



Regular Council
Tuesday, August 16, 2022 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the City of Johnstown Regular Council Meeting for August 16, 2022 at 6:33 PM.

2. Roll Call

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

Staff present - Sean Staneart - Assistant City Manager, Rusty Smart - Interim Chief of Police, Teresa Monroe - Clerk of Council

Public present - Jamie Hartsough, Lewie Main, Connie Ryan, Peggy Dearth, Terry Feters, Jim Dietzel, Mary Queen Cool, Mary Wiswell, Barbara Knoepfler, Stephanie Giannini, Elizabeth Whipple, Glenn C. Ronken, Travis McIntyre, Linda Borghese, Kent Mallett, Aaron Steffan, David Cool

3. Invocation - Mayor Dutcher

4. Pledge of Allegiance

5. Action on Minutes

a. August 3, 2022

b. August 8, 2022 Special meeting

ACTION: Sharon Hendren moved to approve en bloc; Marvin Block seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

6. Presentation; Miles Estate

Mayor Chip Dutcher said they have been informed that the Trustees of the Miles Estate have filed a document with the probate court and there is an evidentiary hearing on the 13th of September where the judge will review the filings; he said he has been in contact with our legal counsel to put them on notice that we want to protect the city's rights in dealing with the Miles Estate. Said the city was named specifically in the General's will and we have been watching the Trustees not do anything for over sixty years and it is time that be brought to a conclusion. The General's wishes were very specific that it would be for the citizens and children of Johnstown, Monroe Township and Liberty Township. Mr. Dutcher said we need to protect the city's rights and others including the school and the heirs and protect the General's wish that Johnstown be in receipt of the farm and the sizable estate. At this point attorneys are working on what their filing is going to be, how best to preserve our rights, will have more at the next Council meeting. Added that he has been in touch with the heirs, the School Board and the Monroe Township Trustees, and all are on board once there is a plan, all will participate in filing with the court. On the 13th the Judge will review documents filed and at that point she has a number of options. If we do not like the judge's decision, we will have a right to appeal.

Siblings Connie Ryan, Terry Feters, Jim Dietzel and Peggy Dearth, descendants of James Longwell, who owned and lived on the property, attended to provide history of the estate. Ms. Ryan stated that after Mr. Longwell's passing, the property was ultimately given to General Perry Miles, Ms. Ryan said General Miles was a veteran who served in the Spanish-American war, a recipient of the Purple Heart, Silver medal, and a distinguished service medal. He served in WWI and was a backup to General McArthur in WWII and then became a speaker for Veterans, traveling all over the world and publishing two books. His wishes were that the house, all of the property, one hundred and seventy-one acres, valued at over one million dollars, and the trust also over a million dollars, be left to the Village of Johnstown, Liberty Township Trustees and surrounding areas to be used for education, recreation, religious and museum purposes. Ms. Ryan described the family frustration with the deplorable condition of the house and artifacts within and the fact that nothing has ever been done to care for the estate. Added that they have come to find out that the Liberty Township Trustee who was granted the trust was giving it all to Licking County parks. Ms. Ryan said the family would like their grandfather's first cousins' wishes to be honored and for Johnstown to keep this property.

7. Citizen comments on matters not on the agenda

1. Jamie Hartsough - 169 Stonehedge Row

- Said there seems to be a problem with sign placement across the street, it was meant to be on the land owners property and not the easement, if she needs to move it back, she would like 24 hours. Said she did not appreciate being threatened by a city worker leaving the parking lot today saying he was going to saw it down; it is her property, if she is given notice, she will get it moved.

2. David Cool; 108 Maple Leaf Drive

- Regarding the Coughlin project next to them, they are very pleased that their original list of twenty-four items of concern has been worked down to four.
- Heard about the 4-3 vote to put a sidewalk in; would like another vote to reverse

that decision as they do not want it.

- Thinks the exits have been resolved
- Do not want any construction equipment on their driveways
- They want to have a perimeter fence around the whole property (Jon Merriman confirmed he meant screening between the two properties)

