

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: December 3, 2018

Council called to order in regular session at 7:00 p.m. with Mayor Todd Buehrer presiding. Roll call of members: Brenda Mackey, here; John Heckerman, here; Connie Mehring, here; Jamin Roe, absent (working); 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. Visitors present: Wood County Sheriff's Deputy Jody Swoap. Minutes from the November 26 meeting were approved as submitted (the regular meeting of November 19 was rescheduled to November 26, due to a lack of quorum).

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Fiscal Officer Harnishfeger pointed out that the large semi-annual OPWC and OWDA loan payments (totaling \$34,272.60) were on this invoice list. Councilman Shanahan asked how many mowings were included in the \$870.00 invoice from Josh Heckerman. Fiscal Officer Harnishfeger said he thought he remembered two mowings at each park and the hall, and then a lot of fall clean-up work on leaves and excessive branches. Members agreed that there were a lot of leaves and branches down, including one very large limb at Mehring Park (big enough for Liz Heckerman to have her picture taken sitting on it). Councilman Shanahan made a motion that these bills be allowed and orders drawn for same. Councilwoman Mackey seconded this motion. All were in favor, except Councilman Heckerman abstained from voting on Josh Heckerman's \$870.00 invoice for mowing and end-of-season clean-up work; motion carried. Copies of the November Bank Reconciliation, Fund Status, Revenue Status, and Appropriation Status reports were given to Mayor Buehrer and the Finance Committee to review.

Copies of the November incident report were provided for members to review. Mayor Buehrer invited members to direct any questions or concerns they may have to Deputy Swoap. Members had no questions or concerns for Deputy Swoap, so Mayor Buehrer thanked him and he left the meeting.

Mayor Buehrer gave a second reading, by title only, of Ordinance #894-18, AN ORDINANCE ADOPTING A CREDIT CARD USE POLICY. Councilwoman Mackey asked about the policy that Solicitor Skaff had written to go with this ordinance, because some points weren't quite clear to her. Fiscal Officer Harnishfeger explained briefly that Solicitor Skaff wrote a policy meant to cover our current Staples Credit Plan card and any other credit card the Village might wish to acquire, worded to meet the stipulations of the new law requiring municipalities to have a credit card policy. Mr. Harnishfeger reminded members that Mr. Skaff had said they might want to make changes to the policy, possibly in Section 6, which deals with a maximum interest rate and a maximum available balance; and Mr. Skaff intends to come to the next meeting, so they will have an opportunity then to ask him any questions they may have.

Fiscal Officer Harnishfeger reported that he received from Solicitor Skaff a proposed emergency ordinance to renew him as Village Solicitor for two years, beginning January 1, 2019 through December 31, 2020, because his initial term expires at the end of 2018. Mr. Skaff noted that he asked for his hourly rate to be increased from \$95.00 to \$115.00, to be consistent with his other villages. Mayor Buehrer gave a first reading, by title only, of Ordinance #895-18, AN ORDINANCE APPROVING VILLAGE SOLICITOR, AND DECLARING AN EMERGENCY. Councilwoman Mackey made a motion to suspend the rules and declare an emergency for Ordinance #895-18. Councilwoman Mehring seconded this motion. All were in favor; motion carried. Councilman Shanahan made a motion to adopt Ordinance #895-18. Councilman Benedict seconded this motion. All were in favor; motion carried. Councilman Shanahan asked how we acquire a solicitor. Mayor Buehrer explained that they are not appointed, but we seek a solicitor, usually one with experience representing villages. We have sought recommendations from departing solicitors as to who we might ask to replace them. Tom Bamburowski recommended Matt Reger. Matt Reger recommended Paul Skaff. Once chosen, we pass an ordinance to hire a solicitor for a period of time, such as a two-year term. Then we can renew them, if they are willing to continue serving

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the village. Fiscal Officer Harnishfeger added that we used to have a separate ordinance to hire a solicitor and a prosecutor, but Solicitor Skaff told him that he will cover both jobs as Village Solicitor for Tontogany.

