

# VILLAGE OF BENTLEYVILLE

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## COUNCIL MEETING AMENDED MINUTES MARCH 19, 2025 7:00 P.M.

**CALL TO ORDER BY MAYOR:**

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

**ROLL CALL: 0:00:20**

<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 type="checkbox"/> Terry Hemmelgarn	<input checked="" type="checkbox"/> Ken Kvacek
<input checked="" type="checkbox"/> Ryan Rubin		
<input checked="" type="checkbox"/> Joe Grandinetti, 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	
<input checked="" type="checkbox"/> Tammy Most, Fiscal Officer		

**CLERK:** A Motion to accept prior written minutes as amended and audio recording of the February 19, 2025, Council meeting.

Motion to adopt by Rubin, second Whitmyer

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

**MAYOR'S REPORT: 0:02:54** Mr. Kvacek was awarded the Outstanding Jaycee for the year. The chipper is now in the Village's possession. Branch pick up may be starting early at the Service Director's discretion. The mayor expressed interest in updating the planning and zoning codes and plans to develop this over the next year.

**FISCAL OFFICER: 0:06:00**

**LAW DIRECTOR'S REPORT: 0:06:10** A short presentation was given to the planning commission on the legal aspects of the requirements of the commission with regard to duties and record keeping.

**BUILDING INSPECTOR'S REPORT: 0:06:43**

**ENGINEER'S REPORT: 06:48** Mr. Kvacek asked about the new entrance to the park on Miles Road and about the two traffic signals in each direction for a total of 6 signals. Mr. Filarski said that is the requirement. He explained that the new lights will have sensors to detect traffic, so they won't change from green on Miles Road until a car pulls up.

Mr. Rubin asked about the agency fund, where plan and building deposits are posted, and whether it is possible to reimburse the general fund at the same time as Mr. Filarski is paid. Mr. Filarski said this is possible. There was a question about how to do this and what other entities do to handle this. Council is interested in establishing a process for returning these funds. Mr. Filarski said he estimates roughly 50% of the fund may be due back to the General fund. A process needs to be established for refunding the residents upon completion of their project. Is it possible to transfer money from the agency fund back to

the General Fund once the check is written paying Jeff for the fees? Ms. Most questioned transferring money into the General Fund. Mr. Grandinetti agreed to look into it with Ms. Most.

**CHIEF'S REPORT: 0:26:17**

**SERVICE DEPARTMENT REPORT: 0:27:42** The chipper has been delivered, and plans are in place to test it out, before the annual brush pick up in May. The leaf vacuum also was delivered and was better than expected. Travis was able to diagnose some issues with the hydraulics that a technician from MacQueen came on sight to fix. The old leaf machine will be listed on Gov Deals this week. There may be other avenues to sell it if there are no bids on Gov Deals. If the sale is not with Gov Deals, legislation would need to be prepared. A liability release has been obtained for removing the tree house. The resident was agreeable to the removal.

Overlook Road is in poor condition, but it is not a Village dedicated road, therefore not technically eligible for the village to plow. Mr. Filarski suggested a letter should go out to the residents to let them know it is not going to be plowed in the future due to the poor condition of the road. The residents may then petition to have the road dedicated, but the residents would need to have the road brought up to required standards before that can happen. Mr. Filarski said if the majority, 60 or 70% of the residents sign a petition, it may be done as an assessment. The question arose whether it would need to be unanimous approval by the residents. Mr. Grandinetti agreed to look into whether this was an option. The issue was brought to attention of Council after a resident of the street requested help from the Village to assist in repairing the road. Parkwood is another road that is not dedicated to the Village.

**COMMITTEE REPORTS: 0:40:47**

- **Streets and Safety Committee Report**
- **Finance, Grants, Insurance Committee Report 0:40:59** Mr. Rubin said the numbers are good. The budget amendment will not include paying for the Police Department vehicles due to the fact that there would be no interest savings.
- **Planning and Zoning Commission Report**
- **Park, Facilities, Beautification Committee Report 0:43:27** Mr. Chalfant said the major discussion was what to do with the island in front of Village Hall. The idea was to put an evergreen tree there to replace the one in the front which is getting too big to put lights up and may be nearing the end of its natural life. The mayor suggested that the tree might be suitable for the Chagrin Falls Christmas tree. The Garden Club suggested next month would be an ideal time to plant the new Crab Apple trees. Quotes are being obtained to put the concrete sidewalk in at the restroom in the park. There has been some settling of the dirt at the new restroom. Mr. Filarski said the contractor would come back and take care of that.
- **Utilities Committee Report**

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

**OLD BUSINESS:**

**NEW BUSINESS: 0:49:46**

**2025-05** An Ordinance for the payment of bills in the month of March 2025 in the amount of \$60,690.33 and declaring an emergency.

Motion to adopt by Rubin, second Chalfant.

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

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

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

**2025-06**

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 in an amount not to exceed \$59,000.00 and declaring an emergency.

Motion to adopt as amended by Rubin, second Chalfant.

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

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

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

**2025-07**

A Resolution amending the Bentleyville Budget for fiscal year 2025 and declaring an emergency.

Motion to table until after resolution 2025-10 has been voted on by Rubin, second Kvacek.

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

The payment of the Police vehicles, 40,528.00, will be removed from the amendment bringing the total to 526,632.00 for the amendment.

**0:1:07:21** Motion to adopt as amended by Chalfant, second Whitmyer.

Roll call: Chalfant: Yes; Goetsch: No; Hemmelgarn: Absent; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

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

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

**2025-08**

A Resolution declaring it necessary to renew an existing 1.2 MILL Tax Levy and requesting the Cuyahoga County Fiscal Officer to certify the total current tax valuation of the Village and the dollar amount of the revenue that would be generated by that renewal levy. (1<sup>st</sup> Reading)

Mr. Kvacek suggested there be 3 readings as this is a tax issue. Council and Mayor were in agreement.

**2025-09**

A Resolution declaring it necessary to renew an existing 3.7 MILL Tax Levy and requesting the Cuyahoga County Fiscal Officer to certify the total current tax valuation of the Village and the dollar amount of revenue that would be generated by that renewal levy. (1<sup>st</sup> Reading)

**2025-10** 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 Chalfant, second Rubin

Roll call: Chalfant: Yes; Goetsch: No; Hemmelgarn: Absent; Kvacek: Yes; Rubin: Yes; Whitmyer: Yes

The finance committee agreed purchasing the leaf vacuum outright was the appropriate course of action.

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

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

**2025-11** An Ordinance authorizing the mayor to enter into a lease-purchasing agreement with FNB Commercial Leasing for a 2024 Spartan 11 Pro Plus 15 YD. Leaf Vacuum for use be the service department and declaring an emergency.

Motion to withdraw by Rubin, second Kvacek.

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

**MOTIONS: 1:10:13**

Motion to accept the resignation of Officer Adam Lee

Motion to accept by Chalfant, second Kvacek.

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

**COMMENTS FROM THE FLOOR:**

**MOTION TO ADJOURN: 1:11:03**

Voice vote: Unanimous:

The meeting was adjourned at 8:13 pm.

Respectfully submitted,



Ryan Rubin  
President of Council



Tammy Most  
Fiscal Officer