

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: June 5, 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 by Mayor Shanahan. Roll call of members: Brenda Mackey, here; Connie Mehring, absent at roll call, but arrived at 7:50 p.m.; Mark Smith, here; Robert Bergfeld, here; Damon Lee, absent; Lincoln Fox, here. Also present was Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Visitors present: Carrie Stanley, Dan Scherger, and Rachel Sizer from the Wood County Solid Waste Management District; Gail Christofferson; Sergeant Michael Meyers from the Wood County Sheriff's Office. Minutes from the May 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. Councilman Smith seconded this motion. All were in favor; motion carried. Copies of the May 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 #961-23, an ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023.

Copies of the May incident report were given to members to review. Mayor Shanahan asked if members had anything to talk to the sheriff's deputy about. The mayor mentioned that there was some excitement on Wednesday night with the traffic stop on Tontogany Creek Road. Sergeant Meyers explained that it was not a very serious matter, but the teen suspect tried to run from the trooper. Councilwoman Mackey reported a large covered trailer, parked on the right of way at 18605 Crom Street, that obstructs the view for drivers and bikers. She also mentioned that several years ago we had to have a person at the end of North Street move their trailer for the same reason, which the deputies helped us take care of. Sergeant Meyers asked if the trailer does not get moved. Ms. Mackey answered that she doesn't think it gets moved. Councilman Bergfeld stated that it has been sitting there for a while. Ms. Mackey added that it has been particularly difficult for school traffic and she asked if the deputy could contact the owner. Sergeant Meyers said he could do that, but he wasn't completely sure what they can do. With nothing more to discuss, the mayor thanked Sergeant Meyers and he left the meeting.

Mayor Shanahan invited Gail Christofferson to speak to council members. Ms. Christofferson informed members that we have received 98 responses to the downtown revitalization survey, without much effort. She said we can't use the SurveyMonkey program to give us a report, because we are getting it for free, so she did a quick evaluation and calculation herself. Results on favorite things about Tontogany were: school: 47; Togany Fest: 30; ball parks: 25; Tree Lighting: 30; Legion: 15; Doc's: 2. Results on types of businesses people would like to see in Tontogany: beauty shop or barber shop: 15; brewery: 30; coffee shop: 35; small business of some kind: 20; ice cream shop: 35; pizza parlor: 40; community rental space: 15. Gail told members that we cannot do free surveys anymore with SurveyMoney, because the limit has been reached for the free use. A paid subscription is \$25 per month, but you have to buy a year, which would be \$300. She proposed that we could modify the survey, adding more things that are important to council, and get it out to people to find out more about what people are looking for. She asked members to discuss it among themselves and decide if they would be willing to pay the \$300 for putting out more surveys for a year. She also reported that she has made phone calls to a few economic development people. She contacted Wood County Economic Development and Regional Growth Partners, which only deal with industrial-related development. She reached out to Toledo Regional Chamber, which has a small business development department, but she did not hear back from them yet. She commented that we now are beginning to get an idea of what people want, and we know what buildings are available, so now we need to begin to pair things up. She also reported that there were several survey respondents who said in their comments that they would

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be willing to be on the revitalization committee. Gail said she doesn't know if she should contact any of those people or not and she thinks that a council member should be on the committee so that it is driven by the council's goals.

Ms. Christofferson said she also wanted to talk with council members about the 150<sup>th</sup> anniversary of Tontogany. She said a small group has met about it. She said she would be happy to be on the committee and spearhead some things, but she thinks a village council person needs to be involved at some point. She asked members to consider selecting a member to be on the committee. She also commented that industrial arts teacher Rick Roach came back to her and said he really wants his kids to do real-life work, not just something like making a bench in shop class. He wanted to know what kinds of things the students could do for the village, and the school superintendent has made it clear that this would be offered to all municipalities in the district, not just Tontogany. Gail suggested that council members should be thinking of things the students could do. She also commented that Mayor Shanahan had come up with a good idea of making signs that told the previous use of buildings downtown. She said she thought Rick's kids could make some signage like that for the village's 150<sup>th</sup> anniversary.

