

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: September 19, 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, here; Damon Lee, absent at roll call, but arrived at 7:02 p.m.; Lincoln Fox, here. Also present were Zoning Inspector Brian Owens and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitors present: Gail Christofferson, owner of Animal House Glass, to give information about the old downtown corner carryout building; Deputy Carson, from the Wood County Sheriff's Office. Mayor Shanahan reported that we received an invitation in the mail to Suburban Natural Gas Company's 140<sup>th</sup> Anniversary Reception on October 13<sup>th</sup>, from 6-8 p.m. RSVPs need to be in by September 30<sup>th</sup>. Minutes from the August 15<sup>th</sup> meeting were approved as submitted.

**FINANCE and CLAIMS:** A spreadsheet of the current invoices was reviewed and approved by members. Councilwoman Mackey made a motion that these bills be allowed and orders drawn for same. Councilwoman Mehring seconded this motion. All were in favor; motion carried.

Fiscal Officer Harnishfeger reported that the Wood County Emergency Management Agency (EMA) sent us the 2022-2023 EMA Proportionate Share Contract, detailing emergency management services they will provide for Tontogany, a copy of which he had previously emailed to members so they could review it before this meeting. The contract is in the form of a resolution for the Board of County Commissioners to pass, once they receive the contract back from us with Tontogany officials' signatures on it and a payment of \$212.85 for Tontogany's 2022 share. In 2023 they will send us another invoice for \$212.85 for that year's share. Mayor Shanahan then signed the contract and passed it around to all of the council members for them to sign it as well.

Mayor Shanahan did a second reading, by title only, of Ordinance #953-22, an ORDINANCE ADOPTING MUNICIPAL ORDINANCE PROHIBITING SMOKING WITHIN THE VILLAGE.

Mayor Shanahan did a first reading, by title only, of Resolution #954-22, 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 2023 amount approved for Tontogany's general fund by the Budget Commission (inside 10 mill limitation) is \$9,144.72 (for 2022 it was \$9,120.62). The approved rate (inside 10 mill limitation) is 1.20. Councilwoman Mackey made a motion "to suspend the rules for Resolution #954-22 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 10, 2022 deadline for the authorization of necessary tax levies." Councilman Smith seconded this motion. Roll-call vote: Mackey-Aye; Mehring-Aye; Smith-Aye; Bergfeld-Aye; Lee-Aye; Fox-Aye. Motion carried. Councilwoman Mackey made a motion to adopt Resolution #954-22. Councilman Smith seconded this motion. Roll-call vote: Mackey-Aye; Mehring-Aye; Smith-Aye; Bergfeld-Aye; Lee-Aye; Fox-Aye. Motion carried.

August incident reports were provided for all and Mayor Shanahan asked if members had any issues to discuss with Deputy Carson. Councilwoman Mackey pointed out that on the current incident report, as well as on last month's, there are included incidents from some other municipalities besides Tontogany. The deputy responded that he noticed that and he will check into it. With no other questions for him the deputy asked the mayor who they should contact for things like the tornado alarm that went off recently. The mayor answered that he had spoken with another deputy about that and he wants them to keep him on their list as the person to call. With nothing further to discuss, Mayor Shanahan thanked Deputy Carson and he left the meeting.

Mayor Shanahan welcomed Gail Christofferson and invited her to address Council. She introduced herself and told members that she has been involved with the Tontogany community for many years, having lived here for over thirty years. She was active with the school district getting a new building. She

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said she doesn't want to see the old corner carryout building downtown just die, which it is going to do. She gave her business card to everyone and informed members that she is researching grants and putting feelers out there, having no idea where it is going to go. She may find someone willing to buy it, maybe even herself. She said she wanted the mayor or members to know, because they may have contacts or know of someone who is interested in that building. She said she had talked to several people who were at the auction of the building, who had been interested in it, but didn't win the auction. There is local interest in saving the building, but no one has taken the initiative to do anything, so she decided to take the initiative. She said she would keep Council informed of any developments from her efforts, and she asked the mayor and members to share with her any information they may get that might help in her efforts to save the building. Mayor Shanahan told Ms. Christofferson that the current owner had been trying to get \$35,000 for the building. There were at least two people who walked through the building and looked at it, and it was estimated that about \$85,000 of work is needed on the building before they would be able to put anything inside it. Ms. Christofferson said she realized the building has a lot of damage, which is why she didn't rent it for her business, but with the right mix of people it could be repaired and put into use again. With nothing further to discuss, Mayor Shanahan thanked Ms. Christofferson and she left the meeting.

**ZONING:** Zoning Inspector Owens reported that he is trying to get a meeting together about the Fox-Shank property on the north of the village, which would include Mayor Shanahan, Councilman Smith, and himself as Tontogany officials. He finally got some contact information. He wants a meeting to find out what they are doing with this property located in our village, which has been a mystery because no one has contacted us at all to let us know what is going on. Councilwoman Mackey informed Mr. Owens that resident Tim Smith is also trying to get a meeting with the Black Swamp Conservancy about the property, for the North Street residents adjacent to the property. Mr. Owens said he was aware of that. He also said the Conservancy was looking for information about the storm sewer on the property, which he found and will send to them. Mayor Shanahan commented that there were property stakes behind some of the residents' homes on North Street that were fifty feet in toward the houses. He said Tim Smith had called him down there and walked him through. He said he doesn't know what they are planning, but if it is to take fifty feet off of residents' properties, there are going to be some people who will be very upset.

Zoning Inspector Owens reported that a lawyer contacted him about the zoning of the property next to Hefflinger's property downtown, which the owners might be wanting to sell. There is a resident who currently lives downstairs there. It is currently zoned for business, although there was apparently a handshake kind of a deal that allowed it to be used as residential. To resolve the issue to make it sellable as residential, it would have to be run through the zoning commission to change the zoning. Mayor Shanahan gave his opinion that the whole area there could be residential as far as he is concerned, but they would have to go through the procedure of applying for a variance to make it so. Councilman Fox commented that his opinion is that it was set up to be business downstairs and it should remain that way. The mayor asked Mr. Owens if he had spoken with Solicitor Skaff about this. Mr. Owens responded that he has not yet, because he first wanted to see if he could get more information from council members on how the property came to being used as residential, contrary to the zoning. Members thought maybe the arrangement had been made while Todd Buehrer was mayor. Mayor Shanahan asked Mr. Owens to contact Todd Buehrer to see if he can shed some light on the history of what was done there. Councilman Bergfeld brought up the parking situation in front of those buildings. The mayor and members agreed that work vehicles are allowed to be parked there under the current commercial zoning. Councilman Lee said he thought the easiest thing to do would be to leave it zoned as it is, with residential upstairs and commercial downstairs. The mayor added that if a buyer wants residential downstairs, they would have to pay the \$200 fee to apply for a variance and see what happens. He

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asked Mr. Owens to contact Solicitor Skaff about it to start getting prepared for how to handle the situation, whichever way it goes.

Councilwoman Mackey reported that someone brought up the vehicle at 18545 Lincoln Street with an expired license. Mr. Owens answered that it is a gray area; the car doesn't look like anything is wrong with it and it is in the driveway; it is not a nuisance. It may be something for the deputies to take care of. Mayor Shanahan commented that it looks like it is being used, having been seen parked in slightly different spots on the driveway. Councilman Smith commented that the deputies are not going to be inclined to tow a person's vehicle off of their driveway due to expired tags. There is no law against owning a vehicle and not having tags on it. Mr. Owens commented that, if the vehicle had garbage in it or something like that, he could deal with it as a nuisance under zoning, but it does not.

Councilwoman Mackey reported that in the alley behind Tony Hafner's house there is all kinds of trash and junk piled up. Councilman Fox added that it looks like someone may be living in the camper there. Mr. Owens said he would have to see what we can do about things in someone's back yard. Ms. Mackey said it might be in the right of way or very near to it. Mr. Fox added that there is also a big weed or bush or tree growing there. The mayor said he would show the spot to Mr. Owens.

Councilman Fox asked if there is anything we can do about a resident who has a bad bee or insect infestation problem. Mr. Owens answered that there is not.

**UTILITIES:** Mayor Shanahan reported that he asked Utilities Superintendent Johnson about the EPA letters that were on everyone's doors, and Mr. Johnson had answered that it was just a public service announcement that the EPA requires. There is no action needed by any residents.

Mayor Shanahan reported that he met with Penn Line last week. They drove through the village and looked at all of the power lines. They specifically looked at the primary and secondary lines. The other lines should not present a problem. They gave a verbal quote of \$4,000 to do all of the trimming around the power lines. It would be a two-man crew on two consecutive Mondays. They would use a 55-foot truck. They would trim the branches short enough for a four-year growth cycle. In other words, we wouldn't have to look at trimming around power lines again for another four years. The mayor asked members if they were good with the \$4,000 quote. If so, he would contact Penn Line to get us on their schedule, and then we would plan to knock on doors and let residents know when it will be done. Councilwoman Mehring made a motion to accept Penn Line's quoted \$4,000 price for trimming around power lines, which we will need in writing, rather than just a verbal quote. Councilman Lee seconded this motion. All were in favor; motion carried. The mayor said he will follow up with Penn Line this evening and ask for a written quote and to be put on their schedule.

**STREETS and ALLEYS:** Nothing to report.

**SIDEWALKS and TREES:** Councilman Smith reported that he spoke with Cody Donaldson today and he may be ready to start on our sidewalk program as early as next week. Mayor Shanahan reported that he had texted Cody because the potential Eagle Scout had his project approved by the Scouts and wanted to talk to Cody about concrete for the village sign. The mayor said he told the Scout that he would need to ask Cody about the concrete himself, but the mayor would help set up a meeting. Councilwoman Mackey asked if he had ever come to present his Eagle Scout project to Council. The mayor answered that he hasn't, but he will let him know when our next meeting will be and ask him to come. Ms. Mackey said she has some questions about the concrete blocks and how modern that will look; she would like to see the rustic look of the sign preserved, similar to our other signs. The mayor responded that he thinks it will look a lot nicer, but we will have him come to answer questions any members may have.

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

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**CITY HALL and PARKS:** Councilwoman Mackey advised that we need to set a date and time for trick or treat this year. Mayor Shanahan responded that he had told Fiscal Officer Harnishfeger to have Haley post it on the website as October 31, from 5:30 to 7:00 p.m. He said he didn't see a need to change the day, since we have routinely had it on the actual Halloween holiday, which falls on a Monday this year. Haskins is having theirs on October 29<sup>th</sup>.

Mayor Shanahan asked how long we normally keep the porta johns before having them removed for the winter. Ms. Mackey answered that we normally keep them until after trick or treat, but if Cody will be in town to do sidewalks, we may want to keep them here until he is finished. The mayor and everyone agreed that we should keep them until Cody is finished.

Councilwoman Mackey reported that park grant applications are due October 22<sup>nd</sup>. She said several people have brought it to her attention that the message board at Centennial Park is broken. It also has started leaking this summer. She has a catalog and intends to contact the company to see if they make them any sturdier than they did when our current one was made. When the sun shines on ours, it leans because it is made from recycled material. She got online and could not find any that are not made from recycled material. They run approximately \$2,000 and that is one idea for a park grant, plus adding at least three new trash receptacles—two for Centennial Park and one for Mehring Park. Another park grant idea is replacing the basketball post on the south side of the court, because the whole apparatus is broken inside and it won't go up and down. Councilman Fox said he was thinking about a track or a walking/running path around the perimeter of Centennial Park. The mayor commented that the topic of a park path had been brought up before, but now that the disc golf course has been put in, a path around the park would probably impede that. Mr. Owens commented that they intend to install a walking path at the Fox-Shank property for village residents' use. Councilman Bergfeld stated that he had noticed a crack in the backboard of the south basketball goal. Ms. Mackey commented that that is the one that needs replaced. Mr. Fox offered a suggestion of a new merry-go-round as a grant idea. Mr. Bergfeld suggested that we at least put something around our merry-go-round so it is not so muddy there. Mayor Shanahan offered his recommendation that when we replace the basketball goal, we don't make it adjustable this time, but just have it regulation height. Ms. Mackey commented that the north basketball goal is adjustable and it is of better quality than the south one. Ms. Mackey stated that we do have enough money in our park appropriations, so, if the new basketball goal is less costly or more costly than the new message board, we could ask for a grant for the more expensive item and pay for the other one from the village's funding. She also said she would contact Todd Buehrer, who had a part in picking up and installing our current basketball goal. Ms. Mackey reported that she just submitted all of the finalized paperwork for this past year's grant for the playground equipment. The grant we were given was approximately \$6,800; the village put about \$2,500 more into the project for added work and materials needed. She said the Park District is good with that; they like to see that communities are willing to put some of their own resources into it.

Mayor Shanahan reported that he spoke to the gentleman about a pickleball court. He went to the park and looked around and advised the mayor that he would not recommend putting a pickleball court where the volleyball court is. He explained to the mayor that there are pickleball courts that are both pickleball courts and basketball courts. He suggested that we use our basketball court and have a pickleball court painted on it as well, in a different color, so it can be used for either. He advised to do that for a year, using our volleyball net, and gauge the interest. He said that most pickleball players tend to play early in the day, so they would not impede people who want to play basketball in the evening. He said we could be looking at \$30,000 to \$40,000 for a new pickleball court; so, if people don't show interest in it, you would just have another expensive court not being used. He gave the mayor the names of three or four painting companies and the mayor said he hasn't had time yet to ask for quotes. Ms. Mackey suggested that Strip It Up, who did the painting of the basketball court, might be able to do the pickleball painting too. The mayor and members agreed that it would be a good idea to ask them for a quote.

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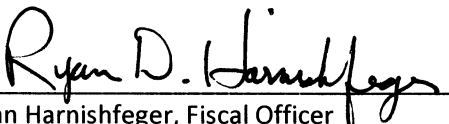
Mayor Shanahan reported that the Ronald Current dedication will be on Sunday, September 25, at 3:00 p.m. All three township trustees will be there. An email went out to State Representative Haraz Ghanbari. A press release went out. Karen Graf and Allen Current have been informed. The mayor said he will invite anyone from the Legion who wants to be there. Councilwomen Mackey and Mehring will take care of some light refreshments afterwards. The mayor said he will give some opening remarks and will offer the trustees to give some remarks. If Representative Ghanbari is there, he will want to say a few words. The plaque will be covered during the comments and then we will ask the family to take off the covering. The mayor said he will thank Jim Head in his comments for donating his time and efforts to make the stand and repaint the railing.

Mayor Shanahan reminded members that we had been discussing more banners to honor veterans. After a little discussion, the mayor and members decided to focus on banners for three veterans this year: Kevin Wichman, Ralph Wires, and Dale Korn. The mayor said he would try to get a picture of Kevin; he asked Ms. Mehring to try to get a picture of Ralph and Ms. Mackey to try to get a picture of Dale. He also asked Mr. Bergfeld to research brackets for the banners.

Councilman Lee reported that he has made some improvements on audio and lighting. He asked that as the holidays will be coming around and we want to make some more videos, that we set dates and get going on them as soon as possible.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:10 p.m.

  
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Matthew Shanahan, Mayor

  
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Ryan Harnishfeger, Fiscal Officer