



Regular Council
Tuesday, May 16, 2023 - 6:30 PM
MINUTES

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for May 16, 2023 at 7:01 PM.

2. Roll Call

Present - Mayor 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, Thadeus Boggs - Frost Brown Todd, Ben Lee - Planning Commission, Teresa Monroe - Clerk of Council

Public present - Adam Wheeler, Barbara Knoepfler, Mary Wiswell, Bill Mitchell, Al Dolezal, Sabrina Baker, David Delande, Wes Kobel, Glenn Ronken, David S, Tom Hart, Rick Platt, Mary Cool, Chris Hermann

3. Invocation - Father Stephen Smith, Church of the Ascension

4. Pledge of Allegiance

5. Citizen comments on matters not on the agenda

Prior to opening for public comments, Mayor Barnard recognized Peace Officers Memorial Day and Police Week with a reading and shared letters sent to him from the public.

1. Bill Mitchell

- Read a list of questions he had on Ordinance 07-2023, Chapter 1164 Planned Development (PD) District. Mayor Barnard said the questions would not be answered now but would be addressed during the public hearing on the Ordinance during the meeting.

6. Council Committee reports

- Planning & Zoning:** Met 5/9/23; Next 5/23/23 @ 6:30 pm Council Chambers
Variance tabled at the applicants request.
- Design Review Board:** Met 5/9/23; Next TBD
- Safety & Service:** Met 5/3/23; Next 6/6/23 @ 5:00 pm Admin conference room
- Finance:** 5/16/2023; Next Special 6/6/23 and Regular 6/20/23 both @ 5:00 pm Admin conference room

Spoke to the financial advisor at 5/3 Bank on the city investments, will meet with them quarterly.

- e. **Park & Rec:** Next 6/5/23 @ 1:00 pm Admin conference room
- f. **Events Committee:** Met 5/11/23; Next TBD
Fireworks planning is well under way for 2023. Continuing to put out information on the James mobile mammography unit coming to Johnstown in June. The committee hopes to provide another mental health roundtable in the fall.
- g. **Tree Commission:** Update; x2 trees planted at the Dog Park; Next meeting TBD

7. Director Reports

- a. Police Chief
Chief Smart reviewed his report included in the packet.
- b. City Manager Sean Staneart provided a verbal report to Council

Chris Hermann with MKSK was present for an update on the Comprehensive Plan. Review began with the "Framework Plan", which looks at land uses outside of the city limit but within the school district. The plan will be provided to council for review; they recommend that be adopted as a policy document and a piece of the Comprehensive Plan. Stakeholder meetings will be held to talk about Johnstown specific issues. This is not a zoning district plan, this will be a guiding document for future land uses. A key piece is to figure out how to continue to grow the economic base of Johnstown and to help provide it with the revenue to do the things it is trying to do and preserve the community heritage.

8. Tabled Legislation

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

9. Public Hearings of Legislation

- a. **ORDINANCE 07-2023** AN ORDINANCE ESTABLISHING CHAPTER 1164 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES. Second reading

Thadeus Boggs with Frost Brown Todd reviewed revisions to sections 1164.02 (f) and 1164.06 (j); additional, in-depth discussion on 1164.06 (k) and the configuration of the Administrative Board of Review (ABR).

Public Hearing

1. Bill Mitchell

- Inquired about the 350 acre requirement. Mr. Staneart said that if you want to annex into Johnstown, you do not need 350 acres. If you want to annex into

Johnstown through the PD district zoning, that would require 350 acres. Discussion on the need to be contiguous to a city boundary in order to request annexation and options for requesting which zoning the property could come in under. Questions and discussion on expiration of the zoning.

2. Tom Hart

- Said he is a Zoning Attorney and Development Lawyer with twenty-five years of experience. Commended the city for considering a planned district but should consider lowering the three hundred-fifty acre threshold, this will only support the biggest market players with a largest projects. He named some examples of projects he considers very worthwhile with much less acreage; said there are projects that the market will not bring with this type of threshold. Mr. Hart said he believes Johnstown is taking a positive step, but there are a lot of other projects and he respectfully requests they consider his comments.

Mayor Barnard said that when Intel came, it was a shock to the citizens of Johnstown, many didn't want it, many are happy with some of the impacts, but the majority do not want to lose our rural identity. He said for him, he is not chasing the fast dollar to grow Johnstown into Grandview or Dublin, he wants Johnstown to stay Johnstown and the 350 acres will give our small staff what they can handle. There are also limited resources, water is a major player in this game, there are many other water companies wanting to come into our area, we have to set our boundaries and secure Johnstown borders, we have to do this the right way or we lose all control.

Tom Hart said that a lot of good things can happen on ten, twenty or two hundred acres that the city might want to consider.

Jon Merriman said this is only a tool to control our growth at a pace we can comfortably manage it. He said they want to grow the town for the constituents in such a way that they don't give away all resources and they get the look that they are looking for to start, to continue to grow. Until we know what Johnstown really is and the citizens tell us what they want, it is not fair for all to just come on in.

3. Bill Baker

- Asked if there was already 350 acres ready to develop. Mayor Barnard said no.
- Asked if the city had water and sewer capacity now for 350 acres. Mr. Merriman said it would depend on the use they wanted. Some examples were discussed.

Chris Hermann with MKSK addressed the 350 acre requirement; he said that is the requirement now because that is the situation we are in now, with services and staff. We want to be able to plan effectively for the resources we have right now and regulations we have at this point, and for it to be big enough that we can concentrate on getting it right. As we continue to work the Comprehensive Plan process and get some things under our belt, the requirement could come down and we could expand this opportunity to more areas.

Sean Staneart said there is a limitation on our water and sewer capacity, at this point, they are looking to add to that capacity but it takes time and money. The practice they are trying to put into place is that of master planning because most of the growth seen will be from annexation, we will be building infrastructure as it comes and it is much easier to plan for 350 acres, it will be a broader development plan and a much larger parcel also with better opportunity for usable green space. He added that for the annexation piece, we are trying to stretch our borders strategically and that 350 acres allows us to capture a tremendous amount of property strategically and place our resources in a way that allows us to maximize them. Our school system is a huge component to every conversation they have, being able to secure the school district boundaries will serve us well, you cannot have a successful city without a successful school system.

Bob Orsini asked Mr. Staneart to explain the impacts of a non-municipal water provider coming into the township. Mr. Staneart said there are many scenarios; one is that this would no longer be a conversation for this body, if we are no longer the water and sewer provider, there is no need for them to annex into the city and township zoning has greater potential for multi-family. Mr. Orsini said he wanted it to be known that when township water and services are available, you don't get the control, oversight and planned development that you would have. Without control of some of these potential areas, population centers would build right around our town, it is critical that we manage our resources carefully and do the best we can for the folks currently living here and any that will move here, to control those areas so that we don't end up with a mass of unplanned, uncontrolled growth.

Tom Hart said that his client seeks annexation to Johnstown with their 210 acres for the very reason Mr. Orsini just explained. Mr. Orsini said he was speaking in general. Mr. Hart said they understand municipal zoning and the desire to control the border and that is what they want, they want to be in Johnstown, that is why they are here.

4. Ben Lee

- 1164.09 (a) noted the "may" should read as "shall"

Mr. Boggs reviewed and discussed all edits to Chapter 1164 with council for accuracy and said if there is agreement, the motion would be to adopt the amendments presented and discussed. Mayor Barnard asked if there was a motion.

ACTION:	Jon Merriman moved to adopt ordinance 07-2023 with the amendments reviewed; Sharon Hendren 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 2023-15** A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPOINT A DIRECTOR OF FINANCE

The City Charter requires the appointment of the Finance Director to be approved by council. Mayor Barnard said it is council's desire to hire Mr. David Delande.

ACTION: Nicole Shook moved to approve David Delande; Charlie Campbell 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

10. Introduction of Legislation

- a. **ORDINANCE 08-2023** AN ORDINANCE AMENDING ORDINANCE 22-2022, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS
Mr. Staneart said there are still some engineering costs associated with a project from last year and carrying that over into this year, we need to reappropriate funds. The recommendation from the Finance Department is to take those out of the Permissive Motor Vehicle License Tax Fund. This amends the original appropriation ordinance to allow this to be paid out of that account. Public Hearing and vote on June 6, 2023.
- b. **ORDINANCE 09-2023** AN ORDINANCE AMENDING ORDINANCE 22-2022, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS
Mr. Staneart said this appropriates funds for the Public Relation firm hired by the city, funds will come from the line item appropriated for the manager's salary. Public Hearing and vote on June 6, 2023.

11. Other Business

No other business.

12. Executive Session to consider the purchase of property

ACTION: Donald Barnard moved to enter executive session to consider the purchase of public property, with members of council, city manager ; Bob Orsini 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

Council called for a short recess then entered Executive Session at 9:45 pm and returned to Regular Session at 10:20 pm.

13. Adjourn

With no action following Executive Session, the meeting was adjourned at 10:20 pm

Next Council Meeting June 6, 2023