

Hiram Village Council Meeting

Rosser Municipal Building
11617 Garfield Road, Hiram, Ohio 44234

October 10, 2023

The following Members of Council were present: Mr. Szell, Mrs. Greenwood, Mr. Hemphill, Mr. McCreight and Mr. Spencer. The following were also present: Mayor Lou Bertrand, Village Solicitor Tom Reitz, Fiscal Officer Susan Skrovan-DeYoung, Police Chief Brian Gregory, Fire Chief Bill Byers and Asst. Village Administrator Steve Schuller.

The following persons were present: Stacy Turner; Reporter with The Weekly Villager, Denny Taylor, Anne Haynam, Jennifer Berendt; Atty with Reitz, Paul & Shorr, Madison Palm; Hiram College student, Sean Fabish, David Sporar; Atty for GDS, PD Officer Anthony Yoder and several others.

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 recognizing those affected by the recent violence in the middle east followed by the pledge to the flag.

Mayor asked for a motion to approve the regular minutes of September 12, 2023. A motion to approve the meeting minutes with the attached transcript as presented was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

Mayor asked for a motion to approve the proposed agenda as presented. A motion to amend the agenda under section VI to reverse items B and C to have our Village Administrator come after Police was made by Mr. Szell and seconded by Mr. Spencer. The result of the voice vote was 5-0 in favor. A motion to approve the agenda as amended was made by Mr. Hemphill and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

GUEST AND PUBLIC COMMENT

The Mayor said given the number of guests at the meeting; comments will be limited to three minutes. The Mayor also noted that any proposed emergency legislation before Council to be adopted at this meeting, the public can comment on at that time.

Mr. Sean Fabich asked the Council to consider sponsoring a Mayoral debate. He believed we have not heard, as a Village, the complete slate of ideas for governance of the Village. Mr. Fabich also asked Council to put a hold on any legislation that is not on emergency. We are coming up to a potential shift in government. And lastly, Mr. Fabich asked Council to consider appointing an Operations and Efficiency Task Force to get at the heart of what is going on in this Village, budgetarily, ethically, conflict of interest policies in a long-term government reform. This Village Council takes up \$50,000 of the budget! He would love to see a stripped down of government into a Village executive model of three people who volunteer. Mr. Fabich stated that we cannot pay for what we don't want to raise taxes on! Unless this Council has the will to raise taxes; you cannot spend what you do not have! We are talking chickens, we are talking about not feeding feral cats; minor stuff when there are huge things on the horizon! Mr. Fabich asked if any Council members would like to respond about a mayoral debate.

Mr. David Sporar, Attorney with Global Development Solutions (GDS) (Couch Farm) property on Garfield Road, said the current occupant looks to be on track to vacate timely. Saturday, November 4th, they have plans for volunteers to come out and start doing work on the house. They are aware that this has taken more time than what this Body has been comfortable with; they are optimistic. Mr. Sporar thanked Council for their ongoing patience and good faith. Sean Fabich interjected to ask why this property was being held to a different standard than other properties in this Village? The Leonard Hanlon property has been vacant and has piles of debris in the backyard! It took the Portage County Board of Health and the Building Department to get on this property because this Village would not do its job! Paul Spencer stopped him to say we have been after this property; Solicitor Reitz has filed criminal charges against Mr. Hanlon for the condition of his property. Mr. Fabich asked about Miss O'Connell's property? Solicitor Tom Reitz said he was not familiar with that site. More discussion between Paul Spencer and Mr. Fabich regarding some notes Mr. Fabich referenced.

Mr. Spencer said Miss O'Connell has never come before the Commission. Mr. Fabich wanted to make a proposal; Ann's property is falling apart; she is mentally ill; the house is beyond a mess! This property of the Couch Farm is being singled out; government should be fair and equitable! Paul Spencer told him how long the Commission has been dealing with the Couch Farm property and the Hanlon property. Mr. Fabich wants Ann O'Connell's property put on the list; she needs help and her house needs help!

Mr. David Sporar explained what they plan to fix once the property is vacated. More discussion between Mr. Fabich, Solicitor Reitz and Paul Spencer on general zoning issues. Mr. Sporar said this has been a difficult situation for the Couch Farm and the Village. The farm has received a generous amount of leeway and he hopes that can continue so that they may get this matter resolved.

DEPARTMENT HEAD REPORTS

***Police Chief Brian Gregory provided their monthly report.**

There were 265 offense reports for the month of September with 51 traffic stops resulting in 27 citations issued.

Chief Gregory reported on the parking issues this weekend with Hiram College. Illegal parking everywhere; the Fire Department called him. Brian came in; at least three announcements were made to the event goers before they were ticketed or towed!

His department was successful in being awarded the bulletproof vest grant which can be used through August of 2025.

Hiram College had their soft opening for their bar; they still have not received their permit.

Chief Gregory said he has been trying to cut costs anywhere he can and with Verizon, he decided to cut the cell phones and air cards in the cruisers.

Brian is looking to establish a parking violations bureau. He will have more information at our next Finance meeting.

Chief Brian Gregory spoke about his police budget and the issues he is having. Brian is asking Council to allow him to utilize some of the available ARPA funds to help cover police personnel wages! We need to find something to increase the income to our Police Department to continue with safety forces. Otherwise, we will not have a police force!

Mr. Sean Fabich wanted to ask another question; the Mayor said no more comments. Mr. Fabich went on and on about his rights as a citizen and other citizens to speak at a public meeting! Solicitor Tom Reitz explained how Council has an "open" meeting; it does not mandate you to take public comments under any circumstances. Open comment at the beginning of the meeting and the invitation to speak before third readings on legislation is a policy decision that this Council has made. They are not obligated to allow the public to make any comments. At the beginning when the Mayor invited public comment, that was the public's opportunity. If there are other questions about legislation that is about to be acted on this evening; Tom knows the Mayor will open the floor again. Mr. Fabich is incorrect that he has the right to interject at any given time on any given topic; he is mistaken.

Asst. Village Administrator Steven Schuller provided their monthly report.

Steve provided Council with a PowerPoint presentation of the General Fund. We have approximately 1.8 million in the bank; the orange sliver is the General Fund which is 6 percent. Everything else is under a restricted fund that cannot be touched by Council without going through the proper channels. Since 2014, we started with \$740,000 in the General Fund. At the close of business in 2022, we were at \$150,000. Right now, if we do not do anything and police finish out where they are projected to finish, the General Fund will be at \$100,000. The ARPA funds of \$31,000 are available in an account that can be used for payroll. We will be requesting to use some of the ARPA funds to pay the back end of the police budget for the remainder of the year. More discussion on the PowerPoint figures and the current police shifts.

Motion to use \$15,000 of the (ARPA) American Rescue Plan Funds to pay Police Department wages was made by Mr. Spencer and seconded by Mr. Szell. Chris McCreight would like to set up a time to discuss the remaining ARPA funds for some other needs. Steve Schuller spoke about where you could cut and where you really cannot, about losing the contract with Hiram College and losing much of the Small Government Funds. Adjustments were never made when all of that happened. Steve said this is the cost of running the Village. And, add \$50,000 to the police, that is what we cut out of his budget this year from last year! Beth Greenwood asked if Steve can put into context for the benefit of the public for the increase to the police budget from 2018 to 2023. Steve said generally, they put on another full-time officer with benefits. Costs associated with having three full-time officers all go up as well. The police department did expand; we are now back to two full-time and part-time officers. The hourly rates have gone up in that time; still at the lowest in Portage County. We have a year to bridge a gap until the tax credit can be realized. Mr. Spencer called for the question. The result of the voice vote was 5-0 in favor.

Chris Szell said we have to pass a tax levy! Paul Spencer said we should raise the income tax; not touch the credit! Chris talked about traffic speed cameras and paid parking permits. Paul said both tools should be given to our Police and Street Departments! Chief Gregory spoke on the speed cameras. Chris would really like to see the College realize the value and importance of our safety services! The College is getting a value from our safety services without a cost. We have been discounting the College for many years. The entity itself should be responsible for the safety of those students! It is appalling to him! Chris said he is ready to move on these programs and on raising taxes. Council members said they will talk more at Finance for the percentage of a tax levy!

Mayor's October 10, 2023 Report to Council

PLANNING & ZONING:

The Commission did not meet on Tuesday, October 5th. However, certain matters concerning zoning will be addressed in executive session this evening.

ECONOMIC DEVELOPMENT:

- This Saturday 68.7 acres abutting the Village is being auctioned off by Kiko Auctioneers, Canton OH, beginning at 10 a.m. Notice was published in the Kent-Ravenna Record-Courier the past Sunday.
- In addition, the owners of the approximately 88 acres previously annexed to the Village fronting onto Wrenwood Dr. and North Garfield Rd. (SR700) made it known that they are interested in development of that property. I think the Village should position itself to assist in this endeavor.

LIGHT PLANT PROPERTY:

As reported the "Old Light Plant" property is to be advertised for bids and sold. The ingress and egress easement to and from the College property to access Wakefield – SR 305 has been signed and notarized for recording purposes.

COMMUNICATION WITH AND BY HIRAM COLLEGE:

- In my meeting with College President Dr. Rob Bohrer, I suggested that schedules and announcements for college events that may be of interest to non-college affiliated residents be distributed monthly through the Hiram Communicator.
- Also, that the Martin Field House and other exercise facilities or equipment be opened more regularly to Village residents for their use. (Fee based upon use.)

SPEEDING IN VILLAGE:

Since contacting Village residents, there is concern with speed in the Village limits, both on the State Routes and Village streets. (Are speed cameras the answer?)

BECAUSE OF THE RETIREMENT OF OUR LEARNED VILLAGE SOLICITOR, HIRAM VILLAGE WILL BE RETAINING A NEW VILLAGE SOLICITOR

The Committee consisting of Council President, VA, Police Chief, Fiscal Officer and Mayor will meet this week to consider the excellent candidate/applicants.

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

Chief Byers said his report was emailed late to Council.

Chief Byers spoke about the parking issues at Hiram College this past Saturday. He said there was over occupancy with extension cords for large floor fans set in front of emergency exits! Chief Bill Byers did follow up with campus security following the event to try and stay proactive with them to prevent it from happening in the future. Council President Chris Szell said that was not an emergency that our safety forces have to respond to until there is an emergency. It uses staff time; it uses our equipment to address these matters that the College should have addressed up front! Chief Byers said he did document all of this. We no longer have one general contact with Hiram College. The Fire Department had to assess the issue and then go to the people that could deal with it. It was haphazard conditions at Hiram College!

***The Fiscal Officer Report: Susan Skrovan-DeYoung presented the monthly financial reports for September.**

The following reports were provided to Council for this meeting:

The September Bank Reconciliation balanced with the UAN with no adjusting factors, has been posted to the UAN and is now available for signing by Council & Mayor.

Cash Summary by Fund as of September 30, 2023 was provided today by email & in their packets.

List of bills as of October 6, 2023 was provided to Council last Friday by email & in their packets.

Council Regular meeting minutes of September 12, 2023 was provided to Council today by email & in their packets.

UAN Municipal Income Tax receipts YTD report was provided to Council today & in their packets.

Comparison of Budgeted & Appropriated YTD report was provided to Council today by email & in their packets.

Susan said the audit is done and the report received for the Hiram Energy Special Improvement District (ESID). The only item noted in the audit report was that it was not received by the Auditor of State on March 1st; it was the 2nd. The UAN only allows for one electronic filing within the UAN system. With the Hiram ESID, we have to submit a second filing so she must request a link from the Auditor of State to submit the second financial filing!

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

The bill's list was reviewed. A motion to approve the bill's list as submitted was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

HIRAM TOWNSHIP REPORT

No Township report tonight.

LEGISLATION

ORDINANCES

2022-20: AN ORDINANCE ENACTING SECTION 351.17 OF THE VILLAGE OF HIRAM CODIFIED ORDINANCES TO ESTABLISH PARKING PERMIT PROVISIONS. TABLED ON 2nd READING. A motion to remove Ordinance 2022-20 from the table was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

A motion to adopt was made by Mr. Spencer and seconded by Mr. Szell. Steve said the Police Chief would like to see Section C amended to keep, no parking from 2 am – 5 am. Chief Gregory explained why we set the no parking timeframe. Solicitor Tom Reitz said, so 21 hours would be permitted. Steve Schuller said we should add a map to this. Tom Reitz said Council can always amend the legislation. A motion to amend Exhibit A, Section C of Ordinance 2022-20 to read, **“Enforcement Hours: Parking; payment of parking in paid parking zones shall only be permitted 21 hours per day from 5:00 am to 2:00 am, seven days a week unless otherwise indicated by the Village Administration. No parking on public streets shall be permitted from 2:00 am to 5:00 am”** was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor. A motion to approve as amended was made by Mr. Spencer and seconded by Mr. Szell. Chris McCreight asked about the cost to implement the program. Chris Szell said there is an up-front cost to cover the equipment. We can determine which system to utilize. Chris Szell said he reached out three times to Hiram College since May and has had no response! Madison Palm said the students will not be happy but she understands. Madison asked about move-in day or special events, can the permit be waived? Council said yes, it could be at our discretion. Hiram College commuters now pay \$15.00 per year and if you live on campus, it is \$65.00 per year. Madison asked about parking issues around the college. A parking permit could be opened to everyone! Chris Szell called for the question. The result of the voice vote was 5-0 in favor.

2023-17: AN ORDINANCE TO AMEND CHAPTER 505 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF HIRAM REGARDING NUISANCES. 2nd READING.

2023-19: AN ORDINANCE TO AMEND SECTION 1113.21 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF HIRAM REGARDING CHICKENS. 1st READING. Paul Spencer asked who submitted this legislation? Solicitor Tom Reitz said a member of your Council. Tom spoke with our Council President to bring this forward. Tom added that the general outline came from Councilman McCreight. Beth Greenwood asked about the waste, how is it being contained and/or managed? Paul said the Planning & Zoning Commission would not wish to reduce the 5-acre minimum.

2023-20: AN ORDINANCE AMENDING THE INCOME TAX REGULATIONS, CHAPTER 182 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF HIRAM. 1st READING. The Mayor asked where this came from? Solicitor Tom Reitz said from the State of Ohio, HB 33. The Regional Income Tax Agency (R.I.T.A.) sent a draft which indicated some changes were made as follows:

1. Apportionment changes
2. 6-month extension to file
3. Not taxing those 18 and under, which we already do not do

2023-21: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE GENERAL FUND (1000) FOR POLICE PERSONAL SERVICES AND OTHER OPERATIONS 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 5-0 in favor. A motion to approve as an emergency was made by Mr. Szell and seconded by Mr. Spencer. The result of the voice vote was 5-0 in favor.

RESOLUTIONS

2023-22: A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION FOR THE WATER TREATMENT FACILITY UPGRADE, TO EXECUTE CONTRACTS AS REQUIRED, 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 5-0 in favor. A motion to approve as an emergency was made by Mr. Szell and seconded by Mr. Spencer. Chris McCreight said that David Joyce is submitting funds in next year’s State budget, correct?

Asst. VA Steve Schuller spoke about the funds and the project which he believes is an 80/20 grant. Paul Spencer called for the question. The result of the voice vote was 5-0 in favor.

2023-23: A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION FOR THE WAKEFIELD ROAD PUMP STATION IMPROVEMENTS, TO EXECUTE CONTRACTS AS REQUIRED, 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 5-0 in favor. A motion to approve as an emergency was made by Mr. Szell and seconded by Mrs. Greenwood. Chris Szell asked which project is this for? Steve Schuller said it is the S.R. 305 Wakefield pump station. Chris Szell called for the question. The result of the voice vote was 5-0 in favor.

A motion to convene in Executive Session for pending litigation at 8:38 pm was made by Mr. Spencer and seconded by Mr. Szell. Solicitor Tom Reitz suggested to Council they ask that our Police Chief and Fiscal Officer remain. The result of the voice vote was 5-0 in favor.

A motion to reconvene in Regular Session at 9:20 pm was made by Mr. Hemphill and seconded by Mr. Szell. The result of the voice vote was 5-0 in favor.

ANY OTHER BUSINESS:

Chris McCreight asked whether the Mayor would be interested in a mayoral debate? No.

Chris McCreight asked if we are closer to speed cameras? Chief Brian Gregory said he is going to first see how it all works in another municipality.

Chris McCreight asked whether Finance Committee is going to review the fire contract? Chris Szell said we are looking to review it with our new solicitor.

A motion to adjourn the meeting was made by Mr. Szell and seconded by Mr. McCreight. The result of the voice vote was 5-0 in favor. The meeting adjourned at 9:26 pm.

These minutes are pending approval by Council.



Mayor Lou Bertrand

ATTEST:


Fiscal Officer, Susan J. Skrovan-DeYoung