

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: December 20, 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, here; Mark Smith, here; Robert Bergfeld, here; Damon Lee, 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: Lincoln Fox, interested in future council member seat opening; Karen Graf and Jennifer and Jeremy Sheeks, concerning downtown parking; Otsego student TJ Hendricks, for Otsego government class. Minutes from the December 6<sup>th</sup> 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 Mehring seconded this motion. All were in favor; motion carried.

Mayor Shanahan did a second reading, by title only, of Ordinance #945-21, an ORDINANCE SETTING FORTH PROCEDURES FOR WATER UTILITIES SHUTOFF.

Mayor Shanahan did a second reading, by title only, of Ordinance #946-21, an ORDINANCE SETTING FORTH PROCEDURES FOR ELECTRIC UTILITIES SHUTOFF.

Mayor Shanahan invited Karen Graf and Jennifer and Jeremy Sheeks to speak to members regarding their concerns about the No Parking signs downtown. Jennifer explained that Karen had been told to call the Sheriff's Department to let them know she is a resident downtown, so they wouldn't give her a citation for a parking violation. However, that didn't work and she received citations anyway. Jeremy Sheeks, who is a police officer, explained that there is confusion with different towns wanting parking violations to be handled in different ways, while the officers try to use consistency. Mayor Shanahan commented that he had talked with Lt. Panning of the Road Patrol for about thirty minutes, discussing various possible options, such as Resident Parking Only signs or a tag for residents to hang, saying Resident Parking Permitted. However, Lt. Panning said there is no way for officers to prove that that person is the one driving a particular vehicle. The mayor said he also spent about thirty to forty minutes talking with the village's legal counsel about this, and their opinion was that the signs should stay up, since the village provides ample parking for residents at the Broad Street corner on both sides. The history behind the signs being installed is that in the past we have become a dumping ground for abandoned vehicles, both downtown on Main Street as well as on Broad Street. The No Parking signs went up in response to a person who was parking and living in his camper. We have towed abandoned vehicles, only to have them show back up. We asked for enforcement, which started to clean up the problem, but now it has created an unintended problem for our downtown residents. Councilwoman Mackey added that the abandoned vehicles have also been a problem in that they block the ability of the township to clear snow off of the streets for the village. Councilman Roe also recalled that we tried to get the white van moved from downtown, but we were told there was nothing that could be done, since it had current plates, leaving No Parking signs as our only option.

Karen Graf said she sometimes has a problem even finding a parking spot in front of her apartment and she doesn't want to park down around the corner and have to walk in the dark to get to her apartment entrance. Jennifer also pointed out that the No Parking signs force a person to drive away from the bar, when they may feel like they have had too much to drink to drive safely. Councilman Smith commented that he thinks the ladies are bringing up valid points. It is unfair for us to ask the county to ticket one car and not another. All the officers are doing is using fairness by giving citations to all violators of our posted signs. The best solution might be to take the signs down for now and rethink how to handle problems in a better way that works for everybody. Jennifer commented that she had researched what other towns have done. She gave copies of her research to members who wanted them. She pointed out a rule in one town limiting the time a vehicle can sit to 48 hours; also a 30-day

## TONTOGANY VILLAGE COUNCIL

rule for vehicles just sitting, even on private property, so they can be towed away after 30 days. She also found a rule that vehicles must be moved when there is two or more inches of snow, so the streets can be plowed, which would only be a seasonal restriction, rather than a year-round parking restriction. She made the point that this can be done with ordinances, so, when there is a violation, you can call the Sheriff's Department about the particular issue and have it taken care of, without the need for No Parking signs. Mr. Smith commented that he thinks we could establish a 48-hour rule that would serve our interests well. Ms. Mackey commented that the problem in the past has been that we have communicated with the Sheriff's Office and they haven't done anything. Jeremy Skeeks offered his phone number and email address for the mayor or members to contact him anytime there is a problem and he will look into it to get action going on it. Councilman Smith made a motion to take down the No Parking 3 a.m. to 6 a.m. signs downtown for now. Councilman Roe seconded this motion. All were in favor: motion carried. Mayor Shanahan said we would read the researched information Jennifer gave us, get with Solicitor Skaff, and rewrite our ordinance to incorporate ideas that will help us solve future parking problems with the ability to call in deputies to hold people accountable for violations of our code.

Karen Graf asked how it was going with the planned four-way stop downtown. Mayor Shanahan answered that the ordinance has been passed. It may be spring before we can get the hole cut in the concrete sidewalk, needed to install the sign there. We have the signs and the four-way placards. We need to get the flashing light on top for all four signs. They should all go up in early spring or when the thaw happens. The mayor commented that we had discussed, and he wondered, whether or not we need to remove a couple of angled parking spots in front of Current's, for better visibility. Officer Skeeks gave his advice that, if there was any question about visibility, he would suggest removing them. Councilman Smith read a portion of Ohio Revised Code that specified a clearance of 30 feet. With nothing further to discuss, Karen, Jennifer, and Jeremy left the meeting.

Mayor Shanahan invited Lincoln Fox to introduce himself to members, having come because he is interested in filling the council seat that will be vacated by Councilman Roe at the beginning of 2022. Mr. Fox said he has lived in Tontogany for a couple of years with his wife and two girls, right next door to Councilman Bergfeld. Previously, he lived in Toledo for about fifteen years. He has lived in Northwest Ohio almost all of his life. He worked for the state. His daughters go to school here. He thought it would be a good idea to show some interest in the village and get involved a little bit. The mayor asked if there were any questions for Mr. Fox. There were none. Councilman Smith thanked him for being here.

Mayor Shanahan acknowledged the presence of TJ Hendricks from Otsego. TJ said he was here to document the events for his government class.

Fiscal Officer Harnishfeger reported that he contacted Staples and ordered a new credit card to replace our old one that the store no longer accepts. The new card arrived in the mail today.

Fiscal Officer Harnishfeger asked members to confirm a meeting schedule for 2022, which will be published as a news brief in the Sentinel-Tribune, as well as posted on the village website and the front door of the hall: 2022 council meetings are scheduled for the first and third Monday of each month at 7 p.m. in the village hall, with the exceptions that there will be no meeting on the first Monday of January, no meeting on Monday, July 4, in observance of Independence Day, and no meeting on Monday, September 5, in observance of Labor Day. Mr. Harnishfeger commented that, if we need an extra meeting when none is scheduled, we would simply have to publish it and call for a meeting, say, on a Tuesday. Mayor Shanahan commented that we had decided last year to stick to one meeting, unless there was a special need to call another meeting. The mayor also pointed out that our first January meeting happens to be on Martin Luther King Jr. Day, which falls each year on the third Monday in January. Mr. Harnishfeger asked if everyone was good with the schedule he stated above. Members gave their approval, with no objections voiced.

Fiscal Officer Harnishfeger asked members for approval to pay any bills that may come due before the first meeting in 2022. Councilwoman Mackey made a motion to approve and authorize the fiscal

## TONTOGANY VILLAGE COUNCIL

officer to pay any bills that may come due before the first meeting in 2022. Councilwoman Mehring seconded this motion. All were in favor; motion carried.

Fiscal Officer Harnishfeger reviewed the 2022 salaries and compensations for employees and elected officials: mayor's salary is \$300.00 per month; village administrator's salary is \$300.00 per month; fiscal officer's salary is \$1,750.00 per month; utilities superintendent's salary is \$800.00 per month (split \$600.00 for water and \$200.00 for electric), plus \$20.00 per hour for extra work or \$7.50 per meter installed, subject to approval by Council; utilities clerk's salary is \$450.00 per month; zoning inspector's salary is \$125.00 per month; meter reader's salary is \$150.00 per month, plus \$20.00 per hour for extra work or \$7.50 per meter installed, subject to approval by Council; council members' compensation is \$64.00 per month, conditional upon a member attending at least one council meeting monthly or being excused for nonattendance by Council (see Ordinances #807-10 and #847-14); village laborer's pay is \$15.00 per hour. Councilman Roe commented that members may want to consider an increase in the administrator's salary, considering the experience and background Brandt Corral would bring to the position, if he takes it. Mayor Shanahan responded that a possible raise was suggested. It was also suggested that we keep the salary as it is for one year and then have a conversation about whether or not it needs to be increased, which is what we intend to do for now.

**ZONING:** Councilwoman Mackey reported that there has been a sofa and chair sitting out in the right of way on Main Street and a chair on Wall Street for at least a week. The residents need to be contacted and told these items need to be disposed of. She asked Zoning Inspector Owens to take care of this as soon as possible.

**UTILITIES:** Utilities Superintendent Johnson reported that he has been exercising valves, per the EPA rule that came in December 23, 2016, as part of Asset Management. They came up with the rule because certain towns never did anything with their valves. He got all of ours done. He had an issue with the 4-inch at Broad and Crom. Palmer did get called out on two valves, but, for the most part, everything is in pretty good shape. We have a lot of 4-inch lines—down North Street; from Tontogany Creek Road to Broad Street; it goes up Broad Street and down Crom Street. It is old line. We have 4-inch at Washington Street down toward the tracks. We have 4-inch on Lincoln Street and 4-inch on Wall Street. Most of them are from about 1950. They are tough to turn, but they work. We finally got the one taken care of where Don Buehrer put asphalt over it. Another part of the Asset Management rules is required exercises, which he did with Brandon Johnson and Bowling Green Water Plant personnel. This also comes under the five-year rule, where you have to do ten different scenarios, which is like roundtable discussions for things like emergency response. Most of the requirements are done, but every year you have to do critical valves. There are five years to get all of the non-critical valves done again. Mayor Shanahan asked if Palmer came and looked at the valves Mr. Johnson had texted about. Mr. Johnson answered that he did. He also told Palmer he has three valves that need to be unburied before winter. Also, there are a number of meter pits that have been buried under dirt and sidewalk, although he has painted them blue to make them stand out. Councilman Smith asked what else we need to be looking at; we know we need a waterline on Broad Street and backflow prevention on our master meter pits. Mr. Johnson answered that we also need a waterline replacement on Tontogany Road, from Main Street to Kellogg Road. Councilwoman Mackey asked what project we had intended to use the stimulus money for. The mayor and members answered that we had settled on backflow prevention for the master meter pits. Ms. Mackey asked when we were supposed to spend the first part of the stimulus money. The mayor responded that we have until the end of 2024 to spend it. Fiscal Officer Harnishfeger answered that both halves of the ARPA stimulus award have to be spent or committed in contract by the end of 2024. Mr. Harnishfeger added that, at the first of April 2022, he must give his first report about what we are doing with the money and he doesn't have anything specific to report to them yet. The mayor suggested that it would be a good idea for us to start getting some quotes together, which would

## TONTOGANY VILLAGE COUNCIL

help us know whether we will need to supplement the ARPA money or not. Mr. Harnishfeger commented that the water fund is now in good enough shape to supplement the ARPA money, if needed. Also, the reporting to the federal government needs to show an effort to put the project out for bids that allow various companies to compete to be able to benefit from the stimulus dollars. Mr. Johnson suggested that Feller, Finch can do all of that for us.

Utilities Superintendent Johnson reported that Bowling Green Electric was in town and fixed some lights. They fixed a couple of lights downtown and one by the church. Mr. Johnson said he also sent John Stewart a picture and information on the light that Brandt Corral wants in the alley.

Mayor Shanahan reported that Mr. Johnson got final meter readings at the house across from him and the renter will be moving out. Councilwoman Mehring asked what we could do if the renter doesn't pay her final utility bill—if we can collect it from the landlord. Mr. Harnishfeger reminded members that Attorney Wainwright informed us that we could still pursue the property owner for delinquent utilities, if necessary.

**STREETS and ALLEYS:** Nothing to report.

**SIDEWALKS and TREES:** Councilman Smith told members that the next question on sidewalks is: when do we want to send the bill out to residents? The fiscal officer has calculated the amounts due for each person, but, since seeding won't be done until spring, should we wait to send out the bills until that is all finished? Members answered that they thought the bills should be sent out now. Fiscal Officer Harnishfeger said that he would do whatever Council wanted him to do, but he wondered if some of the residents might say they didn't want to pay until everything was complete. Also, Mr. Harnishfeger stated that the street fund is in good shape and wouldn't be constrained at all, if we did not receive residents' payments into it until spring. Councilman Roe suggested that, if anyone questioned being billed now, we can let them know that they are just paying back the village for their share, and the village will be responsible to make sure the seeding gets done, which we are considering as part of our 50 percent. After a little more discussion, members decided to have the fiscal officer send out the bills immediately, with a payment due date in thirty days. Mr. Harnishfeger asked Councilman Smith about the removal of the east/west sidewalk on North Street for the resident at 18467 Broad Street, which Cody Donaldson had listed as a homeowner expense. Mr. Smith answered that we had originally agreed that the village would pay for that. Councilwoman Mackey added that it is on village property.

Councilwoman Mackey asked if we might want to send a thank you to Cody and his company. She said she thought they did a tremendous job and worked in adverse conditions, and she would be willing to hire him again for future work. Members agreed with Ms. Mackey and signed a card she had brought with her, and they approved a short message she suggested putting on the card to state how pleased the village officials are with his work.

Councilman Roe reported that he heard back from two companies he was seeking information from about trimming around power lines. They were both supposed to have given him a quote last week, but he did not get those quotes yet. But he did hear today from a local company. He was going to come and walk around town with Mr. Roe to see what was needed and put together a quote. He just had a question as to whether trimming would only be around secondary lines, or if it would include primary lines as well. Councilman Smith said he thought the majority of what we want trimmed is around primary lines. Mr. Smith asked if we had heard anything back from Bowling Green Electric about trimming. Utilities Superintendent Johnson answered that he had sent information to them but they didn't respond yet.

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

## TONTOGANY VILLAGE COUNCIL

**CITY HALL and PARKS:** Mayor Shanahan reported that he followed up with Mark Ballard about the Ronald Current plaque for the pavilion. He told him Council likes the \$600 plaque, but wanted to get an alternate quote for a plaque of that quality. Mr. Ballard is reaching out to another company to get another quote.


Councilwoman Mackey reported that about a month ago someone had stopped and reported that the water fountain at Centennial Park was spraying all over and causing flooding. They got the water turned off. She asked Mr. Johnson if it needs drained, and, if so, if he got the chance to drain it yet. Mr. Johnson offered suggestions of what might work on it, but he said it was left on for the contractor. It let loose again like it always does. Mayor Shanahan suggested that it might be a good park grant project for next year, if we could find a good replacement for it; this fountain gives us problems every year. The mayor suggested looking at fountains in Bowling Green parks or elsewhere to see what might work for us.

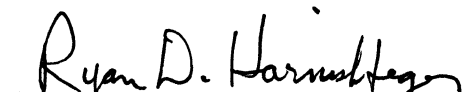
Utilities Superintendent Johnson said that the only reason he came to every meeting was because he was the village administrator. Since he will no longer be administrator after the end of 2021, he asked to return to the way things were done formerly, where the utilities superintendent and zoning inspector only came to the second meeting each month. Mayor Shanahan commented that we could have the new village administrator follow up on any concerns that need to be brought up at meetings where the utilities superintendent and zoning inspector would be absent. Members had no comments, except that Councilman Smith said he would miss being able to ask questions of Mr. Johnson. The mayor said we would consider the matter again at the only meeting in January.

Mayor Shanahan commented that it has been a good year and a lot was accomplished. He said he thinks we are moving in the right direction. He thanked Councilman Roe for his eleven years of service as a council member. The mayor then presented each official with a Christmas ornament as a token of his appreciation.

Councilman Lee thanked everyone for having him as a council member. He expressed his desire to participate more, and, particularly, to get involved with technology in serving the village.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:08 p.m.

  
\_\_\_\_\_  
Matthew Shanahan, Mayor

  
\_\_\_\_\_  
Ryan Harnishfeger, Fiscal Officer