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VILLAGE COUNCIL MEETING

TAKEN:

July 16, 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**
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1 MAYOR LICASTRO: Okay. It's 5:30. I'm
2 going to call the meeting to order and ask the
3 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. Binford?

8 MR. BINFORD: Here.

9 MR. GALLAGHER: Mr. Bolton? Ms.
10 Brownrigg?

11 MS. BROWNRIGG: Here.

12 MR. GALLAGHER: Mr. Mateyo?

13 MR. MATEYO: Here.

14 MR. GALLAGHER: Mr. Semersky?

15 MR. SEMERSKY: Here.

16 MR. GALLAGHER: Thank you.

17 MAYOR LICASTRO: Thank you for coming
18 tonight. Council, you received a copy of the
19 minutes from the June meeting. Is there a motion
20 to accept?

21 MR. MATEYO: So move.

22 MR. BINFORD: Second.

23 MAYOR LICASTRO: Any comments?

24 Corrections? There being none, all in favor of
25 the motion?

1 Ayes: 5. Nays: 0.

2 MAYOR LICASTRO: Thank you. The Mayor's
3 court report for June, the county received \$490,
4 the Village of Bratenahl, \$14,624.48; the
5 Treasurer of the State of Ohio, \$2,333; and the
6 Court Computer Fund, \$960. You also were given a
7 summary for the year-to-date. Any questions on
8 this? Thank you.

9 We have not one, but two items of
10 correspondence. The first is from Northeast Ohio
11 Regional Sewer District regarding the storm water
12 management. Northeast Ohio Regional has been
13 trying to convince communities that they should
14 be more actively involved, if not take over the
15 process, to help everyone manage their storm
16 water program. As you know, we have a storm
17 water management Committee here in the Village
18 comprised of several individuals. It's one of
19 the things I chair here. And a very key member
20 to that group is Don Bierut, our Village
21 engineer. Northeast Ohio Regional came out, was
22 it last week, Don?

23 MR. BIERUT: Last Wednesday?

24 MAYOR LICASTRO: Last Wednesday, and met
25 with Mr. Bierut and Mr. Zalar. Would you like to

1 summarize the nature of the meeting, please?

2 MR. BIERUT: Yeah, as the Mayor
3 mentioned, they are getting into the storm water
4 business. They have the court mandate from the
5 early 70s saying that they should handle the
6 sanitary flow. They now believe that also
7 pertains to storm water. They've been trying to
8 do it on a regional basis. They're not doing it
9 so much on a street by street, but on a regional
10 basis.

11 Their criteria is anything over 300
12 acres, any stream or creek that has over 300
13 acres coming towards it, they want to manage and
14 take control. The way they're proposing to fund
15 this is by adding a charge to your sewer bill
16 based on the size of your home per month. They
17 were talking about \$5 a month for a medium size
18 home, three for a small, seven for a large. And
19 it really depends on how much surface you have on
20 your property.

21 They're trying to sell it, but it
22 appears that they don't really care whether
23 you're buying it or not, they're going to do it.
24 They're going back to the courts to get that
25 added onto the judgment from years ago. Once

1 that happens, I think they're just going to go
2 through with it. Their goal is to make all the
3 communities, to integrate them altogether and
4 look at the storm water that flows into community
5 by community and watershed to watershed.
6 Probably not a bad idea.

7 FEMALE VOICE: Is this part of their
8 phase two?

9 MR. BIERUT: Yes. They're hooked on to
10 the phase two requirements, but on a much larger
11 regional basis. One of the interesting things
12 that came out is they gave us a map of what they
13 felt they would be maintaining. And ironically
14 enough, the Haskell streamway over there would
15 fall under their jurisdiction.

16 MAYOR LICASTRO: Oh, my goodness. What
17 Don's referring to is there was a large sinkhole
18 that developed in the Haskell property because of
19 the culvert through which Shawbrook ran. And
20 they told us specifically under the existing
21 guidelines they were not responsible. Now
22 they're saying they would expand their coverage
23 and include Shawbrook. That's fascinating.

24 MR. BIERUT: Yes.

25 MAYOR LICASTRO: Well, two comments.

1 Northeast Ohio Regional is probably the most
2 cooperative agency that we deal with here.
3 They've been great to us through the years and
4 very responsive, but the new director, Julius
5 Ciaccia, has a very different approach. Julius
6 is a little more aggressive in what he thinks the
7 purpose of Northeast Ohio Regional should be.
8 And I think that's evidenced by their approach
9 regarding storm water management. So I'm
10 assuming they'll keep us informed.

11 MR. BIERUT: They'll keep us informed.

12 MAYOR LICASTRO: Any question for Mr.
13 Bierut?

14 FEMALE VOICE: He just used to run the
15 water department that's all.

16 MR. MATEYO: Is there any positive or
17 negative impact?

18 MR. BIERUT: I would say it's a big
19 regional thing that if we're getting everybody
20 water's down here and if there's a way to clean
21 the storm water up or lessen it, it can only
22 help.

23 MAYOR LICASTRO: Anyone else on Council?
24 Anyone else?

25 (Whereupon, Mr. Bolton entered the

1 conference room.)

2 MAYOR LICASTRO: Thank you, Don. The
3 item you don't have under correspondence, I was
4 just handed this, this is the brochure from the
5 Bratenahl Historical Society that's now available
6 at the Community Center. And we have the
7 president of this organization, Mayor McKeon,
8 with us.

9 Would you like to comment on this, Dick?

10 MAYOR McKEON: We wanted to put out
11 something. We had finally developed enough
12 funding from the sale of the book to do it. I
13 want to thank the people who really worked on it,
14 Joann and Iris and Dave Dornback and Joann's
15 daughter Margaret, I believe, and I don't know
16 her married name. Of course, and Andy Kesselem &
17 Company did the printing, and we're very pleased
18 with it. Of course, the picture is a classic
19 one.

20 MAYOR LICASTRO: It's the Vail house, is
21 it not?

22 MAYOR McKEON: It's the Vail house and
23 our favorite in-house photographer's picture.

24 MAYOR LICASTRO: Jenny Jones.

25 MAYOR McKEON: Jenny Jones. If you want

1 one, you can have one. You can have one
2 obviously or more. There's an order blank in
3 there for those who might not have ordered the
4 book. We have only soft covers available. It's
5 been a spectacular seller. And there may be some
6 hard copies of the books, but we don't have any.

7 MAYOR LICASTRO: Is there any intention
8 to do a second printing of the book?

9 MAYOR McKEON: No, not at this time.
10 The cost of doing a second printing would
11 probably be very dangerous to it, so we're going
12 to hold I think at this time.

13 MAYOR LICASTRO: How many volumes have
14 been sold so far? Do you have any idea?

15 MAYOR McKEON: We printed, what was it,
16 750.

17 MAYOR LICASTRO: I'm sorry, again
18 please.

19 MAYOR McKEON: 750 were printed, I
20 believe, but we only have the soft cover and I
21 think there were 200, so the hard covers are all
22 gone. I think it was 750. John, I don't
23 remember, I apologize, but all the hard covers
24 went and we have a few of the soft covers. It's
25 been a very good seller.

1 MAYOR LICASTRO: It was a great piece.

2 MAYOR McKEON: And it's gotten very good
3 reviews. As a matter of fact, I don't know if
4 you were able to comment, but we did get an award
5 on the book from the Western Reserve -- no,
6 Northeastern Ohio Architectural Historian gave us
7 an award and a small cash prize and we're pleased
8 to get it.

9 MAYOR LICASTRO: Cash prizes are a good
10 thing.

11 MAYOR McKEON: This one would not
12 balance anyone's budget, but it was good to be
13 acknowledged by an outside group as well as the
14 press publication we got.

15 MAYOR LICASTRO: Thank you, Mayor. Any
16 questions of Mayor McKeon? Mary.

17 MS. BECKENBACH: Just a comment. That's
18 a wonderful piece. The Bratenahl Community
19 Foundation has included that. They have a basket
20 gift that they give to every new resident that
21 moves into the Village, and that's now been
22 included. And we're very pleased with that,
23 because it is a fabulous looking piece.

24 MAYOR McKEON: We're very pleased.

25 MAYOR LICASTRO: Thank you. Moving to

1 the Mayor's report. There really is not much of
2 a legislative update. Thank goodness, the
3 general assembly recesses for most of the summer.
4 I wish they recessed for most of the year. We
5 again have been told that the mayors court
6 legislation is on the book burner. It probably
7 will not come to the floor this year, unless
8 someone pulls something crazy during the lame
9 duck session, which is always a possibility, but
10 the speaker acknowledged he does not have the
11 votes for the passage. As you know, we lobbied
12 very hard with the legislators both in writing
13 and in person to get them to back off on the
14 elimination of Mayor's Courts that would be
15 devastating for lots of communities, Bratenahl
16 included.

17 Other than that, I think I mentioned
18 last month, I'll mention again, the Great Lakes
19 Compact has been approved by Ohio. I think
20 Pennsylvania is the only one yet to go through
21 the formal process, although we don't expect them
22 to do otherwise. So that's very important to
23 protect what I think one of our greatest natural
24 asset, besides our people, is the water of the
25 Lake Erie watershed.

1 MAYOR McKEON: They've approved it.

2 MAYOR LICASTRO: It's eight states and
3 four provinces. And I think just Pennsylvania
4 and I think they intend to do it yet this year.
5 Thank you. Several weeks ago we reconstituted
6 the Audit Committee. It was formalized last
7 month by a motion of Council. This Committee is
8 charged with helping the Finance Committee and
9 Council and the Village look at different issues
10 that come to us regarding finances.

11 And specifically, we ask them to help us
12 try to figure out what we should do with the
13 three mill levy that is up for renewal this year.
14 It's a three-mill property tax has a five-year
15 life. It expired last year, but collects through
16 08. We are very pleased to have Tom McDonald
17 come forward and offer his services. Tom is the
18 owner of the Thomas McDonald Financial Services
19 Advisers. Beth Mooney, who is the vice-chair of
20 Key Corp, number two person at Key Corp; and Lee
21 Blazer, who is a professor of accounting at Case.
22 They're all three resident. Frank Ilson, who is
23 not a resident, but is an expert of financing,
24 also offered his services. They met several
25 times in the last couple weeks, including a joint

1 meeting with the Finance Committee. And here to
2 give us a report of their findings and
3 suggestions, we have Tom McDonald with us today.

4 MR. McDONALD: Thank you, Mr. Mayor.
5 Over a very short period of time, we reviewed a
6 lot of data. We had five years of past
7 performance, both the revenues and expenses, and
8 projections for the next five years of expenses
9 and revenues. Because we had such a limited
10 time, we limited our discussions and our
11 recommendations as to what should be done
12 regarding the levy that is expiring this year,
13 the three mill levy.

14 First of all, I think the entire
15 Committee was impressed with the restraints which
16 this Village has operated. The expenses in the
17 last five years have basically stayed flat. And
18 you all and your predecessors should be commended
19 for managing the expenses of the Village in that
20 way. We're at a time, though, where that really
21 can't happen anymore. We have a police force
22 that needs gas every day. Gas is up 33 percent
23 from last year. Whether it will continue to
24 rise, who knows. We had the horrific accident on
25 the Shoreway, which is causing our Workers' Comp

1 premiums to almost quintuple next year. So we
2 have to be realistic about what the Village can
3 afford and what the Village can save. I think
4 it's safe to say that there's not a lot of cuts.
5 There's certainly no easy cuts left in this
6 budget. And maybe there's not any that the
7 Village would accept, so we have to be realistic
8 about what we can do on revenues.

