

# VILLAGE OF BENTLEYVILLE

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## COUNCIL MEETING MINUTES JUNE 12, 2024 7:00 P.M.

### CALL TO ORDER BY MAYOR:

**ALLEGIANCE TO THE FLAG: 0:00:06**

### 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 arrived 7:20pm		
<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 as amended and audio recording of the May 15, 2024, Council meeting.

Motion to approve by Robert Chalfant, second Terry Hemmelgarn

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

**MAYOR'S REPORT: 0:00:32** Ms. Hale and Ms. Papa identified the residents whose grass has been cut by the Village for the past number of years. Ms. Hale advised them by mail and by phone that June 1<sup>st</sup> will be the date the Village will stop cutting the grass. Some of the residents asked if the Village would continue to cut the grass for a fee, Ms. Hale responded "no" due to time constraints of the service department and other reasons. The Mayor looked into a vendor presentation Chief Barone had seen previously for a grant writing service. Ms. Hale spoke with the individual and was impressed with his credentials. She sent the contract to Mr. Nemer to review and he had some specific questions which Ms. Hale then took to the vendor, who agreed to further refine the contract. Ms. Hale believes this service will pay for itself. Mr. Nemer encouraged Ms. Hale to ask what grants he has received previously. Ms. Hale agreed and said she would get it in writing. There are many documents that are cleared for shredding. Quotes will be obtained. Carpet cleaning for Village Hall is scheduled for next week. Mr. Kvacek has highlighted three items in Village Hall that need replaced or repaired. Once the proposals are obtained they will be presented in July. Ms. Whitmyer and Ms. Hale discussed updating the Village's logo.

### FISCAL OFFICER: 0:18:22

**LAW DIRECTOR'S REPORT: 0:18:32** Mr. Kvacek had a follow up question regarding the posting of ordinances in the paper. Mr. Nemer said as a result of the Village being a statutory versus chartered entity the ability to pass an ordinance changing the method in which ordinances are posted is not an available option.

### BUILDING INSPECTOR'S REPORT: N/A

**ENGINEER’S REPORT: N/A** Ms. Hale noted that the paving has been completed at Riverview Park, but there are some issues that Mr. Filarski will look into with Mr. Nemer. Mr. Maistros encouraged members of council to go to the park and inspect the pavement work.

**CHIEF’S REPORT: 0:28:05**

**SERVICE DEPARTMENT REPORT: 0:28:19** Mr. Maistros has found a backhoe loader. Asking price is 32k. Later, Council agreed to move the meeting up a week to July 10th in order to authorize Mr. Maistros to purchase the backhoe loader.

**COMMITTEE REPORTS:**

- **Streets and Safety Committee Report**
- **Finance, Grants, Insurance Committee Report**
- **Planning and Zoning Commission Report** Did not meet but will meet in July.
- **Park, Facilities, Beautification Committee Report** The Adirondack Crabapple trees do not come with a guarantee. The plan now is to buy 3 Adirondack Crabapple trees and have the Service Dept plant them. Hydrants will need to be painted. The color they are painted is based on the amount of pressure at the hydrant.
- **Utilities Committee Report**

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

**OLD BUSINESS:**

**NEW BUSINESS: 0:41:25**

**2024-24      An Ordinance for the payment of bills in the month of June 2024 in the amount of \$ 56,154.45 and declaring an emergency.**

Motion to adopt by Rubin, second Chalfant.

Roll call: Chalfant: Yes; Goetsch: no; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Rubin, second Chalfant.

Roll call: Chalfant: yes; Goetsch: no; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

**2024-25      An Ordinance requiring the Fiscal Officer of Cuyahoga County to advance all tax revenue and special assessments collected in the year 2025 to the Village of Bentleyville and declaring an emergency.**

Motion to adopt by Rubin, second Whitmyer.

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

Motion to suspend the three-reading rule by Rubin, second Chalfant.

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

**2024-26      An Ordinance adopting the Village of Bentleyville's budget for fiscal year 2025 and declaring an emergency.**

Motion to adopt by Rubin, second Whitmyer

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

Mr. Kvacek mentioned in finance committee meeting that there are options available to renew or replace. The committee requested Tammy contact the county to ask about these.

Motion to suspend the three-reading rule by Rubin, second Hemmelgarn

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

**2024-27      A Resolution amending the Bentleyville Budget for fiscal year 2024 and declaring an emergency.**

Motion to adopt by Rubin, second Chalfant

Roll call: Chalfant: Yes; Goetsch: no; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Rubin, second Chalfant

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

**2024-28      An Ordinance to authorize transfer of funds from the General Fund #1000 to the Capital Equipment Fund #4901 and declaring an emergency.**

Motion to adopt by Rubin, second Chalfant

Roll call: Chalfant: Yes; Goetsch: no; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Rubin, second Chalfant

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

2024-29

**An Ordinance Amending Section 240.03(g), Clothing Allowance, of the Village of Bentleyville Codified Ordinances and declaring an emergency.**

Motion to adopt by Rubin, second Chalfant

Roll call: Chalfant: Yes; Goetsch: no; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Rubin, second Chalfant

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

**MOTIONS:**

**Motion to accept resignation of Part-time Officer Richard Wilk.**

Motion to accept by Goetsch, second Chalfant

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

**COMMENTS FROM THE FLOOR:**

Mr Kvacek asked about setting up a dispensary for marijuana. Mr. Nemer said he did not believe it was permissible for the village.

**MOTION TO ADJOURN:**

Voice vote: Unanimous

Meeting was adjourned at 8:13 pm.

Respectfully submitted,



Ryan Rubin  
President of Council



Tammy Most  
Fiscal Officer