

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: June 19, 2017

Council called to order in regular session at 7:06 p.m. with Mayor Todd Buehrer presiding. Roll call of members: Brenda Mackey, here; John Heckerman, here; Connie Mehring, here; Jamin Roe, here; Jason Benedict, here; James Head, here. Also present was Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitor present: Ronald Mackey. Minutes from the May 15 meeting were approved as submitted (the regular meeting on June 5 was cancelled due to lack of quorum).

**FINANCE and CLAIMS:** A spreadsheet of the current invoices was reviewed and approved by members. Councilman Roe inquired about how many hours the Field Technician (Inspector) from Feller, Finch & Associates worked on the Harley Woods Culvert Project, since they billed us a higher amount than he was expecting, \$1,470.00, for the work. Fiscal Officer Harnishfeger answered that it was for 24.5 hours at \$60.00 per hour, professional Field Technician III wages. Mr. Harnishfeger also commented that he received a Notice of Furnishings from Geddis Paving & Excavating for the public improvement work done by them on the culvert project in Harley Woods, but he has not yet received an invoice for the work done. With no further questions on the invoices, Councilwoman Mehring made a motion that these bills be allowed and orders drawn for same. Councilman Head seconded this motion. All were in favor, except that Councilman Heckerman abstained from voting on approval of Josh Heckerman's \$505.00 invoice for mowing services; motion carried. Copies of the May Bank Reconciliation, Fund Status, Appropriation Status, and Revenue Status reports were given to Mayor Buehrer and the Finance Committee to review. A copy of the May RITA report was given to the Finance Committee to review.

Copies of the May incident report were made available to members to review. No sheriff's deputy attended the meeting to discuss the report.

Fiscal Officer Harnishfeger reported that Laura Saunders, the village's investment specialist at Huntington Bank, contacted him on May 25<sup>th</sup>, wanting a decision on rolling our \$180,000.00 CDARS investment, which was due to mature on June 1<sup>st</sup>, into a new CDARS plan. It could only be rolled over if done immediately; otherwise the money would go back into the village's primary checking account and could be reinvested later in a new plan. Mr. Harnishfeger informed her that we needed to wait for a decision by Council at the meeting on June 5<sup>th</sup>, so the bank moved the \$180,000.00 back into our primary checking account and Laura prepared a list of options for Council to consider for investing in a new CDARS plan at the meeting on June 5<sup>th</sup>. The June 5<sup>th</sup> meeting was cancelled due to lack of quorum, so Laura prepared an updated list of CDARS options for the meeting on June 19<sup>th</sup>. Mr. Harnishfeger said he asked Laura if she could give us longer notice in the future, so Council could make a decision and roll our money over smoothly into a new plan at maturity. She informed him that she only has about a one- or two-week window each time, before interest options change. Mr. Harnishfeger provided copies of the latest CDARS plans received from Laura to members: a 26-week plan at 1.07%, a 52-week plan at 1.10%, and a 2-year plan at 1.26%. Mr. Harnishfeger pointed out that the interest rates have gone up significantly since our last CDARS investment, which was a 2-year plan at 0.70% interest. Also, the rates have risen a few hundredths of a percent even just over the past few weeks, above the rates Laura gave for the June 5<sup>th</sup> meeting. Since the rates are still on the rise, Mr. Harnishfeger advised considering that fact in a decision on how long to invest the village's money at the current rates. After a short discussion, members decided to go with the 52-week plan at 1.10% and see if the rates continue to rise for a new and better reinvestment next year. Mr. Harnishfeger reminded members that Ordinance #840-13 authorizes the fiscal officer to execute all documentation for CDARS investments for the village. Councilman Roe made a motion to have Mr. Harnishfeger execute the 52-week CDARS plan. Councilman Benedict seconded this motion. All were in favor; motion carried.

Fiscal Officer Harnishfeger reported that UAN supplied the village with a new laptop computer, as part of what we receive for our UAN fees, and they are giving the old computer to the village. Mr. Harnishfeger recommended moving the old computer to Utilities Superintendent Johnson's desk, since

## TONTOGANY VILLAGE COUNCIL

the computer he was using ran out of enough hard drive space to even support Windows. Members voiced no objection to doing so.

