

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: September 18, 2023

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, here; Lincoln Fox, here. Also present was Utilities Superintendent/Meter Reader Chad Johnson and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitors present: Tontogany resident Orville Buehrer; Sergeant C. Reynolds from the Wood County Sheriff's Office. Minutes from the August 21st meeting were approved as submitted.

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

Mayor Shanahan did a first reading, by title only, of Resolution #963-23, 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. The mayor stated that the amount approved by the Budget Commission for Tontogany for 2024 is \$9,477.17. Fiscal Officer Harnishfeger commented that the amount approved for 2023 was \$9,144.72, so the amount for 2024 was increased by over \$300.00.

Copies of the August Incident Report were given to everyone to review. Mayor Shanahan asked if anyone had any questions or comments for Sergeant Reynolds. Councilman Fox asked about the three 911 hang-up calls listed on the Incident Report. Sergeant Reynolds answered that he had no information about those calls. He also commented that August appeared to be a pretty quiet month. With nothing further to discuss, the mayor thanked Sergeant Reynolds and he left the meeting.

Mayor Shanahan invited Orville Buehrer to address Council. Mr. Buehrer told members that the county had fixed some washouts along Tontogany Road and put in stone at those spots. However, he said that there is a big problem with the ditch, and he enumerated several issues that he thought should be addressed. He said he thought the driveway of the home at the end of Lincoln Street will end up in the ditch if it keeps washing out, and there are several other similar spots. He mentioned a garage that is in danger of falling into the ditch through gradual erosion. He also noted that there are a lot of trees along the ditch that need to be taken out, because the effects of freezing, thawing and spring rains will eventually cause the soil to be loosened by the trees, causing more bank erosion and trees falling across the ditch or on someone's home. He remarked that the whole appearance of the ditch is bad for the town the way it is with precarious trees and other unattended growth, especially to visitors. Mr. Buehrer reminded members that the county taxes on Tontogany citizens include a "Euler ditch assessment" tax for cleaning the ditch. He said he thinks it is time for the town to get with the county to address the need to do something about all of the overgrown brush and wild trees growing along the ditch, which is getting worse and worse over time. Mayor Shanahan responded that the weeds under the guardrail and along the ditch were cut today. Mr. Buehrer commented that the weeds have grown so high that they block the vision of motorists. He then mentioned that the large fir tree at Aaron Lee's place on Kellogg Road also blocks the vision of motorists at the intersection of Tontogany Road and Kellogg Road, making it dangerous to pull out onto Kellogg Road from that corner. The mayor responded that we have talked about that tree before, but it is on private property; we have talked to the county about it, but they won't do anything about it. Mr. Buehrer commented that someone needs to do something about that tree before a serious accident happens because of it. He also told members, regarding the ditch, that the county has a machine that will reach across the ditch to cut brush and tree limbs. Mr. Buehrer concluded his remarks by saying that he thinks the village should get with the County Engineer and get something done about the condition of the ditch. Mayor Shanahan thanked Mr. Buehrer for his

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comments and told him that he appreciated his passion for the village. Mr. Buehrer then left the meeting.

Councilwoman Mehring reported that she had spoken with a township trustee who was working on cutting weeds along the ditch and she thanked him for working on cleaning it up. Mayor Shanahan commented that the county engineers won't do anything to mow or whack weeds, because they don't consider it their job. Councilman Smith cautioned that any resident who may try to maintain the ditch by their residence should be warned to be very careful to avoid being hurt. He also commented that the real issue is that the west part of the ditch, where the trees are, is on private property, and he didn't know how interested the county would be in doing anything to the private side of the ditch, which would be the land owner's responsibility. The mayor agreed and remarked that, even if we pay ditch taxes, it wouldn't cover the county doing anything on the private side of the ditch. Mr. Smith said he agreed with Mr. Buehrer that the ditch is unsightly and has potential erosion problems, but we will have to convince the land owners along there to do something about it if we want it improved. Councilwoman Mackey noted that the fir tree on Kellogg Road truly is an obstruction for motorists to see oncoming traffic. She asked, since the county won't do anything about it, if we would be within our rights to ask the owner to trim it back. Mayor Shanahan answered that we could take some pictures and go to him and tell him it is a concern that has been brought up to Village Council, and ask him to cut it down or at least trim it back. Councilman Fox suggested having Solicitor Skaff write a letter for us. The mayor responded that we could do so if it comes to that, but we can try just asking first. Ms. Mackey asked if we should have Zoning Inspector Owens speak to Aaron Lee about the fir tree. The mayor asked Mr. Johnson if he knows of anything in the zoning ordinance that Mr. Owens could use for this purpose. Mr. Johnson answered that he did not know of any zoning code that covers this situation. Mr. Smith commented that this is more of a neighbor-asking-a-neighbor situation. The mayor said that he won't mind going and asking him. Ms. Mehring said she knows the owner and could go along with the mayor. The mayor said that we would start with a request for him to trim the branches off about six to eight feet up from the bottom. Councilman Bergfeld said he thought we should contact Solicitor Skaff about it if nothing is done soon, so it doesn't somehow become a legal liability for the village because the danger had been brought to our attention several times, but nothing was done. The mayor commented that it would be hard to prove that the tree was the cause of an accident. Councilman Smith researched the property line on his smartphone and reported to members that it runs right down the middle of the ditch, making the west side of the ditch the property owner's responsibility, as we had suspected.

ZONING: Councilwoman Mackey reported that she noticed that the new home on the corner of Tontogany Creek Road and Washington Street is putting up a fence. She said she assumed they got a permit. The mayor responded that it was reported in the last meeting's minutes that Zoning Inspector Owens had contacted them about the permit for that fence. Fiscal Officer Harnishfeger added that Mr. Owens had turned in that zoning fee to him.

UTILITIES: Utilities Superintendent Johnson reported that he called Palmer about the spots on Tontogany Road where the water line was fixed, to see whether we are going to have asphalt put on the spots or what, with winter approaching. Palmer said it looked good as it is, so we will let it be for now. The mayor asked if we would have to pay to repair it if it doesn't hold up as is. Mr. Johnson replied that if it becomes a problem or the county requires us to asphalt it, then we will have to do so.

Mr. Johnson reported that Fiscal Officer Harnishfeger had called him last week about Glenn Hefflinger wanting an electric meter installed at his vacant property across from the elevator—the property with an old blue garage on it. Mr. Johnson said he did not intend to put a meter there and he called the electric superintendent in Bowling Green, who agreed that he should not do so. Mr. Hefflinger called about it again and Mr. Johnson explained to him that he had to have it inspected by Wood County. Mr. Johnson also posed the question of whether it would be advisable to install electric on a lot

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that only has a garage on it, lest a new property owner might decide to install a porta john and try to live in the garage.

Mr. Johnson reported that he received a call from Bowling Green, asking him again about the status of the backflow prevention for the master meter pits on Kellogg Road and Tontogany Road. Mr. Johnson said he argued with the gentleman again and now he agrees with Chad that the backflow on Tontogany Road should be split with the county, and he will write a letter to the county about making it a co-project, split with the Northwestern Water & Sewer District, including the cost of construction. Mayor Shanahan asked if this is what we wanted to use the Covid money for. Mr. Johnson agreed that that is what we had intended to use it for. The mayor asked Mr. Harnishfeger if the deadline for using the Covid money is the end of 2024, and Mr. Harnishfeger agreed that that is correct. The mayor commented that we do not want to have to forfeit that money by not getting it spent before the deadline. Mr. Johnson noted that making a co-project of the backflow prevention on Tontogany Road will delay it somewhat, but we will only have to pay half of the cost. Members commented that that was good news and we should go ahead and get started on the Kellogg Road backflow prevention project.

Mr. Johnson reported that he is doing lead and copper sampling right now at certain homes in town. He has seven of the ten sites on the annual sampling list done, and three more to go.

Mayor Shanahan asked which streetlight Councilwoman Mehring had spoken to him about that needs to be fixed. She replied that it is the one on Lincoln Street, across from Jim Head's home. She added that the ones at the fire department still need fixed too. Mr. Johnson commented that he has told Bowling Green twice about the light behind the fire department. The mayor noted that the light in the alley behind Alan Current still goes on and off. Mr. Johnson mentioned another light in an alley that goes on and off. Fiscal Officer Harnishfeger reported that a resident stopped in at the hall office today and reported a light that has been out for about a month at the corner of Crom Street and Broad Street. Councilman Smith asked if members could agree to just have the lights that are cycling on and off to be replaced. Mr. Johnson commented that they should be replaced with LED lights. The mayor added that he had thought the routine was supposed to be that bad lights now get replaced with LED every time. Members agreed. Councilwoman Mackey mentioned another bad light on Washington Street at the alley at Peinert's. The list of lights needing fixed was given to Mr. Johnson, who said he would contact Bowling Green again about them and put a rush on it to be completed before Halloween.

Mayor Shanahan told Mr. Johnson that members had discussed cleaning out the shed at previous meetings, when he was not present. He told Mr. Johnson that we need his input to know what needs to be kept and what can be removed. He suggested maybe meeting with Chad for fifteen or twenty minutes to take a look at things. Mr. Johnson suggested that he could take pictures of the items to be discarded and send them to the mayor. The mayor replied that that would work.

STREETS and ALLEYS: Nothing to report.

SIDEWALKS and TREES: Councilman Smith reported that he received an estimate of \$1,050 from Abe Rowe for removal of the bad walnut tree at 18515 Main Street, including the normal services like grinding the stump and leaving firewood. Members agreed that \$1,050 was a good price. Mr. Smith recommended getting it removed before it causes big problems in bad weather. Councilman Fox made a motion to accept Abe Rowe's quote of \$1,050 to remove the tree. Councilman Lee seconded this motion. All were in favor; motion carried. Mayor Shanahan asked Mr. Smith to follow up with Abe Rowe to get it scheduled for removal.

Councilman Fox recommended that we get on a tree-planting plan, maybe to plant a certain number of trees per year. The mayor asked the Sidewalks and Trees Committee to come up with a proposed plan and present it at the next meeting for further discussion.

DRAINS and SEWERS: Nothing to report.

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CITY HALL and PARKS: Councilwoman Mackey reminded members that the park grant request is due by October 20th. She reported that the only proposed grant idea she has come up with so far is to order new mulch for the playgrounds. She recalled that security cameras had been talked about and she offered to write up a grant request for that, if someone else wants to do the legwork on getting the details. Mayor Shanahan suggested replacing the broken slide at Mehring Park as a grant request. Ms. Mackey responded positively to that idea and said she would contact Playground World for a quote.

Councilwoman Mackey reported that the weeds are out of control at the playgrounds, particularly at Centennial Park. She asked if we might want to have a commercial company deal with the problem. Councilman Smith agreed that we would need a licensed commercial company to treat the playgrounds with herbicides. Ms. Mackey commented that Josh Heckerman has sprayed Roundup in spots before, but it is now to the point where it needs an all-over treatment. She also pointed out that it is a safety issue; treatment would necessitate keeping kids off of the playgrounds for a period of time. Mayor Shanahan suggested that the City Hall and Parks Committee seek out a quote or quotes and bring them to a future meeting for consideration.

Mayor Shanahan asked what the timing is on how long we need to keep the porta johns at the parks. Councilwoman Mackey answered that we usually keep them through Halloween trick or treat.

Mayor Shanahan thanked members for their support of the hometown hero banners program and he commented that the community clearly enjoys the program. He told members that nothing is more satisfying for him than to see our community supporting programs like this. He urged members to be thinking of worthy candidates for next year's banner additions. Members offered up some names of possible candidates. The mayor told members that there is no limit on how far back in history we can go, although, at first, we had wanted to honor as many of the living veterans as we could. He told members that we have the brackets for the new banners; we will begin on Main Street and get them hung up.

Councilwoman Mackey asked if trick or treat is scheduled for Tuesday the 31st of October. The mayor answered that it is—from 5:30 p.m. to 7:00 p.m. He added that the school had emailed him that they wanted to do their "trunk or treat" at Halloween again this year and asked him to check that there were no concerns or conflicts last year. Members agreed that there were no conflicts and it would be fine for them to do the trunk or treat like last year.

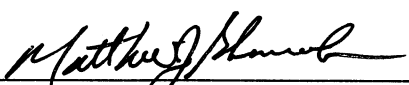
Mayor Shanahan reported that it was suggested that the trees at the corner of North Street and Tontogany Road need to be trimmed back again. The mayor asked if members were okay with having Jim Head work on that again as he did for us in the past. Councilman Smith commented that if Jim doesn't want to do it, we will still get it done. Councilwoman Mackey said she would ask Jim.

Councilman Fox reported that he had noticed a broken-off branch in the wires on North Street across from the mayor's home. Mayor Shanahan answered that it is gone now, and he explained how he had removed it from the wires.

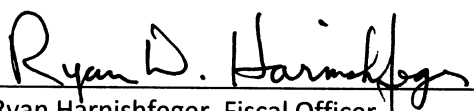
Councilman Smith asked if we had set a time for brush pickup. The mayor answered that he will follow up on that tomorrow to see about setting a date for brush pickup.

Mayor Shanahan reported that there is a Christmas tree meeting again tomorrow at 6:00 p.m. at Abe Euler's place.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 7:51 p.m.



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer