

# Hiram Village Council Meeting

Rosser Municipal Building  
11617 Garfield Road, Hiram, Ohio 44234

September 14, 2021

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 Jason Groselle, Village Administrator James McGee and Assistant Village Administrator Steve Schuller.

The following persons were present: Stacy Turner with The Villager.

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 with the Mayor recognizing the 20-year anniversary of 9/11, a tragic attack on our country, followed by the pledge to the flag.

Mayor asked for a motion to approve the Regular meeting minutes of 8/10/2021. Dave Smith suggested an amendment on page two about halfway down; Rob Dempsey was speaking, the word should be "worth", not "work". A motion to approve the meeting minutes as corrected was made by Mr. Smith and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

Mayor asked for a motion to approve the proposed amended agenda. A motion to approve the agenda as amended was made by Mr. Greenwood and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

## GUEST AND PUBLIC COMMENT

None.

## DEPARTMENT HEAD REPORTS

***\*Police Chief Brian Gregory provided their monthly report.*** There were 334 offense reports for August. Brian highlighted some items on his report including how busy the College calls were so far with students returning to campus and suspicious activities with students on the Hike & Bike trail after hours.

Fishing with a Cop was held on August 21<sup>st</sup> was a success again this year. He thanked the Kiwanis for helping out.

His department has seen three officers resign recently; Dennis Pongracz, Justin Harvey and Robert Leiendecker.

CPT training has been reinstated for 2022. There will be 24-hours of mandatory training; issues are with funding.

Brian has been working with Debra Blake; Hiram Township Trustee, they did not want to put a levy on the ballot but have requested an increase in hours for patrol services. From 36 to 100 hours per month plus their hourly rate will go from \$25.00 to \$30.00 per hour and mileage from .55 to .58 cents per mile. Debra has the contract now for review. The Mayor spoke with Debra who told him they did not want to add an additional tax burden to Township residents!

***\*Fire Chief Bill Byers provided their monthly report.*** The report was sent out by email to everyone. Their average response time dropped; which is subjective. It is partially due to having more mutual aid calls, which are further out. Chief Byers spoke about his department having multiple calls at the same time. Bill also provided information he received on feedback from one of the heart monitors they purchased using the COVID-19 CARES Act funds.

Bill provided classroom portion of the Emergency Vehicle Operations classes that will be completed in the next month. It is being done in house.

The Mayor asked Chief Byers about the ARPA funds; Hiram Township will be receiving about \$250,000. Is there any need that he sees can be filled for the Fire Department; it is very limited on how the funds can be used. The Chief believes the Township Trustees are on board with them purchasing a new rescue squad which has been discussed prior to us knowing what amounts we were going to receive. He believes the parameters for the use of these funds will change and is hopeful that some of these funds can be used to replace the 2008 squad with ARPA funds from both the Township and Village. The Mayor will be attending the OML Conference to ask questions regarding the use of these funds.

Regarding the Halloween party; they are going to see how it goes. Some school classes are being closed again!

**\*Village Administrator James McGee presented the monthly report.** James provided project updates.

The sidewalk project; Alba Contractors has the paperwork to sign off for their completion of the project. Once they sign off, we can hire another contractor to finish the project. A bid received to finish the work came in at \$38,125.00; the original purchase order has \$59,000 remaining to finish the project. They also received a quote to extend the apron for the fire department to turn their equipment more easily in the parking lot for \$9,000.

There is legislation before Council to reject the only bid received for the water tower project; it came in over the statutory ten percent allowable for the project. Mike Greenwood asked if that was the only bid received. Steve said yes. Chris Szell asked how old the engineer's estimate was? Steve said it is two years old; all this was done before COVID. They slowly dropped items off the bid and it still came in too high. Steel prices are through the roof right now with COVID; Steve is anticipating the engineer's being allowed to adjust the cost estimates and then re-bid.

Ohio Department of Development (ODOD) has a grant application available which has been applied for in the amount of \$530,000. Should we be a successful grant applicant, along with the OPWC grant, we would have a total of \$980,000 in grant funds for the project. We will be re-bidding once we get the outcome of the ODOD grant.

For composting in the Village; they have begun the process of applying for a license to be a Class-4 composting facility. There is no cost; yearly paperwork is involved. In tandem with that, they are looking at the cost of a used chipper for \$5,000. A new chipper is about \$33-43,000. They are also looking for a used dump truck.

