



Regular Council
Tuesday, November 1, 2022 - 6:30 PM
MINUTES

1. Call to Order

Council President Don Barnard called the City of Johnstown Regular Council Meeting for November 1, 2022 at 6:33 PM.

2. Roll Call

Present - Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman, Nicole Shook, Bob Orsini, Charlie Campbell

Absent - None

Staff present - Sean Staneart - Acting City Manager, Jack Liggett - Service Director, Rusty Smart - Interim Chief of Police, Walter Raub - Planning Commission, Steve Dyer - Planning Commission, Heather Green - Design Review Board, Teresa Monroe - Clerk of Council

Public present - Jamie Hartsough, Barbara Knoepfler, Glenn Ronken, Heather Green, Kent Mallett, Ben Lee, Travis McIntyre

3. Invocation - Ms. Hendren

4. Pledge of Allegiance

After the Pledge, Council member Nicole Shook said she would like to make a motion.

Motion: Nicole Shook moved to keep Donny Barnard as mayor of Johnstown, Bob Orsini seconded.

Mr. Campbell said he is not Mayor yet, referencing the statement "keep him as Mayor", that he is the Council President. Mr. Green said he thinks they can all agree a lot has happened over the last year and that they all want to get back to work, there are a lot of things that have suffered and taken a back seat over the last year. He knows what happened last meeting with an inadvertent mayor situation may not have been ideal, he thinks they want to declare the mayor in a traditional manner with a vote. He said procedurally they should make a motion to reconsider and then a motion for mayor and that he would put his support behind Mr. Barnard at that point. This way everything is done clear and concise, he does not think Donny would want to be an inadvertent mayor.

Motion withdrawn: Nicole Shook withdrew her motion and said she would make a new one.

ACTION: Mr. Barnard moved that they reconsider the vote from last week on the President of Council; Mr. Merriman seconded. It was clarified that a "yes" vote would remove Mr. Barnard as Council President. The vote was as follows:

AYES: Charlie Campbell, Nicole Shook, Bob Orsini, Don Barnard, Jon Merriman, Ryan Green

NOES: Sharon Hendren
ABSTAIN: None

Passed 6 - 1

ACTION: Nicole Shook moved to appoint Don Barnard as Mayor; Charlie Campbell seconded and the vote was as follows:
AYES: Nicole Shook, Bob Orsini, Don Barnard, Jon Merriman, Ryan Green, Charlie Campbell
NOES: Sharon Hendren
ABSTAIN: None

Passed 6 - 1

Mayor Barnard asked who had interest in being President of Council; Jon Merriman expressed interest.

ACTION: Ryan Green moved to appoint Jon Merriman as council president; Donald Barnard seconded and the vote was as follows:
AYES: Bob Orsini, Don Barnard, Jon Merriman, Ryan Green, Sharon Hendren, Charlie Campbell, Nicole Shook
NOES: None
ABSTAIN: None

Passed 7 - 0

Clerk Monroe noted that Sharon Hendren would become the Acting Council President as the longest consecutive serving member of council.

5. Action on Minutes

a. October 4, 2022 Special

ACTION: Jon Merriman moved to approve as written; Bob Orsini seconded and the vote was as follows:
AYES: Jon Merriman, Ryan Green, Sharon Hendren, Charlie Campbell, Nicole Shook, Bob Orsini, Don Barnard
NOES: None
ABSTAIN: None

Passed 7 - 0

b. October 4, 2022 Regular c. October 17, 2022 Work Session

ACTION: Jon Merriman moved to approve October 4, 2022 and October 17, 2022 as a block; Donald Barnard seconded and the vote was as follows:
AYES: Jon Merriman, Ryan Green, Sharon Hendren, Charlie Campbell,

Nicole Shook, Don Barnard
NOES: None
ABSTAIN: Bob Orsini

Passed 6 - 0

6. Citizen comments on matters not on the agenda
No comments from the public.
7. Correspondence
 - a. Citizen Thank you
Thank you card included in the packet, Mr. Barnard read the note thanking City Council for continuing the prayer and the pledge to the flag before each meeting, also for praying for the city workers.
8. Council Committee reports
 - a. **Planning & Zoning:** Met 10/25/22; Next 11/9/22 (Wednesday) @ 6:30 pm Council Chambers
Action on two items; application approved for 10 W. Pratt conditional use, a second application tabled at the applicants request.
 - b. **Safety & Service:** 11/1/22; Next 12/6/22 @ 5:00 pm Council Chambers
Long agenda, tabled more than half. A motion was passed regarding parking spaces on East and West Pratt and Main Street. Summary of action was to recommend adding three or four parking spots, depending of physical dimensions of city ordinance, to the north side of West Pratt Street, along the insurance building opposite the church. Add one spot on South Main Street in front of the HER building on the south end of the parking strip. Add one parking spot west of the new garage door entrance and one spot to the east of the new garage door. This should net two additional parking spaces to the downtown area and accommodate the business and property owners in that downtown space. An agenda item skipped over was to discuss the Food Truck Ordinance, this will be taken up in other business of council tonight.
 - c. **Finance:** Updated last time; Next 11/15/22 @ 5:00 pm Council Chambers
Noted that Mr. Barnard, Mr. Staneart, Mr. Campbell and others continue to work on the budget trying to prepare it to go to Finance.
 - d. **Events Committee:** Met 10/27/22; Next 12/8/22 @ 5:30 pm Admin Conference room
Discussion on the fireworks event for 2023. Ben Lee said the event is set for Saturday, July 1st, looking at a bigger show, other types of entertainment, partnerships with Downtown Johnstown and the schools. Mr. Lee added expanding the scope of the Events Committee to include a spring cleanup in partnership with Downtown Johnstown as well as coordinating a mobile mammography unit coming to serve the community. Mr. Orsini said his thought is that anything the Events Committee would want to do to provide services or a benefit to the folks of Johnstown, by all means explore it. Moving forward, at some point, they would want it to be clear what the budget would be for the Events Committee and then at that point, whatever fits in their budget would be at their discretion, the only thing

he would ask for is consistency, doing things at similar times of year so people get used to it. The needs and wants of the people of Johnstown are going to continue to grow so the sooner they start on some of these things the better off in the end. Mr. Lee also updated that the Bigelow headstone is in hand, the base needs to be poured and the stone set; discussion on the desire to have some type of ceremony when complete.

e. **Tree Commission:** Met 10/25/22; Next TBD

A lot of work done on the tree ordinance, hope to bring back for a vote and then send to council. Working to plan Arbor Day for next year. There is an opening on the Tree Commission if anyone is interested.

f. **Rules:** Working to schedule

Meeting scheduled for November 16th at 2:00 pm.

g. **Park & Rec:** Next TBD

9. Director Reports

a. Service: Water, Wastewater, Street

Service Director Jack Liggett highlighted items in the department reports and then provided an update on city projects as follows:

1. The new water tower is complete and ready to fill, with the exception of the system that tells the pumps when to turn on and off, supply chain has delayed receipt. Hope to have in by mid-November and installed shortly after that. Then they will pump around the clock for 48-72 hours to make sure they get both towers filled, then the new tower will have to be isolated while it disinfects and they do bacteria testing, then will be ready to go online hoping for mid-December. Bob Orsini asked if the appropriation was there to complete the project; Mr. Liggett said yes, that money was bonded and is probably eighty percent paid out.

2. The aquifer study started today and they are testing the upper aquifer to see what the maximum withdrawal at our current well field site can be. This test will run 650 gallons per minute for a continuous 72 hours and then the hydrologist will make their computations based on draw down and flow. This will give us information on which way to go with finalizing the size of the new water plant.

3. The stream study has been completed as required by the EPA before they can upsize the wastewater plant to know what the discharge limits need to be going to Raccoon Creek. Now the environmental firm will complete their analysis in the next thirty to sixty days.

4. Jack will meet with the engineers on Friday to look at some new technology and equipment that would allow the city to almost double the size at the current wastewater site instead of buying more ground for additional tanks.

5. Contractors on the East Jersey project have stopped working the last two weeks, he called to find out why, they report equipment and material shortage. Mr. Liggett noted a potential change order, lowering the twelve inch water main at Kasson Street, he is working on those numbers now.

6. Provided council with a handout giving three of the four project scenarios for the Ohio Public Works (OPWC) project. Council previously asked Mr. Liggett to do an investigation of what it would take to go to full depth reclamation on all of West Douglas. 1) Full depth reclamation of West Douglas Street from Main Street to Williams Street cost is \$650,000.

2) A hybrid, full depth reclamation of West Douglas from South Oregon to Williams, then mill and fill to Main is \$494,000 and 3) Full depth from South Oregon to Williams includes gutter, sidewalk and storm water improvements is \$372,000. Mr. Liggett said the application is due November 10th. In depth discussion on the options and costs associated.

ACTION: Jon Merriman moved to approve engineering design for the full-depth reclamation for the full street not to exceed \$35,000, and only apply for full depth on the half. Ryan Green seconded and the vote was as follows:

AYES: Ryan Green, Sharon Hendren, Charlie Campbell, Nicole Shook, Bob Orsini, Don Barnard, Jon Merriman

NOES: None

ABSTAIN: None

Passed 7 - 0

Mayor Barnard asked how long the Jersey Street project should take. Mr. Liggett said materials have been a problem, they know for sure there will be no paving until next spring, the goal is to get the infrastructure in, water lines lowered, service lines in and storm sewer repairs done through December/January and be ready for paving in the spring.

Mayor Barnard asked how long it had been since the screen cleaning mentioned had been done, Mr. Liggett said a quick clean five years ago, and a big deep clean was probably twelve years ago. Mr. Barnard asked if there were any procedures being put in place to do that more often. Mr. Liggett said they pull and do an inspection every seven years but don't do a deep clean unless needed, good flow of water generally keeps the screens clear.

ACTION: Ryan Green moved to take a brief recess; Jon Merriman seconded and all were in favor.

AYES: Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman, Nicole Shook, Bob Orsini, Charlie Campbell

NOES: None

ABSTAIN: None

Passed 7 - 0

Council returned to session after a five minute recess.

b. City Manager

Acting City Manager Sean Staneart reviewed his report included with the packet and answered questions of Council. Additionally noted: Item 1; the Mobility Hub grant was not awarded. Item 7 and 8; council in favor of manager recommendations on the Finance Director and City Planner positions. Item 18; Mr. Liggett added that they have not been able to find any schematics on the Concord East detention pond and asked for direction on hiring an engineer. Mr. Staneart said he would like to wait until they get through budget. Item 20; the city will need to share in the cost of the SR37 resurfacing, about \$80,000. There will be no cost to the city for the SR62 resurfacing. There is a performance bond in

place for the Bigelow Drive traffic signal, conversations still ongoing on whether a signal goes in at Bigelow Drive or to reroute traffic to the existing light. Mr. Orsini said it would be helpful to know what the States plans are, if there will be a bypass because we may be making decisions on cars that are not going to be there.

10. Tabled Legislation

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

Ordinance to remain tabled.

11. Public Hearings of Legislation - None

12. Introduction of Legislation - None

13. Other Business

1. Food Truck Ordinance discussion postponed from Safety and Service Committee; Jessica Anderson, Granville resident and owner of Ray Ray's Hog Pit and Anderson Farms applied for and received a food truck permit. She said she misunderstood the ordinance which only allows food truck operation three days per month. She requests that City Council change the Ordinance to allow operation four days a week, that this would allow her to hire full-time workers and pay them a livable wage.

Mayor Barnard said that this ordinance was put in place to protect our business owners that made the investment into the brick and mortar and asked Ms. Anderson what her plans were for the business in this area, would Johnstown be a location they would ever want to build a brick and mortar store. Ms. Anderson said their business model is food truck, they do operate two brick and mortars, one in Granville that is fine dining. She added that the reason they have expanded their food truck business is because of the attention they have gotten nationally, they have two food trucks in Columbus, one in Powell and they operate a drive-thru in Westerville, said they will always be a food truck. Mr. Merriman asked and Ms. Anderson confirmed that their location in Powell is located inside a brewery property. Mayor Barnard asked if this were granted, what could they give back to the community. Ms. Anderson said it depends on what opportunities are open to them, they are not just a money grab for the weekend, they would be here to stay. Ms. Shook asked what their hours of operation would be. Ms. Anderson said they operate Thursday, Friday, Saturday and Sunday noon to eight. Ms. Shook asked what activities they do within the communities where they currently operate on a semi-permanent basis. Ms. Anderson said they are involved in festivals etc., she would have to check and get a list together. Mr. Orsini said he was on the board when this passed and the major concern was that they needed to protect the businesses that invested in Johnstown, the other concern that comes is that it is not just allowing "your" food truck here, it is allowing all food trucks here. His concern is that there will be lots of activity and lots of growth and they want people to invest and put roots down and that this council really has to review and consider what they open up to all because not all are run well. Sharon Hendren said they want to protect Johnstown restaurants and asked if anyone has asked their thoughts on food trucks. Mr. Stanearth said that former Council member Ben Lee worked collectively with Ms. Hollis on the ordinance draft, she had a food truck and now has a brick and mortar in Johnstown and it sounded like there was a lot participation with the current businesses.

Mr. Orsini told Ms. Anderson that he did not want to discourage or encourage her, the request is legitimate and needs to be reviewed. Council members to take under consideration.

2. Mr. Orsini said he would like to have an Executive Session to discuss employment and city employees with no business to follow; with Sean, Rusty, Jack and Teresa. Clerk Monroe said that council would need to waive the council rule of order that states that twenty-four hour notice needs to be given to council members prior to an Executive Session.

ACTION: Bob Orsini moved to waive the council rule of order to have the executive session; Jon Merriman seconded and the vote was as follows:

AYES: Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman, Nicole Shook, Bob Orsini, Charlie Campbell

NOES: None

ABSTAIN: None

Passed 7 - 0

3. Mayor Barnard said that currently the invocation rotates between himself and Ms. Hendren, an idea brought forward by Ms. Monroe was to invite local church pastors to join the rotation. Council was in favor, Mr. Barnard said he would reach out for interest.

ACTION: Bob Orsini moved to enter executive session, with no business to follow, to discuss the employment of a public employee; Jon Merriman seconded and the vote was as follows:

AYES: Nicole Shook, Bob Orsini, Don Barnard, Jon Merriman, Ryan Green, Sharon Hendren

NOES: Charlie Campbell

ABSTAIN: None

Passed 6 - 1

Council entered Executive Session at 8:44 pm and returned to Regular Session at 9:18 pm.

14. Adjourn

ACTION: Jon Merriman moved to adjourn; Nicole Shook seconded and all were in favor.

AYES: Sharon Hendren, Ryan Green, Don Barnard, Jon Merriman, Nicole Shook, Bob Orsini, Charlie Campbell

NOES: None

ABSTAIN: None

Passed 7 - 0

The meeting adjourned at 9:19 pm