

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: March 6, 2023

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 Mayor Shanahan. Roll call of members: Brenda Mackey, here; Connie Mehring, absent at roll call, but arrived at 7:04 p.m.; Mark Smith, here; Robert Bergfeld, absent; Damon Lee, here; Lincoln Fox, here. Also present was Zoning Inspector Brian Owens and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Minutes from the February 20th 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. Councilman Lee seconded this motion. All were in favor; motion carried. Copies of the February Bank Reconciliation, Fund Status, Revenue Status, and Appropriation Status Reports were given to the mayor and the Finance Committee to review.

Copies of the February incident report were given to everyone to review, but no sheriff's deputy attended the meeting to discuss the report.

Mayor Shanahan reported that we received an invitation to the 28th Annual Dinner of the Wood County Economic Development Commission, which will take place on Thursday, April 13, 2023, at the Hilton Garden Inn, 6165 Levis Commons Blvd., Perrysburg. \$45 per attendee needs to be paid by April 5th. The mayor said that he went to the dinner last year and it was a decent program. He asked any members who wanted to go to let him know in time to get the reservation submitted by the deadline.

Fiscal Officer Harnishfeger reported that we had a last-minute reservation for hall rental on Saturday, March 4th; but no more reservations in March so far. In April there are two reservations for use of the hall on Saturday, April 8th and on Saturday, April 15th.

ZONING: Zoning Inspector Owens reported that he is trying to get a resident to call him back and set up a time to meet about his shed. He also mentioned that there will be a fence permit for one of the new houses on Tontogany Creek Road. He went on to say that someone is looking at the remaining lot on Tontogany Creek Road where new houses have been going in. The neighbors are worried about it because they want to put the house really far back, so Mr. Owens provided them with information about how houses are supposed to be lined up. However, it could be appealed.

Mayor Shanahan reported that the spec home on Washington Street sold and the new owners started moving in. Utilities Clerk Harnishfeger added that they just called him today to set up utilities in their name.

Mayor Shanahan reminded members of an email he had sent to them, in which Councilman Bergfeld had given an appeal to other members to consider passing an ordinance that allows chickens in the village, but disallows all other farm animals. The mayor asked members if they had any thoughts about Mr. Bergfeld's input on the topic. Councilman Fox asked if the 25% rule would be taken into consideration if a person who is already at or near 25% of their property covered with buildings wants to add a chicken coop, since only 25% of a standard residential lot is for buildings. Zoning Inspector Owens replied that it would be considered and it would depend upon the size of the proposed coop; it will also be somewhat difficult to measure and figure coverage on lots. Mr. Fox asked if we had decided on a \$100 zoning fee for having chickens. Fiscal Officer Harnishfeger answered that Solicitor Skaff had included a permit fee of \$100 in the version of the ordinance drafted for allowing chickens in the village. Councilman Lee asked how many people, realistically, might want to raise chickens in town. Councilman Smith asserted that there is already one person who has chickens, who we discussed at the last meeting. He added that it is the peak of chick season and many people are buying chickens right now, but he was not aware of anyone in Tontogany buying them. Mr. Fox reported that he did some research today to find other municipalities in Ohio with ordinances against chickens, but only found one. The mayor and

TONTOGANY VILLAGE COUNCIL

members discussed how associated costs and fees, such as for fencing and a coop, could deter many people from deciding to have chickens. Councilman Lee stated that, having read Councilman Bergfeld's appeal for allowing residents to have chickens, as long as they met certain requirements, persuaded him to be willing to change his vote in favor of an ordinance that allows chickens. He said he would have no problem with it unless something like a hundred residents decided to have chickens. Mr. Fox said that a big concern of his would be the question of who is going to enforce the rules about how to keep chickens, if it is allowed. Councilwoman Mackey pointed out that many times we are on the defense rather than the offense in dealing with issues like this, because people have already started doing something and we have to get it stopped or regulate it. Members agreed that enforcement would be a problem, like it is with other things like shoveling snow from sidewalks. Mr. Owens suggested that we need to consider what is best for the community as a whole, even if a couple people might be angry if they are disallowed to have chickens. Mayor Shanahan offered his recommendation that members read again both ordinances drafted by Solicitor Skaff—one allowing chickens, but no farm animals, and one not allowing chickens or any farm animals. Then he asked members to compare the ordinance allowing chickens with the comments from Councilman Bergfeld to be sure that what he is asking for is covered in that ordinance. If not, he asked members to send proposed revisions to him or Mr. Owens, to be forwarded to Solicitor Skaff to revise the ordinance according to members' wishes.

Councilwoman Mehring asked Zoning Inspector Owens if he had checked on the shed put up by the Kinders at 18615 Crom Street. Mr. Owens said he had not. Ms. Mehring stated that it was illegal because it was built on the property line. Mr. Owens commented that people sometimes don't realize that a permit is required for a shed because the word "shed" is not in the code. The mayor added that the code refers to "accessory" buildings. Councilman Smith commented that people sometimes think an accessory building is something other than a shed. The mayor suggested that we may need to change the wording of the code to make it clearer. Councilwoman Mackey suggested also putting a note on the website. She also asked Mr. Owens what the required setback from the property line is for a shed. Mr. Owens answered that it is five feet.

UTILITIES: Utilities Clerk Harnishfeger reminded the mayor and members that they had asked him to look into the status of the utility customer in Hefflinger's upstairs apartment at 18652 Main Street, because Councilwoman Mackey had observed them apparently in the process of moving out, concerning which the village had not been informed. Mr. Harnishfeger reported that he had called the utility customer twice and left messages, but received no response. Since he had no working phone number for the Hefflingers, he wrote a letter to Glenn Hefflinger on 2/21/23 asking about the status of the tenant. With no response from Glenn for six days, he wrote another letter to Deborah Hefflinger, since she is involved with paying bills for the Hefflingers. Deborah called him in response to the letter and said she received both Glenn's and her letter on the same day. She informed Mr. Harnishfeger that the tenants did in fact move out, and they had "trashed" the place. She said Glenn would pay for any unpaid utilities and they would take legal action against the tenant for damages. She told Mr. Harnishfeger that they do not want the utilities turned off. They will repair the place and their son will be moving into the apartment. She also gave Mr. Harnishfeger a working phone number for contacting the Hefflingers in the future. Mr. Harnishfeger told members that the Hefflingers immediately paid the balance due on the tenant's utilities. The account has been transferred into the landlord's name until their son moves in; then it will be put in the son's name.

Utilities Clerk Harnishfeger reported that he issued 14 disconnection notices, which were served to residents by Utilities Superintendent Johnson on Friday, March 3rd. He said he had also written letters to three customers, informing them that they were due to receive another disconnection notice because they were not fully keeping up with their payment plan agreement. He said that all three of those customers called him and straightened out their situations to get back on track with their payment plan agreements. As for the customers who received disconnection notices, Mr. Harnishfeger said he is only

TONTOGANY VILLAGE COUNCIL

concerned about one account on Liberty Hi Road, which has the potential of becoming a problem because the delinquent utilities are over \$4,000, due to a very large water leak that the customer was informed about by a letter and by Mr. Johnson in person, but they left the leak go for days. The customer has applied for assistance from various agencies and so far received a promise of \$750 from one agency. Mr. Harnishfeger commented that we will see how they respond to the disconnection notice; they will probably have to enter into a payment plan agreement. Mayor Shanahan asked if the agency planning to give assistance will send the money to the customer or directly to the village. Mr. Harnishfeger answered that they always send the payment directly to the village; but they contact the village first to verify account information, balances due, and that the village will accept an assistance payment.

STREETS and ALLEYS: Mayor Shanahan reminded Councilman Smith that he had mentioned that we need to be thinking about any street projects that we might want Morlock to do for us. The mayor commented that we will take a look at the streets when the water clears away. Mr. Smith responded that he can put Morlock off for a few days yet. Councilman Fox reported that he has noticed the water pooling quite a bit across from his house. The mayor responded that he wonders if it is because we have been getting so much rain at once in a short amount of time. He noted that Centennial park also looks like we haven't done any drainage work in it, due to so much rain at once. Zoning Inspector Owens suggested that maybe we need to have all of the basins cleaned out when we have some money that we could use for that. The mayor responded that we had talked in the past about having that done. Councilman Smith commented that the vacuum excavation truck that will be used in the process of inspecting for lead service lines is what you need for cleaning out basins. He suggested, if we have the money, that we should have the vac truck do our basins when they are in town to do the service line inspections. Members agreed that that would be a good idea. Mr. Owens commented about the lead line survey, that we are only responsible for the lines leading up to the meter. The other side of the meter to the home is the responsibility of the homeowner. Mr. Smith responded that Mr. Johnson had said we have to dig holes on both sides of the meter pit to check for lead pipes. Mr. Owens replied that, if lead pipe is found on the homeowner's side, we have to notify them, but they will be responsible for replacing it.

Councilwoman Mackey asked if we had been contacted by Northwestern Water & Sewer District about where they filled in Tontogany Creek Road with big stone. She said she watched cars drive through it, causing big stones to be thrown everywhere, much of which is going into the yard of the Barrs who live on the corner of North Street and Tontogany Creek Road. Mayor Shanahan answered that Carol Barr had reached out to him and said that not only does she have stone in her yard, but big ruts from the machinery as well. The mayor said he went and took pictures to give to Mr. Johnson to do a follow-up with Northwestern. He also said he had been wondering when they were going to patch the road there. Mr. Owens suggested calling Northwestern and telling them it is unacceptable with the stones.

SIDEWALKS and TREES: Councilman Smith reported that we are still waiting on getting our tree on Main Street cut down; no date has been set for that yet. He added that he had told Abe Rowe that it wasn't a huge rush.

DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Councilman Smith reported that he fixed the fence post at Centennial Park. The mayor thanked him for doing that.

Councilwoman Mehring asked if there was a way that we could lower the new swing put in at Mehring Park. Councilwoman Mackey commented that the woman at the company where we bought

TONTOGANY VILLAGE COUNCIL


the swing said it is just the right height when the mulch is put in. Mayor Shanahan suggested a way he thought it could be lowered. Councilman Smith said he would take a look at it.

Mayor Shanahan asked Councilwoman Mackey if she had found a chance to reach out to the Wood County Park District about what could be done with the extra grant money left over due to a slightly discounted price on the basketball goal project. Ms. Mackey responded that she had not asked them about that yet.

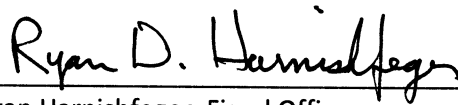
Fiscal Officer Harnishfeger reminded the mayor and members that the hall needs three lights fixed. The main hall has one light out, which appears to be a ballast problem. Of the two 8-foot light fixtures in the kitchen, one is out; it may just need new fluorescent tubes or it could be a ballast problem. And the janitor's closet needs a bulb replaced way up on the high ceiling. All three lights will require a tall ladder. The mayor said he could ask the school to borrow their tall stepladder. He also commented that he just met another certified electrician who lives at Cross Creek and 65. He said he would text him and see if he would be interested in coming and looking at our hall lights. Councilman Fox suggested maybe having Jim Head do this job for us. Mr. Harnishfeger cautioned that Jim has had a knee replaced and he might not feel safe climbing up high on a ladder.

Councilman Fox commented that we haven't seen a deputy lately and he had been wanting to talk to them about vehicles speeding on Crom Street after school and running stop signs. Mayor Shanahan said he would send a note to Deputy Sheriff Brian Ruckstahl, Otsego School Resource Officer; he has gone down and sat at the park after school for us in the past.

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



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer