



Regular Council Meeting
Tuesday, July 20, 2021 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Mayor Dutcher
4. Pledge of Allegiance
5. Executive Session: For the purpose of discussing pending or imminent court action with legal counsel
6. Action on Minutes
 - a. July 6, 2021
7. Correspondence
 - a. Ohio Division of Liquor Control
8. Citizen comments on matters not on the agenda
9. Council Committee reports
 - a. **Planning & Zoning:** Met 7/13/21 work session with Council and then regular; Next 7/27/21 @ 6:30 pm Council Chambers
 - b. **Safety & Service:** Met 7/6/21; Next 8/3/21 @ 5:00 pm Council Chambers
 - c. **Finance:** 7/20/21; Next 8/17/21 @ 5:00 pm Council Chambers
 - d. **Economic Development:** 7/1/21 cancelled; Next 8/5/21 @ 10:00 am Amin Office
 - e. **Park & Rec:** Met 7/8/21; Next 8/12/21 @ 10:00 am Admin office
 - f. **Tree Commission:** Next 7/27/21 @ 5:00 pm Council Chambers
 - g. **Events Committee:** Next 8/4/21 @ 5:00 pm
10. Director Reports
 - a. Finance Director
 - b. Chief of Police
11. Tabled Legislation
 - a. **ORDINANCE 07-2021** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE VILLAGE OF JOHNSTOWN. Tabled March 2, 2021
 - b. **RESOLUTION 2021-21** A RESOLUTION TO ADOPT THE PROPOSED DESIGN REVIEW DISTRICTS AND STANDARDS AS PRESENTED. Tabled June 15, 2021
12. Public Hearings of Legislation

- a. **ORDINANCE 27-2021** AN ORDINANCE AMENDING CHAPTER 1105 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES
- b. **ORDINANCE 31-2021** AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO, AND DECLARING AN EMERGENCY.
- c. **RESOLUTION 2021-26** A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO AWARD FOR WATER TREATMENT PLANT EXPANSION DESIGN SERVICES AND FEES
- d. **RESOLUTION 2021-27** A RESOLUTION TO APPROVE AN UPDATE TO THE JOB DESCRIPTION FOR EXECUTIVE ASSISTANT
- e. **RESOLUTION 2021-28** A RESOLUTION TO APPROVE AN UPDATE TO THE EMPLOYEE HANDBOOK
- f. **RESOLUTION 2021-29** A RESOLUTION TO ADOPT A POLICE DEPARTMENT AGREEMENT MANUAL

13. Introduction of Legislation

- a. **ORDINANCE 30-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

14. Other Business

15. Adjourn

Next Council Meeting August 3, 2021



Regular Council
Tuesday, July 6, 2021 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for July 6, 2021 at 6:33 PM.

2. Roll Call

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

Absent - None

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

Public present - Mary Queen Cool, John Luke, David Cool, Bonnie Estep, James Estep, Jeff Dopp, Betty Dopp, J Web, Kathy W, Addie Triplett, Eryn Queen, Bailey Williams, Makayla Fain, Andrea Beverly, Amber Walton, Jennifer Gain, Joyce Evans, David Scolvick

3. Invocation - Mr. Lee

4. Pledge of Allegiance

Mayor Dutcher said he would like to publicly thank Ben Lee, Doug Lehner, and Chief Haroon for making the Independence Day celebration a memorable experience for the residents and citizens of Johnstown and that we can be very proud of the show that was put on, the assistance of the American Legion Post 254, and the hard work it took to pull the event together. He said he heard great comments from people; that event plus the Firemen's Festival and parade the week before makes Johnstown a special place, he recognized the committee and the hard work and said he looks forward to next year.

5. Mayor Recognitions: Johnstown HS Softball and Track

Mayor Dutcher read and presented the JHS Softball team with a proclamation for their outstanding 2021 season. Another certificate was presented to the team by Joyce Evans.

6. Action on Minutes

a. June 15, 2021

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

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

NOES: None

ABSTAIN: None

Passed 7 - 0

7. Citizen comments on matters not on the agenda
No comments by the public.
8. Executive Session: To discuss imminent court action with legal counsel
Jim Lenner asked that Jack Liggett, Teresa Monroe, himself, and the Law Director join the session.

ACTION: Marvin Block moved that they go into Executive Session for the purpose of a potential lawsuit; Sharon Hendren seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

Executive Session began at 6:45 pm; Council returned to regular session at 7:20 pm.

9. Council Committee reports
 - a. **Planning & Zoning:** Met 6/22/21; Next 7/13/21 @ 6:30 pm Council Chambers
Work session on zoning code at the last meeting. Joint work session of Planning Commission and Village Council was scheduled for July 13, 2021 at 5:00 pm to review the Design Standards Ordinance tabled by Council.
 - b. **Safety & Service:** 7/6/21; Next 8/3/21 @ 5:00 pm Council Chambers
Discussion on energy aggregation, County Commissioner Bubb was present along with representatives from Palmer Energy, the County is looking at a county wide energy aggregation program for the election ballot; discussion to continue in Safety Service Committee. Talked about the Energy Cooperative substation upgrade off of Mink and proposal given to the village by the cooperative to purchase two acres of land adjacent to theirs and then a one hundred foot clear-cut from their current substation to Mink; committee voted 3-0 not to move forward with that because they did not want to see the park area and trees clear-cut and did not want to give up the ability for the village to utilize via right-of-way in that space and not in favor of selling two acres at this point. Reviewed construction projects; will be moving forward with thermoplastic to define property line from roadway at Ford and Coshocton Streets to maintain parking at the corner business. Mr. Block presented on the Tree Commission and Arborist recommendations for Main Street trees and the large oak at Trailhead Park; cost given for work needed is \$7,900, Ms. Klimchak to check on price reduction if all work is done at one time; decision made that the village would pay the costs for the Main Street trees and not the homeowner, discussion on

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

how to move forward with the expenditure in Finance Committee in two weeks. Talked about US 62 and Duncan Plains and the "water loop" that would take water down Duncan Plains to tie in another way to the Enterprise Center and also tie in the fifty acres on the other side of the street; we have bonded money not utilized toward the 310 expansion project, also on next Finance Committee for further discussion on total cost. Direction to add signage to Council Chambers/Admin entry doors.

- c. **Finance:** Met 6/15/21 updated last time; Next 7/20/2021 @ 5:00 pm Council Chambers
- d. **Economic Development:** 7/1/21 cancelled; Next 8/5/21 @ 10:00 am Admin Conference Room
- e. **Park & Rec:** Met 6/10/21 updated last time; Next 7/8/21 @ 10:00 am Admin Conference Room
- f. **Tree Commission:** Met 6/22/21; Next 7/27/21 Council Chambers
Planting two trees for Arbor Day, working on permission to plant one at the elementary school and one in front of the village admin building.
- g. **Events Committee:** Met 6/16/21 minutes attached and 6/30/21; Next TBD
Fireworks event was successful.

10. Director Reports

- a. Service Department: Water, Wastewater, Street
Jack Liggett reviewed the street, water, and wastewater department reports and highlighted some statistics. Ben Lee referenced the hydrant maintenance and asked if there had been any major issues come up that had not been planned for, "are we budgeted well for what we could come in contact with". Jack Liggett said right now we are doing ok, they are finding some felt seals that need replaced, have not seen any major problems at this point.
- b. Village Manager
Jim Lenner reviewed items in his report; Mayor Dutcher noted for the public record that the funds to pay for the Croton/Fairgrounds water and/or sewer project are County Commissioner funds. Some further discussion on potential sites for artwork throughout town.

11. Tabled Legislation

- a. **ORDINANCE 07-2021** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE VILLAGE OF JOHNSTOWN. Tabled March 2, 2021
Mayor Dutcher said this will be considered at next Council meeting; remains tabled.
- b. **RESOLUTION 2021-21A** RESOLUTION TO ADOPT THE PROPOSED DESIGN REVIEW DISTRICTS AND STANDARDS AS PRESENTED. Tabled June 15, 2021
Joint work session of P&Z and Council scheduled to review; remains tabled.

12. Public Hearings of Legislation

- a. **ORDINANCE 23-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE

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

NECESSARY CHANGES OF APPROPRIATIONS

Second reading. This is to pay the annual fee for Lexipol, law enforcement policy.

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

No debate by Council.

ACTION: Benjamin Lee moved to Approve; Cheryl Robertson seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

b. **ORDINANCE 24-2021** AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF JOHNSTOWN

Second reading. This rezones a property on US 62 from Light Manufacturing to GCC-2, it is identified as commercial on the Future Land Use Map and it was recommended to Council by the Planning and Zoning Commission 5-0; Ms. Klimchak said it will likely be developed into a hardware store.

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

No debate by Council.

ACTION: Marvin Block moved to Approve; Sharon Hendren seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

c. **ORDINANCE 25-2021** AN ORDINANCE AMENDING CHAPTER 1187 OF THE VILLAGE

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

OF JOHNSTOWN CODIFIED ORDINANCES AND ESTABLISHING A DESIGN REVIEW BOARD

Second reading.

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

No Council debate.

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

Passed 7 - 0

- d. **ORDINANCE 26-2021** AN ORDINANCE AMENDING SECTION 925.035 OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO IN ORDER TO SET SEWER TAP AND CAPACITY FEES CHARGED BY THE VILLAGE OF JOHNSTOWN AND DECLARING AN EMERGENCY

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

Passed 7 - 0

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

Jim Lenner said the reason staff is asking for an emergency is that we are in high growth mode in a lot of areas and currently under design of a new wastewater facility and want to ensure we are cognizant to the residents that pay sewer tap fees that everyone pays the respective amounts associated with the building. Mayor Dutcher drew attention to the added Section C.

No debate by Council.

ACTION: Marvin Block moved to pass Ordinance 26-2021; Carol Van Deest seconded and the vote was as follows:
AYES: Carol Van Deest, Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren
NOES: None
ABSTAIN: None

Passed 7 - 0

- e. **ORDINANCE 28-2021** AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO, AND DECLARING AN EMERGENCY.

This publishes Ordinances passed by Council.

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

Passed 7 - 0

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

Ben Lee said this is an emergency because this is coming from other legislative actions that are specific to our codified ordinances and must be included; need to be published.

ACTION: Benjamin Lee moved to Approve Ordinance 28-2021 as an emergency; Cheryl Robertson seconded and the vote was as follows:
AYES: Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest, Mayor Dutcher
NOES: None
ABSTAIN: None

Passed 7 - 0

- f. **ORDINANCE 29-2021** AN ORDINANCE AMENDING SECTION 921.06 OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO IN ORDER TO SET WATER TAP AND CAPACITY FEES CHARGED BY THE VILLAGE OF JOHNSTOWN AND DECLARING AN EMERGENCY

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

Passed 7 - 0

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

No Debate by Council.

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

Passed 7 - 0

- g. **RESOLUTION 2021-25** A RESOLUTION RECOGNIZING JUNETEENTH AS AN OFFICIAL HOLIDAY

The Juneteenth holiday was passed on short notice; Mr. Lenner said each staff member will be given eight hours of personal leave and then next year it will be an official holiday on the village calendar.

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

Mr. Lee asked if it would be easier for a payout if it is not used and could it be utilized next

year; Mr. Lenner said Directors have been instructed to make sure they find time for it.

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

Passed 7 - 0

13. Introduction of Legislation

a. **ORDINANCE 27-2021** AN ORDINANCE AMENDING CHAPTER 1105 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Recommendation to updated Chapter 1105 of the Codified Ordinances referencing Preliminary Plan Applications, they currently do not require preliminary plan for water, sewer, storm drainage and other utility systems, recommendation to include by Planning and Zoning by a 3-1 vote.

Public Hearing July 20, 2021

14. Other Business

1. Ms. Hendren asked about the city flag contest submissions; Park and Rec committee to review, entries will be sent out to greater Council.
2. Ms. Van Deest said that Park and Rec Committee will be getting the Joint Recreation District Board up and running.
3. 267 N. Main Street (old nursing home) called out for property maintenance and that it is becoming a public eyesore; Mr. Blair provided update on action.
4. Mr. Lee said he listed entities to thank on Facebook for the Fireworks Event but wanted to thank those present tonight; Council and Staff, the Events Committee, and the Police Department for planning and execution of the event.
5. Ms. Hendren noted August 21st Summerfest event

15. Adjourn

ACTION: Marvin Block moved to Adjourn; Cheryl Robertson seconded and all were in favor.
AYES: Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest
NOES: None

ABSTAIN: None

Passed 7 - 0

The meeting adjourned at 8:15 pm

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

2190478		TRFO		DIRTY BUNS & BREWS LLC DBA OLD HORSESHOE 1ST & 2ND FLRS W/BSMT & PATIOS 65 S MAIN ST JOHNSTOWN OHIO 43031
PERMIT NUMBER		TYPE		
02	01	2020		
ISSUE DATE				
06	23	2021		
FILING DATE				
D5				
PERMIT CLASSES				
45	088	B	F25564	
TAX DISTRICT		RECEIPT NO.		

FROM 06/25/2021

1327888				CASUAL DINING LLC 1ST & 2ND FLRS W/BSMT & PAIOS 65 S MAIN ST JOHNSTOWN OHIO 43031
PERMIT NUMBER		TYPE		
02	01	2020		
ISSUE DATE				
06	23	2021		
FILING DATE				
D5				
PERMIT CLASSES				
45	088			
TAX DISTRICT		RECEIPT NO.		



MAILED 06/25/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN. 07/26/2021

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B TRFO 2190478**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF JOHNSTOWN CITY COUNCIL
599 SOUTH MAIN ST
JOHNSTOWN OHIO 43031



Finance Director's Report to Council
July 20th, 2021

1. Tax Revenue. Total Income Tax revenue collected through June 2021 was \$1,386,300. This represents 61.0% of 2021 Budgeted Income Tax revenue of \$2,270,400, and a 37.2% increase from 2020 collections for the same period.

The largest source of the Village's income tax revenue, withholding taxes derived from individuals working in Johnstown, increased 26.8%, individual returns increased 32.1%, and business net profits increased 232.5% as compared to the same period in 2020.

The table below illustrates the Village's June YTD income tax revenue from 2017 through 2021:

	2017	2018	2019	2020	2021
Withholding	\$ 474,774	\$ 524,612	\$ 570,892	\$ 577,826	\$ 732,908
Individual	\$ 353,366	\$ 452,861	\$ 523,374	\$ 391,454	\$ 516,924
Net Profit	\$ 134,196	\$ 94,129	\$ 94,275	\$ 41,047	\$ 136,468
Total	\$ 962,336	\$ 1,071,602	\$ 1,188,541	\$ 1,010,326	\$ 1,386,300

Withholding taxes have increased every year from 2015-2021; this can be attributed to an increase in the number of jobs and increased pay rates in Johnstown.

Individual income tax collections for June YTD have surpassed Prior YTD collections.

The **2021 Net Profit** revenue at its highest. Key businesses driving this increase include Atrium, Washington Auto Parts, CRC Metal Products, and Bleckmann.

2. Revenues and Expenditures. See attached spreadsheets for 2021 year-to-date revenue collections and expenditures.

Notes on Revenue:

General Fund – Real Estate Tax – The second half distribution will be received from Licking County in October. Based on the first half collection, I expect to receive about \$67k more than the amount budgeted.

General Fund, Shared Taxes – Local Government distributions were \$7,700 in June. My current expectation for total receipts is \$101,424, surpassing the \$85,000 budgeted amount.

General Fund, Interest – The negative revenue showing here is a result of decreased earnings on our investments during Q1. We are seeing positive returns (unbooked) in Q2, therefore this negative balance will change to a positive balance.

General Fund, Permits, Fines & Licenses –Zoning permits collected YTD are \$48,900 (\$30,000 budgeted for the year) due to the many New Build zoning fees collected thus far, as well as a \$19,100 preliminary plot application for Concord Rd area (received in March).

General Fund, Misc – \$15,000 was donated in June for the Mobility hub concept. \$18,000 was received for goods sold on online auction throughout the year.

Street Construction / State Highway Funds – Both are slightly lower than budget for Q1 due to the loss of revenues for the Gasoline tax as a result of COVID-19 and its impacts on travel. In 2020 we budgeted \$300,000 and received \$267,454, a shortfall of \$32,546. The 2021 budgeted amount is also \$300,000. At this time, we are projecting a shortfall of \$35,000 in 2021 for the Gasoline Excise Tax. However, summer travel could prove high enough to shrink or eliminate this shortfall projection. Motor Vehicle Registration revenue was budgeted at \$96,750 in 2021. Currently we are projecting a surplus of \$18,000. With community growth, new homes & residents, we will likely see this line continue to increase in the near future.

2906 Restricted Police Grants – Sales of police items on GovDeals are going into this Fund.

5101 Water Operating YTD collections include a \$60,000 contract payment from New Day Farms. Without this payment, our collections are 56.9% of budget.

Water/Sewer Improvements Funds have each collected >100% of their respective budgets due to eighty-eight (88) new homes & one (1) new commercial building permitted YTD. Each new build home brings in \$7,400 into the Water Improvements Fund, and \$7,400 into the Sewer Improvements Fund. New Day Farms has also paid \$132,649 in bulk sewer hauling YTD.

Enterprise Deposit Fund has collected >100% of its annual budget due to the high number of new homes permitted.

Notes on Expense:

General Fund, Legislative Activities is 76% spent as a result of large legal fees. This appropriation will need to be increased again so that outstanding invoices (currently \$16k) can be paid. Ordinance 30-2021 will be introduced at tonight's Council meeting to increase the legal budget by \$16,000.

General Fund, Land & Buildings is 80% spent largely due to the April payment on the annual property & casualty insurance premium of \$55,000.

Debt Service Fund – Mid-year payments of debt principal have been made to OPWC in May. The majority of these payments will occur in November-December 2021.

Water Debt & Sewer Debt – Mid-year payments of principal & interest have been sent to the OWDA and OPWC in May. The payments that are due in December will exhaust these encumbrances.

3. American Rescue Plan Act – We have registered and have been approved to receive our first tranche payment of \$267,010.45. The funds should be deposited into our bank account by 7/22/2021.

Respectfully Submitted,



Dana Steffan, CPA

Finance & Human Resources Director

	A	B	C	D	E	J
1	Village of Johnstown Financial Report					
2						
3						
4						
5	Revenues					
6	<i>as of 6/30/2021</i>					
7	A/C	Sub-Fund		2021 Expected Revenues	Actual Revenues	
8	1000	Real Estate Tax		\$ 265,000	\$ 166,460	62.81%
9	1000	Income Tax		\$ 2,270,400	\$ 1,386,300	61.06%
10	1000	Shared Taxes		\$ 90,300	\$ 50,927	56.40%
11	1000	Charges for Services		\$ 150	\$ 160	106.67%
12	1000	Permits, Fines, & Licenses		\$ 228,700	\$ 146,744	64.16%
13	1000	Interest		\$ 25,000	\$ (1,865)	-7.46%
14	1000	Miscellaneous		\$ 28,000	\$ 36,663	130.94%
15	1000	Other Financing Sources		\$ -	\$ 4,486	
16	1000	Total General Fund		\$ 2,907,550	\$ 1,789,875	61.56%
17						
18	2011	Total Street Construction & Repair		\$ 462,810	\$ 178,582	38.59%
19						
20	2021	State Highway & Improvement		\$ 23,940	\$ 11,087	46.31%
21						
24	2901	Mayor's Court - Computer		\$ 1,000	\$ 580	58.00%
25						
26	2906	Restricted Police Grants		\$ 2,000	\$ 6,829	341.43%
27						
28	2907	Right-of-Way Fund		\$ 30,000	\$ 2,864	9.55%
29						
32	5101	Water Operating		\$ 639,750	\$ 423,951	66.27%
33						
34	5201	Sewer Operating		\$ 833,750	\$ 473,446	56.79%
35						
36	5701	Water Replacements & Improvements		\$ 308,000	\$ 506,840	164.56%
37						
38	5702	Sewer Replacements & Improvements		\$ 370,000	\$ 563,035	152.17%
39						
40	5721	Water Debt Service		\$ 430,000	\$ 270,482	62.90%
41						
42	5722	Sewer Debt Service		\$ 414,000	\$ 183,877	44.41%
43						
44	5781	Enterprise Deposit		\$ 40,500	\$ 41,114	101.51%
45						
48	9904	Mayor's Court		\$ 80,000	\$ 33,731	42.16%
49						
50		TOTAL ALL FUNDS		\$ 6,543,300	\$ 4,486,292	68.56%

	A	B	C	D	E	J
1	Village of Johnstown Financial Report					
2						
3	Expenditures					
4						
5	<i>as of 6/30/2021</i>					
6				2021	Actual	
7	A/C	Sub-Fund		Appropriations	Expenditures	
8	110	Police		\$ 1,267,422	\$ 648,678	51.18%
9	130	Street Lighting		\$ 65,000	\$ 31,407	48.32%
10	210	Public Health		\$ 19,500	\$ 9,364	48.02%
11	310	Recreation Department		\$ 26,450	\$ 9,342	35.32%
12	410	Zoning		\$ 154,382	\$ 79,575	51.54%
13	490	Economic Development		\$ 42,000	\$ 12,000	28.57%
14	710	Administration		\$ 512,091	\$ 216,327	42.24%
15	715	Legislative Activities		\$ 93,665	\$ 71,522	76.36%
16	720	Mayors Court		\$ 95,513	\$ 42,733	44.74%
17	725	Finance Department		\$ 84,301	\$ 51,540	61.14%
18	730	Lands & Buildings		\$ 108,200	\$ 87,390	80.77%
19	740	County Auditor (Property Tax Collection)		\$ 6,000	\$ 3,096	51.59%
20	745	State Auditor		\$ -	\$ -	#DIV/0!
21	755/760	Income Tax Administration		\$ 72,000	\$ 40,040	55.61%
22		Other Uses of Funds & Transfers		\$ 716,900	\$ 395,674	55.19%
23	1000	Total General Fund		\$ 3,263,424	\$ 1,698,687	52.05%
24						
25		Street Maintenance & Repair				
26		Street Cleaning, Snow Removal				
27		Traffic Signs & Signals				
28		Sidewalks (Capital outlay)				
29	2011	Total Street Construction & Repair		\$ 482,013	\$ 224,813	46.64%
30						
31		State Highway Maintenance				
32		Street Cleaning, Snow & Removal				
33		Traffic Signs & Signals				
34	2021	State Highway & Improvement		\$ 22,500	\$ 3,280	14.58%
41						
42	2901	Mayor's Court Computer		\$ 1,000	\$ 939	93.91%
45						
46	2903	Budget Stabilization Fund		\$ 60,000	\$ 6,380	10.63%
47						
50	2905	Leafy Dell Traffic Improvement Fund		\$ 10,000	\$ -	0.00%
51						
54	2907	Right of Way Fund		\$ 9,000	\$ 3,000	33.33%
55						
58	3101	Debt Service Fund		\$ 490,000	\$ 100,394	20.49%
59						
60	4901	Capital Projects		\$ 1,818,808	\$ 656,375	36.09%
61						

	A	B	C	D	E	J
1	Village of Johnstown Financial Report					
2						
3	Expenditures					
4						
5	<i>as of 6/30/2021</i>					
6				2021	Actual	
7	A/C	Sub-Fund		Appropriations	Expenditures	
62	4902	Capital Projects - US62		\$ 153,400	\$ 446	0.29%
63						
64	5101	Water Operating		\$ 835,003	\$ 408,422	48.91%
65						
66	5201	Sewer Operating		\$ 951,429	\$ 383,304	40.29%
67						
68	5701	Water Replacements & Improvements		\$ 4,452,623	\$ 651,664	14.64%
69						
70	5702	Sewer Replacements & Improvements		\$ 2,603,320	\$ 321,575	12.35%
71						
72	5721	Water Debt Service		\$ 396,600	\$ 139,336	35.13%
73						
74	5722	Sewer Debt Service		\$ 481,500	\$ 202,621	42.08%
75						
76	5781	Enterprise Deposit		\$ 36,000	\$ 20,873	57.98%
77						
80	9904	Mayor's Court		\$ 85,000	\$ 37,248	43.82%
81						
82		TOTAL ALL FUNDS		\$ 16,151,621	\$ 4,863,843	30.11%



1813

JOHNSTOWN POLICE DEPARTMENT



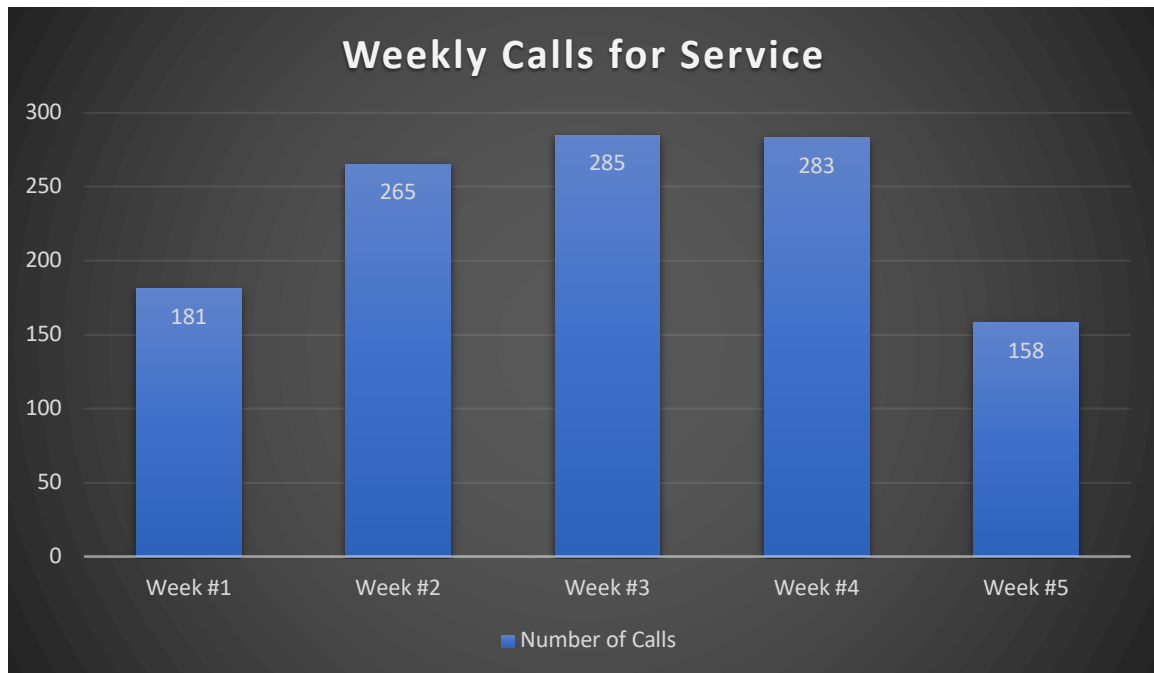
REPORT

CHIEF'S

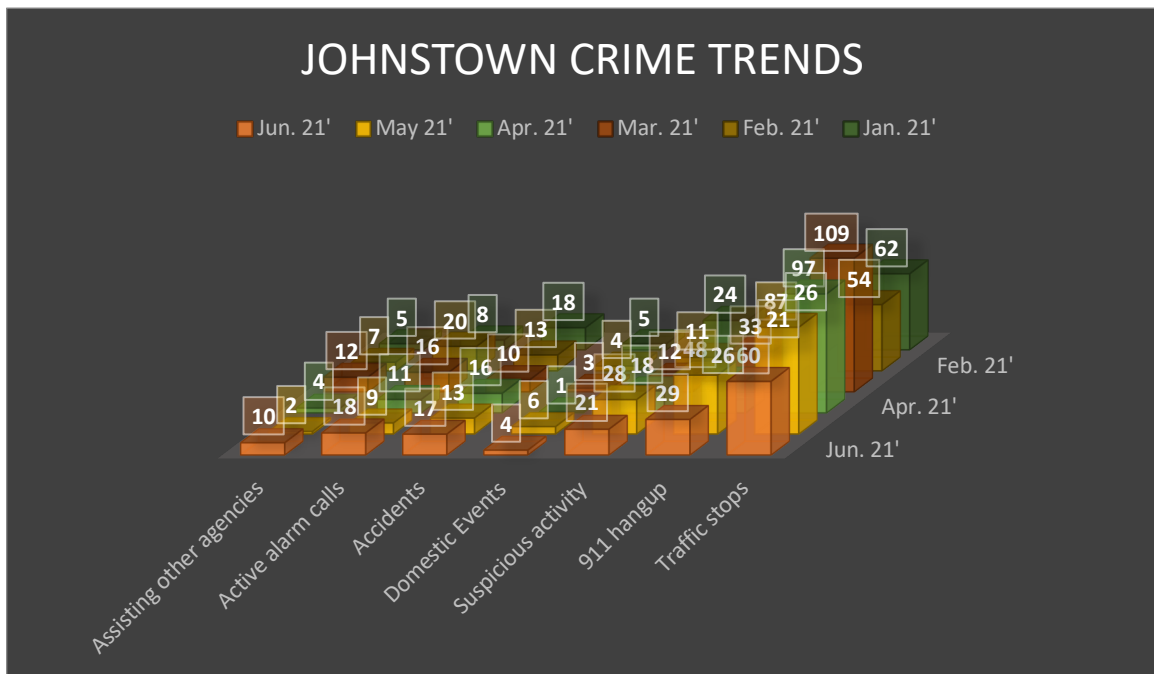
WELCOMES YOU
Established 1813

JUNE 2021

CRIME STATISTICS



- 1,172 CALLS FOR SERVICE
- 797 ACTIVE HOURS ON SERVICE CALLS
- 37 MINUTES AVERAGE PER AN EVENT
- 720 TOTAL HOURS IN THE MONTH OF JUNE



JOHNSTOWN

Calls for Service: 06/01/2021 Through 06/30/2021

10-ASSIST OTHER UNIT	10
12B-BURGLARY ALARM	18
15-WARRANT	2
2-NON INJURY ACCIDENT	15
20A- ACTIVE DOMESTIC	1
20V-VERBAL DOMESTIC	3
4-INJURY ACCIDENT	1
60-SUSPICIOUS PERSON	13
60A-SUSPICIOUS VEHICLE	8
70-DRUGS	1
91-911 HANGUP	14
91A-911 MISDIAL	15
TRAFFIC STOP	60
Total	161

The Johnstown Police Department experienced a 22% decrease in service calls over May 2021.

CRIME MAP (JUNE 2021)

The below map shows where officers took written reports in Johnstown. To protect the reporting parties, only pins with the corresponding report numbers are displayed on the map.

Twenty-seven (27) reports were taken in June 2021. There is an average completion of one (1) hour and twenty (20) minutes (including investigative follow up). Roughly, thirty-six (36) hours were spent completing reports.



ALLOCATED TIME OFFICERS SPEND DOING THEIR JOBS IN JOHNSTOWN, OHIO

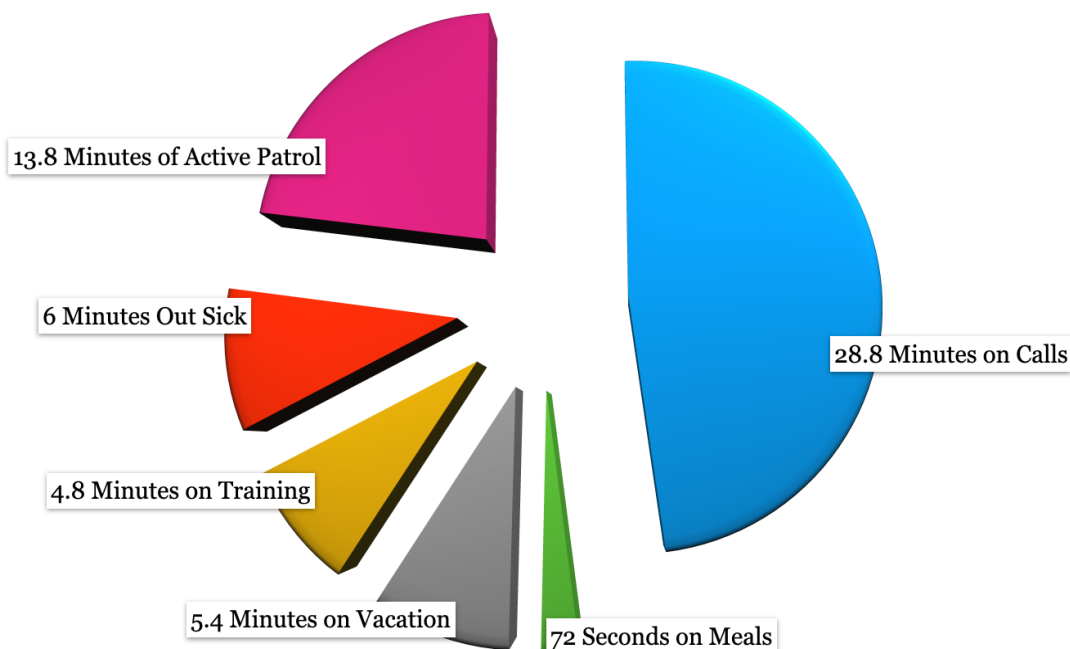
With Computer-Aided Dispatching (CAD) data, Chief Haroon can do a deeper dive into tasks that officers perform daily. The pie-chart below looks condenses the entire month into a one (1) hour snapshot. From here, Council can see how that time is spent doing tasks.

In June 2021, within a 24-hour block, an officer will spend roughly five (5) hours and thirty (30) minutes patrolling our community. An officer will spend the remainder of the eighteen (18) and thirty (30) minutes doing other tasks. The graph below highlights where the time is spent.

The data is obtained from June 2021 (30-days)

● On Calls ● Meals ● Vacation ● Training ● Sick Time ● Patrol Time

Of One (1) Hour Officers Spend:



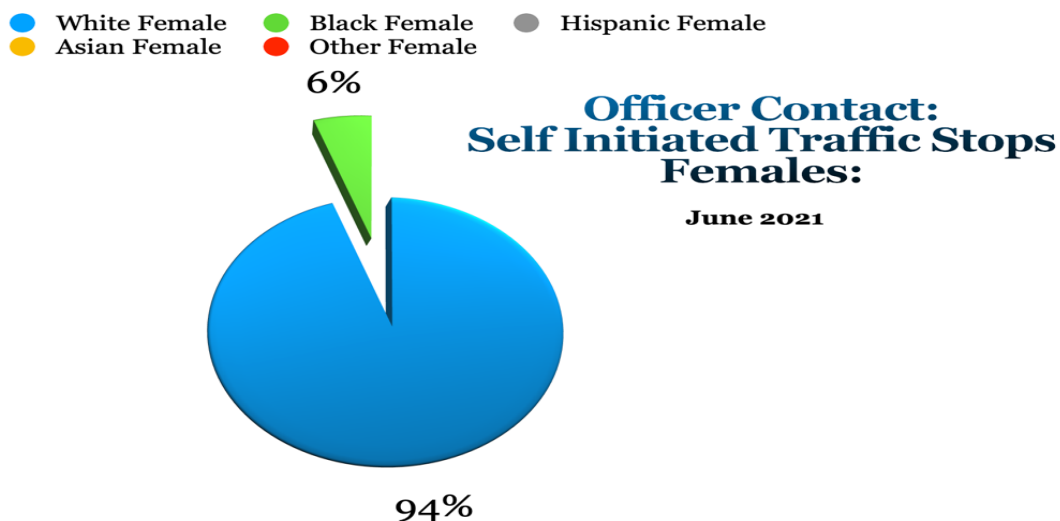
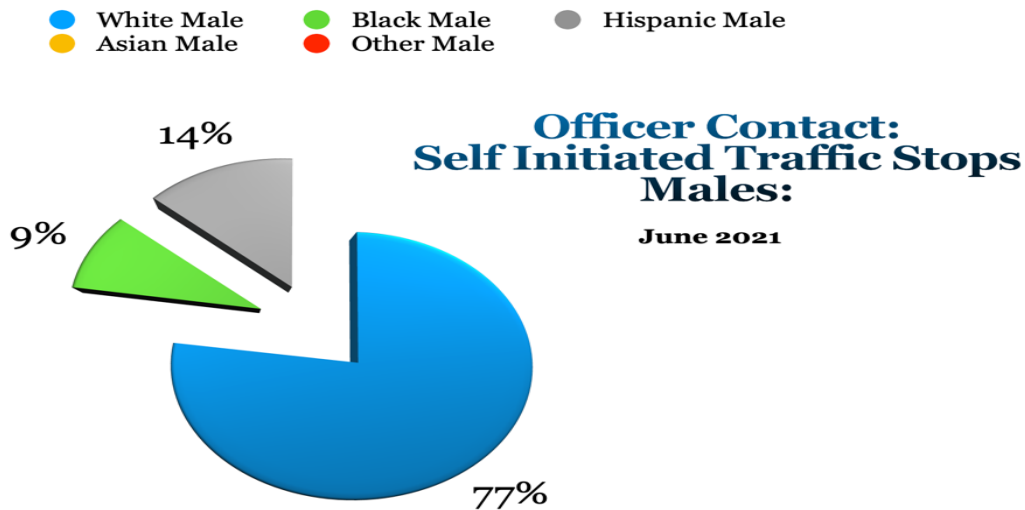
TRAFFIC STOPS

The State of Ohio recommends that police departments monitor the demographics of who is getting stopped by officers within their prospective jurisdictions. The data is also required to meet the guidelines set by the Ohio Collaborative Community-Police Advisory Board. The outcome is to provide police legitimacy through transparency.

The following pie-graphs outline the race and gender of who is being stopped by officers in Johnstown, Ohio. Moreover, the numbers remain consistent with:

- A. Our demographical makeup.
- B. Individuals are commuting within the area.
- C. Individuals that are working in and around Johnstown.

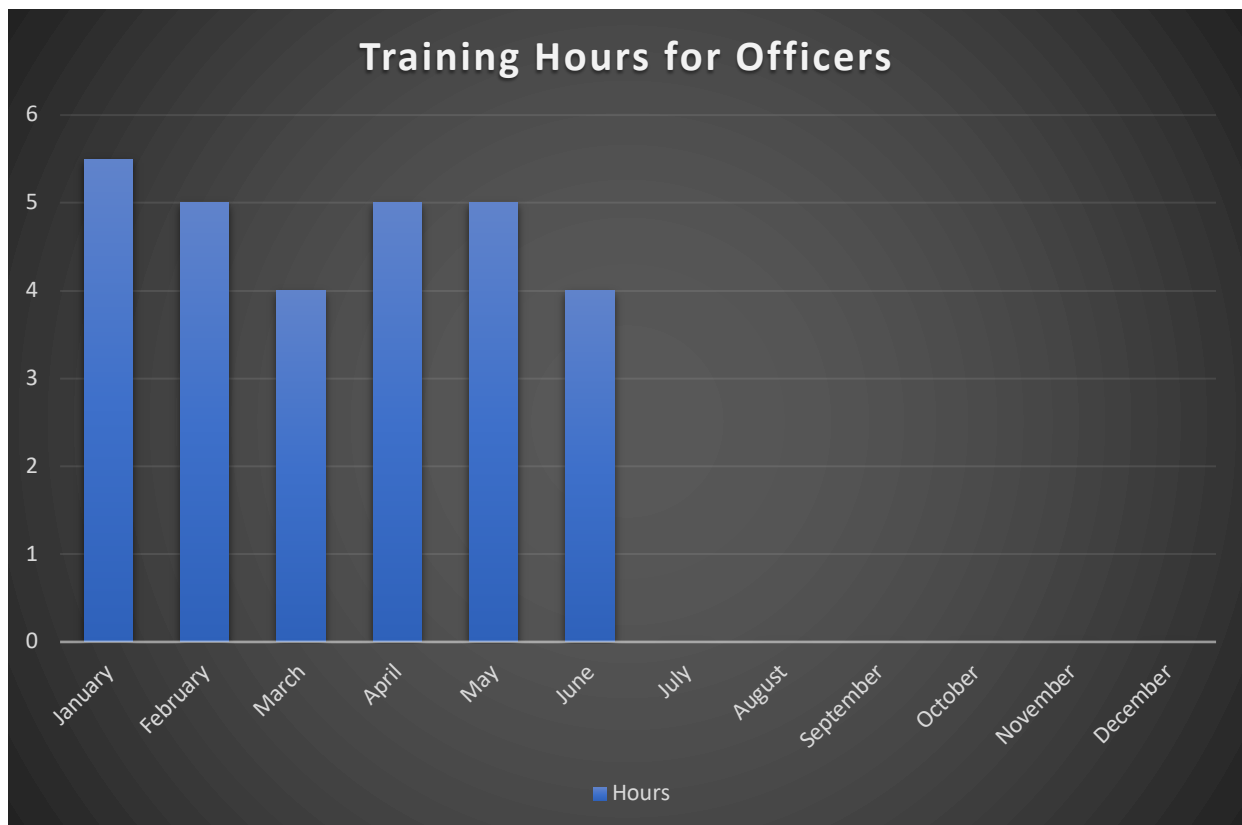
Chief Haroon saw no signs of concerns.



TRAINING

All officers received a three (3) hour training block on Use of Force (continued from May 2021), use of impact weapons (collapsible/fixed), use of chemical aerosols (Oleoresin capsicum “O.C.”)/ De-escalation training. This inhouse training was taught by Officer Ballistrea, who became an instructor in 2021. Examples like this are a vision of Chief Haroon. Creating inner-department instructors that train the department. This ideology creates job enrichment, value, enhances the succession plan, and supports the future of the Johnstown Police Department.

In addition, to above officers completed one one-hour training block in Firearms Drills (Police One Academy). Total officers received 4-hours of training individually in June 2021.



STAFF

Firemen's Festival and our Independence Day Celebrations have concluded. The JPD staff performed an outstanding job enhancing the safety of the community during these events. The introduction of the municipal tent aided in reuniting two small children (5/6-year-old male, and a 6/7-year-old female) with their family. Two physical altercations were reported. However, no other events of crime were. Chief Haroon will take a zero-tolerance approach to fighting at special events in 2022. Such an approach enhance safety for patrons attending the events.



The parade disrupted traffic in and out of Johnstown for approximately 50-minutes. There were some minor disruptions, but nothing significant. Chief Haroon believes that the parade and the traffic plan can be improved upon in 2022.



Independence Day Celebration (4th of July Event) was a significant success. No accidents, no physical altercations, no reported crimes, and traffic was released in less than 20-minutes. Chief Haroon believes that traffic can be improved upon in 2022. In total, ten (10) officers (including auxiliary) worked the Independence Day Celebration.

Officer Rutherford assisted the American Legion with presenting the colors at the Independence Day Celebration. The American Legion requested that an officer assist when available from hereinafter.



MEDIA / SOCIAL MEDIA

Facebook (June 15, 2021 – July 12, 2021)

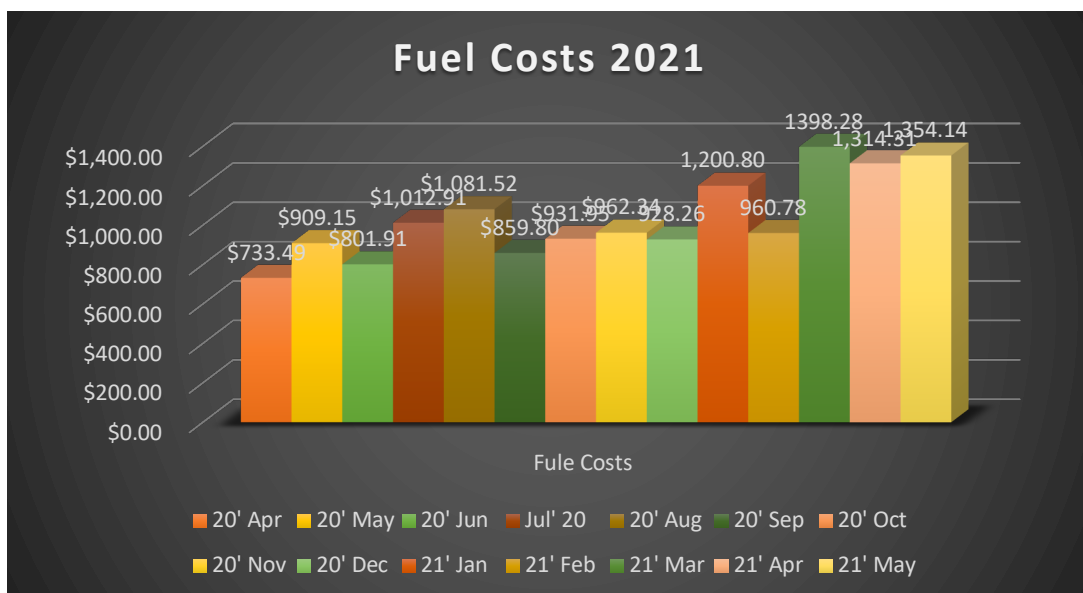
People reached: 20,075	DOWN	30% from June 2021
Post engagements: 7,454	UP	109% from June 2021
Page likes: 60	UP	82% from June 2021
Page Followers: 60	UP	76% from June 2021
Page Views: 6856	UP	55% from June 2021

FLEET

The Johnstown Police Department used 472.96 gallons of gasoline in May 2021, 11.45 gallons more when compared to April 2021. The Council should note that fuel costs have gone up 79.20% from May 2020.

Officers drove a total of 4,427 miles (excluding administrators) within Johnstown in June 2021. As a comparison, approximately 2,671 miles would be driven if one were to drive from coast to coast.

FUEL COST



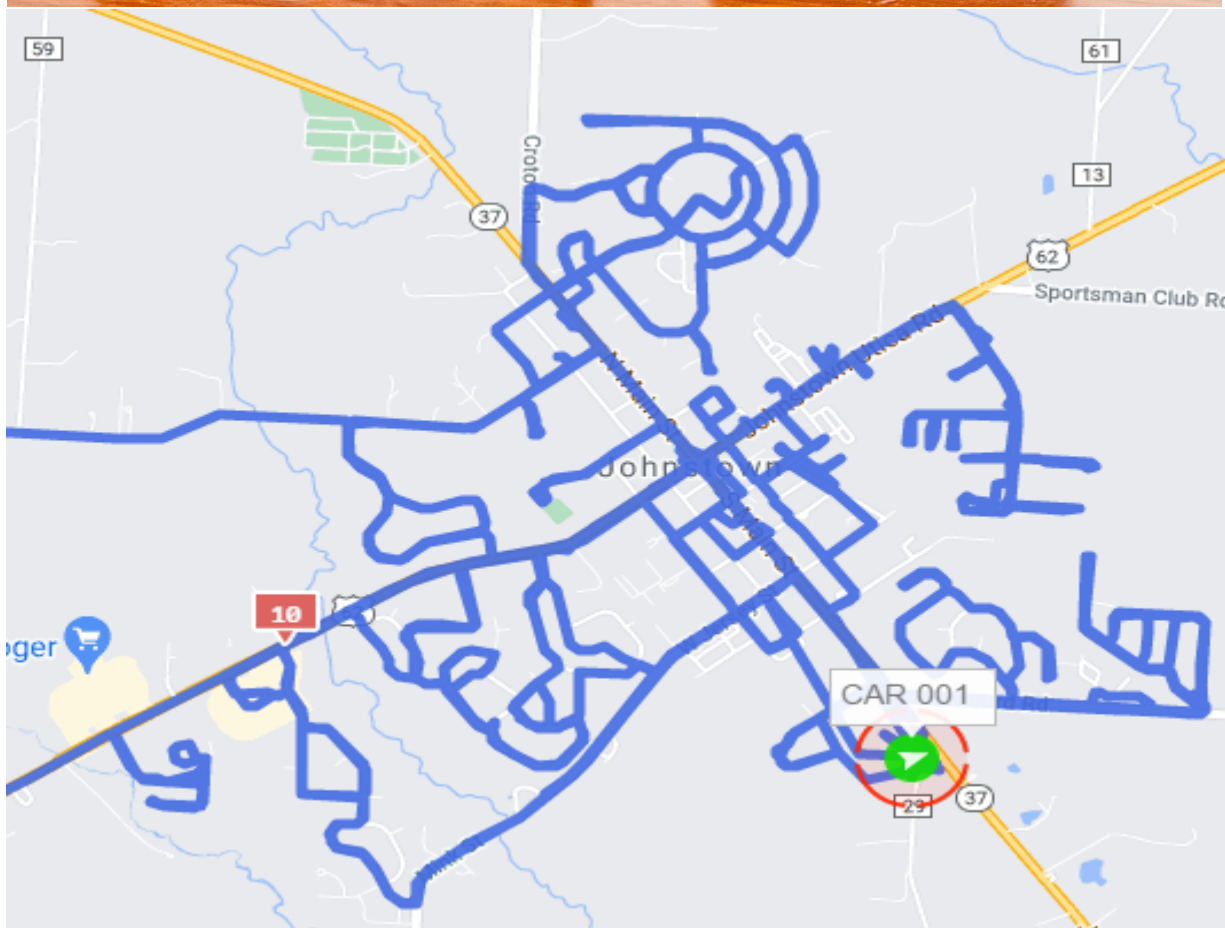
The Johnstown Police Department was above the mean average (\$1,031) in fuel costs. In May 2021, the cost of the Police Department's fuel usage was 472.96 gallons, at an average of \$2.86 us/gal (tax deferred). The three previous months reflected an average of \$1,355.58. During the same time in 2020, the same monthly average was \$815.85. This is a difference of \$540.73 monthly.

OTHER NEWS

The new body-worn cameras (BWC) are in use. The new system shows the GPS activity of vehicles/officers during the officer's shift. The new BWCs are now HD and have a narrative resolution of 1080P. The prior system had a narrative resolution 480i. Photos of the new BWC v. old BWC are shown. Additionally, the second photo shows that this officer drove almost all streets in Johnstown during their shift.

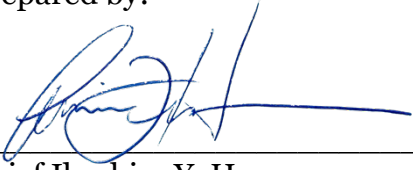
New

Old



End of Report-

Prepared by:



Chief Ibrahim Y. Haroon, MBA CLEE



RESOLUTION 2021-21

A RESOLUTION TO ADOPT THE PROPOSED DESIGN REVIEW DISTRICTS AND STANDARDS AS PRESENTED

WHEREAS, the purpose of the Design Review Districts and Standards is to provide direction and guidance to Village agencies, other public agencies, private individuals, and organizations as they prepare detailed plans for future growth and development in Johnstown; and

WHEREAS, the Village has devoted considerable staff, Commission, and public attention to the development of the Design Review Districts and Standards; and

WHEREAS, at the June 10, 2021 Planning and Zoning meeting, the Commission voted in favor of forwarding to Village Council for review.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO; A MAJORITY OF THE MEMBERS CONCURRING THAT:

Section 1: That the draft plan as approved at the June 10, 2021 Planning and Zoning meeting; public hearing with any amendments finalized by the Village Council on June X, 2021 be adopted as the Design Review Districts and Standards for the Village of Johnstown.

Section 2: It is found and determined that all formal actions of this Village Council, concerning and relating to the recommendation of adoption of this Resolution, were approved in an open meeting of this Village Council, and that meetings resulted in such formal action where meetings were open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Charter for the VILLAGE OF JOHNSTOWN.

Introduction/Public Hearing: June 15, 2021 / TABLED

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe
Clerk of Council

Yazan Ashrawi
Law Director

2021

DESIGN REVIEW DISTRICTS AND STANDARDS

CITY OF JOHNSTOWN

07-15-2021

DRAFT

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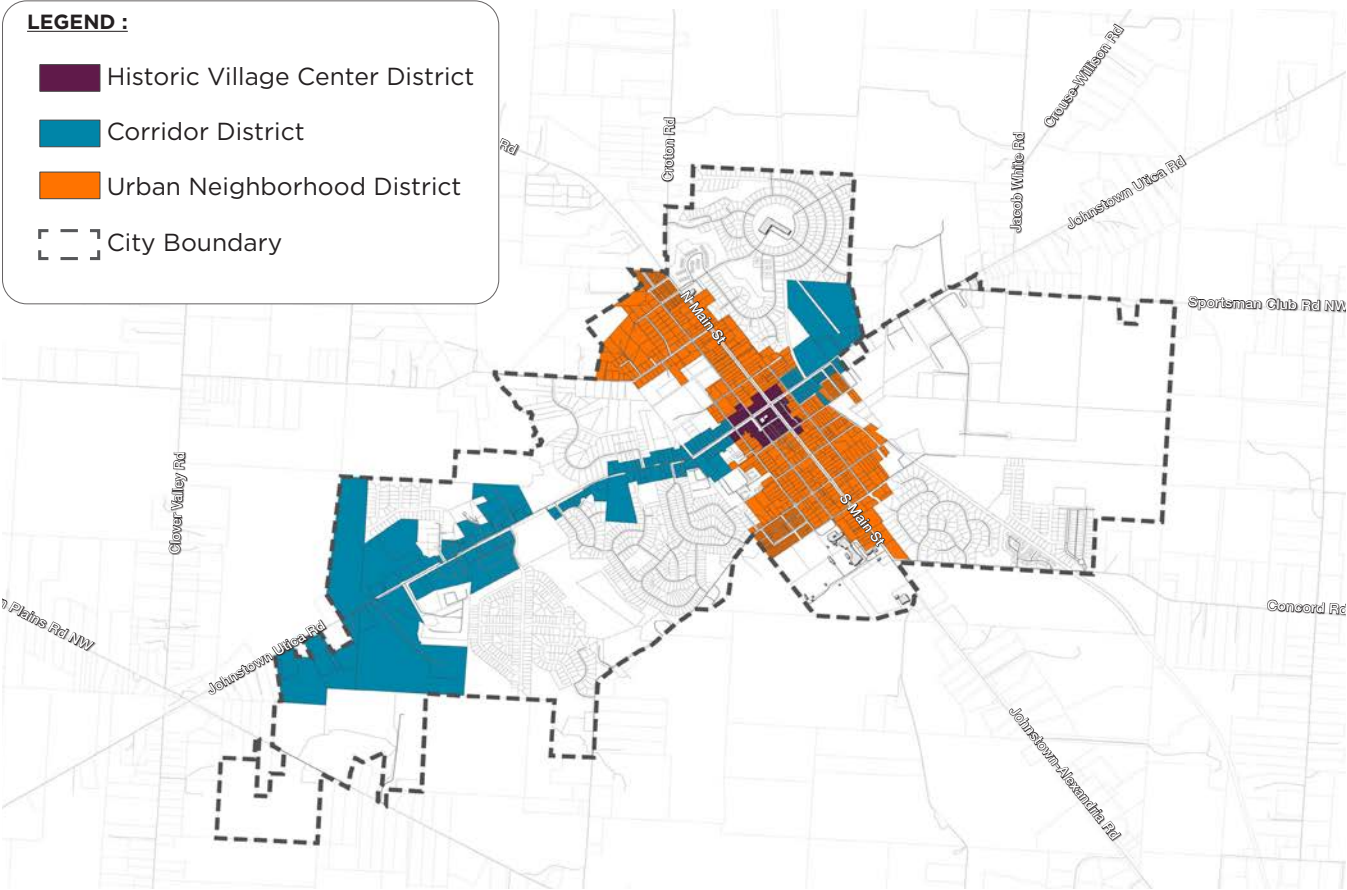
INTRODUCTION

Introduction

- (1) **How to Use this Document.** This document is composed of three parts. The first part, Overlay District Design Standards, contains design standards that are specific to the three overlay districts: the Historic Village Center District, the Corridor District and the Urban Neighborhood District. The second part, Supplemental Design Standards and Guidelines, governs all three overlay districts and includes both design standards and design guidelines.
- (2) **Purpose.** The purpose of the City's Design Review Districts and Standards is to identify those areas within the (Figure 1)City that truly exemplify the community's historic built form and character and, through a design review process and set of design standards and guidelines , provide a clear picture of the design quality expected of future improvements. This Design Review Districts and Standards provide the means to guide implementation of the Johnstown 2020 Comprehensive Plan and helps to foster predictable results within the built environment. This Plan outlines a vision for growth that is urban, mixed-use, walkable, neighborhood-friendly and contributes to a high-quality public realm. This is accomplished by prescribing the physical form of buildings and other elements and addressing the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The Design Review Districts and Standards and accompanying design standards and guidelines also strive:
 - (a) To ensure that a proposed project takes into consideration its surroundings
 - (b) To ensure that every proposal positively enhances the adjacent public realm, especially sidewalks and public spaces
 - (c) To work with other policies, programs, and public investments to strengthen the vitality of a neighborhood, district, or corridor
 - (d) To allow the public to comment on the design elements of a proposed development
 - (e) To encourage creative architectural expression
- (3) **Establishment.** The Historic Village Center District, the Corridor District and the Urban Neighborhood District are hereby established and consists of those areas shown on the Design Review Districts and Standards map on file with the City Clerk and dated _____.
- (4) **Authority:** The Design Review Board (DRB) shall act as the administering authority design review application approval. This document further outlines the required design review process for applicants seeking these improvements and serves as the basis for findings issued by the DRB in the Zoning Ordinance. The Zoning Administrator shall utilize the findings of the DRB and this document in making a determination of Approval, Approval with Conditions, or Denial for each application for Design Plan approval.
- (5) **Applicability.** All new construction, exterior renovation and enhancement to existing structures, site impacts, signage projects, and new or expanded outdoor areas proposed within the Overlay Districts in Figure 1 are subject to these standards and guidelines. Each application is subject to design review by the Planning and Zoning Department and the DRB._
- (6) **Conflicting Provisions.**
 - (a) The Design Review Districts and Standards are considered districts that overlay a base district. This means that the requirements of these districts must be met in addition to the established requirements and standards of the base district over which the Design Review Districts and Standards are placed.

- (b) In the case of any conflict or inconsistency between two or more provisions of this Code (e.g., the restrictions set forth in an overlay district versus the restrictions set forth in a base district) or any other ordinance of the City of Johnstown, the provision which imposes the greater or higher or more restrictive standard of performance shall control.
 - (c) Illustrations, photographs and graphics are included in this document to illustrate the intent and requirement of the text. In the case of a conflict between the text of the Design Review Districts and Standards and any illustrations, photographs and graphics, the text governs.
- (7) **Design Review Districts and Standards.** The Design Review Districts and Standards are distinguished from one another by their overall physical and functional form, including but not limited to: street and block patterns; building and parking placement; height, intensity and mix of land uses; and diversity of mobility options (Figure 1). This approach provides a range of zoning options that set standards for new development that change based on the established context of a particular neighborhood. The following Overlay Districts are established below:
- (a) **Historic Village Center District.** Located at the geographic center of the community, the Center area is typified by narrow, deep lots with a mix of uses in low to mid-rise buildings supported by surface parking. The Historic Village Center is generally made up of fine grain pattern of individual properties and businesses that define the District's unique, historic character.
 - (b) **Corridor District.** Development in this Overlay District is limited by shallow lot depths and proximity to the adjacent residential neighborhood. Uses permitted in this area are in mid-rise structures with surface parking. These properties maintain high visibility from primary traffic routes and cater to relatively large retail and office spaces for national tenants as well as low to medium density residential uses.
 - (c) **Urban Neighborhood District.** The Urban Neighborhood District with its smaller lot configuration and narrower, grid-like streets serves as a transition area between the more intensely developed Village Center and the surrounding low-rise, large lot single-family residential neighborhoods with surface parking.
- (8) **Reference Documents.** The Design Review Districts and Standards serve as one of a number of documents involved in the City's planning and development process. It is intended to complement and reinforce the regulations and design intent found in other reference documents. Reference documents that offer more detail in specific areas of the City include:
- (a) Johnstown Comprehensive Plan (2020)
 - (b) Park and Greenway Master Plan (2017)

FIGURE 1: Design Review Overlay Districts



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DESIGN STANDARDS

A. Summary of Overlay Districts.

HISTORIC VILLAGE CENTER



DESIRED FORMS

- Attached
- Medium lot width
- Medium footprint
- No blank walls or planes
- Buildings placed at or near the right-of-way
- Diverse mix of building frontages, mostly Arcade, Gallery, and Shopfront
- Small to no setbacks
- 1 to 3 stories

GENERAL USES

Ground floor commercial or service uses with a mix of commercial, residential, service, and/or office uses on upper stories.

INTENT

To reinforce a vibrant, compact, walkable, urban center that serves the community and the overall region with a diverse range of uses in a variety of building types with active pedestrian street facades on multiple frontages.

CORRIDOR



DESIRED FORMS

- Attached
- Medium to large lot width
- Medium to large footprint
- No blank walls or planes
- Buildings placed at or near the right-of-way
- Diverse mix of building frontages, mostly Arcade, Gallery, and Shopfront
- Small setbacks
- 1 to 3 stories

GENERAL USES

Ground floor commercial or service uses with a mix of commercial, residential, service, and/or office uses.

INTENT

To enhance the City's existing corridors so that over time they will become more walkable and serve multiple districts with a diverse range of commercial, retail, service, and office uses, and small-to-large footprint, moderate-intensity building types. This zone also supports public transportation hubs.

URBAN NEIGHBORHOOD



DESIRED FORMS
Attached or detached
Medium to small lot width
Small to medium footprint and lot coverage
Buildings placed near the edge of right-of-way
Primarily Stoop, Yard, Forecourt, Shopfront at corners, or Porches
Small to medium setbacks
1 to 3 stories
GENERAL USES
Primarily single-family and multi-unit residential uses with smaller neighborhood-supporting uses at appropriate locations.
INTENT
To reinforce established neighborhoods in walkable urban areas. Neighborhoods will evolve through the use of small to medium building footprints and medium intensity building types to achieve a compact urban form that accommodates a variety of urban housing choices. This zone also supports public transportation alternatives.

B. Summary of Dimensions and Standards Table. The dimensions and standards for the Design Review Districts and Standards are summarized in the following table and are found in more detail in Sections D thru F.

SUMMARY OF DIMENSIONS TABLE	HISTORIC VILLAGE CENTER	CORRIDOR	URBAN NEIGHBORHOOD	SPECIFIC STANDARDS
LOT PARAMETERS				
Lot Size	No width, depth or area standards are included for the Historic Village Center District. Min. lot sizes may be determined based on the min. and max. building width and depth standards.	No width, depth or area standards are included for the Corridor District. Min. lot sizes may be determined based on the min. and max. building width and depth standards.	No width, depth or area standards are included for the Urban Neighborhood District. Min. lot sizes may be determined based on the min. and max. building width and depth standards.	
Building Coverage (max)	30% residential; 80% non residential	30% residential; 80% non residential	30% residential; 80% non residential	
Impervious Coverage (max)	95%	95%	50%	
BUILDING PLACEMENT				
Primary Street Setback (min/max)	0'/15'	10'/25'	15'/30'	
Secondary Street Setback (min/max)	0/20'	15/20'	15'/NA	
Primary Street, Attached Single-Family Setback (min/max)	0'/30'	0'/30'	0'/30'	
Primary Street Build-to Percentage (min)	85%	80%	75%	
Secondary Street Build-to Percentage (min)	85%	80%	75%	
Side Setback: Interior/Common Lot Line (min/max)	0/30'	0/30'	0/30'	
Rear Setback: Common Lot Line (min)	15% of lot depth but not to be greater than 15'	15% of lot depth but not to be greater than 15'	15% of lot depth but not to be greater than 15'	
PARKING PLACEMENT & VEHICULAR ACCESS				
Primary Street Setback (min)	30'	30'	NA	
Secondary Street Setback (min) Measured From Property Line	10'	30'	NA	
Side Setback: Interior/Common Lot Line (min)	10'	10'	10'	
Rear Setback (min)	10'	10'	10'	
Vehicular Access	Secondary Street	Secondary Street	Secondary Street	
Parking Driveway Width Two-Way (min/max)	20'/40'	20'/40'	20'/20'	

SUMMARY OF DIMENSIONS TABLE	HISTORIC VILLAGE CENTER	CORRIDOR	URBAN NEIGHBORHOOD	SPECIFIC STANDARDS
BUILDING FORM				
Principal Building Height (max stories)	3	3	3	
Principal Building Height (min stories)	1	1	1	
Proposed Building Height (max)	50'	50'	35'	
Accessory Structure Height (max stories)	2	2	2	
Finished Ground Floor Level (min/max)	0'/0.50'	0'/0.50'	1.50'/NA ¹	
Ground Floor Story Height (max)	20'	20'	10'	
Upper Floors Story Height (max)	12'	12'	10'	
Ground Floor Transparency, Primary Street Facade (min percentage)	70%	70%	20%	
Ground Floor Transparency, Corner Side Facade (min percentage)	40%	40%	20%	
Upper Floor Transparency, Front and Corner Facade (min percentage)	25%	25%	20%	
Ground Floor Blank Wall Width, Front Facade (max percentage)	10%	10%	10%	
Ground Floor Blank Wall Width, Corner Facade (max percentage)	20%	20%	20%	
Depth, Ground Floor Space (min)	30'	30'	NA	
Building Width (max)	60'	100'	80'	
Building Depth (max)	150'	75'	45'	
Primary Pedestrian Access	Front Facade, Primary Street	Front Facade, Primary Street	Front Facade, Primary Street	

C. Historic Village Center

(1) General Uses and Intent.

- (a) **General Uses.** Ground floor commercial or service uses with a mix of commercial, residential, service, and/or office uses on upper stories.
- (b) **Intent.** To reinforce a vibrant, compact, walkable, urban center that serves the community and the overall region with a diverse range of uses in a variety of building types with active pedestrian street facades on multiple frontages.

(2) Permitted Building Typologies. The following Building Typologies are permitted in the Historic Village Center District. More detailed descriptions are found in Section G.

- (a) Single Family Detached
- (b) Single Family Attached
- (c) Flex Building (Small)
- (d) Flex Building (Medium)
- (e) Step-Back Building

(3) Permitted Frontage Typologies. The following Frontage Typologies are permitted in the Historic Village Center District. More detailed descriptions are found in Section H.

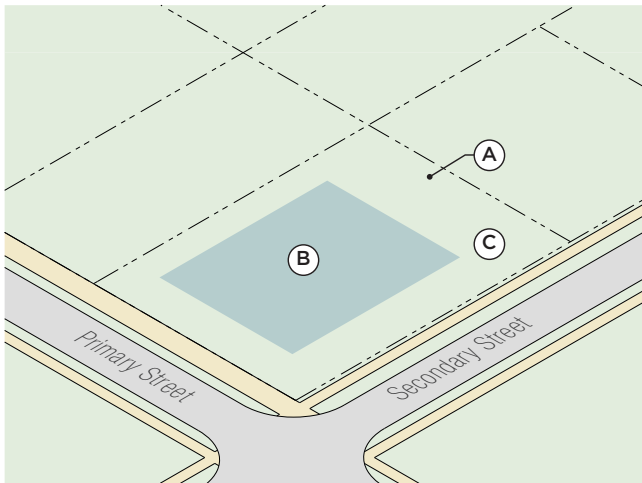
- (a) Front Yard
- (b) Raised Yard
- (c) Stoop
- (d) Forecourt
- (e) Porch
- (f) Patio
- (g) Shopfront
- (h) Arcade
- (i) Gallery

(4) Permitted Open Space Typologies. The following Open Space Typologies are permitted in the Historic Village Center District. More detailed descriptions are found in Section I.

- (a) Passage
- (b) Pocket Park
- (c) Pocket Plaza
- (d) Green
- (e) Square
- (f) Plaza
- (g) Greenway and Trail

(5) Development Standards.

LOT PARAMETERS



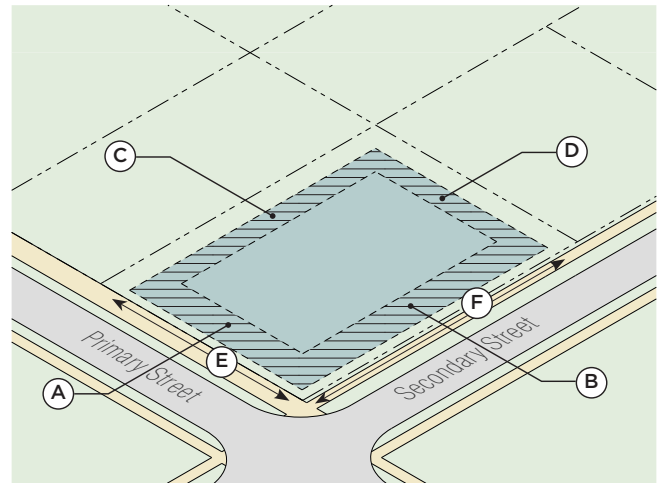
LOT DIMENSIONS

(A)	Lot Size	No width, depth or area standards are included for the Village Center District. Min. lot sizes may be determined based on the min. and max. building width and depth standards.
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LOT DEVELOPMENT

(B)	Building Coverage	30% max residential; 80% max non residential
(C)	Impervious Coverage	95% max

BUILDING PLACEMENT



BUILDING SETBACKS ¹

(A)	Primary Street	0' min / 15' max
(B)	Secondary Street	15' min / 20' max
(C)	Side: Interior/Common Lot Line	0' min / 30' max
(D)	Rear: Common Lot Line	15% of lot depth but not be greater than 15'

BUILDING MASS AND FRONTAGES

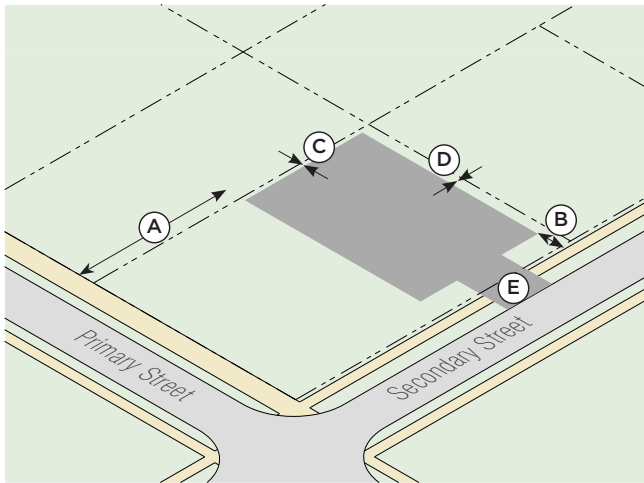
(E)	Primary Street Build-to Percentage	85% min
(F)	Secondary Street Build-to Percentage	85% min
	Building Width	60' max
	Building Depth	150' max
	Depth, Ground Floor Space	30' min

¹ Measured from right-of-way

VILLAGE CENTER DISTRICT

DESIGN REVIEW DISTRICTS AND STANDARDS

PARKING PLACEMENT



PARKING SETBACKS ¹

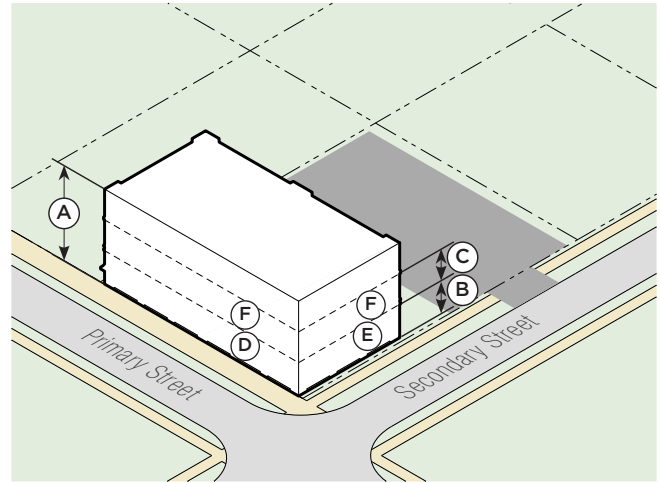
(A)	Primary Street Setback	30' min
(B)	Secondary Street	30' min
(C)	Side Interior/Common Lot Line	10' min
(D)	Rear	10' min

ACCESS

	Pedestrian Access	Front Facade, Primary Street
(E)	Vehicular Access ²	Secondary Street
	Parking Driveway Width Two-Way	20' min /40' max

¹ Measured from right-of-way

HEIGHT AND MASS



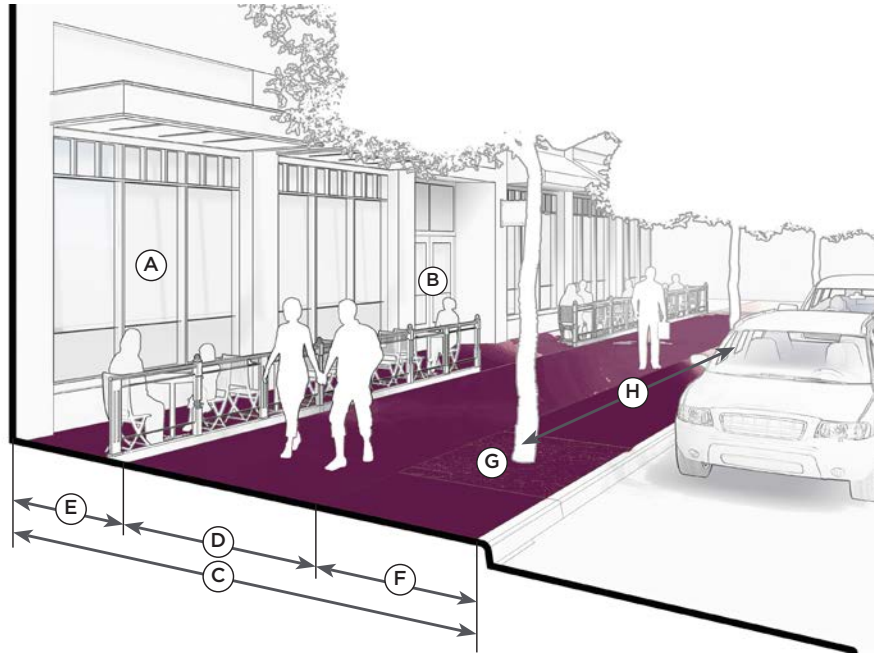
BUILDING HEIGHT

(A)	Principal Building Height	1 story min, 3 stories max, 50' max
	Accessory Structure Height	2 stories max
	Finished Ground Floor Level ¹	0' min / 0.50 max
(B)	Ground Floor Story Height	20' max
(C)	Upper Floors Story Height	12' max

BUILDING FENESTRATION

(D)	Ground Floor Transparency, Front Facade	70% min
(E)	Ground Floor Transparency, Corner Side Facade	40% min
(F)	Upper Floor Transparency, Front and Corner Facade	25% min
(D)	Ground Floor Blank Wall Width, Front Facade	10% max
(E)	Ground Floor Blank Wall Width, Corner Facade	20% max

(6) Public Realm.



FENESTRATION		
(A)	Ground story	70" min Front Facade, 40% min Corner Side Facade
	Upper story	25% min Front and Corner Facade
	Blank wall length	10% max Front Facade, 20% max Corner Facade

STORY HEIGHT		
	Finished Ground Floor Level	0' min / 0.50' max
	Ground Floor Story Height	24' max
	Upper Floors Story Height	12' max

PEDESTRIAN ACCESS		
(B)	Entrance Facing Primary Street	Required

SETBACK		
(C)	Primary Street	0' min / 15' max
	Secondary Street	0' min / 20' max

SIDEWALK AND FRONTAGE ZONE		
(D)	Primary Street Clear Pedestrian Zone	5' min
	Secondary Street Clear Pedestrian Zone	5' min
(E)	Primary Street Frontage Zone	3' min
	Secondary Street Frontage Zone	3' min

STREET TREE / FURNITURE ZONE		
(F)	Street Tree / Furniture Zone Depth	
	Primary Street	Per Zoning Code, Section 33.04 & Tree Commission recommendation
	Secondary Street	Per Zoning Code, Section 33.04 & Tree Commission recommendation
(G)	Street Tree Planting Type	
	Primary Street	Tree grate connected with structural soil or suspended pavement
	Secondary Street	Tree lawn
(H)	Tree Spacing	
	Per Zoning Code, Section 33.04 & Tree Commission recommendation	

D. Corridor**(1) General Uses and Intent.**

- (a) **General Uses.** Ground floor commercial or service uses with a mix of commercial, residential, service, and/or office uses and converted residential.
- (b) **Intent.** To enhance the City's existing corridors so that over time they will become more walkable and serve multiple districts with a diverse range of commercial, retail, service, and office uses, and small-to-large footprint, moderate-intensity building types. This zone also supports public transportation hubs.

(2) Permitted Building Typologies. The following Building Typologies are permitted in the Corridor District. More detailed descriptions are found in Section G.

- (a) Single Family Detached
- (b) Single Family Attached
- (c) Flex Building (Small)
- (d) Flex Building (Medium)
- (e) Live Work

(3) Permitted Frontage Typologies. The following Frontage Typologies are permitted in the Corridor District. More detailed descriptions are found in Section H.

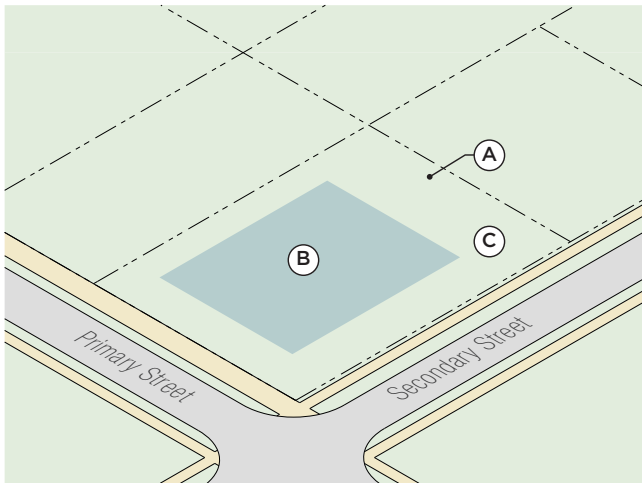
- (a) Front Yard
- (b) Raised Yard
- (c) Stoop
- (d) Forecourt
- (e) Porch
- (f) Patio
- (g) Shopfront

(4) Permitted Open Space Typologies. The following Open Space Typologies are permitted in the Corridor District. More detailed descriptions are found in Section I.

- (a) Passage
- (b) Pocket Park
- (c) Pocket Plaza

(5) Development Standards.

LOT PARAMETERS



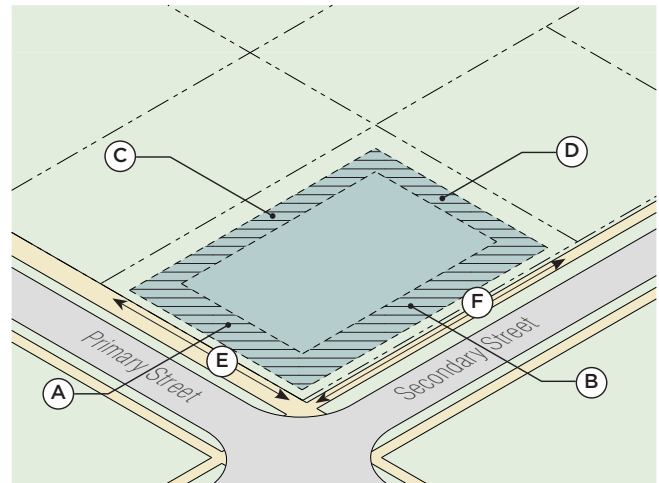
LOT DIMENSIONS

A	Lot Size	No width, depth or area standards are included for the Corridor District. Min. lot sizes may be determined based on the min. and max. building width and depth standards.
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LOT DEVELOPMENT

B	Building Coverage	30% max residential; 80% max non residential
C	Impervious Coverage	95 % max

BUILDING PLACEMENT

BUILDING SETBACKS ¹

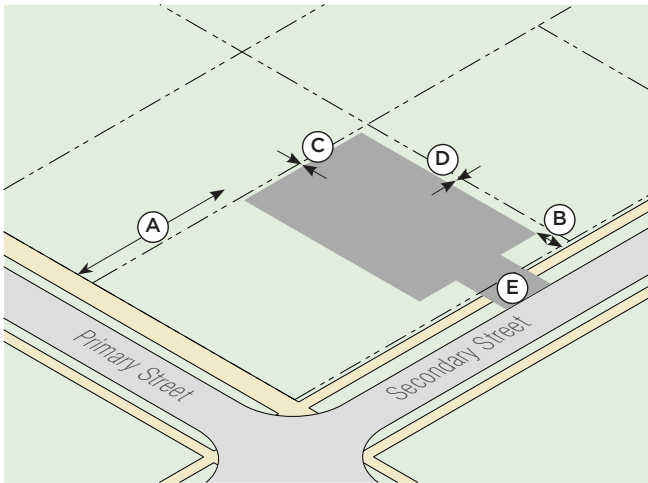
A	Primary Street	15' min / 20' max
B	Secondary Street	10' min / 25' max
C	Side: Interior/Common Lot Line	0' min / 30' max
D	Rear: Common Lot Line	15% of lot depth but not be greater than 15.

BUILDING MASS AND FRONTAGES

E	Primary Street Build-to Percentage	80% min
F	Secondary Street Build-to Percentage	80% min
	Building Width ²	100' max
	Building Depth	75' max
	Depth, Ground Floor Space	30' min

¹ Measured from right-of-way.

PARKING PLACEMENT

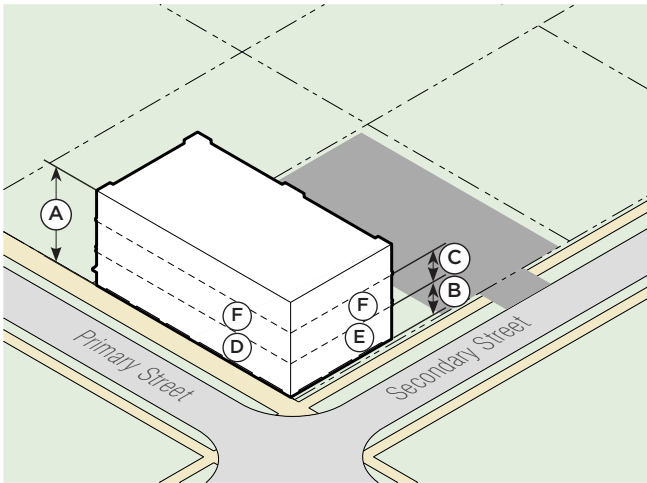


PARKING SETBACKS ¹		
(A)	Primary Street Setback	30' min
(B)	Secondary Street	30' min
(C)	Side Interior/Common Lot Line	10' min
(D)	Rear	10' min

ACCESS		
	Pedestrian Access	Front Facade, Primary Street
(E)	Vehicular Access ²	Secondary Street
	Parking Driveway Width Two-Way	20' min /40' max

1 Measured from right-of-way.

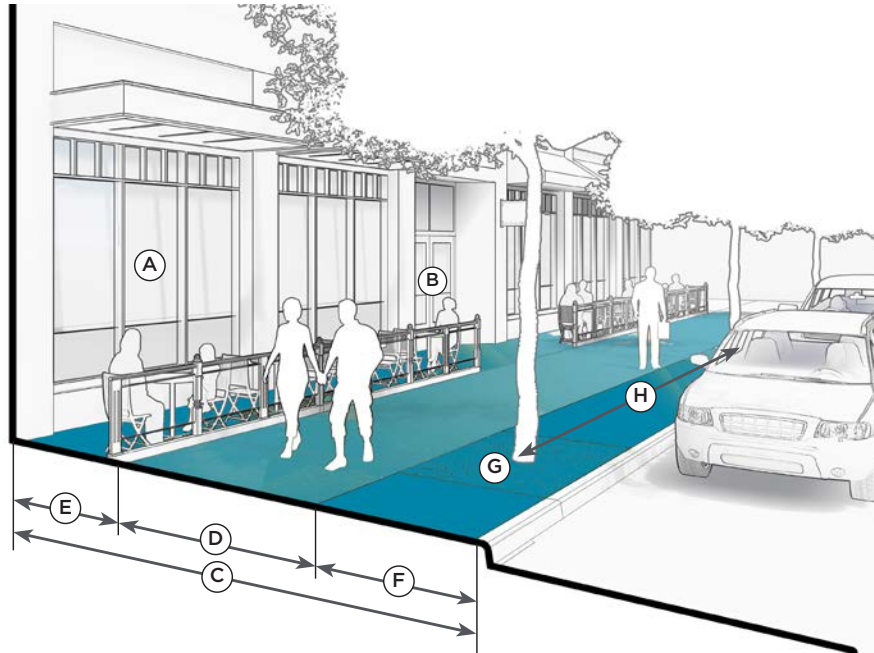
HEIGHT AND MASS



BUILDING HEIGHT		
(A)	Principal Building Height	1 stories min, 3 stories max, 50' max
	Accessory Structure Height	2 stories max
	Finished Ground Floor Level ¹	0' min / 0.50' max
(B)	Ground Floor Story Height	20' max
(C)	Upper Floors Story Height	12' max

BUILDING FENESTRATION		
(D)	Ground Floor Transparency, Front Facade	70% min
(E)	Ground Floor Transparency, Corner Side Facade	40% min
(F)	Upper Floor Transparency, Front and Corner Facade	25% min
(D)	Ground Floor Blank Wall Width, Front Facade	10% max
(E)	Ground Floor Blank Wall Width, Corner Facade	20% max

(6) Public Realm.



FENESTRATION		
(A)	Ground story	70" min Front Facade, 40% min Corner Side Facade
	Upper story	25% min Front and Corner Facade
	Blank wall length	10% max Front Facade, 20% max Corner Facade

STORY HEIGHT		
	Finished Ground Floor Level	0' min / 0.50' max
	Ground Floor Story Height	20' max
	Upper Floors Story Height	12' max

PEDESTRIAN ACCESS		
(B)	Entrance Facing Primary Street	Required

SETBACK		
(C)	Primary Street	10' min / 25' max
	Secondary Street	15' min / 20' max

SIDEWALK AND FRONTAGE ZONE		
(D)	Primary Street Clear Pedestrian Zone	8' min
	Secondary Street Clear Pedestrian Zone	6' min
(E)	Primary Street Frontage Zone	6' min
	Secondary Street Frontage Zone	6' min

STREET TREE / FURNITURE ZONE		
(F)	Street Tree / Furniture Zone Depth	
	Primary Street	Per Zoning code, Section 33.04 & Tree Commission recommendation
	Secondary Street	Per Zoning code, Section 33.04 & Tree Commission recommendation
(G)	Street Tree Planting Type	
	Primary Street	Tree grate connected with structural soil or suspended pavement
	Secondary Street	Tree lawn
(H)	Tree Spacing	
	Per Zoning Code, Section 33.04 & Tree Commission recommendation	

E. Urban Neighborhood

(1) General Uses and Intent.

- (a) **General Uses.** Primarily multi-unit residential uses with smaller neighborhood-supporting uses at appropriate locations.
- (b) **Intent.** To reinforce established neighborhoods in walkable urban areas and to maintain the District's historic, high quality structures. Neighborhoods will evolve through the use of small to medium building footprints and medium intensity building types to achieve a compact urban form that accommodates a variety of urban housing choices. This zone also supports public transportation alternatives.

(2) Permitted Building Typologies. The following Building Typologies are permitted in the Urban Neighborhood District. More detailed descriptions are found in Section G.

- (a) Single Family Detached
- (b) Duplex
- (c) Multi Unit
- (d) Flex Building (Small)
- (e) Single Family Attached
- (f) Live Work

(3) Permitted Frontage Typologies. The following Frontage Typologies are permitted in the Urban Neighborhood District. More detailed descriptions are found in Section H.

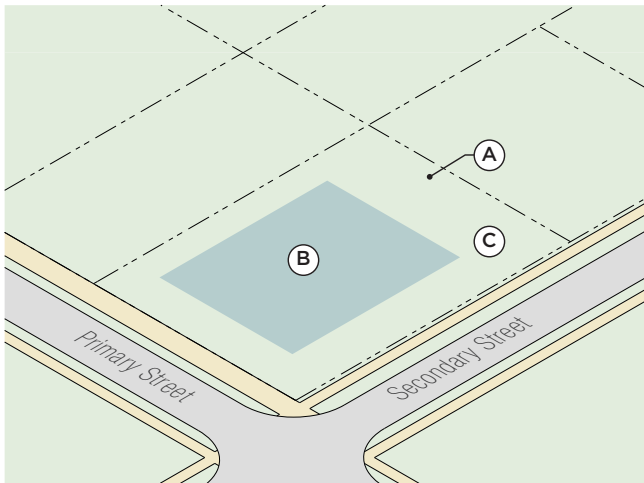
- (a) Front Yard
- (b) Raised Yard
- (c) Stoop
- (d) Forecourt
- (e) Porch

(4) Permitted Open Space Typologies. The following Open Space Typologies are permitted in the Urban Neighborhood District. More detailed descriptions are found in Section I.

- (a) Pocket Park
- (b) Green
- (c) Greenway and Trail
- (d) Park

(5) Development Standards.

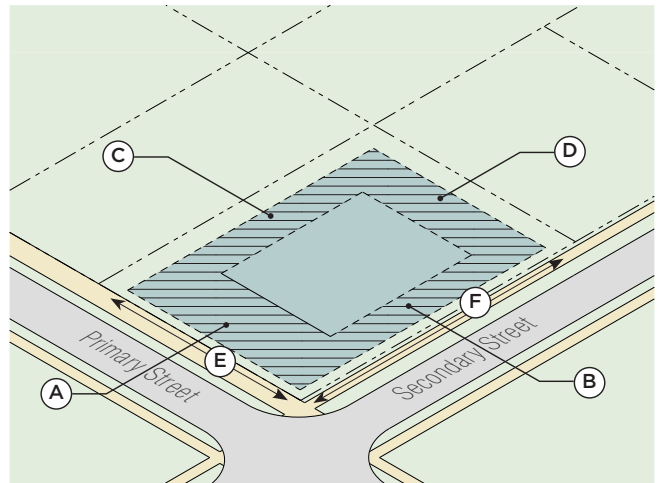
LOT PARAMETERS



LOT DIMENSIONS		
(A)	Lot Size	No width, depth or area standards are included for the Urban Neighborhood District. Min. lot sizes may be determined based on the min. and max. building width and depth standards.

LOT DEVELOPMENT		
(B)	Building Coverage	30% max residential; 80% max non residential
(C)	Impervious Coverage	90% max

BUILDING PLACEMENT



BUILDING SETBACKS ¹		
(A)	Primary Street	15' min / 30' max
(B)	Secondary Street	15' min / NA max
(C)	Side: Interior/Common Lot Line	0' min / 30' max
(D)	Rear: Common Lot Line	15% of lot depth but not be greater than 15'.

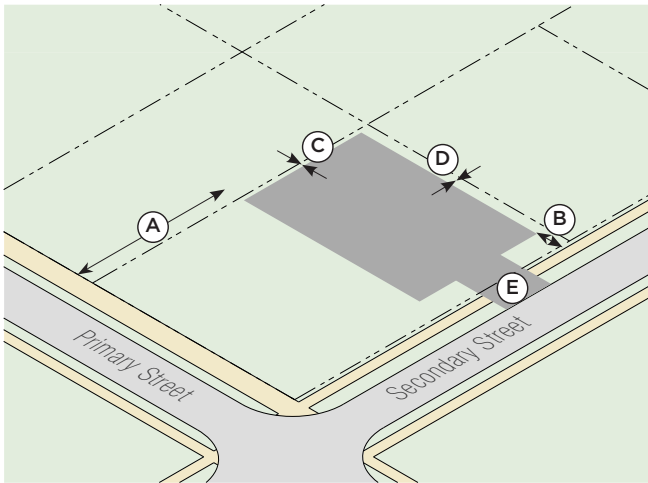
BUILDING MASS AND FRONTAGES		
(E)	Primary Street Build-to Percentage	75% min
(F)	Secondary Street Build-to Percentage	75% min
	Building Width	35' max
	Building Depth	45' max
	Depth, Ground Floor Space	NA

¹ Measured from right-of-way.

URBAN NEIGHBORHOOD DISTRICT

DESIGN REVIEW DISTRICTS AND STANDARDS

PARKING PLACEMENT

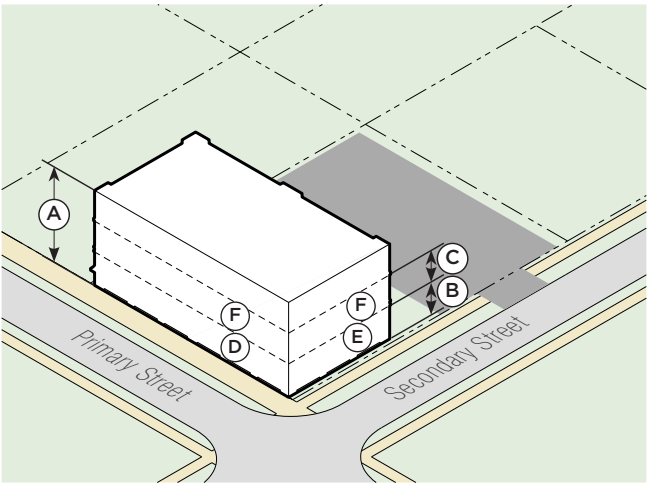


PARKING SETBACKS ¹		
(A)	Primary Street Setback	NA
(B)	Secondary Street	NA
(C)	Side Interior/Common Lot Line	10' min
(D)	Rear	10' min

ACCESS		
	Pedestrian Access	Front Facade, Primary Street
(E)	Vehicular Access ²	Secondary Street
	Parking Driveway Width Two-Way	20' min /20' max

¹ Measured from right-of-way

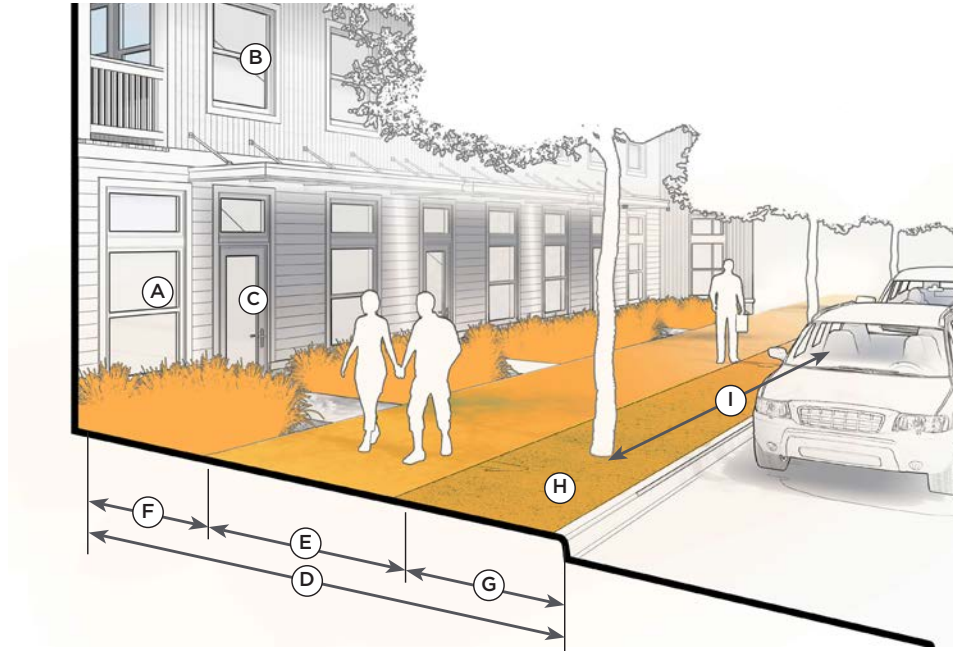
HEIGHT AND MASS



BUILDING HEIGHT		
(A)	Principal Building Height	1 stories min, 3 stories max, 35' max
	Accessory Structure Height	2 stories max
	Finished Ground Floor Level	1.50' min / NA max ¹
(B)	Ground Floor Story Height	10' max
(C)	Upper Floors Story Height	10' max

BUILDING FENESTRATION		
(D)	Ground Floor Transparency, Front Facade	20% min
(E)	Ground Floor Transparency, Corner Side Facade	20% min
(F)	Upper Floor Transparency, Front and Corner Facade	20% min
(D)	Ground Floor Blank Wall Width, Front Facade	10% max
(E)	Ground Floor Blank Wall Width, Corner Facade	20% max

(6) Public Realm.



FENESTRATION		
(A)	Ground story	20" min Front and Corner Facade
(B)	Upper story	20% min Front and Corner Facade
	Blank wall length	10% max Front Facade, 20% max Corner Facade

STORY HEIGHT		
	Finished Ground Floor Level	1.50' min / NA max
	Ground Floor Story Height	10' min
	Upper Floors Story Height	10' min

PEDESTRIAN ACCESS		
(C)	Entrance Facing Primary Street	Required

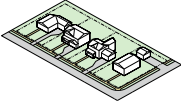
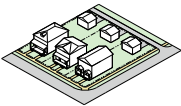
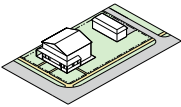
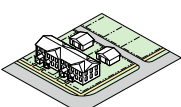
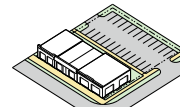
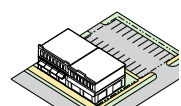
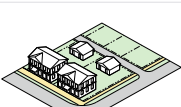
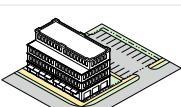
SETBACK		
(D)	Primary Street	20' min / 30' max
	Secondary Street	40' min / NA max

SIDEWALK AND FRONTAGE ZONE		
(E)	Primary Street Clear Pedestrian Zone	6' min
	Secondary Street Clear Pedestrian Zone	6' min
(F)	Primary Street Frontage Zone	6' min
	Secondary Street Frontage Zone	6' min

STREET TREE / FURNITURE ZONE		
Street Tree / Furniture Zone Depth		
(G)	Primary Street	Per Zoning Code, Section 33.04 & Tree Commission recommendation
	Secondary Street	Per Zoning Code, Section 33.04 & Tree Commission recommendation
Street Tree Planting Type		
(H)	Primary Street	Tree lawn
	Secondary Street	Tree lawn
(I)	Tree Spacing	Per Zoning Code, Section 33.04 & Tree Commission recommendation

F. Building Typologies

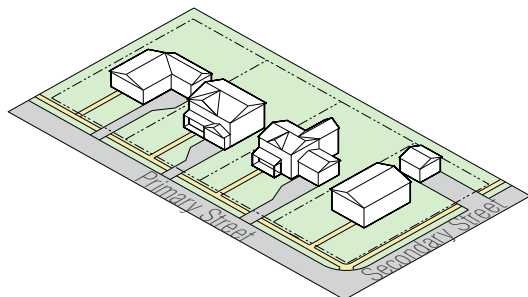
- (1) **Summary of Building Typologies Table.** The following table summarizes the Building Typologies permitted in each overlay zone and described separately on the following pages.

BUILDING TYPOLOGIES*		HISTORIC VILLAGE CENTER	CORRIDOR	URBAN NEIGHBORHOOD
Single Family Detached		●	●	●
Duplex		●	●	●
Multi Unit		●	●	●
Single Family Attached		●	●	●
Flex Building (Small)		●	●	●
Flex Building (Medium)		●	●	
Live Work			●	●
Step-Back Building		●		

*Axonometric drawings are not shown to scale and are included for illustrative purposes only.

(1) SINGLE FAMILY DETACHED

I. Typical Configuration.

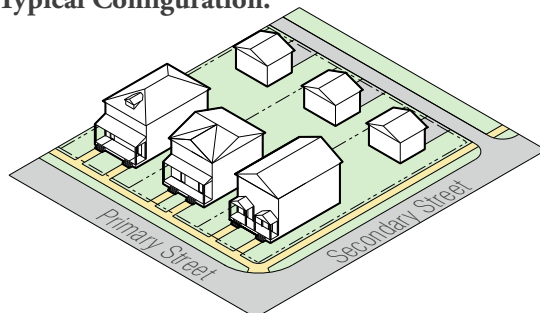


II. Description.

- (a) A detached structure with one unit that is massed as a single structure. Setbacks can range from small to large and have driveway access from a street or alley.

(2) DUPLEX

I. Typical Configuration.



II. Description.

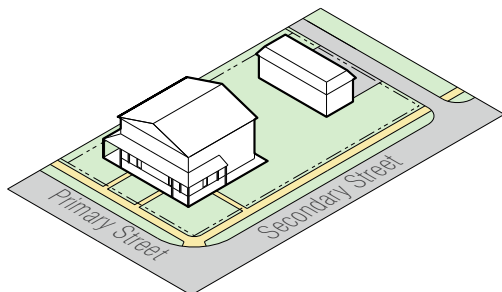
- (a) A detached structure with two units that is massed as a single structure. Setbacks can range from small to large and units are typically side-by-side, but may be stacked.



Note: Images are illustrative, not regulatory.

(3) MULTI UNIT

I. Typical Configuration.



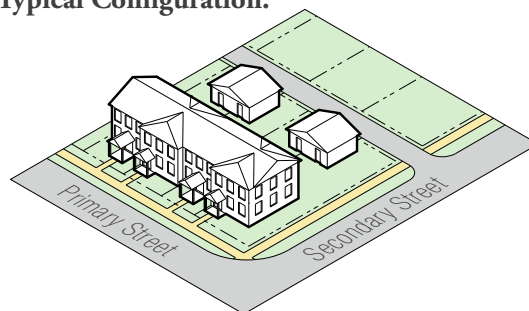
II. Description.

- (a) A medium structure that consists of 3–6 side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.



(4) SINGLE FAMILY ATTACHED

I. Typical Configuration.



II. Description.

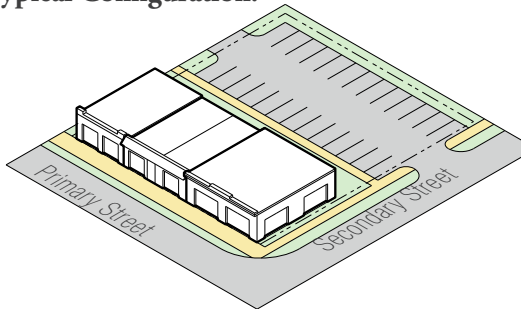
- (a) A structure with common walls on either side and no units below or above. Garage access is typically from a rear alley or shared parking area.



Note: Images are illustrative, not regulatory.

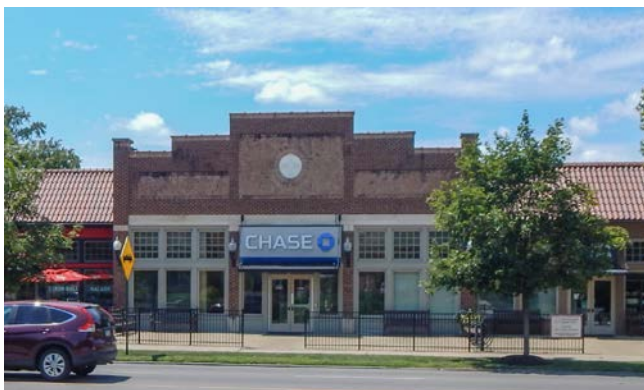
(5) FLEX BUILDING (SMALL)

I. Typical Configuration.



II. Description.

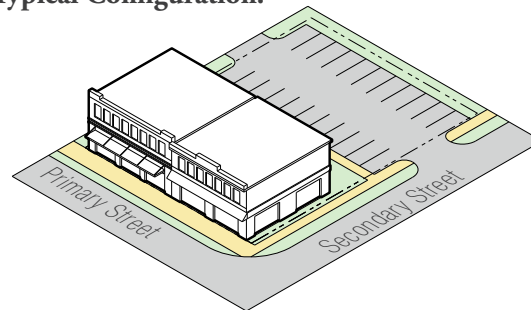
- (a) Consists of attached or detached structures ranging from one to two stories. Structures can include single or mixed-uses. Parking is located in the rear or side of the building and typically accessed from a rear alley when possible.



Note: Images are illustrative, not regulatory.

(6) FLEX BUILDING (MEDIUM)

I. Typical Configuration.



II. Description.

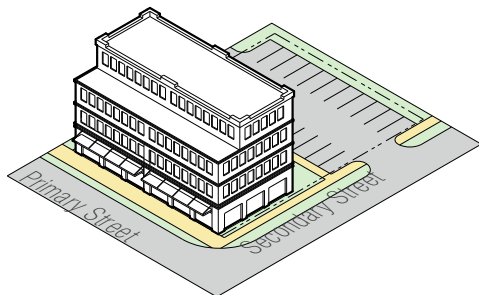
- (a) Consists of attached or detached structures ranging from two to four stories. Structures can include single or mixed-uses. Parking is located in the rear of the building typically accessed from a rear alley when possible.



Note: Images are illustrative, not regulatory.

(7) STEP-BACK BUILDING

I. Typical Configuration.



II. Description.

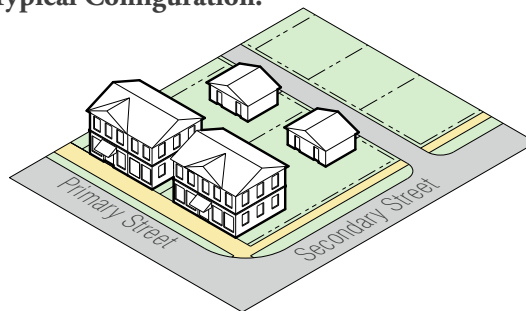
- (a) A large building with the upper floor, or floors set back, relative to the floors below in order to soften the mass of the building and afford more light and air on the street and open spaces.



Note: Images are illustrative, not regulatory.

(8) LIVE - WORK

I. Typical Configuration.



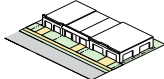
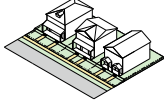
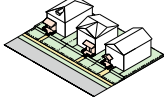
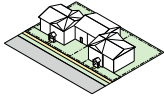
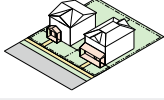
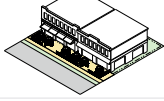
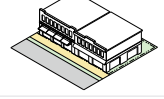
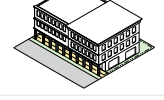
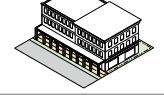
II. Description.

- (a) An attached building type which provides flexible space at the street level for retail or office, with a complete living unit above.



G. Frontage Typologies

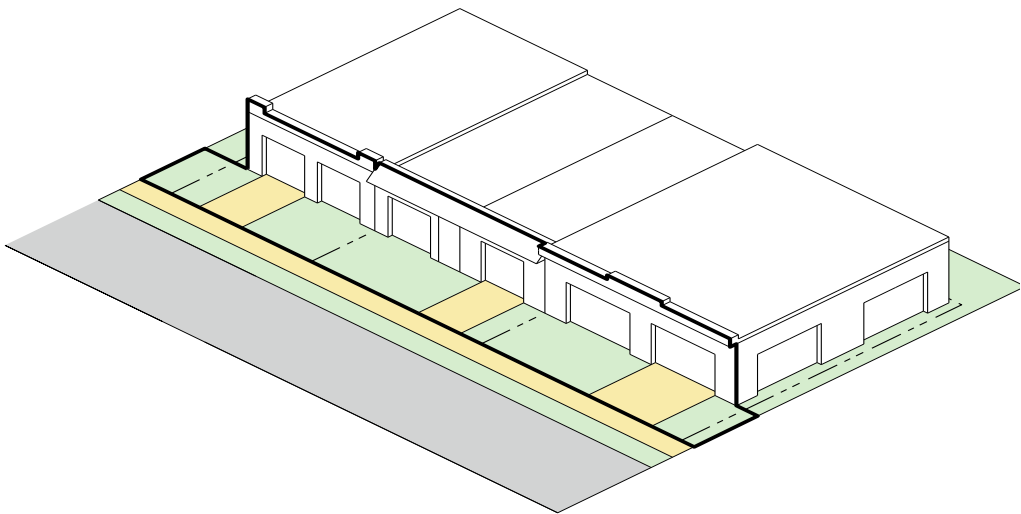
- (1) **Summary of Frontage Table.** The following table summarizes the Frontage Typologies permitted in each overlay zone and described separately on the following pages.

FRONTAGE TYPOLOGIES*	HISTORIC VILLAGE CENTER	CORRIDOR	URBAN NEIGHBORHOOD
Front Yard 	●	●	●
Raised Yard 	●	●	●
Stoop 	●	●	●
Forecourt 	●	●	●
Porch 	●	●	●
Patio 	●	●	
Shopfront 	●	●	
Arcade 	●		
Gallery 	●		

*Axonometric drawings are not shown to scale and are included for illustrative purposes only.

(1) FRONT YARD

I. Typical Configuration.



II. Description

- (a) A planted frontage wherein the façade is setback from the frontage line. An encroaching porch may also be attached to the façade. A fence or wall at the property line may be used to define the private space of the yard. The yard is a typical landscape setback which may consist of open lawn, landscape beds, or some combination of the two. It may contain hardscape elements as a secondary feature and may be edged by a low fence or masonry wall. Yards are typically at the same or similar grade as the adjacent sidewalk and include a front walk connecting the public sidewalk to the main entrance of a building (see Raised Yard as a variation).

III. Dimensions

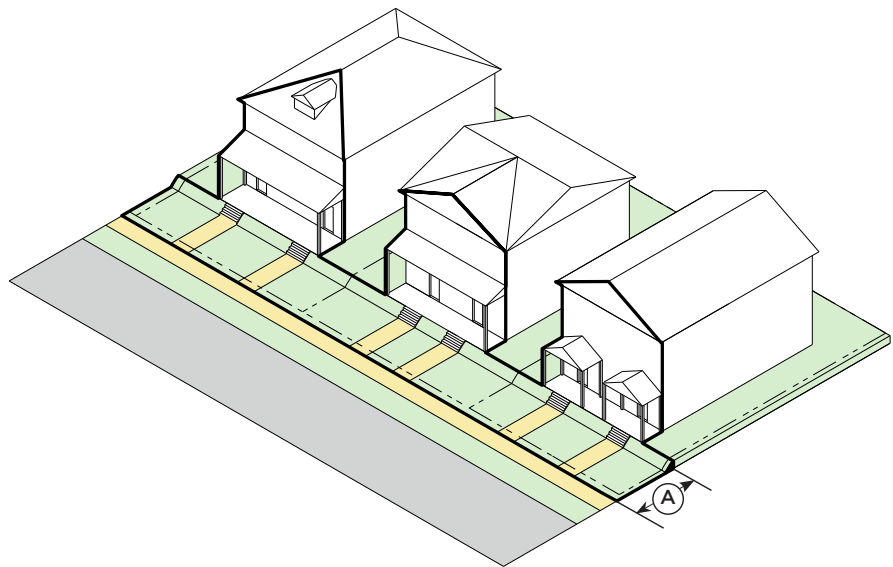
SIZE		
(A)	Depth	15' min.

IV. Standards

- (a) Fences between front yards or between the sidewalk and front yard are not allowed.
- (b) Yards shall be used in conjunction with another allowed frontage type, such as Porch frontage type.
- (c) A minimum of one prominently designed main building entrance must be located on the front facade with a direct walk connection to the public sidewalk.

(2) RAISED YARD

I. Typical Configuration.



II. Description.

- (a) The Raised Yard Frontage Type is a variation of the front yard. It generally represents an historic residential lot character in which the front yard is elevated above the sidewalk, often in a sloped condition and sometimes with a masonry retaining wall (often composed of dry-laid limestone) at the sidewalk edge, or some combination of the two. The raised yard is often a continuous frontage condition for multiple adjacent lots. Front walks connecting the public sidewalk to the main building entrance are typically terraced with a set of steps at or near the public sidewalk and a second set of steps at the building facade, often at a front porch or stoop.

III. Dimensions.

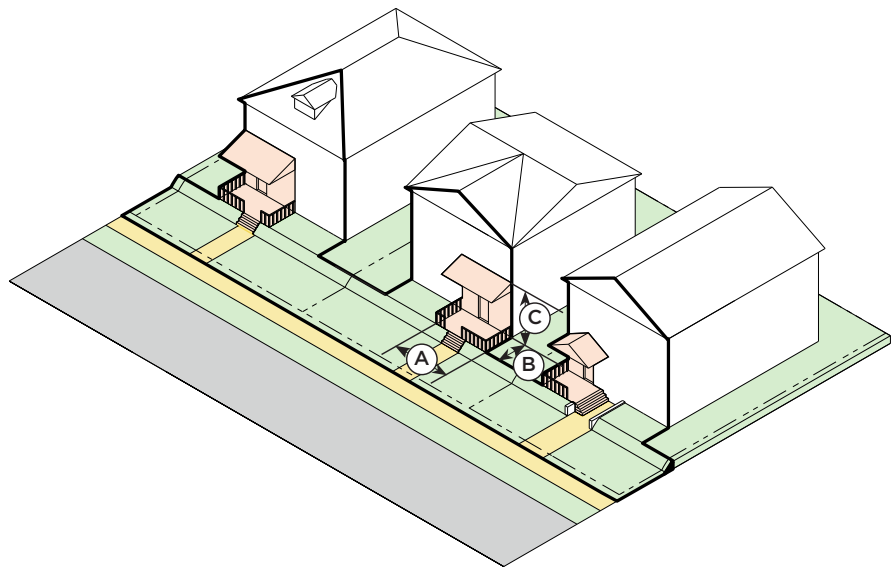
SIZE		
(A)	Depth	Minimum 10 ft. to maximum 25 ft. to porch or main building facade.

IV. Standards.

- (a) Elevation varies according to existing site topography.
- (b) Sidewalk connections must be terraced through the raised yard as appropriate to the elevation.

(3) STOOP

I. Typical Configuration



II. Description.

- (a) A component type featuring set of stairs with a landing leading to the entrance of a building.

III. Dimensions.

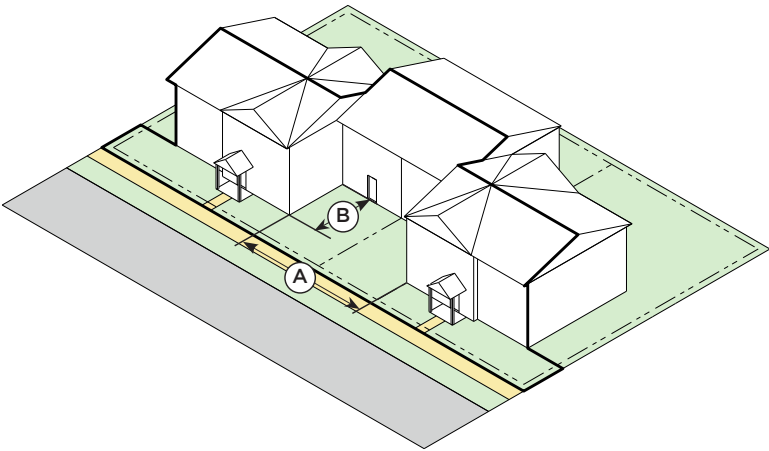
SIZE		
(A)	Width	4' min
(B)	Projection	4' min
(C)	Height	7' min when recessed

IV. Standards.

- (a) Stoops may be recessed into the building facade.
- (b) Stoop may be built perpendicular or parallel to the building face, but must lead directly to ground level or an abutting sidewalk from the building entrance.
- (c) A recessed stoop may not be enclosed.
- (d) Stoops, when built as part of a townhouse or live/work flex building, may be configured as a split stair to access a below grade unit.
- (e) Stairs are not permitted to encroach onto any abutting sidewalk.

(4) FORECOURT

I. Typical Configuration



II. Description.

- (a) A portion of the main facade of the building is at or near the property line and a small percentage is set back, creating a small court space. The space could be used as an entry court or shared garden space for apartment buildings, or as an additional shopping or restaurant seating area within commercial areas. The proportions and orientation of these spaces should be carefully considered for solar orientation and user comfort.

III. Dimensions.

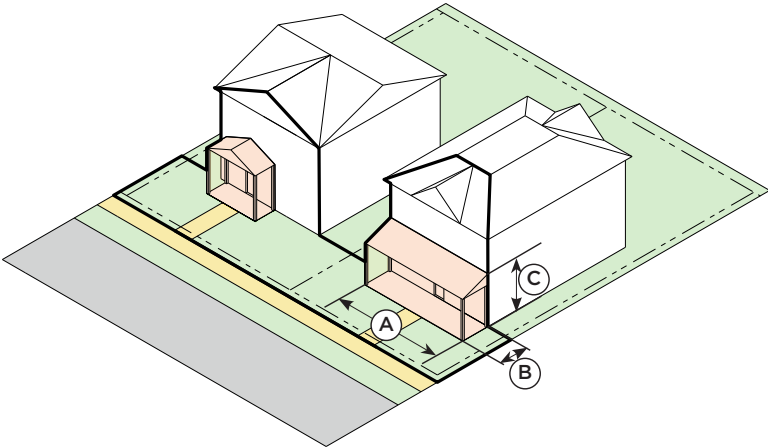
SIZE		
(A)	Width	12' min
(B)	Depth	12' min

IV. Standards.

- (a) This frontage type should be used sparingly and should not be repeated along a frontage.
- (b) A short wall, hedge, or fence shall be placed along the Build-to Line (BTL) where it is not defined by a building.
- (c) Sidewalk(s) connecting entry door and public sidewalk must have a direct walk connection to the public sidewalk.

(5) PORCH

I. Typical Configuration.



II. Description.

- (a) Common frontage type for residential building types. Porches should be an extension of the internal living space.

III. Dimensions.

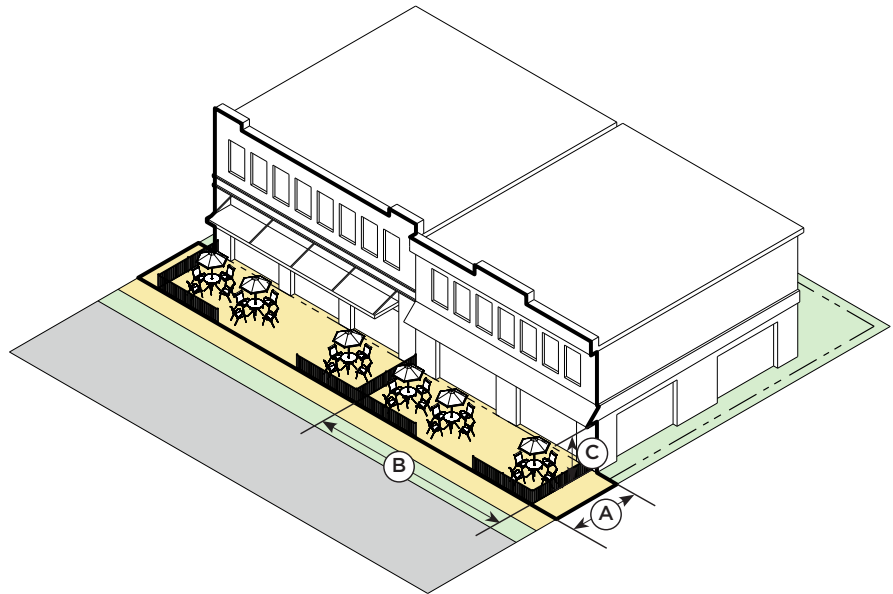
SIZE		
(A)	Width	8' min or 50% of facade width, whichever is greater
(B)	Depth	6' min, 12' max
(C)	Height	1 story

IV. Standards.

- (a) Stairs are not permitted to encroach onto any abutting sidewalk.
- (b) A porch may be screened provided the percentage of window area to wall area is seventy percent (70%) or greater. Permanent enclosure of a porch to create year-round living space is not permitted.

(6) PATIO

I. Typical Configuration.



II. Description.

- (a) The patio frontage is used primarily to provide outdoor seating associated with ground floor dining uses within a building. The patio is a hardscaped area that may be located to the front or side of a building between the building and sidewalk.

III. Dimensions.

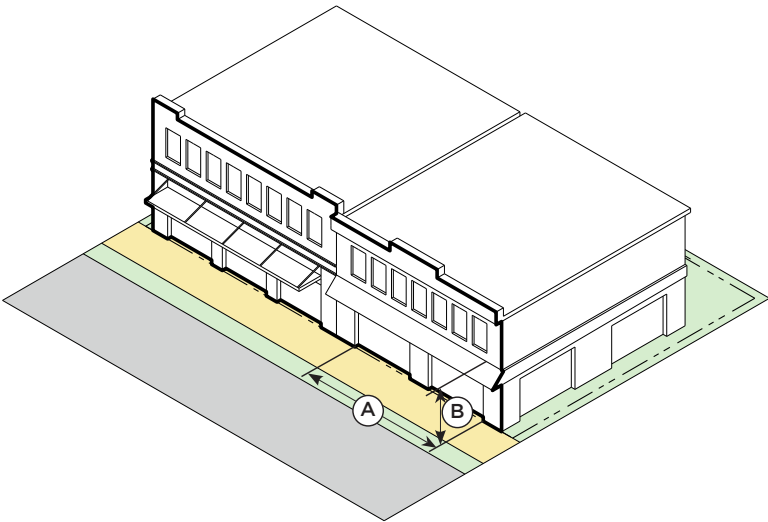
SIZE		
(A)	Depth	20' max
(B)	Width	Patios may extend the full width of a building or individual storefront tenant space, except that access to the main building or storefront must be unobstructed with a direct connection to the public sidewalk.
(C)	Clearance	8' min

IV. Standards.

- (a) Patio may be structurally raised above sidewalk level to the height of the finished floor elevation of the associated building.
- (b) Patios may be partially covered using awnings, canopies or an open structure including, but not limited to a pergola. A pergola or similar structure must be limited in height to the eave line of the associated principal building.
- (c) Patios may be partially enclosed with an open fence, masonry wall, or raised planters.
- (d) The materials and design of patio enclosures must be coordinated with the design and style of the associated and surrounding buildings or storefronts.
- (e) Enclosures or barriers for outdoor dining shall be a minimum of 36" in height and a maximum of 42" in height.

(7) SHOPFRONT

I. Typical Configuration.



II. Description.

- (a) A shopfront is a non-load bearing assembly of commercial entry doors and windows providing access and light to a commercial space and a place to display goods, services, and signs.

III. Dimensions.

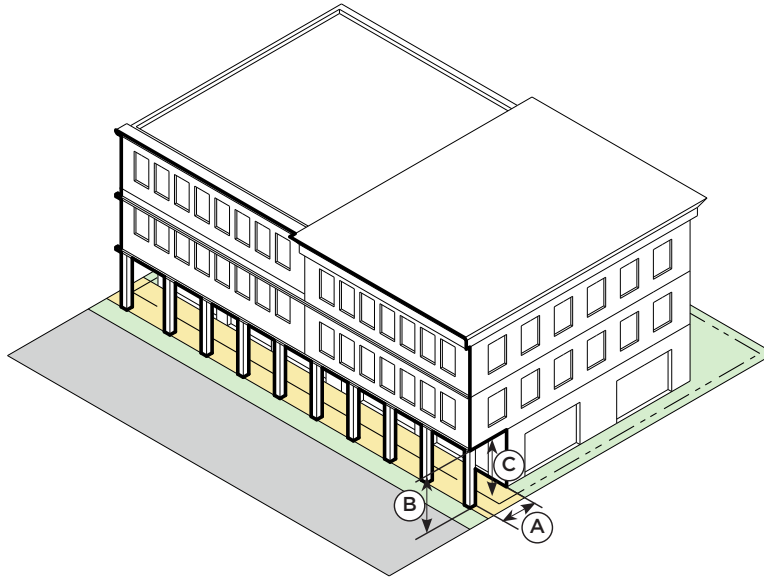
SIZE		
(A)	Width	15' min, 30' max
(B)	Height	80% of ground story height
	Display Window Height	8' min
	Recessed Entrance Width	15' max
	Recessed Entrance Depth	5' max

IV. Standards.

- (a) An unobstructed view of the interior space or a lighted and maintained merchandise display(s) must be provided for a depth of at least four (4) feet behind storefront display windows.
- (b) When shopfronts are set back from the front lot line, the frontage area must be paved.
- (c) When present, awnings and canopies must be mounted between columns, pilasters, or piers; above doorways and display windows; and below the sign band. Awnings shall not contain a sign. Awnings that incorporate any type of graphic design that is not a sign must be approved by the DRB.
- (d) Exterior security grilles, gates, and roll-down security doors and windows are prohibited.

(8) ARCADE

I. Typical Configuration.



II. Description.

- (a) An arcade is a frontage type featuring a pedestrian walkway covered by the upper floors of a building. The ground story facade is setback and upper floors are supported by a colonnade or supports.

III. Dimensions.

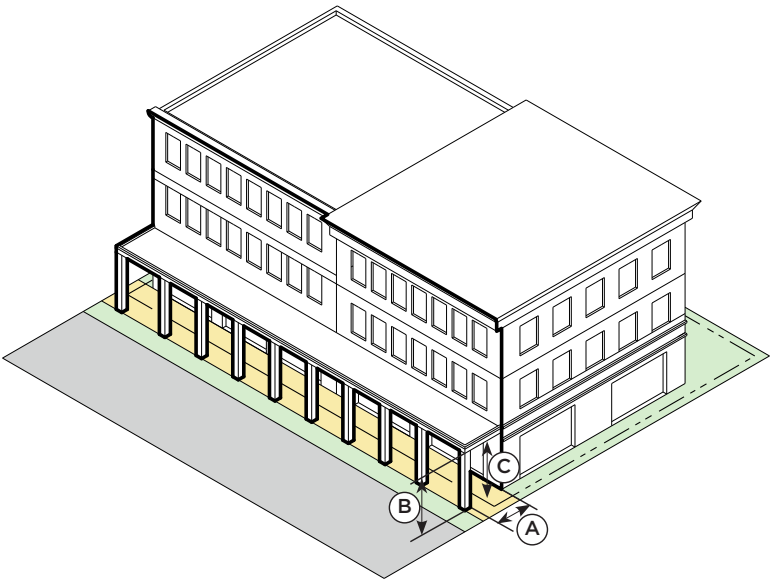
SIZE		
(A)	Depth	10' min, 15' max
(B)	Height	1 story max
(C)	Clearance	14' min, 24' max

IV. Standards.

- (a) Arcades must extend the entire width of a building and must have a consistent depth.
- (b) Support columns or piers may be spaced not farther apart than they are tall.
- (c) Arcades are considered part of the building for the purpose of measuring facade build-out.
- (d) Arcades may be combined only with storefront and lobby entrance frontages.
- (e) The finished ceiling of an arcade interior may be arched or flat, but must have a greater clearance than the openings between columns or piers.

(9) GALLERY

I. Typical Configuration.



II. Description.

- (a) The main facade of the building is at the frontage line and the gallery element overlaps the sidewalk. This frontage type is intended for buildings with ground-floor commercial or retail uses and may be one or two stories. The gallery must extend close enough to the curb so that a pedestrian cannot bypass it. Due to the overlap of the right-of-way, an easement is usually required.