Mayor Buehrer gave a first reading, by title only, of Ordinance #896-18; an ORDINANCE ESTABLISHING NET METERING AND BILLING POLICIES FOR BEHIND THE METER RENEWABLE GENERATORS. Fiscal Officer Harnishfeger read an email from Solicitor Skaff, stating that he had sent an updated ordinance, net metering agreement, and application related to the school's solar plans. Mr. Skaff says, "Changes have been made after discussions with Mr. Koch and a representative of Solar Power and Light, and I believe this is the final version agreeable to everyone." Mr. Skaff asked that a first reading be given to the ordinance, and he said he plans to attend the December 17th meeting to answer any questions. Mr. Harnishfeger pointed out that he gave printouts of the updated ordinance, net metering agreement, and application to everyone; the ones they received previously should be replaced by the updated versions. Councilman Heckerman asked about a reference in the ordinance to allow "three-phase, sixty hertz, on-site generating capacity." Mr. Heckerman said he didn't think we had any three-phase electric in town. Mayor Buehrer responded that Hefflinger does have three-phase, and the elevator also has three-phase. There are a few places in town that have three-phase. Mayor Buehrer asked everyone to read the updated versions of the solar-related documents from Solicitor Skaff and be prepared to ask Mr. Skaff any questions when he is here at the next meeting.

Fiscal Officer Harnishfeger gave everyone a copy of the proposed 2019 permanent appropriations that he had prepared, with each line item in each fund listed, and his budgeting comments beside each line. He proceeded to go over the proposed budget, explaining items of special note and asking for input from members on any changes, additions, or deletions that they might want to make before the final version is put into ordinance form for adoption at the next council meeting. Some special items included: \$4,245.00 in park grant money for a disc golf course at Centennial Park; \$20,000.00 for a much-needed park drainage project at Centennial Park; \$12,000.00 for a new basketball court and other improvements at Centennial Park; \$30,000.00 for the Village's part of new sidewalks in front of the school; and \$25,000.00 for 2018 and 2019 electric pole replacements. Councilman Shanahan advised increasing the proposed \$6,000.00 for solicitor fees and other legal fees to \$8,000.00, in view of an increased rate for Solicitor Skaff and the possibility of more legal matters to deal with. Mayor Buehrer requested an increase of the proposed \$4,000.00 for equipment repair to \$10,000.00, to replace the damaged leaf vac hose and other repairs or maintenance needed. Mr. Harnishfeger pointed out to members that he needed to appropriate almost every dollar of Water Fund money allowed by the Official Certificate of Estimated Resources from the Wood County Budget Commission for 2019, and he would have liked to appropriate about \$10,000.00 more than he did. And, of course, water expenses include about \$66,000.00 in water line loan repayments per year. No money was included for backflow prevention and other EPA requirements, so, a rate increase will be needed to build adequate revenues to keep up with water expenses. Utilities Superintendent Johnson commented that, on the positive side, the Village was proactive in replacing a lot of water lines in town, including two new transmission mains. So, it is understandable that the Village is maxed out to cover loan repayments, since so much was invested in the system. Mr. Harnishfeger commented that our loan repayments extend to 2030 and beyond. Mayor Buehrer added that they were twenty-year loans and both were over one-million-dollar projects, which is pretty big for a little town like Tontogany. Mr. Harnishfeger explained that he figured the budget for wholesale electricity at \$600,000.00 by estimating a rate increase from Bowling Green, combined with an estimated lower school consumption. A sampling of three different months showed electric revenues from sales to the school to be about fifty percent, on average, of all revenues from electric sales. He used that information to estimate what we would need to purchase to provide sixty percent of the school's ordinary consumption and the ordinary amount for the rest of the village. Mr. Harnishfeger also pointed out the \$25,000.00 from the Electric Fund to cover pole replacements for 2018 and 2019. This is because the Village has not been billed for 2018 pole replacements yet. If we get

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billed and have to pay for poles replaced in the last few weeks, before the 2019 budget is in place, we would have to do a supplemental appropriation to pay for it before the end of this year. Councilman Heckerman suggested that we might be able to ask Bowling Green Electric to allow us to pay it in 2019.

Fiscal Officer Harnishfeger asked members how they wanted to deal with hall housekeeping in 2019, since the Village usually enters into a written agreement with Karen Graff to clean the hall, and at the last meeting they had proposed that we have more housekeeping done. The written agreement includes how much she will do, at what charge, and it states that she is not an employee of the Village. She has been cleaning the hall once a month for an hour and a half, for \$37.50. He asked if anything was found out about whether the Odd Fellows would be willing to pay for part of the housekeeping, since they use the hall every week. Councilman Heckerman answered that nothing was found out from the Odd Fellows yet. Members discussed the matter, offering suggestions, such as having the hall cleaned before each rental or having the housekeeper come in an extra hour in the month just to clean the kitchen. Mayor Buehrer commented that some of the lower drawers in the kitchen have dead bugs in them and evidence of other critters getting in them. Councilman Heckerman suggested paying the housekeeper \$75.00 per month to come twice a month, and that we be more specific with her about what we want her to do. Members agreed that we need to be more specific about what we want cleaned, especially in the kitchen. Councilwoman Mackey asked if it might not be a good idea to have a council member meet with the housekeeper and go through the hall, pointing out what we want done, rather than just giving her an impersonal written list of items to do. Councilman Heckerman said he would call the Odd Fellows and see if they would entertain the idea of paying for some hall cleaning. Mayor Buehrer suggested maybe we could pay for one cleaning and the Odd Fellows could pay for another cleaning. When Mr. Heckerman finds out more from the Odd Fellows, we will discuss the matter again.

