

Hiram Village Council Meeting

Rosser Municipal Building
11617 Garfield Road, Hiram, Ohio 44234

March 8, 2022

The following Members of Council were present: Mrs. Greenwood, Mr. Hemphill, Mr. McCreight, 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, Assistant Fire Chief Jason Groselle, Assistant Village Administrator Steve Schuller and Police Officer Charles Hoskin.

The following persons were present: Ed Frato-Sweeney with Hiram College, Stacy Turner with The Weekly Villager and Chris Szell's daughter Adia.

Mayor Bertrand called the regular meeting to order at 7:01 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 2/8/2022. A motion to approve the meeting minutes as presented was made by Mr. Hemphill and seconded by Mr. Szell. 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 agenda as presented was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

GUEST AND PUBLIC COMMENT

Ed Frato-Sweeney reminded everyone that the Hiram Community Trust grant applications are now available, deadline is April 15th. Ed also noted that Hiram College students are on spring break this week. Pleased to report that COVID cases at the College are almost non-existent.

DEPARTMENT HEAD REPORTS

**Police Chief Brian Gregory provided their monthly report.* There were 337 offense reports for February.

The pancake breakfast fundraiser will be held at the Kennedy Center at Hiram College on April 16th from 9-1 pm.

The annual car show will be held on June 11th from 9-2 or 9-3 pm and will include the craft/vendor booths.

The body cameras that were purchased are in use. The grant was just improved and will cover approximately \$3,000 of the \$4,000 for the cameras.

CPT training, we have already received reimbursement for this training.

Chief Gregory did apply for the Hiram Community Trust grant.

Plans are underway to hold a first aid class sometime in April; it will include CPR training and be open to the public.

The new Spectrum phone system has some ongoing issues; our Village Administrator James and Wendelin are working diligently to resolve these issues. Calls into our police department, after five rings, are supposed to go directly to the non-emergency dispatch number.

***Fire Chief Bill Byers provided their monthly report.** Bill provided an updated report.

Bill would be willing to discuss the purchase of the new squad when the legislation comes before Council.

Asst. Village Administrator Steve Schuller provided their monthly report.

The gas line for the Rosser Municipal building has been run and hooked up; there is one more regulator to install.

Our new phone system is installed; there are a few bugs to work out with the system.

The application to OWDA has been finalized for the water tower project, we will find out in July whether we were granted the loan which is approximately \$400,000 at 1.2% interest. This loan would close the gap between the estimated cost of \$880,000.00 and the actual bid which was approximately 1.1 million!

Mr. Daniel Dunn's letter regarding his water meter; Steve has all the figures and will send it out as soon as he has a confirmed date when the sub-contractor on the project plans to come and finish up the installation. Cost of a manual meter is \$200.00 each. The quote to install is \$860.00 each time. Employee cost to read is \$130.00 per month.

Dave Smith asked Steve where we were at with the Reverse 911 system. Steve said he had just received Dave's email from James, he was working on something else. James is sick this evening and called Steve about 6:30 regarding Dave's email. Dave wondered if we were waiting on Spectrum to install our new phone system before implementing the 911 system. Steve said yes, we were trying to get all of that done so when people called the office, they actually got a person on the phone instead of nothing. We will be moving forward now. Dave said we have paid for the reverse 911 system a year and a half now without using it. The Mayor also received Dave's email and asked if Steve could respond to his questions. Steve said yes, he would email Dave tomorrow.

Mayor's March 8, 2022 Report to Council

Planning & Zoning Commission Meeting:

There was no Planning & Zoning Commission Meeting on Tuesday, March 1, 2022 as there was no business on the Commission's agenda.

The Park Board is in Need of New Members:

As reported in the February Council meeting both Suzann Bennett and Retired Prof. Dr. Steve Zabor have resigned and Jo Cobb is nearing the conclusion of her term. From reviewing the Ordinances, I understand that I am to make the appointments. However, before doing so, I would like Council's input and consideration.

Council Member Chris McCreight has proposed several candidates for consideration:

Stacy Romberger – Interested

Isabel Kopp – Considering

Abigail Stevenson

Jenny or Paul Carlson

House Bill 519:

As currently drafted HB 519 would prevent municipalities, who require mandatory filing for municipal tax purposes, from applying late fees on those taxpayers who fail to file even though there may be no municipal income tax assessed. Additionally, the legislation would take away the ability of tax administrators to communicate with taxpayers through delinquency notices and reminders that a filing has not been received and that there is a requirement to make the filing.

The Municipal League is concerned that the current language of the legislation will significantly weaken municipalities' ability to enforce compliance with their community's tax regulations ultimately challenging the effectiveness of the **community's largest revenue source**. The bill would also require municipalities to pay taxpayers "reasonable costs" for certain notices deemed to be sent in error, which could expose municipalities to unknown financial impacts and possible litigation. **80% of Ohio's Economy is generated by Municipalities!**

COVID-19 News:

See attachments from the [Ohio Department of Health](#)

DISCUSSION ON VILLAGE BUDGET:

Raise Earned Income by 0.25% to 2.5% and/or 50% up to 1% credit for municipal taxes paid by residents to other municipalities and/or school earned income taxes.

Discussion on the General Fund and the income tax increase and/or credit reduction. Paul Spencer spoke about the College as a non-profit organization that does not pay approximately \$195,000 annually in property tax revenue to the Village yet the Village does provide services to them. Several years back the Village had contracts with the College in excess of \$70,000 for Fire/EMS/Police which has dropped considerably, down to the \$30,000 range. It has put a burden on the Village. Paul has some strong views and put a letter together with some figures including the RITA tax charts showing who gets tax credits from 100% down to 0%. A community can apply an income tax and not have any credit up to 1.0% on its residents without going to the voters. Any burden greater than 1.0% goes to the voters. Paul's understanding is if we start taking away any portion of the tax credit or we start increasing; we have to go to the voters. Paul detailed some of the information in his documents with Council. He felt it would be the most practical to increase our income tax rate overall and not add additional burden to the local residents who work elsewhere and pay income tax because income tax is tax on work; not on residency! Paul thinks we should leave the credit in place. Village Solicitor Tom Reitz said he thinks Paul may be right; it is not entirely clear. Per Ohio Revised Code section 718.04, subparagraph B, Tom read the code. Tom spoke about the history of the Hiram Village Tax Code. To repeal any part of the tax credit, Tom thinks you would need to go back to the ballot! You would need to bring before the voters the amount of the rate you want to impose and you need to make it clear that you are doing it without a credit. Paul Spencer strongly suggests that we just go for the increase and leave the credit alone. Ed Frato-Sweeney spoke about the percentage of people that work in the Village who would not get to vote on this increase; maybe 80%! Paul said this happens everywhere. More discussion. Dave Smith said from his seat and as a Village resident; he pays on four different levies on his property totaling about \$400.00 per year. People who work at the College do not pay these levies. There is no easy fix or solution. Chris McCreight asked about the power point documents that had been provided to him at the last Finance meeting. Council reviewed the documents. Chris Szell spoke about the issues with our General Fund, the tax credit and the exempted properties of the College and Hiram Farm. Tom Reitz said the deadline to be placed on the ballot is August 10th 2022 for the November 8th election; effective January 1, 2023.

A motion to move forward to direct Solicitor Tom Reitz to prepare legislation for a .25% income tax increase and to maintain the credit as it is currently was made by Mr. Spencer. Chris Szell asked what the procedure is to discuss this further. Solicitor Reitz spoke about procedures. The Mayor asked what .25% would bring in. Steve said approximately \$61,000 per year. Paul said we may really need .50% or we may have to cut services and/or personnel! More discussion. Chris is concerned with what we can get passed by the voters and asked Ed what he thought. Ed Frato-Sweeney said he would campaign in favor of a combination of both an increase and a reduction in the credit. Dave Smith seconded the motion. Beth Greenwood said going any higher on an income tax increase would be difficult for this community! Beth went on to say Council should consider all options including a reduction in the tax credit to bridge the gap that was created over the past ten years. Council discussed ideas for economic development. A motion to amend the motion to move forward to direct Solicitor Tom Reitz to prepare legislation for a .25% income tax rate increase and reduce the tax credit to 50% of the total tax was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-1 in favor with a no vote by Mr. Smith.

The Mayor thanked Paul Spencer and Steve Schuller for the information they presented and their input.

Submitted by:
Mayor Lou Bertrand

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

The following reports were provided to Council for this meeting:

December/January/February Bank Reconciliations balanced with the UAN with a few adjusting factors which Susan explained, have now been posted to the UAN and are available for signing by the Mayor and Council.

Cash Summary by Fund as of February 28, 2022 was provided to Council today in their packets.

List of bills as of March 4, 2022 was provided to Council by email last week.

Council Regular meeting minutes for February 8, 2022 were provided to Council by email yesterday & in packets.

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

Comparison of Budgeted and Appropriated YTD report was provided to Council today in their packets.

Susan let Council know that with year end finished up and the permanent appropriations done, the audit will start within the next few weeks.

Susan also informed Council about the re-distribution of the American Rescue Plan Act (ARPA) funds that were not allocated to other municipalities. Our original total was \$120,000 in two tranche payments; one in 2021 and the second in 2022. The additional funds came in at \$242.34! We do not have to spend these funds until the end of 2026. The possible uses for these funds have also been expanded including helping the General Fund for revenue losses.

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

The bill's list was reviewed. A motion to approve the bill's list was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

HIRAM TOWNSHIP REPORT

No Township report tonight.

LEGISLATION

ORDINANCES

2022-03: AN ORDINANCE AMENDING THE TEMPORARY APPROPRIATIONS IN THE CONTINUING PROFESSIONAL TRAINING FUND (2272) BY \$1,848.00 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 6-0 in favor. A motion to approve as an emergency was made by Mr. Smith and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor.

2022-04: AN ORDINANCE ACCEPTING A GRANT AND AMENDING THE TEMPORARY APPROPRIATIONS IN THE GENERAL FUND (1000) POLICE (110) BY \$3,061.10 AND DECLARING AN EMERGENCY. A motion to suspend the rules 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 an emergency was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

2022-05: AN ORDINANCE TO PUT IN PLACE PERMANENT APPROPRIATIONS AT THE FUND LEVEL FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF HIRAM, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022 AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Spencer and seconded by Mr. McCreight. 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. The result of the voice vote was 6-0 in favor.

RESOLUTIONS

2022-03: A RESOLUTION AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS OF NO MORE THAN TWO HUNDRED DOLLARS FOR A RECEPTION FOLLOWING THE MEMORIAL DAY OBSERVANCE ON MAY 30, 2022. 2nd READING. 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 on second reading was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

2022-05: A RESOLUTION AUTHORIZING THE INTERNET SALE OF UNNEEDED, OR UNFIT, OR OBSOLETE PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES AND EQUIPMENT OWNED BY THE VILLAGE OF HIRAM. 1st READING.

2022-06: 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. 1st READING.

2022-07: A RESOLUTION AUTHORIZING THE APPLICATION FOR AND SUBSEQUENT ACCEPTANCE OF GRANT FUNDS BY THE VILLAGE OF HIRAM FROM THE HIRAM COMMUNITY TRUST. 1st READING. 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. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

2022-08: A RESOLUTION AUTHORIZING THE PURCHASE OF A 2022 FORD E450 LIFE LINE RESCUE SQUAD, LOAD SYSTEM AND COT FOR THE FIRE DEPARTMENT FROM PFUND SUPERIOR SALES CO. AND AUTHORIZING THE TRADE IN OF SQUAD ONE AND RATIFY PAST ACTIONS WHICH ARE NOW AUTHORIZED BY THIS RESOLUTION AND DECLARING AN EMERGENCY. 1st READING. A motion to suspend the rules 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 an emergency was made by Mr. Spencer and seconded by Mr. Smith. Dave Smith asked Chief Byers what the trade in value is on squad one. Chief Byers said the trade in value is \$8,000. Chief Byers said he had omitted the whereas clause for the trade-in. The trade-in wording is only mentioned in the title. Solicitor Reitz commented on amending the resolution to strike that wording; but truthfully, the title language is not an 'action'. So, Chief Byers felt we could leave it in providing us with an option. Paul Spencer called the question. The result of the voice vote was 6-0 in favor.

ANY OTHER BUSINESS:

Paul Spencer brought up some planning & zoning issues with several properties within the Village and how best to handle them. Do we want to take on the financial burden of taking action against some people? Paul, as chair of the Planning & Zoning Commission, he would like some guidance from Council. Solicitor Tom Reitz provided an update on the Plum Ridge property. The Mayor felt we need to put the pressure on the property owners. Paul Spencer also provided some details on the property owners and the property as it exists currently. Paul mentioned the other properties; a house two doors down with a lean to garage caving in, a house on the Couch farm falling apart and the house behind the Fire & Ice building vacant and with issues. Paul said the P&Z has started files on all of the properties and working with our Zoning Inspector. We do have photographs of the properties in question. Solicitor Tom Reitz said we will need to issue a new notice of violation and probably have another inspection. Then we will file a complaint in court. Solicitor Tom Reitz explained the whole process and what each step takes to have this property issue remedied.

A motion to proceed with a legal remedy for the Plum Ridge property was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

For the other three properties in question; have our Zoning Inspector Dominic Gualtieri, start the process.

Village Solicitor Tom Reitz reported to Council that in February, Ohio HB51 passed into law which provides the ability to meet virtually until June 30, 2022.

Solicitor Reitz brought up to Council that your Assistant Village Administrator has requested an executive session on the topic of security arrangements which is one of the permissible reasons for Council to meet in executive session.

A motion to enter Executive Session for the purpose of discussing security arrangements within the Village and to include the Asst. Village Administrator and all safety services at 8:55 pm was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

A motion to return to Regular Session at 9:30 pm was made by Mr. Szell 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. Hemphill and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor. The meeting adjourned at 9:30 pm.

These minutes are pending approval by Council.



Mayor Lou Bertrand

ATTEST:


Fiscal Officer Susan J. Skrovan