

BRATENAHL VILLAGE  
411 BRATENAHL ROAD  
BRATENAHL, OHIO 44108  
(216) 383-0468

FINANCE COMMITTEE MEETING  
CONDUCTED VIA ZOOM

FEBRUARY 17, 2021  
5:00 p.m.

MAYOR JOHN LICASTRO  
JAMES PUFFENBERGER, CHAIR  
JOYCE BURKE-JONES  
TOM McDONALD

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

3

1 THE ADMINISTRATOR: Try logging out and  
2 logging back in.  
3 MS. BURKE-JONES: This is the second  
4 time. I'll do it a third time. Okay.  
5 MR. PUFFENBERGER: All right. Well,  
6 Tom, you and I, we're a quorum, so we can get  
7 past the minutes. I don't think that's an issue.  
8 Do you have any changes for the minutes  
9 from our January meeting?  
10 MR. McDONALD: Move to approve.  
11 MR. PUFFENBERGER: I'll second. All in  
12 favor?  
13 MR. McDONALD: Aye.  
14 MR. PUFFENBERGER: All righty. There is  
15 an item that I think rightfully should be on the  
16 Finance Committee agenda, which is not, but it's  
17 kind of a boilerplate thing. And I know I say  
18 this every time something like this comes up.  
19 This is Resolution 1217. This is a resolution  
20 authorizing the Mayor to accept one or more  
21 Northeast Ohio or NOPEC Energized Community  
22 Grants. I say this every time. It just amazes  
23 me we have to do legislation to accept money, but  
24 apparently we do.  
25 Okay. It says connecting to audio. Can

2

1 MR. PUFFENBERGER: It is 5:00, so I will  
2 call this Finance meeting to order.  
3 Ms. Cooks, if you would call the roll,  
4 please.  
5 MS. COOKS: Thank you. Good afternoon,  
6 everyone. Ms. Burke-Jones?  
7 MR. McDONALD: She's here.  
8 MS. COOKS: Mr. McDonald?  
9 MR. McDONALD: Here.  
10 MS. COOKS: Mr. Puffenberger?  
11 MR. PUFFENBERGER: Here. All right.  
12 First order of business as usual, are there any  
13 amendments, changes, recommendations, anything  
14 that's needed for the -- (telephone  
15 interruption.) I just got a phone call here. Is  
16 that you, Joyce? I think Joyce was just trying  
17 to call.  
18 MAYOR LICASTRO: Do you have audio,  
19 Joyce?  
20 MS. COOKS: She doesn't have audio.  
21 MAYOR LICASTRO: Can you hear us, Joyce?  
22 MR. PUFFENBERGER: Hi Joyce.  
23 MS. BURKE-JONES: Hi, I can't hear  
24 anybody. I don't know what it is. My audio is  
25 on.

4

1 you hear us now, Joyce?  
2 MAYOR LICASTRO: Jim, did you want Diana  
3 to give her report? You kind of skipped over  
4 that.  
5 MR. PUFFENBERGER: Yeah, I do, I'm  
6 sorry. I'm sorry. I was concentrating on Joyce  
7 here and getting through a couple of boilerplate  
8 things.  
9 Joyce, can you hear us at all?  
10 MR. BENJAMIN: Joyce should probably  
11 reboot her computer, turn it off and reboot it.  
12 You go on with the meeting, I'll call her.  
13 MR. PUFFENBERGER: Go right ahead. All  
14 right. (Telephone interruption.) I got her  
15 here, never mind.  
16 Hi, Joyce.  
17 MS. BURKE-JONES: Can I speak through  
18 your phone?  
19 MR. PUFFENBERGER: Yeah, let's just do  
20 it that way.  
21 MS. BURKE-JONES: I don't know what's  
22 wrong, because for some reason something is  
23 wrong.  
24 MR. PUFFENBERGER: Can everyone hear  
25 Joyce when she speaks?

1 MR. McDONALD: I can hear her.  
 2 MS. COOKS: I can hear her.  
 3 MAYOR LICASTRO: Can she hear us though.  
 4 MS. BURKE-JONES: I appreciate it.  
 5 MR. PUFFENBERGER: Not a problem.  
 6 MAYOR LICASTRO: Joyce, can you hear us  
 7 through Jim's phone? Probably not.  
 8 MR. BENJAMIN: She should reboot her  
 9 computer. Keep her on the phone for this  
 10 meeting, but in the meantime reboot the computer.  
 11 MR. PUFFENBERGER: Joyce, Keith is  
 12 recommending that you reboot your computer.  
 13 MS. BURKE-JONES: Good idea.  
 14 MAYOR LICASTRO: But stay on your phone.  
 15 MR. PUFFENBERGER: I'll keep you on the  
 16 phone so we can proceed, okay?  
 17 MS. BURKE-JONES: Please do.  
 18 MR. PUFFENBERGER: All righty. I'm  
 19 going to put the phone near the speaker so she  
 20 can hear. Okay. Here we go, can everybody still  
 21 hear me?  
 22 MR. McDONALD: Yep.  
 23 MR. PUFFENBERGER: All righty. Yes,  
 24 excuse me, Diana, I did skip over your report.  
 25 It's something new and I wasn't accustomed to

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1 that, so let's move directly to your report.  
 2 MS. COOKS: Thank you, Mr. Puffenberger.  
 3 And to everyone, good afternoon. I think it's  
 4 still afternoon. Can everyone hear me.  
 5 MR. PUFFENBERGER: Yep.  
 6 MR. McDONALD: Yes.  
 7 MS. COOKS: So what I plan to do every  
 8 month in Finance and in Council meeting is to  
 9 give two separate reports. And I will be a  
 10 little more detailed in Finance and talk more  
 11 about, you know, projects and procedures and  
 12 those types of things. Although, I will be  
 13 prepared to answer any questions that the Finance  
 14 Committee may have about other issues.  
 15 So first what I'd like to do is talk  
 16 about grants that the Village received last year  
 17 in 2020 and report a little bit on that. We had  
 18 three separate grants. One was from NOPEC, one  
 19 was from Cuyahoga County for the recycling  
 20 program and the Northeast Ohio Regional Sewer  
 21 District. They were all \$5,500 each. We did  
 22 receive those funds. And moving on from there,  
 23 the Healthy Urban Tree Canopy Grant that Jeanne  
 24 Lyons secured with the county, also, we received  
 25 funds of \$17,730.50, and that was quite recently.

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1 I would like to recommend to Finance  
 2 that since Shade Tree's appropriation was  
 3 drastically reduced because of our uncertainty  
 4 about revenue, that we appropriate an additional  
 5 \$10,000 of these funds to the Shade Tree  
 6 appropriation and to allow Ms. Lyons to meet the  
 7 requirements for the 2021 Healthy Urban Tree  
 8 Canopy. I spoke to her earlier today and she's  
 9 in agreement with this. And I told her what we  
 10 would do is when Finance and Council determine at  
 11 half year what our revenues have been, we will  
 12 revisit her possibly getting the additional  
 13 funds, but for now the \$7,700 would stay in the  
 14 general fund.  
 15 MR. PUFFENBERGER: Okay. So you're  
 16 recommending this occur at midyear, not right  
 17 now; is that correct?  
 18 MS. COOKS: No, I am saying that \$10,000  
 19 of this 17 be reappropriated to Shade Tree. She  
 20 has a deadline coming up pretty soon to where a  
 21 new Healthy Urban Tree Canopy Grant and she's  
 22 going to need funds to be able to meet those  
 23 requirements.  
 24 MR. PUFFENBERGER: Okay. All right.  
 25 Just a moment please. Joyce, we have you back.

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1 Can you hear us?  
 2 MS. BURKE-JONES: I can hear you now, so  
 3 you can hang up your phone. Thank you very much.  
 4 Thanks for the suggestion, Keith.  
 5 MR. PUFFENBERGER: Okay. There we go.  
 6 Sorry to interrupt.  
 7 All right. So Diana, sorry to interrupt  
 8 there.  
 9 MS. COOKS: No, that's fine. Do you  
 10 need me to repeat for Joyce's benefit?  
 11 MS. BURKE-JONES: I was listening to  
 12 you, Diana, I was listening to you, so thank you.  
 13 MS. COOKS: So yes, that is my  
 14 recommendation, \$10,000 now, revisit at midyear  
 15 as we said we would do when we were budgeting and  
 16 so she can meet the requirements of the new 2021  
 17 grant season.  
 18 MR. PUFFENBERGER: Okay. So this, yeah,  
 19 so she has a specific project or specific places  
 20 where these funds will go. It's not just putting  
 21 it in the fund in general, but it's already been  
 22 specified how this will be used, correct?  
 23 MS. COOKS: Exactly. And then we will  
 24 be reimbursed for those funds once the project is  
 25 complete.

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1 MR. PUFFENBERGER: Okay. Do we need  
2 legislation in order to reappropriate them?

3 MS. COOKS: Yes.

4 MR. PUFFENBERGER: Yes. Okay. So we  
5 can't do it at this meeting then; is that  
6 correct?

7 MS. COOKS: I'm asking that Finance  
8 recommend to Council or Mr. Matty's office that  
9 legislation be drawn for reappropriation.

