

VILLAGE OF BENTLEYVILLE

REGULAR COUNCIL MEETING MINUTES

05/20/2020

6:02 PM

CALL TO ORDER: 00:01:09

Mayor Spremulli called the meeting to order at 6:02 P.M.

ROLL CALL: 00:01:16

<input checked="" type="checkbox"/> Len Spremulli, Mayor	<input checked="" type="checkbox"/> Kathleen Esposito	<input checked="" type="checkbox"/> Terry Hemmelgarn
<input checked="" type="checkbox"/> Ken Kvacek	<input checked="" type="checkbox"/> Kathleen Hale	
<input checked="" type="checkbox"/> Alex Goetsch	<input checked="" type="checkbox"/> Ryan Rubin	
<input checked="" type="checkbox"/> Chuck Nemer, Law Director	<input checked="" type="checkbox"/> Jeff Filarski, Engineer	
<input checked="" type="checkbox"/> Gabe Barone, Police Chief	<input checked="" type="checkbox"/> Lloyd Nagle, Service Director	

MOTION TO ACCEPT THE PRIOR WRITTEN MINUTES: 00:02:28

CLERK: A Motion by Rubin to accept prior written minutes and audio recording of the April 15, 2020 Council meeting, second by Esposito.

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

MAYOR'S REPORT: 00:03:21

Mayor Spremulli had nothing to report, as things are running relatively smoothly. He did note that Village Hall will reopen to the public June 1st and will be following proper social distancing recommendations including wearing a mask.

Mayor Spremulli also mentioned that the Metro Parks applied for a five million dollar grant to extend the walking trail into Chagrin Falls. The trail would begin at Arbor Lane, continue down Cannon Road, under the bridge, through the park and into Chagrin Falls. He reported that he sent a letter of support to the Metro Parks for this project and that for the project to proceed, the Village would have to enter into an agreement with the Metro Parks. He explained that at this point, he only sent a letter of support and an agreement would be discussed at a later date should the park get the grant.

The Mayor wanted to acknowledge the residents online that are here for the variances and apologized for some confusion earlier in the evening.

FISCAL OFFICER'S REPORT: 00:21:07

The Mayor directed Council to the cash account balances (see Cash Balance and Outstanding Obligations May, 2020).

LAW DIRECTOR'S REPORT: 00:04:48

- No report

BUILDING INSPECTOR REPORT: 00:07:59

- Mr. Filarski's report is on file. There are two new plan reviews for homes being submitted by Payne and Payne Builders. One is located at 12 Pine River, the vacant lot as you pull in to the right. The other is what he refers to as "the sister lot" that goes out to Solon Road.

ENGINEER REPORT 00:08:56

- Mr. Filarski's report is on file.
- Per Engineer Filarski, the salt shed materials are being shipped in the beginning of June. Engineer Filarski will schedule when he gets them. He expects the shed to be completed in approximately three (3) weeks. If the materials are delivered and construction begins right away, the shed could be done by the end of June.
- Council Member Hale asked if we had any confirmation on any leeway with Cargill in extending the delivery cut-off date. The Mayor will contact them to see if we can extend their holding time.
- Council President Kvacek inquired about the status of Pepperwood North. Engineer Filarski reported that they are wrapping up this week. Per Ryan Rubin, the Contractor did a good job and the residents are pleased.
- Council President Kvacek also inquired about the work in Chagrin Valley Trails, Engineer Filarski confirmed that he would be having a virtual meeting next week with the contractor regarding the work.
- Council Member Hale asked about the leak in the ceiling of Village Hall. Engineer Filarski said he thought that the Contractor was out of the Country. He noted that Service Director Nagle would update us during his report.

CHIEF'S REPORT 00:12:29

- Chief Barone's report is on file.
- Chief Barone reported that they have resumed traffic enforcement. He advised the officers to use PPE and keep in mind social distancing recommendations. They are implementing practices to reduce contact including not handling licenses and not requiring signatures on citation copies.
- Mayor Spremulli asked about the new car. The Chief reported that no new information is available regarding the status of the new vehicle.
- The Chief reported that two garage door operators failed approximately two weeks ago. He has three bids lined up. The difference in the estimates was a ¾ vs ½ horse power chain drive operator and the bids fell within a \$30 or \$40 difference of each other. It was recommended to the Chief that the ¾ horse power chain driver operator be installed. The repairs will be completed next week. They will receive two openers and additional openers will cost \$35-\$40 each.

SERVICE DIRECTOR REPORT: 00:18:16

- Service Director Nagle reported that the roofer is out of town and should return at the end of May. They are trying to get someone out in the beginning of June to see what is going on. Kathleen Hale asked who the contractor was and if they would complete the work under our warranty. Service Director Nagle reported that it was Northcoast Roofing and that he is not sure if the repair would be covered under the warranty until they come out to see what the problem is.

- Service Director Nagle reported that he has two quotes for the guardrail replacement, the lowest bid was \$7,365. Engineer Filarski noted that the budget was \$10,000 for this work. The Mayor noted that he would like it done as soon as possible.

STREETS AND SAFETY REPORT: 00:20:48

- The Committee report is on file.

FINANCE, GRANTS & INSURANCE REPORT: 00:21:07

- The Committee report is on file.
- Council President Kvacek reported that discussion included the reduction in income anticipated from RITA. Much of the reduction is expected to be a delay in payment. He also reported that expenses are still below income and reminded council that the renewal levies are on the agenda for their consideration.

PLANNING AND ZONING REPORT: 00:22:26

- The Commission met. There are two items on the agenda tonight.
- Council President Kvacek noted that in the Planning and Zoning notes, Jeff Bean was referred to as a contractor, but is a resident. Council Member Hale suggested that this should be taken up at Planning and Zoning, the Mayor agreed.

PARKS: 00:22:38

- The Committee report is on file.
- Per Kathleen Esposito, Yoga will begin the second Tuesday in June, June 9th. It will take place in the Park with strict social distancing.

UTILITIES COMMITTEE: 00:23:52

- The Committee met.
- Council Member Alex Goetsch reported that discussion included the Waste Management Contract and the need to solicit bids. Per Law Director Nemer, no ordinance or resolution will be required to solicit bids, just a motion.

EMPLOYEE SAFETY: 00:25:13

- The Committee did not meet this month.

PUBLIC COMMENTS: 00:25:16

- None

OLD BUSINESS: 00:25:25

- None

The Mayor presented the motions prior to attending to new business.

NEW BUSINESS: 00:39:19

2020-18 An Ordinance for the payment of bills in the month of May 2020 in the amount of \$ 237,348.61 and declaring an emergency.

Motion to suspend the three-reading rule by Rubin; second Kvacek

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Motion to adopt by Rubin; second Esposito

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

2020-19 An Ordinance submitting the question of a Renewal Tax Levy for the purpose of providing funds for the general construction, reconstruction, resurfacing, and repair of streets and roads in the Village of Bentleyville, pursuant to Ohio Revised Code Section 5705.191, and declaring an emergency. (First Reading)

Motion to place ordinance 2020-19 on first reading by Esposito; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

2020-20 An Ordinance submitting the question of a Renewal Tax Levy for the purpose of providing funds for current operating expenses of the Village of Bentleyville pursuant to Ohio Revised Code Sections 5705.19(A) and 5705.191 and declaring an emergency. (First Reading)

Motion to place Ordinance 2020-20 on first reading by Rubin; second Kvacek

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

2020-21 An Ordinance authorizing the Mayor to enter into a contract with Cuyahoga County regarding a Master Cooperation agreement for preventative maintenance services and declaring an emergency.

Motion to suspend the three-reading rule by Rubin; second Esposito

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Motion to adopt by Rubin; second Esposito

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

2020-22 A Resolution amending the Bentleyville Budget for fiscal year 2020 and declaring an emergency.

Motion to suspend the three-reading rule by Rubin; second Kvacek

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Motion to adopt by Rubin; second Kvacek

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

MOTIONS: 00:25:50

Upon recommendation of the Planning Commission, a Motion to approve the Lot Split for Phyllis Marino, 35955 Solon Road, PP 941-07-002.

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Upon recommendation of the Planning Commission, a Motion to approve Lot Consolidation for Bowen Brandenburg, 5573 Liberty Road, PP 941-13-011.

Motion to adopt by Hale; second Esposito

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Upon recommendation of the Planning Commission, a Motion to approve the variance to Section 1266.02 (a)1(A.) to allow for construction of a barn to the front of the dwelling for Bowen Brandenburg, 5573 Liberty Road, PP 941-13-011.

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Upon recommendation of the Planning Commission, a Motion to approve the Variance to Section 1266.02 (3) to allow for the construction of a barn with an area of 2,900.16 S.F. (Includes loft area) for Bowen Brandenburg, 5573 Liberty Road. PP 941-13-011. VARIANCE IS FOR 1900.16 S.F..

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

COMMENTS FROM THE FLOOR: 00:46:27

- None

ADJOURNMENT: 00:46:41

- Motion to adjourn at 6:47 by Rubin. Passed by unanimous voice vote.

Respectfully submitted,



Ken Kvacek
President of Council



Nickol Sell
Fiscal Officer

VILLAGE OF BENTLEYVILLE

REGULAR COUNCIL MEETING MINUTES

05/20/20

6:00 PM

CALL TO ORDER: 00:00:

Mayor Spremulli called the meeting to order at 6:00 P.M.

ROLL CALL: 00:00:

<input checked="" type="checkbox"/> Len Spremulli, Mayor	<input checked="" type="checkbox"/> Kathleen Esposito	<input checked="" type="checkbox"/> Terry Hemmelgarn
<input checked="" type="checkbox"/> Ken Kvacek	<input checked="" type="checkbox"/> Kathleen Hale	
<input checked="" type="checkbox"/> Alex Goetsch	<input checked="" type="checkbox"/> Ryan Rubin	
<input checked="" type="checkbox"/> Chuck Nemer, Law Director	<input checked="" type="checkbox"/> Jeff Filarski, Engineer	
<input checked="" type="checkbox"/> Gabe Barone, Police Chief	<input checked="" type="checkbox"/> Lloyd Nagle, Service Director	

MOTION TO ACCEPT THE PRIOR WRITTEN MINUTES: 00:00:

CLERK: A Motion by Kvacek to accept prior written minutes and audio recording of the April 15, 2020 Council meeting, second by Goetsch.

Roll call: Kvacek: yes Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

MAYOR'S REPORT: 00:

FISCAL OFFICER'S REPORT: 00:

The Mayor directed Council to the cash account balances (see Cash Balance and Outstanding Obligations April, 2020)

LAW DIRECTOR'S REPORT:

- No report

BUILDING INSPECTOR REPORT:

- Mr. Filarski's report is on file.

ENGINEER REPORT

- Mr. Filarski's report is on file.

CHIEF'S REPORT

- Chief Barone's report is on file.

SERVICE DIRECTOR REPORT:

STREETS AND SAFETY REPORT:

- Committee report is on file.

FINANCE, GRANTS & INSURANCE REPORT:

- Committee report is on file.

PLANNING AND ZONING REPORT:

- The Commission did not meet.

PARKS:

- The Committee report is on file.

UTILITIES COMMITTEE:

- The Committee did not meet this month.

EMPLOYEE SAFETY:

- The Committee did not meet this month.

PUBLIC COMMENTS:

- None

OLD BUSINESS:

NEW BUSINESS:

2020-18 An Ordinance for the payment of bills in the month of May 2020 in the amount of \$237,348.61 and declaring an emergency.

Motion to suspend the three-reading rule by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

2020-19 An Ordinance submitting the question of a Renewal Tax Levy for the purpose of providing funds for the general construction, reconstruction, resurfacing, and repair of streets and roads in the Village of Bentleyville, pursuant to Ohio Revised Code Section 5705.191, and declaring an emergency. (First Reading)

Motion to suspend the three-reading rule by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

2020-20 An Ordinance submitting the question of a Renewal Tax Levy for the purpose of providing funds for current operating expenses of the Village of Bentleyville pursuant to Ohio Revised Code Sections 5705.19(A) and 5705.191 and declaring an emergency. (First Reading)

Motion to suspend the three-reading rule by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

2020-21 An Ordinance authorizing the Mayor to enter into a contract with Cuyahoga County regarding a Master Cooperation agreement for preventative maintenance services and declaring an emergency.

Motion to suspend the three-reading rule by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

2020-22 A Resolution amending the Bentleyville Budget for fiscal year 2020 and declaring an emergency.

Motion to suspend the three-reading rule by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

MOTIONS:

Upon recommendation of the Planning Commission, a Motion to approve the Lot Split for Phyllis Marino, 35955 Solon Road, PP 941-07-002.

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Upon recommendation of the Planning Commission, a Motion to approve Lot Consolidation for Bowen Brandenburg, 5573 Liberty Road, PP 941-13-011.

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Upon recommendation of the Planning Commission, a Motion to approve the variance to Section 1266.02 (a)1(A.) to allow for construction of a barn to the front of the dwelling for Bowen Brandenburg, 5573 Liberty Road, PP 941-13-011.

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

Upon recommendation of the Planning Commission, a Motion to approve the Variance to Section 1266.02 (3) to allow for the construction of a barn with an area of 2,900.16 S.F. (Includes loft area) for Bowen Brandenburg, 5573 Liberty Road. PP 941-13-011. VARIANCE IS FOR 1900.16 S.F..

Motion to adopt by Hale; second Goetsch

Roll call: Kvacek: yes; Esposito: yes; Goetsch: yes; Hale: yes; Rubin: yes; Hemmelgarn: yes

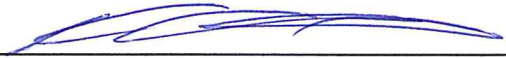
COMMENTS FROM THE FLOOR:

- None

ADJOURNMENT:

- Motion to adjourn by Ryan Rubin . Passed by unanimous voice vote.

Respectfully submitted,



Ken Kvacek
President of Council



Nickol Sell
Fiscal Officer