



Regular Council
Tuesday, March 1, 2022 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the City of Johnstown Regular Council Meeting for March 1, 2022 at 6:31 PM.

2. Roll Call

Present - Mayor Chip Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Ryan Green

Absent - None

Staff present - Jack Liggett - Interim City Manager, Abe Haroon - Chief of Police, Dana Steffan - Finance Director, Bailey Morlan - Planner, Jim Blair - Zoning Inspector, Terry Nichols - Water Operator In Charge, Teresa Monroe - Clerk of Council

Public present - Bruce Tolle, Robert Clemens, Barry/Jolie Reynolds, Carl/Sandy McCoy, Scott/Lisa Gramke, John Hoovler, Troy Hendren, Mike Perkins, Scott Bobbs, Rhonda Miller, John Bauman, Glenn C. Ronken, Randy Terflinger, Bev Terflinger, Sarah/Kyle Lightle, Tyler Fehrman, Stephanie Giannini, Bob Gose, Carl/Jennifer Neer, Dave Dicks, Chris/Faye Anderson, Chad Roby, Shannon Baker, Bryan Campbell, Carrie Howy, Mandi Justice, Errich/Angela Taylor, Mike Giangliordano, Andrea Ford, Shane/Betsy Langley, Joe Kroose, Bob Stoltz, Aaron Steffan, Ch... K..., Charles Nelson, Jeff Barr, Judy Haroon, Laurie Coleman, Laurie Grivel, Harmony Norman, Jason Piper, Mike/Kristi Matoszkia, Kim Thompson, Karen Selvey, Monica Gernert, Todd McDonnell, Michelle McMillen, Jack Nimesheim, Steve/Melanie Schmechel, Robert/Kristen Ream, Robert Moore, Jack R, Chris Vennefran, Lewie Main, Daryl Wernette

3. Invocation - Mr. Lee

4. Pledge of Allegiance

5. Water Plant Expansion Presentation - Jacobs Engineering

Mike Giangliordano and Chad Roby of Jacobs Engineering attended to give a presentation on the water treatment plant expansion project.

Presentation agenda items reviewed:

- Background
- Data Overview
- Project scope
- Construction Manager at Risk (CMAR)
- Project schedule
- Project costs
- Funding

Jack Liggett said with Council approval he has signed the documents to begin the loan process.

6. Action on Minutes

a. February 15, 2022

ACTION: Benjamin Lee moved to Approve as written; Doug Lehner seconded and the vote was as follows:

AYES: Ryan Green, Doug Lehner, Marvin Block, Cheryl Robertson, Mayor Dutcher, Benjamin Lee, Sharon Hendren

NOES: None

ABSTAIN: None

Passed 7 - 0

7. Proclamation - March as Developmental Disabilities month

Mayor Dutcher has issued a proclamation declaring March as Developmental Disabilities month. Johnstown has done this for a number of years, he has signed and sent the original for display, added that Licking County Board of Developmental Disabilities does great things for us and our citizens and we are grateful for the good work that they do. Mayor Dutcher said that people who have developmental disabilities are an important part of our community and we should never lose track of that.

8. Citizen comments on matters not on the agenda

Mayor Dutcher said he did not have too much to share on Intel tonight mainly because the ODOT District 5 call is tomorrow, he hopes to hear what they propose for Licking County and additional roadway infrastructure. Mayor Dutcher noted that he was only made aware of this project one week before the announcement. Ms. Robertson added that even then they would not tell them the name of the company. Mayor Dutcher said their (council) plan, as they know more facts, is to get them out as soon as possible and at some point Intel will have someone out that they can talk to directly. Mayor Dutcher said he has been assured by folks that know, that at the appropriate time, Johnstown will be receiving some financial resources to help manage the issues that having Intel one mile from the municipal boundary will create. Some community meetings likely in April, with those who can bring some answers.

a. A member of the audience expressed the desire for better social media communication from the city.

b. A member of the audience asked who they go to if they are a member of Monroe Township but not inside the municipality. Monroe Township Trustee Troy Hendren addressed residents adding that the Trustees also were not told anything about the project; he has since met with Troy Balderson and Mark Fraizer, they said they would be putting something together but it won't be right away, it might be a few weeks. Added that they are doing the best they can, that most know as much as they do and it may take six weeks to get someone out here to give some good information. Mayor Dutcher added that there would not be an airport; said he keeps reading Facebook comments about an airport, "if you're making computer chips, the last thing you want are vibrations". Added that one of

the reasons Intel is coming to Licking County is that we don't have seismic activity.

c. Andy Norman; 138 Liberty Ridge Ct

- Read a letter to Council, copy provided for record, summary as follows: He and his family have lived in Monroe Township/Johnstown for ten years. Asks what Johnstown is doing to prepare for this growth, specifically in the areas of zoning, infrastructure, development and planning; named several nearby communities who are actively planning and preparing by engaging professional and consultative type help. We need the right people and a comprehensive plan in place to address related impacts. In addition we need to plan how this growth will affect our school system.
- Seeks answers to the following:
 - What has the council already done and will it be doing to hire a city manager with experiences similar to what Johnstown will be facing.
 - How soon does our city plan to address the growth through zoning, building ordinances and infrastructure plan updates.
 - How can we embrace this growth but preserve the existing landscape and values of our small town.
 - How is our city already engaging with consultants and neighboring township leaders on identifying strategies to guide mindful development, harness community benefits, and mitigate negative effects of the Intel facility.

Ryan Green responded as Chair of the Zoning Commission saying that they have worked hard over the last two years, that a lot of our growth was projected at things coming from 161. The zoning board has been going through a rewrite of the zoning code being mindful of the future and they did bring in outside help for that. They have also created the Design Review Board and brought in outside help for that. Added that he was also involved in the Comprehensive Plan, they took a lot of community feedback on that. Mr. Green said he can't promise these will address everything, they had a goal in mind and then that goal changed rapidly, but that is something they are looking to in Planning and Zoning.

Mayor Dutcher talked about why Johnstown is a special place and about the opportunities Intel could bring. He recognized City Planner Bailey Morlan, said they met with MORPC this morning and they have promised some help, County Government is also on board with trying to get some planning help for all of the Licking County communities.

Marvin Block said they have already started meetings with Monroe Township Trustees and the School Board, he had some comments on housing, said they have not forgotten areas outside the village.

d. Monica Gernert; Liberty Township resident, 178 Timber Creek Court West

- Asked about the City Manager search, what the next steps were and what the timing is.

Mayor Dutcher said that this is going to be discussed in tonight's Executive Session, he cannot prejudge how his council colleagues feel. Gave assurance that Jack is doing a great job and that there is nobody that knows more about the City of Johnstown than Jack Liggett. They will have more information shortly on how they will proceed.

- Noted the recognition of Developmental Disability Awareness month and highlighted New Albany's new Miracle League - registration is open for children of all abilities to play baseball, they also need volunteer coaches, buddies, etc.

e. Bob Gose; Resident of Concord Crossing East

- Introduced himself, provided background on what brought him to Johnstown. Noted reasons why they love Johnstown and that he noticed the police patrolling neighborhoods very extensively, with research found that Johnstown is the fifteenth safest city in the state.
- Said he was thrilled when he moved to Concord Crossing East and met Abe and his wife Judy. During his conversations with the Chief, he was impressed with his servant style leadership, his dedication to his job and love for his community and that most importantly he saw a beautiful relationship between he and his wife Judy that was beyond reproach. He said he came today because he was shocked when he heard about unfounded allegations being made by a particular council member...

Mayor Dutcher interrupted Mr. Gose from going further with his comments and said that at the last council meeting he announced that they would be taking this matter under advisement, which they have done, that the city has outside human resource counsel looking into the allegations and will be providing a report, but it is not ready tonight. He has been told by legal counsel that he is not to say any more about it, the comments are being taken seriously.

f. John Hoovler

- Said he has first-hand knowledge of what Johnstown is feeling, he lived through the expansion of New Albany, he was the Fire Chief there for twenty-six years. Asked council to keep two things in mind to consider as this develops:
 - The Fire Department was always forgotten in the development of New Albany. Hours and hours were spent discussing how they were going to finance the FD to keep up with the growth. The residential constituents fund the FD and the FD serves the citizens, they will also have to serve Intel or whatever winds up being here. There won't be anybody coming from Plain Township, except for mutual aid, to provide help to people at Intel or in Johnstown, it will be the Monroe Township Fire Department and they will need help to provide the service that everybody wants to have.

- Have to protect the schools; be mindful when asking for tax dollars that levies do not become a competition between entities. When land is annexed from the township to the city, tax abatements will likely happen and that's when the FD and schools sometimes struggle, hopefully there can be some arrangement that will help both.

g. Andrea Ford; Green Chapel Road

- Asked when the information would be shared from the ODOT presentation the Mayor is attending tomorrow.

Mayor Dutcher said it depends on what they say tomorrow, it is a zoom call with many others, if there is any new information it will be shared just like the other update given at a previous council meeting.

h. Daryl Wernette; 7473 Concord Road

- Has lived in the greater Johnstown area for fifteen years and is a current board member of the Greater Johnstown Parks & Rec District. Said he implores positive and proactive leadership from this group, he has heard a lot of "we don't have the information". Said that in the absence of information you can replace it with a plan, and if you don't have a plan yet, you can share the plan of how you will make the plan. That when you communicate that effectively, you create a lot of positive excitement and emotion as opposed to the anxiety that is left from the void. Said he believes those things can be properly established with the right City Manager, should think about future needs and who has demonstrated an ability to do that. Asks that council is patient and diligent with the search to find the person who can get us to the final vision. Part of that vision has to be inclusion and diversity with the employees and participants of the community. Challenged council to rely on the talents and help from the community and let them be a part of the plan.

i. Tyler Furman; Blacklick resident moving to the Pulte development

- Chose Johnstown for its rural charm and the community but is also excited for the opportunity of growth, applauds council for their efforts and appreciates the work they are doing.

9. Council Committee reports

a. **Planning & Zoning:** 2/22/22 cancelled; Next 3/8/22 @ 6:30 pm Council Chambers

b. **Safety & Service:** 3/1/22; Next 4/5/22 @ 5:00 pm Council Chambers

The Ohio Public Works Grant was received for East Jersey Street; planned for bid in mid-April for a July start date; hoping for paving completion by the end of September.

- Licking County Humane Society sent a stat report for 2021.
- Talked about the mobility hub and contract with Etch who is developing the mobility software, partnering with Licking County Transit, no dollars out of pocket for the city because it is being funded by a grant from LCATS.
- Discussed the Pulte development traffic signal planned for the intersection of US62 and Bigelow Drive, continuing to explore options for rerouting so there is not an additional signal so close to the shopping center (Alterra) signal. There has been exploration of a route through the Alterra parking lot and furthering the conversation with them to look at engineering dollars to put toward the cost of rerouting. Prime Engineering's cost is \$8,700 for an engineering estimate that we would likely have by April 1st to better inform us of what the total cost might be to reroute and make that a dedicated right-of-way. Discussed asking Pulte for a performance bond before they could sell or build further; waiting on the dollar amount to understand what type of bond is needed to hold them accountable for what they agreed upon. Mr. Lee said Committee voted 3-0 to move forward, money to come from General Engineering has already been appropriated; asked for a motion from Council to move forward with an agreement with Prime for engineering and the \$8700 quote given.

ACTION: Marvin Block moved to go forward with the \$8,700 quote from Prime for engineering; Sharon Hendren seconded and the vote was as follows:

AYES: Ryan Green, Doug Lehner, Marvin Block, Cheryl Robertson, Mayor Dutcher, Ben Lee, Sharon Hendren

NOES: None

ABSTAIN: None

Passed 7 - 0

- Mr. Lee noted House Bill 563 would limit municipal restrictions on short term rentals/Airbnb and is a direct affront to home rule.
- Mr. Lee noted House Bill 494 would give municipalities a path to designate a School Adjacent Zone, the callout last year was Leafy Dell Elementary and the need to control speeds at certain times on SR 37 for ingress and egress to the school. Mr. Lee provided a letter in support of HB 494 to Representative Mark Fraizer.

ACTION: Marvin Block moved that the clerk prepare the letter for all council signatures and send to Mr. Fraizer; Doug Lehner seconded and vote was as follows:

AYES: Doug Lehner, Marvin Block, Cheryl Robertson, Mayor Dutcher, Ben Lee, Sharon Hendren, Ryan Green

NOES: None

ABSTAIN: None

Passed 7 – 0

c. **Finance:** Met 2/15/22 updated last time; Next 3/15/22 @ 5:00 pm Council Chambers

- d. **Economic Development:** Met 2/11/22 updated last time; Next 3/4/22 @ 9:00 am Admin conference room
- e. **Park & Rec:** 2/15/22 cancelled; Next 3/15/22 @ 10:00 am Admin conference room
- f. **Tree Commission:** Met 2/22/22; Next 3/22/22 @ 5:00 pm Council Chambers
Andy Bruney was elected as the new chairman. Discussed working with Parks & Rec toward putting benches and more trees around the Dog Park. Planner Bailey Morlan provided an update that there are some problems with the way our Tree Ordinance is written, it is under review by the city attorney. In the meantime, the Tree Commission voted in favor of a recommendation to council that they pause zoning certificates for larger developments and businesses until the revised ordinance is passed.
- g. **Events Committee:** Met 1/24/22 updated last time; Next 3/10/22 @ 5:00 pm in Admin Conference Room
Fireworks event planning and fundraising.
- h. **School District Liaison:** Met 2/16/22; Next TBD
Mr. Block reported a good meeting with the school. Township Trustee Joseph Robertson attended.

Bailey Morlan asked council members if they wanted her to pause zoning certificates for thirty days and if so could she get a motion.

ACTION: Ryan Green moved to Approve; Cheryl Robertson seconded and the vote was as follows:

AYES: Marvin Block, Cheryl Robertson, Mayor Dutcher, Ben Lee, Sharon Hendren, Ryan Green, Doug Lehner

NOES: None

ABSTAIN: None

Passed 7 - 0

10. Director Reports

- a. **Service Department: Water, Sewer, Street**
Jack Liggett reviewed department reports. Updated that the new eight hundred gallon per minute pump is not delivering as it should, it has the wrong impellers which will be switched out at no cost to the city.
- b. **Manager**
Jack Liggett reported that the city received the East Jersey Street project that we have been vying for three years; bids out in April with July start. He has signed the SIB loans for the traffic circle at Sportsmans Club and US62, the design work is continuing. City Engineers are working on getting the bid documents prepared for the Rolling Meadows sewer lining project (County ARPA funds).

11. Tabled Legislation

- a. **RESOLUTION 2022-09** A RESOLUTION GRANTING ADDITIONAL SICK HOURS TO EMPLOYEES

ACTION: Benjamin Lee moved to take Resolution 2022-09 off the table; Doug Lehner seconded and all were in favor.

AYES: Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Ben Lee, Sharon Hendren, Ryan Green

NOES: None

ABSTAIN: None

Passed 7 - 0

Council edits have been made since introduction. This resolution grants up to five days of paid sick leave for 2022 to employees who cannot work due to circumstances related to COVID-19.

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

ACTION: Cheryl Robertson moved to pass Resolution 2022-09; Sharon Hendren seconded and the vote was as follows:

AYES: Cheryl Robertson, Mayor Dutcher, Ben Lee, Sharon Hendren, Ryan Green, Doug Lehner, Marvin Block

NOES: None

ABSTAIN: None

Passed 7 - 0

12. Public Hearings of Legislation

- a. **ORDINANCE 03-2022** AN ORDINANCE AMENDING ORDINANCE 47-21, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

This Ordinance appropriates fees charged by the city Human Resources firm. The dollar amount has changed since introduction to account for additional charges.

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

ACTION: Benjamin Lee moved to Approve; Doug Lehner seconded and the vote was as follows:

AYES: Mayor Dutcher, Ben Lee, Sharon Hendren, Ryan Green, Doug Lehner, Marvin Block, Cheryl Robertson

NOES: None

ABSTAIN: None

Passed 7 - 0

b. **RESOLUTION 2022-10** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SIEKMAN & SIEKMAN ASSOCIATES.

Mayor Dutcher said Siekman & Siekman is a government relations firm, we need help in this area, they will help the City of Johnstown get to funds necessary to help all that we will be dealing with. Added that they have already been working on our behalf, have had access to Senator Brown and Senator Portman and their staff that we have never had before and said he assures we will receive the benefits of this. They will do both state and federal work.

Ryan Green asked what they had done on our behalf at this point. Mayor Dutcher said they have set up meetings for him, have attended meetings with him, have introduced him to folks he needed to meet quickly and get on their agendas. The assurances he has received from the Director of Development and One Columbus would not have happened without them, he has found their guidance to be invaluable especially in looking ahead. Mr. Green said he understands this was passed through Finance Committee previously and asked about the interview process and bidding. Mayor Dutcher said there was no bidding, for a professional contract you do not need to bid. Mr. Green asked if any other firms were interviewed, Mayor Dutcher said no. Mr. Green asked how we arrived on this specific firm, Mayor Dutcher said when he reached out to ask who we should hire, they were the most recommended, that Pat Tiberi and others whose advice he values pointed us in this direction and he thinks it will be fruitful for us. Mr. Green said as he understood it, there would be more interview process from us prior to a vote. Sharon Hendren said she agreed, she did not think it was a done deal. Mayor Dutcher said he has spent every waking moment involved in the Intel thing, he needs their (Siekman's) help. Ms. Hendren said she spoke to someone knowledgeable who thinks it is too early in the game, we don't need them. Mayor Dutcher said if they want him to continue doing this job, he needs help and cannot continue to keep doing it all himself, that they have entree to people he does not. Mr. Green said he does not disagree that we need representation, but as far as this representation, they also reside in New Albany and represent New Albany. Would also like to know who else in the area they represent, other stakeholders, what the size of their firm is, how they would handle dual agency, they are already at the negotiation table for another team. Mr. Green said we definitely need representation, he just doesn't know that these are the guys and he wanted a chance to examine them more. Sharon Hendren said she agrees with Ryan, she said it is too early in the game and doesn't think we need them and they don't ask him to go to all those meetings. Mr. Green agrees we need representation, he does not think it is right that Chip should have to go to all the meetings, he respects that he has put the time in but he did not get a chance to properly examine, he understands that they are doing it for a cut-rate of \$3,000 but informational currency comes up in that as well. Mayor Dutcher said in the lobbying world, every firm does it, there are ways to handle those situations, he has assurances that confidential information will not be shared either way. After some further discussion and comments, Mr. Block said he understands both Chip and Ryan and it would be his position to approve this for six months and assess after, where else will we find anyone this quickly. Mr. Lee said he was impressed by the Siekman's presentation at Finance Committee and the questions answered, he thinks the statement of work is acceptable, he disagrees with "being too far ahead of the ball", at the very least the view is that we are "behind the ball", any seat at the table will be welcome and waiting any longer would put us even further behind, he would hate to give up the extensive experience these individuals have and the request coming from Chip with his

background, he supports it and respects it. The return on investment can be judged in six months and if this moves forward we need to have a work session with them to hash out expectations.

Public Hearing

1. Rob Clemmens; property owner and runs a small business

- He understands Mr. Green's concern about conflict of interest but we really need people involved that have been through this and understand growth; the concern of the community is are we ready for this, it is all about perception, they want to see you are doing something, while it may not be vetted properly in some peoples eyes, we need somebody that knows how to bat so he hopes that when they vote, they understand the community doesn't want to be New Albany but they also don't want to get steamrolled in all this.

2. Name not stated for the record

- Speaker said she is one that fears being behind the eight ball so you can't start this soon enough. She grew up here and thanked council for taking this on, it is not easy and it is not easy to sit and watch all of this either, we are going to grow and we can embrace it and move forward with it or you can sit and fight and be really frustrated with it, she appreciates the actions being taken. This is a six month contract, feel it out, it's not an eternity, we have a lot of years ahead of this, do it now, we are already behind and we need seats at these tables now.

ACTION:

Cheryl Robertson moved to pass Resolution 2022-10; Benjamin Lee seconded and the vote was as follows:

AYES:

Ben Lee, Sharon Hendren, Doug Lehner, Marvin Block, Cheryl Robertson, Mayor Dutcher

NOES:

Ryan Green

ABSTAIN:

None

Passed 6 - 1

Council work session with Siekman and Siekman set for 5:00 pm on March 8, 2022.

13. Introduction of Legislation

- a. **ORDINANCE 04-2022** AN ORDINANCE AMENDING ORDINANCE 47-21, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

This appropriates money for a portion of water and sewer tap and capacity fees that the school paid to the city. The agreement will be signed in the near future, it states the money has to be paid within fourteen or fifteen days of the signing. Mayor Dutcher said we have a lot to do with our school board and should not be distracted by this anymore.

Public Hearing and vote on March 15, 2022

14. Other Business

None

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

Mayor Dutcher said council would enter Executive Session to consider the employment of a public employee and there would be no further business after.

ACTION: Benjamin Lee moved to enter Executive Session; Sharon Hendren seconded and the vote was as follows:

AYES: Ben Lee, Sharon Hendren, Ryan Green, Doug Lehner, Marvin Block, Cheryl Robertson, Mayor Dutcher

NOES: None

ABSTAIN: None

Passed 7 - 0

Council entered Executive Session at 9:06 pm and returned to Regular Session at 10:13 pm.

16. Adjourn

Mr. Lee moved to adjourn, Mayor Dutcher seconded and all were in favor. Passed 7-0

Meeting adjourned at 10:13 pm

Next Council Meeting March 15, 2022