

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: July 20, 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, not here at roll call, but arrived at 7:02 p.m.; Jamin Roe, here; Mark Smith, here; Robert Bergfeld, here; Damon Lee, absent. 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 July 6 meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Mayor Shanahan asked if council members had received their compensation checks for the first six months of the year, since former councilman Benedict's name was on the invoice list. Fiscal Officer Harnishfeger answered that he had paid the six current council members in June, but accidentally forgot to pay Jason Benedict, who had resigned in May, and who had called asking about his pay. Therefore, it was added to the July 20 payroll list on the invoices sheet. Councilman Roe made a motion that these bills be allowed and orders drawn for same. Councilman Smith seconded this motion. All were in favor; motion carried.

Mayor Shanahan did a first reading, by title only, of Ordinance #916-20, AUTHORIZING AND DIRECTING THE TREASURER/FISCAL OFFICER TO CREATE A CORONAVIRUS RELIEF FUND WITHIN THE ESTABLISHED FINANCIAL AND BUDGETARY ACCOUNTING SYSTEM FOR THE PURPOSE OF SEGREGATING FUNDS RECEIVED AND EXPENDED FOR THE COVID-19 PUBLIC HEALTH EMERGENCY, AND DECLARING AN EMERGENCY. Councilwoman Mehring made a motion to suspend the rules and declare an emergency for Ordinance #916-20. Councilwoman Mackey seconded this motion. All were in favor; motion carried. Councilman Roe made a motion to adopt Ordinance #916-20. Councilman Smith seconded this motion. All were in favor; motion carried.

Mayor Shanahan did a first reading of Ordinance #917-20, AN ORDINANCE TO PROVIDE FOR THE COST AND EXPENSE OF PROVIDING FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES FOR THE PURPOSE OF CONTROLLING BLIGHT AND DISEASE OF SAME; AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN THE PUBLIC RIGHT OF WAY OF THE VILLAGE. This ordinance is for tax year 2021, an amount of \$5,000.00, to be paid for by Special Assessment upon the lots and lands. Fiscal Officer Harnishfeger asked if everyone was still good with the \$5,000.00 amount, which is what was also submitted to the County Auditor on our Estimate of Revenues, approved at the last meeting. Members voiced no desire to change the amount.

Mayor Shanahan reported that he had provided everyone with a copy of the Wood County 200th Anniversary publication, with Tontogany's half-page ad on page 29. He also put extra copies at the Carryout and the Post Office. They are free of charge.

Fiscal Officer Harnishfeger reported that he received an email from an Assistant Auditor of the Ohio Auditor of State, stating that they are ready to begin the biennial financial audit of Tontogany for the years 2018 and 2019. So, they will be here in the coming days and weeks for that purpose, and Mr. Harnishfeger will be providing them with documents and information they require for the audit.

Fiscal Officer Harnishfeger reported that he received an email from the Regional Income Tax Agency (RITA) about their Filing Delinquency Program for Non-Filing Taxpayers. Due to the uncertainty caused by COVID-19, they will only be offering an option to send delinquency letters to non-filing taxpayers, and they will be suspending the in-person subpoena appearances for this season. The letter will advise taxpayers that the Agency's records indicate a tax return was due for the year(s) in question and instructs them to file the return(s) or to complete the exemption section of the letter to indicate why a return was not filed. There is no cost to municipalities for this service, but an authorization form must be signed and submitted to RITA no later than August 1, 2020, in order to participate. There were no

TONTOGANY VILLAGE COUNCIL

objections to having RITA do the letter campaign, so Mayor Shanahan signed the authorization form and gave it to the fiscal officer to submit to RITA.

ZONING: Councilwoman Mackey reported that there are several unlicensed vehicles and some junk on properties that we need to attend to. On Main Street by where we complained previously about the apartment, on the west side of it, there are three washing machines sitting out there and at least one unlicensed truck. There is also another truck behind it. The neighbors on Main Street get frustrated by the junk sitting there. Ms. Mackey said she thought Zoning Inspector Owens should contact the people about it. She also reported that, on the alley at Crom Street, there is a truck that has been sitting there behind a shed for ages. Mr. Owens responded that the owner is running a company out of there. Ms. Mackey commented that, technically, he should be paying utilities for his company. Utilities Superintendent Johnson commented that we talked about that before. He had been in town and then moved out of town. Ms. Mackey said she was concerned right now about the unlicensed vehicle. She also reported that she thinks there may be an unlicensed vehicle at 18515 Lincoln Street, the property at the corner of Lincoln Street and Tontogany Road. Ms. Mackey also mentioned that Hefflinger has unlicensed trailers sitting on the CSX property, but it is in our town. Mayor Shanahan responded that CSX sent Mr. Hefflinger a letter, saying he was out of compliance with the lease agreement and that he had to clean up the lot. When the mayor emailed Jeremy at CSX pictures of the Main Street crossing and the damage there, he also mentioned to Jeremy that nothing has been done in the last month since Hefflinger should have received the letter from CSX. The mayor said he is waiting on a response from Jeremy. Mr. Owens asked if the lease agreement was for parking purposes only and not for storage. Ms. Mackey responded that she thought so and that the vehicles parked there should be legal. Mayor Shanahan asked members to wait and see how the railroad responds. According to Solicitor Skaff, if the Village moves forward with declaring it a nuisance property, we would have to name the railroad in the lawsuit, because it is their property. We are trying to avoid that, if possible, to keep a good relationship with the railroad. The mayor said he would follow up with Jeremy, if he doesn't hear from him this week. Members agreed that we do not want a lawsuit against the railroad and Mayor Shanahan said the railroad doesn't want it to come to that either. Mayor Shanahan added that he would be happy to call Mr. Hefflinger and set up a meeting to talk with him, along with Zoning Inspector Owens and President of Council Smith, about cleaning up his property on the east side of Broad Street.

Councilwoman Mackey reported that another property that continues to be an eyesore in town is 18052 Broad Street. We had Mr. Owens talk to the owner in the past. She asked him if he could contact them again. Administrator Johnson pointed out that our zoning code is outdated and unclear about problems like that. He gave an example of another town where the zoning code only allows one camper or boat in your yard and it has to be on gravel, concrete, or asphalt. If we were to pass something like that, we could make people clean up eyesores like this, where they just accumulate a bunch of recreation vehicles and other items sitting on the property. Mr. Owens commented that if he put up a privacy fence, it would help. Mayor Shanahan offered to go with Mr. Owens to follow up on this matter.

UTILITIES: Utilities Superintendent Johnson reported that, while doing a zoning permit for the township last week for the Keith Peper property near the cemetery, he noticed from the survey that our path going to the sewer plant is a foot away from their foundation, which is a real issue. He talked to Northwestern Water and Sewer to see what they wanted to do. We will have to relocate water supply to the sewer plant, but Keith Peper can tap in to our line next to his new home for the \$12,000.00 tap fee, which might amount to virtually a wash in costs. Mr. Johnson said he talked with Palmer and they are going to give him a price estimate.

Mr. Johnson reported that he spoke to Andy Moser about the meter pit problem. He agreed to pay half of the cost to put in a new meter pit. Mayor Shanahan asked what Mr. Moser's response was to putting in two meters there. Mr. Johnson replied that they did not discuss that option. He added that, if

TONTOGANY VILLAGE COUNCIL

we put two meters on that side and there is a leak in the line, the Village would be paying all of the cost of the leaked water. If we install a new pit where the old one is, they will be responsible for the line all the way to the house.

Mr. Johnson reported that he spoke with Lambert at 18655 Crom Street about their desire to lay drainage pipe. He wants to use a sump pump and lay pipe one foot on his side of the sidewalk, across his property line, cross under the sidewalk, then run it a foot off of our side of the sidewalk down to the catch basin. This would put it six to eight feet from our water line, which would be acceptable. The only other decision we would need to make is what type of pipe he can use, something that will last.

