

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: May 4, 2020

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; Jason Benedict, here; Mark Smith, here; Robert Bergfeld, 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: Village resident Damon Lee; Deputy Bird from the Wood County Sheriff's Office. Minutes from the April 20 meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Councilman Roe asked if the \$939.00 bill from Washington Township for snow removal was the only bill we received for that expense this year. Fiscal Officer Harnishfeger affirmed that it was the only bill for last winter's snow removal and commented that we didn't get much snow. Councilwoman Mackey made a motion that these bills be allowed and orders drawn for same. Councilman Roe seconded this motion. All were in favor; motion carried. Copies of the April Bank Reconciliation, Fund Status, Revenue Status, and Appropriation Status Reports were given to the mayor and the Finance Committee to review.

Copies of the April Incident Report were given to members to review. Mayor Shanahan asked members to speak to the sheriff's deputy about any issues or concerns they may have. He asked the deputy if it was pretty quiet out there and she answered that it was. The mayor reported that he had a phone conversation with the school superintendent the other day. On May 27 they are going to do another parade with the teachers separated on campus and the students allowed to drive through. The mayor expressed his concern that there will be a lot of increased traffic after we have had a slowdown in traffic, and he would like to see a greater patrol presence for the event. Deputy Bird agreed to alert the Sheriff's Office about this.

Councilman Roe brought up the topic of the problem van that is still parked downtown. Zoning Inspector Owens noted that we have signs downtown, one is by Doc's, that disallow parking between 3 a.m. and 6 a.m. Mayor Shanahan responded that he asked Scott Alexander to look and see if we have any extras of those signs. If so, we could put a couple signs up as a first attempt to get them to move the van out of there. If Scott can't find any extras, we could take one of the others from downtown and move it to the area where the van is. Mr. Owens commented that we still need to come up with an ordinance. Deputy Bird responded that, once the village gets an ordinance, then the sheriff's deputies can do something about violations of the ordinance. Mayor Shanahan asked Mr. Owens to continue working with Solicitor Skaff to come up with an ordinance. Administrator Johnson and Councilwoman Mackey emphasized that the van is a safety issue. With nothing more to discuss with the deputy, Mayor Shanahan thanked her and she left the meeting.

Mayor Shanahan acknowledged Damon Lee and asked if he needed to address the council or if he was just here to observe. Councilman Roe introduced Mr. Lee as his neighbor, who may have an interest in filling a vacant council seat. The mayor asked Mr. Lee to tell members a little about himself. Mr. Lee said he lives on Wall Street and has been a member of the community for about four years. He is originally from Cleveland. He graduated from BGSU. He has been in Bowling Green for 16 or 17 years and has been working in sales for the last 10 years at DayMark Safety Systems, south of Wal-Mart, near Portage. His wife is the general manager of the Marriott in Bowling Green, but has been laid off due to the COVID-19 pandemic, so he, his wife, and three children have been spending a lot of time at home. Mayor Shanahan asked Mr. Lee to observe the meeting and then Councilman Roe or any member can follow up with him to answer questions and get a feel for what he is thinking.

Mayor Shanahan reported that one of the Juniors at Otsego found a flag and its pole downtown that had fallen down. He set it against a speed limit sign and emailed us to let us know. The fiscal officer

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found it later on the hall front porch. The mayor also reported that he needs to reorder flags for downtown because the first order was the wrong size and material.

Mayor Shanahan did a first reading, by title only, of Resolution #913-20, a RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 3.936 ACRES FROM WASHINGTON TOWNSHIP TO THE VILLAGE OF TONTOGANY, AND DECLARING AN EMERGENCY. The mayor explained that this is for the Fox estate that Township Trustee Steve Powell came and spoke to us about annexing into Tontogany. Councilman Roe made a motion to suspend the rules and declare an emergency for Resolution #913-20. Councilwoman Mehring seconded this motion. All were in favor; motion carried. Councilwoman Mackey made a motion to adopt Resolution #913-20. Councilman Smith seconded this motion. All were in favor; motion carried. Mayor Shanahan told members that the fiscal officer will email copies of this resolution to the lawyers and to the clerk of the county commissioners, so they will have it for their hearing scheduled for 10:00 a.m. tomorrow.

Fiscal Officer Harnishfeger reported that Josh Heckerman submitted an additional quote for extra trimming work he had previously discussed with the mayor. The quote was \$320.00 for deep corrective pruning of crab apple trees at Mehring Park, including cleanup and disposal. Councilman Roe made a motion to accept Josh's quote. Councilman Smith seconded this motion. All were in favor; motion carried. Mayor Shanahan told members that Josh will be submitting another quote as well, for damage done from an abandoned truck that was left at Mehring Park. It created some bad ruts. The truck, which doesn't run, belongs to a former boyfriend of a girl down the alley from the park. When they wanted to put up a fence, the truck was towed somehow down the alley to the park and abandoned there. A sheriff's deputy followed the tire tracks back to the new fence. Councilman Roe asked if we can give the bill to the people who own the fence. The mayor answered that he spoke to Solicitor Skaff about it, who advised him that, without hard evidence, it will be difficult to recover costs without a suit. The mayor said he had a towing service take the truck to their towing yard in Bowling Green. He also notified the owner of the truck where it was towed and that he can pick it up there. If he doesn't pick it up, we will end up getting the bill for the towing. Then we can decide whether we want to ask Solicitor Skaff to go after the owner for reimbursement of costs to the village. Members warned the mayor that there can also be storage fees added for every day the truck sits at the towing yard.

Councilman Roe asked if we give pool-fill adjustments on utility bills. Utilities Clerk Harnishfeger answered that we give a pool-fill adjustment to customers outside the town limits, by reducing the price of the water used to fill the pool to the in-town rate. Most customers in town who fill a pool do not get an extra sewer charge for the pool water because they are on winter averages, which causes them to have a set sewer charge per month, regardless of how much water they use for a pool, watering the lawn, and so on. Customers can call the office to find out how filling a pool will affect their bill. Mr. Roe said to expect a call from his parents.

ZONING: Zoning Inspector Owens reported that he processed six zoning permits: one for a shed at 18725 Wall Street; one for a deck at 18560 Wall Street; one for a fence at 18550 Wall Street; one for a new house in Harley Woods; one for a deck at 18140 Broad Street; and one for a fence and adding on to a shed at 18650 Washington Street.

Mayor Shanahan reported that he and Zoning Inspector Owens looked at the shed installed by the neighbor next to the hall. Kevin, the owner, talked with them and explained that the reason it was left where it is, is because of the electric power line coming from the hall over to his house, which is just about sitting on his shed. He didn't want to move it and risk pulling the line down. If it is causing problems, he will find a way to get it moved, but he is asking for help from the village to raise the electric line somehow. The mayor said the other issue is where the property line is and where the shed sits in relation to it. He asked former Zoning Inspector Johnson if he had any knowledge about where our property line is. Mr. Johnson replied that it is almost impossible to get better than an approximation, unless you have a survey done. Zoning Inspector Owens asked who we would need to

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see about getting the power line raised. Mr. Johnson answered, "Bowling Green." Mayor Shanahan said that Kevin had told him he didn't contact the village about a permit, because it isn't a permanent structure. Brian will follow up with him about that. Mr. Johnson remarked that it is confusing, but if you look at the village zoning and township zoning definitions, you can't put anything up without a permit. Mr. Owens asked members to let him know what they want him to do. If the structure needs to be moved, which direction? He also warned that getting the power line raised will have a significant cost. Mr. Johnson suggested another option would be a variance, if a hardship could be proven, in order to be able to issue a permit. However, the shed does not have to be under the power line; they have a whole back yard where it could be placed. The mayor and members discussed briefly who would have to pay for a survey, if we wanted to push the issue.

Councilwoman Mackey told members she thought we need to talk about the Hefflinger property. She said she didn't know if he has contacted us yet about permits, but he is putting in apartments on the second floor of his building downtown. Zoning Inspector Owens said he thought they were already apartments. Mr. Johnson and members answered that they were not, but he is converting the space to apartments. Mr. Johnson explained that we had discussed before that there is no zoning violation for Mr. Hefflinger to put apartments upstairs in his building in the downtown central district. There is a change-of-use permit. He should get the proper permits from the Wood County Building Inspector. Plumbing and electric work needs inspected. Members suggested calling the County Inspector to come look at it. Mayor Shanahan said he would follow up on it.

UTILITIES: Utilities Superintendent Johnson reported that he read the meters yesterday. He spoke with Feller, Finch today regarding the Asset Management Plan due by June 1st. They think they can get it done on time. The EPA won't budge on the deadline. Mayor Shanahan asked Mr. Johnson if he had any information about pricing for damaged meter heads. He answered that they haven't gotten it to him yet. The mayor asked him to contact them again and try to get the information for our next meeting. Then we can put something together for Council to approve for charging people who damage meter parts.

Councilman Smith reported that he observed that the street lights were finally replaced. The mayor acknowledged that the one on North Street was also fixed.

STREETS and ALLEYS: Councilman Smith reported that he had a discussion with a road paving company. Mr. Smith then asked what our budget is on this, because it might get expensive. Fiscal Officer Harnishfeger asked what kind of money he was talking about. Mr. Smith answered that the rough price discussed was about \$65,000 for doing Crom Street with three inches of mill and fill. Mr. Harnishfeger commented that above a certain amount, you have to use a competitive bidding process in accordance with Ohio law. Mr. Smith agreed that competitive bidding must be used for amounts in excess of \$50,000. He also commented that, if companies do want to bid, we need to have some sort of engineered drawing that they will be bidding on. Councilman Roe informed members that there are a couple of ways you can go about it. One way to save some costs and complications is to state the project as what is called a "design build." This puts it on the contractor to come up with a design plan and how much they would charge to do it. When this is possible, it cuts out the cost of hiring an engineering firm to come up with a design to be bid upon. A major issue with our streets is they are kind of low. Mr. Roe said he has looked at Crom Street and thinks we could probably do it without milling it at all. Maybe do some pavement repairs in the bad areas and then have it paved over. This would save us a lot of money. Also, if we have a good working relationship with someone like Morlock, we could just ask their opinion that they could give us without them having to put a lot of planning work into it. If costs are way out of budget, we might do a section of a street one year and another the next. Mr. Smith commented that tar and chip seal was another method suggested to him as a way to save some money on paving. Mayor Shanahan asked Fiscal Officer Harnishfeger to find out what money we have available in the budget for

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street work and email the information to Councilman Smith. The Street Committee can meet to develop the next steps we want to take with the money we have to spend, and create a revised letter to send out to contractors, to be approved at the next council meeting. Then we can start trying to get designs and prices from companies as Councilman Roe suggested. Councilman Smith commented that not many people are on the Street Committee. Councilwoman Mackey pointed out that it is just Mark Smith and Jason Benedict. The mayor asked Councilman Roe and Councilman Bergfeld if they would help out and they agreed to.

SIDEWALKS and TREES: Mayor Shanahan reported that Abe Rowe began the work on the trees in front of the Fox residence at 18423 Broad Street. Councilwoman Mackey added that Abe texted her that he would be in and around town for several days.

Councilman Roe reported that he asked Envirocare if they would be interested in giving us a quote for cleaning up the grindings and chips from the stump on Main Street and seeding it, as well as for any other similar spots in town. He asked Mayor Shanahan to try to get a quote from Josh Heckerman for this too.

DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Councilman Roe asked the mayor if he had been contacted by the gentleman about doing disc golf course signs. He is very interested in doing it all—designing the signs and everything. Mayor Shanahan responded that he had not heard from him yet.

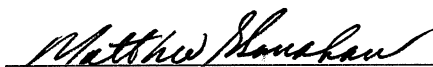
Mayor Shanahan asked Councilwoman Mackey if Jim Head is working on the park benches that we were awarded a grant for. Ms. Mackey responded that she had told Jim he could get started on the benches anytime now. Councilwoman Mehring added that Jim had said he doesn't go anywhere much right now because of the coronavirus. When he feels comfortable, he will get to it, but not right now.

Mayor Shanahan asked if we need to till the volleyball court before they come to dump the new sand in it that was included in the park grant. Members did not remember how we had prepared it for new sand in the past. The mayor also mentioned that Councilwoman Mehring had said that the mulch in the play area of Mehring Park is bad. He suggested that maybe we can make mulch a part of our next park grant request.

Councilman Benedict reported that he talked with Palmer, who told him he didn't get his signed quotes back for the drainage project. Fiscal Officer Harnishfeger responded that he mailed the quotes, signed by Mayor Shanahan, to Eric Palmer the next day after our last meeting. We have copies we can send him if we need to.

Mayor Shanahan told members that, with Jason Benedict resigning, we will need to choose a new President of Council. Councilwoman Mehring suggested Mark Smith be made President of Council. The mayor asked Mr. Smith if he was willing to take that position. Councilman Smith responded that, if no one else wants the position, he is here to help, so he will accept it. Councilman Benedict made a motion to replace himself with Mark Smith as President of Council. Councilwoman Mehring seconded this motion. Roll call vote: Mackey: aye; Mehring: aye; Roe: aye; Benedict: aye; Bergfeld: aye. Motion carried.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 7:59 p.m.


Matthew Shanahan, Mayor


Ryan Harnishfeger, Fiscal Officer