

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: October 3, 2022

Council called to order in regular session at 7:02 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; Mark Smith, here; Robert Bergfeld, here; Damon Lee, here; Lincoln Fox, absent. Also present were Utilities Superintendent Chad Johnson and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitor present: a deputy from the Wood County Sheriff's Office. Minutes from the September 19th 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; motion carried. Copies of the September Bank Reconciliation, Fund Status, Revenue Status, and Appropriation Status Reports were given to the mayor and the Finance Committee to review. A copy of the Staples Credit Card Reconciliation Report was given to President of Council Mark Smith to review.

Copies of the September Incident Report were provided to members. Mayor Shanahan asked if members had any issues for the deputy. Councilwoman Mackey pointed out to the deputy that we are still seeing items related to other communities on Tontogany's Incident Report. The deputy responded that she was not sure what is going on, but would look into it. Mayor Shanahan reported that there is a Jeep Commander on Lincoln Street, next door to 18535, parked in the driveway with the front facing the street, with an expired tag on the back license plate. The vehicle hasn't moved in months. The deputy asked if the vehicle is fully on the property. The mayor answered that it is. The deputy commented that there may not be much they can do, since it is fully on private property, but she will relay the information. The mayor reported that the school will be having a "Trunk or Treat" event from 5:00 to 6:00 p.m. on October 31st, on the same day as the village's trick or treat from 5:30 to 7:00 p.m. He told the deputy that this may create extra traffic on Halloween and he asked her to pass this information along for planning on coverage for that evening. With nothing more to discuss, the mayor thanked the deputy and she left the meeting.

Fiscal Officer Harnishfeger reminded members that any changes to wages need to be decided upon in time to have them put into an ordinance by the first meeting in November, so the ordinance can be read three times and passed by the first meeting in December. This is needed so that new wage amounts can be included in the permanent appropriations ordinance for 2023 that is normally adopted at the last meeting of December. This means that wage adjustments need to be decided by the second meeting in October, so we can have Solicitor Skaff draft an ordinance, ready to start readings at the first meeting in November. Mayor Shanahan asked members to think about it and come to the next meeting with suggestions for any wage changes they might want to make. Councilman Lee reminded members that they had discussed increasing Mr. Harnishfeger's wages last year; he asked if that was ever completed. The mayor and members answered that it was not; the mayor added that that will be part of our discussion at the next meeting. The mayor asked Fiscal Officer Harnishfeger to email the current wages for each position to members, so they will have that information to review and help in their considerations for wage adjustments.

Mayor Shanahan did a third reading, by title only, of Ordinance #953-22, an ORDINANCE ADOPTING MUNICIPAL ORDINANCE PROHIBITING SMOKING WITHIN THE VILLAGE. Councilman Lee made a motion to bring Ordinance #953-22 to a vote for adoption. Councilman Bergfeld seconded this motion. Councilwoman Mackey, Councilman Bergfeld, and Councilman Lee voted in favor of adoption. Councilwoman Mehring and Councilman Smith voted against adoption. Councilman Smith explained his vote, saying that he thinks it would be better to do this with a resolution that strongly encourages not smoking in certain areas for the safety of kids, rather than putting a law on the books with an ordinance. Members asked for more clarification of the details of Ordinance #953-22, because they were unclear

TONTOGANY VILLAGE COUNCIL

on how restrictive it was. The mayor read from the ordinance that it is “to prohibit smoking at, near and within municipal buildings, parks and other gathering places within the Village.” The mayor commented that Solicitor Skaff wrote this ordinance to be consistent with what he wrote for the other three villages that the school had also asked to pass no-smoking ordinances, which was for the primary purpose of prohibiting smoking at public bus stops, which the school has informed the mayor that they are legally the property of the school. The mayor commented that we couldn’t realistically enforce this ordinance. Councilman Smith asked what we would do if someone holds our feet to the fire and says we need to enforce this because it is the law. After clarification of the details of the ordinance, Councilwoman Mackey and Councilman Bergfeld changed their vote to no. Councilman Lee left his vote as yes. So, the final voting results were one vote in favor and four votes against. Ordinance #953-22 did not pass.

ZONING: Councilwoman Mehring reported the dilapidated sheds on Hefflinger’s building. Mayor Shanahan responded that he would ask Zoning Inspector Owens to take pictures. Utilities Superintendent Johnson commented that he didn’t think pictures were needed; previously we just gave the address to the Health Department and told them that the buildings are falling down, and they came and took care of it. Councilwoman Mehring also reported the junk behind Anthony Hafner’s place again. Mayor Shanahan gave an update about that location, that nobody is living in the RV there; they are renovating the interior of it. Councilwoman Mackey commented that she thinks the trash and junk accumulated there would be considered a health issue. The mayor responded that he would pass that on.

UTILITIES: Utilities Superintendent Johnson reported that the mayor and members were each given a copy of the three-year survey from the Ohio EPA. He explained that they come every three years and check out all of your plans, such as your Contingency Plan, your Asset Management Plan, your Backflow Prevention Plan, your Total Coliform Plan, and your Valve Maintenance Plan. They check your fire hydrant flushing, fire hydrant maintenance, and other things like that. Their valve maintenance program requires that all critical valves have to be exercised once a year. Then twenty percent of the remaining valves must be done each year for five years, so all are done every five years. Mr. Johnson said he did all of the valves, so we received no violations. We are in good shape for now; then we have to begin to repeat the process for the next three-year survey in 2025. The mayor and members thanked Mr. Johnson for his work on this to keep the village compliant.

Mayor Shanahan asked for an update on utilities collections. Utilities Clerk Harnishfeger reported that he just prepared disconnection notices for fifteen customers, most of which had both a water disconnection notice and an electric disconnection notice, which Utilities Superintendent Johnson served on Friday, September 30. He said he had already received payments from a few of the customers who received notices. The notice gives the customer fourteen days to pay the delinquent utilities or make an agreement to pay it down over time, while paying their new billing fully. We have only had to disconnect one customer so far. Most people simply pay the amount on the notice to get themselves out of disconnection status. Then some of them fall behind again until they have to get another disconnection notice. A few people have made payment agreements and have been keeping them pretty well. Mr. Harnishfeger said he wrote a letter to one customer who was doing well on his agreement, but then started to slack off. He praised the customer for eliminating over \$500 of his previous balance and encouraged him to get back on track and keep paying it down. If he doesn’t respond, he will have to receive another disconnection notice. Mr. Harnishfeger said he tries to use good sense in how to deal with struggling customers and not to be hard-nosed about it if he doesn’t have to. But he understands that the village does not owe free utilities to anyone and if we have to shut them off, we will do so. Mayor Shanahan reported that the \$800 bill that had been discussed at previous meetings has been paid in full. Mr. Harnishfeger explained further that the former owner came in and

TONTOGANY VILLAGE COUNCIL

paid the delinquent utilities that had been left by his renter and that we had been instructed by Solicitor Skaff to place on the account of the new owner of the of the property.

Mayor Shanahan asked about the status of the commercial customer with a large past due balance. Mr. Harnishfeger answered that he may need to discuss that situation with Council again because they have not recently been keeping up with their agreement to pay their full current bill plus \$1,000 per month on their previous balance. He also commented on another delinquent customer that he thinks they may have moved out. If so, we will be shutting off their utilities in fourteen days, and former Administrator Craig Spoores had advised Mr. Harnishfeger that we should have our Village Solicitor file a mechanic's lien against the property for the amount of the delinquent utilities, making it impossible to sell the property before the Village gets paid for the delinquent utilities. The mayor asked if we can do the same thing for a commercial property. Mr. Harnishfeger said he thought maybe we could, but we would need to ask Solicitor Skaff to be sure. The mayor said he thinks we should be consistent with how we deal with customers. For instance, if the follow-up letter that Mr. Harnishfeger mentioned that he sent to one customer works, maybe we continue to use that method to get customers back on track. Councilman Smith said he thought Mr. Harnishfeger should continue to do it as he has been for now. Mayor Shanahan commented that this process has added work, but it appears to be getting better results. Mr. Harnishfeger agreed.

Councilman Smith asked where we are on getting new water meters. Mr. Johnson responded that they gave us six new meters two or three months ago. We are at thirteen months wait to get any more new meters. He had sent them fifteen old meters as trade-ins to get new meters, but they have only given us six so far. Mr. Johnson said that the company we buy from told him that it is the same with all of the meter companies—they simply can't get the parts. The mayor commented that Perrysburg is having the same issue. Mr. Johnson said that Mr. Harnishfeger had given him a list of meters that are not working right that probably need to be replaced. Mr. Harnishfeger explained that some of the meters have been giving a no-usage reading, when we know the customer is there using water, so they are just billed the minimum charge for up to 2,000 gallons. The mayor asked what would happen to the usage when a new meter is installed. Mr. Harnishfeger answered that there is no way to calculate what the old meter missed, so we would simply have to start them fresh with the new meter and then have correct usage from that point on. Mr. Johnson commented that we do not have very many that are not working right. Mr. Smith asked what we can do about getting meters. Mr. Johnson explained that we just have to wait right now; they won't even let us place an order for more new meters. We have to try to make use of what we have.

Councilman Smith asked what the large bill from Palmer was for. Mr. Harnishfeger answered that that bill was for cleaning out a curb box at Mid-Wood and repairing a water leak in the meter pit.

Councilwoman Mackey reported that she sent Mr. Johnson information about a couple of street lights that were out. Mr. Johnson said he talked to Mr. Stewart about the two lights downtown about a month ago.

STREETS and ALLEYS: Nothing to report.

SIDEWALKS and TREES: Councilman Smith reported that he texted Cody today and was hoping to hear back from him about starting on our sidewalks soon. Mr. Smith said he is ready when Cody is ready. Councilwoman Mackey added that she had a resident ask her about the sidewalk project. Mr. Smith commented that we only have four residents in the sidewalk program this year. Councilman Bergfeld estimated that it could be done in about a week.

Councilman Smith asked if we had heard back from Penn Line yet about trimming around power lines. Mayor Shanahan answered that he requested a formal quote on letterhead, and he asked for a two- or three-day advance notice of when they would be coming, so we could talk to residents about it. The mayor said he hasn't heard back from them yet. Mr. Johnson commented that he had called Mr.

TONTOGANY VILLAGE COUNCIL

Stewart at Bowling Green, who had told him to hold on because they intended to hire an arborist from Penn Line, and he would have a much better line of communication.

DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Mayor Shanahan reported that he met with the five people who are the Christmas tree committee. They asked if Council would have any reservations about moving the tree event to the first Sunday of December, whereas we have done it on a Saturday in the past. Members voiced no opposition to moving it to Sunday. The mayor went on to say that the committee is working on having some kids' activities, such as decorating a Christmas ornament or some artsy activity. The mayor said he asked them what they thought about lights, because what we had on the tree by the hall probably wouldn't be enough. The Village paid about \$1,200 a couple of years ago for 500 lights on cords. So, 1,000 lights might cost around \$2,400 or \$2,500, or closer to \$3,000 with inflation. The mayor said he also reached out to a man by the name of Josh at Christmas 419. They decorate businesses and homes. His quote for 1,000 lights on a tree is \$3,750. Included in that price, they will come out and replace any lights that get damaged from storms or other causes, at no extra cost. Also included in the price is removal of the lights in January, which they store for the customer in the non-Christmas-season months and then come back out the next year to hang the lights again. Councilman Smith commented that that would save us the trouble of renting a lift to try to install lights ourselves. Christmas 419 would put the lights up, but the tree committee is responsible for finding a tree each year and getting someone to erect the tree, as well as cabling it to the buildings. The mayor said he will meet with the tree committee again on October 13th, and he would like to share with them any feedback from Council at that time. Councilwoman Mackey commented that her son used to do Christmas lights in Texas, putting them up at \$2 a running foot, and taking them down at \$1 a running foot. The mayor said he thought \$3,750 was pretty reasonable, since they will replace anything that gets damaged. He said the tree committee was suggesting a 30-foot tree. Ms. Mackey added that in the past someone always had a tree in their yard that they wanted cut down. The mayor responded that Karen Graf said she has a pine tree that she said we could have if we took it down. The mayor also noted the big spruce tree on Kellogg Road that blocks the view for vehicles at the Tontogany Road intersection. Ms. Mackey asked if the committee is thinking about soliciting donations for the costs of doing this. The mayor answered that there is an anonymous person who is soliciting donations; the mayor said he had told the man that \$4,000 is what would be needed in donations. The mayor said the committee is also having conversations about a choir, and he told them we always have the pastors come out to the tree event for prayer for the holiday season. They are interested in still having Santa driven around on the fire truck. The mayor said he asked the committee to come up with a plan, which he would then run by Council for approval or to bring up any issues, concerns, or questions they may have. Councilwoman Mehring asked if we had the money for this. Fiscal Officer Harnishfeger answered that we have plenty set aside in the park appropriations, if we want to use that as we have in the past for Christmas lights. The mayor commented that any donated money would bring the Village cost down, but the gentleman seeking donations has not said how much he thinks he may bring in. In the future, other fund-raising events may be thought up for this purpose too. The mayor said he talked with Larry at Doc's and they will stay open with appetizers and drinks available.

Mayor Shanahan reported that he went to a Northwest Ohio Mayors & Managers Association networking on Thursday last week. Representative Haraz Ghanbari and Senator Theresa Gavarone were both in attendance. He said he was able to corner them and tell them that we need help getting cell service in Tontogany, and that he can't get a cell company to return a call or an email. The problem is that residents are updating their phones with various companies and being made to think they don't need cell service but that they have plenty of coverage. The fact is that we do need cell service; calls are being dropped all over the place. The mayor said he sent Haraz and Theresa a follow-up email

TONTOGANY VILLAGE COUNCIL

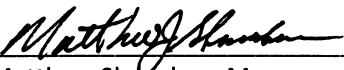
reiterating the points he made to them and asking for any contacts or help they can give us. Councilman Smith suggested that the mayor might also want to remind them that many people have only cell phones now, which they would be using for emergency 911 calls.

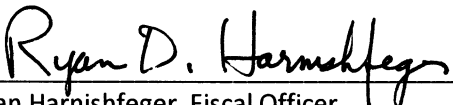
Mayor Shanahan reported that Nate took the sign down at Centennial Park for the Eagle Scout project. Our next meeting is the target date for Nate to come and speak to Council. The pillars will not just be concrete but will have brick around them. So, the project is started and it should look nice when finished. Mr. Johnson said he received OUPS tickets on that about two months ago.

Councilman Bergfeld commented that a lot of landscapers do Christmas lights. He offered to call around and see if he could get a better price. He said he knows that Malczewski's in Waterville does lights. Councilwoman Mackey said she knows that D & D Landscaping does lights too.

Councilman Bergfeld asked if it is appropriate to discuss wage increases with the affected employees in attendance during the conversation. Councilman Smith answered that we would need to go into executive session for that. The mayor agreed. The mayor added that we need to have that executive session part way through the next meeting in October, in order to have a decision that can be put into an ordinance that can receive its first reading at the first meeting in November. Mr. Bergfeld asked if there was a way to know the last time a position received a raise. Mr. Harnishfeger said he would try to find some information on that. The mayor told Mr. Johnson that any suggestions he might have for wage adjustments could be submitted by him and they would be taken into consideration.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:14 p.m.


Matthew Shanahan, Mayor


Ryan Harnishfeger, Fiscal Officer