was a closed vehicle and go back to the others
21 and say we'd consider your bid if this were done?

22 MS. BECKENBACH: No.

23 MAYOR LICASTRO: That's where it becomes
24 difficult, Mr. Bolton. If you have to offer each
25 a fair and open opportunity, and given the number

1 of revisions we would have made, it was just too
2 convoluted. The attorneys and Mr. Holland, who
3 has been acting as our advocate, said you're
4 bother off just starting from scratch.

5 MR. BOLTON: I just know how much work
6 everybody has put into it. I was looking for a
7 way to keep that, to somehow benefit from it.

8 MS. BECKENBACH: Thank you.

9 MAYOR LICASTRO: Most of the legwork is
10 done. The revisions that Ms. Beckenbach has
11 recommended aren't that great. The basic package
12 remains the same, but the revisions are
13 significant. It was really the fuel surcharge
14 with J&J that made it impossible for us to accept
15 something that was all about protecting them and
16 not protecting the Village. They had a formula
17 that we took all the risk on fuel and they took
18 none. That really made it implausible.

19 MS. BECKENBACH: They rejected our
20 formula that would have been fair to both sides.

21 MAYOR LICASTRO: And came up with their
22 own.

23 MS. BECKENBACH: And came up with their
24 own and would not discuss that. We felt it was
25 very appropriate to discuss it.

1 MAYOR LICASTRO: Mr. Mateyo, you had a
2 hand up.

3 MR. GALLAGHER: Mr. Mayor, in the
4 interest of simplifying next month's minutes,
5 could we specify that the meeting was June 10,
6 not July 10?

7 MS. BECKENBACH: Did I say July? I'm
8 sorry, I mean June. I apologize. It's in my
9 minutes.

10 MR. GALLAGHER: I know.

11 MAYOR LICASTRO: Any other questions on
12 the motion at hand? All in favor of the motion?

13 Ayes: 6.

14 MAYOR LICASTRO: Anyone opposed? Motion
15 carries.

16 MS. BECKENBACH: I'd like to have a
17 second motion to advertise for a rebid.

18 MR. BINFORD: Second.

19 MAYOR LICASTRO: Any discussion? Mr.
20 Mateyo.

21 MR. MATEYO: Are we going to go back at
22 this the same way we did with our specs so it
23 will be with a small truck?

24 MS. BECKENBACH: It will be a small
25 truck. Patrick Holland and I have had hours of

1 discussions on how the new bid will be phrased.

2 MAYOR LICASTRO: We'll have alternatives
3 in there, Mr. Mateyo, for the development so if
4 they deem the small truck to be too costly, they
5 have a truck on the main streets.

6 MS. BECKENBACH: No, it's going to be a
7 big truck.

8 MAYOR LICASTRO: The big truck. That's
9 what George just asked.

10 MS. BECKENBACH: We'll have a big truck,
11 it stays on the main drag in the Homeowners
12 Association. The pricing will come in at unit
13 prices. Some bids came in as tonnage rather than
14 unit prices.

15 MAYOR LICASTRO: So we're not going to
16 ask for a small truck for the Associations?

17 MS. BECKENBACH: No.

18 MAYOR LICASTRO: That was his question.

19 MS. BECKENBACH: No, we are not.

20 MAYOR LICASTRO: The reason being is
21 that eliminated several of the bidders. They
22 don't have the small trucks. It didn't give us a
23 competitive situation. The revised bid will not
24 mandate small trucks for the association. And
25 association members that were present thought it

1 was workable to proceed in this manner.

2 MR. MATEYO: Secondly, would it be
3 possible or even a good idea when you're sitting
4 to talk with someone like a Mel or a Bill at
5 Haskell, to see if they have problems with it
6 going in or does it complicate the process?

7 MS. BECKENBACH: That's going to be part
8 of the bid process. Right now the trucks are
9 going to stay on the main drags.

10 MR. MATEYO: I didn't mean so that when
11 we go through with this process, that's the
12 expensive part. Is there a way to take that
13 package to some of the representatives of
14 Bratenahl One and Two?

15 MS. BECKENBACH: It only affects Haskell
16 basically and Oakshore. And we have had
17 conversation, they were at the meeting and they
18 talked about it and said that they are okay with
19 a truck, with a large truck.

20 MAYOR LICASTRO: I think Mr. Mateyo is
21 making a suggestion that before we put this out
22 for bid, why don't you have them review the final
23 document to be certain they're comfortable with
24 the language.

