

Hiram Village Council Meeting

Rosser Municipal Building
11617 Garfield Road, Hiram, Ohio 44234

November 13, 2018

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, Asst. Fire Chief Brandon Baynes, 2nd Asst. Fire Chief Jason Groselle, Cpl. Devin Brown, Firefighter Alex Maglionico and Asst. Village Administrator Steven Schuller.

The following persons were present: Ed Frato-Sweeney with Hiram College, Debra Blake; Hiram Township Trustee, Mr. and Mrs. Burdecki, Stacy Turner; reporter with the Weekly Villager, Mr. and Mrs. Dave Auble and Theresa Zamecnik, Attorney.

Mayor Bertrand called the regular meeting to order at 7:05 pm. He asked that all cell phones be silenced. There was a moment of silence followed by the pledge to the flag.

The Mayor asked for a motion to approve the proposed agenda. Paul Spencer asked if Council would be going into executive session? Mayor Bertrand said yes. A motion to approve the proposed agenda as presented was made by Mr. Hemphill and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

The Mayor asked for a motion to approve the regular meeting minutes of 10/9/18. A motion to approve the minutes as presented was made by Mr. Smith and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

GUEST AND PUBLIC COMMENT

Dan Burdecki asked about mail delivery and why it is not available in the Village? He said Village residents are required to have post office boxes and pay for them; he would prefer to have mail delivery to his home. Rob Dempsey said he looked into this a few years ago and found a zoning regulation that said you cannot have a mailbox at the street. No one knows whether the post office would go along with that change. Council and members of the public discussed the situation. Anyone from the public is welcome to petition our Zoning Commission for a change. Rob Dempsey thought it was 1967 when enacted. The Hiram Village Zoning Code under section 1137.03 references amendments to the zoning code. Solicitor Reitz read section 1137.03. An application would need to be filed with our Planning & Zoning Commission. Another option is for Council to amend the code. Dave Smith felt it is worth looking into further. Paul Spencer will look into this for the Zoning board.

Ed Frato-Sweeney commented on election day last Tuesday. The Mayor has the precinct results. He wished to extend a special thank you to our Fire Department regarding the recent power outage during the election at the Coleman Center. Voting was not interrupted at all; we had lights, we had generators delivered.

Mr. Sweeney asked whether the situation with Chief Byers is going to be addressed? Mayor Bertrand replied yes, in executive session. Mr. Sweeney asked if there would be an opportunity for Council to address that publicly at some point? Mr. Sweeney has received a lot of questions from those at the College and from residents with concerns. He had spoken with the Mayor who encouraged him to make a public records requests which he has done. He had a chance to read the report; a lot of people have a lot of concerns. Mr. Sweeney added that the news reports had indicated that there was a suspension that is going to be served. Will any of that information be addressed in public? Mayor Bertrand said it is not on the agenda for public discussion; they will be going into executive session on personnel and employee evaluations and matters of personnel as pursuant to law. The Mayor went onto say that any decision derived from that will be in a public hearing. Fire Chief Bill Byers said his understanding is that the matter is settled. Village Solicitor Tom Reitz responded that any decision is not going to happen as a result of a public hearing. The Mayor is charged under our code and under the employee handbook with disciplining employees. He has made his decision. There will be a confidential report made in executive session to Council; it is a personnel matter. In Ohio, we have an open records law; any citizen can make a public request for records.

Discipline of a public employee is under the Mayor's authority; it is not open to public debate. Pam Auble asked who they can address if they felt the behavior of an employee would impact their personal safety? Solicitor Tom Reitz said they can address their elected officials. The public is welcome to put their concerns in writing.

Steve Rumberger asked about the road and sidewalk repairs on Peckham; can he have an update. The Mayor responded by saying there will be a complete report provided under our Department Head reports.

DEPARTMENT HEAD REPORTS

***Police Chief Brian Gregory provided their monthly report.** The department had 231 offense reports for October; traffic stops are down due to our recent traffic study conducted in October.

The annual Shop with a Cop event is set for Saturday, December 15th at 10:00 a.m. It will be held at Target in Streetsboro. Lunch will be provided through AVI at Hiram College and will be served at Hiram Christian Church.

The K-9 fundraiser event at the Kennedy Center was a huge success! Corporal Devin Brown provided some details on the fundraiser. Corporal Brown did want to thank those on Council and everyone else that helped to make it a success. They sold a total of 252 dinner tickets in addition to the Chinese auction and 50/50 raffle tickets sold. Texas Roadhouse indicated they wish to do this again next year. It was an awesome event!

Pancake breakfast will be in the spring; date has to be determined. The fundraising event runs from 9 a.m. to 1 p.m.

Ohio now has new distracted driver law that was passed October 29th which could add a \$100 fine in addition to any other charges. You would have the option of taking a distracted driving course rather than pay the fine.

For the 7th consecutive year; the Hiram Police Department has been awarded the AAA Platinum Award! It is the highest award given for traffic safety and community awareness. There was only one other Portage County department that received an award. The City of Aurora received the Gold award. Council congratulated the Police.

Chief Gregory is working to create a new emergency contact information sheet; he provided copies for Council.

Regarding the upcoming dispatch contract with the City of Aurora; section B. needed to have the amount changed and the date changed. Section C-3; there was a change to the penalty clause for contract cancellation to our benefit.

***Fire Chief Bill Byers provided their monthly report by email and copied for tonight.** His department is working with a new format to show year to date. Chris Szell helped create the new report. It is a work in progress. Both engines are back from the pump testing with a clean bill of health. His department has been conducting station maintenance. They also conducted a blind survey sent out to the entire fire department relating to the confidence of five different issues; copies were provided to the Chair of Safety and to Councilman Spencer to reference in executive session. Everything else is running well.

***Asst. Village Administrator Steven Schuller presented the monthly water/sewer report.** Mr. Schuller explained the water report; which includes a tap in fee this month. Water revenues are coming back since the rate adjustments.

The applications for the Ohio EPA DEFA loans are all in motion; the asset management plan, the new water meters and the water tower project.

Our new generator here at the Village hall was broken; it did not come on during our recent power outage. With a liquid cooled Generac generator, there are only six (6) people certified to work on it, under warranty, in all of northeast Ohio. A small sensor went bad. The generator is tested on a weekly basis. 2nd Asst. Chief Jason Groselle said it did not work unless they turned it on themselves. Chief Bill Byers stated the project has not been completed yet, is that correct? Steven said the generator is complete, the panel still needs to be replaced, James is handling it.

Chief Byers stated for the last how many months now. Steven was not sure of that.

The Street Department is busy picking up leaves whenever weather permits; the falling leaves were late this year.

The maintenance agreement in Council's packets with Hiram Township regarding Ryder Road is simply solidifying what we have been doing all along. The Village will continue to take care of both sides of the road for a ¼ of a mile; the Township will take care of almost a mile. Paul Spencer understands the division on Ryder Road runs diagonally through the road. The Village's responsibility is highest near State Route 82. Hiram Township has not seen this yet. Debra Blake, Hiram Township Trustee, will present this agreement to their Board over the next few months.

The small sidewalk project discussed at Finance and approved by Council, is now completed. The Street Department added a couple pieces over on Peckham and the apron near the service center on State Route 700 by Bates Hall.

Regarding the road paving project; Karvo is here! They are doing full depth repairs. Some roads have been completed, others are being worked on. CT Consultants is happy with their progress. Council discussed the possibility of penalties which are \$800.00 per day. Solicitor Tom Reitz felt that may be premature. Mayor Bertrand stressed the key is the quality of the work done. Dave Smith asked Steve why we milled Hayden when we just paved it a year or two ago? Steve said when they did the engineering on the road project, that had been included. As you can see, the potholes under that previous paving had not been properly fixed. In addition, the storm fell apart under there and cracks were forming. Dave would like that contract reviewed; Steve said he would review it.

Dave Auble asked Steve if the water department will be or has performed any hydro flushing? He said no, not to his knowledge. Mr. Auble said he had cloudy water today. Steve said he would look into it.

Solicitor Tom Reitz spoke about the recent Kimble Waste Management meeting on November 6th with regard to their charging structure for Hiram College; they have two weeks to remedy the issue. The next meeting will be Nov. 19th.

NOVEMBER 13, 2018 MAYOR'S REPORT TO COUNCIL

MEMBERS OF COUNCIL ATTENDANCE AT HIRAM COMMUNITY EVENTS:

Example: MEMORIAL DAY, SHOP WITH A COP, FIRE FIGHTERS ASSOCIATION ANNUAL DINNER, FISHING WITH A COP, PANCAKE BREAKFAST, CLICK IT OR TICKET, CAR SHOW, BIKE RODEO, ADOPT A PET, FILL A CRUISER, DISTRACTED DRIVER, "NONE UNDER 21" [APPROXIMATELY 2000 LOCAL HIGH SCHOOL STUDENTS ATTEND] OCTOBER 31ST FIRE & EMS DEPARTMENT'S HALLOWEEN RECEPTION.

Ordinance 2018-21 beginning JANUARY 1, 2020:

- Compensation for MEMBERS OF COUNCIL will be at the rate of **\$200.00 per month.**
- Compensation for COUNCIL PRESIDENT will be at the rate of **\$250.00 per month.**
- Compensation for MAYOR will be at the rate of **\$770.00 every two weeks or \$1,668.33 per month.**

Note: The above compensation is less than the elected COUNCIL MEMBERS and MAYOR of the VILLAGE OF BOSTON HEIGHTS with a similar population and annual budget. [Council -\$250 per month | Mayor -\$923 biweekly, or 2,000.00 per month.]

Ohio Statutes

Title 5. TOWNSHIPS

Chapter 505. TRUSTEES

Current with acts signed by the Governor as of August 1, 2018

O.R.C. § 505.24. COMPENSATION OF TRUSTEES

(A) In calendar year 2016, each township trustee is entitled to compensation in an amount for each day of service in the business of the township, to be paid from the township treasury as follows:

.....

*** (5) In townships having a budget of more than *one million five hundred thousand but not more than three million five hundred thousand dollars, fifty-nine dollars and forty-two cents per day for not more than two hundred days;***

(B) In calendar year 2017, the amounts paid as specified in division (A) of this section shall be increased by five percent.

(C) In calendar year 2018 and thereafter, each township trustee is entitled to compensation in the amount determined under division (B) of this section.

History. Amended by 131st General Assembly File No. TBD, HB 64, §101.01, *eff. 9/29/2015.*

Thus Townships with Total Annual Budgets from \$1.5 million - \$3.5 million

Annual Compensation per Trustee \$12,478.2 x 3 Trustees = **\$37,434.60.**

PROPOSED COMPENSATION FOR HIRAM ELECTED OFFICIALS COMPARED TO TOWNSHIP ELECTED OFFICIAL
STATUTORY COMPENSATION

Proposed Hiram Village Annual Salaries

Village Mayor -	\$20,020 per year
Five Council Members -	\$12,350 Member \$2,470 per year
One Council President -	<u>\$2,990</u> per year
Total of Elected Officials-	\$35,360.

DIFFERENCE WITH TOWNSHIPS WITH SIMILAR ANNUAL BUDGETS IS: - \$2,074.60

Mayor Bertrand reported he has the complete and official returns on the election.

Robert Dempsey reported on some highlights of the annual Ohio Municipal League conference he recently attended. He attended classes on small cell towers, the medical marijuana law and the new tax laws that will hurt local entities. They held an "All Villages" meeting with approximately 40 in attendance. Michael Greenwood also attended the conference and found it very informative.

NOPEC ANNUAL MEETING:

The Mayor and Rob Dempsey attended their annual meeting today. We have been members for 19 years. We received the PACE loan through NOPEC in which Mantaline Corporation benefited. The Village will need to hold a meeting in the next few months for the PACE program.

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

The following reports were provided to Council for this meeting:

Bank reconciliation for Oct. balanced with no adjusting factors and is available for signing by Mayor & Council.

Cash Summary by Fund as of October 31, 2018 was provided in Council packets.

The list of bills as of November 9, 2018 was provided in Council packets.

Council meeting minutes for October 9, 2018 were provided in Council packets.

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

The comparison of Budgeted versus Appropriated monies report was provided in Council packets.

Susan wanted to apologize to Rob Dempsey and Michael Greenwood for the recent issue with the VISA card. The Wednesday they both went down to Columbus for the OML Conference was the same day the bank called to inform us that our credit card had been compromised and subsequently cancelled. The credit card was going to be used for the hotel reservations. This is part of the reason that brings one piece of legislation before Council tonight. Susan explained what she hopes to accomplish with the VISA cards.

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

A motion to pay the bills as presented was made by Mr. Spencer and seconded by Mr. Smith. The result of the voice vote was 4-2 in favor with an abstention by Mr. Greenwood and an abstention by Mr. Dempsey.

HIRAM TOWNSHIP REPORT

No report.

LEGISLATION

ORDINANCES

2018-18: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE GENERAL FUND (1000) BY \$36,005.80. 3rd 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.

2018-19: AN ORDINANCE AUTHORIZING A CONTRACT WITH THE PORTAGE COUNTY PUBLIC DEFENDER FOR DEFENSE OF INDIGENT PERSONS CHARGED WITH CRIMINAL OFFENSES UNDER THE VILLAGE ORDINANCES. 2nd READING.

2018-21: AN ORDINANCE ESTABLISHING A RATE OF COMPENSATION FOR COUNCIL MEMBERS AND MAYOR OF THE VILLAGE OF HIRAM EFFECTIVE JANUARY 1, 2020. 2nd READING.

2018-26: AN ORDINANCE AMENDING THE VILLAGE OF HIRAM'S EMPLOYEE HANDBOOK, APPENDIX A. 1st READING.

2018-27: AN ORDINANCE AMENDING THE VILLAGE OF HIRAM'S POLICY FOR CREDIT CARD USE AND PROCEDURES THAT NEED TO BE FOLLOWED BY ALL EMPLOYEES AT THE VILLAGE OF HIRAM AND DECLARING AN EMERGENCY. A motion to suspend the rules 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 was made by Mr. Hemphill and seconded by Mr. Dempsey. Fiscal Officer Susan Skrovan explained her plan for the VISA credit card accounts. Susan wants separate accounts for Police and for Fire and then one for general use. The result of the voice vote was 6-0 in favor.

2018-28: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE DRUG LAW ENFORCEMENT FUND (2081) BY \$95.75 AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Dempsey 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. Smith and seconded by Mr. Szell. Chief Brian Gregory and Fiscal Officer Susan Skrovan explained how a forfeiture works. The result of the voice vote was 6-0 in favor.

2018-29: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN SEVERAL FUNDS AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Hemphill 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. Szell and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

2018-30: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE GENERAL FUND (1000) TO COVER AN INCREASE IN THE DISPATCH CONTRACT 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 6-0 in favor. A motion to approve as an emergency was made by Mr. Smith and seconded by Mr. Szell. Dave Smith asked about the increase. Susan said we were paying \$8,150.00 per quarter; we will now pay \$11,397.14 per quarter. Police Chief Brian Gregory explained the increase mostly due to Aurora's dispatch budget and stated we still are getting a deal on dispatch services. Brian added we did not have any increase last year. The result of the voice vote was 6-0 in favor.

2018-31: AN ORDINANCE APPROPRIATING FUNDS TO RUN THE VILLAGE OF HIRAM DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019. 1st READING.

RESOLUTIONS

2018-32: 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, 2019 TO DECEMBER 31, 2019, AND DECLARING AN EMERGENCY. 2nd READING.

2018-34: A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH THE CITY OF AURORA FOR THE PROVISION OF DISPATCHING SERVICES TO THE VILLAGE OF HIRAM, WHICH SERVICES INCLUDE DISPATCHING FOR THE HIRAM POLICE DEPARTMENT AND THE HIRAM FIRE DEPARTMENT, INCLUSIVE OF EMS SERVICE DISPATCHING, 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 6-0 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 6-0 in favor.

2018-35: A RESOLUTION APPROVING AN INCREASE IN THE SET LIMIT OF THE MIDDLEFIELD BANK VISA CREDIT CARD ACCOUNTS ESTABLISHED FOR THE VILLAGE OF HIRAM. 1st READING.

2018-36: A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH HIRAM TOWNSHIP FOR THE SHARED MAINTENANCE OF RYDER ROAD. 1st READING.

2018-37: A RESOLUTION AUTHORIZING CERTAIN ADVANCES FROM THE GENERAL FUND TO SPECIFIC SPECIAL REVENUE FUNDS BE CONVERTED INTO TRANSFERS AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Mr. Hemphill and seconded by Mr. Dempsey. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency was made by Mr. Szell and seconded by Mr. Dempsey. The result of the voice vote was 6-0 in favor.

ANY OTHER BUSINESS:

Fire Chief Bill Byers informed Mayor and Council that his attorney is present; they would be more than willing to sit in at the beginning of executive session if there are any questions that need answered.

A motion to convene in executive session for the purpose of Personnel and Employee Evaluations pursuant to Ohio Revised Code 121.22 at 8:54 p.m. was made by Mr. Greenwood and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor.

A motion to come out of executive session and reconvene in regular session at 9:57 p.m. was made by Mr. Hemphill and seconded by Mr. Greenwood. The result of the voice vote was 6-0 in favor.

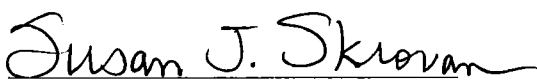
A motion to adjourn the meeting was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor. The meeting adjourned at 9:58 pm.

These minutes are pending approval by Council.



Mayor Lou Bertrand

ATTEST:



Fiscal Officer Susan J. Skrovan

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