

VILLAGE OF BENTLEYVILLE

REGULAR COUNCIL MEETING MINUTES

4/21/21

7:00 PM

CALL TO ORDER: 00:00:05

Mayor Spremulli called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE: 00:00:06

Mayor Spremulli led Council in the Pledge of Allegiance.

ROLL CALL: 00:00:29

<input checked="" type="checkbox"/> Len Spremulli, Mayor	<input checked="" type="checkbox"/> Kathleen Esposito	<input checked="" type="checkbox"/> Terry Hemmelgarn
<input checked="" type="checkbox"/> Kathleen Hale	<input checked="" type="checkbox"/> Alex Goetsch	
<input checked="" type="checkbox"/> Ken Kvacek	<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: 00:01:15

CLERK: A Motion by Rubin to accept the prior written minutes and audio recording of the March 17, 2021 Council meeting, second by Esposito.

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

One item Council Member Kvacek noted was on page one under the Mayors report, second paragraph, the name Mary Kate Black should be Mary Kay Black.

MAYOR'S REPORT: 00:01:26

Mayor Spremulli asked if Council had received the email from the Board of Elections regarding filing petitions. The email suggested that those council members up for re-election that need to pick up or file a petition call and make an appointment. They will accept walk-ins but will be giving those with appointments priority. He noted that it may change between now and August as things open up but wanted to confirm that the email was forwarded to Council.

A letter was sent to Chief Barone from the Solon Police Department to thank him for the mutual aid assistance the Bentleyville Police Department provided on March 27th, 2021. The officers assisted Solon in attempting to apprehend five suspects that fled from a vehicle following pursuit that ended in Solon's jurisdiction. The letter went on to say that it is reassuring to be reminded of the strong partnership they have with the Bentleyville Police Department which ensures the safety of both police officers and residents. The letter was from Chief Richard A. Tonelli.

Mayor Spremulli wanted to comment on the ordinance regarding Tiger Exteriors. He asked to have an ordinance put on the agenda because he thought it was important to get the ordinance in place and thought the roof repair should get done as soon as possible. He did realize that it may not have been discussed in the detail Council would have liked and noted that it would be fine if they wanted to put it on first reading until they could look at it in further detail.

The Mayor addressed an article that appeared in the Chagrin Valley Times which Streets and Safety also discussed regarding the Flock Safety cameras. Mayor Spremulli wanted to let Council know that he does not have any interest in the cameras at this time. He thought the \$6,000 cost could be spent more judiciously with regard to the Police Department. Council President Kathleen Hale noted that Streets and Safety concur.

Mayor Spremulli reported that finance had a discussion regarding hydrant repairs. He wanted to confirm that hydrant maintenance or repairs in Chagrin Valley Trails would be the responsibility of the Chagrin Utility Department. Engineer Filarski explained that repairs are the responsibility of Chagrin, replacement would be charged to Bentleyville.

The Mayor reported that the spring newsletter will be ready to go out in the next week or so. He also informed Council that there will be a short executive session tonight to discuss personnel matters.

FISCAL OFFICER'S REPORT: 00:06:40

The Mayor directed Council to the cash account balances (see Cash Balance and Outstanding Obligations April, 2021).

LAW DIRECTOR'S REPORT: 00:06:43

- No report.
- The Mayor asked Law Director Nemer to look into the ability to transfer funds from the Water and Sewer Funds to the General or Capital Fund. Engineer Filarski estimated keeping about \$20,000 in the Water and Sewer fund for any future repairs that may come up.
- Mayor Spremulli also asked the Law Director to find out whether the pre-employment physical required by Ohio Police and Fire could be delayed until employment begins so that it can be claimed on our insurance vs. having to pay it out of pocket.
- Chief Barone asked to meet with Law Director Nemer regarding recent amendments to legislation for law enforcement.

BUILDING INSPECTOR REPORT: 00:09:10

- Mr. Filarski's report is on file.
- Council President Kvacek inquired about the Holbrook Wall, specifically if it is included on the 2021 budget and why it is included in the budget. Per Engineer Filarski, the wall will fall over and needs repair. It is already included on the current year budget.
- Per Engineer Filarski, his budget is complete as submitted last fall and we will be bidding out the road project and the wall.

ENGINEER REPORT 00:10:41

- Mr. Filarski's report is on file.
- Engineer Filarski inquired with the First Energy Representative as to why a tree is being removed and why the utility pole at Solon and Chagrin River in the garden area is being moved so far. They responded that they wanted to try and keep it out of the garden area. Engineer Filarski wanted to

Speak to the foreman regarding keeping it closer to its current position to save costs in restringing the traffic light.

- Council Member Esposito wanted to know how they were going to move the line to the traffic light and what damage will be caused to the landscaping since there are lines going under the rocks, possibly to secure the pole.
- Council President Kvacek reported the tree has already been cut down.
- Chief Barone said he had spoken with the First Energy Representative and that they were concerned with traffic control. The representative planned to meet the Chief to discuss it and the Chief suggested Engineer Filarski and Council Member Esposito be in attendance.
- Council member Kvacek asked if there was any way First Energy could drop a power outlet since they cut down the tree. Engineer Filarski said we could ask.

CHIEF'S REPORT 00:15:36

- Chief Barone's report is on file.
- The Mayor reported that we have two new hires and one resignation but that they were not able to be present for tonight's meeting.

SERVICE DIRECTOR REPORT: 00:15:58

- Service Director Nagle received the third quote for the electrical box replacement at the park. The final quotes were Avner \$1175, DC Electric \$1,339 and Blue Collar Electricians \$2,000. Mayor Spremulli authorized Service Director Nagle to go with the low bid unless Council had any objection.
- Service Director Nagle also reported that the tree removal estimates came in at \$9,500 from Imperial, \$4,500 from Davey Tree and \$4,300 from Highland Tree. He suggested including more trees to get closer to the \$10,000 budget which was agreed to.

STREETS AND SAFETY REPORT: 00:18:31

- Committee report is on file.
- Council Member Kvacek noted that he is interested in the Flock Safety cameras and planned to get additional information so he can return and speak about it with additional knowledge. He noted that surrounding communities are installing the cameras and that Flock Safety will provide us with access to those cameras with an agreement. He asked if it would be something we would be interested in and the Mayor said he is not.

FINANCE, GRANTS & INSURANCE REPORT: 00:19:58

- Committee report is on file.
- Council Member Kvacek reported that there is a request from the service department for a new dump truck. In addition, the Chief is looking at capital expenditures in 2022. Council Member Kvacek started laying out the capital budget with the objective of looking at any additional equipment that may be needed in the service department.
- Council Member Kvacek prepared a cost benefit analysis on a chipper shredding machine. He concluded that it would save the Village a considerable amount of money.
- Mayor Spremulli looked at the 2021 service director asset list and the truck is at the top of the list. He did not believe that both a truck and a police cruiser would fit into the 2022 budget. The Mayor explained that this is something Council will need to keep in mind as the truck will have to be replaced eventually. Service Director Nagle estimated the cost of a new truck to be somewhere around \$100,000. The Mayor suggested looking at hard numbers and the lease option on a truck.
- Chief Barone reported that he is looking at a car for the next purchase rather than an SUV, which would save the Village some money.

PLANNING AND ZONING REPORT: 00:22:36

- The Commission did not meet.
- Engineer Filarski noted that there is another house coming in, but he is not sure if he needs planning and zoning for any variances since he has not received the sight plans. It is the lot at 576 Solon Road.

PARKS: 00:24:30

- The Committee report is on file.
- Per Council Member Esposito, the estimate on the roof and cupola was discussed and there was no objection.
- Council Member Kvacek requested that the engineer take a look at the estimate before going forward.

UTILITIES COMMITTEE: 00:25:45

- The Committee did not meet.

EMPLOYEE SAFETY: 00:25:45

- The Committee did not meet.

PUBLIC COMMENTS: 00:25:45

- None

OLD BUSINESS: 00:25:45

- None

NEW BUSINESS: 00:25:45

2021-09 An Ordinance for the payment of bills in the month of April, 2021 in the amount of \$ 58,663.44 and declaring an emergency.

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

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

Motion to adopt by Rubin; second Kvacek

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

2021-10 A Resolution authorizing participation in the ODOT Road Salt Contract awarded in 2021.

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

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

Motion to adopt by Hale; second Rubin

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

2021-11 An Ordinance authorizing the Mayor to enter into a contract with Tiger Exteriors LLC in an amount not to exceed \$10,800.00 to replace the flat roof on the cupola on Village Hall along with replacing the siding around the cupola and declaring an emergency. – Placed on first reading.

Motion to place on first reading by Esposito; second Goetsch

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

Per Engineer Filarski, there is no warranty on the agreement. He noted that typically there would be some sort of warranty. Mayor Spremulli asked the law director to contact the supplier and see if the agreement can be changed to include a warranty. A reasonable warranty would be a one-year warranty per Engineer Filarski.

2021-12 A Resolution amending the Bentleyville Budget for Fiscal Year 2020 and declaring an emergency.

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

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

Motion to adopt by Rubin; second Kvacek

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

Per Council President Kvacek, the amendments included the repair of the guardrail and the repair on the roof.

MOTIONS: 00:31:52

Motion to accept resignation of part-time officer Michael Visdos.

Motion to adopt by Rubin; second Hale

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

Motion to approve appointment of part-time officer Morgan Miller.

Motion to approve by Hale; second Rubin

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

Motion to approve appointment of part-time officer Brandon Cagwin.

Motion to adopt by Hale; second Rubin

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

Motion to convene into executive session to discuss personnel matters pursuant to ORC. 122.22 (G). 00:33:57

Motion to move into executive session by Rubin; second Esposito

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

Motion to reconvene to regular council meeting. 00:58:07

Motion to adopt by Hale; second Esposito

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

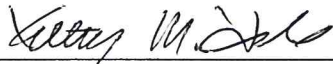
COMMENTS FROM THE FLOOR: 00:58:19

- None

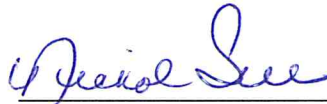
ADJOURNMENT: 00:58:21

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

Respectfully submitted,



Kathleen Hale
President of Council



Nickol Sell
Fiscal Officer