



Regular Council
Wednesday, May 4, 2022 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the City of Johnstown Regular Council Meeting for May 4, 2022 at 6:36 PM.

2. Roll Call

Present - Mayor Chip Dutcher, Doug Lehner, Marvin Block, Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman
Absent - None

Staff present - Jack Liggett - Interim City Manager, Abe Haroon - Chief of Police, Dana Steffan - Finance Director, Bailey Morlan - City Planner, Yazan Ashrawi - City Law Director, Dave Reipenhoff - City Labor Attorney, Dyanne McDowell - Training Marbles HR, Teresa Monroe - Clerk of Council

Public present - Pamela Siekman, Shane Imwalle, Dwayne Siekman, Paul Denny, Chad Adkins, David Holstein, Tom Mechry, Louie Greenwell, Valerie Croum, Sean Staneart, Kent Mallett, Chuck & Ruth Ann Booher, Chris Shup, Bill Moore, Cathy Block, Anne Evans, Terry Priest, Representative Mark Fraizer

3. Invocation - Ms. Hendren

4. Pledge of Allegiance

5. Update - Siekman & Siekman

Dwayne and Pamela Siekman attended to provide an update on their activities on behalf of the City of Johnstown. Dwayne Siekman said meetings they have conducted have been extensive, from the county level to the Governor's office to D.C and Congressman Balderson's staff. Additionally, they have met with Sherrod Brown's staff and are communicating with Senator Rob Portman to bring some of their district director's staff to the city to understand some of the needs and opportunities they may be able to bring.

Pamela Siekman provided news on funding; their team and city staff worked on submittals for a splash park (\$700,000) and an amphitheater (\$400,000). The bill is being drafted, the projects are being vetted and Representative Fraizer expects that we will see the Capital Budget around early June (\$1.1 million for community projects). They have also worked with Johnstown staff and the Woolpert technical team to submit an earmark request for \$1.5 million for a water recharge and exploration study of the aquifers. Additionally they have worked with Johnstown on the RAISE grant specific to the Mobility Hub; seeking \$12 million. Johnstown applications have received some significant letters of support and has \$14.6 million out there in requests.

Representative Mark Fraizer, 71st Ohio House District, was present as part of an ongoing engagement with local communities. He said they did three meetings with Jersey Township specifically to focus on residents in the annexation agreement area that are not being annexed to get out as much information as they can. Focus has been to build a timeline to ensure people can make competent decisions on what they want to do with their properties. There are two sides to the roadway improvements in support of Intel; the Intel site where New Albany is doing roadwork, the largest road they will put in place is a four lane road with a median turn lane. The Initial improvements will be on I-270 and 161 to US62 and then on Mink Road there will be an interchange update where they will remove the sidewalks to expand the road but they will not tear down the bridge or recreate it. Mr. Fraizer said there has been a lot of misinformation on Facebook, the local community engagement is an effort to get accurate and verifiable information out to the general public.

Representative Fraizer said some of the biggest items on their agenda for Johnstown are Licking County TID, roadway improvements outside of the Intel site. Questions are what are we doing with Mink into Johnstown, what are we doing with Duncan Plains/US 62 and other roads that will be impacted; the TID for the county is commissioning a study to look at that, they have a \$500,000 grant from the State of Ohio. The site expansion of Intel is a great thing but it's the construction that's ancillary around it that has their concern and focus for the people moving here, living here and the additional traffic. Mr. Fraizer said another big focus is the water and wastewater plan for the county, there is an infrastructure bill coming online being routed through the EPA. An upcoming meeting is being planned with county planners that have been hired in order to do a water and wastewater study throughout the county.

Marvin Block noted Mr. Fraizer's meeting tomorrow with the Attorney General's office and took the opportunity to discuss concerns he had with the General Miles Estate; the property left in his will, historical items being auctioned etc. Mayor Dutcher provided some history on the estate. Mr. Fraizer said the best he can do is give the Attorney General's office a call to pursue. Anne Evans made a statement that she has filed a lawsuit as a beneficiary of the estate, not just for herself but for the hundreds of unknown beneficiaries in Johnstown and Liberty Township that do not know they have a multi-million dollar piece of land coming to them.

6. Presentation - Woolpert

Woolpert Inc., a multi-disciplinary Engineering Consulting Firm was present to give a presentation with a focus on community comprehensive planning. They said in meeting with the Mayor and staff over the last couple months, they have and are working to gain an understanding of Johnstown's most pressing needs as development comes. Team members present were Tom Mochty-Senior VP, Shane Imwalle-Chief Strategy Officer, Paul Denny-Program Manager, Chad Adkins-Urbanism and Planning Discipline Leader, Dave Holstein-Program Director. Their message was that an updated Comprehensive Plan can control growth and compliment the grants they will be going after; they want to streamline the process to complete the plan in about four months by partnering with a Columbus based Planning Firm, City staff and having a public engagement strategy. The plan would incorporate site development, future land use, future transportation, utility and capacity plans and priority for water/sewer/utility system expansion and funding. They discussed their funding strategy and coordination with the Siekman's.

Mayor Dutcher thanked Woolpert for coming and said that that we are no longer "small" and Johnstown staff has extra requirements as a city, that we need a "bench"; and his

answer was to go to somebody that does this and has the expertise to come share with council to help guide us.

Mr. Block asked how long they had been working with us, Mr. Mochty said the last couple months. Mr. Block asked for a cost estimate of the Comprehensive Plan; Woolpert representatives said they would need to hone in on what the city wants to accomplish, a critical component is the public engagement strategy but looking at \$100,000 - \$150,000. Jack Liggett clarified that no contract has been signed with Woolpert, that staff has met with them to learn their capabilities, how they work and what they can do and they have helped with some grant work. Mr. Block said it would have been nice if other council members had known about this. Mr. Liggett said this is the introduction and a chance to ask questions. Council members took time to ask their questions. It was noted that due to the compressed timeframe, Woolpert would partner with a local Columbus firm (Planning Next) to supplement staff as an extension of their and city staff. Typically, a plan like this takes eight to twelve months and Planning Next has a niche for rural small town planning and would round out Woolpert's capabilities to accelerate the product. Woolpert also noted that they are not working with any other surrounding cities or counties or townships, they want to focus on Johnstown.

7. Action on Minutes

a. April 18, 2022 Special meeting

ACTION: Doug Lehner moved to approve; Sharon Hendren seconded and the vote was as follows:

AYES: Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren

NOES: None

ABSTAIN: Donald Barnard, Jon Merriman. Both due to absence.

Passed 5 - 0

b. April 19, 2022 Regular meeting

ACTION: Sharon Hendren moved to approve; Doug Lehner seconded and the vote was as follows:

AYES: Jon Merriman, Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren, Donald Barnard

NOES: None

ABSTAIN: None

Passed 7 - 0

8. Citizen comments on matters not on the agenda

1. Dave Douglas; 321 Fondriest

- Asked if there was a requirement to consider a number of engineers before selecting a City Engineer. Mayor Dutcher answered no, Jack Liggett said according to the Charter the City has to name an engineer, but it is not exclusive.

No further public comments.

Marvin Block said he had a statement. He has been under investigation since allegations were made against him February 15th, in this chamber, that he sat through some horrific rhetoric and accusations and that the village has spent close to \$25,000 on investigations; he added that on February 27th there were more allegations. Mr. Block said there was an independent investigation done and he would read conclusion and findings that 1) Councilman Block did not tell anyone that Director Steffan and Chief are having an affair or similar relationship. 2) Councilman Block has not unlawfully harassed, retaliated against any employee based on protected status. 3) City Manager Liggett did not violate city policy toward Director Steffan and did not harass, intimidate or retaliate against her. Mr. Block shared how this has personally negatively affected him and his family. Mr. Block also read a degrading and threatening email he received and said that is what he has had to put up with since February 15th. He said he had planned on resigning on his 77th birthday because of his health but he cannot resign under allegations like this, he has lived in this community his lifetime and built up a reputation only to have people attack him, he said he would not keep his mouth shut any longer, if people want copies of the report or answers he will give them.

9. Council Committee reports

- a. **Planning & Zoning:** Met 4/26/22; Next 5/10/22 @ 6:30 pm Council Chambers
Ryan Green was elected Chairman. Ace Hardware COA was approved.
- b. **Safety & Service:** 5/4/22; Next 6/7/22 @ 5:00 pm Council Chambers
Talked about area planning, discussed AEP franchise agreement up for renewal, talked about some area trees that need removed, Mr. Liggett said he needs to do more investigation of the dangerous tree ordinance and act to get them removed. Mr. Lehner noted discussion on the city payment system and effort to look into a swipe or tap feature.
- c. **Finance:** Next 5/17/22 @ 5:00 pm Council Chambers
- d. **Economic Development:** Next 5/6/22 @ 10:00 am Admin conference room
- e. **Park & Rec:** Next 5/17/22 @ 10:00 am Admin conference room
Planner Bailey Morlan said in January we applied for a Transportation Alternative Program (TAP) Grant for the development of a multi-use trail in what is proposed to be Raccoon Creek Park. The city requested approximately \$430,000 for the design and construction of the trail and she received a letter yesterday that we would be awarded that money. The trail will start at US62 and go to Fox Drive in the Pulte development, there is currently a parking lot there because the city planned for future expansion of the park. This will be the first phase of a multi-phase project.

Jack Liggett reported that at the Dog Park, the gravel base is in, there is more road work to do but now there is a place to park without stepping in mud.
- f. **Tree Commission:** Met 4/26/22; Next 5/24/22 @ 5:00 pm Council Chambers
Marvin Block said a tree was planted at the municipal building for Arbor Day and three trees were planted at the trailhead. There is a plan to also replace a couple trees on Coshocton Street. Mr. Block asked about the trees that were cut down at Steel Ceilings,

Mayor Dutcher said they were trying to get to the bottom of why all the trees were cut down.

- g. **Events Committee:** Next 5/19/22 @ 5:00pm Admin conference room
July 4th activities are moving ahead. Local Waste has again donated a dumpster for the event.

10. Director Reports

Mayor Dutcher talked about his recent return from Chandler, Arizona. He attended a one day tour of the Intel facility there. The Mayor said one thing he found intriguing was the fact that all the water supplied to Intel in the beginning came from wells, they have a whole system of wells, they are blessed to be on top of aquifers like we are and they have a regimen to replenish them, it is quite a system. He said he was not prepared for the massiveness of the facility, it is big. He added that Intel has a team dedicated to the surrounding property owners and HOA's, he was impressed by that. He said he thinks they all came away with a better understand of what Intel could mean to us.

- a. **Service Departments: Street, Water, Wastewater**
Jack Liggett reviewed department director's reports.

Mr. Barnard noted some complaints that the new caution/yield to pedestrians signs on Concord Road, before and after the bike trail are too small and not seen until you are right up on them; asked if we could get bigger ones and have them moved out farther to give traffic better warning. Mr. Liggett said he would look into that, Chief Haroon said stop bars may help that as well. Added that cars parking along there also hinder traffic from seeing pedestrians. Mr. Liggett said his understanding is that the Licking Park District has an agreement with the Rice property owners to install a parking lot there and once that is complete the police department would start enforcing. Decision to put in new signs after the parking lot has been completed; Ms. Morlan was asked to call the park district to get a timeframe on when that lot would be going in.

- b. **City Manager**

Jack Liggett provided updates as follows:

1. Noted an upcoming May 17th meeting with Representative Mark Fraizer.
2. The long awaited Edwards Road pre-con meeting is going to be May 10th.
3. May 27th will be opening bids for the E. Jersey Street project, which consists of new water services, cutting road down a bit, new sidewalks and new pavement.
4. He has received the draft for completion of phase one of the wastewater department, he needs to review and will forward final copy to council members for review.

11. Tabled Legislation - None

12. Public Hearings of Legislation

- a. **ORDINANCE 07-2022** AN ORDINANCE AMENDING ORDINANCE 47-21, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

Introduced April 19th. Finance Director Dana Steffan said this is moving funds around to pay for additional engineering costs, the increase is \$41,000 and that is mainly for sewer replacement improvement funds for the Payne Street sewer line and additional costs for a sewer truck. Mayor Dutcher noted that funds for dispatching services by the county were

going into engineering; Mr. Liggett said that is because there would not be any charge by the county for the first two years. Ryan Green confirmed that the money moving to engineering was not earmarked for anything specifically at this time.

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

ACTION: Ryan Green moved to approve; Doug Lehner seconded and the vote was as follows:
AYES: Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren, Donald Barnard, Jon Merriman
NOES: None
ABSTAIN: None

Passed 7 - 0

b. **ORDINANCE 08-2022** AN ORDINANCE AMENDING CHAPTER 1183 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

Introduced April 19th. Mayor Dutcher noted the Ohio Supreme Court ruling on sections of the city tree ordinance are out of compliance so our ordinance has been revised. Ms. Morlan said we will need to have a certified landscape architect on our contractual staff for tree removal plan review.

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

ACTION: Donald Barnard moved to approve; Jon Merriman seconded and the vote was as follows:
AYES: Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren, Donald Barnard, Jon Merriman, Ryan Green
NOES: None
ABSTAIN: None

Passed 7 - 0

c. **RESOLUTION 2022-15** A RESOLUTION TO APPOINT THE PRESIDENT OF COUNCIL
The President of Council position is currently vacant. Mayor Dutcher nominated Marvin Block, Sharon Hendren seconded.

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

ACTION: Chip Dutcher moved to approve; Sharon Hendren seconded and the vote was as follows:
AYES: Mayor Dutcher, Doug Lehner, Sharon Hendren, Donald Barnard, Jon Merriman, Ryan Green, Marvin Block
NOES: None

ABSTAIN: None

Passed 7 - 0

It was mentioned that Mr. Block was the Acting/Vice President of Council and now that he is President, the council will need to appoint the vice. Mayor Dutcher nominated Doug Lehner, Jon Merriman seconded.

Public Hearing: Opened for comments, there were no comments either for or against.

ACTION: Mayor Dutcher moved to approve; Jon Merriman seconded and the vote was as follows:

AYES: Doug Lehner, Sharon Hendren, Don Barnard, Jon Merriman, Ryan Green, Marvin Block, Mayor Dutcher

NOES: None

ABSTAIN: None

Passed 7 - 0

d. **RESOLUTION 2022-16** A RESOLUTION TO APPOINT COUNCIL COMMITTEE MEMBER VACANCIES

Vacancies on council committees need to be filled. Council members worked to nominate members to open positions.

Clerk of Council read the nominations as follows:

- Jon Merriman to Safety and Service
- Don Barnard and Jon Merriman to Finance Committee
- Ryan Green to Economic Development
- Don Barnard to Rules Committee
- Doug Lehner to Storm Water Management

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

ACTION: Marvin Block moved to appoint all candidates as read by the clerk; Ryan Green seconded and the vote was as follows:

AYES: Sharon Hendren, Donald Barnard, Jon Merriman, Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner

NOES: None

ABSTAIN: None

Passed 7 - 0

13. Introduction 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

This is in response to an email sent by ODOT, an invoice for add on costs for upgraded signal poles in conjunction with the US62 ODOT project. The cost of the upgraded poles is \$14,450.00. Jack Liggett said that ODOT has a standard pole they use but if the city wants them to match the others in town, we have to cover the additional cost. Public Hearing May 17, 2022.

14. Other Business

1. Marvin Block said he had a meeting with Bill Ebbing in New Albany, found him to be a very nice person and interested in our community. Discussed long range planning cooperation between New Albany, Johnstown, the township and the school. He also met with Jennifer Chrysler, touched on the New Albany Accord, said they reached out but no one ever got back to them. Ms. Chrysler provided Mr. Block with a copy of New Albany's Strategic Plan, discussed how they do tax base to make everyone whole, emphasized close work with their schools. Mr. Block added conversations with Mr. Ebbing on water availability and past discussions with Jim Lenner that were not passed along to Mr. Liggett or to Council.
2. Ryan Green; passed along invited to a Softball/Baseball tournament July 23--24 at JYAA fields.
3. Marvin Block provided wording for the Chops Montgomery memorial stone going into Bigelow Park. "In loving memory of Darwin Chops Montgomery, Fire Chief, Trustee, Street Maintenance (title). Known to everyone as Mr. Johnstown". It was mentioned that we are also still waiting on the stone for Oliver Bigelow headstone, it has been ordered.
4. Mayor Dutcher said the school has given their approval for use of the Performing Arts Center for Thursday, May 19th for a community wide meeting concerning Intel from 6:30 pm - 9:00 pm. Questions to be submitted ahead of time.

15. Executive Sessions

ACTION:	Marvin Block moved to enter executive sessions to consider the investigation of complaints against a public employee or official and to consider the employment of a public employee; Doug Lehner seconded and the vote was as follows:
AYES:	Don Barnard, Jon Merriman, Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren
NOES:	None
ABSTAIN:	None

Passed 7 - 0

Attending Executive Session were members of Council, Interim City Manager Jack Liggett, City Law Director Yazan Ashrawi, City Labor Attorney Dave Reipenhoff, Dyann McDowell City HR firm

Council entered Executive Sessions at 9:00 pm and returned to regular session at 11:38 p.m.

Council and staff discussion on the employment of an Assistant City Manager.

ACTION: Marvin Block moved to hire Sean Staneart as the Assistant City Manager at a salary of \$50,000. Hours to be worked are at least 32 per week. City to pay his current insurance premium; Jon Merriman seconded and the vote was as follows:
AYES: Donald Barnard, Jon Merriman, Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren
NOES: None
ABSTAIN: None

Passed 7 - 0

16. Adjourn

ACTION: Jon Merriman moved to adjourn; Ryan Green seconded and all were in favor.
AYES: Mayor Dutcher, Doug Lehner, Marvin Block, Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman
NOES: None
ABSTAIN: None

Passed 7 - 0

Meeting adjourned at 11:49 p.m.

Next Council Meeting May 17, 2022