9 Before I get to what the recommendation
10 is on the mill, we also made some recommendations
11 as to the budget process. We are suggesting to
12 the Council that when you approve the budget, you
13 approve both sides of the budget. I think the
14 appropriation -- I can't remember what it's
15 called, what you vote on every year.

16 MAYOR LICASTRO: The ordinance.

17 MR. McDONALD: The ordinance. The
18 ordinance should include the revenue side as well
19 as the expense side. And we would like to see
20 the budget have basically expenses and revenue
21 alongside each other so that both you and the
22 citizens understand exactly what we're approving.

23 The other things that have happened
24 since last year actually is the Village has more
25 debt from both the property purchased and the

1 Eddy Road project, so we have to address that.
2 We have to pay down that debt over a period of
3 time. And so we are recommending that next year
4 or this November's ballot include a
5 four-and-a-half mill levy, increasing the three
6 mill levy to four and a half. We think that
7 that's realistic. We know that income taxes will
8 go down last year. We really, really can't
9 afford to have this mill not pass, this levy not
10 pass. So we all need to commit to work for it.
11 The people who were at the Council meetings
12 previously, the people in the audience, were
13 unanimously in favor of supporting this levy and
14 it's important that we do that.

15 Now, that addresses the short-term
16 problems. And we believe that we now have a
17 \$500,000 or so carry-over. We think that there
18 could be a deficit this year that could eat into
19 that. And if that were the case and you didn't
20 have an increased millage, you would not be able
21 to approve a balanced budget next year. So to
22 prevent that from happening, it is absolutely
23 essential that this levy pass.

24 Now, the deficit that we projected is a
25 very conservative projection. It may not happen,

1 but we still think that with all the expenses
2 that we're facing going forward, with the debt
3 that we have to pay down going forward, it's
4 prudent to vote this levy in. Now, we have
5 volunteered. It's up to the Council. We
6 volunteered to stay together and continue to work
7 for when we have some time to analyze further
8 down the road, we've got another levy that's
9 going to expire next year.

10 MAYOR LICASTRO: In 2010. It actually
11 expires next year, but it collects through 2010.

12 MR. McDONALD: We have to vote on it
13 again in 10.

14 MAYOR LICASTRO: In 10.

15 MR. McDONALD: With your blessing, we
16 would like to continue to work, look further down
17 the road at what might need to be done, what kind
18 of extra revenue that you might need and the ways
19 to raise that revenue if it's necessary. We
20 talked about using focus groups and talking to
21 the citizens and reaching some consensus on what
22 revenues are needed and then make recommendations
23 of what might need to be done in 2010.
24 Questions?

25 MAYOR LICASTRO: Let me just make a

1 comment first. You guys aren't going anywhere.
2 You're in this for the long haul. And we really
3 appreciate you coming forward and giving us your
4 expertise. The credentials of these individuals
5 really is unsalable. And their in depth
6 knowledge of finances, it really helps all of us,
7 not just the people that sit here, but the people
8 that sit there and elsewhere in the Village,
9 understand Village finances. The suggestion you
10 made already will make it more transparent to all
11 of us what Village's finances are and how they
12 work.

13 So I'm sure I speak for everyone on
14 Council that we need your help not only to go
15 forward through November, but on an ongoing
16 basis, and thank you for offering that.

17 Any comments or questions from Council?

18 MR. MATEYO: I've known Tom for many
19 years, going on 40 years. We've been on the same
20 side of the table many times and not always on
21 the same side of the table. Being one of the
22 newest members of Council and having the
23 fortunate time working with Brenda, I think the
24 Finance Committee and the members of the Audit
25 Committee demonstrated the meetings we've had had

1 a lack of a political will. I don't think there
2 was one sentence about, well, what does he think,
3 this and that. It was just how do we do what's
4 best?

5 And I guess for the first time, I
6 haven't lived here as long as many of you have,
7 but for the first time in a year it was fun
8 because I think it was the right decision. And I
9 think Frank Ilson doesn't take guff from anyone.
10 I think he put it very plainly and I think Beth
11 and Tom did a great job. It was fun to be
12 involved with it. It was fun to have Brenda's
13 leadership. And I just compliment you and, Mr.
14 Mayor, I compliment you for putting it together.

15 MAYOR LICASTRO: Thank you, George.
16 Thank you very much. The three mill levy
17 actually had an effective rate of 2.44.
18 Certainly when you have a levy expiring and it's
19 not a new tax, politically it does make sense to
20 look at that opportunity to do whatever the
21 community thinks is reasonable given the fact
22 that most of this tax, even if it's on as a 4.5
23 mill, most of it, a good portion of it will not
24 be a new tax. So we think the timing is right,
25 as the Audit Committee said, and I think the

1 Finance Committee and the rest of us concur, we
2 just can't go forward hoping that estate tax or
3 other sources, even income tax, which this year
4 is running ahead of our projections, is enough to
5 carry us through things like fuel costs, et
6 cetera, et cetera, et cetera.

7 Is the timing good for a tax increase?
8 The timing is never good for a tax increase.
9 Right now all of us are struggling with our own
10 problems, our own issues in our own households,
11 but the Village is all of our household. And we
12 need to do whatever it takes within reason to
13 keep the tax rate as low as possible, but
14 maintain the high level of services.

15 So, Tom, thank you for your effort.
16 We'll continue to look for your advice and
17 expertise. And I know I speak for Mr. Gallagher
18 as well.

19 MR. GALLAGHER: Yes.

20 MAYOR LICASTRO: That's a yes from Jim,
21 so that's a good thing.

22 MS. BROWNRIGG: I also want to take a
23 moment to thank you. Everything's been said
24 beautifully, but particularly your understanding
25 of our need to not rush in and do too much too

1 soon, that looking at this as a long-term
2 situation. I won't even call it a problem,
3 because it's a situation that I guess all
4 municipalities are dealing with right now. And I
5 was grateful that you guys took that into
6 consideration as we were trying to do, so I thank
7 you.

8 MR. McDONALD: One thing I forgot to
9 mention. If you've been watching the Plain
10 Dealer over the last week or so, it talks about
11 the communities in Northeast Ohio and their
12 rampant increases in expenses. In the face of
13 that, once again, you guys look like stars and we
14 appreciate that.

15 MAYOR LICASTRO: Thank you, Tom. Any
16 other questions or comments? Thank you, Mr.
17 McDonald. We'll talk to you soon.

18 MR. McDONALD: Thank you.

19 MAYOR LICASTRO: Department reports.
20 Chief.

21 CHIEF FALZONE: The following are our
22 arrests for June 19 through July 16. Felony
23 arrests, 17; misdemeanor arrests, 35; warrant
24 arrests, 18; DUS arrests, 25; DUI arrests, nine.
25 We had 36 tows, 10 motor vehicle accidents, 11

1 false alarms; 11 alarms, 11 false alarms; fire
2 alarms, none; no assistance needed; 911 calls,
3 19; 13 of those false and six of those needed
4 assistance. Total number of tickets was 230.

5 MAYOR LICASTRO: Chief, I just want to
6 mention the tragic death of the officer in
7 Twinsburg. We certainly offer our condolences to
8 his family and the department. I'm not sure,
9 we're not really clear on the circumstances, but
10 it's always a tragic when one of the brotherhood
11 of policemen loses his life in the line of duty,
12 so our condolences to all those involved.

13 Any questions for the Chief?

14 MS. BROWNRIGG: I always ask if the
15 felony arrests were all on the freeway.

16 CHIEF FALZONE: No, not always.

17 MS. BROWNRIGG: That's the first time
18 you said no.

19 CHIEF FALZONE: Most of them are, but
20 not all of them.

21 MAYOR LICASTRO: And it's interesting, I
22 know Mr. Binford will talk about the K-9 unit,
23 the officer that was shot and killed in Twinsburg
24 had a dog, but the dog was in the car. And the
25 Chief and I have already talked about when and if

1 we implement this, to make sure if the policeman
2 is out of the car, the dog is out of the car.
3 I'm not certain that would have helped. I don't
4 think it could have hurt. Any other questions?
5 Mr. Jamieson.

6 MR. JAMIESON: Thank you, Mayor. The
7 building department for the month of June, we
8 performed 27 inspections, registered 12 new
9 contractors, issued 14 building permits and as a
10 result of the point of sale inspections, there
11 were three new occupancies issued, and that would
12 conclude my report.

13 MAYOR LICASTRO: As long as you're
14 standing, Mr. Jamieson, and Ms. Brownrigg will
15 weigh in on this, the Village got a notice about
16 an exterior maintenance program. I know there's
17 been some question as to how we're going to
18 implement that. Mr. Jamieson is now drawing up
19 some drafts of documents that will be mailed to
20 the third of the Village that will be first
21 chosen for the ongoing rotating inspection.

22 Again, the purpose of this inspection is
23 not to be punitive. There will be ample time
24 given for people to deal with violations and make
25 corrections. At the end of a period of time,

1 which we're still trying to determine, we're
2 looking for other communities in how much time
3 they give residents to respond to make repairs.
4 At the end of the process, yes, there will be a
5 need for individuals that do not respond in a
6 reasonable manner to appear in our Mayor's Court
7 and address the citation that will be given, but
8 that's at the end of a long line.

9 Again, we're looking to help maintain
10 and improve the value of our housing stock.
11 Given the rash of foreclosures in this country,
12 we think it's a wise course of action. Many,
13 many communities have a similar program. Ours is
14 now complaint based. It's not done by routine.
15 The process for complaint based is going to be
16 pretty much the same process for routine in terms
17 of how people are notified, the time they're
18 given to respond, et cetera, et cetera, but we
19 feel rather than do it in a haphazard manner, we
20 need to do it for all the homes in the Village.
21 Again, this is just exterior.

22 Ms. Brownrigg, would you like to add any
23 comment?

24 MS. BROWNRIGG: No, just that we've had
25 a lot of residents call to say I'm so glad you

1 did this, because my neighbor's my friend and I
2 haven't known how to tell them they need to do
3 whatever. I've actually had no direct complaints
4 about it, even though I heard that some people
5 might have some concerns about whether or not
6 they'd be dragged into court and that, but
7 basically it's just to make sure, number one,
8 that the Village does not transition in the wrong
9 direction, especially on some of the fringe areas
10 that have been a concern in the Village in the
11 past, but primarily because residents have asked
12 us to do something where they don't have to
13 complain against their neighbor. We think it's
14 time that it has to be uniform.

15 MAYOR LICASTRO: I know Mayor McKeon
16 said that several people had approached him with
17 concern. I met today with Claud Murphy, who is
18 the building department clerk, and talked about
19 an informational packet we'll have both available
20 online and in hard copy that will walk everybody
21 through the process. We're going to do this in a
22 proactive manner. We're not going to just start
23 this and have a backlash and be unprepared. So
24 trust me, once Mr. Jamieson reviews these drafts
25 and I run them past Ms. Brownrigg's Committee, it

1 will all be transparent and reasonable.

2 Did you have a question?

3 MAYOR McKEON: No. I'm going to relay
4 three questions, if I may, that I've been asked.
5 One, will there be any financial -- and some of
6 these, Mr. Mayor, I've addressed with you, I
7 think. Any funding available for those who can't
8 afford to do a significant, if a significant
9 repair is called for, that's one.

10 MAYOR LICASTRO: Let me respond to each
11 in turn. The county does have very low interest
12 loans and have been utilized by several people in
13 our community to do repairs. So yes, there is
14 funding available. I think there's more than
15 that and we'll be glad to help research what is
16 available, but I know that in particular.

17 MAYOR McKEON: These are some of the
18 questions I've been asked. The second question
19 I've been asked is from someone who knows what
20 they're talking about, possibly, will the
21 services of the Cleveland Housing Court be used
22 as a last resort in the legal process?

23 MAYOR LICASTRO: The way it's
24 structured, this is going to go through our
25 Mayor's Court not the housing court. At end

1 game, I don't really know how to address that.

2 MAYOR McKEON: May I ask the solicitor
3 that?

4 MAYOR LICASTRO: Of course.

5 MR. CORNETT: In end game, yes, it
6 potentially could end up at Cleveland Housing
7 Court if it's not worked out, because ultimately
8 in the end it would go, if a resolution is not
9 able to be reached prior to that, but it would
10 end up in Cleveland Housing Court ultimately.

11 MAYOR LICASTRO: But a step prior to
12 that in the process would be to bring it into our
13 Mayor's Court so we can deal with our own, but I
14 think, Dick, you're right, I think eventually if
15 there was a period of time and nothing happened,
16 it would have to go to Cleveland Housing.

17 MR. ROBINS: If it was a foreclosure or
18 something.

19 MAYOR McKEON: Perhaps if it was an
20 appeal from the Mayor's Court.

21 MR. CORNETT: It could do that, too.

22 MAYOR LICASTRO: It is the court of last
23 resort. You said there was a third question.

24 MAYOR McKEON: Yes. The third question
25 was will there be any sort of public meeting,

1 get-together session, to answer questions? I
2 don't want to play an intermediary and bring you
3 guys questions.

4 MAYOR LICASTRO: We're just going to
5 refer all the questions to you, Dick.

6 MAYOR McKEON: No, let's not. That's
7 exactly what I don't need, John. I had that for
8 a few years. But no, several people have asked
9 will there be a session to explain it, answer
10 questions from the floor, maybe have the
11 solicitor there to address some issues, Mr.
12 Jamieson obviously.

13 MR. JAMIESON: If I may, Mayor, part of
14 the -- even though it's been in the works for a
15 while, we've worked long and hard on it and a
16 flier was put together that you've certainly
17 seen, and as the Mayor said it is going to be on
18 the website. There's been a lot of public
19 information. Our inspection process will include
20 revisits to explain exactly what it is.

21 We're going to work with people on the
22 time that other communities, the average time
23 given for these kinds of things is 60 days. We
24 haven't firmed that up for sure. If it's safety
25 related, they'd have to do it sooner. The people

1 will have requested extensions for a variety of
2 reasons. They'll have to be in writing and we'll
3 respond and grant that extension that way, but
4 we'll be available after the notices go out
5 identifying the violations.

6 We'll be available to consult with them
7 and we'll walk around the streets a little bit.
8 We're considering starting on the west end and
9 working our way east, so we haven't defined the
10 geographical boundaries for sure. There's about
11 720 residential units that includes the towers,
12 too. So we have to fine tune it. And Saturday
13 morning I had my part-time housing inspector out
14 there with me. And a lot of people were greeting
15 us on Burton and Foster and telling us they were
16 glad we were there. So it's going to work out
17 well.

18 MAYOR LICASTRO: Certainly if we feel
19 the need for public meetings, we can certainly do
20 them. I think that's everyone's intention. So I
21 think we're going to play that --

22 MAYOR McKEON: Please don't kill the
23 messenger.

24 MAYOR LICASTRO: We're doing your house
25 first, Dick. (Laughter.)

1 MAYOR McKEON: That leads me to my last
2 question. People in condos have asked me how
3 does it interface with a condo where we have an
4 association actually responsible for the
5 exterior?

6 MR. JAMIESON: We'll be dealing with the
7 homeowners association.

8 MAYOR McKEON: Lots of luck.
9 (Laughter.)

10 MS. BROWNRIGG: You guys should be glad.

11 MR. JAMIESON: That's the only
12 alternative. We wouldn't deal with the
13 individual owners, because they're --

14 MAYOR McKEON: But you do plan on
15 inspecting the condos?

16 MR. JAMIESON: Yes, we're going to
17 inspect every property in the Village in a
18 three-year period.

19 MAYOR LICASTRO: Bratenahl Place will be
20 pretty quick because it's two towers. We
21 understand that there could be some dollars
22 involved here. I mean, I take great pride in my
23 property. I bet if it's inspected, there may be
24 violations I'm unaware. We're trying to be
25 proactive here and not punitive. Please keep

1 that in mind.

2 MAYOR McKEON: I've always said and I've
3 dealt with not only here in the Village, but with
4 other departments, any good inspector can find
5 something wrong with any structure. And I think
6 that's going to be the case.

7 MAYOR LICASTRO: This, again, is
8 exterior only. Hopefully when people get the
9 notice, they'll be proactive and replace a
10 falling down gutter or a boarded up window or
11 broken masonry. The packet, we met for several
12 hours today talking about the informational
13 packet. It should make things transparent.

14 MAYOR McKEON: That's good. That's very
15 important.

16 MAYOR LICASTRO: Ms. Bucci, you had a
17 question.

18 MS. BACCI: I think it would go a long
19 way within the community when you tell someone
20 there's a program at the county, they' are
21 frightened. When I worked in Orange Village, we
22 actually had homeowners there who also went to
23 the county housing rehab programs. You would
24 never imagine that Orange Village would have
25 somebody in that situation. So I think folks

1 from the county could come out and you could host
2 a public meeting and invite people to come and
3 they would go over and I'm sure briefly the
4 process.

5 There's some part for senior citizens as
6 well as the lower income people. The lower
7 income graduated basically on your household
8 income. I really think you, as our local
9 representatives, people would feel better if
10 you're in the room during those meetings and
11 someone from the county explains so they wouldn't
12 be intimidated by the whole process.

13 MAYOR LICASTRO: That's a good
14 suggestion. Thank you. Ms. Lee.

15 MS. LEE: Will the list of violations
16 come in the mail? Is that how it works?

17 MR. JAMIESON: Yes, ma'am.

18 MS. LEE: Will you also send one
19 congratulations you passed?

20 MR. JAMIESON: We'd be glad to do that.
21 It will be customary to let people know we really
22 appreciated them taking care of it, you know,
23 there will be a letter sent out after the fact
24 for that. If we just go by your home and we
25 don't find any violations, silence is golden,

1 right?

2 MS. LEE: No. So you won't notify the
3 resident?

4 MR. JAMIESON: We hadn't planned on
5 that, no.

6 MS. BROWNRIGG: It might be a good idea
7 to let the resident know that they have been
8 inspected.

9 MAYOR LICASTRO: We can let people know
10 they've been inspected.

11 MR. JAMIESON: We can do that.

12 MAYOR LICASTRO: Anyone else? Thank
13 you, Mr. Jamieson. Mr. Zalar.

14 MR. ZALAR: Just a couple of comments on
15 some ongoing projects that we have going on. Our
16 lift out here is actually completed. It's
17 actually functioning correctly now. We had our
18 roofing contractor for the service garage
19 potentially to start Friday, but more likely it
20 will be Monday. Our electrical contractor was
21 going to start roughly the same time, but I kind
22 of pushed it back a couple weeks because I can
23 only work one at a time, because we have this
24 sewer cleaning project going on. He will
25 probably start right around the end of July.

1 As you've probably seen the white trucks
2 out on the boulevard, Don will probably talk
3 about this a little bit in Public Improvement,
4 our sewer cleaning is commenced. We did have one
5 issue thus far. We had to do an emergency repair
6 on Brighton. It had to do with initially a hole
7 in the pipe where actually the camera got stuck
8 in there, so we had to dig it out and do the
9 repair. That's just a start.

10 Once we look at all the camera work,
11 there's probably going to be -- I don't want to
12 scare anybody, but I know there's probably going
13 to be a couple more repairs that are going to
14 need to be done. We'll have to look at the tapes
15 and make sure. We did start at the east end of
16 the Village. Thus far we have spread, in the
17 last three days, 100 yards of topsoil to level
18 out and continue our tree lawn restoration.
19 Tomorrow we have another 40 yards coming in. And
20 hopefully on Friday we'll have another 40 yards
21 and that should get us just about where we left
22 off a couple years back. Once that's completed,
23 it will be hydro seeded. I think that's it.

24 MAYOR LICASTRO: Mr. Zalar is modeling
25 the new uniform, one of the uniform shirts, from

1 the service. Oh, that's great, Joe. Please let
2 the record reflect that he's flexing, please.

3 This was given during negotiations as an
4 item they asked for. And our tradeoff of letting
5 them choose the shirt is that they wear their
6 safety vests when out in traffic. And I'm glad
7 to see the department is doing that.

8 MR. ZALAR: We have hoodies that match.
9 And there's the rain gear with the actual
10 reflective stripes on it with the fleece liner
11 that we also purchased for fall and winter.

12 MAYOR LICASTRO: An FYI, Tim, there are
13 some issues with the sewers coming from the
14 center.

15 MR. BAUMAN: Yes, I've seen the
16 equipment and me and Joe have been talking.

17 MAYOR LICASTRO: We'll talk about that.
18 Any questions for Mr. Zalar? Thank you, Joe.
19 Ms. Kreiner, do you have anything to add?

20 MS. KREINER: No.

21 MAYOR LICASTRO: We have our treasurer
22 with us, Ms. Kesselem, who just had her -- which
23 one is she that graduated from high school, the
24 third.

25 MS. KESSELEM: Three out of five.

1 MAYOR LICASTRO: Congratulations. Do
2 you have anything to add?

3 MS. KESSELEM: No.

4 MAYOR LICASTRO: Thank you. Moving to
5 Committee reports. Finance.

6 MS. BROWNRIGG: Finance Committee had
7 three meetings, one in June, two in July. On
8 June 30, the Audit Committee met and the Finance
9 Committee attended. Present will be the Finance
10 Committee, the Audit Committee and residents.
11 John Licastro opened the meeting and informed us
12 the purpose; to have Audit Committee review and
13 assist the Finance Committee in its approach to
14 determine the millage for the November ballot for
15 the levy that's expiring at the end of the year.

16 The Committee reviewed documents
17 provided by the county showing income generated
18 by current levies, and projected income of the
19 2008 expiring levy at various replacement mills.

20 The Committee reviewed five years of
21 Certificate of Estimated Resources best
22 documents, asking questions related to the
23 sources of income categorized on the
24 certificates, and questioning the usefulness of
25 the documents as an appropriations tool. The

1 source of other auditor was defined by Jim
2 Gallagher as miscellaneous income from cigarette
3 taxes, hotel taxes, et cetera.

4 The Committee reviewed spreadsheets
5 supplied by the Finance Committee showing
6 estimated expenses by line item for 2009 through
7 2013. Questions were asked regarding the
8 multipliers used for various line items, such as
9 Workers' Comp, gasoline, natural gas, and the
10 probability of each item growing at the
11 percentage rates shown.

12 The Committee discussed the current rate
13 of income tax receipts, noting that we were
14 already ahead of budget for this year to date.
15 The budgeted amount could potentially see a
16 \$200,000 to \$500,000 increase in income tax
17 revenue. Jim Gallagher advised that some of the
18 increase is due to collected delinquencies. The
19 unpredictability of income tax revenue was also
20 discussed.

21 The Committee discussed the Revenue
22 Status and Appropriations Status reports. Frank
23 Ilson questioned the 2008 General Fund
24 appropriations being at \$2,752,000 while revenue
25 for the budget was \$2,346,000, indicating an

1 automatic deficit. Mr. Gallagher provided -- we
2 received no explanation at the time, even though
3 the Certificate of Estimated Resources for 2008
4 showed sufficient revenue able to cover the
5 appropriations. The Committee was advised that
6 an answer would be provided at a later date.

7 The Audit Committee agreed to meet
8 within the next seven days to discuss the
9 information provided and be prepared to make a
10 recommendation regarding the levy for the
11 November ballot for our July 7 meeting, 2008.
12 The meeting was adjourned at approximately 7:15.

13 On July 7, the Finance Committee met in
14 tangent with the Audit Committee. Also present
15 were Jim Gallagher, Merele Ehleringer, Sheila
16 Birch, Mary Beckenbach, William Bolton and
17 residents.

18 The joint meeting was in follow-up to
19 the June 30 meeting during which the Audit
20 Committee was given projections and Village
21 financial documents in order to help make a
22 recommendation for the November ballot.

23 Tom McDonald, Audit Committee chair,
24 opened the meeting commending the Village on
25 keeping expenses down during five years of flat

1 revenue. Mr. McDonald noted the receipt of a new
2 Revenue Status Report, dated 6/30/08, and asked
3 for an explanation of changes from the 5/31
4 report. The 5/31 report, which did not match
5 appropriated revenue, gave the appearance of a
6 nearly half million dollar deficit.

7 Mr. Gallagher explained the corrected
8 report dated 6/30/08, advising budgeted
9 adjustments have been increased for the income
10 tax revenue from CCA, probably due to one time
11 pass through collections, and to include a
12 \$180,000 in estate tax revenue not shown on the
13 5/31 report. Local government was increased
14 based on a new county estimate, and court revenue
15 was decreased based on actual year to date
16 receipts.

17 Tom McDonald recommended that future
18 appropriations and revenue budgets be formatted
19 together in a balance sheet format to prevent the
20 confusion of the two not reconciling. He advised
21 that the report be adjusted monthly based on
22 actual receipts and appropriations.

23 The Audit Committee stressed that the
24 passage of an increased levy this fall is
25 critical, because the Village cannot rely on

1 carry-over for the 2009 budget. They advised the
2 importance of the millage increase being one that
3 the voters will accept because the financial
4 health of the Village depends on passage.

5 Mr. McDonald advised that after
6 evaluating projections and documents, the Audit
7 Committee recommends a 4.5 mill replacement levy
8 for the November ballot. He gave considerations
9 to a second levy set to expire in 2010, which,
10 with time and further study during the interim,
11 will allow for adjustments to be made, if needed.
12 Mr. Ilcin suggested the possible use of focus
13 groups to study the matter in the interim of 2008
14 to 2010.

15 Ms. Brownrigg suggested that there might
16 be opposition to the 4.5 mill proposal. Mr.
17 McDonald stressed the importance of bringing all
18 forces together and working through the
19 disagreement because passage is critical.
20 Stressing that transparency is essential, he
21 advised that the Audit Committee will help with
22 the presentation of the levy proposal to the
23 Village. Residents must be shown that this is a
24 long-term process. Lee Blazey of the Audit
25 Committee advised we keep the presentation

1 simple. And Beth Mooney added that residents
2 know police need fuel and fuel prices are up.
3 She suggested that they will recognize what we
4 are up against.

5 Mr. Bolton advised that his numbers
6 produced a larger deficit than a 4.5 mill levy
7 could address and asked how we should deal with
8 principal and interest payments; if we should
9 refinance them. Beth Mooney advised against
10 refinancing in the current market. Mr. McDonald
11 advised that the rates we were paying are
12 reasonable, and that we may consider amortizing
13 them at a later date. Mr. Ilcin added that the
14 Village is nowhere near its debt limit. He added
15 that the rating agencies like to see bond
16 retirement funds, and suggested that we look at
17 setting aside a portion of inside millage for
18 reduction of debt principal.

19 Mr. Licastro advised that the banks are
20 sometimes reluctant to handle small bonds like
21 the ones we are seeking and were given advise to
22 contact the Ohio Municipal League for small
23 bonds. And Mr. Mateyo suggested a cultivation of
24 better bank relationships.

25 Mr. Robins thanked the Committee, saying

1 that he was glad to see they were recommending a
2 long-term process. He added that people on a
3 fixed income will probably not support the 4.5
4 mill levy and made reference to efforts made
5 against the income tax levy in 2007.

6 Mr. McDonald asked Mr. Robins if he
7 would support the 4.5 mill levy and he replied he
8 would not fight against it.

9 Mr. McDonald advised it would be wise if
10 we look at a blend of income tax and property tax
11 as part of a long-term solution. He advised the
12 Audit Committee's commitment to participate on a
13 long-term basis to help create the appropriate
14 balance between the 2008 levy and the 2010 levy,
15 as well as the income tax as being part of the
16 solution. He also committed to help with the
17 evaluation of internal financial reports.

18 With no additional business, the meeting
19 was adjourned.

20 On July 14, this one is shorter, the
21 meeting was called to order by the Audit
22 Committee's for the recommendation of the
23 November ballot to Council, which is set to
24 expire at the end of this year. Ms. Brownrigg
25 handed out a spreadsheet showing how four mills,

1 4.5 mills and five mills would affect the
2 projected appropriations over the next five
3 years. It was discussed whether or not the
4 suggested mills would be adequate to meet
5 projected estimates. Some felt that they were
6 adequate given the projections and that any
7 shortfall could be better addressed later through
8 a possible combination of income tax increases
9 with the replacement of the 2010 levy.

10 Others felt the amount selected gave too
11 much emphasis on the need for passage as opposed
12 to the actual need based on the projections. But
13 all acknowledged the need for passage,
14 considering this is a replacement of operations
15 levy.

16 Mr. Licastro advised that an ordinance
17 must be approved, needs to be approved by Council
18 on July 16, which is today. Then there needs to
19 be a special Council meeting in August, since
20 there's normally not a Council meeting in August,
21 at which time we can attest the ordinance.

22 After further discussion, it was moved
23 and seconded that we recommend to Council to
24 accept the Audit Committee's recommendation of a
25 4.5 mill replacement levy for the November

1 ballot.

2 Under new business, Mr. Gallagher
3 requested the Finance Committee recommend to
4 Council a principal payment on the Bratenahl
5 Green Space Preserve bond of \$29,500, which is
6 roughly five percent. The decision has to be
7 made because there's an August deadline. And our
8 current financial condition permits the payment
9 without a concern. And it was approved by the
10 Finance Committee to make that recommendation to
11 Council.

12 With no further business, the meeting
13 was adjourned at 6:25.

14 MAYOR LICASTRO: Point of order, I was
15 very pleased to be at all of those meetings, too.

16 MS. BROWNRIGG: I didn't say who was at
17 all of those. He was at every meeting, so was
18 Mr. Gallagher and Merele Ehleringer.

19 MAYOR LICASTRO: The meetings were
20 almost as long as your minutes I might add.
21 (Laughter.)

22 Any questions of Ms. Brownrigg? Ronni.

23 MS. HLAD: Is the Audit Committee the
24 only Committee that is necessary to check the
25 final expert that the 4.5 is the right thing?

1 Are they the only expert or should there be three
2 experts that tell you how much this levy should
3 be?

4 MS. BROWNRIGG: They're an advisory
5 group of experts. And, basically, some of the
6 concerns were that projecting financial
7 conditions over the next five years in this
8 economy, that needs to be in the hands of
9 experts. So this is the expert team that we are
10 using. And it's four of them, and four of them
11 in potentially defined as different fields.

12 MAYOR LICASTRO: It's a really
13 interesting cross-section of skills, Ronni.

14 MS. HLAD: I just wondered.

15 MAYOR LICASTRO: Of course, the ultimate
16 advisory group that determines the need and value
17 of this will be the voters in November. They'll
18 let us know for sure what they think. Did
19 someone else have their hand up?

20 MR. ROBINS: I just wanted to add on the
21 July 7 meeting where the comment was made by
22 Brenda where you said McDonald asked me would I
23 support the levy and I said I wouldn't fight
24 against it. There was an additional very
25 important point that was made there. And that

1 is, in support of what Mr. Bolton's put forward
2 many times is that based on what Frank Ilson and
3 others on the Audit Committee have said, Lee
4 Blazey, that they recognize that the 4.5 won't be
5 enough to fill the gap in the absence of some
6 windfall of the estate taxes.

7 And my concern was not necessarily to
8 have a higher millage, but to have an open and
9 honest presentation to the villagers so that they
10 know there still may be cuts that would be
11 required if anything happens. The estate tax
12 minus money we receive in November or -- yeah,
13 November, October of this year.

14 MS. BROWNRIGG: So you're saying that
15 your support is conditional on the villagers
16 being shown that there's a potential for cuts in
17 09? I want to make sure.

18 MR. ROBINS: No, I would support it even
19 if they weren't shown. I'm just saying that I
20 made the comment I felt they should be shown.

21 MS. BROWNRIGG: Okay.

22 MR. ROBINS: You have to support it. I
23 think we all agree and have all said for a
24 considerable period of time that we need more
25 revenue. The 6.5 mill levy, the question was the

1 amount, the one and a half percent, the two
2 percent income tax increase last fall would have
3 generated 350. We have to hit the ball where it
4 is, not where it should have been.

5 MAYOR LICASTRO: Mr. Bolton?

6 MR. BOLTON: Could I ask the Finance
7 Committee to take another look at the changing
8 budget reports, because it makes the financial
9 reports very hard to track how we're performing
10 to our initial budget. If there were original
11 budget revised by the time they're received, I'm
12 afraid that the computer programming, it is
13 confusing to suddenly see numbers changing when
14 you're dealing with an annual budget.

15 MAYOR LICASTRO: Anyone else? Thank
16 you, Ms. Brownrigg. Public Improvement.

17 MR. SEMERSKY: Public Improvement did
18 not meet.

19 MAYOR LICASTRO: Legislative.

20 MS. BROWNRIGG: Legislation did not
21 meet.

22 MAYOR LICASTRO: Safety.

23 MR. BINFORD: Safety Committee met last
24 evening here at Village Hall. Present were
25 Committee Member Beckenbach, myself as Chair.

1 Also present was Council Member Brownrigg and
2 Chief Falzone. The topic of discussion was the
3 Bratenahl K-9 program. The Chair reported that
4 as of July 15, total contributions had reached
5 \$10,031. And I'm happy to report that since that
6 time I've been told by the Chief that we received
7 another \$100 today, so the total is \$10,131, and
8 that represents donations from 47 residents of
9 the Village.

10 The contributions are being set aside by
11 the Village in a special account, which will be
12 used solely for the purpose of establishing and
13 maintaining the K-9 program. No monies will be
14 expended until a critical mass is reached that
15 will ensure the full implementation of the
16 program. Chief Falzone indicated that he is
17 working on organizing a September
18 clambake/fundraiser for the K-9 Patrol Program,
19 which it was decided will be called "Dog Days in
20 the Park". Details are still being worked on.
21 And we're going to try to coordinate that with
22 Rec Committee, also.

23 Contributions to this special fund are
24 fully tax deductible and should be paid by check
25 made payable to the Village of Bratenahl and

1 indicated on the check that it is intended solely
2 for the purpose of the K-9 account. In the
3 unlikely event that the program is not
4 implemented, all monies will be returned to
5 donors. Meeting adjourned at 6:30.

6 MAYOR LICASTRO: Wouldn't the function
7 in the park called Dog Days in the Park have to
8 be in August? (Laughter.) This is an
9 interesting concept, Mr. Binford. I think that
10 it's pretty obvious what benefits there are to
11 our community, as far as officer and resident
12 safety with this, and I commend you for your
13 effort. And hopefully we'll raise the monies and
14 be able to move forward. Anyone from Council,
15 questions?

16 MR. BINFORD: Thank you.

17 MAYOR LICASTRO: Ms. Bacci.

18 MS. BACCI: Are there any grant
19 opportunities anywhere as it relates to that dog,
20 maybe you get to this point, somebody will match
21 it, whether it's federal, state? Has anybody
22 looked into that?

