



Regular Council
Tuesday, February 7, 2023 - 6:30 PM
MINUTES

1. Call to Order

Mayor Donald Barnard called to order the City of Johnstown Regular Council Meeting for February 7, 2023 at 6:39 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, Terry Nichols - Chief Water Operator, Rick Fitch - Chief Wastewater Operator, Daniel Swick - Street Superintendent, Teresa Monroe - Clerk of Council

Public present - Lanny Bailey, Michelle Grabill, Terry McKiernan, Lewie Main, Glen Ronkin, Jamie Hartsough

3. Invocation - Pastor Kevin Heckathorn, Johnstown Presbyterian Church

4. Pledge of Allegiance

5. Action on Minutes

a. December 6, 2022

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

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

NOES: None

ABSTAIN: Sharon Hendren, absence

Passed 6 - 0

6. Citizen comments on matters not on the agenda

1. Terry McKiernan - Shakelford Disposal

- Requested a copy of the current waste bid for the city and any details on upcoming bids; Clerk to provide.

7. Council Committee reports

- a. **Planning & Zoning:** Next 2/14/23 @ 6:30 pm Council Chambers
- b. **Design Review Board:** 2/14/23 Cancelled; Next 3/14/23 @ 5:00 pm Council Chambers
- c. **Safety & Service:** 2/7/23; Next 3/7/23 @ 5:00 pm Admin Conference Room
 - Committee Motion passed for the City Manager to have a discussion with the TID about road projects.
 - Committee Motion passed for the City Manager to have a discussion with TJ Evans Foundation/Sarah Wallace, about the possibility of a road going down Jersey Street and connecting into Concord Crossing for emergency only access.
 - Discussion on a solution for a roadway for Tech International
- d. **Finance:** Met Special 2/7/23; Next 2/21/23 @ 5:00 pm Admin Conference Room
Presentation given by a PR firm.
- e. **Economic Development:** Met 1/31/23; Next 3/2/23 @ 4:00 pm Council Chambers
GROW Licking County attended. Discussion on food trucks and a DORA program.
- f. **Events Committee:** Met 1/19/23; Next 2/16/23 @ 5:30 pm Admin conference room
- g. **Park & Rec:** Next TBD
Meetings continue on the Miles Estate.
Ms. Hendren noted she is planning a reenactment event and is working with the American Legion to recognize veterans.
- h. **Rules:** Met 2/7/23
Reviewed Council Rules of Order and how they relate to the Charter, they found that the rules are well structured and well written for the most part, there will be few recommendations. It was recognized that the rules are not being followed, committee recommendation is that all members review the Rules of Order and to try and adhere to them as closely as possible, Mr. Orsini highlighted a few. Committee recommended edits were noted for council, further discussion is warranted in Other Business.

8. Director Reports

- a. Service Departments; Water, Sewer, Street, Service Director
Department Directors Terry Nichols, Rick Fitch, Daniel Swick reviewed their reports which were included in the council packet, and answered council members questions.

NOTE: Council moved agenda item number 13 up at this time for Executive Session.

Service Director Jack Liggett reviewed his report included in the packet and updated council members on city projects.

- b. City Manager
Acting City Manager Sean Staneart reviewed items in his report included in the council packet. Said much focus has been on zoning and that the city is working to build a model for Johnstown that will elevate the quality of life. Mayor Barnard said that Johnstown is not playing defense any more, that we are going on the offense and continuing the strategic planning process while also exploring immediate opportunities so we don't lose out to other communities, that we have to move quickly with our strategic advantage next to Intel. If we

focus on this economic development, the advantages will be more revenue for the schools, infrastructure and city services. Councilman Orsini said it is important for the public to realize that we are working to manage, through operational excellence and fund allocation and finance control, and at the same time, for us to be in a strong position of offense, we need the revenue necessary to make quick moves. The more revenue the city has available, the better position we will be in to maintain control over what happens, things are going to happen, with our without us. As long as we have a seat at the table and have the ability to move laterally and vertically as needed, we will have the best outcome for our community, but it requires revenue.

