

# VILLAGE OF BENTLEYVILLE

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## REGULAR COUNCIL MEETING MINUTES

05/17/2023

7:00 PM

### CALL TO ORDER: 00:00:11

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

### PLEDGE OF ALLEGIANCE: 00:00:11

Mayor Spremulli led Council in the Pledge of Allegiance.

### ROLL CALL: 00:00:40

<input checked="" type="checkbox"/> Len Spremulli, Mayor	<input type="checkbox"/> Lisa Whitmyer	<input checked="" type="checkbox"/> Terry Hemmelgarn
<input 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"/> Matt Maistros, Service Director	

### MOTION TO ACCEPT THE PRIOR WRITTEN MINUTES: 00:00:51

**CLERK:** A Motion by Rubin to accept prior written minutes and audio recording of the April 19, 2023 Council meeting, second by Kvacek.

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

**MAYOR'S REPORT: 00:01:19** Mayor Spremulli reported that Council President Hale is recovering at home as a result of complications after her recent surgery and Councilwoman Whitmyer was called out of town unexpectedly for a family emergency. The Mayor received a letter from Chagrin Falls After prom committee thanking the Village for the generous donation. He also received an email from Christine Comstock expressing her appreciation as well as her two granddaughter's appreciation for the Bentleyville police department's assistance to them during a winter storm. The police pushed their car to the side of the road and stayed with them for an hour and a half until they were able to get going again. Per Mayor Spremulli, at the staff meeting, it was decided to resolve the flag pole issue. With the recommendation of the engineer, a six-inch curb will be installed around the flag pole, the brick will be dug up and preserved and it will be filled with top soil so the garden club can plant whatever they want in the bed. Ken Kvacek noted that the minutes for the Parks, Beautification and Facilities Committee suggested relocation of the flag pole. Mayor Spremulli explained that the decision is to go ahead with the curb installation and Mr. Filarski explained that it will basically be an island that can be landscaped with a curb to prevent cars from

going into the edge. The existing bushes will be removed and can be relocated. Mr. Goetsch thought the consensus was to move the pole by the Mayor's office, however per Mr. Maistros, drainage issues would most likely occur if there is nothing in the pole area.

**LAW DIRECTOR'S REPORT: 00:07:02**

- Nothing to report

**BUILDING INSPECTOR REPORT: 00:07:04**

- Mr. Filarski's report is on file.

**ENGINEER REPORT: 00:07:14**

- Mr. Filarski's report is on file. Mr. Kvacek asked if there were any updates from the county. Mr. Filarski reported that there were no updates for the bridge project and that the start date of the project is dependent on the delivery of the materials.

**CHIEF'S REPORT 00:08:15**

- Chief Barone's report is on file. Mr. Kvacek asked if any members of the police department were going to participate in Blossom Time. Chief Barone said they would have one or two cars in the parade and that some of our officers will be working the event.

**SERVICE DIRECTOR REPORT: 00:09:29**

- Nothing to report

**STREETS AND SAFETY REPORT: 00:09:46**

- Committee report is on file. Per Mr. Kvacek, the committee asked the engineer for an exact identification for the village owned property on Overlook and Solon Road, which he provided. The historic committee is discussing a possible recommendation for placing the millstone there. In addition, he reported that three crabapple trees will need to be replaced along Solon Road. Mr. Kvacek also explained that the Bocce Ball league is entering their ninth season and the court in the park has not had any updating in that time. Chagrin Valley Bocce is looking to add Har-Tru surfacing to the court and are looking into pricing. The bocce league has some funds available to contribute, so they will see how the pricing and available funds line up. Finally, he reported that the front sign area is getting cleaned up.

**FINANCE, GRANTS & INSURANCE REPORT: 00:13:14**

- Committee report is on file.
- Mr. Hemmelgarn reported that we are in good shape and favorable to budget about \$70,000. In addition, RITA income was exceptionally high in May.

**PLANNING AND ZONING REPORT: 00:13:23**

- The Commission did not meet.

**PARKS, BEAUTIFICATION AND FACILITIES COMMITTEE: 00:13:30**

- The Committee report is on file.

**UTILITIES COMMITTEE: 00:13:33**

- The Committee did not meet this month.

**EMPLOYEE SAFETY: 00:**

- The Committee did not meet this month.

**PUBLIC COMMENTS: 00:13:37**

- None

**OLD BUSINESS: 00:13:38**

- None

**NEW BUSINESS: 13:50**

**2023-11** An Ordinance for the payment of bills in the month of May 2023 in the amount of \$82,346.91 and declaring an emergency.

Motion to place Ordinance 2023-11 on first reading by Rubin; second Goetsch

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

**2023-12** A Resolution amending the Bentleyville Budget for Fiscal Year 2023 and declaring an emergency.

Motion to place Resolution 2023-12 on first reading by Rubin; second Kvacek

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

**MOTIONS 00:14:43**

Motion authorizing the Village Engineer to prepare plans and specifications and advertise bids for the Riverview Park improvements. The Village reserves the right to reject any and all bids.

Motion to authorize the Village Engineer to prepare plans and specifications and advertise for bids for the Riverview Park improvements by Kvacek, Second by Rubin.

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

**COMMENTS FROM THE FLOOR: 00:15:14**

- Resident Bob Chalfant asked if absent council members can vote by proxy. The Mayor explained that they cannot. He further explained that in general ordinances need to be placed on three readings and that 30 days after the third reading they go into effect. Most communities try to pass legislation by emergency so that the legislation goes into effect immediately. Motions need a majority vote of those present to pass.

**ADJOURNMENT: 00:16:28**

Motion to adjourn by Rubin, second by Goetsch.

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

Respectfully submitted,

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Kathleen Hale  
President of Council

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Nickol Sell  
Fiscal Officer