

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: August 1, 2022

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; Mark Smith, here; Robert Bergfeld, absent; Damon Lee, absent; Lincoln Fox, here. Also present were Utilities Superintendent Chad Johnson, Village Solicitor Paul Skaff, and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitor present: Jim Head. Minutes from the July 18th meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Utilities Superintendent Johnson questioned whether the invoice from Jim Palmer Excavating for \$1,266.31, for replacing a bad meter pit valve, should be removed from the list and sent to the owner of the new home at 18735 Washington Street, which it was done for. Fiscal Officer Harnishfeger answered that he didn't realize that that bill was for 18735 Washington Street, since it only referred to Tontogany Creek on the invoice. Mr. Johnson confirmed that he knew the job was done for 18735 Washington Street, which is on the corner of Tontogany Creek Road. Members also asked about another invoice on the list, for \$1,177.04 from Municipal Utilities, for new electric service at 18735 Washington Street. After a little discussion, Mr. Harnishfeger explained that the owner, Tony Buff, of Tony Buff Custom Homes, had come in to the office about a week ago and asked for permanent electric service to be set up. Mr. Harnishfeger had given him applications for water and electric taps, but Mr. Buff had said he thought there were water and electric taps already done by the previous owner of the property, so he asked the Village to check on this and get back to him. After consulting with former Utilities Superintendent Craig Spoore, it was learned that a water tap had been done previously, but not an electric tap at the property. Therefore, Tony Buff Custom Homes does not need to pay a water tap fee, but only an electric tap fee, plus any costs associated with repairing the water connection at the property. Mr. Harnishfeger told members that he had phoned Tony Buff and left a message explaining this to him. Mr. Harnishfeger then concluded that it was the Village's responsibility to pay both of the bills in question, to Palmer and to Municipal Utilities, but Tony Buff Custom Homes should be billed for the electric tap fee of \$4,000.00 and for the costs of repair to the water connection done by Palmer. Members expressed agreement with this conclusion. Councilman Smith 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 July Bank Reconciliation, Fund Status, Revenue Status, and Appropriation Status Reports were given to the mayor and the Finance Committee to review.

Mayor Shanahan did a third reading, by title only, of Ordinance #950-22, 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 THE 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 2023, to be paid for by Special Assessment upon the lots and lands within the village, excluding parcels in an exempt classification. The total assessment for 2023 is \$10,000.00. Councilwoman Mackey made a motion to adopt Ordinance #950-22. Councilman Smith seconded this motion. All were in favor; motion carried.

Mayor Shanahan did a second reading, by title only, of Ordinance #951-22, an ORDINANCE TO ALLOW SALE OF ALCOHOL IN THE VILLAGE.

Mayor Shanahan reported that he was contacted by Otsego School Superintendent Kevin O'Shea, regarding a problem with people smoking around kids at bus stops (which are the property of the school). It came up at their recent board meeting. Solicitor Paul Skaff had written some legislation for Weston, disallowing smoking at a bus stop that is at a park or a municipal building, etc. Solicitor Skaff commented that for Weston he had expanded the definition for "park" and "building" to include designated bus stops. But he cautioned that it should be understood that this is hard to enforce and

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people can't be stopped from smoking in their yard that happens to be near a bus stop. Nevertheless, this is a start and maybe a way to send a message to everyone. The mayor told members that the school is asking all four villages to put something similar in place and Kevin O'Shea had asked him to talk to Tontogany Village Council about being consistent with the other villages. Councilman Fox commented that, in his view, a more important issue that Kevin should be considering is the need for speed bumps along the drive, to slow students who routinely speed when departing from the school. The mayor said he would be happy to share that feedback with Mr. O'Shea.

Mayor Shanahan invited Jim Head to speak to members. Mr. Head said he was here to discuss his ideas for a sign holder for the Ronald Current plaque to be placed at Centennial Park. He passed around copies of drawings he had made for members to look at. The mayor told members that Brenda, Connie, and he had met at the park and decided that there wasn't a good visible place on the pavilion to attach the plaque, without it being where someone might hit their head on it and be injured. Councilwoman Mehring had come up with an idea that the plaque could be placed on a holder in front of the flagpole, which would also be a suitable spot in honor of Ronald Current's veteran service. Councilwoman Mackey commented that the design Jim is proposing would match the railing that is there, and he has leftover paint from painting the metal on the benches, which he will use to paint the railing and make everything match. Mr. Head asked members how high above ground level they wanted the plaque to be displayed. After some discussion members decided four feet would be about right, just not too high above the railing. Mr. Head asked when we would like it finished. The mayor and members decided that there wouldn't be enough time between now and the festival to have the dedication before the festival. The mayor said he would contact Karen Graf to get an idea of when she thought might be a good time to do the dedication, and then he would pass that information to Mr. Head. He also said it would be fine for Jim to install the posts ahead of time in concrete bases. Then we can attach the sign at the time of the dedication. Councilman Smith told Mr. Head that the Village would be glad to store the sign holder until it is needed, if Mr. Head does not have room to store it. The mayor and members thanked Mr. Head and he left the meeting.

Fiscal Officer Harnishfeger reported that he applied to the Wood County Auditor for an Amended Official Certificate of Estimated Resources for 2022, to have them add the extra \$159.74 of ARPA reallocation money received along with our second tranche allocation of \$20,007.45 distributed in July by the Ohio Office of Budget and Management. Today we received the Amended Certificate from the County Auditor, bringing our total ARPA recovery fund resources to \$40,174.90. Mr. Harnishfeger added that we can now have Solicitor Skaff draft a supplemental appropriations ordinance for us that will add \$20,167.45 to our current appropriation of \$20,007.45, so the total amount of ARPA money is available for expenditure this year, if needed.

ZONING: Councilwoman Mackey stated that she thinks Zoning Inspector Owens should notify Tony Buff to let him know that grass needs to be cut at 18735 Washington Street, and there are all kinds of noxious weeds in the right of way. Councilman Fox added that he should be notified that the sidewalk there is not complete and it is overgrown as well. Mayor Shanahan said he would pass this information along to Mr. Owens.

UTILITIES: Utilities Superintendent Johnson reported that he and Hannah read the meters on Saturday. He also reported that the customer on Kellogg Road with dogs and a fence issue, which we had previously discussed, still wants to move his meter to the front yard. He had called the office and asked Utilities Clerk Harnishfeger when it would be done, and he had hung up on Mr. Harnishfeger while he was talking to him about it. Mr. Johnson said that he was trying to figure out a way to install a touch-read on the front of the house. If the touch-read is removed from the back of the house it will leave a hole, and it is impossible to get at it to work on it anyway. All you can do is reach around to get the reading. Councilman Fox asked if we had asked him to adjust his fence for better access. Mr. Johnson

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replied that he is intending to move his fence to the front of the house. The mayor added that he wants to fence in the whole front yard to allow the dogs to run around there as well. Solicitor Skaff expressed surprise that he wants to put a fence in the front yard. The mayor answered that the back yard is fenced in and he wants to extend it into the front yard, totally blocking off all access. Solicitor Skaff asked if that was permitted by zoning, since most zoning boards don't permit this. The mayor and members explained that the customer is not a resident of Tontogany; he is a Tontogany utilities customer, but the property is located in Plain Township. The mayor explained to Mr. Skaff that the customer is asking Mr. Johnson to have the meter moved and placed in a pit in the front yard outside the intended fence area, and that the question Council had for Mr. Johnson was: who is responsible to pay for relocating the meter to a pit? Solicitor Skaff answered that the customer is creating the condition that requires the meter to be moved, so it would be his responsibility to pay for the cost. Members agreed and stated that access to the meter to get readings is a condition of receiving utility service from the Village. The mayor asked Mr. Harnishfeger what he had said to the customer on the phone before the customer hung up on him. Mr. Harnishfeger replied that he had explained that Council had decided the consult with legal counsel to determine what we needed to do and who should pay for the expense. Mr. Harnishfeger said he told the customer it was his responsibility to make the meter accessible to our meter reader, as a condition of receiving utility service; at this point the customer hung up on him. Mr. Fox asked how much it would cost to move the meter to a pit out front. Mr. Johnson answered that he would estimate the cost to be about \$1,200.00 to \$1,500.00. Mr. Johnson commented that he didn't think it is worth the headache to deal with this quarrelsome customer, and for Hannah to have to deal with him in the future to get meter readings. Members decided that the customer has three choices: he can adjust the fencing so we can get meter readings; he can pay for the cost of moving the meter to a pit out front; or he can have his water disconnected by the Village. Solicitor Skaff added that he must also keep the dogs from being a threat to the meter reader. Mr. Johnson agreed and said the customer has about five or six dogs. The mayor and members asked Mr. Johnson to send the customer a letter, telling him his options as decided by Council, based on legal advice, and ask him to respond. The mayor said that we should get a signed agreement, if he chooses to pay for the cost of moving the meter to a pit.

Mayor Shanahan reported that he had given Mr. Johnson information on two street lights that need repaired—one in front of Hefflinger's apartment and one in front of the old Moser's carryout. He said he asked Mr. Johnson to have Bowling Green look at them.

STREETS and ALLEYS: Councilman Fox asked about the history of speed bumps in Tontogany, and specifically on Crom Street where a lot of kids are. Mr. Johnson answered that we used to have some speed bumps on North Street, but not on Crom. The mayor noted that speeding has been an issue in Tontogany for a long time. He also commented that his respect for the law enforcement is extremely high, but it has been about eight months since a deputy has attended a council meeting. They may be short on staff right now, but when they were regularly in attendance once a month at our meetings, we often brought up the speeding issue with them, seeking more careful enforcement. Councilman Smith made a suggestion that we contact Officer Jeremy Sheeks, who lives in town and offered to help us out if we need him, and ask him to email the Sheriff's Department to prod them and ask them if they are coming to Tontogany meetings. The mayor commented that he had had a chat with the sheriff a couple of months ago, and he had let the sheriff know that he was interested in walking through the village with him and discussing speeding and other topics, but the mayor has not heard back from him. The mayor also said he would be happy to talk with Jeremy Sheeks about helping us get deputies back on the schedule of attend our meetings once a month. Mr. Fox brought up speed bumps again and members discussed the matter a little, remembering problems that caused them to be removed in the past. The mayor commented that he has noticed at North Street and Broad, since we painted the stop bar white lines, that less people have been running the stop sign there. Solicitor Skaff commented that one of the things Liberty Center did when they had a similar problem on a street was to install a speed

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display. They had it up for 30 days and saw a significant decrease in speeding. It is surprising how many people slow down when they see their speed displayed. He said he thought they borrowed the displays from the sheriff's department or ODOT. The mayor responded that he knows the sheriff's department does have one that communities can borrow. Members agreed that this would be a good idea and thanked Solicitor Skaff for sharing that information. The mayor said he would follow up on it.

SIDEWALKS and TREES: Councilman Smith reported that we have sidewalk down payments from three residents so far. He said he talked with Cody. He has fallen a little behind and is not sure exactly what date he will be here to do Tontogany sidewalks, but we are next on his list. Councilman Fox suggested that we might want to talk to Tony Buff and see if he is interested in getting his sidewalk done at 18735 Washington Street when Cody is here. Mr. Smith said he thought Cody would be glad to get the referral and could work something out with Tony Buff. Mr. Fox asked if we would help Mr. Buff with the costs, like we are with others. The mayor commented that there is an existing sidewalk there that needs replaced, so it falls in with our program to replace bad sidewalks. The mayor also reported that he received a note from Thelma, informing him that all of the seeding dirt that Cody put down in front and along every sidewalk has only weeds in it, no grass at all. She asked us to let Cody know to fix it. Mr. Smith replied that we have some grading issues too and we will be talking to Cody about everything.

Councilwoman Mackey reported that Jim Head has been trimming some of the low-hanging trees along alleys and elsewhere and will probably continue. Mayor Shanahan asked if there was any more word about Bowling Green trimming around our power lines. The mayor and members commented that everyone seems to keep pointing us back to Bowling Green to do this. Mr. Johnson said he didn't see why Bowling Green doesn't just add us to their schedule. He said he would ask them about it again tomorrow; perhaps he would even talk to Utilities Director Brian O'Connell.

Councilwoman Mehring reported that she wrote a letter to Congressman Bob Latta about the post office grounds. She had talked to several people who are supposed to take care of it and nothing has been done. She talked to the person mowing there, who said he was not going to be able to do it. She is now waiting for a response from Bob Latta. Councilman Fox asked if we could get in touch with a lawn service company. The mayor responded that we had previously been informed that the post office takes four to six months to pay for grounds work done, so most lawn services refuse to do work for them anymore. Mr. Fox asked if Ms. Mehring included any photos with her letter to Bob Latta. She answered that she did not. Mr. Fox said he may send some photos to them on Facebook.

DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Councilman Smith asked if there was anything we needed to do before Togany Fest, even though we are not running it. He noted that we generally try make sure things are cleaned up downtown. Mayor Shanahan said he needs to resubmit his request to CSX for the slowing of the trains; when he does, he will also ask them to cut down the weeds on the railroad property. He also informed members that we will not be able to get a street sweeper into the village, so we may want to use a blower to move some debris. He added that Bowling Green Public Works said that it is now difficult to get a sweeper and they are getting away from it altogether.

Councilman Fox asked what members might think about, or if they had ever considered, using the area behind the hall to install a solar array like the school's, with the objective of lowering the cost of electricity for the residents or becoming self-sufficient, or a combination of both. The mayor responded that the only time Council had discussed solar energy was when the school wanted to install a solar field. Utilities Superintendent Johnson said he thought it might be better to just put solar on the hall; the small amount of area behind the building wouldn't be big enough to generate much for the cost. Mr. Fox said he thought it might be a ten- or fifteen- or twenty-year investment, but that it should eventually pay for itself. The mayor asked Mr. Fox if he wanted to do some homework on the topic. Mr.


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Fox agreed to do so. The mayor said he didn't know if we would go with it, but it would give us something more to think about. He also said we needed to know answers to questions like the lifespan of a solar array and what happens if it gets vandalized.

Councilwoman Mackey reported that TruGreen came and treated the Centennial Park lawn about two weeks ago, and it made a world of difference. They will treat it again in the fall. She said we need to think ahead to next year about what we want to have done at the hall and Mehring Park as well. The mayor commented that we need to get in touch with Josh Heckerman to be sure he mows just before Togany Fest.

Ms. Mackey reported that she has not been contacted again by Renewed Outdoors, but they assured her that they would email or call her a couple of days before they plan to blow in the mulch for the new swings at Mehring Park, so we can have time to put down a layer of plastic before the mulch is blown in. And we had specified that we wanted that done before the festival.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:04 p.m.



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer