

# Hiram Village Council Meeting

Rosser Municipal Building

11617 Garfield Road, Hiram, Ohio 44234

September 11, 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, 2<sup>nd</sup> Asst. Fire Chief Jason Groselle, Village Administrator James McGee and Asst. Village Administrator Steven Schuller.

The following persons were present: Stacy Turner; reporter with The Weekly Villager and Ed Frato-Sweeney with Hiram College.

Mayor Bertrand called the regular meeting to order at 7:00 pm. He asked that all cell phones be silenced. There was an extended moment of silence in remembrance of September 11, 2001 followed by the pledge to the flag.

The Mayor asked for a motion to approve the regular meeting minutes of 8/14/18 as presented. A motion to approve the minutes 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 proposed agenda. The Mayor said it was his understanding that we will have an executive session following the regular meeting based on possible imminent litigation. A motion to approve the agenda as amended was made by Mr. Dempsey and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor.

## GUEST AND PUBLIC COMMENT

Ed Frato-Sweeney announced the Hiram College school year has started, the students are here. He thanked the Village Administrator and Assistant Village Administrator for their cooperation with the street work as well as the Police Department. Homecoming is on September 29<sup>th</sup> with a lot of activities going on all day.

## DEPARTMENT HEAD REPORTS

\*Police Chief Brian Gregory provided their monthly report. The department had 263 offense reports for August.

Their annual Shop with a Cop program is set for Saturday, December 15<sup>th</sup> at Streetsboro Target.

His department had one reserve officer resignation, Harbeen Caur and one new officer; Katherine Case. Patrolman Anthony Yoder has passed his exam and will be full-time on Monday.

Mayor Bertrand commended both Police and Fire on an outstanding job responding to a fatality on Mumford Road. Chief Gregory thanked Chief Byers for taking in Officer Yoder responding to his first horrific death scene.

Paul Spencer asked whether the Village has any mental health support program? Chief Gregory spoke about Chaplin Chris McCreight; he is now our Chaplin and fire can use him as well. Dave Smith asked about an EAP or Employee Assistance Program; we should have one.

\*Asst. Fire Chief Brandon Baynes provided their monthly report by email and copied for tonight.

E1, E2 & E3 have all come back from their annual preventive maintenance with F&S; nothing major was found.

Chief Byers spoke about the difficult crash on Mumford Road regarding the fire and the fatality. Officer Yoder did a tremendous job maintaining composure with the family and the situation at hand.

The squads are next in line for preventive maintenance.

Dave Smith asked about the large number of assists to Community Ambulance. Chief Byers spoke about the calls, response times and how those times can become shewed.

\*Village Administrator James McGee presented the monthly water/sewer report.

James brought up the legislation before Council tonight regarding several water issues.

Ryder Road maintenance agreement was discussed. The Village maintains ½ mile. James could not find any paper agreement. The Solicitor is working on a new agreement and spoke about the difficulties with a handshake deal. Paul Spencer asked if any roads are considered to be a county road, where they would maintain. Steven Schuller spoke about the roads, some of which are county roads and some are joined between neighboring townships. We are trying to draft it to fit our needs. James said it is a common occurrence wherever these roads intersect.

James reported on the road paving project; it is slated to begin on Monday, September 24<sup>th</sup> with a no work clause on the 28<sup>th</sup> or 29<sup>th</sup> due to Homecoming. The project must be done by November 2<sup>nd</sup>.

James had a complaint about brown water from a Hiram Township resident on Alpha Road. This was due to Mantaline's testing of their suppression system. His department was notified that Mantaline was testing their system; they spiked our water plant and James was notified by our Utilities Supervisor in charge. The Village Administrator would like to see a permit created, with no cost involved, to require notification to our Service Department. Mayor Bertrand felt James should check with other communities on what they have in place. More discussion followed. Having a standard procedure in place would be good.

## MAYOR'S SEPTEMBER 11, 2018 REPORT TO COUNCIL

### PLANNING & ZONING COMMISSION:

The Commission did not meet this month as there was no business or zoning applications before it.