25 MS. BECKENBACH: Who?

1 MAYOR LICASTRO: Oakshore and Haskell.

2 MS. BECKENBACH: The bid process, I'm
3 happy to do that.

4 MR. MATEYO: Thank you.

5 MAYOR LICASTRO: Any more questions on
6 the motion? All in favor of the motion?

7 Ayes: 6. Nays: 0.

8 MAYOR LICASTRO: Motion carries. Does
9 that end your report?

10 MS. BECKENBACH: Yes.

11 MR. MATEYO: Do we need a motion on the
12 name?

13 MAYOR LICASTRO: That's a good idea.
14 How about a motion?

15 MS. BECKENBACH: I forgot that. I move
16 that we accept the recommendation of the
17 Community Affairs Committee to accept the new
18 name for the Dale/Ross property and that being
19 Bratenahl Greenspace Preserve.

20 MR. BINFORD: Second.

21 MAYOR LICASTRO: Discussion.

22 MR. BOLTON: This is not a comment on
23 the name, please don't take anything personally,
24 but presuming that there may be another green
25 space owned by the Village, how would they be

1 differentiated?

2 MAYOR LICASTRO: If that indeed happens,
3 they're talking about the other one being called
4 the Bratenahl Bird Sanctuaries, because there are
5 more nesting birds on that second property.
6 There was some debate about the names. There was
7 some that came out of kind of the blue. That's
8 the one that was selected, Bill. We can always
9 change it in the future. The sign costs us like
10 100 bucks and there it is behind Ms. Gallagher.
11 It's got to be on the property by Friday. That
12 was the other concern. And a digital picture
13 will be taken of it tomorrow on the property to
14 meet federal guidelines. Any further discussion?
15 All in favor of the motion.

16 Ayes: 6. Nays: 0.

17 MAYOR LICASTRO: Thank you, Ms.
18 Beckenbach.

19 MR. ROBINS: How much did the sign cost?

20 MAYOR LICASTRO: Like 130 bucks.
21 Recreation commission?

22 MS. MITCHELL: We did meet. And the gym
23 doors and the hallway will be painted and
24 budgeted. It has been budgeted and will be
25 painted. I know we've been talking about this

1 for a while, but theoretically it's supposed to
2 get done soon. And the parking lot lighting
3 should be completed by the end of the month. The
4 second Bratenahl after hours event will be June
5 22. It's an afternoon tea, complete with live
6 entertainment provided by a harpist. Contact
7 Steph Gallagher for any details to that. The 55
8 plus group will continue to meet because there's
9 interest by those participating. It's a very low
10 cost item and it does provide socialization for
11 folks.

12 Memorial Day went well. However, we're
13 going to have discussions to enhance the
14 celebration in the future, and any input by the
15 community is welcome. Our 4th of July
16 celebration will be held on the 5th of July
17 starting at 6:30 p.m. with a rain date Sunday
18 July 6th. I don't know what happens if it rains
19 July 6th and 5th.

20 MS. GALLAGHER: It's never happened.

21 MAYOR LICASTRO: It's not going to rain
22 July 5.

23 MS. MITCHELL: Live music, food and fun
24 for all ages, fireworks at dusk. Our concert in
25 the park series starts tomorrow night in the park

1 at seven o'clock. If it rains, the concert will
2 be held in the Community Center so we won't go
3 through what we went through last year, because
4 whenever we rescheduled a concert, it rained. So
5 in a drought, we'll just schedule a concert. The
6 concerts are the third Thursdays at seven o'clock
7 in June, July and August. And our budget is on
8 track. And we're going to be replacing the
9 tennis nets. That concludes my report. We hope
10 to see you at all events.

11 MAYOR LICASTRO: She always makes it
12 sound like a threat.

13 MS. MITCHELL: No, give you a small
14 guilt trip.

15 MR. MATEYO: They're very effective at
16 that.

17 MAYOR LICASTRO: Any questions? Thank
18 you. Planning Commission.

19 MR. BINFORD: Yes. The Planning
20 Commission met twice over the course of the past
21 month. The first was the regularly scheduled
22 meeting on May the 28th, which was held here.
23 All members were present, except the chair, Vikki
24 Broer. There were three items on the agenda at
25 that meeting. Two involved residences located on

1 Acadia Lane. One involved the replacement of an
2 existing front porch. That was unit number four.
3 The second involved the addition of a deck on the
4 rear of the house, and that was the house next
5 door in unit number five. All of the homeowners
6 were present. They were reviewed and both items
7 were referred to BZA, because by virtue of the
8 geography indicated nonconforming uses.

9 The third item on the agenda was a
10 working session, which was a follow-up to the
11 discussion we had at the prior meeting, which I
12 reported to you at the last meeting involving the
13 renovation of the Gwinn Estate. Our consultant,
14 David Hartt, was present to go over the site
15 lines specifically with regard to the location of
16 the garages to make sure there's no interference
17 with adjoining properties. No action was taken
18 at that meeting.

