

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: November 15, 2021

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. Roll call of members: Brenda Mackey, here; Connie Mehring, here; Jamin Roe, absent; Mark Smith, absent; Robert Bergfeld, here; Damon Lee, absent at roll call, but arrived at 7:04 p.m. Also present were Village Administrator/Utilities Superintendent/Meter Reader Chad Johnson, Zoning Inspector Brian Owens, and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitors present: Joe Pemberton and Matt Ziegler for Suburban Natural Gas presentation. Minutes from the November 1<sup>st</sup> meeting were approved as submitted.

**FINANCE and CLAIMS:** A spreadsheet of the current invoices was reviewed and approved by members. Councilwoman Mehring made a motion that these bills be allowed and orders drawn for same. Councilman Lee seconded this motion. All were in favor; motion carried.

Mayor Shanahan did a third reading, by title only, of Ordinance #942-21, an ORDINANCE INCREASING THE SALARY OF THE VILLAGE UTILITIES SUPERINTENDENT. Councilman Lee made a motion to adopt Ordinance #942-21. Councilman Bergfeld seconded this motion. All were in favor; motion carried.

Mayor Shanahan invited Mr. Pemberton and Mr. Ziegler to speak to Council about Suburban Natural Gas. Mr. Pemberton began by reminding members of a recent traffic accident that took out 73 of Suburban's customers on a Friday morning. Fortunately, Matt Ziegler managed to get 60 of those customers turned back on by that night, and the rest shortly after. Mr. Pemberton then proceeded to give his safety presentation regarding natural gas. He reported that earlier today they completed a leak survey for Tontogany, which is done every three years. As a token of appreciation for Tontogany customers, Suburban will be donating about \$982 to the village as a Community Development Fund, calculated at \$2 per meter. Mr. Pemberton asked village officials, if they see anyone about to do any kind of digging, to remind them that they should call 811 before they do so. The leading cause of natural gas leaks is gas line hits by people who did not call 811 to have underground utilities locations marked first. There is a waiting period of two business days for utilities to be marked and there is no cost to the homeowner. Signs of leaking natural gas may include smell, blowing dirt, bubbling, or a hissing or roaring sound. If a gas leak is suspected, do not do anything that would cause a spark (a cell phone can cause a spark), get out of the area first, and then call 911 and the local natural gas supplier. Mr. Pemberton asked if members had any questions for him. Administrator Johnson said that he had run into the gas meter while mowing his daughter's lawn; he wondered if he should have Suburban check it out to make sure it is not leaking. Mr. Pemberton answered that he should absolutely call Suburban to have it checked. Mayor Shanahan thanked Mr. Pemberton and Mr. Ziegler for the annual safety talk and for the Community Development Fund contribution to Tontogany, which helps us each year. Mr. Pemberton responded that Suburban appreciates the partnership they have with the Village of Tontogany. Mr. Johnson asked about gas prices. Mr. Pemberton answered that their suppliers are saying that the price of the commodity is expected to start coming down going into March, but time will tell. Local distribution companies like Suburban can't make a profit off of the commodity; they can only make a profit off of distribution. So, it is bad PR for them when the commodity prices go up, but they can't make a profit from it. Mr. Ziegler added that the rise in fuel prices is across the board; you see it at the pump and everywhere. With nothing more to discuss, Mayor Shanahan thanked the gentlemen again and they left the meeting.

Mayor Shanahan reported that members each had a copy of an email from Jeff Cordy, owner of the Corner Carryout, stating that he recently applied for an updated liquor license to include the sale of wine or other alcoholic beverages on Sunday, rather than only beer. Mr. Cordy said that Liquor Control denied his request, due to the Village of Tontogany being designated a dry location for Sunday sales. Mr.

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Cordy said that his email letter was his attempt to lobby the village council to reverse the dry designation and vote in wet, so he could update his license for Sunday sales. The mayor said that he does not have a problem with the Corner Carryout selling more than beer on Sundays. He said he will consult with Solicitor Skaff to find out what we would need to do to change Tontogany from dry to wet. The mayor asked if any members were opposed to changing from dry to wet. Nobody said they were. In fact, members stated that they had no idea that there was a dry designation for Tontogany or when it had gone into effect. Councilwoman Mackey observed that the Corner Carryout has been a significant asset to the community and an excellent resource for the greater Tontogany area. The mayor and members agreed. The mayor said he would follow up with Mr. Cordy and let him know that the village council has no problem with granting his request, but we will have to find out from our legal counsel how to officially make the change.