### PROPERTY IMMEDIATELY TO THE EAST OF THE ROSSER BUILDING OWNED BY HIRAM CHRISTIAN CHURCH:

On August 13, 2018 the Village received a qualified approval of the Mayor's proposal to purchase this land for \$35,000. The church is requiring DEED restrictions which are: keep the majority of land as "green space" and the Grantee shall develop no more than one-third (1/3) of the area of conveyed property for development. Finally, should the Grantee sell the subject property, that only the Hiram Christian Church have first option to purchase it at current fair market value as determined by a duly Ohio licensed real estate broker. The Village Solicitor was to render an opinion on the Deed restrictions and report back to Council.

THIS MAYOR STRONGLY URGES THE COUNCIL TO ACCEPT THE RESTRICTIONS AND SURVEY AND PURCHASE THE PROPERTY.

Paul Spencer asked how much property are we actually wanting to purchase. James said we have not yet done an actual survey on it. Steven said it is approximately 7/10<sup>th</sup> of an acre. Dave Smith said the driveway has always been a concern with emergency apparatus and residents using the park and ballfield areas. Ideally, you would want the fire station abutting the road rather than coming down a driveway, he would have an issue with 2/3rds of that property restricted to remain greenspace. He is hesitant to restrict the Village's use of this property. Rob Dempsey felt we may be able to negotiate for ½ greenspace. The Mayor said we started negotiating in July of 2017. The price that we are paying for the lot is a pretty good price; it is frontage property. Steven said they did speak with an architect regarding the amount of area we would need for an addition.

The majority of the 1/3 property would be taken up by a building addition. Any parking lot that we would need to add for ADA would go beyond the usable land. Council discussed options with the purchase of the property. Paul would be all for it if we would not have deed restrictions. Chris Szell asked if the Church was in a rush to sell the property. No. Paul said we went to them; they did not come to us. Chris agrees that some of it should remain greenspace; at this point we don't know what we need. The Mayor could make a counter offer of 1/2 greenspace. Council would like to counter offer to only use half or ask them to remove the restrictions. Solicitor Reitz asked where the \$35,000 figure came from. Lou said it came from Jack Kohl. So an experienced realtor came up with a value. Do you know whether Jack Kohl knew it would be restricted when he came up with the value? The Mayor said no. Tom Reitz said then the \$35,000 value was an unrestricted valuation. You do not have a deal yet; it would be a fair thing to mention this to the Church.

**LOCAL GOVERNMENT FUND DISTRIBUTION FOR NEXT 5-YEARS AS PROPOSED IN RESOLUTION**

**2018-25:** The Mayor spoke about the apportioning of the Local Government Funds which still has to be approved by the City of Kent, the County and by a majority of the communities and it will be.

**ROADWAY CONSTRUCTION AND IMPROVEMENTS FOR VILLAGE:**

The total bids for Village Street Improvement Programs including Constance Ave reconstruction will save the Village in excess of \$100,000 for the projected costs of \$450,000 and \$130,000. = \$580,000. Note, because of the high precipitation for the past months, the beginning date is now Monday, September 24<sup>th</sup> with a completion date of November 2, 2018! Also, I have been informed that KARVO Paving, Inc. is not equipped to do driveways.

**EMPLOYEE AND ELECTED OFFICIALS COMPENSATION:**

I suggest that employee pay raises, if any, follow the CONSUMER PRICE INDEX reported by the government as of December 1017.

ALSO, AS TO THE ELECTED OFFICIALS; THE VILLAGE OF BOSTON HEIGHTS with a similar population and budget, current compensation for council members is \$250 per month and Mayor Bill Gonzey's compensation is currently \$2,000. per month. It should be noted for the record that for the annual budget, the elected officials are a mere drop in the bucket of total personal services expenses of Hiram Village. [In addition, if legal and not violative of statute set, that the yearly compensation increase, if any, also to the average prior year CPI.]

**UPCOMING MEETINGS, INFORMATION AND DATES:**

- ⑩ Marcs Radio Communication Meeting: September 12<sup>th</sup> at NEOMED 6 pm.
- ⑩ 67<sup>th</sup> Annual Ohio Municipal League: 10/31 – 11/2, Columbus.
- ⑩ NOPEC General Assembly Meeting: November 13<sup>th</sup> at Twinsburg, Ohio.
- ⑩ Senator John Eklund will be here in Hiram on October 10<sup>th</sup> at 9:00 am in Council chambers. The Mayor encourages everyone to be in attendance. Council discussed having it at Koritansky Hall. Ed Frato-Sweeney will check with the College on getting Koritansky Hall for the meeting.

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:**

Bank reconciliation for August balanced with no adjusting factors and is available for signing by Mayor & Council.  
Cash Summary by Fund as of August 31, 2018 was provided in Council packets.  
The list of bills as of September 7, 2018 was provided in Council packets.  
Council meeting minutes for August 14, 2018 were provided by email and copies provided before Council tonight.  
R.I.T.A. income tax receipts YTD report was provided in Council packets.  
The comparison of Budgeted versus Appropriated monies report was before Council tonight.  
A notice for a public records training class in Poland; every Councilman must attend a records class in each term.

Susan spoke on the Local Government Funds and the pieces of legislation before Council. Susan explained the meetings that took place over a period of a year and a half to determine the apportionment of those funds.

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

A motion to pay the bills as presented was made by Mr. Hemphill and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

## **HIRAM TOWNSHIP REPORT**

No Township report.

## **LEGISLATION**

### **ORDINANCES**

**2018-17: AN ORDINANCE SETTING BASE COMPENSATION RANGES FOR EMPLOYMENT POSITIONS AT THE VILLAGE OF HIRAM, REPEALING ORDINANCE 2018-14 AND OTHER INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES. 2<sup>nd</sup> READING.** Council discussed new positions and how they should be established. Solicitor Tom Reitz said Council does not need a separate piece of legislation to create the new position; "Water/WW Lab Tech/Operator". Job descriptions should be in place but do not need approved by Council.

**2018-18: AN ORDINANCE AMENDING THE PERMANENT APPROPRIATIONS IN THE GENERAL FUND (1000) BY \$36,005.80. 1<sup>st</sup> READING.**

### **RESOLUTIONS**

**2018-22: A RESOLUTION AUTHORIZING THE ENGINEERING FIRM OF CT CONSULTANTS TO NOMINATE THE VILLAGE OF HIRAM FOR AN OHIO EPA DEFA LOAN AND RATIFYING PAST ACTIONS OF THE VILLAGE ADMINISTRATOR WHICH ARE NOW AUTHORIZED BY THIS RESOLUTION AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Smith and seconded by Mr. Hemphill. 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.

**2018-23: A RESOLUTION AUTHORIZING THE ENGINEERING FIRM OF CT CONSULTANTS TO NOMINATE THE VILLAGE OF HIRAM FOR AN OHIO EPA DEFA LOAN AND RATIFYING PAST ACTIONS OF THE VILLAGE ADMINISTRATOR WHICH ARE NOW AUTHORIZED BY THIS RESOLUTION 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. Hemphill and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

**2018-24: A RESOLUTION AUTHORIZING THE ENGINEERING FIRM OF CT CONSULTANTS TO NOMINATE THE VILLAGE OF HIRAM FOR AN OHIO EPA DEFA LOAN 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. Hemphill and seconded by Mr. Dempsey. The result of the voice vote was 6-0 in favor.

**2018-25: A RESOLUTION APPROVING AND ACCEPTING THE PORTAGE COUNTY BUDGET COMMISSION'S ALTERNATIVE METHOD OF APPORTIONING AND DISTRIBUTING THE LOCAL GOVERNMENT FUND 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. Dempsey and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.

**2018-26: A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE BUDGET SURPLUS IN MUNICIPALITIES 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. Smith and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

**2018-27: 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. Dempsey 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. Hemphill. The result of the voice vote was 6-0 in favor.

**ANY OTHER BUSINESS:**

The Mayor wants to get the employee evaluations and department head evaluations started so that Council can review them in November.

A motion to enter into executive session for the purpose of imminent litigation at 8:23 pm was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

A motion to come out of executive session at 8:59 pm was made by Mr. Greenwood and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

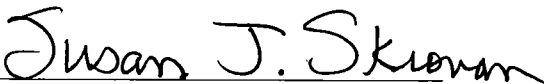
A motion to authorize the Village Solicitor to inquire and obtain a restricted appraisal on property potentially to be used for the site of the new water tower was made by Mr. Spencer and seconded by Mr. Szell. The result of the voice vote was 6-0 in favor.

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 9:01 pm.

These minutes are pending approval by Council.

  
\_\_\_\_\_  
Mayor Lou Bertrand

ATTEST:

  
\_\_\_\_\_  
Fiscal Officer Susan J. Skrovan