

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: August 3, 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; Jamin Roe, here; Mark Smith, here; Robert Bergfeld, here; Damon Lee, 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: Deputy Jody Swoap from the Wood County Sheriff's Office. Minutes from the July 20 meeting were approved as submitted.

**FINANCE and CLAIMS:** A spreadsheet of the current invoices was reviewed and approved by members. Councilwoman Mackey commented that the \$1,493.40 bill for Jim Head was for the cost of supplies and labor for all the work he has done for the Village over the past two months, including: trimming the tree in front of Doc's; applying Roundup to weeds in the playground; reinforcing the porta john enclosure at Centennial Park; putting three coats of stain on the porta john enclosures; and repairing and staining the benches for the parks. Of that, the work specifically for the park grant, which we will be reimbursed for with the grant money, amounted to \$923.27. 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.

Copies of the July Incident Report were made available to members to review. Mayor Shanahan invited members to share with Deputy Swoap any questions or concerns they may have. Members did not bring up any issues. Mayor Shanahan reminded the deputy that school will be starting in a couple of weeks. With nothing more to discuss, the mayor thanked the deputy and he left the meeting.

Mayor Shanahan did a second reading, by title only, 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.

Mayor Shanahan did a first reading, by title only, of Ordinance #918-20, AN ORDINANCE MAKING SUPPLEMENTAL CARES ACT APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY. The mayor and Fiscal Officer Harnishfeger explained that this ordinance was necessary to be able to legally spend the CARES Act money distributed to the Village through the Wood County Auditor. Councilman Roe made a motion to suspend the rules and declare an emergency for Ordinance #918-20. Councilman Smith seconded this motion. All were in favor; motion carried. Councilman Roe made a motion to adopt Ordinance #918-20. Councilman Bergfeld seconded this motion. All were in favor; motion carried. Councilman Lee commented that they are talking about a second round of stimulus money and he wondered how that would affect Tontogany. The mayor answered that his best understanding was that it would work similar to the first round of stimulus.

Fiscal Officer Harnishfeger reported that he experienced a huge problem with the UAN computer and the UAN program. After hours of effort, he was not able to enter final receipts for the month of July or perform the end-of-month bank reconciliation. Therefore, no July finance reports were submitted at this first meeting of the month, as is usually done. He contacted UAN Support and found out that they had received a lot of similar complaints from fiscal officers, due to problems caused by the latest automatic update of Microsoft Windows 10. They had him perform another Windows update and let the computer run all night to see if it is working properly again by tomorrow, August 4. If not, they will provide further technical assistance, but this action has solved the problem for other UAN users.

**ZONING:** Zoning Inspector Owens reported, with respect to vehicles we previously discussed that are sitting around town, that he read our Inoperable Vehicle Ordinance. We can send certified letters to

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them and they have fourteen days to remove their vehicle that is in violation. If they don't comply, we have to remove the vehicle. Mr. Owens said he has all of the letters ready and he will get with Fiscal Officer Harnishfeger to send them out by certified mail, if members approve doing so. The letters cover a red Pontiac Fiero at 18715 Lincoln Street; a black Chevy SUV at 18515 Lincoln Street; a red Camaro at 18555 Lincoln Street; a Ford F150 in the alley at 18680 Main Street with expired Michigan plates; and a motor home, a Chevy truck, and a black sedan in front of the garage at the multiple parcels on Main Street (next to Hefflinger's property), whose owner resides in Colorado. Mr. Owens reported that he also wrote a second letter to the owner of the multiple parcels, about the used washer and dryer and other unsightly junk there, in violation of the Village Nuisance Ordinance. Members voiced no objections to the letters being sent out. A question was brought up about what this might cost the Village. Mayor Shanahan responded that we would do like we did with the truck previously found abandoned at the park. We would have the vehicle towed. Then we would notify the owner as to where it has been towed, and let them know they are responsible for the costs and the daily fees at the impound lot. A question was brought up about what would be needed to get the vehicles out of violation status. Mr. Owens replied that they have to be operable; just putting current plates on them is not enough. Mr. Owens commented that he may have missed some problem vehicles this time, but he tried to deal with the most noticeable ones first. He also said we would be meeting with a couple others, including Glenn Hefflinger, to discuss our concerns with them.