19 The second meeting was a special
20 meeting, which took place on June the 4th at 5:30
21 p.m. in which all the members were present.
22 Again, with regard to the Gwinn Estate and the
23 outcome of the working session, the owners came
24 back, accepted the compromise that was suggested
25 by the Planning Commission and by our consultant

1 that involved moving the garages back from their
2 proposed location a distance of approximately 10
3 to 12 feet, which fits in with the recommended
4 site lines.

5 With that, a vote was taken upon the
6 proposal. There were four members of the
7 commission voting in favor of the proposal and
8 one no, so it carried by a majority of the
9 commission and was approved.

10 MAYOR LICASTRO: Just a clarification,
11 Mr. Dornback was also unable to attend the
12 meeting on the 28th.

13 MR. BINFORD: Yes, correct.

14 MAYOR LICASTRO: Any questions of Mr.
15 Binford? Thank you. Shade Tree Commission.

16 MS. BECKENBACH: The Shade Tree
17 Commission did not meet.

18 MAYOR LICASTRO: Thank you. Moving to
19 old business, ordinance number 3399.

20 MS. BECKENBACH: I'd like to introduce
21 ordinance number 3399 for suspension. Oh, this
22 is for third reading. Please accept my apology.
23 An ordinance amending section 1409.01. of the
24 codified ordinances of the Village of Bratenahl
25 and declaring an emergency. This regards outside

1 inspections. The Commissioner of Buildings is
2 authorized to make or cause to be made
3 inspections of all structures or premises used
4 for dwelling purposes and all secondary or
5 appurtenant structures to determine whether such
6 structures or premises conform to the provisions
7 of this housing code. The exteriors of all
8 single-family homes will be inspected on a street
9 by street basis every three years. The Village
10 will notify property owners three weeks prior to
11 the inspections of the exteriors of the
12 single-family homes.

13 MAYOR LICASTRO: Is there a second?

14 MR. BINFORD: Second.

15 MAYOR LICASTRO: Ms. Brownrigg, before
16 we go to passage on this, again, there's no need
17 for three readings or no need for suspension.
18 We've read this three times. Do you want to make
19 a comment about the letter you're drafting
20 regarding this?

21 MS. BROWNRIGG: Yes. We are going to
22 draft a letter to all the residents to introduce
23 this program. It was introduced initially in the
24 Lamplighter this week. We know everyone doesn't
25 get that and everyone doesn't read it, so we're

1 going to do a mailing to the residents. I was
2 kind of waiting also after the third reading, of
3 course, but to have that Lamplighter hit the
4 streets so we can get some feedback in the event
5 that, let's say, one question kept repeating
6 itself, then we'd know we have to clear that up
7 before we did the mailing, but so far the few
8 responses I've gotten, they've all been very
9 positive so the letter will go out.

10 MS. BECKENBACH: That's great to hear.

11 MAYOR LICASTRO: Mr. Bolton.

12 MR. BOLTON: Ms. Beckenbach, would you
13 be willing to amend this so that it's not on an
14 emergency basis, because frankly, I've been
15 convinced to support it, but I have trouble
16 supporting it on an emergency basis.

17 MAYOR LICASTRO: The difference would be
18 that emergency doesn't become effective as law
19 for 30 days after its passage. If it's on
20 emergency, it's effective when I sign it. That's
21 your question, right?

22 MR. BOLTON: Yes.

23 MS. BECKENBACH: Why?

24 MR. BOLTON: I think it's a matter of
25 principle that I don't support passing things on

1 an emergency basis unless it's a genuine
2 emergency where the law must go into effect. And
3 this has been, as you know, I've been concerned
4 that the villagers have the opportunity to speak
5 out should they wish, because this is an issue
6 where I have received multiple calls. And so
7 it's up to those people if they want to speak up.
8 I don't want to preclude their right to doing
9 anything. I don't know if they're going to.

10 MS. BECKENBACH: I understand, but this
11 has been ongoing for three months. No one has
12 come to any of the meetings. No one has
13 contacted any of the Council people to my
14 knowledge.

15 MR. BOLTON: I understand. I'm just
16 saying as a matter of principle.

17 MS. BROWNRIGG: I have a question
18 regarding that. If we wait another 30 days, will
19 we effectively be able to get this program going
20 this summer?

21 MR. BOLTON: The law is passed today,
22 but it doesn't take effect for 30 days.

23 MS. BROWNRIGG: My question is will we
24 have to wait for the end of that 30-day period to
25 do the first inspection?

1 MAYOR LICASTRO: In the spirit of moving
2 forward, a 30-day lag time I don't think has any
3 effect on this at all. Mr. Jamieson has to get a
4 lot of detail together. I don't think in this
5 case 30 days is all that meaningful. I mean,
6 it's Council's decision, I'm just offering an
7 opinion.

8 MS. BROWNRIGG: If it's not going to
9 delay it, I don't --

10 MAYOR LICASTRO: I don't think it will.
11 Plus it gives time for your letter to get out and
12 get some feedback. Anyone else on Council
13 regarding this amendment?

14 MR. CORNETT: Mayor, just to clarify, if
15 you do wait 30 days, then you will have to wait
16 30 days prior to the first inspection. So the
17 first inspection will not be able to occur until
18 after the 30 days, until the law actually comes
19 into effect.

20 MR. BOLTON: Which is 30 days.

21 MR. CORNETT: From the date it's passed.

22 MS. BECKENBACH: 30 days from when it's
23 passed, so you're looking at August.

24 MAYOR LICASTRO: No, July 18. It would
25 take Mr. Jamieson a few weeks to get this

1 together anyway, so I don't think it makes a
2 material change, but, Mr. Mateyo, you had a
3 question.

4 MR. MATEYO: It just seems to me we've
5 read it three times, so we read it 90 days.
6 There was consideration prior to the first
7 reading in the introduction of the matter. We've
8 all had multiple opportunities to discuss it at
9 committee meetings. It seems if it's tracked
10 this way, unless there's something terribly wrong
11 with it, I'm of the opinion you keep going with
12 it.

13 MAYOR LICASTRO: Well, it's introduced
14 as emergency. The request was made of Ms.
15 Beckenbach to amend it to further discussion on
16 that point. Should we take a vote on who wants
17 to amend it and who doesn't? Who would like to
18 see it amended to be not emergency?

19 MR. BOLTON: Me, me, me.

20 MAYOR LICASTRO: Well, Mr. Bolton, there
21 being no other votes in favor of that change,
22 we'll just leave it as stated. Is there any
23 further discussion? There being none -- yes.

24 MS. KESSELEM: I have a question with
25 the inspections, if whomever makes the

1 inspections and they find violations, whatever
2 the proper terminology is, then what happens?

3 MS. BROWNRIGG: At that point a letter
4 will be sent to the homeowner citing what the --
5 I hate to use the word violation, what the
6 correction needs to be and suggesting again,
7 giving a reasonable time frame for such action to
8 be implemented. We understand that this is a new
9 program for the Village. This is not something
10 that we're trying to come down and just be
11 monsters out of the deep suddenly from nowhere.
12 We want a gentle approach the very first round.
13 It's not to say we're not going to be serious
14 about it, but we absolutely want people to
15 understand this is something we're doing for the
16 benefit of the Village so it's not just the
17 punitive kind of thing.

18 MS. KESSELEM: I guess my question is is
19 there some kind of follow-up or enforcement,
20 because I know that's been a problem in the past
21 with various things for people that may not --
22 like we heard Mr. Zalar talk where they had to
23 mow lawns. If they don't mow lawns, then our
24 service department kicks in and that takes time
25 and money. Do we bill them for their time and

1 money?

2 MS. BROWNRIGG: It is possible that that
3 might end up being the remedy if we have a
4 homeowner that does not cooperate. However, then
5 they get billed for it. There's a process.
6 There is a process. I'm saying that is part of,
7 that's part of, that's always been part of the
8 process. It may be possible the Village will
9 have to go in and mow someone's lawn if the
10 homeowner is resistant. There's a process for
11 sending out a letter, sending out a second
12 request and taking it all the way to housing
13 court if we have to.

14 And for your information, that housing
15 court will be held here as opposed to being held
16 downtown. I think that was part of the provision
17 to make it more villager friendly, but there is
18 definitely a process. I wish Mr. Jamieson was
19 here.

20 MAYOR LICASTRO: The material change is
21 we're taking a complaint based system and making
22 it a routine based system. Right now if there's
23 a complaint about a property, the same process
24 would be followed that will be followed under
25 this new procedure, it's just this is going to be

1 done by routine on a rotating basis. That's the
2 only material change.

3 MS. KESSELEM: I guess from my
4 standpoint it would make sense if we're going to
5 implement something, we should have it figured
6 out in its entirety before rolling it out and
7 introducing.

8 MAYOR LICASTRO: As I said, Ms.
9 Kesselem, the process is already in place.

10 MS. KESSELEM: It sounded like the
11 enforcement part is not figured out.

12 MS. BROWNRIGG: Yes, it is.

13 MAYOR LICASTRO: It's all in place. The
14 difference is it's changing from complaint based
15 to a routine basis. That's the material change.

16 MS. KESSELEM: So did I misunderstand
17 when I said how are we going to enforce it if
18 they don't do anything, if we have to mow lawns?
19 Are we going to charge? And you said I don't
20 know yet.

21 MS. BROWNRIGG: I said that that's
22 already built into the system where there are
23 situations where if we have, let's say, an
24 abandoned property where the people have not
25 mowed the lawn and we cannot determine where they

1 are, the residents are having a fit because the
2 house looks ghastly, we may end up having to mow
3 that lawn and the billing that homeowner. That's
4 already part of the system.

5 MAYOR LICASTRO: Liens on the property.

6 MS. BROWNRIGG: Liens on the property.
7 I was trying to say it's not impossible that we
8 could still end up mowing the lawn. That's built
9 into the system that's already set up.

10 MS. KESSELEM: Is there a way to
11 collect?

12 MS. BROWNRIGG: Only at the time of sale
13 more than likely if the owner is unknown.

14 MAYOR LICASTRO: More often than not
15 it's extremely difficult to collect. Joe
16 mentioned he did three properties on Lake Shore
17 Drive as a courtesy of the people that do live
18 there. Collecting those monies, to collect a
19 hundred bucks on a property in foreclosure is
20 sometimes impossible. We don't usually put a
21 lien on for that minimal amount of money. If
22 it's more cleanup, that's a different story, but
23 when Adam Cornett reviewed this, he found that in
24 the code and in the process everything was in
25 place.

1 Again, the material change is from
2 complaint driven to process driven and that's why
3 it's not all that complicated, it's already in
4 place. Anyone else? Roll call on passage,
5 please.

6 MR. GALLAGHER: Ms. Beckenbach?

7 MS. BECKENBACH: Aye.

8 MR. GALLAGHER: Mr. Binford?

9 MR. BINFORD: Aye.

10 MR. GALLAGHER: Mr. Bolton?

11 MR. BOLTON: Nay.

12 MR. GALLAGHER: Ms. Brownrigg?

13 MS. BROWNRIGG: Aye.

14 MR. GALLAGHER: Mr. Mateyo?

15 MR. MATEYO: Aye.

16 MR. GALLAGHER: Mr. Semersky?

17 MR. SEMERSKY: Aye.

18 MR. GALLAGHER: Thank you.

19 MAYOR LICASTRO: Ordinance number 3400,
20 please.

21 MR. BINFORD: I would like to introduce
22 ordinance number 3400, an ordinance amending
23 section 921.01.

24 MS. BROWNRIGG: Excuse me, Mr. Binford,
25 we don't have any of these ordinances.

1 MAYOR LICASTRO: That's because you've
2 had them for the last three months.

3 MS. BROWNRIGG: These are third
4 readings. I'm sorry.

5 MR. BINFORD: I'd like to introduce
6 ordinance number 3400 for passage, an ordinance
7 amending section 921.01 of the codified
8 ordinances of the Village of Bratenahl and
9 declaring an emergency. The substance of this is
10 an amendment to the regulations for storage and
11 picking up of rubbish.

12 MAYOR LICASTRO: Again, this is third
13 reading. Is there a second?

14 MS. BECKENBACH: Second.

15 MAYOR LICASTRO: Discussion?

16 MR. BOLTON: I have the same question
17 about emergency, because it's a matter of
18 principle to me, because it takes away certain
19 remedies for the citizens, which I don't have --
20 nobody's called me about this. I don't
21 anticipate any problem. It's purely a matter of
22 principle. Can we permit the amendment that it
23 not be on emergency?

24 MAYOR LICASTRO: Mr. Bolton has made a
25 similar suggestion regarding emergency.

1 MR. BINFORD: And what is the impact of
2 the 30-day delay?

3 MAYOR LICASTRO: I think I would make
4 the same comments I did earlier. I don't think
5 it's a material impact. The contract won't be
6 let for another 30-day period at least. I don't
7 think it's that big a deal.

8 MR. BINFORD: In the spirit of
9 congeniality, I will accept that amendment.

10 MAYOR LICASTRO: Without vote?

11 MR. BINFORD: No.

12 MAYOR LICASTRO: So you're introducing
13 this as --

14 MR. BINFORD: Not as an emergency.

15 MAYOR LICASTRO: Okay. Discussion? One
16 second, we need to second that change, correct?

17 MR. CORNETT: That's correct. That
18 would be a motion to amend the package on a
19 nonemergency basis basically.

20 MAYOR LICASTRO: Is there a second on
21 that motion?

22 MS. BROWNRIGG: I'll second it.

23 MAYOR LICASTRO: All in favor of the
24 motion to amend.

25 Ayes: 5.

1 MR. MATEYO: Nay.

2 MAYOR LICASTRO: Pass five to one motion
3 to amend. Are we okay with that, gentlemen? I'm
4 assuming we are.

5 MR. CORNETT: Yes.

6 MAYOR LICASTRO: We are. Any discussion
7 of the amended ordinance? There being none, roll
8 call on passage, please.

9 MR. GALLAGHER: Let me get the amended
10 ordinance out of the printer.

11 MR. MATEYO: The amended is not on
12 emergency?

13 MAYOR LICASTRO: That's correct.

14 MR. GALLAGHER: We deleted section 3,
15 which is the emergency section.

16 MR. CORNETT: Right. And just I guess
17 to clarify, this is not a substantive change to
18 the substance of the ordinance, it's simply a
19 procedural change and it's a change in the
20 process of how an ordinance gets passed and the
21 time it takes to actually go into effect. So
22 there's no change to the material portion of the
23 ordinance itself, it's just when it comes into
24 effect.

25 MAYOR LICASTRO: Thank you. Any further

1 questions? Roll call on passage, please.

2 MR. GALLAGHER: Ms. Beckenbach?

3 MS. BECKENBACH: Aye.

4 MR. GALLAGHER: Mr. Binford?

5 MR. BINFORD: Aye.

6 MR. GALLAGHER: Mr. Bolton?

7 MR. BOLTON: Aye.

8 MR. GALLAGHER: Ms. Brownrigg?

9 MS. BROWNRIGG: Aye.

10 MR. GALLAGHER: Mr. Mateyo?

11 MR. MATEYO: Aye.

12 MR. GALLAGHER: Mr. Semersky?

13 MR. SEMERSKY: Aye.

14 MR. GALLAGHER: Thank you.

15 MAYOR LICASTRO: We've already taken
16 care of items C and D under old business, the
17 motion to reject, the motion to re advertise.
18 Moving to new business, ordinance number 3407 the
19 recodification.

20 MR. SEMERSKY: I'd like to introduce
21 ordinance 3407 for suspension, an ordinance
22 approving the recodification, editing and
23 inclusion of certain ordinances as parts of the
24 various component codes of the codified
25 ordinances of the Village of Bratenahl, Ohio, and

1 the amendment, enactment or repeal of certain
2 sections of traffic and general offenses codes so
3 as to conform with state law and declaring an
4 emergency.

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. Binford?

11 MR. BINFORD: Aye.

12 MR. GALLAGHER: Mr. Bolton?

13 MR. BOLTON: Aye.

14 MR. GALLAGHER: Ms. Brownrigg?

15 MS. BROWNRIGG: Aye.

16 MR. GALLAGHER: Mr. Mateyo?

17 MR. MATEYO: Aye.

18 MR. GALLAGHER: Mr. Semersky?

19 MR. SEMERSKY: Aye.

20 MR. GALLAGHER: Thank you.

21 MR. SEMERSKY: I'd like to introduce
22 ordinance 3407 for passage.

23 MS. BECKENBACH: Second.

24 MAYOR LICASTRO: Most of this pertains
25 to our traffic codes to conform with state law,

1 that's the substantive changes.

2 MS. BROWNRIGG: Has state law changed?

3 MAYOR LICASTRO: State law changes, so
4 we change our ordinances to match state law. Any
5 questions? There being none, roll call on
6 passage, please.

7 MR. GALLAGHER: Ms. Beckenbach?

8 MS. BECKENBACH: Aye.

9 MR. GALLAGHER: Mr. Binford?

10 MR. BINFORD: Aye.

11 MR. GALLAGHER: Mr. Bolton?

12 MR. BOLTON: Aye.

13 MR. GALLAGHER: Ms. Brownrigg?

14 MS. BROWNRIGG: Aye.

15 MR. GALLAGHER: Mr. Mateyo?

16 MR. MATEYO: Aye.

17 MR. GALLAGHER: Mr. Semersky?

18 MR. SEMERSKY: Aye.

19 MR. GALLAGHER: Thank you.

20 MAYOR LICASTRO: Next, ordinance number
21 3408 re appropriations. Mr. Bolton.

22 MR. BOLTON: Do want me to introduce
23 this?

24 MAYOR LICASTRO: Please.

25 MR. BOLTON: This is ordinance number

1 3408, an ordinance to make additional
2 appropriations for current expenses and other
3 expenditures and further amend the appropriation
4 ordinance number 3394.

5 MS. BECKENBACH: Second.

6 MR. BOLTON: Doe this need suspension?

7 MAYOR LICASTRO: It does.

8 MR. BOLTON: And emergency?

9 MAYOR LICASTRO: Yes.

10 MR. BOLTON: On suspension and declaring
11 an emergency.

12 MAYOR LICASTRO: Is there a second?

13 MS. BECKENBACH: Second.

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

16 MR. GALLAGHER: Ms. Beckenbach?

17 MS. BECKENBACH: Aye.

18 MR. GALLAGHER: Mr. Binford?

19 MR. BINFORD: Aye.

20 MR. GALLAGHER: Mr. Bolton?

21 MR. BOLTON: Aye.

22 MR. GALLAGHER: Ms. Brownrigg?

23 MS. BROWNRIGG: Aye.

24 MR. GALLAGHER: Mr. Mateyo?

25 MR. MATEYO: Aye.

1 MR. GALLAGHER: Mr. Semersky?

2 MR. SEMERSKY: Aye.

3 MR. GALLAGHER: Thank you.

4 MAYOR LICASTRO: For passage.

5 MR. BOLTON: I'd like to introduce
6 ordinance number 3408 for passage.

7 MS. BECKENBACH: Second.

8 MAYOR LICASTRO: Mr. Gallagher, comment
9 on this, please.

10 MR. GALLAGHER: The transfer is
11 something we had in the line item budget, but it
12 needs to be moved to the DOPWIC funds so we can
13 spend it to pay those charges. The \$5,500 is the
14 money that we need to appropriate for the tow
15 release fund so that we can cover the cost of the
16 air cards for the MDTs. That's the new fund that
17 you created last month. We hadn't appropriated
18 anything in it because it didn't exist.

19 MAYOR LICASTRO: Any questions?

20 MR. BOLTON: I just wanted to comment
21 that both the last time and this ordinance I've
22 not mentioned the emergency because the
23 recodification is required by the state and it's
24 not subject to villager approval. And with this
25 to pay our outstanding obligation for the

1 restricted funds, similarly this is not something
2 subject to villager approval so it does not
3 impact the villagers' rights.

4 MAYOR LICASTRO: Any further questions?
5 There being none, roll call on passage, please.

6 MR. GALLAGHER: Ms. Beckenbach?

7 MS. BECKENBACH: Aye.

8 MR. GALLAGHER: Mr. Binford?

9 MR. BINFORD: Aye.

10 MR. GALLAGHER: Mr. Bolton?

11 MR. BOLTON: Aye.

12 MR. GALLAGHER: Ms. Brownrigg?

13 MS. BROWNRIGG: Aye.

14 MR. GALLAGHER: Mr. Mateyo?

15 MR. MATEYO: Aye.

16 MR. GALLAGHER: Mr. Semersky?

17 MR. SEMERSKY: Aye.

18 MR. GALLAGHER: Thank you.

19 MAYOR LICASTRO: Next, ordinance number
20 3409, Pay Claims.

21 MR. MATEYO: I'd like to introduce
22 ordinance 3409, Pay Claims, the following claims
23 against Bratenahl Village are hereby directed
24 from the Funds and the clerk is hereby authorized
25 and directed to draw his warrants upon the

1 Treasurer for payment.

2 MS. BECKENBACH: Second.

3 MR. MATEYO: And suspension.

4 MAYOR LICASTRO: Second on 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. Binford?

11 MR. BINFORD: Aye.

12 MR. GALLAGHER: Mr. Bolton?

13 MR. BOLTON: Aye.

14 MR. GALLAGHER: Ms. Brownrigg?

15 MS. BROWNRIGG: Aye.

16 MR. GALLAGHER: Mr. Mateyo?

17 MR. MATEYO: Aye.

18 MR. GALLAGHER: Mr. Semersky?

19 MR. SEMERSKY: Aye.

20 MR. GALLAGHER: Thank you.

21 MR. MATEYO: I'd like to introduce
22 ordinance number 3409 for passage.

23 MAYOR LICASTRO: Is there a second for
24 passage?

25 MR. BOLTON: I'll second it.

1 MAYOR LICASTRO: It's already in the
2 ordinance as an emergency.

3 MR. MATEYO: And declaring an emergency.

4 MR. BOLTON: Second.

5 MAYOR LICASTRO: Questions on Pay
6 Claims.

7 MR. BOLTON: Couple. Sergeant, we have
8 to keep you on your toes in the absence of the
9 chief.

10 SERGEANT BARTON: Yes.

11 MR. BOLTON: There's a pretty large
12 ammunition invoice here, which compliments the
13 weapon training and re qualification. \$1,400 in
14 ammo sounds like a machine gun. Is that
15 ammunition expensive?

