



Regular Council
Tuesday, September 21, 2021 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for September 21, 2021 at 6:32 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, Rusty Smart - Deputy Chief of Police, Dana Steffan - Finance Director, Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Ryan Green - Chairman Planning Commission, Ron Danne - Vice Chair Planning Commission, Teresa Monroe - Clerk of Council

Public present - Donald Barnard, David Cool, James Estep, Bonnie Estep, Chyrel Cool, Carolyn Fallon, Ron Danne, Ryan Green, David Leezer

3. Invocation - Mr. Lee

4. Pledge of Allegiance

5. Action on Minutes

a. September 7, 2021

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

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

NOES: None

ABSTAIN: None

Passed 7 - 0

6. Correspondence

a. Ohio Division of Liquor Control

No objection by Council to the liquor permit transfer from Johnstown Market to Bell Stores.
No hearing requested; Clerk will notify Liquor Control.

7. Proclamation

a. Arbor Day 2021

Mayor Dutcher and Bailey Klimchak are going Thursday to plant a tree at the Johnstown Elementary School where Mayor Dutcher will read the Arbor Day 2021 Proclamation.

8. Citizen comments on matters not on the agenda

1. David Cool; 108 Maple Leaf Drive

- Have issues with the new development specifically about private property abuse
- Nothing much has changed since their project has begun with site plans, have been through the architect and are now at the engineers office. Have been stiff-armed on this project, have been able to put no pieces of information together and be in any consultation or negotiation on any issue, the nine issues listed before are the same, they are in process of working each one and if they need to do it on a legal basis then so be it.
- The latest site plan has been reviewed and blessed as acceptable and has been passed on to engineering; in conversation with architect representatives they realized they didn't even know they existed as a separate entity.
- Has come to the conclusion that this project needs to be started over; need to see that the buildings get into the right spot, proceeded with a visual demonstration.
- Asked if there was a balcony and somebody just finished their beer can and tossed it over into your trash can, would you feel comfortable with that
- Said Jim Blair answered his question that when they put up their temporary fence they will not need a permit because it is temporary.
- Said they are going to keep fighting and hope you are with us

2. Caroline Fallon; 106 Maple Leaf Drive

- Disappointed in the continued employment of the Village Planner, said from the minutes of the last meeting there was a private session on this; finds it disturbing they would keep someone on that does not know her job and with little to no oversight... continued but Ms. Van Deest said we are not here to talk about our employees, this is not appropriate, asked Ms. Fallon to stick to her problem with the apartments.
- There's... unintelligible... up for reelection and she knows which ones are for then and... Mr. Block spoke up and said not to come and threaten them. Other back and forth comments, resident asked to sit down.

Mr. Block said a preliminary plan is all over the place, asked Mr. Cool to get a copy of the zoning laws, suggested their group hire a real estate attorney, that coming to meetings and screaming and yelling is not getting the job done, need to settle down. By the time the whole thing is done, that will not look anything like the preliminary plan, still needs to go through engineering and the zoning laws.

Ms. Robertson said she would suggest they get a real estate attorney to represent them so they can be advised on realistic expectations for what will and what cannot happen and they will have a voice.

Mr. Block said when talking about putting up a fence, until the project is done they don't know what they are going to be required to put up, should find out what the final project is going to be before spending money.

3. Donald Barnard; 313 Fondreist, Concord Crossing East HOA President

- They have a traffic circle in their neighborhood, police have been patrolling more often, the way the street is designed, when exiting from Middleburn it is easy to go straight, traffic should go around the circle. Would like to see if they can get two signs put there to say wrong way/do not enter so people stop cutting through, is becoming more of a safety hazard. Mr. Lee said he would add that to Safety and Service Committee
- Asks for help for their one hundred and eleven homeowners; said they have one hundred and sixty plus homes that will be added to their neighborhood through a development approved almost twenty years ago. Looking for solutions to the only one exit/entrance, expressed concerns for traffic and safety. Asks for ideas for a second way to get in and out of the development; discussion on ideas.

9. Council Committee reports

- Planning & Zoning:** Met 9/14/21; Next 9/28/21 @ 6:30 pm Council Chambers
Variance application to shift the side yard for an easement approved for Pulte Homes. Review of Chapter 1195 and Ordinance 32-2021 (trash can ordinance), reviewed changes recommended by Chief Haroon and sent recommendation back to Council. Reviewed Ordinance amending Chapter 1155, tabled by the commission. Continued review of the zoning code draft and Article 34, signs.
- Safety & Service:** Met 9/7/21 updated last meeting; Next 10/5/21 Combo - Special Council/Finance/Safety & Service @ 5:00 pm Council Chambers
- Finance:** 9/21/21; Next 10/5/21 Combo - Special Council/Finance/Safety & Service @ 5:00 pm Council Chambers
Met this evening; presentation from Software Solutions, worked to come to budget discussions with a more concrete number for an upgrade to financial and billing operations. Reviewed Ordinance 38-2021, introduction for some appropriations. Discussed bed and event space tax options the village has. Will discuss water and sewer rate increases in the October meeting as a part of the annual review process. Talked about potential for hiring a Zoning Administrator to help with duties under planning and zoning, will advertise for a January 1 start date. Mr. Block asked what the duties would be; Mr. Lenner said this person would be looking over and administering the permitting processes, site plan review, the Village Planner looking at the five to ten year outlook, and the Zoning Inspector maintaining the inspection and code enforcement role, part-time as needed as he does today. Ms. Hendren asked what the salary would be, Mr. Lenner said that has not been

established yet but probably around \$45,000.

- d. **Economic Development:** Met 9/16/21; Next 10/7/21 @ 10:00 am Admin conference room
A lot of moving parts right now; Jim Lenner continues to work toward a mobility hub, next meeting October 7th. Mr. Lenner said there may be a need for a special council meeting to approve legislation for an economic development project, will coordinate based on timelines.
- e. **Park & Rec:** 9/9/21 canceled; Next 10/14/21 @ 10:00 am Admin conference room
Mayor Dutcher noted that Bailey Klimchak has been working on the Dog Park, the fence is going up and should be ready soon, thanked the Licking County Park District for the check they have written.

Mayor Dutcher also thanked the Licking County Health Department for the bike racks and fix-it tools downtown.

Mr. Block noted that Carol Van Deest designed a card for the Johnstown Trailhead Park, it highlights activities located around the park such as food and shopping, the Mastodon Trail, Dog Park and others. She will also be working on another one for tourism.

Mayor Dutcher said we have a full page ad highlighting Johnstown in the Explore Licking County magazine coming out in December. Added that he is amazed at the marketing and using social media to market Licking County, the numbers of people planning trips, booking rooms, coming to restaurants, visiting our sites, traveling our paths is unprecedented and the Commissioners are to be congratulated because when things were looking bleak during Covid they stepped up the money necessary to keep the organization running.

10. Director Reports

- a. Finance
Dana Steffan reviewed her reports with Council members; no additional questions or comments.
- b. Police
Deputy Chief Rusty Smart reviewed the Chief's report with Council.
Discussion on truck drivers hitting the bells at US 62 and SR 37; service department to spray paint stop bars at the intersection.

11. Tabled Legislation

- a. **ORDINANCE 07-2021** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE VILLAGE OF JOHNSTOWN

Remains tabled.

b. **ORDINANCE 32-2021** AN ORDINANCE AMENDING CHAPTER 1195 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

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

Passed 7 - 0

Chief Haroon made some edits which Council saw last meeting and asked that it be reviewed by Planning and Zoning, they approved 5-0 and forwarded back to Council recommending approval. Mr. Lee noted the edit made by Planning and Zoning.

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

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

Passed 6 - 0

Mr. Block stated he abstained for the reason that he had several questions on how many complaints were taken on this and they were never answered.

c. **ORDINANCE 34-2021** AN ORDINANCE AMENDING CHAPTER 1183 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Remains tabled.

12. Public Hearings of Legislation

a. **ORDINANCE 38-2021** 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

It is necessary to increase appropriations for gasoline in the street, water and sewer funds due to the rising cost of gas. Need to return remaining fund balance to Johnstown Monroe School District from money given to increase safety for school routes. Appropriations from the American Rescue Plan Act fund for items previously discussed; Finance Director noted that the \$8,857.50 for the Raise Grant will be changed to \$35,000 which will increase the total net effect of the fund; edit will be made.

Public Hearing: No comments either for or against the legislation

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

Passed 7 - 0

13. Introduction of Legislation

a. **ORDINANCE 39-2021** AN ORDINANCE AMENDING CHAPTER 1155 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Jim Lenner said this came up with a downtown business opening their suites for public rental. He asked the planner to list under permitted use but if council would like Planning and Zoning to have more control it they could move it to conditional.

Mr. Block said his callout on this is if you change the whole GCC-1 where anyone can have a hotel, there are a lot of apartments that could be changed to hotel rooms, by making it conditional use it will be controlled and they will need to come ask for permission to do it. Said we all know the people downtown that need this will run a top notch business but how do we know if opened up to all GCC-1 what hotels we might get.

Ms. Robertson said she also thinks it should be moved to conditional, that she has the same concerns.

Ms. Hendren said she agrees it should be conditional.

Mr. Lee said he agrees with the conditional aspect, current draft code has it as permitted in the downtown space. As allowable within the GCC space thinks the key is defining hotels and have accurate to what they want to see.

Mr. Lehner said they should keep conditional to stay conducive to the Comprehensive

Plan.

Ryan Green, Chairman of Planning and Zoning, spoke and said when this came to them, it came as just a blanket change to zoning, it may have been implied as being to a business specifically, there was no emergency or reason to bring forward for business. Had there been a business specifically that wanted to come in they would have come in under a nonconforming use permit, there would have been a hearing, a lot more conversation, that is how he would have liked to see it happen. Said he would not be in favor of changing complete zoning right away, they are still working through the entire zoning code right now and they have a long way to go. Said this was a conversation from months ago, on whether this would be public or private, they did not get this information then, they were told private. Air B&B's, short term rentals etc. have been discussed but with development coming more each day, the priority was zoning and design review, so this is probably something they will come back to. Also with a hotel coming in, they would want to let the village get ducks in a row as far as taxing to make sure Johnstown gets their fair share; it needed a much larger conversation that they were not ready to have that night. Going forward, he would agree with the conditional use and if there is a specific business that wants an immediate change, there are mechanisms for that, like a variance or non-conforming use. He would like zoning to have their say in it, they just didn't hear that this was for a specific business so they decided to just make it part of the larger conversation of them updating the zoning code.

Public Hearing October 5,2021

14. Other Business

1. Bailey Klimchak asked if there was any direction for staff on the Design Review Board and appointments. The Personnel Board of Review will review the letters of interest and do interviews; meeting will be scheduled.
2. Jim Lenner said we need to reevaluate closing off parking lots downtown during events now that we have viable businesses up and running on Sundays. He received calls during the Cupola Classic, this was also festering during the Firemen's Festival; meeting will be set with property owner. Mr. Lenner said we need to balance commerce, downtown viability, shutting things down for a week, festivals, community fabric, we want our downtown to be viable and healthy and it is becoming that, shutting down parking they rely on heavily is counterproductive. Discussion on business, events and a meeting.
3. Sharon Hendren asked about Oliver Bigelow's headstone; Mayor Dutcher said the new tombstone has been ordered, the old tombstone blew over and cracked again.
4. Doug Lehner asked for an update on the contractor packet previously discussed. Mr. Lee said the hope is that from the new zoning code when completed, additional documentation could be provided from that. Mr. Lehner said he would like to have a packet to give to any developer desiring to build, it would take all the guesswork out of what they can do.
5. Ben Lee went to the meeting for the Licking County Transit Board but there was no quorum so there was no meeting; they are in budget discussions, he has a copy

of their budget. Mr. Lenner said as we go for the seventy five million dollar grant he thinks beneficial to look at that, can discuss.

6. Ben Lee asked if there was follow up on the Western Licking County Accord as discussed last time, have we reached out to New Albany. Mr. Lenner said yes he is waiting to hear back. Mr. Lee said just continue to update on that with the development that is going on in the WLCA planning space, using that document as the tool with which to keep the agreed upon members apprised of what is going on, we have yet to hear what is going on and will continue to push for a response so we are informed and can let village residents know what is going on because if it is happening on our border or approaching it, that is the point of the accord and to not have any communication on what was provided to us as a two way street is very frustrating. Discussion on what the project may be and properties being affected.

7. Meet the candidates night will be scheduled.

15. Adjourn

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

Passed 7 - 0

Meeting adjourned at 8:18 pm

Next Council Meeting October 5, 2021