Regarding the survey, Mayor Shanahan explained to members that we were able to get the 98 survey responses, but with the free service we have to physically go through the survey results to sort and pull out relevant information. If we pay the \$300, SurveyMonkey will combine all of the responses for us, do all of the sorting work, and shoot us a report of relevant information. The mayor also told members that there are quite a few of the survey respondents who said they would be willing to give a financial donation. Other people said they would come out and do various types of work like painting, plumbing, or electric. People have asked to tell them what we need. Gail commented that we got these responses with a small effort; we could get a lot more with some more effort. With nothing more to discuss at the moment, the mayor thanked Ms. Christofferson for all of her hard work and she left the meeting.

Mayor Shanahan introduced Carrie Stanley, Dan Scherger, and Rachel Sizer from the Wood County Solid Waste Management District (SWMD) and asked Councilman Fox to set up the discussion. Mr. Fox explained that he had reached out to the SWMD about their proposed Draft Amended Solid Waste Management Plan, asking them to come to a council meeting and help council members better understand the plan and how it will affect and benefit Tontogany, before voting on a resolution to approve the plan. With that said, Carrie Stanley passed out some informational materials to everyone and began by giving a brief history of how and why the SWMD was formed, due to the Ohio Legislature passing HB 592 in 1988, requiring every county to be in a solid waste management district and to develop and regularly update a solid waste management district plan. Ohio EPA requires the plan to be updated every five years, which SWMD has done. It is a long, convoluted, process to develop one of these plans and it is all set up by the Ohio EPA; SWMD does not have a lot of discretion about how they do it or the topics that they cover. They began the process of updating the plan in February of 2021. In May of 2022 they sent it to the EPA for approval and received feedback and suggestions of a couple of areas to improve on. There was a public hearing on February 8, 2023. They finalized the draft plan in the 1<sup>st</sup> quarter of 2023. The plan was adopted by the Policy Committee on April 3, 2023 and then they had 30 days to deliver copies to entities throughout the county. Communities have the option to say yes or no to the plan; ratification must be done by resolution within 90 days of receiving a copy of the plan. The reason for the wide variety of topics covered by the plan is that SWMD's plan must match the state's solid waste management plan, which established ten specific goals to cover (nine of which are required). Goal number 1 is to provide adequate recycling infrastructure for residents and commercial businesses, so at least 80 percent of the residential population has the opportunity to recycle solid waste. Carrie explained how they get to the 80 percent by a combination of credits based on how recycling is handled in each community; SWMD has reached 89 percent for the current plan. Goal number 2 is to reduce and recycle at least 25 percent of the solid waste generated by the residential/commercial sector. Goals number 3 and 4 have to do with outreach and education, which

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Rachel Sizer is responsible for. The minimum requirements are a web site, a comprehensive resource guide, inventory of available infrastructure, and a speaker or presenter. Goal number 5 is to incorporate a strategic initiative for the industrial sector into the solid waste management plan—a minimum of three programs made available to industrial waste generators. Goal number 6 is to identify and let people know where they can take certain restricted wastes like hazardous waste and electronics. Goal number 7 is to provide economic incentives, for which SWMD uses per-capita payments to incentivize recycling, curbside, and drop-off programs by providing payments to communities. Goal number 8 is evaluating the impact of recycling programs on reducing greenhouse gas emissions. Goal number 9 is market development. This goal is optional and SWMD did not do it. Goal number 10 is a requirement by the state to submit an annual report to the Ohio EPA regarding implementation of the SWMD's solid waste management plan.

Having given this basic overview of the plan, Ms. Stanley asked if members had any specific questions about the plan. Councilman Fox asked about disposal fees and the charges per ton for in-county, out-of-county, and out-of-state. He asked why we would not charge way more for out-of-state waste disposal. Carrie responded that the Supreme Court has said we can't, because of the Commerce Clause; you can't limit business between states. She went on to say that there are two primary revenue sources for the SWMD—disposal fees and designation fees. On disposal fees, if waste was generated in-county and disposed of at one of our landfills, for every ton that goes there, \$2 comes back to the SWMD. If the waste was generated outside of Wood County, the payment is \$4. However, the out-of-state fee was made the same as the in-county fee, due to litigation and the decision of the Supreme Court.

Councilman Fox asked if there was a company that handles only recycling. He said that in his research on curbside services, he found only companies that combined trash and recycling pickup, but none who would do just recycling pickup. Rachel Sizer answered that she has never seen a company that will exclusively offer recycling pickup to an entire area without taking trash as well. It is not financially worth it for a company to just pick up recycling. Mr. Fox commented that Paul's Refuse Pick-up is so economical that it is hard to justify to residents the idea of switching from their low-cost service to a much higher-priced service. The mayor agreed and gave some examples of how Paul's also provides extraordinary customer service that people appreciate.

Councilman Fox brought up the topic of how our recycling bins are filled to capacity quickly by in-town and out-of-town people, as soon as they are emptied each week on Wednesday. He said we either need more bins, which may not be feasible for us, or we need the bins emptied more than once a week, perhaps on Friday or Monday, as well as on Wednesday. He said he has driven through other small communities and noticed that their recycling bins fill up fast too. He asked how we could get an extra pickup. Ms. Stanley answered that, when they started the bins program, they only got a bid from one company, Republic, to empty the bins and haul away the recyclables weekly. For the second five-year contract they received bids from three big players. They can't make any promises yet, but they may be able to work something out to address the problems Tontogany and other recycle sites are having. Mr. Fox asked if they could counteroffer with bidders, seeking more than one pickup per week. Ms. Stanley answered that they are able to negotiate. Dan Scherger asked if it would be possible to create an area covered with stone to put another bin on. Mayor Shanahan answered that anything is possible. Ms. Stanley remarked that one problem that causes the bins to fill quickly is people putting unrecyclable materials like trash in them, which also creates a contamination issue. Part of the plan is educating people. Ms. Sizer also explained problems with various kinds of plastics, some of which are the wrong kind for recycling, but people don't know it. Mr. Fox commented that he had wondered what would happen if we stopped accepting cardboard. Ms. Stanley and Ms. Sizer cited some communities that have done that with some success. Mr. Fox stated that we had talked about fastening a lid closure on the bins. Ms. Sizer described a way one community created a chain closure. Mayor Shanahan commented that he had started shutting the lids and zip-tying them, but we were told not to do that because the

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drivers will not get out of the truck to remove the zip tie. Ms. Stanley asked how our Scouts are doing on maintaining the bins. The mayor answered that there are times when we don't know what they are doing and other times he gets a text message that they have come. Sometimes, when it has been windy, some of our village officials text each other and come up and pick up debris that has escaped the bins. At one time we were thinking of putting a fence around the bins to help contain escaped debris. Ms. Stanley commented that they are open to whatever creative option works for you. It might be that you would want to consider a different use for the money you pay the Scouts group that works better for you. Councilwoman Mackey suggested maybe having Jim Head maintain the bins instead of the Scouts. Mayor Shanahan thanked Carrie, Dan, and Rachel and he remarked that this was the healthiest conversation we have had about recycling in the six years he has been involved with the village. With nothing more to discuss, they left the meeting. The mayor also thanked Councilman Fox for reaching out to the SWMD and inviting them to come to our meeting.

Mayor Shanahan did a third reading, by title only, of Resolution #960-23, a RESOLUTION APPROVING THE DRAFT AMENDED WOOD COUNTY SOLID WASTE MANAGEMENT PLAN. Councilman Smith made a motion to adopt Resolution #960-23. Councilwoman Mackey seconded this motion. Roll call vote: Mackey-aye; Mehring-aye; Smith-aye; Bergfeld-aye; Fox-aye. The motion carried.

Fiscal Officer Harnishfeger reported that Councilwoman Mackey turned in \$40.75 on May 17, collected from the park light vending box, which he deposited in the bank.

Fiscal Officer Harnishfeger provided copies to everyone of his proposed Estimate of Revenues for 2024. He briefly explained how he came by the estimated amounts listed on the form. Estimated beginning balances for 2024 are calculated by taking the current year beginning balance, adding to it the current year revenue budget and subtracting the current year appropriations budget. Estimated revenues for 2024 are reasonable projections, based on historical data and real revenues received so far this year. If approved by the Wood County Budget Commission, the Wood County Auditor uses our Estimate of Revenues to create our Official Certificate of Estimated Resources, which governs the legal extent of our appropriations budget for 2024 (the permanent appropriations ordinance that we adopt in December). The Estimate of Revenues must be adopted each year by July 15<sup>th</sup> and must be submitted to the County Auditor by July 20<sup>th</sup>. Mr. Harnishfeger asked if there were any questions about the amounts he proposed. Councilman Fox asked if the zero amounts in the American Rescue Act Fund were correct. Mr. Harnishfeger answered that they were. Although we currently have \$40,174.64 in that fund, it is all being appropriated for use this year. Therefore, the estimated beginning balance for 2024 would be zero. We are not scheduled to receive any more revenue in this fund in 2024, so the estimated revenue is zero. And the total balance and revenue combined is zero. However, if all or any portion of the appropriated Rescue Act Fund is not spent this year, it will then be listed as part of the beginning balances for 2024 at the first of next year and will be able to be appropriated for use in 2024 with a supplemental appropriation ordinance. With no other questions, Councilman Smith made a motion to adopt the Estimate of Revenues as submitted by Mr. Harnishfeger. Councilwoman Mehring seconded this motion. All were in favor; motion carried.

Mayor Shanahan asked members what they thought about Gail Christofferson's proposal for the village to pay the \$300 to get a year of online surveys. Councilman Fox answered that he didn't see how we would get enough value for the money. Councilman Smith said he thought we could get a lot done at Togany Fest without spending the money. Lots of local people and outsiders come to the Fest. We could set up a table and ask people to take the survey. Mr. Fox explained that he was concerned that everyone is not tech savvy to do online surveys, and he thinks people will also get survey exhaustion eventually. The mayor said that the advantage of paying the \$300 is that SurveyMonkey will combine our lists from the surveys and we don't have to spend 50 man-hours of someone reading and manually compiling the information. Mr. Fox replied that whatever we do we still need someone who wants to open a business in a town of 380 people and has the money to fix the building and do something with it. He said that he doesn't see how the survey gets some kind of entrepreneur or investor to come in and do that. The

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mayor replied that, in his humble opinion, the \$300 is chump change to get the information that shows people are interested in supporting a business downtown. We have had empty buildings sitting and it looks like a dump. Mr. Fox said his biggest fear is that we spend the \$300 to get peoples' input and we still have an empty building and nobody steps up to buy it, repair it, and set up a business. The mayor replied that that is what the revitalization committee is for. They will take the information gathered from the survey and have conversations with business owners. They will contact people who offered to help with painting, plumbing, financial donations, or whatever, and schedule times for them to come and participate in the revitalization. Mr. Fox responded that that was the connection he wasn't seeing and now he understood the value of paying to get the survey results. Councilman Bergfeld stated that he thinks it is worth \$300, if we can get a business in. However, he asked who would want to open a business with a neighbor like Hefflinger, who has trailers and garbage laying all around. That is something that will need to be dealt with and it won't be easy. The mayor agreed and asked members what their consensus was on whether to spend the \$300 or not. Councilman Fox said he now saw the value of doing it. Councilman Smith reasoned that it would be worth it to save the time it would take us to manually go through possibly 500 or 600 surveys to pull out and compile the information we want, and it would be less expensive than the cost of sending out a letter to hundreds of people. The mayor commented that there may have been more than 98 responses to the first survey we put online; we don't know, because SurveyMonkey cut us off after the free-usage limit was reached. Mayor Shanahan asked Fiscal Officer Harnishfeger to do a roll call for a vote on paying \$300 to SurveyMonkey for their services, which he did: Mackey-aye; Mehrling-aye; Smith-aye; Bergfeld-aye; Fox-aye. The mayor said he would follow up with Gail to figure out how to make that happen.

