

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: May 17, 2021

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, absent; 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 May 3rd meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Councilman Smith asked about the water emergency that Utilities Superintendent Johnson had dealt with in Harley Woods. Mr. Johnson explained that a service water line had, for some reason, been laid about 80 feet off of the road in the narrow lot there, whereas other service lines were placed a little beyond the right of way. This was unknown and therefore got missed for OUPS marking, and a contractor hit it and caused a leak that had to be fixed. Councilwoman Mehring commented that she didn't think the damaged line was the village's fault and we shouldn't have to pay for fixing it. Mr. Johnson replied that he thinks it was Dan Sheperd's fault for having the service line installed way farther back, to save money. Mr. Johnson said he thought Dan Sheperd would probably turn it into a court matter, if we try to make him pay for it. He also said he thought that the bill from Palmer for \$1,027.50 on the invoice list included the cost of the water service line repair, as well as installing a new meter pit, so, if we aren't going to pay for the water line repair, we would need to ask Palmer for an adjusted bill for just the meter pit installation. Mayor Shanahan asked Mr. Johnson to contact Palmer to adjust the billing and we will consult with Solicitor Skaff about the matter and ask him to send a letter to Dan Sheperd, informing him that the cost of repairing the damaged water line is his responsibility. Members decided to have Fiscal Officer Harnishfeger hold off paying the Palmer bill until we find out for sure whether it is our responsibility or not, and until we can get an adjusted bill from Palmer. Councilwoman Mehring made a motion that the other 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 Resolution #932-21 a RESOLUTION APPROVING THE COMBINATION OF CERTAIN PARCELS OF REAL PROPERTY LOCATED IN THE VILLAGE OF TONTOGANY. The mayor explained that this pertains to the Fox property, where the owner wants to combine the recently annexed 3.936-acre parcel with four other contiguous parcels, into a single parcel located entirely in the village. Administrator Johnson asked if Solicitor Skaff had checked on the storm sewer that runs through the Fox property. The mayor responded that he has not heard back from him on that yet. He also commented that this move to consolidate the parcels into one is no indication that someone has bought the land, but it may be an effort to make it easier to sell all the land as one parcel. The mayor asked the fiscal officer to email copies of the resolution and accompanying map and legal description to council members, as well as Administrator Johnson and Zoning Inspector Owens, so everyone can look it over and bring up any questions or concerns before the third reading and adoption at the second meeting in June. He also asked that a hard copy be sent to Councilwoman Mehring.

Fiscal Officer Harnishfeger reported that he received a call from Cindy at Feller, Finch, asking if the village wants to move ahead on the backflow prevention project for our master meter pits. If so, they would be able to start right away. Also, Feller, Finch would be willing to look into any proposed projects for use of our American Rescue Plan Act (ARPA) relief funding, to help advise us on what might work best with our budget. Utilities Superintendent Johnson commented that he spoke with Dave Kuhn of Feller, Finch today. Mr. Kuhn told him that, due to regulations, they would need to put in an above-ground structure for the backflow pits. Mr. Johnson said he didn't think that would work, especially at the corner of Kellogg Road and Haskins Road, which would be vulnerable to being accidentally hit by vehicles. Mr. Johnson said he suggested that Mr. Kuhn call Northwestern Water & Sewer District to see

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what they are doing, and to call Mike Johnson in Bowling Green. It will be a lot more costly to put underground, requiring special design and ventilation. It is on hold for now, until Mr. Kuhn gets back to Mr. Johnson on what is going to be the best and most cost-effective way to do it. Councilman Smith asked when it is supposed to be finished. Mr. Johnson answered that it is supposed to be in 2022, but Bowling Green will not have a problem, as long as they know we are working on it and making progress.

Fiscal Officer Harnishfeger reported that, in the process of filling out the forms to submit to the Regional Income Tax Agency (RITA) to authorize their letter campaign and follow-up subpoenas to non-filing taxpayers, he discovered that they require an ordinance or resolution, or a motion, recorded in a copy of the minutes, to authorize them to deduct the cost of \$1.00 per subpoena from our monthly tax distribution. Mayor Shanahan called for a motion. Councilman Smith made a motion to give Fiscal Officer Harnishfeger full authority on behalf of the Village of Tontogany to sign the forms giving authorization to RITA to do their Non-Filing Delinquency Program for the village, including a letter campaign and administrative subpoenas, and to deduct the cost of the subpoena program from our monthly distribution payment from RITA. Councilwoman Mackey seconded this motion. All were in favor; motion carried.

ZONING: Zoning Inspector Owens reported that he received some calls, asking about the property for sale at Washington Street and Tontogany Creek Road and how it is zoned.

