

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: August 15, 2022

Council called to order in regular session at 7:01 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; Mark Smith, here; Robert Bergfeld, here; Damon Lee, here; Lincoln Fox, here. Also present were Zoning Inspector Brian Owens and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitors present: Arla Mae Crawford; Sergeant Meyers from the Wood County Sheriff's Office. Minutes from the August 1st meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Councilman Smith asked if the invoice price of \$1,110.00 from Renewed Outdoors for mulch was what they quoted us. Councilwoman Mackey answered that they quoted \$1,080.00, but there was a fuel charge added. Councilman Bergfeld made a motion that these bills be allowed and orders drawn for same. Councilman Lee seconded this motion. All were in favor; motion carried.

Mayor Shanahan asked if members had anything to discuss with Sergeant Meyers. Members had no issues. The mayor reported that he walked with Sheriff Mark Wasylyshyn in the parade on the weekend, and he mentioned to him that school would be starting soon and the speed will pick up on North Street and Crom Street, as well as on Tontogany Road and Tontogany Creek Road. Sergeant Meyers responded that they are aware of that and word has gotten out about it. Councilman Fox asked whatever happened with the mysterious person in the garage. The mayor added that there was a string of car break-ins between us and Weston, which appeared to be done by the same person. Sergeant Meyers answered that nothing came of it. Proof was lacking, but they have a person of interest that they would like to talk to. With nothing more to discuss, Mayor Shanahan thanked Sergeant Meyers and told him he appreciated all of the help they provided with extra coverage for Togany Fest. Sergeant Meyers then left the meeting.

Mayor Shanahan did a third reading, by title only, of Ordinance #951-22, an ORDINANCE TO ALLOW SALE OF ALCOHOL IN THE VILLAGE. Councilman Bergfeld made a motion to adopt Ordinance #951-22. Councilman Smith seconded this motion. All were in favor; motion carried. The mayor asked Fiscal Officer Harnishfeger to make a copy of this ordinance for him to give to Jeff at the Corner Carryout, so he can include a copy of the ordinance when he reapplies for his liquor license.

Mayor Shanahan did a first reading, by title only, of Ordinance #952-22, an ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY. Fiscal Officer Harnishfeger commented that this ordinance adds to our appropriation budget the rest of the American Rescue Plan Act (ARPA) funding that was received this year, so it can be spent this year, if needed. The mayor added that this ordinance amends the total appropriation of ARPA funds to \$40,174.64. Councilman Smith made a motion to suspend the rules and declare an emergency for Ordinance #952-22. Councilman Bergfeld seconded this motion. All were in favor; motion carried. Councilwoman Mackey made a motion to adopt Ordinance #952-22. Councilman Smith seconded this motion. All were in favor; motion carried.

Mayor Shanahan did a first reading, by title only, of Ordinance #953-22, an ORDINANCE ADOPTING MUNICIPAL ORDINANCE PROHIBITTING SMOKING WITHIN THE VILLAGE. The mayor commented that Solicitor Skaff covered everything, including parks and the hall, making this ordinance consistent with ordinances for the other related municipalities, and Mr. Skaff is aware that the enforcement of this ordinance will likely be extremely difficult. Councilman Fox asked if the ordinance addresses vaping. Fiscal Officer Harnishfeger answered that it does also address vaping.

Fiscal Officer Harnishfeger reminded the mayor and members that there is no meeting scheduled for the first Monday in September, in observance of Labor Day. The next regular council meeting is scheduled for Monday, September 19.

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ZONING: Zoning Inspector Owens reported that he has been getting a lot of phone calls from the township, so he contacted the trustees about it. He reported that Chad Johnson got a zoning permit for his son's pool. Other than that, nothing much to report, just people calling with various inquiries. Councilwoman Mackey reported that she noticed that Tony Buff had the grass mowed at 18735 Washington Street; she thanked Mr. Owens for taking care of the matter. She commented that it is getting long again.

UTILITIES: Mayor Shanahan reminded members that he had reported in a recent meeting that he had looked at Arla Mae Crawford's sprinkler system and found a small amount of leaking. However, when billing was done at the first of August, a bill of over \$3,000.00 was generated for Arla Mae's sprinkler account. He asked Utilities Clerk Harnishfeger to explain what happened. Mr. Harnishfeger told members that billing had been turned off for the meter seven years ago, because Arla Mae decided she didn't want to use it. Then she asked for it to be turned back on, because she wanted to start using it again. When the reading was taken at the end of July, the meter showed 263,100 gallons of water usage since the last reading seven years ago, which created a bill of over \$3,700.00. It is a mystery because there was no significant evidence of a leak over the seven-year period, other than the small leakage noticed a few weeks ago and dealt with by Arla Mae's sprinkler maintenance man, Aaron. Aaron called the office today and explained that he was in the habit of turning off the sprinkler system at the meter each fall in former years when Arla Mae was using it and he couldn't see how it could have leaked out. Mr. Harnishfeger said he recommended that Council allow him to waive the charges on this mysterious and unexplained leak, since no one was negligent or at fault; nobody had any idea it was happening. Mayor Shanahan asked Arla Mae if she had anything to add. She said that Aaron had intended to call the village office and the mayor to explain why he didn't think it was possible for this leak to happen. Arla Mae added that she never saw any evidence of such a leak and so she had no clue anything was wrong. She said she was now thinking about having it shut off permanently, because she is afraid to use it. Councilman Fox asked why the meter wasn't read for seven years. Mr. Harnishfeger answered that she had asked us to turn off billing for the sprinkler account because she didn't intend to use it anymore. He also explained that there are only a few sprinkler accounts in town, which were created to avoid paying sewer charges for water used on the lawn. However, after one year as a sewer customer, homeowners are allowed to be put on winter averages for their sewer billing, which eliminates the need for a sprinkler meter and account. Winter averages applies the average water used in the first three months of the year for sewer billing the remainder of the year, regardless of how much water may be used for watering the lawn, filling a pool, etc. Arla Mae asked why the sprinkler meter wasn't read, even though it was turned off. Mr. Harnishfeger explained that when the meter is put into an inactive status in the utility software, it doesn't send a message to the meter reading device to read that meter. He said the only other thing we could do is leave the sprinkler accounts in an active status to get readings, but turn off billing in the winter months. Then we could see if they start showing any unintended usage during down time. Zoning Inspector Owens said he thought we should take another close look at Arla Mae's sprinkler meter to try to determine exactly what is going on with it. He also said he thought we should make all meters active for reading each month, whether in use or not, to detect possible leakage or usage. Members agreed that this would be a good idea. Mayor Shanahan asked members if they were willing to forgive the bill of \$3,729.91 on Arla Mae's sprinkler account. Arla Mae offered to pay some of it, if Council wanted her to. Councilman Lee made a motion to forgive the entire bill of \$3,729.91. Councilwoman Mackey seconded this motion. All were in favor; motion carried. Councilman Fox asked Arla Mae if she intended to disable the sprinkler meter or keep it active. Arla Mae answered that she wasn't sure. She needs a sprinkler, but it is not worth it, if something like this would happen again. Mr. Harnishfeger assured her that we will be monitoring her sprinkler meter in the future, so this can't happen again. With nothing further to discuss, Arla Mae thanked everyone and left the meeting.

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Councilwoman Mackey reminded everyone that awhile back the school had hired a company to work on the track and they used Tontogany water for the project. She said she was wondering if we would be reimbursed for that. Mayor Shanahan responded that he has the numbers for that water usage, which he will send to Fiscal Officer Harnishfeger in an email this week, so he can bill the company that used the water.

Councilman Fox asked if we had heard any more from the utility customer on Kellogg Road with the dogs and fence issue. The mayor answered that he had not heard anything more since our last meeting and he has not had a chance to speak with Utilities Superintendent Johnson. Utilities Clerk Harnishfeger added that he has not heard anything more on the matter either.

STREETS and ALLEYS: Councilman Fox reminded everyone that we had discussed talking to the sheriff's department about radar speed signs. Mayor Shanahan responded that he had emailed a lieutenant and found out that they do not offer those signs. We either have to purchase one for the village and put it up where we want, or seek more speed monitoring by deputies. The mayor said he had spoken with Sheriff Mark Wasylyshyn about the problem of speeding, especially as school starts up again, and they intend to set up a day in the fall when the sheriff will come and walk up and down through the village, where residents can come out and share thoughts and concerns with him. Mr. Fox asked if we might want to consider putting a 25 mph sign halfway between the school and Broad Street. The mayor commented that there are 25 mph signs on North Street in both directions. Mr. Fox commented that it seems like Crom Street is the most heavily trafficked and he wondered if a "Slow/Children at Play" or a 25 mph sign might do some good there. The mayor answered that we have some signs in our shed that we could probably put up quickly. Councilman Lee asked if we had considered putting speed bumps in high-traffic areas. The mayor and members answered that we had discussed that in the last meeting, but there is a problem of snow plows chewing them up, and they can also tear up the pavement. Councilman Smith said he did some research online and found four or five places that have radar speed signs. He said he sent emails out to a couple of them to find out what our options might be and what the prices would be. Zoning Inspector Owens suggested that we might be able to borrow a radar speed sign from another village.

SIDEWALKS and TREES: Councilman Smith asked if we heard anything about tree trimming around power lines. Mayor Shanahan responded that he talked Friday evening with a bandmember who said he worked for the electric division of Bowling Green. He asked the gentleman if he could connect us with someone to talk about trimming trees around our power lines. He told the mayor to call Electric Superintendent John Stewart directly and he should be able to help us. The mayor said he intends to call Mr. Stewart this week.

Councilman Smith reported that he has no more information on the sidewalk project; he is waiting on communication from Cody. The mayor asked how many residents are signed up for the project. Fiscal Officer Harnishfeger answered that he has received signed agreements and down payments from three residents so far. Councilwoman Mackey reminded members that we had talked about contacting Tony Buff, who is building the house at 18735 Washington Street, about getting his sidewalk done when Cody is in town. She asked Mr. Harnishfeger if he has contact information for Tony Buff. Mr. Harnishfeger answered that he does. The mayor and members asked Mr. Harnishfeger to give Tony Buff's contact information to Councilman Smith, so he can talk to him about his sidewalk.

Councilwoman Mackey reported that tree trimming along the alleys and streets will be continued by Jim Head. She said she also mentioned to Jim that trimming is needed at the corner of Tontogany Road and North Street. She said Jim had asked that, if he got a whole truckload of brush, if he could take it to the landfill and give the bill to the town. Ms. Mackey said she told him she didn't know why not. Members agreed and commented that the price is about \$6 or \$7 per load for brush, so it is not very expensive.

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DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Councilman Fox reported that he needs to do more research on solar panels we discussed at the last meeting. He said he wants to get in touch with someone from the school and also someone from Weston. Mayor Shanahan told Mr. Fox that Otsego Treasurer Steve Carroll is who to contact at the school. He said he doesn't know who to contact in Weston, but he would give Mr. Fox the number for Weston Mayor Jeremy Schroeder.

Councilwoman Mackey reported that the park grant project at Mehring Park is now completed. The mulch under the new swings was blown in about a week ago. She will do a final report for the Wood County Parks District. She told members that we had a load of sand hauled in by Eric Palmer, to fill it in before the mulch was blown in on top. Kerry Palmer, who lives on the corner of Broad Street and North Street, is a cousin to Eric Palmer. Kerry made the arrangements for Eric Palmer to bring the sand, and Kerry wanted to make a donation for the project, so he wrote a check for \$125.00 to the Village for half of the cost of the sand. Fiscal Officer Harnishfeger added that he sent Kerry a thank you letter for his generous donation. The mayor and members commented that Kerry is a very friendly, community-oriented person.

Councilman Fox asked what we decided on the volleyball court. Mayor Shanahan responded that we have not decided anything yet. He said he had a meeting set up a week ago Monday with a gentleman to get some information on pickleball courts, but the person didn't show up. The mayor said he texted him and told him he couldn't do anything now until after Togany Fest. He will send him another note this week to set up another time to meet. He said he is just seeking information to present to Council to see if it is something we want to do or not. He said he looked up the dimensions of a pickleball court and a volleyball court, and he found that they are not very different.

Mayor Shanahan asked members if we are interested in getting a couple more veterans banners made this year. Members answered that they would like to do some more veterans banners. Mr. Fox asked if we intended to replace the current banners or add to them. The mayor answered that the original goal was to just keep adding more banners to the village. The first six banners were to honor living veterans in the village. Added banners can honor other living veterans or honor community veterans who have passed away. We will need to make or buy brackets for the poles for new banners.

Mayor Shanahan reported that he has received complaints from multiple people about people not being respectful in their use of the recycling bins—not breaking down boxes, throwing trash in the bins, and putting things like lawn furniture in or by the bins. The mayor said he has seen out-of-town addresses on boxes in the bins, such as Toledo and Northwood. The mayor said he has talked to Solicitor Skaff, who said we can send them a letter, but we have no way of enforcing anything. So, the question is whether we want to keep them as is or not. He said he has tried asking for another bin and for multiple dumps per week, but he has received “no” for an answer. Grand Rapids seems to be having issues with their recycling bins too. The mayor said he doesn't need a decision tonight, but he asked members to ponder the matter for a decision later on whether we want to continue having the bins or not. Councilman Fox asked if it is correct that it doesn't cost the village anything to have the bins. The mayor answered that that is correct. The only cost related to recycling is a \$50.00 per month payment to the Boy Scouts to come and randomly check the bins. Fiscal Officer Harnishfeger added that we paid the same \$50.00 per month to the Boy Scouts for recycling before we had the bins. The mayor reminded members that the Boy Scouts used to set up a trailer by the hall on the last Saturday of the month and people would bring their cans and papers to them. So, if we get rid of the bins, we will either stop paying the Boy Scouts or ask them to start coming once a month with a trailer like they did in the past. Mr. Fox asked if it would be helpful to ask the Boy Scouts to just recycle aluminum and have them come one Saturday a month just for aluminum. The mayor commented that another option that he hasn't done any homework on would be to have curbside recycling service in the village. He said he didn't know

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what that would cost residents. Haskins does it twice a month. Councilman Smith commented that everyone there is locked into the Waste Management price. Mr. Fox said he thought the price is \$50 or \$60; Republic is slightly less. Mr. Smith said he likes the freedom of being able to choose. Mr. Fox commented that if any individual wants recycling pickup from Waste Management they can get it; it doesn't have to be the whole village. Members discussed it a little more and surmised that establishing a curbside recycling contract with a company like Waste Management for the whole village would require putting it on the ballot. Councilman Lee said he thought it would be worth considering, since the recycling bins have basically become dumpsters. Mr. Fox commented that at least the bins don't cost us anything. Mr. Smith commented that another consideration is how much the bins are actually serving the Tontogany residents, since people are coming from outside of the town and filling them up; it seems that our people are getting a raw deal on the bins. Mr. Fox suggested putting up a sign that says, "No Cardboard," since cardboard seems to be the biggest problem.

Mayor Shanahan reported that Karen Graf has not given him a timeline yet for the dedication of the Ronald Current plaque. He will follow up with her after the Tontogany Fest is over. Ms. Mackey added that Jim will let us know when the holder for the plaque is finished.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:00 p.m.



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer