

VILLAGE OF BENTLEYVILLE

REGULAR COUNCIL MEETING MINUTES

4/15/2020

6:00 PM

Please note that the recorder only recorded a portion of the meeting beginning with the Law Director Report.

CALL TO ORDER

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

ROLL CALL

<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

CLERK: A Motion by Rubin to accept prior written minutes and audio recording of the February 19, 2020 and March 25, 2020 Council meeting, second by Hale.

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

MAYOR'S REPORT

Mayor Spremulli and Chief Barone discussed the limited contact with the public regarding tickets. Chief Barone explained that it makes sense to limit contact. He reported that the courts have certain mandates that they are implementing. He further explained that the courts are only doing certain things on certain days and that the Village does not have the ability to incarcerate anyone except under extreme or violent circumstances. Per Chief Barone, it was not an independent decision to write fewer tickets and it just makes good sense to lessen the contacts.

FISCAL OFFICER'S REPORT: 00:00:59

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

LAW DIRECTOR'S REPORT: 00:01:01

- No report

BUILDING INSPECTOR REPORT: 00:01:07

- Mr. Filarski's report is on file.

ENGINEER REPORT 00:01:16

- Mr. Filarski's report is on file.
- Mayor Spremulli inquired on the status of the Quartermane road work. Engineer Filarski reported that they are tearing out the last lane today and should finish pouring next week. They will follow up with a couple weeks of completing drive aprons.
- Council Member Hale asked about the patches on Greyfox that need to be fixed, Engineer Filarski confirmed that they will be fixed.
- Mayor Spremulli mentioned the underground sprinkler was broke which is in the right of way and will also be getting fixed.
- Council President Kvacek asked if there was an estimate on when the contractors will be finished on Quartermane. Per Engineer Filarski, the paving on Quartermane should be done by May 15th and may be earlier. This would include all the landscaping. The paving and drives should be complete the week after next.
- Council President Kvacek inquired as to whether or not the residents are happy with how things are progressing this spring. Council Member Rubin noted that CATTs Construction is doing a very nice job. He explained that the sprinkler system needed to be fixed due to both code and location issues. He reported that Engineer Filarski will be working with the homeowners association on what needs to be done and how best to do it.

CHIEF'S REPORT 00:04:28

- Chief Barone's report is on file.
- The Chief explained that the Police Department has been focusing on the activity of officers and keeping the building closed up.
- The Chief reported that the status of the new police vehicle is in limbo. There has not been any word on the status of the vehicle or when we will have it available for use. He is not sure why, but we could have it any time this year or even next. The car has been assigned a VIN which means that at some point it will be in production, however the Chief is not expecting the car to be done anytime soon.
- Council President Ken Kvacek noted that the Chief is monitoring the need for personal protective equipment and wanted to make sure they have ample amounts to keep everyone safe. Chief Barone reported that they have received protective equipment from County Emergency Management. They have some surgical as well as N-95 masks. They also have the ability to get protective equipment from the fire department if needed. Per Chief Barone, they are in pretty good shape with masks and gloves. Every officer carries at least one or two masks and sets of gloves and there are still 20 or 30 more in stock.
- The Mayor noted that the Governor announced that the safety forces will be receiving some information from the Highway Patrol. It is a program allowing officers to turn in their masks at the nearest state highway patrol post and get them cleaned with just a few days turn around. He asked the Chief to watch for the information.

SERVICE DIRECTOR REPORT 00:09:02

- Service Director Nagle contacted Cargill and noted that we have until May 30th to order salt and have it delivered or there will be a stocking fee assessed. We have 260 tons left to order.
- Service Director Nagle inquired on the status of the salt bin replacement. Engineer Filarski noted that he had not heard from the Contractor and would have to talk to Law Director Charles Nemer to determine the next step. Mayor Spremulli asked what action we would take if this contractor

decided not to do the job. Engineer Filarski noted that if he is not mistaken, the Village would contact the bonding company and if they could not get the contractor to do the project, they would have to provide another contractor. He asked Law Director Nemer to confirm whether or not he was correct on that assumption. Law Director Nemer said he would have to see the performance bond to confirm and asked Engineer Filarski to forward it to him.

- Service Director Nagle received quotes for cleaning out the oil separator. The lowest bid came in from the company that performed the service last time. The bid is \$1,670.
- Council President Kvacek asked if the oil separator was at capacity. Service Director Nagle confirmed. He explained that the diesel fuel tank leak is what filled it up. Mayor Spremulli approved moving ahead with what needs to be done as far as getting the oil separator cleaned out.
- Council President Kvacek noted that we need to take the salt before the end of May or pay to have it stored and asked if the current salt bin had the capacity to hold the 260 tons we need to order. Service Director Nagle confirmed that we have the capacity. Council President Kvacek noted that when we do have confirmation of the new salt bin construction, we would have to pay to have the salt temporarily stored.
- Per Service Director Nagle, ODOT is looking to secure the salt contract for next year. Council President Kvacek noted that he and Mr. Nagle had a discussion and concluded that our annual usage was between 400 and 600 tons. Service Director Nagle felt that 400 tons would be an appropriate amount of salt to order for next year. Per Service Director Nagle, no price has been announced. It will be announced after all communities have submitted their orders. Legislation is on the agenda this month to approve the contract.
- Council Member Hale asked about the branches throughout the Village from the recent storm. She wondered if we could and would be picking up the branches. Service Director Nagle noted that they have been picking branches up all week and moved about 15 truckloads. He reported that most of the Village is cleared out. Council Member Goetsch noted that individual residents should be disposing of branches on their own rather than the Village paying for removal.
- Council President Kvacek reported that Service Director Nagle spoke with South Chagrin Metro Parks. The Metro Parks are putting wood chip piles down on Miles Road for residents to pick up. Service Director Nagle inquired about us putting woodchips there as well. However, as Council Member Esposito pointed out, this would require a wood chipper which the Village does not own. This would be something we would either have to rent or we would have to pay Chagrin to chip the wood.
- The Mayor confirmed that the service department is keeping social distance and wearing masks when needed. He asked that they drive separate vehicles whenever possible.

COMMITTEE REPORTS

Mayor Spremulli reported that the committees did not meet this month and will have to decide what they want to do with respect to meetings in anticipation of next month. He asked that the committees let Council know how they will proceed next month and if we need to contact CVD to set up a video conference.

Please note that the recorder battery died and this portion of the meeting was not recorded.

OLD BUSINESS

2020-06 A Resolution declaring it necessary to renew an existing 3.7 Mill Tax Levy and requesting the Cuyahoga County Fiscal Officer to certify the total current tax valuation of the Village and dollar amount of revenue that would be generated by that renewal levy, and declaring an emergency. 2nd Reading

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

2020-07 A Resolution declaring it necessary to renew an existing 1.2 Mill Tax Levy and requesting the Cuyahoga County Fiscal Officer to certify the total current tax valuation of the Village and dollar amount of the revenue that would be generated by that renewal levy, and declaring an emergency. 2nd Reading

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

NEW BUSINESS

2020-10 An Ordinance for the payment of bills in the month of March, 2020 in the amount of \$ 109,286.87 and declaring an emergency.

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

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

Motion to adopt by Rubin; second Goetsch

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

2020-11 An Ordinance authorizing the Mayor to enter into an agreement with the City of Newton Falls, Ohio for the sale of a used police vehicle and declaring an emergency.

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

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

Motion to adopt by Rubin; second Hale

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

2020-12 Preliminary Legislation – Ordinance enacted by the Village of Bentleyville, has determined the need for the described project: Bridge Inspection Program Services.

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 Hale; second Esposito

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

2020-13 An Ordinance authorizing Change Order #1 for the concrete reconstruction in Pepperwood North Subdivision 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

2020-14 An Ordinance authorizing the Mayor to enter into a contract with Love Insurance for the provision of general liability, police professional, public official, automobile and property insurance for the Village at the total aggregate cost not to exceed \$32,632 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

2020-15 A Resolution amending the Bentleyville Budget for fiscal year 2020 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

2020-16 An Ordinance for the payment of bills in the month of April 2020 in the amount of \$ 40,113.61 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 Kvacek

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

2020-17 A Resolution authorizing participation in the ODOT Road Salt contracts awarded in 2020 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 Esposito; second Rubin

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

MOTIONS

- None

COMMENTS FROM THE FLOOR

- None

The Mayor thanked Nick DiCicco for setting up the meeting as well as Officer Perkins, also referred to as "Brookie", who joined us to assist with any issues we may have experienced.

ADJOURNMENT

- Motion to adjourn by Rubin, second by Goetsch.

Respectfully submitted,



Ken Kvacek
President of Council

Nickol Sell
Fiscal Officer