

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: September 21, 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; 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: Dan Sheperd, with a zoning request. Minutes from the August 17 meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Fiscal Officer Harnishfeger asked council members to sign an approval for \$25 COVID-19 expenses for hall sanitizing done by Karen Graf in August, which they did. Councilman Roe made a motion that these bills be allowed and orders drawn for same. Councilwoman Mehring seconded this motion. All were in favor; motion carried. Copies of the August 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 Smith to review.

Mayor Shanahan did a first reading of Resolution #920-20, a RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY. The 2021 amount approved for Tontogany's general fund by the Budget Commission is \$8,358.71 (inside 10 mill limitation), and the approved rate is 1.20 (inside 10 mill limit). After a brief discussion, Councilman Smith made "a motion to suspend the rules for Resolution #920-20 and forego three readings for the reason that there are an insufficient number of meeting dates in order to hold three readings of this resolution before the county-imposed October 1, 2020 deadline for the authorization of necessary tax levies." Councilman Roe seconded this motion. Roll call vote: Mackey: yea; Mehring: yea; Roe: yea; Smith: yea; Bergfeld: yea; Lee: yea. Councilman Smith made a motion to adopt Resolution #920-20. Councilman Roe seconded this motion. Roll call vote: Mackey: yea; Mehring: yea; Roe: yea; Smith: yea; Bergfeld: yea; Lee: yea.

Mayor Shanahan informed members that Dan Sheperd met with the Village Planning Commission to make a request concerning the property that is going to be built upon in the back-left corner of Harley Woods. There was an easement that was originally put into the plan, in case they were to develop behind it. Dan let the Planning Commission know that development was not going to happen behind it, so he is asking the village to release the easement back to the property owner or developer. This is for the purpose of building a house, allowing the house to look similar to what is there. If the easement remains, the house would just about face the back yard of a neighboring house. Having met with Mr. Sheperd, the Planning Commission is making the recommendation to allow his request to release the easement. The stipulation is that it would have to be resurveyed. Mr. Sheperd will incur 100 % of the cost of this, so there will be no cost to the village to have it resurveyed. Mr. Sheperd offered to have Poggemeyer, who did the original survey, also do the resurveying, unless Council would like someone different to do that. The mayor then invited discussion from members. Councilwoman Mackey asked if something like this needs county approval. Mr. Sheperd answered that Poggemeyer had told him this is something fairly commonly done. The terminology is "vacating the easement." Mayor Shanahan commented that Troy Sonner of Poggemeyer had called him and he had suggested Mr. Sonner might want to get with Village Solicitor Paul Skaff to determine what paperwork may be needed for this. Mr. Sheperd said he was told there would be some surveying on the west side; pins would have to be reset to reflect the new setbacks. If Council decides he can go forward with this, they will contact Solicitor Skaff, they will do a redrawing and submit it to the county, to be an attachment to what is at the county now. Ms. Mackey clarified that she was asking if this had been checked with the county to see if it is

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legal to do it. Mayor Shanahan answered that the only discussion we will need to have with the county is after Council approves this and they get with Solicitor Skaff about legal documents for the county. Councilman Smith asked Mr. Sheperd about the property that he is not developing to the north, if there is another easement to access that property. Mr. Sheperd replied that there is not and never has been. There was a brief discussion about how vacating the easement would affect access. Councilwoman Mehring made a motion to approve the recommendation of the Planning Commission to grant Mr. Sheperd's request for the village to vacate the easement. Councilman Bergfeld seconded this motion. All were in favor; motion carried. The mayor asked if members were okay with Mr. Sheperd using Poggemeyer to do the resurveying work. Members expressed agreement with him using Poggemeyer, with no one voicing opposition. With nothing more to discuss on this issue, Mr. Sheperd left the meeting, after offering to help out if the village needs extra help for something such as committee work on a project.

Mayor Shanahan pointed out that members each had a copy of an estimate he received from Toledo Flags. He reported that he had inspected the flag poles in the downtown area. They look makeshift and it is difficult to get flags to fit on them right. He sent pictures of what we have to the owner of Toledo Flags and asked him how much he would charge the village for 12 new flags with poles and mounting hardware. He responded with an estimate giving us 20% off of their regular pricing, for a total of \$976.32. The mayor asked what it would cost with installation and received a quote of \$300 extra for the installation, bringing the total cost to \$1,276.32 to have 12 new flags, poles, and hardware installed. Members said they liked the idea of upgrading our downtown flags and poles, but weren't certain if this is a good price. The mayor said he would do some more research. Councilman Roe said he would do some research as well.

ZONING: Zoning Inspector Owens said he had nothing new to report. People complied in some way with all of the letters he sent out. The vehicles have either been moved or plated. Councilwoman Mackey asked about businesses, to which Mr. Owens replied that we will do those separately. Mayor Shanahan added that we are still working on setting up meetings. Mr. Owens also said we will be talking with the railroad about the trailers, which may become a legal issue. The mayor said he emailed the railroad again and asked Jeremy for a meeting to be set up with him or another person from the railroad on a Friday, to walk through the whole village and point things out that need addressed, such as junky looking piles of ties. The tanker and trailer situation remains, even though the railroad purportedly sent Mr. Hefflinger a letter. The mayor said he wants to put pressure on them, letting them know Council is thinking about declaring it a nuisance and initiating a lawsuit. Councilwoman Mackey reported that a Tontogany resident approached her to say thanks to the town, and to Zoning Inspector Owens specifically, for helping to get rid of some of the junky vehicles in town. Mayor Shanahan added that there were two vehicles about which we had not received a response, so Mr. Owens and the mayor went to visit them. They had complied or updated the registration. The mayor commented that they know we are watching them. We got rid of the white van, but now there is another car across the road that has been sitting there for a couple of weeks; it has a 2021 tag on it. Some members said they thought they knew who owns it. The mayor asked them to let the owner know that they need to move it or the town will deal with it as an abandoned vehicle. We are able to act on abandoned vehicles, even if they have current tags.

Zoning Inspector Owens reported that Steve Powell wanted to put container boxes behind his building downtown. Mr. Owens said he talked to Solicitor Skaff about it and denied Mr. Powell a zoning permit for this. Mayor Shanahan added that Mr. Powell wanted to put a semi-trailer or a pod behind his building for temporary storage. It was absolutely not allowed, and, if he still wants to pursue it, he will need to pay \$200 to apply for a variance and run it through the zoning commission. Administrator Johnson commented that the township couldn't keep pods out, and it will be difficult for the village to keep them out too. The mayor responded that we intend to talk to Solicitor Skaff about drawing up an

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ordinance prohibiting them. Councilman Lee asked what the issue is. The mayor and zoning inspector responded that a trailer or pod just becomes a storage container sitting in someone's yard.

UTILITIES: Utilities Superintendent Johnson reported that Dave Kuhn, of Feller, Finch, called him about applying for a grant for the waterline on Tontogany Road. The village would have to contribute 50% of the total cost of an estimated \$225,000. He conferred with the fiscal officer about it, who told him we don't likely have that kind of funding available right now. Mr. Johnson reported that he has been working around town on meter pits and accessories.

Mayor Shanahan reported that he gave Mr. Johnson information on three street lights that were out. He said he also asked him to talk to Bowling Green Electric about getting the poles out from behind the village hall, including the stands that they are on, so we can open up that area and make it look nicer. Mr. Johnson commented that John Stewart didn't know if they had used those poles in years.

STREETS and ALLEYS: Councilwoman Mackey reminded members that she had obtained a quote of \$750 from Stripe It Up for striping the basketball court. Then members had asked her to also get a quote for striping on our streets and parking lots. She obtained an additional quote of \$650 for striping three parking lots—in front of the village hall, downtown by the fire hall, and Centennial Park. The total for striping the basketball court and three parking lots is \$1,400. The gentleman at Stripe It Up advised waiting until after we repave Broad Street to do all of the street striping at once, since streets will have to be temporarily closed off to traffic. Mayor Shanahan said he would like to at least get the parking lot at Centennial Park striped at the same time as the basketball court. Also he suggested that we get the angle parking changed to parallel downtown now, rather than waiting for the repaving of Broad Street, since it is unknown when that will actually be able to be done, due to the waterline needed there as well. Members discussed it and agreed that the repaving of Broad Street might not happen for a couple of years or more, so it would be a good idea to get the striping changed now to the way we want it. This should alleviate some zoning problems we have been dealing with as well. The mayor commented that he is in favor of getting rid of all angle parking downtown, due to it reducing visibility when turning onto Main Street. After more discussion, members expressed favor toward keeping angular parking on Main Street, to avoid too much reduction in parking spaces there, but parallel parking on Broad Street downtown. Councilman Lee suggested putting a 4-way stop at the corner of Broad and Main Streets. Councilwoman Mackey asked if we want to have them stripe the parking lots as well as the basketball court. Members agreed that we do, with no objections voiced. Ms. Mackey said she would ask for an added quote for the striping of Broad and Main Streets. She asked if parking spots on Main Street by the Presbyterian Church should be included. The mayor and members answered that they should not.

Mayor Shanahan reported that he had emailed members about roadwork that the township will be doing on Tontogany Creek Road, from the bridge to Scott Road, in the next few weeks. The village assumed responsibility for the side of the road where we annexed in property there. The total cost for the roadwork there will be \$20,600. Our portion, if we split it with the township, would be \$10,300. The mayor asked Fiscal Officer Harnishfeger to explain what he had previously told the mayor by email, that we do have the money available to cover this cost. Mr. Harnishfeger informed members that the street fund has two line items in it, each with \$7,500 appropriated, for a total of \$15,000, that could be applied to this cost. It is for use on streets, sidewalks, or curbs. Councilman Roe and Councilman Smith questioned the seemingly high price for this 600-foot by 19-foot stretch of road, compared with the \$28,100 cost of repaving all of Crom Street. There was some uncertainty about the repaving process being used for this project. The mayor said he had asked Township Trustee Steve Powell to come to the meeting tonight to help explain this, but he didn't come. The mayor sent another text during the meeting, asking Steve to stop in to answer questions about this. Steve answered that he is out of town and will not be able to stop by during the meeting. Councilman Roe said his only concern was what they were actually doing in the repaving process. If they do it according to the bid, it should be okay, because

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the bid includes more than we had done to Crom Street. Administrator Johnson commented that the township would have used engineers to look at the project and go over the plans before approving it. After a little more discussion, Councilman Roe made a motion for the Village to split the cost with the Washington Township Trustees on the Tontogany Creek Road Project. Councilman Bergfeld seconded this motion. All were in favor; motion carried.

SIDEWALKS and TREES: Councilwoman Mackey reported that Gary Santogrossi gave her some pictures of his bad sidewalk on Washington Street and asked her when it could be replaced. She also said Councilman Roe and she have talked about a couple of other spots that are also in bad need of repair or replacement. She suggested that the Sidewalk Committee should get together and come up with a plan on what we can do. Councilman Smith and Councilman Roe agreed and said they should put together a timeline and then let the people know when we plan on addressing their problem sidewalks. Ms. Mackey commented that she did tell Mr. Santogrossi that we had a major project this year with Crom Street and we are talking about sidewalks.

Councilman Smith reported that he was in Pemberville last week and stopped by North Branch Nursery. They gave us a catalog of trees to look at for replacing trees in town. They have a lot of services and resources of information on getting new trees planted to replace trees we cut down. Mr. Smith said he would like to make it our goal to plant some trees next year. Mr. Owens commented that North Branch Nursery also has an annual auction about this time of year; they will even plant the trees for you.

DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Councilwoman Mackey asked for a confirmation of the date and time for Halloween Trick-or-Treat this year. It was determined to be on Saturday, October 31, from 5:30 p.m. to 7:00 p.m. There will be no parade. Mayor Shanahan added that the State of Ohio has said that it is up to each municipality to make their own decision on whether to have Halloween activities or not. It appears that most communities are having Halloween activities. The mayor said his only concern would be if other Otsego communities don't allow trick-or-treating and Tontogany gets bombarded with a lot more kids from those communities. He said we will ask Steve to post it on the board in front of the fire hall and we will post a notice on the village website.

Councilman Roe asked if we will have a fall brush pickup. Mayor Shanahan answered that it is scheduled for Thursday, the 29th of October. Councilman Smith asked if a brush pickup notice could be put on the utility bills. Utilities Clerk Harnishfeger answered that he will do so. Mayor Shanahan reported that the gentleman on the corner of Washington Street and Tontogany Creek Road has had some huge tree branches sitting in his yard for a couple of months now. We probably need to knock on his door and ask him to get rid of them.

Councilwoman Mackey thanked Councilman Smith for refinishing the horseshoe pits. Mr. Smith replied that he power washed them, sanded them, and put some screws in where they were falling apart. They should last a couple of years before needing worked on again. Ms. Mackey said that the posts for the horseshoe pits are being stored in the metal cabinet at the park, close to the court, and she brought the key to the metal cabinet to the meeting and asked to have it stored here. It was decided to store the key in the hall office. Ms. Mackey also reported that Ron Mackey took the old horseshoe pits apart and laid the wood in a pile in front of the park. She asked if anybody wants it or would be willing to dispose of it. Councilman Roe answered that he would take care of it.

Councilwoman Mackey reported that, for the first time in a long time, we have been having some trouble with kids in the park, over the last couple of weeks or so. Since school started, we have had a group of boys, about junior or freshman age, that have been coming to play basketball and then going to Arla Mae Crawford's house by the park and asking for water. She gave it to them once. Then they started helping themselves out of her garage. One day last week the Mackeys had a knock on their door.

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When Ron answered the knock, he saw a kid laying on the ground in front of their bushes. The kid asked for some water and Ron said, "No," and told him to get out of there. Then the kid went to another neighbor lady, 93 years old, and Arla Mae called her and told her not to give them water. These kids have also been observed throwing rocks and dirt balls at the basketball backboard. Approximately last Thursday, they got really mouthy with Ron and Arla Mae, so Arla Mae called the sheriff's department. By the time the deputy came, the kids were gone. The deputy was a woman. Ron talked with her. She filed a report and she said she would notify the school safety officer. These troublemakers keep coming back and they are scaring off some younger kids. Administrator Johnson suggested that we ask the sheriff's department to have a patrol car sit by the park during the time these kids usually show up, instead of sitting elsewhere.

Mayor Shanahan reminded members that we need to get our website updated. The information about the mayor and council members needs updated. The mayor asked for new members or members with missing information on the website to email a headshot and brief bio to him, so he can have it posted on the website.

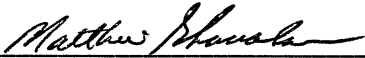
Mayor Shanahan said he looked at the census today and we are at 67.3%. The census people have been out knocking on doors. It ends at the end of the month, so we are about where we are going to be.

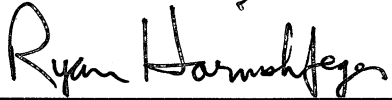
Mayor Shanahan reported that he reached out to Deputy Sheriff Brian Ruckstahl and Otsego School Superintendent Adam Koch a couple of weeks ago and let them know that the traffic in the village was horrible—the worst he has seen in years. There are cars going down North Street at 60 miles per hour, blowing through the stop sign. Councilman Lee added that he has witnessed dangerous speeding on his street as well. The mayor said he proposed to Brian and Adam that they and he get together and do a video Public Service Announcement (PSA) speaking about traffic and letting people know traffic violations are going to be enforced. Superintendent Koch's part of the PSA was about maintaining the speed limit when coming to school activities. The mayor's part of the PSA was asking people to help him do his job as mayor to keep the residents safe and adhering to the posted speed limit of 25 miles per hour in the village. Deputy Ruckstahl's part of the PSA was talking about driving near the school in good and bad weather conditions, and adhering to the posted school zone speed limit. This project will be completed this week. It will be emailed via several school newsletters. It will be posted on the mayor's Twitter and Facebook page. When we speak to the deputies, we need to impress upon them that we want them to take a more active role in catching traffic law violators, positioning patrol cars effectively to do so. If we don't get desired results, the mayor said he would set up a meeting to talk with the Wood County Sheriff. Members agreed that sometimes patrol cars sit for hours at places like the Legion where there are no traffic issues. Councilman Lee offered to post the PSA on his social media, if he can get a copy. The mayor said he would email everyone a copy, so they could share it on their personal social media pages, if they desired to do so. It will also be posted on the village website.

Mayor Shanahan told members he would still like to have a little picnic with them and their families. If the weather is too cold, he suggested they could do it at the hall. Perhaps on a Friday, Saturday, or Sunday. Members seemed to think a Sunday afternoon might work best.

Mayor Shanahan reported that there is a huge pine tree that blocks the view of traffic when you are at the corner of Tontogany Road and Kellogg Road. The Wood County Engineers will come look at it and determine if it needs to be trimmed back.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:25 p.m.


Matthew Shanahan, Mayor


Ryan Harnishfeger, Fiscal Officer