Mayor Buehrer reported receiving a notice from the Ohio EPA, Division of Surface Water, regarding the project of replacing the Waterville Bridge over the Maumee River. The document summarizes the comments and questions received at the public hearing and comment period, which ended on April 26, 2017. There were two comments listed. One commenter stated that the city of Waterville recently switched the drinking water intake to the Maumee River instead of Lake Erie and they were concerned about the effects the bridge project may have on the drinking water. The EPA's response assured that Bowling Green's intake is located over two miles upriver of the Waterville Bridge, and the elevation makes it hydraulically improbable that the activities related to the bridge replacement will have an impact on water quality provided to Waterville by Bowling Green. The second comment, by the same person, expressed a concern that the bridge project may have an effect on the walleye population, and, thereby, the walleye run that occurs each spring in the Maumee River. The EPA's response pointed out that The Ohio Department of Natural Resources and the United States Fish and Wildlife Service have reviewed the project, and there was no indication that the project would have an adverse effect on fish habitat within the project area. After reviewing the project, the Ohio EPA concluded that this project, as proposed, will not violate state water quality standards.

Mayor Buehrer reported that the village received a letter from the Suburban Natural Gas Company regarding their intention to submit an application for an adjustment to their Infrastructure Replacement Program Rider (Rider IRP) with the Public Utilities Commission of Ohio (PUCO). The application will propose to increase Suburban's Rider IRP from \$0.07 per month to \$0.11 per month, for the recovery of costs associated with the Infrastructure Replacement Program.

Mayor Buehrer reported that the village received a Regional Income Tax Agency (RITA) News Alert email, dated 6/13/17, stating that "The Ohio Senate Finance Committee has adopted an amendment to House Bill 49 that would give the Ohio Department of Taxation (ODT) sole administrative authority and control over your municipal income tax dollars, by allowing businesses to decide whether they will file net profit returns with the municipality/RITA or with the ODT." RITA's email encourages elected officials to contact their State Senator to voice opposition to this amendment. Mayor Buehrer commented that the Mayors Associations, both Northwest Ohio and Wood County, are against this amendment. It is a recurring effort by the State of Ohio to put municipal tax collection operations in the hands of the Ohio Department of Taxation, rather than agencies like RITA. The result could have negative impacts on municipal tax receipts, costs, and information provided about filers.

Mayor Buehrer invited Ronald Mackey to speak to Council about his concerns. Mr. Mackey requested that the winter banners, which have remained up for a couple of years, be taken down from the poles this summer. Also, before the 4<sup>th</sup> of July, it would be nice to get the flags up downtown; one or more poles need to be repaired. The railings along Tontogany Road need to have the weeds trimmed back around them, even if someone has to be hired to do it. A couple of metal benches at the park have bolts missing from their braces and need to be repaired. Mr. Mackey said he did some work to try to fix one of the horseshoe pits at the park, but they still need repair. Mayor Buehrer commented that we have two boy scouts that intend to work on the horseshoe pits to earn camp money; Councilman Roe has been in contact with them. Councilman Roe added that he was told the boys would be available at the end of June or beginning of July. They will come up with a plan and the village will buy materials for them. Mayor Buehrer asked if we have money available with which we could buy new flags for downtown, because they need to be replaced on some of the poles. In the past, the boy scouts either bought flags or received money to buy flags from the Sons of the American Legion. Fiscal Officer Harnishfeger said he was sure we have money enough to buy new flags, and to just let him know what is needed and he will find prices and funds.

The mayor and members discussed how to get the jobs done that Mr. Mackey brought up. It was asked whether Village Administrator Chad Johnson had been contacted about any of this. Mayor

## TONTOGANY VILLAGE COUNCIL

Buehrer explained that Chad is still working full time, so he is not around every day like former Administrator Spoores was, who was retired and did a lot of odd jobs for the town in his free time. Members discussed the possibility of hiring someone part time to do odd jobs. Councilwoman Mackey reminded members that she had brought up the need to empty the trash at Mehring Park six weeks ago and it still hasn't been done. She understood that Paul's Refuse Pick-up was supposed to take care of that, but they aren't, so we need to have someone give them a call. Councilwoman Mehring said she would call them. The topic of Administrator Johnson's being missing from a lot of meetings was also discussed. It was brought up that he retired from the Bowling Green Water Plant and took a new full-time position in Lorain, which is a 1.5 hour drive each way, making it harder to be at meetings. Members expressed concern about not having an administrator who can be at meetings, and about not being told of the change in Mr. Johnson's employment and schedule. Also, council members are expected to notify someone if they are going to be absent from a meeting, and the administrator should be doing so too. Mayor Buehrer said he would call Administrator Johnson, talk to him about these issues, and find out if he will be able to attend meetings or not. As for all of the odd jobs for the town, the mayor said he did not know that those are really a part of the job description of the administrator, even though Administrator Spoores used to do them because he had more free time. But we could put together a list of things the village does expect the administrator to do. Members and the mayor agreed that the village administrator should be available if the town needs him, although it is understood that he cannot be expected to drop everything and come for every little odd job that needs done. Councilwoman Mackey suggested the possibility of council members voluntarily doing some small jobs around town as a matter of sweat equity for the village. Mayor Buehrer encouraged this as a good idea and mentioned incidences where it has been very helpful in the past. Councilman Heckerman asked what we have in the way of banners and if they are still in good shape. Mayor Buehrer answered that we have some for various seasons and, if they are not in good shape anymore, we could search out some new banners, maybe from a sorority group or from catalogs we have in the office. Councilwoman Mackey suggested just taking down the winter banners and getting new flags up downtown for now, and to worry about new seasonal banners later.

**ZONING:** Fiscal Officer Harnishfeger reported that Village Solicitor Paul Skaff prepared a resolution for the village to accept the Wolverine Agricultural Investments Annexation on Scott Road and Tontogany Creek Road. Mr. Harnishfeger read Solicitor Skaff's instructions that came with the resolution: "Please be advised that this Resolution and the accompanying documents must be presented to the Village Council at its regularly scheduled meeting greater than 60 days after you received the transcript from the Commissioners. It is likely then, that this annexation acceptance Resolution should be presented and heard not earlier than July 7, 2017. The Resolution must be read three times, as any other Resolution must be read, unless the rules are suspended and a super majority approves the Resolution. Otherwise a simple majority may approve the Resolution after three readings. Once approved, you are instructed to deliver copies of the signed Resolution, along with the exhibits to the County Auditor, County Recorder, and Ohio Secretary of State, as set forth within the Resolution itself and Revised Code Section 709.06." Mr. Harnishfeger commented that we will not be able to do a first reading until the second meeting in July. He also told members that he had called Jerry Miller, the agent for Wolverine, and let him know about the waiting period required before reading the resolution, and that Mr. Miller requested that Council pass the resolution using the suspended rules option if possible, to speed things up, since we have already experienced delays in the annexation process. Councilman Heckerman expressed a wish to give the public a notice that we intend to pass the resolution as an emergency, and perhaps pass it on the second meeting. Mayor Buehrer pointed out that an ad in the paper is usually done after a resolution has been passed, and this matter has been discussed in open meetings and has been recorded in the minutes already for a long time, so there shouldn't be a need for a special advertisement of it.

## TONTOGANY VILLAGE COUNCIL

Councilwoman Mackey asked about the status of the re-zoning request by Jerry Asmus. Mayor Buehrer replied that he and Zoning Inspector Chad Johnson still need to meet with Village Solicitor Paul Skaff to discuss Mr. Skaff's concerns about the 2005 zoning ordinance that eliminates R-2 zoning in the village and how Solicitor Skaff thinks we can and should proceed with respect to those concerns. Mayor Buehrer said he has been trying to put together a meeting time with Chad and Paul, but it hasn't come together yet. He hopes to talk with Chad at the township meeting tomorrow. If not, he may set up a meeting with Mr. Skaff alone.