10 MR. PUFFENBERGER: Okay. Does anybody  
11 have any questions or issues with this? Okay. I  
12 would move to do so.

13 MR. McDONALD: Second.

14 MR. PUFFENBERGER: All in favor?

15 MS. BURKE-JONES: Aye.

16 MR. McDONALD: Aye.

17 MR. PUFFENBERGER: So we're recommending  
18 to Council that legislation be created to do just  
19 as Diana has described to us.

20 MR. MATTY: Mr. Chairman, if I may, the  
21 only thing I need from Diana, Diana, if you would  
22 prepare the Exhibit from which fund those funds  
23 are being moved from and which fund those funds  
24 are being moved to, I can prepare the  
25 legislation.

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1 MS. COOKS: Mr. Matty, it is in the same  
2 fund. They're both in general fund, but I will  
3 give you the details on the legislation.

4 MR. MATTY: Thank you.

5 MR. PUFFENBERGER: And just to make sure  
6 we meet the timeline, what is Jeanne's deadline  
7 to accomplish this so that she can meet her  
8 needs?

9 MS. COOKS: The application for the  
10 grant is due April the 12th.

11 MR. PUFFENBERGER: Okay.

12 MS. COOKS: Then shortly thereafter they  
13 will award the grants and then her work will be  
14 good.

15 MR. PUFFENBERGER: Okay. So if we  
16 approve this in March, we're okay.

17 MS. COOKS: Yes.

18 MR. BENJAMIN: Mr. Chairman?

19 MR. PUFFENBERGER: Yes.

20 MR. BENJAMIN: Can we also in the  
21 interim get an update? I know that through this  
22 grant last year we had contracted with Jason  
23 Knowles to do work associated with that project  
24 and see how much has already been expended, so we  
25 know what's coming forward. How much is already

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1 -- how much work has been done that's already  
2 reimbursable or will be.

3 MS. COOKS: Mr. Benjamin, the work was  
4 completed for 2020, and we have submitted the  
5 document to the county for which they have  
6 reimbursed us. I will forward to all of Council  
7 that packet.

8 MR. BENJAMIN: Great. Thank you.  
9 Appreciate it.

10 MR. PUFFENBERGER: Thank you very much.  
11 Any other questions or issues on that subject?  
12 Okay. Go ahead, Diana, thank you.

13 MS. COOKS: Moving on to the CARES Act  
14 funds that the Village received, we, in total,  
15 received \$124,756. Regrettably, we returned  
16 \$72,109. The scope of the CARES Act was very  
17 narrow in ways in which we could use those funds.  
18 It appears that if there is a new CARES Act  
19 provision, that the parameters will not be as  
20 limited. So basically --

21 MAYOR LICASTRO: Diana, may interject  
22 there for a moment, please.

23 MS. COOKS: Sure.

24 MAYOR LICASTRO: So I'm going to talk  
25 about this at Council, but the COVID-19 Relief

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1 Act, as proposed by President Biden and the  
2 Democrats contains 350 billion, billion dollars  
3 for local governments. Now, there's no telling  
4 how it gets through on reconciliation or what the  
5 Republicans will change, but right now those  
6 monies are earmarked for local governments pretty  
7 much without restriction. They can be used to  
8 make up for revenue shortfall. They can be used  
9 for just about anything.

10 Now, they use the local government fund  
11 model for the matrix to distribute the funds, so  
12 I can't really tell you at this point how much we  
13 would receive or if it will end up in the final  
14 bill, but the good news is that unlike the CARES  
15 Act, which Diana mentioned was very restrictive,  
16 those monies are pretty much unrestricted. So  
17 I'll talk about that more at Council, but I  
18 wanted to share it with Finance.

19 MS. COOKS: Can you define local funds?  
20 Is that just community dollars?

21 MAYOR LICASTRO: The local government  
22 fund is -- it's a revenue sharing that local  
23 communities have with the State that's based on  
24 population, revenue, all kinds of factors. They  
25 would use that matrix, you know, whether or not

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1 you're a block grant community is a factor.  
 2 Again, this is premature because it's  
 3 still not in it's final form, but the good news  
 4 is the monies that are earmarked are  
 5 unrestricted. We struggled. We wanted to spend  
 6 every dime we could, but it was such a narrow  
 7 window, as Diana mentioned, we did all we could.  
 8 When these monies come to us, if they come to us,  
 9 hopefully they will, they're unrestricted. Thank  
 10 you, Diana.

11 MS. COOKS: Thank you. Just briefly  
 12 some general categories in which the funds were  
 13 spent. We were permitted to offset police and  
 14 service payroll as they were directly related to  
 15 COVID activities and that was around \$13,816. We  
 16 also distributed, as many of you know or all of  
 17 you know, the so-called PPE throughout the  
 18 Village. A special thanks to Sue, Julie and Joe  
 19 who worked on that project to get it out to all  
 20 of the villagers. We spent around \$8,200 for  
 21 that.

22 Doing technology, remote equipment,  
 23 software and those type of things, we spent  
 24 roughly \$18,000. And all of that included, you  
 25 know, computers and being able to work remotely  
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1 so items for the police cars so that no one would  
 2 have to enter the cars to actually download  
 3 information. I don't know about much about this  
 4 technology, but it's able to go into the Cloud  
 5 and be able to downloaded in some sort of way.

6 And then finally, we spent close to  
 7 \$6,300 on sanitation equipment, which included  
 8 the -- I call it an ionizer. I'm not really sure  
 9 what the technical name of it is, but we're able  
 10 to clean all of our buildings and all of our  
 11 vehicles instead of paying an outside company to  
 12 do that work. So all total, again, we spent  
 13 about \$52,000 of the CARES Act funds.

14 MR. PUFFENBERGER: Okay. Thank you.  
 15 Let me interject something here, Diana, you just  
 16 made me aware that Nancy, our court reporter, is  
 17 not online here.

18 MAYOR LICASTRO: Yeah, where is Nancy?  
 19 Wow.

20 MR. PUFFENBERGER: Is she aware that we  
 21 started at 5 versus 5:30?

22 MS. COOKS: I sent her the same e-mail I  
 23 sent everyone else.

24 MAYOR LICASTRO: I'm going to call her.

25 MR. PUFFENBERGER: Well, this is being  
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1 recorded, so perhaps we can simply have this  
 2 transcribed if she doesn't make it by the end of  
 3 this meeting. That shouldn't be an issue. All  
 4 of our Zoom calls are recorded, so it should not  
 5 be an issue, okay.

6 MS. COOKS: Yeah.

7 MR. PUFFENBERGER: Thank you for letting  
 8 me know that, Diana. Okay. Go right ahead.

9 MS. COOKS: And then just a few more  
 10 items. We have been talking about obsolete  
 11 accounts that are in UAN and a part of the  
 12 reporting that's done. I just want to talk about  
 13 obsolete funds today. And I'm not sure whether  
 14 legislation is needed for me to close them, but I  
 15 have two, four, six, eight, nine funds that need  
 16 to be closed. Two of them were never used,  
 17 income tax funds that was set up by a previous  
 18 Fiscal Officer, and obviously the Indigent Driver  
 19 Fund. I would like to close Eddy Road and Green  
 20 Space Funds and two Private Way Funds. So Mr.  
 21 Matty can advise whether or not we need  
 22 legislation or what.

23 MR. MATTY: Mr. Chairman, if I have the  
 24 fund names and the fund numbers, we will do  
 25 legislation. Legislation is needed to close the  
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1 funds.

2 MR. PUFFENBERGER: Yeah, that was always  
 3 my understanding that we needed legislation to  
 4 close. This came to mind, Diana and I had this  
 5 conversation a little bit ago. It just came to  
 6 mind because of the Indigent Drivers' Fund,  
 7 because we transferred all the dollars out and we  
 8 know that we're never going to use it again. We  
 9 had that conversation simply because we wanted to  
 10 keep things neat and clean. And when we go  
 11 through the budget process, having accounts that  
 12 we're never going to use simply confuses the  
 13 process, so that's what this is about. So Diana,  
 14 thank you for cleaning up the books.

15 MS. COOKS: Thank you. I will probably  
 16 return in March with some appropriation accounts  
 17 and revenue accounts that need to be -- also  
 18 deemed obsolete.

19 MR. PUFFENBERGER: Okay.

20 MS. COOKS: Then lastly, just the last  
 21 bit from CPA, we received funds in January, which  
 22 should be all the funds that we will receive from  
 23 CCA, and the rest has been transferred over to  
 24 RITA. It was \$195,540. Much of that was  
 25 about -- not much, about 30 percent of that was

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1 delinquencies. And then also, we received a  
2 property tax advance of \$73,000. That concludes  
3 my report.

4 MR. PUFFENBERGER: Diana, can you just  
5 give us an overall view of how things have been  
6 working since the transition to RITA from CCA?

7 MS. COOKS: Yes. It's only a month  
8 long. Over the past nine months, I would assume,  
9 I've been working with Ryan Thunberg from RITA  
10 doing the transition steps and transferring and  
11 all of those types of things. And CCA had been  
12 very helpful in those transitions. They didn't  
13 have to be. So we were finally transferred over  
14 with this \$195,000 I mentioned earlier. And the  
15 transition has been smooth. And yeah, no  
16 problems at all.

17 MR. PUFFENBERGER: Very good to hear.  
18 Thank you very much. Any questions for Ms. Cooks  
19 from anyone on Council? Okay. Diana, thank you  
20 for doing that. And we look forward to continued  
21 reports. Thank you for agreeing to or  
22 volunteering to do reports in the beginning of  
23 our finance meetings. It's very helpful.

24 MS. COOKS: Okay. Thank you.

25 MR. PUFFENBERGER: That's good. Okay.  
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1 I think before I inadvertently skipped over you,  
2 Diana, I was talking about Resolution 1217. And  
3 this is not on the agenda, but I think just to  
4 formalize this, we need to approve or not approve  
5 or recommend or not recommend this to Council.  
6 And this is a resolution authorizing the Mayor to  
7 accept essentially grants from NOPEC.

8 And what I was about to say that I've  
9 said many, many times, it's always amazing to me  
10 that we have to do legislation to go through this  
11 process in order for people to give us money, but  
12 we do. So are there any questions, comments,  
13 concerning Resolution Number 1217?

14 MS. BURKE-JONES: No.

15 MR. PUFFENBERGER: Okay. I'll entertain  
16 a motion to recommend that Resolution Number 1217  
17 be passed by Council this evening on an emergency  
18 basis.

19 MR. TAYLOR: So move.

20 MS. BURKE-JONES: So move.

21 MR. TAYLOR: Second.

22 MS. BURKE-JONES: Second.

23 MR. PUFFENBERGER: All in favor?

24 MS. BURKE-JONES: Aye.

25 MR. TAYLOR: Aye.

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1 MR. PUFFENBERGER: So 1217 goes to  
2 Council with a recommendation from Finance to be  
3 passed this evening.

4 Next, last month we did a first reading  
5 on Ordinance Number 4095. This makes some  
6 changes in the compensation for our Service  
7 Department. Recently we received an amended  
8 version of -- (Zoom audio interference.)

9 MAYOR LICASTRO: Jim, you froze there.  
10 (Record read.)

11 MR. PUFFENBERGER: Am I there?

12 MAYOR LICASTRO: You keep freezing.

13 MR. PUFFENBERGER: Recently we received  
14 an amended version of Ordinance 4095. I just had  
15 my Internet people out today, because I've been  
16 having some outages and they replaced the cable  
17 outside my house, so hopefully this isn't going  
18 to continue. I thought they fixed what was to be  
19 fixed, but hopefully this won't continue.

20 We received an amended version of 4095,  
21 which we read as a first reading at our last  
22 meeting. To my reading, the only difference, and  
23 someone can correct me if I am wrong, is under  
24 Section C, the recommendation, I assume, from the  
25 administration went from two and a half times the  
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1 employer's hourly rate to two times the hourly  
2 rate for work done on scheduled holidays.

3 Is that the only difference? Is my  
4 reading correct?

5 MAYOR LICASTRO: It is. And that was a  
6 result of the research that was attached. I sent  
7 it as attachment to all of you. The only  
8 amendment is as you stated.

9 MR. PUFFENBERGER: Okay. Just wanted to  
10 make sure I wasn't missing anything there. We  
11 did this on a first reading because we wanted  
12 additional information. We have now some  
13 additional information. I did have a very long  
14 conversation with the famous Joe Zalar yesterday  
15 concerning this. And he didn't have any  
16 objection certainly. He had a lot of comments  
17 about how things are done and such, but there  
18 isn't anything here, I think, that was  
19 objectionable to him.

20 And so, you know, given that much of  
21 what we're talking about here occurs when the  
22 weather is like it is currently, and during the  
23 summer we have fewer of these emergencies and  
24 power outages and snowplowing late at night and  
25 all of that sort of thing, perhaps we should

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1 discuss this in the context of an emergency  
2 rather than a second reading.  
3 Does that make sense to everyone? So  
4 that this takes place quickly if we have all the  
5 information and discussion we need, as opposed to  
6 waiting 60 more days when it may not have as much  
7 relevance to the Service Department after the  
8 winter is over.

9 Does that make sense to everyone?

10 MR. TAYLOR: Yes.

11 MR. BENJAMIN: Absolutely.

12 MR. PUFFENBERGER: Okay. That's the way  
13 I looked at it. Now, the only thing that I had  
14 question about that I think we should debate is  
15 under Section D. The members will have the  
16 option of receiving four hours of overtime or the  
17 equivalent amount of compensatory time. Looking  
18 through some of the data we received, it appears  
19 as though most of the communities that were of  
20 our size did two or three hours. There were some  
21 -- the first three, of course, said four. Those  
22 are both much larger communities. I don't want  
23 to say much richer communities, but maybe so, in  
24 terms of what they have in the till, but many of  
25 those communities had two or three. Should we

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1 debate whether this should be, two, three or four  
2 hours?

3 MS. BURKE-JONES: I would like to  
4 discuss that.

5 MR. PUFFENBERGER: All right. Any  
6 comments? Anybody want to comment on what we  
7 should do here?

8 MAYOR LICASTRO: We use the police  
9 ordinance as a model. They get four hours of  
10 comp time. So we use it as a model. As you can  
11 see, some communities are four, many are three.  
12 I'm just letting you know the logic of how we  
13 came up with the four. Go ahead, you had a  
14 question, Joyce?

15 MS. BURKE-JONES: It seems like a lot.  
16 I don't know what the police was based on, if  
17 that was the minimum or the minimum that police  
18 had was four hours since we were trying to be  
19 compensatory with other communities, but four  
20 seems excessive. Three seems like a lot. But I  
21 just can't agree with four.

22 MAYOR LICASTRO: Diana, why don't you  
23 give -- Diana is an expert because she does  
24 payroll, she's an expert on many topics, but  
25 explain compensatory time's purpose, would you,

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1 please.

2 MS. COOKS: I believe in this case the  
3 compensatory time comes into play, especially  
4 from the hours of midnight until 7 a.m. when the  
5 Service Department shift starts. It gives an  
6 employee the option of either taking comp time  
7 and going home to rest, especially if they have  
8 been operating large machinery for several hours,  
9 they have the option and the freedom to go home  
10 and rest, because if you're having a storm that  
11 has a system like we've just experienced and  
12 probably will experience again tomorrow, having  
13 six guys that take turns doing the plowing that  
14 is constant can be wearing.

15 And we don't want to lose our AA status  
16 with ODOT, because although we are not an ODOT  
17 regulated employer, we do adhere to some of their  
18 tenants. So that means that they can't work  
19 beyond a certain amount of hours operating heavy  
20 machinery, so it gives them the option of going  
21 home. Now, when you offer a certain amount of  
22 comp, that comp is equated to overtime. So comp  
23 will become one and a half times, so you need six  
24 hours of comp to compensate for an eight-hour  
25 shift. So that's where the comp comes in. So

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1 it's equated. It keeps not only our employees  
2 safe, but it keeps roads safe as well, because we  
3 do not want people to operate heavy machinery  
4 when they are sleep deprived.

5 MR. PUFFENBERGER: Yeah, that's also  
6 where Section B comes in. The work dayshift is  
7 16 hours. Obviously that would be operating  
8 heavy machinery for more than 16 hours has got to  
9 be dangerous, so that applies there, too.

10 I'm curious, Keith, with your experience  
11 in other communities if you have experience in  
12 how this has been handled in other communities.

13 MR. BENJAMIN: So generally, these  
14 provisions fall under collective bargaining  
15 agreements with the Service Department employees  
16 in cities. And as was indicated in the printout  
17 received in our packet, generally speaking, it is  
18 agreed to with the -- it's usually the AFSCME  
19 union, generally somewhere between two and four  
20 hours of overtime or pay when an employee is  
21 called in during off hours. You know, I think  
22 you're correct that, generally speaking, probably  
23 some of the more -- not that I've done a  
24 comparison, but some of the wealthier communities  
25 or larger communities have that, a four-hour

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1 provision versus a three or a two.  
2 I could tell you that what I'm familiar  
3 with is generally something that's called  
4 emergency callout pay. So when a Service  
5 Department employee is called in to work at a  
6 time when he or she is not regularly scheduled to  
7 work, they will receive one and a half -- one  
8 half his or her hourly rate for his or her hours  
9 of work or four hours of pay at the employee's  
10 straight time hourly rate of pay, whichever is  
11 greater.

12 MR. PUFFENBERGER: Okay.

13 MR. BENJAMIN: So they're either  
14 guaranteed four hours of pay or they're getting  
15 one and a half, a rate of one and a half.

16 MR. PUFFENBERGER: Okay.

17 MR. BENJAMIN: It might be easier for us  
18 just to do what's been recommended here. It's  
19 just then the decision of how many overtime or  
20 comp time equivalency you want to offer.

21 MR. PUFFENBERGER: That would seem like  
22 a simpler way to calculate, you know. I always  
23 hate to -- I always say that it's --  
24 (conversation interruption.)

25 Somebody is talking there in the  
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1 background. Anyway, aside from what I was about  
2 to say, I mean, I think that perhaps four is a  
3 bit much. I think as compensation we do perhaps  
4 three and do this on an emergency basis so it  
5 applies immediately. That would be my  
6 recommendation. If anybody objects, I'm willing  
7 to hear that.

8 MR. McDONALD: Has any of this been made  
9 public to the employees that this is coming?

10 MAYOR LICASTRO: They know we're  
11 discussing it, yes.

12 MR. McDONALD: They know three or four?

13 MAYOR LICASTRO: They know that four has  
14 been recommended, but I'm not going to push back.  
15 If you guys think that three is reasonable, I'm  
16 not going to be swim upstream on that.

17 MR. PUFFENBERGER: Okay. Joe is  
18 certainly aware. I called him specifically about  
19 it yesterday. We had a nice long talk and so he  
20 is certainly aware. And I would assume he's had  
21 that discussion with his employees.

22 MAYOR LICASTRO: Oh, yeah. We wouldn't  
23 have brought this forward without input from Joe  
24 and others.

25 MR. PUFFENBERGER: Yeah, of course.

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1 MAYOR LICASTRO: If you want to amend  
2 that to three, again, I'm not going to swim  
3 upstream on that.

4 MR. PUFFENBERGER: Does anybody have any  
5 comments on this?

6 MS. BURKE-JONES: I would agree with  
7 three.

8 MR. McDONALD: I heard earlier that  
9 villages comparable to us are doing three not  
10 four.

11 MR. PUFFENBERGER: Yeah. Some are  
12 actually doing two, but I don't think we need to  
13 do that.

14 MR. McDONALD: Three is good.

15 MR. PUFFENBERGER: All right. Then I  
16 will entertain a motion to amend Ordinance Number  
17 4095 in Section D to three hours versus four  
18 hours. And I'll make a second motion for the  
19 other issue. Do I hear a motion to do so?

20 MS. BURKE-JONES: Go ahead, Tom.

21 MR. McDONALD: So move.

22 MS. BURKE-JONES: Second.

23 MR. PUFFENBERGER: All in favor?

24 MS. BURKE-JONES: Aye.

25 MR. McDONALD: Aye.

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1 MR. PUFFENBERGER: I would also  
2 entertain a motion to recommend that this be done  
3 on an emergency basis and passed this evening by  
4 Council rather than on second reading.

5 MS. BURKE-JONES: I agree.

6 MR. McDONALD: So move.

7 MS. BURKE-JONES: Second.

8 MR. PUFFENBERGER: All in favor?

9 MS. BURKE-JONES: Aye.

10 MR. McDONALD: Aye.

11 MR. PUFFENBERGER: Okay. So we'll send  
12 Ordinance 4095 with that amendment, that change  
13 to Council this evening with a recommendation  
14 that it be passed this evening. It just makes  
15 sense. If we wait until summer, it hardly  
16 applies, so that just makes the most sense to me.

17 MAYOR LICASTRO: May I add a caveat?

18 MR. PUFFENBERGER: Sure.

19 MAYOR LICASTRO: In the body of the  
20 e-mail I made mention of the fact that we're  
21 fortunate that we always appropriate money from  
22 one of the restricted funds, 2011, which is  
23 streets and maintenance, streets and highway to  
24 cover Service Department overtime. And I don't  
25 think in my memory we've ever exceeded it. We do

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1 5,000. Usually we're about 3,400, 4,000 max.  
2 So the overtime we pay and I'm sure it  
3 the continue to be the case, the great majority,  
4 if not all of it, will come from the restricted  
5 fund so it will have a very small impact, if any,  
6 on the general fund.

7 MR. PUFFENBERGER: Thank you for that,  
8 because that was one of the questions I asked  
9 last time in the first reading. I recommended at  
10 first reading, what kind of impact it would have  
11 on our budget and that answers the question. So  
12 I think we're fine, yeah.

13 MS. BURKE-JONES: Again, I mean, we'll  
14 be discussing this as well, but obviously service  
15 is going to be requiring more hours spent because  
16 of the Bratenahl Center, so we're going to need  
17 more staff. I hope it's not done through  
18 overtime.

19 MR. MATTY: Mr. Chairman?

20 MR. PUFFENBERGER: If I may, can I make  
21 one quick comment first? It's a different  
22 subject, but it's related. That actually did  
23 come up in my conversation with Joe yesterday.  
24 He did express a bit of a concern about how much  
25 time it would take now that we have this new

1 property, this new facility, for his guys to  
2 maintain it. So I'm just throwing that out there  
3 as something that was discussed, so that's  
4 certainly valid, Joyce.

5 MR. McDONALD: As we have experience  
6 with this, it might call for a new employee.

7 MR. PUFFENBERGER: Yeah, and perhaps  
8 that's a discussion we'll need to have.

9 MAYOR LICASTRO: We'll play that by ear.  
10 We've just got access to the place in the last  
11 day. We really struggled. CMSD has proprietary  
12 locks on the building, so we couldn't get entry  
13 even though we own it. So Joe met last week with  
14 CMSD employees and our lock and camera guy and  
15 finally got access. But I think you're right.  
16 Let's play that by ear. If we find out we need  
17 additional help, we'll deal with it then. Joe  
18 and his men always surprise us with the amount of  
19 work they're able to produce, but it's something  
20 to look at.

21 MR. PUFFENBERGER: Yeah, he mentioned  
22 there were a couple of broken windows he didn't  
23 expect and that sort of thing. There may be some  
24 things there that we're not expecting, but we  
25 don't know that yet so we can't really comment or

1 discuss it, but it's something to keep in mind.  
2 I'm sorry, Dave, I didn't mean to cut  
3 you off.

4 MR. MATTY: That's okay. I just wanted  
5 to remind you in the regular Council meeting,  
6 those two items in C and D, please do amendments  
7 for those two. You can do them together, but  
8 please do amendments for those two first and then  
9 do your normal suspension and passage, please.  
10 Thank you.

11 MR. PUFFENBERGER: Okay.

12 MAYOR LICASTRO: Dave, clarification, C  
13 was already amended. All we have to do is amend  
14 D.

15 MR. PUFFENBERGER: Exactly.

16 MR. MATTY: No, Mayor, C was read once  
17 before it was amended.

18 MAYOR LICASTRO: Oh, okay, you're right.

19 MR. MATTY: So we need to have both  
20 amendments done, Mayor.

21 MAYOR LICASTRO: Yeah. It's this  
22 amended version, C has been changed, but we need  
23 to do it publicly. Good point. Thank you.

24 MR. PUFFENBERGER: You're saying we need  
25 to read both; is that what you're saying?

1 MAYOR LICASTRO: We just need to amend  
2 both, because the first reading had two and a  
3 half and four.

4 MR. PUFFENBERGER: All right.

5 MAYOR LICASTRO: I'll make sure we do  
6 that.

7 MR. PUFFENBERGER: Okay. So we're past  
8 that. Let's move on to Ordinances 4097, 4098,  
9 4099 and 4100. I think we can take those kind of  
10 as a group because they're all related. Little  
11 bit of background for those of you who don't  
12 remember or weren't involved early on.

13 We instituted a brand-new position back  
14 in June of last year. That was the position of  
15 full-time Fiscal Officer. We've not had one  
16 before. And so it was always a part-time  
17 position in the past. And so we instituted that  
18 position then. We separated the position of  
19 Fiscal Officer from the tax administrative  
20 position. Part of the logic with that was to  
21 reduce responsibilities for the Fiscal Officer,  
22 but also to separate responsibilities, because it  
23 was felt that that was a good thing to do, simply  
24 separate responsibilities as an internal control.  
25 You always want internal controls on what you're

1 doing from a fiscal standpoint, so that's the  
 2 reason we did that.  
 3 At that time, we also discussed some of  
 4 the compensation that might have been comparable.  
 5 As I've always done when I'm looking at  
 6 compensation around the Village when I put  
 7 compensation plans for all of our employees  
 8 together, I use the Municipal League Statistics.  
 9 And this is something -- it's available to  
 10 everyone. I subscribe to it so I can get it  
 11 easily, but it's available to everyone.  
 12 I looked at 91 communities. There are  
 13 about three hundred and some on this list that  
 14 subscribe. 91 communities appear to have a  
 15 position similar to or identical to our own  
 16 position. And the average for those 91  
 17 communities, just so everyone is aware so we have  
 18 that kind of baseline as we talk about this, was  
 19 \$45,875. The average number of residents was  
 20 slightly larger for those 91 communities than  
 21 Bratenahl. We have about 1,200. The average of  
 22 those 91 communities was about 1,400, so somewhat  
 23 comparable, but a little bit bigger, but that's a  
 24 good baseline.  
 25 So this is a brand-new position. It is  
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1 new.  
 2 MR. McDONALD: You're frozen again.  
 3 MAYOR LICASTRO: Jim, you froze again.  
 4 Nancy, what's the last thing you heard?  
 5 (Record read.)  
 6 MR. PUFFENBERGER: All right. That's  
 7 pretty much the last thing I said. I apologize  
 8 for that. Like I said, they were just out here  
 9 replacing a cable today and I thought they fixed  
 10 something but perhaps they broke something when  
 11 they were outside my house today. Hopefully this  
 12 won't continue.  
 13 But anyway, it is a brand-new position.  
 14 I think that there are a number of things that we  
 15 need to look at. We're always open to  
 16 discussion, of course, of what we do, especially  
 17 in a brand-new position. But I don't think what  
 18 has been presented here in these documents is a  
 19 fair assessment of what we should do for this  
 20 position for one reason, and one very important  
 21 reason, it simply states the salary and not a  
 22 compensation plan. Every other employee in the  
 23 Village has a compensation plan based on tenure.  
 24 This one doesn't have one. And I think that that  
 25 needs to be determined.  
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1 Now, I did about three scenarios back in  
 2 July. I think all of you have those and so  
 3 they're all out there. And we can use those as a  
 4 baseline for discussion, but I don't think we can  
 5 do this this evening, because we don't have the  
 6 final determination or recommendation for what  
 7 that should be.  
 8 There's something else that I wanted to  
 9 discuss as well. And in looking at the data for  
 10 the Municipal League, I couldn't find a single  
 11 other community that paid an extra amount for the  
 12 Tax Administrator. That's been our tradition,  
 13 but typically it's rolled into another existing  
 14 position with no additional compensation. And  
 15 we've always done that perhaps, but just because  
 16 we've always done it doesn't mean it's the right  
 17 thing to continue to do or even was at the  
 18 beginning.  
 19 So I think that's something we need to  
 20 discuss and debate before we go forward with any  
 21 of this. Is that a \$6,000 fee that we really  
 22 don't need to -- really don't need to spend? So  
 23 I'm open to discussion about any of these things,  
 24 any of these points and anything else I might  
 25 have said.  
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1 MS. BURKE-JONES: I think this bears  
 2 more discussion, this subject, Jim.  
 3 MR. PUFFENBERGER: Okay.  
 4 MAYOR LICASTRO: So I'm carrying the  
 5 ball here, not that I need to speak for Diana.  
 6 What's driving this is the fact that you had  
 7 someone who was working part-time in the  
 8 position, is now working full-time and is taking  
 9 on all kind of additional responsibility.  
 10 You'll find that many fiscal officers  
 11 are also income tax advisors, administrators, so  
 12 it seemed a convenient way to recognize  
 13 additional work that Ms. Cooks has done, as she's  
 14 done a fabulous job, and recognizing the fact  
 15 that she is the Income Tax Administrator. She  
 16 talks to RITA and CCA almost every day,  
 17 especially during the transition.  
 18 So we took someone that was part-time,  
 19 made them full-time and didn't increase  
 20 compensation. I'm sorry, we took someone who was  
 21 full-time and gave them additional responsibility  
 22 and didn't increase compensation. And I'm just  
 23 trying to make it right under that umbrella. So  
 24 if you want to do more research or whatever it is  
 25 you want to do, that's what Finance and Council  
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1 does, but I'm just trying to recognize the  
2 reality that we have a very talented individual  
3 doing more work and should receive an increase in  
4 compensation because of it.

5 MR. PUFFENBERGER: And we do recognize  
6 Diana's work. I think she's done a great job,  
7 especially cleaning up some things after a couple  
8 of pretty bad audits. And the fact that the  
9 Village at one point a couple of years ago wasn't  
10 auditable according to the State, wasn't  
11 auditable at all. She's cleaned up a lot of  
12 that. And we look forward to a good audit this  
13 year. I hear it's going to be starting sometime  
14 soon. I think that's a very good thing.

15 Hi, Joe. So we recognize that. And  
16 that's one of the reasons we elevated Diana to  
17 the position without even posting it. We didn't  
18 even look at other candidates. She was  
19 automatically elevated to that position by  
20 unanimous decision by Council. So, yeah, we  
21 recognize that. We understand that, but it is a  
22 new position. The compensation is significantly  
23 higher than what it is in other communities. And  
24 we need to understand if that is fair.

25 We also need to understand, as I said  
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1 before, that I can't find anybody else who gives  
2 an additional stipend, salary, whatever it might  
3 be, for the Tax Administrator position. That's  
4 not to say somebody doesn't, but typically it's  
5 just rolled into an existing position. And even  
6 though it's been the tradition in Bratenahl, I'm  
7 not sure that's the right thing to do.

8 In the conversation I had with our  
9 assistant, Joanne Clapp, sometime ago I asked her  
10 how much time does she spend as Tax Administrator  
11 in the two communities where she serves as Tax  
12 Administrator, because she serves as Tax  
13 Administrator for both Timberlake, which is  
14 significantly smaller than us, and also Perry,  
15 which is significantly larger than us. In  
16 addition to her responsibilities as the Fiscal  
17 Officer, she gets no additional compensation for  
18 either of those things, but she told me it really  
19 doesn't take much of her time. That was just one  
20 data point. I understand that, one data point.  
21 We can get more, but she said it really doesn't  
22 take much of her time. She is the full-time  
23 Fiscal Officer and the Tax Administrator for  
24 Perry. And her salary is actually below the  
25 average. She only gets paid 45,000 for that.

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1 And I hate to say that publicly, but it is public  
2 information and she shared that with me.

3 So these are things that we need to talk  
4 about to make sure we do the right thing. We  
5 want to do the right thing with Diana. And  
6 perhaps this is something that should be run by  
7 an HR. This is an example of an issue where an  
8 HR professional would be very helpful, but we  
9 don't necessarily have to wait for one full-time,  
10 but whatever we're going to do with HR, I hope  
11 we're getting that done in a hurry. Thank you,  
12 Gina, for pushing this issue with your experience  
13 in that area. But it is an area where I think  
14 that would be the case.

15 So given the fact that even if we were  
16 to pass this tonight, the Fiscal Officer position  
17 would be without any tenure increases  
18 established, which is different from every other  
19 employee in the Village. That reason alone I  
20 don't think we can approve any of this tonight.  
21 And I think that that's something that we need to  
22 look at. As I said, I put at least three  
23 scenarios together last July. And you can use  
24 those as a template to see how it should be  
25 worked, because this is not plug and play. It's

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1 not the same for everyone. And I've done one for  
2 every employee in this Village. We should do one  
3 for this, too.

4 MAYOR LICASTRO: Look, I'm the one  
5 really pushing this, because I think it's the  
6 right thing to do. So all right, then let's not  
7 try to get it done tonight, but please don't drop  
8 it off your radar. I think it does need to be  
9 discussed. What I see is an employee working  
10 harder, working better, working more effectively,  
11 taking on more responsibility and I think that  
12 deserves an increase in pay, but, Jim, go through  
13 your process, but I ask that this stay on your  
14 radar and it's something you deal with sooner  
15 than later.

16 MR. PUFFENBERGER: Absolutely. It won't  
17 be off the radar. It's a brand-new position.  
18 We'll go through iterations of this as time goes  
19 on. I think there isn't enough here to do it.  
20 Frankly, if we were to do this tonight, it  
21 wouldn't even be fair to Diana, because, again,  
22 she would not have a compensation plan. She  
23 would only have a salary. So as she goes through  
24 various levels of tenure, she would not get  
25 automatic increases as every other employee in

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1 the Village does, so that needs to be plugged in.  
 2 And anybody that wants to provide input  
 3 can. I have already put together three scenarios  
 4 you can use as a template. And I can send those  
 5 out again if everybody would like. It may take  
 6 me a week, because I'm leaving tomorrow morning  
 7 for a week, very early tomorrow morning for a  
 8 week, but I'll be happy to send all of those  
 9 things back out. But I think we should table  
 10 this until we have a discussion and additional  
 11 information and we make this a complete proposal  
 12 as opposed to this. Is that okay with everyone?  
 13 MS. BURKE-JONES: I would agree.  
 14 MR. MATTY: Mr. Chairman?  
 15 MR. PUFFENBERGER: Yes, sir.  
 16 MR. MATTY: May I speak, Mr. Chairman?  
 17 MR. PUFFENBERGER: You may, Mr. Matty.  
 18 MR. MATTY: Thank you. Mr. Chairman, I  
 19 understand your position, at least as far as your  
 20 method of reviewing compensation. 4097 and 4098,  
 21 if 4097 and 4098 are not something that the  
 22 committee wants to recommend or is something that  
 23 the committee desires to recommend, we should  
 24 move on that this evening. If you do not move on  
 25 that this evening, Diana does not have authority

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1 to act as the Village's Tax Administrator.  
 2 Joanne Clapp would have to be acting as  
 3 the Tax Administrator under our current code.  
 4 And that is important, because if a taxpayer is  
 5 assessed or there's an issue that Diana thinks  
 6 she's working on with RITA or with CCA, she  
 7 can't. She does not have authority under our  
 8 code to do that and that can be challenged.  
 9 So whatever you do with the compensation  
 10 issue doesn't affect that issue, but if you make  
 11 no movement tonight to move the Tax Administrator  
 12 to the full-time Fiscal Officer, Diana can't act  
 13 in the interim as Tax Administrator.  
 14 MS. BURKE-JONES: That's fine. We'll  
 15 just let Joanne continue be Tax Administrator. I  
 16 don't see a problem.  
 17 MAYOR LICASTRO: No, that's not  
 18 practical. Diana is hands on with this every  
 19 day. Income tax is our most -- it's our biggest  
 20 source of revenue. She needs to have the  
 21 authority to deal with it. So if you want to --  
 22 look, if you want to discuss compensation, fine,  
 23 but to be practical, we need to recognize she's  
 24 the one hands on with this and give her the  
 25 authority to do it properly.

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1 MS. BURKE-JONES: But excuse me, John,  
 2 she has been -- Joanne has been Tax Administrator  
 3 now for half a year.  
 4 MAYOR LICASTRO: And she's done none of  
 5 the work.  
 6 MS. BURKE-JONES: And as I understand  
 7 it, Mayor, you, who was in charge of Joanne, has  
 8 not made sure that she's doing her job.  
 9 MAYOR LICASTRO: Actually, Joanne's work  
 10 is directed by the clerk, by the Fiscal Officer,  
 11 not by me.  
 12 MS. BURKE-JONES: Okay.  
 13 MAYOR LICASTRO: She's the Deputy Fiscal  
 14 Officer. And again, I don't want to get into a  
 15 big discussion, but the practical solution is to  
 16 give Diana the authority to do what she's been  
 17 doing as Tax Administrator. That's my opinion.  
 18 You guys do whatever you want.  
 19 MS. BURKE-JONES: All I'm saying is  
 20 nothing has changed, because Diana, it has  
 21 seemed, has been doing the Tax Administrator's  
 22 job. I don't know why, but it appears she has  
 23 been. So how would this -- what's continuing on  
 24 should change anything from last May when we did  
 25 this? I mean, I'm confused. I'm confused.

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1 MR. McDONALD: Mr. Matty said without  
 2 legislation she would not be authorized to do  
 3 that work.  
 4 MS. BURKE-JONES: But it's been like  
 5 that since August or last May.  
 6 MAYOR LICASTRO: Let's make it proper  
 7 and give her the authority to do what she's been  
 8 doing, that's all I'm asking.  
 9 MS. BURKE-JONES: All I'm saying is let  
 10 Joanne do it. Let Joanne do her job.  
 11 MAYOR LICASTRO: It's not practical,  
 12 Joyce. It's not practical. You're not there  
 13 every day. It's not practical to have someone  
 14 who lives in Perry that rarely comes into the  
 15 office be the Income Tax Administrator. It's not  
 16 practical. Discuss compensation going forward, I  
 17 get it, but at least give Diana the authority to  
 18 recognize what she's doing.  
 19 MR. PUFFENBERGER: From my understanding  
 20 in my original conversation with Joanne is a lot  
 21 of that can be done remotely, that she doesn't  
 22 have to be done in the office, that it takes very  
 23 little time. And that the folks at RITA have  
 24 been instructed to talk to Diana rather than  
 25 Joanne. So if that was the instructions given

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1 them, then I can understand why Joanne has not  
2 been doing it, because RITA was instructed not to  
3 talk to her. And that was what I heard directly  
4 from RITA.

5 MAYOR LICASTRO: Diana, do you have a  
6 comment on that?

7 MS. COOKS: Do I have a comment on what  
8 specifically?

9 MAYOR LICASTRO: About the function of  
10 Tax Administrator and how -- I don't know, any of  
11 this?

12 MS. COOKS: It is my understanding from  
13 reading what the Fiscal Officer's responsibility  
14 is, as it is stated by the auditors and State, is  
15 that they have the authority over all finances of  
16 the Village. Those duties are assigned by my  
17 office and in this particular case by me. And  
18 since it falls under my overall responsibility  
19 and knowing that Ms. Clapp was not -- and to my  
20 knowledge, no one has instructed RITA not to  
21 speak to Joanne, but she has made it very clear  
22 that she is not available during the day when we  
23 receive most inquiries about income tax. So  
24 that's basically all I have to say.

25 MR. PUFFENBERGER: Okay. When I talk to  
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1 RITA to follow-up to see how things are going, if  
2 there's anything else we need to follow-up with,  
3 they were certainly under the impression that  
4 they were supposed to call you instead of Joanne.  
5 And they had to get that impression somewhere.  
6 I'm not saying -- I don't have any idea where  
7 that impression came from, but that's the  
8 impression they were under.

9 MAYOR LICASTRO: I have never spoken to  
10 RITA on this topic. Never.

11 MR. McDONALD: Are we settled that we're  
12 going to combine those two positions and Diana is  
13 going to have it and we'll work out the  
14 compensation later? If that's the case, let's  
15 just do it.

16 MAYOR LICASTRO: That's what I'm  
17 recommending. Give her the authority and  
18 recognize what's practical, talk about  
19 compensation down the road.

20 MR. MATTY: Mr. Chairman?

21 MR. PUFFENBERGER: Yes, Mr. Matty.

22 MR. MATTY: Mr. McDonald raises a good  
23 point and is making me think about Ordinance  
24 4100. If Council combines these positions and  
25 passes 4097 and 4098, you can hold 4099, but you

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1 do then need to move on 4100, because currently  
2 under our code and under the hiring ordinances  
3 for Diana's full-time position and Joanne's  
4 part-time position, under our code up to this  
5 date, Joanne gets \$25 an hour and \$6,000 a year  
6 for Tax Administrator.

7 So if Council follows the Mayor's  
8 recommendation of putting Tax Administrator in  
9 the full-time Fiscal Officer position, you also  
10 then need to pass 4100 this evening so Joanne  
11 Clapp is not paid \$6,000 or entitled to \$6,000  
12 for a position that doesn't have the duty of Tax  
13 Administrator in it any longer. The only  
14 ordinance you would hold would be 4099.

15 MAYOR LICASTRO: So let's keep Joanne on  
16 an hourly basis. Let's hold the \$6,000 in  
17 abeyance pending your further review of  
18 compensation, et cetera, but recognize the  
19 authority Diana needs to do what's practical.  
20 That's my recommendation.

21 MR. PUFFENBERGER: Anybody have  
22 thoughts?

23 MR. McDONALD: I think that's a  
24 reasonable thing to do. We're not closing any  
25 roads. We're not locking everything up. I think  
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1 we want to combine these two functions, right?

2 MR. PUFFENBERGER: That was not the  
3 original intention, no, because we wanted a  
4 separation of duties as an internal control.

5 MAYOR LICASTRO: That's really turned  
6 out to be a minor point. I see your concern  
7 there, but recognizing the practical thing is to  
8 have someone who is in the office every day be  
9 the Income Tax Administrator is overriding, so  
10 worry about compensation down the road, but  
11 recognize what's practical.

12 MR. PUFFENBERGER: Anybody else have  
13 thoughts?

14 MS. BURKE-JONES: Well, again, I've said  
15 it before that we really need to make sure that  
16 we do have -- that Diana is not stuck there by  
17 herself, because we do know that we need backup  
18 for when she's on vacation and other times. We  
19 can't be having it so that we can't do any  
20 financial or accounting work for the Village when  
21 somebody is gone on a two-week vacation. We have  
22 to have backup. And so I'm concerned about if  
23 it's not working out, we've got to make sure that  
24 we have somebody that is available and supporting  
25 this position on a part-time basis.

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1 MAYOR LICASTRO: Yeah. We're not  
2 recommending we get rid of Joanne. We'll keep  
3 her on a part-time basis, on an hourly basis, use  
4 at our discretion. We're just asking that the  
5 practical thing is to make Diana have the  
6 authority to be Income Tax Administrator. We'll  
7 keep Joanne, worry about compensation down the  
8 road.

9 MS. BURKE-JONES: I'm just concerned  
10 about I don't want to see Diana try to do all  
11 this herself.

12 MS. HUFFMAN: So basically Ms. Clapp can  
13 serve as the backup and we're committed to the  
14 \$6,000, but we're only committing to the \$25 per  
15 hour should we need her assistance. Is that what  
16 you're saying?

17 MAYOR LICASTRO: Yes. Yes.

18 MR. PUFFENBERGER: Yeah, redundancy is  
19 necessary. If, God forbid, something happened to  
20 Diana or she decides she doesn't like us anymore  
21 and goes somewhere else, you know.

22 MAYOR LICASTRO: For example, Joanne was  
23 very helpful this closing 2020. She came in and  
24 worked with Diana. And that's, I think, the  
25 quickest we've ever closed the year by the way.

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1 So I mean, I'm comfortable with that. Hopefully  
2 you are as well. Give her the authority, worry  
3 about compensation down the road. Joanne is not  
4 going anywhere. We'll keep her at \$25 an hour.

5 MR. PUFFENBERGER: My understanding is,  
6 though, is that she's not billing for that \$25 an  
7 hour. She's had a total of eight billable hours,  
8 but hasn't billed for them or isn't intending to  
9 bill for them; is that correct?

10 MAYOR LICASTRO: Well, because I think  
11 she realizes she's getting \$500 a month and isn't  
12 really earning it, so she's being kind to us in  
13 that regard.

14 MR. PUFFENBERGER: All right.

15 MS. COOKS: Mr. Puffenberger, may I,  
16 please.

17 MR. PUFFENBERGER: You were trying to  
18 log in there for a second, I saw your yellow  
19 light go on.

20 MS. COOKS: Diana is to who you're  
21 referring to?

22 MR. PUFFENBERGER: Diana, there you are,  
23 too. Go ahead.

24 MS. COOKS: Oh, Keith. You were --

25 MR. BENJAMIN: Go ahead, Diana.

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1 MS. COOKS: I just wanted to say in  
2 regard to Joanne, she's not here, of course, to  
3 defend herself, so I will. Any time I've called  
4 and asked her for her assistance, she has been  
5 more than willing and ready and able to help me,  
6 but she herself has said that she cannot really  
7 adhere to the duties of a Tax Administrator for a  
8 community where she doesn't know the people.

9 Case in point, there was an example of  
10 street addresses and all of these things. Joanne  
11 wouldn't have known that. There are things about  
12 being a Tax Administrator in a community that are  
13 special to the community. So it is almost  
14 comparing apples to oranges to compare Bratenahl  
15 to Perry, North Perry or other communities in  
16 every situation.

17 So Joanne has been paid as with  
18 ordinance so reads on the \$6,000 per year. And  
19 she has not been billing us because, as the Mayor  
20 stated, she received \$500 a month since last  
21 June. So whenever I call her, she jumps to the  
22 ready, because she's been paid, but she will even  
23 admit, and I think she has even written to that  
24 extent, that Tax Administrator really isn't the  
25 job for her. I'm not saying that because I'm on

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1 display to be that, I'm just stating facts.  
2 That's all I'm doing. Thank you.

3 MR. PUFFENBERGER: I get that. I  
4 appreciate that. And Joanne has always been very  
5 helpful. I mean, she was my guiding light when  
6 we made this transition from CCA to RITA. I  
7 talked to her very frequently and she provided me  
8 with all kind of contacts and information without  
9 compensation during that entire process. She was  
10 the driving force, at least for me, to get  
11 everything done when we were going through that  
12 process, so yeah, I like Joanne a lot. I do.

13 MAYOR LICASTRO: So do we by the way.  
14 She's been good.

15 MR. PUFFENBERGER: And these are the  
16 kind of things we certainly need to debate.

17 Okay. Keith, I think you were trying to  
18 chime in.

19 MR. BENJAMIN: Thank you, Chairman. At  
20 this point, I guess, I don't want to get into the  
21 weeds of this discussion considering the time  
22 that we've taken today, but it is my  
23 understanding that what our Law Director, what  
24 Dave has stated is correct. Either we have an  
25 ordinance or we do appointing Tax Administrator.

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1 If we rescind Joanne as a Tax Administrator, it  
2 was my understanding that it would automatically  
3 fall to whoever the Fiscal Officer is or whoever  
4 the Village Clerk is, so we at that point I don't  
5 think would have had to officially appoint  
6 somebody until we figure out what we want to do,  
7 but somebody does need to be available to answer  
8 questions and take care of these issues from  
9 residents on a day-to-day basis. And if Joanne  
10 can't do that, then we need to continue to  
11 discuss that.

12 And then also, my only other comment was  
13 that this is another reason why we need to  
14 continue to talk about adopting our own charter,  
15 because right now it's my understanding we have  
16 to follow the rules of the Ohio Revised Code.  
17 Whereas, if we had our own charter, we'd be free  
18 to decide how we want to work this.

19 MR. PUFFENBERGER: All right. I  
20 appreciate it. Any other comments?

21 MR. McDONALD: Just say that I think  
22 that Keith was right, we've decided to do the  
23 work part and figure out the money part later.  
24 And it seemed like all the employees are okay  
25 with that.

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1 MR. PUFFENBERGER: Okay. That seems to  
2 be the general consensus. Joyce, do you have  
3 anything else you want to mention?

4 MS. BURKE-JONES: No. I think what it  
5 is, we're moving to recommend passage of 4098 and  
6 4100 at this time; is that not?

7 MAYOR LICASTRO: Mr. Matty recommended  
8 we pass 4097 and 4098 and hold in abeyance 4099,  
9 pass 4100.

10 MS. BURKE-JONES: Right. Yeah, I missed  
11 the 4097. Okay. So everything is included  
12 except 4099. Okay.

13 MAYOR LICASTRO: That's my  
14 understanding, yes.

15 MR. PUFFENBERGER: Okay. I will  
16 entertain a motion to table Ordinance 4099 until  
17 we have additional information and had adequate  
18 opportunity to discuss it.

19 MS. BURKE-JONES: So move.

20 MR. McDONALD: Second.

21 MR. PUFFENBERGER: All in favor?

22 MS. BURKE-JONES: Aye.

23 MR. McDONALD: Aye.

24 MR. PUFFENBERGER: Okay. 4098, this is  
25 an ordinance amending Section 133.06 of the

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1 Administrative Code to remove the duties of the  
2 Tax Administrator from the position of the  
3 Assistant Deputy Fiscal Officer.

4 Is there a motion to recommend passage?

5 MR. McDONALD: So move.

6 MS. BURKE-JONES: Second.

7 MR. PUFFENBERGER: All in favor?

8 MS. BURKE-JONES: Aye.

9 MR. McDONALD: Aye.

10 MR. PUFFENBERGER: 4097, this adds the

11 duties of Village Tax Administrator to the  
12 position of the Village Fiscal Officer. Now,  
13 this doesn't pass automatically, is that correct,  
14 Mr. Matty? I heard something that it passed  
15 automatically.

16 MR. MATTY: No, 4097 needs to be  
17 recommended and it will pass -- it will pass if  
18 we have sufficient votes at the Council meeting.

19 MR. PUFFENBERGER: I meant the position  
20 passed automatically, I don't mean the ordinance.

21 MR. MATTY: The position itself will  
22 pass automatically if 4097 is passed this  
23 evening.

24 MR. PUFFENBERGER: Okay.

25 MR. MATTY: It's actually been taken

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1 out. Back when we did this, it was taken out of  
2 the ordinance. It's not there now to pass to  
3 unless this is passed tonight.

4 MR. PUFFENBERGER: All right. Would  
5 anyone like to make a motion to recommend 4097 be  
6 passed this evening?

7 MR. McDONALD: So move.

8 MS. BURKE-JONES: Second.

9 MR. PUFFENBERGER: All in favor?

10 MS. BURKE-JONES: Aye.

11 MR. McDONALD: Aye.

12 MR. PUFFENBERGER: 4100, removes the  
13 \$6,000 annual payment from the Assistant Deputy  
14 Fiscal Officer. Motion to recommended passage?

15 MS. BURKE-JONES: I so move.

16 MR. McDONALD: Second.

17 MR. PUFFENBERGER: All in favor?

18 MS. BURKE-JONES: Aye.

19 MR. McDONALD: Aye.

20 MR. PUFFENBERGER: Okay. Has Joanne  
21 been informed that this was being discussed this  
22 evening?

23 MAYOR LICASTRO: Yes.

24 MR. PUFFENBERGER: And she's aware that  
25 what we've just done is taken away her \$500 per

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1 month.

2 MAYOR LICASTRO: Yes.

3 MR. PUFFENBERGER: She's aware.

4 MAYOR LICASTRO: Yes.

5 MR. PUFFENBERGER: All righty. Let's  
6 move on quickly now since we took a lot of time  
7 there. Let's go to pay claims. Pay claims was  
8 fairly straightforward. I had very few  
9 questions. As most of you know, Diana and I  
10 usually have a pre-meeting meeting regarding this  
11 to preempt questions that might occur. I'll run  
12 through those very, very quickly, because I don't  
13 think there's a lot here that isn't normal.

14 Under public safety, traffic control and  
15 protection there is an item for 11 stop signs. I  
16 believe they're called tri-foiling.

17 MAYOR LICASTRO: It should be folding.

18 MR. PUFFENBERGER: Okay.

19 MAYOR LICASTRO: So what happens, Jim,  
20 if we have a power outage, these signs can be  
21 unfolded so every intersection becomes a four-way  
22 stop.

23 MR. PUFFENBERGER: Right. That's what I  
24 understood from the conversation. And I  
25 understand this was a project the Chief was

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1 undertaking. And this cost us \$934. That was  
2 how it was explained to us and that certainly  
3 seems very reasonable. Any questions?

4 Let's see, the only other thing that  
5 anybody might question is are we being overly  
6 optimistic that we're going to have fireworks  
7 this year? Diana and I discussed this as well.  
8 If you don't mind my providing your explanation,  
9 Diana, and correct me if I say something wrong,  
10 we have a limited period of time or limited  
11 window to actually reserve this.

12 And given that it is refundable should  
13 we not have fireworks, it seemed prudent to go  
14 ahead and commit to the fireworks at the cost of  
15 \$5,500.

16 MR. McDONALD: Agree.

17 MS. BURKE-JONES: I agree.

18 MAYOR LICASTRO: I looked carefully at  
19 the contract, Jim. We have an out if, indeed,  
20 COVID mandates cancellation.

21 MR. PUFFENBERGER: That's what I  
22 understood. Those were my only real issues.  
23 Last month we talked a little bit about the  
24 utility bills, particularly gas. We have a  
25 mixture of NOPEC and IGS and there's a reason for

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1 that. I won't go into all of that, but Diana and  
2 I had a lengthy discussion of that.

3 I actually had a conversation with our  
4 representative with IGS. We do have a contract  
5 for two of our buildings. Not sure what the new  
6 building is going to be covered with, whether it  
7 be IGS or NOPEC. That's wherever the contract  
8 was, I guess, with the school system, but our  
9 service garage is NOPEC, our other two buildings,  
10 existing buildings prior to the Bratenahl Center  
11 are IGS. There's reasons for that.

12 We need to discuss those contracts in  
13 the future, but we're locked into a contract  
14 through July of 2022 for two of our buildings  
15 that we need to review. And I just put that out  
16 there so we can remember to do that mid next year  
17 as I think we're a NOPEC community and that's  
18 where we should go. So that's it for ordinance.

19 Any questions about Ordinance 4101 pay claims?

20 MS. BURKE-JONES: No.

21 MR. McDONALD: No.

22 MR. PUFFENBERGER: No questions? No  
23 comments? I'll entertain a motion to recommend  
24 ordinance --

25 MS. MEADE: For the public or just the  
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1 committee, Jim?

2 MR. PUFFENBERGER: I'm sorry?

3 MS. MEADE: Are you taking public  
4 questions or just the committee?

5 MR. PUFFENBERGER: I'll take public  
6 questions when we're finished.

7 MS. MEADE: Okay.

8 MR. PUFFENBERGER: Thank you, Pat.  
9 All right. I'll entertain a motion to  
10 recommend Ordinance 4101 to Council for passage  
11 this evening on an emergency basis.

12 MR. McDONALD: So move.

13 MS. BURKE-JONES: Second.

14 MR. PUFFENBERGER: All in favor?

15 MR. McDONALD: Aye.

16 MS. BURKE-JONES: Aye.

17 MR. PUFFENBERGER: Okay. I mentioned at  
18 a previous meeting that we currently don't have a  
19 local Board of tax review. Their terms expired  
20 in 2018. And we need to put legislation together  
21 as quickly as we can with recommendations for who  
22 we would like on the Board. We can have the same  
23 three people. I recommended two people already.  
24 And two of those three that are currently on the  
25 Board, I think, John, you recommended the fourth

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1 or the third, but just a reminder that we need to  
2 do that so that we, you know, are in compliance  
3 with the Ohio Revised Code and have one of these  
4 Boards, even though I doubt it's ever been used,  
5 but it's good to have one.

6 MAYOR LICASTRO: We'll do that in March,  
7 Jim.

8 MR. PUFFENBERGER: Okay. That's it.

9 MR. MATTY: Mr. Chairman?

10 MR. PUFFENBERGER: Yes.

11 MR. MATTY: Council has the right to  
12 appoint two of those members. The Mayor has a  
13 right to appoint one.

14 MR. PUFFENBERGER: Okay.

15 MR. MATTY: So if legislation is  
16 required for March, Diana will or the Mayor will  
17 tell me who the Mayor's appointment is. I will  
18 need to know who the counsel's two appointments  
19 are. And if you read the section in the code, I  
20 think it's 173.18, you can see the restrictions  
21 that you have on Council's appointment and the  
22 Mayor can see the restrictions he has on his  
23 appointment, but that's how the Board is  
24 formulated by a bifurcated appointment, Council  
25 two, the Mayor one.

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1 MR. PUFFENBERGER: Okay. And one of the  
2 recommendations I made last time and can be again  
3 this time is John Scanlon. I think a lot of  
4 people know him. The other is Jack Mullin, who's  
5 an attorney here in town. So if everybody is  
6 okay with those, that's great. If not, if  
7 anybody has any other recommendations, let's get  
8 them to Diana so we can get legislation in to  
9 Dave so we can get legislation together.

10 MAYOR LICASTRO: Brenda Brownrigg was a  
11 Council person in Bratenahl on finance, a great  
12 lady. I'm sure that will be my recommendation,  
13 but we'll finalize that in March. Thank you.

14 MR. PUFFENBERGER: I just wanted to make  
15 sure that was done, because it hadn't been in the  
16 last few years. Finally, we had some discussions  
17 about employees benefits. We've been  
18 investigating the potential for HRAs and HSAs. I  
19 just wanted to put in my two cents on this.  
20 We'll continue to do so. We will always continue  
21 to look for the benefit of the Village and our  
22 employees relative to benefits. This is probably  
23 not the right time to make major changes. During  
24 a pandemic, that's a bit of an issue.

25 So my own personal recommendation, it's

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1 not that of the committee, would be that we not  
2 make major changes in the benefits package. Go  
3 forward with what we've done in previous years.

4 MAYOR LICASTRO: On behalf of the  
5 employees, I appreciate that and thank you for  
6 that. We do need to discuss this further. We'll  
7 have a special meeting to do so. I mean, it took  
8 half an hour for Bruce just to give me a quick  
9 recap of the voluminous number of documents he  
10 produced.

11 So I think to take our time and look at  
12 it thoroughly and make the right decision is the  
13 right way to go. In the meantime, let's not  
14 change horses in the middle of the stream. And  
15 we are in a pandemic. Thank you for that.

16 MR. PUFFENBERGER: There are some  
17 advantages to doing HRAs and HSAs, offering those  
18 as an option. I think we should continue to  
19 investigate those as options in the future, but  
20 probably now is not the time. That's all I'm  
21 saying, just my opinion. Anybody else want to  
22 chime in?

23 MS. BURKE-JONES: I'm in agreement with  
24 that.

25 MR. McDONALD: I am, too. There's a

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1 number times we've gone back and forth at the  
2 firm.

3 MR. PUFFENBERGER: Yeah. Okay. I  
4 believe that completes my extended agenda. Are  
5 there any comments from committee members on any  
6 other topics?

7 MS. BURKE-JONES: Yes, Mr. Chairman, may  
8 I assume then we'll discuss the finance  
9 application of the RFP that's going out and then  
10 the ADA contract at other points during this  
11 evening?

12 MR. PUFFENBERGER: Yeah, even though  
13 there's dollars involved, I thought it most  
14 appropriate after we actually hear a little more  
15 detail in the meeting that you have to follow, if  
16 that's okay with you.

17 MS. BURKE-JONES: No, I just wanted to  
18 make sure that it wasn't forgotten.

19 MR. PUFFENBERGER: No.

20 MAYOR LICASTRO: Those are in your  
21 Public Improvements agenda, aren't they, Joyce?

22 MS. BURKE-JONES: Yeah. Again, I didn't  
23 know if the financial implication wanted to be  
24 discussed here.

25 MR. PUFFENBERGER: Yeah, there are

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1 financial implications and we'll have to make  
 2 provisions to do something there, but until we  
 3 hear what's actually going on in your committee,  
 4 I thought it premature to do it here if that's  
 5 okay.

6 MS. BURKE-JONES: Right.

7 MR. PUFFENBERGER: All right. Anything  
 8 from anybody else, any administration or anyone  
 9 else on Council that they would like to discuss?  
 10 No? That being the case, I'll open it up to  
 11 anyone in the audience that might have a question  
 12 or comment.

13 MS. MEADE: I have a question.

14 MR. PUFFENBERGER: Go ahead.

15 MS. MEADE: Thank you. I just wanted  
 16 some detail on the progressive, the expense for  
 17 the Microtechnology evidence tracker and  
 18 supplies. Could someone describe what the \$800  
 19 went for and what this means, the evidence  
 20 tracker?

21 MAYOR LICASTRO: It's used in our  
 22 evidence. Rich, are you on the call? Chief?  
 23 Why don't you chance that question?

24 CHIEF DOLBOW: I have no idea. I'm not  
 25 the evidence technician. I have no clue.

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1 MAYOR LICASTRO: It's used in the  
 2 evidence room to make sure evidence is logged in  
 3 properly. It's a software program to make  
 4 certain we're doing things properly, things are  
 5 properly labeled. We do this every year and  
 6 that's what we use it for.

7 MS. MEADE: Okay. So that's software.  
 8 And then the supplies, is that related to the  
 9 software or is that something else?

10 MAYOR LICASTRO: It's the tagging  
 11 system. It's the bags they use. It's everything  
 12 that pertains to evidence.

13 MS. MEADE: Okay. Thank you.

14 MR. PUFFENBERGER: Anyone else? That  
 15 being the case, I'll entertain a motion to close  
 16 this meeting.

17 MS. BURKE-JONES: I so move.

18 MR. McDONALD: Second.

19 MR. PUFFENBERGER: All in favor?

20 MS. BURKE-JONES: Aye.

21 MR. McDONALD: Aye.

22 MAYOR LICASTRO: We have to log back  
 23 into Joyce's meeting. Joyce, now the time crunch  
 24 is on you. Laughter.

25 (Meeting adjourned at 6:22 p.m.)

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1 CERTIFICATE

2  
 3  
 4 I, Nancy L. Molnar, do hereby certify that  
 5 as such Reporter I took down in Stenotypy all of  
 6 the proceedings had in the foregoing transcript;  
 7 that I have transcribed my said Stenotype notes  
 8 into typewritten form as appears in the foregoing  
 9 transcript; that said transcript is the complete  
 10 form of the proceedings had in said cause and  
 11 constitutes a true and correct transcript therein.

12  
 13  
 14  
 15 *Nancy L. Molnar*

16 Nancy L. Molnar, Notary Public

17 within and for the State of Ohio

18  
 19 My commission expires July 15, 2023.

20  
 21  
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