

VILLAGE OF BRATENAHL  
10300 BRIGHTON ROAD  
BRATENAHL, OHIO 44108  
(216) 383-0468

FINANCE COMMITTEE MEETING

FEBRUARY 16, 2022

5:00 p.m.

MAYOR JOHN LICASTRO  
TOM McDONALD, CHAIR  
KEITH BENJAMIN

DAVID J. MATTY, ESQ.  
NANCY L. MOLNAR, RPR, CLR

3

1 in a while. So far to date we have collected  
2 \$960,000 in income tax and \$576,000 in property  
3 tax, so that's today. That's encouraging. And  
4 we are well on our way to reaching or even  
5 surpassing what we have estimated our resources  
6 to be for 2022.

7 There has been some question about the  
8 fund that is associated with the Special Revenue  
9 Fund 2071, so I just want to address that  
10 briefly.

11 So as we all know, that fund was created  
12 to be the fund that was used for the extra 5  
13 percent increase in income tax from one and a  
14 half percent.

15 MAYOR LICASTRO: Half percent.

16 MS. COOKS: What did I say?

17 MAYOR LICASTRO: 5 percent. We'd get  
18 some pushback on that.

19 MS. COOKS: Thank you. I stand  
20 corrected. Half percent, in May of 2019. And  
21 that fund is supposed to receive 20 percent of  
22 the income tax that we collect. Now, the  
23 ordinance is silent on when that happens or what  
24 mechanism in which that happens, so prior fiscal  
25 officers and I myself have used my discretion,

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1 MR. McDONALD: It is 5:00, so I will  
2 call the meeting to order. Ms. Cooks, call the  
3 roll.

4 MS. COOKS: Yes. Mr. Benjamin?

5 MR. BENJAMIN: Here.

6 MS. COOKS: Mr. McDonald?

7 MR. McDONALD: Here.

8 MS. COOKS: Ms. Hoefling is absent.

9 MR. McDONALD: I'll entertain a motion  
10 to approve the minutes of the prior meeting. I  
11 do not know the date of that meeting.

12 MS. COOKS: December 17th. December  
13 15th, I'm so sorry. I don't know if they can  
14 approve it.

15 MAYOR LICASTRO: No, they really can't  
16 because it's a different makeup. And in January,  
17 we did it as a Committee of the Whole. I would  
18 forego the minutes at this point in time.

19 MR. McDONALD: Very good. Then we'll  
20 move to, Ms. Cooks, would you please give your  
21 report.

22 MS. COOKS: Yes. Thank you. So I think  
23 the Village is experiencing some overflow from  
24 the COVID pandemic. And I've seen the highest  
25 collection of income tax that I think we've seen

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1 our discretion, to determine when that's done.  
2 Currently, I do it on a quarterly basis. So this  
3 \$960,000 that we've collected so far, I will be  
4 transferring roughly \$180,000 probably at the end  
5 of next month.

6 It also states that the expenses that  
7 this fund can be used for are any police expense,  
8 service department major expenses and Cleveland  
9 Fire and EMS contracts. It has been implied that  
10 it is a slush fund and that is not correct. The  
11 definition of a slush fund has negative  
12 connotations. And I just want to state for the  
13 record that this fund has been used in accordance  
14 with how it's outlined in the ordinance.

15 Mr. Chair, that completes my report.

16 MR. McDONALD: Very good. One would not  
17 expect anything other than what you talked about  
18 that fund being used for Village business.

19 Any questions for Ms. Cooks?

20 MAYOR LICASTRO: May I make a comment?

21 MR. McDONALD: Certainly.

22 MAYOR LICASTRO: I started to interact  
23 with new Mayor Bibb and his lieutenant in  
24 Cleveland. I sent an e-mail to council in this  
25 regard. And certainly, I'm not sure they were

1 aware of the contractual agreement we have for  
2 fire and EMS. They were intrigued to find out  
3 that it's indicative of our symbiotic  
4 relationship.

5 The fact that Ms. Cooks has been  
6 diligent in getting us current with that was a  
7 huge help. It certainly never helps to have a  
8 new administration and find out that the one  
9 thing we're obligated to pay is in arrears. It's  
10 not in arrears. Diana has been great about  
11 prioritizing payments. I want to thank her for  
12 doing that. And it allowed me to get off on the  
13 right foot with the Cleveland officials. Thank  
14 you.

