

Hiram Village Council Meeting

Rosser Municipal Building
11617 Garfield Road, Hiram, Ohio 44234

July 13, 2021

The following Members of Council were present: Mr. Dempsey, Mr. Greenwood, Mr. Smith, Mr. Spencer and Mr. Szell. The following were also present: Mayor Lou Bertrand, Village Solicitor Tom Reitz, Fiscal Officer Susan Skrovan, Police Chief Brian Gregory, Fire Chief Bill Byers and Village Administrator James McGee.

The following persons were present: Hiram College President David Haney, Ed Frato-Sweeney, Mr. Jon Harris with the Portage County District Library and Roberta Zuver.

Mayor Bertrand called the regular meeting to order at 7:00 p.m. The Mayor asked that all cell phones be silenced. There was a moment of silence followed by the pledge to the flag.

Mayor asked for a motion to approve the regular meeting minutes of 6/8/2021. Susan said there was something brought to her attention regarding the minutes; a discussion that needed to be clarified. Susan corrected it and sent out the last two pages to the minutes to everyone. Dave Smith wanted to amend the meeting minutes to note that when Paul asked for Council input, Dave gave his input that he was in favor of the mural. A motion to amend the minutes as noted was made by Mr. Smith and seconded by Mr. Dempsey. The result of the voice vote was 5-0 in favor. A motion to approve the meeting minutes as amended was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 5-0 in favor.

Mayor asked for a motion to approve the proposed agenda. Members of Council wanted to change the sequence of a couple items on the agenda regarding the Hiram College mural. A motion to amend the proposed agenda to move #11 and #12 up on the agenda after item #6 was made by Mr. Szell and seconded by Mr. Greenwood. The result of the voice vote was 5-0 in favor. A motion to approve the agenda as amended was made by Mr. Spencer and seconded by Mr. Greenwood. The result of the voice vote was 5-0 in favor.

GUEST AND PUBLIC COMMENT

Mr. Jon Harris with the Portage County District Library and Roberta Zuver were both in attendance to speak on behalf of the library and the services they provide. There will be a levy on the November ballot for the library for operating; a 1.0 mil levy for 10 years. They have plans to bring back the bookmobile and other services such as a vending machine for books. Mr. Harris went on to explain their plans for the future.

President Haney thanked the Mayor and Council for moving up the discussion on the Hiram College mural.

Mr. Greenwood asked to make a comment of public interest. Last Friday, July 9, the Portage County Health Inspector, our Fire Dept., our Zoning Inspector executed a search warrant on 11846 Plum Ridge Drive. Michael said he was not allowed to go but the general consensus of the inspectors was that the house was in habitable order. It definitely needs a lot of work but was not a health hazard. The owners of the property will be cited for several violations. Michael said he appreciated our Solicitor Tom Reitz help in getting the ball rolling. Solicitor Reitz said he obtained the search warrant that was executed on the property. One report did come back from the Health Department which stated the house was a rodent harborage. The owners have been cited and directed to hire a licensed animal control person and have them removed. Solicitor Reitz has not yet received any other reports.

Motion to enter into Executive Session for the purpose of imminent litigation pursuant to ORC Section 121.22 at 7:23 pm was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

Motion to return to regular session at 7:52 pm was made by Mr. Szell and seconded by Mr. Greenwood. The result of the voice vote was 5-0 in favor.

Motion to remove the tabled item off the table was made by Mr. Spencer and seconded by Mr. Greenwood. The result of the voice vote was 5-0 in favor.

Dave Smith said he had made the original motion to accept the Solicitor's recommendation that this was not in our zoning code defined as a sign what was proposed by the College.

Paul Spencer spoke about seeing the mural from a main thoroughfare; that was his only real issue. Paul did agree that murals are not signs and that they should be treated differently. The Village needs to look at amending our zoning code to address murals, their maintenance and a possible permit to be required. Paul felt that in the future, an applicant should not provide the "content" for their sign or mural; that is not relevant to the application. Size and location should be the only items to review. If there are no further comments, Paul would like to call the question and state that this application for a mural is not a sign and that we could move forward with it.

A motion to approve the application for a mural on Hiram College property for the Colton Science building was made by Mr. Spencer and seconded by Mr. Dempsey. The result of the voice vote was 5-0 in favor.

DEPARTMENT HEAD REPORTS

***Police Chief Brian Gregory provided their monthly report.** There were 360 offense reports for June.

Chief Gregory went over the construction projects going on in the Village and his department's involvement. Nothing serious with the Village projects.

The Assistant Fiscal Officer, Wendelin Taylor, applied for a NOPEC grant to help with the Cops and Kids Fishing Day. We have been awarded \$500.00! Brian wanted to thank Wendelin for doing that for this program!

The bike rodeo and Fourth of July events; Chief Gregory wished to thank Assistant Fire Chief Jason Groselle!

The Ohio Collaborative; the Police Department is now certified in all four groups.

Ohio Sunshine Law; all elected officials are required to take the class once during each term of office. It can now be taken online.

Ed Frato-Sweeney wished to thank Brian Gregory and Jason Groselle; the Fourth of July went great!

***Fire Chief Bill Byers provided their monthly report.** The report was sent out by email a few hours ago to everyone.

Chief Byers reported on a serious motor vehicle accident in the Village; it was handled very well.

The Chief reported being a part of the inspection at the house on Plum Ridge. Jason Groselle spoke on it in detail. As you can see from the outside, there is a lot of overgrown vegetation around the structure, some broken storm windows, sagging roof and an open hole in the garage. The Portage County Building Department only looked at the outside of the structure; they are not concerned with the inside, Joe Bodnar was one of them. The Health Department went into the house. The house inside does not look that bad. All the utilities are off. Chief Byers did note that from their report and from the road, where there is a structural issue, they have to assume there is other structural damage.

***Village Administrator James McGee presented the monthly report.** James provided project updates. The north side of the Village on State Route 700; a new sign has been installed for the Village. The company is working on getting the other three signs up. James ordered a new sign for the water plant.

The Garfield Road watermain project update; they are working on sidewalks and restoration of the properties.

The water meter project has had the antenna installed on the water tower. Getting water meters are an issue right now due to a shortage of chips! Letter to residents will be going out in November. Time Warner Cable (Spectrum) plans on upgrading our service to fiber which should provide better security.

The cover letter for the water tower project has been signed; that is it right now for this project.

The Fire Department alerted him to a bonfire at the water plant which they put out. The EPA air quality department was notified. James has brought up several options to dispose of branches and twigs picked up from residents. Until we find a solution, he is suspending all pickups; branches, leaves or Christmas trees! There was no fine; just a written warning. Council discussed a tub grinder and whether grants may be available to pay for it. There is a mulching company in Mantua Township; perhaps they would take the debris. Options were brought before Council in July of 2020. James cannot stockpile anything down on that property, which is the only property we have to use. Dave Smith said the Village should not be violating the law! James said a drum grinder to come out was \$10,000 - \$12,000 per visit. The cost of a 40-yard dumpster from Kimble is \$192.50 plus \$43.75 per ton. A used chipper would cost \$5,000. Paul Spencer asked if the Village could get a burn permit from Akron air quality? Solicitor Tom Reitz was asked to look into it. Chris Szell said James' department was providing a service, at no cost to the Village, now what can he do. Paul said raise the income tax to 3%. Chris said James will need to notify the residents that it will stop until a solution is found. Paul said it would stop for now, correct? Chris said yes, for now.

Mayor's July 13, 2021 Report to Council

Planning & Zoning Commission Meeting:

Mr. Norm Christley, Esq. who has served on the Village P&Z Commission as Chair since March 2008, that is 13 ¼ years is deserving of special thanks and a Mayor's Proclamation and Council Resolution.

There was no Planning & Zoning Commission meeting on Tuesday July 6, 2021. However there was a Special Council meeting on June 29th that discussed the proposed mural on the College's Colton Hall, where in a motion was tabled. Said tabled motion may or may not be addressed at this meeting depending on Village Council's thoughtful decision.

CDC Covid-19 Report as of Today:

33,178,017 US cases June 2021

33,910,983 US cases July 2021

Difference 732,966

Total US deaths: last month 594,381 previous 30 days May to June = 15,015

Total deaths to date: 611,692 Difference: 17,311

Total with at least one vaccination 184,000,000 55.5% of total US population of 332,000,000

Total in US fully vaccinated: 146,600,000 44% of total US population

75.5% of the US population over 65 yrs. is fully vaccinated.

ODH Covid-19 News:

Ohio:

Total # of cases: 1,114,267

of deaths: 20,380 that's 410 down from 534 deaths in past month.

Portage County:

Confirmed cases: 13,292

Deaths: 216

Memorial Day Service 2022:

Speaker: US Army Lieutenant Coronel who spoke at the Hudson Memorial Day service microphone was silenced.

The Mayor has prepared a proclamation for Norman Christley who has retired from the Planning & Zoning Commission after 13.25 years! He wants to make August 31, 2021 as Norman Christley Day! This happens to be his birthday as well!

Motion to congratulate Norm Christley on his retirement after 13.5 years on the Planning & Zoning Commission and to recognize him with a proclamation was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

Motion to look into getting speed humps (removable) for any necessary Village Streets was made by Mr. Szell and seconded by Mr. Spencer. The result of the voice vote was 5-0 in favor.

Submitted by:
MAYOR Lou BERTRAND

***The Fiscal Officer Susan Skrovan presented the monthly financial reports for June.**

The following reports were provided to Council for this meeting:

June Bank Reconciliation balanced with the UAN system with no adjusting factors and is available for signing by the Mayor and Council.

Cash Summary by Fund as of June 30, 2021 was provided to Council.

List of bills as of July 9, 2021 was provided to Council by email yesterday.

Council Regular meeting minutes for June 8, 2021 were provided to Council by email yesterday.

R.I.T.A. income tax receipts YTD report was provided to Council by email yesterday.

The Comparison of Budgeted and Appropriated YTD report was provided to Council yesterday.

Susan wanted to mention a few items regarding our income tax and taxes in general. She found a report in her system from 2004 that Kay and Rosemary worked on for income tax. What Susan wanted to note was that they had checked with Garrettsville Village, Windham Village and Mantua Village; all of their income tax rates are 1.50%. These rates remain the same today. Garrettsville offers a 50% credit, Mantua & Windham Villages both offer a .5% or ½ a percent credit. They get income tax from businesses as well as residents. Paul said you get ¼ percent. Susan provided an example of a resident that works elsewhere making \$60,000 and pays 2% to the entity where they work; their .25% would be \$150.00 annually to Hiram Village! Paul said we all pay property taxes too for services rendered in the Village. Those people that just work here and do not live here, do not pay property tax! Susan said she looked into the breakdown of property taxes. Paul, you pay 18.7% of your total property tax bill to the Village! Susan went down through the breakdown on the tax duplicate. The majority of your property taxes goes to the school system and the county. Paul's concern was that if Council decides to take away the credit; it will only affect those that own a house here. Homeowners already pay an enormous water bill for the privilege of living in Hiram! Susan felt water and sewer are direct service costs for what a homeowner uses. Dave Smith said when you compare what other people are paying in other communities; ours would astound you. Susan said what she has been told from her Assistant Wendelin, Garrettsville's and Mantua's bills are right up there with us. Susan said we can certainly go for a 3% income tax, however, something to think about with the credit; Council has the power to adjust that credit. Paul said what we would make up in cutting the credit is already spent because we cannot rain in our spending. Paul said if we really want to make some hard decisions, look at staffing, look at minimizing, lets pull our spending down. Susan felt they will not be able to cut full time staffing any further; she believes these people are essential! Paul said he believes that too but at some point, we are going to have to make a hard decision. We cannot keep spending more than what we are bringing in and just by taking away the credit, it will not be enough to solve the problem! Ed Frato-Sweeney said it is part of the puzzle; to waive part of the credit and then talk about an income tax increase. Susan said the cost of living keeps going up and that is nothing on your employees. The cost of insurance goes up. All departments have cut; we still want to provide the services to the residents! Paul felt we have to get more revenue streams into the Village. Susan agreed and said that will take time just like an income tax increase will take time. Chris Szell asked to have the numbers that Susan spoke about be sent to all Council members to review.

A motion to approve the Fiscal Officer's report for June as submitted was made by Mr. Szell and seconded by Mr. Dempsey. The result of the voice vote was 5-0 in favor.

The Bill's list was reviewed. A motion to approve the bill's list was made by Mr. Szell and seconded by Mr. Spencer. The result of the voice vote was 5-0 in favor.

HIRAM TOWNSHIP REPORT

No report.

LEGISLATION

ORDINANCES

2021-07: AN ORDINANCE TO AMEND SECTION 911.22 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF HIRAM TO IMPOSE CODE REQUIREMENTS ON NOISE PRODUCED BY EXCAVATIONS THAT ARE CONSISTENT WITH OTHER NOISE REGULATIONS WITHIN THE VILLAGE OF HIRAM. 3rd READING. Paul Spencer asked who drove this change? Chief Brian Gregory said he did, he wanted to see our codified section on noise be consistent. Chris Szell felt dust & debris should be struck from the title in Exhibit A. A motion to amend Exhibit A to strike, "dust & debris" from the title was made by Mr. Szell and seconded by Mr. Spencer. The result of the voice vote was 5-0 in favor. Paul called for the question. A motion to approve as amended was made by Mr. Smith and seconded by Mr. Greenwood. The result of the voice vote was 5-0 in favor.

2021-08: AN ORDINANCE ESTABLISHING A RATE OF COMPENSATION FOR COUNCIL MEMBERS AND MAYOR OF THE VILLAGE OF HIRAM EFFECTIVE JANUARY 1, 2022. 3rd READING. A motion to approve was made by Mr. Spencer and seconded by Mr. Dempsey. Dave Smith asked about the increases and what the Mayor and Council are currently paid in compensation. Susan said Council members get paid \$200.00 now, it would take them to \$350.00 per month. Council President is paid \$250.00 now, it would take that position to \$400.00 per month. The Mayor is paid \$770.00 every two weeks now, it would take that position to \$950.00 every two weeks. An annual increase of \$10,000 more for Council members and in two years, \$4,700 more for the Mayor. The Mayor said when he consults with other communities, you found out what they get paid and what their budgets are. The Mayor reminded Council that this board runs the Village. Paul felt there should be value in the people that are sitting here. When you think about the time you are putting in; it is less than minimum wage. Paul supports this 100%! The Mayor felt to attract people, you have to offer fair compensation. Chris Szell said he does not disagree with anyone but we have been talking about numbers all night. The Mayor felt this was a very small number. Chris said it is 75% increase over what he currently gets paid. Ed Frato-Sweeney asked to address Council and asked how Council ten minutes ago could be talking about cutting personnel in their departments to save in the General Fund and then turn around and pass this ordinance to increase your salaries? Ed believes, wholeheartedly, that Council should be paid what this legislation says. But, do not turn around and say we need to make cuts; that is so hypocritical! Ed felt the Mayor was dead wrong as to who runs this Village and who makes this Village work. It is Chief Gregory, Chief Byers and your Village Administrator; your personnel. This board forgets this is an open meeting; you have to be mindful of that and what you say. Mayor said he has been on this Council and/or Mayor for some 40 years. We need to see what these other communities are doing; we need to communicate with them. Chris Szell said the timing is really bad on this. Paul felt it is always going to be bad. Chris does not see how he would vote for this and not vote for employee compensation; he will never turn down an employee compensation if he votes for this! Dave Smith said he ran for this office not for compensation; he ran to serve the community. The difference between \$200 and \$350 is not going to make the difference for him. The result of the voice vote was 1-4 with Mr. Dempsey voting in favor. Legislation failed.

2021-10: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE CONTINUED PROFESSIONAL TRAINING SPECIAL REVENUE FUND (2272) BY \$1,000.00 AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Smith and seconded by Mr. Spencer. The result of the voice vote was 5-0 in favor. A motion to approve as an emergency was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 5-0 in favor.

RESOLUTIONS

2021-17: A RESOLUTION APPROVING THE 2022 PROPOSED BUDGET AND AUTHORIZING THE FISCAL OFFICER TO SUBMIT THE BUDGET TO THE PORTAGE COUNTY AUDITOR. 3rd READING. A motion to approve was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

2021-18: A RESOLUTION AUTHORIZING THE APPLICATION FOR AND SUBSEQUENT ACCEPTANCE OF GRANT FUNDS BY THE VILLAGE OF HIRAM POLICE DEPARTMENT FROM THE NOPEC SPONSORSHIP GRANT AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Spencer and seconded by Mr. Greenwood. The result of the voice vote was 5-0 in favor. A motion to approve as an emergency was made by Mr. Spencer and seconded by Mr. Dempsey. The result of the voice vote was 5-0 in favor.

2021-19: A RESOLUTION OF THE VILLAGE OF HIRAM AUTHORIZING THE ADOPTION OF THE PORTAGE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN. 1st READING. Chris Szell said he did not see the exhibit for this legislation. Solicitor Reitz said he originally sent this out and the link may not have come with the email. Tom will resend the link.

2021-20: A RESOLUTION OFFERING A CONTRACT UNDER WHICH THE VILLAGE OF HIRAM FIRE DEPARTMENT WILL PROVIDE MUTUAL AID TO OTHER POLITICAL SUBDIVISIONS. 1st READING. Solicitor Tom Reitz noted that the terms of this agreement are up to Council. This should go to other communities for their review and/or acceptance once everything is final. Solicitor Tom Reitz asked the Fire Chief Bill Byers to provide him with any changes he would like to see.

2021-21: A RESOLUTION AUTHORIZING THE RECOMMENDATION TO ACCEPT THE FIFTH AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION OF PURDUE PHARMA L.P. IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, CASE NO. 19-23649 AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 5-0 in favor. A motion to approve as an emergency was made by Mr. Spencer and seconded by Mr. Smith. Solicitor Tom Reitz explained to Council how this all came to be. The deadline is tomorrow for submitting our vote. Tom will cast Council's vote once this is passed. Paul called the question. The result of the voice vote was 5-0 in favor.

ANY OTHER BUSINESS:

David Smith asked Susan where we are at with the Office of Budget and Management to file the paperwork for the ARPA funds? Susan said she did not believe there was paperwork to file; we need to be registered with them. Dave said they recommend the Mayor and the Fiscal Officer be on the new portal for the next round of Federal funds. Council discussed the potential uses for the funds. We have 60 days to register for the funds.

James asked Council whether they wished to continue using Zoom for meetings as there is a recurring cost of \$16.00 per month. Chris asked if other committees are using Zoom? Parks may still be using it. Council decided to cancel Zoom.


A motion to adjourn the meeting was made by Mr. Szell and seconded by Mr. Spencer. The result of the voice vote was 5-0 in favor. The meeting adjourned at 9:35 pm.

These minutes are pending approval by Council.



Mayor Lou Bertrand

ATTEST:



Fiscal Officer Susan J. Skrovan