

# Hiram Village Council Meeting

Rosser Municipal Building  
11617 Garfield Road, Hiram, Ohio 44234

September 13, 2016

The following Members of Council were present: Mr. Wadkins, Mr. Cobb, Mr. Dempsey, Mr. Hemphill, Mr. Smith and Mr. Spencer. The following were also present: Mayor Lou Bertrand, Village Solicitor Tom Reitz, Fiscal Officer Susan Skrovan, Fire Chief Bill Byers, Captain Gary Bott, Sgt. /Acting Chief Brian Gregory, Officer Devin Brown, Village Administrator James McGee, and several firefighters.

The following persons were present: Stacy Turner; reporter for the Weekly Villager, Matthew Merchant; reporter for the Record Courier, Park Board members; Chris Szell and Susan Merrill, Dave and Pam Auble, Mrs. Jo Cobb and Cristine Boyd 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 a moment of silence followed by the pledge to the flag.

The Mayor asked for a motion to approve the proposed agenda. A motion to approve the agenda 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 8/9/16 as presented. A motion to approve the minutes as presented was made by Mr. Wadkins and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor.

## **GUEST AND PUBLIC COMMENT**

Mrs. Jo Cobb asked to address Council and read a very personal letter concerning the fire that occurred at their home and the support they were shown from our Fire and Police personnel as well as her neighbors. She was quite moved by all the support and wanted to formally thank everyone.

Mrs. Pam Auble brought up concerns regarding the Kimble Company's trash pickup and their lack of respect to residents over the last year and one half. There are some low hanging wires over the road near their house and Kimble cannot bring the large truck through so it has to wait until a smaller truck can be sent on Saturday. The intent to have only one trash vehicle on our roads with Kimble has not worked; they see three a week. Sgt. and acting Police Chief Brian Gregory added that with Kimble's larger trucks; wires are getting pulled down. Mrs. Auble also noted that she knows they do not support the Crestwood School District; as they claim to do.

Mrs. Auble also had a concern regarding a vacant lot on Plumridge; which has been vacant a minimum of 12-15 years. The Village needs some type of policy to address vacant houses. Council President Tom Wadkins responded that our VA, James, himself and our Solicitor has been discussing two homes in the Village; one is this home. Tom Wadkins requests the Mayor create a Village Advisory Committee on blighted properties. Tom will volunteer to sit on this committee; he would ask the Mayor to appoint another Council member as well as up to three Village residents. His intent is to look at all legislation and work with the Health Department to take action on blighted properties. Rob Dempsey also noted that Portage County Regional Planning Commission has access to grants for demolition of blighted properties. VA, James McGee, explained what he found out with Kimble and the lines.

Mr. Dave Auble asked about the bushes near the old fire station, actually at the post office, which need to be pulled out. They block the view in and out of the post office. VA, James said he will get authorization from the owner of the property to remove them.

Susan Merrill commented the new sidewalks look really nice and was surprised at how fast they went in. She has two concerns; the first one being the second tree on the right when you go into our cemetery; it is mostly dead with a hole in the trunk and should be taken down. Frank Hemphill added there is also a tree on Peckham that is leaning.

Tom Wadkins said there is a tree near the Little Village Daycare that is dropping branches into the play area of the daycare. A small branch struck a child. James needs to figure out who owns the tree and take it down. James said he has a quote to remove several other trees in the cemetery that are a hazard; he does not have it in the budget but will bring it up at the next Finance meeting. Chris Cobb wondered if the Beautification funds could help cover the cost of tree removal in the cemetery and replacement. That could be a possibility.

Susan said her second concern is with our tornado siren; she is okay with the test, however, sometimes it is too long, like two minutes. Chief Byers replied saying he was here on Saturday; it was a one minute test.

## **DEPARTMENT HEAD REPORTS**

*Police Sergeant Brian Gregory provided the monthly report.* They had 266 offense reports for the month of August. Traffic stops have been down this past month due to the new sidewalks going in; traffic has really had to slow down because of it. The fill a police cruiser program collected 650 pounds of food for the 4C's food cupboard. Their Cops and Kids fishing day event was rescheduled due to the fear of inclement weather; no new date has been scheduled at this time.

The car show is scheduled for this Saturday; his department will be short officers to work and the College is looking for more hours for police to cover homecoming, games and related events; there will be additional costs.

Brian Gregory brought up the dispatch services with Aurora; the Sundance system will cost \$5,000 for integration through the CAD dispatch with Aurora. Plus, there will be an annual \$1,000 maintenance fee which Aurora has agreed to waive for the first year, 2017. Solicitor Tom Reitz reviewed and read sections of the contract and asked Brian to hold off paying for these items until we get an explanation. Brian Gregory would like a breakdown of costs from Aurora. Garrettsville Fire, Community Ambulance and Hiram Village all went with Aurora.

Departmental training with our Fire Department went well last month. However, there seems to be some poor communications or lack thereof at Hiram College with regard to our Fire and Police. We hold monthly meetings with the College.

Brian asked for an executive session to discuss a personnel matter.

The Shop with a Cop fund is flush; Brian is planning to request additional appropriations for this year. The plan is to use the additional funds over a period of several years; they will bring on two more families.

*Fire Chief Bill Byers provided their monthly report by email.* The Fire department equipment is all in good shape. The EMS write-offs will be held until the next Finance meeting.

*Village Administrator James McGee presented the July monthly water/sewer report.* There have been some extra expenses out of capital for repairs to well pump #1 and then pump #3.

James updated Council on the following projects;

- Hike & Bike Trail Project: the project is moving forward on schedule. James brought up the consultant for the project; Doug McGee. The Fiscal Officer noted we have paid Doug McGee to date \$20,300; with a \$1,000 bill to pay him after tonight. Council approved up to 24 months originally, however, James would like to keep him on to see the project completion of July 2017. James has only been in this for one year. Council felt the VA, FO and Doug McGee need to discuss what his role is at this point; what an extension would cover and items that fall outside and bring their findings to Finance.

- Concrete Pad in front of fire bays: this would include the area for our police cruiser parking. James has received two quotes; one for \$23,800 and the second for \$18,700 which is the same contractor currently doing the sidewalks. This would come from capital funds. There are chunks of concrete breaking up. Council members asked whether we are addressing drainage issues. Chief Byers said there are two catch basins already in place.

**A motion to repair the concrete apron in front of the fire bays not to exceed \$19,000 by Parella-Pannunzio Contractors was made by Mr. Spencer and seconded by Mr. Dempsey. The result of the voice vote was 6-0 in favor.** Appropriations will have to be amended to cover this out of capital.

- Hayden Street Paving: this would be from SR 82 to the far side of the old fire house. James received two quotes; however, they were not for the same thickness in asphalt so James is having the one contractor rebid it using the same thickness. One quote from Asphalt Services for a 2" thickness came in at \$18,615. The second quote from Zuver Contracting for a 3" thickness was \$28,500. James felt Council could approve a "not to exceed \$20,000" and that should cover it. Appropriations will have to be amended using capital funds with some coming out of permissive. James said there are other roads he has noted that are in need of repairs; there is legislation before Council to apply for a small village grant to do some paving for next year. Council decided to schedule a special meeting. A special meeting of Council will be scheduled for Tuesday, September 27<sup>th</sup> at 6:00 pm with the regular Finance meeting to immediately follow. The Fiscal Officer will send a legal notice to the newspaper.

Paul Spencer wanted to address the deteriorating sidewalks and the legislation that we currently have on the books; who is liable? Paul felt the Village needs to form a committee to address this issue. Tom Wadkins and Paul Spencer both agreed to be on the committee to dive into the legislation and firm it up. The Mayor appoints members to a committee. The Mayor went ahead and appointed Tom Wadkins and Paul Spencer as well as Cristine Boyd from Hiram College, who volunteered to sit on the committee. The sidewalk committee will work in conjunction with our esteemed Village Administrator to determine the Village policy for sidewalk improvements and repairs.

*Mayor Lou Bertrand's report:*

## MAYOR LOU BERTRAND'S REPORT TO COUNCIL FOR SEPTEMBER 13, 2016

### PLANNING AND ZONING COMMISSION

The Commission met in September and granted a variance of 9" for the building lot line to the Diocese of Youngstown containing 3.1 acres on property located on Hinsdale St., just north of the intersection with Peckham Ave., aka the "Haunted House". Also, the Commission approved an additional antenna for T-MOBILE PHONE SERVICE to the cell tower located on Hiram College property. And finally, the grand opening and reception of MANTALINE CORPORATION office and industrial building on August 17<sup>th</sup> was a great success!

### WATER & SEWER REPORT PREPARED BY MICHAEL GREENWOOD, PhD

SEE EXHIBIT "A" ATTACHED.

### SIDE WALK CONSTRUCTION

The construction is proceeding as planned in an orderly and smooth manner with few complaints from the affected residents. The workmanship appears to be good and the hope is that construction will be completed before the snow flies, so hold your breath folks!

## 2016 OHIO MUNICIPAL LEAGUE CONFERENCE

All Council is encouraged to attend the Annual OML Conference on Wednesday October 26-28th in Columbus at the Renaissance Hotel in downtown Columbus. [Info was in Council Member's packets]

Submitted by:

**MAYOR LOU BERTRAND**

September 13, 2016

*The Fiscal Officer Susan Skrovan presented her monthly financial reports.*

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

Bank reconciliation report for August 2016 was presented to Council and the Mayor for signing.

Cash Summary by Fund as of August 31, 2016 was provided in Council packets.

The list of bills as of September 9, 2016 was provided in Council packets.

R.I.T.A. income tax receipts YTD

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

## **HIRAM TOWNSHIP REPORT**

There was no Township representative to provide a report this evening.

## **LEGISLATION**

### ORDINANCES

### RESOLUTIONS

**2016-27: 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. 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. Wadkins and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

**2016-28: A RESOLUTION AUTHORIZING THE SIGNING OF THE FINAL RESOLUTION & CONTRACT BY THE MAYOR AND FISCAL OFFICER FOR THE OHIO DEPARTMENT OF TRANSPORTATION PROJECT KNOWN AS THE PORTAGE HIKE & BIKE TRAIL AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Spencer and seconded by Mr. Wadkins. 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. Spencer. Chris Cobb asked for the Solicitor's interpretation. Solicitor Tom Reitz replied the agreement allows ODOT to oversee the work; if there are overruns beyond the agreement, they are on us. The result of the voice vote was 6-0 in favor.

**2016-29: A RESOLUTION AUTHORIZING THE VILLAGE OF HIRAM TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY.**

Solicitor Tom Reitz acknowledged that this piece of legislation and the next are on emergency; however, they can be read on first reading and wait until second reading to be approved. A motion to suspend the rules was made by Mr. Cobb and seconded by Mr. Wadkins. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency was made by Mr. Wadkins and seconded by Mr. Hemphill. Solicitor Reitz explained under section 2, this is for infrastructure improvements to our water and wastewater systems. James added it is an 80/20 grant match with a \$50,000 OPWC loan at 0% interest. Susan said we have the funds; the loan provided us with higher points to get the project; we can pay it off early without penalty. The result of the voice vote was 6-0 in favor.

**2016-30: A RESOLUTION AUTHORIZING THE VILLAGE OF HIRAM TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY.** A motion to suspend the rules was made by Mr. Hemphill and seconded by Mr. Dempsey. James explained this would be for road improvements. The result of the voice vote was 6-0 in favor. A motion to approve as an emergency was made by Mr. Wadkins and seconded by Mr. Smith. James said this would be an 80/20 grant project; our match would be \$30,000 for a total of four (4) roads. The result of the voice vote was 6-0 in favor.

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

Council President Tom Wadkins offered a motion;

**A motion to cancel the Income Tax Agreement between Hiram Township and Village of Hiram, Resolution 2014-32 per Exhibit A, paragraph 11 was made by Mr. Wadkins and seconded by Mr. Spencer.** Solicitor Tom Reitz spoke on the 60-day cancellation clause and justified this action due to recent amendments to our code to comply with the Ohio Revised Code amendments. It is no longer necessary to have a special agreement; there is a mechanism within the Village Code to allow everyone to be treated equally. **The result of the voice vote was 6-0 in favor.**

Solicitor Reitz noted the new sections of Ohio Revised Code that we re-wrote the Village code to comply with; have since been adjusted. Tom will be bringing to Council some revisions to our local income tax code to comply with the adjustment originated at the state level. He hopes to have it next month so that Council can act on it in November to have it in place before the 2017 tax year.

**A motion to express support for the 4.4 mill levy renewal was made by Mr. Wadkins and seconded by Mr. Smith. The result of the voice vote was 6-0 in favor.**

The Mayor will create a Village Council advisory committee on blighted properties to provide advice and recommendations to the Village Council for possible actions to mitigate properties which presently create a blighting influence and appoint President Tom Wadkins, Paul Spencer and three village residents. The appointed Council members will poll village residents to be on the committee. The 2016 OML Annual Conference on Wednesday, October 26<sup>th</sup>, there is a Council workshop on code enforcement and abandoned gas stations and vacant properties.

Chairman Tom Wadkins brought up he is looking to have early discussion about possible raises across the board. The Consumer Price Index is currently at .8%. He would like to discuss this at the next Finance meeting.

A motion to convene in executive session at 9:07 pm for personnel compensation and fringe benefits pursuant to O.R.C. 121.22 was made by Mr. Wadkins and seconded by Mr. Spencer. The result of the voice vote was 6-0 in favor.

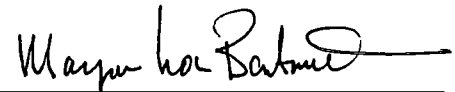
A motion to reconvene at 9:27 pm was made by Mr. Spencer and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.

Solicitor Tom Reitz suggested now that the Council has been informed that former employee David Ovens incurred purchases on the credit of the Village which were not authorized and that having this brought to Council's attention, Council has determined in order to preserve the good credit of the Village to pay the invoice but to deduct the amount paid from the final compensation to David Ovens.

**A motion to authorize the payment of the Gall's invoice and to deduct the same amount from the final compensation for David Ovens was made by Mr. Wadkins and seconded by Mr. Hemphill. The result of the voice vote was 6-0 in favor.**

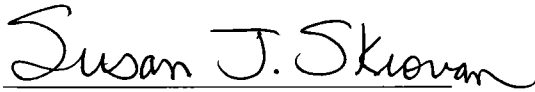
A motion to adjourn was made by Mr. Hemphill and seconded by Mr. Wadkins. The result of the voice vote was 6-0 in favor. The meeting adjourned at 9:30 pm.

These minutes are pending approval by Council.



Mayor Lou Bertrand

ATTEST:



Fiscal Officer Susan J. Skrovan