Hinsdale Street, repairs to the storm will begin this week. The College requested them to wait until students arrived back in class and they completed their virtual tour of the campus.

Chris asked if there was any further discussion with Hiram Township and water to their building. James spoke with Jack Groselle on this subject. Jack is speaking with the County and the EPA; it has to be a request submitted from Hiram Township to the County because it will go through Portage County.

## **Mayor's September 14, 2021 Report to Council**

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

There was no Planning & Zoning Commission Meeting on Tuesday September 7, 2021 as no new business was on the Commission's agenda.

### **The CDC Covid-19 Report as of Today:**

The best way to prevent post-COVID conditions is by getting vaccinated against COVID-19 as soon as you can. The CDC recommends all people ages 12 years and older get vaccinated, including people who have had COVID-19 or a post-COVID condition.

The COVID-19 vaccines recommended for use in the United States continue to offer protection against severe illness, hospitalization, and death.

If you are not yet fully vaccinated, you can reduce the risk of long-term complications by taking steps to protect yourself and others from getting COVID-19. To find a vaccine provide near you, visit [Vaccines.gov](https://www.vaccines.gov) or your state or local public health department website.

From the CDC: The current 7-day moving average of daily new cases (136,558), decreased 12.7% compared with the previous 7-day moving average (156,341). The current 7-day moving average is 99.3% higher than the value observed approximately one year ago (68,527 new cases on July 20, 2020). The current 7-day moving average is 46.2% lower than the peak observed on January 10, 2021 (254,016) and is 1,076% higher than the lowest value observed on June 18, 2021 (11,613). A total of 40,523,954 COVID-19 cases have been reported as of September 8, 2021.

**Both the CDC and Ohio Department of Health hold by the previous order dated July 23, 2020, which is still in effect: Requiring all to wear a facial covering in any indoor location that is not a residence; outdoors if you are unable to consistently stay 6 feet away from anyone who doesn't live in your household; and when you are waiting for, riding, driving, or operation public transportation, a taxi, a car service, or a ride sharing vehicle. For more details about the previous order see attachment "A".**

Unvaccinated people are extremely susceptible to the corona-virus, particularly to the DELTA variant and the data on deaths and hospitalizations show this discrepancy clearly.

**Church Education and Office Building is Available to Lease** to Hiram Village/ versus what about the historic town hall?

**Portage County Census Report for Village of Hiram:**

Attached as Exhibit "B"

**OML CONVENTION:**

70<sup>TH</sup> Ohio Municipal League Annual Conference will be held at the Renaissance Hotel, Columbus, Ohio on October 6<sup>th</sup> – 8<sup>th</sup>, 2021. The Ohio Municipal League will be holding its Annual Fall Conference in person! Registration is only available online.

Registration confirmation and materials will be sent to paid attendees on October 1, 2021. Some presenters may bring handouts with that that were not made available for distribution prior to the conference. Please note: confirmation/material emails are sent thought the same software as the OML Legislative Bulletin. If you have unsubscribed from the distribution list you must re-subscribe or use a different email address. If you have paid and do not receive your confirmation/materials via email by October 4t, please contact Zoe at [Zwade@omloho.org](mailto:Zwade@omloho.org).

Submitted by:

Mayor Lou Bertrand

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

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

The August Bank Reconciliations balanced with the UAN system with no adjusting factors and are available for signing by the Mayor and Council.

Cash Summary by Fund as of August 31, 2021 was provided to Council by email last week.

List of bills as of September 10, 2021 was provided to Council by email last week.

Council Regular meeting minutes for August 10, 2021 were provided to Council by email today. R.I.T.A. income tax receipts YTD report was provided to Council in their packets. The Comparison of Budgeted and Appropriated YTD report was provided to Council by email last week.

Susan brought up documents received from the Auditor of State regarding our next audit. The state will not be conducting audits due to a shortage of auditors; they are contracting with IPA's or independent auditing firms and has sent an extension agreement to be signed by the Fiscal Officer to continue with Alger & Associates for our next two audits. The paperwork had to be signed and sent back to the State. We already had a three-year agreement with Alger & Associates; this is an extension of that agreement. Tom Reitz asked that Susan send it to him for his review.

