



Regular Council Meeting
Tuesday, May 17, 2022 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Mr. Barnard
4. Pledge of Allegiance
5. Executive Session to consider the employment, dismissal, discipline, or compensation of a public employee or the investigation of charges against a public employee or official.
6. Presentation/Update: United Way
7. Correspondence
 - a. Division of Liquor Control
8. Proclamation - National Police Week
 - a. Mayor's Proclamation
9. Citizen comments on matters not on the agenda
10. Council Committee reports
 - a. **Planning & Zoning:** Met 5/10/22; Next 5/24/22 @ 6:30 pm Council Chambers
 - b. **Design Review Board:** Met 5/10/22
 - c. **Safety & Service:** Met 5/4/22 update given last meeting; Next 6/7/22 @ 5:00 pm Council Chambers
 - d. **Finance:** 5/17/22 Cancelled. Next 7/21/22 @ 5:00 pm Council Chambers
 - e. **Economic Development:** Met 5/6/22; Next 6/3/22 @ 9:00 am Admin conference room
 - f. **Park & Rec:** 5/17/22 Cancelled; Next 6/21/22 @ 10:00 am Admin conference room
 - g. **Tree Commission:** Met 4/26/22 updated last meeting; Next 5/24/22 @ 5:00 pm Council Chambers
 - h. **Events Committee:** Met 5/12/22; Next 6/2/22 @ 5:00 pm Admin conference room
11. Director Reports
 - a. Finance
 - b. Police
12. Tabled Legislation - None
13. Public Hearings of Legislation
 - a. **ORDINANCE 09-2022** AN ORDINANCE AMENDING ORDINANCE 47-21, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

- b. **ORDINANCE 10-2022** AN ORDINANCE AMENDING CHAPTER 1151 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.
- c. **RESOLUTION 2022-17** A RESOLUTION AUTHORIZING THE LICKING COUNTY COMMISSIONERS TO ACT AS THE PURCHASING AGENT AND GOVERNMENTAL AGGREGATOR FOR ELECTRIC POWER FOR THE CITY OF JOHNSTOWN, OHIO.
- d. **RESOLUTION 2022-18** A RESOLUTION AUTHORIZING THE LICKING COUNTY COMMISSIONERS TO ACT AS THE PURCHASING AGENT AND GOVERNMENTAL AGGREGATOR FOR NATURAL GAS AGGREGATION PROGRAM FOR THE CITY OF JOHNSTOWN, OHIO.

14. Introduction of Legislation

- a. **ORDINANCE 11-2022** AN ORDINANCE GRANTING A NONEXCLUSIVE FRANCHISE TO OHIO POWER COMPANY , ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN, AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES, AND PUBLIC PLACES OF THE CITY OF JOHNSTOWN, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY TO THE CITY OF JOHNSTOWN, AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH, OR ACROSS SAID CITY OF JOHNSTOWN, STATE OF OHIO, SUBJECT TO THE CITY'S CODIFIED ORDINANCES INCLUDING THE CITY'S COMPREHENSIVE RIGHT OF WAY CHAPTER.

15. Other Business

16. Adjourn

Next Council Meeting June 7, 2022

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

31624660005		NEW		GHOSTWRITER LLC DBA POETIC JUSTICE 70 S MAIN ST JOHNSTOWN OH 43031
PERMIT NUMBER		TYPE		
ISSUE DATE				
05 09 2022				
FILING DATE				
D5L				
PERMIT CLASSES				
45	088	B	D38455	
TAX DISTRICT		RECEIPT NO.		

FROM 05/11/2022

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 05/11/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 06/13/2022

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES **B NEW 3162466-0005**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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

Proclamation

NATIONAL POLICE WEEK 2022

Whereas: Congress and the President of the United States have designated May 15th as National Peace Officers Memorial Day and the calendar week in which it falls as National Police Week; and

Whereas: the members of the City of Johnstown Police Department play an essential role in safeguarding the rights and freedoms of the citizens of our community; and

Whereas: it is important that all citizens know and understand the duties and responsibilities, hazards and sacrifices of their police department, and that the members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder; and

Whereas: the City of Johnstown wishes to recognize our officers during National Police Week 2022 and to honor the service and sacrifice of all law enforcement officers especially those who have lost their lives in the line of duty while protecting our communities; and

NOW, THEREFORE, BE IT PROCLAIMED, that the City of Johnstown calls upon all its citizens to join the Nation in thanking our Police Officers and their families for their service and dedication to this community.

AND, I, Chip Dutcher, Mayor of The City of Johnstown, on behalf of City Council, do hereby proclaim Police Week in the City of Johnstown and hereby call on our community to publicly salute the service of our law enforcement officers.

Chip Dutcher, Mayor
City of Johnstown
May 17th, 2022

Bank / Account	Balance
Fifth Third Securities	7,209,904.41
Park General X9082	250,030.00
Park Payroll X9085	27,013.02
Water & Sewer X2587	47,585.92
Park Sweep X2608	6,160,731.93
Mayor's Court X9848	25,462.30
Total All Bank Accounts	<u>13,720,727.58</u>
Outstanding Checks	(43,340.44)
BALANCE PER BANK	<u>13,677,387.14</u>
Book Balance:	13,653,970.58
Variance:	(23,416.56)

Reconciling Items*Q2 Unbooked Investment Income*

Fifth/Third Securities	\$	2,831.99	<i>to be booked in May 2022</i>
Park National Bank	\$	125.61	<i>to be booked in May 2022</i>

Water & Sewer Variances:

Various posted receipts, did not clear bank	\$	(795.46)	<i>timing</i>
Various receipts cleared bank, did not post	\$	673.36	<i>timing</i>

General Variances:

check clearing variances	\$	2.62
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Payroll Variances:

OPERS employee deductions, will clear bank in next month	\$	7,247.27	<i>timing</i>
OP&F employee deductions, will clear bank in next month	\$	5,792.87	<i>timing</i>
Various withholdings deducted, not yet paid	\$	7,538.30	<i>timing</i>

Sweep Account:

Excess funds are swept daily at midnight from these 2 accounts into the Sweep Account; they do not appear in the Sweep Account until several hours later, creating a timing difference at the end of each month for the last days' sweeps.

Water & Sewer	\$	-	<i>timing</i>
General	\$	-	<i>timing</i>

Total Reconciling Items	\$	23,416.56
<i>unidentified variance</i>	\$	(0.00)

	Check No.	Check Amount	Check Date
payroll	6131	\$ 232.72	4/29/2022
payroll	6132	\$ 90.66	4/29/2022
payroll	6133	\$ 90.66	4/29/2022
payroll	6135	\$ 2,606.38	4/29/2022
payroll	6136	\$ 1,294.94	4/29/2022
payroll	6137	\$ 1,977.91	4/29/2022

15316	\$66.50	10/6/2021
15444	\$74.48	11/8/2021
15563	\$8.51	12/3/2021
15617	\$841.89	12/16/2021
15690	\$100.40	1/11/2022
15860	\$25.00	3/3/2022
15896	\$97.90	3/3/2022
15944	\$95.96	3/24/2022
15954	\$115.86	4/5/2022
15958	\$95.38	4/5/2022
15967	\$14.65	4/5/2022
16013	\$500.00	4/14/2022
16022	\$75.00	4/14/2022
16031	\$195.94	4/21/2022
16033	\$18,495.44	4/21/2022
16049	\$253.94	4/21/2022
16052	\$2,112.50	4/21/2022
16055	\$300.00	4/21/2022
16056	\$1,097.10	4/27/2022
16057	\$185.00	4/29/2022
16058	\$2,884.00	4/29/2022
16059	\$1,795.68	4/29/2022
16060	\$501.00	4/29/2022
16061	\$778.06	4/29/2022
16062	\$350.00	4/29/2022
16063	\$62.84	4/29/2022
16064	\$708.40	4/29/2022
16065	\$1,750.60	4/29/2022
16066	\$169.50	4/29/2022
16067	\$243.94	4/29/2022
16068	\$136.59	4/29/2022
16069	\$2,132.69	4/29/2022
16070	\$732.42	4/29/2022
16071	\$50.00	4/29/2022

Total O/S Checks at 4/30/22:

\$43,340.44

	A	B	C	D	E	J
1	Village of Johnstown Financial Report Revenues					
2						
3						
4						
5	as of	4/30/2022				
6				2022	Actual	
7	A/C	Sub-Fund		Expected Revenues	Revenues	
8	1000	Real Estate Tax		\$ 320,000	\$ 176,706	55.22%
9	1000	Income Tax		\$ 2,600,000	\$ 808,431	31.09%
10	1000	Shared Taxes		\$ 105,150	\$ 40,609	38.62%
11	1000	Charges for Services		\$ 250	\$ 315	126.00%
12	1000	Permits, Fines, & Licenses		\$ 239,700	\$ 67,708	28.25%
13	1000	Interest		\$ 10,000	\$ 4,384	43.84%
14	1000	Miscellaneous		\$ 28,000	\$ 24,713	88.26%
15	1000	Other Financing Sources		\$ 179,564.00	\$ -	
16	1000	Total General Fund		\$ 3,482,664	\$ 1,122,866	32.24%
17						
18	2011	Total Street Construction & Repair		\$ 531,640	\$ 152,402	28.67%
19						
20	2021	State Highway & Improvement		\$ 23,360	\$ 7,639	32.70%
21						
24	2901	Mayor's Court - Computer		\$ 1,000	\$ 300	30.00%
25						
26	2906	Restricted Police Grants		\$ 1,000	\$ 322	32.21%
27						
28	2907	Right-of-Way Fund		\$ 30,000	\$ 19,866	66.22%
29						
32	5101	Water Operating		\$ 750,375	\$ 257,576	34.33%
33						
34	5201	Sewer Operating		\$ 744,375	\$ 200,892	26.99%
35						
36	5701	Water Replacements & Improvements		\$ 533,000	\$ 211,492	39.68%
37						
38	5702	Sewer Replacements & Improvements		\$ 751,000	\$ 243,786	32.46%
39						
40	5721	Water Debt Service		\$ 492,000	\$ 192,578	39.14%
41						
42	5722	Sewer Debt Service		\$ 482,000	\$ 124,068	25.74%
43						
44	5781	Enterprise Deposit		\$ 50,000	\$ 19,063	38.13%
45						
48	9904	Mayor's Court		\$ 60,000	\$ 44,031	73.39%
49						
50		TOTAL ALL FUNDS		\$ 7,932,414	\$ 2,596,882	32.74%

	A	B	C	D	E	J
1	Village of Johnstown Financial Report					
2						
3	Expenditures					
4						
5	<i>as of</i>	4/30/2022				
6				2022	Actual	
7	A/C	Sub-Fund		Appropriations	Expenditures	
8	110	Police		\$ 1,389,479	\$ 425,296	30.61%
9	130	Street Lighting		\$ 65,000	\$ 13,570	20.88%
10	210	Public Health		\$ 20,000	\$ 9,193	45.96%
11	310	Recreation Department		\$ 72,925	\$ 2,446	3.35%
12	410	Zoning		\$ 177,659	\$ 41,202	23.19%
13	490	Economic Development		\$ 12,000	\$ -	0.00%
14	710	Administration		\$ 503,329	\$ 144,995	28.81%
15	715	Legislative Activities		\$ 147,165	\$ 35,570	24.17%
16	720	Mayors Court		\$ 103,809	\$ 26,467	25.50%
17	725	Finance Department		\$ 122,096	\$ 40,068	32.82%
18	730	Lands & Buildings		\$ 103,226	\$ 80,568	78.05%
19	740	County Auditor (Property Tax Collection)		\$ 6,000	\$ 3,699	61.65%
20	745	State Auditor		\$ 5,000	\$ -	0.00%
21	755/760	Income Tax Administration		\$ 75,000	\$ 25,459	33.95%
22		Other Uses of Funds & Transfers		\$ 993,500	\$ 226,539	22.80%
23	1000	Total General Fund		\$ 3,796,188	\$ 1,075,070	28.32%
24						
25		Street Maintenance & Repair				
26		Street Cleaning, Snow Removal				
27		Traffic Signs & Signals				
28		Sidewalks (Capital outlay)				
29	2011	Total Street Construction & Repair		\$ 617,312	\$ 199,241	32.28%
30						
31		State Highway Maintenance				
32		Street Cleaning, Snow & Removal				
33		Traffic Signs & Signals				
34	2021	State Highway & Improvement		\$ 36,000	\$ 5,435	15.10%
41						
42	2901	Mayor's Court Computer		\$ -	\$ -	#DIV/0!
45						
46	2903	Budget Stabilization Fund		\$ 10,000	\$ 10,000	100.00%
47						
52	2906	Restricted Police Grant Fund		\$ -	\$ -	#DIV/0!
53						
54	2907	Right of Way Fund		\$ 6,000	\$ -	0.00%
55						
56	2910	ARPA		\$ 238,751	\$ 33,289	13.94%
57						
60	4901	Capital Projects		\$ 949,936	\$ 287,748	30.29%
61						

	A	B	C	D	E	J
1	Village of Johnstown Financial Report					
2						
3	Expenditures					
4						
5	<i>as of</i>	4/30/2022				
6				2022	Actual	
7	A/C	Sub-Fund		Appropriations	Expenditures	
62	4902	Capital Projects - US62		\$ 152,425	\$ -	0.00%
63						
64	5101	Water Operating		\$ 887,115	\$ 359,519	40.53%
65						
66	5201	Sewer Operating		\$ 930,539	\$ 234,524	25.20%
67						
68	5701	Water Replacements & Improvements		\$ 3,485,224	\$ 668,664	19.19%
69						
70	5702	Sewer Replacements & Improvements		\$ 2,713,807	\$ 91,640	3.38%
71						
72	5721	Water Debt Service		\$ 391,000	\$ -	0.00%
73						
74	5722	Sewer Debt Service		\$ 479,000	\$ -	0.00%
75						
76	5781	Enterprise Deposit		\$ 48,000	\$ 10,516	21.91%
77						
80	9904	Mayor's Court		\$ 65,000	\$ 32,863	50.56%
81						
82		TOTAL ALL FUNDS		\$ 15,298,297	\$ 3,008,509	19.67%



Finance Director's Report to Council
May 17th, 2022

1. Tax Revenue. Total Income Tax revenue collected year-to-date through April was \$808,430. This represents 31.09% of 2022 Budgeted Income Tax revenue of \$2,600,000, and a 11.1% increase from 2021 YTD collections.

The largest source of the City's income tax revenue, withholding taxes (63.4%) derived from individuals working in Johnstown, increased 18.6%, individual returns decreased 0.8%, and business net profits increased 6.6% as compared to the same period in 2021.

The table below illustrates the City's year-to-date income tax revenue by category from 2018 through 2022:

	2018	2019	2020	2021	2022
Withholding	\$ 339,672	\$ 377,199	\$ 395,430	\$ 432,109	\$ 512,334
Individual	\$ 216,304	\$ 266,017	\$ 243,961	\$ 253,086	\$ 251,130
Net Profit	\$ 22,325	\$ 41,799	\$ 20,321	\$ 42,187	\$ 44,966
Total	\$ 578,301	\$ 685,015	\$ 659,712	\$ 727,382	\$ 808,430

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

Individual income tax collections have slightly decreased from 2021, however they have been fluctuating during the past 5 years. I expect this line to even out in comparison as the year moves forward and the year-to-date amount rounds out.

Net Profit revenue, as with Individual, is fluctuating. I will continue to monitor this category throughout the year.

2. Revenues and Expenditures. See attached spreadsheets for 2022 year-to-date revenue collections and expenditures.

Notes on Revenue:

General Fund, Shared Taxes – The State portion of the Real Property tax rollback was received in April. According to the funding data provided to the city, I expect the annual collections to be on par with budget, or slightly higher.

General Fund, Permits, Fines & Licenses –Zoning permits collected through April are \$8,175 for new builds (28 new homes permitted), \$3,045 for miscellaneous zoning applications, \$17,200 application fee for a preliminary plot / lot split in Concord Crossing East, Charter Communications Franchise Fees of \$9,518. Revenue from court fines was \$27,750 YTD.

General Fund, Misc. – This is higher than expected due to a \$9,564 refund from the Ohio Municipal Joint Self-Insurance Pool (our previous property & casualty insurance provider), and the receipt of \$13,408.53 from our current insurance provider to reimburse the city for the cost of the rental car used by the previous city manager in 2021. The related expenses have been paid in prior years.

General Fund, Other Financing Sources – This is for the second tranche payment from the ARPA Funds to be received in the late Spring/early Summer.

Right-of-Way Fund – All payments for the 2021 ROW fee have been received. Some were paid in 2021; not every dollar received is reflected in the 2022 figure.

Mayors Court Fund has collected 73% of the total annual budget. This is a pass-through fund; the revenues that are attributed to the City are transferred to the General and the Mayors Court Computer Funds.

Notes on Expense:

General Fund, Recreation Department – most of this budget (\$40k or 55%) is for the dog park parking lot grading/gravel and drainage. This has not been spent as of April 30. An invoice from TLV was received in May for \$36,740 for this project.

General Fund, Zoning – several large items within this budget have not been spent. The Open Gov annual maintenance fee \$13,500 has not been paid as of April 30 (was paid in May), and the Tree City budget \$11k is still intact. Also, \$5k for GIS conference has not been spent.

General Fund, Economic Development – \$12k is budgeted for GROW Licking County Annual support fee. I sent an email to their executive director to inquire about the invoice, which we have not yet received.

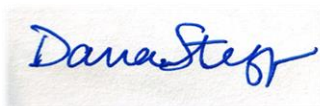
General Fund, Land & Buildings – the majority of this line item (\$70k or 67%) has been spent on the annual P&C insurance premium in April.

State Highway & Improvement Fund 2021 - \$14,500 was budgeted for road salt, of which nothing has been spent YTD.

Water & Sewer Replacements & Improvements Funds – are both showing low YTD spend due to the bonded funds that still have large balances remaining. These large balances have been earmarked on similar water & wastewater projects and are expected to be spent this year and soon thereafter.

3. GAAP Financials Annual Filing deadline: I have been working with Julian & Grube and providing 2020 & 2021 accounting documents and will continue to do so as necessary. June 30 Filing Deadline (a 30-day extension was granted by the Auditor of State).
4. Johnstown Community Improvement Corporation The IRS has confirmed that the CIC is approved to operate as a federal tax exempt organization under IRC Section 501(c)(4). We received a confirmation letter on 4/29/2022

Respectfully Submitted,



Dana Steffan, CPA
Finance & Human Resources Director



Director's Report April 2022

Training

No in person training for April occurred, due to Instructor illness.

PoliceOne Academy training:

- Advanced Traffic Stops and Safety (one-hour.)

State-mandated continued professional training (CPT):

- Ethics, diversity, domestic violence, hate crimes, mental health, crisis intervention, restraints and various other training options.

Officer Hargraves completed 40 hours of Federal Bureau of Investigation-Law Enforcement Executive Development Association (FBI-LEEDA) – Supervisor Leadership Institute

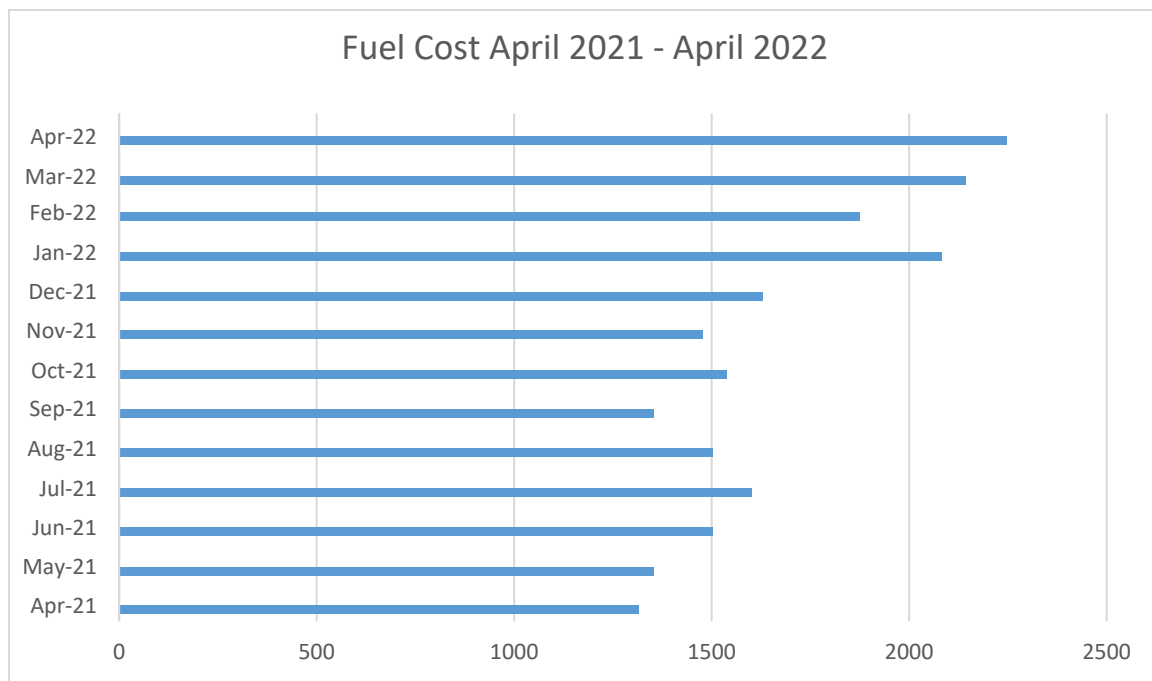
Officer Pacha completed 8 hours of multijurisdictional drone training at Zoombezi Bay/Columbus Zoo. Other attending agencies were Delaware County Sheriff's Office, Sunbury, Powell, New Albany, Gahanna, Reynoldsburg, Westerville and Westerville Fire.

Sergeant Hatfield has completed 7 weeks of Public Safety Leadership Academy (PSLA). The academy is eleven weeks total.

Social Media

Facebook
(April 13th – May 11th)
People reached: 17,903
Post engagements: 10,695
New Followers: 75

Fuel Cost

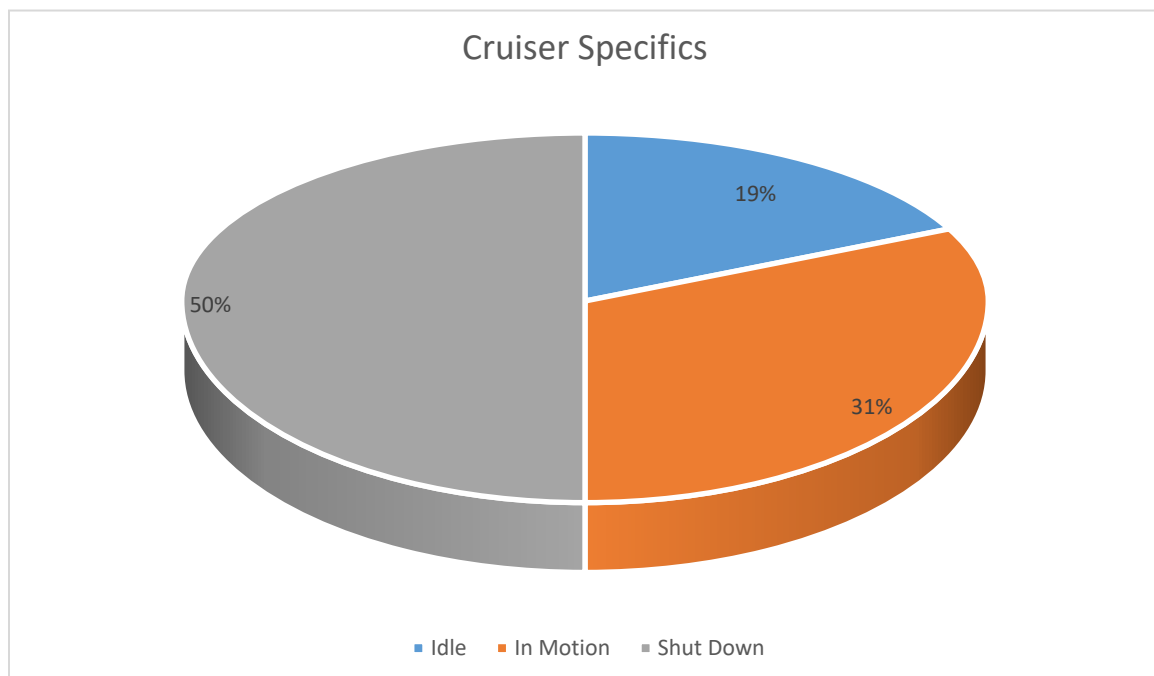


Gallon usage – 566

Fleet

All marked patrol cars drove a total of 5,057 miles within the City of Johnstown. The below graph illustrates how police cars are used in Johnstown.

1. Idling time - 401 hours
2. Total time in motion – 658 hours
3. Engine Off – 1,097



****Idle time accounts for stops and traffic signals, vehicle stops, and service calls, etc. anytime a vehicle stops while running****

Each patrol car stopped approximately 2,221 times in April, and each officer drove nearly 37 miles per shift. The daily average driving time for a vehicle was 1 hour 53 minutes.

Statistics

Motor Vehicle Accidents: 6

Thefts: 1

Domestic Violence: 1

Traffic Stops: 127

Citations: 56

OVI's: 2

Arrests: 6

Alarms: 20

Assist with other agencies: 7

Vandalism: 3

Juvenile Complaints: 5

Overdose: 2

Suicide Threat: 1

Trespassing: 2

Warrants: 3

Assaults: 4

911 Hang-ups & Misdiagnosis: 14



ORDINANCE 09-2022

**AN ORDINANCE AMENDING ORDINANCE 47-21,
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 2022 on December 14th, 2021; and

WHEREAS, the Council of the City of Johnstown does hereby desire to amend its appropriations to pay additional costs for choosing alternate bid items for upgraded signal poles in conjunction with the US-62 ODOT project (Federal Project No. E191047); and

WHEREAS, the net effect on the finances of the City of Johnstown will be **\$14,450.00** to the negative, and the Fund balances are sufficient to cover these appropriations.

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

Section One. That the appropriations for the Capital Improvements Fund that were set forth in Ordinance 47-21, adopted by the Council of the City of Johnstown, State of Ohio, on December 14, 2021, be hereby amended to read as follows:

Capital Improvements Fund, Capital Outlay (<i>upgrade signal pole</i>)	\$ 14,450.00
NET EFFECT on Fund 4901	\$ 14,450.00

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

Date of Introduction: May 4th, 2022

Public Hearing/Vote: May 17th, 2022

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



ORDINANCE 10-2022

AN ORDINANCE AMENDING CHAPTER 1151 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

WHEREAS, Chapter 1151 of the City of Johnstown Codified Ordinances (the “Codified Ordinances”) governs the multiple family district (AR-1) in the City of Johnstown; and

WHEREAS, The City of Johnstown is growing and requires updates to the district standards to ensure high quality development that upholds the characteristics of the community; and

WHEREAS, On May 10, 2022, by a 5-0 vote, the Planning and Zoning Commission recommended this for City Council consideration amending Chapter 1151 of the Codified Ordinances; and

WHEREAS, after review of all uses, the Council of the City of Johnstown desires to amend Codified Ordinance Chapter 1151 Multiple Family Residential AR-1 District.

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

Section 1. That Chapter 1151 is amended; changes and edits as shown attached to this ordinance,

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare; specifically, the City needs to immediately update Chapter 1151 of its Codified Ordinances to protect the city water and sewer capacity due to anticipated and immediate growth and development. Without the immediate passage of this Ordinance, the City’s capacity to provide water and sewer services to its residents could be jeopardized; therefore, this ordinance shall take effect immediately upon its passage.

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 Ordinance were approved in an open meeting of this City Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the City OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: May 17, 2022
Effective:

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan S. Ashrawi, Law Director

DRAFT

CHAPTER 1151

Multiple-Family Residential AR-1 District

- 1151.01 Purpose.
- 1151.02 Permitted uses.
- 1151.03 Conditional uses.
- 1151.04 Additional district development standards.

CROSS REFERENCES

- Conditional uses - see P. & Z. Ch. 1131
- Purpose of residential districts - see P. & Z. 1141.02(a)
- Supplementary district regulations - see P. & Z. Ch. 1171
- Fences in residence districts - see P. & Z. 1171.04
- Private swimming pools - see P. & Z. 1171.10

1151.01 PURPOSE.

The purpose of the AR-1 District is to encourage the establishment of medium density residential development in the form of multiple-family residential uses not to exceed eight twelve dwelling units per gross acre. All AR-1 Districts shall abut upon either an arterial or collector street and have a minimum of two forms of ingress and egress for fire safety, and have centralized water and sewer facilities of sufficient capacity.

1151.02 PERMITTED USES.

In an AR-1 District, the following uses are permitted:

- a) Multiple-family dwelling structures;
- b) Accessory structures and uses in association with permitted structures;
- c) Rental office in relation to multiple family use;
- d) Public schools offering general education courses and having no facilities on the lot regularly used for the housing or sleeping of students, faculty or staff;
- e) Church or other place of worship provided it occupies a lot of not less than two acres.

1151.03 CONDITIONAL USES.

The following uses shall be permitted in the AR-1 District, subject to approval by the Planning and Zoning Commission in accordance with Chapter 1131 .

- a) Public parks, playgrounds and playfields operated with or without a fee;
- b) Private schools, including child care centers, offering general education courses and having no facilities, on the lot, regularly used for the housing or sleeping of students, faculty or staff;
- c) General public facilities such as public libraries, municipal buildings and community buildings;
- d) Private pool, tennis court or other recreational facility for the exclusive use of an AR-1 District lot.
- e) Nursing Home.
- f) Assisted Living Facility.

1151.04 ADDITIONAL DISTRICT DEVELOPMENT STANDARDS

In addition to the provisions of Title Seven of this Part Eleven, the following standards for arrangement and development of the land and buildings are applicable in the AR-1 District:

a) Lot Requirements.

1. Each lot shall consist of not less than ~~20,000~~10,000 square feet. The lot area shall be allocated to the following unit types in any combination not to exceed the lot size one bedroom, 1,500 square feet; two bedrooms, 2,000 square feet and three bedrooms or more, 2,500 square feet;
2. Each lot shall have a minimum width of eighty feet at the front line of the dwelling or other permitted structure closest to a publicly dedicated right-of-way. Each lot shall have access to and abut on such public right-of-way for a distance of not less than eighty feet, except that, when the right-of-way upon which such fronts is other than a straight line the chord distance may be reduced to sixty-five feet;
3. Each lot shall have a front setback of not less than twenty-five feet;
4. Each lot shall have a rear setback of not less than twenty-five feet;
5. For permitted structures there shall be a total side setback of not less than ~~30~~twenty-five (30) feet ~~with a minimum of ten feet on one side.~~ For conditional use structures there shall be a side setback on each side of the structure of ~~twenty~~twelve (20) feet or more;
6. Permitted and conditional structures shall not cover the lot by more than ~~twenty-eight~~thirty-five percent (~~28~~35%). Pavement shall not cover the lot by more than twenty percent (20%).

b) Building Requirements.

1. No dwelling shall exceed ~~thirty~~twenty (20) feet in height. Maximum height for other structures shall not exceed a safe height as determined by the Fire Chief and reviewed and approved by the Planning and Zoning Commission;
2. Dwellings may contain any combination of one, two or three or more bedroom units provided each unit contains the following minimum amounts of living area:
 - A. One bedroom - ~~1100~~700 square feet above grade.
 - B. Two bedrooms - ~~1350~~ 800 square feet above grade.
 - C. Three bedrooms – ~~1700~~ 1,000 square feet above grade.
 - ~~D. Efficiency unit – 600 square feet.~~

E.D. Roof pitches shall be a minimum of 7/12 unless a lower pitch is appropriate for the architectural style. Front-facing gables exceeding 10/12 pitch are strongly encouraged for most house styles.
3. When there are two or more buildings located on a single lot, the minimum distance between opposite walls shall be twelve feet for facing walls with no windows or doors. If one or both of the walls facing each other have windows or other wall openings the minimum distance between such walls shall be equal to one and one-half times the height of the higher building.

c) Site Requirements.

1. A traffic and parking system plan shall be required that details points of ingress and egress into the property, parking areas with the number of parking spaces, access drives and pedestrian walkways, shown. The plan shall be so designed to minimize conflict points between pedestrian and vehicular movements.

2. Outdoor trash container systems shall be sufficient to prevent any overflow and screening shall be provided to enclose such containers and hide them from view.
3. Storm drainage and runoff collection shall be sufficient to prevent any standing water.
4. Minimizing the number of curb cuts within the lot frontage and joint curb cuts between adjacent uses are encouraged, therefore the minimum distance between curb cuts shall be 120 feet and such curb cut shall be no more than thirty-five feet.
5. Lots of greater than two and one-half acres shall contain at least one fire hydrant for every additional three-quarter acres over two and one-half initial acres.
6. For each 15,000 square feet of bedroom area, in any combination, there shall be a ~~8,000~~5,000 square foot of open space, exclusive of any yard requirements. Such open space shall be landscaped with natural vegetation. 50% of the open space requirement must be useable open space with walking paths, playgrounds, etc.
7. See chapter 1183 for Landscaping standards including street trees and tree preservation.
6. For developments which single family residences, a buffer zone with a minimum width of 25 feet should be created. Such screening within the buffer zone shall consist of natural vegetation planted no closer than three (3) feet to any property line. Natural vegetation shall have an opaqueness of seventy-five percent (75%) during full foliage and shall be a variety which will attain at a minimum ten (10) feet in height within five (5) years of planting.
8. Lighting shall be screened or so arranged as to reflect the light away from the adjoining property.



**A RESOLUTION AUTHORIZING THE LICKING COUNTY COMMISSIONERS TO
ACT AS THE PURCHASING AGENT AND GOVERNMENTAL AGGREGATOR FOR
ELECTRIC POWER FOR THE CITY OF JOHNSTOWN, OHIO.**

WHEREAS, On May 3, 2022 the residents of the City of Johnstown voted in favor of electric aggregation to improve purchasing leverage and offer reduced electrical generation rates to residential and small business consumers; and,

WHEREAS, The Licking County Commissioners have offered their services to act on behalf of City of Johnstown in Licking County as the governmental aggregator; and,

WHEREAS, having one centralized aggregator will provide for the most expeditious manner to handle any issues arising in the process of electrical aggregation; and

NOW, THEREFORE, be it resolved by the Council of the City of Johnstown, Ohio that:

Section 1. The City of Johnstown Council hereby authorizes the Licking County Commissioners to act as the governmental agent for purchasing and aggregation of electric power for the residents of the City of Johnstown, Ohio.

Section 2. This resolution shall be copied to the Licking County Commissioners, 20 South Second Street, Newark, Ohio 43065.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were so adopted in an open meeting of this Council, and that all formal actions, were in meetings open to the public, in compliance will all legal requirements

Date of Introduction: May 17, 2022

Public Hearing/Vote: May 17, 2022

Vote on Resolution: Yeas _____ Nays _____

By: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

Fiscal Officer Dana Steffan



**A RESOLUTION AUTHORIZING THE LICKING COUNTY COMMISSIONERS TO
ACT AS THE PURCHASING AGENT AND GOVERNMENTAL AGGREGATOR FOR
NATURAL GAS AGGREGATION PROGRAM FOR THE CITY OF JOHNSTOWN,
OHIO.**

WHEREAS, On May 3, 2022 the residents of the City of Johnstown voted in favor of natural gas aggregation to improve purchasing leverage and offer reduced natural gas rates to residential and small business consumers; and,

WHEREAS, The Licking County Commissioners have offered their services to act on behalf of City of Johnstown in Licking County as the governmental aggregator; and,

WHEREAS, having one centralized aggregator will provide for the most expeditious manner to handle any issues arising in the process of electrical aggregation; and

NOW, THEREFORE, be it resolved by the Council of the City of Johnstown, Ohio that:

Section 1. The City of Johnstown Council hereby authorizes the Licking County Commissioners to act as the governmental agent for purchasing and aggregation of natural gas program for the residents of the City of Johnstown, Ohio.

Section 2. This resolution shall be copied to the Licking County Commissioners, 20 South Second Street, Newark, Ohio 43065.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were so adopted in an open meeting of this Council, and that all formal actions, were in meetings open to the public, in compliance will all legal requirements

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ORDINANCE 11-2022

AN ORDINANCE GRANTING A NONEXCLUSIVE FRANCHISE TO OHIO POWER COMPANY , ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN, AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES, AND PUBLIC PLACES OF THE CITY OF JOHNSTOWN, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE [TRANSMISSION AND] DISTRIBUTION OF ELECTRIC ENERGY TO THE CITY OF JOHNSTOWN, AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION [AND DISTRIBUTION] OF THE SAME WITHIN, THROUGH, OR ACROSS SAID CITY OF JOHNSTOWN, STATE OF OHIO, SUBJECT TO THE CITY’S CODIFIED ORDINANCES INCLUDING THE CITY’S COMPREHENSIVE RIGHT OF WAY CHAPTER.

WHEREAS, Ordinance 1997-14 granted a franchise to Columbus Southern Power Co. to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under and through street, avenues, alleys and public places of the Village of Johnstown; and

WHEREAS, the franchise agreement is set to expire June 17, 2022; twenty-five years from the effective date of Ordinance 1997-14; and

WHEREAS, the Council of the City of Johnstown does hereby desire to enter into a new franchise agreement with Ohio Power Company (AEP); and

NOW THEREFORE, be it ordained by the Council of the City of Johnstown, State of Ohio:

SECTION I. Ohio Power Company, its successors, and assigns (hereinafter called “Grantee”) are hereby granted the nonexclusive right, privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as the same now exist or may hereafter be laid out) of the City of Johnstown, State of Ohio, lines for the [transmission and] distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances [and appliances, including electric substations], to render public utility service in said City and to the inhabitants thereof by supplying electric energy to said City and the inhabitants thereof, and persons or corporations beyond the limits thereof for light, heat, power, or any other purposes or purpose for which electric energy is now or may hereafter be used, and the transmission [and distribution] of the same within, through, or across said City of Johnstown, State of Ohio, subject to the City’s Codified Ordinances including the City’s comprehensive right of way chapter.

SECTION II. Said lines, appurtenances [and appliances] shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

SECTION III. The rights, privileges, and franchise hereby granted shall be in force and effect for a period of five (5) years from the date of the passage of this Ordinance.

The rights, privileges, and franchise hereby granted shall not be construed to be exclusive and the Council of the City of Johnstown hereby reserves the power to grant similar rights, privileges, and franchises to any other person or persons, firm or firms, corporation or corporations.

SECTION IV. Said Grantee shall indemnify and hold the City harmless from any and all liability arising in any way from Grantee's negligence in the erection, maintenance, or operation of said lines for the distribution [and transmission] of electric energy.

SECTION V. Whenever said Grantee shall begin the erection or installation of any lines or equipment, Grantee shall do so in compliance with the City's Codified Ordinances, including the comprehensive right of way chapter, and it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges, and public places where such work is done in as good condition of repair as before such work was commenced.

SECTION VI. Wherever in this Ordinance, reference is made to the City or the Grantee, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges, [franchises], and obligations herein contained by or on behalf of said City, or by or on behalf of said Grantee, shall be binding upon, and inure to the benefit of the respective successors or assigns of said City, or of said Grantee, whether so expressed or not.

SECTION VII. This Ordinance shall be accepted by the Grantee within sixty (60) days from the date of the passage of same.

Date of Introduction: May 17, 2022

Public Hearing/Vote: May 17, 2022

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director