



**By Call of Chairman James Puffenberger  
Finance Committee Meeting  
Wednesday, October 20, 2021 at 5:30PM  
Bratenahl Community Center  
10300 Brighton Road**

**PLEASE SILENCE ALL ELECTRONIC DEVICES**

- 1) Call to Order - Roll Call
- 2) Approval of Prior Meeting Minutes
- 3) Village Fiscal Officer Report
- 4) **Resolution 1237:** Cuyahoga County Board and Inmate Contract
- 5) **Ordinance 4122:** Contract Renewal Matty, Henrikson & Greve, LLC
- 6) **Ordinance 4123:** Pay Claims
- 7) Utilization of Village Marketing Funds and Marketing Process
- 8) Clemans-Nelson HR Proposal(s)
- 9) Adjourn

And any other business as may properly come before this Committee may be considered and acted upon.

Posted: October 18, 2021

Diana L. Cooks, Clerk of Council

Name	BENJAMIN			BURKE-JONES			HUFFMAN			MCDONALD			PUFFENBERGER			TAYLOR		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

RESOLUTION NO: 1237

INTRODUCED BY:

**A RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO  
THE COUNTY OF CUYAHOGA INMATE, BOARD AND CARE  
AMENDED AND RESTATED CONTRACT AND DECLARING  
AN EMERGENCY**

WHEREAS, The County and the Village of Bratenahl entered into a Prisoner Board and Care Contract in 2015, which expired by its terms on July 31, 2020; and

WHEREAS, At its meeting of May 20, 2020, council adopted Resolution No. 1185 authorizing and ratifying The County of Cuyahoga Prisoner Board and Care Amended and Restated Contract, which expires by its terms on December 31, 2020; and

WHEREAS, At its meeting of October 21, 2020, council adopted Resolution No. 1209 authorizing The County of Cuyahoga Inmate, Board and Care Amended and Restated Contract, which expires by its terms on December 31, 2021; and

WHEREAS, Cuyahoga County and the Village of Bratenahl desire to amend The County of Cuyahoga Inmate, Board and Care Amended and Restated Contract, which expires by its terms on December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Bratenahl, County of Cuyahoga, State of Ohio, that:

SECTION 1. The First Amendment to The County of Cuyahoga Inmate, Board and Care Amended and Restated Contract is hereby authorized, effective January 1, 2022, a copy of which First Amendment to Amended and Restated Contract is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of the Village of Bratenahl by reason of the immediate necessity to extend the contract; wherefore, this Resolution shall be in full force and effect from and immediately after its adoption.

PASSED:

APPROVED:

\_\_\_\_\_  
John M. Licastro, Mayor

\_\_\_\_\_  
Diana L. Cooks, Village Fiscal Officer

**FIRST AMENDMENT**

by and between

**CUYAHOGA COUNTY, OHIO**

and

**VILLAGE OF BRATENAHL**

THIS FIRST AMENDMENT (the "Amendment") is made and entered into effective as of the date signed by the County Executive (the "Effective Date"), by and between Cuyahoga County, Ohio a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof (the "County") and the Village of Bratenahl ("Bratenahl").

WHEREAS, the County and Bratenahl entered into an Amended and Restated Contract on January 1, 2021 (the "Original Contract") to provide inmate, board, and care services; and

WHEREAS, the Parties now desire to amend the Original Contract.

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Original Contract is amended as follows:

1. This Amendment amends the Original Contract and, except as specifically amended hereby, the Original Contract shall remain in full force and effect. The Original Contract, together with this Amendment are herein collectively referred to as the "Contract." In the event of a conflict between this Amendment and the Original Contract, as amended, the terms of this Amendment will prevail.
2. Section II of the Original Contract is amended to extend the Term through December 31, 2022. The per diem rate during this time period will remain at \$122.12 per inmate per day.

ELECTRONIC SIGNATURE

**BRATENAHL AGREES ON BEHALF OF THE SUBMITTING BUSINESS ENTITY, ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, SUBGRANTEES, AGENTS OR ASSIGNS, THAT ALL CONTRACT DOCUMENTS REQUIRING COUNTY SIGNATURES MAY BE EXECUTED BY ELECTRONIC MEANS, AND THAT THE ELECTRONIC SIGNATURES AFFIXED BY THE COUNTY TO SAID DOCUMENTS SHALL HAVE THE SAME LEGAL EFFECT AS IF THAT SIGNATURE WAS MANUALLY AFFIXED TO A PAPER VERSION OF THE DOCUMENT. BRATENAHL ALSO AGREES ON BEHALF OF THE AFOREMENTIONED ENTITY AND PERSONS, TO BE BOUND BY THE PROVISIONS OF CHAPTERS 304 AND 1306 OF THE OHIO**

**REVISED CODE AS THEY PERTAIN TO ELECTRONIC TRANSACTIONS, AND TO COMPLY WITH THE ELECTRONIC SIGNATURE POLICY OF CUYAHOGA COUNTY.**

IN WITNESS WHEREOF, the County and Bratenahl have executed this Amendment effective as of the Effective Date.

**CUYAHOGA COUNTY, OHIO**

**BY:** \_\_\_\_\_  
**Armond Budish, County Executive,**  
**or designee pursuant to Executive Orders**  
**No. EO2018-0002 dated October 31, 2018**  
**or No. EO2018-0001 dated February 26, 2018**

AND

**VILLAGE OF BRATENAHL**

**BY:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

The legal form and correctness  
of this Contract is hereby approved:  
Law Department, County of Cuyahoga, Ohio  
Jonathan McGory, Assistant Law Director  
Gregory G. Huth, Esq. Director of Law

Name	BENJAMIN			BURKE-JONES			HUFFMAN			MCDONALD			PUFFENBERGER			TAYLOR		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

ORDINANCE NO: 4122

INTRODUCED BY:

AN ORDINANCE APPROVING A CONTRACT WITH  
AND APPOINTING MATTY, HENRIKSON & GREVE LLC  
AS LEGAL COUNSEL FOR THE VILLAGE OF BRATEN AHL,  
AND PROVIDING FOR THE PAYMENT OF COMPENSATION  
TO MATTY, HENRIKSON & GREVE LLC  
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the Village of Bratenahl, State of Ohio, that:

SECTION 1. The Village, with the passage of this Ordinance, hereby enters into a contract with the law firm of Matty, Henrikson & Greve LLC for said Firm to act as the Legal Counsel for the Village and to provide professional and efficient legal counsel and representation to the Village as an independent contractor, subject to the pleasure of the Council.

SECTION 2. It shall be the duty of Matty, Henrikson & Greve LLC to provide legal representation and to provide an attorney(s) to attend all regular meetings of the Council and, upon request, prepare resolutions, ordinances, bonds, legal notices and contracts, as well as other official documents or legislation. A member(s) of Matty, Henrikson & Greve LLC shall give routine legal advice and render opinions and perform such other duties as the Firm may be called upon to perform by the Council or the Mayor. A member(s) of the Firm shall review and approve any work of a civil nature by the Village Prosecutor. A member(s) of the Firm, shall also carry out the duties set forth in Section 4 hereof.

SECTION 3. Said Firm shall receive a fixed retainer of One Thousand Eight Hundred Dollars (\$1,800) per month in payment of the general legal services specified in the first two sentences of Section 2 above. The above monthly retainer does not cover the matters set forth in Section 4 herein, which shall be deemed extraordinary services.

SECTION 4. For trips out of town on business for the Village or its officials at the request of the Mayor or Council, for the handling and settlement of any and all proceedings, either civil, criminal, or administrative in any court other than the Mayor’s Court, for preparation and supervision of legislation, proceedings and transcripts for the levy of special assessments, for attendance at special meetings, for any services in court or before administrative agencies, for any services on any litigation matter or claim, for any services in preparation for any such matter or claim, for any services on any contested matter or claim, for any services necessary in labor negotiations, for any services in litigation avoidance matters involving another party or person and/or their representative, for any service in property or easement acquisitions or property sale matters, and for any other services deemed extraordinary services or for any other matters as authorized by the Mayor or Village Council, Matty, Henrikson & Greve LLC shall receive,

in addition to the retainer compensation set forth in Section 3 hereof, such reasonable compensation and out-of-pocket expenses, as shall be approved by the Council upon statements rendered monthly, which services will be billed at the rates attached in Exhibit A. Total compensation to Matty, Henrikson & Greve LLC shall not exceed one hundred and forty thousand dollars (\$140,000) for the year 2022 (January 1, 2022 through December 31, 2022 and then again for the year 2023 (January 1, 2023 through December 31, 2023) for all legal services rendered pursuant to Section 2 above and this Section 4, to the Village unless otherwise increased by the Council with approval of the Mayor.

SECTION 5. It is anticipated that David J. Matty, an attorney duly admitted to the practice of law in the State of Ohio, and of the firm of, Matty, Henrikson & Greve LLC, will be the primary attorney for the responsibilities and duties set forth above in Section 2. The other members of Matty, Henrikson & Greve LLC will be available to the Village to provide a high level of legal representation.

SECTION 6. This Council hereby declares and affirms that this ordinance is in accordance with Ohio Revised Code Section 2921.421.

SECTION 7. All ordinances or parts of ordinances in conflict with any provision of this ordinance shall be and the same are hereby repealed.

SECTION 8. This Ordinance is hereby declared to be an emergency measure and necessary for the immediate preservation of the public peace, safety, health and welfare of the inhabitants of the Village of Bratenahl by reason of the necessity of immediately providing the appointment of Legal Counsel for the Village for its adequate representation; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Passed:

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John M. Licastro, Mayor

ATTEST:

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Diana L. Cooks, Village Fiscal Officer

## EXHIBIT A

### HOURLY RATES:

David J. Matty and Other Members	\$175 per hour
Associates	\$160 per hour
Paralegals	\$125 per hour
Law Clerks	\$60 per hour

### REIMBURSABLE OUT-OF-POCKET EXPENSES:

Copies of docket, certified copies, filing fees, etc. (from courts)  
Expert witness fees  
Medical exams  
Court reporter costs  
Appraiser's fees  
Miscellaneous litigation expenses  
Legal research costs  
Real estate transfer and recording fees with County Auditor and  
Cuyahoga County Recorder

Name	Benjamin			Burke-Jones			Huffman			McDonald			Puffenberger			Taylor		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

Oct-21

ORDINANCE NO: 4123

Final

INTRODUCED BY:

That the following claims against the Village of Bratenahl are hereby directed from the Funds and the Fiscal Officer is hereby authorized and directed to draw her warrants for payment, to wit:

**PUBLIC SAFETY**

Atwell's Police & Fire Equipment	Uniforms/Equipment/Vests	\$ 3,213.51
Best Buy Tires	Repair/Maintenance vehicles	3,304.83
Thurston Cosner PhD	Evaluation - Toth	70.00
Identiphoto	ID badges	24.75
Lakefront Auto Parts	Wiper blades	172.10
Landmark	Gasoline: 66	1,983.02
Liquid Image	Re-Decal 2019 Tahoe	2,500.00
Novak Supply	Badges	517.50
Oh Assoc of Chiefs of Police (OACP)	2021-22 dues	195.00
Progressive Microtechnology	Annual support service	695.00
Shuttler's	Uniforms/Equipment/Vests	551.50
Signal Service Co	Repair to control cabinet -LSB/Eddy Road	658.00
Sunnyside Chevy Collusion	Repair to 2019 Tahoe	36,842.59
* Verizon	MDTs	330.03
<b><i>SUBTOTAL - PUBLIC SAFETY</i></b>		<b><u>\$ 51,057.83</u></b>



