

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: August 20, 2018

Council called to order in regular session at 7:03 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; Matthew Shanahan, here. Also present were Village Administrator/Utilities Superintendent/Zoning Inspector/Meter Reader Chad Johnson and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Minutes from the August 6 meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Councilwoman Mackey made a motion that these bills be allowed and orders drawn for same. Councilwoman Mehring seconded this motion. All were in favor, except that Councilman Heckerman abstained from voting on Josh Heckerman's \$350.00 tree trimming and mulching invoice; motion carried.

Mayor Buehrer gave a third and final reading, by title only, of Ordinance #889-18, AN ORDINANCE TO PROVIDE FOR THE COST AND EXPENSE OF PROVIDING FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES FOR THE PURPOSE OF CONTROLLING BLIGHT AND DISEASE OF SAME; AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN THE PUBLIC RIGHT OF WAY OF THE VILLAGE. The ordinance is for tax year 2019, an amount of \$5,000.00, to be paid for by Special Assessment upon the lots and lands within the village. Councilman Roe made a motion to adopt Ordinance #889-18. Councilman Shanahan seconded this motion. All were in favor; motion carried.

Mayor Buehrer gave a first reading of Resolution #891-18, 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. The 2019 amount approved for Tontogany's General fund by the Budget Commission is \$8,077.55 (inside 10 mill limitation), and the approved rate is 1.20 (inside 10 mill limit). After a short discussion, Councilman Benedict made a motion on Resolution #891-18 "to suspend the rules and forego three readings for the reason that there are an insufficient number of meeting dates in order to hold three readings of this Resolution before the county-imposed October 1, 2018 deadline for the authorization of necessary tax levies." Councilman Heckerman seconded this motion. All voted in favor; motion carried. Councilman Benedict then made a motion to adopt Resolution #891-18. Councilman Heckerman seconded this motion. All voted in favor; motion carried.

Mayor Buehrer read a letter from Mark Yeary, with a copy of an accompanying letter from his insurance company and a quote from the company he is selecting to replace his fence that was damaged due to a village utility pole falling on it. Mr. Yeary's letter says that his insurance has agreed to pay \$2,769.95 of the total cost for a new fence, after the deductible and depreciation. A complete replacement of the fence is necessary because the fence panels are no longer available. Mr. Yeary pointed out that his insurance company elected to base their pricing on the lowest of three bids, but he is selecting a company that gave a higher bid to actually do the work for a total cost of \$5,235.00. This leaves a difference of \$2,465.05 over the amount his insurance will pay. Mr. Yeary's letter states, "Any amount of the \$2,465.05 the village would agree to pay would be greatly appreciated." Members discussed what the village might do and what options we might have. Viewpoints were given, from just taking responsibility to pay for the sections damaged, to paying for the entire new fence. Mayor Buehrer read from the quote of \$5,235.00, that it included supplying and installing seventeen 6-foot fence panels, with one 4-foot walk gate, one 3-foot walk gate, Gothic post caps, and all posts set in concrete. Mayor Buehrer and members asked Fiscal Officer Harnishfeger to send copies of Mr. Yeary's letter, insurance information, and price quote to Hylant Administrative Services and ask them to pay as much as they will of what Mr. Yeary is requesting. Mayor Buehrer stated again that he feels the village is responsible because the pole was rotted due to neglect in checking poles.

TONTOGANY VILLAGE COUNCIL

Mayor Buehrer read a quote from Epic Utilities Services, the company that checks the condition of the village's electric poles. They quoted \$39.50 for an excavated treated pole, \$39.50 for an excavated rejected pole, and \$25.50 for sound & bore/fumigant. Fiscal Officer Harnishfeger added that former Administrator Craig Spoore clarified Epic's pricing to him, explaining that some poles are treated and some are not. If Epic finds a good pole that is treated, they do nothing more to it. If they find a good pole that is not treated, they also do the sound and bore/fumigant process to it. If they find a bad pole, treated or not treated, they do nothing more to it, but let you know it needs replaced. Mayor Buehrer commented that Epic will tell you if a pole is good, mediocre, or bad. Bad poles need replaced. Mediocre poles still have some life in them, but you need to keep an eye on them. They also map the poles and number them. You can choose a dollar amount for them not to exceed for the number of poles inspected each year. Administrator Johnson can tell them which poles we want them to start with. Councilman Heckerman noted that in the past we had them inspect poles with transformers first. Members suggested also using previous inspection information, if Epic has it, to identify mediocre poles to check first. Councilman Roe asked how much money was available for inspecting poles. Mr. Harnishfeger reported that, as he had stated at a previous meeting, there is \$2,500.00 of unencumbered money that was appropriated on a line item in the electric fund, that could be used for this purpose immediately. If necessary, more could possibly be used out of the money appropriated for actually replacing poles. Or a supplemental appropriation could be done, if members wish to have a very large number of poles inspected this year. Mayor Buehrer speculated that Bowling Green might not be able to change out bad poles found until early next year, which would give the village time to appropriate funds for that purpose in the 2019 budget. After a little more discussion, Councilman Shanahan made a motion to authorize Administrator Johnson to have Epic Utilities do up to \$2,500.00 of pole inspections for Tontogany this year, before they leave the Bowling Green area. Councilman Roe seconded this motion. All were in favor; motion carried.

Mayor Buehrer brought up the topic of Beth Hayes' sidewalk assessment and an email from Collette Dickey at the County Auditor's Office, of which every member was given a copy. Fiscal Officer Harnishfeger explained that he had contacted Ms. Dickey, as requested by members at the previous meeting, to obtain information about the history and status of the sidewalk special assessment authorized by Village Council a number of years ago on the Hayes' property taxes. Ms. Dickey supplied the requested information: The assessment started for the 2010 tax duplicate, payable in 2011. The original assessment charge was \$6,444.43 for five years at 2 percent interest. The amount was in error, due to the fiscal officer turning in a billing amount from the contractor that included other work done at the same time as the Hayes' sidewalk. A correction was made in January 2011, revising the assessment amount to \$4,779.04, and the time to pay was changed to ten years at 2 percent interest. Currently, as of August 10, 2018, the date of Ms. Dickey's email, the principal remaining is \$955.84, plus the remaining interest of \$28.68, for a total of \$984.52. Ms. Dickey stated that this assessment will run for two more years (2018 payable in 2019 and 2019 payable in 2020). In order to have it removed from their next real estate tax bill, the remaining principal and interest would need to be paid by November 1 this year. The mayor and members discussed whether or not to grant any amount of the rebate or relief that Beth Hayes had requested. It was agreed that the matter was fairly handled and that John and Beth Hayes were given plenty of time to take care of it before the town finally put in the sidewalk and had the cost put on their taxes. However, some members were willing to give some relief to Ms. Hayes, especially in consideration of the loss of her husband. Mayor Buehrer acknowledged that the only reason the town had to put sidewalks in there was because Mr. Hayes tore the old ones out, but he wondered how we would handle it if we decide to pay for part of sidewalks on corner lots in the future. The mayor commented that he is still very interested in fixing bad sidewalk spots throughout the town where village trees have caused heaving. After a little more discussion, Councilman Heckerman made a motion to have Fiscal Officer Harnishfeger contact the County Auditor to forgive and cancel the remaining sidewalk assessment principal and interest total of \$984.52 from Beth Hayes' taxes.

TONTOGANY VILLAGE COUNCIL

Councilwoman Mackey seconded this motion. Councilmembers Mackey, Heckerman, Mehring, Roe, and Benedict voted in favor; Councilman Shanahan voted against; motion carried. Members asked Fiscal Officer Harnishfeger to also write a letter to Ms. Hayes, informing her that her request for a rebate of half of the taxes for her sidewalk was denied, but they decided to forgive the remaining assessment amount of \$984.52.

Mayor Buehrer reported that we received a quote from Moulton & Associates for a website redesign, of which all members were given a copy. The total price quote for website redesign and development was \$3,190.00, to upgrade the village website to an up-to-date platform that looks aesthetically pleasing and works well with smartphones and other hand-held devices, which more and more people are using for Internet activity now. Mayor Buehrer pointed out that Moulton wants to work with someone from the village as the new site is being developed, and the mayor suggested that Councilman Shanahan might be more knowledgeable and better suited to that than he would be. Fiscal Officer Harnishfeger pointed out that Moulton is still recommending that the village choose ISCG for web hosting because of their outstanding service package. Mr. Harnishfeger added that ISCG is able to handle our outdated Dreamweaver website software, and they are open to having us switch to a more modern platform anytime. So, if we chose them as our hosting company, we could have Moulton simply migrate our current website from ICUgro to ISCG for the rest of this year, and then appropriate money for a website overhaul next year. Councilwoman Mackey said she liked the idea of waiting until next year for the website redesign. Councilman Shanahan said he thought the website redesign price seemed pretty reasonable for what Moulton is offering to do. Mr. Shanahan brought up the idea again, mentioned at the last meeting, of doing more research on what other towns are using for their websites before making an agreement with Moulton to redesign our website and switch to ISCG for hosting. Mr. Harnishfeger responded that we could check further on what other towns are doing, but we need to find hosting that can handle the Dreamweaver software that our site is set up with, which, until changed, makes our site outdated for many hosting servers, as well as outdated in layout and responsiveness for some devices, as Mr. Shanahan had correctly pointed out in the past. Members agreed that we should do more research into what other towns are doing and paying for web services, before agreeing to the proposal from Moulton & Associates. Mr. Shanahan volunteered to do the research and report his findings at the next meeting on September 17 (since the regular meeting on September 3 will be cancelled in observance of Labor Day). Mayor Buehrer said we would table the matter until Councilman Shanahan reports his findings.