16 SERGEANT BARTON: Yes, ammunition is
17 very expensive now in that we're at war right now
18 with Iraq and other countries. Ammo is up quite
19 a bit.

20 MR. BOLTON: GE Capital for property
21 tax, we would be paying property tax, I take, on
22 this?

23 MS. MITCHELL: Is that for like fifty
24 some dollars?

25 MR. BOLTON: The amount is not in my

1 draft.

2 MS. MITCHELL: I think it's that
3 screwy --

4 MS. EHLERINGER: I can respond to that.
5 When we signed the contract, we signed a contract
6 to pay property taxes that there were on the
7 equipment. And even though we no longer have the
8 equipment, we had it in 2008. It has gone back
9 to the leasing company and so even though we
10 don't have it, we will eventually have a property
11 tax bill to pay.

12 MR. BOLTON: So it's a personal property
13 tax?

14 MAYOR LICASTRO: Yes.

15 MS. EHLERINGER: I would assume, yes.

16 MR. BOLTON: And our municipality is not
17 exempt from that or we get a refund?

18 MS. EHLERINGER: No, we're not.

19 MR. GALLAGHER: We're exempt from state
20 tax, sales tax.

21 MR. BOLTON: I see. I didn't realize
22 that. I had the impression municipalities were
23 exempt from all state taxes.

24 And my last question is in the post
25 Elliot Spitzer world, I see a bill here for Elite

1 Services.

2 MR. MATEYO: For \$137, what do you
3 expect?

4 MAYOR LICASTRO: Mr. Bolton, in keeping
5 with your comments, it was an emergency.

6 (Laughter.)

7 FEMALE VOICE: But was it worth it?

8 MAYOR LICASTRO: What is that?

9 MR. ZALAR: They're supplies.

10 MAYOR LICASTRO: Any other appropriate
11 questions?

12 MR. BOLTON: No, sir.

13 MAYOR LICASTRO: Anyone else? There
14 being none, roll call on passage, please.

15 MR. GALLAGHER: Ms. Beckenbach?

16 MS. BECKENBACH: Aye.

17 MR. GALLAGHER: Mr. Binford?

18 MR. BINFORD: Aye.

19 MR. GALLAGHER: Mr. Bolton?

20 MR. BOLTON: Aye.

21 MR. GALLAGHER: Ms. Brownrigg?

22 MS. BROWNRIGG: Aye.

23 MR. GALLAGHER: Mr. Mateyo?

24 MR. MATEYO: Aye.

25 MR. GALLAGHER: Mr. Semersky?

1 MR. SEMERSKY: Aye.

2 MR. GALLAGHER: Thank you.

3 MAYOR LICASTRO: Any comments from
4 Council? Sergeant?

5 SERGEANT BARTON: No.

6 MAYOR LICASTRO: Mr. Zalar?

7 MR. ZALAR: I missed one thing. The
8 actual doors are completed now.

9 MAYOR LICASTRO: I'm sure you all
10 noticed. Thank you for the improvements. I see
11 our treasurer is here. Ms. Kesselem, any
12 comments from you?

13 MS. KESSELEM: No.

14 MAYOR LICASTRO: Ms. Kreiner?

15 MS. KREINER: No.

16 MAYOR LICASTRO: Mr. Gallagher?

17 MR. GALLAGHER: Have a good evening.

18 MAYOR LICASTRO: Anyone from the
19 audience? Ms. Bacci.

20 MS. BACCI: I think that I may be one of
21 a small number of -- well, maybe not small. I
22 think I'm pretty well-informed, but in
23 concurrence with what Mr. Bolton said, I think
24 that people -- the three months you've been
25 working on an ordinance, that doesn't mean people

1 in the community have known at all or even until
2 just recently looking at the Lamplighter anything
3 about that. And yes, they have the right to call
4 you, but now it is passed. So I think that the
5 emergency was not necessary and you could have
6 gone with passing it and letting it happen in the
7 normal time frame.

8 MAYOR LICASTRO: Thank you. Again, our
9 effort here is not to be punitive.

10 MS. BACCI: I know that. I think it's
11 probably long overdue in almost every community
12 in Cuyahoga County. I lived in Cleveland Heights
13 so I know what we have.

14 MAYOR LICASTRO: That's why we have to
15 protect the value of our housing.

16 MS. BACCI: I think you're going to send
17 a letter out now, but it is the cart before the
18 horse.

19 MAYOR LICASTRO: Thank you. Anyone
20 else? Ms. Beckenbach.

21 MS. BECKENBACH: Move to adjourn.

22 MAYOR LICASTRO: We are in adjournment.
23 Thank you for coming.

24 (Meeting concluded at 6:25 p.m.)

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