Council members received an email from Kaitlyn Darno, Auditor with the State of Ohio, regarding the ESID year-end reporting. The State somehow did not receive our financial statements for the year-end reporting for ESID, which is the Energy Special Improvement District. This has been corrected with the State and complete!

Does Council plan to recognize "Juneteenth" as a paid holiday. It is all over the board right now with other entities. Council will take a look at it closer. This is a Federally recognized holiday. Chris said it does not look like the State recognizes it as a holiday. Paul said we should wait until the State recognizes it.

A motion to approve the Fiscal Officer's report for August 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. Dempsey. The result of the voice vote was 6-0 in favor.

## **HIRAM TOWNSHIP REPORT**

None.

## **LEGISLATION ORDINANCES**

**2021-13: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE GENERAL FUND (1000) BY \$1,200 AND AUTHORIZING AN ADVANCE OF \$1,200 TO THE STATE EMS GRANT FUND (2062) AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Smith 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. Spencer. Council asked how the EMS department plans to use this grant. Bill said they plan to purchase new monitoring equipment and/or COVID supplies. The result of the voice vote was 6-0 in favor.

**2021-14: AN ORDINANCE AMENDING THE VILLAGE OF HIRAM'S EMPLOYEE HANDBOOK, SECTION 4.10 E. 1<sup>st</sup> READING.** Village Administrator James McGee addressed Council. This came about with two employees having to work a holiday and banking their holiday. The employees wanted to get paid the holiday and also the day worked as overtime compensatory time! James does not interpret the handbook the same way they did. James just wanted some clarification; he did not want to change the benefit the way it is now. He does not want to take a benefit away from his employees, he just wanted clarity. He asked Council to think about this; it goes three readings. Solicitor Tom Reitz explained to Council how this legislation came to be following his discussion with James and how he was interpreting the employee handbook. Tom did not believe the handbook was correct. More discussion.

**2021-15: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE EMS FUND (2901) FOR PERSONAL SERVICES AND OTHER OPERATIONS LINE ITEMS FOR PART-TIME EMS PERSONNEL IN ORDER TO COVER THE WAGE ADJUSTMENTS AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Szell 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. Dempsey and seconded by Mr. Hemphill. Chris asked if we were just moving monies around, correct? Susan explained that we are increasing appropriations as we have done in the past several years for the EMS personnel increases as requested by our Fire Chief. Dave asked where the money was coming from. Susan said it comes out of their 2901 EMS fund which has the money. Chief Bill Byers said he asked Susan to increase this in next year's budget so Council will not see this legislation again. Mr. Spencer called the question. The result of the voice vote was 6-0 in favor.

**2021-16: AN ORDINANCE ESTABLISHING SECTION 8.10 F, G, H OF THE VILLAGE OF HIRAM'S EMPLOYEE HANDBOOK. 1<sup>st</sup> READING.** Paul asked what is driving this action? Solicitor Tom Reitz said this is the Devin Brown amendment. Chris asked about the exhibit only talking about full-time safety forces. Susan said originally, it was for only full-time because they are the only ones we can calculate their time when an injury occurs. She spoke with Jason Groselle, who told her their part-time personnel are scheduled a month in advance; so we could compensate them. We may want to include all safety forces; full-time and part-time. Dave asked where the 180 days came from? Solicitor Tom Reitz said this is all a guess; Council made this up at the last Council meeting when Devin Brown was here. Tom would encourage Council members bring this up for discussion at their next Finance/Safety meeting.

#### RESOLUTIONS

**2021-19: A RESOLUTION OF THE VILLAGE OF HIRAM AUTHORIZING THE ADOPTION OF THE PORTAGE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN. 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.

**2021-20: A RESOLUTION OFFERING A CONTRACT UNDER WHICH THE VILLAGE OF HIRAM FIRE DEPARTMENT WILL PROVIDE MUTUAL AID TO OTHER POLITICAL SUBDIVISIONS. 3<sup>rd</sup> READING.** A motion to approve was made by Mr. Spencer and seconded by Mr. Greenwood. Chief Bill Byers asked if another political subdivision opposes this; is it a contract that they would have to sign? Solicitor Tom Reitz explained that there is a principal in contract law which indicates if one party offers to provide a service and the terms of the service are clear and understood by both parties; the contract could be accepted by your performance. This is what Tom Reitz had in mind. This is a contract; when Chief Byers distributes this to adjacent communities whom may seek mutual aid from your department and they acknowledge receipt of it. When they call you for mutual aid; you have a contract. This is for mutual aid calls for EMS only; not for fires, not for car accidents. The result of the voice vote was 6-0 in favor.

**2021-23: A RESOLUTION AUTHORIZING THE APPLICATION FOR AND SUBSEQUENT ACCEPTANCE OF GRANT FUNDS BY THE VILLAGE OF HIRAM AND RATIFYING PAST ACTIONS WHICH ARE NOW AUTHORIZED BY THIS RESOLUTION AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Szell 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. Szell and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

**2021-24: A RESOLUTION APPROVING THE VILLAGE OF HIRAM'S NOTICE TO THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) TO ELECT NOPEC'S GREEN COMMUNITY CHOICE PROGRAM FOR THE VILLAGE'S ELECTRICITY AGGREGATION PROGRAM STARTING JANUARY 2023. 1<sup>st</sup> READING.** Paul Spencer commented that the numbers in this agreement are off; where did the math come from? Did NOPEC provide them. He does not agree with the math and would ask Council to strongly question these figures and review this before passage.

**2021-25: A RESOLUTION AUTHORIZING A CONTRACT WITH THE CHARTER COMMUNICATION OPERATING, LLC FOR TELEPHONE AND INTERNET SERVICE 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. Szell and seconded by Mr. Dempsey. Dave asked about adding the lift stations and cellular to this. Steve spoke about the lift stations which cannot be added. Paul asked about the televisions? Steve said we do have several including our Fire, who are here 24/7. This would all be Spectrum equipment. Paul Spencer called the question. The result of the voice vote was 6-0 in favor.

**2021-26: A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH HIRAM COLLEGE FOR THE HIRAM FIRE DEPARTMENT AND HIRAM VILLAGE POLICE DEPARTMENT TO PROVIDE SERVICES TO HIRAM COLLEGE AND DECLARING AN EMERGENCY.** This agreement with Hiram College is not ready for final vote; it will be on 1<sup>st</sup> Reading.

**2021-27: A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Smith 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. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

**2021-28: A RESOLUTION ACKNOWLEDGING THAT ONE BID HAS BEEN RECEIVED FOR THE WATER TOWER REPLACEMENT PROJECT AND DETERMINING THAT THE BID EXCEEDS THE ENGINEER'S ESTIMATE FOR THE PROJECT BY MORE THAN THE STATUTORY REQUIREMENT OF TEN PERCENT 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. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

**2021-29: A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) FOR THE WATER TREATMENT PLANT UPGRADE PHASE 1 PROJECT, 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 6-0 in favor. A motion to approve as an emergency was made by Mr. Greenwood and seconded by Mr. Spencer. Dave Smith asked James or Steve what is the upgrade Phase 1 Project? Steve said these are some of the things they removed from the water tower project because the costs were going up. It also includes a complete re-valve of the plant and electronic upgrades. Steve said there is an ODOD, HB 168 grant application on this as well for \$80,000 put in for OPWC. These are additional grant funds available for our water projects; an 85% grant/15% loan at 0% interest on loan. The result of the voice vote was 6-0 in favor.

**ANY OTHER BUSINESS:**

Chris Szell mentioned attending an August 30<sup>th</sup> meeting at Portage County Regional Planning Commission regarding the Vision & Comprehensive Planning Board. They anticipated about 20 people in attendance; there were 6 there! Their next meeting is Monday, September 20<sup>th</sup>. He updated our website to point to a survey link from our residents for a vision for the County.

Steve Schuller, Assistant VA, does not want to step on any toes but asked about using some of the ARPA funds for infrastructure projects. Are we going to try and purchase a new squad with some of it? Paul said we do not even know if we can use it for that type of purchase. Susan said she spoke with Gary Alger, our auditor, who stressed if you are unclear, make sure you get a legal opinion, in writing, on what you can legally spend it on! If not, you will get a finding for recovery if it was spent on something we could not spend it on! We know we can use it on infrastructure projects. Dave felt we need a list of priorities and what we think would be most important. Susan said we have only received the first half payment; \$60,000. Chris would agree with Dave and suggest the Department Heads bring a list of items they may wish to utilize these ARPA funds for to Finance/Safety. The Mayor will try and find out more at the OML Conference.

**A motion to adjourn the meeting was made by Mr. Dempsey and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor. The meeting adjourned at 8:38 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