3. Elizabeth Whipple; 100 N. Main Street

- Said she would like to address some factual inaccuracies that were stated and approved in the minutes from the last special work session. Said it was stated that the prior Chief had requested \$500,000 for a workout facility for his officers, that is not the case. Said if someone is arrested the only method of securing the arrested person is to chain them to a wall in the Johnstown Police station, concern for civil liabilities; so the discussion was on improving the facility overall, not just for a gym.
- Addressed Councilmen Barnard, Merriman and Green saying that as part of the prior Chief's forced resignation, he was told he would not have his unemployment benefits challenged; asked if they were aware of that. Mr. Green said something would be in the paperwork. Ms. Whipple asked if they were part of the decision to challenge his unemployment benefits after the agreement stated the City of Johnstown would not do that. Mr. Barnard said he has no idea about his unemployment benefits, Mr. Merriman said he did not either. Ms. Whipple asked if they were then not aware of the investigation that the Ohio Department of Job and Family Services (ODJFS) did into his separation with Johnstown. Said that all Council members are supposed to have equal authority, yet it sounds like there are certain members of council who take it upon themselves to make actions without informing anybody else and asks that moving forward they look hard at what is happening behind their backs because the investigation was completed at the end of June. Said she had a quote from ODJFS; Clerk noted the three minute time limit.

Mayor Dutcher said if she had something from ODJFS, he would like a copy. Some discussion on who with the city would have received any correspondence from ODJFS.

4. Stephanie Giannini, 118 Parkdale Drive

- Said she would like to yield her time to Elizabeth Whipple.

Mayor Dutcher said that is not our rule and asked Ms. Whipple to sit down. Ms. Whipple said no, she will read the statement and began to read a statement. Mayor Dutcher again asked Ms. Whipple to sit down, Mr. Barnard said please, Chief Smart said he would take care of the Police Department.

There were no further public comments and Mayor Dutcher closed the floor.

8. Council Committee reports

a. **Planning & Zoning:** Met 8/9/22; Next 8/23/22 @ 6:30 pm Council Chambers

Vision Statement: The City of Johnstown is dedicated to providing a secure community environment that fosters cultural, recreational, educational and economic opportunities while preserving our unique historical character

An application for an apartment complex was tabled (Redwood); also tabled discussion of GCC-1 pending review of GCC-2 and Design Standards. Mr. Green said he would like to have an informational meeting on the Leafy Dell apartment complex, working to get the HOA's together, the condos and representation from Coughlin.

b. **Design Review Board:** 8/9/22 Cancelled; Next 9/13/22 @ 5:00 pm Council Chambers

c. **Safety & Service:** Next 9/20/22 @ 5:00 pm Council Chambers

d. **Finance:** 8/16/22; Next 9/6/22 @ 5:00 pm Council Chambers

Ben Lee came to update the committee on the Fireworks Event, a request for \$10,000 will be worked into the budget for the 2023 event. Committee review on the Siekmans contract, no action at this time, have asked them to attend Finance Committee on September 6th to answer some questions before recommendation. Committee review of Training Marbles, no action on their contract, will continue on month to month for sixteen hours per month versus the new contract which would be twenty-five hours per month. Discussed ensuring that work from the original contract has been completed. Talked about the state audit schedule which should be out in the next two weeks. Mr. Barnard will be preparing schedules and workbooks to get out to department heads in preparation for budget 2023. A special work session will be held on October 4th with Council, Finance and Safety & Service Committees to go through the budget. Committee discussion on future Finance Department staffing, resumes received are being reviewed.

Mr. Barnard said after much research, the Finance Committee recommends going to UAN for financial software, it will be cheaper at \$375 per month and the State uses UAN, that fee also covers the payroll module and equipment needed. Noted research showed cities up to 20,000 use this software with no problem. Will need to get another utility billing software, MuniLink has been suggested, a demo will be set up for staff before a recommendation is given. Mr. Barnard noted that it was part of the agreement with Integrity that they would transition us to this software, cost is \$20-30,000 for the transition and would not take place until January. Sean Staneart noted that there was money already appropriated in this year's budget for an upgrade so this will not be a new expenditure. Mr. Barnard said MuniLink would be \$795 per month, with the two programs combined we would be looking at under \$15,000 yearly for the two software systems and now we are paying \$17,000 for maintenance with SSI. Added that both are cloud based.

ACTION: Donald Barnard moved that the council accept the contract for UAN and switch the accounting software; Jon Merriman 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

Additionally reviewed in committee was the salary structure and potential for annual COLA increase; also an increase in pay of \$1.90 per hour to keep an officer, Committee has

recommended that the City Manager and HR look at this.

A member of the audience said it was previously stated that May's financial statement was not closed and asked if that was true. Mr. Barnard said he had spoken to Mr. Liggett about this, that May financial statements were closed, that it was the May bank reconciliation that was not completed and June's financial statement was not closed as the former Finance Director left prior to the end of the month. The miscommunication was that the City Manager was told the month of May was not closed, it was closed, it was just the bank reconciliation that was not done.