**ADMINISTRATION**

Advance Ohio		Legal notice - code changes	\$ 2,421.12
+ Aetna		Dental - 10/2021	1,273.70
Bauernschmidt, Charles		Magistrate - 9/21/21	500.00
+ COSE/Medical Mutual		Medical - 8/2020	25,288.20
* Chagrin Valley Dispatch		October 2021	18,787.15
Cleveland Chemical Pest Control		Sentricon - Annual	231.00
Ciro's Sewer Cleaning		Emergency manhole jetting	720.00
Distillata		Drinking water	115.35
+ Division of Water		#1291440000	207.19
+ Division of Water		#5367340000	81.67
+ Division of Water		#3759120437	119.95
+ Dollar Bank		Village credit card	724.90
+ Dominion		#2440100080012	55.61
+ Dominion		#7180015427898	44.96
+ Dominion		#7180000785971	45.16
Easton		Telephone	1,122.13
Google **		Email accounts	318.00
Illuminating Company	Traffic Signals	# 110 029 217 558	86.84
Illuminating Company	Street Lighting	# 110 024 090 794	2,337.69
Illuminating Company		# 110 023 586 420	101.83
Illuminating Company		# 110 023 032 078	775.95
Illuminating Company		# 110 022 683 632	206.00
Illuminating Company		# 110 149 007 053	217.84
Lake Business Products		Copies/lease	46.62
Licastro, John		Reimbursement - 10/21 cell phone	75.00
Molnar Reporting Svc, LLC		Meeting reporting - 9/2021	637.65
NEORS		#6271498745	128.24
+ Pitney Bowes		Postage meter/postage	0.00
Quill		Office supplies	436.85
* Quill		Office supplies	82.99
+ Republic Services		Rubbish removal - 10/2021	4,867.50
+ Spectrum		Internet/cable service	588.78
*+ Spectrum		Internet/cable service	259.99
TAC		Network support - 10/2021, Dynamic DNS	1,003.99
Treasurer of State		BBS - 9/2021	10.33
		<b>SUBTOTAL - ADMINISTRATION</b>	<b>\$ 63,920.18</b>

RECREATION

* Capello, Susan		Mileage reimbursement	\$ 18.15
* Distillata		Drinking water	0.00
*+ Dollar Bank		Credit card	111.22
*+ Dominion		#7440100080000	49.64
*+ Illuminating Company		A/C# 110 023 744 748	114.63
*+ Illuminating Company	Outdoor	A/C# 110 050 323 796	64.22
*+ Republic Services		Rubbish removal - 10/2021	175.30
Seven Bros Distilling Co		Tasting - 11/4/21	254.53
*+ Spectrum		Internet/cable service	131.57
* United Rentals		Portable restroom rentals	80.00
<b><i>SUBTOTAL - RECREATION</i></b>			<b><u>\$ 999.26</u></b>

SERVICE

Best Truck Equipment		Washer	\$ 41.94
Compass Minerals		Road salt - 50 ton	2,522.55
Division of Water		#7482172312	26.13
Division of Water		Fireline	46.60
Dominion		#718005810973	50.52
Flash Ind		Road signs	168.00
+ Home Depot		#9772	261.95
+ Illuminating Company		#110125887239	296.26
Landmark		Gasoline: 34	1,021.55
Liquid Environmental fmr Ciro's Sewer		Manhole jetting	1,435.00
Mentor MFG		Rearview mirror	122.84
Nichols Paper Supply		Paper products	553.76
Praxair		Propane - tools, oxygen	50.80
Spectrum		Internet/cable service	102.42
Sutton Hardware		Supplies, paint	109.36
Telecare		4th qtr Maintenance/monitoring	471.00
<b><i>SUBTOTAL - SERVICE</i></b>			<b><u>\$ 7,280.68</u></b>

		<b>CONSULTANTS</b>
Chagrin Valley Engineering	Professional services - 9/2021	\$ 1,827.00
Matty, Henrikson & Greve LLC	Professional services - 9/2021	8,765.75
Matty, Henrikson & Greve LLC	Prosecutorial services - 9/2021	2,644.00
<b><i>SUBTOTAL - CONSULTANTS</i></b>		<b><u>\$ 13,236.75</u></b>
<b><i>TOTAL ALL PAY CLAIMS</i></b>		<b><u>\$ 136,494.70</u></b>

- \* Restricted fund
- + Electronic payment

**FOR RECORD ONLY**

Payroll	9/3/2021	\$ 114,181.43
Payroll	9/17/2021	\$ 57,412.78

**Section 2.**

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare for the reasons that its passage is necessary to the daily operation of the Village Government.

Passed: October 20, 2021

\_\_\_\_\_  
John M. Licastro, Mayor

\_\_\_\_\_  
Diana L. Cooks, Village Fiscal Officer