

VILLAGE OF BENTLEYVILLE

COUNCIL MEETING

JANUARY 17, 2024

7:00 P.M.

CALL TO ORDER BY MAYOR: 0:00:00

ALLEGIANCE TO THE FLAG: 0:00:04

ROLL CALL: 0:00:20



Kathleen Hale, Mayor
Ryan Rubin
Robert Chalfant



Absent
Lisa Whitmyer
Terry Hemmelgarn



Alex Goetsch
Ken Kvacek



Charles Nemer, Law Director
Gabe Barone, Police Chief



Jeff Filarski, Engineer & Building Official
Matt Maistros, Service Director

MOTION TO ACCEPT THE PRIOR WRITTEN MINUTES: 0:00:40

A Motion to accept prior written minutes and audio recording of the December 20, 2023 Council meeting.

Roll call: Chalfant: yes; Goetsch: yes; Hemmelgarn: *Absent*; Kvacek: yes; Rubin: yes; Whitmyer: yes
Mr. Kvacek added that the ending time of the meeting was not included in the minutes. Ms. Hale advised that this will be included going forward.

NOMINATION OF COUNCIL PRESIDENT: 0:01:27

Mr. Goetsch said that Mr. Rubin was nominated to the position. There were no other nominations.

Voice vote: unanimous

Roll call: Chalfant: yes; Goetsch: yes; Hemmelgarn: *Absent*; Kvacek: yes; Rubin: yes; Whitmyer: yes

COMMITTEE ASSIGNMENTS: 0:02:40

Streets and Safety: Mr. Goetsch and Mr. Hemmelgarn

Finance, Grant, Insurance: Mr. Rubin and Mr. Chalfant

Parks, Facilities and Beautification: Mr. Kvacek and Ms. Whitmyer

Utilities: Mr. Rubin and Ms. Whitmyer

Planning and Zoning: TBD

MAYOR'S REPORT: 0:03:56

Ms. Hale would like to welcome Mr. Chalfant and welcome back Mr. Goetsch who were both newly elected and re-elected respectively. Thanks to Mr. Kvacek and Mr. Maistros and the Garden Club of Bentleyville for the wonderful holiday decorations. The Garden Club also had a tree at the Cleveland Botanical Garden representing Bentleyville.

Trash pick up this week was an issue for some residents due to the Martin Luther King Jr. holiday. 88 of 350 homes ended up with trash being put out a day late assuming that trash would be delayed. The schedule is posted on the website but many residents do not check the website. Ms. Hale suggested perhaps putting a sign out when the next Monday holiday comes around, which is February. The representative from Kimble said there are many communities with this problem and he said he would try to make an additional pickup when the Chief called.

Ms. Hale segued into the topic of transparency and exposure on social media to get more information to the residents.

FISCAL OFFICER: 0:12:29 RITA revenues are typical for January at approximately \$60K

LAW DIRECTOR'S REPORT: 0:13:00 Invitation to Ms. Hale to program on social media. Mr. Kvacek asked the Law Director if it is legally permissible to use the email addressed for residents that have been collected from the reverse 911 program to advise of things like trash pick up. Mr. Neimer said it is legal to compile the list but the question he would have to look into further is whether the list then becomes public record if requested.

BUILDING INSPECTOR'S REPORT: 0:20:27

ENGINEER'S REPORT: 0:20:31 Bid opening is on February 2nd. June 15th is the deadline and June 30th is the deadline to finish the project. Mr. Kvacek raised the question about the trees in the parking lot and whether they would be removed. Mr. Filarski said they would not be. Mr. Goetsch asked if they could be removed. Mr. Maistros said he could take the trees down.

A resident asked about the little flag markers that have appeared and Mr. Filarski was not aware. The assumption is the Maple Street repair will necessitate a detour. Mr. Filarski suggested posting the detour route on the website.

CHIEF'S REPORT: 0:24:47 There are 3 items involving expenditures for the Police Department: Squad car, Lexipol, and Suspect Technologies Redaction software. The Chief explained the software blurs license plates, faces, and voices of innocent people for public records. Mr. Neimer said that a reasonable charge could be permitted for public record requests that require use of this software for redaction. An ordinance will be drafted with a flat fee cost to include the cost of the software and the time to use it. If Mr. Neimer will draft the ordinance Mr. Goetsch will talk about it at the next Streets and Safety meeting. Mr. Kvacek also asked about snowplow contractors who push the snow into the street. Mr. Maistros will make a note of those residents whose contractors do this and will bring this to the Chief and he will reach out to the contractor directly.

SERVICE DEPARTMENT REPORT: 0:44:50 Mr. Maistros has used about 100 tons of salt so far with about 400 tons left. There are currently 100 tons of additional salt on back order. The contract terms are 110% meaning that 110 more tons may be ordered at the same price if needed. It is still a half hour process to load salt. Solon should be selling equipment but Mr. Maistros has not heard anything recently. Streets and Safety recommended to spend \$2-3k to repair the current equipment for the time being. The next equipment consideration is likely a back hoe loader.

COMMITTEE REPORTS: 0:49:08

- **Streets and Safety Committee Report**
- **Finance, Grants, Insurance Committee Report**
- **Planning and Zoning Commission Report**
- **Park, Facilities, Beautification Committee Report** They putting together the parks schedule including Shakespeare Midsummer Night's Dream. The total solar eclipse coming in April may be bringing many people to the area. Eclipse glasses, which are NASA certified, may be provided to residents upon request from the Police Department.
- **Utilities Committee Report** Still looking into "dead zones".

PUBLIC COMMENTS (May be limited to no more than 5 minutes) 0:56:00

OLD BUSINESS:

NEW BUSINESS: 0:57:19

2024-01 An Ordinance for the payment of bills in the month of January 2024 in the amount of \$_127,802.81__and declaring an emergency.

Motion to approve by Rubin; second Goetsch

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

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

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

2024-02 An Ordinance authorizing the purchase of a 2024 Dodge Durango for use by the Bentleyville Police Department from La Porte Chrysler in accordance with the provisions of Ohio Revised Code Section 125.04 (C) and declaring an emergency.

Motion to approve by Rubin; second Goetsch

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

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

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

2024-03 A Resolution authorizing the mayor to enter into a contract with Lexipol for use by the police department and declaring an emergency.

Motion to approve by Goetsch; second Chalfant

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

Mr. Kvacek had a question about the proposal that was submitted. The invoice did not include the 5 items that were included in the proposal. The Chief reviewed the invoice and concluded that he would need to look into this further to verify the Village is getting everything as expected. Mr. Neimer suggested tabling the ordinance until the questions were answered.

Motion to table the ordinance by Rubin; second Goetsch.

Voice vote: unanimous

2024-04

A Resolution authorizing the mayor to enter into a contract with Suspect Technologies for use by the police department and declaring an emergency.

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

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

Motion to approve by Goetsch; second Rubin

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

MOTIONS:

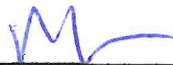
COMMENTS FROM THE FLOOR:

MOTION TO ADJOURN: 1:10:24

Voice vote: Unanimous

Meeting was adjourned at 8:13pm.

Respectfully submitted,



Ryan Rubin
President of Council

Tammy Most
Fiscal Officer