



Regular Council
Tuesday, September 6, 2022 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the City of Johnstown Regular Council Meeting for September 6, 2022 at 6:31 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, Sean Staneart - Assistant City Manager, Rusty Smart - Interim Chief of Police, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Jamie Hartsough, Logan Harrah, Jess Anderson, Bruce Tolle, Kent Mallett, Stephanie Giannini, May B., Matt O'Hearn, Jeff Barr, Monica Gernert, Peggy Dearth, Terri Fetters, Donna Lavalley, Jim Dietzel, Connie Ryan, Lewie Main, Kay C., Linda Borghese, Jane Riley, Amie Hatfield, Travis McIntyre, Karin Lee, Holli Hoyles, Amy, Errich Taylor, Nathan, Abe Haroon, JR, Judy Haroon, Sue Connick, Dana & Aaron Steffan, Jim Lee, Sue Barb, Glenn Ronken, Victoria Dutcher, Debi Shull, Sherri Montgomery, Bill & Marsha Highfield, Kelly & Todd McConnell, Bob, Dustin Gerkin, Ben Lee

3. Invocation - Ms. Hendren

4. Pledge of Allegiance

5. Action on Minutes

a. August 16, 2022

Mr. Block noted a correction he wanted made to the minutes, Council member discussion, clerk noted the recording could be reviewed for detail and minutes could be tabled until next meeting.

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

AYES: Marvin Block

NOES: Donald Barnard, Jon Merriman, Ryan Green, Mayor Dutcher, Doug Lehner, Sharon Hendren

ABSTAIN: None

Failed 1 - 6

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

Passed 6 - 0

6. Citizen comments on matters not on the agenda

1. Connie Ryan; 259 Edwards Road

- Is one of five family members present representing the Longwell Miles property; said that 171 acres and a trust fund is being given to Licking County Parks but the will specifically states that it should go to Johnstown, Liberty Township and surrounding communities for religious, educational and recreational good. The family is upset that the will is not being honored, they have started a petition to support the effort and invited those to support and sign.

2. Matt O'Hearn; 236 Weeping Willow Run Drive

- To his knowledge, his street is the only one where the parking is set up on the same side as the fire hydrants and it greatly limits their parking. Proposes that parking be moved to the other side of the road.

Council directed the topic to be added to the next Safety & Service agenda.

3. Jess Anderson; 1703 Deeds Road

- Owner of Ray Ray's Hog Pit BBQ food truck. Said they are currently permitted to operate on private property at 670 Coshocton Road three consecutive days in a row. Would like to ask for a fourth day so they can pay their employees a livable wage.

Sean Staneart stated that the food truck permit is regulated under the Business Regulation section, it allows operation three consecutive days in a rolling thirty day period and there is not an opportunity for a variance as it is not enforced by zoning.

4. Judy Haroon; 330 Fondriest Road

Summary of statement read:

- Said she is representing herself and other community members who have risen to the occasion making their voices heard demanding change. Finds it disturbing that Mr. Block is still sitting up there, understands that technically he is still allowed to sit on Council until the votes are certified, but thinks they should have suspended him considering the amount of chaos, mayhem and destruction to both local government and community most recently caused by how he campaigned for

himself which was nothing more than personal attacks aimed mostly at Dana Steffan and Abe Haroon, instead, once again he received no repercussion for his actions. We the people should be what matters, all have failed including Jack. The only one that has attempted to do the right thing is Mr. Barnard, he is not a part of the "good ole boy club" and he has the support of the hundreds of community members that supported the recall effort. Said her point is that council has shown repeatedly they are not capable of governing themselves, when faced with moral and ethical dilemmas, the approach is to turn a blind eye and not waiver in their allegiance to one another. The "good ole boy" ideology will not be tolerated and needs to stop tonight. Demanded that the city develop a code of conduct for its elected officials.

Mayor Dutcher stated Ms. Haroon's three minutes were up. Ms. Haroon continued, disregarding the Mayor's statement. Mayor Dutcher asked that Ms. Haroon be removed, officers told Ms. Haroon she needed to leave the room, Ms. Haroon told them no and continued to speak demanding Sharon Hendren's resignation by Friday, September 9th or she could face recall as well. Ultimately Ms. Haroon's husband asked her to take a seat and she did.

5. Dana Steffan; 156 Liberty Ridge Court
Summary of statement read:

- Former Finance Director for the city from 2014 - 2022. Said this has been the most challenging and perhaps worst year of her life, one hundred percent attributable to Marvin Block. This began with a humble request for a raise in December, to date not one of the five council members have acknowledged the request (excluded members Barnard and Merriman as they were not on council at the time). When she submitted an HR complaint on Marvin and Interim City Manager Liggett in February, not one council member reached out in an effort to hear her side of the story. She has been blamed for countless things including hiding from council the knowledge of a drone, giving unauthorized raises to police officers, "demanding" a \$15,000 raise to come back to work, attempting to create a smokescreen to overshadow her own "poor performance" and exceeding her authority on payroll matters to the benefit of the police department; Ms. Steffan said all of these are untrue. Told Marvin he could have taken the high road like Chip and campaigned not to be recalled by stating the good things he had done for the city but instead chose to spread lies about her and her husband. She learned a letter full of lies had been circulated around town by Mr. Block and his wife, an obvious attempt to ruin professional careers and reputations and to cover up his mistakes. Said that seventy seven percent of voters want Mr. Block out of this office and it is despicable that he is sitting there still with a voice. Asked for Sharon Hendren's resignation, said her loyalty to Marvin's lies and misinformation has not gone unnoticed and she has no trust in her ability to keep her oath of office to be impartial.

Mayor Dutcher stated Ms. Steffan's three minutes were up. Ms. Steffan continued saying that she had planned to retire from the City of Johnstown, she was devoted to this community, unfortunately circumstances from the first half of this year have forced her to go in a different direction. Said the city has been deprived of two great assets by losing

herself and Abe to other cities, they still await Mr. Block's apology.

6. Abe Haroon; 330 Fondriest Road

Summary of statement read:

- Former Johnstown Police Chief. Stated that last Tuesday, we the people stood up and sent a powerful message, they fired the Mayor and President of Council. The President lost by more than seventy percent and the Mayor was not far behind. The citizens see their failure, in the last eight months they have lost a City Manager, Service Director, Police Chief, Finance Director, Economic Director, two Council members have resigned and two more removed by recall. Said City Manager Liggett has failed them and was given a pay raise and his benefits prolonged. The people are tired of no transparency, back dooring, back door phone calls and closed meetings. The people should be included in the decisions, they are in charge and set the tone, council should listen to them, if they do not, they will be removed.

Mayor Dutcher stated that Mr. Haroon was done, the three minutes were up. Ms. Steffan asked the clerk if time was up, Ms. Monroe said she showed the time at 2:03. Mr. Haroon continued saying they would be involved in the selection of new council members and the Mayor. Stated they would support Mr. Barnard and also that Sharon should resign. The clerk noted the three minute time limit.

7. Council Committee reports

- a. **Planning & Zoning:** Met 8/23/22; Next 9/13/22 @ 6:30 pm Council Chambers

Mr. Green said they had some applications.

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

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

- d. **Finance:** 9/6/22; Next 9/27/22 Special Meeting @ 5:00 pm Council Chambers

Mr. Barnard said he had two items for council as a result of the meeting; Jack has received a quote to do the space for the police officers, he is waiting on a second, it will be under \$10,000.

Secondly, he would ask for a motion and a vote on the Muni-Link software, a demo was provided to staff last week, staff was in favor of the program features. It will take four to eight months to be in place, would like to move on this soon in order to have in place with

UAN when it comes on. Cost amounts to \$795 per month/\$9,500 per year; when coupled with the UAN software, it is still under the yearly cost of SSI and it is cloud based. Noted a one-time \$10,000 cost for the transition which can be split between sewer and water. There were no questions or further discussion on the software.

ACTION: Donald Barnard moved to go forward with the Muni-link agreement; Jon Merriman 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

Passed 6 - 0

Additionally at tonight's committee meeting there were presentations by Flock Security on license plate reading equipment for the police and by Integrity Bookkeeping, currently doing the city's financials.

- e. **Economic Development:** Next 10/7/22 @ 9:00 am Admin conference room
- f. **Park & Rec:** Next 9/20/22 @ 10:00 am Admin conference room
Ms. Hendren said committee discussed the Miles Estate, amphitheater and the splash park, they are still working on those.
- g. **Tree Commission:** Met 8/23/22; Next 10/25/22 @ 5:00 pm Council Chambers
Mr. Block said he had nothing to report.
- h. **Events Committee:** Next TBD
- i. **School District Liaison:** Next TBD

8. Director Reports

- a. Service Department Reports provided: Street, Water, Wastewater
Jack Liggett highlighted items from the Director reports for Street, Water and Sewer departments.
- b. Manager Reports
Provided verbal updates as follows:
 - 1. Will need a new member to attend the LCATS meetings
 - 2. Officer interviews are under way for the three open positions
 - 3. Had a group out looking at the water plant land for placement of processes as the plant goes into design for expansion.
 - 4. With the new wells, the EPA will require a renewed well-head protection plan, a \$16,000 cost by the end of the year.
 - 5. The stream study is wrapping up, once completed, design can start on the wastewater

treatment facility.

