

VILLAGE OF BENTLEYVILLE, OHIO

ORDINANCE NO: 2022-48
INTRODUCED BY: KVACEK

**AN ORDINANCE FOR THE APPOINTMENT AND TERMS AND CONDITIONS OF
EMPLOYMENT FOR THE VILLAGE ENGINEER FOR THE YEAR 2023, AND
DECLARING AN EMERGENCY.**

WHEREAS, the Mayor has appointed and Council has confirmed Jeffrey J. Filarski as the Village Engineer for the Village of Bentleyville for the year 2023 and

WHEREAS, it is the desire of the Mayor and Council to continue Jeffrey J. Filarski's appointment and employment pursuant to the terms and conditions set forth in Exhibit "A", attached hereto and incorporated herein by reference.

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

Section 1. The Mayor's appointment of Jeffrey J. Filarski as Village Engineer is hereby and herein confirmed for the year 2023 pursuant to the terms and conditions set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including the applicable sections of the Ohio Revised Code.

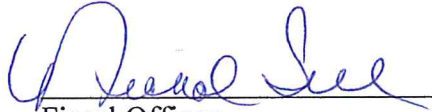
Section 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, or safety of the inhabitants of the Village and for the further reason set forth in the preamble hereof, and this Ordinance shall, therefore, take effect and be in full force immediately from and after the date of its passage and approval.

Passed: December 21, 2022



Mayor

I, the undersigned, Fiscal Officer of the Village of Bentleyville, hereby certify that there is no newspaper published or having an office of publication in the same Village and that I published the foregoing Ordinance by posting the same in five (5) of the most public places of said Village, as defined by Ordinance of Council, for a period of fifteen (15) days, beginning the date following passage and signature by the Mayor.


Fiscal Officer

I, the undersigned, Fiscal Officer of the Village of Bentleyville, hereby certify that the foregoing is a true copy of Ordinance 2022-48 duly enacted by the Council of said Village this 21st day of December, 2022.

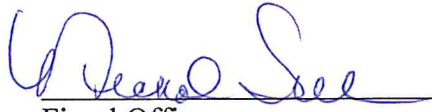

Fiscal Officer

EXHIBIT A – VILLAGE OF BENTLEYVILLE
AGREEMENT FOR MUNICIPAL ENGINEERING SERVICES

This agreement is set between the Village of Bentleyville and Chagrin Valley Engineering, Ltd., for the position of Village Engineer.

Section 1. Chagrin Valley Engineering, Ltd., Jeffrey J. Filarski (hereinafter referred to as “Engineer”), duly licensed as a Professional Engineer, be and he is hereby appointed as Municipal Engineer in this Village for a term beginning January 1, 2023 and ending December 31, 2023, upon the terms, provisions and conditions thereafter set forth in the Ordinance providing for employment.

Section 2. That said Municipal Engineer shall furnish services to this Village, as required by the Village, through the Mayor or his designee, including the following services covered by compensation as described in Section 4 of this Agreement:

- (A) Act as a technical consultant and advisor on engineering matters referred to him or her by the Mayor, Council, and Administrative departments upon direction of the Department Heads.
- (B) Advise the mayor relating to resident's problems pertaining to engineering as they may relate to public sewers, public water supplies, drainage patterns, and building grades.
- (C) Assist the Mayor, the Planning & Zoning Committee, the Building inspector and Service Department on engineering matters and act as an aide in the administration of the National Flood Insurance Program. Provide management services necessary for the Village's compliance with EPA NPDES Phase II Stormwater Permitting Program. Staff members will be used for the data gathering, monitoring and general maintenance of the Permit requirements.
- (D) Prepare monthly status reports regarding various projects and issues relating to infrastructure within the Village.
- (E) Attend monthly Council meetings and other meetings as requested by the Mayor.
- (F) Prepare formative or preliminary sketches and estimates, concerning the advisability of proceeding with public improvements such as pavement improvements, wastewater collection and treatment, water mains, or other infrastructure improvements contemplated by the Mayor and/or Council.
- (G) Prepare applications for grants pertaining to public improvements requiring the services of the Village Engineer such as Issue One funding requests.
- (H) Perform such other duties as is normally required of Municipal Engineers not requiring the use of additional staff members such as field crews, etc.

In the event proceedings for work are abandoned or postponed and then revived and actively pressed either by this or by a succeeding Council within five (5) years of the date of said abandonment or postponement, the Engineer shall credit against the total compensation the payment previously made hereunder, providing, of course, that the same Engineer is at that time employed by this or by a succeeding Council as Engineer. In the event of the revival of a project within the time frame specified above, the engineer may negotiate additional fees with the Municipality which are incurred solely as a result of changes in existing conditions since the abandonment or postponement of the project, or design parameters which are established by governmental review and approval subsequent to such delay.

Engineering charges for Federally funded work must be in accordance with Federal Regulations and are set and approved as part of the funding procedure, and therefore are not part of this document.

HOURLY RATE SCHEDULE: For additional services for which the Engineer shall have been authorized to prepare material or work not let by Contract, or for special surveys, reports, or the preparation of special assessments, compensation shall be made on the basis of time spent by the Engineer or his employees and associates at the rates set forth in the following schedule of hourly rates, plus reimbursable expenses.

Village Engineer	\$97.50 per hour
Staff Engineer	\$87.00 per hour
Traffic Engineer	\$139.00 per hour
Surveyor	\$84.00 per hour
Designer	\$73.75 per hour
GIS Technician	\$90.00 per hour
Contract Administrator	\$73.75 per hour
Inspector	\$51.75 per hour
Clerical	\$39.00 per hour
Field Crew (1 Man)	\$96.00 per hour
Field Crew (2 Man)	\$124.00 per hour
Field Crew (3 Man)	\$140.00 per hour
Stormwater Permit Coordinator	\$75.25 per hour
Stormwater Permit Technician	\$68.00 per hour
Wetland Scientist	\$96.00 per hour
Wetland Technician	\$72.50 per hour

Prints, Materials, Supplies and Services provided or performed by others at Cost.

Section 4. The Municipal Engineer, Jeffrey J. Filarski, P.E., as Village Engineer as appointed by the Mayor, shall receive as compensation for the services described in Section 2 hereof, the annual sum of Ten Thousand Two Hundred Ninety Dollars (\$10,290.00), commencing January 1, 2023, payable in monthly installments, said sum shall be payable to Jeffrey J. Filarski only, and subject to payroll and Public Employment Retirement Systems deductions.

Section 5. The Municipal Engineer as provided for in Section 1 agrees that for the duration of their employment by this Municipality neither they nor any member of Chagrin Valley Engineering, Ltd. or employee thereof, will accept any private engineering or surveying work that requires their review and/or approval unless such work is approved by the Mayor and Council; however work for Federal, State County or Regional Governments is not prohibited.

Section 6. Documents and Files: All engineering documents and project files created for the purposes serving the Village of Bentleyville shall be the property of the Village of Bentleyville.