UTILITIES: Utilities Superintendent Johnson reported that he spoke with Engineer Dave Kuhn at Feller, Finch about the possibility of using our ARPA funding for upgrading the water line on Broad Street. Mr. Kuhn said we could do it with just someone like Palmer giving us a quote, and using the ARPA funds. Mr. Johnson said he did some rough math on the cost. At \$60 to \$70 per foot, a worst-case scenario would be about \$28,000 cost. The only other thing to be concerned about would be what kind of regulations the government has on the use of the ARPA funds, such as requiring an engineer to look at it. Mayor Shanahan commented that the Ohio Office of Budget and Management (OBM) has scheduled another webinar for Tuesday, May 18, to go over the U.S. Treasury's Interim Final Rule guidelines on how the ARPA fiscal recovery funds can be used. The mayor said they email slides of the webinar to those who registered to attend it, so we can forward copies of those slides to members when they come. He also said he would forward the webinar link to Mr. Johnson so he could attend if he wished. That way three of us would be attending it. Mr. Johnson also said that he spoke with Palmer about this, who suggested that we could break out the cost of repaving Broad Street from the general fund, if we have the extra money. And on the water line, there are ways to do it without a need for bidding, if we want to avoid that. Mayor Shanahan commented that we will see what kind of final rules are given for the use of the ARPA money at the webinar on Tuesday; then we should be ready to make a final decision on what direction we want to go at the next meeting. Councilwoman Mackey asked Mr. Johnson to explain from where to where it is that we need to replace water lines. Mr. Johnson responded that it is right down Broad Street, from Washington Street to Wall Street. Councilman Smith asked if railroad tracks would be involved with the water line project. Mr. Johnson replied that they wouldn't. He also commented that, since the catch basin was just replaced, it would be nice to get the new water line in and get Broad Street repaved. But he warned that we would need to hold off on the striping we were intending to do on Broad Street until it is repaved. The mayor said it would not be a problem to hold off on that until later.

Councilman Smith asked Mr. Johnson if he had asked Bowling Green who they have trim their trees back from power lines. Mr. Johnson replied that he had not asked them about that yet. He also reported that they are going to take care of the leaning pole in the alley across from the Post Office. It sounded like they were intending to put a new pole in. Mr. Smith asked Mr. Johnson to let him know, if he gets an answer from Bowling Green about who they have trim trees back from wires, and he will use the information to start making some calls to see who we can get to do ours.

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STREETS and ALLEYS: Mayor Shanahan reported that he spoke with Jim Fouts and he is good with starting street painting on Sunday. The mayor asked Administrator Johnson to see if it will help us to line up street sweeping, by having a specific day when it is needed. Mr. Johnson replied that there is an issue with our contract running out and Bowling Green won't do it without a contract in place. The mayor responded that the worst-case scenario would be that we don't have it striped before Memorial Day. Mr. Johnson said he spoke with someone who had done striping for Bowling Green and they said the striper itself had a powerful air stream that cleans the road where the stripe is painted, and they do not use a street sweeper before striping. The mayor responded that he doesn't think the machine Jim Fouts uses has that feature. Councilman Smith offered the use of his powerful leaf blower to prepare areas for paint, if needed. The mayor commented that not striping Broad Street right now will negate the necessity to ask the renters there to find other places to park during striping. As for the other places to be painted, he will get with Bernie Scott this week and get a bunch of orange cones to block off areas, as well as getting some signs that say something like "no parking - paint project in progress." Mr. Johnson asked if there will be a Togany Fest this year. Mayor Shanahan answered that his understanding was that it will take place. Mr. Johnson asked members if he should tell Bowling Green to go ahead and sweep the streets, if they tell him they can do it. Members agreed that he should have them do it, if they can, but it would need to be before Sunday, September 23rd.

SIDEWALKS and TREES: Councilwoman Mehring reported that she had a couple people ask her about the junk on the sidewalk in front of the Grosjean apartments on Main Street. Mayor Shanahan asked Zoning Inspector Owens to swing by and take a look at the area and give him an opinion about it. Councilman Bergfeld commented that there were dog droppings on the sidewalk too.

Mayor Shanahan reported that Councilman Roe provided an updated sidewalk list, copies of which were given to each member. Councilwoman Mackey added that she has more email addresses and is working on getting more email addresses to add to the list. The mayor commented that Mr. Roe had added Nicole Vollmar to the list. He asked members to get with Mr. Roe, if they have any questions about the list. Ms. Mackey reported that the Sidewalk Committee had a meeting last Monday night and a question was brought up that they wanted to get Council's input on. The question was whether we want to insist that people use the contractor chosen by the village for 50/50 shared cost, or if we want to allow them to choose a contractor of their own, as long as they abide by a set of written specifications in a signed contract. Councilman Smith added that allowing people to choose various contractors might present organizing, planning, and verifying problems, but, on the other hand, if a resident can find someone to do the job cheaper than the contractor we choose, we might want to ask them if they would be willing to do all of our sidewalk work. We are working on a written contract, so contractors can know exactly what is expected and they can bid accordingly. After a brief discussion, members and the mayor concluded that, since the village is paying half of the cost, and since we are going to shop around for a good price, we should just stick with the contractor the village chooses and not allow residents to complicate matters by selecting multiple contractors. If a resident knows someone they would rather use, they should ask them to submit a bid to be considered by the village for the project. Ms. Mackey reported that some people have been asking her when the sidewalk program will get going, since it is almost June already. She said we need to start seeking bids. Mr. Smith reported that Councilman Roe is working on getting the scope of the project written out in the form of another letter. Mr. Johnson asked if we intend to do one side of Broad Street or both sides. Mr. Smith answered that we will eventually do both sides, but we talked about doing the west side first. Mr. Bergfeld commented that we will need to deal with trees and trimming too. Mr. Smith responded that the Sidewalk Committee also discussed tree problems. He said that some municipalities like to put asphalt at good trees they want to keep, because asphalt is more flexible than concrete, rather than cutting a perfectly good tree down to avoid sidewalk buckling. We may also want to get Abe Rowe's opinion on

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certain trees near sidewalks we intend to replace. Some trees may need to come down. We will have to plan for treatment of tree problems at the same time we apply for sidewalk bidding.

DRAINS and SEWERS: Nothing to report.

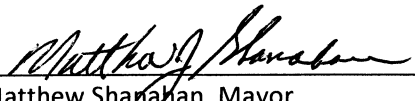
CITY HALL and PARKS: Councilwoman Mackey asked about the status of the water fountain at Centennial Park. Mr. Johnson answered that he wasn't successful in getting it capped off, so, he called Kellermeier and told them to buy a new part for it. He said he also spoke with the school treasurer, who informed him that all of their drinking fountains are off limits to anyone; no one is allowed to drink from them. Ms. Mackey asked if the school allows the use of the water bottle filler at the drinking fountains. Mayor Shanahan answered that they do. Ms. Mackey asked what part Kellermeier is replacing. Mr. Johnson answered that it is the top piece for the spigot on the side; the spigot was just sitting there with nothing in the top. Whoever took it off lost some of the parts in the process. Everything else is fine with the fountain. The part is ordered, but it is questionable whether it will be here by next week. Mr. Johnson asked members if we really want to provide a water fountain for people to drink out of right now, since the school doesn't allow it. Councilman Smith suggested that we might save the price of another service call from Kellermeier, if we could install the new part ourselves. Mr. Johnson replied that he would call them and ask if he can just pick up the part when it comes in. Ms. Mackey said that there is a youth soccer clinic on Saturday. She has been in contact with the lady in charge, so she will text her and tell her we may or may not have a water fountain for their event. The mayor said he would tell Heather to tell the kids to just bring a water bottle and she won't have a problem with it.

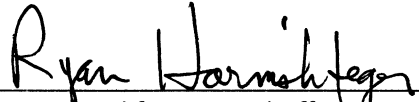
Councilwoman Mehring reported that there is a lot of grass coming up in the playground mulch at Mehring Park. Councilwoman Mackey responded that there is a new container of Roundup in the hall shed. Fiscal Officer Harnishfeger asked if you can spray Roundup where children play. Mr. Johnson said he was wondering the same thing. Members suggested spraying it in the morning while kids are in school.

Councilman Bergfeld asked if we got anyone to till the volleyball court yet. Ms. Mackey replied that we have not. Mr. Bergfeld said he has a tiller at home and will go do it tomorrow. Ms. Mackey commented that, if he will till it, then she will be sure to get the volleyball net up afterward.

Councilman Smith asked the mayor if we want to set a time to install the flags downtown before Memorial Day. Mayor Shanahan answered that he had flags, horseshoe pits, and stone on his list. He asked if anyone might have time on Saturday to help put up the flags. Councilmen Bergfeld and Smith said they could come early on Saturday. After more discussion, the mayor, Mr. Bergfeld, and Mr. Smith decided to do the flags on this Wednesday afternoon, and to firm up the exact time when it gets near. Mr. Smith offered to supply a ladder. Councilwoman Mackey asked if the wreath could be taken down from the hall at the same time. Mr. Smith said he did it last year and can do it again. The mayor asked about setting a time to do the horseshoe pit and the gravel at the entrance to Centennial Park. Ms. Mackey suggested putting some pea gravel in there to make it drain better. Administrator Johnson suggested that, when we do sidewalks in town, we might want to solve the problem at the entrance to the park by installing a sidewalk there, from the gate to the shelter house. The mayor and Ms. Mackey thought that might be a good project to seek a park grant for. Other members agreed.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 7:54 p.m.


Matthew Shanahan, Mayor


Ryan Harnishfeger, Fiscal Officer