

TONTOGANY VILLAGE COUNCIL

MEETING MINUTES FROM: July 1, 2024

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, absent at roll call, but arrived at 7:01 p.m.; Mark Smith, here; Robert Bergfeld, absent; Lincoln Fox, here. Also present were Utilities Superintendent/Meter Reader Chad Johnson and Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitors present: Steve Powell, for an update on the Fox-Shank property; Tom Wietrzykowski, with an interest in the vacant council seat; Deputy M. Meyers, from the Wood County Sheriff's Office. Minutes from the June 17th meeting were approved as submitted.

FINANCE and CLAIMS: A spreadsheet of the current invoices was reviewed and approved by members. Councilwoman Mehring made a motion that these bills be allowed and orders drawn for same. Councilman Smith seconded this motion. All were in favor; motion carried. Copies of the June 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 second reading, by title only, of Ordinance #975-24, 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.

Mayor Shanahan did a second reading, by title only, of Ordinance #976-24, AN ORDINANCE TO PROVIDE FOR THE COST AND EXPENSE OF THE LIGHTING OF THE STREETS, ALLEYS, WAYS, AND OTHER PUBLIC PLACES OF THE VILLAGE OF TONTOGANY.

Mayor Shanahan acknowledged the presence of visitors Steve Powell and Tom Wietrzykowski. He stated that Mr. Powell was here to give an update on the Fox-Shank property. He told members that he had talked to Mr. Wietrzykowski recently about filling the vacant council seat and had invited him to come and observe a meeting, ask any questions that he may have, and let council members get to know him.

Copies of the June Incident Report were provided to all for review. Mayor Shanahan asked if members had any questions or concerns for the deputy. Councilman Fox asked if the deputy had any information about the suspicious incident listed on the report. The deputy didn't have any details, but said that "suspicious incident" is a catchall phrase used for all kinds of odd things people may call in about. They come out and take a look; 95% of the time there is no problem. Councilman Smith asked about the breaking and entering listed on the report. The deputy answered that he had no details, but he could go out and come back shortly with more information. Councilwoman Mehring asked the deputy for more patrolling at Broad Street, by Crom Street. The deputy asked if there was a special problem there. Ms. Mehring replied that there was a domestic problem and the man was evicted today. The deputy left for a little while and then came back. He explained, concerning reported incidents, that what is initially entered by the dispatcher from calls is not ultimately what they determine has actually happened. As for the breaking and entering incident, the homeowners reported that they came home and found one of their window air conditioner units lying on the ground and they assumed that it was from breaking and entering. When investigated, it was determined that there was no evidence of criminal activity, but that the air conditioner had simply fallen out of the window. The two suspicious incidents were related and would be best described as a domestic dispute. The couple were outside arguing and a neighbor called it in. Nothing criminal, just people not getting along. With nothing more to discuss, the mayor thanked Deputy Meyers for the extra information and he left the meeting.

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Mayor Shanahan invited Steve Powell to speak to members. Mr. Powell said that he just wanted to give members an update on the Fox-Shank property and ask them a couple of questions concerning it. He reported that, as of May 29, 2024, the property was deeded over to Otsego School, delayed since last August in order to work out some matters between the school and Black Swamp Conservancy. The Friends of the Fox-Shank Living Lab is made up of members representing every area of the Otsego District. That group has raised \$3,000 so far—\$1,000 from the Tontogany Sons of the American Legion and \$2,000 from the Henry-Wood Sportsman's Alliance. He said that Otsego Superintendent Kevin O'Shea told him he has been given a donation of \$20,000. So, the grand total of donations so far is \$23,000 toward fulfilling their mission statement, which says that they are going to take care of the Living Lab property at no cost to the taxpayers. They are in the process of spending money on a building, requested by the teachers, that will be sitting on the property at a yet-to-be-determined location, which will be used to store things like boots, buckets, shovels, and gloves for the kids, so they don't have to drag those things back and forth to the property. Mr. Powell said that he had ordered the 10' x 12' portable yard barn, paying half of the cost himself (as possibly a loan or a donation), since they did not yet have funds at the time. After having made a deposit for half of the cost of the building, Kevin O'Shea told him that the Black Swamp Conservancy was willing to buy a building. So, it appears that they will pay Mr. Powell back and buy the building, but that has not happened yet. Mr. Powell said that one of his questions for Council was whether or not a zoning permit was needed to put a 10' x 12' yard barn on the property. Mayor Shanahan replied that a permit would be needed, and he confirmed this with Chad Johnson. Mr. Powell told members that the easement that came with the property says that there are only a couple of places where the school can put things, and he showed members on a map of the property where he thought the building would probably be placed. He also asked members if they would prefer to keep the area near residences as a grass walkway, rather than put a pavilion, restrooms, or other such things there. Members agreed that that would be preferred. Mr. Powell told members that another thing they want to do before school starts is to install a flashing crosswalk light, where kids just push a button and it flashes, to keep them safer as they cross back and forth to the Living Lab property. He said that he has applied for a grant for that, but he hasn't heard back about the grant yet. Just one of those crosswalk flashing lights is about \$2,700. Down the road, they want to add a pavilion, restrooms, benches, a flagpole, signage, and a small parking area on the property. Mr. Powell said that he received a phone call today from Chad Hartman, who is a part owner in Ebony Construction Company. They have the contract to grind up Tontogany Road for repaving, and Mr. Hartman offered the ground-up paving to the school, which can be used in the Living Lab property. Mr. Powell told members that a second question he had for them, which will need to be answered somewhere down the line, is, whether the Village would be willing to waive tap fees for water and electric utilities at the Living Lab property. He said that Washington Township has offered a donation of dirt and they may be asked for some other things as time goes along. He said that the school is preparing a two- to three-minute internet-portable video of little kids doing learning activities in the Living Lab. He told members that he has sent out a dozen or so letters so far and applied for a couple of grants. He asked if Council had any questions for him. Mayor Shanahan asked how the failed levy affected the upkeep of the property. Mr. Powell answered that, if their mission is met, it won't affect anything, since their aim is to not have taxpayer dollars paying for expenses. The school will be keeping the grass mowed, which will only cost a small amount for gas and Scott Alexander's time to do the mowing. Any extra money that is donated and not used on buildings or other things will go to the school, and they will manage the money for expenses like mowing and planting trees; the goal is zero taxpayer dollars going into the Living Lab project. The mayor asked how it would be handled if water concerns in the yards of residents should continue in the future, because we don't want it to become a nuisance and a source of costly upkeep of their personal property year after year. Councilman Fox also asked if there was a section of the Living Lab property that could be used for drainage. Mr. Powell answered that he became aware of some water issues that occurred in the neighborhood that hadn't existed before Black Swamp Conservancy

