



Regular Council Meeting
Tuesday, December 7, 2021 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Mr. Lee
4. Pledge of Allegiance
5. Recognition - Deputy Chief Smart
6. Action on Minutes
 - a. November 16, 2021
7. Citizen comments on matters not on the agenda
8. Council Request - Joe Ciminello/Concord Crossing East
9. Executive Session - To consider the employment of a public employee
10. Council Committee reports
 - a. **Planning & Zoning:** Met 11/23/21 & 12/1/21; Next Special 12/13/21 @ 6:30 pm Council Chambers
 - b. **Safety & Service:** 12/7/21; Next 1/4/22 @ 5:00 pm Council Chambers
 - c. Finance: Met 11/16/21 reviewed last time; Next 1/18/22 @ 5:00 pm Council Chambers
 - d. **Economic Development:** 12/2/21 cancelled; Next 1/6/22 @ 10:00 am Admin conference room
 - e. **Park & Rec:** Met 11/18/21; 12/9/21 Cancelled
 - f. **Tree Commission:** Next 2/22/22 @ 5:00 pm Council Chambers
11. Director Reports
 - a. Service Department: Street, Water, Wastewater
12. Tabled Legislation
13. Public Hearings of Legislation
 - a. **ORDINANCE 47-2021** AN ORDINANCE TO APPROVE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022
 - b. **ORDINANCE 48-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS
 - c. **ORDINANCE 49-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE

NECESSARY CHANGES OF APPROPRIATIONS

- d. **RESOLUTION 2021-50** A RESOLUTION TO ACCEPT THE RESIGNATION OF A PUBLIC EMPLOYEE AND APPOINT INTERIM MANAGER
- e. **RESOLUTION 2021-51** A RESOLUTION TO APPOINT A CITY LAW DIRECTOR, CITY PROSECUTOR, MUNICIPAL COURT MAGISTRATE, CITY ENGINEER, AND CITY AUDITOR TO SERVE THE CITY AND ITS' EMPLOYEES FOR THE YEAR 2022
- f. **RESOLUTION 2021-52** A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND TIME FOR ALL REGULAR CITY COUNCIL MEETINGS FOR THE 2022 CALENDAR YEAR
- g. **RESOLUTION 2021-53** A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND TIME FOR ALL REGULAR PLANNING & ZONING COMMISSION MEETINGS FOR THE 2022 CALENDAR YEAR
- h. **RESOLUTION 2021-54** A RESOLUTION ESTABLISHING SUBMITTAL DEADLINES FOR PLANNING & ZONING COMMISSION APPLICATIONS IN THE 2022 CALENDAR YEAR
- i. **RESOLUTION 2021-55** A RESOLUTION ESTABLISHING THE 2022 SCHEDULE OF HOLIDAYS FOR THE CITYOF JOHNSTOWN
- j. **RESOLUTION 2021-56** RESOLUTION APPOINTING MEMBERS TO THE JOHNSTOWN TREE COMMISSION
- k. **RESOLUTION 2021- 57** A RESOLUTION TO REAPPOINT MARVIN BLOCK TO THE JOHNSTOWN COMMUNITY IMPROVEMENT CORPORATION

14. Introduction of Legislation

- a. **ORDINANCE 50-2021** AN ORDINANCE ENACTING CHAPTER 194 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES TO ESTABLISH A TRANSIENT OCCUPANCY TAX

15. Other Business

16. Executive Session - To consider the employment of a public employee

17. Adjourn

Next Council Meeting December 14, 2021



Regular Council
Tuesday, November 16, 2021 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for November 16, 2021 at 6:31 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, Ryan Green – Council elect arrived during, Teresa Monroe - Clerk of Council

Public present - Mary Queen Cool,

3. Invocation - Mayor Dutcher

4. Pledge of Allegiance

5. **Chief's Commendation;** Chief of Police Haroon presented both Sgt. Paul Hatfield and Officer Jeremy Pache with a Chief's Commendation to recognize their handling of a call from a distressed resident.

6. Action on Minutes

a. November 3, 2021

ACTION: Benjamin Lee moved to Approve as written; 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

7. Citizen comments on matters not on the agenda

No comments from the public.

8. Council Committee reports

- a. **Planning & Zoning:** Met 11/9/21; Next 11/23/21 @ 6:30 pm Council Chambers
The Commission saw an application for a Certificate of Appropriateness at 539 E. Coshocton and Tech Rubber building expansion; the application was approved. Next they saw an application for Preliminary Plat at Concord Crossing East, after much discussion the application was denied. Reviewed legislation draft on tree preservation; ultimately recommended approval. Continued review of the zoning code draft.
- b. **Safety & Service:** Met 11/3/21 updated last time; Next 12/5/21 @ 5:00 pm Council Chambers
No new updates.
- c. **Finance:** 11/16/21; Next 12/14/21 @ 5:00 pm Council Chambers
Went through budget items, first reading of the budget ordinance on for tonight.
- d. **Economic Development:** Next 12/2/21 @ 10:00 am Admin conference room
No updates
- e. **Park & Rec:** Next 11/18/21 @ 10:00 am Admin conference room
No updates
- f. **Tree Commission:** Next 2/22/22 @ 5:00 pm Council Chamber
No updates

9. Director Reports

Bailey Klimchak reported that Kim Littleton who helped write the Design Standards will be coming in to do a training for the Design Review Board and any Planning and Zoning, Council, or staff members that would like to attend; December 1st at 5:00 pm

- a. Chief of Police
Chief Haroon reviewed his October report.
Mr. Lee congratulated Deputy Chief Smart for graduating from Northwestern University, School of Police Staff and Command.
Chief Haroon added that in March of next year, Sergeant Hatfield will attend the John Glenn College of Public Affairs at OSU three month training. Also, in discussions with Sergeant Cooperider about attending a school next year.
- b. Finance Director
Dana Steffan highlighted items in her report; noted that tax revenue collected through October represents almost ninety seven percent of what was budgeted for the year and there is still two months to collect. She anticipates that we will exceed budget by over \$300,000 this year which is good news.

10. Tabled Legislation

- a. **ORDINANCE 34-2021** AN ORDINANCE AMENDING CHAPTER 1183 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

ACTION: Benjamin Lee moved to take Ordinance 34-2021 off the table; 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

Legislation on tree preservation introduced previously and tabled. The Tree Commission has made a recommendation to change some of the wording to make it possible to have a City Landscape Architect review and sign off on landscape plans. Ms. Klimchak said we would pay for this the same way we pay for engineering review; charges passed along to the applicant.

Council edit to 1183.03 a) to remove "Good faith effort" and add that at Landscape Architect shall approve areas. No further council debate.

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

ACTION: Benjamin Lee moved to Approve with the editorial change to 1183.03 a; Marvin Block 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

11. Public Hearings of Legislation

- a. **ORDINANCE 46-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

This is to reward all current employees \$1,000 for working and putting forth their best efforts to serve the public during the COVID-19 pandemic. Ms. Steffan said this will appropriate funds directly from the American Rescue Plan Act to the various funds that pay personnel costs. Mayor Dutcher said he is glad to be able to recognize the employees in this way.

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

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

Mr. Lee said this is well deserved. Mayor Dutcher said the employees have done a remarkable job during this time.

ACTION: Marvin Block moved to Approve; Sharon Hendren 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

- b. **RESOLUTION 2021-49** A RESOLUTION TO APPOINT REPRESENTATIVES TO SERVE ON THE LICKING COUNTY TAX INCENTIVE REVIEW COUNCIL (TIRC) ON BEHALF OF THE CITY OF JOHNSTOWN

This reappoints Chip Dutcher and Dana Steffan to the Licking County Tax Incentive Review Council.

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

ACTION: Benjamin Lee moved to Approve; Sharon Hendren 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

12. Introduction of Legislation

- a. **ORDINANCE 47-2021** AN ORDINANCE TO APPROVE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022

Introduction of Budget 2022.

Mr. Lee looped in Council on items discussed in Finance Committee.

There was decision to move forward with a value asset company which is a requirement for

moving from a village to a city; committee voted 3-0 in favor of going with HCA. Some discussion on differences between iWorQ and a value asset company; Ms. Steffan said she would ensure HCA receives anything helpful from the iWorQ database. Mr. Lee asked for a vote of full council:

ACTION: Marvin Block moved to go with HCA for our value asset company; Mr. 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

Mr. Lee reviewed projects and items built into the budget; some on the table for discussion next year pending some quotes.

Added that Finance Committee voted 3-0 in favor of moving forward with the SSI accounting software upgrade, the quote they are working under is a \$135,000 one time fee broken out over three and a half years split between General fund, water and sewer; added that it has been fifteen years since we have upgraded accounting software. The only outstanding question is a \$10,000 piece on the annual fee side, to see if we can host locally on our servers or pay to host on the cloud space.

Finance discussed staffing; with respect to the police department dispatchers there is continued intent to move forward with having discussions with the 911 center to have them take over those calls, \$60,000 is built into the budget to account for cost; talked about maintaining one individual as requested. On the admin side, staffing would remain the same. Within Planning and Zoning, there has been discussion about moving the part-time position to full-time.

Mr. Block said he respects all the time put into the budget but has a problem with spending money on the software without bidding it. Said we still don't know how much the Sheriffs Department is going to charge us, if we keep one dispatcher, what will that individual do.

Chief Haroon said they would serve as an Administrative Assistant and fill the role for Mayor's Court Clerk, they would mirror admin hours for that person. Discussion on priority of new officers, Chief Haroon added that dissolving dispatch would free up funds to get an additional officer in quarter two with the possibility of another added in quarter four bringing the department to twelve officers. Mr. Block questioned the new equipment purchased for the dispatch office, Mayor Dutcher noted that with dispatchers leaving, there was no staff to run it. Chief Haroon said the equipment can be used in other areas within the division. Discussion on phased transition of moving Mayor's Court to the administrative side and protocols for after-hours public assistance with no twenty-four hour window at the PD.

Public Hearing and vote December 7, 2021

- b. **ORDINANCE 48-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

Introduction to increase the revenue and expense, net zero expense, the city has been receiving more money through RITA distributions therefore the fees have increased, Finance Director believes increasing the tax revenue by \$5,000 and the appropriation by \$5,000 will be more than enough to cover to the end of the year. Also need to increase the Enterprise Deposit Fund as mentioned in the director report; net zero effect.

Public Hearing and vote December 7, 2021

- c. **ORDINANCE 49-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

Bonding was approved for a police cruiser earlier in the year. Ms. Steffan said now that we are getting the cruiser, we can borrow the money from the bank to pay for the car; debt service will be paid over the next three years. This is the appropriation to receive the funds and pay the dealership.

Public Hearing and vote December 7, 2021

13. Other Business

1. Mr. Lee asked if there had been any feedback on the Western Licking County Accord question to New Albany; Mr. Lenner said no. Mr. Block said he still thinks we should withdraw, we have not gotten anything out of it.

2. Mr. Block asked Mr. Lenner if he had gotten the engineering study from Pulte Homes on the traffic light; Mr. Lenner said he had not and has not checked in with them in two months but he will make a point to see where it's at. Mr. Block said he thinks we will run into the same situation we have run into with other developers, will come to a point when it is not feasible to spend money on a red light; if they don't have an engineering study he thinks we should ask them to put a bond up for the cost and if they do not put the bond up then permits should cease. Mr. Lenner said he would get with Bailey and Jack tomorrow. Mr. Lee said a deadline should be set.

ACTION: Marvin Block moved that we cut their permits off November 30th if they haven't put up a performance bond for the cost of a red light or given us the engineering and put up a performance bond; Cheryl Robertson 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

3. Sharon Hendren said she drives from Concord Road to US 62 and said the traffic backs up, something is wrong; not during school, it is any time. Mr. Lenner discussed adjustments that have been made and that still need to be made; some further discussion on traffic.

4. Mayor Dutcher asked if Oregon Street was done, Mr. Liggett said no but the road is open, the paving is done, seed and straw is going down. The last thing to have done is adjustments to manholes.

5. Mr. Lenner said this was his last City Council meeting and he wanted to say thank you to Council and staff, it had been a great twelve years. Thanked his wife and children for their support as well. Ms. Robertson said they appreciate everything he has done for the village and was an enjoyment to work with over the years. Mr. Block said he would be missed.

6. Mr. Block asked if anyone had heard anything on Jersey Township (water and sewer). Mr. Lenner said Representative Fraizer emailed a couple weeks ago about convening a meeting with Johnstown, Jersey Township, Southwest Licking, Newark, Granville; he said he failed to respond because he believes that ship has sailed in terms of what we were able to do, we had borrowed three million dollars to do it and in his opinion were not treated very professionally. Mr. Lenner said he received another email that the meeting would be Thursday. Southwest Licking reached out to Mr. Lenner, they also did not know what the meeting was about. Mr. Lenner said he told Mr. Fraizer the City of Johnstown was not interested in serving the North side Mink Street corridor, that we tried and got the short end of the stick. Some further discussion on speculation.

7. Mayor Dutcher thanked Jim Lenner on behalf of all Council for all that he has done.

14. Executive Session to consider the employment of a public employee
Mayor Dutcher asked for a motion to go into Executive Session.

ACTION:	Benjamin Lee moved to enter into Executive Session to consider the employment of a public employee with members of Village Council, Jack and Dana; Cheryl Robertson 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

Entered Executive Session at 8:00 pm
Returned to Regular Session at 9:00 pm

ACTION: Marvin Block moved to Approve Jack Liggett as Interim City Manager;

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

15. Adjourn

ACTION: Mr. Lee moved to Adjourn; Mayor Dutcher 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 at 9:05 pm



JOHNSTOWN

Established 1813

Street Department Report

November 2021

VILLAGE OF JOHNSTOWN, OHIO

Village of Johnstown
Administrative Offices



599 S. Main Street
Johnstown, Ohio 43031
Telephone: 740-967-3177

Asphalt

6 ton of asphalt this month

Sewer Maintenance

Hauled Sludge, Jetted sewer on orgeon

Misc.

Fire hydrants at the dog park, Ditch work on greenscapes

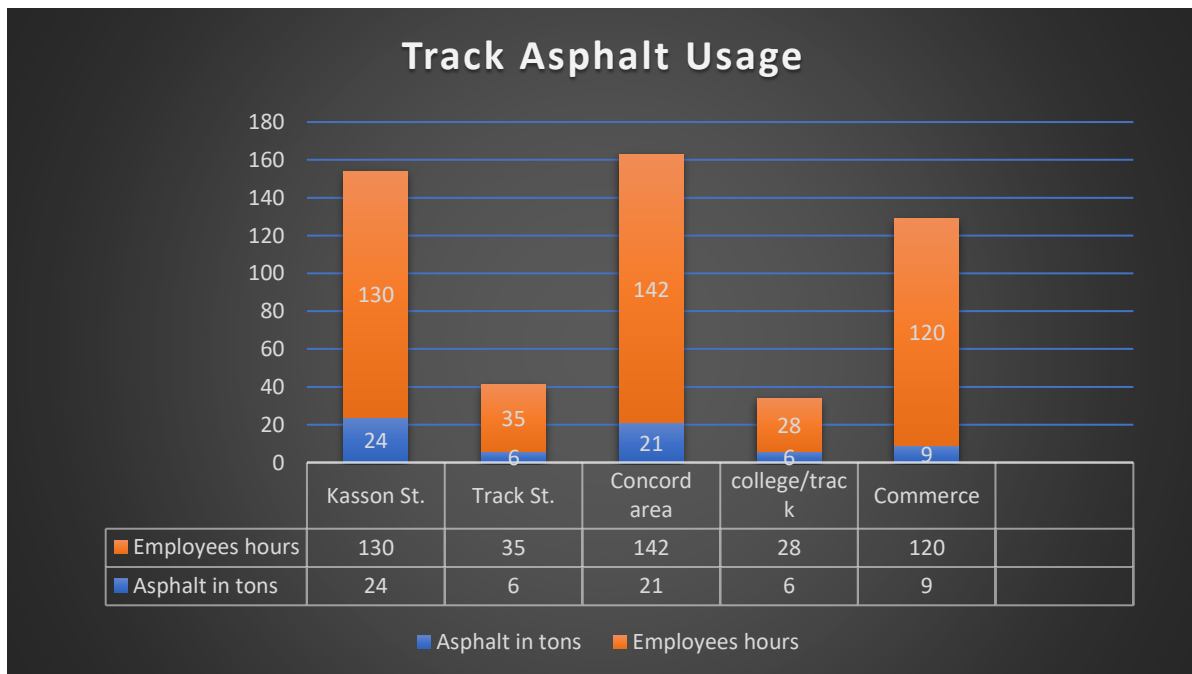
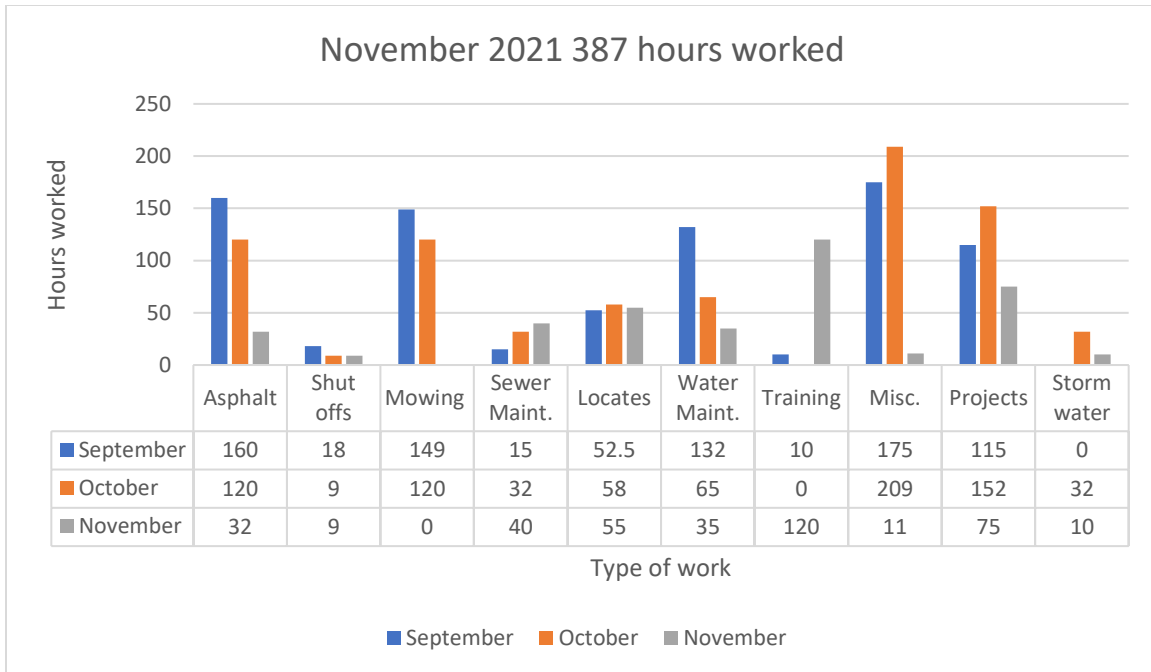
Water maintenance

Water main break on Parkside, Water service at 152 Payne

Training

Trained the new employees David Hatem, Jared Hoppel, and Billy Swick on different aspects of the job

Michael Gutridge
Service Director Johnstown ohio



Projects

Oregon Street

Project is near completed the contractor is working on the punch list. Also, the contractor has moved to N. Oregon to start on replacing structures for the stormwater

Water Tower

All 19 rings are completed and the bowl floor has been formed and poured. Next the spiral staircase will be installed

The new brine truck attachment for the F250 has been completed



November 2021

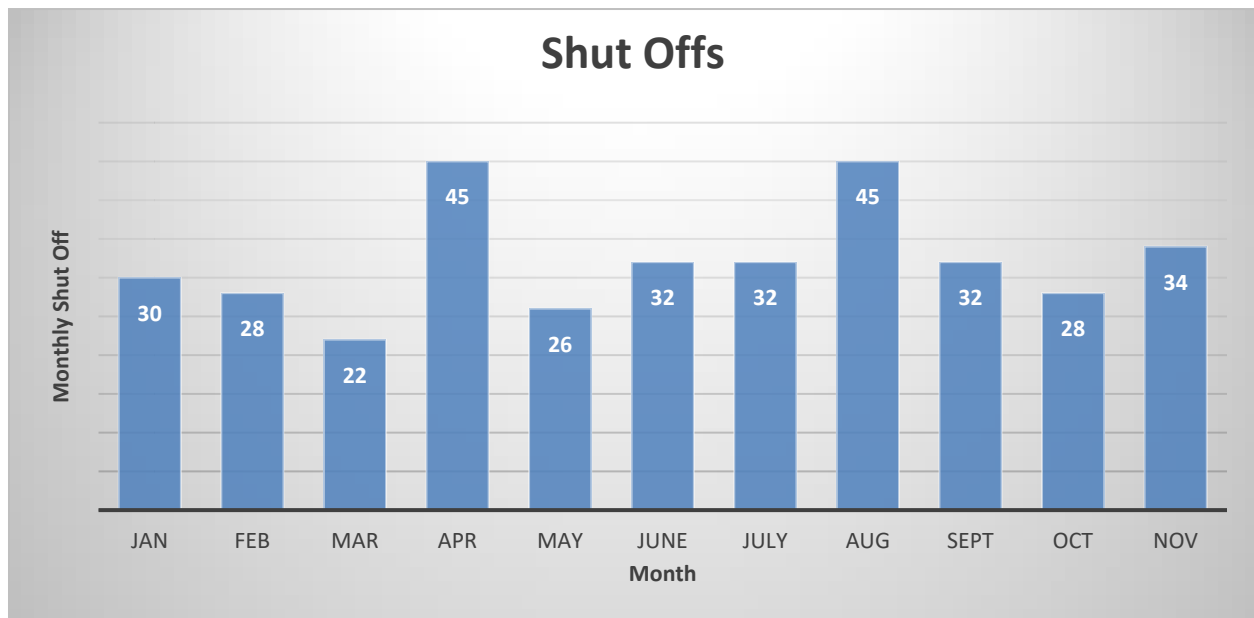
Water Council Report



Water Plant November 2021

- 1) As of November 30th, the flow is 19.230 MG.
- 2) Worked on shut-offs.
- 3) Worked on work-orders.
- 4) Participated in a webinar training.
- 5) Completed Emergency Response Plan for EPA.
- 6) The Water Plant staff completed 3 hours of training.
- 7) Exercise main water line valves.
- 8) On November 26, 2021 there was a fire at Mohawk Carpet on 143 Commerce Blvd, as a result of this fire the Water Plant treated 0.957 MGD. The Water Plant ran approximately 39 hrs. straight. We had 14 hours of overtime to cover the extra run time.

Thank you,
Terry Nichols
Water Plant Superintendent
Village of Johnstown



Water Plant Daily Tap Test Results

Month	pH	Phenol Alkalinity	Total Alkalinity	Total Hardness	Chlorine Free
11/1/2021	9.0	5	53	144	1.15
11/2/2021	8.2	0	50	145	0.91
11/3/2021	8.5	0	51	143	1.08
11/4/2021	8.1	0	50	142	0.97
11/5/2021	8.2	0	47	142	0.96
11/6/2021	8.1	0	51	142	0.94
11/7/2021	8.2	0	48	138	0.85
11/8/2021	9.0	0	50	145	1.12
11/9/2021	8.1	0	51	144	0.85
11/10/2021	8.2	0	49	142	0.87
11/11/2021	8.2	0	48	140	1.22
11/12/2021	8.3	0	48	141	1.10
11/13/2021	8.2	1	49	142	0.88
11/14/2021	8.0	0	48	135	1.25
11/15/2021	8.4	0	49	142	1.00
11/16/2021	8.0	0	51	143	0.93
11/17/2021	8.0	0	49	142	1.02
11/18/2021	8.1	0	52	144	0.92
11/19/2021	8.2	0	50	142	0.88
11/20/2021	8.1	0	52	144	0.96
11/21/2021	8.1	0	48	142	0.94
11/22/2021	8.4	0	49	144	0.82
11/23/2021	8.0	0	52	144	0.97
11/24/2021	8.1	0	51	144	0.96
11/25/2021	8.0	0	48	141	0.83
11/26/2021	8.6	0	48	143	0.74
11/27/2021	8.5	4	99	188	0.86
11/28/2021	8.2	0	51	143	0.98
11/29/2021	8.4	0	50	145	1.02
11/30/2021	8.0	0	50	142	1.02

Treatment Parameters Goals

pH: 7.8 – 8.5

Phenol Alkalinity: 0-2 mg/L

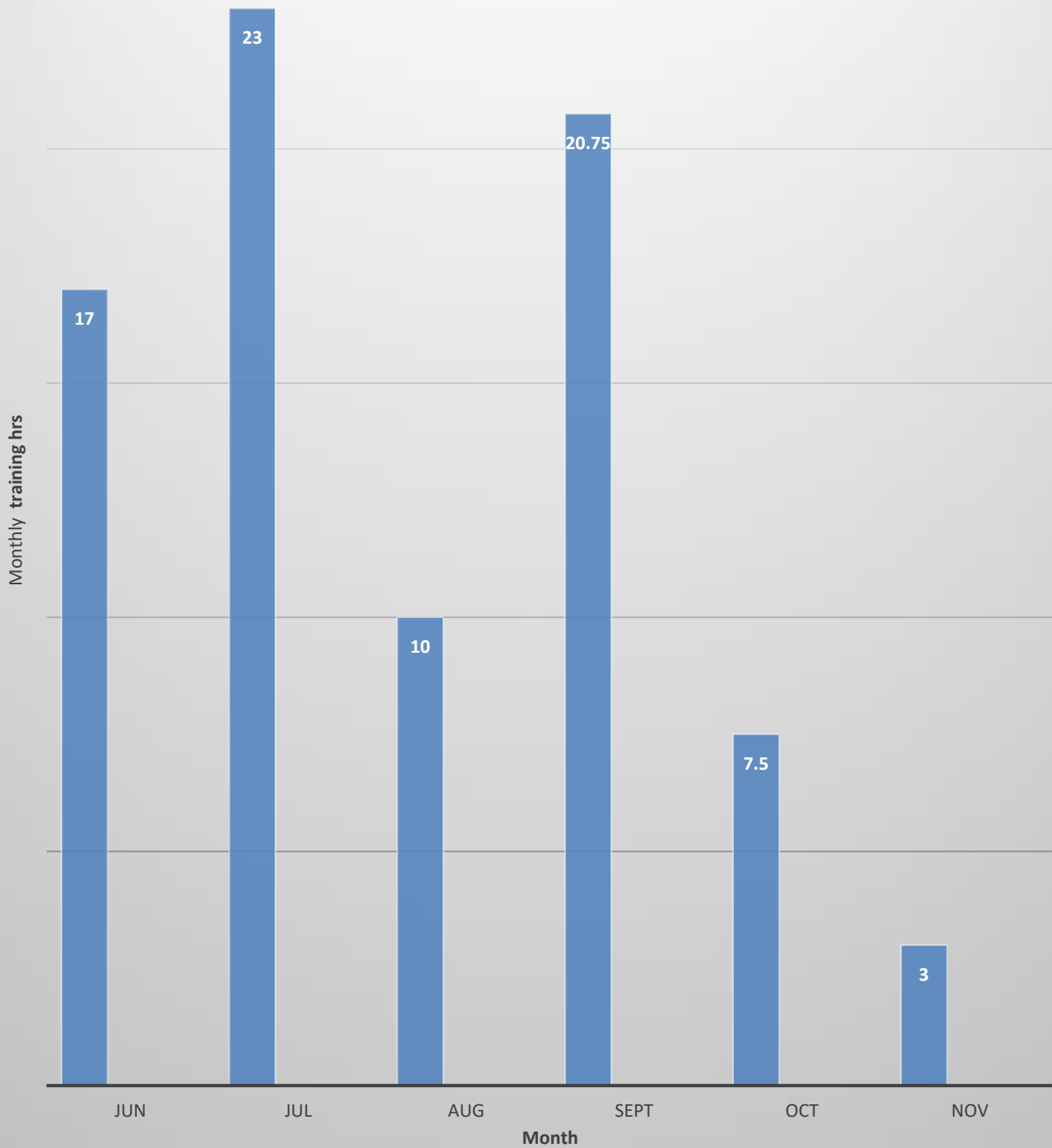
Total Alkalinity: 35-55 mg/L

Hardness: 135 – 150 mg/L

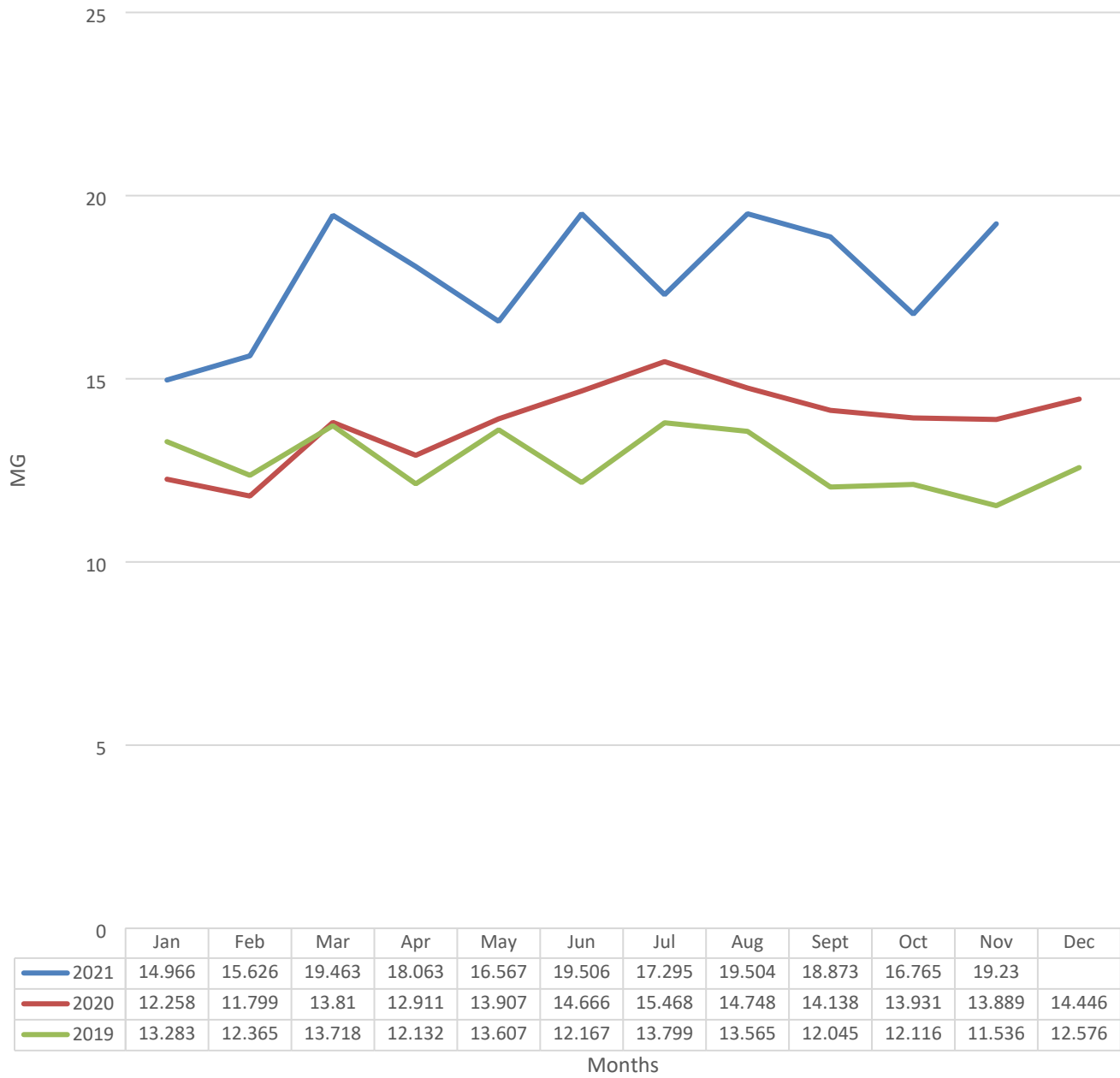
Free Chlorine: 0.85-1.10 mg/L

The high Total Alkalinity and hardness results for 11/27/2021 was due to lime feeder issues.

Training Hours



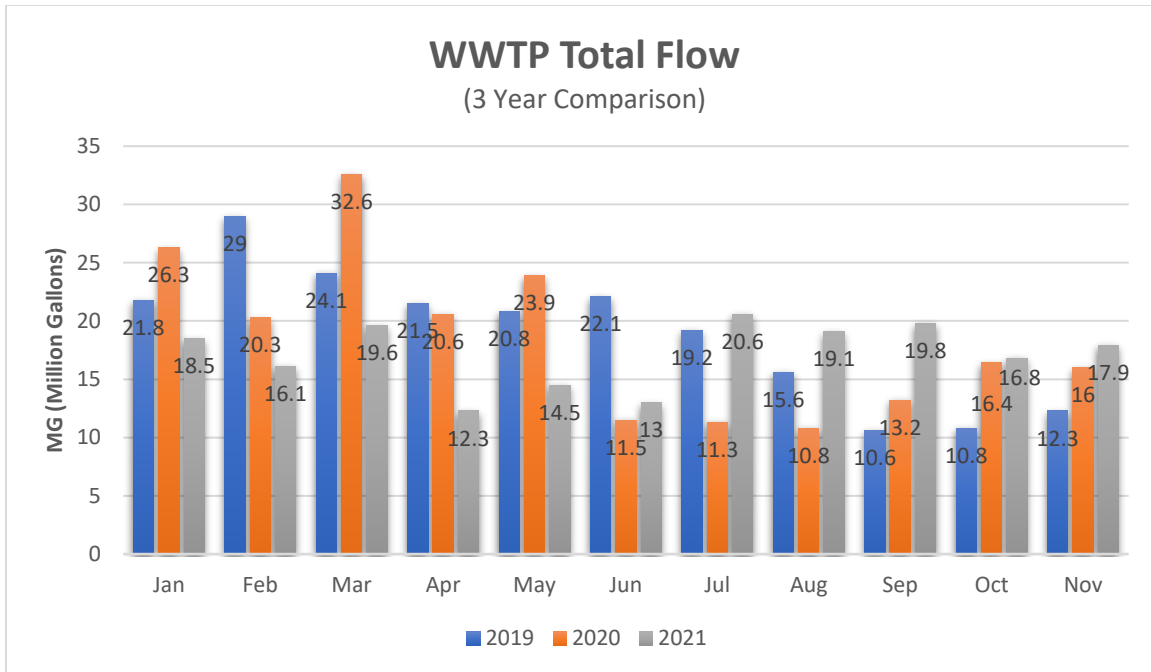
Monthly Influent MG



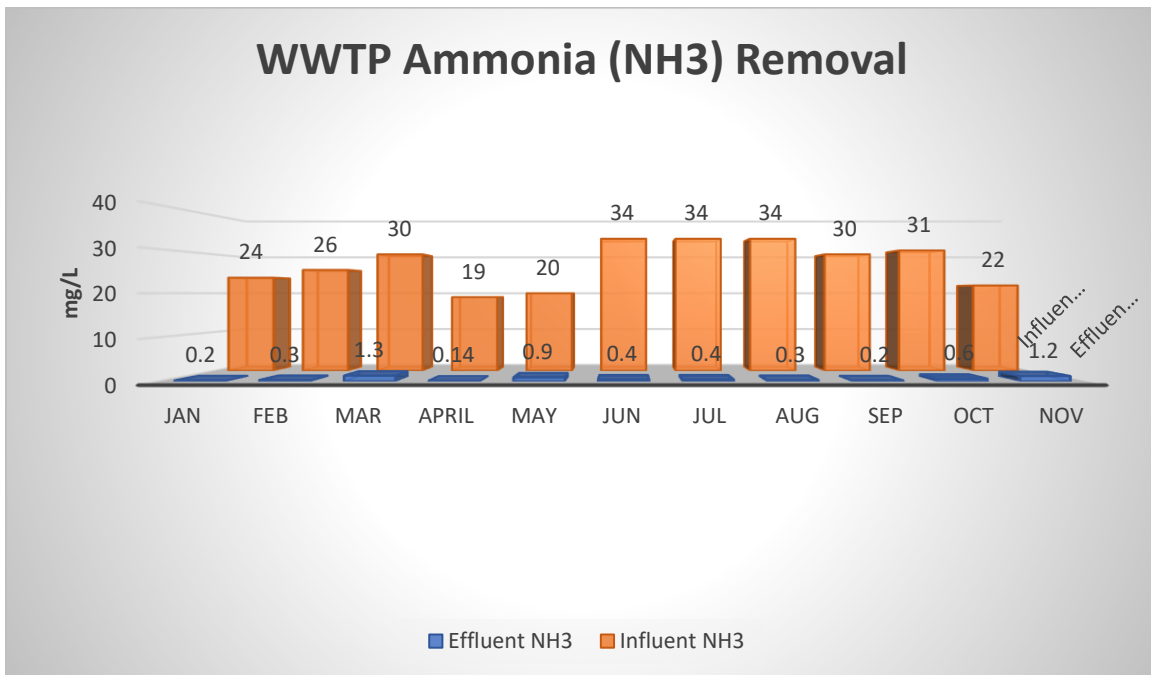


November 2021

Sewer Council Report

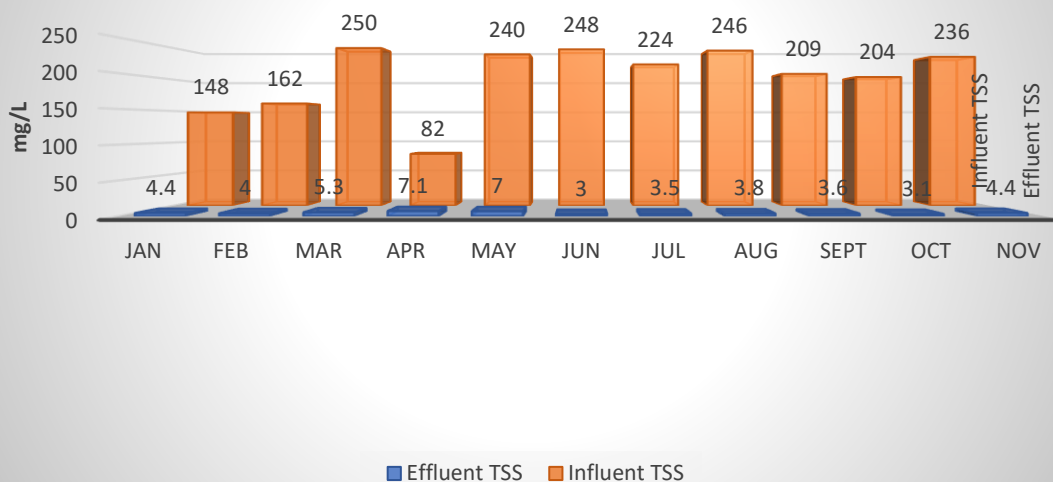


Plant Efficiency Charts



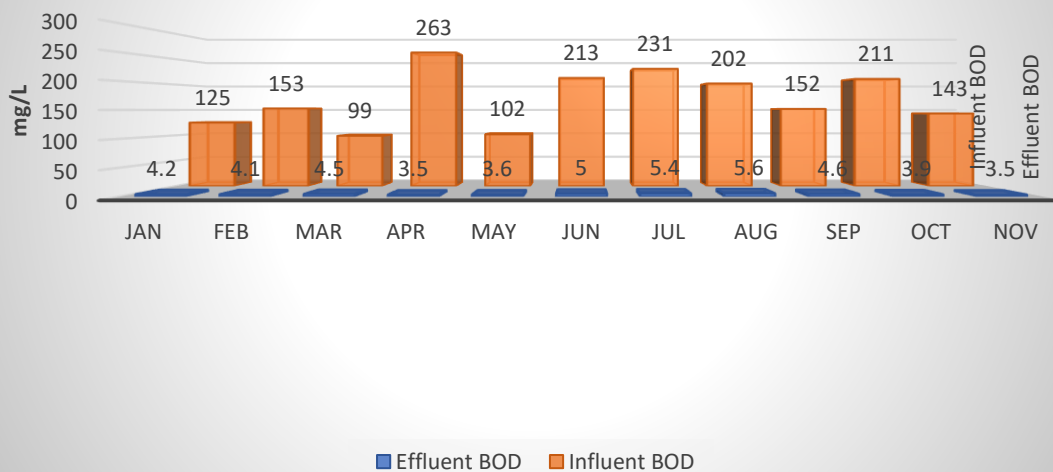
Average % of NH₃ removed for the month = **95%**

WWTP Total Suspended Solids Removal



Average % of TSS removed for the month = **98%**

WWTP BOD Removal



Average % of BOD removed for the month = **98%**

Work Highlights

- Sewer Inspections
 - 8 new build inspections completed
- Amount of sludge pressed (dewatered) – 535,035 Gallons
- Hauled Biosolids
- Pulled UV Bulbs for winter, E. coli season ended November 1st



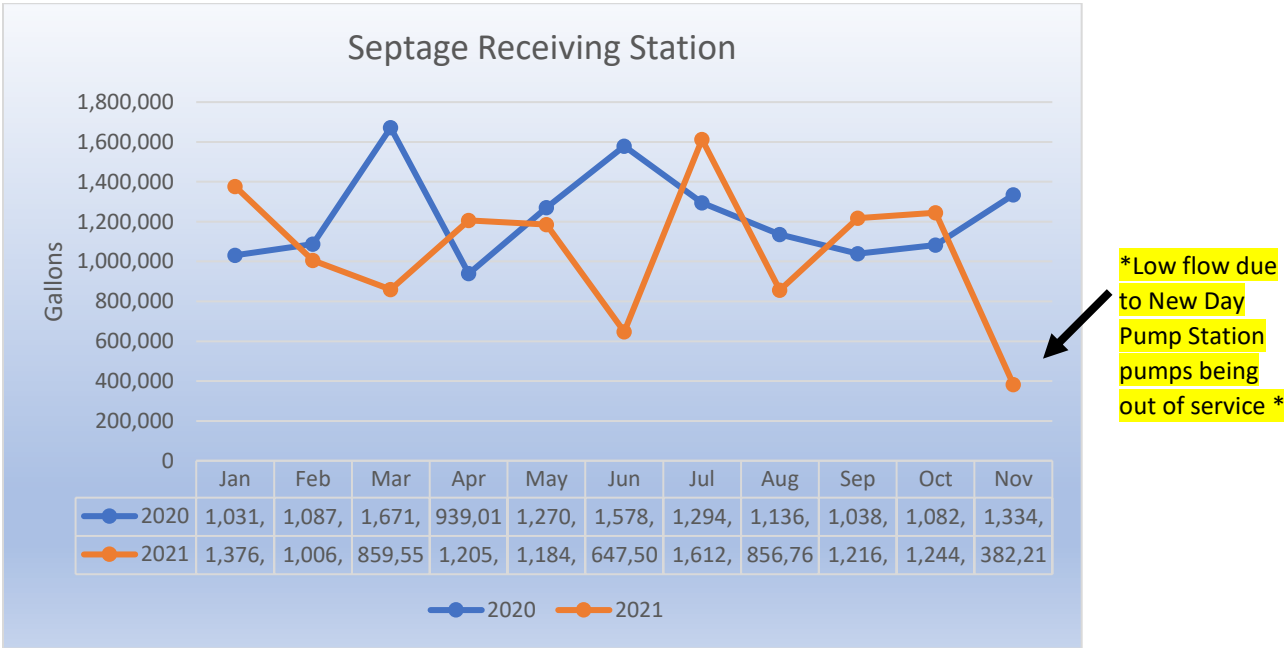
SBR # 2 Air Supply Line Leak

A section of steel air line was leaking causing us to deprive SBR # 2 of air. Without the steady supply of air, the nitrification/denitrification process that occurs biologically to remove ammonia (NH_3) was not being achieved. If left unrepaired much longer we would have been out of compliance on permit with our ammonia levels. Part of our plant expansion will be replacement of these underground steel lines with new plastic lines that will last much longer and be more reliable.

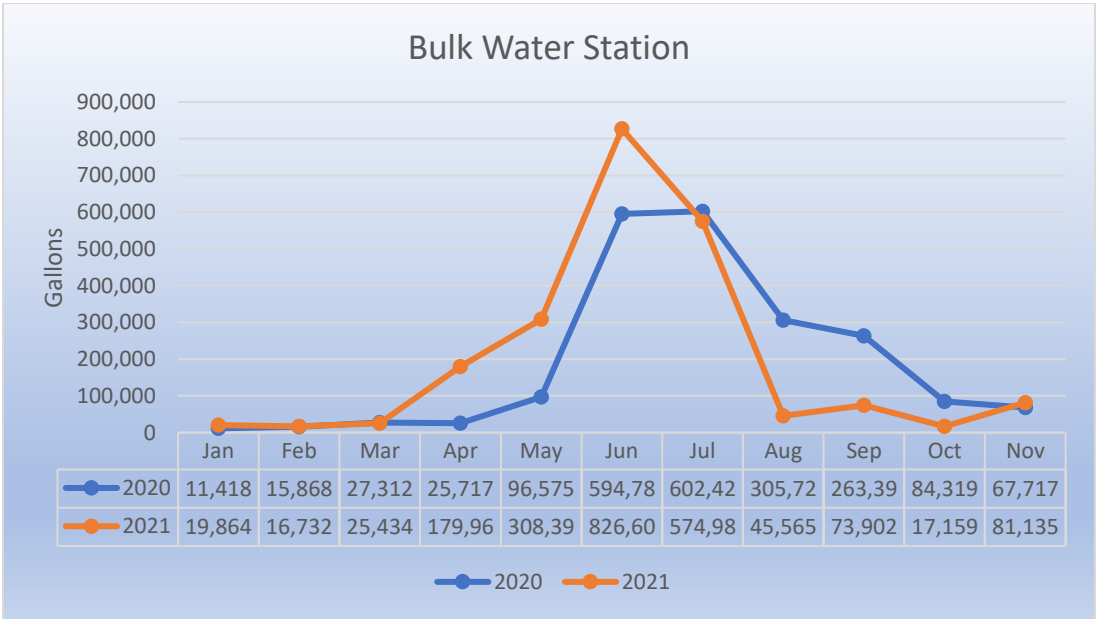


BULK SEWER & WATER

The following chart shows the total amount of waste in gallons brought in to Johnstown for the current year and past year by the egg farms and bulk septage haulers.



The chart below shows the total amount of bulk water in gallons purchased each month for the current year and past year. NOTE: This graph contains gallons of bulk water purchased only from the fill station onsite.



Rick Fitch
Chief Wastewater Operator



ORDINANCE 47-2021

AN ORDINANCE TO APPROVE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022

WHEREAS, State law and the Charter of the City require that annual appropriations be adopted; and

WHEREAS, the Council of the City of Johnstown does hereby desire to make the appropriations necessary to perform the functions of the City.

NOW, THEREFORE, be it ordained by the Council of the City of Johnstown, Licking County, Ohio, as follows:

Section 1: That the Council of the City of Johnstown, State of Ohio, in order to provide for the expenses and other expenditures of said City for the fiscal year beginning on January 1, 2022 and ending on December 31, 2022, the following sums be and are hereby set aside and appropriated as described in Exhibit A of this Ordinance attached hereto and incorporated herein as if fully rewritten.

Section 2: And the City Manager and the City Finance Director are hereby authorized to draw warrants for payments from any of the appropriations as detailed in Exhibit A of this Ordinance upon receiving proper certificates and vouchers therefore, approved by the officers authorized by law to approve the same, or an ordinance or resolution of the Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

Section 3: It is found and determined that all formal actions of this council concerning and relating to the adoption of this Ordinance were adopted in open meeting of this Council and that the 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 City of Johnstown.

Date of Introduction: November 16, 2021
Public Hearing/Vote: December 7, 2021
Effective Date: January 1, 2022

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan S. Ashrawi, Law Director

2022 PROJECTED AVAILABLE FUNDS

FUND		ANTICIPATED REVENUES	CARRYOVER FROM 2021	TOTAL FUNDS	TOTAL APPROPRIATIONS	12/31/2022 Balance
1000	General Fund	\$ 3,382,664	\$ 318,537	\$ 3,701,201	\$ 3,625,371	\$ 75,831
2011	Street Maintenance	\$ 510,640	\$ 82,765	\$ 593,405	\$ 584,958	\$ 8,448
2021	State Highway	\$ 23,360	\$ 21,263	\$ 44,623	\$ 36,000	\$ 8,623
2101	Permissive Motor License	\$ -	\$ 341	\$ 341	\$ -	\$ 341
2901	Mayor's Court Computer	\$ 1,000	\$ 3,056	\$ 4,056	\$ -	\$ 4,056
2903	Budget Stabilization Fund	\$ -	\$ 353,276	\$ 353,276	\$ 10,000	\$ 343,276
2904	FEMA Fund	\$ -	\$ 822	\$ 822	\$ -	\$ 822
2906	Police Fund	\$ 1,000	\$ 405	\$ 1,405	\$ -	\$ 1,405
2907	Right of Way Fund	\$ 30,000	\$ 39,170	\$ 69,170	\$ 6,000	\$ 63,170
2908	Employee Fund	\$ 9,500	\$ 28,500	\$ 38,000	\$ -	\$ 38,000
2910	American Rescue Plan Act Fund	\$ 247,010	\$ 106,010	\$ 353,021	\$ 179,564	\$ 173,456
3101	Debt Service Fund	\$ 336,000	\$ 164,000	\$ 500,000	\$ 492,000	\$ 8,000
4901	Capital Improvements - general	\$ 635,500	\$ 39,000	\$ 674,500	\$ 607,000	\$ 67,500
4902	Capital Improvements - US 62 Turn Lane	\$ -	\$ 153,400	\$ 153,400	\$ 153,400	\$ (0)
4903	Capital Improvements - Traffic Circle at Leaf	\$ 28,500	\$ -	\$ 28,500	\$ 28,500	\$ -
5101	Water Operating	\$ 750,375	\$ 410,598	\$ 1,160,973	\$ 864,099	\$ 296,874
5201	Sewer Operating	\$ 744,375	\$ 2,352,590	\$ 3,096,965	\$ 908,187	\$ 2,188,778
5701	Water Enterprise Improvement.	\$ 533,000	\$ 3,861,043	\$ 4,394,043	\$ 2,115,539	\$ 2,278,504
5702	Sewer Enterprise Improvement.	\$ 751,000	\$ 1,276,364	\$ 2,027,364	\$ 645,000	\$ 1,382,364
5721	Water Debt Service	\$ 492,000	\$ 376,717	\$ 868,717	\$ 391,000	\$ 477,717
5722	Sewer Debt Service	\$ 482,000	\$ 247,207	\$ 729,207	\$ 479,000	\$ 250,207
5781	Enterprise Deposits	\$ 50,000	\$ 330,434	\$ 380,434	\$ 36,000	\$ 344,434
9904	Mayor's Court	\$ 60,000	\$ 13,321	\$ 73,321	\$ 65,000	\$ 8,321
TOTALS		\$ 9,067,925	\$ 10,178,821	\$ 19,246,745	\$ 11,226,618	\$ 8,020,127

VILLAGE OF JOHNSTOWN 2021 APPROPRIATIONS

11/15/2021

	AMOUNTS	SUBTOTALS	FUND TOTALS
GENERAL FUND			
<i>SECURITY OF PERSONS & PROPERTY</i>			
POLICE DEPARTMENT			
Personnel Costs	\$1,109,634.45		
Contractual Services	\$142,050.00		
Supplies & Materials	\$155,500.00		
Miscellaneous	\$1,500.00		
TOTAL APPROPRIATION, POLICE DEPARTMENT	\$1,408,684.45		
STREET LIGHTING			
Contractual Services	\$65,000.00		
TOTAL APPROPRIATION, STREET LIGHTING	\$65,000.00		
TOTAL APPROPRIATION, SECURITY OF PERSONS & PROPERTY		\$1,473,684.45	
<i>PUBLIC HEALTH SERVICES</i>			
Board of Public Health Fees	\$20,000.00		
TOTAL APPROPRIATION, PUBLIC HEALTH SERVICES		\$20,000.00	
<i>LEISURE TIME ACTIVITIES</i>			
RECREATION DEPARTMENT			
Personnel Costs	\$0.00		
Contractual Services	\$37,925.00		
Supplies & Materials	\$15,000.00		
Miscellaneous	\$0.00		
TOTAL APPROPRIATION, RECREATION DEPARTMENT	\$52,925.00		
TOTAL APPROPRIATION, LEISURE TIME ACTIVITIES		\$52,925.00	
<i>COMMUNITY ENVIRONMENT</i>			
ZONING DEPARTMENT			
Personnel Costs	\$172,030.22		
Contractual Services	\$41,700.00		
Supplies & Materials	\$3,800.00		
Miscellaneous	\$1,500.00		
TOTAL APPROPRIATION, ZONING DEPARTMENT	\$219,030.22		
OTHER COMMUNITY ENVIRONMENT			
Miscellaneous	\$12,000.00		
TOTAL APPROPRIATION, OTHER COMMUNITY ENVIRONMENT	\$12,000.00		

TOTAL APPROPRIATION, COMMUNITY ENVIRONMENT	\$231,030.22
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TRANSPORTATION

STREET MAINTENANCE & REPAIR

Personnel Costs	\$0.00
Contractual Services	\$0.00

TOTAL APPROPRIATION, STREET MAINTENANCE & REPAIR	\$0.00
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TOTAL APPROPRIATION, TRANSPORTATION	\$0.00
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GENERAL GOVERNMENT

ADMINISTRATIVE OFFICES

Personnel Costs	\$173,651.61
Contractual Services	\$225,300.00
Supplies & Materials	\$16,300.00

TOTAL APPROPRIATION, ADMINISTRATION OFFICES	\$415,251.61
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LEGISLATIVE ACTIVITIES

Personnel Costs	\$21,664.80
Contractual Services	\$85,750.00
Supplies & Materials	\$1,250.00
Miscellaneous	\$20,500.00

TOTAL APPROPRIATION, LEGISLATIVE ACTIVITIES	\$129,164.80
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MAYOR'S COURT

Personnel Costs	\$98,194.61
Contractual Services	\$2,400.00
Supplies & Materials	\$1,000.00
Miscellaneous	\$0.00

TOTAL APPROPRIATION, MAYOR'S COURT	\$101,594.61
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FINANCE DEPARTMENT

Personnel Costs	\$64,369.95
Contractual Services	\$29,650.00
Supplies & Materials	\$4,000.00

TOTAL APPROPRIATION, FINANCE DEPARTMENT	\$98,019.95
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LANDS & BUILDINGS

Contractual Services	\$91,700.00
Supplies & Materials	\$6,500.00

TOTAL APPROPRIATION, LANDS & BUILDINGS	\$98,200.00
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COUNTY AUDITOR & COUNTY TREASURER FEES

Contractual Services	\$6,000.00
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TOTAL APPROPRIATION, COUNTY AUDITOR & COUNTY TREA	\$6,000.00
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AUDITOR OF STATE FEES

Contractual Services	\$10,000.00
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TOTAL APPROPRIATION, AUDITOR OF STATE FEES	\$10,000.00
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INCOME TAX ADMINISTRATION

Contractual Services	\$75,000.00
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Miscellaneous	\$0.00	
TOTAL APPROPRIATION, INCOME TAX ADMINISTRATION	\$75,000.00	
TOTAL APPROPRIATION, GENERAL GOVERNMENT		\$933,230.96
OTHER FINANCING USES		
Transfers	\$910,500.00	
Other Uses of Funds	\$4,000.00	
TOTAL APPROPRIATION, OTHER FINANCING USES		\$914,500.00
TOTAL APPROPRIATION, GENERAL FUND		\$3,625,370.63
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STREET CONSTRUCTION, MAINTENANCE, & REPAIR FUND

STREET MAINTENANCE & REPAIR

Personnel Costs	\$422,457.79	
Contractual Services	\$24,800.00	
Supplies & Materials	\$78,200.00	
TOTAL APPROPRIATION, STREET MAINTENANCE & REPAIR		\$525,457.79

STREET CLEANING, SNOW & ICE REMOVAL

Supplies & Materials	\$30,000.00	
TOTAL APPROPRIATION, STREET CLEANING, SNOW & REMOVAL		\$30,000.00

TRAFFIC SIGNS & SIGNALS

Contractual Services	\$4,500.00	
Supplies & Materials	\$18,000.00	
TOTAL APPROPRIATION, TRAFFIC SIGNS & SIGNALS		\$22,500.00

SIDEWALKS

Capital Outlay	\$6,000.00	
TOTAL APPROPRIATION, SIDEWALKS		\$6,000.00

Other Uses of Funds	\$1,000.00	
TOTAL APPROPRIATION, OTHER USES OF FUNDS		\$1,000.00

TOTAL APPROPRIATION, STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND		\$584,957.79
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STATE HIGHWAY & IMPROVEMENT FUND

STREET MAINTENANCE & REPAIR

Personnel Costs	\$0.00	
Contractual Services	\$1,000.00	
Supplies & Materials	\$10,000.00	
TOTAL APPROPRIATION, STREET MAINTENANCE & REPAIR		\$11,000.00

STREET CLEANING, SNOW & ICE REMOVAL

Supplies & Materials	\$14,500.00	
TOTAL APPROPRIATION, STREET CLEANING, SNOW & REMOVAL		\$14,500.00

TRAFFIC SIGNS & SIGNALS

Contractual Services	\$7,500.00	
Supplies & Materials	\$3,000.00	
TOTAL APPROPRIATION, TRAFFIC SIGNS & SIGNALS		\$10,500.00

TOTAL APPROPRIATION, STATE HIGHWAY & IMPROVEMENT FUND		\$36,000.00
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PERMISSIVE MOTER VEHICLE LICENSE TAX FUND

Capital Outlay	\$0.00	
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TOTAL APPROPRIATION, PERMISSIVE MOTOR VEHICLE LICENSE TAX FUND		\$0.00
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COPS FAST FUND

Personnel Costs	\$0.00	
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TOTAL APPROPRIATION, COPS FAST FUND		\$0.00
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AMOUNT	SUBTOTALS	FUND TOTALS
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ENFORCEMENT & EDUCATION FUND

Supplies & Materials	\$0.00	
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TOTAL APPROPRIATION, ENFORCEMENT & EDUCATION FUND		\$0.00
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EQUITABLE SHARING FUND

Supplies & Materials	\$0.00	
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TOTAL APPROPRIATION, EQUITABLE SHARING FUND		\$0.00
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MAYOR'S COURT — COMPUTER FUND

Supplies & Materials	\$0.00	
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TOTAL APPROPRIATION, MAYOR'S COURT — COMPUTER FUND		\$0.00
AMOUNT	SUBTOTALS	

BABCOCK PROJECTS FUND

Capital Outlay	\$0.00	
TOTAL APPROPRIATION, BABCOCK PROJECTS FUND		\$0.00

BUDGET STABILIZATION FUND

Capital Outlay	\$10,000.00	
TOTAL APPROPRIATION, BUDGET STABILIZATION FUND		\$10,000.00

FEMA FUND

Supplies & Materials	\$0.00	
TOTAL APPROPRIATION, FEMA FUND		\$0.00

SCHOOL TRAFFIC IMPROVEMENT FUND

Supplies & Materials	\$0.00	
TOTAL APPROPRIATION, SCHOOL TRAFFIC IMPROVEMENT FUND		\$0.00

RESTRICTED POLICE GRANT FUND

Contractual Services	\$0.00	
TOTAL APPROPRIATION, RESTRICTED POLICE GRANT FUND		\$0.00

RIGHT OF WAY FUND

Contractual Services	\$6,000.00	
Capital Outlay	\$0.00	
TOTAL APPROPRIATION, RIGHT OF WAY FUND		\$6,000.00

EMPLOYEE FUND

Transfers - out	\$0.00	
TOTAL APPROPRIATION, EMPLOYEE FUND		\$0.00

ARPA FUND

Transfers - out	\$179,564.48	
TOTAL APPROPRIATION, ARPA FUND		\$179,564.48

DEBT SERVICE FUND

Debt Service	\$492,000.00
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TOTAL APPROPRIATION, DEBT SERVICE FUND	\$492,000.00
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CAPITAL PROJECTS FUND

Capital Outlay	\$607,000.00
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TOTAL APPROPRIATION, CAPITAL PROJECTS FUND	\$607,000.00
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CAPITAL PROJECTS FUND - Rt 62

Capital Outlay	\$153,400.03
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TOTAL APPROPRIATION, CAPITAL PROJECTS FUND Rt 62	\$153,400.03
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CAPITAL PROJECTS FUND - Traffic Circle

Capital Outlay	\$28,500.00
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TOTAL APPROPRIATION, CAPITAL PROJECTS FUND Rt 62	\$28,500.00
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WATER OPERATIONS FUND

Personnel Costs	\$406,649.39
Contractual Services	\$149,450.00
Supplies & Materials	\$300,500.00
Permit Fees	\$6,000.00
Capital Outlay	\$0.00
Other Uses of Funds	\$1,500.00

TOTAL APPROPRIATION, WATER OPERATIONS FUND	\$864,099.39
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SEWER OPERATIONS FUND

Personnel Costs	\$356,287.15
Contractual Services	\$269,000.00
Supplies & Materials	\$277,400.00
Permit Fees	\$4,000.00
Capital Outlay	\$0.00
Other Uses of Funds	\$1,500.00

TOTAL APPROPRIATION, SEWER OPERATIONS FUND	\$908,187.15
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WATER REPLACEMENT & IMPROVEMENTS FUND

Capital Outlay	\$2,115,539.00
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TOTAL APPROPRIATION, WATER REPLACEMENT & IMPROVEMENTS FUND	
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.. \$2,115,539.00

SEWER REPLACEMENT & IMPROVEMENTS FUND

TOTAL APPROPRIATION, SEWER REPLACEMENT & IMPROVEMENTS FUND \$645,000.00

WATER DEBT SERVICE FUND

Debt Service \$391,000.00

TOTAL APPROPRIATION, WATER DEBT SERVICE FUND \$391,000.00

SEWER DEBT SERVICE FUND

Debt Service \$479,000.00

TOTAL APPROPRIATION, SEWER DEBT SERVICE FUND \$479,000.00

ENTERPRISE DEPOSIT FUND

Miscellaneous \$35,000.00
Transfers \$1,000.00

TOTAL APPROPRIATION, ENTERPRISE DEPOSIT FUND \$36,000.00

UNCLAIMED MONIES FUND

Transfers \$0.00

TOTAL APPROPRIATION, UNCLAIMED MONIES FUND \$0.00

MAYOR'S COURT FUND

Contractual Services \$65,000.00

TOTAL APPROPRIATION, MAYOR'S COURT FUND \$65,000.00

TOTAL APPROPRIATIONS, ALL FUNDS \$11,226,618.47



**AN ORDINANCE AMENDING ORDINANCE 34-20,
THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE
NECESSARY CHANGES OF APPROPRIATIONS**

WHEREAS, the Council of the City of Johnstown adopted its annual appropriations for 2021 on December 8, 2020; and

WHEREAS, the Income Tax administration fees charged by the Regional Income Tax Agency (RITA) are higher than originally budgeted due to higher income tax revenue receipts and processing; and

WHEREAS, the expenditures from Fund 5781 Enterprise Deposits are more than originally budgeted due to increased revenues / deposits being collected into the fund in 2021 for new residents moving in; and

WHEREAS, the Council of the City of Johnstown desires to increase revenue and appropriations in these two funds to pay for these additional expenditures; and

WHEREAS, the net effect on the finances of the City of Johnstown will be \$0.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOHNSTOWN, STATE OF OHIO, THAT:

Section One. That the revenue and appropriations for the General and Enterprise Deposit Funds that were set forth in Ordinance 34-20, adopted by the Council of the City of Johnstown, State of Ohio, on December 8, 2020, be hereby amended to read as follows:

Adjustments for General Fund 1000

Revenue – Income Tax Receipts	\$ 5,000.00
Appropriation – Income Tax Administration, Contractual Services	\$ 5,000.00
NET EFFECT on General Fund 1000	\$ 0

Adjustments for Enterprise Deposit Fund 5781

Revenue – Deposits	\$ 10,000.00
Appropriation - Miscellaneous	\$ 10,000.00
NET EFFECT on Enterprise Deposit Fund 5781	\$ 0

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 CITY OF JOHNSTOWN.

Date of Introduction: November 16, 2021

Public Hearing/Vote: December 7, 2021

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

DRAFT



**AN ORDINANCE AMENDING ORDINANCE 34-20,
THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE
NECESSARY CHANGES OF APPROPRIATIONS**

WHEREAS the Council of the City of Johnstown adopted its annual appropriations for 2021 on December 8, 2020; and

WHEREAS, The City of Johnstown will receive an electronic funds transfer of sixty thousand dollars (\$60,000.00) from Park National Bank in November 2021 for the loan to purchase one (1) new police cruiser as passed in Ordinance 14-2021; and

WHEREAS, the City of Johnstown will expend these funds when the cruiser is delivered to the Police Department; and

WHEREAS, the loan will be repaid over three (3) years at an interest rate of 3.20%; and

WHEREAS, the net effect on the finances of the City of Johnstown is \$0.

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

Section One. That the revenues and appropriations for the Capital Projects Fund that were set forth in Ordinance 34-20, adopted by the Council of the City of Johnstown, State of Ohio, on December 8, 2020, be hereby amended to read as follows:

Revenue - Capital Projects	\$ 60,000.00
Appropriation – Capital Outlay	\$ 60,000.00
Net effect on Capital Projects Fund Balance	\$ 0

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 CITY OF JOHNSTOWN.

Date of Introduction: November 16, 2021
Public Hearing/Passage: December 7, 2021
Effective Date: December 7, 2021

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

DRAFT



RESOLUTION 2021-50

**A RESOLUTION TO ACCEPT THE RESIGNATION OF A PUBLIC EMPLOYEE AND
APPOINT INTERIM MANAGER**

WHEREAS, Jim Lenner has submitted to Council his resignation as the City of Johnstown Manager effective December 3, 2021; and

WHEREAS, the City of Johnstown Council accepts Mr. Lenner's resignation and is grateful for his service; and

WHEREAS, Johnstown Council has determined that it is in the best interest of the City of Johnstown to appoint Jack Liggett, Assistant City Manager, as the Interim City Manager; and

WHEREAS, The City of Johnstown Council and Jack Liggett have reviewed and agreed upon the terms for Interim City Manager; and

WHEREAS, a copy of the agreement is attached to this Resolution as Exhibit "A" and is incorporated in its entirety; and

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

Section 1. That this Council of the City of Johnstown accepts the resignation of Jim Lenner as Johnstown City Manager effective December 3, 2021.

Section 2. The terms for employment with Jack Liggett for the position of Interim City Manager are approved and authorization of the same is hereby granted. A copy of the contract is attached as **Exhibit "A"** and incorporated in this resolution in its entirety.

Section 3. It is found and determined that all formal actions of this City Council, concerning and relating to the recommendation of adoption of this Resolution, were approved in an open meeting of this 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 CITY OF JOHNSTOWN.

Date of Introduction/ Public Hearing/Vote: December 7, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2021-51

A RESOLUTION TO APPOINT A CITY LAW DIRECTOR, CITY PROSECUTOR, MUNICIPAL COURT MAGISTRATE, CITY ENGINEER, AND CITY AUDITOR TO SERVE THE CITY AND ITS' EMPLOYEES FOR THE YEAR 2022

WHEREAS, Sections 6.01(a) and 6.03(b) of the Charter of the City of Johnstown require that the Municipality have a Department of Law and that The Director of Law shall be appointed by the Manager, subject to the consent and approval of Council and;

WHEREAS, Section 6.04(c) allows for Council to provide assistants and special counsel to the Director of Law and as allowed wish to appoint a City Prosecutor and;

WHEREAS, Section 3.04(a)(3) says the Mayor shall appoint a magistrate with the concurrence of Council and;

WHEREAS, it is necessary for the City, and the Council desires to appoint a City Engineer as well as an auditor and;

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

Section One: The City Council herein approves the following Appointments for 2022:

CITY LAW DIRECTOR	FROST BROWN TODD, LLC
CITY ASSISTANT PROSECUTOR	MARK GARDNER
CITY MAGISTRATE	TRACY VANWINKLE
CITY ENGINEER	PRIME AE GROUP, INC
CITY AUDITOR	AUDITOR OF STATE OF OHIO

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 CITY OF JOHNSTOWN.

Introduction/Public Hearing/Vote: December 7, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2021-52

**A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND TIME FOR ALL
REGULAR CITY COUNCIL MEETINGS FOR THE 2022 CALENDAR YEAR**

WHEREAS, the City of Johnstown Council desires to establish a schedule of regular meeting dates for the 2022 calendar year; and

WHEREAS, Council generally desires to retain the 1st and 3rd Tuesdays of each month as its regular meeting dates and designates 6:30 p.m. as the meeting time; and

WHEREAS, if a Primary or Special Election is scheduled on the same date as a set Council meeting, Council will move its meeting to the next *Wednesday allowing Council chambers to be used as a polling location.

WHEREAS, in the month of December, Council will hold meetings on the 1st and 2nd Tuesday of the month.

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

Section One The City Council herein approves the following schedule of Regular Council Meetings for the 2022 Calendar Year, which shall have a starting time of 6:30 p.m.:

January 4	April 5	July 5	October 4
January 18	April 19	July 19	October 18
February 1	May 4*	August 2	November 1
February 15	May 17	August 16	November 15
March 1	June 7	September 6	December 6
March 15	June 21	September 20	December 13

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 CITY OF JOHNSTOWN.

Introduction/Public Hearing/Vote: December 7, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2021-53

**A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND TIME FOR ALL
REGULAR PLANNING & ZONING COMMISSION MEETINGS FOR THE 2022 CALENDAR YEAR**

Whereas, it is the recommendation of the Planning & Zoning Commission that Johnstown City Council approve the Regular Meeting Dates and Time for the Planning & Zoning Commission for the 2022 Calendar Year; and

Whereas, the Planning & Zoning Commission generally desires to retain the 2nd and 4th Tuesdays of each month as its Regular Meeting Dates, and 6:30 p.m. as the meeting time; and

WHEREAS, in November and any Primary or Special Election scheduled, The Planning & Zoning Commission will meet on the 2nd Wednesday* allowing Council chambers to be used as a polling location.

Whereas, In January, the Planning & Zoning Commission will meet only once on the 4th Tuesday.

Whereas, In December, the Planning & Zoning Commission will meet only once on the 1st Wednesday.

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

Section One the City Council herein approves the following Schedule of Regular Planning & Zoning Commission Meetings for the 2022 Calendar Year, which shall have a starting time of 6:30 p.m.:

	March 8	May 10	July 12	September 13	November 9*
January 25	March 22	May 24	July 26	September 27	November 22
February 8	April 12	June 14	August 9	October 11	December 7
February 22	April 26	June 28	August 23	October 25	

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, as well as any meetings held by the Planning & Zoning Commission 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 CITY OF JOHNSTOWN.

Introduction/Public Hearing/Vote: December 7, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2021-54

A RESOLUTION ESTABLISHING SUBMITTAL DEADLINES FOR PLANNING & ZONING COMMISSION APPLICATIONS IN THE 2022 CALENDAR YEAR

Whereas, the Planning & Zoning Commission meeting dates for 2022 were approved by Council Resolution 2021-53; and

Whereas, it is necessary for City Staff to have sufficient time to review and properly evaluate applications and materials prior to drafting the staff report for Planning and Zoning Commission review; and

Whereas, it is Staff recommendation that Johnstown City Council approve deadlines for submitting applications to the Planning & Zoning Commission for the 2022 Calendar Year; and

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

Section One City Council herein approves the 2022 Planning and Zoning Commission Submittal Deadline schedule attached.

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, as well as any meetings held by the Planning & Zoning Commission 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 CITY OF JOHNSTOWN.

Introduction/Public Hearing/Vote: December 7, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

Planning & Zoning Commission Application Submittal Deadlines

Commission Meeting	Submission Date*
1/25/2022	1/11/2022
2/8/2022	1/25/2022
2/22/2022	2/8/2022
3/8/2022	2/22/2022
3/22/2022	3/8/2022
4/12/2022	3/29/2022
4/26/2022	4/12/2022
5/10/2022	4/26/2022
5/24/2022	5/10/2022
6/14/2022	5/31/2022
6/28/2022	6/14/2022
7/12/2022	6/28/2022
7/26/2022	7/12/2022
8/9/2022	7/26/2022
8/23/2022	8/9/2022
9/13/2022	8/30/2022
9/27/2022	9/13/2022
10/11/2022	9/27/2022
10/25/2022	10/11/2022
11/9/2022	10/26/2022
11/22/2022	11/8/2022
12/7/2022	11/23/2022

*Due to public notice requirements, actual application deadlines may be in advance of the date posted. Please contact the Zoning Inspector for information.

Resolution 2021-55



RESOLUTION 2021-55

A RESOLUTION ESTABLISHING THE 2022 SCHEDULE OF HOLIDAYS FOR THE CITY OF JOHNSTOWN

WHEREAS, the City of Johnstown Council desires to establish a schedule of holidays for the 2022 Calendar Year; and

WHEREAS, All full-time employees are eligible for twelve (12) eight hour paid holidays in each calendar year; and

WHEREAS, New Years Day 2022 falls on a Saturday and was included with the 2021 holiday schedule.

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

Section One: City Council herein approves the following schedule of holidays for the 2022 calendar year

Monday, February 21 – President’s Day
Monday, May 30 – Memorial Day
Monday June 20 – Juneteenth observed
Monday, July 4 – Independence Day
Monday, September 5 – Labor Day
Monday, October 10 – Columbus Day
Friday, November 11 – Veterans Day
Thursday & Friday, November 24 & 25 – Thanksgiving
Friday, December 23 – Christmas Eve observed
Monday, December 26– Christmas Day observed

Section Two: Employees who normally work Monday through Friday will follow Section One. Water, Sewer, Street and Police Department employees who do not normally work Monday through Friday will observe holidays on the actual holiday.

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 CITY OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: December 7, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2021-56

**RESOLUTION APPOINTING MEMBERS TO THE JOHNSTOWN
TREE COMMISSION**

WHEREAS, Chapter 947 of the Codified Ordinances established the Johnstown Tree Commission for the purpose of leading tree related projects within the City; and

WHEREAS, Resolution 2021-19 lists the five commission members and their terms; and

WHEREAS, two terms are expiring December 31, 2021 and members have expressed their desire to be reappointed; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Johnstown, State of Ohio:

Section 1. That Marvin Block and Andy Bruney are hereby reappointed to the Johnstown Tree Commission for three year terms commencing January 1, 2022 and expiring December 31, 2024

Section 2. 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 CITY OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: December 7, 2021

By: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2021-57

**A RESOLUTION TO REAPPOINT MARVIN BLOCK TO THE JOHNSTOWN
COMMUNITY IMPROVEMENT CORPORATION**

WHEREAS, Council has ordained via Johnstown Ordinance 31-2019 for the formation of a community improvement corporation known as Johnstown Community Improvement Corporation (“Johnstown CIC”) to serve as the City’s agency for the industrial, commercial, distribution and research development activities of the City; and

WHEREAS, Mr. Block’s original appointment as a “Class II” Appointed Director of the Johnstown Community Improvement Corporation is expiring December 31, 2021;
and

WHEREAS, each initial Class I Appointed Director shall serve for a one (1) year term or until his or her successor is duly elected and qualified; thereafter, each Appointed Director shall serve for a three (3) year term or until his or her successor is duly elected and qualified; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Johnstown, County of Licking, State of Ohio:

Section 1. That Marvin Block is hereby appointed to a new term as a “Class I” Appointed Director of the Johnstown Community Improvement Corporation for a term commencing January 1, 2022, and expiring December 31, 2024.

Section 2. This Resolution shall be in full force and effect from and after the earliest period allowed by law.

Date of Introduction/Public Hearing/Vote: December 7, 2021

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



AN ORDINANCE ENACTING CHAPTER 194 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES TO ESTABLISH A TRANSIENT OCCUPANCY TAX

WHEREAS, the Council of the City of Johnstown desires to impose a transient occupancy tax upon lodging accommodations with the limits of the City of Johnstown.

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

Section One. That Chapter 194 of the City of Johnstown Codified Ordinances is hereby enacted as follows:

CHAPTER 194

CITY OF JOHNSTOWN TRANSIENT OCCUPANCY TAX

194.01 - DEFINITIONS.

Accommodations remarketer: means a person that reserves, arranges for, conveys, or furnishes occupancy, whether directly or indirectly, to a transient guest for a rental amount determined by the accommodations remarketer, directly or indirectly, whether pursuant to a written or other agreement, or who contracts with a vendor to market the hotel or transient accommodation and to accept payment from the transient guest for the accommodation. Examples of accommodations remarketers include, but are not limited to, online travel companies and discount travel services.

Exempted entity: means the government of the United States, the government of the State of Ohio, the governments of States other than Ohio, the governments of political subdivisions in the State of Ohio, the governments of political subdivisions of states other than Ohio, and organizations that are exempt from federal income taxation under Internal Revenue Code Section 501(c)(3).

Hotel: means every establishment kept, used, maintained, advertised or held out to the public to be a place where sleeping accommodations are offered to guest(s), in which five (5) or more rooms are used for the accommodation of such guests, whether such rooms are in one (1) or several structures. The term "Hotel" shall include "Motel".

Transient accommodations: means every establishment kept, used, maintained, advertised or held out to the public to be a place where sleeping accommodations are offered to guests in which four (4) or fewer rooms are used for the accommodation of such guests, whether such rooms are in one (1) or several structures.

Transient guests: means person(s) occupying a room or rooms for sleeping accommodations for less than thirty (30) consecutive days.

Vendor: means the person who is the owner or operator of the hotel or transient accommodation and who furnishes the lodging.

194.02 - IMPOSITION OF TAX.

(A) To provide for the purposes of general municipal operations, capital improvements, maintenance and repair of equipment, streets and other physical properties, purchase of new equipment, and the payment of principal and interest on bonds issued by the city, an excise tax of three percent (3%) is hereby levied on transactions by which lodging by a hotel or transient accommodations is or is to be furnished to transient guests, pursuant to ORC § 5739.08(A) and furthermore, an additional excise tax of three percent (3%) is hereby levied on transactions by which lodging by a hotel or transient accommodation is or is to be furnished to transient guests pursuant to ORC § 5739.08(B). Purchase of a room or rooms by a transient guest through an accommodations remarketer is a transaction by which a hotel or transient accommodation is to be furnished to transient guests and is subject to tax at the price paid by the transient guest to the accommodations remarketer.

(B) Although the above levies are separate and distinct for purposes of determining distribution, the combined amounts of six percent (6%) are hereby referred to as the "Hotel/Motel Excise Taxes".

(C) The tax applies and is collectible at the time the lodging is furnished regardless of the time when the price is paid. The tax does not apply to lodging furnished to exempted entities. Lodging shall be considered to be furnished to an exempted entity only if the lodging is purchased by an agent of the exempted entity and directly purchased with the exempted entity's funds. For purposes of this section, lodging purchased with a credit card on which the exempted entity is the primary accountholder shall be considered to have been directly purchased with the exempted entity's funds.

(D) For the purpose of the proper administration of this chapter, and to prevent the evasion of the tax it is presumed that all transactions for lodging furnished by hotels or transient accommodations in the city to transient guests are subject to tax until the contrary is established by the transient guest.

(E) All revenues generated by this excise tax will be distributed as follows:

(1) The entire excise tax collected pursuant to ORC § 5739.08(A) shall be deposited into the general fund.

(2) The additional excise tax collected pursuant to ORC § 5739.08(B) to be distributed as follows: 50% shall be deposited into the Johnstown Visitors' Bureau Fund, which is hereby created, and which shall be spent solely to make contributions to convention and visitors' bureaus operating within Licking County as directed by city council. The remaining 50% shall be deposited into the general fund.

194.03 - TRANSIENT GUEST TO PAY TAX.

The tax imposed by this chapter shall be paid by the transient guest to the vendor and each vendor shall collect from the transient guest the full and exact amount of the tax payable on each taxable lodging.

If the tax is claimed to be exempt, the transient guest must furnish to the vendor, and the vendor must obtain from the transient guest, a statement specifying the reason that the sale is not legally subject to the tax. If no statement is obtained, it shall be presumed the tax applied.

194.04 - REFUND OF ILLEGAL OR ERRONEOUS PAYMENTS.

The director of finance shall refund to vendors the amount of taxes paid illegally or erroneously or paid on any illegal or erroneous assessment where the vendor has not reimbursed himself from the transient guest. When such illegal or erroneous payment or assessment was not paid to a vendor but was paid by the transient guest directly to the city, the finance director shall refund the appropriate amount to the transient guest. Applications shall be filed with the finance director on the form prescribed by the finance director, within ninety (90) days of the date it is ascertained that the assessment or payment was illegal or erroneous. However, in any event such application for refund must be filed with the finance director within four (4) years from the date of the illegal or erroneous payment of the tax. On filing of such application, the finance director shall determine the amount of refund due and issue the refund to the person claiming such refund.

194.05 - REQUIRED RECORDS.

Each vendor shall keep complete and accurate records of lodging furnished, together with a record of the tax collected thereon, which shall be the amount due under this chapter and shall keep all invoices and such other pertinent documents. If the vendor furnishes lodging not subject to the tax, the vendor's records shall show the identity of the transient guests, if the sale was exempted by reason of such identify, or the nature of the transaction if exempted for any other reason. Such records and other documents shall be open during business hours to the inspection of the finance director and shall be preserved for a period of not less than four (4) years, unless the finance director, in writing, consents to their destruction within that period, or by order requires that they be kept longer.

194.06 - RETURNS REQUIRED.

Each vendor shall file a quarterly return on forms prescribed by the finance director showing receipts from furnishing lodging, the amount of tax due from the vendor to the city for the period covered by the return, and such other information as the finance director deems necessary for the proper administration of this chapter. The quarterly return is due on or before the 15th day of the following month during a calendar year. The finance director may extend the time for making and filing returns. Returns shall be filed by mailing the same to

the finance director, together with payment of the amount of tax shown to be due thereon. The finance director shall record the date and amount of payment received with the return. Any vendor who fails to file a return under this chapter shall forfeit and pay into the city treasury the sum of one percent (1%) of the tax due. The director of finance, if deemed necessary in order to ensure the payment of the tax imposed by this chapter, may require returns and payments to be made for other than in quarterly periods. The returns shall be signed by the vendor or authorized agent.

194.07 - LIABILITY, ASSESSMENT AND PETITION FOR REASSESSMENT: PENALTIES.

(A) If any vendor collects the tax imposed by or pursuant to this chapter and fails to remit the same to the city as prescribed, such vendor shall be personally liable for any amount collected which he failed to remit. The finance director may make an assessment against such vendor based upon any information in the finance director's possession. If any vendor fails to collect the tax or any transient guest fails to pay the tax imposed by or pursuant to this chapter on any transaction subject to the tax, such vendor or transient guest shall be personally liable for the amount of the tax applicable to the transaction. The finance director may make an assessment against either the vendor or transient guest as the fact may require, based upon any information in the finance director's possession. An assessment against a vendor in cases where the tax imposed by or pursuant to this chapter has not been collected or paid, shall not discharge the transient guest's liability to reimburse the vendor for the tax applicable to such transaction.

(B) In each case the finance director shall give to the vendor or transient guest assessed written notice of such assessment. Such notice may be served upon the vendor or transient guest personally or by registered or certified mail. An assessment issued against either pursuant to the provisions of this chapter shall not be considered an election of remedies, nor a bar to an assessment against the other for the tax applicable to the same transaction, provided that no assessment shall be issued against any vendor or transient guest for the tax due on a particular transaction if said tax has actually been paid by another.

(C) The director of finance may make an assessment against any vendor who fails to file a return required by this chapter or fails to remit the proper amount for the tax in accordance with this chapter. When information in the possession of the director of finance indicates that the amount required to be collected is, or should be, greater than the amount remitted by the vendor, the director of finance may, upon the basis of test checks of a vendor's business for a representative period, which are hereby authorized, determine the ratio which the tax required to be collected under this chapter bears to the hotel's or transient accommodations' lodging which determination shall be the basis of an assessment as herein provided in this chapter. Notice of such assessment shall be made in the manner prescribed in this chapter.

(D) Unless the vendor or transient guest, to whom said notice of assessment is directed, files within thirty (30) days after service thereof, either personally or by registered or certified mail a petition, in writing, verified under oath by said vendor, transient guest, or his authorized agent, having knowledge of the facts, setting forth with particularity the items of said assessment objected to, together with the reasons for such objections, said assessment shall become conclusive and the amount thereof shall be due and payable, from the vendor or

transient guest so assessed, to the director of finance. When a petition for reassessment is filed, the director of finance shall assign a time and place for the hearing of same and shall notify the petitioner thereof by registered or certified mail, but the director of finance may continue the hearings from time to time if necessary.

(E) A penalty of ten percent (10%) shall be added to the amount of every assessment made under this chapter. The director of finance may adopt and promulgate rules and regulations providing for the remission of penalties added to assessments made under this chapter.

(F) When any vendor or transient guest files a petition for reassessment as provided in this chapter, the assessment made by the finance director, together with penalties thereon, shall become due and payable within three (3) days after notice of the finding made at the hearing has been served, either personally or by registered or certified mail, upon the party assessed.

194.08 - LIMITATION FOR ASSESSMENTS.

No assessment shall be made or issued against a vendor or transient guest for any tax imposed by or pursuant to this chapter more than four (4) years after the return date for the period in which the lodging was furnished, or more than four (4) years after the return for such period is filed, whichever is later. This section does not bar an assessment:

(A) When the director of finance has substantial evidence of amounts of taxes collected by a vendor from transient guest's lodging that were not returned to the city.

(B) When the vendor assessed failed to file a return as required.

(C) When the director of finance and the vendor or guest waives the limitation in writing.

194.09 - TAX PAID BY TRANSIENT GUEST; FALSE EVIDENCE OF TAX-EXEMPTION.

No transient guest shall refuse to pay the full and exact tax as required by this chapter, or present to the vendor false evidence indicating that the lodging as furnished is not subject to the tax.

194.10 - VENDOR TO COLLECT TAX; PROHIBITION AGAINST REBATES.

No vendor shall fail to collect the full and exact tax as required by this chapter. No vendor shall refund, remit or rebate to a transient guest, either directly or indirectly any of the tax levied pursuant to this chapter, or make in any form of advertising, verbal or otherwise, any statements which might imply that he is absorbing the tax, or paying the tax for the transient guest by an adjustment of prices, or furnishing lodging at a price including the tax, or rebating the tax in any other manner.

194.11 - REPORT FILINGS.

No person, including any officer of a corporation or employee of a corporation having control or supervision of or charged with the responsibility of filing returns, shall fail to file any return or report required to be filed by this chapter, or file or cause to be filed any incomplete, false or fraudulent return, report or statement.

If any vendor required to file returns under this chapter fails on two (2) consecutive quarters, to file such returns when due or to pay the tax thereon, or if any other vendor authorized by the finance director to file returns at less frequent intervals, fails on two (2) or more occasions within a twenty-four-month period, to file such returns when due or to pay the tax due thereon, the finance director may: require such vendor to furnish security in an amount equal to the average tax liability of the vendor for a period of one (1) year, as determined by the finance director from a review of returns or other information pertaining to such vendor, which amount shall in no event be less than one thousand dollars (\$1,000.00). The security may be in the form of a payment to be applied to pay the tax due on subsequent returns, or a corporate surety bond, satisfactory to the finance director, conditioned upon payment of the tax due with the returns from the vendor. The security must be filed within ten (10) days following the vendor's receipt of the notice from the finance director of its requirements.

A corporate surety bond filed under this section shall be returned to the vendor if, for a period of twelve (12) consecutive months following the date the bond was filed, the vendor has filed all returns and remitted payment therewith within the time prescribed in this chapter.

194.12 - PERSONAL LIABILITY OF CORPORATE OFFICERS OR EMPLOYEES.

If any vendor corporation required to file returns and to remit tax due to the city under the provisions of the chapter, fails for any reasons to make such filing or payment, any of its officers or employees charged with the responsibility of filing returns and making payments shall be personally liable for such failure. The dissolution of a corporation shall not discharge an officer or employee's liability for a prior failure of the corporation to file returns or remit tax due. The sum due for such liability may be collected by assessment in the manner provided in this chapter.

194.13 - INTEREST ON UNPAID COLLECTED TAXES.

All taxes collected by a vendor from a transient guest and remaining unpaid after they become due pursuant to this chapter shall bear interest computed daily on the amount of such unpaid taxes at the maximum statutory rate permitted by ORC § 5703.47.

194.90 - VIOLATIONS.

(A) No transient guest shall fail, neglect or refuse to pay the tax, interest and penalties imposed by this chapter.

(B) No vendor shall fail, neglect or refuse to collect from a transient guest the taxes imposed by this chapter.

(C) No vendor shall fail, neglect or refuse to pay the taxes collected from a transient guest or the interest and penalties imposed by this chapter.

(D) No person shall violate any of the provisions of this chapter.

194.99 - PENALTIES.

(A) (1) Except as otherwise provided herein, a violation of C.O. § 194.90(A), (B), or (D) shall be a minor misdemeanor as defined in C.O. ch. 501. The court shall sentence the offender to a fine of not less than fifty dollars (\$50.00) for each violation.

(2) If the offender has previously been convicted of or pleaded guilty to a violation of C.O. § 194.90(A), (B), (C), or (D), a violation of C.O. § 194.90(A), (B), or (D) shall be a misdemeanor of the third degree as defined in C.O. ch. 501. The court shall sentence the offender to a fine of not less than one hundred dollars (\$100.00) for each violation.

(B) (1) Except as otherwise provided herein, a violation of C.O. § 194.90(C) shall be a misdemeanor of the third degree as defined in C.O. ch. 501. The court shall sentence the offender to a fine of not less than one hundred dollars (\$100.00) for each violation.

(2) If the offender has previously been convicted of or pleaded guilty to a violation of C.O. § 194.90(A), (B), (C), or (D), a violation of C.O. § 194.90(C) shall be a misdemeanor of the first degree as defined in C.O. ch. 501. The court shall sentence the offender to a fine of not less than two hundred dollars (\$200.00) for each violation.

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 CITY OF JOHNSTOWN.

Date of Introduction: December 7, 2021

Public Hearing/Vote:

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director