

# VILLAGE OF BENTLEYVILLE

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## COUNCIL MINUTES MARCH 20, 2024 7:00 P.M.

**CALL TO ORDER BY MAYOR:**

**ALLEGIANCE TO THE FLAG: 0:00:09**

**ROLL CALL:**

|                                                                 |                                                                                 |                                                  |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------------|
| <input checked="" type="checkbox"/> Kathleen Hale, Mayor        | <input checked="" type="checkbox"/> Lisa Whitmyer                               | <input checked="" type="checkbox"/> Alex Goetsch |
| <input checked="" type="checkbox"/> Robert Chalfant             | <input checked="" type="checkbox"/> Terry Hemmelgarn                            | <input checked="" type="checkbox"/> Ken Kvacek   |
| <input checked="" type="checkbox"/> Ryan Rubin                  |                                                                                 |                                                  |
| <input checked="" type="checkbox"/> Charles Nemer, Law Director | <input checked="" type="checkbox"/> Jeff Filarski, Engineer & Building Official |                                                  |
| <input checked="" type="checkbox"/> Gabe Barone, Police Chief   | <input checked="" type="checkbox"/> Matt Maistros, Service Director             |                                                  |

**CLERK:** A Motion to accept prior written minutes and audio recording of the February 21, 2024, Council meeting.

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

**MAYOR'S REPORT: 0:01:15** Chagrin History Center has lent the Village a desk for display. Donation request from Chagrin Falls After Prom. Officer Jennifer Morris, in attendance, is being re-assigned to detective duties as well as regular duties. She will receive her detective badge tonight. New home plans received. Robert Chalfant has been named by the mayor as a member of the planning and zoning committee.

**FISCAL OFFICER: 0:08:18** Discussion in finance committee meeting on revising reports.

**LAW DIRECTOR'S REPORT: 0:09:10**

**BUILDING INSPECTOR'S REPORT: 0:09:19** New home on Hollbrook.

**ENGINEER'S REPORT: 0:10:10** Updated quotes on bathroom in Riverview Park. Ranges of options in terms of cost. \$17,400 to \$25,000 depending on the style desired. This would be over and above the grant money. For this year a port o potty is still needed. The budget would need to be amended to move forward with this. The price has increased, and the delivery times are longer. The lower price is without a sidewalk. The more expensive units are nicer outside. No electricity will be inside the unit. The walls are 6-inch-thick concrete.

**CHIEF'S REPORT: 0:20:05** Upfitting the new cars is in progress. Training for Sarah Hoover for hostage negotiation and crisis management as a part of the Valley Enforcement Group where each entity receives training in different disciplines. Mobile radios will be obsolete in the next two years or so. The department has been focusing on radios that go in the cars instead of replacing these. The Chief is looking into a grant that South Russell may have taken advantage of for this purpose. The question of bow hunting on Sunday has recently surfaced as the state has changed their law to allow it but the Village's ordinance does not allow it. There were 4 deer that presumably jumped over the bridge to their demise

recently. Hunting is allowed on the property owner's property as long as they have 5 acres or more. The parcels may be joined together in order to meet the 5-acre minimum.

**SERVICE DEPARTMENT REPORT: 0:35:23** Mr. Maistros received a quote from Best Equipment for a new leaf vacuum for \$154,000. There is a possibility of getting a demo machine by the end of the year. There is no guarantee that it will be here before leaf season. Titan leaf vacuums are made to order, there is no inventory. It would likely mean investing in the current machine. Mr. Maistros did not favor putting any additional investment in the current machine. Is there any interest in transferring funds from the General Fund to make this purchase in a timely manner. There is the option of financing. Is there a motion to transfer additional funds for the leaf vacuum? Council will need to have an ordinance approving the contract to purchase. Financing through the vendor is likely the best path. The entrance sign to the park is being painted.

**COMMITTEE REPORTS: 0:53:25**

- **Streets and Safety Committee Report**
- **Finance, Grants, Insurance Committee Report**
- **Planning and Zoning Commission Report**
- **Park, Facilities, Beautification Committee Report** Shakespeare in the park has been confirmed for June 23<sup>rd</sup>. Bocci league will be starting again this summer in June.
- **Utilities Committee Report** Did not meet.

**PUBLIC COMMENTS (May be limited to no more than 5 minutes)**

**OLD BUSINESS:**

**NEW BUSINESS: 1:02:20**

**2024-07** An Ordinance for the payment of bills in the month of March 2024 in the amount of \$48,198.73 and declaring an emergency.

Motion to approve by Ryan Rubin, second Lisa Whitmyer

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

Motion to suspend the three-reading rule by Ryan Rubin, second Lisa Whitmyer

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

**2024-08** A Resolution amending the Bentleyville Budget for fiscal year 2024 and declaring an emergency.

Motion to approve by Ryan Rubin, second Lisa Whitmyer

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

Exhibits need to be attached going forward.

Motion to suspend the three-reading rule by Ryan Rubin, second Lisa Whitmyer

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

**2024-09**      **An Ordinance repealing subsection (h) of Section 416.05 of the Codified Ordinances for the Village of Bentleyville deleting the requirement that pedestrians upon a roadway shall yield the right-of-way to all vehicles upon the roadway and declaring an emergency.**

Motion to approve by Alex Goetsch, second Lisa Whitmyer

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

Motion to suspend the three-reading rule by Ryan Rubin, second Alex Goetsch

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

**2024-10**      **A Resolution authorizing the mayor to enter into an agreement with Love Insurance to provide for the continuation of property, casualty and liability insurance coverage for the Village of Bentleyville in an amount not to exceed \$95,000 and declaring an emergency.**

Motion to approve by Ryan Rubin, second Alex Goetsch

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

Motion to suspend the three-reading rule by Ryan Rubin, second Alex Goetsch

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

**2024-11**      **An Ordinance to amend certain provision of the municipal income tax code of the Village of Bentleyville pursuant to House Bill 33 and declaring an emergency.**

Motion to approve by Bob Chalfant, second Alex Goetsch

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

Motion to suspend the three-reading rule by Ryan Rubin, second Alex Goetsch,

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

**2024-12**      **An Ordinance to amending Ordinance 2023-36 increasing the salary of the director of law/prosecutor for the year 2024, fixing compensation and declaring an emergency.**

Motion to approve by Ryan Rubin, second Alex Goetsch,

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

Motion to suspend the three-reading rule by Ryan Rubin, second Alex Goetsch,

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

**2024-13**      **An Ordinance to authorize transfer of funds from the General Fund to the Capital Equipment Fund and declaring an emergency.**

Motion to approve by Bob Chalfant, second Ryan Rubin

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

Motion to suspend the three-reading rule by Bob Chalfant, second Alex Goetsch  
Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer:  
Yes

**\*\*\* Recognition of Jennifer Morris for new assignment to the position of Detective.**

**MOTIONS: 1:18:03**

**Ryan Rubin made a motion to authorize Mayor Hale to enter into a contract for cyber security insurance in an amount not to exceed \$2,500.00.**

Motion to approve by Ken Kvacek, second Alex Goetsch  
Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer:  
Yes

Motion to suspend the three-reading rule by Bob Chalfant, second Alex Goetsch  
Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer:  
Yes

**Motion to go into executive session to discuss litigation pursuant to ORC. 121.22 (G)(3).**

Motion to approve by Ryan Rubin, second Alex Goetsch  
Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer:  
Yes

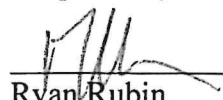
**COMMENTS FROM THE FLOOR:**

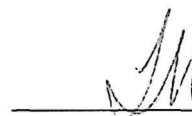
**MOTION TO ADJOURN:**

Voice vote: Unanimous

The meeting was adjourned at 9:05 pm.

Respectfully submitted,

  
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Ryan Rubin  
President of Council

  
\_\_\_\_\_  
Tammy Most  
Fiscal Officer