

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: February 6, 2023

Council called to order in regular session at 7:01 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, here; Mark Smith, here; Robert Bergfeld, absent; Damon Lee, here; Lincoln Fox, here. Also present was Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Minutes from the January 17th 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. Copies of the January 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 January incident report were given to everyone to review, but no sheriff's deputy attended the meeting to discuss the report.

Mayor Shanahan did a first reading, by title only, of Ordinance #959-23, AN ORDINANCE APPROVING, ADOPTING, AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2023 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF TONTOGANY, OHIO, AND DECLARING AN EMERGENCY. Councilman Smith made a motion to suspend the rules and declare an emergency for Ordinance #959-23. Councilwoman Mackey seconded this motion. All were in favor; motion carried. Councilwoman Mehring made a motion to adopt Ordinance #959-23. Councilman Lee seconded this motion. All were in favor; motion carried.

Fiscal Officer Harnishfeger reported that the Ohio Bureau of Workers' Compensation (BWC) is scheduled to come on Wednesday, February 8, to do an audit of our payroll records. The audit is estimated to take approximately two hours. Mr. Harnishfeger commented that this is the first time the BWC has audited us since he became fiscal officer in 2012.

Mr. Harnishfeger reported that we now have paid reservations for February hall rentals on Saturday the 11th, Sunday the 19th, and Saturday the 25th. A request was made for Saturday the 18th, but no payment has been made yet to reserve that date.

Mr. Harnishfeger reported that the village received a notice from the Wood County Sheriff's Office that their union and the Board of County Commissioners have finalized the employee bargaining unit contract pay raises for 2023. The new hourly cost for sheriff's services to the village will be \$46.44 per hour, compared to \$42.72 per hour in 2022. They normally bill for 60 hours per month, which will come to \$2,786.40 per month in 2023, compared to \$2,563.20 per month in 2022—an increase of \$223.20 per month.

ZONING: Mayor Shanahan reported that we had a conversation with Tony Hafner about the junk at his property. He is in the process of calling some scrap metal places and a large-item junk pick-up. The mayor said that he checked in with Tony last night about where we were on this, but he did not have any firm dates for the mayor. The mayor said he told Tony that it has to be taken care of.

Councilwoman Mackey reported that she was hearing of a lot of people talking about buying and raising chickens because of the rise in egg prices. Ms. Mackey reminded members that a year or two ago they had discussed enacting some kind of an ordinance regarding chickens and/or farm animals in town. She said she thinks we need to revisit the topic and make some quick decisions on it—whether it may require a zoning ordinance, an application for a permit, or whatever. If chickens were to be allowed in town, there would need to be some pretty strict stipulations. Mayor Shanahan commented that he thinks the Ohio Revised Code (ORC) has something on that to back us up, if we don't have a local ordinance in place. He said he would review the ORC again about the matter. Councilwoman Mehring

TONTOGANY VILLAGE COUNCIL

pointed out that the expense of feeding and caring for chickens would tend to cancel out any savings on the price of eggs. Ms. Mackey agreed, citing some research she did that indicated the same thing. Councilman Smith informed members that Councilman Bergfeld, who was not present at this meeting, has a lot of knowledge and insight on the topic of chickens. Ms. Mackey commented that she has heard of towns that allow it, but they put a limit on the numbers, they require a building, they require a fenced-in area, and they do not allow roosters. Mayor Shanahan pointed out that another side of the issue is: how do you enforce it? Councilman Fox asked about the possibility of a fine or something similar to a traffic ticket. Mr. Smith responded that we would have to prosecute it and follow it up in court. The mayor described how multiple violations could quickly turn into a lot of legal fees trying to prosecute the violators to collect \$200 fines. Members voiced a desire to get some sort of official way of dealing with possible chicken or other farm animal problems that could come up. Mr. Fox suggested also considering a way to limit pet problems, such as a person creating a nuisance with too many cats. Mayor Shanahan said he would email Solicitor Skaff to let him know that the topic came up again and ask him to start putting something together for members to consider and come to a final decision on.

UTILITIES: Mayor Shanahan reported that Utilities Superintendent Johnson had given a text notification that Northwestern Water & Sewer District (NWWSD) would be tearing up a section of Tontogany Creek Road, down by the baseball field. They had lost a camera in the sewer line while trying to get a video of a water-flow problem, so they have to tear up the road to retrieve the camera. The mayor said he called Mr. Johnson and confirmed that the cost for this will be completely the responsibility of NWWSD and not the village. The mayor also said that he wants us to keep an eye on how the repaving job is done afterwards, to be sure it is not a poor patch job that causes future problems.

Councilman Fox reported that he spoke with someone at Congressman Bob Latta's office about the cost of backflow prevention for the master meter pits that serve our water lines. The gentleman suggested that we might talk to someone at NWWSD about the possibility of a grant to offset the cost. The gentleman also said that the odds are that a grant would be through the state of Ohio, because what often happens is that the federal gives money to the state, and then the state allocates it to communities, whereas you probably wouldn't be able to get a federal grant for something of the relatively small size of our backflow prevention project. He said that someone at NWWSD might have some insight on this, since they are in other municipalities too. Mr. Fox told members that the gentleman also posed a question of what the difference would be between our cost to buy water from Bowling Green and supply it to our customers, compared with just letting NWWSD take over the water utility for Tontogany, which would then make them responsible for the costs of maintaining the lines and installing backflow prevention. Mayor Shanahan responded that his understanding is that, if NWWSD takes over our water utility, all of our rates are going to become extremely high. Councilman Smith added that we would lose all control over any of it. Mr. Fox said that the gentleman from Bob Latta's office also suggested talking with a person in charge of Bowling Green's water utility to see if they might have any insight into getting grants, and to possibly try to renegotiate a price with Bowling Green for our water as well. And he recommended talking to State Representative Haraz Ghanbari and State Senator Theresa Gavarone to see if they also might have insight on state grants. Mayor Shanahan responded that he will email both Haraz and Theresa and invite them to the village together to do a walk around the village and to talk about things like water line replacements needed. Councilman Smith cautioned members about the idea of trying to play Bowling Green off of NWWSD to try to negotiate a better price for water, that it may backfire and we may end up with a more costly supplier. Members agreed that it would be a good idea to talk to NWWSD to get some ideas on where we might find some grant money. The mayor pointed out that getting a large grant for \$100,000 or more would be a lot more involved than the small park grants we apply for, and would require things like financial information and engineering specifications to be submitted to the grant source. Mr. Smith added that there would be a lot of reporting required to verify that we are in compliance with the terms of the

TONTOGANY VILLAGE COUNCIL

grant. Councilwoman Mackey commented that we need an administrator to do a lot of that. To which the mayor responded that we should put an ad in the paper again seeking someone to fill our vacant village administrator position. He then asked Fiscal Officer Harnishfeger to email the ad to him that we previously used, so he could think about rewording it.

Utilities Clerk Harnishfeger provided everyone with a copy of a letter of agreement, signed by Gail Christofferson, basically stating that she agreed with the adjustment to her January utility bill that Council authorized, and that she agreed to be responsible for any high water usage that may occur in the future at her location, without expecting Council to make any more adjustments. Mr. Harnishfeger reported that Mayor Shanahan had taken an original letter of agreement to Gail and she had asked for it to be modified to allow her to examine the next three months' bills to be sure the meter is working correctly and is being read correctly, and to add the building owner's name, Ivan Woodbury, into the agreement, which he had consented to. After those modifications were made to the agreement, Ms. Christofferson signed it and it will be kept on file in the village hall office. Mayor Shanahan and Councilwoman Mehring commented that Gail is shutting the water off when she is away now, so it won't run. Ms. Mehring also stated that she thinks no more billing adjustments should be given to customers; if they have high water usage, they should have to pay for it or be shut off. Councilman Smith reminded members that they had discussed asking Solicitor Skaff about the possibility of amending our ordinance on disconnections. The mayor commented that an email went to Solicitor Skaff about that. He also said we need to find out about high water usage problems quicker, as soon as Mr. Johnson notices something is wrong.

Councilwoman Mackey pointed out that members had not received a report about the status of the commercial customer who was way behind and what the current situation is on that customer. Mr. Harnishfeger responded that the commercial customer mentioned is paying every month exactly what Council required of them. They pay the full amount of all new billing each month, plus \$1,500 on the previous balance. They have never missed a payment since the requirement was placed on them, to avoid disconnection. Mr. Harnishfeger told members that, along with their bill, he writes a letter to the customer each month, breaking down the billing, showing what the previous balance is, what the new billing is, and how much the new billing plus a \$1,500 installment on the previous balance comes to, in order to fulfill their agreement. This letter and the bills are sent both by U.S. Mail and by email to the customer and they pay it in full, to the penny, on time, each month, without fail.

Mayor Shanahan reminded members that at the last meeting it was decided that he should reach out to Solicitor Skaff about the abandoned house at 18540 Main Street with delinquent utilities, which he did. He asked Mr. Harnishfeger to give an update on the situation. Mr. Harnishfeger reported that, after the mayor had emailed Solicitor Skaff, he had responded by advising that we assess the property for the water and sewer delinquency as soon as possible, so a lien will be placed on the property through the county auditor, to be paid by the winning buyer at closing. Mr. Harnishfeger said that he certified the delinquent water to the county auditor immediately and notified Northwestern Water & Sewer District of the urgency to certify the sewer portion to the county auditor right away. As for the electric portion of delinquent utilities, since it cannot be assessed on property taxes, Solicitor Skaff had asked for account information and the amount of delinquent electric charges, which he would use to file suit against the electric account holder, which information Mr. Harnishfeger provided to him. The mayor noted that the email information provided to Solicitor Skaff shows that the water amount certified to the county auditor to become a lien on the property was \$1,134.50, and the delinquent electric amount was \$4,712.50. The mayor also commented that anytime he emails Solicitor Skaff, he either copies Councilman Smith on it or Fiscal Officer Harnishfeger, or both, so there is a second set of eyes on it and another person can add input or make a correction if needed.

STREETS and ALLEYS: Nothing to report.

TONTOGANY VILLAGE COUNCIL

SIDEWALKS and TREES: Councilman Smith reported that we got our bill straightened out for the sidewalk. He also reminded members that there was a question about what to do with the tree at 18665 Main Street, whether it needed trimmed or cut down. Mr. Smith said he talked with Abe Rowe about it and got two estimates. To take the tree down, leave the limb wood, and grind the stump would cost \$1,025. To prune the tree, clean it up, and take the dead branches out would cost \$400, which would only help the tree along for a little while. The tree doesn't look very healthy overall. The resident would like to see the tree gone. Mr. Smith commented that he thought it would be smart to just take it down, since it will have to be taken down within about five years anyway, so he asked for members' approval to have Abe take it down. Councilman Fox made a motion to have Abe take it down for the quoted price of \$1,025. Councilwoman Mackey seconded this motion. All were in favor; motion carried.

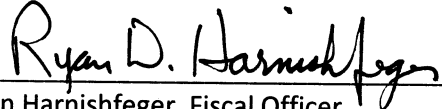
DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Mayor Shanahan commented that high winds are predicted for Thursday, so we may want to keep an eye on trees in the village.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 7:48 p.m.



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer