



Regular Council
Tuesday, June 16, 2020 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for June 16, 2020 at 6:35 PM.

2. Roll Call

Council Present: Mayor Chip Dutcher, Benjamin Lee, Cheryl Robertson, Carol Van Deest, Marvin Block, Doug Lehner, Sharon Hendren

Staff present: Jim Lenner - Village Manager, Jack Liggett - Assistant Village Manager, Abe Haroon - Chief of Police, Dana Steffan - Finance Director, Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Yazan Ashrawi - Village Law Director

Public present: Jack Reynolds, Lewie Main, Andrew Ross, Charlie Burke, Dave Pontia, Jon Merriman

3. Invocation - Mr. Lee

4. Pledge of Allegiance

5. Action on Minutes

a. June 2, 2020

ACTION: Ms. Van Deest moved to approve ; Mr. Lee seconded and the vote was as follows:

AYES: Benjamin Lee, Doug Lehner, Marvin Block, Chip Dutcher, Cheryl Robertson, Carol Van Deest, Sharon Hendren

NOES: None

ABSTAIN: None

Passed 7 - 0

6. Correspondence

a. Charles Parker re: Rice property

Mayor Dutcher said the letter from Charlie Parker was sent out with the packet, he said he thought since council will consider that later, his letter should be noted.

b. Citizens of Concord Crossing West re: Loud noise

Mayor Dutcher said some citizens living in Concord Crossing West sent a letter regarding noise from Ohio Pack; Jim Blair is in the process of setting up a meeting with Ohio Pack to address.

7. Citizen comments on matters not on the agenda
There were no public comments
8. Council Committee reports
 - a. **Planning & Zoning:** 6/9/20 cancelled; Next 6/23/20 @ 6:30 pm Council Chambers
 - b. **Safety & Service:** Met 6/2/20 updated last time; Next 7/7/20 @ 5:00 pm Council chambers
 - c. **Finance:** 6/16/20; Next 7/21/2020 @ 5:00 pm Council chambers
Met tonight; Talked about CARES Act distribution; talked about House Bill 163 and village objection to it, will be sending correspondence to Senator Hottinger and Representative Frazier with regard to out of municipality water rates and ability for the municipality selling the water to set the rate. Reviewed water accounts and stats for non-payment. Discussed RITA income tax delinquency program, will be sending letter reminders if payments are not made by the new deadline of July 15th. Decision that two trees destroyed by a vehicle accident on Parkdale Drive will not be replaced with village funds. Project Mastodon is back on the table; Mr. Lenner said he has reached out to One Columbus and GROW Licking County to mobilize their efforts. The RFP for a new village website was released, five responses were received and based on the budget of three to five thousand, one response came in at \$4,500; the next at \$5,000 and after scoring out, Michelle Newman of Granville rose to the top based on price and existing work with local governments. A surplus of Police Department funds from unpaid salaries based on being short-staffed will be used toward needed programs and items within the department; Chief Haroon will coordinate a complete overhaul of department policies and procedures; look at a Computer Automated Dispatching system (CAD) to increase efficiency and productivity as well as equip officers with the right uniforms and equipment to do their job. Chief Haroon noted the department has also received a grant for \$2,300 to cover the three vests he will purchase this year for new hires.
 - d. **Economic Development:** Met 6/4/20; Next 7/2/20 @ 10:00 am Council chambers
Discussion with an individual about incubator space.
 - e. **Park & Rec:** Met 6/11/20; Next 7/9/20 @ 10:00 am Council chambers
Discussed plans for the Trailhead Park; dog park, pickleball court, basketball court, shelter house and applying for a grant through the Energy Coop. Bikepath paving to start next week. Playgrounds and shelter houses are now open.
 - f. **Miles Estate:** Next TBD
 - g. **Joint Recreation:** Next TBD
 - h. **School District Liaison:** Next TBD
 - i. **Storm Water Management:** Next TBD
Jack Liggett updated that step one will be to send a letter to HOA's etc. that all dry ponds will need to be cleaned of debris and overgrowth and brought back to a mow-able area. For wet ponds, engineers will provide a set of basic rules for wet/retention ponds and Jack will formulate a letter to send out; hoping to have out within the next thirty days.
 - j. **Rules:** Next TBD

- k. **Personnel Board of Review:** Next TBD
 - l. **Tree Commission:** Next TBD
9. Director Reports
- a. Police
Chief Haroon said he is working to hire two officers. Has set a six month E.T.A. for updating department policies. Peaceful march took place on Saturday. Plans to bring the auxiliary program back, has been paused due to COVID-19. Statistics reviewed, noted two person calls were up and at times does not have the extra officer to cover.
 - b. Finance
Dana Steffan reviewed her report with Council; no further questions were asked.
10. Tabled Legislation
- | | |
|-----------------|--|
| ACTION: | Benjamin Lee moved to take Resolution 2020-13 from the table; Cheryl Robertson seconded and the vote was as follows: |
| AYES: | Doug Lehner, Marvin Block, Mayor Dutcher, Cheryl Robertson, Carol Van Deest, Sharon Hendren, Ben Lee |
| NOES: | None |
| ABSTAIN: | None |
- Passed 7 - 0**

- a. **RESOLUTION 2020-13** A RESOLUTION ACCEPTING AN ANNEXATION OF 81.556 ACRES, MORE OR LESS, FROM MONROE TOWNSHIP, LICKING COUNTY TO THE VILLAGE OF JOHNSTOWN (PETITIONERS: ANDREW LEE RICE; MARY NEDA ANN SHAUB; CHARLES L. PARKER, CO-TRUSTEE OF THE PARKER FAMILY TRUST; MARILYN J. PARKER, CO-TRUSTEE OF THE PARKER FAMILY TRUST) (Introduced and Tabled April 21, 2020)

Public Hearing

1. Jack Reynolds, Attorney with Smith and Hale, represents the applicants requesting annexation of the Rice property,

- Said clients are very interested in following through on having property in the village, they cannot get services from the the Township for water, sewer and Police protection; the village provided a Service Resolution that indicated services available upon annexation.
- Noted the letter from Charlie Parker and desire to come into the village
- No use of property planned at this time.

2. Charlie Burke - 6000 Johnstown-Alexandria Road

- Asked what the zoning would be if the property were annexed. Village Law Director answered that recent local legislation passed for the village identifies any property annexed in, not simultaneous with a rezoning or planned unit development, would come in as a rural zoning and that is also the default code under the Ohio Revised Code.
- Asked what that density would be. Village Planner answered that the density for Rural Residential is one home for every three acres.
- Said working with a representative or want for a municipal partnership is vital, but he doesn't know if the deeds match the words that are being spoken here.

Mayor Dutcher closed the Public Hearing

ACTION: Ben Lee moved to Approve Resolution 2020-13; Cheryl Robertson seconded and the vote was as follows:
AYES: None
NOES: Marvin Block, Mayor Dutcher, Cheryl Robertson, Carol Van Deest, Sharon Hendren, Ben Lee, Doug Lehner
ABSTAIN: None

Failed 7 - 0

11. Public Hearings of Legislation

Vision Statement: The Village of Johnstown is dedicated to providing a secure community environment that fosters cultural, recreational, educational and economic opportunities while preserving our unique historical character

- a. **ORDINANCE 17-2020** AN ORDINANCE AMENDING CONDITIONAL USES LISTED IN CHAPTER 1159 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES. (Introduced June 2, 2020)

This will add Emergency Medical Services as a Conditional Use in the Light Manufacturing zoning district.

Public Hearing: There were no comments either for or against.

ACTION: Carol Van Deest moved to Approve; Benjamin Lee seconded and the vote was as follows:
AYES: Chip Dutcher, Cheryl Robertson, Carol Van Deest, Sharon Hendren, Ben Lee, Doug Lehner, Marvin Block
NOES: None
ABSTAIN: None

Passed 7 - 0

- b. **ORDINANCE 18-2020** AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS. (Introduced June 2, 2020)

This is the ordinance to approve appropriations and revenue received from the bond proceeds. The bond proceeds are to cover expenditures for new water line infrastructure, new water tower, sewer line upgrades, a salt temple, a plow truck and various street projects. This bond begins in 2020 to go through 2050 at the longest point; 8.7 million dollars was received from the proceeds of the sale.

Public Hearing: There were no public comments either for or against.

ACTION: Sharon Hendren moved to Approve; Carol Van Deest seconded and the vote was as follows:
AYES: Cheryl Robertson, Carol Van Deest, Sharon Hendren, Ben Lee, Dough Lehner, Marvin Block, Mayor Dutcher
NOES: None
ABSTAIN: None

Passed 7 - 0

- c. **ORDINANCE 20-2020** AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS. (Introduction June 2, 2020)

This is to allocate funds for the purchase of the iWorQ program for the Service departments of Water, Sewer and Street; also for purchasing some technology for council. These expense were offset somewhat by some additional revenue.

Public Hearing: There were no public comments either for or against.

ACTION:	Carol Van Deest moved to Approve; Benjamin Lee seconded and the vote was as follows:
AYES:	Carol Van Deest, Sharon Hendren, Ben Lee, Dough Lehner, Marvin Block, Mayor Dutcher, Cheryl Robertson
NOES:	None
ABSTAIN:	None

Passed 7 - 0

- d. **RESOLUTION 2020-16** RESOLUTION TO COMPLY WITH FEDERAL GUIDELINES REGARDING FEDERAL MONIES RECEIVED PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT.

This resolution has been provided by the Ohio Municipal League and is needed to take advantage of any CARES Act funding that the village would be eligible for; eligible expenses are direct expenses that are pandemic or health related, not included in the 2020 budget.

Public Hearing: There were no public comments either for or against.

ACTION: Cheryl Robertson moved to Approve; Carol Van Deest seconded and the vote was as follows:

AYES: Sharon Hendren, Ben Lee, Doug Lehner, Marvin Block, Chip Dutcher, Carol Van Deest

NOES: None

ABSTAIN: None

Passed 7 - 0

Mr. Lee asked the Finance Director if there was a fund set up specifically for this yet. Ms. Steffan said the fund is necessary but does not have to be passed by ordinance or resolution, it will just be set up within the budget.

- e. **RESOLUTION 2020-17** A RESOLUTION OPPOSING PROPOSED STATE OF OHIO LEGISLATURE HB 163 WHICH PROPOSES PENALIZATION OF MUNICIPALITIES THAT CHARGE HIGHER WATER RATES OUTSIDE OF THEIR TERRITORY BY WITHHOLDING LOCAL GOVERNMENT FUNDS AND OTHER MONIES WHICH WILL CAUSE A SUBSTANTIAL LOSS OF REVENUE NEEDED TO SUPPORT THE HEALTH, SAFETY, WELFARE AND ECONOMIC DEVELOPMENT EFFORTS OF OHIO MUNICIPALITIES.

Village Law Director provided background and status on the bill now heading to the senate; Mayor Dutcher said Senator Hottinger has been reminded that Johnstown strongly opposes this legislation. A letter from Council has been drafted to Representative Frazier to let him know of Johnstown's displeasure that he voted in favor of this bill when he knew beforehand that we opposed it. Mr. Block asked how many smaller towns this would affect and what about banding together with other small municipalities for a class action suit; Law Director said it has been done before and can be effective. Mr. Lenner said he could put feelers out through multiple channels if council desires to convene a group of smaller municipalities of the state and see what the appetite is for group action. Mr. Lee said the class action dialogue is not a bad idea and also expressed his disappointment with the passage of the bill in the House and with Mr. Frazier's vote. Mr. Lenner confirmed Council desire to go forward on conversations with other municipalities.

ACTION:	Benjamin Lee moved to Approve; Carol Van Deest seconded and the vote was as follows:
AYES:	Benjamin Lee, Doug Lehner, Marvin Block, Mayor Dutcher, Cheryl Robertson, Carol Van Deest, Sharon Hendren
NOES:	None
ABSTAIN:	None

Passed 7 - 0

12. Introduction of Legislation
N/A

13. Other Business

1. Discussion on future meetings and format; whether to continue to meet in person with social distancing or hold virtually. Council members were divided on preference; four in favor of in-person meetings and three that would like to remain virtual. It was asked if those who want to remain virtual could do so; Law Director said as long the virtual aspect of the meeting was available to the public as well as those attending in person; logistics would need to be explored. Council decision to remain virtual for all committee meetings and if the technology could be resolved for split council meetings then that could happen. Village Planner requested Planning and Zoning meeting be in-person next week as there will be a new member; there was no objection of council. Investigation on the possibility of a "hybrid" council meeting will be done.

2. Mr. Lee asked if there had been any conversations on the School Board Liaison Committee; Mayor Dutcher said Jim was working to set it up, along with a Joint Recreation meeting.

14. Executive Session: To consider the appointment of a Public Official

ACTION: Benjamin Lee moved to enter Executive Session to consider the appointment of a public official with Village Council members and each candidate at the appointed time; Sharon Hendren seconded and the vote was as follows:

AYES: Doug Lehner, Marvin Block, Mayor Dutcher, Cheryl Robertson, Carol Van Deest, Sharon Hendren, Ben Lee

NOES: None

ABSTAIN: None

Passed 7 - 0

Executive Session began at 8:01 p.m.

Council returned to regular session at 9:00 p.m.

Mayor Dutcher thanked the three applicants who applied for the Planning and Zoning Commissioner position and asked them to stay involved to provide input even if not chosen.

ACTION: Benjamin Lee moved that the remaining one and a half year term for Planning and Zoning be filled by Jonathon Merriman; Sharon Hendren seconded and the vote was as follows:

AYES: Marvin Block, Chip Dutcher, Cheryl Robertson, Carol Van Deest, Sharon Hendren, Ben Lee, Doug Lehner

NOES: None

ABSTAIN: None

Passed 7 - 0

15. Adjourn

As there was no further business to come before council;

ACTION: Marvin Block moved to adjourn; Sharon Hendren seconded

AYES: All were in favor

NOES: None

ABSTAIN: None

Passed 7 - 0

Meeting adjourned at 9:03 p.m.

Next Council Meeting July 7, 2020

Vision Statement: The Village of Johnstown is dedicated to providing a secure community environment that fosters cultural, recreational, educational and economic opportunities while preserving our unique historical character