

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: January 17, 2023

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 Mayor Shanahan. Roll call of members: Brenda Mackey, here; Connie Mehring, absent at roll call, but arrive at 7:10 p.m.; Mark Smith, here; Robert Bergfeld, here; Damon Lee, absent at roll call, but arrived at 7:12 p.m.; Lincoln Fox, here. Also present were Utilities Superintendent/Meter Reader Chad Johnson, Zoning Inspector Brian Owens, and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitors present: Gail Christofferson, to discuss her water bill and the old carryout building downtown. Minutes from the December 19th meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Fiscal Officer Harnishfeger commented that everyone received a copy of the mileage log submitted for reimbursement. If approved, the original needs to be signed and will be kept as a record for the auditors. Council decided to let Mayor Shanahan sign the approval on mileage logs. Councilman Smith made a motion that these bills be allowed and orders drawn for same. Councilman Bergfeld seconded this motion. All were in favor; motion carried.

Copies of the December incident report were given to everyone to review, but no sheriff's deputy attended the meeting to discuss the report.

Mayor Shanahan reported that we received a quote from NWO Control for mosquito spraying in 2023. Last year we paid \$184.85 per application for six applications—one application one week before Memorial Day, one application in June, two applications in July, and two applications in August. For 2023, the price has been increased to \$203.33 per application. The mayor noted that we pay for this mostly from the community development grant received from Suburban Gas each year. The mayor asked if members had any objections to the price increase. Members gave their approval to accept NWO's quote for \$203.33 per application, with no objections voiced.

Mayor Shanahan did a first reading, by title only, of Ordinance #958-23, AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY. Fiscal Officer Harnishfeger explained that this ordinance was needed to make the \$4,454 park grant that was awarded for 2023 immediately available for spending, since the grant award was not officially verified when the permanent appropriations ordinance was passed in December. Councilman Smith made a motion to suspend the rules and declare an emergency for Ordinance #958-23. Councilwoman Mackey seconded this motion. All were in favor; motion carried. Councilman Bergfeld made a motion to adopt Ordinance #958-23. Councilman Fox seconded this motion. All were in favor; motion carried.

Mayor Shanahan invited Gail Christofferson to speak to members. Ms. Christofferson told members she was mainly here to talk about her most recent water bill, which was outrageously high. She passed out lists of her water billing history over the past year, showing that her normal water usage was only 100 to 300 gallons per month, until the January bill for December usage, which showed 61,400 gallons of usage. She said Utilities Clerk Harnishfeger had notified her of the high water usage and did not submit an auto-draft debit of the approximately \$1,500 billing amount. She told members that she had Chad Johnson come out to her location and they looked at the meter together. It runs when she turns the water on and it doesn't run when she turns the water off. They looked at the meter for the upstairs apartment and it was operating properly too. They looked through the whole building and found no evidence of a water leak in the building. Mr. Johnson verified what Gail said, and added that he had looked at the meter again and found it about 900 gallons more than his reading taken a week or so earlier for the January billing. Mr. Johnson said he recalled her saying she had been out of town for a couple of weeks and that the toilet had been leaking, but she didn't think it was possible for it to have leaked that much water. Gail responded that the toilet had been running for a couple of days, but her

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research told her it could not have leaked 61,000 gallons in that time. Mr. Johnson commented that the only other explanation might be something to do with the boiler. Gail answered that she talked to the owner, Ivan Woodbury, about the boiler, and he had told her that, if something was wrong with the boiler, it would have been spewing right there in that room where the boiler is and it would have been visible. She said she didn't know why the reading was so high, but there was no evidence of leakage in the building and she didn't want to pay the extremely high bill. She said she thought maybe there was an error on the reading, like transposed numbers or something. Mr. Johnson commented that the numbers were correct when he double-checked the meter and the meter shows that the indicated amount of water went through it; it is just a mystery where it went. Mayor Shanahan asked if there was any chance anyone tapped into the line somehow. No evidence of that was noted. Ms. Christofferson said she talked to Ivan and he had said he wouldn't pay it; he would get a lawyer. She said she knows her name is on the utility billing account, but the building belongs to Ivan and, if there is a problem with the building causing a water usage problem, that would be Ivan's responsibility. She concluded that she would leave the matter with council members to discuss and get back to her with their decision.

Ms. Christofferson handed out to each member an overview of what she has done so far on the project aimed at revitalizing the old corner carryout building downtown, amounting to over forty hours of research work. The overview listed who she has talked to, what she learned from them, and what the outcome was of the contacts she made. She still has more leads and more research to be done. Attached to the overview was a sheet of Ohio historical grants and leads, and a sheet of village survey notes as well. She said that Sarah and she are willing to do the survey via SurveyMonkey, but not before she goes on vacation next week. She told members that she had a contractor come out and look at the building. He got up onto the roof and said it is in good shape, but with a couple of little slits that have formed. A short-term solution on the roof would cost around \$2,000. A long-term solution would be more like \$20,000. He looked at all of the structural beams and said it is not rotting away; the water damage is nothing structural. He pointed out that it has all new electric and plumbing. Gail said she has one more contact she intends to get with, Eric Hillenbrand, who does a lot of downtown buildings and gets investors; she will talk to him about getting money and about the survey. She also said she talked with Steve Powell, who thought the owner would sell the building for \$5,000. The survey should let us know if anyone is interested, if the building is for sale and work is being done to find out how to repair it. After she talks with Eric Hillenbrand about investors, and after the survey, she said she would like to form an official committee and have a council member on that committee. She said she doesn't know where it will lead, but she has done a lot of work on it and now thinks it is time for a council member to become a part of it. Mayor Shanahan reminded members that Gail had previously recommended that an initial letter come from the mayor. He said he had drafted a letter and emailed copies to Gail, Sarah, and council members, along with a copy of the survey, to proof it and share any feedback. Gail commented on the letter that she thought that, besides Animal House Glass and Doc's, it should also mention Steve Powell and Al Ferrell, who also have businesses downtown. The mayor responded that his letter mentioned those businesses who had been a part of the Christmas festivities. The mayor also told members that he had spoken with Gail about a week ago and had shared with her the fact that the engineer who is working on our backflow prevention project informed us that the cost could be \$80,000 for each of the two master meter pits, which puts the survey about downtown revitalization on a diminished priority of expenses for the village to undertake in 2023. As a final point to consider, Gail stated that the building she is in and the corner carryout building have a common wall. So, Ivan Woodbury has a vested interest in that corner building, and might be persuaded to take an interest in buying it, but not if the village burns a bridge with him over the water bill in question. With nothing more to discuss, Ms. Christofferson left the meeting.

Mayor Shanahan reported that he had asked Fiscal Officer Harnishfeger to print off copies of our list of current committees and village official contact information for everyone. He noted that the list does not include who is president of council. He asked if anyone was interested in nominating a person for

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president of council in 2023. Councilwoman Mehring made a motion for Mark Smith to continue as president of council, since he has done a really good job at it. Councilman Smith commented that, if no one else wishes to do it, he will be glad to do it again. Councilman Lee seconded the motion. All were in favor; motion carried. Mr. Smith thanked everyone for their confidence in him. The mayor asked if members wanted to keep the committees as they are or if anyone was interested in changing any names around on the committees. Members did not voice any desire to change the committees. The mayor commented that we will keep the committees as they are but, if anyone wants to change in the future, we can accommodate a change. He also asked members if the contact information on the sheet was still correct. No one mentioned any changes needed to the contact information.

Mayor Shanahan told members he would like to have council members represented on three other committees besides our regular committees: the Christmas Tree Committee, the Downtown Revitalization Committee, and the 150th Anniversary of Tontogany Committee (2025 is Tontogany's 150th anniversary). The mayor said we need to be planning ahead for the 150th anniversary and it will probably require some funding from the village. He said he piqued Bernie Scott's interest when he brought up the subject, and there is one other community member who is interested in being on the committee— Councilman Smith's wife, Hannah. The mayor said that Bernie has a "brief" sixty-minute PowerPoint presentation. Councilman Smith noted that a 150th anniversary is called a "sesquicentennial." The mayor asked anyone interested in being on any of those three committees to let him know. He said he thought it was good for us to have a council member on those committees, so they can relay information back to the village council. Councilwoman Mehring said she may be interested in the Christmas Tree Committee.

Fiscal Officer Harnishfeger reported that we have two upcoming hall rentals scheduled in February: Sunday the 19th and Saturday the 25th.

Mr. Harnishfeger reported that he has been busy, as at the first of every year, with the rollover of the books to the new year, following the Auditor of State's detailed instructions, setting up the new appropriation and revenue budgets, creating purchase orders and blanket certificates, getting out W-2s and 1099s, doing annual tax reports, and working on the annual financial report and its accompanying notes. He said he has been making good progress and should be able to submit the annual financial report to the state soon.

ZONING: Zoning Inspector Owens reported that he did a fence permit for Dale Korn at 18620 North Street. Councilwoman Mackey asked if Mr. Owens had received a permit request from Matt and Stacy Phillips, at 18670 North Street (next to Tim Smith), who put up a shed. Mr. Owens had not received a permit request for that. Ms. Mackey suggested that Mr. Owens contact them because they need to do a permit for the shed.

Mayor Shanahan reported that he spoke by phone with the potential Eagle Scout who is interested in building a GaGa ball pit for us at Centennial Park, and he had asked if he needed a permit for that. Mr. Owens answered that he does not need a permit for that. The mayor added that he told the Scout that he should come to a council meeting after he has developed a plan for the project, and be prepared to answer questions.

Councilwoman Mehring reported that she had received a suggestion that the town do a trash pickup. The mayor commented that he would love to bring that back. Ms. Mehring said she thought there are a number of places that could be cleaned up if maybe we did it this year. The mayor answered that it is something for us to look at, whether or not we would do it every year. Councilwoman Mackey remembered that Paul's Refuse Pick-up did it for us in the past and it was expensive; it cost a few thousand dollars at that time. Councilman Fox reported that he had spoken with the mayor about the possibility of doing a metal recycling day. Metal items can be recycled separate from garbage. Mr. Fox suggested that, if we did both at the same time, it would be better for everyone and the metal items could be recycled, with the possibility of us getting funds back instead of paying 100% for garbage removal. Mayor Shanahan asked who the company billed when it was done in the past. Ms. Mackey

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answered that they billed the village. The mayor asked why they couldn't just bill the homeowner. Councilman Smith replied that each homeowner would have to contract with the refuse company to do it that way. Councilman Bergfeld asked what is to stop someone from coming into town at night and stealing all the scrap metal. Mr. Fox answered that the metal company he had contacted had told him they would drop some type of box into which we would put the scrap metal. So, a thief would have to climb into the container to steal the metal. Perhaps we could set a certain day and have the company pick up that same day.

UTILITIES: Utilities Superintendent Johnson reported about Arlyn Snyder's former house at 16224 Kellogg Road, way back off of the road. In November or December, he had received a call from the current owner in Florida about a possible water leak there. Mr. Johnson said he went and met the man who was the former owner and shut the water off. Conversing with the man, he found out that they did not have heat in the house, which broke the shutoff. Councilwoman Mehring had also called Mr. Johnson about two people out there at the pit one night. Apparently, they must have fixed the leak and then went into the pit and tried to turn it back on. Now the pit is leaking, so Mr. Johnson said he will probably have to fix that this week.

Mr. Johnson reported about a second issue at Susan Grossjean's apartment downtown. Apparently, the lady knew she had a water leak, walked out of the apartment to go around and look, and she fell down in front of the apartment and was screaming for help. The woman upstairs called the fire department, who came and did what they needed to do. Mr. Johnson said he had to shut the water off. Then he returned about three days later and turned it on after it was fixed.

Mr. Johnson reported that he had received a call from Loretta Albert on the corner at 18735 Main Street, saying she was abandoning her house and asking for the water to be shut off until it got fixed. They got it fixed and then he went and turned the water back on. Mr. Johnson reported that Margaret DeLuca's house had water-leak issues and had to be gutted. He asked Utilities Clerk Harnishfeger if there was a high water bill. Mr. Harnishfeger responded that the December usage on January's billing was only about 1,800 gallons (the reading may have been taken just before the big leak happened).

Mayor Shanahan reported that the brown house at 18540 Main Street has been abandoned for about a month, is in foreclosure, and the bank is putting it up for auction. The former owner came to the house Thursday, walked around back, and noticed the door was unlocked and water was leaking profusely. The mayor said that he and Councilman Smith went to the house, did not enter, but could hear water leaking like the sound of a shower running, so they figured out how to get the water shut off. The mayor said he intends to email Solicitor Skaff to see that the utility bill is included to be recovered as part of the auction price. Mr. Johnson suggested checking with Solicitor Skaff if new accounts that don't pay in thirty days could be shut off. Mr. Smith commented that we would have to get our ordinance amended to do that.

Mayor Shanahan reminded everyone that Dave Kuhn, from Feller, Finch, had shown up after our last meeting in December had been adjourned and showed us some plans for the backflow prevention on the two master meter pits. Mr. Kuhn had said that the cost could be as high as \$80,000 apiece for the meter pits. The mayor stated that this is an EPA requirement. Mr. Johnson commented that Bowling Green did not send us a letter about the backflow prevention this past year, for some reason. The mayor went on to say that Mr. Kuhn had mentioned the possibility of no-interest loans, but we have to generate the money somehow. Councilwoman Mackey pointed out that the COVID money we received will pay for about \$40,000 of the cost. The mayor added that that leaves about \$120,000 for the village to come up with through raised rates or some other methods, such as water grants with some help from our state representative and senator. Councilman Fox asked who will do the work. The mayor and other members replied that Feller, Finch will do the design and then the work will have to be put out to bid. Mr. Fox commented that we may find someone who will do it for less than the amount Dave Kuhn estimated. The mayor stated that he thinks we need to be extremely transparent to the community

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about this, no matter how we go about it and how we go about getting funding for it. Perhaps we would host an informational meeting with Feller, Finch here to explain it.

Mayor Shanahan asked Utilities Superintendent Johnson if he had notified Bowling Green about our street lights that are out. Mr. Johnson responded that he did and they fixed two that he knew of. There was one street light that was blown off into a bush.

Councilman Bergfeld reminded members that they needed to discuss Gail Christofferson's request for an adjustment down on her utility bill. Mr. Johnson stated that he thought we should give her a break this time as a downtown customer, but if it ever happens again, she will have to pay the bill. He said that the water went through the meter; he didn't know where it went, but it did go through the meter. Members discussed the matter, various possible ways of responding to Gail's request, and Ivan Woodbury's role, if any, in the matter. It was noted that Gail had admitted that there was a leaky toilet that she had fixed. Utilities Clerk Harnishfeger suggested charging her for 3,000 to 4,000 gallons of water, since she admitted to a leaky toilet and giving her a break on the remainder this time only. Mayor Shanahan offered to ask Solicitor Skaff for his advice on the matter before members made a decision, if they wished. After more discussion, a final decision was made by a majority of the members, with one member dissenting, to adjust her January billing down to a usage of 3,600 gallons of water, since she admitted that there was a leaky toilet that lost an unknown amount of water. And she must agree that if an unusually high water usage happens again in the future, she will be responsible to pay for the usage and not expect the village to adjust her billing down again. And this decision is to be put in writing for Gail to sign as an agreement, to be kept on file at the village office.

STREETS and ALLEYS: Councilwoman Mehring reported that she was told that the street lights in front of and in the back of the fire department are blinking.

SIDEWALKS and TREES: Councilman Smith reported that he received a bill for the sidewalk that was replaced on Wall Street. Mayor Shanahan asked if that resident had paid their bill. Mr. Smith answered that they had paid their \$500 down payment and he had let them know that we received the final billing. They are waiting for confirmation. They had the sidewalk replaced in front of their house and they also had the walk up to their house done. Cody put it all on one bill, but itemized it, showing that the homeowner is responsible for part of it. Mr. Smith asked if members wanted him to ask Cody to separate the billing and bill the customer directly for what they are exclusively responsible for. The mayor and members agreed that he should ask Cody to separate the billing, so the customer is billed directly for the part that the village doesn't have anything to do with. Mr. Smith reported that the total cost for the sidewalk that the village is paying fifty percent on is \$2,015. So, he will have Cody bill the village for \$2,015, which we will pay, and then we will collect the remaining \$507.50 that the resident owes us for their fifty percent. He will have Cody bill the resident \$775 directly for the extra walk up to the house. Mr. Smith asked members if they were good with us paying Cody's bill to the village as soon as we get it. Members agreed that we could pay it right away, with no one voicing an objection.

DRAINS and SEWERS: Nothing to report.


CITY HALL and PARKS: Councilman Smith asked if we wanted to start talking again about a spring cleanup of the office and shed, which we had discussed a couple of years ago. Mayor Shanahan answered that the pandemic had put a hold on that matter, due to confined spaces. He suggested beginning to discuss it again at the next meeting.

The mayor reminded Councilwoman Mackey that his and her current terms of office end this year. He also said that we will put the Sunday alcohol sales on the May ballot. The only thing that has to happen is we have to have one person in the state of Ohio have their name on the main ballot for us to do that. It can't be just issues; there has to be a name on the ballot.

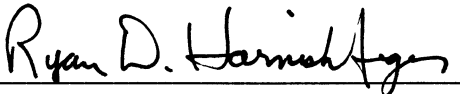
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Councilwoman Mehring asked if the wood from the Christmas tree is still laying downtown, because she thought it looked junky. The mayor answered that it is and it is free for whoever wants it; someone will probably take it soon.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:32 p.m.



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer