



Regular Council Meeting
Tuesday, April 4, 2023 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Pastor Andy Fitzpatrick, Johnstown Independent Baptist Church
4. Pledge of Allegiance
5. Action on Minutes
 - a. February 21, 2023
6. Citizen comments on matters not on the agenda
7. Council Committee reports
 - a. **Planning & Zoning:** Met 3/28/23; Next 4/11/23 @ 6:30 pm Council Chambers
 - b. **Design Review Board:** Next 4/11/23 @ 5:00 pm
 - c. **Safety & Service:** 4/4/23; Next 5/2/23 @ 5:00 pm Admin conference room
 - d. **Finance:** 4/4/23 Special; Next 4/18/23 @ 5:00 pm Admin office conference room
 - e. **Events Committee:** Met 3/23/23; Next TBD
 - f. **Park & Rec:** Met 4/3/23; Next TBD
 - g. **Tree Commission:** Met 3/28/23; Next 4/25/23 @ 5:00 pm Council Chambers
 - h. **Economic Development:** Next 4/17/23 @ 5:00 pm Council chambers
8. Director Reports
 - a. Water, Sewer, Street, Service Director
 - b. City Manager
9. Tabled Legislation
 - a. **ORDINANCE 17-2022** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE CITY OF JOHNSTOWN. Tabled September 27, 2022
10. Public Hearings of Legislation
 - a. **ORDINANCE 05-2023** AN ORDINANCE AMENDING ORDINANCE 22-2022, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN, TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS.
 - b. **RESOLUTION 2023-08** A RESOLUTION TO REVISE THE DESIGN REVIEW OVERLAY DISTRICT MAP AS PRESENTED
 - c. **RESOLUTION 2023-09** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION ROAD SALT CONTRACTS AWARDED IN 2023

11. Introduction of Legislation

- a. **ORDINANCE 06-2023** AN ORDINANCE AMENDING ORDINANCE 22-2022, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

12. Other Business

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

14. Executive Session to Review a Collective Bargaining Strategy

15. Adjourn

Next Council Meeting April 25, 2023



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

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for February 21, 2023 at 6:36 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, Rusty Smart - Interim Chief of Police, Teresa Monroe - Clerk of Council

Public present - Pastor Dan Scarberry, Lewie Main, Jamie Hartsough, Dana Wharton

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

ACTION: Jon Merriman moved to approve en bloc as written; 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

6. Citizen comments on matters not on the agenda

Mayor Barnard said a citizen texted him when they noticed a youth playing basketball at the Johnstown Baptist Church and an Officer stopped to play with him. He said it was Officer Josh Hoar and wanted Chief Smart to know it is appreciated, to get a text like that, it is a fine example for an officer to be doing things like that.

No comments from the public

7. Executive Session to Prepare for a Collective Bargaining Strategy

8. Executive Session to consider the employment of a public employee

ACTION: Donald Barnard moved to enter executive session to prepare for a collective bargaining strategy and to consider the employment of a public employee, with council members, the city manager and the city lawyer; Chief Smart was requested for the first session. 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

Council entered Executive Sessions and returned to regular session at 7:36 pm

9. Council Committee reports

- a. **Planning & Zoning:** Met 2/14/23; Next 2/28/23 @ 6:30 pm Council Chambers
Approved a new second story AirBnB downtown.
- 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
Swapping dates with Finance committee; next meeting moved to 2/21/23.
- d. **Finance:** 2/21/23; Next 3/21/23 @ 5:00 pm Admin Conference Room
Met tonight, presentation on NCA's. Next meeting moved to 3/7/23, swapped with Safety & Service committee.
- 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
Next meeting scheduled for 2/27/23 at noon.
- h. **Rules:** Next TBD

10. Director Reports

- a. **Police Chief**
Chief Smart reviewed his report included in the packet and answered council member questions.

11. Tabled Legislation

- a. **ORDINANCE 17-2022** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE CITY OF JOHNSTOWN. Tabled September 27, 2022
Remains tabled, in Finance Committee.

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

Public Hearing:

1. Lewie Main

- Said his comments address all four ordinances.
- There are separate rate agreements with a larger user of city water and sewer which are not identified in the ordinances rates
- Are any of the enterprise funds revenues independent
- Why are contracted rates not included in the ordinance
- What increases in rate will be added to those private contracts if any
- The payments from this user for water and sewer usage and debt are not recorded in the city's financials separate from any other user which would allow the city to monitor their contracted rate and production costs

Mayor Barnard said he understands that there was a contract signed with New Day, prior to most of them being on council, it is his understanding that the city cannot increase the rate. Mr. Staneart said it is a contract that set the rate for a fixed period and the payment in lieu of taxes is also a payment fixed for a certain period as well.

No motion made for passage.

- 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

Public Hearing: There were no comments either for or against the legislation, other than Mr. Main's beginning comments that applied to all four ordinances.

Council discussion on understanding numbers and the need for the increase. Legislation passed in 2020 authorized a five percent increase every year; that is not sufficient for this year and an additional four percent is needed for a total increase of nine percent. A five percent annual increase will resume next year.

Motion: Mr. Campbell moved to pass Ordinance 02-2023, Ms. Shook seconded.

At this time council members discussed their desire to return to Ordinance 01-2023 and

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

consider each in order.

Mr. Campbell withdrew his motion.

Mayor Barnard reopened the floor to public comments, there were none.

ACTION: Bob Orsini moved to approve **Ordinance 01-2023**; 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

Public Hearing: Mayor Barnard re-opened the floor to public comments on Ordinance 02-2023.

1. Lewie Main

- Looking at the approved appropriation for the year, there are enough existing rates for this year and next year. Is it reasonable to raise rates for the balance of this year and next year at this time.

Mayor Barnard said that the city lost money in water and sewer last year, their job is to make sure the city is financially solvent for future years and able to pay future debt.

ACTION: Charlie Campbell moved to approve **Ordinance 02-2023**; Nicole Shook 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

- 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

Councilman Orsini said this is the same as water, water and sewer are coupled, same math, same metric.

No debate by council.

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

ACTION: Donald Barnard moved to accept ordinance 03-2023; 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

- 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

No debate by council.

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

ACTION: Nicole Shook moved to approve ordinance 04-2023; Donald Barnard 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

- e. **RESOLUTION 2023-04** A RESOLUTION APPOINTING MEMBERS TO THE PERSONNEL BOARD OF REVIEW

This appoints members to the board, interviews were held in December and January.

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

Passed 7 - 0

13. Introduction of Legislation - None

14. Other Business

1. Per council's direction, Sean Staneart has negotiated terms for tree replacement with the developer in Concord East. Developer is agreeable to plant 200 trees at 1 1/2 - 2 inch caliper, aside from the street trees that are required and also contribute \$10,000 to the tree fund. Discussion on caliper requirements and tree variety, Mr. Staneart will bring an agreement back to council.

2. Compliments on the dog park and the gravel added.

15. Adjourn

ACTION: Ryan Green moved to adjourn; Nicole Shook seconded and all are in favor.

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

NOES: None

ABSTAIN: None

Passed 7 - 0

Meeting adjourned at 8:23 pm

Next Council Meeting March 7, 2023



March 2023

Water Council Report

CITY OF JOHNSTOWN, OHIO

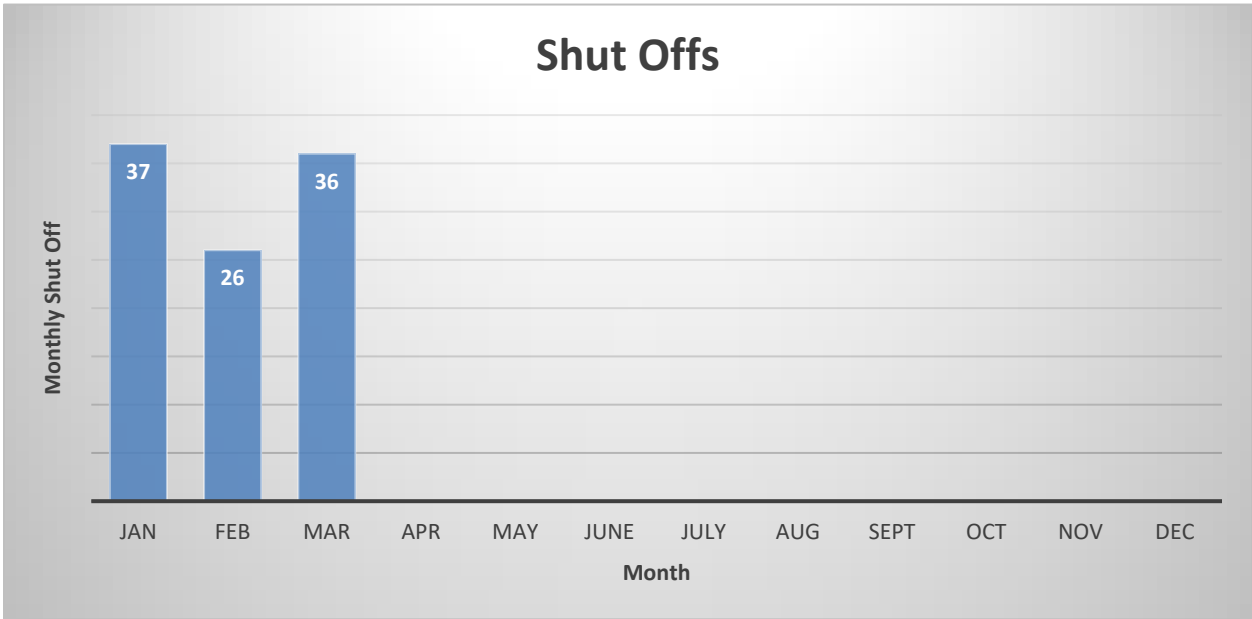
599 S. Main Street
Johnstown, Ohio 43031
Telephone: 740-967-3177
Fax: 740-967-3519



Water Plant March 2023

- 1) As of March 30th, the flow is 16.492 MG.
- 2) There were 36 shut off's.
- 3) Worked on work-orders.
- 4) Tim Perry hauled lime sludge on Tuesday 3-21-2023.
- 5) The Water Plant Staff completed 8.5 hours of training.
- 6) Changed lime feeder #2 to lime feeder #1 and cleaned lime feeder #2.
- 7) On Wednesday 3-22-2023, Tim Perry and David Nichols repaired a fire hydrant on Sportsman Club Rd. by Tech Rubber.
- 8) National Well Service in the process of drilling the #4 low service well.
- 9) Tim Perry worked 8 hours for the Street Department.
- 10) Attend a meeting on 3-20-2023 with Jacob's.
- 11) On March 28th, we started draining the Downtown Water Tower for maintenance to start on the first week of April.

Thank you,
Terry Nichols
Chief Water Operator
City of Johnstown



Water Plant Daily Tap Test Results

Date	PH	Phenol Alkalinity	Total Alkalinity	Total Hardness	Plant Tap Cl2		
					Free	Total	Combined
Mar-01	7.97	0	57	147	1.13	1.23	0.10
Mar-02	8.16	0	59	152	0.92	0.97	0.05
Mar-03	8.04	0	57	147	0.93	0.97	0.04
Mar-04	8.13	0	64	155	1.04	1.09	0.05
Mar-05	7.78	0	58	150	1.17	1.20	0.03
Mar-06	7.72	0	59	150	0.95	1.02	0.07
Mar-07	8.15	0	57	150	1.03	1.09	0.06
Mar-08	8.15	0	55	148	0.97	1.01	0.04
Mar-09	8.57	1	67	160	0.76	0.81	0.05
Mar-10	8.21	0	60	153	0.71	0.77	0.06
Mar-11	8.19	0	61	146	1.14	1.22	0.08
Mar-12	7.84	0	56	147	1.24	1.32	0.08
Mar-13	8.20	0	61	155	0.95	1.03	0.08
Mar-14	8.10	0	58	153	1.07	1.13	0.06
Mar-15	8.08	0	59	150	1.03	1.09	0.06
Mar-16	8.14	0	58	152	1.04	1.09	0.05
Mar-17	7.86	0	62	156	1.04	1.10	0.06
Mar-18	8.08	0	58	147	1.14	1.21	0.07
Mar-19	7.69	0	58	148	0.84	0.96	0.12
Mar-20	7.95	0	59	150	0.95	1.10	0.15
Mar-21	7.95	0	55	148	0.93	0.97	0.04
Mar-22	7.95	0	58	152	0.97	1.05	0.08
Mar-23	8.04	0	60	150	1.00	1.06	0.06
Mar-24	8.17	0	61	154	0.91	0.99	0.08
Mar-25	8.13	0	61	155	0.90	0.95	0.05
Mar-26	8.05	0	60	147	0.92	1.07	0.15
Mar-27	7.89	0	61	154	0.92	0.98	0.06
Mar-28	8.29	0	62	154	0.79	0.85	0.06
Mar-29	8.03	0	58	155	0.92	0.98	0.06
Mar-30	8.14	0	59	156	1.00	1.12	0.12
Mar-31	8.13	0	59	151	0.99	1.07	0.08
Avg	8.06	0	59	151	0.98	1.05	0.07

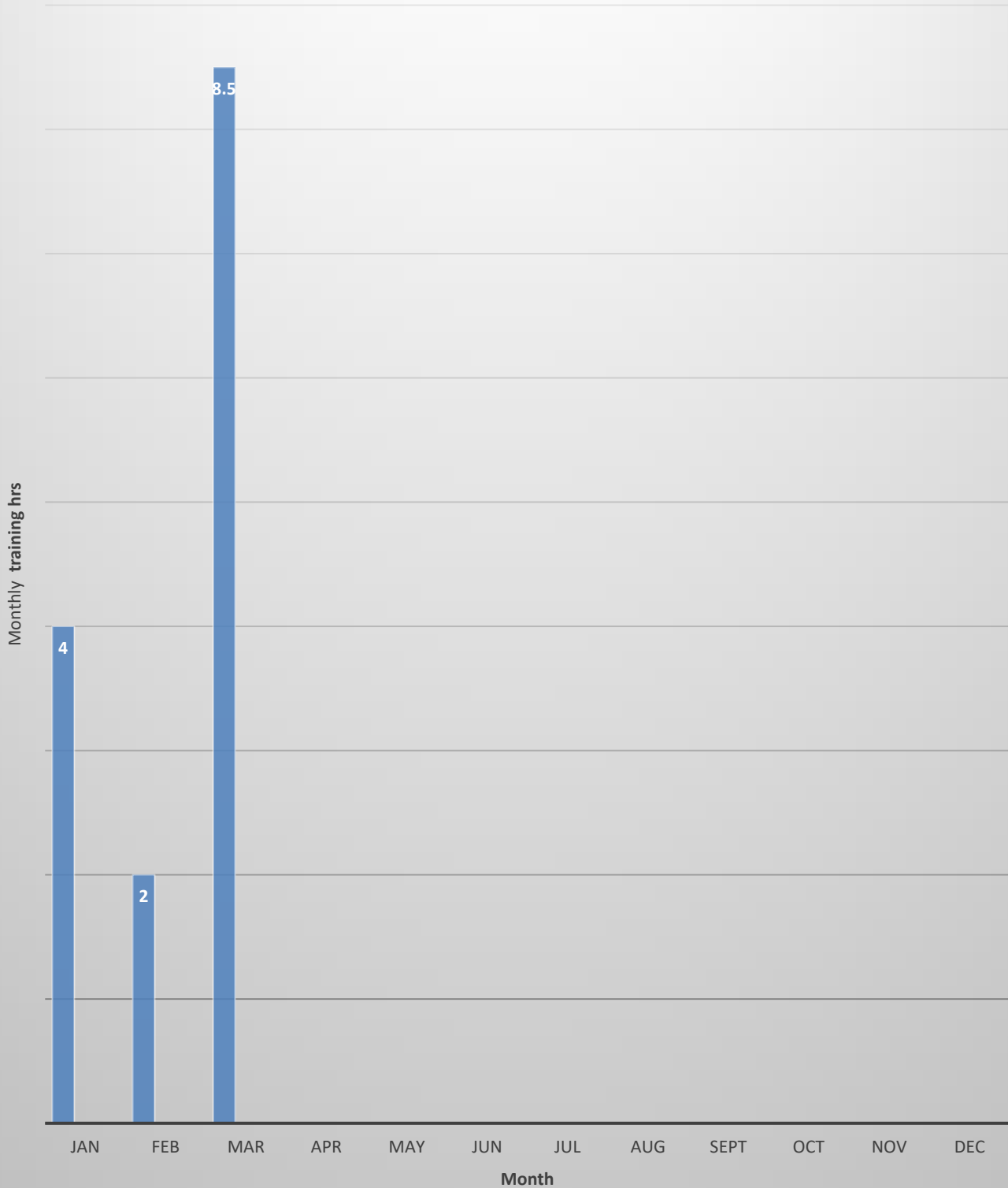
Total Alkalinity: 35-55 mg/L

Phenol Alkalinity: 0-2 mg/L

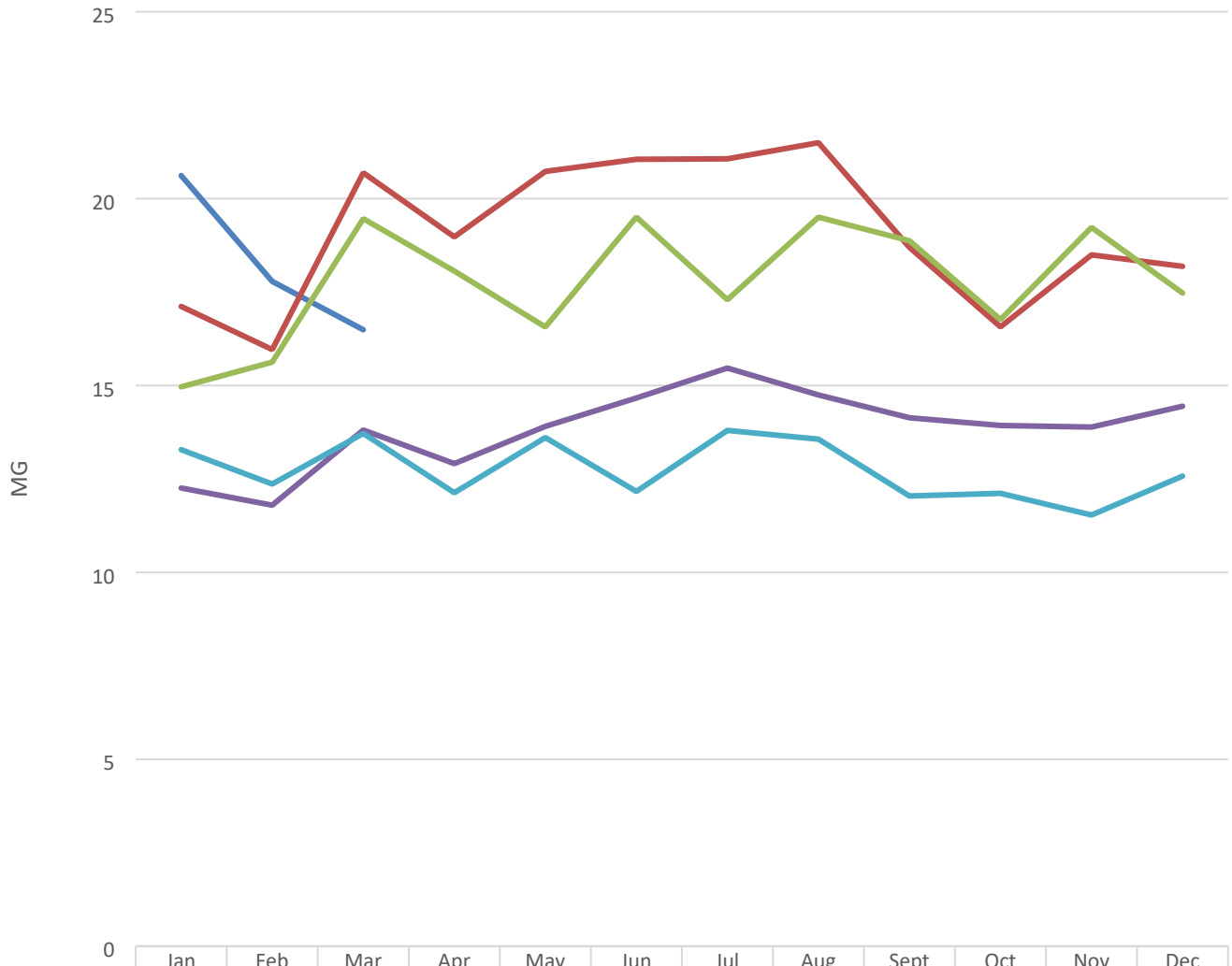
Hardness: 135 – 150 mg/L (Higher hardness is due to running # 2 L.S. well pulling water from deeper part of the aquifer)

Free Chlorine: 0.85-1.10 mg/L

Training Hours



Monthly Influent MG



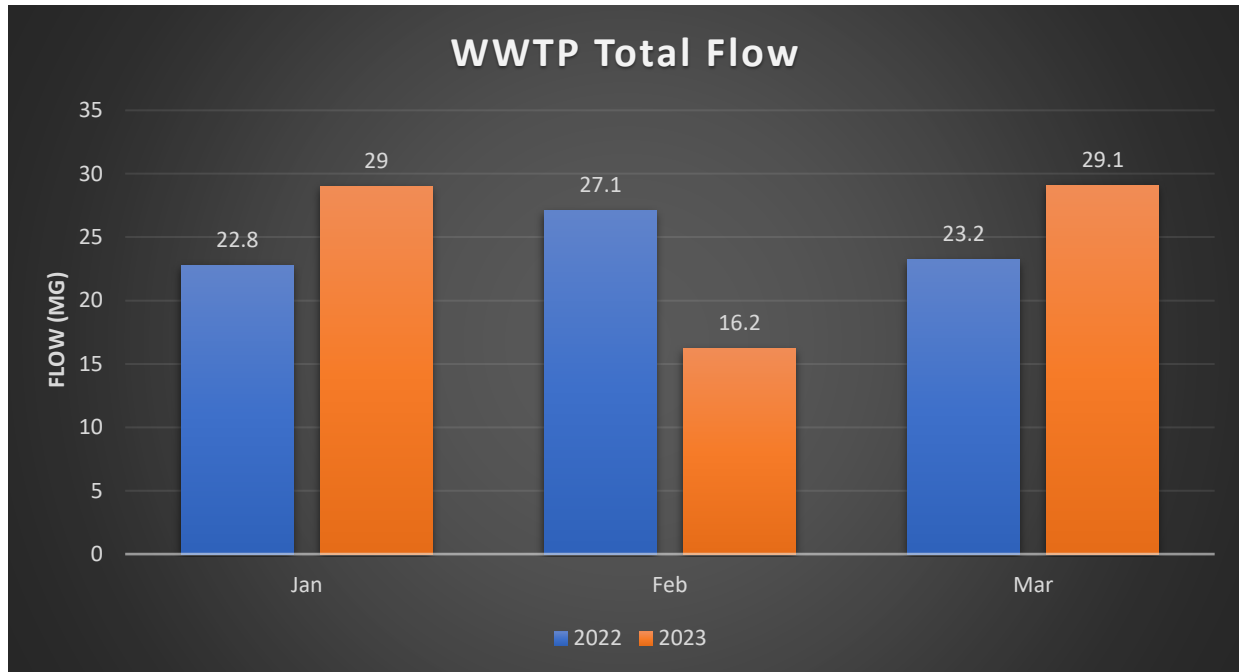
0	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
2023	20.616	17.786	16.492									
2022	17.116	15.962	20.692	18.977	20.728	21.052	21.065	21.496	18.696	16.569	18.495	18.189
2021	14.966	15.626	19.463	18.063	16.567	19.506	17.295	19.504	18.873	16.765	19.23	17.475
2020	12.258	11.799	13.81	12.911	13.907	14.666	15.468	14.748	14.138	13.931	13.889	14.446
2019	13.283	12.365	13.718	12.132	13.607	12.167	13.799	13.565	12.045	12.116	11.536	12.576

Months

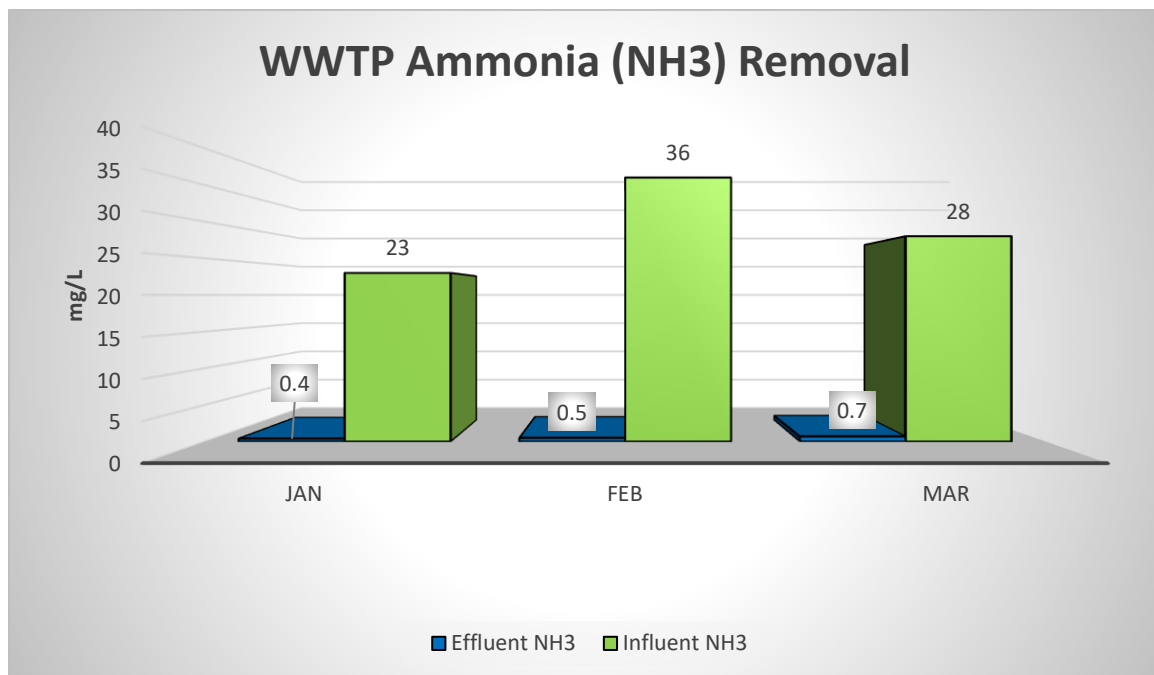


March 2023

Sewer Council Report



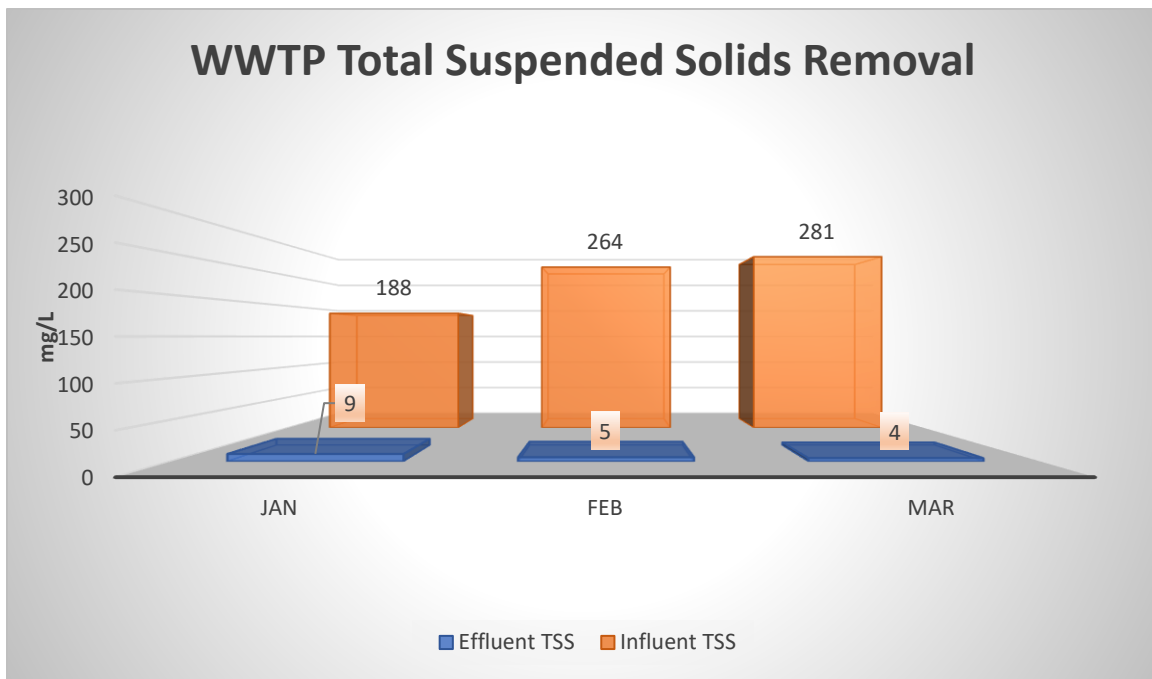
Plant Efficiency Charts



Average % of NH₃ removed for the month = **98%**

Discharge Limitations

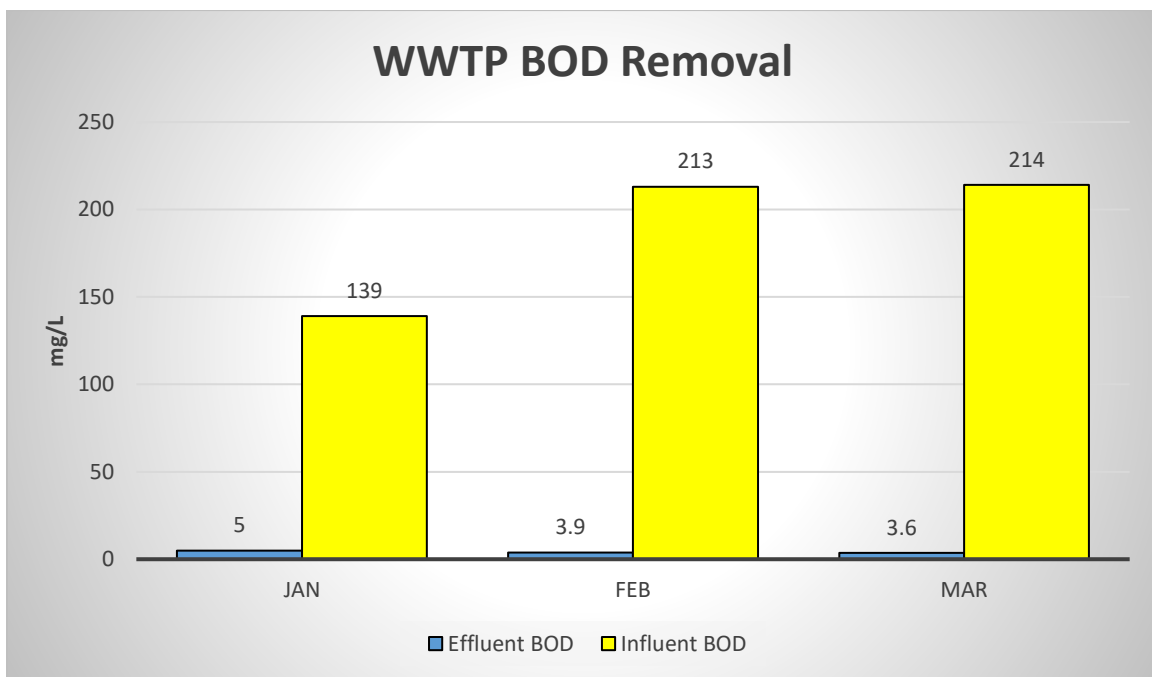
Weekly- 3.9 mg/L
Monthly- 2.6 mg/L



Average % of TSS removed for the month = **99%**

Discharge Limitations

Weekly- 18 mg/L
Monthly- 12 mg/L



Average % of BOD removed for the month = **98%**

Discharge Limitations

Weekly- 15 mg/L
Monthly- 10 mg/L

Training

- Jack & I attended a (6) hour Stirling Services wastewater/water training to earn contact hours for OEPA license renewal

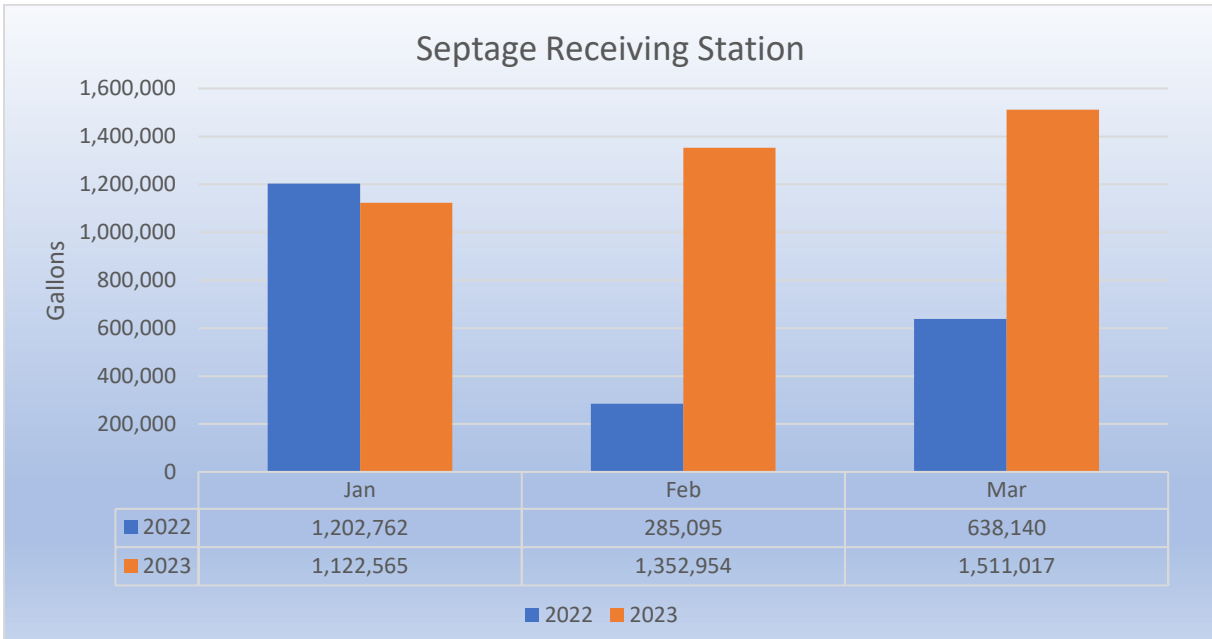
Work Highlights

- Sewer Inspections
 - o 9 new build inspections
- Amount of sludge pressed (dewatered) – 738,313 gallons
- Routine equipment maintenance (preventative maintenance)
- Replaced brush on screenings washer auger

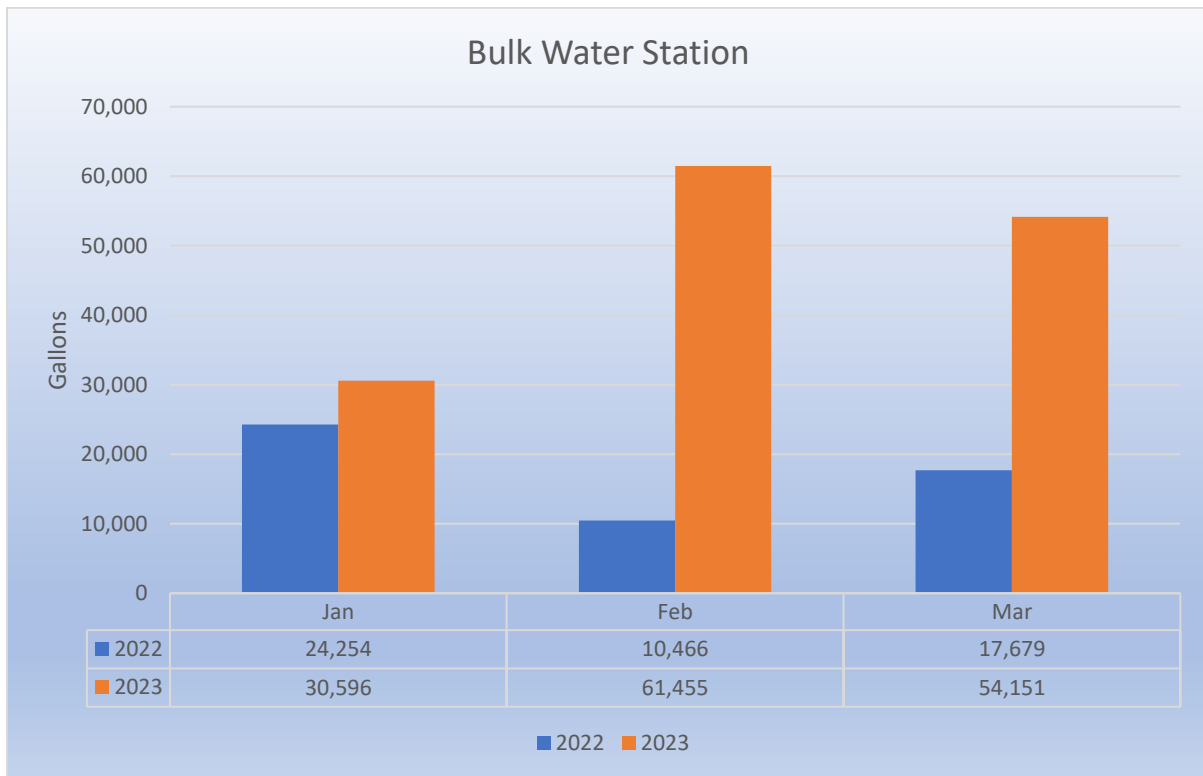


BULK SEWER & WATER

The following chart shows the total amount of waste in gallons brought into Johnstown for the current year and past year by the egg farm and bulk septage haulers.



The chart below shows the total amount of bulk water in gallons purchased each month for the current year and past year. NOTE: This graph contains only gallons of bulk water purchased from the fill station onsite and does not include hydrant meter usage.



Rick Fitch
Chief Wastewater Operator



Street Department Report

March 2023

CITY OF JOHNSTOWN, OHIO

City of Johnstown
Administrative Offices



599 S. Main Street
Johnstown, Ohio 43031
Telephone: 740-967-3177

Misc.

- Equipment maintenance, cleaning, and repairs
- Street Lights
 - (2) lights switched over to LED bulbs
- Red light replacement at Oregon and 62
- Sign repair/replacement (As needed)
- Installed "No Parking" signs on E Pratt.
- Installed Police signs in the center of town

Street Maintenance

- Sign repair/replacement (As needed)
- Street sweeping (weekly)
- 2ton of Cold patch was used for holes
- 66 ton of salt used (total of 245 tons used this season)

Water Maintenance

- Assisted in water shut-offs
- Water service repair (Buena Vista Dr.)
- Spreading of Lime
- OUPS Locates (Daily)
- Cut down trees for water plant expansion
- Reclaim work where repairs have been made

Stormwater Maintenance

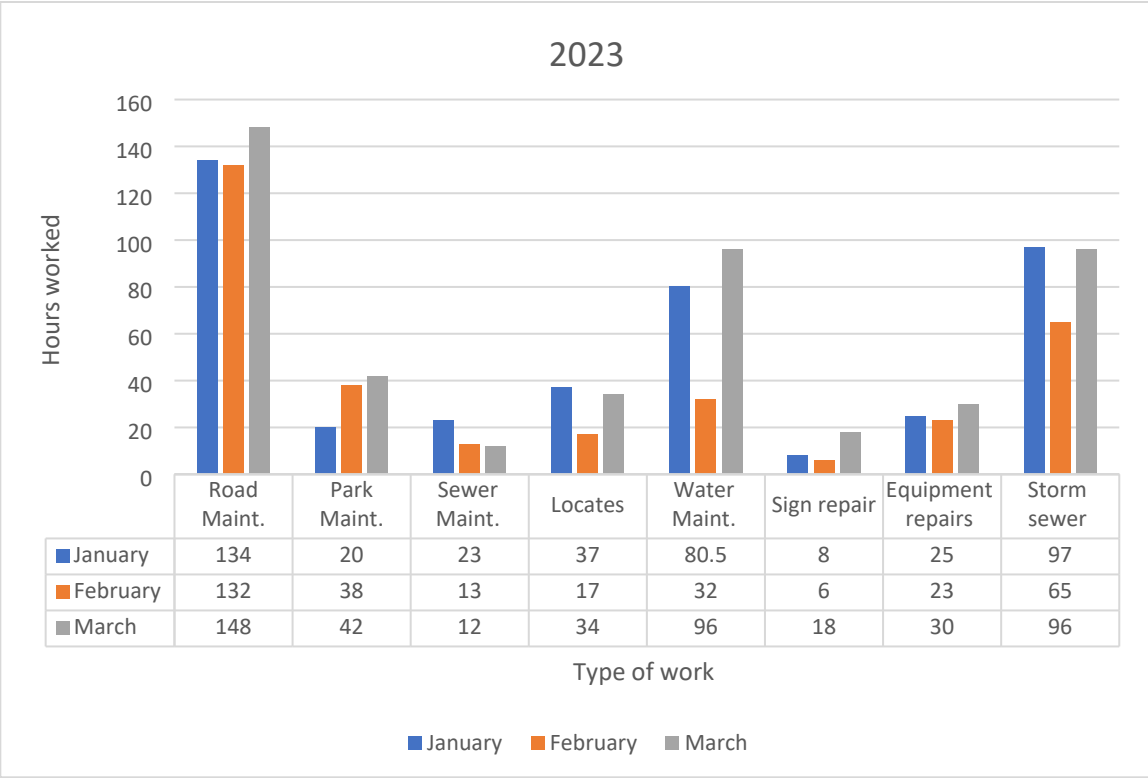
- OUPS Locates (Daily)
- Catch basin cleaning
- Catch basin repair (Douglas)
- 630ft of ditch cleaned (Commerce blvd.)

Park Maintenance

- Trash pickup (weekly)
- Trail head toilet checked and cleaned (weekly)
- leaf pickup along dog park fence

Sewer Maintenance

- OUPS Locates (Daily)
- Sludge hauling



Service Department Report

4/1/2023

- 1) New Water Tower Update – Still working on punch list
- 2) Million Gal. Tower Maintenance – Tower is out of service. Work to install new coatings to interior should start 4/3/23
- 3) Water Plant Update – Had meeting with Jacobs Engineering – Bowen CMAR – Sean Staneart Acting Manager and Jack Liggett Utilities Director to discuss estimated cost of plant and narrow down final design criteria. New well J-4 is currently being developed then will be pump tested.
- 4) Wastewater Plant Update – Johnstown has received a draft stream study report. The draft report shows the stream has improved since the 2008 OEPA study. Discussions with engineers about design should begin soon.
- 5) East Jersey Project – Law excavating is still installing new storm sewer lines.
- 6) Pulte Housing Development – Still waiting on punch list completion.
- 7) Public Water Systems Equipment Grant – Still waiting to see if we will be awarded.



ORDINANCE 05-2023

**AN ORDINANCE AMENDING ORDINANCE 22-2022,
THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE
NECESSARY CHANGES OF APPROPRIATIONS**

WHEREAS, the Council of the City of Johnstown adopted its annual appropriations for 2023 on December 13, 2022; and

WHEREAS, the Council of the City of Johnstown desires to increase wages for two Water Department employees; and

WHEREAS, the net effect on the finances of the City of Johnstown will be an increased appropriation in the amount of \$8,100.00; and

WHEREAS, The Water Operating Fund has a sufficient carryover balance and expected revenue in order to absorb the increase in expenditures.

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

Section One. That the appropriations for the Water Department Salaries & Wages fund that were set forth in Ordinance 22-2022, adopted by the Council of the City of Johnstown, State of Ohio, on December 13, 2022, be hereby amended to read as follows:

Section Two.

5101-539-190-0000 Water Department & Salaries	(Increase)	\$7,000.00
5101-539-211-0000 OPERS	(Increase)	\$ 990.00
5101-539-213-0000 Medicare	(Increase)	\$ 110.00

Section Three. 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 where 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: March 21, 2023

Public Hearing/Vote: April 4, 2023

Effective Date:

BY: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2023-08

**A RESOLUTION TO REVISE THE DESIGN REVIEW OVERLAY DISTRICT MAP AS
PRESENTED**

WHEREAS, Resolution 2021-21 adopted the City of Johnstown Design Review Districts and Standards document; and

WHEREAS, additional parcels have been included in the Corridor District on the Overlay District Map; and

WHEREAS, City Council approves of the recommended changes to the map as shown.

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

Section 1: That the Design Review Districts and Standards Overlay District Map be adopted as presented and attached.

Section 2: It is found and determined that all formal actions of this City Council, concerning and relating to the recommendation of adoption of this Resolution, were approved in an open meeting of this City Council, and that meetings resulted in such formal action where meetings were 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.

Introduction/Public Hearing/Vote: April 4, 2023

By: _____

Donald Barnard, Mayor

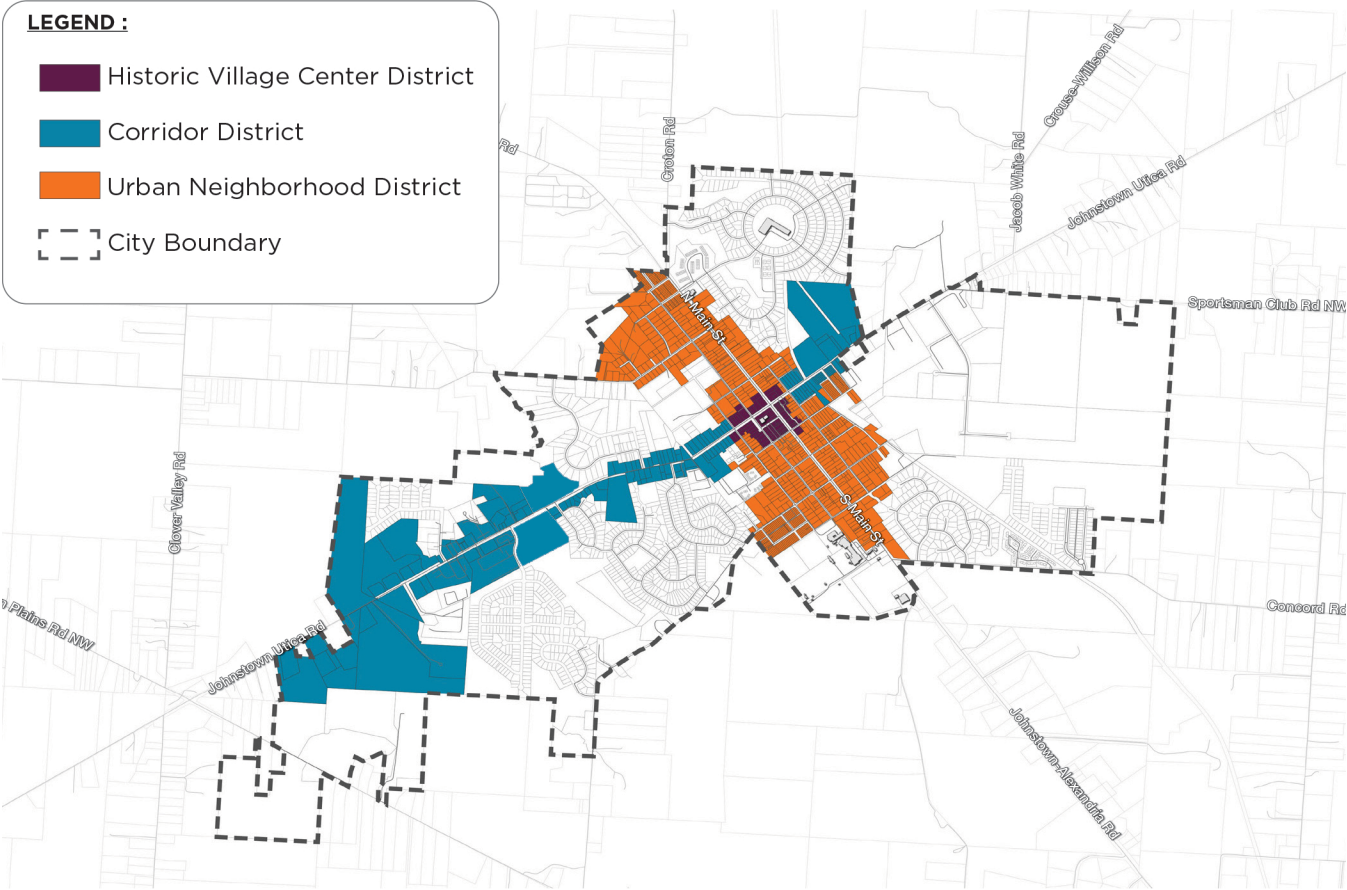
ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe
Clerk of Council

Yazan Ashrawi
Law Director

FIGURE 1: Design Review Overlay Districts





RESOLUTION 2023-09

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION
ROAD SALT CONTRACTS AWARDED IN 2023**

WHEREAS, the City of Johnstown hereby submits written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and agrees to the terms and conditions in the attached participation agreement.

WHEREAS, Section 5513.01 (B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards, and others to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

WHEREAS, The City Manager hereby requests authority in the name of the City of Johnstown to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

NOW, THEREFORE, Be it resolved by the City of Johnstown Council:

SECTION 1. That the City Manager is hereby authorized to agree in the name of the City of Johnstown to be bound by all terms and conditions as the Director of Transportation prescribes in the attached Participation Agreement for Road Salt Contracts awarded in 2023 and incorporated as if fully rewritten herein.

SECTION 2. That the 2023 order for Sodium Chloride (Road Salt) will be **Three Hundred and Seventy Five (375) ton.**

SECTION 3. That the City Manager is hereby authorized to agree in the name of the City of Johnstown to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Johnstown participates, for items it receives pursuant to the contract.

SECTION 4. 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.

Introduction/Public Hearing/Vote: April 4, 2023

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023**

WHEREAS, the City of Johnstown, Licking County (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1st, **by 5:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

	(Authorized Signature)		Approval Date
	(Authorized Signature)		Approval Date
	(Authorized Signature)		Approval Date
	(Authorized Signature)		Approval Date
	(Authorized Signature)		Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN MAY 1st,
2023.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.



ORDINANCE 06-2023

**AN ORDINANCE AMENDING ORDINANCE 22-2022,
THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE
NECESSARY CHANGES OF APPROPRIATIONS**

WHEREAS, the Council of the City of Johnstown adopted its annual appropriations for 2023 on December 13, 2022; and

WHEREAS, the Council of the City of Johnstown desires to increase expenditures as described below in order to account for increased expenses due to inflation, unappropriated expenses for certain funds, and increased wages and accompanying benefits due to raises given at the first of the year.

WHEREAS, the net effect on the finances of the City of Johnstown will be an increased appropriation in the amount of \$929,240.28; and

WHEREAS, the Council of the City of Johnstown desires to transfer the rest of the monies for 2022 income tax receipts as per Ordinance 20-2015, section 191.013, and it desires to transfer monies that are a part of listed expenditures in Ordinance 22-2022, from the General Fund to the Debt Service and Capital Projects Funds as follows: \$115,890.91 to the Debt Service Fund, and \$82,790.57 to 4901, the Capital Improvements Fund; and

WHEREAS, the Council of the City of Johnstown desires to transfer \$273,000 that was set aside in Ordinance 22-2022, to be transferred from the General Fund to the Street Construction, Maintenance, & Repair Fund; and

WHEREAS, the expected revenue plus the carryover from 2022 is enough to cover all expenditures.

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

Section One. That the appropriations for the designated funds that were set forth in Ordinance 22-2022, adopted by the Council of the City of Johnstown, State of Ohio, on December 13, 2022, be hereby increased as follows:

Section Two.

**GENERAL FUND
SECURITY OF PERSONS & PROPERTY**

POLICE DEPARTMENT

Personnel Costs	\$ 95,417.00
Contractual Services	\$ 86,667.00
Supplies & Materials	\$ 20,906.00

TOTAL INCREASE, POLICE DEPARTMENT	\$202,990.00	
TOTAL INCREASE, SECURITY OF PERSONS & PROPERTY		\$202,990.00

PUBLIC HEALTH SERVICES

County Health Board	\$ 25,000.00
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TOTAL INCREASE, PUBLIC HEALTH SERVICES		\$ 25,000.00
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GENERAL GOVERNMENT

ADMINISTRATIVE OFFICES

Personnel Costs	\$ 4,288.00
Contractual Services	\$ 17,394.00

TOTAL INCREASE, ADMINISTRATIVE OFFICES	\$ 21,682.00
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LEGISLATIVE ACTIVITIES

Contractual Services	\$ 23,949.00
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TOTAL INCREASE, LEGISLATIVE ACTIVITIES	\$ 23,949.00
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FINANCE DEPARTMENT

Contractual Services	\$ 350.00
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TOTAL INCREASE, FINANCE DEPARTMENT	\$ 350.00
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LANDS & BUILDINGS

Contractual Services	\$ 3,325.00
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TOTAL INCREASE, LANDS & BUILDINGS	\$ 3,325.00
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COUNTY AUDITOR & COUNTY TREASURER FEES

Contractual Services	\$ 2,943.00
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TOTAL INCREASE, COUNTY AUDITOR/TREASURER FEES	\$ 2,943.00
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AUDITOR OF STATE FEES

Contractual Services	\$ 8,000.00
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TOTAL INCREASE, COUNTY AUDITOR OF STATE FEES	\$ 8,000.00
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INCOME TAX ADMINISTRATION

Contractual Services	\$ 3,028.00
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TOTAL INCREASE, INCOME TAX ADMINISTRATION	\$ 3,028.00
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TOTAL INCREASE, GENERAL GOVERNMENT	\$ 63,277.00
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OTHER FINANCING USES

Transfers Out	\$ 10,300.00
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TOTAL INCREASE, OTHER FINANCING USES	\$ 10,300.00
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TOTAL INCREASE, GENERAL FUND	\$301,567.00
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STREET CONSTRUCTION, MAINTENANCE, & REPAIR FUND

STREET MAINTENANCE & REPAIR

Contractual Services	\$ 2,332.00
Supplies & Materials	\$ 14,197.00

TOTAL INCREASE, STREET MAINTENANCE & REPAIR	\$ 16,529.00
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TRAFFIC SIGNS & SIGNALS

Contractual Services	\$ 2,826.00	
TOTAL INCREASE, TRAFFIC SIGNS & SIGNALS		\$ 2,826.00
Other Uses of Funds	\$ -1,000.00	
TOTAL DECREASE, OTHER USES OF FUNDS		\$ -1,000.00
TOTAL INCREASE, STREET CONSTRUCTION, MAINTNANCE, & REPAIR FUND		\$ 18,355.00
DRUG LAW ENFORCEMENT		

Contractual Services	\$ 3,300.00	
TOTAL INCREASE, DRUG LAW ENFORCEMENT FUND		\$ 3,300.00

AMERICAN RESCUE PLAN ACT

Contractual Services	\$ 27,603.80	
TOTAL INCREASE, AMERICAN RESCUE PLAN ACT FUND		\$ 27,603.80

FEMA FUND

Other	\$ 822.48	
TOTAL INCREASE, FEMA FUND		\$ 822.48

RESTRICTED POLICE GRANT FUND

Contractual Services	\$ 7,552.00	
Supplies & Materials	\$ 2,330.00	
TOTAL INCREASE, RESTRICTED POLICE GRANT FUND		\$ 9,882.00

RIGHT OF WAY FUND

Contractual Services	\$ 20,000.00	
TOTAL INCREASE, RIGHT OF WAY FUND		\$ 20,000.00

WATER OPERATING FUND

Personnel Costs	\$ 38,855.00	
Contractual Services	\$ 29,146.00	
Supplies & Materials	\$150,000.00	
Other Uses of Funds	\$ -1,500.00	
TOTAL INCREASE, WATER OPERATING FUND		\$216,501.00

SEWER OPERATING FUND

Personnel Costs	\$ 37,139.00	
Contractual Services	\$101,547.00	
Other Uses of Funds	\$ -1,500.00	
TOTAL INCREASE, SEWER OPERATING FUND		\$137,186.00

WATER IMPROVEMENT FUND

Capital Outlay	\$ 45,023.00	
TOTAL INCREASE, WATER IMPROVEMENT FUND		\$ 45,023.00

SEWER IMPROVEMENT FUND

Capital Outlay	\$150,000.00	
TOTAL INCREASE, SEWER IMPROVEMENT FUND		\$150,000.00

ENTERPRISE DEPOSIT FUND

Other Uses of Funds	\$ -1,000.00	
TOTAL DECREASE, ENTERPRISE DEPOSIT FUND		\$ -1,000.00
TOTAL INCREASE, ALL FUNDS		\$929,240.28

Section Three. 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 where 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: April 4, 2023
Public Hearing/Vote: April 18, 2023
Effective Date:

BY: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director