13. Executive Session with City Law Director to Discuss Pending or Imminent Court Action

ACTION: Donald Barnard moved to enter executive session with the city law director to discuss pending or imminent court action; Jon Merriman seconded. Prior to the vote, Mr. Stanearth said he would like to add a second Executive Session with the Law Director immediately after. The vote on the motion 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

ACTION: Donald Barnard moved to waive the 24 hour rule to have the (second) executive session; Nicole Shook seconded and the vote was as follows:

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

NOES: Ryan Green,

ABSTAIN: None

Passed 6 - 1

ACTION: Donald Barnard moved to enter Executive Session under R.C. 121.22(g)(1) to consider the employment or compensation of a public employee, and/or section 121.22(g)(3) to meet with the city's attorney to discuss imminent court action; Jon Merriman seconded and the vote was as follows:

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

NOES: Ryan Green

ABSTAIN: None

Passed 6 - 1

Members of Council, City Manager and Law Director to be in attendance.
City Council entered Executive Session at 7:06 pm and returned to regular session at 7:35 pm

9. 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, still under discussion in Finance Committee.

10. Public Hearings of Legislation

- a. **RESOLUTION 2023-03** A RESOLUTION AUTHORIZING WAIVER OF COMPETITIVE BIDDING

Sean Staneart said this follows a specific procedure that allows the city to waive the bidding requirement for work that needs to be done quickly on one of the city's water wells (J-4 noted in Service Director report); referenced City Codified Ordinance 107.03(b)(3) A and F and reviewed reasoning listed in the legislation. He said there is a very short window before the youth league field becomes very active again, it would not be safe with an open hole in the ground and the bidding processes can take time. This particular company and individual has done all of the wells in our current well field, this is the aquifer for the entire city's water supply, he does not like the lowest bidder having the opportunity to do "training day", this individual is very familiar with our area and our water and wells.

Jack Liggett noted that the pumps, installation and electric, will all be bid out. The work being waived is drilling the aquifer, screen sizing and depth.

Councilman Orsini said that water is key to not only Johnstown's future economic development, but also the state and the country. It is very critical that the data we get back is accurate. Mr. Orsini asked Service Director Liggett if he recommended following this process to hire the identified contractor to put us in the best position. Mr. Liggett said that he did, due to the time frame needed to get the work done and his experience with the well field. Without following this procedure, time delay would hurt us in two windows, design of the plant and the youth league opening and having kids on site while trying to drill a 380 foot well. Mr. Staneart said that he agreed.

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: Bob Orsini, Jon Merriman, Mayor Barnard, Ryan Green, Sharon Hendren, Charlie Campbell, Nicole Shook
NOES: None
ABSTAIN: None

Passed 7 - 0

11. Introduction of Legislation

Mayor Barnard said the next four Ordinances are all tied together, they are for the city water and sewer rates.

- 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

Mayor Barnard introduced.

Mr. Staneart provided a blanket explanation of all four ordinances saying that there was a timetable and rate increase passed in 2020 that would take care of about ten years. This year, it is necessary to take it up an additional four percent to what was passed then. Subsequent years would continue to increase by five percent. Mr. Staneart he does not think there has been anybody not affected by the inflation and the city is not immune to this. Labor, cost of services, chemical and fuel costs have increased substantially, everything that goes into the production of water, and that we are not currently in the black for some of our operating and that needs to be corrected because it is not sustainable. Mr. Liggett provided some examples of costs that have been affected. Mr. Staneart added that water is key to all development that exists anywhere and it controls your area, the city never wants to be in a situation where we are in a deficiency from a funding perspective when it comes to our water, we want to be strong in that area so that when development opportunities come available, we can be a player in the conversations. Mayor Barnard said these ordinances were recommended by the Finance Committee and a 3-0 vote.

Public Hearing February 21, 2023

- 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
Mayor Barnard introduced. Public Hearing February 21, 2023.
- 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
Mayor Barnard introduced. Public Hearing February 21, 2023.
- 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
Mayor Barnard introduced. Public Hearing February 21, 2023.

12. Other Business

- 1. Mayor Barnard provided an update to council on meetings he has attended in the last two weeks. Mr. Staneart highlighted items from meetings he also attended.
- 2. Mayor Barnard provided an update on the state audit, and added that the city will also undergo an audit on the pension plan at a cost of \$600.
- 3. Council review and discussion on edits to the Council Rules of Order; item moved back to Rules Committee.
- 4. Sean Staneart asked Council for direction on enforcing the city tree ordinance on the Concord East buildout. Mr. Staneart has asked the developer for a plan for tree removal. Comments by Ryan Green, Mayor Barnard, Charlie Campbell, Bob Orsini. Decision to negotiate an agreement as the ordinance was effective after the plans were approved.

14. Adjourn

- ACTION:** Bob Orsini moved to adjourn; Nicole Shook 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

The meeting adjourned at 8:52 pm

Next Council Meeting February 21, 2023