

VILLAGE OF BENTLEYVILLE

REGULAR COUNCIL MEETING MINUTES

03/15/2023

7:00 PM

CALL TO ORDER: 00:00:45

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

PLEDGE OF ALLEGIANCE: 00:00:45

Mayor Spremulli led Council in the Pledge of Allegiance.

ROLL CALL: 00:00:

<input checked="" type="checkbox"/> Len Spremulli, Mayor	<input type="checkbox"/> Lisa Whitmyer	<input 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 type="checkbox"/> Ryan Klemm, Service Director	

MOTION TO ACCEPT THE PRIOR WRITTEN MINUTES: 00:01:47

CLERK: A Motion by Rubin to accept prior written minutes and audio recording of the February 16, 2022 Council meeting, second by Goetsch

Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent

The following corrections were noted: on page 3 of the Mayors Report last line second paragraph, the word "state" should be "estate". On page 6 under Comments from the Floor, it says the Mayor will be 80 if he completes another term and it should be 81.

MAYOR'S REPORT: 00:04:00

Mayor Spremulli reported that another lawsuit is being filed. Bentleyville residents Larry and Jill Zupon are suing the homeowner's association and naming the Village in a suit regarding flooding they have experienced over the years on their property. An attorney has been assigned to represent us.

Mayor Spremulli also reported that he received a call from Rob Jamieson the Chagrin Falls City Manager who informed him that we should be getting a check for \$5,850 soon from the sale of the asphalt roller. In addition, per Fiscal Officer Nickol Sell, the current audit costs are projected to be closer to \$4,000 rather than the \$10,000 originally quoted. The cost for insurance will be increasing \$3,000-\$4,000 primarily due to increased property value and a few claims. One of the officers got into an accident due to ice on the road which damaged the car and will cost \$4,840 to repair. It was decided that a claim will be filed to

cover the damage. The Mayor also reported that we are being awarded \$28,877 from the county for the 2023 preventative maintenance on West Corp to Solon Rd, Chagrin River to Franklin Rd, South Corp to Solon Rd, West Corp to East Corp.

FISCAL OFFICER'S REPORT: 00:11:52

The Mayor reported that no there was no finance meeting tonight and if anyone had any questions on the accounts payable or the budget they could direct them to the fiscal officer.

LAW DIRECTOR'S REPORT: 00:12:47

- No report
- Mr. Kvacek inquired about transferring the balances of the Debt Service – Slope Stabilization (\$3,192.40) and the Debt Service – Water Line Balance (\$8,307.48) to the general fund. Per Mr. Nemer, we can go ahead and make the transfer. In addition, Mr. Nemer said we can reduce the Water Tap-In Fund balance from \$59,408.85 to \$35,000 and transfer the \$24,408.65 to the general fund.

BUILDING INSPECTOR REPORT: 00:13:58

- Mr. Filarski's report is on file.
- Resident Bob Chalfant asked Mr. Filarski if there is only one buildable lot left in Bentleyville. Mr. Filarski said that is not the case. Chief Barone noted that there are only a few left.

ENGINEER REPORT 00:14:03

- Mr. Filarski's report is on file.
- Mr. Filarski reported that the Miles Road Bridge project went out for bid. One bid was just over \$382,000 of which approximately \$203,000 is the railing replacement, which will not cost the village anything. The approximate start time would be sometime in the end of June but no definitive date has been determined.
- Mr. Filarski also spoke with Sean McDermott of the Metroparks to see if there were any updates on plans for the service department. There was not at this time.

CHIEF'S REPORT 00:18:17

- Chief Barone's report is on file.
- Chief Barone updated everyone on the access road that leads to South Franklin. He met with the Metroparks and the Chagrin Falls Water Department. A removable center post will be installed that cannot be driven past. The only concern was that a semi sized truck would need to fit through, back up and turn around, so the post will be moved back a bit to accommodate it. It was noted that with the Rails to Trails program there will be increased pedestrian and horse traffic in that area and the access road will again need to be addressed when work is to begin.

STREETS AND SAFETY REPORT: 00:25:03

- Committee report is on file.

FINANCE, GRANTS & INSURANCE REPORT: 00:25:12

- Committee report is on file.
- Mayor Spremulli asked if the finance meeting time could be increased to 45 minutes.

PLANNING AND ZONING REPORT: 00:25:25

- The Commission did not meet.

PARKS: 00:25:26

- The Committee report is on file.

UTILITIES COMMITTEE: 00:25:30

- The Committee did not meet this month.

PUBLIC COMMENTS: 00:25:35

- None

OLD BUSINESS: 00:25:39

- None

NEW BUSINESS: 00:25:40

- 2023-05 An Ordinance for the payment of bills in the month of March 2023 in the amount of \$74,505.33 and declaring an emergency.**
- A motion to put Ordinance 2023-05 on first-reading by Rubin; second Kvacek
- Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent
- 2023-06 A Resolution amending the Bentleyville Budget for fiscal year 2023 and declaring an emergency.**
- A motion to put Resolution 2023-06 on first reading by Rubin, second Goetsch
- Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent
- 2023-07 An Ordinance authorizing the Mayor to enter into a contract with Love Insurance Agency for the provision of General Liability, Police Professional, Public Official, Automobile and Property Insurance for the Village of Bentleyville at the total aggregate cost not to exceed \$38,000.00 and declaring an emergency.**
- A motion to put Ordinance 2023-06 on first reading by Rubin, second Goetsch
- Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent
- 2023-08 A Resolution authorizing the Mayor to enter into an agreement with Northeast Ohio Public Energy Council (NOPEC) for their Energized Community Grant(s) and declaring an emergency.**
- A motion to put Resolution 2023-08 on first reading by Rubin, second Goetsch
- Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent

MOTIONS:

Motion to approve a contribution of \$500.00 to the Chagrin Falls School District to be used towards expenses for After Prom.

Motion to approve a \$500 contribution the Chagrin Falls School District by Rubin, Second Kvacek

Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent

Motion to approve the renovation of the flagpole at the Village Hall at a cost not to exceed \$3,500.00.

Motion to approve renovation of the flagpole by Hale, Second Rubin

Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent

COMMENTS FROM THE FLOOR: 00:28:16

- None

Motion to go into executive session 00:28:45

A motion to go into executive session pursuant to 121.22G1 of the Ohio Revised Code to discuss personnel matters by Rubin, Second Goetsch.

Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent

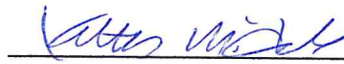
Motion to reconvene from executive session by Rubin, Second Goetsch.

Roll call: Hale: yes; Kvacek: yes; Whitmyer: absent; Goetsch: yes; Rubin: yes; Hemmelgarn: absent

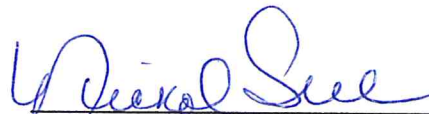
ADJOURNMENT

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

Respectfully submitted,



Kathleen Hale
President of Council



Nickol Sell
Fiscal Officer