15 MS. COOKS: Thank you.

16 MR. McDONALD: We always want to pay the  
17 current the police and fire bills on that. Very  
18 good.

19 Any other questions or comments about  
20 the Fiscal Officer's report? Then presenting  
21 Resolution 1244, authorizing and approving a  
22 settlement and joint mutual release of claims  
23 with Shannon Darby.

24 Can I get a second?

25 MR. BENJAMIN: Second.

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1 MR. McDONALD: Discussion?

2 MAYOR LICASTRO: Why don't you refer  
3 that to Mr. Matty.

4 MR. McDONALD: Mr. Matty.

5 MR. MATTY: Mr. Chairman, the settlement  
6 agreement that you have before you for passage  
7 this evening is an agreement that speaks for  
8 itself. And if you have any questions, I'd be  
9 more than happy to answer them. Thank you.

10 MR. McDONALD: I think we talked about  
11 this quite a bit in Council. Any discussion on  
12 1244? Entertain a motion for approval for 1244.

13 MR. BENJAMIN: I move approval of  
14 Resolution 1244 at tonight's regular meeting.

15 MR. McDONALD: Are we approving to  
16 recommend it?

17 MR. BENJAMIN: Yeah, to recommend  
18 Resolution 1244 for tonight's regular meeting.

19 MR. McDONALD: All in favor? Aye.

20 MR. BENJAMIN: Aye. Is it just us?

21 (Laughter.)

22 MR. McDONALD: Yes. (Laughter.)

23 MAYOR LICASTRO: For the record, I say  
24 aye as well if it makes you feel better.

25 MR. McDONALD: Why don't we go out in

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1 the hall. (Laughter.)

2 Okay. We're going to skip that one and  
3 we're going to Ordinance 4134, confirming, and I  
4 would move, ask for a motion to approve Ordinance  
5 4134 confirming the appointment of Matthew I.  
6 Woisnet as a full-time police officer.

7 MR. BENJAMIN: Are we skipping  
8 Resolution 1245?

9 MR. McDONALD: I am.

10 MAYOR LICASTRO: I asked Tom to do so.  
11 That's the gist of our discussion in Committee of  
12 the Whole. I have DS Architects coming. Jill  
13 Akins will give us her recommendation. It seems  
14 redundant to do it here without them in the room.

15 MR. BENJAMIN: Okay.

16 MS. BURKE-JONES: We skipped 43 as well?

17 MAYOR LICASTRO: That's on Finance.

18 MR. BENJAMIN: So then I make a motion  
19 to recommend Ordinance 4134 for passage at  
20 tonight's regular meeting.

21 MR. McDONALD: Thank you. Any  
22 discussion?

23 MAYOR LICASTRO: Chief, if you would,  
24 discuss the process and the nature of why we  
25 created this ordinance, would you, please.

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1 CHIEF LOBELLO: Our benefits related to  
2 full-time employment in the Village are codified  
3 and have been for quite sometime. The nature of  
4 the lateral that we did for this officer was to  
5 incentivize and entice other officers to come to  
6 the Village of Bratenahl.

7 So this piece of legislation here, the  
8 only difference between this and a normal hire is  
9 that it allows us to use his prior service time  
10 to count towards his vacation approval. So  
11 rather than having to wait an entire year to get  
12 one week's vacation, we're using his prior  
13 service time as if he worked in our Village as a  
14 policeman for a year. So he's going to be  
15 eligible for his vacation as if he were here a  
16 year. It's the only difference between this and  
17 a normal hire.

18 MAYOR LICASTRO: This is the first of  
19 our lateral hires. We have other candidates  
20 being interviewed. We never really had an  
21 ordinance confirming the employment of a police  
22 officer before. That's why we're doing it in  
23 this manner tonight.

24 MR. MATTY: Correct, Mayor. In fact,  
25 this is one that needs to be done because of the

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1 additional benefit being offered. And the Chief  
2 and I have discussed this. And Council should  
3 know, I'll give you an example, last night at  
4 Brecksville Council, they hired three new  
5 patrolmen. And this was based on a very small  
6 applicant pool, but Council should know that two  
7 of the three policemen were from the Crisis  
8 Intervention Department in the City of Cleveland  
9 Police Department. They seem to be very well  
10 qualified. They have been with Cleveland five  
11 and six years respectively.

12 I would like Council to know that your  
13 legislation that allows the Chief to do a 75  
14 percent hire based on tenure, most of the  
15 municipalities in the area are giving 100 percent  
16 for their past service, not 75 percent. So if  
17 the Chief is so inclined, he may recommend to you  
18 that you change that ordinance going forward so  
19 that he at least can represent to the lateral  
20 transfers that they would come in with 100  
21 percent of past credit.

22 This officer had 16 months of credit at  
23 Willoughby and the Chief could only give him  
24 credit for 12. So if you go one for one with  
25 these officers, you may pick up some good lateral  
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1 transfers in the future, which, of course, we  
2 could use. Thank you.

3 MAYOR LICASTRO: Mr. McDonald, may I ask  
4 for some clarity on this process from Lt. Soric?

5 MR. McDONALD: Absolutely.

6 MAYOR LICASTRO: He's handling the  
7 lateral transfer process. Why don't you give us  
8 an overview how that proceeds.

9 LT. SORIC: So we had a total of five  
10 apply for the lateral, through the lateral  
11 transfer. We're still working the others. And  
12 it is a very time-consuming process. Sometimes a  
13 few months. I'm trying to work through as  
14 quickly as I can through the manpower shortage,  
15 but it is enticing to have equal vacation  
16 transfer over to get as many candidates as we  
17 can. So that's just a perk that will help have  
18 more people apply.

19 CHIEF LOBELLO: Just to reiterate, the  
20 time is transferring over into our vacation  
21 schedule, not from the vacation schedule of the  
22 department from which they came. So if the  
23 department from which they came or come has  
24 better a vacation schedule than ours, we're not  
25 giving them that. We're just giving them equal

1 to what an officer in our department would have  
2 with their amount of time.

3 MAYOR LICASTRO: Thank you for that  
4 clarification.

5 MR. MATTY: By just changing the  
6 effective date for vacation of their date of  
7 hire.

8 CHIEF LOBELLO: Correct.

9 MR. MATTY: Which is why you see in the  
10 legislation we're actually giving an effective  
11 date of '21 rather than '22, when he's actually  
12 starting.

13 MAYOR LICASTRO: And if I can just  
14 reiterate, Lt. Soric does interviews, home  
15 visits. We do a psychological exam. Of course a  
16 physical. It's a very exhaustive process. And  
17 eventually the candidates, if they pass muster  
18 through the various steps as described, will meet  
19 and interview with the Chief and I. I think we  
20 have one scheduled next week, but the process is  
21 that thorough with all candidates. It's a little  
22 more complicated with lateral, because these  
23 individuals are officers elsewhere.

24 And I want to thank Lt. Soric for  
25 persevering through, like he said, a very  
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1 time-consuming grind, but we're hopeful we're  
2 getting one on board, we hope to have a couple  
3 more to bring us up to full staffing relatively  
4 soon. So thank you, Lieutenant.

5 MR. TAYLOR: This gentleman is from  
6 Willoughby?

7 LT. SORIC: Correct.

8 MR. McDONALD: Very good. And we did  
9 pass that recommendation to the --

10 MAYOR LICASTRO: You haven't voted on  
11 it. You just asked for discussion. You haven't  
12 voted.

13 MR. McDONALD: I would entertain a  
14 motion to approve for recommendation to the  
15 Council of the Whole for passage.

16 MR. BENJAMIN: So moved.

17 MR. McDONALD: Very good. Aye.

18 MR. BENJAMIN: Aye.

19 MR. McDONALD: My aye is seconded.

20 MAYOR LICASTRO: So you have to go aye  
21 aye. Pretend you're in the Navy.

22 MR. McDONALD: Very good. And then  
23 4135, establishing annual appropriations for the  
24 fiscal year ending December the 31st. Those  
25 appropriations are totaling for that year --

1 MS. COOKS: I'll do it for the record.  
 2 \$5,018,079.  
 3 MR. McDONALD: Very good. Entertain a  
 4 motion to approve recommendation of that to  
 5 Council of the Whole.  
 6 MR. BENJAMIN: So move.  
 7 MR. McDONALD: Aye.  
 8 MR. BENJAMIN: Aye.  
 9 MAYOR LICASTRO: Do you want Ms. Cooks  
 10 to give an overview in her process?  
 11 MR. McDONALD: Yes.  
 12 MS. COOKS: In keeping with state  
 13 auditor's recommendation for keeping  
 14 appropriations low and appropriating as  
 15 necessary, these are what we need to operate  
 16 minimally. And I recommend to Council that  
 17 project by project that we appropriate funds that  
 18 are in excess of what we have appropriated in  
 19 this document.  
 20 MR. BENJAMIN: Thank you. It was  
 21 explained very well in your e-mail to us. And I  
 22 agree that that sounds like a sound way to go.  
 23 And let's not appropriate monies if we don't  
 24 think we need them appropriated at this time.  
 25 MAYOR LICASTRO: Can I add a nuance to  
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1 that? So let's say, for example, we want to buy  
 2 another police car, just as an example. That  
 3 necessitates legislation. So the auditors then  
 4 look at the legislation as giving Ms. Cooks the  
 5 authority to proceed with the purchase.  
 6 So rather than putting in, oh, maybe  
 7 we'll buy one car, maybe we'll buy two, something  
 8 that's nebulous and nonspecific, this allows  
 9 legislation to backup the action taken by the  
 10 Fiscal Department for a specific amount, not  
 11 something that's just an estimate. And that  
 12 pertains to other projects as well. So as we go  
 13 forward and approve these projects, we'll have  
 14 legislation to do so if he they exceed the  
 15 minimum.  
 16 And that gives Ms. Cooks the wherewithal  
 17 to say to the auditors, okay, we appropriated for  
 18 this. Here's the legislation that supports it.  
 19 It's much cleaner. And the other factor, you  
 20 want to talk about bond rating, Mr. McDonald,  
 21 since it's your business.  
 22 MR. McDONALD: I'll let Ms. Cooks  
 23 explain it. Therefore, it makes all the sense in  
 24 the world to appropriate or to make a budget, a  
 25 total budget, and reappropriate where necessary  
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1 if we need to move money from here to there. It  
 2 makes all the sense in the world.  
 3 Now, do you want to talk about the bonds  
 4 and what we're doing here?  
 5 MS. COOKS: Sure. Reiterating, I liken  
 6 it to your personal credit. If you have \$1,000  
 7 credit limit and you want that ratio that you  
 8 often hear about, you want that to be as low as  
 9 possible so that your buying power is higher.  
 10 That is pretty much what your bond rating does.  
 11 So I submit, I will submit this document  
 12 to the county if and after it's approved by  
 13 Council and signed by the Mayor and me, and then  
 14 I will do a Fiscal Officer's certification and it  
 15 will be sent to the county who already has my  
 16 estimated resources. And when we're audited, the  
 17 auditors will ask for both of those documents to  
 18 see if we adhere to that. And when our notes go  
 19 to market in July, they will use that rating from  
 20 the county to determine whether we're AAA or AA  
 21 or what our actual level is. So it's very  
 22 important that we keep that ratio under control.  
 23 MAYOR LICASTRO: It helps our bond  
 24 rating so we get lower interest rates. Tom, this  
 25 is your livelihood, I don't need to speak for  
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1 you.  
 2 MR. McDONALD: Yes. It makes all the  
 3 sense in the world. It makes it more efficient  
 4 actually. Okay. We did approve that for  
 5 recommendation.  
 6 MR. BENJAMIN: We did. Did we not?  
 7 Pretty sure we did.  
 8 MAYOR LICASTRO: You can do it again if  
 9 it makes you feel better. You can go aye aye  
 10 real quick. (Laughter.)  
 11 MR. McDONALD: Ordinance 4136, pay  
 12 claims, in the amount, total amount of --  
 13 MS. COOKS: I'll say for the record.  
 14 MR. McDONALD: Go right ahead.  
 15 MS. COOKS: \$144,728.69.  
 16 MR. McDONALD: I entertain a motion to  
 17 approve that for approval to the Council of the  
 18 Whole.  
 19 MR. BENJAMIN: So moved.  
 20 MR. McDONALD: Seconded, and aye.  
 21 MR. BENJAMIN: Aye. And just for the  
 22 record, I did review the line items. And I saw  
 23 there was one line item for Jason Knowles for the  
 24 Eddy Road project.  
 25 I just wondered, is there an update on  
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1 the planting of those trees? Is that going to  
2 happen in the spring?  
3 MAYOR LICASTRO: It is going to happen  
4 in the spring. We had a back and forth with ODOT  
5 on permitting. First they said they needed one,  
6 then they said we didn't, then they said we did.  
7 We have received the permit. So Ms. Lyons has  
8 already gone in the field and tagged the trees.  
9 So with ODOT's permission and permit in hand, it  
10 will be an early springtime project. Eddy Road  
11 will be approved radically with these beautiful  
12 trees, which are Columnar. Columnar, narrow in  
13 scope.

