

VILLAGE OF BENTLEYVILLE

COUNCIL MEETING MINUTES

OCTOBER 16, 2024

7:00 P.M.

CALL TO ORDER BY MAYOR:

ALLEGIANCE TO THE FLAG: 0:00:10

ROLL CALL:

Kathleen Hale, Mayor
 Robert Chalfant
 Ryan Rubin

Lisa Whitmyer
 Terry Hemmelgarn

Alex Goetsch
 Ken Kvacek

Charles Nemer, Law Director
 Gabe Barone, Police Chief
 Tammy Most, Fiscal Officer

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

CLERK: A Motion to accept prior written minutes and audio recording of September 18, 2024. Council meeting.

Motion to approve by Rubin, second Kvacek

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

MAYOR'S REPORT: 0:03:25 The Garden Club will be doing fall clean up next week including more daffodil bulbs. Boo-ville will take place on 10/27. There will be many gift certificates and give-aways due to Officers Morris and Hoover soliciting local businesses to donate.

0:05:12 Mr. Filarski presented the zoning variance request from Mr. David Sun who would like to have a set-back variance for a garage he is planning to build at his residence at 35855 Solon Road. Additionally, he is looking for front facing garage doors. After some discussion and an agreement that the structure may never be used as an auxiliary dwelling unit and,

Upon recommendation of the Planning Commission, a Motion to approve Variance to allow the construction of a new attached garage for David Sun, 35855 Solon Road, PP#941-02-003.

Motion to adopt by Rubin, second Goetsch.

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

0:12:14 Mr. Hamdan is in attendance who resides at 30 Martingale Dr and asked at last month's Council meeting for assistance with his culvert replacement pipe. There was general agreement that the ordinance/policy was poorly written, however, Mr. Filarski said the intent of the ordinance/policy was to be applied to areas within the right of way and it is against the law to spend public funds on private property. There was agreement to re-write the policy to make it clearer in the future.

FISCAL OFFICER: 0:24:00 Finance Report

LAW DIRECTOR'S REPORT: 0:24:12

BUILDING INSPECTOR'S REPORT: 0:24:19

ENGINEER'S REPORT:

CHIEF'S REPORT: 0:24:25

SERVICE DEPARTMENT REPORT: 0:24:35 All three Village Hall projects have been completed. New part time employee will be ready to start next week. Discussion arose around a possible snow parking ban ordinance. It is possible to revise the current ordinance. Be prepared to discuss at the next streets and safety meeting. Fire hydrants are a work in progress but due to a recent accident recently the City of Cleveland will have to come out and repair one of the hydrants.

COMMITTEE REPORTS: 0:34:29

- **Streets and Safety Committee Report**
- **Finance, Grants, Insurance Committee Report-** RITA income looks to be on pace. No unusual spending. Went over the budget amendment. Will continue to work on the budget for 2025.
- **Planning and Zoning Commission Report**
- **Park, Facilities, Beautification Committee Report** Boo-ville is coming up on October 27th with a Swenson's food truck there. Short on four or five high school volunteers to assist with face painting and helping kids paint pumpkins.
- **Utilities Committee Report**

PUBLIC COMMENTS (May be limited to no more than 5 minutes) 0:44:05

Mr. Hamdan asked if his culvert backs up who does he call. Mr. Filarski said it is designed to back up into his yard. There is a dry retention basin which should be the HOA's responsibility to maintain. Mr. Hamdan contacted the HOA and they could not offer any assistance either since it is on his property. The dry retention basin is now a house due to an exception.

OLD BUSINESS:

NEW BUSINESS: 0:47:25

2024-45 An Ordinance for the payment of bills in the month of October 2024 in the amount of \$ 90,475.99 and declaring an emergency.

Motion to approve by Rubin, second Kvacek

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

2024-46 An Ordinance authorizing the mayor to enter into an agreement with the Cuyahoga County Court of Common Pleas, Juvenile Court Division, Community Diversion Program and declaring an emergency.

Motion to adopt by Rubin, second Kvacek.

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

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

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

2024-47 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: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer:
Absent

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

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

MOTIONS:

Upon recommendation of the Planning Commission, a Motion to approve Variance to allow the construction of a new attached garage for David Sun, 35855 Solon Road, PP#941-02-003.

Motion to adopt by Rubin, second Kvacek.

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


COMMENTS FROM THE FLOOR:

MOTION TO ADJOURN: 0:50:56

Voice vote: Unanimous

Meeting was adjourned at 7:52 pm.

Respectfully submitted,



Ryan Rubin
President of Council



Tammy Most
Fiscal Officer