



Regular Council  
Tuesday, April 18, 2023 - 6:30 PM  
MINUTES

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for April 18, 2023 at 6:34 PM.

2. Roll Call

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

Absent - Sharon Hendren

Staff present - Sean Staneart - Acting City Manager, Jack Liggett - Service Director, Rusty Smart - Chief of Police, Thadeus Boggs - Frost Brown Todd, Ben Lee - Planning & Zoning, Teresa Monroe - Clerk of Council

Public present - Donna Dietzel Lavalley, Connie Ryan, Peggy Dehkth, Kevin Heckathorn, Wes Kobel, Terri Fetters, Jamie Hartsough, Glenn Ronken, Jamie McNalley

3. Invocation - Pastor Kevin Heckathorn, Johnstown Presbyterian Church

4. Pledge of Allegiance

After the pledge, Mayor Barnard congratulated Councilman Green and his wife on expecting "Ryan Jr."

5. Citizen comments on matters not on the agenda

1. Connie Ryan

- Here with sister Terri Fetters, said they are a part of the Longwell-Miles family. Stated that they were upset that the will of General Perry Miles is not being honored, that it is specific in the will that Johnstown should have gotten the Miles Estate property. Asked if city council could look at getting water and sewer to the property, they wonder if that could be a reason they didn't get it. Said they know the school is interested, Greater Johnstown Parks & Rec is interested, they would love the school to get some of it. They provided a packet of information to council members and expressed displeasure with how the property and estate had been managed.

Mayor Barnard said the city has a team and is working with lawyers, with the school district, the parks to help litigate this and have it work out in our best interest and win this case.

6. Council Committee reports

a. **Planning & Zoning:** Met 4/11/23; Next 4/25/23 @ 6:30 pm Council Chambers

Mr. Green said a new AirBnB was approved. A special meeting was added on Thursday, April 20th at 5:00 pm.

b. **Design Review Board:** 4/11/23 Cancelled; Next 5/9/23 @ 5:00 pm Council Chambers

c. **Safety & Service:** 4/4/23 Cancelled; Next 5/3/23 @ 5:00 pm Admin conference room

d. **Finance:** 4/18/23; Next 5/16/23 @ 5:00 pm Admin conference room

A short meeting on May 3rd scheduled ahead of the Safety & Service meeting.

Discussion in committee tonight on hiring a PR firm, they would handle the creation and distribution of information on behalf of the city as a consistent outreach to the community.

**ACTION:** Bob Orsini moved to authorize the city manager to contract with KWA public relations to include the creation and distribution of information on behalf of the city of Johnstown, at the approval of the city manager, for the term of six months at a cost of \$2,000 per month, with a termination clause of thirty days notice, to begin May 1, 2023. The cost to be covered by reappropriation of excess funds budgeted for the city manager position; Donald Barnard seconded and the vote was as follows:

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

**NOES:** None

**ABSTAIN:** None

**Passed 6 - 0**

Other discussions in committee were curbing at the Bell Store and the wage ordinance.

e. **Park & Rec:** Next 5/2/23 @ 1:00 pm Admin conference room

f. **Tree Commission:** Next 4/25/23 @ 5:00 pm Council Chambers

g. **Economic Development:** 4/18/23 @ 5:00 pm Council Chambers

The meeting took place on 4/17/23. Discussion on expanding the Food Truck Ordinance, the potential creation of a DORA and how other communities ran their programs.

h. **Events Committee**

Ben Lee present to provide updates.

At the 4th of July event, there will be some new options for food truck vendors, live entertainment and family-friendly games, various performances, as well as a bigger, better fireworks display.

The James Mobile Mammography Unit will be here, in the city municipal building parking lot, on June 28th from 9:00 am - 1:30 pm, appointments are available for those wanting to schedule.

Mayor Barnard asked if the Events Committee would be hosting another mental health roundtable. Mr. Lee said there is not anything on the books right now. The first year was mental health generally and suicide prevention, and last year's focus was stress & anxiety. Mr. Barnard said he believes it is important to continue this for the community. Mr. Lee said he would bring the topic up in the next Events Committee meeting.

7. Director Reports

a. Police Chief

Chief Smart reviewed his report which was included in the public packet.

8. Tabled Legislation

- a. **ORDINANCE 17-2022** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE CITY OF JOHNSTOWN. Tabled September 27, 2022  
Finance Committee continues to review; remaining tabled for now.

9. Public Hearings 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. Second Reading  
Second reading. Mayor Barnard reviewed, no debate by council.

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

**ACTION:** Nicole Shook moved to approve; Donald Barnard seconded and the vote was as follows:

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

**NOES:** None

**ABSTAIN:** None

**Passed 6 - 0**

- b. **RESOLUTION 2023-10** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT FOR PLANNING SERVICES

Previously, council heard presentations by American Structure Point and MKSK on their city planning services. Sean Staneart asked council members for direction on who they would like to contract with. Council member Shook noted that it may be beneficial to stay with MKSK as they are already working on Johnstown's Comprehensive Plan. Council member Campbell said he gets a bit concerned when one company is doing a lot of work for them in many fields, that American Structure Point could give a "fresh look" or perspective. Mr. Staneart said he agrees that could be a concern but leans toward MKSK, not because anything is wrong with American Structure Point, but because we are in such a time crunch. Mayor Barnard said that is a valid point and to make sure they are watching that. Mr. Campbell said he truly trusts Sean and knows he will be aware of that and will make sure that happens.

**ACTION:** Nicole Shook moved to approve resolution 2023-10 authorizing the city manager to enter into contract for planning services with MKSK; Charlie Campbell seconded and the vote was as follows:

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

**Passed 6 - 0**

- c. **RESOLUTION 2023-11** AN ORDINANCE ESTABLISHING AND AMENDING CERTAIN FEES FOR PLANNING AND ZONING SERVICES PROVIDED BY THE CITY OF JOHNSTOWN AND SETTING ASIDE ALL OTHER FEES PREVIOUSLY ESTABLISHED. Mayor Barnard said the City of Johnstown is in a great spot, a lot of businesses will want to come here, any annexation services they want will incur cost for the city. There is no reason that the city should have to pay the majority of these costs for a new business or land to be annexed. There has been discussion on changing some fees to put this cost on the developers who want to come in. If they want to develop, they will have to pay, it will not be on the back of Johnstown citizens. Sean Staneart noted the city contract for planning services with MKSK and that they hope to recapture some of the costs the city will be paying. Bob Orsini added that these changes do not make it easier or change the process to be involved, get annexed, or come into the city, it only changes the fee structure. Council members discussed and edited some specific fees.

Mr. Boggs read the revisions to the Resolution as follows:

1. Variance for Single Family from \$500.00 plus cost of postage and advertising to \$250.00 plus cost of postage and advertising
2. Revise Curb Cuts for Single Family to \$50.00 or \$100.00 to Non-Single Family
3. Sidewalks to \$50.00 for Single Family or \$100.00 for Non-Single Family
4. Decks to \$50.00 for Single Family or \$200.00 for Non-Single Family
5. Sheds to \$50.00 for Single Family or \$200.00 for Non-Single Family
6. Reinspection, all types to \$75.00
7. Food Trucks to \$50.00 per day, eliminating monthly and annual fees

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

**ACTION:** Bob Orsini moved to adopt resolution 2023-11 as written with edits read; Mayor Barnard seconded and the vote was as follows:  
**AYES:** Jon Merriman, Mayor Barnard, Ryan Green, Charlie Campbell, Nicole Shook, Bob Orsini  
**NOES:** None  
**ABSTAIN:** None

**Passed 6 - 0**

- d. **RESOLUTION 2023-12** A RESOLUTION IN SUPPORT OF THE 2023 JOHNSTOWN-MONROE LOCAL SCHOOL DISTRICT TAX LEVIES  
It was noted that this levy is a renewal. No debate by council.

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

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

**Passed 6 - 0**

- e. **RESOLUTION 2023-13** A RESOLUTION IN SUPPORT OF THE 2023 MONROE TOWNSHIP FIRE TAX LEVY  
No debate by council.

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

**Passed 6 - 0**

10. Introduction of Legislation - None

11. Other Business

1. Sean Staneart said that Oliver Bigelow's broken headstone has been replaced, the old one is in the city street department. The Johnstown Historical Society has reached out and asked if they could have it. Mr. Staneart asked for council direction.

**ACTION:** Ryan Green moved to convey Oliver Bigelow's headstone on loan to the Johnstown Historical Society; Donald Barnard seconded and the vote was as follows:  
**AYES:** Charlie Campbell, Nicole Shook, Bob Orsini, Jon Merriman, Mayor Barnard, Ryan Green  
**NOES:** None  
**ABSTAIN:** None

**Passed 6 - 0**

2. Bob Orsini said that with the approval to contract with the PR firm, he is going to try his best to come up with language for the rules of council on how they will engage and communicate.

Executive Session to consider confidential business information of an applicant for Economic

12. Development that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

**ACTION:** Donald Barnard moved to enter Executive Session to consider confidential business information of an applicant for Economic Development that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.; Bob Orsini seconded. Attendees to be members of Council, City Manager, Attorney Thad Boggs, New Albany Company and their attorney. The vote was as follows:

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

**NOES:** None

**ABSTAIN:** None

**Passed 6 - 0**

Mayor Barnard said there would be no action to follow.

City Council entered Executive Session at 7:38 pm.

Return to Regular Session not noted.

13. Adjourn

With no further business, there was a first and second to adjourn, all were in favor.

The meeting adjourned approximately 10:00 pm

**Next Council Meeting Wednesday May 3, 2023**