Fiscal Officer Harnishfeger reported that he received an email notification from the County Auditor's Office of a "restitution" ACH deposit of \$583.20 being transferred to the village's bank account on August 15, 2018. He didn't know what it was for, so he called them to find out. He was referred to the Wood County Juvenile Court, who informed him that the \$583.20 was part of a total court-ordered restitution to the village of \$3,067.58 for disruption of public services by arson (which Mr. Harnishfeger then understood to be the 2017 incident of the porta potty burning at Mehring park). The judgment was against three juveniles, each of which are to pay one-third. Partial payments may come to the village from time to time until the whole is paid off. No guarantees could be made as to if or when payments would be made.

ZONING: Councilman Shanahan reported that he spoke with the owner of 18415 Broad Street, who expressed interest in building a barn there, but he has some questions and his neighbor had some questions about right-of-way issues. Mr. Shanahan said he gave them Zoning Inspector Johnson's name to contact him for answers to their questions.

UTILITIES: Utilities Superintendent Johnson reported that he stopped in at Ms. Bader's to check on a new shut-off valve that Palmer installed there. Mr. Johnson reported that he called John Stewart of Bowling Green Electric today and asked him to hook up temporary power to the new house being built

TONTOGANY VILLAGE COUNCIL

on Broad Street. He also asked Mr. Stewart to check on a complaint about power flicker issues the new owner is having in the house at 18020 Tontogany Road, and he will be sending a crew over to look into that matter.

Mr. Johnson reported that he received a call from Daryl Stockburger, the assistant director of Bowling Green Public Utilities, about the solar project going on at the school and what the school superintendent is proposing about putting up solar panels. Mr. Stockburger was using terms that were highly technical and hard to understand, but basically it was about what power might be produced by solar panels, how much the school might actually use, and that they would want to sell any extra power back to the village. It could cost the utility customers in Tontogany more money because of reducing the school's bill and selling power back to the village. Plus, there are going to be metering costs to upgrade all of the meters involved to backfeed into the electrical grid—all kinds of problems. Utilities Clerk Harnishfeger added that there would be software costs and issues as well. Mr. Johnson reported that Daryl Stockburger, who has extensive background in electric utilities, expressed strong concerns about Tontogany allowing the school to do what they are proposing. Mr. Stockburger suggested possibly passing an ordinance to disallow it. Mr. Johnson told members he thinks we need to bring in someone to represent the village's interests in this matter, to speak for and negotiate on behalf of the village about the real costs and effects of what is being proposed. Mayor Buehrer reported that School Superintendent Koch was supposed to come to the meeting tonight to speak to village officials and try to give them more insight about what they are doing with this solar project, but he had to wait to receive information from the company they want to deal with. The mayor said he told Mr. Koch not to come if he doesn't have answers, because council members will have a lot of questions. Councilman Heckerman asked if they gave us a timeline. Mayor Buehrer answered that they were hoping to close the deal next month with the company that will be putting in the solar panels. Mr. Johnson commented that he heard about this around the beginning of summer; a woman called him from a company trying to sell solar systems to schools. Mayor Buehrer shared his basic knowledge of what Superintendent Koch wants to do: switch to LED lighting to lower power consumption, and install enough solar panels to produce power for all of the school's uses, plus some to put back on the grid. It is a complicated process. The village might buy electric from the Bowling Green grid for a certain amount, but buy extra energy that the school produces at a lower cost, saving some money on that. It is unknown how much extra the school might have. It would change at different times of the year, like summer when the school would use less energy. The main goal for Superintendent Koch is for the school to save a lot of money and not have to pay for power. From the taxpayer's perspective, running the school as efficiently as possible is a desirable thing. Solar companies are trying to sell the idea to schools of being able to essentially have free power, saving them hundreds of thousands of dollars, plus making extra money selling surplus energy by installing a solar array big enough to more than meet their needs. Councilman Shanahan asked if we might not be able to talk to another school that has done this. Mayor Buehrer replied that there are none in our area and Mr. Koch expressed interest in being the first in this area. Mayor Buehrer explained that this has been represented as something that the village could just approve and wouldn't have to do much of anything, but that is not likely a true picture, as there would be metering back into the village and other issues to deal with. As far as approval from the village to install a solar field, the mayor said he didn't think they would need it, unless there was a zoning issue. The permission they would need from us is to sell electricity back to us and put it on our grid. Councilwoman Mackey commented that if the school can save money with a solar field, it may reduce or eliminate a possible tax levy, which would be good for the taxpayers. Councilman Roe said he agreed with Utilities Superintendent Johnson that we should get someone to professionally represent the village's interests in this matter. Members voiced agreement for Mr. Johnson to try to find someone, such as Poggemeyer, to do so. Councilman Shanahan added that a councilperson should be chosen to work with the professional who represents the village. Councilman Heckerman said he didn't see how we could pass

TONTOGANY VILLAGE COUNCIL

an ordinance against this. Mayor Buehrer agreed and said that such action would be used against the village to accuse us of trying to keep the school from saving money, in order to keep our coffers full.

STREETS and ALLEYS: Fiscal Officer Harnishfeger reported that a utility customer stopped in at the hall office today and reported seeing a piece of furniture in the ditch on the other side of Kellogg Road. Mayor Buehrer said he saw three pieces of furniture that someone dumped in there along Tontogany Road when he was mowing on Friday.

Councilwoman Mackey reported that she has not seen any improvement at 18555 Lincoln Street with the junky vehicles there, spoken of at recent meetings. Zoning Inspector Johnson commented that he had told them about one vehicle that needs current plates, which may have been updated, but he would have to check again; overall, he thought things looked somewhat better than it did before.

SIDEWALKS and TREES: Administrator Johnson asked if we have an ordinance that says an owner has to put in a sidewalk if they build a new home. The mayor and the fiscal officer answered that we do. Councilman Roe asked Mayor Buehrer if he had an opportunity to speak to the school superintendent about sidewalk plans for the school. The mayor answered that he had not, but he was expecting Superintendent Koch to be at tonight's meeting.

DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Councilman Shanahan reported that the park grant applications were turned in, five copies of each, as required. Mayor Buehrer asked when we might hear about the decision on our applications. Councilman Shanahan estimated that we might find out late in October, after they take pictures and review all applications.

Councilman Heckerman offered a suggestion that, if we ever have people that are required to do community service in Tontogany, the tables at the park could use a waterproof refinishing and some repair. Councilwoman Mehring added that the benches need work too.

Fiscal Officer Harnishfeger reported that Ron Mackey emptied the park-light coin box and turned in \$33.50 in quarters, which was deposited in the bank on August 8.

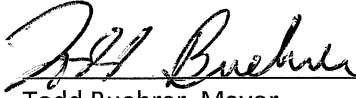
Councilwoman Mehring reported that she received a request to know the date and timing for the village's Halloween activities this year. After a short discussion, it was decided to have it on Wednesday, October 31, with trick or treat from 5:00 to 6:30 p.m., as usual. Mayor Buehrer said he did not know if the fire department will be doing anything this year or not. No parade is planned and he is not sure if there will be a costume contest.

Fiscal Officer Harnishfeger reported that Liz Heckerman stopped in at the office today to report that she saw the Rizziello's girl riding a 4-wheeler on the hall lawn, which wore the grass bare around the evergreen tree. She thought someone should let the parents know that their child is not allowed to ride on the hall lawn. Councilwoman Mackey responded that she and Ron were driving down Main Street on Saturday afternoon and saw the Rizziello's girl riding her 4-wheeler on the hall lawn. She followed her and went to the Rizziello's home to speak to the parents, who were not home, but she spoke with the girl and made it clear to her that she had caused damage and must not ride there anymore or there could be charges from the village for damages. Mr. Harnishfeger commented that someone had put some grass seed on the worn spot around the evergreen tree and Josh Heckerman told him it will probably fill back in okay.

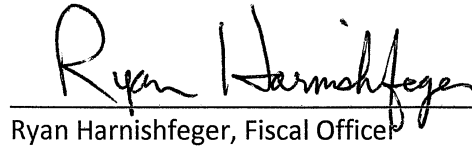
Councilwoman Mackey reported that she has noticed that the new Tontogany postmaster has cleaned up the post office incredibly. It even smells nice in there now. She offered to thank him on behalf of Council, if other members were okay with that. No one voiced any opposition. Mayor Buehrer asked Councilwoman Mackey to remind the postmaster to make sure the lights are on at night; he had some complaints about them not being on sometimes, making it pitch-black at night in the parking lot.

TONTOGANY VILLAGE COUNCIL

With nothing further to discuss, Mayor Buehrer declared the meeting adjourned at 8:37 p.m.



Todd Buehrer, Mayor



Ryan Harnishfeger, Fiscal Officer