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came in, and they had discussed it with Black Swamp. He said that ultimately a way will be decided upon to lay tile or do whatever is needed to drain the water into the creek. It may be that they will be able to tie into the large storm sewer that is already there. The mayor told Mr. Powell that the Village will share with Mr. Powell's group and the school any feedback we get from residents. Mr. Powell gave Council one copy of a letter he is sending out to individuals and businesses, describing a little bit about the Living Lab and about the Friends of the Fox-Shank Living Lab, and asking for donations. With no more questions from Council and nothing further to discuss, Mayor Shanahan thanked Mr. Powell for the update and he left the meeting.

Fiscal Officer Harnishfeger provided a packet of Auditor of State (AOS) fraud-reporting information to each Tontogany employee and elected official at the meeting. He reported that the AOS put out a bulletin at the end of June, explaining that two bills, one passed by the Ohio Senate and one passed by the Ohio House, amended Ohio Revised Code (ORC) regarding fraud training and reporting. The ORC was amended to require the AOS to create training material detailing Ohio's fraud-reporting system and the means of reporting fraud, waste, and abuse for each employee and elected official of a political subdivision. Current employees and elected officials are required to complete the training within ninety days of July 1, 2024, that is, by September 28, 2024, unless good cause exists for completion at a later date. Additionally, each new employee or elected official shall confirm receipt of this material within thirty days after taking office or beginning employment. The training shall be required every four years for each employee or elected official. Also, the ORC requires the AOS to confirm during the course of an audit that public employees and elected officials have been provided material as required and taken the required training. A certificate of completion of the training and an acknowledgement of receipt of materials form is to be kept on file for each employee and elected official for audit purposes. Mr. Harnishfeger told members that he had taken the training today and it was very easy to do, only requiring the viewing of an 8-minute video, after which a downloadable certificate of completion is provided.

Fiscal Officer Harnishfeger reported that he received an email from an attorney, representing Matt and Natalie Lambert, who wish to annex 5.77 acres of property into the Village, so they can get Village water for a new home they intend to build. Mr. Harnishfeger said that he emailed Solicitor Skaff about this, who said that he is working with the attorney and will guide us through the process. Mayor Shanahan added that Matt Lambert brought this up about a year ago and the mayor had started an email with Solicitor Skaff and the Lamberts about it. Then it went quiet for a year. Now they have sold their house and Matt texted the mayor that they are ready to look into it. The mayor said that he reforwarded the email from a year ago where Solicitor Skaff spelled out exactly what needs to happen for the annexation. So, the ball is now in their court until they are ready to present the request. Councilwoman Mackey asked if it is the property that he owns out on Tontogany Creek Road. The mayor responded that that is correct.

ZONING: Mayor Shanahan reported that he spoke with Chad Johnson today and verified that he was willing to take the zoning inspector position again, since Brian Owens resigned at the end of June. The mayor therefore declared that he was, effective as of this meeting, appointing Chad Johnson as the zoning inspector for Tontogany. Mr. Johnson mentioned a zoning issue about a fence. The mayor responded that a resident called him at work and told him that a neighbor has been walking across their yard to dump stone and brush into the creek, which the previous homeowners allowed, but they do not want it to continue. The mayor said he advised talking to the person, the landlord, or, if no results from that, then the sheriff. Then they brought up the idea of a fence and the mayor told them that they would need to talk to our zoning person to be sure they do it the right way. Councilman Fox commented that the person needs to be informed about brush pickup, which the Village does twice a year, as well as leaf pickup in the fall.

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UTILITIES: Utilities Superintendent Johnson reported on the lead inventory due in October. He explained that some meter pits had to be dug up and some didn't, due to a lot of brand-new copper water lines in many areas of town. With free money from the county, we verified 70 or 80 houses as copper, to meet the EPA requirement. He said that he will use the camera that he purchased to finish verifying any houses that still need checked, because the better case we can present to the EPA that the whole town is copper, the better chance we have that they will not bother us about it anymore. And there is no reason not to use the money from the county for this. Mayor Shanahan asked if Mr. Johnson will turn in his report to the EPA after he finalizes the inventory with the camera. Mr. Johnson answered that he will do so by the October deadline. Mr. Johnson commented that there are a lot of holes from the excavations that settled and will need to be filled in. He said he would see that they get filled in. The mayor commented that he had taken a couple of dump loads of the leftover sand to the volleyball court.

Councilman Smith reminded everyone that we need to keep on top of the progress of the backflow improvements project, so we don't lose the ARPA money at the end of this year. Councilman Fox asked if we had heard anything more about a date for the paving of Tontogany Road. The mayor answered that we have not, but that he would text Chad Hartman about a timeline, now that we know his company was awarded a contract for that project. Mr. Fox asked how far down Tontogany Road they intend to pave. The mayor and Mr. Smith answered that it was from Kellogg Road to King Road.

STREETS and ALLEYS: Nothing to report.

SIDEWALKS and TREES: Nothing to report.

DRAINS and SEWERS: Nothing to report.

CITY HALL and PARKS: Councilman Fox reported that he had shared pictures of a nice park he saw with some unusually interesting and safe playground equipment. Lots of kids were playing on it and he thought something like that would be a great addition to our parks as we need to replace old equipment. He said he thought it would be a great idea for a park grant request. Councilwoman Mackey responded that she would check the Playground World catalog and see what they have. Ms. Mackey also stated that she needs to submit the final report on our 2024 park grant, so she would be getting with Fiscal Officer Harnishfeger to assemble the documentation needed for that.

Councilman Fox reminded the mayor and members that we had talked about switching the volleyball court to a gaga ball pit. Mayor Shanahan responded that a couple of weeks ago the Eagle Scout candidate reached out to him and said he was in his fundraising phase and was having a little trouble with it. The mayor said that he advised the Scout to approach the Elementary PTO for a donation as a starter, since the Elementary PTO was who reached out to the Village about putting in a gaga ball pit. He said that the Scout had also asked the mayor for businesses that he could send his formal Eagle Scout donation letter to.


Mayor Shanahan reported that the veteran banner pictures have all been submitted to the company and he is waiting for feedback on whether or not all of the pictures will be usable or if they need any higher quality images to work with. The mayor then asked Fiscal Officer Harnishfeger to purchase more banner brackets from the same company that we purchased them from last year. Mr. Harnishfeger asked how many brackets to purchase. The mayor answered that we need another 12 brackets, exactly the same as we ordered last time. The mayor told members that, once we get the okay on the banners and get an arrival time, then we can schedule a dedication event date.

Mayor Shanahan asked Tom Wietrzykowski if he had any questions for Council. Mr. Wietrzykowski answered that he did not have any questions; he was just here to observe a meeting. The mayor then asked him to share a little of his background. Mr. Wietrzykowski told members that he moved to Tontogany about four years ago and lives in the old Fox-Shank house at 18560 North Street, which they

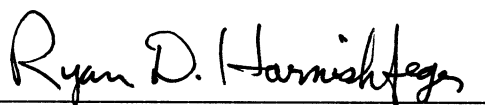
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renovated. He loves it here. He is a carpenter by trade. Mayor Shanahan added that he had spoken with Mr. Wietrzykowski about a week ago, shared with him that we needed someone to fill a vacant council seat, and that the term would end at the close of 2025, after which the person would need to file a petition and run on the ballot if they wanted to continue in that council seat for the next term. The mayor stated that we are not looking for a commitment tonight. He also informed Mr. Wietrzykowski that our current ordinance requires council members to attend at least one of two meetings per month, unless excused by Council for nonattendance. Mr. Wietrzykowski replied that his work schedule is the only problem right now. The mayor went on to explain that each council member is on multiple committees for the areas discussed at each meeting, such as finance, parks, streets, trees, and so on. Councilwoman Mackey then gave Mr. Wietrzykowski a copy of the sheet that lists what committees each member is on and contact information for Tontogany officials. The mayor thanked Mr. Wietrzykowski for coming to the meeting and said that he thought he would be a good fit for us, with his background in carpentry and his obvious passion for the Village.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 8:01 p.m.



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer