



Regular Council
Tuesday, June 7, 2022 - 7:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the City of Johnstown Regular Council Meeting for June 7, 2022 at 8:03 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, Rusty Smart - Interim Chief of Police, Dana Steffan - Finance Director, Bailey Morlan - City Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Lewie Main, Troy Hendren/Monroe Township Trustee, Kent Mallet/Newark Advocate, Darlene Magold/etch, Brian Kinzelman/MKSK, Kyle May/MKSK, Chris Hermann/MKSK, Tom Mochty/Woolpert, Paul Denney/Woolpert, James McNaley/Prime Engineering, Adam Rothermel//Prime Engineering

3. Invocation - Mayor Dutcher

4. Pledge of Allegiance

5. Action on Minutes

a. May 4, 2022 Regular Council

b. May 17, 2022 Special Work Session

ACTION: Marvin Block moved to approve en bloc; Doug Lehner 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

6. Citizen comments on matters not on the agenda

1. Lewie Main; 132 N. Main Street

- Requests reimbursement of \$424.65 for damage to his lawn mower caused by improper installation of meter pit and shut off valve stem. Explanation of damage.
- Stated his meter pit is eighteen feet away from the water line to his home with two ninety degree turns, has lost water pressure to his house.

Jack Liggett said he has had the new street Superintendent go out and within the next two to three weeks they will excavate and those meter pits will be lowered. They will also inspect the plumbing to see how it is tied in.

7. Council Committee reports

- Planning & Zoning:** Met 5/24/22; Next 6/14/22 @ 6:30 pm Council Chambers
Reviewed Concord East Preliminary Plat. Reviewed PUD.
- Design Review Board:** Met 5/10/22 Update given last meeting; Next 7/17/22 @ 5:00 pm Council Chambers
- Safety & Service:** 6/7/22 Cancelled; Next 7/5/22 @ 5:00 pm Council Chambers
- Finance:** Next 6/21/22 @ 5:00 pm Council Chambers
- Economic Development:** 6/3/22 Cancelled; Next 7/1/22 @ 9:00 am Admin conference room
- Park & Rec:** Next 6/21/22 @ 10:00 am Admin conference room
- Tree Commission:** 5/24/22 Cancelled; Next 6/28/22 @ 5:00 pm Council Chambers
- Events Committee:** Met 6/2/22; Next 6/30/22 @ 5:00 pm Admin Conference Room

8. Director Reports

- Service Departments: Water, Wastewater, Street
Jack Liggett reviewed the director's reports included in the packet.

Ryan Green thanked Jack and everyone involved for checking out a potential water leak they had in Rolling Meadows, was taken care of quickly. Asked if there was anything being done with emptying trash at the parks with heavier use. Jack Liggett said starting this weekend, trash will be emptied on Friday, Saturday and Sunday.

Discussion on the part-time mechanic's work on city vehicles, potential for a vehicle lift added to the budget. Marvin Block asked if work to police cruisers could be added; discussion on time restraints as he is currently part-time and works five days per week, five days a week.

b. Manager Reports

Jack Liggett provided updates:

1. The pressure for water and sewer is going to be greater than what their initial upgrades accounted for, he is working with Jacob's engineering to see what it would take to get the water plant from a one million gallon facility to a two million gallon facility under the contract, giving a total of three million gallons. He will get all the numbers and report to council.
2. Successful bid from Law on the E. Jersey Street project, should start mid-July.
3. Concern on the yield to pedestrian signs installed at Concord Road at the bike path; the Licking Park District said the trail has been set up for pedestrians to yield to traffic with stop signs for pedestrians at road crossings. Working on the issue, if signs need to be removed he will do so.
4. The stream study for the wastewater upgrade will start mid-June, this needs to be done before they start plant design.
5. Edward's Road project has been completed; Monroe Township will berm the edges, should be done end of week.

9. Tabled Legislation - None

10. Public Hearings 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.

Second reading. Renewal of an agreement the city has had for twenty years, Law Director has reviewed, ensured that the city's Right of Way ordinance would not be affected.

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

ACTION:	Ryan Green moved to approve; Sharon Hendren 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

b. **RESOLUTION 2022-20** A RESOLUTION TO APPROVE AN AMMENDMENT TO THE EMPLOYEE HANDBOOK

A discrepancy was found on shift differential between departments. This balances all departments to make them all the same.

Mr. Barnard asked how often differential rates should be reviewed. Jack Liggett said this is relatively new but thinks at least every three years they should look at wage scales. Mr. Barnard said at least; with the change in economy they should stay on top of it.

Discussion on effective date relative to the pay period start date, decision to make retroactive to June 5, 2022. Shift differential was left in place for police, this will catch up the utility departments. Jon Merriman asked if they could make another change; he would like to entertain the change of going from \$0.25 to \$1.25 and \$0.50 to \$1.50 instead of just making it \$1.00. Jack Liggett said that would also bring the police department up; council was in favor. The clerk asked for clarification on the edit, if Saturday and Sunday were staying \$1.00 or all going to \$1.50, Mr. Merriman said yes all of it. Jack Liggett said he understood that if you worked Saturday or Sunday first shift, you still get a \$1.00, second shift gets \$1.25 and third shift gets \$1.50 where before any weekend shift was \$1.00. The clerk edited the resolution as she understood Councilman Merriman; second shift \$0.25 to \$1.25, third shift \$0.50 to \$1.50 and Saturday/Sunday \$0.50 to \$1.50.

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

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

Passed 7 - 0

c. **RESOLUTION 2022-21** AN ORDINANCE ESTABLISHING A TREE REMOVAL PERMIT FEE FOR CITY OF JOHNSTOWN

This resolution will establish a tree removal permit fee. Ordinance 08-2022 established that a tree removal permit is needed for any commercial or large development project before receiving a zoning certificate; the ordinance also states that council needs to set a fee amount for the permit. City Planner Bailey Morlan said she worked with city attorneys and looked at what other municipalities charged and recommends the \$50.00 plus \$20.00 per additional tree amount. Discussion on how the process would work, the caliper of trees and

a dollar amount to be charged. Council expressed desire to send the resolution back to the Tree Commission for further review.

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

Motion to Table Passed 7 - 0

- d. **RESOLUTION 2022-22** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LAW GENERAL CONTRACTING FOR THE EAST JERSEY STREET REHABILITATION PROJECT

An acceptable bid for the project was received and was just under the engineers estimate, an Ohio Public Works funded project along with the city, the dollars will not be released until the first part of July.

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

Mayor Dutcher said this will be a great improvement to that part of our city. Mr. Barnard asked if they would be fixing sidewalks. Mr. Liggett said with this project there will be some minor lowering to level out the street, all water services will be replaced running under the road and sidewalks on both sides of the street all the way to the trailhead, this is a major undertaking and a \$1.3 million dollar project.

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

Passed 7 - 0

11. Introduction of Legislation

- a. **ORDINANCE 12-2022** AN ORDINANCE AMENDING SECTION 1179 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

This legislation came recommended by the Planning and Zoning Commission and makes edits to PUD Chapter 1179. Public Hearing and Vote June 21, 2022.

12. Other Business

1. **Motion:** Mr. Block moved that council instruct the manager to enter into a contract with MKSK and engineer consulting company to be EMH&T. Mr. Merriman seconded the motion.

Mr. Liggett asked if it would not be wise to get a proposal first to know what numbers we are talking about, a cost and where we will pay for it from. Mr. Barnard said he supports this but does agree that they need to see the cost. Mr. Liggett asked if council had come up with a scope. Mr. Barnard asked for Sean Staneart's input. Mr. Staneart said they heard costs would be \$100,000 to \$150,000; he would add in services not to exceed those numbers, they would need to identify funds and in discussion with the Finance Director, he would say there is a good probability that the funds are there. As far as scope; his understanding is that council is asking them to provide a Strategic Plan with landscape design, an architectural component, as well as engineering and would be in the \$125,000 to \$150,000 range.

Brian Kinzelman with MKSK recommended that they go through the scoping exercise with staff to see what is needed immediately and longer term and cost that out, it would have options and a schedule to it then could present that to council. MKSK and staff will work with calendars to have a meeting in order to send information by next Thursday for council review prior to the next meeting.

Mr. Block withdrew his motion.

2. Lewie Main; 132 N. Main Street

- Discussion and questions on previously passed Ordinance 08-2022.
- Discussion and questions on Resolution 2022-21 tabled by Council. Council continued clarification that this permit applies commercial not residential.

13. Adjourn

ACTION:	Sharon Hendren moved to adjourn; Doug Lehner 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 9:06 pm

Next Council Meeting June 21, 2022