Mayor Shanahan reported that he was asked to find out if the village council was willing to take on insurance for Togany Fest. The mayor said he thought they usually paid about \$500 each year for insurance. In the past, the Village hasn't done anything for Togany Fest, outside of the mayor signing the liquor permit. Councilwoman Mackey asked if we had ever paid any insurance for Togany Fest before. The mayor answered that we had not. The mayor said he could email our insurance company and ask what it would look like. Councilman Fox asked what the premium difference would be with the festival, versus not. The mayor answered that he knew the festival was listed in our plan, but he wasn't sure if it was listed under any particular cost. Councilman Smith suggested that it might cost the Festival Committee \$600, but might only cost us \$40 to add it to our plan. The mayor remarked that the flip side to consider is any legal trouble that might arise with someone having the right to sue the village. Members were in agreement that we should consult our insurance representative about this. The mayor said he would get an email out to them and copy Solicitor Skaff on it as well. Mr. Smith commented that we may already be covered on it and just don't know it.

Mayor Shanahan reported that he received a text message from Karen Graf, informing him that, while cleaning the hall, she discovered that the little refrigerator is not cold, and she said that running the big refrigerator empty is a huge waste of energy. Fiscal Officer Harnishfeger commented that she had told him the same thing, but he disagrees that we should turn off the refrigerator. The little refrigerator belongs to the Odd Fellows and it is their problem. The large refrigerator regularly has some items in it that the Odd Fellows keep in there, plus Mr. Harnishfeger said he keeps his lunch in it each day. Councilwoman Mackey posed the question of how much energy it would take to turn it on and off constantly and try to have it ready for every hall renter's party. The mayor concluded that we should leave it as is, with no objections voiced by members.

**ZONING:** Councilwoman Mackey reported that there have been a couple of residences in town with overgrown grass. Part of the grass was mowed at the house across the street from the hall. Mayor Shanahan added that we tried to reach out to the bank that bought the property. Ms. Mackey said she talked with a neighbor who said he was more concerned about the garage full of trash, with the heat and trash drawing rodents and insects. He also said he had written and contacted the Health

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Department. Ms. Mackey said she suggested to him to call the County Commissioners. The mayor said he received a text about it as well, so he started with the Wood County Sheriff's Office because it was on their auction. They gave him the name of the bank and he made an attempt to reach out to them; the bank is located in Florida. Ms. Mackey said she told the neighbor to feel free to come to a council meeting and verbalize his concerns. She also commented that the village has a history of reaching out to the Health Department and getting no response, so, it seems that we need to reach higher. She also reported that around the building of the lawn service on the alley off of Crom Street, especially on the north side, there are high thistles growing. Actually, the whole place is a mess and it just keeps getting worse and worse. Councilman Fox mentioned another weed problem and he asked what our policy was. The mayor answered that we typically would warn the people and, if they didn't get it cut by the deadline, we would send someone to cut it and then charge the property owner. Ms. Mackey noted that Hafner just moved his junk to a pickup truck. She also said that in the past the zoning inspector would go to the person, speak to them, and tell them they had a certain number of days to get it taken care of, but she doesn't see that happening now; we need to be on these people. It is not just the downtown that needs to be upgraded and beautified; it is the whole village.

**UTILITIES:** Mayor Shanahan reported that there was another transformer blown yesterday behind Heckerman's house in the alley. Utilities Superintendent Johnson got Bowling Green on it and everything is good now.

Councilman Fox reported that we went and looked at the Yeary house with the water problem. It seems like the best course of action is to run the drainage from the one point all the way under the road to the other side. It seems like whenever we hired out the job, it wasn't done correctly for the homeowner and we are kind of responsible for fixing it. Councilman Smith voiced his agreement. Mayor Shanahan told members that Mr. Johnson was going to get us three quotes for council to consider to have the work done. He said he would remind him of that for the next meeting. He also commented that we let the homeowner know to give us some time to get quotes, get a quote approved, and schedule the job to be done.

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

**SIDEWALKS and TREES:** Councilman Fox asked if we had heard from Abe Rowe and Councilwoman Mackey asked if we had heard from Cody Donaldson. Councilman Smith answered that he had not heard from either of those two gentlemen; he had texted that we have some trees to look at, but didn't hear anything back yet. He commented that Abe Rowe is good when you can pin him down, but it is difficult to do so; finding anyone to do anything these days is tricky. Mr. Fox asked if we might want to get a quote from someone else and he offered to seek a quote from the company that did the tree in his back yard. Mr. Smith answered that that would be fine. The mayor commented that getting another quote doesn't hurt us. Mr. Fox asked if there are more trees besides the one across from his house. Mr. Smith answered that there is one in the park as well, and some may need to come down for sidewalk work, but Cody usually does those; he just needs to come and take a look at them. Mr. Smith said he would keep on them.

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

**CITY HALL and PARKS:** Councilwoman Mackey reported that TruGreen came and did the lawn treatment after Fiscal Officer Harnishfeger called them. Mr. Harnishfeger added that their scheduling was just a little later than what we wanted, so we asked them to move it up a bit. Ms. Mackey commented that the treatment really took care of the clover, weeds, and dandelions. She reported that she should be able to finish the park grant final report and get it sent tomorrow. She reported that we seeded the

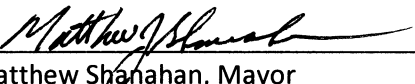
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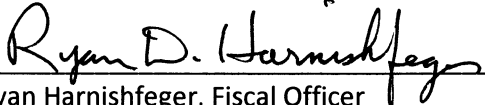
shutoff area that was dug out, but we haven't had any rain. Concerning the village sign that was an Eagle Scout project, she reminded everyone that the covering that was part of the agreement has not been done yet. Mayor Shanahan responded that the Scout just graduated high school, so he will now send a note to the Scout's dad and see where we are at. Councilman Fox asked Ms. Mackey what she found out about the trash can lids. She answered that somebody was going to check on that. The mayor said he was checking on some and he didn't see any that were the same style that we have. They are expensive. Ms. Mackey said she would just go look at the place north of Meijer. The mayor responded that they don't have them. Councilman Smith remarked that Uline has all of that kind of stuff in their catalog. Mr. Harnishfeger added that Uline sends us their catalog regularly and we have one in the office. Ms. Mackey said she would get a Uline catalog from the office.

Mayor Shanahan asked if we were okay with moving forward on painting the pickleball court and purchasing a net. Members answered that we are. The mayor said he will work with Mr. Harnishfeger on a site to order the net from and he will email Stripe It Up to get on their calendar. Councilman Bergfeld asked if we shouldn't have the asphalt sealed before we stripe it. After a little discussion, members determined that we had never had the asphalt sealed, so we should do it before striping. Mr. Fox advised checking it for cracks before sealing it. The mayor advised asking Morlock to do the job and letting them know we can't stripe it until the sealing job is done. Mr. Smith said he would ask Morlock. The mayor said he would let Strip It Up know that we are going to have it sealed before painting it, and he would ask them for a quote on striping the basketball court and the pickleball court.

Mayor Shanahan told members that we have to do something about the slide at Mehring Park, whether we take the whole thing down or we spend money on replacing it. Councilman Fox responded that he did not get any good news from his father-in-law. The mayor suggested the possibility of removing the whole unit with the damaged slide and applying for a park grant to replace it. He said he wouldn't want to just remove the slide and leave the steps that someone could get injured on. Mr. Fox said he found out that it is really hard, especially with old playground equipment, to find replacement parts that will mesh together with the old parts; you just about have to get a complete new set. The mayor made a suggestion that he said he knew might be unpopular, to move all playground equipment to Centennial Park and use Mehring Park for something else. Members commented that they had considered something like that too or had suggestions given them from other people. Ms. Mackey said someone mentioned to her that they wanted it made into a dog park. The mayor responded that that is a very popular opinion. Mr. Fox pointed out that the slide has other weak spots in it too. The mayor said we should remove it and tape off the stairs for now.

With nothing further to discuss, Mayor Shanahan declared the meeting adjourned at 9:06 p.m.

  
Matthew Shanahan, Mayor

  
Ryan Harnishfeger, Fiscal Officer