

# Hiram Village Council Meeting

Rosser Municipal Building  
11617 Garfield Road, Hiram, Ohio 44234

May 10, 2022

The following Members of Council were present: Mrs. Greenwood, Mr. Hemphill arrived at 7:07 pm, 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, Village Administrator James McGee, Assistant Village Administrator Steve Schuller and Firefighter Josh Wilde.

The following persons were present: Ann Patella, Donald Miles, Stacy Turner with The Weekly Villager and Tom Bollenbacher.

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 4/12/2022. A motion to approve the meeting minutes as presented 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. A motion to approve the agenda as presented was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

## GUEST AND PUBLIC COMMENT

Mr. Donald Miles was present to discuss his property on Plum Ridge. Mr. Miles attended the past P&Z meeting at the request of the Village Zoning Inspector. He is making improvements with getting the utilities turned on and repairs made to the house. He is scheduled to have the water service turned on to the home this coming Thursday with the Village's water department. The Mayor felt this is not the real problem with this property, there are many problems with this property! It is a mess and a nuisance to the community! The Mayor said when Mr. Miles signed in tonight, he put the property on Plum Ridge as his address. You are not living there at this time, correct? Mr. Miles said, no, he is not living there, he lives in Streetsboro. The Mayor asked for his current address please. Mr. Miles said it is 711 Newport Lane, Streetsboro, Ohio. He received a letter from the Village of Hiram regarding the poor condition of the property. The Mayor asked if he has applied for any building permits from the County to do work on the property. Mr. Miles said he has been in contact by phone with the Portage County Building Department. He was told it was basically a repair and did not require a building permit. The Village Solicitor asked Mr. Miles who he spoke with at the building department, was it Randy Roberts? Mr. Miles said yes. He has made arrangements to have the electrical service restored. He is working with a contractor on the driveway to get it cleared. He has obtained an electrical permit from Portage County to have the electric service restored. He has had the property inspected. Mr. Miles said he cannot get any loans or any other funds to improve the exterior of the home. He has contacted the Portage County Treasurer; he is not eligible for any grants, not eligible for any loans. These are income based, he is retired. Both himself and co-owner Merrilou Texler have limited resources and significant health issues. Merrilou Texler lives in Twinsburg, 2730 Arbor Glenn Drive, Apt. 205. More discussion on the property, possible offers to purchase it by others and for him to contact a realtor for an appraisal. He would like the home to be occupied; to move back in himself but needs some time. Chris Szell asked the Solicitor what the next step would be. Solicitor Reitz said to file a criminal complaint against both the owners. Chris asked for a timeframe. Tom said he was waiting to hear from Council what they decide tonight. The Mayor spoke about the neglect of this property and the lack of action and wants to proceed with legal action. Chris McCreight would like to see a 60-day extension for Mr. Miles to complete everything listed in the Village letter. Dave Smith felt the same way, he addressed the letter and is working on remedies. Paul Spencer felt that may be a little long, perhaps 30 days. Chris Szell would incline to give him 60 days.

**A motion to give Mr. Donald Miles 60 days from today to rectify the matters outlined in the letter of April 5, 2022 to have everything complete was made by Mr. Szell and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor.**

Ann Patella informed Council she has good news to report on the veterans at Fairview Cemetery. She thanked Mr. James McGee, Village Administrator, and Ms. Wendelin Taylor, Assistant Fiscal Officer, for getting things fixed and markers corrected on graves. We have 251 veterans, 11 of those are missing where she could not find the graves; they may be new graves without stones or very old ones. There are 17 Fire Dept. markers. Ann sent names for those missing on the brochure.

Mr. Tom Bollenbacher reported the Economic Development Committee put in a request to get some maps; aerial, topical and plat maps from Portage County Regional Planning Commission. They should see them within 30-60 days and then they will schedule an initial meeting with large property owners in our southeast quadrant of the Village. Tom envisions a small house neighborhood, developing 60-70 lots on ¼ acre and preserve the best part of the woods. It would be great if zoning permitted smaller homes in the range of 1,100 to 1,700 square foot. Reasonably priced homes from the \$200,000 – \$275,000 range for retirees and/or first-time home buyers. Tom would like to someday put in a cider mill! Even perhaps some commercial. Paul Spencer informed Council that it has been discussed numerous times at recent Planning & Zoning meetings to look at tiny homes within the Village and to look at our current zoning on properties in the Village. The Mayor suggested Tom reach out to Todd Peetz, Director for Portage County Regional Planning and invite him to attend their meeting.

## **DEPARTMENT HEAD REPORTS**

**\*Police Chief Brian Gregory provided their monthly report.** There were 397 offense reports for April.

The Pancake Breakfast fundraiser raised \$1,690.00 for Shop with a Cop! Brian thanked everyone who helped.

Hiram College commencement is this weekend, Saturday. He has officers scheduled to work. Hiram College is only allowing two people per graduate so it should not be that large of a crowd.

May 21<sup>st</sup> is our Click-it or Ticket event from 11 am to 1 pm.

May 30<sup>th</sup> is Memorial Day, parade and everything is set up and ready to go.

Hiram College is waiting until Fall to hold a rally for the Black Lives Matter mural. Brian was hoping to have this when most students were out of school. The college will have video cameras for that event.

**\*Fire Chief Bill Byers provided their monthly report.** Bill had emailed his report.

The Chief reported a mutual aid response for a large scrap fire in the City of Girard; the run was backed out of their average run times.

The Village tornado siren is back online; the power had been shut off to it! The breaker is housed in the electric panel at the pavilion. James has been contacted and is working to correct this issue. The Township siren is back online, it had a bad gear and is waiting on some additional service.

Chief Byers said he did approve an increase in the occupancy for the College commencement to an estimated 1,300.

**Village Administrator James McGee provided their monthly report.**

Dominion Gas is scheduled to come and clean up what they tore up at the end of our driveway while installing the new gas line to the building.

Our phone directory is fixed and now has distinct extensions to dial for the proper parties to be reached. The three additional phones are in the process of being ordered. A contract for them is in the works.

The Kubota Skid Loader has been ordered at \$89,869.05. The price can go up within the State pricing by the time the machine is ready. Legislation will be ready for the next Council meeting.

The sidewalks project is set to start in the coming weeks to finish up on the project by Chris' Custom Concrete for \$38,125 which is \$11,000 cheaper than Alba Contractors and they had requested an increase!

Hinsdale/Winrock Road project will be announced yes or no this Thursday from the Small Government Funding. It is a \$300,000 project with an 80%/20% grant/loan with the Village portion being the loan of \$50,000.

The Street Department has posted ads for help; both seasonal help and for the water/sewer department.

They are currently working on the storm sewer & hydrant at Village Hall.

They are getting electrical quotes for the pavilion electrical breaker box regarding the tornado siren and update the lights to the basketball courts.

April 30<sup>th</sup> there was a Reverse 911 test performed, it did work.

James reported on the new remote reads for the water/sewer billing system; actual reads will be this month.

Solicitor Tom Reitz asked James whether he can confirm that Mr. Miles is actually going to get water on Thursday? James said yes, Steve Schuller and he will be installing that meter on Thursday at 10:00 o'clock.

James asked Council whether or not to purchase geraniums for the veterans' graves at Fairview Cemetery. In the past the Village purchased the flowers, there are no volunteers to plant them at the veterans' graves, then the flowers get run over or weed whipped and die. There are over 250 geraniums. Council discussed it and decided not to purchase any flowers this year.

Dave Smith asked James about the report that was sent out regarding a meeting with Denny Taylor? James said he met with Denny Taylor, they were going to get some contractors to look at it, he has not seen or heard anything yet. Dave said he read his letter; that you are not allowed to tie your downspouts into the storm? James said no, you can connect. James did not remember seeing his letter. Solicitor Tom Reitz said he sent his letter to him; he did not recall whether he sent it to anyone else.

Dave read about the brush pickup in the fall. James said he is trying to get that implemented as soon as they get finalized with the EPA, we can pick the brush up again. That is in the works. Kimble was able to pick up some.

Chris McCreight asked about some storm drains on S.R. 82 heading west. Steve Schuller responded that UCI, Utility Contracting Inc. came out to look at them; they are supposed to be getting us a quote to fix them. They fixed the other two that were in front of Mr. Dempsey's house and Mr. Smith's house. The ARPA funds were already approved for them, they are just waiting on the quote.

Returning to the letter from Denny Taylor, Chris Szell did say Denny mentioned in his letter that he could not tie into the storm sewers. Tom said he saw where Denny said that but it does not look like he sent it to James! Dave Smith said James was not one of the sixteen? Steve Schuller said he may have misunderstood; you cannot put sanitation in the storms. Dave said he sent to [VA.hovh@gmail.com](mailto:VA.hovh@gmail.com). Susan said it should be [VA.hvoh@gmail.com](mailto:VA.hvoh@gmail.com).

Chris Szell noticed on the bill's list that we did have to do something with the pumps because of flushable wipes? James said yes, we have had to repair the pumps again. CT Consultants, our engineers, are going to look into trying to find a way to send everything down to the plant as opposed to having the problem at the lift station. James said we have grinder pumps which are shredding the flushable wipes and they get up inside and cause a problem.

## MAYOR'S MAY 10, 2022 REPORT TO COUNCIL

### Planning & Zoning Commission Meeting:

The Planning and Zoning Commission met on Tuesday, May 3, 2022 past to discuss several concerns about certain blighted properties in the Village. However, your Mayor was absent due to a bout with stomach flu, courtesy of our grandsons. Paul Spencer provided some details of that meeting. An attorney for the Couch Farm was in attendance regarding the Village letter sent to them. He was instructed to talk directly to our Solicitor, Tom Reitz, regarding the issues with the structures on their property. They also had Mr. Miles in attendance; Council basically heard the same from him for an extended period of time. He too was instructed to speak with Tom Reitz. Mr. Miles did speak with James at that meeting regarding setting up an appointment for a new water/sewer meter. Then there was some intense discussion regarding tiny homes and the property across the street owned by Hiram Township being sold for a home.

### Parks & Recreation Board's New Members:

As reported in the April Council Meeting former Council member Michael Greenwood and retired Akron City teacher Isabel Kopp have been appointed with the concurrence of Village Council to that Board.

### Hiram Beautification Commission:

Also, Ms. Abigail Stephenson has agreed with concurrence of Council to be a new member of the Beautification Commission and pursuant to Ordinance 2015-02.

### Memorial Day, Monday, May 30, 2022:

Beginning at noon in front of the post office to walk up to Fairview Cemetery. Our speaker this year Rev. Father Lee Martin (USN Retired) former Navy Chaplain Rev. Chris McCreight will offer the Invocation and Benediction. Roll Call of military veterans interred in Hiram's Cemeteries.

### Old Light Plant Property:

I have requested Mr. Ralph Coss of Jack Kohl Real Estate Co. to inspect this property and after consultation with him, we have decided to repair and maintain this structure as a storage rental property. This I have done for the past 30 years with my former office/multiple use property in Ravenna City and experience very little periods of vacancy.

### Township Garage on Ryder Road FMV Appraised at \$185,000.

(Question:) should we go into executive session on the matter? The Mayor's feelings are that we do not have any immediate need for this property nor do we have the funds to purchase it. Council can make that decision.

### AMATS Policy Committee:

Thursday, May 19 @ 1:30 pm – Akron Hilton Garden Inn located at 1307 E. Market St.

Your Mayor will also be attending both the Hiram President's Installation on Thursday, May 12, 2022 and the College's Graduation on Saturday, May 14, 2022 which he has attended the last fifteen years representing Hiram.

### COVID-19 News:

See: Attachments from the Ohio Department of Health

### Discussion on Village Budget:

Raise earned income by 0.25% to 2.5% raising approximately \$60,000 annually and/or 50% up to 1% credit for municipal earned income taxes paid by residents to other municipalities and/or school taxes, which will increase the money raised in the projected annual amount between \$50,000 - \$60K.

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

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

April Bank Reconciliation balanced with the UAN with one adjusting factor, a \$10.00 error on a bank deposit, has been posted to the UAN and is now available for signing by Council & Mayor.

Cash Summary by Fund as of April 30, 2022 was provided to Council by email last week & today in their packets.

List of bills as of May 6, 2022 was provided to Council by email last week and today in their packets.

Council Regular meeting minutes for April 12, 2022 were provided to Council by email yesterday & in their 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 last week & in their packets.

Chris Szell asked Susan about the RITA income tax report; it usually shows the prior year on them? Susan said Wendelin prepares that report so she will check with her to see why it is not on the report.

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

The bill's list was reviewed. Dave Smith asked about an expense for food for a lunch meeting, do we usually pay for lunches? Susan said, not usually. We may have one or two a year. We have a class next Thursday from 9 – 2 pm. Whenever we ask our employees to be here through lunch for a specific reason, we may provide lunch to them. This was a meeting with the Village Administrator and some employees; she was not in attendance for it. If it is a true business meeting, Susan just makes sure there is no alcohol. A motion to approve the bill's list was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

## **HIRAM TOWNSHIP REPORT**

No Township report tonight.

## **LEGISLATION**

### **ORDINANCES**

**2022-06: AN ORDINANCE DECLARING IT NECESSARY IN ORDER TO PROVIDE FOR GENERAL OPERATING EXPENSES OF THE VILLAGE OF HIRAM TO INCREASE THE VILLAGE INCOME TAX BY .25% EFFECTIVE JANUARY 1, 2023. 2<sup>nd</sup> READING.**

**2022-08: AN ORDINANCE AMENDING SECTION 182.081 OF THE INCOME TAX REGULATIONS OF THE VILLAGE OF HIRAM. 1<sup>st</sup> READING.** The Mayor asked Solicitor Tom Reitz if he would address this to Council. Solicitor Reitz explained how a municipality can repeal a credit. The statute involved says if you are going to repeal a tax credit, you may not do so if you represented to the voters that the credit would be associated with a certain tax rate. Tom investigated this and asked Susan for the actual ballot language each time the tax rate was put on the ballot. He compared that with the legislation that Council had enacted in order to place these income tax rates on the ballot and there was no representation to your constituents that there would be a credit associated with each of the increases of the income tax. Except the one for the Service Department. As far as drafting the language goes that you see before you, Tom consulted with Amy Arrighi, she is the chief general counsel for RITA. This draft text is from Amy and frankly, is much cleaner than what he had put together. It has the effect of allowing the credit up to 1.25%, which if the voters pass the income tax increase at the end of this year, will be at the 50% credit which has been what your direction has been to him. Council may want to sit on this until after the election but Tom would caution Council, it cannot pass on emergency. There is a section of the Ohio Revised Code that prohibits you from changing the tax code as an emergency.

If you wait until the last minute, your constituents may pass a referendum and put it on the ballot for next Spring. Council discussed the exhibit A. This is at 1<sup>st</sup> read, Tom will forward a full explanation to Council. Chris Szell asked Tom in his explanation to please include what we are doing current; then what we would be doing tomorrow if and if not the income tax rate passes. Tom said yes, he will provide that scenario.

#### RESOLUTIONS

**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. 3<sup>rd</sup> READING.** A motion to approve was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

**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. 3<sup>rd</sup> READING.** A motion to approve was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

**2022-11: A RESOLUTION PLACING AN ADDITIONAL .25% GENERAL INCOME TAX ON THE BALLOT FOR THE NOVEMBER 8, 2022 PRIMARY ELECTION, SAID INCREASE TO BE EFFECTIVE JANUARY 1, 2023, AND NOTIFYING THE PORTAGE COUNTY BOARD OF ELECTIONS TO CAUSE NOTICE OF THE ELECTION. 2<sup>nd</sup> READING.**

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

The Mayor announced a Regional Conference by the Ohio Municipal League on June 10<sup>th</sup> in Cuyahoga Falls and asked any Council members to please attend! There is also a Mayor's Conference in Columbus on the 9<sup>th</sup> and 10<sup>th</sup> of June; the Mayor may try and attend one day.

Chris Szell announced that Representative David Joyce secured funds through the CPF, Community Partnership Funds for Hiram College of \$665,000! The Land Conservancy secured 2.3 million!

Assistant Village Administrator, Steve Schuller said the new water/sewer billing system will now read in 100 gallons; not 1,000 gallons. The bills will look a little different.

**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 9:05 pm.**

These minutes are pending approval by Council.

  
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Mayor Lou Bertrand

ATTEST:

  
Fiscal Officer Susan J. Skrovan