MAYOR LICASTRO: Please rise and join me in the Pledge of Allegiance.

(Pledge of Allegiance.)

MAYOR LICASTRO: I'll call the meeting to order and ask Ms. Cooks to call the roll, please.

Ms. Cooks: Mr. Benjamin?

Mr. Benjamin: Here.

Ms. Cooks: Ms. Huffman?

Ms. Huffman: Here.

Ms. Cooks: Mr. McDonald?

Mr. McDonald: Here.

Ms. Cooks: Mr. Yonchak?

Mr. Yonchak: Here.

MAYOR LICASTRO: Thank you. I have the Mayor's Court Report for September. The Treasurer of the State of Ohio received $3,335; the City of Cleveland $127; the Treasurer of the County, $420; the Village of Bratenahl, $21,990. Any comments on that? Thank you.

Remind everyone Issue 23 is on the ballot this fall. It is a 4.7 30-year bond issue to generate monies to pay off the debt of the service garage and build a 12,000 square foot police station with shared space and government offices. 2 million of which goes to service garage, 7.5 for construction. Council, in their wisdom, took a 1.5 rec levy off the books so it makes the net effect of this 3.2. The ballot language, of course, will be 4.7. The net reduction is for everyone's information only. So it will be your opportunity to support it or not. It will be on the ballot November 8th in this very building.

MR. YONCHAK: I just want to say that it is 4.7 mill levy. I know there's been a lot of talk about this effective rate. I'm not real keen on representing it as an effective rate, I want to go on the record saying this. This is a 4.7 mill levy. And I'm just not keen on the 3.2, just so you know.

MAYOR LICASTRO: So noted. Thank you.

So here's the dilemma. We have to do everything on either second or first reading, because we don't have a fifth for suspension. You need to check your calendars. A lot of this is timely. The money from the county. The concrete project, the asphalt project. We're going to have to a special meeting to pass all this where I can get five of you in the room.

So we get into November is iffy with Thanksgiving. Perhaps in the next week or so we can find a date that works for everybody where we can meet and just pass legislation, because we will have discussed it at length at this meeting. Is everybody okay with that?

MR. MATTY: Mayor, the next meeting is November 16th, that's too late.

MAYOR LICASTRO: For pay claims in particular, yeah.

MR. BIERUT: Too late for the asphalt.

MAYOR LICASTRO: The asphalt, concrete.

MR. MATTY: Just want to make sure.

MAYOR LICASTRO: And the county money, we don't want to lose those police cars, they're being held. So it can be perfunctory since we've discussed it at length tonight.

So is that okay with everyone if I shoot you some dates in the next week or so?

MR. MCDONALD: That will be face to face, do we have to have a meeting?

MR. MATTY: Yes.

MAYOR LICASTRO: We have to have five. We can't do it with four. Hopefully six, but five at least. So I'm going to ask we offer each
1 of these for either second or first reading.

So, Mr. Benjamin, Resolution 1268 was
put on first reading last month. Would you offer
that for second reading tonight?

MR. BENJAMIN: Resolution 1268,
authorizing the Mayor to enter into a project
award agreement with the County of Cuyahoga, Ohio
for the Eddy Road rehabilitation project and
declaring an emergency. This is second reading.

MAYOR LICASTRO: Thank you. Ms.
Huffman, if you would, 1269 in the same manner.

MS. HUFFMAN: I'm sorry, Mayor, hang on.

Introducing Resolution Number 1269, a resolution
authorizing the Mayor to enter into a project
award agreement with the County of Cuyahoga, Ohio
for the purchase of two new police vehicles and
declaring an emergency, for second reading.

MAYOR LICASTRO: Thank you. The monies
have been confirmed. We should have them in hand
by the end of the month.

Ordinance Number 4156, Mr. McDonald, for
second reading as well.

MR. MCDONALD: Introducing Ordinance
Number 4156, an ordinance amending Section 149.01
titled holidays of the administrative code to

MS. MEADE: The other thing that is

MAYOR LICASTRO: One thing we're looking
at in the ad hoc committee are the recreation
programs as well to make sure they meet the needs
do with this building. It's for continuing
usages, that's a community center. Does

what's happening now.

MAYOR LICASTRO: I'm not going to debate
it further.

MR. YONCHAK: Can I say the tax that we
did not approve isn't for the building, it's for
the community center and turn it into revenue.

What happens down the road is not germane to
what's happening now.

MAYOR LICASTRO: I'm just reminded that
in my haste, are there any comments from the
public on agenda items? Ms. Meade.

MS. MEADE: Yes. Regarding Issue 23 for
clarification, since that qualifies for business,
could you tell everyone without the net effective
rate what --

MAYOR LICASTRO: That's what I just did.

MAYOR LICASTRO: I understand.

MR. YONCHAK: Okay. It has nothing to
do with this building. It's for continuing
programs.

MAYOR LICASTRO: One thing we're looking
at in the ad hoc committee are the recreation
programs as well to make sure they meet the needs
of our residents.

MAYOR LICASTRO: Again, that is
conjecture. I mean, we might decide to tear down
the community center and turn it into revenue.

So, Mr. Benjamin, Resolution 1268 was
put on first reading last month. Would you offer
that for second reading tonight?

MAYOR LICASTRO: Thank you. Ms.
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titled holidays of the administrative code to

MS. MEADE: -- what the 4.7 mills would
be on an annual basis for $100,000 home?

MAYOR LICASTRO: It will be about $164
per $100,000 of appraisal. The net rate makes it
$112. And again, the reason I keep saying that
is because the 1.5 is coming off the books. If
the 4.7 is added, it's a net rate, which Mr.
Yonchak is not comfortable, I'm comfortable. The
difference between those two is about $50.

MS. MEADE: But understand that's where
residents are being confused with the net rate
versus what they're actually approving. You're

MAYOR LICASTRO: Again, that is
conjecture. It's up to Council to determine what
goes on the ballot. If they indeed they put a
rec levy on the ballot, it will always be there
for citizens to approve. You're making an
assumption. Most communities fund their rec
program out of the general fund.

MS. MEADE: Even if fund it out of the
general fund, you don't have that surplus. So
you're going to have to increase and find that
money somewhere, so it's going to be taxes
somewhere down the road probably in one to two
years. So that's why people are confused and

MAYOR LICASTRO: I'm going to debate
it further.

MR. YONCHAK: Can I say the tax that we
did not approve isn't for the building, it's for
the community center?

MAYOR LICASTRO: I'm not going to debate
it further.

MR. YONCHAK: Can I say the tax that we
did not approve isn't for the building, it's for
the community center?

MAYOR LICASTRO: I'm not going to debate
it further.

MR. YONCHAK: Can I say the tax that we
did not approve isn't for the building, it's for
the community center?
1. people is where it says 100 percent of the
2. proceeds from this levy will be dedicated to
3. police related capital expenses, including the
4. design and construction of the much needed new
5. police station and government office building.
6. Two paragraphs down it says, if passed,
7. it will pay off $2 million of the debt on the
8. service garage. So 100 percent of proceeds will
9. not go to this building, because 2 million is
10. going to service, which has nothing to do with
11. the police related capital expenses.
12. So again, people are saying it's
13. misleading and it's misinformation. So again,
14. people just want to know what they're really
15. looking at and what facts are facts. So I just
16. wanted to try and clarify a couple of those
17. points.

MAYOR LICASTRO: Thank you. Did we do
19. Ordinance 4156?

MS. COOKS: No.

MAYOR LICASTRO: We did not do that one?
MR. BENJAMIN: We're at 1273. We did
23. 4156.
MS. MEADE: Brand-new business, top of
24. 25 new business.

MAYOR LICASTRO: Thank you, sir. Gina.

Mr. McDonald did it.

MAYOR LICASTRO: Mr. McDonald did. So
4. Mr. Yonchak, would you offer 1237 for first
reading?

MR. YONCHAK: Yes. First reading,
6. Resolution 1273, resolution accepting a donation
7. from the Bratenahl Community Foundation for the
8. purchase of two bicycles from Volcanic Bikes for
9. use by the police department and declaring an
10. emergency.

MAYOR LICASTRO: For first reading, sir.
MR. YONCHAK: First reading.
MAYOR LICASTRO: Now, they've raised
$5,000, which will cover the cost of the bikes.
We have one check in hand and we are waiting for
a second. We can't spend it unless we authorize
its acceptance. Thank you, Mr. Yonchak.
MS. MEADE: Are they electric bikes?
MAYOR LICASTRO: Mr. Benjamin, if you
would, Resolution 1274.
MR. BENJAMIN: Resolution 1274,
accepting the bid of Infinity Paving for the 2022
asphalt repair program and declaring an
emergency. This is for first reading.

MAYOR LICASTRO: Thank you, sir. Gina.

Ms. Huffman, 1275, please.

MS. HUFFMAN: Resolution Number 1275, a
resolution accepting the bid of --
MAYOR LICASTRO: CA Agresta.

Ms. Huffman, if you would, 4158 for first reading.
MR. MCDONALD: Ordinance Number 4158, an
ordinance to amend Ordinance Number 4144 and
appropriating funds to provide for the
expenditures of the Village of Bratenahl during
the fiscal year ending December 31, 2022, and
declaring an emergency, first reading.

MAYOR LICASTRO: Thank you. Mr.
Yonchak, if you would, 4159.

MR. YONCHAK: For first reading,
Ordinance 4159. An ordinance making the
necessary transfers between certain funds for the
fiscal year ending December 31, 2022, and
declaring an emergency, for first reading.

MAYOR LICASTRO: Thank you. Mr.
Benjamin, if you would, 4160.

MAYOR LICASTRO: I think it can be
perfunctory since we already talked about these
available. So should we play it by ear and I'll
talk to Joyce and Tracy to see when they're
available. So should we play it by ear and I'll
shoot you some dates tomorrow?

MR. MCDONALD: We can't do it by Zoom.
MR. MATTY: No, we can't unfortunately.
MAYOR LICASTRO: I think it can be
perfunctory since we already talked about these
at length. Bob, you said next week is okay for
MR. YONCHAK: Everything is fine for me.

MAYOR LICASTRO: And it depends on the date for you. It depends on the date for me, too. All right. Stay tuned.

MR. MATTY: You had a recommendation, please.

MR. MATTY: Mayor, I would recommend to Council at this time the Finance Committee made recommendations concerning the financial reports that Council satisfied with having their questions answered in the presentation by Fiscal Officer Cooks.

As Village Solicitor, I would ask for a motion from Council approving the Fiscal motion from Council approving the Fiscal Officer’s monthly financial reports, which have been submitted to you for your review and input.

MR. MCDONALD: So move.

MR. BENJAMIN: Second.

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

AYES: 5. NAYS: 0.

MAYOR LICASTRO: Anyone else on Council?

Anyone in the audience? Ms. Meade.

MS. MEADE: Yes. Are the police report this month?

MS. MEADE: Are there any crime stats to discuss this month?

CHIEF LOBELLO: No. I’m not saying there are no crimes stats. I don’t have them with me to report.

MS. MEADE: Okay. Do you plan to do that?

CHIEF LOBELLO: I’m sorry?

MS. MEADE: Will you be planning to do that going forward?

CHIEF LOBELLO: Yes, ma’am.

MS. MEADE: Last month the issue of Christopherson property and whether or not it was zoned for a single housing dwelling and Mr. Matty was going to look into that and get back to me.

MR. MATTY: Mr. Matty was not going to look into that issue. Mr. Matty was looking into the complaint that was raised by you at the meeting. The complaint concerning rental tenants.

MS. MEADE: Yes.

MR. MATTY: Ms. Molnar has provided me the excerpt from the transcript. That was provided to me, I believe, the end of last week.

The same day I provided that to Scott Packard, the Building Commissioner and Mary Ranney, our Building Administrator, and asked them to immediately set up the rental inspection process for the property.

MS. MEADE: So does that mean it was not zoned as a multi-family dwelling?

MR. MATTY: Your request didn’t have anything to do with zoning. Your request was as to tenants in the property and we will start our rental inspection process. Thank you.

MS. MEADE: Let me add to that complaint and ask if the property originally was zoned --

MR. MATTY: You can ask that. It will be not be answered this evening. That is a request for information. Your request was a complaint because of rental tenants on the property. And I’ve asked for a rental inspection, which is the first step in the process.

MS. MEADE: Please don’t get upset with me.

MR. MATTY: I’m not upset with you, but you keep putting words in my mouth about zoning.

The request was a complaint. So that if anybody asks for public records for a complaint, they are going to follow it up.

MAYOR LICASTRO: One minute left.

MS. MEADE: Then let me clarify.

Whatever the phrasing is, if someone could look into if that property was ever zoned and switched from a single-house dwelling to a multi-house dwelling, I would like to see that public record.

And if it was not, can that be rectified or investigated or whatever the proper word is?

Does that make sense?

MR. MATTY: No, it doesn’t make sense to me, but it does make sense that the record request, Diana, would be if you could have Lori check into the fact that if there ever has been a change in zoning for the property.

MS. MEADE: And if not, then what steps could someone investigate further or make a complaint to see -- to correct it? Does that have to come to Mr. Packard?

MR. MATTY: No, that actually has to come through your review of our code. You can
17  take a look at the code and make a determination.
2 for that information request what the code says.
3 As I told you last meeting about the request
4 where you asked about the ORC in our code, both
5 are online. You can do your research on that.
6 MAYOR LICASTRO: Thank you, Ms. Meade.
7 Anyone else? Mr. Orel.
8 MR. OREL: Just real quick, I would like
9 to say that it has happened, it's happened on
10 Foster and it's also happened on Burton where a
11 single-family house was turned into a two-family
12 house or multi-family house without any codes or
13 without approval of Bratenahl. That has happened
14 in the past. Just putting it out there, that's
15 all.
16 MAYOR LICASTRO: Thank you. One final
17 comment. Ms. Meade is always anxious to correct
18 me. You had something in MOREBratenahl, which
19 criticized us for hiring Jeff Meyers from DS
20 Architecture as a resident. First of all,
21 there's nothing wrong in doing that. Secondly,
22 he did not become a resident until after we hired
23 him. So I'm not debating with you, I'm making a
24 statement. MOREBratenahl was not correct. We
25 did not hire him as a resident initially. He

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18  fell in love with Bratenahl and decided to become
19 a resident after the fact.
20 MS. MEADE: That is correct information,
21 but if you read my language, I believe it just
22 mentioned he was a Bratenahl resident and didn't
23 say what you are alluding to. I just stated he
24 is a resident as well as a consultant and that's
25 factually accurate. That's all.
26 MAYOR LICASTRO: Of course.
27 MS. MEADE: I did not criticize him
28 whatsoever.
29 MR. YONCHAK: One more thing real quick.
30 Dog park gate, can you give us a --
31 MAYOR LICASTRO: We have contracted with
32 a fence company to move the gate. It took to the
33 tune of $3,900. We're waiting for an update.
34 Mr. Maund was proactive in doing that. And we're
35 waiting for an update.
36 MS. GOYANES: There are two gates.
37 MAYOR LICASTRO: We're moving the
38 entrance from its current location south.
39 MS. GOYANES: But there are two gates.
40 There's a gate on the north side, too. There are
41 two gates.
42 MAYOR LICASTRO: Mr. Maund looked at it

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19  and has made a recommendation.
2 MR. MAUND: There's a gate to get in the
3 cool-down area and then from the cool-down area
4 into the dog park. That whole section will be
5 moved to the south side and the maintenance gate
6 will be moved to the north side. The gate on the
7 other side is going to stay there.
8 MS. GOYANES: On the north side.
9 MR. MAUND: The one on the far side. It
10 needs to be locked up. We can lock that up.
11 MS. MEADE: When will that happen?
12 MR. MAUND: Whenever the contractor --
13 MAYOR LICASTRO: Getting these
14 contractors to respond, when he's talking about
15 that, is insane. Bob, you were talking about
16 that with your mom in the shower. I mean, we've
17 signed the purchase order. We're just waiting
18 for a time frame.
19 MR. YONCHAK: Thank you for the
20 progress.
21 MS. MEADE: Yes, thank you.
22 MAYOR LICASTRO: Thank you. Is there a
23 motion to adjourn?
24 MR. MCDONALD: So move.
25 MR. YONCHAK: Second.

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CERTIFICATE

I, Nancy L. Molnar, do hereby certify that

as such Reporter I took down in Stenotypy all of
the proceedings had in the foregoing transcript;
that I have transcribed my said Stenotype notes
into typewritten form as appears in the foregoing
transcript; that said transcript is the complete
form of the proceedings had in said cause and
constitutes a true and correct transcript therein.

Nancy L. Molnar
Nancy L. Molnar, Notary Public
within and for the State of Ohio


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