Mayor Shanahan reported that he met with Zoning Inspector Owens for about two hours about another matter. The fiscal officer provided him with contact information, which he will use to write a letter on behalf of Mr. Owens and himself to all of the downtown building owners, to set up a phone conference, a Zoom conference, or a face-to-face meeting with them. He wants to introduce himself to them and have them share the history of what their business was, discuss the current state of the village, and discuss future plans, letting them know that Council is open to seeing businesses open up downtown. The mayor said he will email copies of the letter to members for their opinions or thoughts before sending it. Councilwoman Mackey commented that she thought it was a good idea. In the past, the downtown buildings were owned and operated by people who lived in or near Tontogany, and there was local camaraderie. Now some are owned by people who are not local.

Councilman Roe asked about the bus vehicle downtown that we have discussed in the past. Mr. Owens answered that that is another separate case. That one we would probably have to pay for totally. It would be an inoperable vehicle. Mayor Shanahan commented that the tag expires this month, in August. He also asked Administrator Johnson if he knew where we had street signs made in the past, because we want to get a couple more no parking signs made to put on that strip right there where the bus is parked. Mr. Johnson wasn't sure. Councilman Roe said that Lake Erie, where we bought posts for the park, makes signs for ODOT and could probably make us some no parking signs. Mayor Shanahan said that we already have the ordinance for parking downtown; all we need is to add a couple more signs. Councilman Lee asked if we can just put in signs, if we get them. The mayor answered that we can. We already have two signs, in front of Doc's and the carryout, that say "no parking from 3 a.m. to 6 a.m." If we put in two more signs like them where the bus is parked, then the sheriff can legally cite it. Without signs posted, the sheriff will not do anything.

**UTILITIES:** Utilities Superintendent Johnson reported that we received approval from the Ohio EPA for our Asset Management Plan. Dave Kuhn, of Feller, Finch, will send us three copies of the Asset Management Plan, including electronic copies. It is time again to start flushing hydrants and doing the valve exercise program, as part of the Asset Management Program. There may be older valves that will need to be repaired. For Asset Management, they added another rule to report a number of metrics, without which they will deny our license to operate.

Zoning Inspector Owens asked Mr. Johnson if the color of the fire hydrants has any special meaning. Mr. Johnson replied that it does not. Mr. Owens observed that some of them are in need of being

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repainted and he suggested that maybe we could offer painting the hydrants as a kind of art project for kids. We could paint the bottoms and let them paint the tops. Mayor Shanahan said he would ask Bill at the fire department about it.

**STREETS and ALLEYS:** Councilman Smith reported that Morlock got all of the gravel done on Crom Street at the alleys and other spots. He asked members if we are good with what they have done or if we need more gravel put along the sides of the street. Councilman Roe answered that Mr. Smith's letter to the contractors said they were to come back and lay berm. However, berm was not specifically mentioned in the final bid from Morlock. Typically, in an ODOT job, if there is more than a two-inch drop-off, you berm it. Most companies know that berm is a part of a paving job. Mr. Roe continued that at least close to the intersections should be done and another particular spot. Mr. Smith said he would follow up with Morlock about this.

Councilwoman Mackey reported that the corner of Tontogany Road and North Street needs to have the trees and brush trimmed back. The visibility is getting bad. It needs trimmed a couple times a year. There was some discussion on who to get to do it. Suggestions included the township, going 50-50 with the county, or possibly having Jim Head, Josh Heckerman, or Abe Rowe trim it. The mayor said he would speak with Josh Heckerman and ask him to just add it to his annual bid as a regular job for the town. Councilman Smith suggested we have whoever does it take the brush away too.

**SIDEWALKS and TREES:** Mayor Shanahan reminded everyone that they received an email and a printout of the email from Village Solicitor Paul Skaff about the Harley Woods sidewalk situation. The mayor asked if members had any feedback or thoughts about Mr. Skaff's comments. Councilman Roe observed that it looks like he is not at 75 percent yet, technically. The mayor answered that he is 100 percent sold, but only 73 percent developed. Councilman Smith said he thought we should be honest with the residents of Harley Woods and send them a letter telling them what is going on. We don't really want to get into a lawsuit and litigation process, which they won't want to happen either; no one wants to be named in a lawsuit. The mayor said he expects Mr. Sheperd to put up a fight. He has said he doesn't intend to put in sidewalks in Harley Woods until the rest of the village puts in sidewalks. The mayor said he explained that those are two separate topics. When Harley Woods was annexed in, the subdivision rules were set in place. Mr. Roe said he would not be for taking the residents to court to force them to put in sidewalks, if a majority of them or all of them answer our letter and say they are against putting in sidewalks. They have put in a lot of trees and flower beds which would have to be pulled out to lay sidewalks. The mayor asked if we should approach Dan Sheperd first with a plan, out of respect for the developer. Mr. Smith suggested sending a letter to Mr. Sheperd first, telling him we intend to send letters to the residents of Harley Woods. Offer to discuss it with him, but let him know the information is going to his neighbors too. Zoning Inspector Owens added that, if the residents paid up front for sidewalks in the cost of their lot, we should remind them of that. Administrator Johnson made the point that, if we tell Harley Woods they don't have to put in sidewalks, then anybody else in town will feel they have the same right to refuse to do it. Mayor Shanahan concluded that he, along with Administrator Johnson and Councilman Smith will meet with Dan Sheperd first. Then they will share the results at the next council meeting after meeting with Dan. Mr. Smith asked if we have all of the documentation. Mayor Shanahan answered that Solicitor Skaff has it, but he will get it from him and also invite him to participate in the meeting with Mr. Sheperd. He will ask to meet with Solicitor Skaff about thirty minutes before the meeting with Dan Sheperd, to get some guidance.

Councilwoman Mackey reported that she had been looking around for a closer place to store our leaf vac. She noticed several garages that might be possibilities. One belongs to Woodbury, located behind the Corner Carryout. Next to that is Hefflinger's building with a tall door. Another is Becky Long's garage that her husband worked out of. The mayor said he will be contacting Woodbury anyway, so he will ask him about the availability of his garage.

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Councilman Smith reported that Abe Rowe is super busy right now, but we are on his list and he will get back to us with a timeframe for doing tree work. Councilwoman Mackey reported another tree that Abe should look at, as well as some bad branches in a tree near the one he is to take down on Crom Street.

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

**CITY HALL and PARKS:** Mayor Shanahan reported that he spoke with Eric Palmer about the park drainage project. He will be coming back. He will only bill us for work completed, so we won't get billed for seeding until that is done. The mayor said he spoke with him about the horseshoe pits. Mr. Palmer observed that the one set was pretty rotten, but the mayor let him know we definitely want to save the set worked on by the scouts. Councilman Roe made a few comments about the drainage project and concluded that we can see how it works out and call them back if we find more bad spots that need drainage in the future. The mayor reported that he and others have noticed a lot of glass after they dug it up and regraded it. He said he intends to go to the park this week and walk and pick out what glass he can, to make it safer. Councilwoman Mackey pointed out that it will be better when they finish and cover it with topsoil.

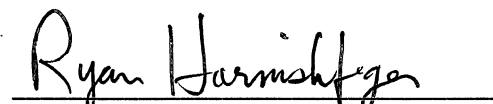
Councilwoman Mackey reported that the benches are done and look great. Mayor Shanahan commented that Jim did a nice job.

Mayor Shanahan reminded members that we will probably start getting questions on whether trick-or-treating will happen this year. He said his personal opinion was that we can still have it. Members voiced no opposition to it, but commented that the governor will probably address the issue later. Mayor Shanahan also brought up the topic of who to select this year as the honored person to turn the tree lights on. He asked members to be thinking about who to ask to do it. At the mayor's request, Councilwoman Mackey explained to new council members that we have, for many years, selected an older person in town, who has had longevity in the town, to have the honor of plugging in the tree lights at our annual tree lighting event. Mayor Shanahan added that the article in the paper, prepared by Ms. Mackey, also helped greatly last year. This year we are planning to have the event on December 5<sup>th</sup>, the first Saturday of December. The fire department will provide a Santa as well.

Mayor Shanahan reported that there will be a Victory Parade on August 15<sup>th</sup>. It would have been our Togony Fest parade, which was cancelled due to the COVID-19 pandemic. The Victory Parade will be a 75<sup>th</sup> World War II commemoration. It will start at the school at 11:00 a.m. Everyone in the parade will wear a mask and each group will be separated. They will march to the Legion, where there will be a barbecue chicken dinner. Bernie Scott has an original mini tank that was used in WWII that he rented. The cannon on the tank still works, so Bernie will be shooting fifteen T-shirts with names of Tontogany Veterans on them into the parade spectators. People will be required to gather with their own family only in front of their homes to view the parade.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 7:53 p.m.

  
Matthew Shanahan, Mayor

  
Ryan Harnishfeger, Fiscal Officer