23 CHIEF FALZONE: We have a couple of
24 people looking into it. They haven't gotten back
25 to us yet. In the meanwhile, we're forging

1 forward and we'll move as far as we can.

2 MS. BACCI: It would be nice to say
3 we've got this going on and we can have matching
4 25 percent.

5 CHIEF FALZONE: We would love matching
6 funds for what we have now. I think there's
7 seven grant programs. I'm not sure if they're
8 all available right now, so we're working on
9 that.

10 MAYOR LICASTRO: We're also looking to
11 be creative with the vehicle. That's a big
12 portion of the cost. There are some communities
13 that have vehicles that are equipped properly
14 that are looking to get rid of them, and we're
15 looking to see if we can pick one up for a
16 minimal amount of money, which would be a huge
17 saving. Vehicles equipped to be a K-9 unit can
18 cost as much as \$30,000. We're looking to get
19 one for a lot less than that. We're trying to be
20 creative.

21 MS. BACCI: Do I have to start buying
22 dog biscuits?

23 MAYOR LICASTRO: Yes. (Laughter.)
24 Anyone else? Thank you, Mr. Binford.

25 MR. BINFORD: You're welcome.

1 MAYOR LICASTRO: Community affairs.

2 MS. BECKENBACH: Community affairs did
3 not meet, but I have been in contact for many,
4 many days with Patrick Holland, the director of
5 the Solid Waste District. As you know, this
6 Council rejected all bids from the first initial
7 round of our invitation to bid. And so,
8 therefore, we are going out for another
9 invitation to bid. And the new documents,
10 according to Mr. Holland, will be available to
11 the Committee this Friday. So our Committee will
12 be meeting next Tuesday on July 22 to look over
13 the bids.

14 MAYOR LICASTRO: Please do that at the
15 center so that's a coordinated effort. Any
16 questions of Ms. Beckenbach?

17 MR. MATEYO: Are the documents
18 relatively the same as going back earlier this
19 year?

20 MS. BECKENBACH: Somewhat. Somewhat.
21 There are about maybe five or six changes.

22 MAYOR LICASTRO: Basically with the
23 small truck, Mr. Mateyo, that was really a
24 stumbling block.

25 MR. MATEYO: So we're telling them

1 upfront they have to do this?

2 MAYOR LICASTRO: We're giving them more
3 latitude as well. We are getting the message
4 out. Thank you. Recreation Commission.

5 MR. BAUMAN: Recreation Commission did
6 meet. And we'll start off with Community Center
7 usage and maintenance. We are encouraging
8 parents of Bratenahl children who use the center
9 to be mindful of their guests, observant of our
10 rules and regulations. Anyone who wants to use
11 the center must reserve the use of the gym and
12 things like that with Director Gallagher.

13 In terms of other maintenance, obviously
14 we're waiting for the final word on exactly
15 what's going on, what needs to be done with the
16 sewers of the building.

17 We will be having some light fixtures,
18 some unreliable or inoperable exterior light
19 fixtures replaced around the building this week
20 actually. There's about four or five of them
21 that need to be replaced. We are in the process
22 of replacing the tennis nets.

23 New activities, check the Lamplighter
24 web site for details in upcoming months.
25 Bratenahl After Hours has been a real success.

1 Do we have any upcoming events?

2 MS. GALLAGHER: Tomorrow is the concert.

3 MR. BAUMAN: Concert in the park. The
4 Bratenahl After Hours is basically the rec
5 commission will work with residents that want to
6 sponsor something unique, have a unique party or
7 something like that. Anybody who is interested
8 in that can contact Stephanie Gallagher for
9 details.

10 The 55 Plus Group will continue as there
11 is continued interest by those participating.
12 The web site and recreation commission brochure,
13 check the web site for upcoming events and
14 announcements for any details. The 4th of July
15 celebration, which unfortunately I missed, but I
16 heard it was a tremendous success, live music,
17 food, fun and fireworks. We wanted to offer a
18 special thanks to our police department and
19 service departments for making the event safe and
20 enjoyable for everybody who attended, so thank
21 you very much for all your help there.

22 Concert in the parks series, we have one
23 tomorrow night at 7:00 p.m. in the gazebo here.
24 If it rains, the concert will be held in the
25 Community Center. And the final concert will be

1 the third Thursday of August, next month.
2 Bratenahl artist show is scheduled for Saturday
3 and Sunday, September 27 and 28, one to 6:00 p.m.
4 Hors d'oeuvres will be available in our artist's
5 cafe located at the Community Center. Jewelry,
6 handbags, oils on canvas, acrylics, furniture,
7 sculpture, pottery and more. Don't miss this new
8 Bratenahl tradition. If you are a Bratenahl
9 artist who would like to participate, please call
10 the Community Center.

11 And we've added a new thing, shredding
12 personal documents. Actually, we have talked to
13 a contractor to come in and securing, you know,
14 secure documents in terms of things helping like
15 identity theft. I know we talked around the
16 Commission, everybody had a number of documents
17 that we were interested in shredding. A number
18 of other communities offer this as a service to
19 the residents, and that will take place in
20 October. It looks like the date will be October
21 18. And you can either contact the Community
22 Center or go up to the web site for additional
23 details.

24 We also wanted to offer a thank you to
25 Teresa DeChant for her generous donation to the

1 Bratenahl Parks and Recreation Department. It
2 was greatly appreciated. And at 9:00 tomorrow
3 morning, the Currents magazine will be coming to
4 take pictures of our garden that the villagers
5 have put together over there. It really looks
6 phenomenal this year.

7 And the budget is on track, but with the
8 maintenance issues coming up with the sewer, what
9 we're looking at is there's some discretionary
10 maintenance that we were interested in performing
11 and, you know, we can sit tight on some of that
12 and use that, you know, kind of work with things
13 in terms of what may happen with the sewers. So
14 what we're doing is looking at discretionary
15 maintenance versus necessary maintenance in terms
16 of building operation or safety. And that
17 concludes my report.

18 MAYOR LICASTRO: Not to be redundant,
19 but the party on July 5 was just fantastic.
20 Stephanie, kudos to you. The fireworks, I hear
21 this every year, they're the best ever, but I
22 think they were the best ever.

23 MS. BECKENBACH: This was the best ever.
24 People called from the buildings from other
25 communities saying what happened in Bratenahl.

1 MAYOR LICASTRO: There was a helicopter
2 overhead taping the show, so it was fantastic.
3 Any questions of Mr. Bauman or Ms. Gallagher?

4 MS. HLAD: Are the key fobs working now?
5 I had trouble last time getting in. I don't know
6 if it's the same one.

7 MS. GALLAGHER: No, the key fobs are all
8 the same. I'm not really sure, but I have a
9 feeling just like a personal credit card, every
10 now and then they go down or they wear out.
11 There's really no rhyme or reason, but I've not
12 turned any off. So if for some reason you've
13 tried two or three times and your key fob doesn't
14 work, just let me know and I'll make you a new
15 one. I just got a new batch in today. They've
16 been in order.

17 MR. ROBINS: I had a problem with mine
18 and I think Steph and I figured out what it was.
19 The electronics for my car door opener and the
20 key fob were close together and I think it
21 interfered. The electronics from the opener
22 interfered with the key fob, because later when
23 Stephanie had it away and she tried it, it
24 worked.

25 MAYOR McKEON: Cell phones also if you

1 put a key fob or a card too close to a cell
2 phone, it will de-energize the card.
3 Particularly watch out where you have it in a
4 motel or hotel.

5 MAYOR LICASTRO: Anything that's
6 magnetic will affect it. If you have a money
7 clip, for example, that's magnetic, it will
8 deactivate your credit cards as well. That might
9 not be a bad idea with credit cards. Thank you,
10 Mr. Bauman, and thank you, Stephanie. Planning
11 Commission.

12 MR. BINFORD: Planning Commission had
13 nothing on its agenda and hence did not meet.

14 MAYOR LICASTRO: Shade Tree Commission?

15 MS. HLAD: Shade Tree Commission did not
16 meet this month, but I have the following to
17 report. We've had six large lawn trees and three
18 large park trees removed this year. This number
19 of removals was due to the age and damaged
20 condition of each tree. Because removals and
21 subsequent stump grindings are so costly, we are
22 already pushing our \$20,000 total allocation for
23 2008. We will continue to pray that we will have
24 no further terrible storm damage to pay for and
25 will put off any tree replacement until next

1 year's allocation. I would ask Council to please
2 okay the tree bills that are before you today.

3 I would like to thank Joe Zalar and his
4 crew for how beautiful he has kept our tree
5 lawns. He added mulch around our young trees, it
6 looks spectacular. And the flower boxes came out
7 nice, too. He did a really nice job on those.
8 Joe Zalar has asked arborist Tim Irish of JTO to
9 look at some brown patches that have appeared on
10 our new Austrian pines to see if we have a bug
11 problem. But actually after we looked at them,
12 all of the pines appear pretty robust and healthy
13 with new growth, so we are not too concerned.
14 We'll keep a close watch and then keep them
15 watered as required. It's not many of them.
16 There's a couple of them that have a few brown
17 patches, maybe we'll cut it off if we have to and
18 see what it is, but Tim will be with us next
19 week.

20 MAYOR LICASTRO: We've been lucky it's
21 been so wet.

22 MS. HLAD: There's green stuff all over.

23 MAYOR LICASTRO: Thank you, Ms. Hlad.
24 Ms. Brownrigg?

25 MS. BROWNRIGG: If a resident has a tree

1 that they think they have a problem with, can
2 they call the Shade Tree Commission or can you
3 recommend someone who is a tree specialist?

4 MS. HLAD: The only person that I have
5 that I recommend is Alan Stewart. That's the
6 only person I really know. Tim Irish is an
7 arborist, but you would have to pay him.

8 MAYOR LICASTRO: Alan Stewart will do it
9 as a courtesy if he's in the area, but really his
10 charge is trees in the public domain not on
11 private property. Really the easiest path is to
12 call several of the tree companies and have them
13 give an opinion. Ronni is an expert on trees.

14 MS. BROWNRIGG: You mean the tree cut
15 down people? I'm reluctant to call them.

16 (Laughter.)

17 MS. HLAD: If you have somebody that
18 really has a specific problem, I might know from
19 Alan what's happened with the tree. I might be
20 able to call for them to him and ask a question,
21 but I can't recommend anybody to do the actual
22 work.

23 MR. ROBINS: Another idea is our
24 association uses Davey Tree. They have a
25 service. And if they're out there sometime and

1 if it's convenient for you.

2 MS. BROWNRIGG: I use Morning Side, but
3 I'm reluctant to refer a company that specializes
4 in cutting down a tree.

5 MAYOR LICASTRO: There's a bunch of
6 companies out there. Ms. Hlad mentioned the
7 Irish boys with JTO, they grew up here in the
8 Village.

9 MS. HLAD: There's a few I could
10 recommend, but I can't recommend one that I would
11 say that they don't want the tree cut down. So
12 you get into trouble if you start recommending.

13 MS. BROWNRIGG: I think the arborist
14 idea is the best idea. Thank you.

15 MAYOR LICASTRO: Thank you, Ms. Hlad.
16 We're going to add a motion under old business to
17 dispense with the regularly scheduled August
18 Council meeting. We will, however, have a
19 special meeting on the same day at the same time.
20 It will be boiler plate. We'll eliminate a lot
21 of these reports, but we have to do some
22 legislation not only on Pay Claims, but the
23 second step in the levy. So may I have a motion
24 to dispense with the regularly scheduled meeting
25 in August?

1 MS. BECKENBACH: So move.

2 MR. BINFORD: Second.

3 MAYOR LICASTRO: Discussion? All in
4 favor of the motion.

5 Ayes: 6. Nays: 0.

6 MAYOR LICASTRO: Again, we will have a
7 special meeting on the 20th of August at 5:30 in
8 these chambers. New business, ordinance number
9 3410 and we also have ordinance 3411. Ms.
10 Beckenbach, start with this one.