**UTILITIES:** Utilities Clerk Harnishfeger reported for Utilities Superintendent Brandon Johnson that he had nothing to report to Council. Mr. Harnishfeger reported that Patricia Farrell, a utility customer at 18722 Crom Street, who rents to tenants, contacted him about a problem with estimated readings being used for billing on the water meter to her south rental unit. She emphatically stated that she does not want to see estimated readings on her meters because, in the past, estimates were done for many months in a row and then a real reading showed that the estimates missed a water leak, causing a very high water and sewer bill for her tenant. The village is able to do adjustments on water bills for leaks, but cannot do adjustments on sewer bills because we merely collect sewer payments for the Northwestern Water & Sewer District. Ms. Farrell said she thought it was unfair for her tenant to be hit with a high water and sewer bill like that. If an estimate happens again, instead of a real reading, she wanted Council told about it to see if something can be done. Mr. Harnishfeger said he gave an official Memorandum to Meter Reader Chad Johnson about this matter, asking him to get real readings at the meter in question, and a copy of the Memorandum was given to Utilities Superintendent Brandon Johnson. However, the meter was not read again the second month, causing another estimate to be needed. Therefore, he is bringing it to Council as he told Ms. Farrell he would. Mr. Harnishfeger said he looked in the history of reading reports and noticed that, sometimes, when the meter was read the first time it gave an error message, but with a second try it gave an accurate reading. On the non-read instances, there was no indication of a second try. Also, Brandon went to the site and read the meter with his small reading device and had no problem getting a reading. The mayor and members discussed the matter and offered some possible solutions if it continues. Mr. Harnishfeger asked Mayor Buehrer to talk with Chad about this when he talks to him about the issues to do with his role as administrator.

Councilwoman Mehring reported a problem with getting utility bills forwarded to Florida for the customer at 18540 Main Street. The postal clerk is waiting to send batches of mail to the Florida forwarding address, which may cause the utility bill to be late. Utilities Clerk Harnishfeger said that he will make sure no late penalty is added. Also, if the customer wishes, they can give him the Florida address and he will send the bill directly there each month.

**STREETS and ALLEYS:** Councilman Roe asked about a sign that was knocked down near the school. Mayor Buehrer answered that someone hit it and Fiscal Officer Harnishfeger had called him about it, after receiving a call from the Sheriff's Office wanting it to be fixed. Mayor Buehrer reported that he submitted a \$34,000.00 grant request for signs in the township, including the village. He included all of the speed limit signs and stop signs (there were more stop signs in the village than in the township—56 in the village and 50 in the township). Some of the signs will have posts replaced as well. Signs will also be larger. There will also be yellow reflectors for the school signs.

Councilman Roe asked if Mayor Buehrer had been in touch with Zimmerman about striping. He responded that CSX is going to have Morlock Asphalt repave Broad Street from Main Street to the railroad tracks, as well as some other spots in town, so we will probably wait until that is done and ready for striping before contacting Zimmerman. We will be asking them about striping on Tontogany Creek Road too.

## TONTOGANY VILLAGE COUNCIL

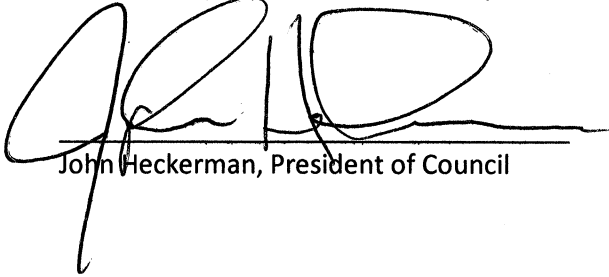
Councilwoman Mehring asked if anything was going to be done about the junk on Hefflinger's property. Mayor Buehrer responded that we had Zoning Inspector Johnson look into it and he determined that there is nothing we can do about it at this time.

**SIDEWALKS and TREES:** Councilwoman Mehring reported that the Methodist Church would like to have their trees trimmed, because they are in the way of parking and could scratch cars. They are blocking the sidewalk as well.

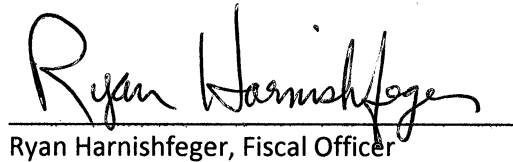
**DRAINS and SEWERS:** Nothing to report.

**CITY HALL and PARKS:** Councilwoman Mackey asked if we will be taking down the broken basketball backboard. Mayor Buehrer answered that Councilman Head is going to try to see if we can get it replaced under warranty. Councilman Head asked about who to contact about sand for the park. Councilman Roe said he knew of someone and he would call them about it.

With nothing further to discuss, Mayor Buehrer declared the meeting adjourned at 8:31 p.m.



John Heckerman, President of Council



Ryan Harnishfeger, Fiscal Officer