- e. **Economic Development:** Met 8/5/22; Next 9/2/22 @ 9:00 am Admin conference room
Mr. Lehner shared there is a potential buyer for the Enterprise Center, Sean Stanearth to meet with Port Authority's Rick Platt. Shared three new banks will be coming to town. Discussed scheduling a School Board Liaison Committee meeting, and email was sent last month.
- f. **Park & Rec:** 8/16/22; Next 9/20/22 @ 10:00 am Admin conference room
Some discussion on the Miles Estate. Talked about partial funding received from the State of Ohio for a Splash Park and Amphitheatre, Siekman's reported that money may be used for purchase of property, committee recommendation to Council is to use grant money to buy three lots adjoining Hannahs Park. Both projects would be done in phases, the city would have two years to use the money. Mayor Dutcher said the original plan was to put the Splash Park at Trailhead Park but have since come to believe it would be better next to the playground equipment at Hannahs Park. Mayor Dutcher said the three lots are available, the city bid on these lots years ago but were outbid. Now that the lots are available again, the city could use some of the money for that purpose, to add to the park. Mr. Barnard asked how much the lots were, Mayor Dutcher said \$150,000 for all three. Mr. Merriman asked if the lots had an easement, Mr. Block said that was to be determined. Mr. Merriman said they should find out first because if they are land-locked then value decreases for the seller. Mr. Merriman said he thinks we should have legitimate plans before they look at anything, that there is an estimated \$150,000 needed for drawings and engineering. Mr. Barnard said his concern is buying it before they know all the details, what if the engineer says the property is not conducive for a water park. Mr. Merriman said it feels like they are putting the cart before the horse. Questions asked about whether they buy the land and then never raise funds to finish the water park. Mr. Merriman said he almost guarantees that if Terry Henson puts that property up for sale, it would sit for a long time.

ACTION:	Marvin Block moved to explore getting the funding released from ODNR for purchase of the lots and negotiate the property purchase further; Sharon Hendren seconded and the vote was as follows:
AYES:	Chip Dutcher, Doug Lehner, Marvin Block, Sharon Hendren
NOES:	Ryan Green, Donald Barnard, Jon Merriman
ABSTAIN:	None

Passed 4 - 3

g. **Tree Commission:** Next 8/23/22 @ 5:00 pm Council Chambers

h. **Events Committee:** Next 8/18/22 at 5:00 pm Admin Conference Room

Ben Lee attended to provide an update on the fireworks event, feedback was that the event turned out great and was well attended. Mr. Lee attended Finance Committee to discuss budget for 2023 and to ensure they had the same amount applied toward the budget for next year, they came in under the \$10,000 budgeted for 2022 but wanted to add another \$10,000 in for 2023 to ensure as the event continues to grow, the entirety of the production is covered. They will be looking into sponsorship to defer some increased costs and scope. Thanked City Council for their support of the event.

The mental health round table on stress and anxiety held August 8th was a success with a tremendous panel of experts available including the Mental Health and Recovery Board of Licking and Knox County, Behavior Health Care Partners, Chief Smart with Johnstown P.D., Mental Health America of Licking County, three counselors from Johnstown Schools, Pastor Van Winkle from the Methodist church representing all faith based organizations within the community. Meeting video with all the resources given is available on the city YouTube page.

i. **School District Liaison:** Next TBD

9. Director Reports

a. Police

Interim Police Chief Smart reviewed his report and answered questions from the Council on Project Lifesaver equipment. Mr. Lehner asked Chief Smart to check the flashing lights at the crosswalk at SR 37 and Edwards Road, it was brought to his attention they were not working when the button is pressed. The Clerk noted that a resident had also previously reported, there may already be a work order for that.

b. Finance

Report given during committee report.

10. Tabled Legislation - None

11. Public Hearings of Legislation

a. **RESOLUTION 2022-30** A RESOLUTION TO APPROVE AN AMMENDMENT TO THE EMPLOYEE HANDBOOK

This amends the shift differential rate for employees, will eliminate headache of different shifts being on different rates when doing payroll; all shifts will be paid \$1.50.

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

ACTION: Jon Merriman moved to approve; Ryan Green 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

12. Introduction of Legislation - None

13. Other Business

1. Mr. Green asked where we were at with the Chamber of Commerce renovation. Mr. Merriman said he was looking for bids.

14. Adjourn

ACTION: Ryan Green moved to adjourn; Sharon Hendren seconded and all were in favor.

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

NOES: None

ABSTAIN: None

Passed 7 - 0

The meeting adjourned at 7:51 pm

Next Council Meeting September 6, 2022