Fiscal Officer Harnishfeger asked members to make a final decision on the appropriations budget for 2022, which he had proposed at the last meeting. He asked if there were any changes or additions anyone would like to make before it gets put into ordinance form for emergency passage at the first meeting in December. Mayor Shanahan reported that Councilman Roe has been trying to get a quote for tree trimming around the power lines. He reached out to about three companies and has not received a quote from any of them yet, but he drove around town, down streets and alleys, and saw power lines that need cleared on every block. Since a special certification is needed to work around power lines, Mr. Roe thought we should make more money available in the tree fund for the likelihood of higher expenses for trimming around power lines. Mr. Roe was also of the opinion that we didn't necessarily have to trim all the lines at once, but could do a couple of blocks at a time and get into an annual rotation of trimming through the village. After a brief discussion, it was decided to have Mr. Harnishfeger increase the tree maintenance appropriation amount from \$15,000 to \$20,000 for 2022. Administrator Johnson said he would ask Bowling Green Electric Superintendent John Stewart to go through Tontogany and identify the power lines most in need of trimming; he might even bring an arborist with him; and he might have an idea how much the certified contractors charge to do the trimming. The mayor and members agreed that this would be helpful. Councilwoman Mehring said she thought we should just start with the most needful areas that require trimming, and then do other areas later. Mr. Johnson asked about the large dead tree near Scott Coon's house that had been brought up at a meeting awhile back, if the county ever got back to us about that. The mayor responded that the Washington Township trustees looked into it and determined that it was on Mr. Coon's property. Councilwoman Mackey asked Mr. Johnson to ask John Stewart for a priority list of lines that need trimmed and a list of contractors who are certified to trim around power lines. Mr. Johnson agreed to seek this information from Mr. Stewart.

**ZONING:** Zoning Inspector Owens reported that he asked Fiscal Officer Harnishfeger to get some zoning permit forms printed. The forms are triplicate carbonless, and Mr. Harnishfeger intends to get them printed at Staples.

**UTILITIES:** Utilities Superintendent Johnson reported that we received the handheld meter reader back that was sent in for repairs. Utilities Clerk Harnishfeger commented that they delivered the unit back to us with a new battery in a separate package; they said to just pop the battery in the back and charge it up and it should work fine again. Mr. Johnson said he inquired about purchasing some more water meters and our supplier said he won't be able to get them for about nine months. They picked up fifteen old ones and will give us \$100 credit on those. He still has five or six meters. Mr. Harnishfeger commented that he spoke with the gentleman who delivered the handheld back to us, who told him that we need to order ahead whatever meters we need, because they are backed up for months on fulfilling orders. It is part of the supply line shortages that are happening everywhere. Mr. Johnson said he ordered six new water meters. Mr. Johnson also reported, concerning exercising valves, that he is

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down to about six more he has to do. He also did the quarterly THM and HAA water samples yesterday and delivered them to the lab today.

Utilities Clerk Harnishfeger reported that he was informed by Mr. Johnson that someone had been living in the upstairs apartment downtown, owned by Hefflinger, which he had been unaware of, not having been notified by the landlord or the tenant. He tried calling Mr. Hefflinger, but got no response, so he wrote him a letter, informing him that the village found out someone was living there, using our utilities without letting us know. Therefore, a utilities account was set up to begin billing in December. The water and sewer billing had been turned off in the downstairs unit, due to no usage for years, but now there was usage again, so Mr. Harnishfeger said he turned water and sewer billing back on for that account. Zoning Inspector Owens suggested pulling the electric meter out of the apartment, if the bill is not paid. Members agreed. Mr. Johnson said he can't just pull the meter without knowing more; hopefully Mr. Hefflinger will get back with us on what is going on with the apartment. The mayor suggested warning Mr. Hefflinger that we intend to pull the meter and he has a certain amount of time to get anything out of there or make acceptable arrangements with us to keep the account active.

Zoning Inspector Owens asked if Council ever resolved what we can do about delinquent electric utilities. Mayor Shanahan said he would have to go back and see what Solicitor Skaff's recommendations were in his email. The mayor said he remembered that Mr. Skaff had said Haskins changed the way they were dealing with the issue and had better results. Mr. Johnson and Mr. Harnishfeger explained that Haskins had been using limiters on their meters and then changed to a policy of complete shut-off, which brought nearly 100 percent compliance. Mr. Harnishfeger cautioned that, if we decide to shut off electric, we need to find out about what is allowed by law in cold weather, and we need to ask customers if they have a need for electric not to be discontinued, due to a certified medical condition. Mr. Harnishfeger reminded members that he had sent them a memorandum about electric fund problems, in which delinquent electric utilities was one topic that had not yet been addressed to date. The problem arose when the county decided to disallow electric utilities to be certified to be placed on the property tax duplicate. This left the village with no way to handle many thousands of dollars' worth of delinquent electric utilities that just keep growing as the months pass. Mr. Johnson added that there is also a problem with getting in touch with some of the landlords and customers. Mr. Harnishfeger agreed and gave an example of one rental customer for which both the bills to the customer and the copies to the landlord come back to him as undeliverable. The resident's Post Office box was closed, and the landlord apparently moved and provided no forwarding address. Even the property owner's address listed at the county auditor's website is invalid. Mr. Johnson suggested starting to pull water meters on delinquent accounts, since there is not an issue similar to shutting off electric service at certain times of the year. Mr. Harnishfeger commented that we need to have a policy change drawn up for us by Solicitor Skaff, if we are going to change from certifications to just pulling both water and electric meters on delinquent utility accounts. The mayor added that we would probably need it done as an ordinance. The mayor asked how long of a time we want to wait before shutting off unpaid utilities. Mr. Harnishfeger responded that we currently mail certification notices to accounts that are ninety days overdue. He asked that any new policy either use that same timeframe or, if changed to less time, that it be a uniform amount of time for all utilities, so we are not crisscrossing notifications on different types of utilities. There also needs to be a decision on whether or not we will allow the customer to make an arrangement with the Village to pay their current bill plus pay down their overdue balance over time. If so, there needs to be clear criteria of what will be an acceptable pay-down plan. Mr. Johnson said he thought that, if bills are due by the 20<sup>th</sup> of the month, we should take action if the bill is not paid by the end of the following month. That would be about forty days beyond the due date. He suggested that, if the bill is not paid by the due date, we send a letter to the customer, informing them that our policy is that their utilities will be shut off, if not paid by the end of the following month. Councilman Lee suggested telling the delinquent customer that they need to communicate with us. He also suggested that we may want to have a committee of council members to consider requests and make

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recommendations on a case-by-case basis, for customers who call with requests to consider extenuating circumstances. Mr. Johnson said he thought there should be a fee involved, if we have to turn utilities off and back on. Suggestions were made of a \$100 fee to cover the cost of paying our Utilities Superintendent extra money to pull and replace meters, and as a penalty to discourage delinquency. The mayor said he would get an email out to Solicitor Skaff first thing in the morning, asking him to draw up an emergency ordinance for passage at the first meeting in December, and he will copy Mr. Johnson and Mr. Harnishfeger on it, to add their comments.

Councilwoman Mehring asked where we are on the new solar ordinance with the school. Mayor Shanahan reported that Superintendent Adam Koch got a copy of the updated ordinance today. He said he will probably bring it up with the school board, since they approved the first agreement. Mr. Koch has no problem with us moving forward and there should be no issues. Once passed, the new rate in the ordinance will go into effect January 1, 2022. The mayor said his goal is to adopt the ordinance at one of the two meetings in December this year, as an emergency measure.

**STREETS and ALLEYS:** Mayor Shanahan reported that he received a text message from Karen Graf today, stating that she found a parking violation on her vehicle for parking overnight downtown. She thinks it is a warning, rather than a ticket. The mayor said he responded to her that we had told the deputies that residents living downtown were exempt from the “no parking 3 a.m. to 6 a.m.” restriction. Ms. Graf asked why the signs are there and said she didn’t think they do any good. The mayor said he told her he would bring it up at Council and we will get word to the deputies again that residents are exempt. The mayor said he wondered if the lady that lives in Woodbury’s apartment across the street from Karen got a warning too. The mayor said he explained to Ms. Graf that we added more no parking signs to deal with the white van situation downtown on Broad Street. The mayor told members he didn’t know if some corrective action might be needed or not; there was never a sign in front of the A C Current Store that said “Current Parking Only.” Councilman Lee asked what the issue was. The mayor explained that Karen Graf parks on Main Street in front of her dad’s old appliance store there, as she has for decades, where she and her husband live in an apartment upstairs, but there is a “no parking 3 a.m. to 6 a.m.” sign there. There is also a lady who lives in an apartment across the street from the Karen Graf downtown. Councilwoman Mackey asked about who lives in the apartment on the corner of Main and Broad Street, owned by Hefflinger. Mr. Johnson answered that he thinks the person who was there for a short while relocated. The mayor commented that there are no “no parking” signs on Main Street heading west beyond Broad Street, only on the Broad Street side there. Mr. Lee asked if it should not be considered the responsibility of a resident, rather than village officials, to inform the Wood County Sheriff’s Department of their vehicle that they intend to park in a no parking zone, so the deputies will know it is exempt. By registering their vehicle in the system, it would come up every time as exempt, due to being a resident. The mayor agreed that this would be a great idea. Councilwoman Mackey also agreed that it would be best for the resident to make a personal call to register their vehicle(s) in the sheriff’s system. The mayor said he would see if there is a number to call that he can pass on to Ms. Graf.