14 MR. BENJAMIN: Yeah.

15 MAYOR LICASTRO: So yes, the project is  
16 going forward.

17 MR. BENJAMIN: Okay. Great. Thank you.

18 MR. McDONALD: Anything else to come  
19 before the group that's not on my agenda?

20 MAYOR LICASTRO: Any other questions on  
21 pay claims? I don't want to steal your thunder.  
22 I went through this and didn't see anything that  
23 jumped out at me. Anything else?

24 MR. McDONALD: I didn't notice anything.

25 MAYOR LICASTRO: Keep in mind that  
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1 Cuyahoga Soil & Water conservation, we get  
2 reimbursed for that, the 6,000, we front that  
3 money and get reimbursed. It's a grant. We  
4 already applied for the grant.

5 MR. McDONALD: Very good.

6 MAYOR LICASTRO: Okay.

7 MR. McDONALD: Okay. Then anything else  
8 to come before the group here gathered?

9 MS. HUFFMAN: I do.

10 MR. McDONALD: Ms. Huffman.

11 MS. HUFFMAN: I would just like to thank  
12 the Finance Committee and Ms. Cooks for all your  
13 work with the financials, because some things  
14 that occur here or were said here tonight are  
15 things that I learned.

16 So I did not know that it was not the  
17 right thing to call something a slush fund, so  
18 thank you very much. And I appreciate the  
19 explanation about bonds and bond ratings,  
20 especially since we are about to move into an  
21 endeavor that is going to --

22 MR. McDONALD: Big bonds.

23 MS. HUFFMAN: Yeah, challenge us all to  
24 really put on our thinking caps and listen to  
25 those who know and have experience in this area

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1 what we need to do in order to come out with the  
2 best project that we can for the budget that we  
3 have and something that will make us all happy  
4 that we can pay for, so thank you.

5 MAYOR LICASTRO: Let me just say, the  
6 last time I'm going to use these words slush  
7 funds. No one was malicious. There was no  
8 intent to attack or cast aspersions, but the  
9 auditors, they're funny people. They find little  
10 things. They go through our emails. They find  
11 things in public record.

12 For anybody that's a CPA or accountant,  
13 that just has a negative connotation. So I think  
14 when it comes to our e-mails, be careful what  
15 words we use. They have impact. I don't want to  
16 imply anyone was trying to do anything other than  
17 just look for an explanation, but that's why we  
18 took exception to it, because the auditors would  
19 see that as a red flag. I think we've dealt with  
20 that. If they look at the minutes, we've  
21 explained it thoroughly. I think we're good.

22 MS. HUFFMAN: I, myself, I'm not going  
23 to call it a slush fund at the house anymore.  
24 (Laughter.)

25 MAYOR LICASTRO: You can do it at your  
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1 house.

2 MR. McDONALD: It's in the third drawer.  
3 (Laughter.)

4 MAYOR LICASTRO: I wish I had a slush  
5 fund at home.

6 MS. HUFFMAN: I didn't say it was big.

7 MR. MATTY: Mr. Chairman, and I might  
8 have missed it, but what is the committee doing  
9 with Resolution 1245 on the DS Architects?

10 MAYOR LICASTRO: We referred that to  
11 Committee of the Whole.

12 MR. MATTY: Thank you.

13 MAYOR LICASTRO: That will be discussed  
14 at length.

15 MR. MATTY: I just want to make my  
16 notes. Thank you.

17 MR. McDONALD: Anything else?

18 MR. BENJAMIN: We don't want to  
19 disappoint Jim, so we might want to take at least  
20 the next five minutes. (Laughter.)

21 MR. PUFFENBERGER: I only get five?  
22 (Laughter.)

23 MR. BENJAMIN: I don't think I remember  
24 ending Finance Committee meeting early.

25 MAYOR LICASTRO: There is not a Dr.

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1 Pepper in sight.

2 MR. PUFFENBERGER: I didn't even bring  
3 one. (Laughter.)

4 MR. McDONALD: Anything to come before  
5 the committee by anyone in the room? Hearing  
6 none, I will declare us adjourned at 5:27.

7 MAYOR LICASTRO: Way to go, Tom. We're  
8 going to wait three minutes and then open  
9 Committee of the Whole and go into executive  
10 session.

11 (Meeting adjourned at 5:26 p.m.)

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1 CERTIFICATE

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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

My commission expires July 15, 2023.

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