III. Dimensions.

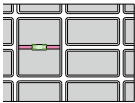
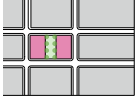
SIZE		
(A)	Depth	10' min, 15' max
(B)	Height	1 story
(C)	Clearance	14' min, 24' max

IV. Standards.

- (a) Galleries must have a consistent depth along a frontage.
- (b) Gallery must project over a sidewalk. Sidewalk shall be placed on private property with a public easement.

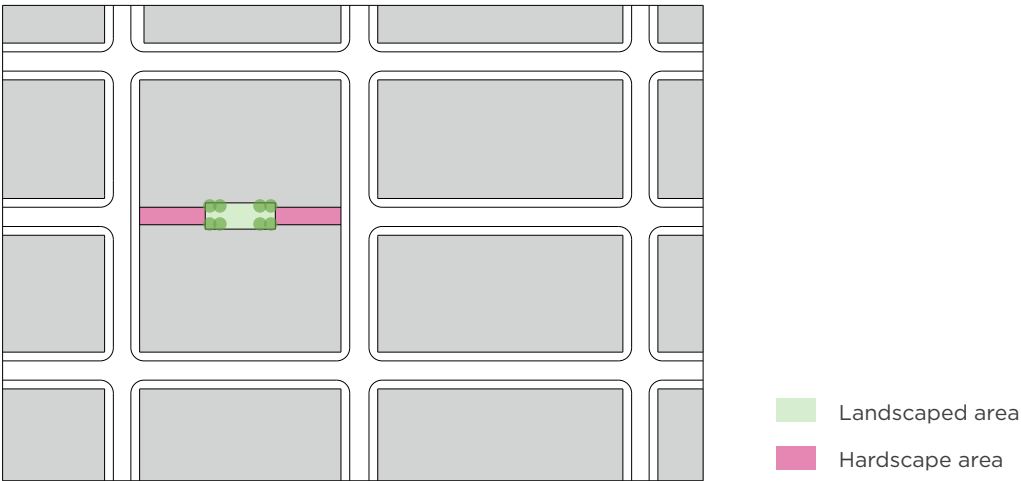
H. Open Space Typologies

- (1) **Summary of Open Space Table.** The following Open space typologies are permitted where space is available and the proposed Typology meets the appropriate typology Description.

OPEN SPACE TYPOLOGIES		HISTORIC VILLAGE CENTER	CORRIDOR	URBAN NEIGHBORHOOD
Passage		●	●	
Pocket Park		●	●	●
Pocket Plaza		●	●	
Green		●		●
Square		●		
Plaza		●		
Greenway and Trail		●		●
Park				●

(1) PASSAGE

I. Typical Configuration.



II. Description.

- (a) A passage is an informal or formal gathering space that serves equally as a pedestrian connector between other gathering places or between streetscapes. Passages are near the middle of a block, providing easy walking access through the block. A passage provides additional frontage opportunities for the shops and/or houses along its edges.



Note: image is illustrative, not regulatory.

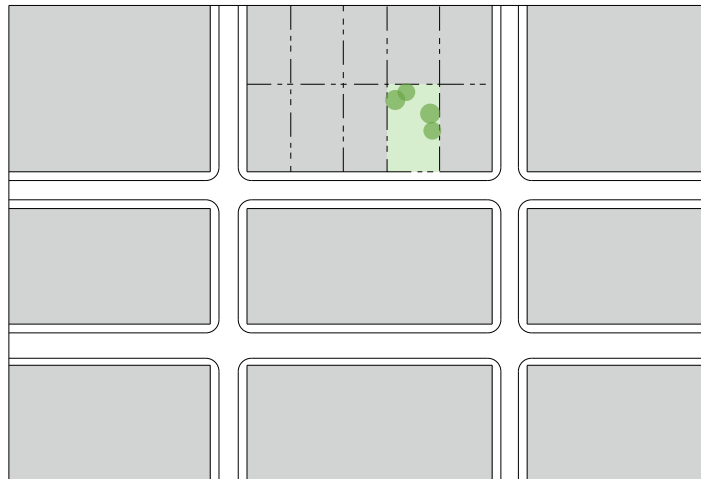
III. Standards.

DESIGN STANDARDS	
Area	NA
Min Dimension (in any direction)	20'
Building Allowed	None; Patio encroachment allowed up to 30% of passage width
Min. of 80% of the passage perimeter or edge needs to be along a building; not applicable along a street	
Impervious + Semi-Pervious Surface	90% max
Seating (min)	NA
Tables (min)	NA



(2) POCKET PARK

I. Typical Configuration.



II. Description.

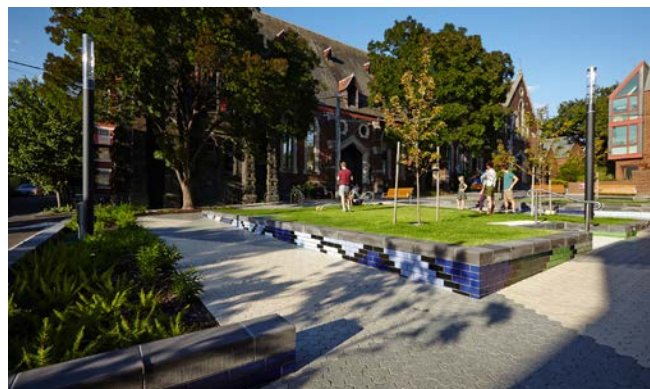
- (a) Pocket parks are small-scale, primarily landscaped open spaces fronting a primary or secondary street and designed to provide opportunities for neighborhood gathering and typically passive recreation, generally for those who live within walking distance. Pocket parks are typically located in residential neighborhood settings, but can be in a commercial neighborhood. Landscaping, including public art, may be required as deemed appropriate by the DRB.

III. Standards.

DESIGN STANDARDS	
Area	0.10 acre min, 0.25 acre max
Min Dimension (in any direction)	40'
Building Allowed	5% of area max
Min. of 40% of the pocket park perimeter or edge needs to be along a building; 50% along a street	
Impervious + Semi-Pervious Surface	50% max
Seating (min)	1 linear foot / 75 sf.
Tables (min)	NA

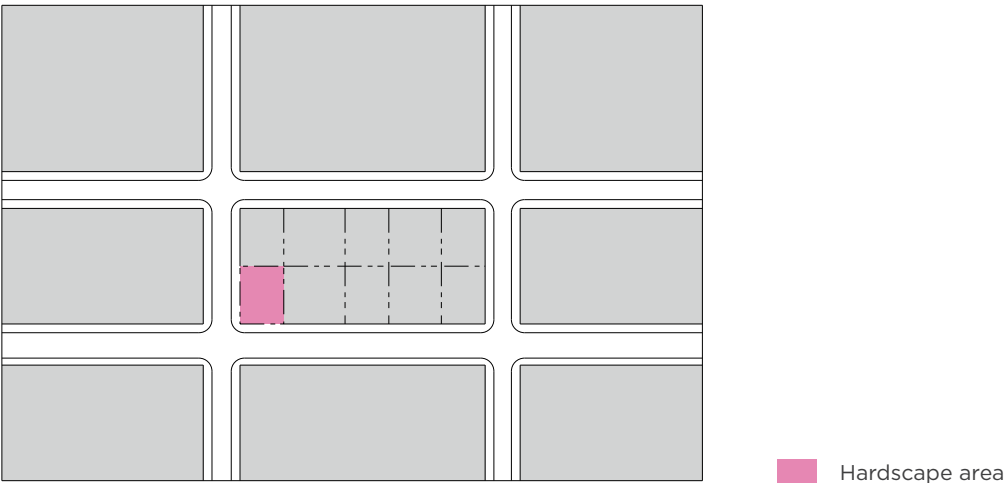


Note: image is illustrative, not regulatory.



(3) POCKET PLAZA

I. Typical Configuration.



II. Description.

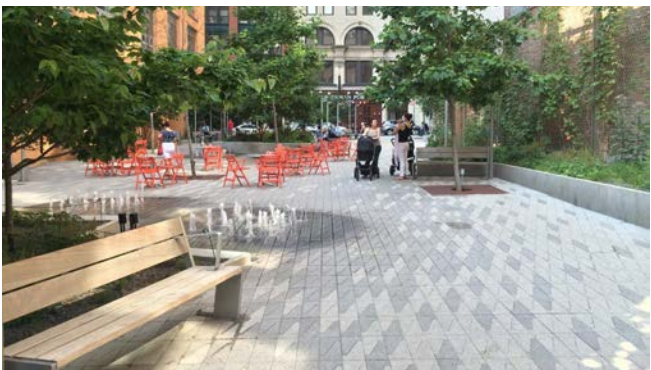
- (a) Pocket plazas are small-scale, primarily hardscaped open spaces designed to provide opportunities for impromptu gathering and resting areas for passersby and for those who live or work in adjacent buildings or nearby destinations. Pocket plazas are typically designed as an extension from the public sidewalk, but clearly delineated as a separate space using features including, but not limited to landscaping, tree planting and potted plants, public art, and/or seating walls. Pocket Plazas are typically located along highly trafficked streets and in commercial areas with frequent pedestrian activity.



Note: image is illustrative, not regulatory.

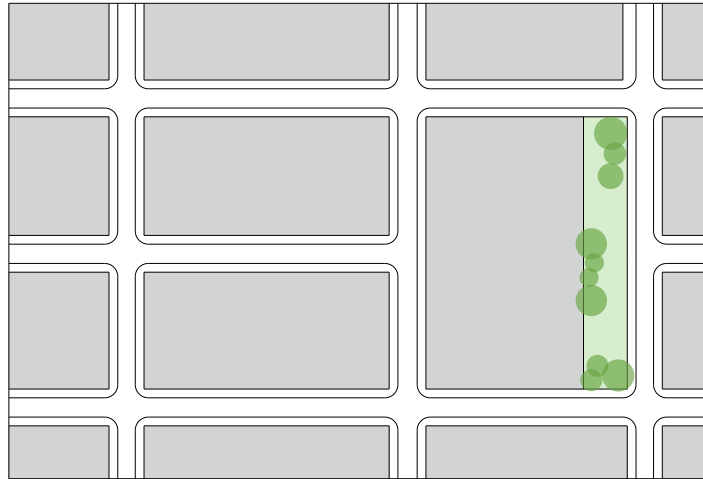
III. Standards.

DESIGN STANDARDS	
Area	500 sq. ft. min, 2,500 sq. ft. max
Min Dimension (in any direction)	10'
Building Allowed	5% of area max
Min. of 40% of the pocket plaza perimeter or edge needs to be along a building; 40% along a street	
Impervious + Semi-Pervious Surface	90% max
Seating (min)	1 linear foot / 50 sf.
Tables (min)	1 / 3 movable chairs



(4) GREEN

I. Typical Configuration.



II. Description.

- (a) Greens are medium-scale, informal open spaces fronting a primary or secondary street and designed to provide for active or passive recreation in neighborhood settings, including some landscape areas and is generally for those who live within walking distance.

III. Standards.

DESIGN STANDARDS	
Area	0.5 acre min, 2 acre max
Min Dimension (in any direction)	50'
Building Allowed	5% of area max
Min. of 40% of the green perimeter or edge needs to be along a building; 30% along a street	
Impervious + Semi-Pervious Surface	30% max
Seating (min)	1 linear foot / 250 sf.
Tables (min)	NA

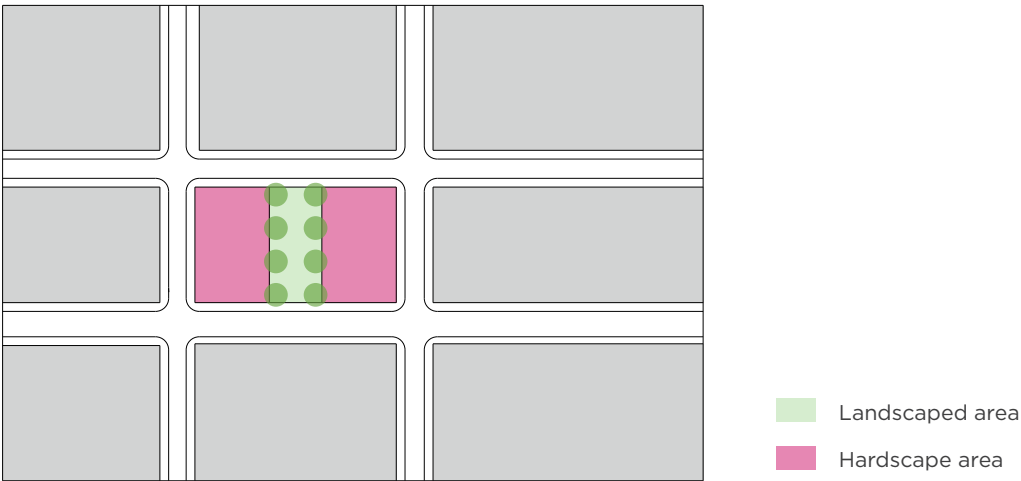


Note: image is illustrative, not regulatory.



(5) SQUARE

I. Typical Configuration.



II. Description.

- (a) Squares are medium scale formal open spaces designed to serve as gathering spaces in prominent commercial, civic and mixed-use settings. Squares are typically rectilinear and framed on all sides by streets. They are typically designed with a combination of both hardscape and landscape areas and contain amenities including, but not limited to, benches and seating areas, planting areas, walking paths, gazebos or pavilions, fountains, and public art.

III. Standards.

DESIGN STANDARDS	
Area	0.25 acre min, 1 acre max
Min Dimension (in any direction)	60'
Building Allowed	5% of area max
Min. of 0% of the square perimeter or edge needs to be along a building; 100% along a street	
Impervious + Semi-Pervious Surface	50% max
Seating, including seating walls (min)	1 linear foot / 250 sf.
Tables (min)	NA

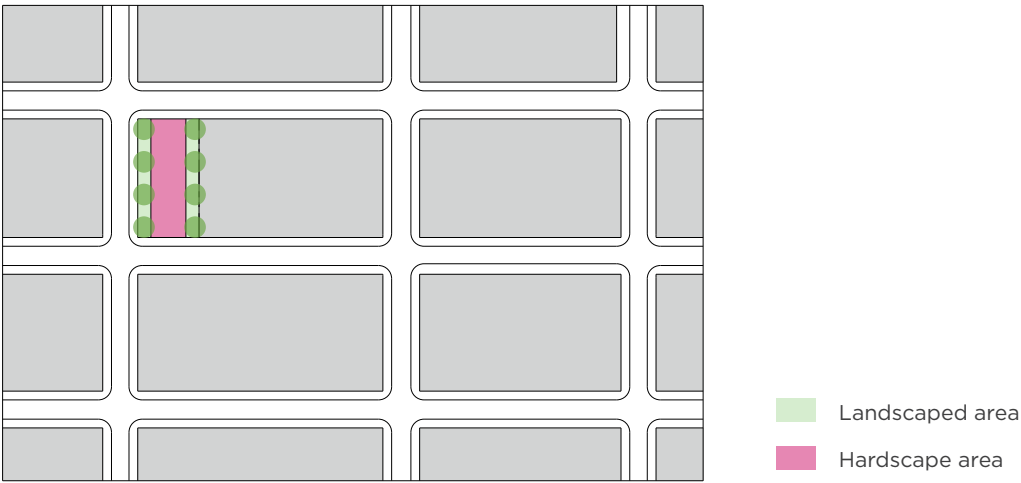


Note: image is illustrative, not regulatory.



(6) PLAZA

I. Typical Configuration.



II. Description.

- (a) Plazas are spaces available for civic purposes and commercial activities intended to add to the vibrancy of streets and neighborhoods. Building frontages typically define the edges of these spaces. The landscape consists of primarily hardscape and can include public art, If trees are included, they are formally arranged and of appropriate scale to the space.

III. Standards.

DESIGN STANDARDS	
Area	0.25 acre min, 0.5 acre max
Min Dimension (in any direction)	60'
Building Allowed	5% of area max
Min. of 30% of the plaza perimeter or edge needs to be along a building; 30% along a street	
Impervious + Semi-Pervious Surface	40% min, 90% max
Seating (min)	1 linear foot / 500 sf.
Tables (min)	NA

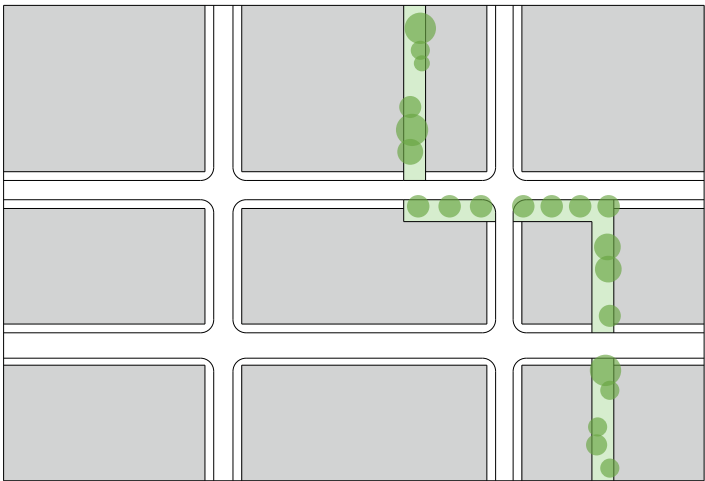


Note: image is illustrative, not regulatory.



(7) GREENWAY AND TRAIL

I. Typical Configuration.



II. Description.

- (a) Greenways are primarily linear open spaces that connect other types of open spaces as part of a larger open space system. They typically include a path or trail, and may include public art as a primary feature. The greenway and trail open space is most effective when connecting to another open space type. Lighting can be provided and spaced to enhance pedestrian safety.

III. Standards.

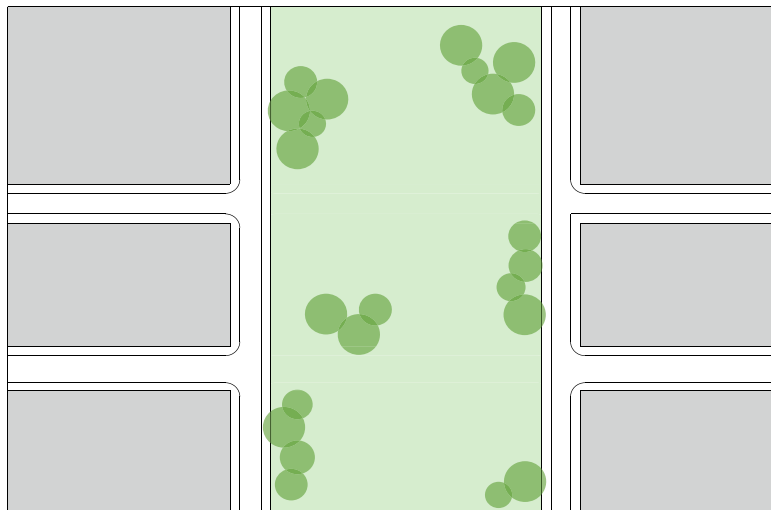
DESIGN STANDARDS	
Area	NA
Min Dimension (in any direction)	20'
Building Allowed	NA
Min Perimeter Along Street/ Building	NA
Impervious + Semi-Pervious Surface	10'
Seating (min)	NA
Tables (min)	NA



Note: image is illustrative, not regulatory.

(8) PARK

I. Typical Configuration.



II. Description.

- (a) Parks are larger-scale, typically informal open spaces designed to provide a variety of active and passive recreational opportunities to the general public. Parks may include natural areas, green infrastructure and public art. These open spaces may have a variety of forms, with edges defined by streets, neighborhoods, or natural features. Landscaping may be required as deemed appropriate by the DRB.

III. Standards.

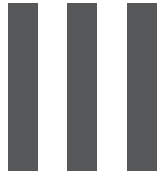
DESIGN STANDARDS	
Area	0.25 acre min
Min Dimension (in any direction)	60'
Building Allowed	5% of area max
Min. of 0% of the park perimeter or edge needs to be along a building; 60% along a street	
Impervious + Semi-Pervious Surface	50% max
Seating (min)	NA
Tables (min)	NA



Note: image is illustrative, not regulatory.







SUPPLEMENTAL DESIGN STANDARDS AND GUIDELINES

I. Supplemental Design Standards and Guidelines.

- (1) **General Intent.** Urban design criteria in the form of Standards and Guidelines are to be applied in conjunction with the direction established by the 2020 Johnstown Comprehensive Plan. Standards and Guidelines are intended to encourage creativity within the design framework while maintaining a consistent level of quality between individual projects. Standards and guidelines do not mandate a particular architectural style or building materials, but they do mandate the following:
 - (a) Define a standard of design quality intended to enhance the public realm;
 - (b) Promote cohesive development patterns while allowing for diversity and variety in the design and construction of individual projects;
 - (c) Assist City staff, planners, designers, developers, and owners in making consistent choices that reinforce the vision;
 - (d) Recognize that the corridor will evolve over time and that development will respond to changes in the market; and
 - (e) Integrate and transition new development into surrounding communities.
- (2) **Design Standards and Guidelines Defined.**
 - I. Design Standards. Design Standards are objective criteria that provide specific direction for achieving the stated Intent. Standards denote issues that are considered critical and use the term “shall” to indicate that compliance is required.
 - II. Design Guidelines. Design Guidelines provide alternative solutions for accomplishing the goals set forth by the Intent Statements. They are more flexible and harder to quantify than Standards. They often amplify a related Standard. Guidelines use the term “should” or “may” to denote they are considered relevant to achieving the Intent Statement, and will be pertinent to the review process. When they amplify a Standard they are preferred, but not mandatory, criteria. Guidelines will, however, be strongly considered in circumstances when a Standard is not being met and an alternative is being sought. In such a case, it must be demonstrated that the alternative meets one or more of the following criteria:
 - (a) The alternative better achieves the stated Intent;
 - (b) The Intent Statement that the Standard was created to address will not be achieved by application of the Standard in this particular circumstance;
 - (c) The application of Guidelines to achieve stated Intents will be improved by not applying the Standard in this particular case; and
 - (d) Unique site characteristics or unusual market factors make the Standard impractical.
- (3) **Design Standards and Guidelines**

I. VEHICULAR CIRCULATION AND ACCESS.

- (a) Intent - To locate vehicular access in a way that:
 - 1) Minimizes conflict with other modes of transportation, especially pedestrian traffic;
 - 2) Protects residential streets from the effects of undue congestion and noise;
 - 3) Encourages multi-modal transportation; and
 - 4) Provides for the safe and efficient movement of pedestrians, bicycles, and vehicles.
- (b) Design Standards
 - 1) Vehicular access must be provided via an alley when the alley is determined to be open or accessible by the City Engineer.
 - 2) In the absence of alleys, the Secondary Street or side street, must be used as the principal vehicular access.
 - 3) Any development project with a total, cumulative site area of 1.5 - 3.9 acres must provide an alley where practical.
 - 4) Sites larger than 2.0 acres must provide a network of connected streets (public or private) that provide circulation within the site and current and future connections to the existing street network and to adjacent properties.
 - 5) All vehicular access points in the public ROW, including driveways, alleys, and new street network plans must be approved by the City Engineer.
- (c) Design Guidelines
 - 1) A single curb-cut or driveway should not be wider than what is minimally required by the City Engineer for the safe movement of traffic.
 - 2) Curb-cuts and driveways are discouraged close to the curb line at the corners of blocks.
 - 3) Drop-offs serving the entrances of specific uses such as hotels should be located outside the ROW where possible. Drop-offs in the ROW will require approval by the City Planner and the City Engineer.

II. PEDESTRIAN AND BICYCLE CIRCULATION AND ACCESS.

- (a) Intent
 - 1) To reinforce the historic pattern, hierarchy, and logic of the City's pedestrian sidewalk system.
 - 2) To create a walkable, safe pedestrian environment.
 - 3) To incorporate alternate modes of transportation, especially walking and cycling, into the design of vehicular street systems.
 - 4) To connect the development to existing designated bike routes and trail systems where appropriate.
 - 5) To connect the development to future and existing neighborhoods and the Village Center and to provide a distinction between the drive lane and the pedestrian walking path.

(b) Design Standards

- 1) All development must provide safe, direct and convenient pedestrian access connecting public streets and parking lots to primary building entrances, and to all other uses in the development that allow for public access.
- 2) Pedestrian access must consist of an accessible, easily discernible, well-lit, ADA compliant six-foot walkway.
- 3) The pedestrian access surface located on private property must be paved with fixed, nonslip semi-pervious or impervious materials.
- 4) Pedestrian access routes between and adjacent to buildings and parking areas must be physically separated from drive aisles, except when crossing a drive aisle.
- 5) Where a pedestrian walkway crosses a drive aisle, the walkway must have a continuous surface treatment across the drive aisle.
- 6) Pedestrian walkways must be designed and installed to allow for cross-access between abutting properties.

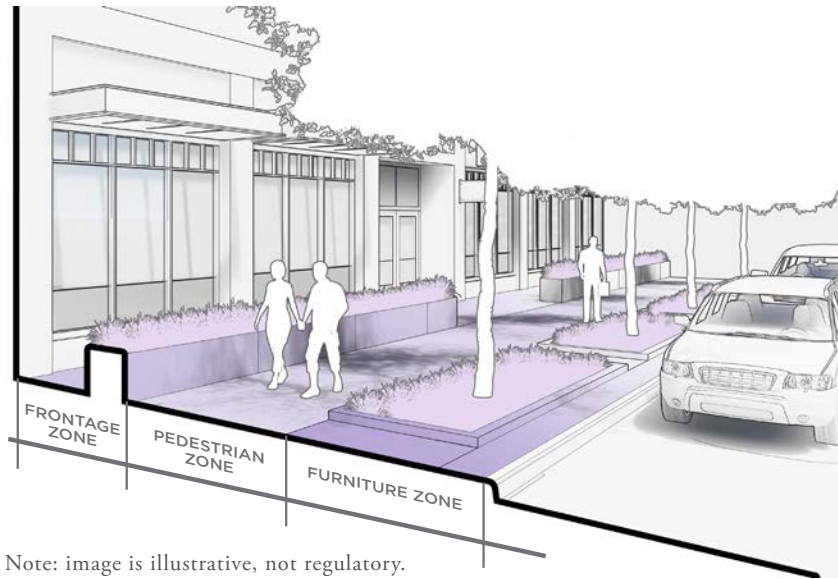
(c) Design Guidelines

- 1) All new streets should be designed to allow pedestrian and bicycle access.
- 2) The system of pedestrian and bicycle circulation should be designed to connect to and extend from similar circulation systems on adjacent existing streets.
- 3) Pedestrian crossings of all streets should be accommodated at street grade without requiring the use of a bridge or tunnel.
- 4) For designated bike routes, painted lanes or “sharrows” (as approved by the City Engineer) are encouraged.

III. GENERAL STREETSCAPE (PUBLIC REALM) DESIGN.

(a) Intent

- 1) To encourage streetscapes that distinguish and support various modes of transit, including but not limited to vehicular traffic, cycling, and walking.
- 2) To provide adequate and logical connections of streets and sidewalks within the development and between the development and adjacent neighborhoods.
- 3) To provide sidewalks of adequate width to contain, define, and concentrate pedestrian uses.
- 4) To encourage pedestrian activities on the sidewalk such as walking, eating, and browsing retail storefronts.
- 5) To encourage streetscapes with tree rows that create a continuous canopy at maturity.
- 6) To avoid long, straight, street alignments that contribute to large blocks.



Note: image is illustrative, not regulatory.

(b) Design Standards

- 1) All sidewalks within the public ROW must meet the separate standards of, and be approved by, the City Engineer.
- 2) All plantings in the Furniture Zones shall meet the requirements of City ordinances.
- 3) For all Primary Streets, sidewalks shall be designed to include at a minimum:
 - i. A five-foot wide, ADA compliant Pedestrian Zone free of all obstructions; and
 - ii. A four-foot wide Furniture Zone, measured from the curb line. This zone shall contain street trees, brick pavers where practical, seating, or other pedestrian amenities.
- 4) Every sidewalk on a Secondary Street shall be designed to include at a minimum:
 - i. A five-foot wide ADA compliant Pedestrian Zone free of all obstructions; and
 - ii. A four-foot wide Furniture Zone that shall contain street trees.
 - iii. Within the public ROW, encroachments into the Pedestrian Zone by the Furniture Zone shall be allowed by permit only.



Note: image is illustrative, not regulatory.

(c) Design Guidelines

- 1) Furniture Zones, which include building-related functions such as sidewalk seating, are encouraged on enhanced pedestrian streets such as Coshocton Street and North and South Main Street.

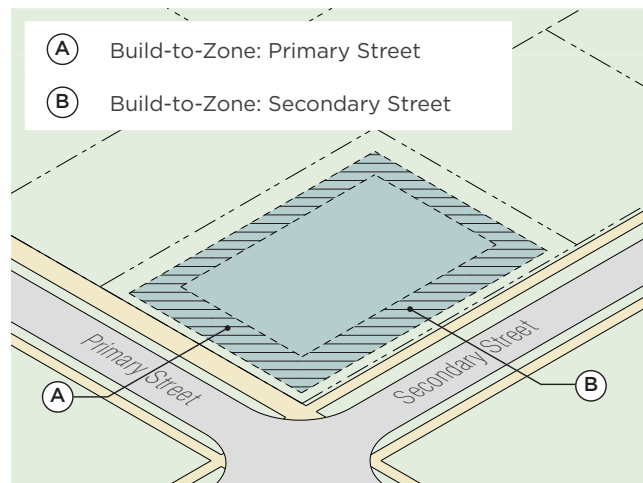
IV. BUILDING LOCATION, ORIENTATION, AND USE – BUILD TO REQUIREMENTS. ■

(a) Intent

- 1) To create a street wall that defines the three-dimensional space of the street and contributes to its sense of place.
- 2) To maintain the continuity of the street wall for the majority of the length of the street.

(b) Design Standards

- 1) All buildings shall adhere to the setback requirements of the underlying zone district in which the building or structure resides except as modified below.
- 2) Build-to zones are required along primary and secondary streets in all Overlay Districts. This zone is the area running along the Property Line in which the Building Facade must be located within the build-to zone.



(c) Design Guidelines

- 1) Where gaps between buildings are contemplated, they should be located and proportioned to:
 - i. Relate to major transitions in use or character;
 - ii. Relate to significant, designed open spaces;
 - iii. Relate to adjacent buildings; and
 - iv. Correspond to historic or surrounding zone block widths or depths.

- 2) In general, ground floor arcades are discouraged in favor of building façades that directly front the street. However, arcades may satisfy the build-to requirement when:
 - i. They extend no more than one floor in height;
 - ii. The exterior face of the arcade column line is within the build-to zone;
 - iii. The exterior face of the column line generally continues the wall plane of the building above;
 - iv. The average depth of the arcade is no less than six feet clear as measured from the back face of the column line;
 - v. The average depth of the arcade is no more than 2/3 of its average clear height as measured from the front face of the column line; and
 - vi. The arcade column width and column spacing does not substantially impede views of the Pedestrian Active Uses from the Pedestrian Zone.

V. BUILDING LOCATION, ORIENTATION AND USE – PEDESTRIAN-ACTIVE USE REQUIREMENTS.

(a) Intent

- 1) To locate and orient uses in a way that encourages and intensifies pedestrian activity and interest along the street.
- 2) To require a predominance of Pedestrian Active Uses fronting the street.



Note: image is illustrative, not regulatory.

(b) Design Standards

- 1) Seventy-five percent of ground floor frontages facing Coshocton Street and Main Street within the Corridor and the Historic Village Center where a sidewalk is present shall be occupied by Pedestrian Active Uses. For all remaining primary streets, at least 65 percent of all ground floor frontages shall be occupied by Pedestrian Active Uses.

(c) Design Guidelines

- 1) A majority of the ground floor frontage of commercial buildings and parking structures on all streets should contain Pedestrian Active Uses.
- 2) Portions of the building not parallel with the street should be related to building uses that complement pedestrian activities along the street.

VI. PARKING LOCATION AND ORIENTATION – SURFACE PARKING LOTS.

(a) Intent

- 1) To locate and orient surface parking on the site in a way that reduces its visual and environmental impact.

(b) Design Standards

- 1) New surface parking shall not exceed 25 percent of block frontage along any primary street or 50 percent of block frontage along any secondary street.
- 2) New surface parking shall provide safe pedestrian passage by incorporating an efficient system of 5-foot wide pedestrian paths.
- 3) At least 25 percent of the paved surface area of each new surface parking lot should be shaded by mature landscaping (within 5 years).

(c) Design Guidelines

- 1) No new surface parking is allowed between the front of a building and the street.
- 2) Electric vehicle (EV) charging stations are encouraged to be provided and may be substituted for required parking spaces.

VII. SITE SERVICE AND UTILITY AREAS.

(a) Intent

- 1) To minimize the visual presence of service functions, such as delivery and refuse pickup.

(b) Design Standards

- 1) Service and utility areas shall not be located:
 - i. Within 25 feet horizontally of any pedestrian entry, and 40 feet from a single-family lot line;
 - ii. Between the building and the street.
- 2) Service and utility areas shall be concealed from the street by employing means such as:
 - i. Locating underground;
 - ii. Locating internal to a structure or group of structures;
 - iii. Providing enclosing walls, fences, screening and/or landscaping of sufficient height and density year-round; and
 - iv. Locating along internal alleys or service drives.

(c) Design Guidelines

- 1) Utility and service areas should be shared between buildings, among groups of similar uses, or otherwise consolidated to minimize the proportion of the site dedicated to these functions.

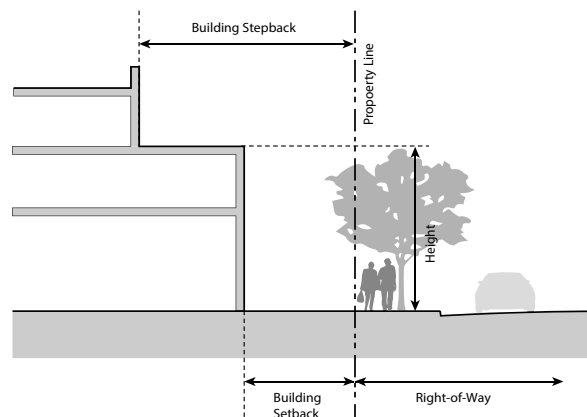
VIII. BUILDING MASSING AND FORM.

(a) Intent

- 1) To encourage buildings whose forms are responsive to the surrounding context.
- 2) To encourage original building design.
- 3) To generate visual interest in the built environment by:
 - i. Emphasizing changes in use;
 - ii. Marking transitions between districts; and
 - iii. Creating iconic elements that mark entrances and terminate views.
- 4) To moderate scale changes between adjacent buildings.
- 5) To encourage building forms that promote sun and sky exposure to streets and open spaces.
- 6) To ensure that designs are appropriate with the City's built environment, including its historic character.

(b) Design Standards

- 1) Stepbacks shall be required for any facade that fronts a Pedestrian Zone in the Historic Village Center District and is higher than 35 vertical feet. For that portion of the facade that is over 35 feet in height, at least 25 percent of the horizontal length of the facade should step back 10 feet from the front lot line.



- 2) Story height is the height of each story of building and it is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, upper story height is measured from the top of the finished floor to the top of the wall plate above.
- 3) Open structures, such as pergolas or shade devices, do not constitute a story and may be placed on building roofs.
- 4) For buildings 100 feet or more in length, at least 15% of the street-facing roof line must have a variation in height of at least five feet. On a corner lot, the variation in height must be located at the corner of the building that addresses both street fronts.
- 5) For buildings 100 feet or more in length, at least two portions of the street-facing building facade must have a variation in setback of at least two feet. The combination of

the required variations in setback must total no less than 15% of the building.

- 6) Door placement, door style, and color must reflect the vernacular style of the house. Door styles must be used in a manner that emphasizes the front entry and de-emphasizes the garage and service door. Generally, door placements must be centrally located and placed in balanced manner with respect to window placement. In addition to proper location, doors must have overhead protection and serve as prominent architectural features.

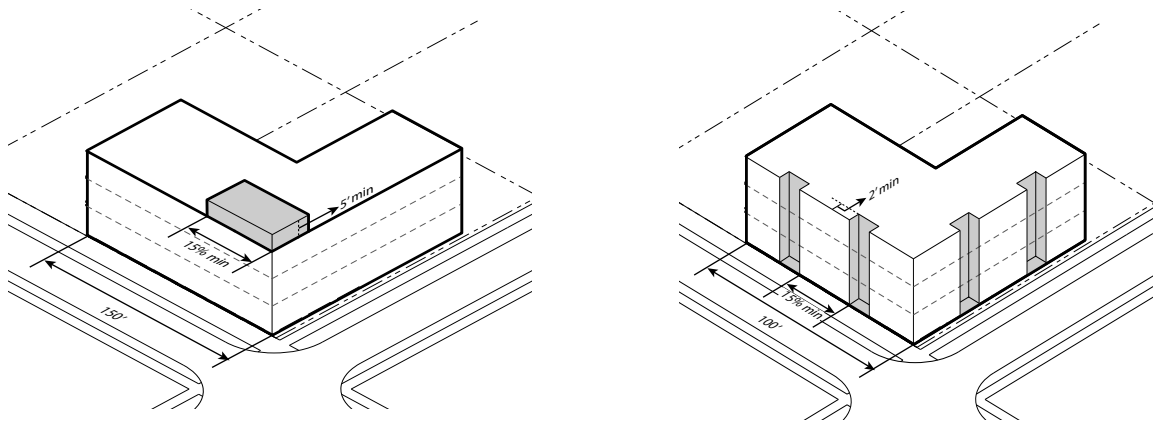
(c) Design Guidelines

- 1) Additional bulk reduction is encouraged for buildings on the south and east sides of streets and open spaces to allow for greater penetration of sunlight into these spaces.
- 2) Articulation of the building form is encouraged to express typical architectural elements such as:
 - i. The location of entrances and vertical circulation;
 - ii. Significant changes in building use or occupancy;
 - iii. Changes from one residential unit to another;
 - iv. The expression of structural bays; and
 - v. The expression of balconies and above-grade terraces.
- 3) Articulation of the building mass and form is also encouraged to express a building's relationship to its context, including:
 - i. Adjacency to significantly lower or taller buildings;
 - ii. Response to existing structures;
 - iii. Relationships to the corners of blocks or major site entrances;
 - iv. Response to the termination of views; and
 - v. The creation of an engaging profile or skyline.
- 4) The use of dormers along the front elevations to provide additional architectural interest to rooflines is strongly encouraged and, where architecturally appropriate, incorporate the following:
 - i. The use of dormers along the front elevations to provide additional architectural interest to rooflines is strongly encouraged where architecturally appropriate.

- ii. The body of a dormer should be vertically proportioned, and the window within the dormer should be proportioned and balanced when compared to the windows in the floor below.
- iii. Dormers that have no functionality and are only used for cosmetic purposes are discouraged.

5) Roof Pitch (Residential Uses)

- i. Roof pitches should be min 7 /12 unless a lower pitch is appropriate for the architectural style.
- ii. Front-facing gables exceeding 10/12 pitch are strongly encouraged for most house styles.
- iii. If using asphalt shingles, they should be minimum 25-year "dimensional" or better.



IX. BUILDING CHARACTER.

(a) Intent

- 1) To create visual interest through a varied palette of texture, color, and module.
- 2) To give buildings and surfaces a human scale.
- 3) To ensure the consistent use of high-quality materials appropriate for an urban environment.
- 4) To promote durability, sustainability, and ease of maintenance.
- 5) To complement existing materiality of the surrounding neighborhoods.

- (b) Design Standards. Building walls should reflect and complement the traditional materials and techniques of the City of Johnstown's architecture. They should express the construction techniques and structural constraints of traditional, long-lasting, building materials. Simple configurations and solid craftsmanship are favored over complexity and ostentation in building form and the articulation of details. All building materials to be used shall express their specific properties. For example, heavier more permanent materials (masonry) support lighter materials (wood).

1) Required and Desirable Materials:

- i. At least fifty percent of the building's exterior wall area must be brick, natural limestone, and/or architectural cast limestone;
- ii. Architectural pre-cast concrete;
- iii. Glass;
- iv. Architectural metal panel systems (within Corridor District only);
- v. Decorative metal framing systems with an exterior-grade finish system; and
- vi. Materials such as cementitious or metal panels, siding, hard coat stucco, cedar siding, metal siding, copper, or tile.
- vii. Structures that incorporate more than 50% masonry on the front elevation shall incorporate a minimum of 25% masonry on the side and rear elevations. Brick treatments on the sides and rear shall be in the form of a water table.

2) Undesirable Materials:

- i. Unpainted concrete block walls;
- ii. Metal, excluding architectural metal panel systems, vinyl or plastic siding; thin-coat stucco, exterior insulated foam systems (e.g. Dryvit) and similar materials except when used as trim; metal roofs (except for standing seam roofs);
- iii. Mix of unrelated styles (e.g. rustic wood shingles and polished chrome);
- iv. Materials with a glossy finish;
- v. Materials of a structural or unfinished nature such as tilt-up concrete panels shall not be used on building façades visible from the street; and
- vi. Concrete masonry units.

(c) Design Guidelines

- i. The expression of smaller material modules is encouraged to enhance the sense of human scale and interest, especially at ground and second floor façades.
- ii. Materials with the greatest durability, such as brick or stone, should be used on ground floor façades. Other materials, such as glass and wood, may also be added to ground floor façades where appropriate.
- iii. Materials should also be selected with consideration given to their environmental and sustainable attributes, including:
 - 01. Life-cycle cost - including embodied energy,
 - 02. Proportion of post-consumer or post-industrial recycled content,
 - 03. Local or regional availability,
 - 04. Re-use or recycling potential after useful life.
- iv. Materials should be composed within the building facade in a way that adheres to a visual and structural logic. For example, materials that clad or express a structural element should be more prominent than those that clad or express an infill element.
- v. The use of synthetic materials that imitate natural materials should be avoided.

A synthetic material should be used in a way that reflects the material's intrinsic characteristics.

vi. Residential Uses

01. The use of cedar clapboard, cedar shingles, or fiber-cement composite board should be considered. Any vinyl product that is used on a single-family home should be an architectural grade vinyl siding with foam backed trim and corners boards or equal.
 02. No foundational wall exposed on the front elevation.
 03. If brick or stone is used on the front elevation, use brick or stone on any chimney that may be located on the side or rear elevation.
 04. The front elevation should be wrapped in stone
- vii. If brick or stone is used on the front elevation, incorporate a three (3) foot water table up to and including the bottom of the windows of brick or stone around the sides and rear or alternatively, in a mass at key points.
- viii. Any brick or stone that is used on a front elevation shall minimally incorporate a return around the corners of any homes. This will avoid the impression of having merely a veneer of brick or stone on the front elevations. A return should have a minimum width of two feet or terminate as a change in plane.
- ix. Use brick or stone on all four elevations of the first floor of any single home. Two or less siding types should be permitted exclusive of masonry veneer.

(d) Fenestration

1) Intent

- i. To enhance street-level activity and interest by providing a high degree of transparency, particularly at the ground floor.
- ii. To provide a level of transparency at upper floors sufficient to be aware of internal activities when viewed from the street.
- iii. To create rhythms and patterns on building façades that provide visual interest and reflect the uses within.
- iv. To limit the glare from reflective glass.

2) Design Standards

- i. Facades shall have a minimum percentage of window-to-solid wall area as shown in Table C., Summary of Dimensions and Standards.
- ii. Residential façades shall provide no less than 20 percent window to solid wall area.
- iii. In new construction, no highly reflective glazing shall be permitted. All glazing shall have a maximum reflectance factor of 0.20. No first-surface reflective coatings shall be permitted.
- iv. Glass block or other glazing products that provide adequate light transmission but distort view shall not be used on ground floor building façades. Glass block or other glazing products can be used on the basement and second floor for privacy.
- v. Windows shall be placed on all four elevations. Blank walls with no windows are

strongly discouraged.

3) Design Guidelines

- i. Where the required window to wall ratio is not feasible or is in conflict with internal functions, elements such as public art, retail displays, or enhanced signage and building detail should be integrated to maintain the visual interest at street level.
- ii. No more than 50 percent of the required glazing area in a facade should be consolidated in one area.
- iii. Clear glazing is preferred at the ground floor, but the use of colored, patterned, or fritted glass may be allowed when it is above the required percentage of transparency.
- iv. Fenestration should recess or project from the adjacent wall surface or surround to create a visible shadow line.
- v. Large areas of glazing should be subdivided by mullions, joints, or similar scaling elements to provide a reasonable level of scale and detail, especially at the ground and second floors.
- vi. Louvered or other unglazed facade openings should also be articulated with a system of scaling elements to provide a level of scale and detail complementary to glazed areas.
- vii. Operable windows are desirable and should be strongly considered in residential and commercial buildings.
- viii. Durable and permanent low-emissivity coatings on the second or third glazing surface are encouraged to provide greater energy efficiency.
- ix. Sunshades and screens are encouraged as long as they do not significantly block views through the window in either direction.
- x. Windows should be aligned where possible. Additionally, great care should be given to the placement of windows and the window fenestration used. The style of the windows should be dictated by the architectural style of the building.
- xi. Facade compositions, especially the placement of windows are closely related to building massing.
- xii. The placement of windows should not only be consistent with the massing of the house, but also should be consistent with the particular architectural vernacular that is chosen. The existing architecture of the City's historical core exhibits the traditional methods of window placement for all windows, not just those on the second or third floor. Traditional methods in window placement and treatments should be used in all future single-family residential development in the City.
- xiii. Where appropriate, shutters should be used, particularly with residential structures. If shutters are appropriate, they should be sized and mounted as if operable. Shutters should be avoided on double, triple hung, grouped, or mullied windows. If shutters are used on the front elevation, they should be carried over to the side and rear elevations where appropriate. Windows without shutters should have a minimum 3.5" trim on all four sides of the window.

(e) Facade Articulation

- 1) Intent
 - i. To create visually interesting and human-scaled façades, particularly those that face streets or open spaces.
 - ii. To avoid large areas of undifferentiated façades.
- 2) Design Standards
 - i. Building façades or portions of building façades visible from the street shall incorporate, at a minimum, three of the following architectural scaling elements:
 01. A change in color;
 02. A change in material intent or material module or pattern;
 03. A system of horizontal and vertical scaling elements such as a belt course, string course, projecting fins, or projecting cornice or eyebrow;
 04. Expression of the structural system and infill panels through a change in plane of at least 3 inches;
 05. Articulation of window and doorway surrounds, which may include sills, lintels, pilasters, and mullions, through a change in plane of at least 2 inches;
 06. A system of horizontal and vertical articulating reveals of at least 3/8" width by 3/8" depth; and
 07. A system of art or ornament integral to the building (such as an inset decorative panel or metal framework anchored to embeds in the building facade).
 - ii. Architectural scaling elements shall occur both horizontally and vertically and be part of a cohesive system. They shall not occur only to satisfy minimum requirements.
- 3) Design Guidelines
 - i. Architectural scaling elements should be composed in a way that highlight a building's intrinsic architectural characteristics, including but not limited to the building's:
 01. Structural module;
 02. Vertical divisions represented by the floor, sill, lintel, and parapet;
 03. Building composed of a "base," "middle," and "top;"
 04. Patterns of fenestration; and
 05. Primary uses or transitions between use or ownership.
 - ii. Facade articulation should be more detailed at the ground floor.
 - iii. Architectural scaling elements should be integrated into the building facade and not appear as an insubstantial overlay.
 - iv. Where a primary building facade abuts a facade of secondary importance (such as along an alley or internal service area), architectural scaling elements should be integrated into that portion of the secondary facade exposed to public view.

X. BUILDING ENTRIES AND ACCESS.

(a) Pedestrian Access

1) Intent

- i. To encourage pedestrian activity between buildings and the street by providing adequate ground level, street-oriented entrances.
- ii. To promote pedestrian safety by separating pedestrian and vehicular points of access.

2) Design Standards

- i. Primary building entrances serving pedestrians shall be oriented toward and visible from the Primary Street.
- ii. A vehicular entrance shall not be combined with a pedestrian entrance.
- iii. Building address must be visible from the street.

3) Design Guidelines

- i. Locating primary pedestrian entrances within an arcade is discouraged in favor of entrances that open directly to a public street or open space.

(b) Vehicular Access

1) Intent

- i. To provide for safe and efficient vehicle ingress and egress.
- ii. To promote pedestrian safety by segregating pedestrian and vehicular points of access.
- iii. To locate vehicle entrances in a way that preserves the continuity of the pedestrian streetscape.

2) Design Standards

- i. The location, width, and spacing of all vehicular access points within the public ROW shall be approved by the City Engineer.
- ii. A vehicular entrance shall not be combined with a pedestrian entrance.
- iii. Vehicular entrances incorporating a ramp shall be screened from view of the street.

3) Design Guidelines

- i. Driveways should be consolidated when practical.
- ii. Vehicular entrances should not be located within or directly oriented to public open spaces, except when open space is incorporated into the public ROW. Vehicular entrances may be allowed within or oriented toward open spaces if their design is appropriately integrated with that open space.
- iii. Vehicular entrances should be spaced in a manner that allows for an uninterrupted Pedestrian Zone.
- iv. Driveways not accessible from a Secondary Street but directly accessed from a primary street and serving individual tenants in multi-tenant buildings - or serving individual dwelling units - are discouraged, though they may be allowed at the discretion of the City Engineer if, for example:
 01. The tenant is of sufficient size.

- 02. The tenant's building is physically isolated from other nearby buildings.
- 03. If the driveway is in the public ROW, its design is approved by the City Engineer.

(c) Garage Location and Design (Residential Uses)

1) Intent

- i. To make the garage a secondary, less dominant element of a home's facade.
- ii. To provide alternatives to garage placement.
- iii. To stipulate that driveway access to corner lots be from a side street.

2) Design Standard

- i. To avoid the scenario of long streetscapes dominated by endless numbers of projecting garages, great care and thought should be given to the placement and design of garages. Garages shall not be the main architectural feature of the residence and or become the most visible element. Consistent with a planned development, a minimum percentage of the garages in any individual subdivision shall be side loaded. A garage can be considered side load if it is turned perpendicular to the street at an angle of 60 degrees or greater. Additionally, to avoid the creation of streetscapes dominated by long lines of "snout houses," garages should be recessed or project no more than a certain distance from the main structure of the house.
 - 01. A minimum of twenty-five (25%) of the garages in any given subdivision phase should be side loaded or rear loaded. "Courtyard" style garages are allowed. This calculation includes corner lots which should always load from the side street.
 - 02. With the exception of side- loaded garages, no garage should project more than five (5) feet from the front of the house or porch that is closest to the street. The intermix of side loaded garages into streetscapes can prevent the of domination of continuous garage doors.

(d) Building Entries

1) Intent

- i. To provide convenient access to buildings and pedestrian active uses from the street.
- ii. To clearly articulate and create a visual hierarchy of building entrances as an aid in wayfinding.
- iii. To locate building entrances in a way that activates streetscapes and building corners and invigorates public open spaces.

2) Design Standards

- i. Every single building or combined structure shall provide at least one primary building entry opening directly onto a primary or secondary street or public open space for every 100 feet of building frontage or portion thereof.
- ii. Groups of uses on higher floors with no direct street connection shall be accessed by at least one primary building entrance at the ground floor serving as a common lobby

and facing a street.

- iii. Service entries shall appear visually distinct from the primary pedestrian building entry.

3) Design Guidelines

- i. Building entries should be incorporated into the composition of a building's mass and form, and in the case of pedestrian building entries, may be located at corners or take advantage of the termination of views.
- ii. Primary building entrances should be articulated in a way that differentiates them from adjacent storefronts, building façades, and secondary building entrances. Strategies may include:
 - 01. Concentrating or relaxing architectural scaling elements;
 - 02. Greater differentiation of the color, scale, and module of those elements;
 - 03. Substantially greater or lesser transparency; and
 - 04. Inclusion of building accessories and lighting.
- iii. Each tenant at the ground floor should have one primary tenant entrance that opens onto a street or open space and is accessible to the public. Exceptions may be made for entrances from a common lobby if that lobby opens directly onto a street or publicly accessible plaza.
- iv. Ground floor residential units facing a street or publicly accessible plaza should have individual unit entrances oriented to that street or plaza.
- v. Buildings directly adjoining surface parking may have a secondary building entrance oriented to and accessed from that parking.
- vi. Service entrances visible from the street should not be emphasized or articulated in a manner that visually competes with a primary building entrance or significant tenant entrance facing a street.
- vii. Service entrances should be screened from view.

4) Porches

- i. Porches should have a minimum depth of between a minimum of six to eight feet and should be constructed in a manner where they are fully usable.
- ii. The style of the porch or posts should be architecturally consistent with the vernacular style of the house.
- iii. Each porch element should be clearly expressed, including the deck platform, railings, columns, headers, porch ceiling, soffit, fascia, gutter, and roof.

(e) Building Services and Utilities

1) Intent

- i. To reduce the visual impact of building services and utilities on the public realm.

2) Design Standards

- i. Utility pads and similar “on-grade” building services shall not be located between a building facade and a primary street or open space or within the public ROW. These services shall be located along an alley, service drive, or within a screened service area whose design is compatible with the building being served in terms of form, material, detail and color.
- ii. Rooftop mechanical units or other services and utilities located above grade shall be screened from the street and street-level views in surrounding neighborhoods by implementing one or more of the following strategies:
 01. Locating the utility within or behind an architectural screen;
 02. Enclosing the utility within a roof that is integrated into the building form;
 03. Locating the utility within an enclosed mechanical penthouse whose materials and detailing complement the building architecture; and
 04. Locating the utility far enough from the parapet to be effectively invisible from adjacent primary and secondary streets.
 05. No new utility or service should be visible from the street, regardless of architectural or landscape treatment and should be encouraged to be placed underground or at the rear of the property, so as not to be visible from the street. Existing overhead lines can remain.
- iii. Design Guidelines
 01. Utility pads and similar “on-grade” building services should be screened from the ground floor view of adjacent properties.
 02. Small-scale utilities and services (individual meters, telephone and communications pedestals, HVAC condensing units, and the like) should not be mounted on or in front of primary building façades without screening that is integrated into the building architecture or landscape design.
 03. Landscaping may be an adequate screening material for small- scale utilities and services if its branch structure is sufficiently dense or it has foliage throughout the year.

XI. LANDSCAPE DESIGN.

- (a) General Intent: The City of Johnstown has a long-established tradition of green streets and neighborhoods dating back to the founding of the City by planting street trees. Modern landscape design expands these early concepts to include a greater sense of environmental stewardship and broader range of recreational choices.
- (b) General Landscape Requirements
 - 1) Intent
 - i. To ensure that all site areas receive thoughtful and appropriate landscape design.
 - ii. To encourage landscape and hardscape design that is resource efficient, improves site

permeability, reduces the urban heat island effect, slows stormwater run-off, and is easily maintained.

2) Design Standards

- i. All areas of the site not including those areas covered by buildings, structures, parking areas, service areas, standard walks, pathways, or other non-decorative improved impervious surfaces, shall be landscaped or hardscaped.
- ii. All plantings shall adhere to the requirements of the Article XXXIII of the codified ordinances of the City.
- iii. On any single Primary or Secondary street front, street trees shall be planted in a uniform pattern, centered on the width of the Furniture Zone and spaced equally to create a relatively continuous canopy upon maturity.
- iv. Plant material, fencing, screening, or any other landscape improvement within the public ROW shall adhere to the requirements of the City Engineer.

3) Design Guidelines

- i. No area of the site exposed to public view should be left without landscape or hardscape treatment.
- ii. Landscape design within the development should use a minimum of 20 percent less potable water than conventional designs. Reductions of up to 50 percent less water are encouraged. Strategies to reduce consumption may include the following:
 01. Specification of low water need plant materials;
 02. Specification of mulches or ground covers that limit evaporation;
 03. Use of drip irrigation or other systems that more efficiently deliver water to plants; and



Note: image is illustrative, not regulatory.

- 04. Use of reclaimed or captured, rather than potable water.
 - iii. Small variations in street tree location or spacing are allowed if approved by the City Planner.
 - iv. Effort should be made to reuse existing topsoil removed during construction activity for areas of the site requiring re-vegetation and landscaping. Structural soil or vaults may be required for street trees in tree wells.
 - v. General landscape design, including the location of landscaped areas, their type, form and materials, should control erosion and limit sedimentation of municipal water drainage systems.
- (c) Landscape Component Standards
- 1) Intent
 - i. To ensure that specified plant materials are healthy, meet horticultural industry minimum standards, and are suited to an urban environment.
 - ii. To encourage the use of plant materials which are non-invasive and resource efficient.
 - iii. To encourage reasonable water conservation practices.
 - 2) Design Standards
 - i. All plants shall be A-Grade or No. 1 Grade, free of any defects, of normal health, height, leaf density and spread appropriate to the species as defined by the American Association of Nurserymen and as approved by the Tree Commission.
 - ii. Plant materials shall be drought tolerant, suited to the climate, and/or native to the region.
 - iii. Plant materials with similar water and light needs shall be grouped together.
 - iv. Street trees within the Furniture Zone shall be in accordance with Section 33.04 of the codified ordinance, Street Tree Requirements.
 - v. The minimum shrub size shall be five gallons.
 - vi. The minimum vine and perennial size shall be one gallon.
 - vii. The minimum size for mass ground covers shall be 2-1/4" with a minimum planting density of 6" to 9" on-center.
 - 3) Design Guidelines
 - i. Plant materials should be selected that are appropriate for the regional climate or Plant Hardiness Zone, 6A, reflective of historic patterns, and provide seasonal interest.
 - ii. Landscaped areas within the development should endeavor to exceed a 20 percent reduction in the use of potable water over conventional landscape practices.
 - iii. Irrigation systems should be automatically controlled to respond to daily and seasonal variations in evapotranspiration rate and precipitation levels.
 - iv. Landscape areas under awnings or overhangs not receiving direct precipitation shall be irrigated.
 - 4) Hardscape Component Standards

- i. Intent
 - 01. To provide paving materials which are safe, durable and easy to maintain.
 - ii. Design Standards
 - 01. All sidewalk paving shall meet City standards.
 - 02. Any paving within the public ROW must be approved by the City Engineer.
 - 03. Improvements to the public ROW, such as corner bulb outs, handicapped curb ramps, curb and gutter, and sidewalks shall be consistent with City Engineer review.
 - iii. Design Guidelines
 - 01. Special paving within the public ROW is typically only allowed in the streetscape area and only if it is not maintained by the City.
 - 02. Special paving systems used in private spaces should be coordinated with paving systems in public areas where they are both visible from the street.
 - 03. Special paving systems should be appropriate for heavy urban traffic. Colored concrete, brick, concrete unit pavers, and unpolished stone are recommended.
 - 04. The use of permeable pavement systems in parking areas is encouraged.
- 5) Site Furnishing Standards
- i. Intent
 - 01. To provide a system of street furnishings that unifies and adds character to the streetscape.
 - 02. To encourage pedestrians to inhabit and engage the streetscape through activities such as relaxing, eating, browsing, gathering, and reading.
 - 03. To provide street furnishings that are durable, attractive, and maintenance free.
 - ii. Design Standards
 - 01. Site furnishings shall not impede the required clear width of the Pedestrian Zone.
 - 02. Permanent seating shall be placed to serve plazas and other open spaces. Seating shall meet the following requirements: a minimum depth of 15 inches, a minimum width of 18 inches, and a height between 16 and 18 inches.
 - iii. Design Guidelines
 - 01. Low site walls, including those for water features and planter beds, may be used to partially satisfy the seating requirement if they meet the minimum dimensional criteria above and are not obstructed.
 - 02. Trash receptacles should be placed convenient to seating areas, but not directly against any individual seat.
 - 03. The quantity, placement and design of outdoor amenities should respond

to the natural environment, adjacent structures, and the proximity of other amenities.

6) Screening, Fencing, Walls, and Railings

i. Intent

01. To conceal undesirable uses or services without impeding the transparency and visibility of the pedestrian realm.
02. To integrate screening, fencing, walls, and railings into the general architectural character of the development.
03. To encourage design of these elements that is safe, durable, and easy to maintain.

ii. Design Standards

01. Fences and walls shall use similar materials, modules, and details as those on nearby or adjacent buildings.
02. Railings located at the ground floor between buildings with Pedestrian Active Uses and the street shall be at least 50 percent open or transparent
03. Fencing, walls, and railings visible from the street shall be of high-quality materials, decorative rather than utilitarian, and substantial in appearance commensurate with an urban environment and the scale of adjacent buildings.

7) Site Detention Areas

i. Intent

01. To accommodate detention of storm water on-site in a way that is a positive part of an integrated landscape design.
02. To create storm water detention areas that are attractively landscaped and can serve the active and passive recreational needs of the community.

- 03. To utilize underground detention areas where appropriate.
- ii. Design Standards
 - 01. Site detention areas shall use landforms and live native plant material in a way that satisfies detention and water-quality requirements while allowing for passive or active recreational uses.
 - 02. Site detention areas shall minimize the use of pea gravel, rip-rap, rock, cobble stones, or other non-organic landscape materials.



Note: image is illustrative, not regulatory.



Note: image is illustrative, not regulatory.

- 03. Water detention and quality features for private on-site runoff will not be allowed in the public ROW.
- iii. Design Guidelines
 - 01. Site detention should creatively combine detention strategies and technologies, including but not limited to the use of planted roofs, below-grade vaults, bioretention facilities or rain gardens, water features, and pervious paving systems.
 - 02. Encourage the dispersal of site detention to reduce size.
 - 03. Consider terraced slopes to slow water velocity and erosion.
- 8) Parking Area Landscaping

- i. Intent
 - 01. To enhance the aesthetic appearance of surface parking areas and screen them from view.
 - 02. To reduce the urban heat-island effect attributed to large areas of exposed paving.
 - 03. To provide safe and attractive pathways through parking areas for pedestrian traffic.
- ii. Design Standards
 - 01. Minimum parking area landscaping standards for all new parking areas shall be governed by Section 33.06 of the Johnstown Planning and Zoning Code.
 - 02. New surface parking areas shall have a minimum 48" fence or seat wall barrier in the front yard area of parking spaces.
- iii. Design Guidelines
 - 01. Landscaping within a new parking area should be evenly distributed.
 - 02. New parking areas should accommodate safe and direct pedestrian passage between building entrances, through the parking lot, and from the parking lot to the street.

XII. BICYCLE PARKING.

(a) Guidelines

- 1) Calculation of Required Spaces
 - i. Where bicycle parking has been provided by the City in the right-of-way, one required bicycle space may be substituted for every bicycle space provided by the City, provided the spaces immediately abut the subject property. Each space provided by the City may only be counted for one property.
 - ii. When a site or lot is used for a combination of uses, the number of required parking spaces are the sum of the requirements for each use, and no parking space for one use can be included in the calculation of parking requirements for any other use.
- 2) Required Bicycle Parking: Bicycle parking should be provided in accordance with the following table. If provided, long-term bicycle parking may be substituted for up to 50% of the following requirements.
- 3) Bicycle Parking Facilities
 - i. Bicycle parking should be located on-site, be publicly accessible in a convenient and visible area, and be located no more than 100 feet from the primary entrance of the

building the bicycle parking space is intended to serve. If all width requirements are met for the Sidewalk and the Street Tree/Furniture Zone, up to 20% of the required short-term spaces may be placed in the Street Tree/Furniture Zone.

- ii. Each required bicycle parking space should be at least 1.5 feet by 6 feet. Where a bicycle can be locked on both sides of a bicycle parking space without conflict, each side can be counted as a required space.
- iii. Bicycle parking spaces should be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.
- iv. Bicycle parking should be provided in a well-lit area.
- v. Spacing of the bicycle racks should provide clear and maneuverable access.
- vi. All bicycle parking spaces should be able to accommodate cable locks and “U” locks, including removing the front wheel and locking it to the rear fork and frame. This arrangement should be able to support a bicycle in a stable position, giving two points of contact with the bicycle frame.

XIII. SITE AND BUILDING LIGHTING GENERAL.

- (a) General Intent: Illumination of building and landscape elements can provide additional nighttime interest and foster community identity. Enhanced street lighting, if designed properly to reduce glare and limit contrast, can enhance feelings of pedestrian security and safety. However, lighting design must consider energy efficiency and glare control so that it does not detract from the quality and safety of the urban environment. Street lighting in the public ROW is the purview of the City Engineer which has standards for lighting type, location, and spacing.
- (b) Street Lighting
 - 1) Intent
 - i. To integrate City standards, including the City's Lighting Standards, 2019 with regard to general street illumination into the character of the development.
 - ii. To encourage pedestrian lighting in commercial areas that enhances district character and the pedestrian experience.
 - iii. To limit additional pedestrian lighting in residential areas.
 - 2) Design Standards
 - i. Pedestrian lighting is only allowed in the public ROW if it is not maintained by the City. Where provided, pedestrian lighting shall be located in the Furniture Zone.
 - ii. Light levels for pedestrian lighting shall be designed to:
 01. Limit glare into adjacent properties and surrounding neighborhoods,
 02. Avoid extreme contrast between light and shadow.
 - 3) Design Guidelines
 - i. Pedestrian lights, if provided, may match an approved City light fixture or be of a different type with equivalent durability and quality.

- ii. A system of pedestrian lights along primary streets should:
 - 01. Consist of only one fixture type, or consist of a limited vocabulary of fixtures that visually complement one another,
 - 02. Be spaced evenly and align with each other along the length of the Pedestrian Zone and within the Furniture Zone.
- iii. All fixtures should provide cut-off or shielding to minimize light trespass directly to the sky or into residential areas.
- iv. Lamps in light fixtures exposed to public view should provide as high a color rendition index as is feasible.

(c) Parking Area Lighting

1) Intent

- i. To integrate City standards, including Sections 1175.05 of the Zoning Code with regard to general parking lot illumination into the character of the development.
- ii. To limit glare onto adjacent properties and surrounding neighborhoods.
- iii. To provide adequate light levels to create a safe, secure environment.

2) Design Standards

- i. Parking area lighting shall be designed to:
 - 01. Provide no more than the recommended level of illumination as set forth by the IESNA Lighting Handbook for pedestrian and vehicular safety,
 - 02. Reduce glare onto adjacent properties,
 - 03. Avoid extreme contrasts between light and shadow,
 - 04. Minimize light trespass directly to the sky by orienting downward and/or shielding the fixture.
- ii. Maximum light pole height shall be 30 feet.
- iii. Light sources shall be placed closer to rather than further from the surface being illuminated. For example, a closer spacing of lower-height light poles is preferable to a greater spacing of taller light poles.

(d) Open Space Lighting

1) Intent

- i. To create a comfortable and safe nighttime ambiance in open spaces.
- ii. To highlight appropriate elements of open spaces to aid in orientation and provide visual interest.
- iii. To provide continuity in light levels between streetscapes and adjoining open spaces.

2) Design Standards

- i. Lighting in open spaces shall be designed to:
 - 01. Illuminate pedestrian paths,
 - 02. Limit glare into adjacent properties and surrounding neighborhoods,

- 03. Minimize glare directly to the sky. See Subsection XIII(c)2)i04.
- ii. General illumination of large areas of landscaping shall not be allowed (for example, using fixtures with a flood-type distribution to illuminate rows and clusters of trees or large areas of lawn).
- iii. Illumination of individual landscape elements (trees and individual planter areas)



Note: image is illustrative, not regulatory.

shall be limited to 2,000 lumens.

3) Design Guidelines

- i. Pedestrian lighting may be used to illuminate primary walking paths or accent paved areas. Spacing should generally be equivalent to or less than that of the adjacent Pedestrian Zone along a major street to indicate an area of heightened activity and interest.
- ii. Focal points such as gazebos, trellises, and water features should be lit in order to become an inviting presence at night.
- iii. Illumination sources that are low to the ground such as bollard, step, and walkway lighting are encouraged.
- iv. Lamps should provide a minimum color rendition index of 80.

(e) Building Lighting

1) Intent

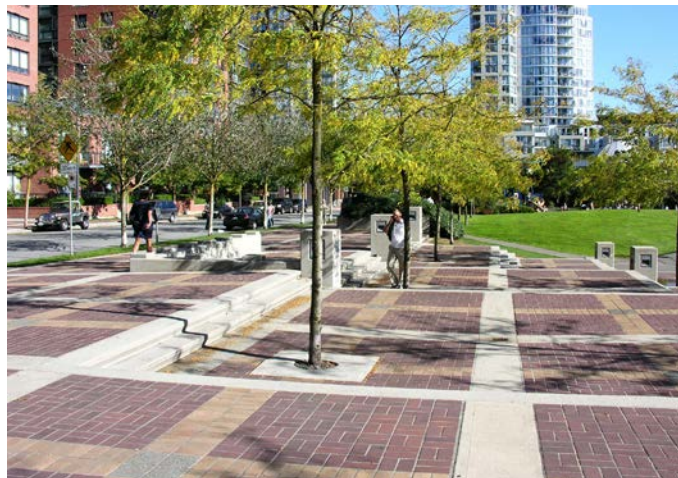
- i. To provide appropriate building accents above street level.

- ii. To ensure an appropriate quality of lighting for service areas.
- 2) Design Standards
 - i. Building lighting shall be designed to:
 - 01. Reduce glare into adjacent properties and surrounding neighborhoods.
 - 02. Minimize light trespass directly to the sky.
 - 03. Integrate into the building architecture by being concealed or through the use of materials, detailing, form, and spacing that complements the building being illuminated.
 - ii. Building light fixtures shall be of architectural quality regarding durability, construction, and aesthetic appearance.
 - iii. Building light fixtures on all streets, whether exposed or concealed, shall not have exposed conduit runs, junction boxes, or other “unfinished” elements exposed to view.
 - iv. Utilitarian building lighting fixtures located in service areas shall be concealed from view from primary and secondary streets.
- 3) Design Guidelines
 - i. Building illumination above the second floor should be shielded or provide full cutoff to minimize the view of exposed lamps from the street, adjacent occupied space, or adjacent neighborhoods.
 - ii. Where lighting of buildings and buildings elements is proposed, the overall lighting design should:
 - 01. Orient to Primary Streets
 - 02. Reflect primary building entrances,
 - 03. Complement adjacent plazas and expanded streetscapes,
 - 04. Avoid illuminating building faces adjacent to and directly facing existing residential areas,
 - 05. Avoid glare.

XIV. OPEN SPACE.

- (a) Open Space Layout
 - 1) Intent
 - i. To provide open space of an adequate size and proportion to serve a variety of community recreation and leisure needs.
 - ii. To complement but not replace existing public parks which have historically served the surrounding neighborhoods.

- iii. To create variety of urban open spaces - including parks, plazas, and expanded streetscapes - that will help define neighborhoods and nodes within the Overlay Districts.
- iv. Open spaces shall be architecturally defined by the buildings that surround them.
- v. Open spaces shall have direct access from a pedestrian walk on at least one side and for at least 50 percent of the length of that side.
- vi. The open spaces shall:
 - 01. Be easily accessible and viewed from the street,
 - 02. Be at a level within 18 inches above or below the nearest adjoining public



Note: image is illustrative, not regulatory.

- sidewalk.
 - 03. Be handicap accessible and publicly usable.
 - 04. Be open to the sky but could include structures such as pavilions or gazebos.
 - vii. Provision of Open Space
 - 01. Open space within the Overlay Districts shall be provided in accordance with the following table:
 - viii. Suitability of Open Space. In determining the suitability of areas to be set aside for new open space types or in considering the ability of existing open space types to meet the requirement, the Design Review Board may consider all relevant factors and information, including but not limited to:
 - 01. The goals and objectives of the City of Johnstown Comprehensive Plan (2020) and the Park and Greenway Master Plan (2017).
 - 02. Suitability of the usable open space for active or passive recreational use or preservation of natural features, and
 - 03. The proximity or potential connectivity to other open space types.
 - 04. The requirement for open space as provided in the underlying zoning district.
- 2) Design Guidelines

- i. Open spaces should be of a size, proportion, and orientation in relation to surrounding structures that optimizes sky and sunlight exposure over the course of the year.
 - ii. Open spaces may be located where they support a transition between Overlay Districts, between areas of substantially different use or character, or between new development and existing communities.
- (b) Streetscape Open Space Sidewalks
 - 1) Intent
 - i. To create vibrant streetscapes that will contribute to the public realm and surpass City minimum standards.
 - ii. To ensure that sidewalks qualifying as open spaces surpass City standards.
 - 2) Design Standards
 - i. Streetscapes that provide the required Public Realm improvements along both Primary and Secondary Streets may count the total square foot area of these improvements toward meeting the required Open Space contribution.
 - ii. Sidewalks qualifying as open space shall incorporate a cohesive system of amenities in the Furniture Zone that includes pavers, exposed aggregate, plantings, site furnishings and other sustainable hardscape material.
 - 3) Design Guidelines
 - i. The application of amenities along the Primary Streets may vary by Overlay District.
 - ii. For required furnishings, refer to Subsection XIVd).
 - iii. For required decorative paving, refer to Section XIVE).
- (c) Open Space Landscaping (See Section I, Open Space Typologies),
 - 1) Intent
 - i. To introduce natural elements and hardscaped gathering areas into the built environment.
 - ii. To provide urban open spaces which give relief to the Private Realm and create opportunities to gather and interact.
 - 2) Design Standards
 - i. A minimum of 15 and maximum of 40 percent of the area of a plaza shall be composed of planting materials (grass, ground covers, planting beds).
 - ii. All landscaping shall conform to Section 1183 of the Zoning Code, including list of undesirable species.
 - 3) Design Guidelines
 - i. Open spaces should be oriented to take advantage of views and sunlight.
 - ii. Open spaces should visually and physically connect to the adjacent streetscape.

- iii. No portion of the surface area of an open space should be greater than 18 inches vertical from adjoining grade to preserve a sense of physical connectedness.
- iv. The placement of trees and planting should conform to an overall identifiable design and should not be located in a way that would prevent optimal growth and maintenance.
- v. The placement of trees and planting should conform to an overall identifiable design and should not be located in a way that would prevent optimal growth and maintenance.
- vi. Ornamental trees and plantings that provide seasonal interest are encouraged.



Note: image is illustrative, not regulatory.

(d) Open Space Furnishings

1) Intent

- i. To provide a system of street and open space furnishings that unifies and adds character to the streetscape.
- ii. To encourage pedestrians to inhabit and engage the streetscape and open spaces through activities such as relaxing, eating, browsing, gathering, and reading.
- iii. To provide street furnishings that are durable, attractive, and maintenance free.
- iv. To provide active, engaging furnishings that encourage public interaction.

2) Design Standards

- i. Site furnishings shall not impede the required clear width of the Pedestrian Zone.
- ii. Permanent seating shall be placed to serve plazas and other open spaces. Seating shall be compliant with ADA and meet the following requirements:
 - 01. A minimum depth of 15,”
 - 02. A minimum width of 18,”
 - 03. A height between 16” and 18.”
- iii. Trash receptacles shall be provided at a minimum of four cubic feet of capacity for

every 2,000 square feet of open space area.

3) Design Guidelines

- i. Open spaces should provide adequate permanent seating supportive of informal gathering and passive recreational activities.
- ii. Seating at least 30" in depth and with access to both sides may count double toward seating requirements.
- iii. Open spaces should provide wayfinding information.
- iv. Low seat walls, including those for water features and planter beds, may be used to satisfy the seating requirement if they meet the minimum dimensional criteria above and are not obstructed.
- v. Trash receptacles should be placed convenient to seating areas, but not directly against any individual seat.
- vi. In addition to tree planting and seating area requirements, each open space should contain at least one of the following amenities:
 01. Formal planters, planting beds, or hedges,
 02. Public art, a shelter (gazebo, trellis), a water feature (fountain, water wall), or similar permanent focal element. Elements shall consider year-round appearance.

(e) Open Space Hardscape Component Standards

1) Intent

- i. To encourage a logical, hierarchical system of standard and decorative paving within designated open space areas.
- ii. To provide paving materials which are safe, durable and easy to maintain.

2) Design Standards

- i. All sidewalk paving shall meet City standards.
- ii. Any paving within the public ROW must be approved by the City Engineer.
- iii. Improvements to the public ROW, such as corner bulb outs, handicapped curb ramps, curb and gutter and sidewalks shall be consistent with Engineering standards.

3) Design Guidelines

- i. Special paving systems should be appropriate for heavy urban traffic. Colored concrete, brick pavers, concrete unit pavers, and unpolished stone are recommended.
- ii. The use of permeable pavement systems is encouraged.



IV

GLOSSARY

J. Glossary

Applicant. Applicant" means any person, persons, association, organization, partnership, unit of government, public body or corporation who applies for a certificate of appropriateness in order to undertake an environmental change within the District.

Board. Board means the Design Review Board of the City of Johnstown.

Building Coverage: The area of a lot covered by roofed buildings and structures measured from the outside of the exterior wall at the ground floor, including covered porches and patios, detached and attached accessory structures, and any projecting structures above ground level. For covered porches and patios, the entire area under the roof is calculated as building coverage. Building coverage does not include uncovered paved parking areas, driveways, walkways, swimming pools, uncovered steps, terraces, decks, porches, pergolas and architectural projections not intended for shelter or occupancy.

Certificate of Appropriateness. Certificate of Appropriateness means a certificate authorizing any change within the Design Review Districts and Standards.

Design Guidelines. Design guidelines are flexible, qualitative measures of design attributes. They rely upon descriptive language, using terms such as "should" or "may," that allows for a specific outcome.

Design Standards. Design standards are objective, quantitative measures of design attributes. They include numbers, dimensions, and precise wording such as "must" and "shall" that result in a narrow range of outcomes. They are considered mandatory and they have little or no flexibility but can be varied through.

Entrance Spacing: Entrance spacing is measured as the linear distance between the edges of doors along the facade.

Fenestration: Fenestration is the minimum percentage of windows and doors that must cover a ground or upper story facade.

Finished Ground Floor: Finished ground floor level is measured as the elevation from ground level to the floor level of the first story of the building at the main entrance.

Frontage Zone: The portion of the streetscape that is adjacent to the front of the building that allows space for outdoor seating, stoops, porches, awnings, planters, etc. and serves as a transition from the Pedestrian Zone.

Furniture Zone: The portion of the streetscape that lies between the Pedestrian Zone and on street parking or the travelway that includes tree planting, seating, lighting, bio-retention, etc.

Grade: A term used to describe the level of the earth at a specific location or at ground level. In construction, the terms ‘above grade’ and ‘below grade’ can be used respectively to describe the portion of a building that is above or below the ground.

Lot Depth: Lot depth is measured as the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line of a lot, with the following exceptions and for irregular lots shall be the average depth of the lot.

Lot Frontage: Lot frontage is the required percentage of lot width that must be occupied by building facade between the minimum and maximum setback range.

Main Entrance: A main entrance is a principal point of access for pedestrians into a building, prominently visible from the adjacent right-of-way or avenue of approach. To be considered a main entrance, a door must be open to and operable by the general public, for both entering and exiting, during business hours in the case of a non-residential use, or operable at any time by occupants in the case of a residential use. An emergency exit or service entrance is not considered a main entrance.

Open Space: For the purpose of this document, the term open space is used to collectively refer to any privately or owned and programmed park or plaza that adjoins a street and that is predominantly open to the sky.

Overlay. An area depicted on the official zoning map, within which, through super-imposition of a special designation, certain regulations and requirements apply in addition to those of the base zoning districts to which such designation is added.

Pedestrian Active Uses: Uses which generate significant pedestrian traffic and interest at street level including consumer and service-oriented retail and retail displays, commercial and restaurants, hotel uses, and in some cases residential and residential-oriented services. Entrances and lobbies to groups of uses on higher floors are also considered pedestrian active uses.

Pedestrian Lighting: Lighting on the street intended to provide additional streetscape ambiance. Pedestrian lighting is usually decorative in character and of a lower intensity and height so that the lighting effect is comfortable for the pedestrian. Pedestrian lighting will only be allowed on public streets within a maintenance district.

Pedestrian Zone: The area of the Streetscape adjacent to the Furniture Zone that is reserved for pedestrian traffic. The Pedestrian Zone is to remain clear and unobstructed for ease of travel and maintenance.

Primary Building Façade: The building façade fronting a primary street. If a building helps define an important corner, each adjacent façade can be considered primary. Primary Building Façades should generally express a more refined degree of material quality and detailing and should contain a primary building entrance.

Primary Street. A thru vehicular and pedestrian access way that connects to existing public streets of adjacent neighborhoods and is dedicated public right-of-way (ROW). A Primary Street is the street that the lot takes its address from, has the highest street classification or highest traffic counts, and orients mostly toward pedestrians.

Private Realm: The built environment consisting of buildings, walls, or other structures typically under private ownership that physically defines public space or the Public Realm.

Public Realm: Consists of typical urban elements of streets, lanes, plazas, parks and environmental areas of different scales and purposes. These elements of public space are combined to create distinctive and unique places that invite use and activity.

Secondary Street. A road with a dedicated ROW or a private road with vehicular and/or pedestrian access to uses fronting a Primary Street and the adjacent neighborhood. With the exception of above-ground walkways and building connections, secondary streets shall be open to the sky.

Utilities: This category comprises establishments that provide utility services, such as electric power, natural gas, steam supply, water supply, and sewage removal. Not included are waste management services, which collect, treat, and dispose of waste materials, and do not directly use or operate utilities.

City Forester: A City forester specializes in the care and management of tree populations in urban settings for the purpose of improving the urban environment. Urban forestry advocates the role of trees as a critical part of the urban infrastructure.

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**AN ORDINANCE AMENDING CHAPTER 1105 OF THE VILLAGE OF JOHNSTOWN
CODIFIED ORDINANCES**

WHEREAS, Chapter 1105 of the Village of Johnstown Codified Ordinances (the “Codified Ordinances”) governs the process of submitting and approving Preliminary Plats in the Village of Johnstown; and

WHEREAS, Chapter 1105.04 currently does not require information on proposed water, sewer, storm, or other utility systems in the application for Preliminary Plat approval; and,

WHEREAS, Requiring preliminary information on the location of proposed water, sewer, storm, and other utility systems to be provided in an application for a Preliminary Plat will give the Planning and Zoning Commission and Council basic information that is important in the development process; and

WHEREAS, By a 3-1 vote at the June 22, 2021 meeting, the Planning & Zoning Commission voted in favor of forwarding this Ordinance to Council for consideration; and

WHEREAS, after review of all uses, the Council of the Village of Johnstown desires to amend Codified Ordinance Section 1105.04 Contents.

NOW THEREFORE, be it ordained by the Council of the VILLAGE OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Section 1105.04 is amended; additions are *italicized*

1105.04 CONTENTS.

- a) The preliminary plat shall contain the following:
 - 1) The scale, with a minimum of one inch to equal one hundred feet;
 - 2) The proposed name of the subdivision;
 - 3) Key map showing location within the City;
 - 4) Names and addresses of owners, developers and the surveyor who made the plat;
 - 5) Date; and
 - 6) North point.
- b) The following existing conditions shall be shown on the plat:
 - 1) Boundary lines and approximate acreage;
 - 2) Locations, widths and names of all existing or previously platted streets or alleys, railroad and utility rights of way, parks and public open spaces, permanent buildings and structures and all section and corporation lines within or adjacent to the tract;
 - 3) Existing sewers, water mains, culverts and other underground facilities within the tract, including pipe sizes, elevations and grades, if readily available, and locations, if known or available;
 - 4) Boundary lines of adjacent tracts or unsubdivided and subdivided land;
 - 5) Existing zoning restrictions;

- 6) Existing contours, with intervals of five feet where the slope is greater than ten percent (10%) and not more than two feet where the slope is less than ten percent (10%); and
 - 7) Drainage channels, wooded areas, watercourses and other significant physical features.
- c) All elevations on the preliminary plat shall be based on sea level datum.
- d) The following proposed conditions shall be shown:
- 1) Layout of streets and right-of-way widths;
 - 2) Easements;
 - 3) Layout, numbers and dimensions of lots;
 - 4) Parcels of land intended to be dedicated or temporarily reserved for public use;
 - 5) Building setback lines shown graphically with dimensions;
 - 6) *Preliminary plan for water, sewer, storm drainage and other utility systems, as well as a general analysis by a Professional Engineer attesting to the general engineering feasibility of the project, as proposed.*
 - 7) Indication of any lot on which a use other than residential is proposed by the owner;
 - 8) Names of new streets which shall not duplicate names of any existing dedicated street within Licking County and/or its incorporated areas; and
 - 9) New streets which are extensions of or in alignment with existing streets; which shall bear the names of the existing streets of which they are extensions or with which they are in alignment.
- e) All new streets shall be named in the following manner and shall be subject to the approval of the Planning and Zoning Commission:

<u>General Direction</u>	<u>Over 1000 feet in Length</u>	<u>Under 1000 feet in Length</u>
North and South	Street	Places
East and West	Avenues	Courts
Diagonal	Roads	Ways
Curving	Drives	Circles

Section 2. It is found and determined that all formal actions of this Village Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open meeting of this Village Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction: July 6, 2021
Public Hearing/Vote: July 20, 2021
Effective:

By: _____

 Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

 Teresa Monroe, Clerk of Council

 Yazan S. Ashrawi, Law Director

AGENDA REPORT

VILLAGE COUNCIL
JULY 6, 2021



AGENDA ITEM

Ordinance 27-2021 Amending Chapter 1105 of the Johnstown Codified Ordinances

PREPARER(S)

Bailey Klimchak, Village Planner

RECOMMENDED ACTION

Approve

HISTORY

The Planning and Zoning Commission has been reviewing the draft of the updated Zoning Ordinances. In those reviews, it was brought to the attention of staff that preliminary plans for water, sewer, storm drainage and other utility systems was not required in an application for a preliminary plan. This ordinance updated Chapter 1105 to require a preliminary utility plan for all preliminary plan applications. This would allow the Planning and Zoning Commission a preliminary understanding of the effect the development would have on surrounding properties, especially in the case of storm water drainage. The Ordinance was recommended to Council in a 3-1 vote by the Planning and Zoning Commission

SUMMARY

Authority: Village Ordinances, Section 1137

Urgency: Low

Relation to Other Actions:

FISCAL IMPACT

No impact on budget

ADDITIONAL MATERIAL

No additional material

ATTACHMENTS

None

VILLAGE OF JOHNSTOWN



ORDINANCE 31-2021

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Johnstown, Ohio;

WHEREAS, numerous sections in the Traffic and General Offenses Codes need to be updated in order to comply with State law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF JOHNSTOWN, LICKING COUNTY, OHIO:

SECTION ONE

That the editing, arrangement and numbering of those ordinances from July 1, 2021 to July 6, 2021, as listed below, are hereby approved and adopted as printed in the July 2021 Replacement Pages to the Codified Ordinances so as to achieve uniformity of style and classification. A copy of such replacement pages are attached to this ordinance and incorporated as a part hereof.

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
25-2021	7-6-21	1187.02 to 1187.07, 1187.11 to 1187.15
26-2021	7-6-21	925.035
29-2021	7-6-21	921.06

SECTION TWO

That the following sections of the Traffic and General Offenses Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly:

Traffic Code

NO CHANGES

General Offenses Code

NO CHANGES

SECTION THREE

The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the July 2021 Replacement Pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION FOUR

In order to preserve the public peace, health, welfare and safety, and for the further reason that the editing and inclusion of certain legislation in the Codified Ordinances is necessary, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after the earliest period allowed by law.

SECTION FIVE

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction: July 20, 2021

Public Hearing/Vote: July 20, 2021

Effective:

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan S. Ashrawi, Law Director

AGENDA REPORT

VILLAGE COUNCIL
JULY 20, 2021



AGENDA ITEM

Ordinance 31-2021 Inclusion of new Codified Ordinances

PREPARER(S)

Teresa Monroe, Clerk of Council / Walter Drane Co.

RECOMMENDED ACTION

Approve by emergency.

HISTORY

Generally passed annually

SUMMARY

Authority: Charter of Johnstown, Ohio Article 4.11

Urgency: Request passage by emergency for immediate publication in order to provide the public with the most up to date laws.

Relation to Other Actions: The annual update was passed at last meeting with Ordinance 28-2021 however some significant legislation has passed since and should not wait another year to be codified.

FISCAL IMPACT

Annual codification cost was budgeted for 2021; additional update cost is \$411.37. Still within budget

ADDITIONAL MATERIAL

None

ATTACHMENTS

Replacement pages

Codified Ordinances of Johnstown Ohio



Local legislation current through July 6, 2021

State legislation current through December 31, 2020

CERTIFICATION

We, Chip Dutcher, Mayor and Teresa Monroe, Clerk of Council, of Johnstown, Ohio, pursuant to Ohio R.C Section 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Village of Johnstown, Ohio, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of Johnstown, Ohio, 1985, as amended to July 6, 2021.

/s/ Chip Dutcher
Mayor

/s/ Teresa Monroe
Clerk of Council

Codified, edited and prepared for
publication by
THE WALTER H. DRANE COMPANY
Cleveland, Ohio

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DEFRAUDING			DOGS (see ANIMALS)	
creditors	545.17		DOMESTIC VIOLENCE	537.14
DERELICTION OF DUTY	525.12		DRAG RACING	333.07
DESECRATION	541.07		DRAINAGE	
DESIGN REVIEW			compliance required	521.05
adoption	1187.01		design standards	1111.07
appeals	1187.13, 1187.14		DRIVER'S LICENSE	
Certificate of Appropriateness			application falsification	335.04(e)
and design plans	1187.06, 1187.07		display	335.06
definitions	1187.03		fictitious, revoked, altered	335.04(a)
demolition of structures	1187.09		lending	335.04(b)
district boundaries	1187.04		motorcycle, off-highway	375.05
evaluations	1187.08		motorcycle operator	335.01(a)
maintenance	1187.10		motorized bicycle	373.10
modifications	1187.11		nonresident driver	335.01(b)
penalty	1187.99		Ohio license required for	
public hearings	1187.15		in state residents	335.021
purpose	1187.02		permitting operation without	335.02
review and approval	1187.05		possession	
variances	1187.12, 1187.14		more than one	335.02
DETENTION			someone else's	335.04(c)
defined	525.01		probationary; curfew	335.031
shoplifters	545.04		prohibited acts	335.04
DIRECTOR OF FINANCE	Chtr. 6.05		required	335.01
DIRECTOR OF LAW	Chtr. 6.04		restriction violation	335.07
DISCRIMINATION			revoked or suspended	
ethnic intimidation	541.08		driving with	335.07
DISORDERLY CONDUCT			failure to surrender	335.04(d)
disturbing others	509.03		snowmobile or all purpose	
inducing panic	509.06		vehicle	375.05
intoxicated persons	509.03		suspended, driving under	335.074
riot (see RIOT)			temporary, licensed driver	
DISTURBING THE PEACE			required	335.03
muffler noise	337.20		DRIVEWAY	
prohibited; penalty	509.031		curb cuts	905.01 et seq.
racing vehicle motor	331.36		parking in front of	351.03
squealing tires, peeling	331.36		right of way	
vehicle exhaust noise	331.36		entering	331.17
DIVISION OF PURCHASE,			leaving	331.22, 331.23
CONSTRUCTION AND REPAIR			turning into	331.11
requisition for purchasers	109.01		DRIVING	
system of preferences	109.02		accident (see ACCIDENT)	
			allowing another to drive	
			illegally	335.05
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(e) Damaged Equipment. Meters, meter seals, valves, stopcock, curbcock, waterlines or any other equipment owned by the Village damaged by use, abuse, misuse, accident or any act of carelessness shall be repaired by the Manager at the expense of the owner. Any equipment damaged beyond repair shall be replaced by the owner of property upon receipt of notice from the Manager at the property owner's expense.
(Ord. 1-05. Passed 1-4-05.)

921.05 RATES.

(a) The water service rates to be charged for water service provided to property located within the Village shall be as follows:

2021 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$9.75 Minimum per Month \$5.13 per Thousand Gallons per Month \$12.00 per Thousand Gallons
2022 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$10.24 Minimum per Month \$5.39 per Thousand Gallons per Month \$12.00 per Thousand Gallons
2023 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$10.75 Minimum per Month \$5.66 per Thousand Gallons per Month \$12.00 per Thousand Gallons
2024 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$11.29 Minimum per Month \$5.94 per Thousand Gallons per Month \$12.00 per Thousand Gallons
2025 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$11.85 Minimum per Month \$6.24 per Thousand Gallons per Month \$12.00 per Thousand Gallons
2026 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$12.45 Minimum per Month \$6.55 per Thousand Gallons per Month \$12.00 per Thousand Gallons
2027 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$13.07 Minimum per Month \$6.88 per Thousand Gallons per Month \$12.00 per Thousand Gallons
2028 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$13.72 Minimum per Month \$7.22 per Thousand Gallons per Month \$12.00 per Thousand Gallons

2029 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$14.41 Minimum per Month \$7.58 per Thousand Gallons per Month \$12.00 per Thousand Gallons
2030 USAGE 0-2000 Gallons per Month 2001 Gallons and above per Month Bulk Water Sales	WATER SERVICE CHARGE \$15.13 Minimum per Month \$7.96 per Thousand Gallons per Month \$12.00 per Thousand Gallons

(b) The water service rates to be charged for water service provided to properties outside of the Village limits shall be above rates plus a surcharge of one-hundred percent (100%) of such rates unless otherwise determined by the Manager through a developers agreement.

(c) The water service rates to be charged for water service provided to properties that purchase water only, and not sewer services, or sewer only, and not water services, shall be calculated by taking one-half of the current total rate of water and sewer combined. (Ord. 04-2020. Passed 4-2-20.)

921.06 WATER TAP FEE.

The charge to install a new water tap connecting to the water system of the Village shall be as provided by Council. The charge for installation of water tap shall be paid to the Village in advance accompanied by such deposit as provided by the Manager. In the event the deposit is insufficient to cover the actual costs, the person requesting the tap shall pay the balance due over and above the amount deposited.

Water tap fees will be as follows:

<u>Line Size</u>	<u>Tap Fee</u>	<u>Capacity Charge*</u>
3/4"	\$375.00	\$7,400.00
1"	375.00	13,160.00
1 1/2"	375.00	29,600.00
2"	375.00	52,630.00
3"	375.00	118,410.00
4"	375.00	210,500.00
6"	375.00	473,640.00
8"	375.00	842,030.00

*Fifty percent of capacity charge is for Fire Protection only.
(Ord. 22-2021. Passed 6-15-21.)

(b) Pre-purchase of Water and Sewer Tap or Capacity Fee. As of the effective date of Ordinance 01-2021, any type or capacity permit approved must be utilized within 180 days of permit approval. If the utilization of the approved permit is more than 180 days, the difference between the original tap or capacity fee and any increase in tap or capacity fee must be paid to the Village prior to any Village inspection and/or approval of the water meter.

(c) A water tap and capacity fee are required for each address.
(Ord. 29-2021. Passed 7-6-21.)

(c) The water service rates to be charged for water service provided to properties that purchase water only, and not sewer services, or sewer only, and not water services, shall be calculated by taking one-half of the current total rate of water and sewer combined. (Ord. 06-2020. Passed 4-2-20.)

(d) Any rate set forth by adoption of resolution to enter into contractual agreement. (Ord. 02-2019. Passed 2-5-19.)

925.02 DEFINITIONS.

As used in this chapter,

- (a) "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter, under standard laboratory procedures, in five days at 20 degrees C expressed in terms of the weight concentration (mg/l).
- (b) "Domestic sewage" means any water-carried waste discharged from residence, commercial buildings, industrial plants and institutions which contains no more than 200 mg/l BOD and 250 mg/l SS.
- (c) "Industrial waste" means liquid wastes from industrial processes as distinct from domestic sewage.
- (d) "National Pollutant Discharge Elimination System (NPDES) Permit" means the permit issued to each major discharger of liquid wastes which documents the required effluent quality of the discharged liquid.
- (e) "Sanitary sewer" means the collection system for all domestic sewage and acceptable industrial wastes.
- (f) "Storm sewer" means the collection system for all "clean" water including surface runoff and roof drainage.
- (g) "SS" means the suspended solids or nonfiltrable residue portion of a sample as determined by laboratory analysis. (Ord. 1-05. Passed 1-4-05.)

925.03 DISCHARGE REGULATIONS; PERMIT.

(a) No person shall discharge to any natural outlet within the Village, or in any area under the jurisdiction of the Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with this chapter.

(b) No unauthorized person shall uncover, make any connections with, or opening into; use; alter; or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Manager.

(c) All disposal by any person into the sewer system is unlawful except those discharges in compliance with Federal standards and more stringent State and local standards. (Ord. 1-05. Passed 1-4-05.)

925.035 SEWER TAP FEE.

(a) The charge to install a new sewer tap connecting to the sewer system of the Village shall be as provided by this section. The charge of a sewer tap shall be paid to the Village in advance accompanied by such deposit as provided by this section.

Sewer tap fees based on water line size will be as follows:

<u>Line Size</u>	<u>Tap Fee</u>	<u>Capacity Charge</u>
3/4"	\$375.00	\$7,400.00
1"	375.00	13,160.00
1 1/2"	375.00	29,600.00
2"	375.00	52,630.00
3"	375.00	118,410.00
4"	375.00	210,500.00
6"	375.00	473,640.00
8"	375.00	842,030.00

(b) Pre-purchase of Water and Sewer tap or Capacity Fee: As of the effective date of Ordinance 02-2021 any tap or capacity permit approved must be utilized within 180 days of permit approval. If the utilization of the approved permit is more than 180 days, the difference between the original tap or capacity fee and any increase in tap or capacity fee must be paid to the Village prior to any Village inspection and/or approval of the water meter.

(c) A sewer tap and capacity fee are required for each address.
(Ord. 26-2021. Passed 7-6-21.)

925.04 BUILDING SEWERS.

(a) Permit Required. There shall be three classes of building sewer permits:

- (1) Residential;
- (2) Commercial/Industrial; and
- (3) Industrial.

(b) Plans; Permit Fee. Each permit shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Manager. Each industry, as a condition of permit authorization, shall provide information describing its wastewater constituents, characteristics and type of activity.

(c) Permit Issuance. A building sewer permit shall only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

(d) Rules and Regulations. The size, slope, alignment and materials, of construction of a sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the building and plumbing regulations or other applicable rules and regulations of the Village. In the absence of these regulations or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Ohio shall apply.

(e) Inspection; Connection. The applicant for the sewer permit shall notify the Utility Department when the sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Manager or designated representative.

TITLE NINE - Design Review
Chap. 1187. Design Review Administration and Regulations.

CHAPTER 1187
Design Review Administration and Regulations

1187.01	Adoption.	1187.09	Demolition of structures.
1187.02	Purpose.	1187.10	Maintenance.
1187.03	Definitions.	1187.11	Modifications.
1187.04	District boundaries.	1187.12	Variances.
1187.05	Review and approval authority.	1187.13	Appeals.
1187.06	Certificate of Appropriateness and design plan required.	1187.14	Application for variances and appeals.
1187.07	Procedure for obtaining a Certificate of Appropriateness or design plan approval.	1187.15	Public hearing and notice.
1187.08	Criteria for evaluation of application for Certification of Design Appropriateness.	1187.99	Penalty.

1187.01 ADOPTION.

It is deemed in the best interest of the public to encourage beneficial development of the community and thereby to formulate a process to review, regulate, and encourage designs of buildings, structures, and spaces in relationship to specified areas of the community.
(Ord. 16-2010. Passed 8-17-10.)

1187.02 PURPOSE.

(a) The purpose of the Design Review Districts (Districts) is to promote the general health, safety and welfare of the Village of Johnstown by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, new residents, and to make the Village of Johnstown a more attractive and desirable place in which to live and work. The Design Review Districts have also been created to recognize, preserve and enhance the architectural and historical character of the community and to prevent intrusions and alterations within the established zoning districts which would be incompatible with their established character. The Design Review Districts are defined in the Design Review Districts and Standards plan, adopted in 2021, which is incorporated herein as reference.

(b) The Design Review Districts are Overlay Districts. This means that the requirements of this chapter are requirements which must be met in addition to the established requirements and standards of the base district over which the Design Review District is placed. (Ord. 25-2021. Passed 7-6-21.)

1187.03 DEFINITIONS.

As used in this Chapter, the following words shall be defined as:

- (a) "Applicant" means any person, persons, association, organization, partnership, unit of government, public body or corporation who applies for a Certificate of Appropriateness in order to undertake an environmental change within the Districts.
 - (b) "Certificate of Appropriateness" means a certificate authorizing any environmental change within the Design Review District.
 - (c) "Design Plan" means a plan for the general design of a residential housing development within the City. A Design Plan must be approved as part of the overall Development Plan.
 - (d) "Design Review Districts and Standards" refers to the document providing building, construction and design standards for any environmental change within all Design Review districts as well as general design standards for the Village of Johnstown.
 - (e) "Districts" means the Design Review Districts.
 - (f) "Environmental change, major" means new construction, alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure that are not considered to be minor modifications, demolition, building addition, the addition of signage or changes to nonconforming signs and the construction of accessory buildings, structures including, fences, walls, retaining walls, decks, porches, swimming pools and spas, and similar changes as determined by the Village Manager, subject to the provisions of this chapter.
 - (g) "Environmental change, minor" means the addition or deletion of awnings, canopies, replacement of windows and doors, gutters, skylights, solar panels, satellite dishes and similar appurtenances as determined by the Village Manager; face changes to otherwise conforming signs; changes to paint and siding colors; changes in materials but not in appearance; re-roofs; landscape modifications; the construction of sports fields and associated bleachers, fences, dugouts and like facilities not requiring a commercial building permit, as approved by the Village Manager and modifications to off-street parking and loading areas containing less than five spaces. All minor environmental changes must comply with the Design Guidelines and Requirements of this chapter. Minor environmental changes done in conjunction with major environmental changes are to be treated as major changes for the purposes of this chapter.
 - (h) "Preserve" or "preservation" means the process, including maintenance, of treating of an existing building to arrest or slow future deterioration, stabilize the structure, and provide structural safety without changing or adversely affecting the character or appearance of the structure.
 - (i) "Owner" means the owner of record, and the term shall include the plural as well as the singular.
- (Ord. 25-2021. Passed 7-6-21.)

1187.04 DISTRICT BOUNDARIES.

The Design Review Districts have been defined in the Design Review Districts and Standards Plan and are as follows: Historic Village Center, Corridor and Urban Neighborhood District. A map of the districts can be viewed on page 8 in the Design Review Districts and Standards Plan. New non-residential structures or additions in GCC-1, GCC-2, and LM zoning districts are also subject to the Certificate of Appropriateness requirement.

The Design Review Districts have been defined in the Design Review Districts and Standards Plan and are as follows: Historic Village Center, Corridor and Urban Neighborhood District. A map of the districts can be viewed on page 8 in the Design Review Districts and Standards Plan. New non-residential structures or additions in GCC-1, GCC-2, and LM zoning districts are also subject to the Certificate of Appropriateness requirement.
(Ord. 25-2021. Passed 7-6-21.)

1187.05 REVIEW AND APPROVAL AUTHORITY.

The Design Review Board is hereby established to carry out the duties and functions of TITLE NINE. The Design Review Board shall consist of five members. All five members shall be appointed by City Council, each being residents of the City. All members shall be appointed by Council for terms of four years. Initial term lengths shall be staggered so as to provide continuity of membership on the Board. Terms shall begin thirty (30) days after enactment of this legislation. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall hold office for the remainder of the term.

- (a) Duties and Responsibilities. The Design Review Board shall review Certificate of Appropriateness and Design Plan applications in accordance with this section. The Design Review Board shall also perform any other duties outlined in this code. It shall also be the duty of the Design Review Board:
 - (1) To protect property rights and values;
 - (2) To enhance the built environment, make reports, hold public meetings/hearings and perform all other duties as may be prescribed by Licking County, the Ohio Revised Code (ORC) and this code;
 - (3) To review development proposals as required by this code; and
 - (4) To provide recommendations to the City Council on issues that the Council may refer to the Commission.
- (b) Rules of Procedure. The following Rules of Procedure shall be followed:
 - (1) Quorum Requirement. A quorum of three (3) members, which may include one or more of the "standing alternates", is required to render any decision. A majority of those voting shall prevail.
 - (2) Conduct of Meetings. To implement the purpose of the DRB, certain procedures shall be adopted to include, but not be limited to, a regularly scheduled weekly or biweekly meeting attended by members of the DRB. Written meeting reviews setting forth decision and findings shall be made. These records shall be preserved as part of the official proceedings for each development proposal. Lastly, the DRB shall generally follow "Robert's Rules of Order" and may prepare and adopt supplemental procedural rules, subject to the approval of the City Council, that will ensure the accomplishment of the stated purpose and promote the efficiency and effectiveness of the design review process.
(Ord. 25-2021. Passed 7-6-21.)

1187.06 CERTIFICATE OF APPROPRIATENESS AND DESIGN PLAN REQUIRED.

(a) A Certificate of Appropriateness is required for any new non-residential structure or addition within the Design Districts, as well as GCC-1, GCC-2 and LM zoning districts and any other properties in any other zoning district which are non-conforming uses in that district and shall apply to all environmental changes. A Design Plan is required as part of the Development Plan for any new residential development in Johnstown.

(b) A zoning permit for a structure(s) requiring a Certificate of Appropriateness or Design Plan approval shall be issued only after approval by the Design Review Board.

(c) Exterior work on a structure that requires approval by the Design Review Board shall not commence until approval is granted by the Design Review Board. Should work commence prior to the Design Review Board approval, the property owner shall be subject to penalties per Section 1125.99 of the Planning and Zoning Ordinance.
(Ord. 25-2021. Passed 7-6-21.)

1187.07 PROCEDURE FOR OBTAINING A CERTIFICATE OF APPROPRIATENESS OR DESIGN PLAN APPROVAL.

(a) Applications for the approval of the Certificate of Appropriateness or Design Plan:

- (1) Shall be filed with the City on forms provided by the City;
- (2) Shall include all required supplemental information, including such plans, drawings, specifications and other materials as may be needed by staff or the Design Review Board to make a determination;
- (3) Shall be submitted by the application deadline as established by the City;
- (4) Shall be signed by the applicant and owner attesting to the truth and exactness of all information supplied on the application.

(b) Design Plan Materials for Submission. The materials that may be required for submission as part of the Design Plan include but are not limited to:

- (1) A dimensioned site plan showing existing conditions including all structures, pavement, curb-cut locations, natural features such as tree masses and riparian corridors, and rights-of-way.
- (2) A dimensioned site plan showing the proposed site change including structures, pavement, revised curb-cut locations and landscaping.
- (3) Illustration of all existing building elevations to scale.
- (4) Illustrations of all proposed building elevations to scale.
- (5) Samples of proposed building materials.
- (6) Color samples for proposed roof, siding, etc.
- (7) Illustrations of all existing site signage including wall and ground.
- (8) Illustrations of proposed signage to scale.
- (9) A dimensioned site plan showing location of existing ground mounted signs.
- (10) A dimensioned site plan showing the proposed location of ground mounted signs.
- (11) Samples of proposed sign materials.
- (12) Color samples of proposed sign(s).
- (13) Proposed lighting plan for sign(s).

- (c) Staff, including the City Engineer and the City Planner, shall review the submitted materials for completeness and shall:
- (1) If it is found to be complete, place the Certificate of Appropriateness or Design Plan application on the next appropriate Design Review Board agenda; or
 - (2) If it is found to be incomplete, reject the application and return, the application and fee to the applicant with an itemization of deficiencies.

(d) Any minor environmental change requires a Certificate of Appropriateness issued by the Village Manager.

(e) Any major or minor environmental change which requires a variance to the requirements of this chapter requires a Certificate of Appropriateness to be issued by the Planning and Zoning Commission.

(f) Design Plan Approval and Issuance of Certificate of Appropriateness. The Design Review Board shall after receipt of reports from the City Planner or City Engineer - determine whether the Certificate of Appropriateness or Design Plan shall be approved, conditionally approved, or disapproved. The application shall not be approved unless the Design Review Board finds that all of the applicable provisions in the Planning and Zoning Ordinance and the Design Review Districts and Standards have been satisfied and that the site plan meets the purpose and intent of this chapter, including the location and configuration of the building(s), landscaping, off-street parking, driveways and site amenities are visually harmonious within the site and its surroundings.

- (1) If the Design Plan is disapproved, the reasons for a disapproving vote shall be stated by those members and it shall be captured in the minutes of the meeting.
 - (2) Design Plans must be approved, conditionally approved or disapproved within thirty (30) working days from the date of receipt. This thirty (30) day period may be extended by the mutual agreement of the Design Review Board and the applicant.
 - (3) Design Plan approval shall be for a period not to exceed eighteen (18) months from the approval date of the Design Plan.
 - (4) If no construction has begun within two (2) years after approval is granted, the approved Exterior Plan shall become null and void.
 - (5) Design Plans approved prior to the adoption of this section, in which work has not commenced, shall become null and void one (1) year after the adoption of this section.
- (Ord. 25-2021. Passed 7-6-21.)

1187.08 CRITERIA FOR EVALUATION OF APPLICATION FOR CERTIFICATION OF DESIGN APPROPRIATENESS.

In considering the appropriateness of any proposed environmental change, including landscaping or exterior signage, the Board or Village staff member shall consider the following, as a part of its review:

- (a) The compliance of the application with the Design Guidelines and Requirements. The proposed environmental change is to comply with the Design Guidelines and Requirements of the Village, incorporated by reference.
- (b) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

- (c) The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.
- (d) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- (e) Each property shall be recognized as a physical record of its historic time, place and use. Alterations that have no historical basis and which seek to create an appearance inconsistent or inappropriate to the original integrity of the property shall be discouraged.
- (f) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- (g) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
- (h) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures if appropriate shall be undertaken using the gentlest means possible.
- (i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (k) Significant archeological resources affected by a project shall be protected and preserved, if such resources must be disturbed, mitigation measures shall be undertaken.
- (l) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
(Ord. 05-2011. Passed 5-17-11.)

1187.09 DEMOLITION OF STRUCTURES.

In cases where an applicant applies for a Certificate of Appropriateness to demolish a structure, the Planning and Zoning Commission or Village Manager shall grant the demolition and issue a Certificate of Appropriateness when at least one of the following conditions prevails.

- (a) The structure contains no features of architectural and historic significance to the character of the individual precinct within which it is located.
- (b) There exists no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.
- (c) Deterioration has progressed to the point where it is not economically feasible to restore the structure.
(Ord. 16-2010. Passed 8-17-10.)

1187.10 MAINTENANCE.

Nothing in this Chapter shall be construed to prevent ordinary maintenance or repair of any property within the Design Review District, nor shall anything in this Chapter be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Village Manager is required for the public safety because of an unsafe, insecure or dangerous condition.
(Ord. 16-2010. Passed 8-17-10.)

1187.11 MODIFICATIONS.

Certificates of Appropriateness or Design Plans which have been previously approved by the Design Review Board and require minor modifications may be made with the approval of the Chair of the Design Review Board and the City Planner. To apply, the applicant shall submit to the City Planner four (4) sets of the previously approved plans and the proposed minor modification, along with a written statement explaining the reason for the proposed minor modification. Within ten (10) working days after the plan submission, the City Planner and the Chair of the Design Review Board shall review and approve or disapprove the minor modification. Input from the City Engineer can be requested by the City Planner and the Chair of the Design Review Board. Approval shall be granted only if the City Planner and the Chair of the Design Review Board unanimously agree the minor modification does not significantly change the previously approved plan. If unanimous consent is not obtained, the proposed minor modifications are disapproved and can only be made if approved by the Design Review Board.
(Ord. 25-2021. Passed 7-6-21.)

1187.12 VARIANCES.

Any variance request shall follow the provisions as set forth in Chapter 1133 of the Codified Ordinances of the Village of Johnstown.
(Ord. 25-2021. Passed 7-6-21.)

1187.13 APPEALS.

(a) Any applicant aggrieved by a decision of a Village Manager involving an environmental change, may appeal the decision to the Planning and Zoning Commission. Such appeal must set forth in writing the grounds for the appeal and must be filed with the Village within thirty (30) days of the issuance of decision being appealed.

(b) Any applicant aggrieved by any decision of the Design Review Board may appeal the decision to the Planning and Zoning Commission of the Village of Johnstown. Such appeal must set forth in writing the grounds for the appeal and must be filed with the Village within thirty (30) days of the adverse decision. (Ord. 25-2021. Passed 7-6-21.)

1187.14 APPLICATION FOR VARIANCES AND APPEALS.

Any person owning or having an interest in property, after being denied a Certificate of Appropriateness (COA) or Design Plan Approval, may file an application to obtain a variance from the requirements of this chapter or appeal from the decision of the Village Manager involving an environmental change. Fifteen copies of a provided application accompanied by a copy of the denied COA and a statement of the reason for denial should be filed with the Village Manager not more than 20 days from the date such denial of the COA was issued. The application of a variance or an appeal shall contain the following information:

- (a) Name, address and phone number of the applicant.
- (b) Legal description of property as recorded in Licking County Recorder's office.
- (c) Each application for a variance or appeal shall refer to the specific provisions of this chapter which apply.

- (d) The names and addresses of all property owners within 200 feet, contiguous to, and directly across the street from the property, as appearing on the Licking County Auditor's current tax list.
 - (e) A narrative statement explaining the following:
 - (1) The use for which variance or appeal is sought.
 - (2) Details of the variance or appeal that is applied for and the grounds on which it is claimed that the variance or appeal should be granted, as the case may be.
 - (3) The specific reasons why the variance or appeal is justified according to this chapter.
 - (4) Such other information regarding the application for variance or appeal as may be pertinent or required for appropriate action by the Planning and Zoning Commission.
- (Ord. 25-2021. Passed 7-6-21.)

1187.15 PUBLIC HEARING AND NOTICE.

- (a) Public Hearing. The Planning and Zoning Commission shall hold a public hearing within 45 days after receipt of an application for an appeal or variance from an applicant.
 - (b) Notice of Public Hearing.
 - (1) Before conducting the required public hearing, notice of the hearing shall be given in one or more newspapers of general circulation in the Village at least seven days before the date of said hearing. The notice shall set forth the time and place of the public hearing and the nature of the proposed appeal or variance.
 - (2) Written notice of the required public hearing shall be mailed by first class mail, at least ten days before the day of the hearing to owners of property within 200 feet from, contiguous to, and directly across the street from the property being considered.
- (Ord. 25-2021. Passed 7-6-21.)

1187.99 PENALTY.

- (a) Whoever constructs, reconstructs, alters, or modifies any exterior architectural or environmental feature now or hereafter within the Design Review District in violation of this chapter, shall be subject to the penalties specified in Section 1125.99.
- (b) Any property owner that demolishes a structure within the Design Review District in violation of this chapter shall be subject to a fine of up to ten thousand dollars (\$10,000). (Ord. 16-2010. Passed 8-17-10.)



RESOLUTION 2021-26

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO AWARD FOR WATER TREATMENT PLANT EXPANSION DESIGN SERVICES AND FEES

WHEREAS, the Village of Johnstown requested proposals for the purpose of selecting a professional design consultant for planning, design, permitting, bidding, and construction administration services for the Water Treatment Plant Expansion project, and;

WHEREAS, the Village of Johnstown received two proposals by the deadline of June 28, 2021, and;

WHEREAS, interviews were conducted on July 7, 2021 and the Village Manager, Assistant Village Manager and Water Plant Operator were unanimous in their recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Johnstown, Licking County, Ohio as follows:

Section 1. Village Council hereby authorizes the Village Manager to enter into contract with Jacobs Engineering Group, Inc for design of the Water Treatment Plant Expansion project.

Section 2. It is found and determined that all formal actions of this Village Council concerning and relating to the recommendation of adoption of this Resolution were approved in an open meeting of this Village Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: July 20, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



Proposal for

Water Treatment Plant Expansion

2021 RFP WTP

Submitted to
Village of Johnstown, Ohio

June 28, 2021





June 28, 2021

Mr. Jack Liggett
Assistant Village Administrator
Village of Johnstown
599 South Main Street
Johnstown, OH 43031

Re: Proposal for Water Treatment Plant Expansion, RFP No. 2021 RFP WTP

Dear Mr. Liggett and Review Committee:

Jacobs has assembled a qualified team to lead the design and construction services for the Village of Johnstown's (Village) upgrades to their existing water treatment plant. As the original design firm for the plant when it was designed and constructed in the early 90's, our team is excited to a part of your treatment plant expansion project. Our enclosed technical proposal is organized in accordance with the Request for Proposal (RFP) requirements and includes our proposed team and representative relevant past experience, and meets the minimum qualifications. We provide clear and compelling examples of our team's experience providing water treatment process alternatives evaluations, detailed design, and construction services. Our proposal showcases the expertise we will provide for this project, including the following benefits:

Demonstrated Water Treatment Upgrade and Expansion Experience:

The Jacobs team brings over 30 years of local successful delivery in water treatment plant (WTP) work, including over \$300M in construction projects over the last 5 years, including:

- Dublin Road Water Plant Capacity Increase Project
- Parsons Avenue Water Plant Upgrades Project
- Wapakoneta WTP Iron Filter Expansion and Lime Softening upgrades Project
- Dublin Road Water Plant UV Disinfection Project
- Middletown WTP Upgrades
- Franklin County (OH) Timberlake WTP Upgrades

Such experience demonstrates the technical competence we bring as one of the industry leaders in WTP evaluations and design. We will leverage this experience to provide the Village with the level of expertise required to assess the water plant's needed upgrades and design a plant expansion that meets your expectations.

Thorough Understanding of the Village's Project Objectives: Jacobs understands that the Village's primary objectives for the project are as follows:

1. Expand the existing WTP capacity from 1.0 to 2.0 MGD while designing with future increases in mind.
2. Evaluate other softening methods; options to decrease finished water hardness to 110 mg/l; options to improve existing operations; re-rating existing filters; expansion layouts to include space for a fluoride chemical storage and feed system; filter backwash holding tank expansion; and lime sludge holding tank expansion alternatives.
3. Installation of a SCADA system.

TABLE OF CONTENTS—We have organized our proposal response in the order provided on page 2 of the Request for Proposal No. 2021 RFP WTP

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Columbus-based Project Team with National Treatment Expertise = Confidence in Project Delivery: Our team is comprised of a Columbus-based project team led by our **Project Manager Mike Giangjordano, PE** who has led and designed multiple treatment plant upgrades over his career. Mike is supported by our **Design Manager Melanie Gamez, PE** and **Quality Manager, Permitting, and Funding Lead Chad Roby, PE, BCEE**. Our team also comprises national experts in lime softening and other treatment technologies, most notably **Senior Technologist Chris Catlin, PE** who has over 30 years of experience in water treatment design and operations and the design of several ClariCone systems. Jacobs has extensive operating experience with lime softening and nano-filtration plants—including a 30 MGD side-by-side nanofiltration and lime softening plant, a 15 MGD lime softening plant, and we are currently operating a pilot scale plant ahead of a large expansion project. Our key staff will lead a Columbus-based design team that has over 30 years of experience delivering successful WTP design project.

Corporate Commitment and Resource Reachback from a Local Team: We are committed to continuing our successful relationship with the Village and have dedicated our best engineers and managers to this contract—providing the Village maximum opportunity for successful project execution. These professionals are best qualified to understand the Village's project goals and work with you to effectively expand your WTP and plan for future expansion in years to come. Our local Columbus office has supported the Village with engineering services in the past and will leverage this experience, and guidance from **Gary Long, PE**, project manager from the design of the original plant, to deliver a successful project.

Should you have any questions or would like additional information, please contact Mike at 614-403-4798 or michael.giangjordano@jacobs.com. Thank you for your consideration.

Respectfully submitted,

JACOBS ENGINEERING GROUP INC.



Michael Giangjordano, PE
Project Manager



Shawn Thompson, PE
Operations Leader

Jacobs Business Organization

Jacob's Legal Structure:

Jacobs Engineering Group Inc., is a publicly traded corporation. Jacobs Engineering Group Inc. and its subsidiaries and affiliates form an organization that is comprised of over 300 global operating entities, with approximately 100 operating entities in the United States and Canada, having a total current employment complement of over 50,000 persons and revenues of approximately \$13 billion.

Local Office and Project Manager

Jacobs Engineering Group Inc. (Jacobs)
Two Easton Oval, Suite 500 | Columbus, OH 43219
Mike Giangjordano, PE | 614-403-4798
michael.giangjordano@jacobs.com

Jacobs Headquarters

1999 Bryan Street, Suite 1200 | Dallas, TX 752011
214-638-0145 | www.jacobs.com

Federal ID: 95-4081636

Signature Authority:

Shawn Thompson, located in our Columbus (OH) office, has the authority to make decisions related to RFP No. 2021 RFP WTP and to bind the consultant. Upon award of project, a copy of signature authority for Shawn will be provided during contract negotiations.

Minimum Qualifications:

Our Columbus office has worked with a number of clients throughout Ohio on similar water projects. This includes our work with the Village which began in 1960 and includes the initial WTP in 1961 and the new WTP in 1995.

Discrimination:

Jacobs Engineering Group Inc. complies with all laws with respect to employment and discrimination related to race, color, religion, sex, veteran status, sexual preference, national origin, or disability. A copy of our US Equal Employment Opportunity and Affirmative Action Policy can be provided upon request.

Addendums:

We acknowledge receipt of answers to our questions on 6/15/2021 and affirm that no addendums were received for RFP No. 2021 RFP WTP.



Firm Background and Relevant Experience

Primary Contact

Jacobs Engineering Group Inc. (Jacobs)
Two Easton Oval
Suite 500, Columbus, OH 43219
Mike Giangiordano, PE
614-403-4798 | michael.giangiordano@jacobs.com

Firm Background

Founded in 1947, Jacobs is one of the largest global providers of technical, professional, and construction services. As a full-service, multi-discipline firm, our in-house engineering staff includes environmental, electrical, civil, structural, mechanical, and geotechnical engineers. Services include scientific and specialty consulting, as well as all aspects of engineering, architecture, construction, program and construction management, and operations and maintenance.



Jacobs has been recognized by industry publications and organizations, which

further supports our commitment to outstanding achievements in our fields. According to recent rankings of *Engineering News-Record* (ENR 2021), **Jacobs is ranked No. 1 in its list of Top 500 Design Firms in the world.** Jacobs has held a top five position in the Top 500 list since ENR's rankings began in 2003, and for a fourth consecutive year, we're excited to be at the top spot. We pride ourselves on listening to and collaborating with our clients, delivering quality engineering, project service and delivery, and offering competitive fees.

Water Treatment Experience

Jacobs water treatment engineers, planners, operators, and scientists have been assisting our clients, including the Village of Johnstown (Village), to provide high-quality drinking water for more than 70 years. Jacobs (as BBS) designed and provided construction services for the current Village Water Plant in the early '90s, in addition to multiple projects for the Village over many years.

We provide a proven and experienced team to partner with the Village to realize project success. Our blend of local and regional lime system experience coupled with our longstanding success delivering high-value solutions provides the necessary qualifications and assurance to the Village that we can provide a modernized facility that

enhances water quality, minimizes operating costs, and creates a safe working environment for your employees.

Permitting Services

In addition to our treatment designs, Jacobs provides regulatory support services to cities across the country in the areas of water quality and associated environmental regulations. These services are related to the potential impact of state and federal regulations on utility operations and helping utilities develop policies and practices for compliance. Recent experience includes the following:

- **Wapakoneta Water Treatment Plant (WTP) Lime Softening Upgrades:** Prepared an NPDES permit application for a new discharge of decant flow from two new water lime/soda ash sludge storage lagoons, including an antidegradation review. Also prepared a permit to install (PTI) application for the lagoons. Both are currently under review by Ohio EPA.
- **City of Columbus Projects—Hap Cremean Water Plant (HCWP), Dublin Road Water Plant (DRWP), Parsons Avenue Water Plant (PAWP) Upgrades:** Prepared numerous permits for each project including Ohio EPA WTP Reviews, PTI's, NPDES, and building permits.

We help our clients plan for and adapt to these regulatory initiatives by evaluating the potential effects of pending criteria on existing facilities, conducting the appropriate engineering, monitoring, and/or modeling, and developing the most appropriate approach for continued and future compliance.



Ohio American Council of Engineering Companies (ACEC) Recognizes Dublin Road Water Plant with Grand Award (June 2019)—One of the largest infrastructure upgrades in Columbus, Ohio's recent history resulted in the largest nitrate removal ion exchange facility in the United States and the first ozone and biologically active filter treatment combination to be commissioned in Ohio. *Pictured Proposed Project Team Members include: Mike Giangiordano, Matt Leach, and Ian Hammons.*

Ohio Grant/Funding Services

Jacobs has worked closely with clients to tap State and Federal funding sources and identify the full array of funding opportunities available to communities undertaking infrastructure projects. Our experience with various funding programs includes the preparation of applications and other required materials for the major funding agencies in Ohio.

Relevant Experience

Our firm has completed dozens of lime system upgrades and expansions at lime softening water plant projects

across Ohio and the United States. Our proposed team members for the Village's WTP expansion have been key contributors to many of these projects and will share that knowledge with the Village.

Exhibit 1 provides a list of projects delivered by our proposed team members that demonstrate our experience with the critical aspects of your expansion project—many of which were designed in our Columbus office, as well as additional relevant projects delivered by our proposed national technology experts. Projects outline in blue are explained in greater detail following this exhibit.

Jacobs Assists Washington Court House (OH) Obtain a 100 Percent Division of Environmental and Financial Assistance (DEFA) Loan

Jacobs recently assisted Washington Court House (City) with obtaining a 100 percent DEFA loan for their wastewater treatment plant (WWTP) upgrade. Starting this process early was the key to obtaining the loan approval without difficulties and delay. The loan processing schedule for the City was kept on track by being aware of the project standards established by other applicable state entities and their document filing requirements. Besides Ohio EPA, the process involved interaction with Ohio Department of Natural Resources (ODNR) and SHPO (State Historical Preservation Officer). Our team also coordinated the application with the county Floodway Coordinator. Each of these interactions was completed prior to the submittal of the construction loan application.

A key portion of the loan application required revenue analysis of previous years and projections of revenues for the life of the loan to ensure that the City would have adequate funds for repayment. Jacobs assisted the City with a user rate analysis and adjustments were found to be needed to demonstrate the financial fitness of the City. The subsequent rate submittal met the standards of Ohio EPA and resulted in timely review and approval of the applications.

Jacobs also assisted the City with identifying and documenting factors that resulted in reductions in both the loan principal and the interest rate to be paid. A principal reduction of \$50,000 was achieved due to the inclusion of backup electrical power in the project. Interest rate reductions totaling 0.34 percent were gathered from the inclusion of specific treatment processes in the construction contract and the City gained an additional reduction of 0.06 percent by agreeing to mentor a smaller municipality applying for a DEFA loan.



EXHIBIT 1—JACOBS RELEVANT PROJECTS DELIVERED BY OUR FULL-SERVICE PROJECT TEAM

City-Project Team Members Involved	Lime Softening	Other Softening Technologies	Pilot Test/Proof of Concept	Alternative Treatment Analysis	Capacity Increase	Chemical Feed/Systems Additions/Upgrades	Sludge/Residuals Handling/Recycle	Recarbonation	Filter Modifications or Additions	Permitting	Pump Replacement	I&C/SCADA/Electrical Upgrades	Bid/Construction Services	Startup	O&M Manuals
Johnstown (OH) New WTP G. Long	✓		✓	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓
Wapakoneta (OH) WTP Iron Filter Expansion and Lime Softening Upgrades Projects M. Giangiordano , C. Roby , P. Anderson , T. Bechtel , T. Dodge , T. Elliott , M. Gnanadt , I. Hammons , G. Long , J. Ramos , C. Winter , M. Witwer	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Columbus (OH) Dublin Road Water Plant (DRWP) Capacity Increase M. Giangiordano , M. Gamez , M. Leach , P. Anderson , T. Bechtel , J. Decker , M. Gnanadt , I. Hammons , M. Hill	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Columbus (OH) Parsons Avenue Water Plant (PAWP) Upgrades M. Giangiordano , M. Gamez , M. Leach , P. Anderson , T. Bechtel , J. Decker , T. Elliott , I. Hammons , M. Hill	✓		✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓
Columbus (OH) Hap Cremean Water Plant (HCWP) Sludge Handling Improvements and Upgrades M. Giangiordano , M. Gamez , M. Leach , P. Anderson , T. Bechtel	✓						✓				✓	✓			✓
Greenville (OH) WTP Lime Slaker Replacement M. Gamez , P. Anderson , I. Hammons , G. Long						✓				✓		✓			
Versailles (OH) New WTP M. Gamez , T. Bechtel , G. Long	✓			✓		✓	✓	✓	✓	✓		✓	✓	✓	✓
Franklin County (OH) Timberlake WTP Upgrades P. Anderson , G. Long , M. Witwer		✓				✓			✓	✓	✓	✓	✓	✓	✓
Middletown (OH) WTP C. Roby , P. Anderson , T. Bechtel , M. Gnanadt , G. Long	✓			✓	✓	✓			✓	✓	✓	✓	✓	✓	✓
Fort Wayne (IN) WTP Lime Slaker Replacement Project Phase 1 M. Giangiordano , P. Anderson , T. Elliott , I. Hammons	✓					✓						✓	✓	✓	✓
Ann Arbor (MI) WTP T. Elliott	✓		✓	✓	✓	✓		✓	✓			✓	✓	✓	✓
Saint Paul (MN) McCarrons WTP M. Gamez , T. Elliot , C. Winter	✓		✓	✓	✓	✓			✓			✓	✓	✓	
Minneapolis (MN) Fridley WTP C. Catlin , T. Elliott , C. Winter	✓			✓	✓	✓		✓				✓	✓	✓	
Cedar Rapids (IA) J. Avenue WTP C. Catlin , T. Elliott	✓		✓	✓	✓	✓		✓				✓	✓	✓	✓
Marco Island (F) Dual Membrane Pilot Study M. Witwer		✓	✓	✓	✓										
Lee County (FL) Green Meadows WTP Expansion T. Elliott , M. Witwer		✓	✓	✓	✓	✓				✓	✓	✓	✓	✓	✓
Marine Corp Air Station Cherry Point WTP Design (NC) M. Witwer		✓			✓	✓			✓	✓	✓	✓	✓	✓	✓

New Water Treatment Plant, Village of Johnstown, OH



WTP Operations Building.

Jacobs provided a feasibility study for the new WTP that included an engineering study to determine and recommend improvements for the rehabilitation and upgrade of the plant; extensive

structural evaluation, plumbing and heating, ventilation, and air conditioning (HVAC) evaluation, and all process (hydraulics) evaluation; and a new treatment plant. The new WTP design included the following facilities and equipment:

- Lime sludge storage tank
- Two new clearwells
- Backwash recycle tank
- Upflow solids contact clarifier system for softening
- Lime storage and feeding equipment for carbonate hardness removal
- Polymer storage and feeding equipment for coagulation
- Sodium hypochlorite storage and feeding equipment for disinfection
- All pumps and related equipment
- All related electrical and control systems, HVAC and plumbing
- Administration Building containing offices, personnel facilities, an Ohio EPA-approved laboratory, HVAC room and equipment, 3 rapid-sand, dual-media filters, and recarbonation system

The performance increase over the Village's old lime softening WTP is significant. Total hardness removal increased from 62- to 71-percent and noncarbonate hardness removal increased from 6- to 38-percent.

The design of the plant also included Ohio's first approved municipal application of a cone upflow solids contact clarifier for softening. An advantage of this alternative technology is the cost savings, not only in construction but also in operation and maintenance.

Jacobs worked closely with the Village in evaluating this new technology and its feasibility and appropriateness for the Village's treatment plant. Jacobs also spearheaded the presentations to the Ohio EPA that were instrumental in receiving approval for the technology. The effort required numerous meetings with the Ohio EPA as well as the operation of and data review from a pilot test plant at the WTP.

Water Treatment Plant Iron Filter Expansion and Lime Softening Upgrades, Wapakoneta, OH



Photo courtesy of Peterson Construction Company.

Jacobs provided planning and design services to expand capacity and convert the previous ion exchange softening WTP to a lime-soda ash softening WTP. The total dissolved solids (TDS) produced from the ion exchange softening system

in combination with the increased demand and TDS loading from a new industry resulted in exceeding permitting allowances. Two solutions were provided – an increase in capacity to meet current and future demand and a conversion to lime-soda ash softening to decrease TDS discharges to the WWTP. These changes allow the city to accommodate future industry growth while still maintaining compliance with the Ohio EPA regulations. An aggressive schedule was developed to meet Ohio EPA Director's Final Findings & Orders (DFFO) for the WWTP. And Jacobs worked closely with the City in order to outline a schedule that would meet the DFFOs. Jacobs' solutions included additional filters and re-rating of existing equipment, a Detailed Design Memorandum (DDM) to evaluate softening alternatives, onsite jar testing to optimize the softening process, a basis-of-design for future capacity increases, funding and permitting assistance, and detailed design and construction administration services (starting fall 2021). Jacobs identified innovative ways to provide future expansion capacity increases without additional infrastructure.

Dublin Road Water Plant (DRWP) Capacity Increase, Columbus, OH



What would become one of Department of Public Utilities' (DPU) largest infrastructure upgrade projects began when Jacobs' project team led a blue-ribbon panel of Columbus staff and industry experts to evaluate treatment alternatives to meet the DPU's challenges. The panel selected improvements that resulted in approximately \$100M in construction cost savings.

Jacobs served as the prime design professional for this conventional WTP with lime softening for the \$200M construction project to expand the capacity of the plant from 65 MGD to 80 MGD. Early in the design process Jacobs engaged senior technologists to clarify project objectives and develop treatment alternatives to the original plan of implementing microfiltration and reverse

osmosis. In addition to expanding capacity, the project enabled the plant to meet new United States drinking water regulations: the Long Term 2 Enhanced Surface Water Treatment Rule and the Stage 2 Disinfection By-Product Rule, by incorporating ozone and biological granular activated carbon (GAC) filters into the plant process; supplemented by the largest potable water ion exchange facility in North America to be used during periodic nitrate events. These processes were validated by an expedited pilot test program, which provided valuable data for refining the process design and provided needed justification for regulatory permitting. This change reduced the capital project cost by approximately \$100M.

This project also included a new lime solids pump station and conveyance line, sludge recirculation improvements, plant electrical and SCADA, chemical systems, high service pumps, backwash storage tank, and improvements to all aging equipment and systems in the plant.

This project exceeded the City's expectations by meeting their goals at a lower cost to the community. It provided opportunities for technical innovation through process evaluations and tests resulting in state-of-the-art advanced treatment including the current world's largest drinking water ion exchange facility for nitrate removal. Jacobs also providing services during construction for the five constructions projects which were completed in 2019.

This project was awarded the Grand Award at the ACEC of Ohio's 2019 Engineering Excellence Awards.

Parsons Avenue Water Plant (PAWP) Treatment Upgrades, Columbus, OH



The PAWP, which originally went into service in 1984, draws water from wells and provides 16 percent of the water in the service area. For the recent \$65M upgrade, we provided extensive construction sequencing of many connection points to existing facilities with no disruptions to water production during construction and startup.

Jacobs provided engineering and construction services to the City for upgrading the PAWP to be capable of reliably treating 50 MGD of groundwater. Engineering services included process upgrades and significant improvements to the electrical and instrumentation and controls (I&C) systems.

Upgrades to the PAWP included the Primary Softening Basin equipment and associated influent

pipings and meters, new Recarbonation Building and recarbonation equipment, new Recarbonation Basin and

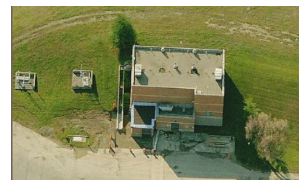
dewatering pumps, new carbon dioxide storage tanks were provided, new filter media and surface wash agitators, new conveyance equipment for the bulk storage lime and soda ash, new 11 MG clearwell was constructed, new

The PAWP historically used a direct gas recarbonation feed system. Due to limited detention time, this system did not provide consistent pH causing issues with downstream processes. During preliminary design, direct gas recarbonation was compared to a pressurized solution feed system. Ultimately the City selected a new direct gas feed system based on the experience of the staff having operated the existing direct gas feed system.

The PAWP obtains its water from collector wells. The existing collector wells combined capacity is not sufficient to supply 50 MGD to the treatment plant. Future source water quantity and quality will vary depending on the blend of raw water from multiple sources, including existing collector wells, future collector wells, and a future surface water intake in the quarry created by anticipated mining operations. Therefore, a goal of the design was to plan improvements in treatment that offer flexibility regardless of the source water that is chosen in the future.

Detailed design was completed in 24 months and the plant was kept in service during the duration of the project and met capacity demands with the exception of a 4 week planned outage to replace large influent valves.

Hap Cremean Water Plant (HCWP) Sludge Pump Station Renovations and Electrical Upgrades, Columbus, OH



Innovative approach to add electrical room to existing Chemical Storage Building.

Jacobs was responsible for the design and construction administration of new sludge handling facilities and electrical upgrades to the plant.

Sludge Conveyance and Pumping Upgrades involved

the design of a new sludge pumping station to convey wasted lime and coagulation sludge to the City's McKinley Avenue Quarry. Project also included design of a new lime sludge control house. The design included improved sludge wasting and eliminated main drain back-ups during basin draining events.

The electrical upgrades project involved constructing a new outdoor main substation serving both A Plant and B Plants, as well as a fence and screening around the substation to comply with the recommendations of the City's vulnerability assessment. The substation included walk-in

arc-resistant type 15 kV and 5 kV switchgear. Arc detection relays were also used to provide another level of personnel safety and to minimize potential damage to equipment if a fault occurred. Complete breaker/substation monitoring of all 15 and 5kV breakers at the both the main substation and main electrical room were connected to the existing supervisory control and data acquisition (SCADA) system by a fiber optic Ethernet network.

Water Treatment Plant Lime Slaker Replacement, City of Greenville, OH



These two lime slakers were replaced with new Chemco slakers for improved maintenance..

Jacobs provided engineering services to the City of Greenville for its 4.9 MGD WTP Improvements to improve WTP performance and reduce maintenance. This work was provided over two projects that included replacing both of the aged lime slakers.

The first project included a new Bulk Water Station with improved water accounting outside the main WTP fence for improved WTP security; new finished water meter and vault for improved

maintenance and reliability; lime silo improvements including a new control panel, dust collector, and lime transfer piping between the bulk lime silo and the lime day bins to improve the lime feed operation; conversion of the gas chlorination system to a liquid hyperchlorination system for operator safety; replaced the filter surface wash system with new a new improved surface wash system for improved filter backwashing; replaced one of the existing painted lime slakers with a new Chemco stainless steel lime slaker for better maintenance; and improved lime slaking operation.

The second project included adding an air dryer to the intake of the blower transferring lime from the bulk lime silo to the lime day bins to eliminate the addition of moisture from air when transferring lime. The moisture from the air was reacting with the lime in the day bins and causing bulking issues. Also replaced the bulk lime transfer auger and isolation slide gate, at the bottom of the lime silo, to the air transfer system for improved performance and reliability; and replaced the second existing painted lime slaker with a new Chemco stainless steel lime slaker for better maintenance

New Water Treatment Plant, Village of Versailles, OH



Versailles new 1.5 MGD lime-soda-ash softening WTP.

The Village commissioned Jacobs to replace their existing WTP with a new 1.5 MGD lime-soda-ash softening WTP. Jacobs' design included the following specific equipment and processes:

- Induced draft aerator and rapid in-line mixer on the raw water line
- Modular four-cell rapid sand filter with air wash capability
- WTP building that houses the clarifier, filter, and recarbonation tank as well as administrative and personnel areas, an Ohio EPA-approved laboratory, and electrical, mechanical, and chemical rooms
- Two 225,000-gallon clearwells and four high-service pumps
- Solids contact clarifier
- Recarbonation system
- Backwash recycle tank
- Lime sludge handling system
- Chemical storage and feed equipment
- High-service pumping station
- All required electrical and I&C systems

Chemical storage and feed systems include the following:

- **Alum (coagulation)**—Bulk alum is stored in a 4,800-gallon tank and flows by gravity to a day tank. The makeup and dilution of alum in the day tank is controlled automatically by the SCADA system. Alum solution is discharged to a rapid mixer by a positive displacement metering pump.
- **Lime (softening)**—Bulk pebble lime is stored in a 75-ton storage silo with dual bottom cone bin activators, control valves, lime feeders, and lime slakers.
- **Soda Ash (softening)**—Bulk soda ash is stored in a 30-ton storage silo that is similar to the lime storage silo except that the soda ash feeder discharges the chemical to a slurry tank.
- **Carbon Dioxide (pH control)**—Bulk liquid carbon dioxide is stored in an external 14-ton insulated storage tank provided with a refrigeration system, safety equipment, vaporizer, vapor heater, and pressure regulator.
- **Chlorine (disinfection)**—Chlorine gas is withdrawn from 150-pound cylinders through an automatic switchover device and conveyed under a vacuum to one of two wall-

mounted chlorinators that include an injector for mixing the chlorine gas with water to make up a chlorine solution.

Timberlake WTP Improvements, Franklin County, OH



Membrane Softening Process.

The Franklin County Department of Sanitary Engineering implemented upgrades to the existing Timberlake WTP. The existing plant was an iron removal filtration plant that included green sand

filtration and sodium permanganate and sodium hypochlorite chemical feed systems. The primary focus of the upgrade project was to add a membrane softening process to the plant to reduce the total hardness of the treated water from values as high as 540 mg/l as CaCO_3 to approximately 120 mg/l as CaCO_3 .

Jacobs provided engineering services for design, bidding phase services, construction administration and inspection, and services during construction. The project included preliminary through final design with treatment alternatives, evaluation of life cycle costs, preliminary engineering report, and preparation of bid documents. The existing plant was a green sand iron removal facility treating a very hard water with high alkalinity and iron concentrations near the secondary standard. The upgraded plant makes use of the filters upstream of a new dual train nano-filtration plant with bypass blending. The design includes new pre- and post-chemical treatment, the nanofiltration skid, modifications to the existing system and upgrade to the controls system. As part of the design effort Jacob's worked with the County to establish an implementation plan to slowly introduce the softened water to the distribution system while conducting a sample plan and public information plan to minimize changes in the distribution system water quality and ensure the public is well informed of these changes.

In addition to the improvements at the WTP, the project identified and included startup plans to mitigate potential temporary impacts to water quality in the distribution system caused by introducing treated water with a much lower level of total dissolved solids.

Water Treatment Plant and Distribution System, Middletown, OH

Jacobs is currently serving as the city engineer for the City of Middletown and provides a variety of water and environmental services that includes planning, design,



Jacobs supports a variety of project for the Middletown WTP including limes sludge management options and increasing capacity of their system.

studies, and sampling related to operation of the City 20 MGD groundwater lime-softening WTP, raw water pumping, and water distribution system. Jacobs recently completed a Lime Solids Residual Management Study that developed alternatives to dispose of lime sludge. The alternatives

included gravity thickeners, sludge pumping, filter presses or other dewatering techniques, and reusing existing infrastructure. The study determined options to management recycles streams which included reuse within the plant, a NPDES permit, and discharge to the City sewer. Other recent projects for the City include upgrade of a 24 MGD pump station, corrosion control optimization study, distribution system modeling, design of new raw water pumping system, design of a filter to waste line, design of a new elevated storage tank, and design of two new generators.

Project Team and Organization

Project Team Commitment and Capacity

We understand the Village is seeking a consultant team to provide continuity and flexibility throughout the duration of the WTP expansion. Our project team is fully committed for the duration of all three phases of this project (August 2021 through January 2024).

We commit to the availability of this project team at the dedicated levels and at the appropriate times to successfully accomplish tasks associated under this project within the schedule associated with each assignment. In addition to these local resources, our firm is structured to offer access to technical experts and professional resources, as well as design production staff, within Jacobs throughout the company—45 Columbus-based, 400+ Ohio-based, and 55K+ professionals around the world. Our firm is organized to allow seamless delivery of the right technical resources to our clients, regardless of where they are located.

Principal-in-Charge Matt Leach has the authority to ensure that all the necessary local and regional resources that have been assigned to this work will be made available accordingly. As Principal-in- Charge, Matt will drive the successful completion of the project by working with our **Project Manager Mike Giangiardano**, and the Village's

representative to make sure we are meeting project deadlines and quality objectives.

Project Team Organization

As shown in **Exhibit 2**, the Jacobs team is organized to provide the Village with a single point of accountability for the development and delivery of all services required for your WTP expansion. We composed our team to fully align with the project scope, maximize your project vision and objectives, and engage the extensive experience and expertise of our local team and nationally recognized senior technologists. This team offers a deep bench of best-in-class treatment system alternatives evaluation and design experts for your WTP expansion project.



Jacobs has included **Resource International Inc. (Rii)** to provide survey and geotechnical investigation services. Jacobs and Rii have worked together on several Ohio WTP projects including the Columbus DRWP Capacity Increase and PAWP Improvements projects—this familiarity with

Jacobs and track record of successful collaboration with be a success factor for their project assignments.

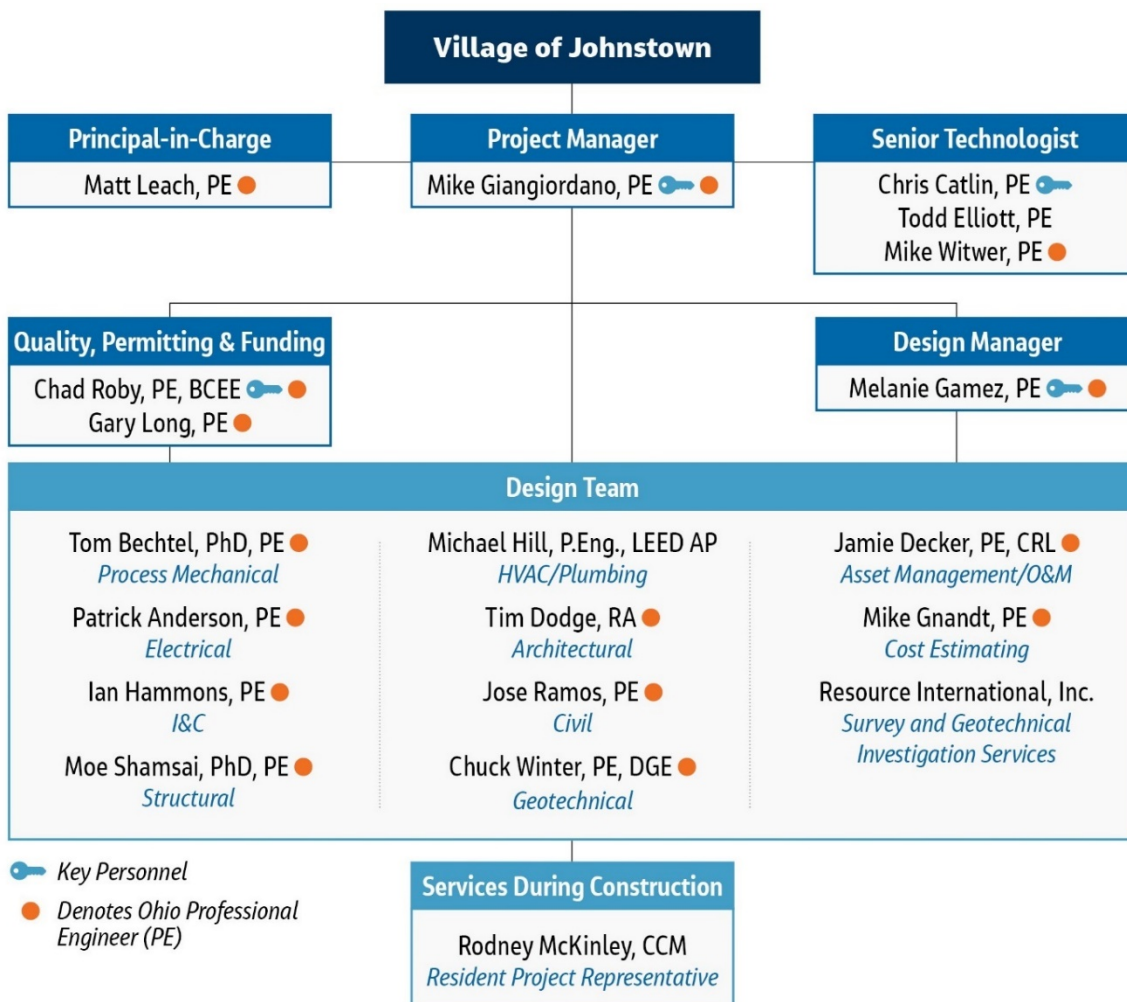
Our key team members include **Project Manager Mike Giangliordano** supported by **Design Manager Melanie Gamez**; **Quality, Permitting and Funding Lead Chad Roby**; and **Senior Technologist Chris Catlin**. This leadership team is currently working with most of the team members proposed for this project.



Mike Giangliordano, PE (Project Manager) has 13 years of experience managing, planning, and designing water treatment facilities and understands the intricacies of guiding a project through successful

completion. His experience includes several traditional and advanced water treatment technology process designs and commissioning efforts with both office and field assignments including designs for coagulation, softening, recarbonation, ozone, ion exchange, UV disinfection, and clearwells as well as corrosion control technique evaluations. Mike currently serves as a member of the Ohio

EXHIBIT 2—ORGANIZATION CHART OF JACOBS' WTP EXPANSION TEAM



American Water Works Association (AWWA) Technology Community, where he works to jointly develop, with Ohio EPA, technical guidance that positions the Agency to approve Emerging Technologies and to establish Approved Capacities for Ohio water systems. Mike also serves as the Group Leader for our Columbus office water group, where he manages our staff and ensures proper project staffing. As the Group leader, Mike will ensure that this project will have the resources available for successful delivery.

Mike will be responsible for delivery of the negotiated scope of services, maintaining schedule, and controlling costs. He will serve as the day-to-day manager of the work and point-of-contact for the Village. As project manager, he will also make sure Quality Assurance and Quality Control (QA/QC) procedures are being followed and maintain collaboration with senior technologist throughout the project.



Melanie Gamez, PE (Design Manager) brings 21 years of design and management experience for municipal infrastructure projects. Her experience includes managing multi-disciplinary design teams for water projects with a “hands-on” approach to managing projects and is a strong advocate of collaborative work, successfully delivering projects with multiple subcontracts. Melanie is a lime softening and feed expert who recently delivered a similar large lime softening design and installation for the City of Columbus PAWP. She will work in tandem with Mike and Village staff to deliver an efficient and timely WTP expansion that will satisfy your goals and objectives.



Chad Roby, PE, BCEE (Quality, Permitting, and Funding Lead) brings 18 years of experience in water and wastewater treatment, conveyance, and distribution which is often driven by economic growth; a major project driver for the Village. He is experienced with permitting, funding assistance, and lime solids residual management. He recently led the effort to obtain approval for the recycle filtrate from a lime solids sludge press for Massillon (OH)—the first in Ohio.



Chris Catlin, PE (Senior Technologist) brings over 30 years of experience of experience in water treatment and distribution including experience as an operator, lead operator, trainer, system manager, design engineer and operations consultant. Chris brings to the team his unique experience of having designed multiple ClariCone® systems ranging in size from

3 to 20 MGD. In addition to helping the team with the process design, Chris brings his unique operations experience to help with startup, commissioning and Operations and Maintenance (O&M) manuals.



In addition to our Key Team Members, **Gary Long**, our Project Manager from the design and construction of the current Village WTP, will serve as a member of our team to impart lessons learned from the construction of the plant and his 35+ years of experience as part of our quality assurance process.

Ohio-Based Design Engineering Team

For preliminary engineering, and final design and construction services, our local team brings proven planning and design experience with WTP upgrades projects. Our team has a wealth of experience with lime softening plants, as well as other water treatment softening technologies such as ion exchange and membranes, should the Village wish to explore these options. In addition to our experience with softening, we are well versed in sludge recycling, thickening, dewatering, and disposal with our work at all three City of Columbus (OH) water plants, and smaller Ohio municipalities like the City of Wapakoneta, Versailles, and Middletown. Our local team has the experience needed to deliver your project and has the support of national experts for all treatment technologies and systems.

Team Resumes

Brief resumes for our project team are provided below. Full detailed resumes can be provided to the Village upon request.

Mike Giangjordano, PE—Project Manager

Mike has over 13 years of experience in project and design management specializing in the design and construction of drinking water treatment facilities improvements.

Education and Professional Registration

- BS, Civil Engineering (Environmental Engineering Emphasis), Pennsylvania State University
- Professional Engineer: OH (#80472), MI

Relevant Experience

Project Manager, Water Quality Assurance Laboratory (WQAL) and Plant Laboratory Upgrades, Columbus, OH. Managed the \$12M, 12,000 sf complete renovation of the City of Columbus WQAL compliance laboratory and renovations to the DRWP and PAWP plant operation laboratories.



Project Manager, Rapid Response Tests, Erie, PA. Manager for Optimal Corrosion Control Technique (OCCT) rapid response test pipe loop used to evaluate various orthophosphate and polyphosphate dose impacts to harvested distribution pipe and scale. Less costly and with faster results than a traditional pipe loop, the rapid response tests will be used to recommend a robust OCCT strategy.

Project Manager, Water Facility Master Planning and Continuity of Service, Erie, PA. Manager for a conditions assessment of two WTPs and master planning for future continuity of service. Alternatives include evaluation and recommendation for investing in the historic non-reliable WTP, the recently upgraded WTP or in a new WTP for redundancy and continuity of supply.

Process Lead, WTP Lime Softening Upgrades, Wapakoneta, OH. Lead for 5.6 MGD design max day flow lime and soda ash softening retrofit. Unit processes include aeration, lime and soda ash storage, lime and soda ash slurry feed, solids contact clarifier softening, pressure solution feed (PSF) recarbonation. Additional finished water (clearwell) storage, miscellaneous treatment improvements and plant hydraulics were also included with design.

Process Lead, Lime Slaker Replacement Project; Three Rivers Water Filtration Plant, City of Fort Wayne, IN. Addition of 3,500 pph pebble lime batch slaker. Design included study between pebble lime batch slaker and hydrated lime high-density continuous batch slaker. Improvements include for the new batch slaker include a modified day bins, new slaker, grit classifier, slurry aging tank and lime pumping feed loop system.

Design Manager, DRWP Capacity Increase, Columbus, OH. Design manager for the design of the 80 MGD ozone facility and softening basin expansion. The project included several items like chemical storage/generation/conveyance and dissolution, plant capacity expansion sequencing and hydraulics. Managed day-to-day technical reviews and responses for services during construction across all disciplines and subconsultants for Contract 3, plus technical work for all contracts totaling \$200M.

Design Manager, DRWP UV Disinfection Facility, Columbus, OH. Managed Jacobs' work on the civil/site utilities and process systems. Managed project work restrictions, finished water flow path evaluations, and regulatory compliance documentation. Performed detailed hydraulic evaluations and provided the design for chemical storage and conveyance, finished water sampling, and site/civil improvements.

Melanie Gamez, PE—Design Manager

Melanie has 21 years of experience specializing in civil and process engineering including planning, designing, bidding, constructing, and commissioning. She manages multi-disciplinary design teams for large and small water treatment facilities throughout Ohio.

Education and Professional Registration

- BE, Civil/Environmental Engineering, Youngstown State University
- Professional Engineer: OH (#69069)

Relevant Experience

Project Manager/Design Manager, PAWP Upgrade, Columbus, OH. Managed the design team to complete softening basin equipment replacement and rehab, new recarbonation and polymer systems, new recarbonation basin, filter upgrades, new 11 MG clearwell, chemical transfer system upgrades and major electrical upgrades. Work also included managing and performing groundwater study sampling and evaluation, bench scale polymer testing, and polymer full scale demonstration. Managed services during construction.

Project Manager, PAWP Concept Plan Update, Columbus, OH. Responsible for groundwater sampling, evaluation of surface water vs bank filtration raw water intake, and future treatment recommendations. Evaluated potential sites for future lime sludge disposal and met with Ohio EPA to determine permitting requirements.

Design Engineer, HCWP Sludge Pump Station and Electrical Upgrades, Columbus, OH. Responsible for initial layouts and pump sizing for sludge control houses and new sludge pump station. Coordinated with electrical engineer for sizing of rooms, electrical requirements, and required I&C.

Design Engineer, New WTP, Village of Versailles, OH. Participated in preparing process and civil drawings and performing hydraulic and process calculations and lime sludge pumping system for the new groundwater softening plant. Responsible for civil designs including a new waterline and sanitary force main servicing the plant, site grading, a new pump station, and a culvert. Managed services during construction and provided shop drawing review.

Project Manager, Greenville (OH) WTP Lime Slaker Replacement. Managed the replacement of lime slaker equipment and associated equipment and implementation of instrumentation and controls with existing equipment and controls.

Chad Roby, PE, BCEE—Quality, Permitting and Funding

Chad brings 18 years of experience in planning and design of municipal WTPs. He has a strong technical background in treatability/pilot testing, detailed design, services during construction, startup and commissioning, and plant troubleshooting and optimization.

Education and Professional Registration

- MS, Environmental Engineering, University of Tennessee; BS, Environmental Engineering, Murray State University
- Professional Engineer: OH (#77402), GA, MD, NC, PA

Relevant Experience

Permitting and Funding Lead, WTP Lime Softening Upgrades, Wapakoneta, OH. Managed and provided permitting and funding for the planning and design services to convert ion exchange softening WTP to lime-soda ash softening plant to meet regulatory requirements resulting from a new industry discharging to the City's WWTP.

Project Manager, Lime Lagoon Alternatives Study, Middletown, OH. Developed a high-level plan that included evaluation of solids management alternatives. Evaluation considered reusing existing components in addition to evaluating other technologies such as gravity thickeners and dewatering presses. Alternatives were developed with costs that included various discharge options such as to the City sewer or a new NPDES permit. Various residual recycle options were also considered within each alternative.

Project/Design Engineer, WTP Sludge Dewatering, Massillon, OH. The new facility will consist of two 150,000 gallon above ground bolted steel covered tanks for thickening and storage of the lime sludge prior to the filter press, a dewatering building to house two new 250 cubic foot plate and frame filter presses, and ancillary equipment. Ancillary equipment includes air operated diaphragm pumps, sludge cake conveyors, and a solids storage building sized to provide 4 to 6 months of storage capacity of the dewatered product.

Process Engineer, Blacklick WTP Filter Addition, Columbus, OH. Responsible for the chemical feed systems, clearwell disinfection analyses, and detailed plant hydraulics for this existing 1.44 MGD plant that uses two Aerolators and was replaced with three vertical pressure filters utilizing chemical oxidation with permanganate and hypochlorite. The plant was also upgraded to comply with the impending groundwater virus inactivation requirements.

Chris Catlin, PE—Senior Technologist

Chris has 30+ years of experience in water treatment and distribution including experience as an operator, lead operator, trainer, system manager, design engineer and operations consultant. Chris has acted as temporary plant manager for two utilities for one- and three-year durations and completed numerous plant startups.

Education and Professional Registration

- MS, Civil and Environmental Engineering, University of Iowa, Iowa City, Iowa; BSE, Chemical Engineering, University of Iowa, Iowa City, Iowa
- Professional Engineer: IA, MN

Relevant Experience

Superintendent/Operations and Maintenance, Minneapolis, MN. Managed surface WTP including staff of 140. Operations, maintenance, water quality departments within the water utility. Developed staff, created Rehabilitation and Replacement (R&R) program, optimized staffing, optimized treatment and sludge disposal. Created standard operating procedures for seasonal treatability issues.

Lead Process Engineer, WTP Upgrades, Iowa City, IA. Designed 20 MGD ClariCone® lime softening plant including chemical feed systems.

Acting Plant Manager, Staff Augmentation, North Miami Beach, FL. Managed the 30 MGD lime softening/nanofiltration/reverse osmosis treatment plant for utility serving 175,000 population. Prepared standard operating procedures (SOPs) for numerous plant and distribution system activities.

Lead Process Engineer, WTP Upgrades, Pella, IA. Designed and oversaw construction and startup of 3 MGD ClariCone® lime softening plant and chemical feed systems.

Lead Process Engineer, University of Iowa Water Plant, Iowa City, IA. Designed a ClariCone® based backwash reclaim system for a 6 MGD lime softening plant.

Lead Process Engineer, Denison Utilities WTP Upgrades, Denison, IA. Designed 7 MGD ClariCone® lime softening plant including chemical feed systems.

Acting Plant Manager/Acting Water Quality Manager, Gilbert, AZ. Provided management services on an interim basis (approximately 1 year) for water utility serving 220,000. Managed and developed staff, oversaw correction of deficiencies in certified water quality lab, provided response to trihalomethanes (THM) exceedance and corrective action. Became Lab Manager of record on interim basis. Assisted with recruiting and hiring process for permanent staff.



Matt Leach, PE—Principal-in-Charge

Matt brings over two decades of design leadership at a variety of water and wastewater treatment projects throughout Ohio, including the award-winning Columbus DRWP Capacity Increase project. His primary engineering focus is on water treatment, with extensive expertise in plant, pump and pipeline design, system sizing, detailed final design, and services during construction.

Education and Professional Registration

- BS, Civil Engineering (Environmental Engineering Emphasis), The Ohio State University
- Professional Engineer: OH (#43017), WA

Relevant Experience

Principal-in-Charge, Water Quality and Assurance Laboratory (WQAL) and Plan Laboratory Upgrades, Columbus, OH. Serve as the principal in charge for the \$12M WQAL upgrades and upgrades at the DRWP and PAWP Laboratories.

Project Manager, DRWP Capacity Increase, Columbus, OH. Managed the design and services during construction for \$200M in WTP upgrades, including a new 29 MGD ion exchange facility, ozone and biological activated carbon (BAC) filters, sludge handling and chemical handling facilities, plant-wide electrical, architectural and HVAC upgrades, and replacement of high- and low-service pumps. This project was awarded the Grand Award at the ACEC of Ohio's 2019 Engineering Excellence Awards.

Project Manager, PAWP Hypochlorite Disinfection Improvements, Columbus, OH. Managed the selection and design of the conversion of gaseous chlorine disinfection to bulk sodium hypochlorite at the WTP. Preliminary design evaluations included both onsite hypochlorite generation and bulk hypochlorite delivery.

Project Manager, General Engineering Services, Columbus, OH. Responsible for engineering services to the Water Supply Group, including the DRWP Low-Service Pumps Replacement and numerous other projects.

Project Manager, HCWP Sludge Pumping Renovation and Electrical Upgrades, Columbus, OH. Led the final construction services portion of the project for the sludge control and pumping improvements, and electrical improvements on a \$32.5M sludge pumping and electrical upgrade at the plant. Also completed the selection and design for the new sludge pumps for pumping at an increased system head to the McKinley Avenue quarry.

Todd Elliott, PE—Senior Technologist

Todd brings 20 years of experience with design and construction services, water quality treatment studies, and security services. His experience in water treatment process design includes drinking water treatment process selection, equipment and design; lime softening designs; bench-scale/pilot testing; project alternatives analysis using economic and non-economic criteria; equipment testing and plant commissioning; and process optimization.

Education and Professional Registration

- MS, Environmental Engineering, University of Wisconsin-Madison; BS, Civil and Environmental Engineering, University of Wisconsin-Madison
- Professional Engineer: IA, IN, MN, WI

Relevant Experience

Pilot Testing Lead, McCarrons Water Treatment Plant Upgrades, St. Paul, MN. Leading 12-month pilot study evaluating new high rate solids contact lime softening clarification technology in advance of 84 MGD water plant design upgrade. Conducted jar testing regime to identify optimal lime, coagulant, and solids recirculation doses. Evaluating lime residual concentrations for impacts on dewatering systems. Coordinating with regulator to translate pilot study results to full scale design approval.

Senior Technologist, Fridley Softening Plant Process Assessment, Minneapolis, MN. Reviewed existing raw and finished water quality data, plant design information, chemical treatment and operational information, and previous reports. Developed and implemented an evaluation plan including bench and full-scale testing. Bench scale tests identified optimal lime, coagulant, and sludge recycle dose for turbidity and organics removal.

Project Engineer, Water Master Plan, Ann Arbor, MI. Conducted series of jar tests to evaluate lime, coagulant, and solids recirculation doses on turbidity and organics removal. Evaluated addition of magnesium hydroxide and soda ash for enhanced hardness removal.

Pilot Operator, Colorado Springs Utilities, Southern Delivery System Pilot Water Treatment Plant, Fountain, Colorado. Testing consisted of parallel conventional treatment and lime softening treatment trains. Operated pilot-scale DensaDeg® solids-contact clarifier units up to 100 gpm for the following softening methods: single-stage lime with single-stage recarbonation, single-stage caustic soda with single-stage recarbonation, single-stage lime with two-stage recarbonation, two-stage lime/soda ash with two-stage recarbonation.

Patrick Anderson, PE—Electrical Lead

Patrick has more than 28 years of experience providing electrical engineering services for water facilities and specializes in electrical layout and installation. He is a union-trained electrician and licensed electrical engineer that brings a unique hands-on perspective to his designs.

Education and Professional Registration

- BS, Mechanical Engineering, The Ohio State University
- Professional Engineer: OH (#81735)

Relevant Experience

Electrical Engineer, DRWP Capacity Increase, Columbus, OH. Responsible for electrical for the valve motor replacement and electrical upgrades to the filter gallery including powering new and existing Valve Motors, new pipe gallery Lighting, implementing new Chemical Mixers, tying new into the existing SCADA System, powering new Local and Area Control Panels and running duct bank to the new Valve Vault.

Resident Project Engineer, HCWP Sludge Pump Station Renovations and Electrical Upgrades, Columbus, OH. Oversaw all phases of electrical construction, including the electrical and instrumentation systems for new sludge control houses, a new lime sludge control house, and a new sludge pump station.

Electrical Engineer, PAWP Hypochlorite Disinfection Improvements, Columbus, OH. Responsible for the design of the electrical upgrade including all electrical and instrumentation to complete softening basin equipment replacement and rehabilitation, new recarbonation and polymer systems, new recarbonation basin, filter upgrades, new 11 MG clearwell, chemical transfer system upgrades and major electrical upgrades.

Electrical Engineer, WTP Lime Softening Upgrades, Wapakoneta, OH. Responsible for the electrical rehabilitation of MCC's, generator and high service. New MCC's with addition of new building and processes.

Lead Electrical Engineer, WTP Effluent Pump Station and Pond Improvements, Fort Wayne, IN. Responsible for all electrical and instrumentation for the installation of new Lime Slaker that required 480 and 120 volt power, a new control cabinet with programmable logic controller (PLC) and associated new I/O and integration of new system into existing SCADA.

Lead Electrical Engineer, WTP Lime Slaker, Greenville, OH. Responsible for all electrical and instrumentation for the installation of new Lime Slaker. Two Lime Slakers were installed requiring 480 and 120 volt power, a new control cabinet with PLC and associated new I/O and integration of new system into existing SCADA.

Tom Bechtel, PhD, PE—Process Mechanical Lead

Dr. Bechtel brings 35 years of experience in chemical and mechanical engineering. He specializes in providing engineering services in the water and wastewater fields. His primary responsibilities include contract drawings and specifications preparation, process system modeling and construction phase engineering services.

Education and Professional Registration

- PhD, Chemical Engineering, University of Missouri-Columbia; MS, Mechanical Engineering, Southern Illinois University-Carbondale; BS, Chemical Engineering, Iowa State University
- Professional Chemical Engineer: OH (#43026), IL, IN, MI

Relevant Experience

Process Mechanical Quality Control Reviewer, WTP Lime Softening Upgrades, Wapakoneta, OH. Performed project quality control review, including drawings, specifications and calculations.

Process Engineer, PAWP Upgrade, Columbus, OH. Performed quality control review for the chemical dosage and hydraulic calculations and design of process systems for this greater than \$50M project. This project includes upgrades to the softening basins, raw water flow controls, dry material handling systems and filters, and new recarbonation system and clearwell.

Process Engineer, HCWP Sludge Pumping Renovations, Columbus, OH. Performed a detailed rheological study of sludge behavior under pumping conditions, including data analysis and calculations, and served as a senior technical advisor for a \$32.5M sludge pumping and electrical upgrade at the Plant.

Process Engineer, DRWP Capacity Increase, Columbus, OH. Responsible for the design of 12 new fiberglass reinforced plastic alum storage tanks and the refurbishment and relining of eight existing caustic soda/zinc orthophosphate storage tanks.

Process Engineer, DRWP Low Service Pump Addition, Columbus, OH. Assisted with hydraulics calculations and performed Quality Control for the addition of two 30-inch low service vertical turbine pumps in the plant pump station, each sized to deliver 23,000 gpm. Contract value is \$1.2M.

Design Engineer, New WTP, Village of Versailles, Ohio. Responsible for plant hydraulic calculations for the new \$6.2M 1.5 MGD softening WTP.



Jamie Decker, PE, CRL—Asset Management / O&M

Jamie has 19 years of experience with civil engineering, project management and asset management (AM). He specializes in implementing AM and O&M best practices, strategies and tools for water, wastewater, and stormwater systems, including risk-based decision models, prioritization of capital and operational expenditure plans, and effectively utilizing software solutions.

Education and Professional Registration

- BS, Civil Engineering, Ohio State University
- Professional Engineer: OH (#43085); Certified Reliability Leader

Relevant Experience

Project Manager, General Engineering Services; Village of Johnstown, OH. Duties as municipal engineer include the following attend council meeting and other necessary public meetings; assist in development of the capital improvement plan and fiscal planning; compile/develop Village construction specifications, regulations, and procedure manuals; prepare feasibility studies; conduct plan reviews of potential private developments; prepare funding applications; provided general counsel regarding infrastructure; and provide construction administration and oversight for proposed private developments.

Consultant, DRWP Capacity Upgrade, Columbus, OH.

Served as a task consultant that developed a risk-basis for reviewing waste disposal options based upon the capital cost, operations and maintenance and the permitting requirements for the plant upgrades. The report was used to determine the most effective path forward for the City to handle waste disposal from the plant. Also assisted with the O&M Ready task for this project. This was a new process developed for DPU to ensure that when the project is completed and turned over to the City, all of the asset data, required spare parts and maintenance activities are already loaded into the City's CMMS, WAM.

AM Task Lead, As-Needed Engineering Contract, Water Asset Management Plan (AMP) Task, Cleveland, OH.

Developed Water AMP for the city's water treatment and distribution systems, along with subsequent updates to the AMP. The task focused on developing an AMP in compliance with Ohio Environmental Protection Agency's AM requirements. The AMP included documenting asset inventory, condition assessment data, risk, levels of service, O&M procedures, Capital and Operations expenditure protocols and improvement initiatives. Jamie also implement an asset risk scoring that was the basis for defining priority process areas to evaluate in an Excel-based risk model.

Tim Dodge, RA—Architectural Lead

Tim has more than 35 years of architectural design experience for water treatment facilities, including new facilities, retrofits, renovations, and expansions. Through specializing in the design of large water infrastructure projects, he offers his clients knowledgeable contribution and oversight of the complete architectural design process.

Education and Professional Registration

- MA, Architecture, University of Florida; BS, Design, University of Florida
- Registered Architect: OH (#1817507), FL, GA, NE, NC

Relevant Experience

Architectural Design Lead, WTP Lime Softening

Upgrades, Wapakoneta, OH. Project will convert the City's WTP from IX treatment to lime softening treatment, eliminating the brine wastewater discharge associated with IX treatment. This treatment change will significantly reduce the WTP's TFR loadings, allowing the WWTP to meet its discharge limits. Design and construction administration (CA) for CMAR delivery method. Design includes renovation of existing water treatment facility to repurpose existing process mechanical equipment space to office-use and laboratory space and new chemical softening building.

Architectural Design Lead, Columbus Quality Assurance

Laboratory, Columbus, OH. Design of completely renovated 12,434 sf second floor laboratory space in the City's existing office complex. The laboratory is used to complete over 35 analytical tests, both certified and non-certified. The tests are performed to demonstrate regulatory compliance for all three of the City's drinking WTPs by analyzing water quality from each raw water source, treatment process, and finished water throughout the large and complex distribution system. The project includes design of a temporary laboratory complex of prefabricated buildings for use during renovation work.

Architectural Design Lead, Claude H. Dyal WTP Surface Water Plant Clearwell Addition and Reject Pond

Rehabilitation, City of Cocoa, FL Design and CA of a new surface water transfer pump station building equal to 2,065 sf. The building houses transfer pumps and associated electrical equipment and features integrally colored split face concrete masonry unit veneer walls and low-slope membrane roofing. Responsible for directing team members in producing plans, details, and specifications for building construction. CA duties included responding to requests for information and reviewing submittals and substantial completion inspection and punch list.

Mike Gandt, PE—Cost Estimating

Mike has 26 years of experience and serves as a Program Level Cost Estimating Technical Advisor providing guidance for multiple programs in a quality checking and assurance role. As a detail cost estimator, he provides high level detail cost estimates for design and construction projects.

Education and Professional Registration

- BS, Civil Engineering, University of Cincinnati
- Registered Architect: OH (#67538)

Relevant Experience

Cost Estimating, WTP Lime Softening Upgrades, Wapakoneta, OH. Responsible for the preliminary and detailed cost estimating of the design of Lime Softening Upgrades to WTP. Including costs for aeration tanks, softening basin, recarbonation basin, clearwells, solids lagoon, softening chemical building CO2 storage and stormwater detention.

Prime Cost Estimating, DRWP Treatment Capacity Increase, Columbus, OH. Led the cost estimating for Contract 4 of the \$200M treatment capacity increase project to expand DRWP treatment capacity to 80 MGD. Served as cost estimator for design of the \$100M in treatment plant upgrades, including new 29 MGD Ion Exchange Facility; new chemical handling facilities; plant wide electrical and architectural upgrades; replacement of existing high and low service pumps; replacement of plant HVAC system; plant site work; and other miscellaneous plant upgrades.

Cost Estimator, Relocation of Fields Ertel Booster Pump Station, Warren County, OH. Responsible for the detailed cost estimating of the design of the replacement and abandonment of an existing booster pump station with a new station. Estimating also included provisions for a new metering vault for the source connection to Greater Cincinnati Water Works' supply force main and will include new tie-ins of the pump station. Construction Cost: Estimated \$1,370,000.

Cost Advisor/Cost Estimator, Jaysville to St. Johns Lift Station Study, City of Greenville, OH. Responsible for the cost advisement and estimating of the design of the sanitary sewer lift station valve vault and sewer that serves a growing industrial park. The study purpose was to assess the existing lift station, project future flows based on current flows and projected growth of the industrial park, and develop alternatives and recommendations for improvements at the pump station. Construction Cost: \$863,500.

Ian Hammons, PE—I&C Lead

Ian has 18 years ears of experience in electrical engineering and I&C design for water and WWTPs. He specializes in I&C design including field instrumentation, piping and instrumentation diagram (P&ID), control panel layout design, voltage drop calculations, and SCADA applications.

Education and Professional Registration

- BS, Electrical and Computer Engineering, The Ohio State University
- Professional Engineer: OH (#72665), KY, MI, WV

Relevant Experience

I&C Engineer, WTP Lime Softening Upgrades, Wapakoneta, OH. Lead instrumentation engineer for the design of an expansion to the existing WTP. Responsibilities included selecting and integrating new PLCs and instruments into the existing network, providing a new SCADA system, and re-working the existing 900 MHz wireless telemetry system for remote sites to communicate back to the WTP.

I&C Engineer, DRWP Capacity Increase, Columbus, OH. Performed detailed electrical design for Contract 1 which included the new Electrical Substation for the plant, Contract 2 which replaced the existing SCADA system, Contract 3 which included a new Ozone facility, and Contract 4 which included a new Ion Exchange Facility. Responsibilities included performing a detailed short circuit study to be used for arc flash purposes during construction, lighting calculations, replacement of all existing RTU's with PLC's, creation of electrical plans and creation of electrical specifications.

I&C Engineer, PAWP Hypochlorite Disinfection Improvements, Columbus, OH. Performed detailed electrical design for an upgrade project which included a new Electrical Building for the plant. Responsibilities included performing a detailed short circuit study to be used for arc flash purposes during construction, replacement of several existing PLC's with new, modern PLC's, creation of electrical plans and creation of electrical specifications.

I&C Engineer, DRWP UV Facility, Columbus, OH. Performed detailed electrical design for the UV Facility planned to be constructed in an existing clearwell. Responsibilities included performing a detailed load analysis, lighting calculations, creation of electrical plans and creation of electrical specifications.

Michael Hill, P.Eng., LEED AP™—HVAC/Plumbing Lead

Michael is a mechanical engineer with over 10 years of experience in energy modeling and sustainable design. He is a member of the company's Advanced Design and Simulation Practice, a team of engineers providing engineering modeling, simulation, visualization, testing, and design programming services for projects across all of Jacobs' client sectors.

Education and Professional Registration

- BASc, Mechanical Engineering, University of Toronto
- Professional Engineer in Ontario
- Leadership in Energy and Environmental Design Accredited Professional™ (LEED AP)

Relevant Experience

Mechanical Engineer, DRWP Capacity Increase, Columbus, OH. Performed energy simulations to demonstrate with LEED energy performance requirements. Key challenges included demonstrating improvements in process energy savings from the high and low lift pumps compared to "standard practice". Given the high process energy usage of water treatment facilities, even reaching the minimum energy savings required to qualify for LEED can prove very challenging. A 20 percent energy cost savings compared to the LEED v3 baseline was demonstrated for a total contribution of 6 points under LEED v3.

Mechanical Engineer QC, PAWP Hypochlorite Disinfection Improvements, Columbus, OH. Provided QC review for subconsultants design documents.

Mechanical Engineer, Pleasant Run Sewage Pump Stations, Metropolitan Sewer District of Greater Cincinnati, OH. Performed an assessment of the condition of existing HVAC and plumbing assets at three sanitary pump stations to determine whether to rehab existing stations or to demolish and rebuild. HVAC and Plumbing design lead on proposed new sanitary pumping station which was deemed to be the best option due to the findings of the assessment.

Mechanical Engineer, Capital Improvement Study, Combined Sewage Outfall (CSO) Facilities Assessment, Great Lakes Water Authority, Detroit, MI. Assessed existing HVAC and Plumbing assets at nine large CSO facilities in Detroit Michigan and gave recommendations for capital improvements based on the condition/operation of HVAC and Plumbing assets versus industry standard practice. Facilities assessed included Seven Mile, Conner Creek, St Aubin, Leib, Puritan Fenkell, Oakwood, Hubbell Southfield, Belle Isle, and Baby Creek.

Gary Long, PE— Quality, Permitting and Funding

Gary has 35+ years of experience in the planning and design of water facilities systems. He specializes in systems ranging in size from <1 MGD to 20+ MGD for small to medium sized communities with a construction costs of these projects range from \$100K to \$30M.

Education and Professional Registration

- BS, Civil Engineering, The Ohio State University
- Professional Engineer: OH (#50552)

Relevant Experience

Project Manager, New WTP, Village of Johnstown, OH. Responsible for managing the design, construction services and startup assistance for a new \$2.1M, 1.0 MGD groundwater lime softening treatment plant. Lime sludge handling facilities include a decanting lime thickening/storage tank with pumped removal of the settled lime sludge to truck loading for land application. The new plant included the first Ohio municipal application of an upflow solids contact clarifier system.

Project Manager, WTP Lime Slaker Replacement, Greenville, OH. Responsible for managing the engineering services for the 4.9 MGD WTP Lime Slaker Replacement project that includes replacing the aged south lime slaker with a new slaker sized for current plant operations; and replacing the lime silo isolation knife gate and feed auger at the bottom of the lime silo.

Project Manager, WTP Lime Softening Upgrade and Iron Filter Expansion, Wapakoneta, OH. Responsible for managing a fast track development, design, regulatory approval, construction services and Ohio Water Development Authority (OWDA) Funding procurement to double the filtration capacity, from 2.5 MGD to 5.0 MGD to meet increased capacity required by a new industry. The filters were designed to be converted from iron filters to finished water filters during the Phase 2 Improvement when the WTP is converted from Ion Exchange Softening to Lime Softening. Project included planning, detailed design, permitting, funding procurement and construction coordination to add three Gravity Iron Filters.

Project Engineer, New WTP, Village of Versailles, OH. Responsible for the design of a \$6.2M, 1.5 MGD conventional lime-soda softening WTP for a groundwater supply. Processes include aeration, solids contact clarifier, recarbonation, rapid sand filters, clearwell and high service pumping. Other processes include a lime sludge tank for solids concentration and storage and a waste pump station to convey sanitary flows to the WWTP. Chemical processes include lime, soda ash, carbon dioxide, alum and chlorine.

Rodney McKinley, CCM—Resident Project Representative

Rodney has 14 years of experience performing construction and design related services for water and wastewater treatment facilities.

Education and Professional Registration

- BS, Construction Systems Management, Ohio State University; AS, Architectural Drafting and Design, Central Ohio Technical College; AS, Mechanical Drafting and Design, Central Ohio Technical College
- Certified Construction Manager

Relevant Experience

On-Site Design Professional Representative, DRWP Capacity Increase, City of Columbus, OH. Provide analysis, design, and construction services for the \$200M improvements project that was separated into 5 construction contracts. Responsibilities included drafting and design of treatment process systems; construction observation for compliance with plans and specifications; preparing Requests for Proposals (RFPs); responding to Requests for Information (RFIs); preparing construction cost estimates; reviewing schedules; and assist with commissioning process equipment systems.

On-Site Design Professional Representative, DRWP UV Disinfection Facility, City of Columbus, OH. Provide analysis, design, and services for a UV disinfection facility. The project consists of five UV reactors, major structural modifications to an existing clearwell, and a UV reactor clean in place system with a construction cost of over \$23M. Investigated field construction related challenges; prepared RFPs; responded to RFIs; prepared construction cost estimates; reviewed construction schedules; and assisted with the commissioning of process equipment systems.

Assistant Construction Manager, Jackson Pike WWTP Primary Clarifier Electrical Upgrades, City of Columbus, OH. Provide analysis, design, and construction services for the rehabilitation of the 150 MGD WWTP's primary clarifiers, replacement of two motor control centers, rehabilitate two existing motor control centers. Removal and replacement of all longitudinal, cross collector, and tilt tube motors and drives. Removal and replacement of all exterior and interior associated electrical wiring, conduit, junction boxes, and control panels. Responsibilities included reviewing submittals; coordinating special purpose meetings; investigating field construction related challenges; preparing RFPs; responding to RFIs; preparing construction cost estimates; reviewing construction schedules.

Jose Ramos, PE—Civil Lead

Jose has 19 years of experience in water and WWTP site civil design. He has a strong site civil engineering background in all phases of design, from conceptual to final design, permitting, bidding support, and support during construction.

Education and Professional Registration

- ME, Civil Engineering, University of Florida; BS, Civil Engineering, University of Puerto Rico, Mayagüez Campus
- Professional Engineer: OH (#85361), AL, GA, PR, WV

Relevant Experience

Civil Engineer Lead, WTP Lime Softening Upgrades, Wapakoneta, OH. Leading the design of site improvements associated with the new lime softening treatment system within the City's WTP. Responsibilities included, site and facilities layout, underground utilities, grading and drainage, stormwater management, and erosion control for improvements to existing WTP. Scope of work included preliminary design, detailed design and contract document production.

Civil Engineer Lead, WTP Iron Filter Expansion, Wapakoneta, OH. Led the design of site improvements and geotechnical recommendations for the design of three new gravity filters to increase the plant's capacity from 2.5 MGD to 5 MGD. Scope of work included preliminary design, detailed design and contract document production.

Site Civil Design Lead, Wyckoff WTP Filter Building Rehabilitation and Electrical Improvements, Acworth, GA. Site Civil Lead designer and engineer of record in charge of designing site improvements, underground utilities, grading and drainage, and erosion control for improvements to existing WTP.

Site Civil Engineer, Quarles WTP Chlorine Conversion to Onsite Hypochlorite Generation Project, Marietta, GA. Lead civil engineer in charge of the site civil design for modifications to existing WTP. Responsibilities included site design, site demolition, stormwater management system design and permitting, utilities and yard piping design, and erosion and sediment control design.

Lead Civil Engineer, Reverse Osmosis WTP, Dunes Development Community District, Palm Coast, FL. Site civil design and analysis for new WTP. Prepared environmental resource permit application documents for St. John River Water Management District. Provide services during construction support.



Moe Shamsai, PhD, PE—Structural Lead

Dr. Shamsai is a senior structural engineer skilled in all phases of engineering operations and has 25 years of experience in various concrete, steel, timber, and masonry design including concrete tanks, channels, retaining walls, and shallow and deep foundations.

Education and Professional Registration

- PhD, Civil/Structural Engineering, The Ohio State University; MS, Structural Engineering, Sharif University of Technology; BS, Civil Engineering, Sharif University of Technology
- Professional Engineer: OH (#71740), AR, IN, LA, MN, OR, VA

Relevant Experience

Structural Engineer, DRWP Concrete Inspections and Repairs, Columbus, OH. Full inspection and rehabilitation of the WTP. Responsible for preparation of all design documents for scope which included all metal rehabs including ice breakers, metal access platforms, ladders, grating and supports, and concrete masonry repairs. Review of concrete rehab design prepared by other engineering firm. Preparation of cost estimate for the entire project.

Structural Engineer, HCWP Upgrades, Columbus, OH. Full inspection, rehabilitation, and mechanical and electrical upgrade of the WTP. Responsible for preparation of cost estimates for the entire project.

WTP Concrete Inspections and Repairs, Springfield, OH. Full inspection and concrete rehabilitation of all structures at the WTP. Responsible for preparation of all design documents related to the concrete rehabilitations of all flocculation, primary, secondary basins, chain pits, sludge pits, channels, troughs, etc. Preparation of cost estimate for the entire project, and onsite engineering support during construction.

Structure Engineer, WWTP Expansions for Water Reclamation Facility, Wapakoneta, OH. Design of new Water Reclamation Facility for WWTP expansion to 6 MGD average capacity and 12 MGD peak hydraulic capacity. \$5.3M design fee and estimated \$65M construction fee. Responsible for the design on numerous facilities/areas of the WWTP WRF expansion. Responsible for preparation of all design documents and calculations for the assigned facilities. Review of design documents prepared by other structural engineers for other facilities.

Charles Winter, PE, DGE—Geotechnical Lead

Charles serves as a Principal Technologist within Jacobs' geotechnical engineering practice. He has more than 24 years of experience in geotechnical engineering exploration, design and construction, with a recent emphasis on water treatment and conveyance facilities. He is skilled in deep foundation design and construction, design of cut-and-cover tunnels, piling, and cast-in-place (CIP) cantilever concrete wall systems.

Education and Professional Registration

- MS, Civil and Environmental Engineering (Geotechnical), University of Wisconsin-Madison; BS, Civil Engineering, University of Wisconsin-Madison
- Professional Engineer: OH (#82707), IL, IN, IA, KY, MI, MN

Relevant Experience

Geotechnical Lead, WTP 2020 Improvements Project, Wapakoneta, OH. Reviewing recommendations and plans for new basins, aeration tanks, clearwells and lagoons for upgrade to existing facility. The project will reduce the total dissolved solids loading to the City's WWTP, upgrade existing operations facilities, and provide more treatment capacity. Project delivered using CMAR.

Geotechnical Lead, McCarrons WTP Expansion, St. Paul, MN. Responsible for exploration and characterization of soils and groundwater for the significant (\$150M) addition of lime softening, recarbonation and ozone facilities to the 40 MGD facility. Project involved demolition of several facilities and reuse of century-old water tanks for laboratory/control space.

Geotechnical Lead, Recarbonation System Support, Fridley WTP, Minneapolis, MN. Responsible for formulation of deep foundation (helical and micropile) recommendations for support of two large carbon dioxide tanks adjacent to an existing below-grade critical structure. Also reviewed project plans, produced related specifications, reviewed submittals and fielded contractor questions.

Geotechnical Lead, St. Joseph WTP Expansion, St. Joseph, MI. Responsible for exploration and geotechnical design for a new chemical building and new high lift pump station at an approximate 16 MG water facility. Challenges included constructing facilities in the side of a steep lake bluff consisting of loose aeolian sands and into shallow groundwater hydraulically connected to adjacent Lake Michigan.

Mike Witwer, PE—Senior Technologist

Mike has 19 years of experience in the water treatment industry with extensive experience in planning, pilot testing, design, and commissioning of membrane facilities including pre-treatment, reverse osmosis, nanofiltration and low-pressure membrane filtration.

Education and Professional Registration

- ME, Environmental Engineering, University of Florida; BS, Environmental Engineering (with Honors), University of Florida
- Professional Engineer: FL

Relevant Experience

Lead Process Engineer, Timberlake WTP Improvement, Franklin County, OH. Led the improvement for the addition of nanofiltration system to existing facility. Project included the evaluation of the existing green sand filtration facility and integrating a new membrane softening process into existing equipment in and existing building. The design includes two trains on a single skid, CIP system, sodium hydroxide and scale inhibitor feed systems. Part of the design included integration and modification of process control and instrumentation to make use of existing equipment. Included in the project was the development of startup and community communication plans to mitigate impact of changing distribution system water quality.

Process Lead, Green Meadows WTP Expansion, Lee County Utilities, Lee County FL. Led the design of a 16 MGD WTP treating water from three sources. The process trains include a combination of reverse osmosis treatment of a brackish groundwater with bypass blending of high-quality intermediate aquifer groundwater and a separate treatment process for a surficial groundwater using cation and anion resin. The Ion exchange system is designed to use bulk virgin brine or an alternative brine source from a backup deep injection well for cation resin regeneration. Plant was awarded Water Project of the Year 2019 by Global Water Intelligence.

Senior Technologist, Cherry Point MCAS WTP Design (P193), Havelock, NC. Responsible for the design of 6 MGD nanofiltration potable WTP to replace existing softening plant and reduce disinfection byproducts in the distribution system. Design included evaluation of ongoing pilot testing with recommendations to modify the testing to better support the process design. The design includes a new membrane facility treating existing freshwater wells containing high concentrations of iron and disinfection by-product precursor with new pretreatment, post treatment facilities, storage and high service pumping facilities, as well as bypass blend treatment for iron removal.

Project Understanding and Approach

Project Understanding

Located in Licking County, the Village was developed at the beginning of the 19th century. Population slowly grew until the turn of the next century, where the Village saw the population triple. That trend appears to be continuing at the start of the 21st century as the Village has seen rapid population growth and development interest in the area since the year 2000. Based on the most recent 2020 population Census, **the Village of Johnstown is expecting to become the City of Johnstown.**

The first WTP in the Village was constructed in the 1930s and expanded in 1962 to be able to provide up to 0.5 MGD. In 1991, the Village hired Jacobs to conduct a condition assessment and reliability study. The *Water Treatment Plant Feasibility Study* published in 1991 found that the treatment plant was at the end of its service life and that the demand had the facility operating at its maximum capacity. To keep up with the existing demand, the facility needed to be expanded or replaced. Because it was not feasible to expand at the previous site, the current WTP was designed (1992), constructed and commissioned (1993-95) at its current location, 395 W. Jersey Street.

Approved at 1.0 MGD, the WTP treats water from three groundwater wells located at Belt Park adjacent to the Plant. The raw water is softened in a solids contact clarifier (ClariCone® by CB&I) with the addition of hydrated lime to a pH of around 11. A polymer is added during the softening process to maintain sludge blanket consistency. Carbon dioxide is then added to the softened water to lower the pH and stabilize the water prior to filtration. Three 12-foot diameter dual media filters provide filtration before disinfection with sodium hypochlorite for 4-log virus inactivation. Two finished water storage clearwells provide the volume required for virus inactivation and on-site storage for peak and off-shift demand. The three finished water pumps draw the treated water from the clearwells and pump into the distribution system.

The lime softening treatment process and associated equipment at the WTP have been reliable and the Village has been able to provide consistent high-quality drinking water. The Plant was *designed* nearly 30 years ago and there have been many improvements to lime softening equipment over the last three decades.

The WTP is classified by Rule 3745-7-03 as a Class II treatment plant. It does not operate continuously 24 hours

per day and is subject to the staffing requirements of Rule 3745-7-03. The Village's goal to increase the approved capacity to 2.0 MGD (3.0+ future) is well below the 5.0 MGD threshold that would change the plant classification from a Class II to Class III public water system. Therefore, this project is not anticipated to impact the staffing requirements.

Project Approach

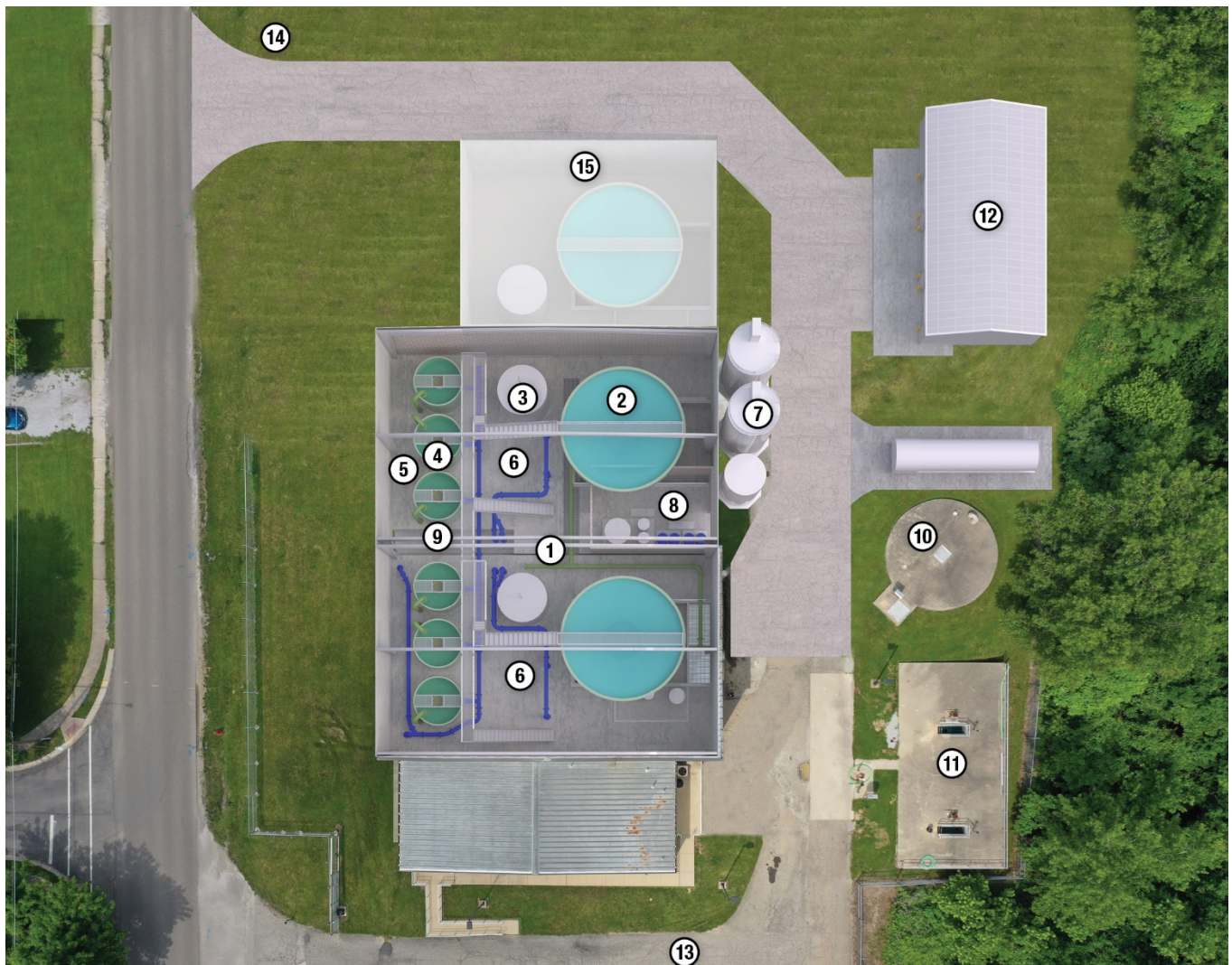
Jacobs offers a whole plant design technical approach using our experience and innovative design tools. This means we develop each unit process for a specific purpose that fits into the overall treatment strategy. Using information gathered through discussions with the Village and our historic records as the current plant design engineer, we have developed a 3D rendering of proposed unit processes and overall site considerations (**Exhibit 3**). The rendering provides an initial site layout and component capacity review of key items, identified by numbers, that will be

further refined in Phase I and Phase II with input from the Village. The information shown accounts for construction sequencing that will allow the new additions to be constructed with minimal impact to daily water treatment operations. Overall, the rendering represents our in-depth understanding and approach for the project, which translates to quickly defining critical input and key decisions from the Village.

1 Source Water

The Village currently has a separate project to increase source water capacity to 2.0 MGD and anticipates a future approved capacity of 3.0 MGD or more. No changes to the source water are anticipated to be necessary for this project. Minimal onsite yard piping changes may be required to avoid conflict with new facilities but the existing 12-inch piping is adequate for up to 4.0 MGD. Since the Village anticipates a future rating of 3.0 MGD for the well field, a minimum future (not project) component capacity

EXHIBIT 3—PROPOSED UNIT PROCESSES 3D RENDERING (*Information for each number provided in this rendering is presented in the Project Approach discussion.*)



matches that value for all treatment components. New softening inlet connections will be made to the existing exposed bypass piping but still maintaining bypass capabilities.

2 Softening

An additional 1.0 MGD rated solids contact clarifier will be added adjacent to the existing unit for a total of 2.0 MGD through softening. However, there is a potential to increase the approved component capacity rating of the new solids contact clarifier and utilize turndown to meet a potentially lower demand. Without this, a third solids contact clarifier will be required to meet future desired capacity increases. Evaluation of sludge thickness and quality will also be assessed with respect to sludge handling processes. Blind flanges for both softening and recarbonation will be provided for future connections.

3 Recarbonation

The current recarbonation tank is directly connected to the solids contact clarifier outlet. Jacobs will duplicate this process for the additional softening unit, resulting in recarbonation tanks that are dedicated each respective solids contact clarifier. This will create “trains” for softening and recarbonation. The new recarbonation tank will be sized to match the component capacity of the upstream solids contact clarifier.

The existing gaseous diffuser style recarbonation mixing and detention tank will be the basis-of-design (BOD) for the new train. The existing gas system will be enhanced with the addition of a flow and pH feedback control loop. A newer technology, PSF recarbonation systems, will be considered during the Phase I evaluations. These systems provide more efficient transfer of carbon dioxide into the water saving chemical cost, but also use a carrier water for dissolution and mixing which can sometimes make it undesirable.

A conditions assessment and demand calculations will determine if new carbon dioxide storage is required. A new 30-ton tank is shown in a possible location between the Backwash Recycle Tank (10) and Lime Sludge Handling (12). Alternatively, reduced days of storage may be negotiated with Ohio EPA.

4 Filters

Per the Ohio EPA Approved Capacity document, groundwater-supply source WTPs with dual-media filters, like those at the WTP, can be assigned a 4.0 gpm/sf loading rate without any additional data collection. Jacobs recommends submitting to the Ohio EPA to re-rate the existing three filters from 2.0 gpm/sf to 4.0 gpm/sf. This additional allowable loading rate will double the existing

approved component capacity. A hydraulics review of internal filter systems will be completed prior to finalizing this recommendation.

Three additional and identical filters approved at a 4.0 gpm/sf loading rate will provide maximum operational flexibility for the Village. By doubling the quantity of filters, the Village can double the volume of water through the entire filtration process without impacting individual filter runtimes (i.e., not impacting individual filter backwash frequency). This quantity will also allow operations to keep a filter out of service for rest after a backwash or maintenance over an extended period of time without disruption to treatment.

The new 12-inch clarified water (not shown), 12-inch backwash waste (not shown) and 12-inch filtered water (shown) pipes will be connected to the existing to provide filtration for any upstream softening train.

5 Clearwells

A similar below-grade finished water clearwell system will be constructed underneath the new facility. This additional volume will allow operations to maintain similar clearwell levels they are currently used to with increased demands.

Flow patterns through the clearwell system may need to be revised depending on final location of finished water pumping.

6 Finished Water Pumps

Finished water pumps are approved at a peak-hour production to maximum-day production ratio with the largest pump out of service. The existing 600 gpm pumps are not large enough to be re-rated for 2.0 MGD even at a ratio of 1.0 (best case).

Jacobs will review the existing pumps and suction wells to retrofit if feasible. The Village’s goal of an approved capacity rating of 2.0 MGD or greater will require the pumps to have at least double the existing capacity. Jacobs will evaluate if additional bowls and new motors can be retrofitted onto the existing vertical turbine pumps and if not, if new larger pumps can fit in the existing suction wells. The evaluation will also review the current Hydraulic Institute Standards to determine if the existing suction well meets the minimal requirements for design, flow approach, vortices prevention and more at these greater flowrates.

The Village should realistically plan for new finished water pumps with a suction well design specifically for the increased flowrates. If desired Variable Frequency Drives will be evaluated and provided if they can cost effectively improve distribution system operations.



7 Hydrated Lime Storage and Feed

The existing hydrated lime storage and feed equipment is unable to meet the volume requirements for an increased approved capacity rating. The systems are near or at the end of their useful life and modern systems will improve reliability and operator safety. The existing lime storage and feed silo will be removed and replaced by two silos to match the capacity increase goals. A smaller soda ash storage and feed silo may be required to lower finished water hardness and is shown adjacent to the lime silos.

8 Liquid Chemical Storage and Feed

The existing liquid chemical storage and feed equipment and surrounding area is inadequate for additional capacity expansion and may not meet current building codes. A new centralized liquid chemical storage for sodium hypochlorite, polymer, fluoride (as-needed) and corrosion inhibitor chemical (as-needed) will be provided for improved delivery, storage and feeding of chemicals. Safety in our design approach will include items like fire suppression, adequate lighting, spill containment, safety showers and chemical ventilation.

9 Finished Water Piping

Maintain access to the existing buried finished water piping by exposing them in a pipe trench. If needed, new piping can tie into the existing system.

10 Backwash Recycle Tank

The existing backwash recycle tank appears to be adequately sized for backwash operations and can be kept to save the Village the cost of constructing a similar tank. A more detailed review and coordination with the Village will occur to confirm this. New mechanical equipment and instrumentation will be provided to retrofit the existing structure.

11 Lime Sludge Tanks

Depending on Phase I evaluations, maintain or demolish the existing lime sludge tanks. Consideration will be given to repurposing them to backwash recycle tanks if additional storage or flexibility is desired.

Jacobs will quantify and characterize current and future sludge production, including average day, peak day, and 90th percentile sludge production at current average daily flow and future flows. Future increases in plant production will impact the quantity of sludge generated and should be considered.

12 Lime Sludge Handling

The Village currently engages in "beneficial-use" of solids in which local farmers haul wet sludge pumped from the

lime sludge tanks to use on their fields nearby. Jacobs will evaluate the sludge dewatering facilities on criteria important to the village such as generating a dewatered solids cake material that can be disposed of cost effectively, focusing on dewatering alternatives that reduce the volume of solids generated, reducing truck traffic, and operating and disposal costs.

Many mechanical dewatering options are available that will produce percent solids greater than 30 percent. However, the village will need to consider O&M complexity, energy costs, and site impacts which Jacobs will assist with. We understand that the Village is working with a manufacturer to pilot a volute dewatering press this august. Depending on results, this may be the basis of design for dewatering considerations. However, Jacobs recommends also considering a less O&M intense gravity thickening system that is coupled with an elevated hopper-bottom storage tank for ease of hauling.

13 Standby Power

Ohio EPA will require standby generation power that can power the treatment plant processes to produce average daily flow. The existing generator will be replaced with a new generator to comply with this requirement. Jacobs will work with the Village to determine if future power capacity should be planned and provided with this new system.

14 Bulk Water Filling Station

We understand that the existing bulk water filling station is adjacent to a waste unloading system at the WWTP. The Village has experienced high traffic volume as a result of the mixed use area. A new location at the WTP will separate the two systems and provide adequate drive for multiple vehicles.

15 Future Expansion

This rendering of site conditions has been developed to accommodate future expansions and/or additional treatment processes. The Village owns sufficient property to keep expanding to the north east (plant north) as needed to accommodate future demands and/or regulations. An additional 1.0 MGD ClariCone® and recarbonation system is shown translucent to visualize what a potential expansion could look like.

Additional Considerations

In addition to the information presented in the exhibit above, the following items should be considered:

Finished Water Hardness:

- We understand that the Village has a goal to reduce finished water hardness. Jacobs will analyze the

Village's water and present options for additional hardness reduction using lime feed only as well as with using additional chemicals (i.e., soda ash).

- Jacobs may be able to optimize the existing systems and chemicals to reach your hardness goal without the added expense of an additional chemical.

Fluoride:

- Per Ohio Revised Code 6109.20, public water systems serving $\geq 5,000$ persons need to add fluoride to maintain a fluoride content 0.8 to 1.3 mg/L if the natural fluoride content of supplied water is less than 0.8 mg/L.
- The raw water quality provided as part of the RFP handouts indicate a natural level of 0.80 mg/L (analyzed November of 2020), however, the 2020 Consumer Confidence Report (CCR) indicates a 2018 supplied level of 0.53 mg/L.
- Jacobs will review this requirement with the Village and work together to determine if the addition of fluoride will be required.

Optimal Corrosion Control Evaluation:

- The Village currently does not add a corrosion inhibitor to the supplied water.
- Per Ohio Revised Code 6109.121(A)(6), the Ohio EPA will require the Village to submit a new or updated corrosion control treatment recommendation/plan if the system changes or adds a new source, makes a significant change in treatment, operates outside of acceptable ranges for corrosion control indicators, and any other event determined by the Director to have the potential to impact the water quality or corrosiveness of water in the system.
- This project has the following components that *may* trigger an update to the Village's current corrosion control treatment plan:
 - Increasing capacity
 - Lowering total hardness
- The Village will be required to submit the construction plans to the Ohio EPA at which time they will indicate if a corrosion control evaluation will be required. Jacobs recommends receiving this direction earlier by reviewing this project with the Ohio EPA soon after the Preliminary Design Report has been finalized.

Automation:

- The existing treatment process has a low level of automation and monitoring. Jacobs recommends implementing a Supervisory Control and Data

Acquisition (SCADA) system that can perform/assist the following:

- Automate chemical feed systems using online water quality analyzers, flow pacing, and process control logic loops to optimize water quality and chemical use and provide real-time monitoring of the entire treatment process.
- Provide both local and remote human-machine interface platforms using secure software to facilitate treatment process monitoring and reduce response time to upsets.
- Assist with form population for regulatory reporting.

The following sections align with the requirements of the Villages' 2021 RFP and includes the following subjects:

- Phase I: Planning—Detailed Design Memorandum (DDM)
- Phase II: Engineering Design Services (future services)
- Phase III: Bidding and Construction Services (future services)

Phase I: Planning—Detailed Design Memorandum (DDM)

We will start with assembling a well-qualified team with groundwater softening expertise, including ClariCone® and other solids contact clarifier experience. **Our Project Manager Mike Giangliordano** will facilitate a project kickoff meeting with the Village at the beginning of the project to determine the Village's expectations and provide a detailed schedule. This approach will drive the successful completion of Phase I and will facilitate timely decision making on key issues. Our Phase I approach will focus on the following tasks.

TASK 1.1—PROJECT MANAGEMENT AND ADMINISTRATION

In designating Mike as the project manager, the Village gets a senior water treatment project manager to manage the team, schedule and budget, and a water treatment engineer focused on providing the best technical solutions. In addition to managing the overall project administration, Mike will be involved in all the technical tasks to provide oversight and guidance.

Mike will develop and maintain practices needed for successful project delivery, including monthly tracking, scheduling, reports, invoice preparation, coordination and communications, document control, and QA/QC.

Kick-off Meeting: Jacobs and the Village staff will meet to establish overall goals and objectives for the project team and ensure there is alignment of the planned work and detailed execution. We will also establish lines of

communication, initial data needs, and jump-start the project.

Jacobs team leaders will meet with Village staff prior to the kickoff meeting to discuss the agenda, objectives, handouts, and other issues to ensure the meeting is highly productive. Mike and our task leaders will prepare for and attend the meeting, covering agenda items such as those shown in **Exhibit 4**.

We will also work to build consensus on the following key items as they relate to the project:

- Population projections
- Potential development projects
- Historic and projected water demand
- Existing as-built drawings
- Existing unit process component capacities and re-rating potential
- Alternatives to be evaluated
- Funding expectations and requirements

Project Work Plan: Our proposed Work Plan identifies project objectives and details of all tasks, schedule milestones, team member responsibilities, communication protocols, and QA/QC (**Exhibit 5**). We will identify, document, communicate, and measure the Village's desired outcomes in face-to-face meetings with the Village project manager. Jacobs will confirm Village's preferred communications protocols for inclusion in the Work Plan.



EXHIBIT 5—Documented processes and tools in Project Work Plan are key for successful project.

Once under contract, Jacobs will expand the project schedule and work plan to be presented at the project kick-off meeting. The Work Plan will include the work breakdown structure; deliverables and subsequent Village reviews; project schedule including critical path meetings, workshops, and key milestones; document management and controls, and QA/QC processes. The project schedule will be updated each month and will become part of each monthly report.



EXHIBIT 4—KICKOFF MEETING AGENDA

Our Work Plan will include a Quality Management Plan (QMP) outlining the QA/QC procedures throughout project delivery, who will review deliverables, when reviews will be conducted, and review budgets.

The best way to produce quality work for the least cost is to do the work right the first time. **Quality Lead Chad Roby** will develop a QMP to monitor, verify, and document quality through compliance with proven QA/QC guidance that addresses the following:

- Data management, including procedures for obtaining, reviewing, storing, and sharing data
- Procedures for quality reviews of calculations, deliverables prior to submittal
- Procedures for responding to Village review comments on project deliverables
- Templates for all work products and deliverables to the Village, especially technical memorandums and reports

Chad will assist Mike in the preparation of deliverables that will be reviewed before delivery to the Village that adhere to the Village's expectations for the project and the industry standard of care.

Monthly Reports: Our Project Manager will meet with the Village project manager monthly to discuss project status and prepare for upcoming meetings and review of deliverables. Issues that might be discussed include Village deliverable review status, coordination of work activities, and progress. We will prepare and submit Monthly Progress Reports, which will include task status (percent complete); project budget summary; project schedule updates; work completed since the previous report (milestones, deliverables, other work progress); impediments or other issues affecting the project and/or budget; and changes in the work scope.

TASK 1.2—DEVELOP DDM

This memorandum will address the major decisions prior to beginning Phase II: Engineering Design Services.

Utilizing the information gathered and working with the Village, the Jacobs team will develop the DDM to include the following information:

- Existing conditions and capacity analysis
- Future needs and capacity analysis
- Softening alternatives with cost and space comparison
- Optimization potential of finished water quality
- Optimization of waste streams and solids handling

- Recommendations and BOD
- Preliminary site plan
- Process flow diagram
- Detailed Design Schedule
- Detailed Permitting Requirements and Schedule

Following the kick-off meeting, Jacobs' key discipline leads will walk through the WTP with staff to review current operation and maintenance issues. This will aid in the customization of design for current and future operations. Similar to the study in 1991 (**Exhibit 6**), we'll work with the village and evaluate historic water demands and compare that to future projection to develop peak hour flow to future peak hour flow and max day flow to future max day flow ratios for equipment sizing.

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EXHIBIT 6—Table of contents from the Village of Johnstown's 1991 WTP Feasibility Study written by Jacobs

Our team will provide a feasibility analysis for two alternative treatment technologies and compare to the current lime softening process. As a result, the following three alternatives will be evaluated during Phase I:

- Lime Softening (current approach)
- Membrane Softening
- Ion Exchange Softening

Jacobs recently performed a similar evaluation for the City of Wapakoneta's WTP (2018) with lime softening using hydrated lime the selected alternative for design. The team's experience with this type of evaluation in Ohio groundwaters will be leveraged to provide a recommendation quickly and accurately (**Exhibit 7**). Although it appears unlikely that a softening method other than lime softening will be recommended, the Jacobs team will perform a fair and unbiased evaluation of the softening

technologies considering capital and life-cycle costs. For the purpose of this RFP, Jacobs has assumed that lime softening will continue to be the softening method at the Johnstown WTP and the remaining Phase I approach items will be adjusted for other softening methods should it be determined to be more beneficial for the Village.



EXHIBIT 7—The Jacobs team recently completed a similar softening alternatives analysis for the City of Wapakoneta.

The evaluations will include the Village's desire to decrease finished water hardness from 145 mg/L to 110 mg/L and include additional precipitative chemicals for lime softening optimization like:

- Soda Ash, $\text{Na}_2(\text{CO}_3)$
- Caustic Soda, NaOH

Desktop evaluations are a good planning tool, however, jar testing of actual raw water is preferred and recommended when optimizing softening processes. Jacobs has extensive on-site water quality evaluation experience and can either conduct or assist the Village to dial in the doses for optimal performance and sizing, including completing lime softening jar testing studies for Columbus, Wapakoneta (OH) and St. Paul (MN) (**Exhibit 8**). Additionally, jar tests and full scale test can be used to evaluate benefits of sludge recycle/return and settled sludge concentrations.

Conducting these evaluations now will save the Village operating and maintenance costs for the life of the facility. Evaluations recommended by jar testing include:

- Lime sludge recycle/return
- Optimal lime dose for carbonate hardness removal
- Optimal soda ash and/or caustic soda dose(s) for non-carbonate hardness removal
- Solids production at these doses
- Solids recirculation benefits
- Supernatant water quality evaluation
- Carbon dioxide dose to achieve stable pH

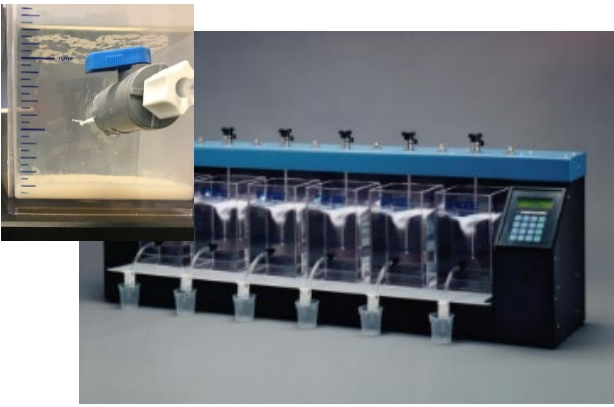


EXHIBIT 8—*Phipps & Bird Jar Tester often used for jar test evaluations and an image of a Jacobs' conducted lime and soda ash hardness optimization and sludge concentration analysis.*

Once the softening process has been determined the BOD for downstream (i.e. recarbonation) and support processes (i.e. chemical storage, waste handling facilities) can also be determined. Additional evaluation with input from the Village will also be provided for items like the following:

- Dry hydrated lime (current) vs liquid lime storage and feed
- Lime sludge dewatering benefits and feasibility
- Finished water chemical needs for disinfection or corrosion control

Recommendations and a BOD will be developed along with a preliminary site plan, process flow diagram (**Exhibit 9**), and a design/permitting schedules to provide for a smooth transition from Phase I to Phase II services.

Early engagement of regulatory stakeholders will be critical to maintaining the schedule and providing a successful project. Jacobs will work with the Village to engage the Ohio EPA during development of the DDM and share the findings and recommendations with them prior to the start of Phase II: Engineering Design Services.

TASK 1.3—FUNDING ASSISTANCE

Funding can be a critical component of the Village's plans to expand and upgrade the WTP. Proper planning of how the project will be funded is key to smooth delivery along with bringing the best value to the Village's rate payers. The first step is to understand the tools and resources available to fund water infrastructure projects. Funding can come from the utility itself or in combination with any of several federal

and state agencies that offer loans and grants for water infrastructure projects. The most common funding source for drinking water infrastructure is the state revolving fund (SRF) funded through the Water Supply Revolving Loan Account (WSRLA). The WSRLA provides low interest loans to eligible recipients for water infrastructure projects. Repayments of principal and interest plus Ohio EPA funding allows the programs to finance new projects and increase the size of the fund as the moneys "revolve" over time. The WSRLA is jointly administrated by the Ohio EPA and the OWDA. A key component of the WSRLA is that it provides financing to achieve or maintain compliance with the Safe Drinking Water Act (SDWA). This means the project must meet specific criteria in order to be eligible. This includes preparing an application package and then agreeing to adhere to program requirements. A few of the program requirements that should be taken into consideration are:

- Even if the project qualifies, it must make the nomination list which is based on available funding and how critical the project is for SDWA compliance
- Davis Bacon Compliance (Federal Wage Rates)
- American Iron and Steel Requirements
- Infrastructure useful life
- Disadvantaged business enterprise requirements

As an alternative to WSRLA, the OWDA offers the Fresh Water Program among many of the agency's offerings. Jacobs routinely assists communities in obtains funding through the WSRLA and OWDA's Fresh Water Program. Recently, we successfully obtained design loans and construction loans for Washington Court House and Wapakoneta. We will bring that experience and lessons learned to this project to effectively integrate funding into the overall project. Other funding options include Ohio Development Services Agency (ODSA), Ohio Public Works Commission (OPWC), and General Obligation (GO) or Revenue Bonds (RB). Chad Roby was previously a member District 17 Executive Committee of OPWC and has extensive experience with funding.

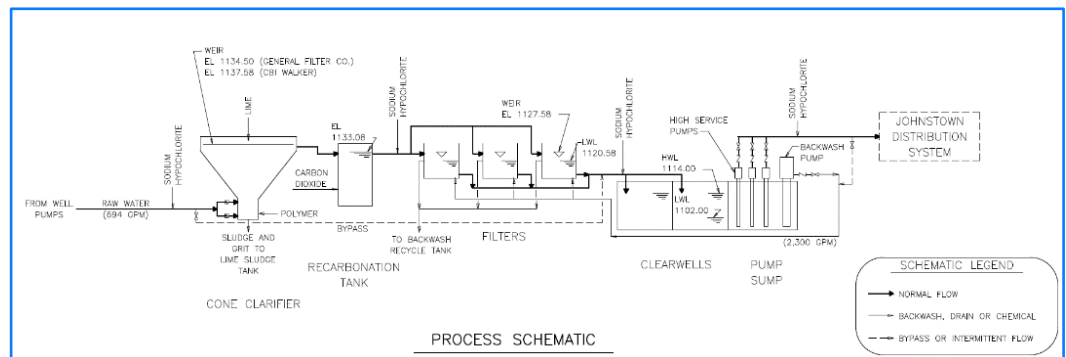


EXHIBIT 9—AS-BUILT CONSTRUCTION DRAWINGS OF THE VILLAGE'S WTP PROCESS SCHEMATIC.

A few key items that we will work collaboratively with the Village on:

1. Engaging stakeholders early (Village leadership, funding agencies, etc.).
2. Determination of what funding sources the project qualifies for.
3. Deciding which funding source brings the most benefit to the project.
4. Developing a schedule that fits into the overall project schedule.

Phase II: Engineering Design Services

For Phase 2, our Project Manager will update the project work plan for this phase and continue with the management tasks described in Task 1.1. We will also engage our subconsultant, Rii, to perform the field surveying and basemapping task (Task 2.2). We will also determine what geotechnical investigations are needed to accommodate the selected WTP expansion alternative. Depending on the location selected for the new facilities, test pits may also be recommended to identify the exact location of buried utilities to minimize impacts to plant operations and the potential for change orders during construction.

TASKS 2.2 THROUGH 2.5—WATER TREATMENT PLANT EXPANSION DESIGN

Jacob's 4-Phase Design Process is fully integrated into our project delivery work plan and is our standard methodology for achieving excellence in design delivery. It is an interactive, workshop-based approach and especially effective during the early phases of design when the development of concepts, discussions to clarify project objectives, and decision-making are particularly important. It incorporates input from experts, stakeholders, and Village operations and maintenance staff into the design process so that great ideas can be further developed and refined to achieve their full potential. The 4-Phase Design aligns well with the Village's design tasks (Tasks 2.3 to 2.5) described in the RFP (**Exhibit 10**).

A specific list of work products and deliverables must be completed by the project team and verified by the quality control team at each phase of design. The process was developed to support proactive communication so that all team members contribute to the successful delivery of the project. The process also ensures that issues that might compromise design quality, facility

performance, or permit compliance can be analyzed at the most appropriate stage of design.

The 4-Phase Design Process is a repeatable and proven. It allows our designers to focus on the efficient and cost-effective production of Contract Documents. Efficient implementation can often be a critical component of project success for stormwater, drainage, conveyance projects that tend to have smaller capital budgets in comparison to other types of infrastructure projects.

In accordance with your RFP, design review packages will be submitted at 30-, 60-, 90-, and 100-percent completion levels. Prior to submittal of each design package, the contents will undergo quality control and constructability reviews. Opinions of probable construction cost will be submitted with the 30- and 100-percent submittals. During design we will collaborate closely with Village staff and meetings will be held to address key issues related to construction sequencing, scheduling, and required plant outages.

TASK 2.6—PERMITTING

As part of preparing the design documents for the Village's use in soliciting bids for the project, **Permitting Lead Chad Roby** will prepare and submit the necessary permit applications, including the following:

- Notice of Intent (NOI) for Ohio EPA stormwater permitting requirements
- Ohio EPA Water Plan Approval
- Ohio EPA Permit modification
- Ohio EPA Antidegradation Addendum

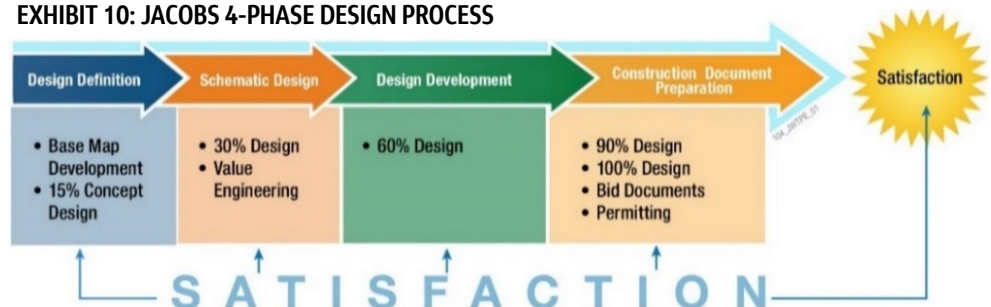
Phase III: Bidding and Construction Services

After completion of the Engineering and Design Services, we will begin the Bidding and Construction Services. As with the previous phases, our Project manager will update the project work plan and continue with the management tasks described in Task 1.1.

TASK 3.2—BIDDING ASSISTANCE

Jacobs will provide the final Engineering Documents to a hosting agency to advertise the project to potential bidders.

EXHIBIT 10: JACOBS 4-PHASE DESIGN PROCESS



We will maintain a list of plan holders, distribute addenda as needed and obtain construction bids. We will also conduct a pre-bid meeting and attend the bid opening and evaluate the bids to provide a written recommendation to the Village and prepare the written notice of award for execution by the Village and the Contractor.

TASKS 3.3 THROUGH 3.5—ENGINEERING SERVICES DURING CONSTRUCTION, CONSTRUCTION INSPECTION SERVICES, STARTUP SERVICES

The Jacobs team has provided successful services during construction at numerous water plants in recent years. Our team includes **Resident Project Representative Rodney McKinley**, who currently provides our field representative services at the Columbus DRWP UV Disinfection project, finishing fall 2021, and previously serves as a site representative for the Capacity Increase project at the same plant.

In addition to Rodney, Project Manager Mike Giangliordano and multiple members of our team have extensive experience with startup services after successfully completing multiple WTP design and construction upgrades projects. **Senior Technologist Chris Catlin** has completed numerous plant startups and operated multiple water plants, and will provide his unique experience and guidance to the team.

Our services during construction will include, but not be limited to the following:

- Conduct the pre-construction meeting
- Attend monthly construction progress meetings
- Review of project submittals
- Respond to contractor RFIs
- Preparation of draft RFPs
- Assistance with claims and disputes
- Review and verification of contractor pay requests
- Perform field surveys and prepare record drawings
- Assist the Village in funding reimbursements
- Attend factory witness tests (if required)
- Full time Resident Project Representative
- Assist with startup and testing

If Authorized Services

Jacobs understands that the following services will be included in the scope of work for Phases II and III, and that these services shall not be performed without written authorization from the Village:

- Subsurface Utility Engineering
- Geotechnical Investigations
- Operation and Maintenance Manual

Proposed Schedule

The proposed project schedule is presented in **Exhibit 11**. Based on our prior experience working with the Village, we expect to receive Notice to Proceed (NTP) in early August 2021. Phase I services will conclude by the end of the calendar year and it is planned that scope/fee negotiations for Phase II will be finalized prior to completing Phase I. This way, the project will continue without delay into Phase II services.

The Phase II engineering design schedule is aggressive, but Jacobs understands the importance of this project. We will work with the Village to potentially reduce submittals and review time and to provide early submittals for permitting and funding in order to meet this nine month engineering design schedule.

Phase III will begin the bidding and construction services and is anticipated to be completed in January 2024. To the greatest extent, Jacobs will include innovative design, material and equipment selection, and planned sequencing to assist Contractors in meeting this construction schedule.

Project Fee

Based on the Project Approach presented in this proposal response, Jacobs proposes a competitive Lump Sum amount of **\$29,000.00** to assist the Village with Phase 1: Detailed Design Memorandum for the WTP Expansion. We acknowledge this fee will remain valid for 90 days after the date received (June 28, 2021).

EXHIBIT 11—PROPOSED PROJECTS SCHEDULE



106_JWTPE_02



For more information contact:

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Two Easton Oval
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Columbus, Ohio 43219
614-403-4798 (Cell)
michael.giangiardano@jacobs.com



VILLAGE OF JOHNSTOWN



RESOLUTION 2021-27

A RESOLUTION TO APPROVE AN UPDATE TO THE JOB DESCRIPTION FOR EXECUTIVE ASSISTANT

WHEREAS, the Village Manager has updated the job description for the Executive Assistant that appropriately describes current and future duties.

WHEREAS, the Village Manager would like the Executive Assistant position to be an Exempt, Salaried position.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Johnstown, Licking County, Ohio as follows:

Section One: Approves the updated job description for Executive Assistant as stated in Exhibit A.

Section Two: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter of the VILLAGE OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: July 20, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

POSITION TITLE: EXECUTIVE ASSISTANT (FULL TIME – 40 hours per week)

WAGE: \$32,000.00-\$55,000.00 Salary

NATURE OF WORK

Under general supervision of the Village Manager, performs, coordinates and oversees technical and office administrative duties in support of the Village Manager and the Village Council, and the Village Manager's staff, including the provision of varied and complex office duties; may supervise clerical and other support staff, and perform other duties as assigned.

This is a salaried position exempt from overtime regulations and other rights and protections afforded to nonexempt workers. It is distinguished from other administrative support classes in that the position provides highly sensitive support to the Village Manager and the Village Council. Responsibilities require the exercise of independent judgment, technical knowledge of the specific area of assignment and of overall Village and community activities.

SUPERVISION

Employee works under the direction of the Village Manager. Assignments are generally received in the form of desired objectives; however, the employee is expected to complete assignments independently and without detailed review.

ESSENTIAL FUNCTIONS OF WORK (May perform one or more of the following sets of duties.)

1. Perform a wide variety of executive secretarial and administrative duties as required by daily operations in the Village Manager's office.
2. Represent the Village to the public, businesses, Council members and other agencies at the request of the Village Manager.
3. Coordinate office activities and schedules; develop and recommend office procedures and systems; ensure smooth office operations.
4. Review and summarize miscellaneous reports and documents; prepare background documents as necessary.
5. Research and analyze routine administrative projects for the Village Manager and Village Council; prepare first draft reports on routine administrative matters.
6. Receive and distribute incoming mail; review and evaluate mail to identify those items requiring priority attention of the Village Manager.
7. Provide follow up to assignments given to management staff by the Village Manager; provide status reports to the Village Manager.
8. Receive and screen communications to the Village Manager and Village Council including telephone calls and e-mail messages, and provide assistance using independent judgment to determine those requiring priority attention; prioritize, channel, and facilitate communication from department heads,

department coordinators and the Village Law Director through the Village Manager's office.

9. Independently respond to letters and general correspondence of a routine nature; make travel arrangements for the Village Manager and Village Council; maintain appointment schedules and calendars for the Village Manager and Village Council; arrange meetings and conferences.
10. Attend Management, Village Council committee and other meetings and take minutes, as directed by the Village Manager.
11. Performs other duties as required.

MINIMUM REQUIREMENTS OF WORK

Education and Experience:

Equivalent to completion of two years of college-level coursework in business or a field related to the work and three years of office administrative, supervisory or lead experience in the area of assignment; or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job as listed above.

Licenses Requirements:

Specified positions may require possession and maintenance of a valid Ohio driver's license and a satisfactory driving record.

Physical Requirements and Working Conditions:

Must possess mobility to work in a standard office setting and to use standard office equipment, including a computer, and to attend meetings at various sites within and away from the Village; strength to lift and carry materials weighing up to 10 pounds; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone.

Skills:

1. Performing technical, specialized, complex and difficult office administrative work requiring the use of independent judgment;
2. Interpreting and implementing policies, procedures and computer applications related to the department or organizational unit to which assigned;
3. Analyzing and resolving office administrative and procedural problems;
4. Performing basic research and preparing reports and recommendations;
5. Overseeing projects or programs and/or supervising, monitoring and evaluating the work of staff;
6. Organizing own work, coordinating projects, setting priorities, meeting deadlines and following up on assignments with a minimum of direction;

7. Using initiative and independent judgment within established policy and procedural guidelines;
8. Providing complex office administrative support in the areas of procurement, budgeting, report preparation and staff communication; and
9. Communicating effectively with co-workers, subordinates, superiors, the general public, representatives of public and private organizations and others sufficient to exchange or convey information.

Knowledge of:

1. Local government organizational structure and functioning;
2. Codes, policies, regulations and procedures related to the Village Manager's office and other departments affecting the operation of the Village;
3. Basic supervisory principles and practices;
4. Exemplary customer satisfaction skills, including dealing effectively with the public, elected officials and Village staff, both in person and over the telephone;
Teamwork and developing consensus;
5. Creative and innovative techniques for performing assignments;
6. Proper English usage, spelling, grammar, and punctuation;
7. Business correspondence formatting;
8. Basic mathematical computations, accounting and record keeping;
9. Basic budgeting theories and principles;
10. Time management;
11. Computer applications related to the work;
12. Standard office administrative practices and procedures, including the use of standard office equipment

Created: March 29, 2016

Revised: June 22, 2021

Approved:

Village Manager

Date

AGENDA REPORT

VILLAGE COUNCIL
JULY 20, 2021



AGENDA ITEM

Resolution 2021-27 updating the job description for Executive Assistant.

PREPARER(S)

Dana Steffan, Finance & Human Resources Director

RECOMMENDED ACTION

Approve

HISTORY

In 2016, Council passed Resolution 2016-22 to reorganize the Administration offices and update job descriptions. As a result of several Employee Handbook review meetings conducted throughout 2021, it was agreed upon by the Village Manager and the Finance & Human Resources Director that the Executive Assistant (aka, Clerk of Council) would be better described as a salaried (exempt) position as opposed to hourly (non-exempt).

SUMMARY

Authority: Johnstown Village Charter section 5.04

Urgency: None

Relation to Other Actions: None

FISCAL IMPACT

Annual Salary increase to \$52,000 from \$24.15/hour (\$50,232 annual)

ADDITIONAL MATERIAL

None

ATTACHMENTS

Executive Assistant Job Description updated June 22, 2021

VILLAGE OF JOHNSTOWN



RESOLUTION 2021-28

A RESOLUTION TO APPROVE AN UPDATE TO THE EMPLOYEE HANDBOOK

WHEREAS, Johnstown Village Council has the authority to adopt personnel rules and regulations concerning personnel matters, including but not limited to: probationary periods, vacation and sick leave regulations, compensation, health insurance, professional conduct, performance evaluations, work schedules, and other personnel matters; and

WHEREAS, the Village Council has determined that it is desirable and in the public interest to adopt an amended employee handbook to address employment and personnel matters to apply to Village employees.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Johnstown, Licking County, Ohio as follows:

Section One: Johnstown Village Council hereby adopts the Johnstown Employee Handbook, dated July 8, 2021, a copy of which is attached hereto and incorporated by reference herein.

Section Two: The attached Johnstown Employee Handbook shall supersede the Employee Handbook that was adopted in 2013.

Section Three: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter of the VILLAGE OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: July 20, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

VILLAGE OF JOHNSTOWN

EMPLOYEE HANDBOOK

Effective: _____

Resolution # _____

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1 WELCOME

Welcome to employment with the Village of Johnstown. Whether you are a new employee, or you have been working for the Village for years, thank you for your service. Our team strives to provide the best possible service to the Village residents. This handbook sets forth guidelines that will help us provide that service in a timely, effective and efficient manner.

2 PURPOSE AND SCOPE

This purpose of this handbook is to acquaint you with employment in the Village and communicate basic employment policies of the Village about the workplace and what is expected of employees. This handbook applies to all Village employees.

A handbook cannot possibly anticipate every employment situation and the Village reserves the right to deviate from these policies, if in its sole judgment, deviation is warranted in a particular situation. The Village may, from time to time, issue revisions or additions to this handbook as well.

The Handbook is not a contract of employment or a promise of any rights or benefits but is merely intended to be used to assist and guide employees in the day-to-day directions and performance of their duties. Village Employees are “at-will” and may leave service or be terminated at any time without cause. Any statements or promises by anyone to change this handbook or re-define the employment relationship as anything other than at-will employment are unauthorized and should not be relied upon, except as expressly authorized by Village Council.

The policies adopted in the handbook supersede all previous employee handbooks and all written and unwritten personnel policies or operational guidelines that directly conflict with this Handbook. Each individual Village Department may issue additional policies. Additionally, a particular Village Department may, with the express consent of Village Council, adopt policies or procedures that directly conflict with those set forth herein. The policies and procedures set forth herein will apply to all Village Employees unless an alternative policy is adopted and approved by Council.

This Handbook is intended to be construed in such a manner as to comply with all applicable federal and/or State laws. The law will prevail if any provision of the handbook is interpreted to be in conflict.

3 MISSION

All employees must be aware of, and abide by, the mission of the Village in the performance of their job duties and in their conduct. The mission is defined by the Village Council or Administration.

4 EMPLOYEE RESPONSIBILITY FOR HANDBOOK

All employees are expected, as a condition of their employment, to be familiar with and follow the provisions in this handbook. It is encouraged that you take time to read and review this handbook, direct any questions that you may have to the Village Manager in writing, and promptly read and insert any revisions to this manual that are issued.

5 DEFINITIONS

Village employees may be described in this handbook as full-time, part-time, seasonal/temporary, probationary, exempt or non-exempt, or a combination of these descriptions. These terms are defined as:

- **Full-Time:** Employees are regularly scheduled to work at least 32 hours per week.
- **Part-Time:** Employees who generally work fewer than 32 hours per week.
- **Seasonal/Temporary:** Employees who are employed only during a particular portion of the year, such as during the summer months, regardless of the number of hours per week they work.
- **Probationary:** New employees with fewer than 180 days of service, and newly promoted employees within 180 days of promotion.
- **Exempt:** Employees whose positions meet the specific tests established by the Fair Labor Standards Act (FLSA) shall be exempt from overtime and compensatory time pay requirements. In the Village of Johnstown, these positions include, but are not limited to the Village Manager, Assistant Village Manager, Finance Director, Service Director, Planning Director and the Chief of Police.
- **Non-exempt:** Employees whose positions do not meet FLSA exemption tests shall be paid one and one-half (1.5) times their regular rate of pay for hours worked in excess of forty (40) hours per pay week. Police Department employees

shall be paid one and one-half (1.5) times their regular rate of pay for hours worked in excess of eighty (80) hours per pay period.

6 WORK HOURS, COMPENSATION & BENEFITS

6.1 Regular Work Hours

Regular work hours will be pursuant to the work schedule set forth by the Village Department Head. Employees not exempt from the overtime provisions of the Fair Labor Standards Act ("FLSA") shall not work prior to, subsequent to or outside their regularly scheduled hours unless authorized in advance to do so by the Employer. All hours worked must be accurately recorded on the employee's time card. There will be no "off-the-clock" work. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination. It is a serious violation of policy for an employee to submit a false time card or to instruct another to incorrectly or falsely report hours, whether the hours are over-reported or under-reported.

Village Administration office employees shall have a normal workweek consisting of 40 hours, eight hours per day, 8:00 A.M. to 4:00P.M., Monday through Friday of each week. The normal work hours may be different for each Village Departments.

6.2 Work Week

The normal workweek for Village employees is forty (40) hours, composed of five (5) days of eight (8) hours each day in a calendar week or four (4) days of ten (10) hours each day in a calendar week, as assigned by the Employer.

6.3 Compensation

Each employee's compensation, including wages and benefits, shall be evaluated by their Department Director and the Village Manager utilizing an annual performance review process on or around the employee's date of hire.

Any such change in an employee's compensation shall be based on Village Finances, an employee's level of education and performance, attendance, certification/licensure, knowledge, skills and abilities, variety and scope of responsibilities, physical and mental demands, the range of which shall be set forth in the Council approved salary range set forth in the job descriptions for each employee.

6.4 Payroll

The pay period for all employees will be a two-week or fourteen day period. The pay period will begin at 12:01 A.M., Sunday morning, and will end at 12:00 midnight, Saturday evening. Unless notified by the Village Manager or Finance Director, employees will be paid every other Friday, and are paid for the preceding two (2) week

pay period. If a holiday occurs on a Friday on which a payday falls, paychecks will be issued on the preceding Thursday, except under extenuating circumstances in which case paychecks will be issued on the following workday. Pay advances of any kind are not permitted.

All employees must record their time worked on a Village-approved system. All employees shall sign his/her timecards at the end of each pay period, as well as any other supplemental documentation, attesting to the accuracy of the timecard or supplemental documentation.

Non-exempt employees will use the time clock as a record of time worked, unless otherwise authorized by the Village Manager. The time clock used is the one closest to their workstation. Employees using the time clock must punch in when they arrive for work and out when they leave for the day. The employee's Department Director shall also confirm time worked to ensure that the timecard is accurate and factual. If a time clock is unavailable, non-exempt employees will write in the exact time they arrive for work and leave for the day; these written times are subject to direct manager approval and must be indicated as approved with manager's initials.

Exempt employees will utilize a time sheet, approved by the Village Manager, to record the days worked.

6.5 Overtime Work and Pay

Overtime may be necessary and required. An employee who refuses to work a mandatory overtime assignment may be considered insubordinate and disciplined accordingly. Overtime shall only be worked upon advance authorization by the employee's supervisor.

Employees not exempt from the overtime provisions of the Fair Labor Standards Act shall be considered to be working overtime for all hours worked in excess of forty (40) in any one (1) work week, regardless of the employee's regularly scheduled work day.

Employees exempt from the overtime provisions of the Fair Labor Standards Act are not eligible for overtime payment. The Employer shall determine if an employee is exempt from overtime requirements for purposes of the FLSA. Such exemptions may include employees whose job duties are executive, administrative or professional in nature and who are paid on a salary basis. The salary of an exempt employee is a predetermined amount constituting all or part of the employee's compensation, which is not subject to reductions because of variations in the quality or quantity of work performed by the employee. The exempt employee will ordinarily receive a salary for any workweek in which work is performed. However, certain deductions can be made from an exempt employee's salary consistent with law. For example, deductions can be made for the following reasons without forfeiting the employee's exempt status:

- (1) For absences of one or more full days for personal reasons;

- (2) For absences of one or more full days due to sickness or disability (including work-related accidents) if the employee is receiving compensation from another source in accordance with a bona fide plan, policy or practice of providing compensation for loss of salary occasioned by such sickness or disability, or where the employee is receiving salary replacement benefits under the Ohio Workers' Compensation Act;
- (3) To offset amounts received as payment for jury duty, witness fees or military pay;
- (4) For penalties made for infractions of safety rules of major significance, including those relating to the prevention of serious danger in the workplace or to other employees;
- (5) For unpaid disciplinary suspensions of one or more full days for infractions of workplace conduct or rules;
- (6) For portions of the initial or terminal week of employment that the exempt employee does not work; or
- (7) For portions of any week in which the employee takes unpaid leave under the Family and Medical Leave Act, if eligible. During those weeks, the employer may pay a proportionate part of the full salary for time actually worked.

The employee's salary may also be reduced for certain types of other deductions. Employees who believe there have been improper deductions made to their paycheck must report the error through the procedures outlined in the Payroll Errors/Improper Deductions policy in this handbook.

6.6 Payroll Errors/Improper Deductions

Every effort is made to assure that employees are being paid accurately. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must review each of your paystubs promptly after they are issued. Employees are responsible for bringing mistakes in their pay and improper deductions to the attention of the Village Manager in a timely manner. Employees must specify in writing the manner in which the employee's pay is inaccurate, so that the Village Manager can fully investigate the matter and communicate with the Finance Director. The Village Manager will request that any action necessary to correct the employee's pay, including reimbursement for any improper deduction, be made promptly. In addition, the Employer will not allow any form of retaliation against employees who report alleged improper pay practices or that their pay was inaccurate, or who cooperate in an investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

6.7 Compensatory Time

Exempt employees are not eligible for compensatory time. At the discretion of the Employer, non-exempt employees, in lieu of overtime payment, may accumulate compensatory time off. The Finance Director will be responsible for maintaining an accurate record of overtime worked, compensatory time accumulated, and compensatory

time utilized. Compensatory time off shall be granted, upon an employee's request, where the use of compensatory time does not unduly disrupt the Department's operations. All employees shall have advance written approval from their Department Director before accruing and using compensatory time. The employee must submit a written request on a standardized form and receive approval from the Employer prior to taking compensatory time off.

Compensatory time is not to be used in increments of less than one-half (0.5) hour. Compensatory time accumulated between January 1 and June 30 must be used by June 30 and compensatory time accumulated between July 1 and December 31 must be used by December 31. If compensatory time is not used within the described time frame, the employee will be paid for all outstanding hours. Compensatory time may not be carried forward from one payroll year to the next. Any compensatory time which an employee has accumulated as of the end of any payroll year shall be paid to the employee at the appropriate rate of pay in effect at end of the payroll year. This payment shall be paid with the wages earned during the first pay of December of that calendar year. Unless otherwise approved by the Village Manager.

Employees may not accrue more than 40 hours of compensatory time, subject to extraordinary circumstances as approved in writing and in advance by the Village Manager. Any overtime worked which would increase the employee's accumulated compensatory time above this maximum bank shall be paid at the appropriate overtime rate. Compensatory time will not be granted or allotted for employees participating in required or requested continuing education, training or travel.

Upon separation from employment, an employee shall be paid for their accrued but unused compensatory time at his or her current regular hourly rate.

6.8 Holidays

All full-time employees are eligible for twelve (12) eight hour paid holidays in each calendar year. These holidays are:

- New Year's Day (January 1st);
- President's Day (Third Monday in February);
- Memorial Day (Last Monday in May);
- Juneteenth (June 19th)
- Independence Day (July 4th);
- Labor Day (First Monday in September);
- Columbus Day (second Monday in October)
- Veterans Day (November 11th)
- Thanksgiving Day (Fourth Thursday in November);
- The Friday After Thanksgiving (Fourth Friday in November);
- Christmas Eve (December 24th); and
- Christmas Day (December 25th).

When any holiday falls on a Saturday, the holiday shall be observed on the Friday before the holiday, or when the holiday falls on a Sunday, the holiday will be observed on Monday following the holiday. Non-exempt Village employees must either have worked their required shift immediately prior to the holiday, or be on vacation, compensatory time, or personal leave immediately prior to the holiday, in order to receive holiday pay. Whenever a non-exempt employee is regularly scheduled to and does work on a paid holiday, or is called in to work on a paid holiday, that employee will receive one and one-half (1.5) times the regular hourly wage. This pay is in addition to the holiday pay the employee would normally receive. The employee may, with the approval of his/her Department Director, take all or part of the holiday pay as compensatory time.

6.9 Attention to Duty

It is important that the employees of the Village provide prompt and outstanding service to the residents of Johnstown. In order to do this, the employee's attention should be on his/her job and responsibilities and not to personal matters unless authorized by the Department Director.

6.10 Lunch Breaks

All Village employees will ordinarily be allotted a one-half hour break for each eight hours worked. Employees may be required to take such break at their workstation from time to time, due to the staffing needs or work load requirement; otherwise, lunch breaks may be taken away from the work area.

6.11 Tardiness

Tardiness is inexcusable and will not be tolerated. An employee is tardy when he does not report to work by his scheduled start or return time. When a non-exempt employee is tardy, his compensation shall be reduced corresponding to the amount of time he is tardy, unless the employee provides the supervisor with an acceptable written excuse for the late arrival, and he is not more than fifteen (15) minutes late. Tardiness shall be grounds for discipline up to and including removal.

6.12 Probationary Period for New or Rehired Employees

Any person initially appointed to any position with the Village will be on probationary status for a period of six (6) months. While in probationary status, an employee may be dismissed at any time for any reason or no reason at all and has no right to appeal. Full-time probationary employees are eligible to participate in the Village group insurance program beginning the first day of the next full month following commencement of employment. During the probationary period, the full-time employee is eligible to accumulate sick, compensatory, personal and vacation leave; however, the employee may only utilize earned sick leave, compensatory time and personal leave during the probationary period. Upon completion of the probationary period, the employee's

continued service is retroactive to the date of hire. An employee who is re-hired after a separation from Village service will be on probation for six (6) months. Prior to the end of the probationary period the employee's Department Director shall formally evaluate the new employee's performance. After the written evaluation, the Department Director shall forward his/her recommendation to the Village Manager who will recommend to the Village Council to retain, transfer, or discharge the employee.

6.13 Other Compensation

Longevity Pay. All full-time employees shall be entitled to longevity pay upon completion of five (5) years of full-time service. Effective January 1, 2022, longevity pay will be five-hundred and fifty dollars (\$550) annually. An additional fifty dollars (\$50) shall be paid for each year of full-time service in excess of five (5) years up to twenty (20) years of full-time service. An additional seventy-five dollars (\$75) shall be paid for each year of full-time service in excess of twenty (20) years up to thirty (30) years of full-time service. Once an employee reaches thirty (30) years of service, they have reached the maximum, and shall continue to receive the sum of the thirty (30) year total thereafter. Employees who are employed prior to December 31st, 2000 may submit in writing their intent to be grandfathered under the previous longevity structure. Such reasonable requests shall be granted by the Village Manager.

Payment shall be made on an annual basis on the payday immediately after December 1st of each year, payable after the employee's fifth (5th) service anniversary and each year thereafter.

Shift Trades. Employees may trade shifts pursuant to the Employer's established policy; however, both ends of the trade must take place during the same work week period so long as the trade does not result in overtime pay to either or both employees, and must be approved by the Department Director

On-the-job Training Pay Supplement. Any non-exempt employee(s), other than Police Sergeant, Plant Supervisor, or equivalent, who is assigned by their Department Director as a Trainer assigned to be actively training a new or recently promoted employee shall receive an additional two (2) dollars (\$2.00) per hour when working as a Trainer.

Shift Differential Any non-exempt employee who begins their workday/shift at 12:00pm noon or later shall earn an additional \$0.25 per hour worked. Any non-exempt employee who begins their workday/shift at 6:00pm or later shall earn an additional \$0.50 per hour worked. Any non-exempt employee who works on a Saturday or Sunday shall earn an additional \$0.50 per hour worked. Shift differential pay is exclusive of overtime pay; when an employee works overtime, the overtime rate of pay will prevail. Shift differential is based on actual start day/time and is non-cumulative.

6.14 Call-in Work

Non-exempt employees may occasionally be required to come in to work for an emergency matter when the employee is not scheduled to work. Such “call-ins” will be paid at the employee’s regular rate of pay (or the overtime or holiday rate, if applicable) and will be paid for a minimum of three (3) hours beginning at the time stated by the employees’ supervisor. If the employee is required to work more than three (3) hours during the call-in, they will be compensated according to the total number of hours worked.

6.15 On Call Duty

Non-exempt employees may be required to be available for emergencies during their non-scheduled time. Such “On Call” duty will be clearly communicated in advance by the employee’s supervisor. When an employee is On Call, they will receive a stipend of fifty dollars (\$50) per week. A week is defined as 12:00am Sunday through 11:59pm Saturday.

7 EMPLOYEE ABSENCES

7.1 Vacation

Paid vacation leave is granted to all full-time employees but not to part-time, seasonal/temporary employees each year. The amount of vacation leave earned varies by length of service and is earned as follows:

First full 3 years of full-time employment:	3.08 hours per pay (2 weeks)
Beginning of the 4 th year through 8 th full year of employment:	4.62 hours per pay period (3 weeks)
Beginning of the 9 th year through 18 th full year of employment:	6.15 hours per pay period (4 weeks)
Beginning of the 19 th year through 23 rd full year of full-time employment:	7.69 hours per pay period (5 weeks)
Beginning of the 24 th year of full-time employment and up:	9.23 hours per pay period (6 weeks)

In determining the year of employment for vacation accrual purposes, service credit earned with the Ohio Public Employees Retirement System (OPERS) and/or the Ohio Police and Fire Pension Fund (OP&F) will be included. In order to qualify for these additional years, the employee must furnish a Service Credit statement from the appropriate state agency.

No employee may utilize vacation leave unless such leave has been earned. Vacation leave must be utilized in increments of no less than one (1) hour. Full-time employees who work less than 80 hours per pay period shall accrue vacation at a ratio equal to the number of hours normally worked compared to the usual 80-work hour pay period.

Up to one hundred twenty (120) hours of vacation may be accumulated and carried over to the next calendar year, unless specifically authorized in writing by the Village Manager. All other vacation leave must be used by December 31st or it will be forfeited. Pay-in-lieu of vacation leave may be authorized by the Village Manager if the employee has made every reasonable attempt to utilize accrued vacation and was denied the use thereof by their Department Director. Such requests must be made in writing and given to the Finance Director no later than December 1st. Pay-in-lieu of vacation may be made upon termination of employment if the employee left in good standing

No employee may take vacation leave without the prior written approval of his/her Department Director. Department Directors will make such approvals based on the staffing needs of the Village; therefore, such approvals are not automatic. The employee should complete the required forms requesting use of vacation leave in as far advance of the desired time off as possible to better ensure the availability of using such leave. However, if an employee desires to take more than two consecutive vacation leave days, the employee shall obtain the Department Director's or Village Manager's approval in no fewer than ten business days in advance of the desired vacation leave.

7.2 Personal Leave

At the beginning of each calendar year, starting January 1, 2010, each full time employee shall be given twenty-four (24) hours of Personal Leave. Personal Leave may not be accumulated nor may it be carried over to the next calendar year and has no cash or payout value. Personal leave shall be taken in increments of no less than one-half (0.5) hour. No employee may take Personal Leave without the prior written approval of his/her Department Director. Department Directors will make such approvals based on the staffing needs of the Village; therefore, such approvals are not automatic. Personal leave will be granted to new employees on the following pro-rated basis: Start date in January-April = twenty-four (24) hours; start date May-August = sixteen (16) hours; start date September-December = eight (8) hours.

7.3 Sick Leave

Full-time employees shall accrue sick leave at a rate of 4.6 hours per pay period for each pay period of actual service to the Village. Full-time employees who work less than 80 hours per pay period shall accrue sick leave at a ratio equal to the number of hours normally worked compared to the usual 80-work hour pay period. Part-time and seasonal/temporary employees shall not accrue sick leave.

No employee may utilize sick leave unless such leave has been earned. Any newly hired employee may transfer unused accumulated sick leave, up to 240 hours, from a previous employer when that employer was the State of Ohio, or an Ohio county, or municipal employer or one of its agencies, and such transferred sick leave may be immediately available to the new employee.

Sick leave must be utilized in increments no less than one (1) hour. Permission to utilize sick leave may be granted by the employee's Department Director for absence due to:

1. Illness, injury, or pregnancy-related condition of the employee;
2. Exposure of an employee to a contagious disease that could be communicated and jeopardize the health of other employees;
3. Death of a member of the employee's immediate family. Such usage shall be limited to a reasonably necessary time beyond any bereavement leave benefit, not to exceed three (3) days;
4. Illness, injury, or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member;
5. Examination of the employee, including medical, psychological, dental or optical examination, by an appropriate licensed practitioner only where the examination could not be scheduled at a time when the employee was not on duty for the Village; or
6. Examination of the employee's immediate family, including medical, psychological, dental or optical examination, by an appropriate licensed practitioner only where the examination could not be scheduled at a time when the employee was not on duty for the Village.

Upon return to work following sick leave, the employee must furnish a satisfactory written, signed statement to the Department Director to justify the use of sick leave. If medical attention is required, a certificate stating the nature of the illness from a licensed physician shall be required to justify the use of sick leave. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action, including dismissal.

Sick leave may be accumulated up to a maximum of 960 hours. Employees with accumulated sick leave in excess of 960 hours as of December 1st of each year may be eligible for a sick leave pay-out on the next payday immediately after December 1st of each year. This pay will be equal to one-half (0.5) of the employee's hourly rate times the number of accrued sick leave hours in excess to 960 hours as of that December 1st. Those excess hours will then longer be available to the employee for sick leave usage or other compensation.

Donated Sick Leave. Any full-time employee may apply to the Human Resources Director to receive donated sick leave, if the employee requesting such donated sick leave:

1. Has a non-work related serious illness or serious injury, as documented in writing by a medical doctor, which renders the employee unable to perform the essential functions of the employee's position for a minimum of four (4) consecutive weeks;
2. Has exhausted all leave balances and does not have a sufficient amount of accrued and unused paid leave to cover the estimated period of absence;
3. Has no record of ever being disciplined for sick leave abuse.

An employee qualifying for sick leave donation hereunder shall make a written request for such leave by completing the necessary form and submitting same to the Human Resources Director. Written documentation from a medical doctor of the employee's serious illness or injury must be attached to the request. The Village Manager shall have the discretion to approve or deny such request. Copies of the written request and written documentation from a medical doctor shall be provided to Human Resources.

Upon approval of a request for sick leave donation, the Village Manager or designee shall complete the necessary form and forward copies of same to the employee requesting sick leave donation.

An employee wishing to donate sick leave to a fellow employee eligible for donation shall complete the necessary form and forward same to the Village Manager or his/her designee, who shall provide a copy to Human Resources

Upon approval of an employee's request for donated sick leave, the Village Manager or his/her designee shall:

1. Notify all eligible employees of the employee's need for donated sick leave, while respecting the employee's right of privacy;
2. Approve payment of any such donated sick leave to the requesting employee on a pay period by pay period basis up to the amount of donated leave, or the hours necessary to provide the member with their regular, straight-time pay for such pay period, whichever is greater.

Donating Sick Leave. Employees may donate accrued and unused sick leave to their credit to any other employee who has been approved to receive donated sick leave if the donating employee:

1. Retains a sick leave balance of at least two hundred forty hours after deduction of the hours offered for donation; and
2. Voluntarily elects to donate sick leave to the employee approved for donation, understanding that any such leave donated and not used shall be returned.

The following additional terms and conditions shall apply to the Sick Leave Donation Program:

1. All donation of sick leave shall be in eight hour increments, with eight hours being the minimum donation;
2. An employee receiving donated sick leave shall be paid at the employee's regular, straight-time rate of pay, regardless of the rate of pay of the employee donating such leave;
3. Sick leave shall be deducted from donating employee proportionately from all donated hours and credited to the receiving member's account on pay day up to the amount necessary for the employee to be paid their regular two (2) week's pay. No sick leave shall accumulate in the account of a receiving employee or be converted to cash or compensatory time. Any sick leave donated by an employee that is not used shall remain in the account of the donating employee.
4. An employee using donated sick leave shall be in active pay status and shall accrue sick and vacation leave, and be entitled to any benefits they would normally receive. All paid leave provided to or accrued by an employee while using donated sick leave shall be used in the following pay period before donated sick leave is used.
5. Employees receiving donated sick leave shall be eligible to receive such leave only until the employee's estimated date of return to duty, or until the first pay period during which the receiving employee fails to receive enough donated leave to receive their full two (2) weeks' pay. Employees who have continued to receive full donations and whose physicians extend their estimated date of return will be eligible for notification for the need for further donation.
6. No employee receiving donated sick leave will be permitted to be off work on such leave more than twelve (12) consecutive calendar months. An employee may not apply for donated leave more than once in any twelve (12) month period.
7. No employee may donate more than eighty (80) sick leave hours to another employee in a calendar year.
8. The Village Manager or designee shall ensure that no employee is forced or coerced into donating sick leave for a fellow employee. Donation shall be strictly voluntary. Only the Human Resource Director shall directly solicit donations of sick leave from another employee.

7.4 Funeral Leave

In the event of a death in a full-time employee's immediate family, paid Funeral Leave of up to three (3) days will be granted to the employee. "Immediate family" shall mean spouse, parent, child, stepparent, stepchild, sibling, stepsibling, parent-in-law, sibling-in-law, grandparent, or grandchild. Additional leave, including leave without pay, may be granted on a case-by-case basis at the sole discretion of the Village Manager.

7.5 Family Medical Leave

As a public agency, the Village is a "covered employer" under the Federal Family Medical Leave Act ("FMLA"). However, Village employees may not be eligible for

FMLA leave if the Village does not employ at least 50 employees. Employees who request FMLA leave should verify with the Village Manager whether these eligibility requirements exist.

A. Statement of Policy.

Eligible employees may request time off for family and/or medical leave of absence with job protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the Family and Medical Leave Act of 1993.

B. Definitions.

As used in this policy, the following terms and phrases shall be defined as follows:

1. “Family and/or medical leave of absence”: An approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave per year under particular circumstances. Such leave may be taken only for the following qualifying events:
 - a. Upon the birth of an employee’s child and in order to care for the child.
 - b. Upon the placement of a child with an employee for adoption or foster care.
 - c. When an employee is needed to care for a family member who has a serious health condition.
 - d. When an employee is unable to perform the functions of his position because of the employee’s own serious health condition.
 - e. Service member leave.
2. Service Member Leave: The spouse, parent or child of a member of the U.S. military service is entitled to twelve (12) weeks of FMLA leave due to qualifying exigencies of the service member being on “covered active duty” or being notified of an impending call or order to covered active duty in the Armed Forces. In addition, a spouse, child, parent or next of kin (nearest blood relative) of a service member is entitled to up to twenty-six (26) weeks of leave within a “single twelve (12)-month period” to care for a service member with a “serious injury or illness” sustained or aggravated while in the line of duty on active duty. The “single twelve (12)-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established for other types of FMLA leave.

3. “Per year”: A rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the employer will compute the amount of leave the employee has taken under this policy, and subtract it from the twelve (12) weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request. For example, if an employee used four (4) weeks of FMLA leave beginning February 4, 2009, four weeks beginning June 1, 2009, and four weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 4, 2010.
4. “Serious health condition”: Any illness, injury, impairment, or physical or mental condition that involves:
 - a. Inpatient care.
 - b. Any period of incapacity of more than three consecutive calendar days that also involves:
 - i. Two or more treatments by a health care provider, the first of which must occur within seven (7) days of the first day of incapacity and both visits must be completed within thirty (30) days; or
 - ii. Treatment by a health care provider on one occasion that results in a regimen of continuing treatment under the supervision of a health care provider.
 - c. Any period of incapacity due to pregnancy or for prenatal care.
 - d. A chronic serious health condition which requires at least two “periodic” visits for treatment to a health care provider per year and continues over an extended period of time. The condition may be periodic rather than continuing.
 - e. Any period of incapacity which is permanent or long term and for which treatment may not be effective (i.e. terminal stages of a disease, Alzheimer’s disease, etc.).
 - f. Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than three days absent medical intervention. (i.e. chemotherapy, dialysis for kidney disease, etc.).
5. “Licensed health care provider”: A doctor of medicine, a doctor of osteopathy, podiatrists, dentists, optometrists, psychiatrists, clinical psychologists, and others as specified by law.

6. “Family member”: Spouse, child, parent or a person who stands “*in loco parentis*” to the employee.
7. “Covered Service Member”: Means either:
 - a. A member of the Armed Forces, including a National Guard or Reserve Member, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness; or
 - b. A veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a National Guard or Reserves Member, at any time during the five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy.
8. “Outpatient Status”: The status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving outpatient medical care.
9. “Next Of Kin”: The term “next of kin” used with respect to a service member means the nearest blood relative of that individual.
10. “Serious Injury Or Illness”: (For purposes of the twenty-six (26) week military caregiver leave) Means: for active service members, an injury or illness incurred in the line of duty or that existed before the beginning of the service member’s active duty and was aggravated by service in the line of duty and that may render the service member medically unfit to perform the duties of the member’s office, grade, rank, or rating. For purposes of a veteran, a qualifying injury or illness that was incurred in the line of duty or that existed before the beginning of the service member’s active duty and was aggravated by service in the line of duty and manifested itself before or after the member became a veteran.

“Covered Active Duty”: (For purposes of the twelve (12)-week qualifying exigency leave) Is defined as either duty during the deployment of a regular member with the Armed Forces to a foreign country; or duty during the deployment of a reserve member with the Armed Forces to a foreign country under a call to order to active duty under a provision of law referred to in § 101(a)(13)(B) of Title X, United States Code.

11. “Qualifying Exigency”: (For purposes of the twelve (12)-week qualifying exigency leave) Includes any of the following:

- a. Up to seven days of leave to deal with issues arising from a covered military member's short notice deployment, which is a deployment on seven (7) or fewer days notice.
- b. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member.
- c. Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.
- d. Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust.
- e. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member.
- f. Rest and recuperation leave of up to five (5) days to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment.
- g. Attending certain post-deployment activities within ninety (90) days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member.
- h. Any qualifying exigency, which arose out of the covered military member's active duty or call to active duty status.

C. Leave Entitlement.

To be eligible for leave under this policy, an employee must meet all of the following conditions:

1. Worked for the agency for at least twelve (12) non-consecutive months, or fifty-two (52) weeks.
2. Actually worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately prior to the date when the FMLA leave is scheduled to begin.
3. Work at a location where the Employer employs fifty (50) or more employees within a seventy-five (75) mile radius.
 - a. The entitlement to FMLA leave for the birth or placement for adoption or foster care expires at the end of the twelve (12) month period following such birth or placement.
 - b. Spouses who are both employed by the agency are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child, upon the placement of a child with the employees for adoption or foster care, and for the care of certain family members with serious health conditions.

D. Use of Leave.

The provisions of this policy shall apply to all family and medical leaves of absence as follows:

1. Generally: An employee is only entitled to take off a total of twelve (12) weeks of leave per year under the FMLA. As such, employees will be required to utilize their accumulated unused paid leave (sick, vacation, etc.) in conjunction with their accumulated unused unpaid Family Medical Leave. Employees will be required to use the type of accumulated paid leave that best fits the reason for taking leave and must comply with all procedures for requesting that type of leave as stated in the relevant policy. Any time off that may legally be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time.
2. Birth of An Employee's Child: An employee who takes leave for the birth of his or her child must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy or post-partum recovery period, the employee will be required to exhaust all of her sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. *(Note: See section E below for information on disability leaves.)*

3. **Placement of a Child for Adoption or Foster Care:** An employee who takes leave for the placement of a child for adoption or foster care must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.
4. **Employee's Serious Health Condition or Family Member's Serious Health Condition:** An employee who takes leave because of his serious health condition or the serious health condition of his family member must use all available accrued paid sick and vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.

E. FMLA and Disability/Workers' Compensation.

An employee who is eligible for FMLA leave because of his own serious health condition may also be eligible for workers' compensation if the condition is the result of workplace accident or injury. Regardless of whether the employee is using worker's compensation benefits, the employer may designate the absence as FMLA leave, and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, as these may be compensated absences, if the employee participates in the worker's compensation program, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the employer require him to do so, while the employee is receiving compensation from such a program.

F. Procedures For Requesting FMLA Leave.

Requests for FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or as soon as practicable prior to the commencement of the leave. If the employee fails to provide thirty (30) days notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least thirty (30) days from the date the employer receives notice. The employee must follow the regular reporting procedures for each absence.

FMLA requests must be submitted on a standard leave form prescribed by the Employer. The Employer will determine whether the leave qualifies as FMLA leave, designate any leave that counts against the employee's twelve (12) week entitlement, and notify the employee that the leave has been so designated.

When an employee needs foreseeable FMLA leave, the employee shall make a reasonable effort to schedule the treatment so as not to unreasonably interfere with the Employer's operations.

G. Certification of Need for FMLA Leave.

An employee requesting FMLA leave due to his family member's serious health condition must provide a doctor's certification of the serious health condition, which must designate that the employee's presence is reasonably necessary. Such certification shall be submitted at the time FMLA leave is requested, or if the need for leave is not foreseeable, as soon as practicable. An employee requesting FMLA leave due to the birth or placement of a child must submit appropriate documentation at the time FMLA leave is requested.

The Employer, at its discretion, may require the employee to sign a release of information so that a representative other than the employee's immediate supervisor can contact the medical provider. If the medical certification is incomplete or insufficient, the employee will be notified of the deficiency and will have seven (7) calendar days to cure the deficiency.

The Employer may require a second medical opinion prior to granting FMLA leave. Such opinion shall be rendered by a health care provider designated or approved by the Employer. If a second medical opinion is requested, the cost of obtaining such opinion shall be paid for by the Employer. If the first and second opinions differ, the Employer, at its own expense, may require the binding opinion of a third health care provider approved jointly by the Employer and the employee. Failure or refusal of the employee to submit to or cooperate in obtaining either the second or third opinions, if requested, shall result in the denial of the FMLA leave request.

Employees who request and are granted FMLA leave due to serious health conditions may be required to provide the Employer periodic written reports assessing the continued qualification for FMLA leave. Further, the Employer may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.), or if the employer receives information that casts doubt on the employee's stated reason for the absence. The employee must provide the requested additional reports to the Employer within fifteen (15) days.

H. Intermittent/Reduced Schedule Leave.

When medically necessary, an employee may take FMLA leave on an intermittent or reduced work schedule basis for a serious health condition. An employee may not take leave on an intermittent or reduced schedule basis for either the birth of the employee's child or upon the placement of a child for adoption or foster care with the employee unless specifically authorized in writing by the Executive Director. Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave, or, as soon as practicable.

To be entitled to intermittent leave, the employee must, at the time such leave is requested, submit additional certification as prescribed by the Employer establishing the medical necessity for such leave. This shall be in addition to the documentation certifying the condition as FMLA qualifying. The additional certification shall include the dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave, and a statement from the health care provider describing the facts supporting the medical necessity for taking FMLA leave on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FMLA leave may be required to meet with the Executive Assistant or designee to discuss the intermittent or reduced schedule leave.

An employee who requests and is granted FMLA leave on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay, and benefits if the alternative position would better accommodate the intermittent or reduced schedule. An employee who requests intermittent or reduced schedule leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the Employer's operations.

I. Employee Benefits.

Except as provided below, while an employee is on FMLA leave, the Employer will continue to pay its portion of premiums for any life, medical, and dental insurance benefits under the same terms and conditions as if the employee had continued to work throughout the leave. The employee continues to be responsible for the payment of any contribution amounts he would have been required to pay had he not taken the leave, regardless of whether the employee is using paid or unpaid FMLA leave. Employee contributions are subject to any change in rates that occurs while the employee is on leave.

The Employer will not continue to pay the Employer portion of premiums for any life, medical, and dental insurance benefits if, while the employee is on FMLA leave, the employee fails to pay the employee's portion of such premiums or if the employee's payment for his portion of the premium is late by more than thirty (30) days. If the employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement into the benefit plan upon return to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the Employer may seek reimbursement from the employee for any amounts paid by the Employer for insurance benefits the employee received through the Employer during any period of unpaid FMLA leave. Leave balances accrued by an employee prior to taking FMLA leave and not used by the employee as outlined in the section entitled "Use of Leave" will be retained by the employee.

FMLA leave, whether paid or unpaid, will not constitute a break in service. Upon the completion of unpaid FMLA leave and return to service, the employee will return to the same level of service credit as the employee held immediately prior to the commencement of FMLA leave. In addition, FMLA leave will be treated as continuous service for the purpose of calculating benefits which are based on length of service. However, specific leaves times (i.e. sick, vacation, and personal leave and holidays) will not accrue during any period of unpaid FMLA leave.

J. Reinstatement.

An employee on FMLA leave must give the Employer at least two business days notice of his intent to return to work, regardless of the employee's anticipated date of return. Employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave except that if the position that the employee occupied prior to taking FMLA leave is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility, and authority and which carries equivalent status, pay, benefits, and other terms and conditions of employment as the position the employee occupied prior to taking FMLA leave. The determination as to whether a position is an "equivalent position" will be made by the Employer.

An employee will not be laid off as a result of exercising his or her right to FMLA leave. However, the Employer will not reinstate an employee who has taken FMLA leave if, as a result of a layoff within the agency, the employee would not otherwise be employed at the time reinstatement is requested. An employee on FMLA leave has no greater or lesser right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during her FMLA leave.

Prior to reinstatement, employees who take FMLA leave based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to perform the essential functions of the employee's position, with or without reasonable accommodation.

K. Records.

All records relative to FMLA leave will be maintained by the Employer as required by law. Any medical records accompanying FMLA leave requests will be kept separate from an employee's regular personnel file. To the extent permitted by law, medical records related to FMLA leave shall be kept confidential.

7.6 Military Leave

Military leave is governed by O.R.C. Chapters 5903, 5906 and 5923 and the Uniformed Services Employment and Reemployment Rights Act (USERRA). Village employees who are members of the Ohio organized militia or members of other reserve components of the armed forces, including the Ohio National Guard, are entitled to military leave. Employees requesting military leave must submit a written request to the Village as soon as they become aware of such orders. Employees must provide the published order or a written statement from the appropriate military authority with the request for leave.

Pursuant to O.R.C. § 5923.05, employees are authorized up to twenty-two (22) eight (8) hour working days or one hundred seventy-six (176) hours within a year. During this period, employees are entitled to receive their regular pay in addition to compensation from military pay. Any employee required to be serving military duty in excess of twenty-two (22) days or one hundred seventy-six (176) hours in a year due to the executive order issued by the President of the United States or an act of Congress or by the Governor in accordance with law shall be entitled to a leave of absence. During this leave of absence, employees are entitled to be paid a monthly amount equal to the lesser of: (1) the difference between the employee's gross monthly wage and his/her gross monthly uniformed pay and allowances received for the month; or (2) five hundred dollars (\$500). No employee is entitled to receive this benefit if the amount of gross military pay and benefits exceed the employee's gross wages from the Village for that period.

Employees who are on military leave in excess of twenty-two (22) days or one hundred seventy-six (176) hours in a year, may use any type of leave which they have accrued while on military leave. Employees shall accrue vacation leave and sick leave while on such paid leave.

For military leave up to twenty-two (22) days or one hundred seventy-six (176) hours in a calendar year, employees shall continue to be entitled to health insurance benefits as if they are working. These benefits shall continue beyond this period if the employee is on military leave and elects to utilize paid leave.

7.7 Jury Duty Leave

If an employee is summoned to jury duty, the Village will pay the difference between the employee's regular wages and the fee received for jury service. The employee must contact his/her Department Director promptly after receiving notification to appear for potential jury service. Unless excused by the Department Director, if jury duty is concluded prior to the completion of the employee's regularly scheduled workday, the employee must return to work for the remainder of the workday.

7.8 Unpaid Leave

Leave of absence without pay may be granted to employees at the discretion of the Employer after all other available leave is exhausted. The Village Manager must approve such leave in writing and in advance. While on such leave, the employee will not be eligible to earn or accumulate vacation leave, personal leave, sick leave, or any other benefit earned as a result of time in service to the Village.

8 EMPLOYEE CONDUCT/WORKPLACE ENVIRONMENT

8.1 Equal Employment Opportunity & Accommodations

The Village is an Equal Opportunity Employer. Accordingly, we promote equal opportunity in the areas of recruitment, employment, training, development, transfer, promotion, discipline, layoff or any other employment action. We do not discriminate on the basis of race, color, religion, creed, sex, age, disability, national origin, military status, genetic testing or any other category protected by federal, state, and local anti-discrimination laws. The Company prohibits, and will not tolerate, any act or behavior that intimidates, harasses, retaliates, or discriminates against any employee or applicant on these grounds.

Disability Accommodations

The Village prohibits discrimination in hiring, promotions, transfers, or any other benefits or privileges of employment, of any qualified individual with a disability. To be considered a qualified individual, the employee must satisfy the requisite skills, experience, education and other job-related requirements of the position he holds or desires and must be able to perform the essential functions of his position, with or without a reasonable accommodation. In keeping with the spirit of the Americans with Disabilities Act, the Village will make appropriate accommodations for qualified individuals with disabilities whenever possible, as long as the accommodation does not cause the Village undue hardship or pose a direct threat to the health or safety of the individual or others. An individual who requests an accommodation shall make the request to the Village Manager, in writing, to give the Village an opportunity to take appropriate action on the request.

Religious Accommodation

Similarly, an individual who feels he or she needs an accommodation for his religious practices should direct the request to the Village Manager, preferably in writing, to give the Village an opportunity to take appropriate action on the request.

Reporting Discrimination, Harassment or Retaliation

Any employee who feels that his or her rights have been violated under this policy should submit a written complaint as set forth in the Non-Discrimination, Harassment or Retaliation policy in this handbook.

It is intended that all Village policies comply with Federal and State equal employment opportunity laws.

8.2 Non-Discrimination, Harassment or Retaliation

The Village is committed to providing a work environment that is free from unlawful discrimination, harassment or retaliation. In keeping with this commitment, the Village maintains a strict policy prohibiting unlawful discrimination, harassment or retaliation, including taking adverse employment actions or treating a person differently based on race, color, religion, creed, sex, age, disability, national origin, military status, genetic testing, or if the person filed a workers' compensation claim or instituted, pursued or testified in any proceedings under the workers' compensation act, or any other characteristic or activity protected by federal, state, and local anti-discrimination, harassment or retaliation laws. Unlawful discrimination, harassment and retaliation are illegal and will not be tolerated. All forms of unlawful discrimination, harassment and retaliation must be reported and addressed as defined in this policy.

Scope of this Policy

This policy applies to all of the Village non-supervisory employees, as well as the Village's supervisors, officials and agents. This policy also applies to the Village's vendors, independent contractors, customers and others doing business with the Village. Furthermore, it prohibits discrimination, harassment or retaliation in any form, including verbal, physical and visual harassment.

Discrimination and Harassment

Unlawful discrimination may occur when a person is treated less favorably in their employment because of their membership in a protected class, such as those defined in this policy. An employer may not discriminate against an individual with respect to the terms and conditions of employment, such as promotions and raises based upon that individual's membership in that protected class.

Harassment is a form of discrimination. Harassment may be generally defined as unwelcome conduct based upon a protected classification. However, harassment becomes unlawful where:

1. Enduring the offensive conduct becomes a condition of continued employment.

2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive.

Sexual harassment is one example of unlawful harassment. Sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where either: (1) submission to such conduct is made an explicit or implicit term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Unlawful harassment may take many forms, including:

- Verbal conduct, such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations or comments.
- Visual conduct, such as derogatory posters, cartoons, drawings or gestures.
- Physical conduct, such as assault, blocking normal movement, or interference with work directed at an employee because of the employee's sex or other protected characteristic.
- Threats and demands to submit to sexual requests in order to keep one's job or avoid some other loss, and offers of job benefits in return for sexual favors.
- Retaliation for having reported unlawful harassment.

Unlawful discrimination or harassment that affects an individual's employment may extend beyond the confines of the workplace. Conduct that occurs off duty and off premises may also be subject to this policy.

Retaliation

This policy also prohibits retaliation of any kind against individuals who report unlawful discrimination or harassment, file a discrimination or harassment charge, testify or participate in an investigation, proceeding or lawsuit under anti-discrimination and harassment laws, or who oppose employment practices they reasonably believe discriminate against protected individuals, in violation of these laws. The Village and its staff shall not in any way retaliate against any individual for engaging in this protected activity, including participating in a Company investigation. Any employee who feels he or she has been subjected to retaliatory conduct in violation of this policy, must report the conduct as described in this policy.

False Complaints

Legitimate complaints made in good faith are strongly encouraged; however, false complaints or complaints made in bad faith will not be tolerated. A complaint will not be deemed a false complaint simply because the investigation did not reveal proof of prohibited discrimination, harassment or retaliation, without further evidence of bad faith. False complaints are considered to be a violation of this policy.

8.3 Procedure for Reporting Discrimination, Harassment or Retaliation

Any employee who believes that he or she has been the subject of unlawful discrimination, harassment or retaliation must report the alleged act(s) immediately, if possible in no event later than three (3) working days after the act, to the Department Director or Village Manager. If the employee is not comfortable speaking with one of these individuals, the employee may also report the allegations to any Department Director. A member of management will promptly investigate all such claims, report his or her findings as soon as available, and take appropriate corrective action, which may include discipline of the person responsible for the inappropriate acts, if warranted.

The Village will endeavor to handle all complaints of harassment in a timely manner and as confidentially as possible, although confidentiality cannot be guaranteed. The Village seeks, to the greatest extent possible consistent with completing a thorough and fair investigation, to protect the confidentiality of any individual who files a complaint in order to encourage the reporting of any incidents of harassment and to protect the reputation of any individual wrongfully charged with harassment.

All employees are required to fully cooperate in any investigation. Investigation of a harassment complaint may include conferring with the parties involved and any named or apparent witness(es). Every effort will be made to assure an impartial and fair review. All employees will be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation of harassment complaint. If the investigation reveals that the complaint is valid, prompt attention and corrective action designed to end the unlawful and prohibited acts immediately and to prevent its recurrence will be taken.

It should be recognized that the question of whether a particular action, incident, or relationship is purely personal and social and without a discriminatory employment effect will require a determination based on all facts in the particular matter. Given the nature of this type of discrimination, the Village also recognizes that false accusations of harassment can have serious effects on innocent individuals.

The Village expects that all employees will act responsibly to establish and maintain a professional working environment, free of illegal discrimination, harassment or retaliation. The Village encourages that questions regarding harassment be brought to the attention of any of the individuals listed above.

8.4 Workplace Safety

Workplace/employee health and safety are of primary concern to the Village. It is the responsibility of each employee to ensure that all safety equipment is used and all safety procedures/practices are observed. Each Department Director shall establish specific procedures/practices applicable to their Department to ensure workplace and employee health and safety, in addition to those set forth in Chapter 4167 of the Ohio Revised Code, and as further explained in the State of Ohio Public Employment Risk Reduction Program.

Any violation of those procedure/practices shall be documented and addressed, regardless of whether the violation resulted in any loss or damage to property or injury to persons. A Notice of Safety Violation form must be completed by the employee and Department Director and forward it to the Village Manager for review. If it is determined that corrective action is required, the Village Manager shall consult with the Department Director to determine the appropriate corrective action. A copy of the Notice of Safety Violation shall be maintained in the employee's personnel file.

Any employee found to be negligent in equipment operation, resulting either in damage to property or injury to person, shall be disciplined according to these procedure/practices. Disciplinary action taken will be commensurate with the severity of the violation, previous warnings/instruction, or other such relevant factors. Any employee who deliberately operates equipment in a manner that, results in either damage to the equipment or an accident, shall be subject to immediate discipline including immediate termination.

Employees found to be negligent in requiring and/or controlling the use of prescribed safety equipment or failing to report safety violations, are subject to disciplinary action. All employees are charged with the responsibility of reporting the existence of any hazardous condition or practice in the workplace to their Department Director.

8.5 Workplace Violence

The Village is committed to providing a work environment that is safe, secure and free of harassment, threats, intimidation and violence. In furtherance of this commitment, the Village enforces a zero tolerance policy for workplace violence. Consistent with this policy, threats or acts of physical violence, including intimidation, harassment, and/or coercion which involve or affect employees, or which occur on Village property or at a worksite, will not be tolerated. Employees who are found to have committed acts of workplace violence will receive discipline and possible criminal prosecution, depending on the nature of the offense.

Prohibited acts of workplace violence include, but are not limited to, the following: (1) hitting or shoving; (2) threatening harm to an employee or his family, friends, associates, or property; (3) intentional destruction of property; (4) harassing or threatening telephone calls, letters or other forms of written or electronic communications, including email and website postings; (5) intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule; (6) willful,

malicious and repeated following of another person, also known as “stalking” and/or making threats with the intent to place another person in reasonable fear for his safety; (7) suggesting or otherwise intimating that an act to injure persons or property is “appropriate”, without regard to the location where the suggestion or intimation occurs; and (8) unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Village property.

Employees are to report any signs of workplace violence to their supervisor, Department Director or Village Manager immediately. The following are examples of warning signs, symptoms and risk factors that may indicate a person’s potential for violence. Employees should be aware of these indicators. In all situations, if violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others, including calling law enforcement if necessary. An employee should immediately notify his or her supervisor if the employee witnesses any of the following behaviors:

1. Dropping hints about a knowledge of firearms.
2. Making intimidating statements such as: “You know what happened in Oklahoma City,” “I’ll get even” or “You haven’t heard the last from me.”
3. Keeping records of other employees the individual believes to have violated departmental policy.
4. Physical signs of anger, such as, hard breathing, reddening of complexion, menacing stares, loudness, and profane speech.
5. Acting out violently either verbally or physically.
6. Excessive bitterness by a disgruntled employee or an ex-employee.
7. Being a loner, avoiding all social contact with co-workers.
8. Having a romantic obsession with a co-worker who does not share that interest.
9. History of interpersonal conflict.
10. Domestic problems, unstable/dysfunctional family.
11. Brooding, depressed or strange behavior—a “time bomb ready to go off.”

8.6 Workplace Injuries

Employees who are injured on the job must report their injury immediately to the Department Head or Village Manager, but in no event more than 24 hours after discovering the injury. The supervisor may require the employee to complete and/or sign

a report concerning the accident/illness. The employee will be required to fully cooperate in any investigation by the Company about the injury or illness. Any employee failing to report an illness or injury immediately or cooperate into the employer's investigation of that injury may be subject to disciplinary action, including termination,

8.7 Drug Free Workplace

The Village is a drug and alcohol free workplace. Impairment by drugs and alcohol can adversely affect an employee's job performance. At all times on the job (including breaks), or when in or on Village property, employees are prohibited from using, transporting, selling, purchasing, possessing, being under the influence of or impaired by any of the following: Illegal drugs, synthetic or designer drugs, look-alikes, act-alikes, and any other substance which could alter the motor or sensory functions in a human being; Alcoholic beverages; and prescription drugs, unless: 1) employee is under a doctor's order, 2) the prescription drug is in its original container, and 3) the prescription drug will in no way impair the employees ability to perform the job duties of their position.

Employees found in violation of this Drug Free Workplace policy are subject to discipline up to and including termination. If a Department Director or Village Manager has reasonable suspicion that an employee may be impaired by or may be in possession of alcohol or drugs: 1) the employee may be ordered to immediately undergo a urine drug and alcohol screening test, and/or 2) the Department Director or Village Manager will conduct a search of the employee's clothing, belongings, personal effects, automobile, locker, toolbox, and work area. If appropriate, the Licking County Sheriff's Office will be contacted to investigate the matter further.

In order to further the Village's objective of maintaining a safe, healthful, and drug-free workplace, the Village may require an employee to submit to a urine and/or blood test if there is reasonable suspicion to believe that an employee is under the influence of a controlled substance or alcohol, or randomly if the employee occupies a safety-sensitive position. Refusal to submit to a drug or alcohol test and/or to release the results of the same shall be considered insubordination and will be construed as a positive test result.

Employees are put on notice that an employee who is under the influence of drugs or alcohol may forfeit their right to obtain workers compensation benefits. The law establishes a rebuttable presumption that, if an injured worker tests positive, or refuses to submit to a test, for the use of drugs or alcohol after an injury, that drug or alcohol use was the cause of the injury, and not the workplace. Employees who are involved with a workplace accident may be required to undergo drug and/or alcohol testing in accordance with this policy.

In order to maintain a safe and healthful work environment, the Village reserves the right to set standards for employment and to require employees to submit to physical examinations including blood or urine tests for alcohol, illegal drugs, or the misuse of

legal drugs where there is reasonable suspicion that an employee's work performance is, or could be, affected by the condition.

Where the Village has a reasonable suspicion to believe that the employee is in violation of this policy, it may require the employee to go to a medical clinic, at the Village's expense, to provide blood and/or urine specimens. Reasonable suspicion shall generally mean suspicion based on personal observation by a Village representative, including descriptions of appearance, behavior, speech, breath, or inexplicable behavior.

If requested, the employee shall sign a consent form authorizing the clinic to withdraw a specimen of blood or urine and release the test results to the Village. Refusal to sign a consent form or to provide a specimen will constitute insubordination and a presumption of impairment and may result in discharge.

Any employee who tests positive may request retesting of the original specimen at their own expense.

Employees subject to random drug tests who refuse to participate in the drug/alcohol testing and/or rehabilitation program or who continue to test positive for substance abuse will face additional disciplinary action, up to and including removal.

Employees who are required to hold a commercial driver's license (CDL) will be required to participate in the Village's drug and alcohol testing program as required by state and federal law which includes pre-employment testing, post-accident testing, random testing, reasonable suspicion testing, and return-to-work testing. Policies and procedures for these programs will be consistent with federal law and will be made available to employees required to hold CDL's and their supervisors.

The Village may discipline an employee, up to and including discharge, for any violation of this policy.

Medical Marijuana: In 2016, medical marijuana was legalized by the State of Ohio under House Bill 523. Marijuana remains a Schedule I Controlled substance, regardless of being authorized for medicinal use under Ohio law. While permissive under state law, medicinal use of marijuana has not been approved by the U.S. Food and Drug Administration (FDA) for clinical use. As such, the use of marijuana, in any form for any purpose, authorized for medicinal purposes or unauthorized, is prohibited under the Village's Drug Free Workplace Policy.

An employee who is terminated as a result of medical marijuana use will be considered having been discharged for just cause under Unemployment Compensation Law and not eligible for benefits. Additionally, as it pertains to Workers' Compensation Law, and employee would be ineligible for compensation and benefits if they were under the influence of marijuana and being under the influence of marijuana was the proximate cause of the injury. This applies regardless of whether the marijuana use is recommended by a physician.

8.8 Smoke Free Workplace

The Village is a Smoke-Free workplace. This policy addresses various issues concerning the provisions of Ohio's Smoke-Free Workplace Act. The Smoke-Free Workplace Act prohibits the Employer from permitting employees to smoke in public places and places of employment. The Employer can be fined for an employee's failure to adhere to this policy. In addition to the specific restrictions in the Smoke-Free Workplace Act, the Village has adopted this policy to address issues pertaining to employment and the application of this law. Employees are expected to comply with this policy, and may be subject to discipline, including termination, for failing to comply.

Village employees are prohibited from smoking in any "protected area". A "protected area" is either of the following:

1. Any "enclosed area" under the direct or indirect control of the Village that employees use for work, or for any other purpose, including, but not limited to: offices, meeting rooms, sales, production and storage areas, restrooms, stairways, hallways, warehouses, garages, and vehicles. "Enclosed area" means an area with a roof or other overhead covering of any kind and walls or side coverings of any kind on all sides or on all sides but one, regardless of the presence of windows, doorways, vents, or other openings.
2. Any doorway, entrance way, or other area immediately adjacent to locations of ingress or egress to an "enclosed area".
3. Any area in which tobacco smoke could enter into an area defined under "1." or "2.", above, through entrances, windows, ventilation systems, or other means. To assure that smoke does not enter any protected area, employees may not smoke within a 40 foot radius of any protected area, or within such greater radius as needed to prohibit smoke from entering an "enclosed area."

No employee shall smoke in any of these protected areas at any time, regardless of the presence of other employees in the area. Failure to strictly adhere to this policy may result in disciplinary action up to, and including, termination.

The possession or use of an electronic smoking device is prohibited under this policy. An electronic smoking device means any electronic device that can be used to deliver nicotine or other chemicals or substances to the person inhaling from the device, including, but not limited to, electronic cigarettes, e-cigarettes or any such devices manufactured under any other product name. The use of such devices is only permitted in designated smoking areas.

A violation of this policy may result in discipline up to and including discharge.

8.9 Ethics & Nepotism

Ohio Revised Code §§ 102.03 and 2921.42 prohibit public employees from using their influence to benefit themselves or their family members. In recognition of the above-listed requirements, the following Code of Ethics is established for all Village officials and employees.

Employees shall not solicit, accept, or use the authority of his/her public position directly or indirectly to secure anything of value, including a gift, meal, or entertainment, that could have a "substantial" and "improper" influence upon an employee in the performance of his/her duties. No employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Village, nor shall he use such information to advance the financial or other private interest of himself or others. The facts and circumstances of each situation determine whether a gift, meal, entertainment, and other thing of value could have a "substantial" and "improper" influence upon an official in the performance of his duties. Employees shall follow those rules provided by the Ohio Ethics Commission in regards to gifts, meals, memberships, trips, or other items or services offered to public employees. Employees are to report all such offers to the Village Manager immediately. Employees will review the Ohio Ethics Law on the website listed: <http://www.ethics.ohio.gov>

No employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independent judgment or action in the performance of his official duties. Neither shall other employment, private or public, interfere in any way with the employee's regular, punctual attendance and faithful performance of his assigned job duties

Any employee having doubt as to the applicability of these provisions should consult his supervisor or legal counsel. Any employee offered a gift or favor who is not sure whether acceptance is a violation of the Code of Ethics, should inform his supervisor of the gift offer. The supervisor will make a decision or will refer the individual to the Director of Law. No employee will accept from any contractor or supplier doing business with the Village, any material or service for the employee's private use.

An employee is not permitted to work in a position where his supervisor or subordinate or anyone within his chain of command, or anyone who would audit his work, is a relative. This policy may prevent the Village from hiring or retaining a relative of a current employee in certain circumstances. If two employees marry, they will be subject to the same policy as other relatives. If an employee believes they are or will be in violation of this policy, the employee must inform the Department Director or Village Manager immediately and a possible accommodation will be explored.

The term "relative" in this policy includes a spouse, parent, child, stepparent, stepchild, sibling, stepsibling, parent-in-law, sibling-in-law, grandparent, grandchild, uncle, aunt,

niece, nephew, first-cousin, or a legal guardian or other person who stands in the place of a parent.

Any violation of this policy may result in disciplinary action, up to and including termination. Further, any violation of Ohio Revised Code §§ 102.03 and 2921.42 may result in criminal prosecution and/or disciplinary action, including termination.

8.10 Ohio Auditor of State Fraud Reporting System

The Ohio Auditor of State's Office maintains a system for reporting fraud, including the misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or the United States mail. Contact information is as follows:

Telephone: 1-866-FRAUD OH (1-866-372-8364)
US Mail: Ohio Auditor of State's Office Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215
Web: www.ohioauditor.gov

8.11 Remote Work Policy

The Village of Johnstown considers remote work to be a viable option of an alternative work arrangement for positions that lend themselves to working from a remote and secure location. This policy is intended to support remote work as a method of achieving administrative efficiencies, supporting operational continuity, and the enhancement of employee work/life balance. Remote work allows employees to telecommute from home, on the road, or in a secure satellite location for all or part of their regular work week. Remote work is a voluntary work alternative provided by the Village as an employee benefit. Remote work is not appropriate for all Village positions. The Village reserves the right to not extend remote work arrangements to employees or to end a remote work arrangement at any time.

This policy applies to all administrative employee that perform work that is able to be completed remotely. Blended remote work/office time is an option for employees with prior approval from the Village Manager (for Department Directors) or from Department Directors (for remaining employees). Remote work arrangements do not change the conditions of employment, compliance with Village policies, accessibility, accountability, or performance criteria. A remote work arrangement on an as-needed basis, temporary, or blended schedule may be requested using the criteria outlined below.

Consideration for remote work arrangements will be based upon the following:

- Employee has proven dependability, responsibility, and ability to meet deadlines.
- Employee has a position that allows for communication with co-workers by video conferencing, telephone, or via email.
- Employee is able to maintain connections within their work group, teams, or Village business partners.
- Employees with a qualifying disability may request a temporary remote work accommodation for all or a portion of their workweek with the consent of their physician of record.
- Probationary employees will be eligible to request to remotely work only after working 90 days in their positions.

A remote work arrangement can be requested by either a supervisor or an employee. If approved, the employee and supervisor will agree on the work schedule. Work should occur with core business hours included in a pre-determined amount of the employee's schedule. The bulk (80%) of employee hours must take place during regular business hours. Variances of this schedule must be approved prior to implementation. Employees must be accessible by phone, email, or instant messaging within a reasonable amount of time during the approved employee schedule.

Employee alternative work locations must be distraction free during scheduled work hours within a designated alternate location. The Employer will not be responsible for unapproved costs associated with remote work. All technology related expenses must be approved by the Village Manager/Department Director prior to use. Equipment supplied by the Village will be maintained by the Village. Personal devices will be maintained by the employee.

Employees working remotely will be expected to ensure the confidentiality of Village information as applicable. Also, the employee must have an internet connection faster than 10 Mbps, a Village-provided laptop with VPN, and a cellular phone (a Village phone or personal phone with a container and paid stipend) in order to work remotely. Remote work employees who are overtime eligible will be required to record all hours worked and a summary of work performed in the Village's timekeeping system. Any overtime work must be approved in advance by the supervisor.

9 VILLAGE PROPERTY AND EQUIPMENT

9.1 Village Tools and Equipment

When the Village provides equipment (including, but not limited to computers/internet, telephones and cell phones) to employees for the performance of their job duties, it is the responsibility of the employee and that employee's Department Director to ensure these

items are used properly and maintained. Misuse, neglect, theft, personal or inappropriate use and abuse of such Village equipment shall result in disciplinary action. Employees who separate from service with the Village are responsible for return of reusable Village property in his possession.

The Village may issue cellular phones to its employees. While Village-issued cellular phones may, from time to time, be used for personal reasons, their primary purpose is for Village business, and the Village will monitor cell-phone activity. Employees are to expect no privacy in Village-issued cell phone use. Use of Village cellular phones while operating a motor vehicle (village-owned or personal) is prohibited, except where necessary and approved by the Department Head or Village Manager for the performance of Village functions.

9.2 Village Vehicles and Machinery

Employees operating a Village motor vehicle are required to have a proper and valid motor vehicle operator's license. When operating any motor vehicle during the course of employment, employees are expected to observe all laws and regulations governing the use of motor vehicles, including but not limited to strict compliance with Section 4513.263 of the Ohio Revised Code (mandatory seat belt law). Employees who operate Village vehicles must have appropriate insurance coverage as designated by the Village Manager. Use of a Village-owned vehicle must be pre-approved by the employee's Department Director or the Village Manager. Employees shall not use, or permit the use of Village automobiles for any purpose other than official Village business. Passengers not on official Village business (i.e. children, spouses, friends, etc.) are not permitted in Village-owned vehicles. Concerns regarding repairs or vehicle maintenance must be reported to the employee's immediate supervisor.

All accidents and/or moving violations that occur while driving a Village-owned vehicle must be immediately reported to the employee's Department Director and the Village Manager. Employees are strictly prohibited from driving any vehicle while under the influence of alcohol or any controlled substance. Speeding tickets, moving violations, parking tickets, and other such fines or penalties are the sole financial responsibility of the employee. If the employee has any change in their driving status, e.g., suspension of license or other driving privileges, that change must be reported in writing to their Department Director and the Village Manager immediately. All employees who drive Village vehicles or who use their own personal vehicle in the course of their employment with the Village shall be required to annually grant the Manager permission to complete a driver license check to ensure employees are insurable.

When practical and possible, Village employees should use Village vehicles in the performance of their duties. When it is not, the employee will be reimbursed for the use of his/her personal vehicle. The rate of reimbursement shall be that amount established by the United States Internal Revenue Service for reimbursement of private vehicle use for business purposes as is amended from time to time. Reimbursement requests may be submitted monthly or quarterly to the Village Manager for approval.

9.3 Computer and Internet Use

Village computers, including laptops and tablets, and information systems are also Village property. The Village reserves the right to examine all data stored in or transmitted by their computers and systems. Without notice, the Village and authorized Village supervisors may enter, search, monitor, track, copy, and retrieve any type of electronic file of any employee or contractor. These actions may be taken for reasons including but not limited to theft investigation, unauthorized disclosure of confidential business or proprietary information, excessive personal use of the system, or monitoring work flow and employee productivity.

Employees also have no right to privacy with regard to the Internet and email on Village systems. Authorized designees may access any files stored on, accessed via, or deleted from computers and information systems. When necessary, Internet, email, and Instant Messenger (IM) usage patterns may be examined for work-related purposes, including situations where there is a need to investigate possible misconduct and to assure that these resources are devoted to maintaining the highest levels of productivity. All software installed on any Village computer must be licensed to the Village. No Village employees may install, uninstall, or reconfigure any software or hardware owned by the Village without prior authorization from the Village. The use of privately-owned or contractor-owned devices (i.e., PDAs, smart phones, and laptops) for official Village business must be authorized in advance by the Village.

Computers and information systems may be used for business purposes by (1) facilitating job function performance; (2) facilitating and communicating business information within the Village network; (3) coordinating meeting locations and resources for the Village; and/or (4) communicating with outside organizations as required in the performance of employee job functions.

9.4 No Expectation of Privacy

Employees have no reasonable expectation of privacy in the use of Village property and facilities. In order to safeguard employees and the workplace, and in order to maximize efficiency, safety and productivity, the Village reserves the right, in its sole discretion and without notice to employees, to inspect, monitor or otherwise search Village property and facilities or any other enclosed or open area within Village property or facilities and to monitor or inspect any items found within such facilities. Employees are required to cooperate in any work place inspection. The Village also reserves the right to inspect any packages, mail, parcels, handbags, briefcases, or any other possessions or articles carried to and from Village facilities and job sites where permitted by law.

9.5 Public Records

The Village of Johnstown and all employees shall strictly adhere with the Ohio's Public Record Act, Chapter 149 of the Ohio Revised Code. Further, all Departments shall keep

a copy of the Public Records Policy and Schedule of Records Retention ready and available for all employees, as well as the public, to reference at any time. If an employee receives a request from another to copy or inspect Village records, the employee must relay that request to his Department Director immediately, who will relay the request to the Village Manager or a Village records custodian. Violation of these policies shall result in discipline, including termination.

10 PERSONNEL MANAGEMENT & DISCIPLINE

10.1 Personnel Files

Important events in an employee's history with the Village will be recorded and kept in and employee's personnel files. A personnel file shall be maintained in a secure manner by the Village Manager for each Village employee. The Personnel File shall include, but not be limited to, the following:

- A) Employee's name, permanent address, home telephone number, and cellular telephone number.
- B) Position title / Department assignment
- C) All past performance evaluations, disciplinary actions, licensure and educational attainment.
- D) All current and past salary/wage information
- E) All employment verification requirements and application materials
- F) Past changes in Village employment status
- G) Any such additional employment information as may be required by the Village.

At the Village Manager's request, the Village Council shall accept any and all additions or changes to a Village employee's personnel file. Employees must timely advise the Village of any change in name, address, marital status, telephone number, number of tax exemptions, citizenship, or association with any government military service organization.

The Finance Director shall keep a separate personnel/payroll file for each employee that shall contain current and past salary/wage information, individual income tax information and all approved leave request forms. Each Department Director may also keep a separate Department personnel file for their employees in their Department. All such personnel and payroll files, excepting specific personal information, are public records in accordance with the law. Any person may inspect a Village employee's personnel and payroll files by making an appointment with the Village Manager. When a public records request is made for an employee's records, the Village will endeavor to inform the employee of the request in advance of the release of records. Notifying the employee of the release may not result in an unreasonable delay in releasing the records pursuant to an appropriate request.

10.2 Hiring, Vacancies & Promotions

When the Village determines that a vacancy exists that should be filled, it will fill that vacancy in accordance with law and Village Charter and Ordinance. The Village will ordinarily accept applications from current employees. Employees applying for a vacant position must complete and submit the required application form before they will be considered for the position. An employee wishing to apply for a vacant position must submit a written application to the Department Director or Village Manager.

The Village of Johnstown is open to the rehiring of exceptional former employees. Such employees must have terminated their employment in “good standing” in order to be considered for re-employment. Also, such employees will be considered on the same basis as other applicants, with the knowledge of and experience with the Village being taken into account. A rehired employee will be considered as a new hire in terms of wages, benefits, and other aspects of the job.

All persons offered employment with the Village of Johnstown shall be required to undergo a drug screening and background investigation prior to employment with the Village. Applicants for employment in certain positions may be required to undergo a physical examination as well. The Village will pay for the costs of these examinations, screenings and background investigations. Failure to pass these examinations, screenings and investigations may result in the Village not hiring an individual or not promoting a current employee. Additionally, it may be grounds for termination of a current employee. Each person offered employment with the Village of Johnstown will be asked to provide a written release of information to allow the Village access to the results of the examination and to investigate for any prior illegal activity by the individual as well as the individual’s driving record. Failure to grant that permission will result in the loss of an offer of employment by the Village.

In addition to other lawful reasons for removal, if, after an applicant is hired, it is discovered that the application was untruthful or not forthcoming with information requested on the application, that application may be terminated.

10.3 Investigation and Discipline

The Village has the right to investigate and take action on any alleged misconduct by employees. Department Directors are delegated the authority to issue Verbal Warnings, Written Reprimands and unpaid Suspensions not to exceed three days. Verbal Warnings, Written Reprimands, and Suspensions shall be documented on the approved form, which shall include the employee's name, date, the reason for the discipline, and if appropriate, potential future action towards the employee. A copy of all Verbal Warnings or Written Reprimands or Suspensions shall be forwarded to the Village Manager for placement in the employee’s personnel file.

All other disciplinary actions, including termination, shall be accomplished at the direction of the Village Manager. If a Village employee is terminated, he or she shall have fourteen (14) days in which to appeal this determination to the Personnel Review Board of the Village Council.

Violations of the rules, policies and procedures will receive appropriate discipline as determined by the employer. Possible discipline includes, but is not limited to: warnings, suspensions, demotions and termination.

By way of example only, the following are some instances of conduct which may lead to discipline, up to and including discharge:

- Reporting for work under the influence of any substance which prohibits performing the duties of the employee's position appropriately or safely.
- Fighting (verbal or physical), gambling, sleeping or other inappropriate behavior on Village property or while on duty or other such times when employee is representing the Village.
- Theft, fraud, or embezzlement, stealing, unauthorized use, or misappropriation of Village time, resources, money or any other asset of the Village.
- Destruction, abuse, damaging or waste of Village or resident property.
- Conviction of a felony or misdemeanor and in anticipation of trial results stemming from felony charges against the employee.
- Unsatisfactory performance of duties or performance that does not meet the requirements of the position.
- Action that reflects discredit on the Village.
- Hindrance of the performance of Village functions or other employees.
- Insubordination, which shall include but not be limited to the refusal to perform all job requirements or services as required to perform the duties of the position
- Application for sick leave with intent to defraud.
- Violations of the policies in this Handbook.
- Violation of Village or Departmental work rules, policies, procedures or established practices.
- Immoral or indecent conduct, including but not limited to violating the Village's anti-discrimination/EEO sexual harassment, and nepotism prohibition policies.
- Possession or use on the job of alcohol, drugs or drug paraphernalia, stolen property, or weapons.
- Repeated tardiness or excessive absenteeism.
- Mishandling, misappropriation or theft of Village funds, credit, time, resources or any other asset.
- Making false or misleading statements on employment applications/during employment process or during the course of employment,
- Willful interference of another in the performance of their job.

- Actions that put the employee or others in physical danger of life or health.
- Repeated violation of safety rules.
- Allowing an unauthorized person(s) access to secured portions of Village facilities.
- Revealing confidential information of any kind.
- Punching the time clock for another employee or allowing someone else to punch the time clock for the employee, tampering with the time clock, or making unauthorized changes to a time card or time sheet.
- Any other acts of misfeasance, malfeasance, and/or nonfeasance by the employee.

An employee may appeal an unpaid suspension, demotion or termination to Village Council Personnel Review Board within fourteen (14) days of the issuance of the discipline.

10.4 Employee Resignation or Retirement

To remain in good standing with the Village, employees who voluntarily resign or retire should notify their immediate supervisor at least two (2) weeks in advance of the effective date of resignation. This requirement may be waived at the discretion of the Village Manager. Employees leaving in good standing shall receive a payout of all compensatory time and all accrued and unused vacation (up to one hundred twenty (120) hours)

An employee who is separating at the time of retirement, who leaves in good standing and who has ten or more years of service with the Village shall be paid for one-fourth of the value of the employee's accrued but unused sick leave credit. Such payment shall be based on the employee's rate of pay at the time of retirement. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. Such payment shall be made only once to any employee.

Employees may not unilaterally revoke their resignation once it has been accepted. Employees must turn in all Village property, including computer passwords, on or before their last day of employment. Failure to do so may result in legal action by the Village.

Any employee who resigns is encouraged to give his or her reasons for resigning and convey his perceptions of the organization's working conditions. The Village may schedule the employee for an exit interview.

Employees who wish to resign should submit a formal letter of resignation.

Employees participating in the Public Employee's Retirement System may be eligible for retirement upon obtaining a certain age and certain number of years-in-service, or upon certain qualifying disabilities. Questions about retirement under the Public Employee Retirement System should be directed to that office.

10.5 Social Media

The Village supports the free exchange of information and camaraderie among employees on the internet. However, when internet blogging, chat room discussions, email, text messages or other forms of electronic communication extend to employees revealing confidential information about the Village or its employees, or engaging in posting inappropriate material about the Village or its employees, the employee who posts such information or assists in posting such material may be subject to disciplinary action.

Employees are reminded to be careful of the information they disclose on the internet, including social media sites. The following uses of social media are strictly prohibited, whether on or off duty:

1. Comments or displays about coworkers, supervisors or the Village that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the Village's workplace policies against discrimination, harassment or retaliation.
2. Statements or uses of the Village's logo which are slanderous or detrimental, including evidence of the misuse of the Village's authority, information, insignia or equipment.
3. Unprofessional communication which, if left unaddressed, could potentially result in a civil or criminal cause of action against the Village. Unprofessional communication also includes that which the Village could demonstrate has a substantial risk of negatively affecting the Village's reputation, mission or operations, such as slander, defamation or other legal cause of action.
4. Disclosure of confidential and/or proprietary information acquired in the course of employment. Confidential information includes not only information that would not be available pursuant to a public records request, but also includes any information which does not relate to an issue of public concern.
5. Comments or displays which impact employees' abilities to perform their job duties or the Village's ability to maintain an efficient workplace.

Social media sites may be inspected by the Village for cause to determine potential policy violations. If an employee believes that an online communication violates a Village policy, the employee should immediately report the communication to his or her supervisor. The Village may investigate the matter, determine whether such communication violates policy, and take appropriate action. This policy does not apply to communications protected by the U.S. or Ohio Constitutions.

Village-Owned Sites

The Village, from time to time, hosts social media sites which allow members of the public to post comments and questions. The purpose of this site is for the Village to disseminate relevant information to the public, as well as to receive relevant feedback from the public.

As a member of the public, you have the opportunity to post on the Village's site. Your posts are subject to the same restrictions imposed on other members of the public. The Village routinely monitors its social media pages. The Village reserves the right to delete posts that contain any of the following:

1. Profane or obscene material;
2. Any vulgar or abusive language, personal attacks of any kind, or offensive terms targeting individuals or groups;
3. Spam or posts which include links to other non-Village sites;
4. Posts which are clearly off-topic;
5. An encouragement to engage in illegal activity;
6. Infringement on copyright or trademarks;
7. Confidential or non-public information;
8. Solicitation of services or products;
9. Any illegal or inappropriate material;
10. Endorsements of political parties, candidates or groups;
11. Any other information or language which is deemed inappropriate.

In addition, as an employee of the Village, you may have confidential information or knowledge as a result of your employment. This information or knowledge may not be proper for disclosure. Employees shall not disseminate confidential information or other information related to the Village that is not of public concern, which includes but is not limited to information related to personnel decisions. Employees with questions about whether information is of public concern shall contact their supervisor for guidance.

Remember that, as with most forms of social media, comments posted on the Village's social media sites are not private. All posts may constitute a public record and may be disclosed pursuant to a public records request.

Employees who violate this policy by posting inappropriate material or assisting others in posting inappropriate material may be subject to discipline, up to and including termination.

11 EMPLOYEE RECEIPT & ACKNOWLEDGMENT

ACKNOWLEDGMENT

I acknowledge receipt of this manual and understand and agree that I am responsible for knowing and abiding by its contents and for keeping it updated. I also understand that this manual is Village property that must be returned to the Village when I separate from employment.

I further acknowledge and understand that this manual **does not create a contract of employment with the Village for any purpose or make any promises or guarantees, explicitly or implicitly.** I understand that any and all provisions of this manual may be modified or eliminated, without advance notice to me, at any time.

Issued To: _____

Signed: _____

Date Received: _____

AGENDA REPORT

VILLAGE COUNCIL
JULY 20, 2021



AGENDA ITEM

Resolution 2021-28 updating the Employee Handbook.

PREPARER(S)

Dana Steffan, Finance & Human Resources Director

RECOMMENDED ACTION

Approve

HISTORY

The Village of Johnstown Employee Handbook was last updated in 2013. Village staff has been meeting sporadically during 2017- 2021 to discuss updates and modifications to the Handbook. At this time we have a new manual to present to Council for approval.

SUMMARY

Authority: Codified Ordinances Chapter 151

Urgency: Address as soon as possible, as some of the changes therein are currently in practice.

Relation to Other Actions: An Agreement specific to the Police Department will be addressed in Res. 2021-29. Police Department employees will be subject to both the Employee Handbook and the Police Department Agreement Manual, and where these manuals conflict, the Police Dept Agreement Manual will prevail for JPD employees. An updated wage ordinance will follow later in 2021.

FISCAL IMPACT

Minimal impact related to longevity pay: new updates allow for a better plan for employees that have 5+ years of service. Range of impact is on a scale from \$30 - \$1,800 per year per employee, depending on the number of service years. At 29 years of service the impact is reversed and becomes positive for the Village.

ADDITIONAL MATERIAL

Summary of Handbook changes (listed by section):

- 5. Definitions – Added “Probationary”
- 6.7 Compensatory Time – changed from one hour increments to one-half hour increments; removed restriction of use 16 hours max.
- 6.8 Holidays – added 2 holidays: Columbus Day and Juneteenth
- 6.12 Probationary Period for New or Rehired Employees (new section)
- 6.13 Other Compensation – Longevity Pay: changed from bi-weekly payments to annual payments; modified the calculation slightly. See paragraph for full details.
- Shift Trades (new sub-section); On-the-Job Training Pay Supplement (new sub-section) allows for additional \$2.00/hour pay for trainers

Shift differential (new section) adds verbiage to pay \$0.25/hr if start of work day is noon or later, and \$0.50/hr if start of day is after 6:00pm.

6.14 Call-In (new section)

6.15 On Call Duty (new section)

7.1 Vacation changed accrual schedule based on Council's modification that became effective several months ago; also changed maximum vacation carryover from 80 to 120 hours. This was done to encourage employees to use their vacation at a time convenient for them and the Village, as well as to not penalize employees by taking away accrued vacation if they have made reasonable attempts to utilize vacation but were not able to use it due to work load.

7.2 Personal Leave – added pro-rated language for new employees

7.3 Sick Leave – added new sub-section for Donated Sick Leave

7.4 Funeral Leave – removed "...to be charged to sick leave, or vacation, or personal leave is no sick leave is available."

7.6 Military Leave – changed to allow any type of accrued leave to be used after 176 hours. Removed the non entitlement language related to health insurance benefits.

8.7 Drug Free Workplace – added medical marijuana policy

8.11 Remote Work Policy (new section)

10.4 Employee Resignation or Retirement – increased vacation payout up to 120 hrs; removed personal leave payout; added 1/4 payout of sick leave.

ATTACHMENTS

Employee Handbook updated July 8th, 2021

VILLAGE OF JOHNSTOWN



RESOLUTION 2021-29

A RESOLUTION TO ADOPT A POLICE DEPARTMENT AGREEMENT MANUAL

WHEREAS, Johnstown Village Council has the authority to adopt personnel rules and regulations concerning personnel matters specific to a certain department, and

WHEREAS, the Village Council has determined that it is desirable and in the public interest to adopt an employee agreement specific to the Police Department to address employment and personnel matters to Village Police employees, and

WHEREAS, where the Johnstown Police Department Agreement Manual conflicts with the Johnstown Employee Handbook, the Agreement Manual will prevail for JPD employees.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Johnstown, Licking County, Ohio as follows:

Section One: Johnstown Village Council hereby adopts the Johnstown Police Department Employee Agreement, dated July 15, 2021, a copy of which is attached hereto and incorporated by reference herein.

Section Two: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter of the VILLAGE OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: July 20, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



Johnstown Police Department Agreement Manual



This initial Agreement, hereinafter known as Policies are not to be in conjunction with the Department's Policies and Procedures. The word, "Policies", or "Policy" is to be used in lieu of wording "Agreement," or "Contract." These policies are to be mutually agreed upon by the Municipality of Johnstown, hereinafter referred to as, "Employer," or "City," and the staff of the Johnstown Division of Police, hereinafter referred to as, "Employee(s)," or "Johnstown Police Department Employee Relations Committee." This agreement should mutually be reviewed once every three years to ensure that the City and its employees are mutually receiving the best outcome(s).

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Policy I

INTERNAL INVESTIGATIONS

Policy I. I. Scope. All internal investigations will be conducted in accordance with this Policy and written policy established by the Employer not in conflict with this Policy.

Policy I. II. Procedures.

- A. Reasonably in advance of an investigation interview, but not less than twenty-four (24) hours in advance, written notification stating the allegations made against an employee will be given to the employee. The employee will be provided a copy of any written allegations lodged against him or her. In addition, the employee will be notified at that time whether the investigation is criminal or disciplinary in nature.
- B. Investigation interviews shall be scheduled so that the employee has a reasonable opportunity, not less than twenty-four (24) hours, to obtain a representative who shall be permitted, at the request of the employee, to be present during the investigation interview
- C. When, in the course of a supervisor's duties, he or she witnesses an act for which it would be reasonable to believe that disciplinary or criminal charges may result, the supervisor may conduct questioning regarding the act within that shift but the employee will be allowed to wait at least one (1) hour for the arrival of a representative. The employee shall be informed of the employee's rights under this Policy.
- D. When anonymous allegations are made against an employee and no corroborative evidence is obtained after an inquiry or investigation, the allegations shall be classified as unfounded. The employee shall be informed of the allegations and the outcome of the inquiry or investigation.
- E. All investigation interviews may be recorded at the request of either party. Notification of the recording shall be made to the other party. The affected employee shall receive a copy of any recordings produced from the employee's investigation interview. The party having a recording must furnish a copy to other the party at least twenty-four (24) hours prior to the hearing, if the party intends to use the recording at the hearing.
- F. No employee under investigation or called as a witness shall be charged with insubordination for failing to answer questions at an investigation interview unless the employee is first advised that such failure may be the basis for such charge.
- G. Until conclusion of the investigation, notification as to its status shall be provided to the employee within thirty (30) calendar days and every thirty

(30) calendar days thereafter until a disposition is made as to the complaint prompting the investigation.

- H. Polygraph examinations and psychological stress evaluations may be administered to an employee as part of an investigation by order of the Chief. An employee may be given such an examination or evaluation only if he or she is the focus of an investigation, suspected or admitted witness to an incident, or at the employee's written request. Prior to giving an employee such an examination or evaluation, the complainant shall be given such an examination or evaluation. If the complainant fails the examination or evaluation, the employee will not be required to take such a polygraph examination or evaluation. Such examinations or evaluations shall be limited to the specific incident(s) of the investigation and shall not be used to determine misconduct outside the scope of the investigation.
- I. The requirements of this Policy shall apply to employees interviewed as witnesses in internal investigations.
- J. All interviews will be:
 - 1. on paid time at appropriate rate of pay;
 - 2. held at a City-owned, leased, contracted or controlled facility or other location mutually agreed to; and
 - 3. held at a time during or contiguous to the employee's work shift.

Policy II

MANAGEMENT RIGHTS

Policy II. I. Management Rights. To the extent provided by law, the Employer retains the exclusive right and authority to administer the business of the Employer in addition to other functions and responsibilities which are required by law, and the full right and responsibility to direct the operations of the Department, to promulgate rules and regulations and to otherwise exercise the prerogatives of management, which more particularly include, but are not limited to, the following:

- A. Determine matters of inherent managerial policy which include, but are not limited to, areas of discretion or policy such as the functions and programs of the Employer, standards of service, its over-all budget, utilization of technology, and organizational structure;
- B. Direct, supervise, evaluate and hire employees;
- C. Maintain and improve the efficiency and effectiveness of governmental operations;

- D. Determine the overall methods, process, means, or personnel by which government operations are to be conducted;
- E. Suspend, discipline, demote, or discharge for just cause; or layoff, transfer, assign, schedule, promote, or retain employees;
- F. Determine the adequacy of the work force;
- G. Determine the overall mission of the Employer as a unit of government;
- H. Effectively manage the work force; and
- I. Take action to carry out the mission of the public employer as a government unit.

Policy II. II. Understanding. The employees of the organization recognize and accept that all rights and responsibilities of the Employer not otherwise restricted or modified by any provision of the Policies, and as permitted by law, shall remain the exclusive function of the Employer, and that nothing herein shall be construed to restrict the Employer's inherent and exclusive rights with respect to matters of general managerial policy.

Policy III

PROBATIONARY PERIODS

Policy III. I. Initial Probationary Period. Every newly hired employee will be required to successfully complete a probationary period. The probationary period shall begin on the first day for which the employee receives compensation from the Employer, provided that the employee has received a certificate of satisfactory completion of the basic Peace Officers' Training Course prior to employment and has furnished the certificate to the Employer. The probationary period will begin after the employee has furnished the Employer with a certificate of satisfactory completion of the basic Peace Officers' Training Course from the Executive Director of the Ohio Peace Officer Training Council, if such training has not been completed prior to employment. The probationary period shall continue for a period of three-hundred and sixty-five (365) days. A probationary employee may be terminated at any time during their probationary period. The Employer may extend the employee's probation up to an additional six (6) months to allow the employee to address work deficiencies identified by the Employer.

Policy III. II. Probationary Period Vacation Use. Employees that are on probation are not permitted to use vacation time during the probation period. Employees assigned to any field training program (FTO) are not permitted to utilize vacation time.

Policy III. III. Probationary Period Personal Time Usage. Employees are permitted to use accrued personal time during their probation period. Employees

assigned to any field training program (FTO) are not permitted to utilize personal time off.

Policy III. VI. Probationary Period Compensatory Time. Employees are not permitted to accrue compensatory time while on probation, or while in any field training program (FTO).

Policy III. V. Promotional Probationary Period. A newly promoted employee will be required to successfully complete a probationary period. The probationary period for a newly promoted employee shall begin on the effective date of the promotion and shall continue for a period of three-hundred and sixty-five (365) days. A newly promoted employee may be returned to his or her former position any time during his or her probationary period.

The Employer may extend the employee's probation up to an additional six (6) months to allow the employee to address work deficiencies identified by the Employer.

Policy III. VI. Appointment. No person shall be appointed as a Police Officer prior to receiving certificate of satisfactory completion of the basic Peace Officers' Training Course from the Executive Director of the Ohio Peace Officer Training Council.

Policy IV

DISCIPLINE AND RECORDS

Policy IV. I. Just Cause. No employee shall be reprimanded, suspended, reduced in pay or rank, or removed except for just cause.

Policy IV. II. Progressive Discipline. Except in instances of serious misconduct, discipline will be applied in a progressive and uniform manner. Normally, progressive discipline will be used for the same or similar offenses. However, if an employee has three (3) or more documented disciplinary incidents, the Employer may take into account the nature of the violation, the employee's record of discipline, and the employee's record of performance and conduct, without being required to take into consideration whether the incident in question is the same or similar to the other documented disciplinary incidents. The progression will at least include an oral reprimand, a written reprimand, and suspension or reduction in pay for the same or related offenses prior to reduction in rank or removal.

The Employer shall have the right, at its option, to offer an employee the right to forfeit accumulated vacation leave or compensatory time in lieu of a suspension without pay. If this option is offered by the Employer and accepted by the employee, the forfeiture shall be equivalent to a suspension for progressive disciplinary purposes.

Policy IV. III. Pre-Disciplinary Hearing. Whenever the Employer determines that an employee may be suspended, reduced in pay or rank, or removed for disciplinary

reasons, the Employer shall notify the employee in writing of the charges against the employee, the nature of the discipline being contemplated and generally the explanation of the Employer's evidence supporting the allegations and provide the employee with the opportunity for a pre-disciplinary hearing. The City Manager may designate a hearing officer to conduct a pre-disciplinary hearing. The employee shall be notified of the date and time of the hearing at least forty-eight (48) hours in advance. An employee who is charged, his or her attorney, may make a request for a continuance. The request shall not be unreasonably denied.

The employee shall have an opportunity to respond orally or in writing to the charges at the hearing and may be accompanied by an attorney during such response. The employee's representative shall have the right to call witnesses and cross-examine witnesses.

Prior to the disposition of the pre-disciplinary hearing, the employee may be placed on administrative leave with pay. The decision whether to place an employee on administrative leave shall be made solely by the Employer.

Policy IV. IV. Hearing Attendance. The employee who is the subject of the discipline shall not receive compensation if the hearing is held during non-work hours.

Policy IV. V. Disciplinary Decision. The City Manager shall make any decision to suspend an employee for more than three (3) days, reduce an employee's pay or rank or remove an employee. The City Manager may delegate to the Chief of Police the authority to impose lesser discipline.

An employee may appeal a disciplinary decision directly to the City's Council. Such appeal must be made, within fourteen (14) calendar days of the employee's receipt of the disciplinary decision of the City Manager or the Chief. In order to invoke the arbitration process, the appeal must be delivered by hand or received by the City Manager within fourteen (14) calendar day period.

Policy IV. VI. Disciplinary Records. Progressive disciplinary records shall be maintained as follows:

- A. Oral reprimands may be retained for no more than twelve (12) months after the date of issuance. The record of an oral reprimand shall have no further force and effect and shall be removed from the file upon the written request of the employee.
- B. Written reprimands may be retained for no more than twenty-four (24) months after the date of issuance, provided that no intervening discipline of the same or similar nature occurs within this twenty-four (24) month period, and the record of a written reprimand shall have no further force and effect and be removed from the file upon the written request of the employee.

- C. Suspensions and reductions in pay may be retained for no more than four (4) years after date of issuance provided that no intervening discipline of the same or similar nature occurs within this four (4) year period, and the record of a suspension or reduction in pay shall be removed from the file upon written request of the employee. When removed from the file, it shall have no further force and effect. The Chief of Police shall have the discretion to retain records of suspensions or reductions in pay in the employee's file beyond the stated time limits for no more than an additional two (2) years if the Chief of Police deems it appropriate due to the serious nature of the incident.
- D. Records of reduction in rank and removals shall be subject to permanent retention.
- E. Any discipline which is disaffirmed by the City's Council, through arbitration, shall be removed from an employee's file and shall have no further force and effect, except that if a reduced level of discipline is ordered by the City's Council, through arbitration, the discipline ordered by the City's Council shall be retained in accordance with the term of this Section.

Policy IV. VII. Counseling. The Department may use an incident review memorandum (IRM) to document counseling sessions. As such, the IRM is not part of the disciplinary progression and is not a progressive disciplinary record nor a documented disciplinary incident. An IRM shall be removed from the file, upon the request of the employee upon expiration of a twelve (12) month period.

Policy IV. IIX. Access to Files. Every employee shall be allowed to review and copy any of his or her personnel file at any reasonable time upon written request to the Chief. An employee may also authorize his or her attorney to review his or her personnel file.

An employee shall be permitted to review an internal affairs investigation file. However, no document in an internal affairs file which is not available for inspection pursuant to Ohio Revised Code Section 149.43 shall be made available to the employee.

Policy IV. IX. Challenge. Should an employee have reason to believe there are improper or inappropriate documents in his or her personnel file, the employee may notify the Chief, in writing, of the alleged improper or inappropriate information. If the City does not remove the alleged improper or inaccurate documents from the employee's personnel file, the employee shall have the right to submit a written statement detailing his or her objections to the materials in question, which statement shall be placed in the employee's personnel file.

Policy IV. X. Performance Evaluations. An employee's signature on any performance evaluation shall be viewed only as a representation that the employee has read it and shall not be viewed as a representation that the employee concurs in any or all of the contents or comments therein. The employee shall, receive a copy of his or her evaluation in its final form and nothing shall be added thereafter. The employee shall be

afforded the opportunity to make remarks relevant to the evaluation on the form. The employee may receive up to two (2) evaluations each calendar year.

Policy IV. XI. Employee's Signature. No document which does not include as a part of its normal distribution a copy to the employee, or which does not originate with the employee, shall be placed in the employee's personnel file until the employee is afforded an opportunity to sign the document and be provided with a copy. Anonymous material shall never be placed in the employee's personnel file except for anonymous allegations which, after investigation, are substantiated and result in discipline.

Policy V

LAYOFFS/JOB ABOLISHMENT

Policy V. I. Layoffs/Job Abolishment. When the Employer determines that a layoff or job abolishment is necessary, the Employer shall notify the affected employee(s) fifteen (15) days in advance of the layoff or job abolishment. The Employer shall determine in which rank(s) layoff(s) will occur. Employee(s) will be laid off in an affected rank by reverse seniority beginning with the least senior employee in the rank. An employee may displace the least senior employee in a lower rank not affected by the layoff. The Employer agrees to discuss with the employee the impact of a layoff or job abolishment on employee prior to the Employer's notification to the affected employee(s).

Policy V. II. Recall. When employee(s) are laid off, the Employer shall create a recall list. The Employer shall recall employee(s) from layoff as needed. The recall shall be according to seniority beginning with the most senior employee and progressing to the least senior employee. An employee shall be eligible for recall for a period of one (1) year after the effective date of the layoff, which period shall be extended to two (2) years, if the laid off employee retains his or her OPOTA certification.

Notice of recall from a layoff shall be sent to the employee by certified mail, and a copy shall be placed in the employee's personnel file. The mailing shall be to the last mailing address provided by the employee. Employee(s) have an obligation to keep the Employer advised of their current mailing address.

The recalled employee shall have fourteen (14) calendar days following the receipt of the recall notice to notify the Employer of his or her intention to return to work and shall have fourteen (14) calendar days following the receipt of the recall notice in which to report to duty unless a different date is otherwise specified.

An employee who is recalled shall be reinstated at a current rate of pay to match the length of time the employee was absent, and all seniority, wages and benefits will be reinstated as if the employee was in paid status while laid off.

Policy VI

ASSIGNMENTS AND SENIORITY

Policy VI. I. Filling of Patrol Assignments. All patrol shift assignments (including non-rotating consecutive days off) shall be posted annually between November 1 and November 15 for the following calendar year. Employee(s) may submit their requests for shifts based on seniority during this period. An employee who does not make his or her shift selection within thirty-six (36) hours of written notification (electronic or otherwise) of his or her turn to select shall forfeit their right to select by seniority. Once an employee has completed his or her initial probationary period, he or she shall be eligible to participate in the annual bidding for patrol assignments. Patrol shift assignments shall be made based on seniority with the employee having the highest seniority being given the first choice of a patrol shift assignment. Seniority will be determined in accordance with the provisions of VI.II through IV.VI of this policy.

Should any patrol shift assignment vacancy occur during the year and prior to October 1, there shall be one interim bidding process for that opening resulting in one (1) schedule change for one (1) officer. The vacancy shall be posted for seven (7) calendar days. The most senior employee responding to the posting shall be given the assignment. Subsequent vacancies occurring from the initial interim bid shall be filled, at the discretion of the Chief, by assigning the least senior employee. Prior approved leave and training conflicts impacted by the interim bid shall be decided in favor of the employees that did not change schedules.

The patrol shift assignment for an employee assigned as a Canine (K-9) Officer shall be made at the discretion of the Chief; however, such shift assignment shall have regular scheduled work hours on scheduled workdays, but such work hours can be changed for K-9 related duties.

Policy VI. II. Definitions. Seniority shall be computed based on total continuous service as a sworn employee with the City's Division of Police. Total continuous service is determined by dividing the total number of non-overtime, non-suspension, and vacation used in-lieu of suspension hours worked by 2080 to determine the number of years of service.

The following situations shall not constitute a break in continuous service:

- A. Absence while on approved leave of absence;
- B. Absence while on approved sick leave or disability leave;
- C. Military leave;
- D. A layoff of one year or less;
- E. A resignation lasting less than one year. However, no seniority will accrue during the period between resignation and reinstatement.

- F. The following situations constitute breaks in continuous service for which seniority is lost:
- G. Discharge for just cause;
- H. Retirement;
- I. Layoff for more than one year;
- J. Failure to return to work within fourteen calendar days of a recall from layoff absent extenuating circumstances such as illness, injury, or disability;
- K. Failure to return to work at the expiration of leave of absence; and
- L. Resignations.

Policy VI. III. Application. Seniority as defined in Policy IV. II of this Policy shall apply wherever the term "seniority" is used in this Policy and, except as provided in Policy IV. II of this Policy, seniority shall apply when all other factors considered by the Chief of Police are relatively equal.

Policy IV. IV. Contrast. Seniority applies only where that specific term is used and shall not be confused with "years of service" used to calculate vacation entitlement, sick leave conversion entitlement, etc.

Policy IV. V. Adjustment. Seniority shall be adjusted for all time on disciplinary suspension, which time shall be deducted from the employee's seniority.

Policy IV. VI. Sergeants. Seniority for Sergeants shall be total service in the rank of Sergeant, for the purpose of Filling of Patrol Assignments selection as set forth in Policy IV. I of this Policy.

Policy VII

WORK RULES

Policy VII. I. Communication of Work Rules. The Employer shall provide all employees with an electronic copy which will contain all existing work rules, policies, and regulations. If necessary, this electronic copy shall be updated on an annual basis. Changes to existing work rules, policies and regulations shall be posted at least seventy-two (72) hours (except where impracticable) prior to implementation. This posting shall be initialed by all employees.

The Employer shall also provide each employee with a copy of any changes to existing work rules, policies, and regulations prior to implementation. This copy may be provided in writing or by electronic form.

Policy VII. II. Uniform Application. The Employer agrees that all work rules shall be applied uniformly under similar circumstances within the group or groups of employees to whom such rules are directed. Any charge that a work rule has not been applied uniformly may be the subject of a complaint.

Policy VII. III. No Limitation. Nothing contained in this Policy shall be construed in any manner as a limitation on the Employer's rights to alter its work rules, policies, or regulations.

Policy VIII

PROMOTIONS

Policy VIII. I. Order of Promotions. Promotions shall occur in the following order: Patrol Officer to Sergeant. All promotions for the rank of Sergeant shall be made from Patrol Officers eligible for promotional consideration.

Policy VIII. II. Notice and Eligibility. Whenever the Employer determines that a permanent vacancy exists for the rank of Sergeant, a notice of such vacancy shall be posted on the employees' bulletin board for fourteen (14) calendar days. During the posting period any eligible employee wishing to apply shall do so by submitting a written acknowledgment to the Chief. The Employer shall not be obligated to consider, however may, any applications submitted after the posting period. Applicants who do not meet the minimum seniority or service qualifications for the job at the time the posting period is closed shall not be considered.

To be eligible for promotional consideration, applicants in the following ranks must have at least the following seniority in order to participate in the promotional examination process set forth in Policy VIII. III of this Agreement:

The rank of Deputy Chief of Police will require an undergraduate degree.

RANK OF APPLICANT	RANK OF PROMOTION	NECESSARY SENIORITY
Patrol Officer	Sergeant	3-years of experience as patrol officer.

Policy VIII. III. Examination. All promotional vacancies for the ranks of Sergeant shall be filled from eligibility lists established by job-related, objective, and valid promotional examinations. Promotional examinations shall consist of two parts: written or skilled examination phase and a workshop phase, consisting of a work sample component and an Oral Board. The written or skilled examination phase shall be prepared and/or administered by the Employer. Only those applicants receiving a

passing score on the examination shall be eligible for promotional consideration. The passing score on the examination shall be determined by the Chief of Police prior to the examination.

Policy VIII. IV. Oral Board. The Employer shall select the oral board which shall be composed of four (4) sworn and non-sworn employees from this agency, and outside agency, or the community, of whom, no more than one (1) may be an employee of the Johnstown Police Department.

If applicants from outside the Department are considered for the rank of Deputy Chief, no oral board employee may be from the applicant's Department. All oral board employees must be of comparable or greater rank to the rank of the promotional vacancy.

Policy VIII. V. Work Sample. The Employer shall prepare the work sample component which shall be administered by the oral board.

Policy VIII. VI. Scoring. Each applicant shall receive a final score for placement on eligibility lists, which score shall be based on:

- A. The written or skilled examination phase, which phase shall constitute fifty percent (50%) of the final score; and
- B. Workshop phase, which phase shall constitute fifty percent (50%) of the final score;

An applicant shall be shown his or her scores upon written request.

Policy VIII. VII. Rule of Three. For the rank of Sergeant, the Employer shall have the right to promote any of the three (3) applicants with the highest final score on the eligibility list. The Chief of Police or his or her designee shall choose from the top three (3) applicants.

Policy VIII. VIII. Promotion to Deputy Chief. The City commits to the philosophy of promotion from within the Department. Therefore, the City will make a reasonable attempt to consider an internal candidate for Deputy Chief. The City shall ordinarily fill a vacancy in the rank of Deputy Chief of Police through promotional competitive examination and may be amended given such an amendment is not in conflict with the provisions of these Policies.

Policy IX

COMPENSATION/HOURS OF WORK

Policy IX. I. Full-Time Hours. The rates of pay set forth are based on full-time employment of thirty-nine (39) hours in a workweek, seventy-eight (78) hours in a bi-weekly pay period and two thousand twenty-eight (2028) hours annually.

Policy IX. II. Shifts. The Johnstown Police Department recognizes the following shift classifications:

- A. First (1st): 06:00 – 14:00;
- B. Second (2nd): 14:00 – 22:00; and
- C. Third (3rd): 22:00 – 06:00.

Specialized classifications may be assigned a shift based on operational needs. Such shifts may be created by the Chief of Police.

Policy IX. III. Overtime. All hours worked in excess of eighty (80) hours bi-weekly work week shall be compensated at the rate of one and one-half (1½) times the employee's regular hourly rate of pay. Regular hourly rate of pay includes straight time, shift differential, and longevity (those who are grandfathered).

Only straight time will be considered as hours worked for computing overtime.

Hours worked on a holiday shall be compensated at one and one-half (1½) the employee's rate of pay for the first eight (8) hours worked, and at two and one-half (2½) for each hour thereafter. No other hours which are paid at time and one half (1½) shall be counted in computing eligibility for overtime, except as provided in this Policy.

No hours worked for an employer other than the City of Johnstown shall be counted in computing eligibility for overtime. At no time shall any of the hours described in this section be pyramided for computing overtime.

Policy IX. IV. Court Appearance Pay. An employee will be paid for any required court appearances which occur during an employee's off-duty hours. An employee who is required to appear in Court when otherwise off-duty or on approved leave shall, if possible, call the Court to determine if the employee's attendance is necessary. If, as a result of the call, the employee is required to attend Court, the employee shall be compensated as provided in this section, provided an employee only has one scheduled court appearance or has multiple court appearances more than three (3) hours apart, when any one court appearance is completed, the employee shall be released from duty.

For court appearances, employees will be paid a minimum of three (3) hours at one-and-one-half (1½) times the employee's regular rate of pay for any court appearances that occur within three (3) hours of each other.

Policy IX. V. Call-in Pay. When an employee is ordered to report to work at a time which is not contiguous to his or her regularly scheduled shift, the employee shall be paid a minimum of two (2) hours at one and one-half (1 ½) times the employee's regular rate of pay.

Policy IX. VI. Training Pay. When training is scheduled by the Division for any employee(s) and scheduled at the Johnstown Police or other facility within the County,

the employee(s) shall receive a minimum of two (2) hours pay when the training is not scheduled during the employee's regular work hours or contiguous to. Any employee regularly working third shift who is required to attend the training shall receive a minimum of three (3) hours of pay when the training is not scheduled during the employee's regular work hours or contiguous to.

Policy IX. VII. Shift Differential. Shift differential shall be paid at the rate of \$1.00 per hour. Shift differential shall apply to any hours worked outside first-shift hours, except that where an employee is placed in overtime status during first-shift hours, shift differential shall apply. Shift differential shall be contiguous to employees on third (3rd) shift.

Shift differential shall only be paid for hours accurately worked and for court appearance pay during the hours specified above but shall not be paid for use of leave such as sick leave, vacation leave, personal leave, or bereavement leave.

Policy IX. VIII. Longevity Pay. All employees shall be entitled to longevity pay upon completion of five (5) years of full-time service. Effective April 2nd, 2021, longevity pay will be five-hundred and fifty dollars (\$550). An additional fifty dollars (\$50) shall be paid for each year of full-time service in excess of five (5) years up to twenty (20) years of full-time service. An additional seventy-five dollars (\$75) shall be paid for each year of full-time service in excess of twenty (20) years up to thirty (30) years of full-time service. Once an employee reaches thirty (30) years of service, they have reached the maximum, and shall continue to receive the sum of the thirty (30) year total thereafter. Employees who are employed prior to December 31st, 2000, may submit in writing their intent to be grandfathered. Such reasonable request shall be granted by the Employer.

Payment shall be made on an annual basis on the employee's anniversary date, payable after the employee's fifth (5th) service anniversary and each service anniversary thereafter.

Policy IX. IX. Compensatory Time. In lieu of overtime pay as provided above, the Employer may grant an employee compensatory time, at the employee's request.

Compensatory time shall accrue at the rate of one and one-half (1½) hours of compensatory time off for each hour of overtime worked.

The maximum amount of compensatory time an employee may accrue at any one time during a payroll year is forty (40) hours. Any overtime worked which would increase the employee's accumulated compensatory time above this maximum bank shall be paid at the appropriate overtime rate. Compensatory time may not be carried forward from one payroll year to the next. Any compensatory time which an employee has accumulated as of the end of any payroll year shall be paid to the employee at the appropriate rate of pay in effect at end of the payroll year. This payment shall be paid with the wages earned during the first pay of December of that calendar year. Unless otherwise approved by the Chief of Police.

Compensatory time off shall be granted, upon an employee's request, where the use of compensatory time does not unduly disrupt the Department's operations. The employee must submit a written request on a standardized form and receive approval from the Employer prior to taking compensatory time off.

Upon separation from employment, an employee shall be paid for their accrued but unused compensatory time at his or her current regular hourly rate.

Policy IX. X. Shift Trades. Employees may trade shifts pursuant to the Employer's established policy; however, both ends of the trade must take place during the same work week period so long as the trade does not result in overtime pay to either or both employees.

Policy IX. XI. FTO Pay Supplement. Any employee(s), other than the Chief, the Deputy Chief, or a Sergeant who is assigned as a Field Training Officer (FTO) shall receive an additional two (2) dollars (\$2.00) per hour when assigned as a FTO.

Policy IX. XII. Salaries and Step Increases. The City does not practice increase based on merit. Employees and the City shall come to an agreed-upon rate once every three years.

Employees that are not topped out shall receive an annual increase at the close of the fiscal year. Employees who have not topped out shall receive an increase in wages on their anniversary and the annual increase at the close of the financial year. Employees with prior full-time experience in a similar municipal setting may start at a higher step. This step is at the discretion of the Human Resource Director and shall be mutually agreed upon by the Chief of Police.

For the term of this agreement (2021 – 2023), the employees of the Johnstown Police Department shall receive a ten percent (10%) increase in the prescribed manner:

2021: Comparable adjustment **2022:** 5% **2023:** 5%

Policy IX. XIII. Wage Rates. Patrol Officers, Detectives, and Sergeants, shall be paid in accordance with the following rates:

Steps increases are implemented on an employee's anniversary date starting in the year of 2022, and thereafter.

Johnstown Police Department Wage Structure 2022 @ 5%

Rank:	Step#1	Step#2	Step#3	Step#4	Step#5	Step#6
Officer	\$21.49	\$23.64	\$27.19	\$29.09	\$30.25	\$31.46
Detective						
Sergeant	DNA	DNA	DNA	DNA	DNA	\$35.30

Johnstown Police Department Wage Structure 2023 @ 5%

Rank:	Step#1	Step#2	Step#3	Step#4	Step#5	Step#6
Officer	\$22.56	\$24.82	\$28.55	\$30.55	\$31.76	\$33.04
Detective						
Sergeant	DNA	DNA	DNA	DNA	DNA	\$37.36

Policy X

UNIFORMS AND EQUIPMENT

Policy X. I. Uniformed Assignments. The Employer shall provide all new employee with all equipment and clothing (initial issue) which is required by the Employer for uniformed assignments. Detectives shall be provided with a clothing and on-call allowance of \$2,000 on a semi-annual basis. During the first pay period of the year and the first pay period in the month of July, detectives will receive a uniform maintenance allowance equal to one-half ($\frac{1}{2}$) of the annual uniform on-call allowance allocated for the detective during that year; provided that upon initial appointment as a detective, the employee shall receive the total prorated yearly allowance immediately to enable him or her to adequately secure necessary clothing for the position. Such a distribution will be determined by multiplying the remaining days left in the fiscal year by the amount of ten dollars and ninety-sixty cents (\$10.95) per a day.

The clothing and on-call allowance shall be \$4,000 per year.

After the initial issue, employee(s) in uniformed assignments shall receive an annual uniform and equipment replacement allowance credit in the amount of \$950.00. Dispatchers shall receive an annual uniform and equipment replacement allowance credit in the amount of \$250.00. Such credit shall be placed with a vendor(s) selected by the Employer effective January 1st of each year. Replacement of ballistic resistant vests, or the addition of new uniform items and/or equipment, shall not be counted against the credit established in this section.

An employee must complete their new-hire probationary period to eligible for Policy X. I; provided that upon initial successful completion of probation, the employee shall receive the total prorated yearly allowance immediately to enable him or her to adequately secure necessary clothing for the position. Such a distribution will be determined by multiplying the remaining days left in the fiscal year by the amount of two dollars and sixty cents (\$2.60) per a day.

Policy X. II. Detective Termination of Employment. Detectives who terminate employment during the year, shall have their semi-annual uniform maintenance allowance pro-rated at one-eighth ($\frac{1}{8}$) of the entitled amount.

Detectives terminating service shall provide receipts for the expenditures of authorized uniforms and/or equipment made during the previous allotment. All unaccounted funds shall be deducted from the detective's final pay.

Policy X. III. Repair/Replacement. The employee shall repair or replace all required equipment items required by the Employer which are excessively worn or rendered inoperable not due to negligence on the part of the employee.

An employee, at their cost is responsible for the repair or replacement of excessively worn, lost, damaged, or inoperable equipment which is due to negligence on the part of the employee.

Policy X. IV. Return/Reimbursement. An employee must return all uniforms and equipment issued by the Employer or when he or she terminates his or her employment, except that an employee who voluntarily resigns his or her employment within one (1) year of initial hire shall not return his or her initial issue pants, shirts (not including patches), body armor, and shoes, but shall reimburse the Employer for the cost of these items. An employee shall not receive his or her final paycheck until such time as all uniforms and equipment issued to the employee have been returned or reimbursement made.

Policy X. V. Initial Issue. The Employer shall provide employee with a list of all items constituting initial issue. The list shall be kept current.

Policy X. VI. Department Patches. Department patches are the sole property of the City of Johnstown and employee and are to be returned to the City of Johnstown upon termination, or voluntarily resignation.

Policy X. VII. Body Armor. Body armor will be supplied to the employee during initial issuance. As needed, but not less than once every five (5) years, an employee, upon request, shall be entitled to new body armor.

Policy X. VIII. New Items. If the Employer changes any items constituting initial issue and requires a current employee(s) to wear or use the new items, the Employer shall furnish the newly required item(s) to the employee(s) required to wear or use such items. Such items may be required to be taken out of the employee's allowance. Should this occur, the Employer must make notification by the 31st day of January of every year. The Chief of Police has the sole discretion to determine the specifications of uniforms and equipment.

Policy XI

TUITION REIMBURSEMENT

Policy XI. I. Training Program Evaluation. The City shall periodically examine current and proposed training programs in order to ensure the program's relevance to both the individual employee and the Organization's training needs.

Policy XI. II. On-the-Job Training (OJT). On-the-job training prepares an employee to effectively perform the responsibilities required of his or her position. It allows the employee to learn his or her job duties, correct procedures and expected performance levels, under the immediate direction of an experienced worker or supervisor. The conduct of such training is the responsibility of supervisors under the direction of the Chief of Police, or their designee.

Policy XI. III. Job-Related Training Programs. Employee(s) may be required to attend job-related training programs, courses, workshops, classes, seminars, etc. If such training is required and approved by the Chief of Police, or their designee. All expense incurred shall be paid by the City.

Policy XI. IV. Seminars and Training Programs. The City Manager, or designee, may grant leave with pay for an employee to attend seminars and training courses to further an employee's abilities to perform his or her duties. Applications for such training leave shall be made through the Chief of Police to the City Manager.

Policy XII

HOLIDAYS/PERSONAL DAYS/VACATION

Policy XII. I. Holidays. The following shall be considered legal holidays for employees of the City of Johnstown:

1. New Year's Day, January 1st
2. Presidents Day, third Monday in February
3. Memorial Day, last Monday in May
4. Juneteenth, June 19th
5. Independence Day, July 4th
6. Labor Day, first Monday in September
7. Columbus Day, second Monday in October
8. Veterans Day, November 11th
9. Thanksgiving Day, fourth Thursday in November
10. Day after Thanksgiving Day, fourth Friday in November
11. Christmas Eve Day, December 24th
12. Christmas Day, December 25th

Policy XII. II. Holiday Pay. For each holiday listed above, an employee who works their regularly assigned shift on the holiday shall receive holiday pay at the rate of time and one half (1 ½) the employee's regular time hourly rate for regular shift hours and at the rate of two and one-half (2 ½) times the employee's regular hourly rate for overtime hours. Holiday pay will be included in the paycheck covering the payroll period in which the holiday occurred.

Policy XII. III. Holiday Depository. For each holiday listed in Policy XII. I, an employee shall receive eight (8) hours of holiday pay that accumulates in a depository.

The Employer may require that an employee in an assignment, who is regularly scheduled to work the holiday, take the holiday off using holiday pay. An employee may utilize the specific holiday worked as time off pay in lieu of vacation or compensatory time.

Should an employee not utilize all paid holidays as paid time off, she/he shall be paid for all such unused leave, at the employee's hourly rate on the day of such holiday. This

payment shall be paid with the wages earned during the first pay of December of that calendar year.

Policy XII. III. Holiday Pay on time off. For each holiday listed in Policy XI. I, an employee shall receive eight (8) hours of holiday pay, as such holiday occurs.

Policy XII. III. Vacation. Employees may carry over up to 120 hours of vacation. An employee will be responsible for making reasonable attempts to use accrued hours. After failed reasonable attempts have been made, the City shall payout any hours beyond 120 hours. This payment will be made as a “lump-sum” and shall coincide with the first pay of January.

Policy XIII

SICK LEAVE

Policy XIII. I. Sick Leave Accrual. Each employee will receive four and six tenths (4.6) hours of sick leave per bi-weekly pay period. There will be a maximum accumulation on sick leave of nine-hundred and sixty (960) hours. Sick leave shall be taken in increments of at least one (1) hour.

Policy XIII. II. Use. An employee may request sick leave for absences resulting from:

- A. Illness or injury of the employee;
- B. Exposure of the employee to a contagious disease which would have the potential of jeopardizing the health of other City employees or of the public;
- C. Necessary medical, dental, psychological, or optical examination by a licensed practitioner, when such examination cannot be scheduled during non-work hours;
- D. Inability to work due to pregnancy, childbirth and related medical conditions;
- E. Illness, injury, or pregnancy-related conditions of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family employee. For purposes of this paragraph, "immediate family" shall include the spouse, dependent children and parents. For purposes of this paragraph, upon request, an employee shall be granted ten (10) days of sick leave eighty (80) hours to care for a spouse who gives birth to a child; the granting of this leave does not require an employee to furnish proof under Policy XIII. III.

Policy XIII. III. Proof. The Employer maintains the right to investigate any employee's absence. Employee(s) may be required to furnish proof of illness as evidenced by a

physician's statement, or other satisfactory written statements of the employee as required by the Chief of Police or his or her designee.

A physician's statement may only be required under the following circumstances:

- A. If an employee is absent for more than three (3) consecutive days;
- B. If an employee is absent from work on more than four (4) occasions during a twelve-month period. Intermittent periods of sick leave for the same illness or injury, certified to by a physician, shall be counted as one occasion of absenteeism if they occur within a period of thirty (30) days.
- C. Where there is a reasonable suspicion of sick leave abuse.

Policy XIII. IV. Notification to Employer. Any employee requesting sick leave must notify the Employer in the manner prescribed by the Employer. The employee must give the reason for the sick leave request and location of convalescence, if different than the home address. If the employee is not at the location given, he or she shall provide a valid reason for his failure to be at the given location. Failure to provide the location, or absence from the stated location without a valid reason, may result in disciplinary action.

Policy XIII. V. Ineligibility. No employee will be eligible for sick leave if he or she performs work for another employer, subcontracted or otherwise, within twenty-four (24) hours after the end of a shift for which the employee reported off as sick.

Policy XIII. VI. Sick Leave Exclusion. Beginning with the seventh (7th) occurrence of sick leave, and each time thereafter an employee is granted sick leave under Policy XIII. II, in any calendar year, the first three (3) workdays of each leave shall be granted without pay, except;

- A. Where the use of sick leave is for bereavement purposes under Policy XIII of this of this Agreement; or
- B. Where the Chief of Police approves the employee's request to change the absence to other paid leave.

Use of sick leave for the same illness or injury, when certified by a physician and when such usage is approved by the Chief, shall be counted as one (1) absence for the purpose of this Policy if the use of sick leave occurs during a period of thirty (30) calendar days from the time the employee returns to work.

For good cause, the Chief of Police may waive any restrictions upon sick leave use contained in this Policy.

Policy XIII. VII. Payment Upon Death. Upon the death of an employee, all unused sick leave to his or her credit shall be paid in a lump sum to his surviving spouse, or,

secondarily, to his or her estate, hour for hour at the straight time rate of pay at the time of the employee's death.

Policy XIII. VIII. Retirement Pay Out. Employees who have worked for ten (10) or more consecutive years with the City of Johnstown shall, upon retirement from employment with the City, be compensated for one half (1/2) of their unused sick leave accrual. This payout calculation will result in no more than nine-hundred and sixty hundred (960) hours of total pay. The pay rate per hour shall be the employee's final hourly pay rate. "Retirement" shall mean service or disability retirement, pursuant to a State of Ohio retirement plan.

Policy XIII. IX. Annual Sick Leave Pay Out Option. Employees with accumulated sick leave in excess of nine-hundred and sixty (960) hours as of December 1st of each year, may be eligible for a sick leave pay out on the next payday immediately after December 1st of each year. The payout will be equal to one-half (1/2) of the employee's hourly rate times the number of accrued sick leave hours in excess to nine-hundred and sixty hundred (960) hours as of that December 1st. Those excess hours will then no longer be available to the employee for sick leave usage or other compensation.

Employees who use sixteen (16) or fewer hours of sick leave in a twelve (12) month running calendar (January – December), shall accrue sixteen (16) additional personal leave hours. To be eligible, an employee must have been employed for a full running calendar (January – December). The awardees will receive their additional sixteen (16) hours in January of each subsequent year.

Policy XIII. X Fitness for Duty. The Employer may require an employee to take an examination conducted by a licensed physician or psychologist to determine the physical or mental capacity to perform the duties of the employee's position. If found not qualified, the employee may be placed on sick leave, leave without pay, or family medical leave. The cost of any such examination shall be paid by the Employer. The licensed practitioner will send the results of the examination to the Employer and the employee.

Policy XIII. XI FMLA. Matters involving Federal Family Medical Leave Act (FMLA) shall follow the guidelines set forth by the official City of Johnstown Employee Handbook.

Policy XIV

BEREAVEMENT LEAVE

Policy XIV. I. Bereavement Leave. In the event of the death of an employee's mother, father, sister, brother, current spouse, child, current mother-in-law, current father-in-law, current stepchildren, current daughter-in-law, current son-in-law, current stepmother, current stepfather, current stepbrother, current stepsister, grandmother, grandfather, grandchildren, great grandmother, great grandfather, legal guardian or other person who stands in the place of a parent, or for whom the employee stands in loco parentis, the employee shall be granted three (3) working days off with regular pay

to utilize within twelve (12) days of the death to attend the funeral or to attend to any other necessary business. In the event of the death of an employee's step-grandfather, step-grandmother, grandmother-in-law, or grandfather-in-law the employee shall be granted off with regular pay for the day of the funeral. A maximum of five (5) additional days may be approved by the Chief of Police on a case-by-case basis. These additional days shall be deducted from sick leave unless the employee does not have sufficient accumulated sick leave, in which case the days shall be deducted from other accumulated leave.

Policy XIV. I. Bereavement Leave of a Pet. A maximum of three (3) days may be approved by the Chief of Police on a case-by-case basis. These additional days shall be deducted from sick leave unless the employee does not have sufficient accumulated sick leave, in which case the days may be deducted from other accumulated leave.

Policy XV

INJURY LEAVE

Policy XV. I. Injury Leave. All employees who are unable to perform their duties, due to injury or disease, directly attributable to their employment and while in the line of duty shall, without loss of sick leave, be allowed injury leave up to 1040 hours with regular rate of pay for each service connected injury. The authorization of the injury leave is a matter of administrative discretion, and the Employer will decide in each individual case if injury leave is to be granted. Injury leave may be extended up to another 1040 hours by the City's Council upon such terms as the Council, in its sole discretion, may establish. If the Employer denies a request for injury leave, the employee may file a grievance with the City's Council.

Policy XV. II. Physician Determination. Injury leave may be granted to an employee only for injuries determined by a licensed physician. The Employer retains the right to review medical records of the employee and further, the employee may be required to submit to a medical examination by a physician retained by the Employer for the purpose of establishing the validity of the claim for injury leave.

Policy XV. III. Coordination with Workers' Compensation. An employee must file and process a claim with the Ohio Bureau of Workers' Compensation in order to be eligible for injury leave. Injury leave with pay shall not be granted until an agreement is signed by the employee whereby the employee agrees to reimburse the Employer for any wage or salary benefits received by the employee from the Ohio Bureau of Workers' Compensation for the time period for which injury leave is awarded. If the Ohio Bureau of Workers' Compensation changes their policy and/or procedures for injury leave during the term of this agreement, the Employer and the employee shall agree to meet and discuss such changes and methods of payment.

Policy XV. IV. Application. Application for injury leave must be made in writing to the City Manager through the Chief, on a form prescribed by the Employer. In the event

the employee is unable to file the application, the employee's attorney may do so on the employee's behalf.

Policy XV. V. Workers' Compensation Denial. If the Ohio Bureau of Workers' Compensation denies the employee's application, the Employer may still grant injury leave to an employee if the Employer determines that the injury or disease was sustained or contracted directly attributable to the employee's employment and while in the line of duty.

Policy XV. VI. Safety Devices. If the employee is found to be in violation of any federal, state, or city law, or any of the City's work rules or regulation applicable to wearing or using proper safety devices provided by the Employer, the employee shall not be granted injury leave. The Employer agrees to process a valid claim by an employee for workers' compensation as a top priority item.

Policy XVI

MILITARY LEAVE/JURY DUTY

Policy XVI. I. Annual Leave. Any employee of the City of Johnstown who are employees of the Ohio National Guard, the Ohio Military Reserve, Ohio Naval Militia, or employees of other reserve components of the Armed Forces of the United States shall be granted leave of absence from their regularly assigned duties for such period as they are required by such military unit for field training or active duty.

Prior to the approval of such military leave, the employee(s) must provide the Employer with a copy of military orders defining the length of the required military leave.

Employees are entitled to leave of absence from their respective positions without loss of pay for the time they are performing service in the uniform services as defined in section 5903.01 of the Ohio Revised Code for up to twenty-two (22) eight (8) hour workdays or one hundred and seventy-six (176) hours within one (1) calendar year.

An employee qualifying for annual military leave who is called or ordered to active service for longer than the above period(s) shall be paid for the remaining time beyond the first 178 hours, at regular pay less whatever military pay the employee receives for such service. If the employee's military pay exceeds the employee's regular pay from the Employer, the employee is not entitled to any compensation from the Employer.

Policy XVI. II. Active Military Duty. Employees who are employees of those components listed above and who are called or ordered to military service for longer than one hundred and seventy-six (176) hours for each calendar year, because of an executive order issued by the President of the United States or an act of Congress are entitled, during the period designated in the act or order, to a leave of absence from their respective duties and to be paid each monthly pay period of that leave, the difference between the Employer's gross monthly wage or salary and the sum of the employee's gross military pay and allowances received that month.

No employee(s) will receive payment under this section, if the sum of the employee's gross military pay and allowances received in the period exceeds the employee's gross wage or salary.

Within ninety (90) days after discharge from Military active duty, the employee may be reinstated to his/her former position or a position at a similar level, without loss of seniority. The employee shall promptly inform the Police Chief of Police of his/her willingness to return to work, provide proof of honorable discharge, be mentally fit to return to work, and pass a re-employment physical paid for by the Employer.

Policy XVI. III. Jury Duty and Witness. The Employer shall grant full pay where an employee is summoned for any jury duty or subpoenaed as a witness by any court or other adjudicatory body for a period of up to eight (8) weeks. All compensation for such duty must be reimbursed to the Employer unless such duty is performed totally outside of an employee's normal working hours. An employee shall not receive pay when the employee appearing in court for criminal or civil cases when the case is being heard in connection with the employee's personal matters, such, as traffic court, divorce proceedings, custody, appearing as directed with juvenile, etc. These absences are considered leave without pay or vacation time, at the discretion of the employee. An employee shall request prior approval for court leave in order for such leave to be granted.

Policy XVII

DRUG AND ALCOHOL TESTING

Policy XVII. I. Drug/Alcohol Testing. Purpose. The City and the employees recognize that the ability of an employee to properly perform his or her duties depends, in part, on a workplace which is free of substance abuse. In an effort to promote public safety, to provide employee(s) who may be drug or alcohol dependent with an opportunity for treatment and for remaining productive employee of the Division of Police, and in recognition that substance abuse is a problem which, depending on individual circumstances, may require intervention, rehabilitation, or discipline, it is the purpose of this Policy to provide a method for responding to the risks presented by the presence of substance abuse in the workplace by:

- A. Dealing with incidents of substance abuse which present a reasonable likelihood of risk to employees, the general public or other employees of the City;
- B. Providing assistance to an employee with drug or alcohol dependency problems; and
- C. Disciplining an employee whose satisfactory work performance is adversely affected by substance abuse.

Policy XVII. II. Responsibility. Although it is the responsibility of every employee to be alert to potential incidents of substance abuse in the workplace, it is the primary responsibility of supervisors to initially respond to such incidents, particularly where circumstances are reasonably felt to pose a reasonable likelihood of risk to the public safety. Supervisors shall take such action, not inconsistent with this Article, as they deem appropriate to eliminate immediate risks associated with any incident of potential substance abuse.

Policy XVII. III. Definitions. The following definitions shall govern this Article:

- A. "Under the influence" means that the employee is or would be adversely affected in the satisfactory performance of his or her duties by any illegal drug or alcohol, or the combination of any illegal drug and alcohol.
- B. "Legal drug" means prescribed drugs or over-the-counter drugs which have been legally obtained for the user and are used for the purpose for which they were prescribed and manufactured.
- C. "Illegal drug" means any drug (1) which is not legally obtainable, or (2) which is legally obtainable but has not been legally obtained; and (3) prescribed drugs not being used for prescribed purpose, including without limitation cannabis, cannabis derivatives, and cannabinoids.
- D. "Reasonable belief" is an articulated belief that an employee is using illegal drugs or misusing alcohol such that the employee's satisfactory work performance is or would be adversely affected by the presence of alcohol or illegal drugs. This articulated belief must be drawn from specific and particularized objective behavior and conduct exhibited by the employee, and reasonable inferences therefrom. Reasonable belief may be based upon an employee's slurred speech, odor, disorientation, abnormal appearance, conduct or behavior, or other observable cause.

Policy XVII. IV. Prohibited Conduct. For purposes of this Policy, an employee shall not, while performing his or her duties for the City, or while in a City facility or vehicle, or while in uniform:

- A. Report to duty, remain on duty, or perform his/her duties under the influence of alcohol;
- B. Report to duty, remain on duty or perform his/her duties while being under the influence of any illegal drug, or while using any legal drug be impaired to the point that he or she cannot satisfactorily perform his or her assigned duties; or
- C. Unlawfully use, sell, purchase, transfer or possess alcohol or an illegal drug.

Policy XVII. V. Reasonable Belief Testing. An employee shall be tested for alcohol or illegal drug use where a trained supervisor has reasonable belief that the employee's satisfactory work performance is adversely affected by the presence of alcohol or illegal drugs in the employee's body in violation of XVII. IV (Prohibited Conduct.)

Where an employee has been ordered to undergo reasonable belief testing, he or she shall be placed on administrative leave pending receipt of the test results. If the test results are negative, the employee shall be returned to their assigned duties. If the tests results are positive the employee will be placed on sick leave and begin the provisions of XVII. XIV and/or XVII. XV. If an employee exhausts their sick leave bank, vacation, and compensatory time may be used. Should all leave "banks" be exhausted, the employee shall not lose seniority.

Policy XVII. VI. Random Testing. Every employee shall submit to random testing as directed by the City. All such tests will be unannounced and performed at reasonable intervals throughout the workday, workweek, and year. Whenever an employee is randomly selected to be tested, he/she will be notified of their selection and instructed to immediately report to the collection site. An employee who refuses to submit to a test will be subject to discipline, up to and including discharge.

The annual number of such random tests shall not exceed 20% of the number of employees covered by this agreement as of January 1 of any given year. The City shall contract with an outside vendor who shall select employees for random testing using a scientifically valid method from an updated list of all employees supplied by the City.

Policy XVII. VII. Fitness for Duty. Employees shall be subject to a drug and alcohol test as part of a lawfully ordered fitness for duty exam.

Policy XVII. VIII Post-Accident. Employees shall be subject to a drug and alcohol test when involved in an accident for which there is a reasonable belief that drugs or alcohol contributed to the accident.

Policy XVII. IX. Order to Submit to Testing. An employee's refusal or failure, when ordered, to timely submit to testing permitted under this Policy may subject an employee to discipline, including discharge. By taking a test, an employee does not waive any objection or challenge he or she may possess. Within twenty-four (24) hours of the time the employee is ordered to submit to a test, the City shall provide the employee with a written notice setting forth the information and observations which form the basis of the order.

Policy XVII. X. Testing Determination/Reasonable Suspicion. Upon determining that an employee must submit to a reasonable belief test or an unannounced test under XVII. IX (Order to Submit to Testing,) for alcohol or illegal drug usage, the supervisor shall give the employee an opportunity, prior to the test, to request the presence of, or to seek the advice from an attorney. The employee and their attorney, if available, shall be given an opportunity to communicate any information or other explanation relevant to

the circumstances to the supervisor. The supervisor shall then determine, after considering all of the circumstances, whether the test shall be administered. The unavailability of an attorney shall not prohibit the City from requiring the employee to submit to a reasonable belief test. If the supervisor determines that a test shall be given, testing shall be made immediately after discussion with the employee and their attorney, if available, but no more than ninety (90) minutes after the reasonable belief determination has been made, whichever is sooner. The employee's attorney, if available, may accompany the employee to and be present with the employee at the collection site.

The fact that an employee may have been taking a legal drug shall not preclude the administration of a drug test if the supervisor has reasonable belief to believe that the employee's satisfactory work performance has been adversely affected by the presence of such a legal drug; provided, however, that the ultimate disposition of the matter shall take such fact into consideration.

Upon determining that an employee must submit to a random test under this Article, the supervisor shall give the employee an opportunity, prior to the test, to request the presence of, or to seek the advice from an attorney. The unavailability of an attorney shall not prohibit the City from requiring the employee to submit to a reasonable belief test. The attorney, if available, may accompany the employee to and be present with the employee at the collection site.

If an employee selected for random testing is on vacation, temporary layoff, medical leave or otherwise not at work, the employee must be referred for a random test upon his/her return to work. The City will not skip or select an alternate in the event a selected employee is unavailable for testing on any particular day during the random selection period.

Policy XVII. XI. Collection Site. Both the collection site and laboratory performing testing under this Policy shall be selected by the City and shall be certified under the DHHS "Mandatory Guidelines for Federal Workplace Drug Testing Programs," as said Guidelines are in effect on January 23, 2017.

The City, the collection site, and the laboratory shall have a clear and well-documented procedure for collection, shipment, and assessment of testing samples, which procedure shall be provided in writing to the employee subject to testing and, upon request, to the employee's attorney.

For drug testing, the City, the collection site, and the laboratory shall follow the procedures set forth in 49 CFR Part 40, as said procedures are in effect on January 1, 2018, including an evidentiary chain of custody and control and split sample collection and testing. The collection site is responsible for maintaining the integrity of any specimen collection and transfer. Alcohol breath testing shall be conducted at the collection site and shall be conducted by a technician trained in such testing. Appropriate records of such testing shall be maintained by the collection site for review by the employee and/or their attorney. The breath testing device shall meet standards commonly used in the private sector for such testing. No other requirements or

limitations set forth in 49 CFR Part 40 shall be controlling on the City, collection site, or the laboratory including without limitation on the types of illegal drugs that may be tested for, other than the testing procedures, including evidentiary chain of custody and control and split sample specimen collection and transfer.

The City shall pay all costs associated with testing, except that any cost for testing of a split sample is the responsibility of the employee.

Policy XVII. XII. Testing Procedures. For alcohol testing, the employee shall be first given a breath test, at the collection site, followed by a confirmatory urine test only where the breath test reveals an initial positive alcohol level of .04 grams per 210/L of breath. If the initial breath test results are below this level, testing shall be discontinued. If confirmatory urine tests results are below a level equivalent to .04 grams per 210/L of breath, the confirmatory test shall be considered negative.

For drug testing, urine samples shall be provided.

Individual privacy shall be afforded to an employee in the collection of urine samples, provided that the collection site may impose stringent specimen alteration and/or substitution procedures.

With regard to drug testing, where the employee provides a sufficient urine sample at the time of the original sample collection, this sample shall be split and placed in two (2) separate containers at the collection site. In the presence of the employee at the testing site, and without ever leaving his or her sight, each urine sample taken shall be placed in two sterile screw-capped, self-sealed, tamper-resistant urine collection containers which shall be each sealed and labeled and then initialed by the employee. The samples shall be sent, by the most expedient means available to the testing laboratory as soon as practicable on the day of the test. The sample within the second container shall be stored at the test collection site.

The laboratory shall commence testing of the sample within the first container only if the sample is received in an undamaged condition, properly sealed, labeled, and properly initialed by the employee. The certified laboratory shall first conduct an initial screening of this sample. If the test results from the screening are negative, the Chief of Police will be advised, and the testing procedure will be concluded. If illegal drugs or alcohol are found in the sample as a result of the screening, then that sample shall be submitted for confirmatory testing. The initial screening shall be accomplished by means of Thin Layer Chromatography (TLC) or equally reliable testing methods, and the confirmatory test shall be accomplished by means of Gas Chromatography/Mass Spectrometry (GS/MS), or equally reliable testing methods. If the test results from the confirmatory test are negative, the Chief of Police will be advised, and the testing procedure will be concluded. If, as a result of the initial screening and confirmatory test, the test result is positive, the employee will be contacted directly by a Medical Review Officer (M.R.O.) and will be given the opportunity to explain the reasons for a positive test result. Should the employee offer an explanation that in the judgment of the M.R.O. sufficiently explains the positive test

result, the M.R.O. will consider the results as negative and the Chief of Police will be advised, and the testing procedure will be concluded.

With regard to drug tests, if the test results are positive, and the employee has not offered an explanation to the M.R.O. sufficient to cause the M.R.O. to consider the results negative, the City's Human Resources Director shall be notified and the Human Resources Director shall in turn contact the employee and the Chief of Police. The City will provide the employee who tested positive for drug(s) with an opportunity to have the split urine specimen tested by a clinical laboratory or hospital facility of the employee's choosing, at the employee's own expense, providing the employee notifies the City within seventy-two (72) hours of receiving the positive results and provided further that the laboratory or clinic and the testing procedure, including chain of custody, meets or exceeds the standards established in this Policy. If the employee does not request the testing of the sample within the second container after the sample within the first container tests positive, or if the employee requests the testing of the sample within the second container and it also tests positive for an illegal drug or alcohol, rehabilitative or disciplinary action shall be taken.

- A. The City shall provide each employee tested with a copy of all information and written reports from the collection site and laboratory in connection with the testing and results.
- B. The M.R.O. shall maintain his or her office in Licking County, Ohio or an adjoining County.

Policy XVII. XIII. Voluntary Request for Assistance. An employee may voluntarily enter treatment without a requirement of prior testing. An employee who voluntarily seeks assistance for a substance abuse problem before being required to submit to a random, unannounced, or reasonable belief test shall not be subject to discipline, but the employee shall comply with Policy XVII. XV (Referral to Treatment.)

Policy XVII. XIV Discipline/Rehabilitation Options. Where an employee has been ordered to undergo testing and the test results are positive as specified in this Policy, the City may, depending upon individual circumstances, discipline the employee and/or offer the employee the opportunity for rehabilitation (treatment). Any discipline shall be for just cause and shall take into account all facts and circumstances, including the employee's desire for and/or progress in treatment, and the employee's work record.

With the exception of a positive test for use of a controlled substance, the use or possession of which in any amount would constitute a felony, and notwithstanding the above paragraph, any discipline to be imposed for a first violation of XVII. IV, shall be held in abeyance pending completion by the employee of a treatment program and mandatory random drug testing for a period of thirty-six (36) months. If the employee successfully completes a treatment program, random drug testing, and is not further disciplined for substance abuse for thirty-six (36) months following the date upon which the employee was tested, the discipline shall be withdrawn, and the initial charge

dismissed. However, an employee may be disciplined for any misconduct which may be coincident with a employees' violation of XVII. IV.

An employee serving his or her initial probationary period may be discharged, without referral to a treatment program, at the sole discretion of the City.

Policy XVII. XV Referral to Treatment. Where the employee seeks or is offered the option for treatment under this Policy, and the employee accepts this referral, the employee must:

- A. Agree to cooperate in and successfully complete appropriate treatment as determined by the substance abuse professional(s) or physician(s) involved;
- B. Discontinue use of illegal drugs or misuse of legal drugs or alcohol;
- C. Agree to authorize persons involved in counseling, diagnosis and treating the employee to disclose to the City the employee's progress, cooperation, drug and alcohol use, completion or non-completion of counseling and treatment, and any threat to property or safety perceived in connection with the employee's continued performance of his or her job duties;
- D. Complete any course of counseling or treatment prescribed, including an "after-care" group for a period of up to twelve (12) months; and,
- E. Agree to submit to unannounced testing during treatment and up to six (6) times during the eighteen (18) month period following the date upon which the employee was tested.

Employee(s) who do not agree to act or who do not act in accordance with the foregoing may be subject to discipline, up to and including discharge.

Policy XVII. XVI. Right of Appeal. The employee has the right to challenge the results of the drug or alcohol tests and any discipline imposed in the same manner that any other Employer action under the terms of this agreement is grievable to the City's Council. Any evidence concerning test results which is obtained either in violation of the standards contained in this Policy, or in violation of the procedures required by this Policy shall not be used to support disciplinary action involving the employee.

Policy XVII. XVII. Treatment Costs. Treatment costs arising out of the employee's use of such services shall be paid for by the employee's insurance program, subject to any deductible, co-payment, and coverage limits under the employee's insurance program. The employee(s) will be allowed to use any paid leave (including vacation, compensatory time, or sick leave) or take an unpaid leave of absence for the necessary time off involved

in a treatment program. Other than as specified in this Policy or required by law, the City shall have no obligation to pay for or insure treatment or rehabilitation for the employee.

Policy XVII. XVIII. Confidentiality. All testing and actions taken under or pursuant to this Policy shall be kept confidential to the extent permitted by Federal and State law, except where disclosure is warranted to comply with the provisions of this agreement relative to disciplinary action taken against an employee.

Policy XVII. XIX. Other Laws. This Article is in no way intended to supersede or waive any rights that an employee may be entitled to under Federal or State constitutions or any applicable law. Any action taken pursuant to this Policy shall not be used as evidence or otherwise in any criminal proceeding against an employee.

Policy XVIII

MISCELLANEOUS PROVISIONS

Policy XVIII. I. Part-Time Employees/Auxiliaries. The Employer may be able to use auxiliary officers to supplement the police force as has been the Employer's past practice.

Auxiliary officers shall work a minimum of sixteen (16) hours monthly, The Chief of Police, on a case-by-case basis, may allow an auxiliary officer to work one-hundred ninety-two (192) hours annually.

Auxiliary officers shall also work all special events as directed by the Chief of Police.

Policy XVIII. II. Special Duty. Special duty is defined as employment by a separate and independent employer of an employee performing law enforcement related activities under provisions whereby the Employer:

- A. Allows the employee to be hired by a separate and independent employer to perform such duties:
- B. Facilitates the employment of the employee by a separate and independent employer; and
- C. Otherwise affects the terms and conditions of employment of the employee by a separate and independent employer.

Where an employee, solely at the employee's option, agrees to be employed on special duty, the employer acknowledges that it shall treat the employee covered by the terms of this Contract and will ensure that the employee is covered by the City's workers' compensation coverage. However, the hours the employee is employed by a separate and independent Employer in law enforcement or related activities shall be excluded by the City in the calculation of the hours which the employee is entitled to overtime compensation.

The employees shall make recommendations to the Chief of Police regarding rates, assignments, procedures and guidelines concerning “special duty.” These items may be topics of discussion in labor relations meeting.

Policy XIX

NO STRIKE/NO LOCKOUT

Section 32.1. No Strike. The employees agree that neither it, its officers, agents or representatives, or employees, individually or collectively, will authorize, instigate, cause, aid, condone or participate in any strike in violation of the provisions of Chapter 4117 of the Revised Code.

Section 32.2. No Lockout. The Employer agrees that neither it, its officers, agents or representatives, individually or collectively, will authorize, instigate, cause, aid, condone or participate in any lockout of employees in violation of the provisions of Chapter 4117 of the Revised Code.

Section 32.3. Communication. For purposes of communication under this Article, the employee’s authorized representative is the Johnstown Police Department Employee Relations Committee Speaker, unless the Speaker would provide written notification to the City of a designee authorized to act in his or her stead.

Policy XX

WAIVER IN CASE OF EMERGENCY

Policy XX. I. Emergency. In cases of emergency declared by the Mayor of Johnstown (or other person with the authority to declare a state of emergency pursuant to Johnstown’s authority), or the Chief of Police, the following conditions of this agreement may be temporarily suspended by the Employer:

- A. Time limits for the processing of grievances; and,
- B. All agreements relating to the assignment of employees.

Policy XX. II. Termination of Emergency. Upon the termination of the emergency, grievances filed prior to the emergency shall be processed in accordance with the provisions outlined in the grievance procedure of this agreement and shall proceed from the point in the grievance procedure to which the grievance(s) had properly progressed, prior to the emergency.

Policy XXI

ENTIRE AGREEMENT

Policy XXI. I. Entire Agreement. The Employer and the employees acknowledge that during negotiations which precedes this agreement, each had the unlimited right and opportunity to make demands and proposals with respect to any subject or matter within the scope of this agreement and that the understandings and agreements arrived at by the parties after the exercise of that right and opportunity are set forth in this agreement.

The provisions of this agreement shall constitute the entire agreement between the parties and all prior negotiated agreements not contained herein, and all rules, or regulations not contained herein shall not be binding upon the parties to the agreement. This agreement may be altered, changed, added to, or deleted from or modified only through the voluntary consent of the parties in a written and signed amendment.

Policy XXII

DURATION/AMENDMENT

Policy XXII. I. Duration. This agreement of Policy for the Johnstown Police Department Employee Relations Committee shall be effective September 1st, 2021, and shall continue in full force and effect until midnight on December 31, 2023, at which time it may be agreed upon by staff and the City's administration.

Policy XXII. II. Successor Negotiations. The parties agree that they shall each use their best efforts to commence negotiations for a new agreement of policy within 120 days of the expiration of this agreement of policy. Should either party desire to amend or modify the agreement of policy prior to the 120 days, both parties must agree in writing.

Policy XXII. III. Dispute Resolution Procedure. The City of Johnstown shall make a reasonable attempt to negotiate disputes in a timely manner with the Johnstown Police Department Employee Relations Committee.

AGENDA REPORT

VILLAGE COUNCIL
JULY 20, 2021



AGENDA ITEM

Resolution 2021-29 Johnstown Police Department Agreement Manual.

PREPARER(S)

Dana Steffan, Finance & Human Resources Director and Abe Haroon, Police Chief

RECOMMENDED ACTION

Approve

HISTORY

Formal agreements for the Johnstown Police Department did not exist in the past. A need to formalize certain procedures was recognized by Chief Haroon. One purpose of the agreement is to mimic the terms and agreements of a typical collective bargaining agreement. Agreements such as this will be subject to council approval/amendment every three years.

SUMMARY

Authority: N/A

Urgency: Address as soon as possible, as some of the policies are currently in practice.

Relation to Other Actions: This is being introduced to Council in conjunction with an updated Employee Manual in Resolution 2021-28. Where these manuals conflict, the Police Dept Agreement Manual will prevail for JPD employees. An updated wage ordinance will follow later in 2021.

FISCAL IMPACT

Shift differential change from \$0.25 & \$0.50 per hour to \$1.00 per hour for all shifts other than first shift.

ADDITIONAL MATERIAL

Effective date 1/1/2022

ATTACHMENTS

JPD Agreement Manual dated July 15th, 2021

VILLAGE OF JOHNSTOWN



ORDINANCE 30-2021

**AN ORDINANCE AMENDING ORDINANCE 34-20,
THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE
NECESSARY CHANGES OF APPROPRIATIONS**

WHEREAS, the Council of the Village of Johnstown adopted its annual appropriations for 2021 on December 8, 2020; and

WHEREAS, the Council of the Village of Johnstown desires to increase its appropriation for Contractual Services to help pay the costs of legal fees; and

WHEREAS, the net effect on the finances of the Village of Johnstown will be increased appropriations of **\$16,000.00**; and

WHEREAS, the General Fund balance is sufficient to cover this appropriation.

Section One. That the appropriations for the General Fund that were set forth in Ordinance 34-20, adopted by the Council of the Village of Johnstown, State of Ohio, on December 8, 2020, be hereby amended to read as follows:

Legislative Activities - Contractual Services	\$	16,000.00
Net effect on General Fund	(decrease)	\$ 16,000.00

Section Two. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction: July 20th, 2021

Public Hearing/Vote: August 3rd, 2021

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director