

## TONTOGANY VILLAGE COUNCIL

### MEETING MINUTES FROM: December 2, 2024

Council called to order in regular session at 7:02 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; Lincoln Fox, here; Paul Neal, here. Also present was Fiscal Officer/Utilities Clerk Ryan Harnishfeger. Minutes from the November 18<sup>th</sup> meeting were approved as submitted.

**FINANCE and CLAIMS:** A spreadsheet of the current invoices was reviewed and approved by members. Councilman Fox 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 November Bank Reconciliation, Fund Status, Revenue Status, and Appropriation Status Reports were given to the mayor and the Finance Committee to review.

Copies of the November Incident Report were provided to all for review, but no deputy from the Wood County Sheriff's Office was present to discuss the report.

Mayor Shanahan did a first reading, by title only, of Ordinance #982-24, an ORDINANCE MODIFYING EMPLOYEE WAGE SCHEDULE, AND DECLARING AN EMERGENCY. Councilman Bergfeld made a motion to suspend the rules and declare an emergency for Ordinance #982-24. Councilwoman Mackey seconded this motion. All were in favor; motion carried. Councilman Smith made a motion to adopt Ordinance #982-24. Councilman Neal seconded this motion. All were in favor; motion carried.

Mayor Shanahan did a first reading, by title only, of Ordinance #983-24, AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF TONTOGANY, COUNTY OF WOOD, AND STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2025, AND DECLARING AN EMERGENCY. The mayor then read the amounts appropriated from the various funds: \$259,610 from the general fund; a combined \$122,850 from the special revenue funds (including \$90,200 from the street maintenance fund, \$12,575 from the motor vehicle permissive tax fund, \$4,000 from the special assessment – street lights fund, and \$16,075 from the special assessment – trees fund); \$3,000 from the capital improvement fund; \$381,545 from the water fund; \$671,682 from the electric fund; and \$135,000 from the other agency – sewer fund. The mayor then read the grand total of all appropriations: \$1,573,687. Councilman Smith made a motion to suspend the rules and declare an emergency for Ordinance #983-24. Councilman Neal seconded this motion. All were in favor; motion carried. Councilwoman Mackey then made a motion to adopt Ordinance #983-24. Councilwoman Mehring seconded this motion. All were in favor; motion carried.

Mayor Shanahan did a first reading, by title only, of Ordinance #984-24, AN ORDINANCE ESTABLISHING SALARIES FOR ELECTED OFFICIALS. The mayor asked members if the feedback from Solicitor Skaff regarding when the salary changes would take effect for each elected official, per Ohio law, elicited any desire to make changes to the ordinance. Councilwoman Mackey and other members answered that they had been aware that pay changes for elected officials do not go into effect until the beginning of a new term; they just hadn't discussed it when proposing the revised pay amounts for the ordinance. And they said this information did not cause them to want to make any changes to the proposed compensation amounts in the ordinance. Councilwoman Mehring asked if a council member would still get the new monthly compensation amount of \$100 if they only came to one meeting. Fiscal Officer Harnishfeger responded that the Village has an ordinance stating that council members' compensation is conditioned upon a member attending at least one council meeting monthly or being excused for nonattendance by Council. Ms. Mackey added that years ago members were paid only for the meetings they attended. Then it was changed to half-pay if you didn't come to a meeting and full pay for meetings attended, but it was confusing and hard for the fiscal officer to keep track of. Councilman Smith remarked that members also do a lot of things outside of just coming to meetings.

