



Regular Council
Tuesday, October 19, 2021 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for October 19, 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, Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Nathaniel Ashbrook, Andy Bruney, Josh Harrison, Jim Hill, Walter Raub, Mary Queen Cool, Monna Holter, Aubry Ashbrook, Tyler Fehrman, James Estep, Bonnie Estep, Amy Schulze, Lewie Main

3. Invocation - Ms. Hendren

4. Pledge of Allegiance

5. Action on Minutes

- a. October 5, 2021 Regular b. October 6, 2021 Special meeting

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

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

NOES: None

ABSTAIN: None

Passed 7 - 0

Mayor Dutcher shared that the Secretary of State has sent a proclamation notifying the village that as of Thursday, Johnstown will be recognized as a city.

6. Citizen comments on matters not on the agenda

1. Jim Hill; 49 Concord Ct.

- Heard about litigation involving the school district and is disappointed, as a taxpayer it does not make him happy. Would like an appointment with someone to get some details. Jim Lenner said some documents could be shared and to stop in the office.

2. Andy Bruney; 204 Stonehedge Row Dr

- Representing Leafy Dell HOA-1 as the Board President. Has continued concerns about the Coughlin development mainly with regard to the pond. Maintains it would be dangerous and undesirable to have drainage from the proposed development drain into their pond.
- Asked if there was an agreement between Leafy Dell and the new development that gives them the OK to use the Leafy Dell pond for drainage. Mr. Lenner said no, that Johnstown's reply to the applicant said that they had to work with the HOA to get an agreement to discharge water into the pond since it was on their private property. Mr. Bruney said none has reached out to them and there is no such agreement. Bailey Klimchak said staff informed them (Coughlin) they would need to show a letter of agreement from the property owner for any off-site discharge.
- Quoted Section 1109.08 Drainage in AR districts. Said they have been in contact with the Licking County Soil and Water Conservation District.
- Said if someone from the Coughlin development group would like to get in touch he would be happy to leave his information. Ms. Klimchak has his contact info and would pass along.

Mayor Dutcher asked if there would be any objection to moving up consideration of the resolution to appoint the Design Review Board. Mr. Lee added that Ordinance 42-2021 should be considered prior to appointment. No objections.

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

Passed 7 – 0

ORDINANCE 42-2021 AN ORDINANCE AMENDING CHAPTER 1187 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Ordinance amendment to allow two members of the Design Review Board to live outside the village but within Monroe Township.

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

No Council debate.

ACTION: Carol Van Deest moved to Approve; Sharon Hendren 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

RESOLUTION 2021-44 RESOLUTION APPOINTING MEMBERS TO THE JOHNSTOWN DESIGN REVIEW BOARD

Mayor Dutcher introduced the appointees and terms listed in the resolution.

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

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

Passed 6 - 0

Mayor Dutcher thanked the members of the Design Review Board for agreeing to serve, and said that Johnstown will be the recipient of their expertise.

7. Council Committee reports

- a. **Planning & Zoning:** Met 10/12/21; Next 10/26/21 @ 6:30 pm Council Chambers
Work session, continued review of the Zoning Ordinance, signs section.
OHM is working on sign illustrations with the \$2,000 previously approved.

- b. **Safety & Service:** Met 10/5/21 Combo w/ Council & Finance; Next 11/3/21 @ 5:00 pm Council Chambers

Meeting was combined into special council meeting for work on budget. Noted that next Safety & Service committee and Council meeting were moved to Wednesday, November 3rd due to the Tuesday election.

- c. **Finance:** Met 10/5/21 Combo w/ Council & Safety Service; Next 11/16/2021 @ 5:00 pm Council Chambers. Special meeting scheduled for November 1st at 5:00 pm in Admin office.

Meeting was combined into special council meeting for work on budget. Beginning of budget review. Committee voted 3-0 in favor of offering part-time employment as discussed for Street Department, annual monies available through the Permissive Motor Vehicle Fund along with ROI to justify; December 4th start date. Mr. Lee asked for a vote of the full Council since it would be actioned for this budget year and loop into next year.

ACTION: Ben Lee moved to go forward with the offer and funding as recommended by Finance; Cheryl Robertson seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

Mayor Dutcher noted the individual being hired has lengthy experience with other municipalities and is bringing that expertise.

Committee also discussed bed tax with regard to short term rentals, hotels, motels; ordinances on council agenda tonight. The committee voted 3-0 in favor of putting an ordinance together base off of Upper Arlington's codified ordinances for bed tax. Talked about water and sewer rates for 2022 and beyond. Talked about GAP accounting and asset value, requirements to work under with city status.

Finance voted 3-0 in favor of hiring outside accounting firm Julian and Grube to help with general accounting principal conversion from village to city status, a one time expense that will help in the long run. Budget review.

- d. **Economic Development:** Met 10/7/21; Next 11/4/21 @ 10:00 am Admin conference room
Jim Lenner provided copies to council of the submitted first phase application for the seventy-five million dollar grant, if selected this project would give us \$500,000 to further develop our idea and cluster development for job creation. Mr. Lenner said he appreciates council and staff's support; if there is desire to pursue, second phase is due March 22nd. Mayor Dutcher also thanked the other municipalities who are a part of our team.
- e. **Park & Rec:** Met 10/14/21; Next scheduled 11/11/21 is Veterans Day - Reschedule?
Next meeting date to be announced, city offices will be closed on November 11th.
Dog Park close to completion. TAP Grant due at the end of this month, Ms. Klimchak will have submitted. No decision on the city flag contest entries. Recognized that Johnstown Joint Rec District has changed their name to the Greater Johnstown Park and Rec District; noted representative attendance at these committee meetings as well as the Licking Park

District; important to keep everyone on the same page. Mayor Dutcher added that the Licking Park District has an item on the ballot and said personally he intends to vote for it, they have done a great job, they have been very helpful to Johnstown and have been our partners in helping to fund a number of projects and is grateful for them. Bailey Klimchak highlighted all help and support on projects given by the park district.

- f. **Tree Commission:** Met 9/28/21; Next 10/26/2021 @ 5:00 pm Council Chambers
The meeting on September 28th was canceled. There was no quorum. Arborist has completed tree trimming on North and South Main Street. Also completed trimming the large oak tree at the Trailhead to keep it healthy. Mayor Dutcher highlighted the Arbor Day celebration held with elementary students at Johnstown Elementary.
- g. **Events Committee:** Next 10/26/21 @ 5:00 pm Admin conference room
No updates to report.

Ben Lee said as Johnstown's representative, tomorrow he will be attending the Licking County Transit Board meeting.

8. Director Reports

- a. Police Chief
Chief Haroon reviewed his report provided in the packet. Mr. Lee asked how many Field Training Officers PD had; Chief Haroon said they now have three and his goal is to get the supervisors trained in 2022.
- b. Finance Director
Dana Steffan reviewed her report provided in the packet and highlighted the conversion to GAAP Financials and valuation of assets; conversation on using iWorQ to provide listing of assets to use for valuation.

9. Tabled Legislation

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

To remain tabled.
- b. **ORDINANCE 34-2021** AN ORDINANCE AMENDING CHAPTER 1183 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

To remain tabled.

10. Public Hearings of Legislation

- a. **ORDINANCE 41-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

Finance Director reviewed the appropriation ordinance line items.

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

No debate by Council.

ACTION: Benjamin Lee moved to Approve; Carol Van Deest 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

- b. **RESOLUTION 2021-42** A RESOLUTION ADOPTING THE LICKING COUNTY COUNTYWIDE ALL NATURAL HAZARDS MITIGATION PLAN

Licking County directed creation of a Hazard Mitigation Plan; Johnstown was invited to take part in some of their planning sessions which Bailey Klimchak attended. This plan updated every five years covers natural disasters such as flooding or wild fires, things not thought about often.

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

Ms. Klimchak added that if adopted, it would make us eligible to apply for grant dollars in the case of a national emergency.

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

Passed 7 – 0

- c. **RESOLUTION 2021-43** RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE STATE INFRASTRUCTURE BANK AND AUTHORIZING THE VILLAGE MANAGER TO ACT ON BEHALF OF THE VILLAGE OF JOHNSTOWN IN ALL MATTERS RELATING TO THE APPLICATION

The estimate for Sportsmen's Club Road improvements has changed. Jim Lenner said \$600,000 was received in grant money, we used \$505,000 from the original SIB loan but that was for a signal, the round-a-bout has more cost so this asks for authorization to

apply for another State Infrastructure Bank request for \$800,000.

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

Mr. Lee said this was touched on briefly in Finance Committee and this would probably show up on Debt Service in 2023 and beyond, if Finance Director could have a view of how that would look going forward. Mr. Lenner said with the loan, if we don't draw it we don't have to pay it back, won't take the whole thing if we don't need to.

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

Passed 7 – 0

d. **RESOLUTION 2021-45** A RESOLUTION TO AMEND THE DESIGN REVIEW DISTRICTS AND STANDARDS

This is a resolution to amend the Design Review Overlay Map on page eight of the document. Some parcels within the Corridor District are in a 55 mph speed zone and with district standards calling for buildings to be closer to the street and more walkable, concern was brought to the commission for safety and pulling those parcels out of the district. Ms. Klimchak said the commission voted 3-2 to recommend approval and forward to Council.

Ben Lee moved to approve, Sharon Hendren seconded.

Public Hearing

1. Ryan Green; 408 Sunset, also Planning Commission Chairman

- Said this came up under other business, he was on the dissenting vote. He understands where the speed limit would come in but that part of design review and other things done in zoning are for future use. In the corridor district there is a ten to twenty-five foot setback and if they think that is too close they can bring a variance, said he thinks we have mechanisms already to deal with this which is why he was on the dissent on this.

There were no further comments and Mayor Dutcher closed the hearing.

Cheryl Robertson said she was the one that brought this up because she was for this change, but as she has learned more about it she has changed her mind and now is not for this. Said her concern is that by moving the map it takes it out of the design standards and doesn't give them control on new businesses coming into town, for that reason she does

not support this. Could look at reducing the speed limit; she is just not comfortable with allowing new businesses to come in and not have the standards to control appearance and design, she will be a no vote. Mr. Block said Cheryl said everything he was going to say.

Ben Lee spoke in favor of it; said ultimately he would be in favor of lowering the speed limit, some discussion on how that could happen. Said if we vote not to change the map, he doesn't think it will hinder anything, feels like it was an oversight when created not to take into account the speed limit. Doesn't think it makes feasible sense to change the entirety of the Corridor District for this specific area to adjust the setback, agrees a business could submit a variance, did not think there would be any substantial issue with aesthetics, understands the justification to move forward or not. Would propose verbiage updates to ensure that the design review document logic is applied and applicable in areas not covered under an overlay district, because you can justify using the logic in the document to ensure compatibility with surrounding areas. He said he can bring that up with Planning and Zoning later.

Marvin Block said we spent \$50,000 and two years on this and if there are any changes, he thinks the new board should change them.

Carol Van Deest moved to table. Mr. Lee said there was already a motion and a second to move forward; unless withdrawn. Ms. Hendren said she takes her motion back, Mr. Lee said he would withdraw his second.

Marvin Block moved to pass it, said he did not want to table it, wants to vote on it and get rid of it. Doug Lehner seconded. Mr. Lenner said to overrule the Planning and Zoning recommendation it needs a super majority vote.

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

Failed 7 - 0

Mr. Lenner said the boundary stays as is; the map amendment fails.

11. Introduction of Legislation

- a. **ORDINANCE 43-2021** AN ORDINANCE AMENDING CHAPTER 1121 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Mayor Dutcher introduced. Public Hearing and vote November 3, 2021.

- b. **ORDINANCE 44-2021** AN ORDINANCE AMENDING CHAPTERS 1155, 1157, 1167, 1169 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Mayor Dutcher introduced. Public Hearing and vote November 3, 2021.

- c. **ORDINANCE 45-2021** AN ORDINANCE AMENDING CHAPTERS 1142, 1143, 1145, 1147, 1149, 1151 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Mayor Dutcher introduced. Public Hearing and vote November 3, 2021.

12. Other Business

1. Thursday City employee celebration, 11:30 lunch invitation
2. Asked if we have heard anything on the WLCA from New Albany. Mr. Lenner said he has a message, needs to return.
3. Transportation Improvement District meeting was cancelled.
4. Semi hopped the bell today and hit the pedestrian pole sign.
5. Hartford Water Line meeting for Thursday to be canceled, have not heard from the State yet.
6. Mr. Block said he thinks we should remove ourselves from the WLCA, have gotten no cooperation from New Albany. Ms. Van Deest said she is not for doing that, wants to keep pursuing, have spent way too much time on it and she would like someone to answer for it, does not want to give up on it. Further discussion, no decision.
7. Mr. Lehner asked if everyone finished the Ohio Ethics Training, have until the end of October.

13. Executive Session to consider the employment of a public employee

Mayor Dutcher said they will have an Executive Session to consider a public employee, no action after. Jim Lenner asked to include himself, Jack Liggett, Chief Haroon and Dana Steffan. Mayor Dutcher asked for a motion to enter Executive Session.

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

Passed 7 - 0

Entered Executive Session at 7:55 pm
Returned to regular session; no further business.

14. Adjourn

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

Passed 7 - 0

Meeting adjourned approximately 8:30 pm

Next Council Meeting Wednesday, November 3, 2021