



**By Call of Mayor Keith A. Benjamin
Village Council Meeting
Wednesday, September 20, 2023 at 6:30PM
Bratenahl Community Center 10300 Brighton Road**

PLEASE SILENCE ALL ELECTRONIC DEVICES

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of minutes from prior meetings
5. Communications from Village Council
6. Communications from the Mayor and/or Administration
7. Public Comment Related to Agenda Items
8. Old Business:
 - a. Ordinance 4190: Amending section 925.09 – Bratenahl Dog Park Rules and Regulations – 2nd reading
 - b. Ordinance 4192: Amending Chapter 509 - Disorderly Conduct and Peace Disturbances - 2nd reading
9. New Business:
 - a. Resolution 1319: Memorandum of Understanding with Cuyahoga County for Access to the County's Mass Notification System
 - b. Resolution 1322: Accepting the Amounts/Rates by the Budget Commission for Necessary Tax Levies
 - c. Resolution 1323: Accepting the Quote of C.A. Agresta Construction for Sidewalk and Curb Replacement and Catch Basin Reconstruction
 - d. Resolution 1324: Approving a Variance for 312 Corning Drive
 - e. Resolution 1325: Approving a Variance for 14 Haskell Drive
 - f. Resolution 1326: Approving Two Variances at 9905 Foster Avenue
 - g. Resolution 1327: Establishing the Telephone Reassurance Program
 - h. Ordinance 4194: Pay Claims
10. Public Comment – General
11. Adjournment

And any other business as may properly come before this Municipal Body may be considered and acted upon. Council reserves the right to enter Executive Session, for reasons as allowed by law.

Posted: September 18, 2023

Diana L. Cooks, Clerk of Council

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

1st reading 8/16/23

ORDINANCE NO: 4190

INTRODUCED BY:

AN ORDINANCE AMENDING SECTION 925.09
OF THE STREETS AND PUBLIC SERVICES CODE
ENTITLED "BRATENAHL VILLAGE DOG PARK"
AND DECLARING AN EMERGENCY

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

SECTION 1. Section 925.09 of the Streets and Public Services Code be amended to read as follows:

"925.09 BRATENAHL VILLAGE DOG PARK."

- (a) The dog park hours are 8:00 a.m. to ~~dusk~~ dark.
- (b) All dogs must be leashed when not within the fence of the dog park.
- (c) Each dog must have a current dog license and rabies tag displayed on its collar and up to date on all vaccines as required by the Board of Health.
- (d) Dog waste must be properly disposed of immediately.
- (e) Handlers must fill in holes dug by their dogs.
- (f) No more than three dogs per handler.
- (g) ~~Sick~~ Dogs that are sick, injured, in heat or a dog that has been declared vicious are not permitted in the dog park.
- (h) A dog that becomes aggressive must be removed from the dog park immediately.
- (i) All dog bites must be reported to the Bratenahl Police immediately (216-681-1234); call 911 for severe bites.
- (j) Any dog under the age of four months is not permitted in the Dog Park.
- (k) Children aged 6 or under are prohibited and children ages 7-16 must be under adult supervision at all times.
- (l) To prevent aggressive canine behavior, human and dog food of any kind are prohibited.

(m) Dogs must be leashed when outside the fenced-in area. A leash must be accessible for each dog at all times.

(n) Dogs must not be unattended or out of sight.

(o) Dog Owners are solely responsible for all damage or injury inflicted by their dog(s).

(p) Any person entering the Dog Park assumes the risk of any harm, injury to person or property, or negligence of any other person, handler, or dog owner in or at the Dog Park.

(q) Failure to comply with these Rules and Regulations or any applicable Village ordinance will result in expulsion from the Dog Park and may be subject to citation and prosecution as set forth in Section 925.99.

SECTION 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, health and welfare of the inhabitants of the Village of Bratenahl by reason of the immediate necessity to enact and add Section 925.09 of the Codified Ordinances of the Village of Bratenahl. Wherefore, this Ordinance shall be in full force and effect immediately after its passage.

PASSED:

APPROVED:

Keith A. Benjamin, Mayor

ATTEST:

Diana L. Cooks, Village Fiscal Officer

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

1st reading 8/16/23

ORDINANCE NO. 4192

INTRODUCED BY:

AN ORDINANCE AMENDING CHAPTER 509 TITLED
 "DISORDERLY CONDUCT AND PEACE DISTURBANCE"
 BY ENACTING AND ADDING SECTION 509.11 OF THE
 GENERAL OFFENSES CODE TO REGULATE HOURS FOR
 CONSTRUCTION OR REPAIR OF BUILDINGS AND USE OF
 HEAVY EQUIPMENT AND DECLARING AN EMERGENCY

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

SECTION 1. Effective upon the date of adoption of this Ordinance, Chapter 509 of the General Offenses Code be amended by enacting and adding Section 509.11 to read as follows:

"509.11 REGULATION OF HOURS FOR CONSTRUCTION OR REPAIR OF BUILDINGS AND USE OF HEAVY DUTY EQUIPMENT.

(a) No person, firm or corporation shall operate any heavy duty commercial earth moving, ditch digging, grading, loading or excavating equipment; or compressed air hammer, drill, jack or other similar construction or road building equipment; or operate dump trucks, carry-alls or tractor trailers on private property between the hours of 6:00 p.m. and 7:00 a.m., or on Saturdays, Sundays, Christmas, New Year's Day, Memorial Day, Fourth of July, Labor Day or Thanksgiving Day.

However, in case of flood, fire or other natural catastrophe, or in case of urgent necessity for the protection of the public peace, health or safety, the Mayor may permit the use or operation of such vehicles or equipment between such hours or on such days.

(b) Whoever violates this section is guilty of a minor misdemeanor."

SECTION 2. This Ordinance is hereby declared to be an emergency measure and necessary for the immediate preservation of the public peace, safety, health and welfare of the Village and for the further reason that the same relates to the need to update the code; therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed:

 Keith A. Benjamin, Mayor

ATTEST:

Diana L. Cooks, Village Fiscal Officer

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

RESOLUTION NO: 1319

INTRODUCED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH CUYAHOGA
COUNTY FOR ACCESS TO THE COUNTY'S MASS NOTIFICATION
SYSTEM AND DECLARING AN EMERGENCY

WHEREAS, ReadyNotify is a mass notification system used by Cuyahoga County and participating municipalities to issue notifications to the public and internal employees; and

WHEREAS, ReadyNotify delivers messages to residents by telephone, cellular phone, text message, electronic mail, etc.; and

WHEREAS, ReadyNotify will be primarily used for emergency notifications, when prompt and accurate information is essential for immediate safety.

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

SECTION 1. The Mayor be, and he hereby is, authorized to enter into a Memorandum of Understanding with Cuyahoga County for access to the County's Mass Notification System, a copy of which Memorandum of Understanding is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

SECTION 2. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need for access to the County's system, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED:

APPROVED:

Keith A. Benjamin, Mayor

ATTEST:

Diana L. Cooks, Village Fiscal Officer

EXHIBIT "A"

MEMORANDUM OF UNDERSTANDING

-between-

CUYAHOGA COUNTY

-and-

For the Use of Cuyahoga County's Mass Notification System, hereinafter referred to as "ReadyNotify"

This Memorandum of Understanding ("MOU") is made this ___ day of _____, 20__ ("effective date"), between the County of **Cuyahoga ("County")**, a County of the State of Ohio, through its Director of Public Safety and Justice Services, and _____, a municipality within Cuyahoga County, through its authorized representative.

WHEREAS, ReadyNotify is a mass notification system used by Cuyahoga County and participating municipalities to issue notifications to the public and internal employees.

WHEREAS, ReadyNotify delivers messages to residents by telephone, cellular phone, text message, electronic mail, etc.

WHEREAS, ReadyNotify will be primarily used for emergency notifications, when prompt and accurate information is essential for immediate safety.

NOW, THEREFORE, the Parties understanding is as follows:

SECTION I. PROVISION OF SERVICES

The County is providing ReadyNotify to Cuyahoga County municipalities to assist in disseminating pertinent information regarding events within their jurisdictions.

The City/Village of _____ has been granted access to the system which will provide them the ability to send notifications to their residents and internal employees.

Access to the Ready Notify system consists of the following provisions:

- A. The County has assumed the costs associated with the ReadyNotify program, providing for the implementation, training and maintenance of the system.
- B. ReadyNotify is an unlimited service and does not contain any time usage restrictions.
- C. The County will provide training and technical support, as needed, to municipalities.
- D. The County, in conjunction with municipalities, will conduct an extensive public education campaign to promote ReadyNotify.
- E. Municipalities will designate one Point of Contact (POC) to manage ReadyNotify for their municipality.

- F. Usage of ReadyNotify will be determined by the municipality's operational needs, primarily addressing emergency and/or public safety issues, but ReadyNotify shall not be used for any political or commercial notifications.
- G. The County assumes no liability for messages sent on behalf of the authorizing Municipality. Any liability of the authorizing Municipality shall be determined based upon federal or Ohio law. This provision is not intended to create a special duty to any person or to create a third party beneficiary of this MOU.
- H. All alerts sent must abide by Federal, State, and County Policies/Laws
- I. The County maintains the right to remove any municipality's access to ReadyNotify if said municipality is deemed to be in violation of the above terms.

SECTION II. POINT OF CONTACT (POC)

The participating Municipality shall designate one (1) Point of Contact (POC) as the individual responsible for management of the ReadyNotify system for their municipality. The identified individual is also the POC for all communications between the Cuyahoga County Department of Public Safety and Justice Services, as set forth below:

Municipal Point of Contact (POC):

Name:

Title:

Address:

Phone:

Email:

Cuyahoga County Points of Contact (POCs):

Name: Adam Griffith
 Title: Emergency Management Specialist
 Address: 9300 Quincy Avenue,
 Cleveland, OH 44106
 Phone: 216-443-3744
 Email: agriffith@cuyahogacounty.us

Name: Kevin Friis
 Title: Planning Manager
 Address: 9300 Quincy Avenue, Cleveland,
 OH 44106
 Phone: 216-348-4220
 Email: kfriis@cuyahogacounty.us

SECTION III. TERM

This MOU shall be in effect as of the effective date first above written and shall expire upon written notice from either Party to the other that they are withdrawing from this MOU. Either Party may withdraw from this MOU by giving the other Party at least 30 days prior written notice of withdrawal. No cancellation notice period is required for unsatisfactory services by City.

IN WITNESS WHEREOF, the Parties hereby have caused this MOU to be executed.

FOR THE CITY OF

FOR CUYAHOGA COUNTY:

_____:

By: _____
Mayor

By: _____
Director of Public Safety and
Justice Services

By: _____
Point of Contact

(Print Name and Title)

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

RESOLUTION NO: 1322

INTRODUCED BY:

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER
AND DECLARING AN EMERGENCY

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2024; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten-mill tax limitation.

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

SECTION 1. The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted, copies of which amounts and rates are attached hereto as Schedule "A" and Schedule "B," be, and made a part hereof.

SECTION 2. That the Clerk of this Council be and she hereby is directed to certify a copy of this Resolution to the Fiscal Officer of said County.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of the Village of Bratenahl by reason of accepting these amounts and rates to meet the deadline set by the Budget Commission and to timely authorize the necessary tax levies and resulting certifications; wherefore, this Resolution shall be in full force and effect from and immediately after its adoption.

PASSED:

APPROVED:

Keith A. Benjamin, Mayor

ATTEST:

Diana L. Cooks, Village Fiscal Officer

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

(VILLAGE COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the Village of Bratenahl, Cuyahoga
County, Ohio, met in _____ session on the _____ day of _____
(Regular Or Special)
2023, at the office of _____ with the following members

present:

Mr./Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2024 and

WHEREAS, The Budget Commission of Cuyahoga County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate
of each tax necessary to be levied by this Council, and what part thereof is without, and what part
within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the Village of Bratenahl,
Cuyahoga County, Ohio, that the amounts and rates, as determined
by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY FISCAL OFFICER'S ESTIMATED TAX RATES**

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Fiscal Officer's	
			Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund			4.20	4.50
General Bond Retirement Fund				0.00
Park Fund				
Recreation Fund				0.00
Police Pension Fund			0.30	
TOTAL	\$0	\$0	4.50	4.50

**SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be Levied	Co. Fiscal Officer's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Total General Fund outside 10m. Limitation.		
Park Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Recreation Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	

and be it further
RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the Fiscal Officer of Said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mr: _____

Mr./Mr: _____

Mr./Mr: _____

Adopted the _____ day of _____, 20____.

