



Regular Council Meeting
Tuesday, February 21, 2023 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Pastor Dan Scarberry, Johnstown Independent Baptist Church
4. Pledge of Allegiance
5. Action on Minutes
 - a. December 13, 2022
 - b. January 3, 2023
6. Citizen comments on matters not on the agenda
7. Executive Session to Prepare for a Collective Bargaining Strategy
8. Executive Session to consider the employment of a public employee
9. Council Committee reports
 - a. **Planning & Zoning:** Met 2/14/23; Next 2/28/23 @ 6:30 pm Council Chambers
 - b. **Design Review Board:** Next 3/14/23 @ 5:00 pm Council Chambers
 - c. **Safety & Service:** Next 3/7/23 @ 5:00 pm Admin Conference Room
 - d. **Finance:** 2/21/23; Next 3/21/23 @ 5:00 pm Admin Conference Room
 - e. **Economic Development:** Next 3/2/23 @ 4:00 pm Council Chambers
 - f. **Events Committee:** Met 2/16/23; Next TBD
 - g. **Park & Rec:** Next TBD
 - h. **Rules:** Next TBD
10. Director Reports
 - a. Police Chief
11. Tabled Legislation
 - a. **ORDINANCE 17-2022** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE CITY OF JOHNSTOWN. Tabled September 27, 2022
12. Public Hearings of Legislation
 - a. **ORDINANCE 01-2023** AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN, OHIO IN ORDER TO SET WATER SERVICE RATES, CHARGED BY THE CITY OF JOHNSTOWN
 - b. **ORDINANCE 02-2023** AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN, OHIO IN ORDER TO SET WATER DEBT SERVICE RATES, CHARGED BY THE CITY OF JOHNSTOWN

- c. **ORDINANCE 03-2023** AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN, OHIO IN ORDER TO SET SEWER SERVICE RATES CHARGED BY THE CITY OF JOHNSTOWN
- d. **ORDINANCE 04-2023** AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN, OHIO IN ORDER TO SET SEWER DEBT SERVICE RATES, CHARGED BY THE CITY OF JOHNSTOWN
- e. **RESOLUTION 2023-04** A RESOLUTION APPOINTING MEMBERS TO THE PERSONNEL BOARD OF REVIEW

13. Introduction of Legislation - None

14. Other Business

15. Adjourn

Next Council Meeting March 7, 2023



Regular Council
Tuesday, December 13, 2022 - 6:30 PM
MINUTES

1. Call to Order

Mayor Barnard called to Order the City of Johnstown Regular Council Meeting for December 13, 2022 at 6:30 PM.

2. Roll Call

Present - Mayor Donald Barnard, Jon Merriman, Sharon Hendren, Ryan Green, Nicole Shook, Bob Orsini, Charlie Campbell
Absent - None

Staff present - Sean Staneart - Acting City Manager, Jack Liggett - Service Director, Rusty Smart - Chief of Police, Yazan Ashrawi – City Law Director, Teresa Monroe - Clerk of Council

Public present – Lorrie Diaz, Lewie Main, Jamie Hartsough, Joe Krouse, Christine Parks, Glenn Ronken, Leslie Butler

3. Invocation - Mayor Donald Barnard

4. Pledge of Allegiance

5. Mayor Proclamation - MADD Award recognition, Officer Fife

Mayor Barnard recognized Officer Deirdre Fife for being awarded the Mothers Against Drunk Driving (MADD) award.

6. Citizen comments on matters not on the agenda

1. Lewie Main

- Requested an update on the status of the US 62 Sportsmans Club Road realignment project, that he did not see it in the budget.

Sean Staneart answered saying this had been discussed by both Safety & Service and Finance Committees. When looking at funds for the coming year, it was projected that there would be a shortfall to be able to meet the commitment necessary for the bond package. They did look at other options presented by the city engineer, both options also had a heavy financial burden, so at this time committee and council have recommended not proceeding with that project. Mr. Main noted a previous commitment by council to Tech International. Mr. Merriman said they have been talking with them to come up with a solution. Mayor Barnard added that what they hear from them is that they do not want the roundabout now, they are looking at alternatives that will work for them. Mr. Orsini added that until it is known if or where a state bypass could come in, a round-a-bout may not be the best allocation of funds because they don't know that the traffic will be there to warrant it, a project would have to warrant the investment.

7. Strategic HR proposal

Lori Diaz with Strategic HR reviewed a proposal for outsourcing Human Resources, the firm's corporate office is in Cincinnati Ohio and they have expanded to thirty-seven HR advisors. Ms. Diaz provided her personal and professional background and outlined service packages available that would allow as much or as little needed. Ms. Diaz answered council member questions on the proposal.

The contract with the current city HR firm ends on December 16th.

8. Council Committee reports

- a. **Planning & Zoning:** Met 12/7/22; Next 1/10/23 @ 6:30 pm Council Chambers
- b. **Design Review Board:** 12/13/22
Chase Bank application for Certificate of Appropriateness was tabled a third time as it continues to be reviewed by the board.
- c. **Safety & Service:** Next 1/3/2 @ 5:00 pm Council Chambers
- d. **Finance:** Next 1/17/23 @ 5:00 pm Council Chambers
- e. **Park & Rec:** Next 1/16/23 @ 4:00 pm Admin conference room
- f. **Events Committee:** Met 12/8/22; Next 1/19/23 @ 5:30 pm Council Chambers
Discussion and planning toward the 2023 Fourth of July fireworks event, will have representation from Downtown Johnstown at the next meeting. Mr. Stanearth noted the potential for sponsorships is being reviewed by the city Law Director. Fireworks 2023 will be July 2nd.

9. Director Reports

- a. Chief of Police
Chief Smart reviewed his report for council, no questions were asked.

10. Tabled Legislation

- a. **ORDINANCE 17-2022** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE CITY OF JOHNSTOWN. TABLED SEPTEMBER 27, 2022
Mayor Barnard said they hope to look at this in January Finance Committee to put some direction on this one, his recommendation is to keep it tabled.

11. Public Hearings of Legislation

- a. **ORDINANCE 22-2022** AN ORDINANCE TO APPROVE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023.

Public Hearing

1. Lewie Main

- Questions on several budget line items answered by council and staff.

Some further questions and discussion on budget items amongst council members.

ACTION: Mayor Barnard moved to pass the Ordinance to approve expenses and other expenditures of the City of Johnstown , Licking County, State of Ohio, for the fiscal year beginning January 1, 2023 and ending December 31, 2023; Jon Merriman seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

- b. **RESOLUTION 2022-41** A RESOLUTION TO APPOINT A CITY LAW DIRECTOR, CITY PROSECUTOR, MUNICIPAL COURT MAGISTRATE, CITY ENGINEER, AND CITY AUDITOR TO SERVE THE CITY AND ITS' EMPLOYEES FOR THE YEAR 2023

Appointments for 2023

Public Hearing:

1. Lewie Main

- In the Charter, the Law Director is responsible for the Prosecutor, he does not think the city should hire them.

City Law Director Yazan Ashrawi addressed the comment saying that the Charter also allows special counsel to be employed by City Council to exercise the powers, duties and functions that are required of the city. This happens with a number of things, not just the prosecutor.

ACTION: Ryan Green moved to approve; Sharon Hendren seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 – 0

- c. **RESOLUTION 2022-42** A RESOLUTION ESTABLISHING THE 2023 SCHEDULE OF HOLIDAYS FOR THE CITY OF JOHNSTOWN

Public Hearing:

1. Audience member

- Asked why the city needs to do this, why it is not part of the standard HR

Law Director Yazan Ashrawi answered the comment saying that it is part of the organizational commitment of the city to establish both meeting dates and recognized holidays, there are some that are universally recognized and some that are flexible, each entity can establish which they want to observe. Councilman Orsini said it ensures there is communication of major meetings or days off.

ACTION: Bob Orsini moved to approve; Jon Merriman seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

- d. **RESOLUTION 2022-43** A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND TIME FOR ALL REGULAR CITY COUNCIL MEETINGS FOR THE 2023 CALENDAR YEAR

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

ACTION: Ryan Green moved to approve; Charlie Campbell seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

- e. **RESOLUTION 2022-44** A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND TIME FOR ALL REGULAR PLANNING & ZONING COMMISSION MEETINGS FOR THE 2023 CALENDAR YEAR

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

ACTION: Ryan Green moved to approve; Nicole Shook seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

- f. **RESOLUTION 2022-45** A RESOLUTION ESTABLISHING SUBMITTAL DEADLINES FOR PLANNING & ZONING COMMISSION APPLICATIONS IN THE 2023 CALENDAR YEAR
Discussion on the submission dates and timing presented in the Resolution; decision to move the dates back to reflect a deadline of four weeks prior to the meeting date.

Public Hearing: Audience members were included in the discussion. There were no further comments either for or against the legislation.

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

Passed 7 - 0

12. Introduction of Legislation

- a. **ORDINANCE 24-2022** AN ORDINANCE REPEALING SECTION 331.44 OF THE TRAFFIC CODE
This will do away with the no left turn at Bigelow Drive to and from US62 (at McDonalds). The signs prohibiting have been down for about four weeks with no incident.

Public Hearing will be held January 3, 2023
- b. **ORDINANCE 25-2022** AN ORDINANCE AMENDING CHAPTER 1155 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES
Sean Staneart reviewed edits and updates proposed to zoning district GCC-1. Discussion on changes made after a recommendation was given by the Planning Commission and whether or not it needed to go back to Planning and Zoning. Clarification by the Law Director that the zoning review or variance process is governed by Chapter 1137 and zoning changes may be initiated a number of different ways; by the recommendation of Planning and Zoning, by the Resolution of Council or by an applicant. Added that the authority of council to adopt modifications is there. Further edits desired were discussed by council.

Public Hearing on January 3, 2023.
- c. **ORDINANCE 26-2022** AN ORDINANCE AMENDING CHAPTER 1157 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES
Sean Staneart reviewed edits and updates proposed to zoning district GCC-2. Further edits desired were discussed by council.

Public Hearing on January 3, 2023.

13. Executive Session to consider the appointment of a Public Official - Personnel Board of Review

ACTION: Donald Barnard moved to enter Executive Session to consider the appointment of a public official for the Personnel Board of Review; Bob Orsini seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

City Council entered Executive Session at 8:25 pm and returned to Regular Session at 9:22 pm

14. Other Business

Discussion and thoughts on the HR proposal given tonight by Strategic HR and costs. Council recommendation is for Mr. Stanearth to take the conversation back to Strategic HR and provide feedback to council.

15. Executive Session with City Law Director to Discuss Pending or Imminent Litigation

16. Executive Session to consider the employment and compensation of a public employee

ACTION: Mayor Barnard moved to enter Executive Session with the City Law Director to discuss pending or imminent litigation and to Consider the employment and compensation of a public employee with members of council, the city manager and city law director, with no business to follow; Bob Orsini seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

City Council entered Executive Session at 9:36. Return to Regular Session not noted.

17. Adjourn

With no further business, the meeting adjourned, time not recorded.

Next Council Meeting January 3, 2023



Regular Council
Tuesday, January 3, 2023 - 6:30 PM
MINUTES

1. Call to Order

Mayor Barnard called to order the City of Johnstown Regular Council Meeting for January 3, 2023 at 6:38 PM.

2. Roll Call

Present - Mayor Donald Barnard, Jon Merriman, Sharon Hendren, Charlie Campbell, Nicole Shook, Bob Orsini, Ryan Green,
Absent - None

Staff present - Sean Staneart - Acting City Manager, Jack Liggett - Service Director, Rusty Smart - Chief of Police, Officer Jeremy Pache, Rick Fitch - Chief Wastewater Operator, Daniel Swick - Street Superintendent, Teresa Monroe - Clerk of Council

Public present - Walter Raub, Lewie Main, Jamie Hartsough, Andria Coppel, Sarah Penrod, Sabrina & Phil Baker, Glenn Ronken, Lanny Bailey, Mary Cool, Darren Richards

3. Invocation - Ms. Hendren

4. Pledge of Allegiance

After the pledge, Mayor Barnard congratulated Rusty Smart on his appointment to Police Chief.

5. Police Officer Commendation

Chief of Police Rusty Smart presented Officer Jeremy Pache with the Officer of the year award. Mr. Staneart asked if there was monetary compensation for the honor, currently there is not, Mr. Staneart said he would like to see that. Council said that could be a consideration.

6. Citizen comments on matters not on the agenda

Prior to opening to public comments, Mayor Barnard opened the floor to Darren Richards with Dynamic Solutions, who handles IT for the city. Darren Richards addressed Council regarding an IT issue happening over the last weeks. Mr. Richards said that on December 18th one of their systems was hacked and in turn a lot of their clients got hacked with a ransomware. They were able to restore the city from the last online backup and everything is fine. The Police Department is a bit different, they were not using the same cloud based backup, the department has gotten a lot of their stuff back but he is not sure they have everything, they are still working on it. The infected systems are no longer in use, they were shut down right away. Mr. Richards said they have been working with DHS and the FBI and they have not seen any evidence of any personal information having gotten out. The ransoms were not paid and they do not need to be paid. Mr. Richards answered council member questions and was asked for a proposal for recommendations to strengthen protocols going forward to protect against future attacks. Mr. Richards said that the city security stacks up with others, that unfortunately it was his server that was hacked,

addressing the concern of council he said the city is more protected than before the attack. Mr. Stanearth thanked Mr. Richards for coming himself to explain, it was not an easy thing for him to do.

Public Comments:

1. Phil Baker, 12428 Johnstown-Utica Road

- Said that individuals from Countryside Auto were doing smoky burnouts in the vehicles in the Santa Parade which were dangerous to spectators and recommended that they not be permitted to participate in the future.

Chief Smart said that CCL runs the Santa parade, any recommendation on that should be made to them, he could reach out. Discussion on adding a policy to the Events Permit procedure.

7. Executive Session to consider the appointment of a Public Official - Personnel Board of Review
- ACTION:** Donald Barnard moved to enter Executive Session to consider the appointment of a public official to the Personnel Board of Review, with members of council; Jon Merriman seconded and the vote was as follows:
- AYES:** Charlie Campbell, Nicole Shook, Bob Orsini, Jon Merriman, Mayor Barnard, Ryan Green, Sharon Hendren
- NOES:** None
- ABSTAIN:** None

Passed 7 - 0

City Council entered Executive Session at 7:05 pm and returned to Regular Session at 7:32 pm.

8. Council Committee reports

- a. **Planning & Zoning:** Next 1/10/23 @ 6:30 pm Council Chambers
Ryan Green said as there are no applications for the January 10th meeting, he would like to schedule a joint meeting with members of Council, Planning and Zoning and the Design Review Board. Joint meeting scheduled for January 10, 2023 at 6:30 pm.
- b. **Design Review Board:** Met 12/13/22; Next 1/10/23 @ 5:00 pm Council Chambers
- c. **Safety & Service:** 1/3/23; Next 2/7/23 @ 5:00 pm Council Chambers
Discussion on road projects.
- d. **Finance:** Next 1/17/23 @ 5:00 pm Council Chambers
- e. **Park & Rec:** Next 1/16/22 @ 4:00 pm Admin conference room
Sean Stanearth provided an update; a status hearing was held on the Miles Estate, the joint attorney representing the City, Johnstown-Monroe Schools and the Greater Johnstown Park & Rec District attended. Mr. Stanearth provided council members some background.

No decisions have been made at this point.

- f. **Events Committee:** Next 1/19/23 @ 5:30 pm Council Chambers

9. Director Reports

- a. Service Departments: Water, Sewer, Street

Chief Water Operator Terry Nichols was unable to attend, Jack Liggett reviewed the report for the Water Department and answered questions of council.

Chief Wastewater Operator Rick Fitch reviewed his Sewer Department report and answered questions of council.

Street Superintendent Dan Swick reviewed his report and answered questions of council. Mr. Orsini asked if there was any opportunity for grants from AEP to switch out more lights to LED, he will check into.

- b. Service Director

Jack Liggett provided updates on projects outlined in his report. Added that the new water tower should be operating by the end of February. The new water plant is anticipated to be operational summer of 2024. Answered questions of council members.

- c. City Manager

Sean Stanearth reviewed his report with council. Added that regarding the Pulte traffic signal, after discussion with Safety and Service this evening, will more than likely see installation of a traffic signal, this is per the request of the city in 2006. There has been a performance bond in place and Pulte wants to perform the work, there will be a bond renegotiation, we are asking the bond to be reduced to \$350,000, the quote they received to install is \$250,000.

Mayor Barnard asked for city representation at the Licking County Sewer and Water District meeting for the year in review on Monday, January 23rd at 6:30 pm. Discussion on water provisions in the area. Bob Orsini said he would like to meet with two other council members to draft a letter on the city's position.

10. Tabled Legislation

- a. **ORDINANCE 17-2022** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE CITY OF JOHNSTOWN. TABLED SEPTEMBER 27, 2022
To remain tabled. Will be discussed at the upcoming meeting on the 17th.

11. Public Hearings of Legislation

- a. **ORDINANCE 24-2022** AN ORDINANCE REPEALING SECTION 331.44 OF THE TRAFFIC CODE; CHAPTER 331 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

This repeals the section of the traffic code that prohibits left turns from US62 onto Bigelow Drive and left turns from Bigelow Drive onto US62.

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

ACTION: Donald Barnard moved to approve, repealing section 331.44 of the traffic code in the city of Johnstown codified ordinances; Jon Merriman seconded and the vote was as follows:
AYES: Nicole Shook, Bob Orsini, Jon Merriman, Mayor Barnard, Ryan Green, Sharon Hendren, Charlie Campbell
NOES: None
ABSTAIN: None

Passed 7 - 0

b. **ORDINANCE 25-2022** AN ORDINANCE AMENDING CHAPTER 1155 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

This amends the City of Johnstown zoning district GCC-1, Chapter 1155 of the City of Johnstown Codified Ordinances.

From the audience, Lewie Main asked that Acting City Manager Sean Staneart be recused from discussing this as he is a property owner and a businessman in this jurisdiction. Councilman Orsini addressed Mr. Main saying that it does not matter what Mr. Staneart advocates for or against, it is the Council that is responsible for the decisions.

It was discussed that staff added a section to GCC-2, Chapter 1157, after it left Planning and Zoning, and as discussed at the introduction last meeting, council may approve without sending the draft back to the Planning and Zoning Commission. Chairman Green said ideally he would have liked the draft to go back to the Planning and Zoning Commission but in the interest of time he is in favor of moving forward.

Edits were previously made to Chapter 1155 by the Planning and Zoning Commission, further review and discussion by council.

Public Hearing was active discussion and questions with the audience.

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

Passed 6 - 1

c. **ORDINANCE 26-2022** AN ORDINANCE AMENDING CHAPTER 1157 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

This amends the City of Johnstown zoning district GCC-2, Chapter 1157 of the City of Johnstown Codified Ordinances.

Edits were previously made to Chapter 1157 by the Planning and Zoning Commission, further review and discussion by council. Edits made to the draft by council; strike 1157.03 (d); 1157.04 a) 3 change front setback to 30 feet; 1157.04 a) 5 change side setback to 30 feet. Discussion on flood plain percentage being used as green space, potential

amendments forthcoming.

Public Hearing: There was discussion with the audience and comments addressed by council.

ACTION: Bob Orsini moved to approve ordinance 26-2022 as amended;
Donald Barnard seconded and the vote was as follows:
AYES: Jon Merriman, Mayor Barnard, Ryan Green, Sharon Hendren, Charlie Campbell, Nicole Shook, Bob Orsini
NOES: None
ABSTAIN: None

Passed 7 - 0

Mayor Barnard addressed a comment made by Lewie Main about Mr. Staneart and the businesses he owns and conflicts of interest with these ordinances. He asked fellow council members for permission to go to city legal counsel to verify what Sean can and cannot do so we do not have episodes like this again. Council was in agreement to get formal Law Director opinion on the matter. Mr. Orsini again stated that it is the seven of them that make the decisions.

- d. **RESOLUTION 2023-01** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH STRATEGIC HR BUSINESS ADVISORS
Last meeting a proposal was given by HR Business Advisors, Mr. Staneart was asked to propose some changes and provided an update. Councilman Orsini had referenced front loading the contractual obligation for the six-month commitment and front loading it to happen in the first month with the initial study they would be doing, Mr. Staneart said correspondence with her said that would be fine, all else is the same as far as the hourly rate, the price per hour at the six-month rate would be what we are utilized at, he also reiterated from Councilman Orsini that more than likely we would have them for more than just the three months if front loaded and they will likely be made whole regardless but as a precautionary measure they have that in place. Mr. Orsini asked if she agreed the total hours would be available to us on day one and when we exceeded our total hours, then we get into the additional. Mr. Staneart said yes, he has that in an email.

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

ACTION: Bob Orsini moved to approve resolution 2023-01 as written; Nicole Shook seconded and the vote was as follows:
AYES: Mayor Barnard, Ryan Green, Sharon Hendren, Charlie Campbell, Nicole Shook, Bob Orsini, Jon Merriman
NOES: None
ABSTAIN: None

Passed 7 - 0

- e. **RESOLUTION 2023-02** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LEAFY DELL PROPERTIES, LLC

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

Sean Staneart said that during the discussion with Coughlin on the apartments, a traffic study was requested, which they did and it came up that their impact on that particular subdivision as a whole would be four percent. A calculated number had been given to us by the State of Ohio based on a traffic signal being put in there, a request was made to Coughlin that they would participate this much financially toward that project. They agreed to that and we have been back and forth with legal counsel drafting something agreeable to both parties, this is the end product. This will allow us to engage a new contract to receive the \$77,244.00; Mr. Staneart highlighted that if we enter into this agreement, there is a timeline in which we have to perform the traffic light, he has left that blank for council members to decide. Some discussion of language with regard to agreement item number four, Mr. Orsini expressed concern that we are committing things we do not have control of. Mr. Staneart noted that item four only states that the project need be initiated by the date. After discussion, council agreed to 2030.

Public Hearing: Discussion with audience members, questions answered.

ACTION: Jon Merriman moved to approve with a date of 2030; Nicole Shook seconded and the vote was as follows:
AYES: Ryan Green, Sharon Hendren, Charlie Campbell, Nicole Shook, Bob Orsini, Jon Merriman, Mayor Barnard
NOES: None
ABSTAIN: None

Passed 7 - 0

12. Introduction of Legislation - None

13. Food Truck Ordinance - Discussion continued

a. Food Truck Ordinance 20-2019

Mayor Barnard said he would like to put a temporary stay on the current food truck standards, Chapter 730, but only for 730.06(b), and for either two or three food trucks for six months on a test basis, and then use those six months to assess. Trucks would be localized to zoning district GCC-2. Council members engaged with the audience on questions and comments; Andrea Coppel said as the Chamber, she is looking for long term investment by businesses. Mr. Barnard said that would be his goal, for them to build here. Ms. Hendren said she did not think that would happen and if we bring in food trucks, it could hurt our restaurants. Mayor Barnard said there are also people in the community begging for restaurants. Mr. Green said he is fine with testing a hypothesis but who is going to police this to make sure our data is adequate. Mayor Barnard said he did not know how we would ever determine how to change this ordinance without testing. Discussion on advertising this and what the process could be for choosing which food trucks, potential for a lottery, and a test period fee. Discussion on a six-month test period permit fee of \$500. Continued council discussion and a call for a non-binding straw poll to see who is interested in moving forward with this conversation. Council voted 5-2 in favor of further discussion in committee, moved to the Economic Development Committee.

14. DORA (Designated Outdoor Refreshment Area) - Discussion

Mayor Barnard said the goal with this item is to see if there is interest on council to create a committee in the city to look at setting up a DORA that is not a thirty day a month DORA but maybe a six time a month one that helps the festivals or downtown. Mr. Green said he thinks they should go the same with this, to committee for discussion; council forwarded to Economic Development committee.

15. Emergency Protocols for Inclement weather/power outages

The city generally points to county resources for shelter and resources, if council chambers is used, who will monitor etc.. need to set protocols.

Ryan Green said he would like to share the city road plowing schedule publicly so people know when we will get to their road. Also would like to have some discussions on domestic terrorism and protocols for safety.

Council forwarded discussions to the Safety & Service committee.

16. Other Business

1. Sean Staneart said that well J-4 needs to be put in, in order for our well capacity to be up to snuff for the EPA to grant us a three million gallon a day water plant. In order for this to happen, we need to act quickly and consider the financial component. The well needs to be drilled and a test pump installed, the cost came in at \$275,000. Mr. Staneart said we have not bid it out, under the circumstances that we have we can use professional services. The well driller who has done all the other city water wells and is familiar with our aquifer is available in five to six weeks. Having someone with intimate knowledge of our current aquifer is important to protect against damage, getting the lowest bargain basement well driller to dig in our aquifer that supplies the City of Johnstown with all of its water may not be the best decision. The engineers back up the decision to not put out for bid. Discussion on timing, the money can be paid from the remainder of the bond pulled in 2020, from the water fund, not the General Fund. No objection from council, Mr. Staneart said he will move forward.

2. Sean Staneart requested that the Council call for an Executive Session for pending legal action on an item that was just brought to his attention today. Clerk Monroe said that council would need to waive their rule of order requiring twenty-four hour notice.

Prior to the vote, Mayor Barnard said Julian & Grube, who put together our financial statements for 2020-2021, is needed again, the proposal is \$10,000. Asked if that was something that council needed to vote on or can the manager enter. Mr. Staneart said he can.

ACTION:	Donald Barnard moved to waive the 24 hour notice to council for executive session; Nicole Shook seconded and the vote was as follows:
AYES:	Sharon Hendren, Charlie Campbell, Nicole Shook, Bob Orsini, Jon Merriman, Mayor Barnard, Ryan Green
NOES:	None
ABSTAIN:	None

Passed 7 - 0

ACTION: Bob Orsini moved to enter the executive session with no business to follow, for the members of council and village manager to discuss imminent legal action; Jon Merriman seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

Council entered Executive Session at 10:07 pm. Return to Regular Session not recorded.

17. Adjourn

With no further business, the council meeting was adjourned, time not recorded.

Next Council Meeting January 17, 2023



Director's Report January 2023

Training

State-mandated continued professional training (CPT):

- Ethics, diversity, domestic violence, hate crimes, mental health, crisis intervention, restraints, and various other training options.

Police One –

1 hour - Active Shooter: Preparation & Response for Schools

1 hour – Active Shooter: Phases & Prevention

New World CAD – 24 hours –

Chief Smart, Officer Pacha, Clerk Ward

New World CAD – 4 hours Officer Fife – Evidence

New World CAD – Go-Live date January 31

Social Media

Facebook

People reached: 862,191

Post engagements: 75,309

New Followers: 147

Total Followers: 5,986

Page Visits: 4,231

Page overview

Discovery

 Post reach	862,191
 Post engagement	75,309
 New Page Followers	147

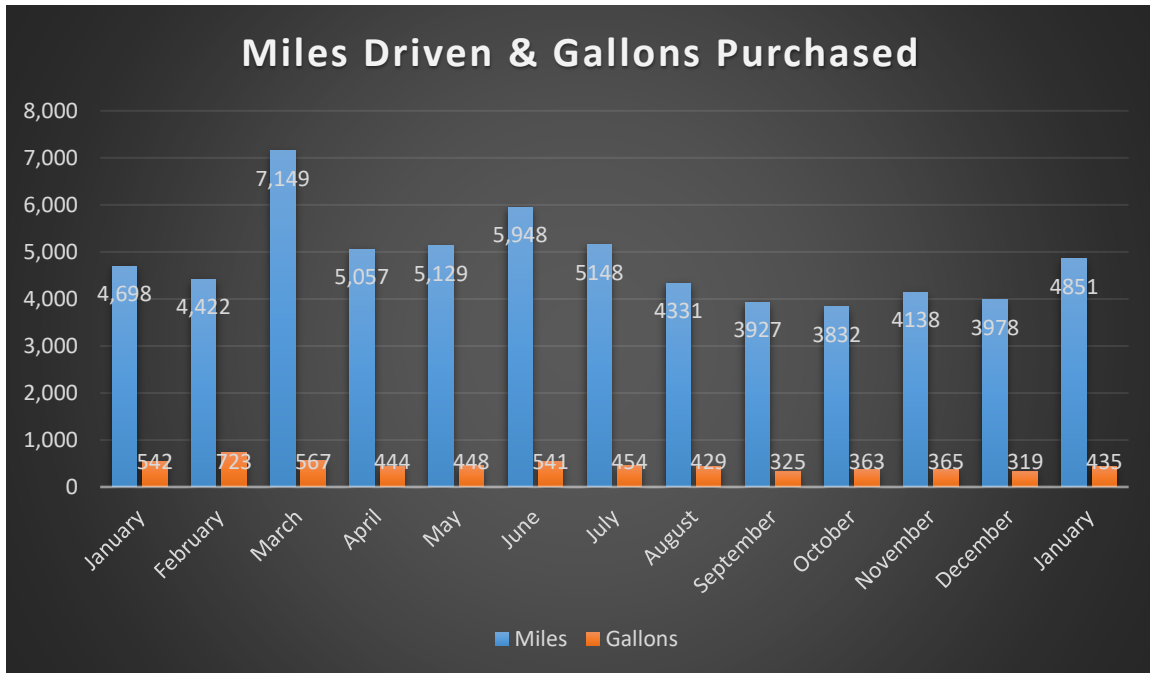
Interactions

 Reactions	34,543
 Comments	3,698
 Shares	6,301
 Photo views	6,363
 Link clicks	2

Other

 Hide all posts	35
 Unfollows	0

Fuel & Miles



Fleet

All marked patrol cars drove a total of 4,851 miles within the City of Johnstown.

1. Idling time: 404 hours
2. Total engine on time: 689 hours
3. Engine off: 923 hours
4. Each officer drove 36 miles per shift. The daily average driving time for a vehicle was 2 hour 09 minutes.

Other Information

Accidents by intersection for 2022

1. Main Street @ Coshocton Street (21)
2. West Coshocton Street @ Bigelow Drive (20)
3. East Coshocton Street @ Commerce Boulevard (5)
4. West Coshocton Street @ Clark Drive (4)
5. West Coshocton Street @ Cheery Hill Road (4)

Officer Jeremy Pacha was presented with Police Officer of the Year



Statistics

Motor Vehicle Accidents: 12

Vandalism: 1

Thefts: 3

Assist with other agencies: 3

Domestic Violence: 5

Suicide Threat: 1

Traffic Stops: 66

Warrants: 6

Citations: 43

Assaults: 0

OVI's: 1

Juvenile Complaints: 0

Arrests: 8

Overdose: 0

Alarms: 11

911 Hang-ups & Misdial: 41

Trespassing: 3

2023 ACCIDENT STATS

	DATE	LOCATION	NON INJURY	INJURY	UNOCCUPIED	HIT SKIP	CAD #
1	1/5/2023	W COSHOCTON ST @ 211 W COSHOCTON ST	X				2300007
2	1/5/2023	S MAIN ST/W PRATT ST		X			2300010
3	1/7/2023	N MAIN ST @ 8 N MAIN ST	X			X	2300014
4	1/7/2023	N MAIN ST /W COSHOCTON ST	X				2300020
5	1/11/2023	S MAIN ST/CONCORD RD		X			2300026
6	1/12/2023	S MAIN ST/CHAMBERS WAY	X				2300028
7	1/17/2023	W COSHOCTON ST/CLARK DR	X				2300034
8	1/21/2023	E COSHOCTON ST/SPORTSMAN CLUB RD	X				2300039
9	1/22/2023	NORTHVIEW DR @ 64 NORTHVIEW DR	X				2300040
10	1/24/2023	W COSHOCTON ST @ 233 W COSHOCTON ST	X				2300041
11	1/26/2023	SUNSET DR @ 186 SUNSET DR	X				2300043
12	1/28/2023	W COSHOCTON ST/N MAIN ST	X				2300048
12			10	2		1	



AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN, OHIO IN ORDER TO SET WATER SERVICE RATES, CHARGED BY THE CITY OF JOHNSTOWN

WHEREAS, the City Manager, Finance Director and Service Director have reviewed the utilities service rates charged by the City of Johnstown and the associated fund balances, and have recommended an amendment to the allocation of established fees; and

WHEREAS, the Council of the City of Johnstown desires to amend the rate allocation structure to properly provide for operations of the Water and Sewer Divisions of the Service Department.

WHEREAS, on January 17, 2023, by a 3-0 vote in Finance Committee, members recommended an increase to the water service rate; and

NOW THEREFORE, be it ordained by the Council of the CITY OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Section 921.05, "Rates", is hereby amended as follows:

(a) The water service rates to be charged for water service provided to property located within the City shall be as follows:

2023 USAGE	WATER SERVICE CHARGE
0-2000 Gallons per Month	\$11.16 Minimum per Month
2001 Gallons and above per Month	\$ 5.87 per Thousand Gallons per Month
Bulk Water Sales	\$12.00 per Thousand Gallons
2024 USAGE	WATER SERVICE CHARGE
0-2000 Gallons per Month	\$11.72 Minimum per Month
2001 Gallons and above per Month	\$ 6.16 per Thousand Gallons per Month
Bulk Water Sales	\$12.00 per Thousand Gallons
2025 USAGE	WATER SERVICE CHARGE
0-2000 Gallons per Month	\$12.31 Minimum per Month
2001 Gallons and above per Month	\$ 6.47 per Thousand Gallons per Month
Bulk Water Sales	\$12.00 per Thousand Gallons
2026 USAGE	WATER SERVICE CHARGE
0-2000 Gallons per Month	\$12.93 Minimum per Month
2001 Gallons and above per Month	\$ 6.79 per Thousand Gallons per Month
Bulk Water Sales	\$12.00 per Thousand Gallons

2027 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month
Bulk Water Sales

WATER SERVICE CHARGE
\$13.58 Minimum per Month
\$ 7.13 per Thousand Gallons per Month
\$12.00 per Thousand Gallons

2028 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month
Bulk Water Sales

WATER SERVICE CHARGE
\$14.26 Minimum per Month
\$ 7.49 per Thousand Gallons per Month
\$12.00 per Thousand Gallons

2029 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month
Bulk Water Sales

WATER SERVICE CHARGE
\$14.97 Minimum per Month
\$ 7.86 per Thousand Gallons per Month
\$12.00 per Thousand Gallons

2030 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month
Bulk Water Sales

WATER SERVICE CHARGE
\$15.72 Minimum per Month
\$ 8.25 per Thousand Gallons per Month
\$12.00 per Thousand Gallons

(b) The water service rates to be charged for water service provided to properties outside of the City limits shall be the above rates plus a surcharge of one-hundred percent (100%) of such rates unless otherwise determined by the Manager through a developers agreement.

(c) The water service rates to be charged for water service provided to properties that purchase water only, and not sewer services, or sewer only, and not water services, shall be calculated by taking one-half of the current total rate of water and sewer combined.

Section 2. Any ordinance or portion thereof in conflict with the provisions of this ordinance is hereby repealed.

Section 3. Council has directed that this water service rate is subject to annual review and if found that funds are sufficient, authority is given to waive or adjust any year's increase within this scale.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the CITY OF JOHNSTOWN.

DATE OF INTRODUCTION: February 7, 2023

PUBLIC HEARING/VOTE: February 21, 2023

EFFECTIVE DATE:

By: _____

Mayor Donald Barnard

Ord 01-2023

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe
Clerk of Council

Yazan Ashrawi
Law Director

DRAFT



ORDINANCE 02-2023

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN, OHIO IN ORDER TO SET WATER DEBT SERVICE RATES, CHARGED BY THE CITY OF JOHNSTOWN

WHEREAS, the City Manager, Finance Director and Service Director have reviewed the utilities service rates charged by the City of Johnstown and the associated fund balances, and have recommended an amendment to the allocation of established fees; and

WHEREAS, the Council of the City of Johnstown desires to amend the rate allocation structure to properly provide for operations of the Water and Sewer Divisions of the Service Department.

WHEREAS, on January 17, 2023, by a 3-0 vote in Finance Committee, members recommended an increase to the water debt rate; and

NOW THEREFORE, be it ordained by the Council of the CITY OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Section 921.17, "Debt Service Fee", is hereby amended as follows:

The water debt service fee to be charged in conjunction with water service provided to property owners located within the City shall be as follows:

2023 USAGE	WATER DEBT SERVICE CHARGE
0-2000 Gallons per Month	\$8.56 Minimum per Month
2001 Gallons and above per Month	\$ 4.50 per Thousand Gallons per Month
2024 USAGE	WATER DEBT SERVICE CHARGE
0-2000 Gallons per Month	\$8.99 Minimum per Month
2001 Gallons and above per Month	\$ 4.73 per Thousand Gallons per Month
2025 USAGE	WATER DEBT SERVICE CHARGE
0-2000 Gallons per Month	\$9.44 Minimum per Month
2001 Gallons and above per Month	\$ 4.97 per Thousand Gallons per Month
2026 USAGE	WATER DEBT SERVICE CHARGE
0-2000 Gallons per Month	\$9.91 Minimum per Month
2001 Gallons and above per Month	\$ 5.22 per Thousand Gallons per Month
2027 USAGE	WATER DEBT SERVICE CHARGE
0-2000 Gallons per Month	\$10.41 Minimum per Month
2001 Gallons and above per Month	\$5.48 per Thousand Gallons per Month

2028 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month

WATER DEBT SERVICE CHARGE
\$10.93 Minimum per Month
\$5.75 per Thousand Gallons per Month

2029 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month

WATER DEBT SERVICE CHARGE
\$11.48 Minimum per Month
\$6.04 per Thousand Gallons per Month

2030 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month

WATER DEBT SERVICE CHARGE
\$12.05 Minimum per Month
\$6.34 per Thousand Gallons per Month

Section 2. Any ordinance or portion thereof in conflict with the provisions of this ordinance is hereby repealed.

Section 3. Council has directed that this water debt rate is subject to annual review and if found that funds are sufficient, authority is given to waive or adjust any year's increase within this scale.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the CITY OF JOHNSTOWN.

DATE OF INTRODUCTION: February 7, 2023
PUBLIC HEARING/VOTE: February 21, 2023
EFFECTIVE DATE:

By: _____
Mayor Donald Barnard

ATTEST TO: _____ APPROVED AS TO FORM:

Teresa Monroe
Clerk of Council

Yazan Ashrawi
Law Director



**AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF
THE CITY OF JOHNSTOWN, OHIO IN ORDER TO SET SEWER SERVICE RATES
CHARGED BY THE CITY OF JOHNSTOWN**

WHEREAS, the City Manager, Finance Director and Service Director have reviewed the utilities service rates charged by the City of Johnstown and the associated fund balances, and have recommended an amendment to the allocation of established fees; and

WHEREAS, the Council of the City of Johnstown desires to amend the rate allocation structure to properly provide for operations of the Water and Sewer Divisions of the Service Department.

WHEREAS, on January 17, 2023, by a 3-0 vote in Finance Committee, members recommended an increase to the sewer service rate; and

NOW THEREFORE, be it ordained by the Council of the CITY OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Section 925.01, "Rates", is hereby amended as follows:

(a) Sewer service rates shall be established by Council as follows:

2023 USAGE	SEWER SERVICE CHARGE
0-2000 Gallons per Month	\$11.16 Minimum per Month
2001 Gallons and above per Month	\$ 5.87 per Thousand Gallons per Month
Bulk Sewer Sales	\$50.00 per Thousand Gallons
2024 USAGE	SEWER SERVICE CHARGE
0-2000 Gallons per Month	\$11.72 Minimum per Month
2001 Gallons and above per Month	\$ 6.16 per Thousand Gallons per Month
Bulk Sewer Sales	\$50.00 per Thousand Gallons
2025 USAGE	SEWER SERVICE CHARGE
0-2000 Gallons per Month	\$12.31 Minimum per Month
2001 Gallons and above per Month	\$ 6.47 per Thousand Gallons per Month
Bulk Sewer Sales	\$50.00 per Thousand Gallons
2026 USAGE	SEWER SERVICE CHARGE
0-2000 Gallons per Month	\$12.93 Minimum per Month
2001 Gallons and above per Month	\$ 6.79 per Thousand Gallons per Month
Bulk Sewer Sales	\$50.00 per Thousand Gallons

2027 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month
Bulk Sewer Sales

SEWER SERVICE CHARGE
\$13.58 Minimum per Month
\$ 7.13 per Thousand Gallons per Month
\$50.00 per Thousand Gallons

2028 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month
Bulk Sewer Sales

SEWER SERVICE CHARGE
\$14.26 Minimum per Month
\$ 7.49 per Thousand Gallons per Month
\$50.00 per Thousand Gallons

2029 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month
Bulk Sewer Sales

SEWER SERVICE CHARGE
\$14.97 Minimum per Month
\$ 7.86 per Thousand Gallons per Month
\$50.00 per Thousand Gallons

2030 USAGE
0-2000 Gallons per Month
2001 Gallons and above per Month
Bulk Sewer Sales

SEWER SERVICE CHARGE
\$15.72 Minimum per Month
\$ 8.25 per Thousand Gallons per Month
\$50.00 per Thousand Gallons

(b) Those persons, firms or corporations receiving sewer only, in the Johnstown State Route 62 (west) service area, shall be assessed a charge for sewer equal to that charge to other users in a similar or identical user group for sewer usage receiving sewer services within the City as determined by meter usage. If there is no exact same user comparable with metered usage, then the charge shall be based on the average usage for all of such users within the same general classification of user usage. Persons charged under this provision shall be notified of the proposed rate charge at the time of the assessment thereof. The user so charged shall then have the option at his/her own expense to have their use metered. In such event, such user shall pay the amount based on the rates as set forth in subsection (a) hereof.

(c) The water service rates to be charged for water service provided to properties that purchase water only, and not sewer services, or sewer only, and not water services, shall be calculated by taking one-half of the current total rate of water and sewer combined.

Section 2. Any ordinance or portion thereof in conflict with the provisions of this ordinance is hereby repealed.

Section 3. Council has directed that this sewer service rate is subject to annual review and if found that funds are sufficient, authority is given to waive or adjust any year's increase within this scale.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the CITY OF JOHNSTOWN.

DATE OF INTRODUCTION: February 7, 2023
PUBLIC HEARING/VOTE: February 21, 2023
EFFECTIVE DATE:

Ord 03-2023

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe
Clerk of Council

Yazan Ashrawi
Law Director

DRAFT



RESOLUTION 2023-04

A RESOLUTION APPOINTING MEMBERS TO THE PERSONNEL BOARD OF REVIEW

WHEREAS, the City of Johnstown Council desires to appoint three members to serve on the Personnel Board of Review (See Charter Section 7.04); and

WHEREAS, Section 7.03 (b) of the Charter of the City of Johnstown states that the Personnel Board of Review shall consist of three electors of the Municipality who shall serve overlapping three-year terms. This board will be established as provided in Section 7.01 of this Charter.

WHEREAS, on December 13, 2022 and January 3, 2023, City Council conducted interviews with applicants to the Personnel Board of Review and on January 3, 2023 voted unanimously to appoint three members.

NOW THEREFORE, BE IT RESLOVED BY THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF THE MEMBERS CONCURRING THAT:

Section 1. The City Council herein approves the following appointments.

Personnel Board of Review Board

Leslie Butler: appointment commencing January 3, 2023 and ending on January 15th, 2024

Joseph Krouse: appointment commencing January 3, 2023 and ending on January 15th, 2025

Sarah Penrod: appointment commencing January 3, 2023 and ending on January 15th, 2026

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter of the CITY OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: February 21, 2023

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director