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Fiscal Officer Harnishfeger reminded members that he had emailed them a letter from the Wood County Budget Commission, requesting approval of their proposed plan for distribution of the Local Government Fund (LGF) to each subdivision in the county over the next five years. Recent changes in the law require political subdivisions in a county to review and approve alternative formulas put forth by the Budget Commission for distribution of the LGF. On October 29<sup>th</sup>, the Budget Commission invited all local governments to an information meeting to discuss alternative methods of distribution of Wood County's LGF. On November 8<sup>th</sup> and 18<sup>th</sup>, they met to develop a proposal for distribution of the LGF for the next five years. They updated an old formula from 1988 to a new, clearer and explainable formula, based primarily on population, and which reduces the County's share from an allowable 50% to 32% in 2027 and thereafter. Mr. Harnishfeger told members that he had called the County and confirmed that all the Budget Commission needs is a motion and roll call vote, recorded in the subdivision's minutes, to approve or disapprove of their LGF distribution plan. Mr. Harnishfeger recommended that Council approve the plan. Councilman Neal asked how much we received this year in LGF funds. Mr. Harnishfeger said he did not know the exact amount off the top of his head, but he doesn't expect the new plan to make significant changes in the amount we will receive. Mr. Neal pointed out that the spreadsheet provided by the Budget Commission for their new plan shows over \$4,400 for Tontogany in 2025 and over \$6,000 in 2026. Mayor Shanahan asked what we use the money for. Mr. Harnishfeger replied that it goes into the general fund and can be used for any current operating expenses. Councilman Bergfeld made a motion to approve the Wood County Budget Commission's proposed plan for distribution of the Local Government Fund. Councilman Smith seconded this motion. The roll being called upon this motion the vote resulted as follows: Mackey-Aye; Mehring-Aye; Smith-Aye; Bergfeld-Aye; Fox-Aye; Neal-Aye. Motion carried.

Fiscal Officer Harnishfeger reported that there are four paid hall rentals in December: Saturday the 7<sup>th</sup>, Sunday the 8<sup>th</sup>, Saturday the 14<sup>th</sup>, and Saturday the 21<sup>st</sup>.

Mayor Shanahan reported that he met with the potential Eagle Scout who did the gaga ball pit. The cost of the project was \$80 less than the planned budget and the recommendation was that he turn the unspent money over to the beneficiary. Therefore, the mayor said that he instructed the Scout to just write a check to the Village of Tontogany. Councilwoman Mackey made a suggestion that next year we might want to purchase some heavier-duty gaga balls, because most of them have blown away.

**ZONING:** Councilman Neal reported that he did some research on the issue of whether or not we have ordinances. He reminded members that every year the Village passes an ordinance to adopt American Legal Publishing's Ohio Basic Code as the code of ordinances for Tontogany, which is a book full of an abundance of ordinances. He pointed out that Section 3 of the latest ordinance adopting Ohio Basic Code states that, "All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2024 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance" (with certain exceptions enumerated). He emphasized that all of the Ohio Basic Code ordinances have become our ordinances and there is plenty of code in there to cover things like building problems, barking dogs, or other issues we may need to deal with. Mr. Neal stated that the person who really should be looking at the Ohio Basic Code is Zoning Inspector Johnson, because he is supposed to be managing nuisances for the Village. Mr. Neal asked Fiscal Officer Harnishfeger if Mr. Johnson gets a copy of the Ohio Basic Code. Mr. Harnishfeger answered that we buy five copies each year, one of which goes to the zoning inspector. Zoning Inspector Brian Owens received a copy, but he quit, so he should turn that book over to Chad Johnson. Mayor Shanahan said he thought the book was probably in the briefcase of materials Mr. Owens turned in to him to give to Mr. Johnson. Mr. Neal had a copy of the Ohio Basic Code with him and he showed members some sample sections on animals, buildings, and vehicles. He told members that the section on buildings talks not only about the building, but it also gives guidance on how you can go about solving the problem. He said he called Solicitor Skaff this afternoon and had a long conversation with him about these matters,

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to make certain he wouldn't be making bad suggestions to Council. Mr. Neal said that Solicitor Skaff agreed with him about the use of the Ohio Basic Code. He said that one thing Mr. Skaff stressed was that the zoning inspector is an administrative position, whereas the Council represents the village. Mr. Neal said he thought therefore that Council's concern with the zoning inspector is whether he is keeping Council informed about the village and how we are doing. He pointed out that we get a monthly sheriff's report to tell us how the village is doing regarding incidents, so he thought it would be reasonable for Council to similarly receive some sort of a log from the zoning inspector about who is getting nuisance complaints and what is being done about resolving them. In summing up, Mr. Neal said he thought we should make use of the Ohio Basic Code that we adopt every year and we should apply it consistently, not inconsistently. Councilman Bergfeld asked if it might be beneficial to have on the website a way for people to report a nuisance, or a dedicated email, so we could keep track of every nuisance complaint we receive. Mr. Neal responded that he wasn't sure, but it would be something we would want to talk to Solicitor Skaff about, since there is a difference between a complaint and an actual nuisance. He also commented that we should be telling the person who is getting a complaint that there is a complaint, rather than holding off on doing so. He said that Solicitor Skaff had made it clear that there are specific stages in the complaint process. Mr. Neal cautioned that we do not want to accuse someone of a nuisance until we go through the stages of the complaint process and validate that we really do want to file a nuisance claim.

Councilman Neal reported that he had asked Solicitor Skaff if we should have a waiver for businesses to sign, releasing the Village from any liability regarding their information posted on our website. He said Mr. Skaff couldn't think of anything that would make that necessary.

**UTILITIES:** Councilman Smith reported that Utilities Superintendent Johnson turned off the water fountain. Councilwoman Mackey added that she talked with Mr. Johnson, who told her that the pipe configuration that Kellermeier put in at the fountain was causing water to collect and freeze. So, Mr. Johnson took it apart and blew it out to keep it from freezing. Ms. Mackey said she thanked him on behalf of Council.

**STREETS and ALLEYS:** Mayor Shanahan reported that he had not looked to see if Isaac did a Durapatch job on the hole in the alley. Members said that he had not done it yet.

Councilman Fox reminded members that a couple of months ago he had brought up the need for some stop signs to be replaced because they are faded. He added that stop signs are very important and they should be bright red. Mayor Shanahan commented that he had noticed some street signs in the village are also fading. Councilman Smith suggested that it might be a good idea to buy a 12-pack of stop signs. Councilwoman Mackey asked if changing out stop signs is something we would employ Isaac to do, or maybe Jim Head, since he has expressed a willingness to continue to do work for the town. The mayor agreed that either one would be fine. Councilman Smith commented that it is an easy job, just dealing with a couple of bolts. The mayor asked Mr. Fox to put together an inventory of what stop signs need changed. Mr. Smith suggested that maybe the county or ODOT or Bowling Green might have a few extra signs to share.

**SIDEWALKS and TREES:** Councilwoman Mehring remarked that she thought our Christmas tree this year is the best looking one we have had in a long time. Councilman Smith commented that the tree was bigger this year and they had to get a bigger truck and trailer to get it here. The mayor and members discussed how people have donated trees over the years, using the fact that they wanted to get rid of a tree as an opportunity to benefit the village at the same time by donating the tree.

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

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**CITY HALL and PARKS:** Councilman Smith reported that he attempted to take down the wreath from the side of the hall today, but didn't complete it; he will have to make another effort. The wreath is no good anymore and is destined for the dumpster.

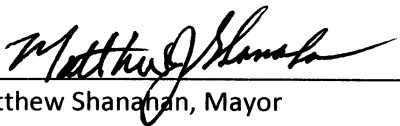
Councilman Fox reported that someone left a paper shredder and a bunch of Christmas light wires in front of one of the recycling bins. Councilwoman Mackey commented that she and Ron found a plastic baby type of toy or walker on wheels by the recycle bins and they took it to the hall to have it go out with the weekly trash pickup. Mr. Fox said he looked later and the junk he had seen was gone. Mayor Shanahan commented that we need to get the recycle sign changed from Wednesday to Friday. Councilman Smith replied that he would talk to Hannah and see if she can use her Cricut machine to make a vinyl Friday sticker to put on the sign.

Councilwoman Mackey reminded members that they had talked several meetings ago about putting together a basket of goodies to give to Jake Heckerman for Christmas. She asked if everyone still wanted to do that and if everyone would want to chip in a couple of dollars for it. Councilman Fox suggested that everyone chip in \$5 and buy him a gift card with it. After a little discussion, members decided to go with the gift card idea, invite Jake to the last meeting of the year, and thank him and give him the gift card at that meeting. Ms. Mackey said she would call Jake's dad, Josh, and ask him what kind of a gift card he thought Jake would like, and to help make sure that Jake comes to our last meeting on December 16<sup>th</sup>.

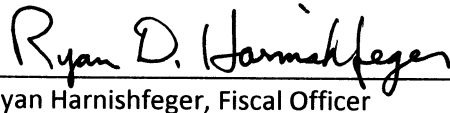
Councilman Neal reported that the link to get information from the Regional Income Tax Agency (RITA) is posted on our website. The link will take taxpayers to all of the information they may need about non-filing letters or other tax questions. Mr. Neal also reported that he had Haley add the Suburban Gas emergency numbers to the website's Utilities page.

Mayor Shanahan reminded everyone that our tradition is to each bring some snacks to the last meeting of the year and then enjoy a little time together after the meeting is adjourned.

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



Matthew Shanahan, Mayor



Ryan Harnishfeger, Fiscal Officer