

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: January 20, 2020

Council called to order in regular session at 7:00 p.m. with Mayor Matthew Shanahan presiding. Opening ceremony: Pledge of Allegiance to the Flag, led by Mayor Shanahan. Before proceeding with the meeting, Ohio State Representative Haraz Ghanbari administered the Oath of Office to re-elected Councilwoman Brenda Mackey. Representative Ghanbari then administered the Oath of Office to newly elected Mayor Matthew Shanahan. Roll call of members: Brenda Mackey, here; Connie Mehring, here; Jamin Roe, here; Jason Benedict, here. Also present were Village Administrator/Utilities Superintendent/Meter Reader Chad Johnson, Zoning Inspector Brian Owens, and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitors present: Ohio State Representative Haraz Ghanbari; village residents Mark Smith and Hannah Grohowski; Logan Benedict, son of Councilman Benedict; and to observe Mayor Shanahan's oath of office: Melissa Owens, the Shanahan family, Kylee Euler, Jackson Shanahan, Ellen Douglas, David Shanahan, and Eric Heinemann.

Mayor Shanahan and members invited Mark Smith to speak to Council about his interest in filling a vacant council seat. Mr. Smith told members he has been a police officer for the City of Toledo for nearly seven years. He is originally from Waterville and grew up there. He lived in Whitehouse for a year. He bought a house on Wall Street in Tontogany in 2013 and has lived here since then. It is a nice, quiet place to live. He was asked if he might want to fill a vacant council seat and decided he would like to do so. Mayor Shanahan brought up the question of which council seat he should fill, since there are currently two vacant seats, and when he would need to run for office again. The mayor said that his previous council seat is officially open and has two years left on it. He confirmed with Solicitor Skaff that the person filling it would serve the remainder of the two years. We have 30 days to appoint someone into that seat. The question was brought up whether we need to fill John Heckerman's vacant seat first or not, and, if so, would the person who fills it need to run again in November 2020. Members suggested swearing in Mr. Smith as a council member, and then finding out which of the vacant seats he should fill and when he would need to run for election. Councilwoman Mackey reminded Mr. Smith that regular council meetings are held on the first and third Monday of each month at 7:00 p.m., which Mr. Smith acknowledged that he knew. Representative Ghanbari informed the mayor and members that he made a call and found out that when a person is appointed to a council seat, typically, they have to run for the seat the next time there is a city council election. Councilman Benedict made a motion to appoint Mark Smith to fill a vacant council seat. Councilwoman Mehring seconded this motion. All were in favor; motion carried. Representative Ghanbari asked Mr. Smith if there was anything in his job that he knew of that would preclude him from holding elected office. Mr. Smith answered that he had looked into it and, as near as he could tell, there was nothing. Mayor Shanahan then administered the Oath of Office to newly appointed council member Mark Smith. Representative Ghanbari advised contacting the Board of Elections to let them know about this appointment. Mayor Shanahan answered that we will do so. Minutes from the December 16 meeting were approved as submitted.

**FINANCE and CLAIMS:** A spreadsheet of the current invoices was reviewed and approved by members. Councilman Roe made a motion that these bills be allowed and orders drawn for same. Councilwoman Mackey seconded this motion. All were in favor; motion carried. Copies of the December Bank Reconciliation, Fund Status, Revenue Status, and Appropriation Status reports were given to Mayor Shanahan and the Finance Committee to review. A copy of the Staples Credit Card Reconciliation report was submitted to Councilwoman Mackey to review.

Copies of the December incident report were made available for members to review, but no sheriff's deputy was present at the meeting to discuss the report.

Mayor Shanahan reported that Solicitor Skaff had emailed instructions on how to operate with only four council seats filled, but, now that we have five members again, we should be able to operate with less restrictions.

## TONTOGANY VILLAGE COUNCIL

Mayor Shanahan reported that Fiscal Officer Harnishfeger had emailed to members the proposed Rules of Council, prepared by Solicitor Skaff. He asked if members had looked them over and were ready to make a decision on them. The mayor said he talked to Mr. Skaff about it. We do not need to do three readings. We just have to approve Rules of Council by voice vote. If we are not prepared to do that at this first meeting, we just have to do it within our first two to three meetings every year. Members were not ready to make a decision yet, so Mayor Shanahan said we will table the issue for now and take it up again at the next meeting. He also asked Mr. Harnishfeger to email a copy to newly appointed council member Mark Smith.

Mayor Shanahan said he would like to review and update our council committees. Councilman Benedict announced that he will be moving, but he does not know exactly when. It will likely be sometime between now and April 1<sup>st</sup>. He said he will serve his position until the last day, but he does not know when that will be. He also said he has been speaking to a person across the street from him who is interested in becoming a council member. Discussing the committees one by one, it was decided that the following members would be on the following committees: FINANCE & CLAIMS: Brenda Mackey as chair, with Jamin Roe; UTILITIES: Jason Benedict as chair, with Connie Mehring and Jamin Roe; DRAINS & SEWERS: Jamin Roe as chair, with Connie Mehring and Jason Benedict; SIDEWALKS & TREES: Jamin Roe as chair, with Brenda Mackey and Mark Smith; STREETS & ALLEYS: Mark Smith as chair, with Jason Benedict; CITY HALL & PARKS: Connie Mehring as chair, with Brenda Mackey and Mark Smith. Mayor Shanahan stated that Jason Benedict will continue as President of Council, as decided at the December 16, 2019 meeting.

Mayor Shanahan reported that he asked Fiscal Officer Harnishfeger to begin emailing the minutes to members, so they could read them before the next meeting. Then the minutes will be approved or approved as corrected at the next meeting, saving the time it takes to do a full reading at each meeting. We can still provide hard copies at the meetings.

Fiscal Officer Harnishfeger reported that he received a letter from the Wood County Sheriff's Office, notifying us that their employees were awarded a 3 percent wage increase, beginning January 2020. This will be a new cost of \$42.72 per hour of service.

Mayor Shanahan reported that he spoke with Solicitor Skaff about zoning ordinances. Mr. Skaff will email to our fiscal officer ordinances that are set up in other villages. We will change the wording to make them for Tontogany. We will add consequences for violations. Mr. Skaff will send copies to Mayor Shanahan and to Zoning Inspector Owens. This will make it easier than trying to write ordinances from scratch and we will then have ordinances with meaningful requirements and consequences, so Mr. Owens can deal more effectively with problems.

**ZONING:** Zoning Inspector Owens reported having done two zoning permits, each \$50.00, one for an out building for Chad Hartman and one for an addition on a house on North Street, purchased by Jerry Asmus' daughter, Jessica Frank. Utilities Superintendent Johnson mentioned to Mr. Owens that he also received a call from someone asking about utilities for the last lot in Harley Woods.

**UTILITIES:** Councilman Roe reported to Utilities Superintendent Johnson that there was an accident Friday night at his father's house at 18562 Tontogany Creek Road during the storm. A car took out their mailbox and slid into a spruce tree. It looks like the meter pit lid might have gotten moved a little bit. The father of the young person who had the accident came and talked with Mr. Roe's parents and said to let him know if anything needs replaced and he will take care of it. So, if Mr. Johnson finds the meter lid damaged when he reads meters, Councilman Roe asked him to let him know and he will see about getting us reimbursed for the damage.

**STREETS and ALLEYS:** Mayor Shanahan reported that CSX will be cutting us a check for the original estimated amount for road repairs from Morlock. We are going to bypass the extras and add-ons talked

## TONTOGANY VILLAGE COUNCIL

about. He talked with Jeremy, who will be sending a release form to the Village. The mayor will have to sign the release and get it back to them. Then they will cut us a check for the original quote amount that we mailed to them. Then that CSX matter will be closed and off of the books. We will put the money in an appropriate account to be used for street repair when the weather permits.

Mayor Shanahan reported that he spoke with Scott Alexander about the alley off of Crom, across from the park. That alley is rough to drive through, with a good-sized pot hole. Scott is aware of it and he will work on it in the spring. He doesn't want to try to patch it now and then tear it up with the plow.

Councilman Roe reported that they tend to pile snow on the sidewalks at intersections when plowing. Mayor Shanahan answered that he will follow up with Scott about that.

Mayor Shanahan reported that the street light across from his house on North Street is out. Councilman Benedict reported a light on Kellogg Road either cycling or out too. Members discussed whether to continue to ask Bowling Green Electric to repair our lights or to seek another company to do it. Utilities Superintendent Johnson said he would contact John Stewart at Bowling Green again to see if they will do it. Mayor Shanahan asked everyone to make sure Mr. Johnson has a full list of known lights that need worked on. The mayor also commented that he met with the mayor of Bowling Green last week and brought up the topic of the school's solar project. He said that if we have any concerns about rates going up or unfair play, to give him a call and the utility director will come and sit down with us and make sure we are okay.

**SIDEWALKS and TREES:** Councilwoman Mackey reported that, about a month ago, she made a call to a lady she knows outside of town to see if she was interested in picking up the remainder of the ash tree logs on North Street. She said they would look at them, but she never picked them up, so they are still available to anyone who wants them. Mayor Shanahan suggested possibly listing them as free for the hauling, like the posts at the park. Councilman Benedict said he would take care of the logs, if nobody wants them.

Councilwoman Mehring inquired about Dale Moser's meter and the letter from Cindy Reynolds discussed at the last meeting. Mayor Shanahan answered that he spoke to Solicitor Skaff about it. Mr. Skaff's first question was, "Who owns the meter?" Utilities Superintendent Johnson answered that it would be our meter. Mayor Shanahan stated that we would be responsible for the meter then. The second question Mr. Skaff had asked was, "Did the residents know, verbally or in writing, that they were being estimated for that long. Utilities Billing Clerk Harnishfeger answered that it wasn't spelled out to them, but the billing cards include a code "E" for estimated or "R" for real beside the readings, however, a lot of people might not know what those codes mean on the bill. Mayor Shanahan concluded that we need to find out the cost and make a plan to get the meter fixed. Also, anyone being estimated needs to have it spelled out and made clear to them that they are being estimated and why. Mr. Harnishfeger said he has to estimate about 20 meters or more per month. Writing letters to that many people to try to explain why each one received an estimated meter reading each time he does billing would be very difficult. The mayor reasoned that people may not know they are being estimated, or, if they do, they need to know why. Also, it needs to be determined if it is a problem on the customer's end or our end that they are being estimated. Mr. Johnson and Mr. Harnishfeger pointed out that the inability to get a real reading could be due to anything from a vehicle parked over the meter pit, to snow cover, to more serious problems. Occasionally estimating meters is a standard practice for utilities vendors. It is only when the estimates continue over a long period of time that you run into a problem like with Mr. Moser's meter, due to underestimates or overestimates that pile up. Councilman Benedict suggested sending a generic letter to all utility customers to explain how to read their bill to know if a meter reading is an estimate or real. Mayor Shanahan added that such a letter could explain some of the reasons why we would do an estimate. This would eliminate the necessity to write to individual customers each time their meter is estimated. The question was brought up if there would be room on the utility billing postcard to put this information. Mr. Harnishfeger answered that there is not enough

## TONTOGANY VILLAGE COUNCIL

room on the card for an explanation about estimates. He does, however, use the message space on the cards when a lot of meters need to be estimated, adding a message such as, "SOME METERS ESTIMATED DUE TO SEVERE WEATHER." Mayor Shanahan asked Mr. Johnson to put together a letter to the utility customers about estimates, like he did about the water rate increase, and submit it to Council for editing and final approval. Then we could send the letter out once a year to the customers.

Councilwoman Mackey advised that we may not need to send the letter out every year, but to tell people going forward to check for the information on our website. Mayor Shanahan added that we could tell them to look at the website or call our office with questions.

**DRAINS and SEWERS:** Mayor Shanahan reported that he was asked again about the drain across from the church, on the corner in front of Thelma Wires' house. The drain is sunken in a little. Ms. Wires would like for us to look at it because it is not draining properly. The mayor said it may just be clogged with leaves and need cleaned out. Councilwoman Mehring said that Ms. Wires wondered if we could raise the drain up some. The mayor said we will keep our eye on it and then consider it for a spring project.

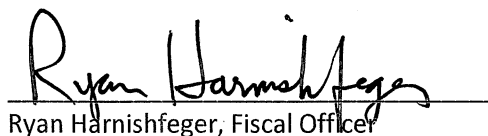
**CITY HALL and PARKS:** Mayor Shanahan reported that he and Councilwoman Mehring had a conversation about a hall renter who came in to set up and accidentally locked the hall key inside the hall. Ms. Mehring called all around trying to find another key to the hall, but couldn't. The mayor said they decided that we should have an extra key amongst one of us, in case this should ever happen again and we can't get in touch with Mr. Harnishfeger or the mayor to open the hall. Councilwoman Mehring asked why every council member doesn't have a key to the hall. Councilwoman Mackey responded that many years ago most council members did have a key, but not everyone wanted the responsibility of having a key. Councilman Benedict asked if the same key works for the hall front door and the office. The mayor answered that they are two separate keys. Mr. Harnishfeger stated that we now only have two spare keys for the hall, which must be kept at the office to issue to hall renters, who sometimes rent the hall back-to-back on weekends. The only other hall key, which was returned by John Heckerman, was given to Mayor Shanahan. There may be other keys floating around somewhere with people who they were given to in the past. The Odd Fellows have a key or keys to the hall. Mr. Harnishfeger commented that John Heckerman had told him we should be able to get some extra hall keys made at The Brass Key Shop in Bowling Green. Mr. Harnishfeger also said that he gives hall renters his cell phone number to call him if they have any problems. Mayor Shanahan concluded that he now has a hall key, so we can use that in an emergency until we get more keys.

Councilman Benedict reported that he called Eric Palmer about the park drainage. The next time it rains we will go down there and get a general idea of where the bad spots are.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:03 p.m.



Jason Benedict, President of Council



Ryan Harnishfeger, Fiscal Officer