Mr. Johnson reported that he spoke with John Stewart at Bowling Green Electric about where we are at on the electric pole replacements identified last year. Mr. Stewart told him they were busy and would get to it in the fall. Mr. Johnson commented that by fall we will probably have another inspection and need more poles replaced. Mayor Shanahan asked if we had received a bill from B.G. Electric for the street light replacement on North Street, due to being hit by a vehicle. Fiscal Officer Harnishfeger replied that he called them and requested a bill, but he never received one yet. Councilman Smith asked, when we call B.G. Electric about other matters, that we report a light that is not working correctly at the corner of Wall Street and the alley; they just fixed it a short while ago, but it hasn't been working for the past two nights. The mayor asked Mr. Johnson, when he calls B.G. Electric, to impress up them that we need the bill for the repaired light on North Street, because we have a resident waiting to pay for the cost of the repair.

Mr. Johnson asked for members to make decisions about the three issues he brought up: Relocating water service to the sewer plant, combined with a tap for Keith Peper; splitting the price of a new meter pit for Moser; and allowing drainage to the catch basin to be laid by the Lamberts at their expense. Members discussed the issues. They voiced no objections to the sewer plant/Keith Peper tap fix proposed. There was some discussion on where to install a new meter pit for Moser, and whether or not to put in two meters. Mayor Shanahan said he would like to know the price of putting a new meter pit in for Moser, before we make the agreement to split the price. Mr. Johnson answered that we can move slower on that one, so let him get a price estimate from Palmer before we do anything. Councilwoman Mackey asked Mr. Johnson what his opinion was on the Lambert drainage proposal. He answered that he didn't think it is a problem. The water lines are out by the road. Councilman Smith asked if it might set a precedent, prompting other people with standing water issues to ask to do the same thing. Mr. Smith and other members said they didn't have an issue with it, as long as he uses the right materials and pays all the costs for materials and labor himself. Mr. Owens recommended making it clear to them that, if we have any problems, such as with the sidewalk, due to their drainage, they will be responsible for repairs. Mr. Johnson said he could ask Mr. Lambert to make drawings and bring them to us before he does the project. Mayor Shanahan responded that that would be a good idea.

Councilman Roe asked what was happening with Northwestern Water & Sewer's high electric demand bill that was discussed in a previous meeting. Utilities Superintendent Johnson answered that he had a new demand meter installed there. The old one was from maybe as far back as the 1950s. It was only recording about 2/3 of the electric usage. The demand meters were never changed to radio-read because they are so expensive. Northwestern had alerted us to a problem reading, thinking they were overpaying, but actually they had been undercharged for a long time due to the age of the meter. So, now their bill will be about 1/3 higher or more with a new meter.

STREETS and ALLEYS: Mayor Shanahan asked Councilman Smith if we heard anything from Morlock about the edges of Crom Street. Mr. Smith didn't have a definitive answer yet; he said he would make a phone call about it. Mayor Shanahan reported again that he got five or six pictures of the Main Street railroad crossing and sent them to Jeremy at CSX, in response to Councilwoman Mackey's inquiry as to why they fixed all of the other crossings, but not that one. He let them know we have concerns about possible damage to traffic going over it.

TONTOGANY VILLAGE COUNCIL

SIDEWALKS and TREES: Councilman Roe reported that he had called Quinn, who had laid sidewalks for us in the past, to see if he could give us a rough idea what they are currently getting to tear out and replace sidewalks. Mr. Roe asked the mayor and members if we have any place in the township to dump concrete. The reason is, if Quinn has to haul it away, it would be \$7.50 per square foot. If we have somewhere local he can dump the concrete, he could knock \$0.25 per square foot off of the price, making it \$7.25. Mr. Roe figured it would be about \$1,800.00 for sidewalk across a lot, if he doesn't have to haul the old cement a distance away. Roughly, if we were to split the price with homeowners, it would be \$900.00 each. Mayor Shanahan said he would follow up with Scott Alexander to see if there is a spot we could use to dump old concrete in the township. Councilman Smith commented that there are some people in town who are receptive to the idea of splitting the cost of sidewalks with the Village. Councilwoman Mackey asked if members thought it would be worth looking into, to have a sidewalk assessment for a couple of years, like we have assessments for tree maintenance and we used to for street lights. Everyone would be paying into the taxes, but everyone would have the use of the sidewalks throughout the town. Mr. Roe clarified that, if we were to do that, then the Village would use those tax revenues to help pay for the whole price of laying sidewalks and it would no longer be a fifty-fifty payment with property owners. Councilman Roe said these are just some ideas; the Sidewalks and Trees Committee will do some more research on it and get back with Council later. Mayor Shanahan commented that he liked the idea of having multiple options that we can let the residents know we are looking at. Administrator Johnson advised that we need to talk to Solicitor Skaff about the Harley Woods subdivision that was supposed to lay sidewalks according to their agreement with the Village. Mayor Shanahan said he would take the information we have on file with him tonight to start looking into that matter. He also told members that Mr. Sheperd argued that he doesn't want to lay sidewalks in Harley Woods as long as nobody there wants them and until the Village forces everyone in town to have sidewalks. Councilwoman Mehring and Administer Johnson pointed out that that was not the agreement made with Harley Woods; they agreed to follow the subdivision rules and put in sidewalks; the agreement was not contingent upon whether the rest of the town has sidewalks or not.

CITY HALL and PARKS: Councilwoman Mehring asked about the flags for downtown. Mayor Shanahan answered that there had been a problem due to the wrong size and material having been ordered. Councilman Roe asked if we have had any Eagle Scouts proposing projects lately. Mayor Shanahan answered that he had been told by a couple parents that a couple scouts would be approaching us about projects, but he hasn't heard anything from them yet. Mr. Roe said he had seen some banners in other towns, such as for hometown heroes, and he thought something like that could be offered as an Eagle Scout project. They could research who in town would be good candidates to honor, and then they could design the banners and the Village would pay for it.

Councilwoman Mackey reported that she talked with Karen Graf, who said the Odd Fellows are back to using the hall weekly. Ms. Mackey said that she assumes Karen will need to clean the hall weekly after each Odd Fellows meeting and bill it to the COVID-19 account. Mayor Shanahan said that she would. Ms. Mackey said she would touch bases with Karen about this. Ms. Mackey asked if we received the stickers that Karen ordered from DayMark for marking clean surfaces as sanitized. Mr. Harnishfeger responded that the stickers just arrived today; he put them with Karen's cleaning supplies and told her about them.

Councilwoman Mackey reported that the new replacement basketball rim is up. Mayor Shanahan said he saw a pair of vise grips on there that they are lowering and raising it with. The mayor asked if the horseshoe pits are worth keeping, because he has not seen them being used. Councilman Roe said the two we replaced are definitely worth keeping. Councilman Bergfeld commented that it would be nice if we could raise them up some, so they don't hold water.


Mayor Shanahan reported that Tony Hafner is having a gathering in August and he asked permission for his friends to park their motorcycles in the alley, between the shed and garage there, which would

TONTOGANY VILLAGE COUNCIL

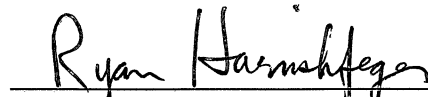
block the alley. Members said they did not have a problem with it, but advised that Tony should ask his neighbors about it first. The mayor said he would tell Tony that Council recommended he talk to his neighbors about it.

Councilman Smith asked about the proposed cookout that the mayor had spoken of at the last meeting. After a little discussion, it was decided that Friday, July 31, around 6 or 6:30 p.m. would be a good time. The mayor asked members to text him about how many would be coming with each of them, so he would be sure to have enough burgers and hotdogs for everyone. Members can bring sides, desserts, and beverages (in cans).

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:01 p.m.



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer