

Hiram Village Council Meeting

Rosser Municipal Building
11617 Garfield Road, Hiram, Ohio 44234

November 19, 2019

The following Members of Council were present: Mr. Dempsey, Mr. Greenwood, Mr. Hemphill, 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, Village Administrator James McGee and Asst. Village Administrator Steven Schuller.

The following persons were present: Chris Cobb, Ed Frato-Sweeney and four Hiram College students, Jennifer Berendt; intern with Tom Reitz.

Mayor Bertrand presented a proclamation to Chris Cobb acknowledging his years of service on the Fourth of July Committee.

Mayor Bertrand called the regular meeting to order at 7:00 pm. 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 10/15/2019. A motion to approve the minutes as presented was made by Mr. Hemphill and seconded by Mr. Dempsey. The result of the voice vote was 6-0 in favor.

Mayor asked for a motion to approve the proposed agenda. A motion to approve the proposed amended agenda as presented was made by Mr. Greenwood and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

GUEST AND PUBLIC COMMENT

Ed Frato-Sweeney wanted to express his gratitude to the Village and all those who helped with the tragedy at Hiram College. He especially thanked the Police Chief Brian Gregory and his staff, Assistant VA, Steven Schuller and the EMS technicians who were there as well.

DEPARTMENT HEAD REPORTS

*Police Chief Brian Gregory provided their monthly report. There were a total of 204 offense reports for October. His department has had ongoing training.

The Annual Shop with a Cop event is set for Saturday, December 14th at 10:00 am at the Target in Streetsboro.

Halloween trick or treat night, they had no incidents.

Homecoming at Hiram College was at the Kennedy Center this year; it went off without any incidents.

Employee evaluations for his department are now complete.

Chief Gregory reported on the two recent bad weather incidents; his department was spread thin.

For the 8th consecutive year, our Hiram Police Department has been honored with the AAA award!

Rob Dempsey announced a \$200.00 check from the Kiwanis Club for our police K-9 program!

Chris Szell thanked our Police Chief for monitoring State Route 82 so well on trick or treat night.

*Fire Chief Bill Byers provided their monthly report for tonight. Their report is before them tonight.

Chief Byers reported the Halloween party at the Fire Station was well received and went very well. He thanked Sam and Trisha Eisele for providing the catering.

His department is in the process of completing the preventive maintenance on all their fleet.

*Village Administrator James McGee presented the monthly water/sewer report.

James brought up the status of the new sidewalks project. He would like to ask Council for a motion to extend or postpone the contract with Alba Contractors to finish the job in the spring of 2020. James added that the restoration part of the work, filling in along the sides of the sidewalks with topsoil and grass seed; his department will not have the manpower or the materials to finish this year. State Route 82 by Dave Smith's and the work in front of Maggie's Donuts will be fixed this year. More discussion followed on the work that still needs to be done and what timeframe will be set for the contractor to complete the work. Solicitor Tom Reitz suggested the wording of the motion.

A motion to extend the completion deadline for the sidewalks along State Route 305 until May 30, 2020 was made by Mr. Szell and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

James also mentioned there are two pieces of legislation tonight; one is a resolution for CT Consultants for the water tower engineering and the other is an ordinance to amend appropriations in the water operating by \$10,000 to allow that department to operate until the end of the year. There have been a few large valve repairs that occurred recently which caused the appropriations to be depleted.

The last item to bring before Council is the need for a new lift in the street garage. The current lift was inspected; it can no longer be fixed and is not in use. Steve said Finance members asked them to get quotes; they have received in two quotes; \$24,204.25 and \$24,745.00. The new lift will have a 30,000-pound capacity. There was discussion as to what funds would help pay for this lift. Paul Spencer asked about the Street capital funds and/or the Street infrastructure funds; are there funds available? Steve said no. There is some capital available in Administrative. More discussion followed about the different funds and the possibility of splitting the cost between several funds.

A motion to use the Permissive Tax Fund to purchase a new 30,000-pound capacity hydraulic lift for the Street Department was made by Mr. Spencer and seconded by Mr. Smith. Dave Smith asked whether this would be a permissible use of those funds? Susan said typically we use those funds for salt and James added for anything street related. Susan had concerns with taking the purchase all out of one fund. Steve said we could split the cost between water, sewer, police and streets. Chris Szell asked whether the permissive fund continues to receive more money or not. Susan said yes it does; most of it comes from motor vehicle license taxes. The result of the voice vote was 6-0 in favor.

NOVEMBER 19, 2019 MAYOR'S REPORT TO COUNCIL

PLANNING & ZONING COMMISSION:

The Commission did not meet in November as no business and/or zoning applications were pending.

FORMER ANN STREETER RESIDENCE:

Hiram Farm, the current owner of the residence, has received an appraisal from Spaulding-Emig Appraisal Service of Kent. The report is attached hereto appraising the house and lot immediately south of Village property known as the Hiram Spa and next to the municipal parking lot.

NOPEC ANNUAL MEETING:

The meeting was held in a terrible snow storm on Tuesday, November 12, 2019 at Hilton Garden Inn, Twinsburg. Two Council members were present; Mr. Hemphill and Mr. Dempsey along with Mayor Bertrand | Discussion of the 2020 Budget and election of their Board. Approval of (13) new electric aggregation members and (7) new gas aggregation members. Approval of an Amendment to the NOPEC Bylaws. Hiram received a 20-year Charter Membership Plaque.

ELECTED OFFICE HOLDERS INDUCTION CEREMONY:

The Village has reserved Koritansky Hall for Friday, December 20, 2019 beginning at 7 p.m. For the swearing in of elected officials in northern Portage County. The invited elected officials so far are: County Treasurer Brad Cromes, County Commissioner Sabrina Christian Bennett and Congressman Dave Joyce. I have asked Reverend Dr. Joseph Boysel of the Holy Trinity Anglican Church, Hudson, Ohio to offer the invocation and benediction.

In closing, the Mayor attended a 2020 Census meeting today; Portage County has (3) institutions of higher learning. The Mayor would like to see them all registered; it helps when going for government grants.

Respectfully submitted,

MAYOR LOU BERTRAND

**The Fiscal Officer Susan Skrovan presented some monthly financial reports for October.*

The following reports were provided to Council for this meeting:

The October Bank Reconciliation balanced with the UAN with no adjusting factors and is available for signing by Mayor & Council.

Cash Summary by Fund as of October 31, 2019 was provided in Council packets.

The list of bills as of November 8, 2019 was provided in Council packets.

Council meeting minutes for October 15, 2019 were provided in Council packets.

R.I.T.A. income tax receipts YTD report was provided in Council packets.

The Comparison of Budgeted and Appropriated YTD report was provided in Council packets.

Susan reported a letter from the Ohio Department of Taxation with a final determination on three parcels of land associated with the Hiram Hike & Bike Trail. Paperwork was submitted to Portage County who then forwarded the request to the state for property tax exemption on those parcels. The letter exempts actually four parcels in all from property taxes; one was for the new Reign Hadsell Park property. Whether or not we see any refunded back taxes at this time is not clear. Chris Szell was surprised that a municipality must file for exemption.

Paul Spencer had asked at Finance about having a motion from Council allowing for the change to the medical insurance coverage for the employees. Susan explained the increases in the renewals we were facing and going into a consortium to save those costs. Our agent researched the consortium and we are now with Anthem Blue Cross and Blue Shield at a 4% savings on top of the increases expected from SummaCare of 20% and Guardian Dental's 5%. It is the same coverage we had with one exception of an increase in the life insurance coverage. The Mayor added that our coverage with Anthem does now include the Cleveland Clinic; SummaCare did not. Paul Spencer said his stance at the Finance meeting was with respect to employee benefits, even though the department heads are entitled to them, Council should really grant them to them. Paul thought it was a little overstepping; he would like Council to ratify this action. Solicitor Tom Reitz would strongly recommend Council pass a motion ratifying the past actions this evening and then provide him with the specifics so that he can prepare legislation for next month. Under Ohio Revised Code, only the Village Council has the authority to enter into long term contracts of this nature. Your department heads do not have that authority; neither does your Fiscal Officer.

A motion to ratify the past actions of the Fiscal Officer on the change of the health insurance which has occurred to SOCA-MEWA Anthem Blue Cross Blue Shield effective November 1, 2019 was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

A motion to approve the Fiscal Officer's report was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

A motion to approve the bills list was made by Mr. Hemphill and seconded by Mr. Spencer. The result of the voice vote was 5-1 in favor with an abstention from Mr. Dempsey.

HIRAM TOWNSHIP REPORT

None.

LEGISLATION

ORDINANCES

2019-28: AN ORDINANCE TO ENACT CHAPTER 1303 OF THE HIRAM VILLAGE CODIFIED ORDINANCES REGARDING ABANDONED STRUCTURES AND UNOCCUPIED LOTS. 3rd READING.

A motion to approve on 3rd reading was made by Mr. Dempsey and seconded by Mr. Greenwood. Jeffrey Rob, Vice-President of the Hiram College Student Senate, read a statement in support of this ordinance. Their major concern is the unsightly house on the corner of Hinsdale and S.R. 700, they call the house on the hill. This property has been an issue for quite a while. Michael Dietzen, Vice-President of Finance for the Student Senate, spoke more in detail about the blighted property near Hiram College and what people see when entering Hiram Village from the north. Lisa Holmes, a resident who lives on Plumridge near another abandoned property, asked what the procedure is to get something done on these properties? Solicitor Tom Reitz explained the whole process in detail. It is not a fast solution; there are many steps that have to be taken. More discussion followed between Council, Village Solicitor and the public. The Zoning Inspector will be the lead on any blighted or abandoned properties. A civil search warrant would be issued at some point to allow access to the property. Chris Szell suggested two amendments made to the legislation before passage. The title of Exhibit A, should say "unoccupied". The 3rd paragraph, C, in the fourth line there is an additional, "of" in the sentence that needs to be stricken. A motion to amend Exhibit "A" of Ordinance 2019-28 to make the two corrections was made by Mr. Szell and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor. A motion to approve as amended was made by Mr. Greenwood and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor.

2019-34: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE GENERAL FUND (1000) BY \$3,637 AND AUTHORIZING AN ADVANCE OF \$3,637 TO THE STATE EMS GRANT FUND (2062) AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Hemphill and seconded by Mr. Smith. The result of the voice vote was 6-0 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 6-0 in favor.

2019-35: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE CAPITAL IMPROVEMENTS FUND (4901) FOR FIRE/EMS BY \$6,657.74 AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Szell and seconded by Mr. Smith. The result of the voice vote is 6-0 in favor. A motion to approve as an emergency was made by Mr. Hemphill and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

2019-36: AN ORDINANCE TO PUT IN PLACE TEMPORARY APPROPRIATIONS AT THE FUND LEVEL FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF HIRAM, DURING THE FIRST QUARTER OF THE FISCAL YEAR ENDING DECEMBER 31, 2020. 1st READING. Susan explained that this legislation will need to be passed in December on second reading.

2019-37: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE WATER OPERATING FUND (5101) BY \$10,000 AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Dempsey and seconded by Mr. Greenwood. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency was made by Mr. Hemphill and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

2019-38: AN ORDINANCE AMENDING THE VILLAGE OF HIRAM'S EMPLOYEE HANDBOOK, APPENDIX A. 1st READING.

RESOLUTIONS

2019-30: A RESOLUTION AUTHORIZING SPECIFIC ENUMERATED TRANSFERS BY THE FISCAL OFFICER BETWEEN FUNDS OF THE VILLAGE OF HIRAM FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND. 2nd READING.

2019-33: A RESOLUTION RETAINING THOMAS REITZ, ATTORNEY AT LAW, AS SOLICITOR FOR THE VILLAGE OF HIRAM, OHIO, AND FIXING HIS FEES FOR THE PERIOD FROM JANUARY 1, 2020 TO DECEMBER 31, 2020, AND DECLARING AN EMERGENCY. 2nd READING.

2019-34: A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN C.T. CONSULTANTS, INC. AND THE VILLAGE OF HIRAM FOR THE PURPOSE OF ENGINEERING AND ARCHITECTURAL SERVICES. 2nd READING.

2019-35: A RESOLUTION AUTHORIZING A CONTRACT WITH THE PORTAGE COUNTY PUBLIC DEFENDER FOR DEFENSE OF INDIGENT PERSONS CHARGED WITH CRIMINAL OFFENSES UNDER THE VILLAGE ORDINANCES AND DECLARING AN EMERGENCY. 1st READING. A motion to suspend the rules was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor. A motion to amend Section 2 to correct the word Portage was made by Mr. Szell and seconded by Mr. Greenwood. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency on first reading as amended was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

2019-36: A RESOLUTION AUTHORIZING A CONTRACT WITH THE ENGINEERING FIRM CT CONSULTANTS, ENGINEERING DESIGN SERVICES FOR THE WATER TOWER REPLACEMENT PROJECT AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Hemphill and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency was made by Mr. Dempsey and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor.

2019-37: A RESOLUTION AUTHORIZING THE APPLICATION FOR AND SUBSEQUENT ACCEPTANCE OF GRANT FUNDS BY THE VILLAGE OF HIRAM AND RATIFYING PAST ACTIONS WHICH ARE NOW AUTHORIZED BY THIS RESOLUTION AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Hemphill and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency was made by Mr. Hemphill and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

2019-38: A RESOLUTION AUTHORIZING A CONTRACT WITH CHARLES E. HARRIS & ASSOCIATES, INC. TO PERFORM A SPECIAL AUDIT FOR THE FIRE/EMS DEPARTMENT FOR THE 2016, 2017 & 2018 FISCAL YEARS AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency was made by Mr. Spencer and seconded by Mr. Smith. Paul Spencer asked if Hiram Township enacted any similar legislation to pay their half of the audit? Susan said they passed a motion at our joint Finance meeting with them. Paul asked if the contract will be in both names so that the Village is only responsible for our half? Solicitor Tom Reitz explained that he had requested a few adjustments in order to make it a little clearer. Tom recommended that Susan not sign page three of the contract and add a fourth page with the certification from Susan for the Village's portion of \$2,000. The result of the voice vote was 6-0 in favor.

2019-39: A RESOLUTION ACKNOWLEDGING EVENTS THAT HAVE TRANSPIRED IN THE PERFORMANCE OF THE CONTRACT AUTHORIZED BY JOINT RESOLUTION 2017-13 AND ACCEPTING A COMPROMISE RESOLUTION. 1st READING. Solicitor Tom Reitz would encourage Council to suspend the rules and act on this tonight. If Council recalls, there was not a clear understanding of the garbage pickup contract when it was first put in place. There was a meeting with Kimble, Hiram College and our Village; a compromise was struck. Some reduced rates were offered to the College. There appeared to be some discrepancies in the billing rates for the College. Plans are to correct this moving forward with the new contract bidding process. A motion to suspend the rules was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor. A motion to approve on first reading was made by Mr. Greenwood and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor. James said the Village will go out for bids in May of 2020.

2019-40: A RESOLUTION AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS OF NO MORE THAN TWO HUNDRED DOLLARS FOR A RECEPTION FOLLOWING A SWEARING IN CEREMONY FOR NEWLY ELECTED AND/OR RE-ELECTED OFFICIALS ON DECEMBER 20, 2019 AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency was made by Mr. Spencer and seconded by Mr. Hemphill. Paul Spencer said two years ago when we did this, it was for the exact same amount, should we increase this? Solicitor Tom Reitz said there is an auditor's opinion that says this is a good number. Susan said two years ago, there was leftover food brought back to the kitchen. The result of the voice vote was 6-0 in favor.

ANY OTHER BUSINESS:

Mr. Rob Dempsey provided a follow-up on his report of the Ohio Municipal League's annual conference. He found out about and obtained a new drug disposal bag. The Kiwanis Club plans to buy and distribute them to those who request them. Rob also mentioned the Ohio Turnpike Commission plans to offer Wi-Fi to any community that is contiguous to the turnpike to supply them with Wi-Fi. No one knows yet whether there will be a charge.

A motion to convene in Executive Session for the purposes of; pending litigation, personnel matters regarding evaluation reviews and raises, and strategy for the purchase of real estate at 8:32 pm was made by Mr. Spencer and seconded by Mr. Dempsey. The result of the voice vote was 6-0 in favor.

A motion to reconvene to Regular Session at 9:43 pm was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

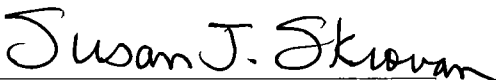
A motion to adjourn the meeting was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor. The meeting adjourned at 9:47 pm.

These minutes are pending approval by Council.



Mayor Lou Bertrand

ATTEST:



Fiscal Officer Susan J. Skrovan