

# Hiram Village Council Meeting

Rosser Municipal Building  
11617 Garfield Road, Hiram, Ohio 44234

June 8, 2021

The following Members of Council were present: Mr. Dempsey, Mr. Greenwood, Mr. Hemphill, Mr. Smith and Mr. Spencer. 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: Stacy Turner with The Weekly Villager, Ed Frato-Sweeney and Mr. & Mrs. Dan Burdecki.

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 5/11/2021. 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 5-0 in favor.

Mayor asked for a motion to approve the proposed agenda as amended. A motion to approve the proposed 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

Ed Frato-Sweeney had two items to bring before Council. The first was to inform Council that notifications have been sent by email for the Hiram Community Trust grant awards. Secondly, the issue with the blighted property on Plum Ridge? Ed said there is now a hole in the roof and raccoons are going in! Solicitor Tom Reitz said he has heard nothing from our Zoning Inspector since the letter was sent. Mayor Bertrand said our Zoning Inspector will need to file a complaint with the courts. Ed said we need enforcement, we need action! Council discussed the possibility of a housing official. Someone who can go after these properties and knows the agencies to turn to. We would need a job description for the position. Tom Reitz will provide Council with a sample.

## DEPARTMENT HEAD REPORTS

**\*Police Chief Brian Gregory provided their monthly report.** There were 443 offense reports for May.

Chief Gregory went over the construction projects going on in the Village and his department's involvement.

His department has received notification of being awarded the ODNR Step Outside Grant for the Cops and Kids fishing day event August 28<sup>th</sup>.

They plan to have their annual bike rodeo before the parade and fireworks on Friday, July 2<sup>nd</sup> for the 4<sup>th</sup> of July.

Chief Gregory has training set at Camp Garfield, which was formerly the Ravenna Arsenal.

**\*Fire Chief Bill Byers provided their monthly report.** The report was emailed to everyone.

Chief Byers reported more mutual aid calls for lift assists.

His department is performing preventative maintenance on their fleet this week.

For Memorial Day, some of the firefighters in the cemetery had missing markers; he put out flags.

Recent storms have taken out some trees and power lines.

Chief Byers is working on the numbers for mutual aid with Community EMS to have for Finance Committee.

**\*Village Administrator James McGee presented the monthly report.** James provided project updates. The Garfield Road watermain project they expect to tap in late this week or early next week.

The water meter project is just getting ready to begin; his department should hear from Core & Main soon.

The water tower project; there has been no change.

This year, they have not been able to hire any summer help. They have had a lawncare company out to mow. Paul Spencer asked about Premier Lawn Care; are we still using them? James said he is utilizing the budget they had originally for student help toward help with mowing during the springtime months.

## **Mayor's June 8, 2021 Report to Council**

### **Planning & Zoning Commission:**

Because of a lack of quorum, there was no meeting on June 1, 2021 and that meeting has been rescheduled for this Thursday June 10, 2021 beginning at 7 p.m. in Council Chambers.

Pursuant to Section 1105.03 of the Hiram Zoning Code, I have appointed Mr. Daniel S. Dunn, a magna cum laude graduate in Architectural Studies from Judson University to the Commission replacing Mr. Norm Christley, Esq. who has served on the Village P&Z Commission as Chair since March 2008, 13 ¼ years.

### **THE CDC COVID-19 REPORT AS OF TODAY:**

33,178,017 US Cases

Total U.S. Deaths: last month 579,366, this month 594,381 = 15,015.

Total Cases in the last 7 days: last month 266,299, June 2021; 89,462

Total with at least on vaccination: 171,000,000

Total in U.S. fully vaccinated: 139,000,000 or 42%

75.5% of the U.S. population over 65 yrs. are fully vaccinated!

### **ODH COVID-19 NEWS:**

#### **Total # of Cases**

1,104,648

18,915 in the past 30 days

#### **Number of Hospitalizations in Ohio**

59,534

1,989 in the past 30 days

#### **Number of Deaths**

19,970

534 in the past 30 days

#### **Number of ICU Admissions**

8,175

236 in the past 30 days

COVID-19 Relief Funds to Portage County for 2021 is \$31,510,000.

We Understand Hiram Village will be receiving somewhere in excess of \$225,000.

**MEMORIAL DAY SERVICE:** Attendance ??? Many, Many

**Speakers:** Admiral Michael Parks (USCG, Retired) and Portage County Commissioner the Hon. Tony Badalamenti.

**Reading of Veterans:** Major Debra Blake, RN (USA, Retired) and Sam Bixler (USA)

The parade honored and thanked the community's First Responders. I request from Council a motion to compensate Wyno View Productions \$200 and Dave Dreimiller \$50 for the video and photography services at this very important community event.

Submitted by:  
MAYOR Lou BERTRAND

**A motion to approve the payment to Dave Dreimiller of \$50.00 and to Jim Wyno of \$200.00 was made by Mr. Dempsey and seconded by Mr. Hemphill. The result of the voice vote was 5-0 in favor.**

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

**The following reports were provided to Council for this meeting:**

May 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 May 31, 2021 was provided to Council today.

List of bills as of June 7, 2021 was provided to Council by email yesterday.

Council Regular meeting minutes for May 11, 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 today.

The 2022 Budget; we will have a workshop before the Finance & Safety Committee meeting on June 29. We will hold a public hearing on the 2022 Budget fifteen minutes before our July 13, 2021 Council meeting at 6:45 p.m.

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

Susan will send the financial worksheet on the 2022 Tax Budget to all of Council again to make sure they have it.

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

## **HIRAM TOWNSHIP REPORT**

No report.

## **LEGISLATION**

### **ORDINANCES**

#### **2021-06: AN ORDINANCE AMENDING THE VILLAGE OF HIRAM'S EMPLOYEE**

**HANDBOOK, SECTION 4.12. 3<sup>rd</sup> READING.** Councilman David Smith asked whether this would be a fringe benefit for the employees. Susan said it would not be a fringe benefit; it is just a reimbursement. A motion to approve was made by Mr. Dempsey and seconded by Mr. Spencer. The result of the voice vote was 3-2 with Mr. Smith and Mr. Spencer voting against the passage. Solicitor Tom Reitz said that this piece of legislation did not pass with a 3-2 vote; that it needed a majority vote of 4 for passage.

**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. 2<sup>nd</sup> READING.**

**2021-08: AN ORDINANCE ESTABLISHING A RATE OF COMPENSATION FOR COUNCIL MEMBERS AND MAYOR OF THE VILLAGE OF HIRAM EFFECTIVE JANUARY 1, 2022. 2<sup>nd</sup> READING.**

**2021-09: AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATION TO APPLY FOR AND ACCEPT ANY ELIGIBLE FUNDING FROM THE U.S. DEPARTMENT OF THE TREASURY AUTHORIZED UNDER THE AMERICAN RESCUE PLAN ACT, INCLUDING BUT NOT LIMITED TO, REIMBURSING THE VILLAGE FOR ANY REVENUE LOSSES IN ANY GIVEN YEAR FROM 2020-2024 AND FOR ANY ADDITIONAL EXPENSES INCURRED RELATED TO THE COVID-19 PANDEMIC 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. Dempsey and seconded by Mr. Hemphill. Solicitor Tom Reitz explained what he wrote. Paul Spencer made the comment that it sounds more like “convoluted bullshit”. The result of the voice vote was 5-0 in favor.

#### RESOLUTIONS

**2021-15: A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH SENSUS USA INC. FOR A SOFTWARE AS A SERVICE AND SPECTRUM LEASE AGREEMENT, RATIFYING PRIOR ACTIONS AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Greenwood 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. Hemphill and seconded by Mr. Smith. Solicitor Tom Reitz explained that part of the original Core & Main contract included this software for operating the water meters. He wanted to cover all the bases with this legislation. The Village Administrator, James, said the Village will most likely have to impose a maintenance fee on our utility customers to cover the ongoing cost of the service provided. The result of the voice vote was 5-0 in favor.

**2021-16: A RESOLUTION OPPOSING SUBSTITUTE SENATE BILL 97 AMENDING THE LAW REGARDING WITHHOLDING MUNICIPAL EARNED INCOME TAX FOR THOSE WORKING VIRTUALLY AND/OR AT HOME AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Smith 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. Dempsey and seconded by Mr. Smith. The result of the voice vote was 5-0 in favor.

**2021-17: A RESOLUTION APPROVING THE 2022 PROPOSED BUDGET AND AUTHORIZING THE FISCAL OFFICER TO SUBMIT THE BUDGET TO THE PORTAGE COUNTY AUDITOR. 1<sup>st</sup> READING.**

#### **ANY OTHER BUSINESS:**

David Smith asked the Solicitor about dead trees along some of our roads needing to be taken down. What is the Village’s responsibility or what can the Village compel the homeowners to do? Tom Reitz asked whether these trees were on public property or private? Dave said they are near public property; however, they are on private property. Solicitor Tom Reitz explained if tree limbs hang over into a neighbor’s property; it is not the Village’s concern.

If they hang into the right-of-way where you have a utility easement or other legal right to be there and is creating a hazardous arrangement; you can compel the homeowner to take them down. You need some type of authority like an Arborist to say the tree is likely to fall and cause damage. If you have those credentials, then the burden falls on the landowners to take care of that problem. It is a safety concern. More discussion followed on the trees that have already been removed. James explained why those trees were removed, mostly due to the sidewalk project. Dave provided James with location of trees that may be a hazard. James asked the Solicitor about the timeframe for removal of a tree and what happens when they do not remove the tree; can the Village remove it and assess their property. Solicitor Reitz said he does not know about any assessment to their property taxes; however, the Village does have the right to take it down and send the landowner a bill.

Paul Spencer asked Council about an upcoming topic for the Planning & Zoning Commission; the mural at Hiram College. Do we want murals of any size permitted in Hiram? Is this a statement or is it art? Is it a sign? If so, the verbiage can change. Paul spoke about context of a mural or sign, that should not be a consideration; the size and placement is their concern. Paul said this is a difficult issue for the Commission to address and he just wanted some direction from Council. Council members discussed other communities that have murals and or signs. Dave said, are they the same thing? Michael Greenwood said this was a student initiative. Our first amendment right is freedom of speech. Paul said we do not have any way in our zoning code to handle a mural; only if it is a sign. Solicitor Tom Reitz had forwarded some information to the Mayor; he will forward what he provided to the Mayor to all of Council.

**A motion to adjourn the meeting was made by Mr. Hemphill and seconded by Mr. Spencer. The result of the voice vote was 5-0 in favor. The meeting adjourned at 8:20 pm.**

These minutes are pending approval by Council.

  
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Mayor Lou Bertrand

ATTEST:

  
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Fiscal Officer Susan J. Skrovan