6. He will be meeting with the water, sewer and street department heads to go over budgeting.

Mr. Barnard asked when Jack expected to have the new water plant online. Mr. Liggett said using the CMAR (Construction Management at Risk) system, it would be summer to fall of 2024. If they are not able to order equipment and processes until final design is done, we would be looking at spring to summer of 2025. Jack Liggett said this will be a two million gallon facility, we can already get that out of the well field, the well field study will tell us the safe yield beyond the two million gallons.

9. Tabled Legislation - None

10. Public Hearings of Legislation

- a. **ORDINANCE 16-2022** AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO, AND DECLARING AN EMERGENCY.

The city works yearly with a company called Walter Drane, they prepare city ordinances passed in the last year for codification. Emergency passage is requested so they can be published as soon as possible. It was noted that the landscape chapter currently being amended would need to be updated and the city may incur a minor cost associated with that additional update.

ACTION: Marvin Block moved to waive the second reading; Sharon Hendren 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

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

NOES: None

ABSTAIN: None

Passed 7 - 0

- b. **RESOLUTION 2022-31** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS

The City of Johnstown applied for American Rescue Plan Act (ARPA) funds and received \$450,000 from the Licking County Board of Commissioners for water or sewer improvements. The funds will be used for Rolling Meadows sanitary sewer rehabilitation, lining and manhole rehab to prevent rain water from getting into the sanitary sewer, this will lessen the amount of flooding and backup on the sewers. This allows the manager to enter into the agreement with the Commissioners. These funds will add to the yearly \$100,000 the city has been saving for the improvement.

Public Hearing

1. Jeff Barr asked if that is all of Rolling Meadows or just certain streets. Jack Liggett said just certain streets, they chose as many streets as possible for the money received, a list of streets can be provided. Mr. Barr asked if there was a plan for the rest of the streets to be done. Mr. Liggett said every year, this council has allotted \$100,000 worth of repairs to be done, not always Rolling Meadows, they try to target areas in the worst condition.

ACTION: Ryan Green moved to approve; Doug Lehner 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

- c. **RESOLUTION 2022-32** A RESOLUTION TO TENTATIVELY AWARD A CONSTRUCTION CONTRACT FOR THE CITY OF JOHNSTOWN ROLLING MEADOWS SANITARY SEWER REHABILITATION PROJECT

This awards the construction contract for the project contingent upon receipt of ARPA grant funds.

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, Don Barnard, Jon Merriman
NOES: None
ABSTAIN: None

Passed 7 - 0

11. Introduction of Legislation

a. **ORDINANCE 17-2022** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE CITY OF JOHNSTOWN

Introduction and first reading. Mr. Barnard said since this is a wage and salary structure, should this not have gone through Finance? Jack Liggett said this was more structure, this moves the Mayor's Court Clerk out from under the Police Department to its own area and also adds the Service Director position. Added that as they discuss staffing, there may be more slots fitted in.

Public Hearing and vote next meeting.

12. Other Business

a. Set date and time for Trick-or-Treat

The city has previously followed MORPC's recommended dates for Trick-or-Treat, this year is October 31st. Discussion on time.

ACTION: Ryan Green moved to hold Trick-or-Treat on October 31, 2022 6:30 pm - 8:00 pm; 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

b. Don Barnard said that in their review of the contract for Training Marbles, there was a January 10th agreement for a Human Resources assessment which has been paid for, but not seen, we need to get our money back or get the assessment.

c. Marvin Block asked council if at the next meeting they would consider forming a committee with seven residents to work with council and start the healing process for Johnstown.

d. A special Council work session was scheduled for September 14th at 5:30 pm.

e. Mr. Lehner asked if there had been any progress on scheduling a School District Liaison Committee meeting; there had not.

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

ACTION: Mayor Dutcher moved to enter executive session to consider the appointment, employment or compensation of a public employee; Marvin Block seconded and the vote was as follows:

AYES: Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren,
NOES: Ryan Green, Don Barnard, Jon Merriman
ABSTAIN: None

Passed 4 - 3

Mayor Dutcher said they will move to Executive Session (with members of Council and Jack Liggett) and there will be no other business, they will return to Regular Session and immediately adjourn.

Council entered Executive Session at 7:40 pm.
Return to regular session approximately 9:00 pm

14. Adjourn

With no further business, the meeting adjourned at approximately 9:00 pm

Next Council Meeting September 20, 2022