**SIDEWALKS and TREES:** Mayor Shanahan reported that Councilman Smith did an update and the contractor is intending to pour some more sidewalks this week, Thursday, and one more pour after that. He was also going to talk to Cody about the edging of the sidewalks they have already poured, to make sure they are even and not ankle-breakers. The mayor said he wasn’t sure if they would be able to finish all of the scheduled sidewalks before the weather stops them. There are a couple on Wall Street and a couple on Main Street yet. Councilwoman Mackey said she hoped they would do any they can’t do this year the first thing in the spring of next year.

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

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**CITY HALL and PARKS:** Mayor Shanahan reported that the fire department is all set for Santa Claus; they will start at 6:15 p.m. and drive Santa up and down the streets of the village until 6:45 p.m. That will give fifteen minutes for people to come to the village hall by 7:00 p.m. for the tree lighting ceremony. Councilwoman Mehring asked if we intend to have cookies and punch or hot cocoa. The mayor answered that he does not think so; we will keep it outside this year, which seems the safe thing to do. Ms. Mehring also asked about lights needed for the tree. The mayor said they turned the tree on and they found that there were not as many bad bulbs as they thought. Councilman Smith had enough bulbs to fill the voids. The mayor asked if we got Tim Smith's bio and Councilwoman Mackey responded that we did. Ms. Mehring said Steve Powell's wife told her Bill Gase was the one to talk to about the Christmas tree at the fire hall, so she called Mr. Gase and he said he would try to see what he could do at their next meeting. The mayor reported that two pastors will be here to lead in prayer. Doc's will be doing half off on appetizers for anyone who comes in before or after the tree lighting. Ms. Mehring told members that Tim Smith had suggested that the village council might think about choosing a family as the honored tree-lighting guest next year, which she thought was a good idea. Mayor Shanahan commented that Tim Smith had suggested that to him as well and he also liked the idea. Administrator Johnson suggested Patti Wires as a possible honoree. Councilwoman Mackey added that another person they thought of was Arla Mae Crawford, who has literally lived her whole life in Tontogany.

Mayor Shanahan reported that he got with Councilman Lee and did a promotional video on the Bright Lights of Tontogany. He also did two separate videos: one promoting the tree lighting and another one reminding people to shovel their sidewalks in the winter. There was a sound problem at the hall, so Adam Koch has permitted them to do a second take in one of the rooms at the school for better sound quality. When Mr. Lee is finished editing, the links will be made available for posting on social media. Mr. Lee suggested putting them on YouTube, and the mayor said they could be posted on the Tontogany website too.

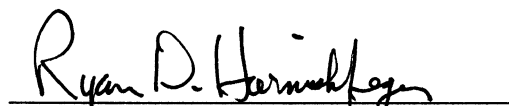
Mayor Shanahan told members that at the last meeting of the year on December 20<sup>th</sup>, everyone can bring cookies or a snack to share and we will stick around after the meeting for a little holiday socializing.

The mayor said he sent members pictures of the plaque ideas for Ronald Current. He asked if they had a preference. Members agreed that the picture on the left was the one they liked best, although both designs were very nice. The mayor said that Mark Ballard is designing them and he asked Mark for an estimate of cost, to put before Council. His answer was, "It is for Tontogany, so whatever you guys feel is appropriate." The mayor said he will tell Mark that we like the left option. It is an 18" x 18" sign. Once it is finished, we will get with Karen Graf to plan the dedication. The mayor and members discussed some possible ideas for the dedication and a press release.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:22 p.m.



Matthew Shanahan, Mayor

  
Ryan Harnishfeger, Fiscal Officer