Attest:

 President of Council

 Clerk of Council

**CERTIFICATE TO COPY
ORIGINAL ON FILE**

The State of Ohio, Cuyahoga County, ss.

I, _____, Clerk of the Council of the Village
of Bratenahl within and for said County, and in whose custody the Files
and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby
certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document,
and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20_____

Clerk of Council

No. _____

COUNCIL OF THE Village OF

Bratenahl

Cuyahoga County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY FISCAL OFFICER

(Village Council)

Adopted _____, 20__

Clerk of Council

Filed _____, 20__

County Fiscal Officer

By _____
Deputy

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

RESOLUTION NO: 1323

INTRODUCED BY:

A RESOLUTION ACCEPTING THE QUOTE OF
 C.A. AGRESTA CONSTRUCTION CO. FOR SIDEWALK
 AND CURB REPLACEMENT & CATCH BASIN RECONSTRUCTION
 WITH NEW CASTINGS AND DECLARING AN EMERGENCY

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

SECTION 1. The quote of C.A. Agresta Construction Co. for sidewalk and curb replacement & catch basin reconstruction with new castings in an amount not to exceed eighteen thousand fifty dollars (\$18,050), a copy of which quote is attached hereto as Exhibit "A," be, and the same hereby is accepted.

SECTION 2. The Mayor be and he is hereby authorized on behalf of the Village of Bratenahl to enter into a contract with C.A. Agresta Construction in a form approved by the Village Solicitor.

SECTION 3. Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof, and the Village Fiscal Officer is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the Village. The Village Fiscal Officer be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this Village in the amounts and for the purposes as expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of the Village of Bratenahl by reason of the need to immediately repairing sidewalks and curbs and reconstruct the catch basin; wherefore, this Resolution shall be in full force and effect from and immediately after its adoption.

PASSED:

APPROVED:

 Keith A. Benjamin, Mayor

ATTEST:

 Diana L. Cooks, Village Fiscal Officer

EXHIBIT "A"

(216) 382-2525

FAX (216) 382-7678

THE C. A. AGRESTA CONSTRUCTION CO.

EXCAVATING AND PAVING CONTRACTORS

4186 GREENVALE ROAD

SOUTH EUCLID, OHIO 44121

August 22, 2023

Village of Bratenahl
Attn: Dave Maund, Service Director
411 Bratenahl Road
Bratenahl, Ohio 44108

RE: Sidewalk & Curb Replacement, Catchbasin Reconstruction with New Castings

Dear Mr. Maund,

As per your request, we are pleased to quote the following:

17 each – 4” Sidewalk Block Removed & Replaced @ \$500 per block...	\$8,500.00
14 LF – Curb Removed and Replaced @ \$100 per LF.....	\$1,400.00
1 LS – Mobilization & Barricades	\$ 750.00
2 EA – Catchbasin Reconstructed to Grade with New Casting @ \$3700 each.....	<u>\$7,400.00</u>
Estimated Cost.....	\$18,050.00

The earliest start date for this work is mid-September.

We appreciate the opportunity to quote this work for you.

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,
C.A. Agresta Construction Co.



John Agresta
President

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

RESOLUTION NO. 1324

INTRODUCED BY:

A RESOLUTION CONFIRMING THE ACTION BY THE BOARD OF ZONING APPEALS APPROVING THE VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 312 CORNING DRIVE TO REVISE THE REQUIRED 25 FOOT SIDE YARD SETBACK TO 19 FEET FROM THE NORTH SIDE LOT LINE AND DECLARING AN EMERGENCY

WHEREAS, on September 14, 2023, the Board of Zoning Appeals held a public hearing on the request for a variance for the property located at 312 Corning Drive to revise the required 25 foot side yard setback to 19 feet from the North side lot line; and

WHEREAS, pursuant to Section 1121.02(c) of the Village Zoning Code, this Council is required to confirm all variances before they take effect.

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

Section 1. This Council hereby approves and confirms the action of the Board of Zoning Appeals wherein the Board approved the variance to revise the required 25 foot side yard setback to 19 feet from the North side lot line.

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

PASSED:

APPROVED:

Keith A. Benjamin, Mayor

ATTEST:

Diana L. Cooks, Village Fiscal Officer

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

RESOLUTION NO. 1325
INTRODUCED BY:

A RESOLUTION CONFIRMING THE ACTION BY THE BOARD OF ZONING APPEALS APPROVING THE VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 14 HASKELL DRIVE TO REVISE THE REQUIRED REAR YARD LOCATION OF ACCESSORY USES/STRUCTURES TO INSTALL A PERMANENT HOME BACKUP GENERATOR IN THE FRONT YARD AND DECLARING AN EMERGENCY

WHEREAS, on September 14, 2023, the Board of Zoning Appeals held a public hearing on the request for a variance for the property located at 14 Haskell Drive to revise the required rear yard location of accessory uses/structures; and

WHEREAS, pursuant to Section 1121.02(c) of the Village Zoning Code, this Council is required to confirm all variances before they take effect.

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

Section 1. This Council hereby approves and confirms the action of the Board of Zoning Appeals wherein the Board approved the variance to revise the required rear yard location of accessory uses/structures to install a permanent home backup generator in the front yard.

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

PASSED:

APPROVED:

Keith A. Benjamin, Mayor

ATTEST:

Diana L. Cooks, Village Fiscal Officer

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

RESOLUTION NO. 1326

INTRODUCED BY:

A RESOLUTION CONFIRMING THE ACTION BY THE BOARD OF ZONING APPEALS APPROVING TWO VARIANCES FOR THE PROPERTY LOCATED AT 9905 FOSTER AVENUE TO ALLOW BUILDING A NEW SINGLE FAMILY RESIDENCE ON A NONCONFORMING LOT IN THE R-4 STANDARD ONE-FAMILY RESIDENCE DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, on June 8, 2023, the Board of Zoning Appeals held a public hearing on the request for two variances for the property located at 9905 Foster Avenue to allow building a new single family residence on a nonconforming lot in the R-4 Standard One-Family Residence District; and

WHEREAS, on September 14, 2023, the Board of Zoning Appeals held a public hearing on the request for two variances for the property located at 9905 Foster Avenue, due to alterations made to the proposed house’s footprint, to allow building a new single family residence on a nonconforming lot in the R-4 Standard One-Family Residence District; and

WHEREAS, pursuant to Section 1121.02(c) of the Village Zoning Code, this Council is required to confirm all variances before they take effect.

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

Section 1. This Council hereby approves and confirms the action of the Board of Zoning Appeals wherein the Board approved two variances to allow building a new single family residence on a nonconforming lot in the in the R-4 Standard One-Family Residence District to allow a 78.5% of minimum floor area variance of 258 square feet and a 5.1% maximum land coverage variance resulting in 30.1% land coverage.

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

PASSED:

APPROVED:

Keith A. Benjamin, Mayor

ATTEST:

Diana L. Cooks, Village Fiscal Officer

Name	BURKE-JONES			DEWS			HOEFLING			HUFFMAN			MCDONALD			YONCHAK		
Vote	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

RESOLUTION NO. 1327

INTRODUCED BY:

**A RESOLUTION ESTABLISHING THE
TELEPHONE REASSURANCE PROGRAM
AND DECLARING AN EMERGENCY**

WHEREAS, the Telephone Reassurance Program is an automated calling system that calls individuals who sign up for the service on a consistent, predetermined schedule to check on their well-being and to notify the Bratenahl Police Department if there is a potential problem; and

WHEREAS, the Telephone Reassurance Program will be administered by the Chagrin Valley Dispatch Council with cooperation from the Bratenahl Police Department.

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

SECTION 1. The Council hereby establishes the Telephone Reassurance Program to be administered by the Chagrin Valley Dispatch Council, with cooperation from the Bratenahl Police Department, at an annual cost not to exceed three thousand, eight hundred seventy-five dollars (\$3,875.00), as shown on the estimate attached hereto as Exhibit "A".

SECTION 2. The Mayor is hereby directed to notify all Bratenahl residents of this opportunity to voluntarily enroll in said Telephone Reassurance Program and to obtain all the necessary information for a resident to participate in said Program. Such notification shall also include the resident's waiver of liability for the Village of Bratenahl, agreeing to hold the Village harmless against all claims, injuries and/or damages of whatsoever nature as a result of the Telephone Reassurance Program.

SECTION 3. Within sixty (60) days from the Mayor's notification to the residents as set forth in Section 2. above, the Village shall notify Chagrin Valley Dispatch Council of its desire to implement this Telephone Reassurance Program or to cancel its authorization herein. Chagrin Valley Dispatch Council shall have no obligation to proceed with said Program until it receives this notification.

SECTION 4. Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof, and the Village Fiscal Officer is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the Village. The Village Fiscal Officer be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this Village in the amounts and for the purposes as expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of

Bratenahl and for the further reason that it is necessary to establish the Telephone Reassurance Program; therefore, provided this Resolution receives two-thirds vote of all members of the Council elected thereto, it shall be in full force and effect from and after the earliest time allowed by law.

Passed:

Keith A. Benjamin, Mayor

ATTEST:

Diana L. Cooks, Village Fiscal Officer

EXHIBIT "A"

Chagrin Valley Dispatch
88 Center Road, Suite B100
Bedford, OH 44146 US
finance@cvaldispatch.com

Estimate 1568



ADDRESS

Village of Bratenahl
411 Bratenahl Rd
Cleveland, OH 44108

DATE
09/11/2023

TOTAL
\$3,875.00

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
09/11/2023	Technology	Are You Ok / Resident Wellness Program	1	3,875.00	3,875.00

TOTAL

\$3,875.00

THANK YOU.

Accepted By

Accepted Date

Name	Burke-Jones			Dews			Hoefling			Huffman			McDonald			Yonchak		
	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs	Aye	Nay	Abs
Suspension																		
Passage																		

Sep-23

ORDINANCE NO: 4194

Final

INTRODUCED BY:

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

PUBLIC SAFETY

* AT&T/FirstNet	MDTs	\$ 348.01
Atwell's Police and Fire Equipment	Uniforms/equipment	145.00
Best Buy Tire	Repair/maintenance	1,252.36
* Chagrin Valley Dispatch	September 2023	20,977.31
Cuyahoga County Sheriff	August 2023	366.36
Dollar Bank	Credit card - police expense	1,827.63
FBI - LEEDA	Training - O'Haire	795.00
Flash Ind	Flares - 10 cases	792.10
Hall Public Safety	Repair/maintenance	135.00
Karl Chevrolet	2023 Tahoe - (2)	84,164.00
Lake Business Products	Copier	80.59
Landmark	Gasoline: 66	4,627.02
Serpentini Chevy	Repair/maintenance	653.28
Shuttler's	Uniforms/equipment	841.50
SUBTOTAL - PUBLIC SAFETY		\$ 117,005.16

ADMINISTRATION

+ Aetna		Dental - 9/2023	\$ 1,053.00
Bauernschmidt, Charles		Magistrate - 8/15, 9/12/2023	1,000.00
Bryan & Suns		Replace fan coil/condenser - Village Hall	9,800.00
+ COSE/Medical Mutual		Medical - 9/2023	24,842.32
Cintas		Defibrillator	126.00
Distillata		Drinking water	103.50
+ Division of Water		#1291440000	38.21
+ Division of Water		#5367340000	192.71
+ Division of Water		#3759120437	119.95
+ Dollar Bank		Village credit card	1,209.00
+ Dominion		#0012	64.71
+ Dominion		#5971	55.33
+ Dominion		#7898	55.33
Dumpster Bandit		Rubbish removal - 8/2023	6,183.36
* Geauga Highway Co		Eddy Road project	144,492.42
Google **		Email accounts	318.00
Illuminating Company	Traffic Signals	# 110 029 217 558	149.57
Illuminating Company	Street Lighting	# 110 024 090 794	2,912.79
Illuminating Company		# 110 023 586 420	100.74
Illuminating Company		# 110 023 032 078	624.90
Illuminating Company		# 110 022 683 632	153.84
Inspeyered Landscape/Tree Service		Dead tree removal - Corning Road; Eddy Road	1,800.00
Inspeyered Landscape/Tree Service		Tree pruning - eddy Road	600.00
Lake Business Products		Copies/lease	225.27
Legend Irrigation		Backflow testing - Eddy Road	245.95
Molnar Reporting Services		Reporting - June, July 2023; recorders	2,504.05
NEORS		#8745	139.44
+ Pitney Bowes		Postage meter/postage	520.99
Rocco, Andrea		Magistrate - 8/1, 8/29/2023	800.00
Signal Service Co		Control panel repair - LSB/Bratenahl Road	30694.00
+ Spectrum		Internet/cable service	578.13
TAC		Network support - 8/2023	533.00
TeleCare		Hosting - 8/2023	928.13
Treasurer of State		BBS- 8/2023	95.45
<i>SUBTOTAL - ADMINISTRATION</i>			<u>\$ 233,260.09</u>

RECREATION

* Cintas		Defibrillator	\$ 126.00
*+ Distillata		Drinking water	47.25
*+ Dollar Bank		Recreation credit card	893.35
*+ Dominion		#0000	59.66
*+ Illuminating Company		A/C# 110 023 744 748	639.42
*+ Illuminating Company	Outdoor	A/C# 110 050 323 796	90.76
* Noon Sharpening		Sharpening - 9/2/2023	500.00
*+ Spectrum		Internet/cable service	194.75
* United Rentals		Portable restroom rentals	960.00
<i>SUBTOTAL - RECREATION</i>			<u>\$ 3,511.19</u>

SERVICE

Best Truck Equipment		Parts	\$ 575.84
Cargill		Salt - 50 ton	13,434.39
* Ciro's Sewer Cleaning		185 Catch basins	23,310.00
The Craun Lieging Co		Valve repair kits	329.61
Division of Water		Fireline	46.60
Division of Water		7482172312	26.13
Dominion		#0973	60.43
Flash Ind		Paint beads	325.00
Green Vision Materials		Annual tipping fee	4,000.00
+ Home Depot		#9772	408.53
+ Illuminating Company		#110125887239	297.50
Landmark		Gasoline: 34	2,842.29
Linde		Propane	56.85
Sherwin Wms		Striping paint	99.98
Spectrum		Internet/cable service	266.40
Sutton Hardware		Parts/supplies	6.99
Telecare		3rd quarter maintenance/monitoring	471.00
Valley Ford		F550 Chassis	75,018.00
<i>SUBTOTAL - SERVICE</i>			<u>\$ 121,575.54</u>

CONSULTANTS

Clemens Nelson	Professional services - 7/2023	\$ 175.00
Chagrin Valley Engineering	Professional services - 7/2023, 8/2023	7,677.32
Matty, Henrikson & Greve LLC	Professional services - 7/2023	7,115.68
Matty, Henrikson & Greve LLC	Prosecutorial services - 7/2023	4,663.50
<i>SUBTOTAL - CONSULTANTS</i>		<u>\$ 19,631.50</u>

TOTAL ALL PAY CLAIMS **\$ 494,983.48**

- * Restricted fund
- + Electronic payment

FOR RECORD ONLY

Payroll	8/4/2023	\$ 99,079.90
Payroll	8/18/2023	\$ 71,135.49
Payroll	9/1/2023	\$ 73,236.15

Section 2.

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

Passed: September 20, 2023

Keith A. Benjamin, Mayor

Diana L. Cooks, Village Fiscal Officer