



Regular Council
Tuesday, July 5, 2022 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the City of Johnstown Regular Council Meeting for July 5, 2022 at 6:30 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, Bailey Morlan - City Planner, Jim Blair - Zoning Inspector, Dave Riepenhoff – City Labor Attorney, Teresa Monroe - Clerk of Council

Public present - Stephanie Giannini, Mary Queen Cool, Lewie Main, Chuck Booher, Bob Orsini, Glenn Ronken, Kent Mallett, Jamie Hartsough

3. Invocation - Ms. Hendren

4. Pledge of Allegiance

Mayor Dutcher said that he wanted to recognize Ben Lee and the Events Committee for their hard work and the wonderful job they did with the 4th of July fireworks on July 3rd; it was a wonderful community event.

5. Action on Minutes

a. June 21, 2022

ACTION: Doug Lehner moved to approve as written; 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

6. Citizen comments on matters not on the agenda

1. Stephanie Giannini; 118 Parkdale Drive

- Said she is representing "The Chip off the ole Block Recall Campaign" and she is turning in two separate recall petitions; one for Marvin Block and one for Mayor Chip

Dutcher. Read a statement urging the two Councilmen to resign effective by Friday, July 8, 2022. Full statement was turned in to the Clerk of Council for the record.

2. Lewie Main; 132 N. Main Street

- Said zoning is a very important area of Council; the new code is still being reviewed, going on nine years
- Asked Council to review the Development Standards document in addition to the proposed zoning code; concerned that there are some conflicts due to lack of coordination with what is already on the books

3. Bob Orsini; 291 Central Station Drive

- Said the intermediate school is moving to the middle school campus starting next year, he currently has a seventh grader moving to eighth. Traffic does not stop, he is concerned for walkers crossing the street (SR 37); worried about child/vehicle impact. Said he took his concerns to the School Board, they informed him that they are not capable of enforcing traffic laws and do not have the authority or jurisdiction to do anything on the highway. He would like to investigate anything that can be done as a city to find funding or information to prevent this from becoming a tragedy.

Jack Liggett said the flashing crossing lights were added previously at the crosswalk. Doug Lehner said his opinion is the School Board should reinstate bussing, that would pull three to four hundred cars off the roads in Johnstown twice a day. Mayor Dutcher said they will add this topic to the next Safety & Service and School District Liaison Committee meetings. The goal is to not have a child injured and whatever the city needs to do, they will do it.

7. Council Committee reports

- Planning & Zoning:** Next 7/12/22 @ 6:30 pm Council Chambers
The 6/28/22 meeting was cancelled.
- Design Review Board:** Next 7/12/22 @ 5:00 pm Council Chambers
Sean Staneart noted the vacancy on the board; Mayor Dutcher said council would interview and appoint at the next meeting.
- Safety & Service:** 7/5/22; Next 8/3/22 @ 5:00 pm Council Chambers
Discussed parking issues on Pratt Street. Chief Smart reviewed his recommendation for parking adjustment necessary for a curb cut and garage on East Pratt. The plan would give two added spaces on South Main but remove two spaces on East Pratt. Jack Liggett said this would improve the line of sight from the garage on Pratt Street. Committee approved; shared with council tonight.
- Finance:** Met 6/21/22 updated last meeting; Next 7/19/22 @ 5:00 pm Council Chambers
Mr. Barnard said Julian & Grube will attend next meeting to review financial statements with them.

- e. **Economic Development:** 7/1/22 canceled; Next 8/5/22 @ 10:00 am Admin conference room
- f. **Park & Rec:** Met 6/21/22 updated last meeting; Next 7/19/22 @ 10:00 am Admin conference room
- g. **Tree Commission:** Met 6/14/22 updated last meeting; Next 7/26/22 @ 5:00 pm Council Chambers
- h. **Events Committee:** Met 6/30/22; Next TBD

8. Director Reports

- a. Service Departments: Street, Water, Waste Water
Jack Liggett reviewed all department Director Reports. Added that the city water plant will produce one million gallons per day, noted that there was one hot dry day the plant produced nine hundred and ten thousand gallons which shows the need to continue to push forward with plant expansion. Mr. Barnard asked what happens when we hit one million gallons; Mr. Liggett said they never shut the plant off, would just keep running on straight through and with the new water tower will have an additional half-million gallons to buffer for those times until the new facility is built.
- b. Manager Reports
 - 1. US62 road widening project to begin July 11th, ninety percent of the project will maintain two lane traffic.
 - 2. Noted resident complaints of areas being paved that have been paved in recent past; explained this was not pavement, just a wearing coat/seal coating to extend pavement life
 - 3. East Jersey Street pre-con is July 18th, project to begin mid-July. Project includes new water service, enhanced base, new sidewalks on both sides, it is a 1.3 million dollar project from Main Street to the Trailhead. Jon Merriman asked about keeping one sidewalk concrete and making the other side a base to try and keep the traffic pattern with the bike flow going to downtown. Jack Liggett said if a change is to be made they would need to discuss that quickly but right now it is set up for two five foot concrete sidewalks on each side.

9. Tabled Legislation

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

ACTION:	Marvin Block moved to take from the table; 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

Motion to take from the table Passed 7 - 0

Planner Bailey Morlan reviewed changes made by council at the last meeting and said this makes modifications to the Planned Unit Development (PUD) zoning chapter. Currently PUD zoning does not provide very much direction and is very open to interpretation, these edits will strengthen the wording.

Public Hearing

1. Lewie Main; 132 N. Main Street

- Noted chapter name change from PUD to Single Family Planned Residential District (SFPRD), expressed concern the new name was not reflected in other zoning references.

Mr. Barnard asked why they did not just wait for the complete zoning code review and pass all at once. Mr. Green said they are updating important chapters that the city would be more likely to get applications on before the full code is revised. Ms. Morlan said these include the changes made by planning and zoning in the process, they are just bringing it to Council chapter by chapter.

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

Passed 6 - 1

10. Public Hearings of Legislation

a. **ORDINANCE 13-2022** AN ORDINANCE AMENDING SECTION 1177 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

This amends Chapter 1177, signs. Ms. Morlan said the changes help to clarify some things in the chapter, there are some illustrations to help applicants who want to put up signs, there are rules about measuring and what they need to look like. Mr. Green said it will make it easier to bring signs to them and will be easier to enforce.

Public Hearing

1. Lewie Main

- Does not describe signs in all districts
- This has potential to kill development, when you can't even put a paper sign in your

window

ACTION: Ryan Green moved to approve; Doug Lehner seconded and the vote was as follows:
AYES: Ryan Green, Mayor Dutcher, Doug Lehner, Sharon Hendren, Don Barnard, Jon Merriman
NOES: None
ABSTAIN: Marvin Block; said he did not get to read the whole chapter and does not see where our sign codes are being enforced anyway

Passed 6 - 0

- b. **ORDINANCE 14-2022** AN ORDINANCE ESTABLISHING A SPECIAL USE DISTRICT IN THE CITY OF JOHNSTOWN AND APPROVING ASSOCITED SECTION 1170 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

Establishes a district for government, public buildings and property within the city that are currently in a zoning district in which they do not really belong.

Public Hearing

1. Bob Orsini

- Asked if a public building in a Special Use District were to sell, is there anything in the code that manages how it becomes rezoned etc. are there protections for the city.

Ms. Morlan said the use of the building would not be allowed to change, they could sell it but would not be allowed to do anything else with it without going through the rezoning effort.

ACTION: Sharon Hendren 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

- c. **RESOLUTION 2022-23** A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF JOHNSTOWN FOR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATE A DEDICATED REPAYMENT SOURCE FOR THE LOAN

The Ohio Water Supply Revolving Loan Account is a funding source for a loan to build the water facility expansion. This legislation authorizes the city to negotiate terms for the loan.

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

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

Passed 7 - 0

11. Introduction of Legislation - None

12. Other Business

1. Mr. Block asked if the proposal (finance) received was the only one. Mr. Staneart said yes, the one from Integrity, they are the only company identified so far.
2. Some discussion on the Comprehensive Plan, building moratorium, zoning code updates
3. Mr. Barnard stated that Mr. Block asking for a residents address for his attorney was intimidation; that Mr. Block loves the city and has done many things for this town, but council cannot allow comments be made to residents that intimidate them from speaking. Added that they need input from citizens, even when it is information they do not want to hear or that is critical of them.

MOTION: Mr. Barnard moved that the Johnstown City Council censure Councilman Block and let each of us know on this council that comments like this toward citizens will not be accepted today or any day in the future. Motion died for lack of a second.

13. Executive Session to Prepare for a Collective Bargaining Strategy

14. Executive Session to consider the appointment, employment or compensation of a public employee

ACTION: Chip Dutcher moved to waive council rules of order 5.01 (d) 24 hour notice to councilmembers for executive session; Sharon Hendren 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

ACTION: Mayor Dutcher moved to enter Executive Session to consider the appointment and compensation of a public employee or official and to prepare for negotiations with public employees concerning their compensation or other terms and conditions of their employment; Sharon Hendren seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

Invited into session were Dave Riepenhoff, Jack Liggett, Sean Staneart. Mayor Dutcher said no action is expected following the Executive Session.

Council entered Executive Session at 7:45 pm and returned to regular session at 10:07 pm

15. Adjourn

With no further business, there was a motion and second to adjourn the meeting. Motion carried 7-0

Meeting adjourned approximately 10:15 pm

Next Council Meeting July 19, 2022