Fiscal Officer Harnishfeger asked for a decision on whether or not we intend to raise the hall rental fee, which was discussed at the last meeting. If so, it needs to be posted on the website. Also, a few people have paid ahead for rentals in 2019, and we need to honor their payments at the rate that was in effect when they agreed to lease the hall. Councilman Heckerman pointed out that hall rental payments are partly to cover hall utilities. Mr. Harnishfeger agreed, and he said he actually ran short of money in the line item that covers hall utilities. After a brief discussion, Councilwoman Mehring made a motion to raise the hall rental to \$75.00, with a refundable security deposit of \$75.00, effective January 1, 2019. Councilwoman Mackey seconded this motion. All were in favor; motion carried. Mr. Harnishfeger asked Councilman Heckerman to let the Odd Fellows know about the hall rental increase when he speaks with them, because they usually pay for the coming year in December.

Fiscal Officer Harnishfeger reminded everyone that the final payroll for 2018 will be done after the next meeting, which includes council members' pay. He asked members what he should do about Councilman Roe's payroll, since he will have been absent from council meetings all of October, November, and December, and he will be absent in January as well, due to special assignment to a job that made it impossible for him to attend meetings. Mr. Harnishfeger reminded members that Mr. Roe had said he did not expect to be paid for the time he would have to be away from meetings, so Mr. Harnishfeger asked members if they wished for Councilman Roe to be paid or not paid for this time away. Councilman Shanahan responded that he was for paying Councilman Roe, who, even though he couldn't be here because of a special work schedule, offered himself to be available if we needed him for anything. His work schedule was beyond his control, so he wasn't away by choice. Mayor Buehrer and members discussed the Village rules about council pay. Councilman Shanahan found where the rules for council members' compensation is conditional upon a member attending at least one council meeting monthly or being excused for nonattendance by Council. Mayor Buehrer pointed out that this rule had been added due to a past council member going on an extended vacation for the winter, which was a personal choice. After a little more discussion, Councilman Shanahan made a motion to excuse the nonattendance of Councilman Roe, due to work requirements, and give him full compensation. Councilman Heckerman seconded this motion. All were in favor; motion carried.

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Fiscal Officer Harnishfeger reported that he received an email quote from the Perrysburg office of TruGreen for 2019 lawn treatment of the parks and hall. The quote was for \$475.46 late spring and \$338.16 early fall treatments, totaling \$813.62. Treatments include fertilizer, broadleaf weed, and crabgrass control. We dealt with the Perrysburg office last year directly, instead of dealing with the corporate office, in order to avoid a 3-year agreement and in order to get a prepay discount. However, the quote this time from Perrysburg included a 3-year agreement (which allows them to change pricing) and no prepay discount. Mr. Harnishfeger asked members if they wished to have him respond with acceptance of the quote, or to tell TruGreen that we do not wish to enter into a 3-year agreement, nor do we wish to accept the quoted price without the usual prepay discount they have always given us. For 2018 they gave us a very generous prepaid discount, bringing the total for spring and fall treatments to just \$539.85. Mr. Harnishfeger added that, even though we made the prepayment for the whole of 2018 to the Perrysburg office, we keep getting bills from the corporate office, so it is questionable if the TruGreen corporate office knows what is the true state of our account, which is not a good situation and is undesirable to deal with. Members discussed various options and offered suggestions. Mayor Bueher informed members that liability is an issue that makes it hard for just anyone to do lawn treatment of public property. Liability insurance is very costly, to cover possible harm to people or neighboring properties. Councilman Heckerman said he would contact D & D in the morning and see what they could offer, before we make any deal with TruGreen.

ZONING: Nothing to report.

UTILITIES: Utilities Superintendent Johnson reported that he called Bret Palmer again about Deluca's driveway meter pit top. Mr. Palmer responded that he remembers it, but hasn't had extra time to get to it. He will get it done.

STREETS and ALLEYS: Nothing to report.

SIDEWALKS and TREES: Mayor Buehrer reported that they did the last leaf pickup today. There were none found. The hose on the leaf vac has a hole in it that shoots part of what is vacuumed up out of it. It can't be fixed with something as simple as duct tape; the hose will have to be replaced. Also, on the very top, where it goes from the machine into the truck, it needs to be changed back to a flexible tube that moves with the truck when it turns. The connection is a solid tube now, that kinks when turned too far, leaving a gap for debris to blow out. It will need about six feet of rubber flexible tube to work well. Mayor Buehrer said he will contact the company that we had work on it in the past. The last time, they kept it for two or three months while working on it slowly, which saved us on storage costs.

DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Councilman Shanahan reported that he spoke with Otsego School Superintendent Adam Koch. The school has a drone with a camera that they will use to take some aerial photos of Centennial Park for use in mapping out our new disc golf course. They will take a lot of photos and have them probably in a week or so. We could keep some pictures in storage in case we ever need them again. Councilman Heckerman commented that, at Mid-Wood, they print off maps of fields using Google Earth. Mr. Shanahan answered that we could try both and see which works better.

Mayor Buehrer reported that when he rented the hall two times recently, he found problems with the toilets. Although they are both the same, the men's is nearly impossible to flush and the women's flushes by barely touching it. We need to get a plumber to fix the toilets so they work properly. Fiscal Officer Harnishfeger reminded members that we had Downey Plumbing fix the toilets the last time, and the men's toilet flushed hard, even right after it was repaired. It has gotten worse over time. Councilman


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Shanahan offered to contact Josh Barfield of Ace Plumbing (whose children go to school here), to have Ace come and look at our toilets. Mayor Buehrer said he would welcome them to come and check out our toilets.

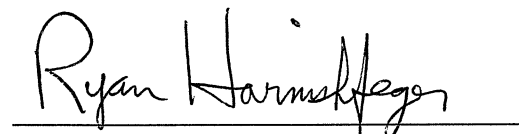
Councilwoman Mackey asked how we wanted to handle the timing of the new basketball court project, since now we are intending to have drainage work done at Centennial Park. She wanted to know if, when telling Morlock to put us on their schedule, she should tell them we want to do drainage work first, before they put down a new court, or if the timing doesn't matter on which is done first. Mayor Buehrer responded that there is a catch basin by Arla Mae's. Councilman Heckerman mentioned some other places we could drain to as well. Mayor Buehrer agreed. He said the biggest issue will be depth. He said he would call Palmer to come and look at the situation, see how much it would cost, and see if it is something they could do over the winter, while the ground is frozen and better to work with for laying tile. If we can get the drainage work done before spring, we can see how well it works and if anything else is needed before Morlock comes to put in the basketball court. The drainage should be done before putting in the disc golf course as well.

Administrator Johnson said he wanted to bring up, as he has also done in the past, a couple of weeks before the last meeting of the year, that he thinks Mr. Harnishfeger is underpaid. He is working 8-hour days, 4 days a week. In a year's time, that calculates to \$12.62 per hour at his current pay of \$1,750.00 per month for the fiscal officer and utilities clerk jobs combined. Mr. Johnson said he personally thought he should be getting at least \$15.00 per hour, which would be about \$25,000.00 per year. There are a lot of unskilled jobs for \$12.62 per hour, but the fiscal officer has to have a lot of specialized knowledge and skill to do the town's work. Mr. Johnson asked members to be thinking about it before the next meeting. Mr. Harnishfeger commented that this was not his idea and he was not asking for a raise, but, if members want to raise his or anyone's pay, it needs to be decided at this meeting, so it can be calculated into the permanent appropriations ordinance that is due to be adopted at the next meeting. Councilman Heckerman inquired about how much the fiscal officer's wages were raised last year, when Administrator Johnson made a similar plea. Fiscal Officer Harnishfeger responded that Councilman Roe had made a motion to raise the fiscal officer's pay \$200.00 per month, which was voted for by all. Administrator Johnson commented that an extra \$250.00 per month would add \$3,000.00 per year and would get his wages up over \$14.00 per hour. After a little more discussion, Councilwoman Mackey made a motion to raise the fiscal officer's pay by \$250.00 per month, from \$1,300.00 per month to \$1,550.00 per month. Councilwoman Mehring seconded this motion. All were in favor; motion carried. Mr. Harnishfeger told members he would increase the fiscal officer's salary line in the 2019 appropriations, and the withholding lines that support the fiscal officer's pay. Councilman Shanahan asked that members be given more time in the future to think about proposed wage changes before needing to vote on them. Mr. Johnson responded that he intended to give them time to think about his suggestion, thinking they still had two weeks to consider it.

With nothing further to discuss, Mayor Buehrer declared the meeting adjourned at 8:27 p.m.



Todd Buehrer, Mayor



Ryan Harnishfeger, Fiscal Officer