11 MS. BECKENBACH: I'd like to introduce
12 ordinance number 3410 for passage, an ordinance
13 confirming the action by the Board of Zoning
14 Appeals approving the variance requests by Thomas
15 Reuter, for the property located on Arcadia Lane
16 with its address as 13401 Lakeshore Boulevard,
17 unit number five, for a deck and declaring an
18 emergency.

19 MR. BINFORD: Second.

20 MAYOR LICASTRO: And suspension as well.

21 MS. BECKENBACH: I'd like to introduce
22 ordinance number 3410 for suspension.

23 MR. BINFORD: Second.

24 MAYOR LICASTRO: Roll call on
25 suspension, please.

1 MR. GALLAGHER: Ms. Beckenbach?

2 MS. BECKENBACH: Aye.

3 MR. GALLAGHER: Mr. Binford?

4 MR. BINFORD: Aye.

5 MR. GALLAGHER: Mr. Bolton?

6 MR. BOLTON: Aye.

7 MR. GALLAGHER: Ms. Brownrigg?

8 MS. BROWNRIGG: Aye.

9 MR. GALLAGHER: Mr. Mateyo?

10 MR. MATEYO: Aye.

11 MR. GALLAGHER: Mr. Semersky?

12 MR. SEMERSKY: Aye.

13 MR. GALLAGHER: Thank you.

14 MAYOR LICASTRO: I'd like to introduce
15 ordinance number 3410 for passage.

16 MR. BINFORD: Second.

17 MAYOR LICASTRO: Thomas Reuter is with
18 us here today. Welcome, Tom. This project went
19 through an arduous process with both the Planning
20 Commission and the Board of Zoning Appeals. The
21 next ordinance on the agenda is also an Arcadia
22 Lane project. Dan Rothenfeld is here as well,
23 that's his project. And to each of the
24 ordinances, we've attached a memo from David
25 Hartt, our Village planner. This memo was

1 considered strongly by the Board of Zoning
2 Appeals, who did recommend to Council to approve
3 both of these projects.

4 And there are several items here that
5 while not specific to the variances, there's a
6 slight difference in the variances that are
7 requested, but I want to make sure this is part
8 of the record. Mr. Hartt says that in evaluating
9 the merits and impacts of the requested
10 variances, it is my opinion that granting the
11 variance satisfies the criteria of Section
12 1121.07 of the zoning code. This opinion is
13 based on the following: Again, this pertains to
14 both of these projects.

15 Number one, practical difficulties exist
16 because the characteristics of the properties
17 along Arcadia Lane bear no relationship to the
18 characteristics of the properties and development
19 standards that apply to larger lots along
20 Lakeshore Boulevard that are also in the RLF
21 district. Therefore, the application of these
22 zoning standards to Arcadia Lane is not
23 reasonable.

24 Number two, granting the variances will
25 permit improvements that are consistent with the

1 characteristics of the Lane. It is important for
2 the Village to promote investments that enhance
3 the economic viability and competitiveness of
4 these properties.

5 Number three, granting the variances
6 will have no material adverse impact on the
7 properties to the east or west of Arcadia Lane.
8 And number four, the purpose of the zoning code
9 will be upheld. And no public health, safety,
10 and general welfare of the section of the Village
11 will be compromised. Again, this was voted
12 unanimously for approval, recommended to approval
13 of the Council. And Mr. Reuter is here to answer
14 any specific questions about the project if
15 Council has any.

16 MR. BOLTON: Did you say there were no
17 comments from the neighbors?

18 MAYOR LICASTRO: Several attended and
19 their only comments were in support. We notify
20 everyone within 300 feet by registered mail. The
21 few that did attend said they were all for it.
22 There are similar projects that are already there
23 on Arcadia as to what's being recommended by both
24 these individuals. And it is a significant
25 upgrade to each of their properties.

1 MS. BECKENBACH: These variances that
2 they're requesting will enhance the properties
3 dramatically and enhance the Lane dramatically.
4 And the residents that were here not only spoke
5 in favor of, they were adamant in their support.

6 MR. BOLTON: Great.

7 MAYOR LICASTRO: The unique aspect of
8 Arcadia is it's in the RLF district. It doesn't
9 meet any of the criteria of an RLF district,
10 which is really the need for most of these
11 variances.

12 MR. BOLTON: Any chance either of you
13 have a rendering of what you're proposing?

14 MAYOR LICASTRO: Did you bring a drawing
15 with you?

16 MR. REUTER: I did not. For house
17 number five, we're adding a deck in the back.
18 The only area, our backyard is about 20 by 20
19 feet and it's bounded on all four sides by either
20 a 10-foot wall or two 10-foot garages. So right
21 now it's this isolated little mud pit. Putting
22 in the deck here we're able to step out the back
23 door and have a morning cup of coffee or have
24 dinner out on the patio, so that's basically the
25 improvement we're looking for. That's house

1 number five.

2 MR. ROTHENFELD: This is the front
3 illustration. We're replacing the porch and
4 retaining the profile. However, the front door
5 is -- you can maybe see the steps come from the
6 drive and then you turn towards the house to go
7 in. And the proposal is by extending the roof
8 four feet, it will peak out, overhang the steps
9 so that there's a protected overhang.

10 MR. BOLTON: Well, I know you're an
11 artist, so I expect you would be pretty
12 discriminating in what you wanted to put in.

13 MAYOR LICASTRO: To be specific for lot
14 number five, the variance are as follows: To
15 variance the minimum lot size, the minimum lot
16 width, to permit an increase in a nonconforming
17 lot coverage for the proposed deck; number two,
18 variance of the maximum lot coverage for a deck;
19 number three, a variance to both side and rear
20 yard setbacks for decks and variance to maximum
21 height for fences. And these are listed in
22 various sections of the zoning code. Again, this
23 has also been approved by the ARB process.

24 MR. BOLTON: Is it necessary to pass
25 this as an emergency?

1 MAYOR LICASTRO: They'd like to continue
2 so they can start with their project. They're
3 ready to go. And to delay it another 30 days I
4 think would be a hardship.

5 MR. BOLTON: All right.

6 MAYOR LICASTRO: Ronni.

7 MS. HLAD: Where is Arcadia Lane?

8 MAYOR LICASTRO: Shame on you, Ronni.
9 How can you not know that? You've lived here for
10 20 years. (Laughter.)

11 MS. HLAD: I think it's the one on the
12 east end of the Village.

13 MAYOR LICASTRO: It is.

14 MS. HLAD: I never knew it was called
15 Arcadia Lane. I do know where it is.

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

18 MR. GALLAGHER: Ms. Beckenbach?

19 MS. BECKENBACH: Aye.

20 MR. GALLAGHER: Mr. Binford?

21 MR. BINFORD: Aye.

22 MR. GALLAGHER: Mr. Bolton?

23 MR. BOLTON: Aye.

24 MR. GALLAGHER: Ms. Brownrigg?

25 MS. BROWNRIGG: Aye.

1 MR. GALLAGHER: Mr. Mateyo?

2 MR. MATEYO: Aye.

3 MR. GALLAGHER: Mr. Semersky?

4 MR. SEMERSKY: Aye.

5 MR. GALLAGHER: Thank you.

6 MAYOR LICASTRO: Ordinance number 3411.

7 MR. BINFORD: I would like to introduce
8 ordinance number 3411 on suspension, an ordinance
9 confirming the action by the Board of Zoning
10 Appeals approving the variance requests by Dan
11 Rothenfeld for the property located on Arcadia
12 Lane, with its address as 13401 Lakeshore
13 Boulevard, number four, for an enclosed porch and
14 declaring an emergency.

15 MS. BECKENBACH: Second.

16 MAYOR LICASTRO: And suspension.

17 MR. BINFORD: And suspension.

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

20 MR. GALLAGHER: Ms. Beckenbach?

21 MS. BECKENBACH: Aye.

22 MR. GALLAGHER: Mr. Binford?

23 MR. BINFORD: Aye.

24 MR. GALLAGHER: Mr. Bolton?

25 MR. BOLTON: Aye.

1 MR. GALLAGHER: Ms. Brownrigg?

2 MS. BROWNRIGG: Aye.

3 MR. GALLAGHER: Mr. Mateyo?

4 MR. MATEYO: Aye.

5 MR. GALLAGHER: Mr. Semersky?

6 MR. SEMERSKY: Aye.

7 MR. GALLAGHER: Thank you.

8 MR. BINFORD: Move for passage,
9 ordinance number 3411.

10 MS. BECKENBACH: Second.

11 MAYOR LICASTRO: I think I've made
12 mention of the comments from Mr. Hartt. You've
13 seen the rendition by Mr. Rothenfeld. Again,
14 these specific variances are as follows:
15 Variance to the minimum lot size, minimum lot
16 width, a variance of maximum land coverage for a
17 building, a variance to the front yard setback,
18 and a variance to both side yard setbacks. And
19 everything I said in Hartt's memo pertains to
20 this project as well.

21 Any other questions for Mr. Rothenfeld?
22 Any questions from Council? There being none,
23 roll call on passage, please.

24 MR. GALLAGHER: Ms. Beckenbach?

25 MS. BECKENBACH: Aye.

1 MR. GALLAGHER: Mr. Binford?

2 MR. BINFORD: Aye.

3 MR. GALLAGHER: Mr. Bolton?

4 MR. BOLTON: Aye.

5 MR. GALLAGHER: Ms. Brownrigg?

6 MS. BROWNRIGG: Aye.

7 MR. GALLAGHER: Mr. Mateyo?

8 MR. MATEYO: Aye.

9 MR. GALLAGHER: Mr. Semersky?

10 MR. SEMERSKY: Aye.

11 MR. GALLAGHER: Thank you.

12 MAYOR LICASTRO: Mr. Semersky,
13 resolution 850.

14 MR. SEMERSKY: I'd like to introduce
15 resolution 850 for suspension, a resolution
16 declaring it necessary to replace the existing
17 three mill levy for general operating expenses
18 and increase it with an additional 1.5 mills, to
19 constitute a 4.5 mill replacement levy for
20 general operating expenses, authorizing the
21 Cuyahoga County Auditor to certify the total tax
22 valuation of the Village and the dollar amount of
23 revenue that would be generated by the 4.5 mills
24 replacement tax levy for general operating
25 expenses, and declaring an emergency.

1 MS. BECKENBACH: Second.

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

4 MR. GALLAGHER: Ms. Beckenbach?

5 MS. BECKENBACH: Aye.

6 MR. GALLAGHER: Mr. Binford?

7 MR. BINFORD: Aye.

8 MR. GALLAGHER: Mr. Bolton?

9 MR. BOLTON: Aye.

10 MR. GALLAGHER: Ms. Brownrigg?

11 MS. BROWNRIGG: Aye.

12 MR. GALLAGHER: Mr. Mateyo?

13 MR. MATEYO: Aye.

14 MR. GALLAGHER: Mr. Semersky?

15 MR. SEMERSKY: Aye.

16 MR. GALLAGHER: Thank you.

17 MR. SEMERSKY: I'd like to introduce
18 resolution 850 for passage.

19 MR. BINFORD: Second.

20 MAYOR LICASTRO: Again, this is the
21 first step in a two-step process. The deadline
22 for the ballot is the 21st of August. The
23 attorneys have confirmed that in our special
24 meeting the evening of August 20, we can take the
25 second step and still meet the criteria and have

1 this appear on the ballot in November.

2 MS. BROWNRIGG: This has to be downtown
3 by the 21st.

4 MAYOR LICASTRO: It will be downtown on
5 the 21st. We really use Taft as our delivery
6 agent.

7 MR. CORNETT: Yes. And basically,
8 August 21 is the first 75 days before the general
9 elections, so it has to be at the Board of
10 Elections by 4:00 p.m. on August 21. And we just
11 have a messenger send it over.

12 MAYOR LICASTRO: And confirm that it's
13 received.

14 MR. CORNETT: Yes, they confirm that
15 it's received. And prior to that time we're
16 going to work with them to make sure everything
17 is okay and this will get on the ballot, because
18 obviously this is important.

19 MAYOR LICASTRO: Yes, it is. We need to
20 get this on the ballot.

21 MR. BOLTON: I know everybody feels that
22 this is a Swiss watch and there's no problem. I
23 personally would feel comfortable if it were
24 filed a day or two earlier if possible.

25 MR. CORNETT: In order to do that, the

1 meeting day would have to change.

2 MAYOR LICASTRO: And we can do that, Mr.
3 Bolton. We tried to keep it the same day just
4 for continuity.

5 MS. BROWNRIGG: I agree with Mr. Bolton.

6 MAYOR LICASTRO: Don't you trust Taft
7 Stettinius & Hollister?

8 MS. BROWNRIGG: Yes, but we've had
9 floods and fires and closures in airports.

10 MAYOR LICASTRO: We could do it the
11 13th, which is the prior Wednesday.

12 MS. BROWNRIGG: Works for me.

13 MAYOR LICASTRO: So the special meeting
14 will be Wednesday the 13th. The 13th of August
15 at 5:30 here in these chambers. Will that give
16 them enough time to respond to this piece of
17 legislation?

18 MR. CORNETT: Yes. In fact, we're going
19 to be sending something off tomorrow or Friday.
20 We've talked to the auditor to have them be ready
21 to certify this.

22 MAYOR LICASTRO: So please note the
23 special meeting will be on the 13th of August at
24 5:30. Any other comments or questions?

25 MR. BOLTON: Thank you.

1 MAYOR LICASTRO: There being none, roll
2 call on passage, please.

3 MR. GALLAGHER: Ms. Beckenbach?

4 MS. BECKENBACH: Aye.

5 MR. GALLAGHER: Mr. Binford?

6 MR. BINFORD: Aye.

7 MR. GALLAGHER: Mr. Bolton?

8 MR. BOLTON: Aye.

9 MR. GALLAGHER: Ms. Brownrigg?

10 MS. BROWNRIGG: Aye.

11 MR. GALLAGHER: Mr. Mateyo?

12 MR. MATEYO: Aye.

13 MR. GALLAGHER: Mr. Semersky?

14 MR. SEMERSKY: Aye.

15 MR. GALLAGHER: Thank you.

16 MAYOR LICASTRO: Mr. Bolton, resolution
17 851, please.

18 MR. BOLTON: 851, I was just looking for
19 it. Resolution 851, a resolution authorizing the
20 Mayor to enter into a master equipment lease
21 agreement with First Source Bank for the purpose
22 of leasing with the option to purchase a 2008
23 Ford F 350 truck for the service department and
24 declaring an emergency.

25 MS. BECKENBACH: Second.

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

3 MR. GALLAGHER: Ms. Beckenbach?

4 MS. BECKENBACH: Aye.

5 MR. GALLAGHER: Mr. Binford?

6 MR. BINFORD: Aye.

7 MR. GALLAGHER: Mr. Bolton?

8 MR. BOLTON: Aye.

9 MR. GALLAGHER: Ms. Brownrigg?

10 MS. BROWNRIGG: Aye.

11 MR. GALLAGHER: Mr. Mateyo?

12 MR. MATEYO: Aye.

13 MR. GALLAGHER: Mr. Semersky?

14 MR. SEMERSKY: Aye.

15 MR. GALLAGHER: Thank you.

16 MR. BOLTON: I would like to introduce
17 for passage, resolution 851, a resolution which
18 I've just described. And the amount is for this
19 year five annual payments of \$15,345.

20 MR. MATEYO: Second.

21 MAYOR LICASTRO: Keep in mind that this
22 is going through state purchasing, which allows
23 us to do it without a specific bidding process.
24 And it takes, what is it, like 90 days to get
25 this?

1 MR. ZALAR: Six to seven months.

2 MAYOR LICASTRO: Six to seven months, so
3 we need to move forward with this because Joe
4 needs the trucks. Mr. Bolton.

5 MR. BOLTON: I have not had an
6 opportunity to review the actual master equipment
7 lease agreement prior to the meeting tonight, so
8 I would appreciate it, Mr. Cornett, if you could
9 put in the record that you have reviewed it and
10 that it is acceptable.

11 MR. CORNETT: Well, the reason why in
12 the ordinance, actually, you'll see or in the
13 resolution that there is a caveat that says that
14 it has to be approved. He is authorized to enter
15 into the master purchase lease in accordance with
16 the form of the lease attached hereto, but it's
17 made part of the record as approved by the
18 solicitor. Not all of the terms have been
19 negotiated. The terms are currently being
20 negotiated.

21 There's some language that needs to be
22 worked out between First Source Bank and our
23 office and the Village. So prior to the Mayor
24 entering, actually signing this and moving
25 forward, that will have to be worked out. So

1 this is not the final form. Once it is approved
2 by our office pursuant to the issues that we have
3 with some of the language, the Mayor can enter
4 into that and we'll move forward.

5 MAYOR LICASTRO: And do you expect to
6 have that done in the next few days then?

7 MR. CORNETT: Hopefully within the next
8 week.

9 MR. BOLTON: I appreciate it. I just
10 didn't feel it was appropriate to vote on an
11 agreement which I hadn't had the opportunity to
12 see. I appreciate the fact that the Mayor is
13 going to enter into it subject to your advice.

14 MAYOR LICASTRO: We've had several
15 conversations and negotiations on this that have
16 been ongoing. We're not there yet. Don't worry,
17 I'm not going to sign anything until the
18 attorneys tell me it's okay.

19 MR. CORNETT: Mr. Bolton, if you have
20 any comments, feel free to let me know.

21 MAYOR LICASTRO: Any other comments?
22 There being none, roll call on passage, please.

23 MR. GALLAGHER: Ms. Beckenbach?

24 MS. BECKENBACH: Aye.

25 MR. GALLAGHER: Mr. Binford?

1 MR. BINFORD: Aye.

2 MR. GALLAGHER: Mr. Bolton?

3 MR. BOLTON: Aye.

4 MR. GALLAGHER: Ms. Brownrigg?

5 MS. BROWNRIGG: Aye.

6 MR. GALLAGHER: Mr. Mateyo?

7 MR. MATEYO: Aye.

8 MR. GALLAGHER: Mr. Semersky?

9 MR. SEMERSKY: Aye.

10 MR. GALLAGHER: Thank you.

11 MAYOR LICASTRO: Ordinance number 3414,
12 Mr. Mateyo.

13 MR. MATEYO: I'd like to introduce
14 ordinance number 3414, an ordinance to provide
15 for the issuance and sale of \$557,000 of notes in
16 anticipation of the issuance of bonds, for the
17 purpose of paying a portion of the cost of
18 acquiring certain real property commonly known as
19 the Dale/Ross property for conservation purposes
20 including the conservation and preservation of
21 open space, and declaring an emergency.

22 MAYOR LICASTRO: Did you ask for
23 suspension, Mr. Mateyo?

24 MR. MATEYO: And I ask for suspension.

25 MAYOR LICASTRO: Thank you. Is there a

1 second on suspension?

2 MS. BECKENBACH: Second.

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

5 MR. GALLAGHER: Before we proceed to
6 that, Mr. Mayor, I'd like to inform the Council
7 that I've executed the fiscal officer's
8 certificate, which, in essence, says that the
9 useful life of this improvement is at least five
10 years and the maximum maturity of the note is 240
11 months.

12 MAYOR LICASTRO: And it also represents
13 a paydown of some \$29,000, which was discussed in
14 Ms. Brownrigg's finance.

15 MS. BROWNRIGG: My question was did that
16 have to be approved by Council?

17 MAYOR LICASTRO: I think by doing this
18 Council approves it. This is the net amount less
19 the paydown.

20 MR. GALLAGHER: Ms. Beckenbach?

21 MS. BECKENBACH: Aye.

22 MR. GALLAGHER: Mr. Binford?

23 MR. BINFORD: Aye.

24 MR. GALLAGHER: Mr. Bolton?

25 MR. BOLTON: Aye.

1 MR. GALLAGHER: Ms. Brownrigg?

2 MS. BROWNRIGG: Aye.

3 MR. GALLAGHER: Mr. Mateyo?

4 MR. MATEYO: Aye.

5 MR. GALLAGHER: Mr. Semersky?

6 MR. SEMERSKY: Aye.

7 MR. GALLAGHER: Thank you.

8 MR. MATEYO: I'd like to introduce 3414
9 for passage.

10 MR. BINFORD: Second.

11 MAYOR LICASTRO: Discussion?

12 MR. BOLTON: Yes, I had to leave the
13 meeting the other evening, so I'm sorry I didn't
14 raise this in the Finance Committee meeting. I
15 very much support the concept of paying down
16 principal, but I have reservations about paying
17 down principal in advance of the passage of the
18 proposed levy. And I wondered whether it would
19 be possible for Council to follow the
20 recommendation of the Audit Committee, which was
21 to establish a bond seeking fund for an account
22 to pay down the bond, so perhaps this year's note
23 could be 587 and approximately \$30,000 put into a
24 bank account set aside to pay it down next year,
25 but which in the event of a cash flow emergency

1 could be used by the Village.

2 MAYOR LICASTRO: That's something that
3 could be discussed. Certainly the paydown of
4 debt is something that we promised the villagers
5 we'd do. Five percent done on every year of a
6 20-year period pays it off. We hope to do better
7 than that. The opportunity for this
8 unfortunately, Mr. Bolton, is now because the
9 note does roll in August. One reason why it's in
10 the agenda in July is it takes bond counsel
11 several weeks to go out there and sell the notes,
12 sell the bonds, I'm sorry, that support this
13 note.

14 MR. BOLTON: I understand. And I
15 support that concept very strongly. I'm only
16 concerned that if, heaven forbid, the levy fails
17 to pass, that \$30,000 might make a difference
18 while the Village is working out how to deal with
19 that.

20 MAYOR LICASTRO: If indeed the levy does
21 not pass, we'll be concerned with much more than
22 this. And there are measures we can take on an
23 emergency basis that, if need be, we can address.
24 We are already formatting what-if scenarios just
25 to be precautionary. If it comes down to losing

1 \$300,000 worth of income, \$30,000 will be a drop
2 in that bucket. So I'm confident that won't
3 happen, but your point is well taken.

4 And certainly I think Ms. Brownrigg in
5 working with the Audit Committee, Mr. Ilson in
6 particular was very creative in coming up with
7 some ways to pay down our debt using inside
8 millage. I think we need to look at that very
9 thoroughly, but not in the next couple of weeks.

10 Is that okay, Mr. Bolton? Mr. Mateyo,
11 did you have a question?

12 MR. MATEYO: I understand where Mr.
13 Bolton is coming from. I also said it's very,
14 very important that Council goes out to the
15 citizens and say we have made good on the pledges
16 that we have made, Dale/Ross being just one, and
17 that we are continuing on a constant payback
18 period. I understand the emergency of the levy,
19 but I also think the Audit Committee complemented
20 the Council past, more past than present, but
21 doing a good job of reining in and controlling
22 expenses. This is part of that.

23 MAYOR LICASTRO: And Mr. McDonald did
24 not mention this, but I told him of the
25 Committee's recommendation and he approved it

1 wholeheartedly. Any other comments? Roll call
2 on passage, please?

3 MR. GALLAGHER: Ms. Beckenbach?

4 MS. BECKENBACH: Aye.

5 MR. GALLAGHER: Mr. Binford?

6 MR. BINFORD: Aye.

7 MR. GALLAGHER: Mr. Bolton?

8 MR. BOLTON: Aye.

9 MR. GALLAGHER: Ms. Brownrigg?

10 MS. BROWNRIGG: Aye.

11 MR. GALLAGHER: Mr. Mateyo?

12 MR. MATEYO: Aye.

13 MR. GALLAGHER: Mr. Semersky?

14 MR. SEMERSKY: Aye.

15 MR. GALLAGHER: Thank you.

16 MAYOR LICASTRO: Ms. Brownrigg, we made
17 it down to the end of the table.

18 MR. GALLAGHER: Before we move on, I'd
19 like a motion from Council that the principal
20 come from the General Fund to satisfy my state
21 auditors.

22 MAYOR LICASTRO: But this is going to
23 come from carry-over that includes estate tax.

24 MR. GALLAGHER: Yes, that's all in the
25 General Fund.

1 MAYOR LICASTRO: Mr. Gallagher has
2 recommended a housekeeping motion --

3 MR. GALLAGHER: Yes.

4 MAYOR LICASTRO: -- to satisfy the
5 auditors. Did everyone hear what he had to say?
6 Would you repeat that, Mr. Gallagher?

7 MR. GALLAGHER: That the principal
8 paydown on the note be transferred from the
9 General Fund to the restricted Green Space fund.

10 MAYOR LICASTRO: Which includes estate
11 tax funds.

12 MR. GALLAGHER: Correct.

13 MR. BINFORD: So move.

14 MAYOR LICASTRO: Second?

15 MR. SEMERSKY: Second.

16 MAYOR LICASTRO: All in favor of the
17 motion.

18 Ayes: 6. Nays: 0.

19 MAYOR LICASTRO: Anyone opposed?

20 MR. BOLTON: I didn't understand your
21 comment about obtaining the other funds. I
22 thought the Green Space was --

23 MR. GALLAGHER: What's that?

24 MR. BOLTON: The Mayor said that
25 inheritance tax, it's included in an inheritance

1 tax.

2 MAYOR LICASTRO: The General Fund.

3 MR. BOLTON: I misunderstood.

4 MAYOR LICASTRO: Now, Ms. Brownrigg,
5 please.

6 MS. BROWNRIGG: I'd like to introduce
7 ordinance number 3415 for suspension, Pay Claims,
8 in the amount of \$782,951.14.

9 MAYOR LICASTRO: \$782,983.84.

10 MS. BROWNRIGG: \$782,983.84.

11 MR. MATEYO: Second.

12 MAYOR LICASTRO: Roll call on
13 suspension, please.

14 MR. GALLAGHER: Ms. Beckenbach?

15 MS. BECKENBACH: Aye.

16 MR. GALLAGHER: Mr. Binford?

17 MR. BINFORD: Aye.

18 MR. GALLAGHER: Mr. Bolton?

19 MR. BOLTON: Aye.

20 MR. GALLAGHER: Ms. Brownrigg?

21 MS. BROWNRIGG: Aye.

22 MR. GALLAGHER: Mr. Mateyo?

23 MR. MATEYO: Aye.

24 MR. GALLAGHER: Mr. Semersky?

25 MR. SEMERSKY: Aye.

1 MR. GALLAGHER: Thank you.

2 MS. BROWNRIGG: I'd to introduce
3 ordinance number 3415 for passage.

4 MR. BINFORD: Second.

5 MAYOR LICASTRO: Several comments.
6 First of all, the amount is very high because of
7 the payoff of the note, which will then roll.
8 And Mr. Gallagher was kind enough to highlight
9 three items on here, which were changed from the
10 draft that you received earlier. You see them in
11 green.

12 MR. BOLTON: I haven't received the
13 actual, just the drafts.

14 MS. BROWNRIGG: I only have the draft,
15 also.

16 MR. GALLAGHER: I highlighted your copy.

17 MAYOR LICASTRO: I see. There's a
18 change of \$122 for water, a change of --

19 MR. GALLAGHER: Division of water, it's
20 a water bill.

21 MAYOR LICASTRO: I beg your pardon. A
22 change of \$175 for electrical inspector.

23 MR. GALLAGHER: Went from 150 to 175.

24 MAYOR LICASTRO: And Verizon, \$115.64.

25 MR. GALLAGHER: Which constitutes a

1 reduction.

2 MR. BOLTON: I didn't have the 782. I
3 only found the 720, so I've got it.

4 MAYOR LICASTRO: Any other comments or
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: That comes to the end
21 of our agenda. Mr. Bierut, did you have any
22 questions?

23 MR. BIERUT: No comments.

24 MAYOR LICASTRO: Anyone on Council?

25 MR. BOLTON: I had a couple of questions

1 if I could. One was the lawnmower blower and
2 supplies, Mr. Zalar, how is it working?

3 MR. ZALAR: Fantastic.

4 MR. BOLTON: And the Lakeshore pump in
5 here, it's taking it all out?

6 MAYOR LICASTRO: For the pump station?
7 Joe shook his head yes.

8 MR. BOLTON: I had one more question,
9 but I don't see it. Well, I'll find it and ask
10 it off the record.

11 MAYOR LICASTRO: Anyone else on Council?
12 Anyone from up top? Anyone in the audience? Ms.
13 Bacci.

14 MS. BACCI: I would like to, if
15 possible, get a copy of the agenda, even though I
16 know it's always in a state of flux, emailed. If
17 that could be done with the disclaimer that it's
18 a draft knowing full well that it can change at
19 any moment. That way if I wanted to do some
20 homework before Council meeting and even chat
21 with any of you folks before the meeting and not
22 waste your time in the meeting, I think that
23 would be very helpful to you.

24 MR. GALLAGHER: They are posted in the
25 boxes on Friday before the meeting.

1 MS. BACCI: Well, I haven't started my
2 walking program yet and my car doesn't curb well
3 without bumping the curbs. An email would really
4 be wonderful, pretty please.

5 MR. GALLAGHER: It's not my call.

6 MS. BACCI: It's public information.

7 MAYOR LICASTRO: Give your email
8 address.

9 MS. BACCI: He has it. Thank you.

10 MAYOR LICASTRO: Anyone else?

11 MR. BOLTON: Here's my other question.
12 Mr. Bierut, Haskell sinkhole.

13 MAYOR LICASTRO: It's done.

14 MR. BIERUT: It's done.

15 MR. BOLTON: Wonderful.

16 MR. MATEYO: I'm sorry, it's not. It's
17 been crapped over, but it's not done.

18 MAYOR LICASTRO: The culvert has been
19 replaced.

20 MS. BECKENBACH: They're looking at a
21 grating, price for grating.

22 MAYOR LICASTRO: Mr. Robins.

23 MR. ROBINS: My question was for you
24 about the sewer cleaning. And it was mentioned
25 that we ran into a couple of glitches. Is the

1 original cost and what the cost is looking like
2 now, close.

3 MR. BIERUT: It was close. And I think
4 when Joe mentions further costs, I haven't seen
5 the video or the DVD, but I think what Joe is
6 referencing is incidents where the camera fell in
7 the hole of the pipe, had to be dug out, that
8 type of thing.

9 MR. ROBINS: That's not added in the
10 cost?

11 MR. BIERUT: That added cost, but as far
12 as long-range, we have to replace a section, that
13 will have to be looked at.

14 MAYOR LICASTRO: We're looking for some
15 quotes on those projects.

16 MR. ROBINS: So that's treated as a
17 separate?

18 MAYOR LICASTRO: Yes. Really inspection
19 identifies the problems that we then deal with
20 them. If you notice when you leave here on
21 Bratenahl Road, there's a sinkhole about this big
22 that's quite deep, so the west end of the Village
23 causes us way more problems than the east end
24 because it's all sand. As we move east with this
25 project, we should hopefully have fewer and fewer

1 problems. Ms. Kesselem.

2 MS. KESSELEM: Can't we have the agenda
3 posted on the web site so you can just print it
4 before we come? I think that will be easier than
5 giving different people emails, just put it in
6 the box.

7 MAYOR LICASTRO: Our web site went
8 through a period of flux. We were actually down
9 for a while. We're now up and running again. I
10 think that's a reasonable request. As long as
11 you understand, as Ms. Bacci mentioned, it is
12 preliminary.

13 MS. BACCI: I understand that.

14 MAYOR LICASTRO: I know you understand
15 that. And we make changes to this sometimes.

16 MS. BACCI: And it can say draft.

17 MS. KESSELEM: Yeah, we can do that.

18 MR. BOLTON: Mr. Bierut, how are the
19 negotiations coming for payment from the Eddy
20 Road and Roediger issue?

21 MR. CORNETT: We are talking with the
22 insurance company. It's been referred to their
23 insurance company, who also has their bond, and
24 so that has been ongoing. There's actually
25 memorandums that have gone past from Perk to the

1 insurance company stating that it is now hurting
2 the insured based on the fact they have now not
3 paid for a long time and they're dragging their
4 feet, so Perk is actually helping us with this.

5 Other than filing suit sometime soon,
6 which I've threatened them on different
7 occasions. Hopefully they're going to do it and
8 pay without us having to take that step.

9 MAYOR LICASTRO: Do me a favor, Mr.
10 Cornett, on behalf of Council and myself, let
11 them know that we're getting frustrated with the
12 slow pace of this and we need to resolve this or
13 we're willing to take additional steps. Is
14 everyone comfortable with that kind of action or
15 at least motion?

16 MR. MATEYO: Yes.

17 MAYOR LICASTRO: Let's get this done.
18 We've already paid the monies. It's been too
19 long. Let's get this done. They are
20 responsible.

21 MR. CORNETT: Yes, and they haven't said
22 otherwise.

23 MAYOR LICASTRO: Well, then a check
24 would be nice. Mr. Bolton, anything else?

25 MR. BOLTON: No.

1 (Laughter.)

2 MAYOR LICASTRO: Ms. Hlad.

3 MS. HLAD: When the people that are
4 working on the sewer are doing the job, if they
5 should get their camera stuck down there because
6 something is broken in the street, are we being
7 billed extra because they have to send for a
8 cement truck, they have to dig up the ground?

9 MAYOR LICASTRO: There's two projects.
10 The first project is to televise, to clean and
11 televise the sewer system. When we find a
12 problem like the hole we found on Brighton, it's
13 a separate project, so yes, we have to pay for
14 both, but the \$28,000 that were allocated for the
15 cleaning and televising does not include repairs,
16 that's over and above, but the purpose of doing
17 this project is to identify problems and correct
18 them.

19 MS. HLAD: Understandable, but I think
20 they would have had to dig anyway if they wanted
21 to get their camera out.

22 MAYOR LICASTRO: But it was a hole in
23 the pipe. It wasn't that they just lost a
24 camera.

25 MS. HLAD: That happened to me. Had

1 that not happened and they get that thing stuck
2 in there just by the by, are we paying them for
3 them to -- there was a barrage of trucks that
4 never quit.

5 MR. BIERUT: Yeah, if they get their
6 camera jammed in and for some reason unrelated to
7 our hole, they have to do what they have to do to
8 get it out and we don't pay extra.

9 MAYOR LICASTRO: The problem is not just
10 finding the camera, the problem is the hole
11 itself. Ms. Beckenbach.

12 MS. BECKENBACH: I move for adjournment.

13 MR. BOLTON: Second.

14 MAYOR LICASTRO: Thank you. Have a nice
15 evening.

16 (Meeting adjourned at 7:07 p.m.)
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