

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: May 18, 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, absent at roll call, but arrived at 7:16 p.m.; Jamin Roe, here; Mark Smith, absent; 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. Minutes from the May 4 meeting were approved as submitted.

**FINANCE and CLAIMS:** A spreadsheet of the current invoices was reviewed and approved by members. Fiscal Officer Harnishfeger commented on the \$1,388.60 bill from Municipal Utilities for fixing street lights, that he called them for the breakdown of the materials cost on the bill and they explained that the materials were four LED light fixtures with lamps at \$232.93 each. The rest of the bill was \$174.00 for equipment and \$282.90 for labor. Mr. Harnishfeger also reported that he received an email from Boy Scout Troop 347 Treasurer Melissa Vollmar, stating that Hannah from Wood County had supplied the troop with additional tools to reduce the risk of the boys coming in contact with anything, so they resumed their checking of the recycling bins last week. She wanted to know where the recycling check from Tontogany was for May. Mr. Harnishfeger asked the mayor and members if it was alright to go ahead and start paying them again, beginning with May. The mayor and members agreed that this would be okay, with no one voicing opposition. Councilman Roe made a motion that these bills be allowed and orders drawn for same. Councilman Bergfeld seconded this motion. All were in favor; motion carried.

Mayor Shanahan reported that he had asked the fiscal officer to prepare a first-quarter financial report for him to review. The aim was to stay on top of things better than last year, when we found out late in the year that we were way behind in the water fund. The fiscal officer prepared a report of how revenues are doing through the end of April. The mayor pointed out some things in the report that stood out to him: RITA has warned that Tontogany may have more than \$7,000 in delayed tax payments and losses of over \$14,000 in income tax revenue in 2020. The kWh tax revenue is at 23.3% of the budgeted \$18,000, whereas last year it was at 32%, most likely because of the school's decreased electric usage; this projects to an estimated shortfall of about \$5,000 in 2020. Mayor Shanahan commented that he will be meeting with Superintendent Adam Koch on Thursday morning to get an update on the usage of the solar field, to see if it is running the way they were expecting it to; B.G. Electric will be joining them as well. He continued with notable points in the financial report: Hall rentals are down, due to the COVID-19 pandemic. The street construction, maintenance and repair fund us up; we are at 69%, whereas last year we were at 31%; the majority of the extra amount is due to the \$23,400 settlement from CSX. The special assessment/trees fund is at 54.9% of revenue budgeted for 2020, which is close to where we were last year at the same time. The water operating fund is at 31.7%, whereas last year we were at 29.7%, so we are a little ahead of where we were last year. The electric operating fund is at 30.7% of budgeted revenue, whereas last year we were at 32%, so we are a little behind where we were in 2019. The other utilities (sewer) fund is at 28.7% of budget, whereas last year it was at 22.6%. Mayor Shanahan concluded that we seem to be tracking pretty well at the end of the first quarter, and he has asked the fiscal officer to prepare a similar report each quarter so Council can stay on top of the financial situation and identify problems before being hit with a big surprise. He asked members if they would like a copy of the fiscal officer's report. Several said they would, so the mayor asked Fiscal Officer Harnishfeger to email each member a copy.

Mayor Shanahan reported that he just got off of a conference call at six o'clock this evening, about the CDBG (Community Development Block Grant) that he had emailed members about. There isn't enough time to apply for a grant this year, since the application deadline is 4:30 p.m. on Wednesday, May 20, 2020. The next cycle year is 2022. The mayor said he would like all members to review the

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paperwork. He would like to make Village Administrator Johnson a point person for gathering information needed and meeting with the mayor to go through it, similar to other villages whose administrators have taken on this project. The mayor mentioned a variety of projects other towns are applying for. A gentleman by the name of Brent, from the Wood County Board of Disabilities, was on the conference call, who said it is very easy to call him to get the number of residents in the village that fall under the category of "disability." The mayor commented that some projects he thinks we could apply for are sidewalks, especially related to the school, or Broad Street and the waterline underneath, preventing us from paving it. They are giving four \$82,000 grants this year, which would go a long way in our village. We will be competing with other towns for the grant dollars, but, in the next year and a half we should have enough time to put together some well-documented eligible projects to submit. The mayor said that he understood the village did seek a CDBG a long time ago and didn't get it, but he thinks this time, with the school all combined in one campus, we are in a good position to do our homework, get background checks, and put together a compelling grant application in 2022. The mayor said he, Administrator Johnson, and Council President Smith would get together and see what they need to do.

Mayor Shanahan reminded members that they had not yet made an official motion to accept Councilman Jason Benedict's resignation. Councilman Roe made a motion to accept Jason Benedict's resignation, effective after his final meeting which he attended on May 4, 2020. Councilwoman Mehring seconded this motion. All were in favor; motion carried.

**ZONING:** Zoning Inspector Owens reported that he had a request to put in a fence at 18514 Tontogany Creek Road, and another request to put up a barn at 17319 Harley Woods Drive.

Mayor Shanahan reported that Doc's is interested in creating a patio, putting up a temporary fence, and putting some tables outside to help generate business. They also asked about the possibility of establishing a DORA (Downtown Outdoor Refreshment Area). However, a DORA requires a minimum of two drinking establishments, so you can walk from one to the other. Doc's is the only one we have, so we can't establish a DORA. The mayor said he emailed Solicitor Skaff to get an idea of what we need to do and what they need to do to establish an outdoor patio. Mr. Skaff said Council can amend the zoning code to permit outdoor eating, if it is not already permitted. In order for the owner to establish a sidewalk eating area, the owner would be required to submit an application and the zoning inspector would issue a zoning permit consistent with the zoning code. We will have to check the code. Mr. Skaff recommends requiring the outdoor eating area to be enclosed with a waist-high gate, and to prohibit drinking outside of the enclosed gated area. If the current zoning code does not permit outdoor eating or drinking, the owner can submit an application, which the zoning inspector then must deny. The owner may then apply for a variance from the board of zoning appeals, who can override the zoning inspector and issue a zoning variance. Zoning Inspector Owens suggested maybe doing an emergency ordinance, temporary for now, to help them get business going, just for six months or so, and later do more permanent zoning code legislation with the involvement of the planning commission. Administrator Johnson asked if the owner had considered putting the outdoor dining in back of Doc's instead of out front. Mayor Shanahan answered that there is not enough room. Councilman Roe commented that he has no issue with Doc's creating an outdoor eating area; lots of places have them these days. Mayor Shanahan said he would follow up with Solicitor Skaff about an emergency ordinance. Mr. Owens suggested that the mayor talk with other mayors as well, who may be dealing with similar things in their communities and see how they are going about it.

**UTILITIES:** Utilities Superintendent Johnson reported that he inexpensively took care of the problems at the park that were previously brought up. He was contacted by someone getting ready to move in to the old Dale Fox property off of North Street. There are two old telephone poles they want taken out. Mr. Johnson commented that there is a street light halfway down the driveway and he doesn't know how it

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is being powered. He was advised by Craig Spoores to have the utilities clerk look and see if they are paying a street light bill. Otherwise the village may be paying for that street light. Mr. Johnson asked members if it would be okay for him to have Bowling Green come over and take out the two old poles. Members voiced no opposition to him doing so. Mayor Shanahan asked what they would do with the poles, and stated that he would rather they did not put them behind the hall, because he wants to get rid of the poles that are there already. The mayor asked how we could find out who is paying for the street light that Mr. Johnson mentioned in the driveway. Mr. Johnson replied that we could check the account to see if that property is being multi-billed to include a fixed charge every month for a street light. If not, he will ask Bowling Green to make sure that light is not on the village's distribution. Mayor Shanahan commented that, if it is on our bill, then we need to contact the property owner and start billing them for it. Mr. Johnson said he looked at it and it doesn't look like it is being metered. Utilities Clerk Harnishfeger asked Mr. Johnson to let him know the address of the property he was talking about, so he could check to see how they are being billed. Mr. Johnson also reported that he is still waiting on the new meters he ordered.

Mayor Shanahan reported that Mr. Johnson got him a list of meter part costs, for use in charging customers for damage they do to meters. He and Councilwoman Mackey also received a good start of a letter to send to customers for this purpose. They will probably have it ready by the next meeting for everyone to look at. Councilman Roe asked if we ever did anything more about trying to get residents' emails so we could email them information. The mayor responded that he hasn't done anything more on that yet; he has been considering some ideas of how to do it. On the letter to customers about meter damage, Councilwoman Mackey commented that we have information for a general letter, but we also need something specific for individual offences. Mr. Johnson agreed, pointing out that there are different amounts of time and cost involved, according to what repairs he has to do in each case.

Mayor Shanahan reported that the annexation petition for 3.936 acres from Washington Township into Tontogany went through the County Commissioners on Wednesday, with no issues.

**STREETS and ALLEYS:** Councilman Roe told members that we need to come up with a timeframe for quotes on the Crom Street repair/paving project. They were thinking about the 15<sup>th</sup> of June as a date to request estimates to be submitted by contractors. Mayor Shanahan pointed out that each member received a copy of a letter that Councilman Smith had written, to be sent to prospective paving contractors. He said that Mr. Smith intended to add a submission date to the letter, once members decided what that would be. Mr. Roe told members that they had talked with various people and pooled their thoughts together to come up with the wording of the letter that Mark wrote. After a little more discussion, it was decided to have Mr. Smith make a final version of the letter with the June 15<sup>th</sup> deadline and then email that to Fiscal Officer Harnishfeger to put on village letterhead and email from the village immediately to a list of prospective bidders that Mr. Smith would provide. Mr. Harnishfeger asked how members intended to budget the money for the project. Councilman Roe answered that we won't know the cost until we receive bids. He also pointed out that bids could differ, based on how much road repair each contractor includes in their bid. Therefore, the committee decided to say that the needed repairs will be marked out, so all bidders are bidding on the same thing. Mr. Roe said he feels comfortable with our street committee marking out the repairs.

**SIDEWALKS and TREES:** Councilwoman Mackey reported that the leaf vac is sitting outside. In the past we have had it stored in Karen Traister Rader's barn for \$35 per month when not in use. The township trustees were talking about expanding the pole barn and storing it there, but that isn't going to happen, so it needs to be stored somewhere again. Mayor Shanahan answered that he will follow up with Scott Alexander about it tomorrow.

Councilwoman Mackey reported that the weeds have become nasty by the old Moser's Carryout on the Broad Street side. Somebody mowed the grassy area, but it is looking unpresentable there.

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Councilwoman Mehring warned that there is poison ivy in the weeds there. Ms. Mackey mentioned that the purchaser of Moser's Carryout claimed to be a good property owner, making sure his properties were maintained. Fiscal Officer Harnishfeger reminded members that he had called the owner in the past one time, when the weeds were overgrown and he had it mowed quickly. Mayor Shanahan and members asked Mr. Harnishfeger to call him again and ask him to have it mowed, including the weeds by the building, to keep it mowed, and to tell him that the village will do it and bill him if he doesn't.

Mayor Shanahan reported that Township Trustee Steve Powell spoke to him about the small triangular piece of property across from the Corner Carryout, that it is not being maintained and mowed. Former Mayor Buehrer had said he intended to personally keep it mowed, but it is not being done, so Mayor Shanahan said he will take his mower there later this week and mow it.

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

**CITY HALL and PARKS:** Councilwoman Mackey asked for members' input about shelter house rentals. There are currently only three or four for the whole summer. Two are in June, one of which was cancelled. She hasn't contacted the other one, but normally they don't have a large group. Nothing else is scheduled until August. She asked if members thought she should go ahead and put up the calendars as usual. Members responded that they were okay with putting up the calendars and renting the shelter house, as long as renters follow the governor's guidelines. Ms. Mackey commented that she hasn't had anyone call this spring about renting; the ones she has were called in last fall. She will put up the calendars. If anyone calls to rent the shelter house, she will accept them and advise them that they need to follow the governor's current recommendations.

Councilwoman Mackey asked what we are going to do about the porta johns and the drinking fountain. The mayor and members thought it would be good to wait until we have a rental before having the porta johns brought in. Ms. Mackey said they can get the porta johns to us within a day of when she orders them. Utilities Superintendent Johnson said he could turn the drinking fountain on whenever we wished.

Councilwoman Mackey reported that she acquired the Allen wrench for opening the little metal shed at Centennial Park. She opened the shed and found nothing much in there. She asked members to let her know if they want her to keep the Allen wrench or maybe store it in the shed beside the hall. She said the metal shed at the park is not much good for storing things like soccer or volleyball nets because of the elements. It could be used for storing things that don't matter much. The mayor asked if maybe we should just get rid of the unused shed at the park. He said we will think about it.

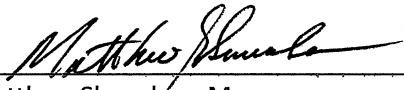
Councilwoman Mackey reported that she is working on finding out about replacing the soccer nets, which was in our park grant. She got the name of the company off of the goals. She found a company that sells nets that look like they would fit our goals, but there is a certain way they clip to the goal. So, she is working to make sure we get the right nets that will clip on correctly.

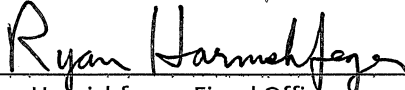
Mayor Shanahan reported that he is meeting with Mark Ballard on Thursday morning at the park, to talk about signage for the disc golf course.

Mayor Shanahan reported that the Legion will still be doing a Memorial Day service. It will be abbreviated. They will start with their ceremony at the Legion. Observers must stay in their cars in the parking lot. The Legion members will then march, single-file through the town, escorted by a Wood County deputy and followed by a couple of fire trucks. They will finish with a salute at the cemetery. The mayor said he would email Haley to put the schedule on our website, so people will know they can observe the procession from their porches. Councilwoman Mackey added that the day before that is graduation and they will be having driving through the various towns, but she hasn't seen a schedule. The mayor responded that he will bring that up with Superintendent Koch, who he will be meeting with on Thursday. He said he wanted to be sure we have enough deputies in the village. Mayor Shanahan also reported that Togany Fest has been officially cancelled for this year.

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With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:02 p.m.

  
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Matthew Shanahan, Mayor

  
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Ryan Harnishfeger, Fiscal Officer