



Regular Council
Wednesday, July 5, 2023 - 6:30 PM
MINUTES

1. Call to Order

Mayor Barnard called to Order the City of Johnstown Regular Council Meeting for July 5, 2023 at 6:32 PM.

2. Roll Call

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

Absent - Sharon Hendren

Staff present - Jack Liggett - Service Director, Rusty Smart - Chief of Police, Dave Delande - Finance Director, Rick Fitch - Chief Wastewater Operator, Teresa Monroe - Clerk of Council

Public present - Mike Reeves, Lewie Main, Wes Kobel, Terri Fetters, Donna Lavalley, Alan Benton, Susan Cullen

3. Invocation - Pastor Andy Fitzpatrick, Johnstown Independent Baptist Church

4. Pledge of Allegiance

5. Action on Minutes

a. April 18, 2023

ACTION: Nicole Shook moved to approve; Charlie Campbell 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

6. Citizen comments on matters not on the agenda

1. Terry Fetters

- Said that Ed Baldwin's term on the Greater Johnstown Parks & Recreation District board is expiring, she would like to see him reappointed. Discussion on which member appointments were by the school and which were by the city. Staff to research.

7. Council Committee reports

- a. **Planning & Zoning:** Met 6/27/23; Next 7/11/23 @ 6:30 pm Council Chambers
Bulk of meeting was spent discussing the Concord East Resolution on tonight's agenda.
- b. **Design Review Board:** Met 6/27/23; Next 7/11/23 @ 5:00 pm Council Chambers
Approval of COA applications for 208 S. Main remodel, an electronic sign for the Methodist Church and new construction for Evolution Fitness. Partial barn siding application tabled.
- c. **Safety & Service:** 7/5/23 cancelled; Next 8/1/23 @ 5:00 pm Admin conference room
- d. **Finance:** 7/5/23 Special cancelled; Next 7/18 @ 5:00 pm Council Chambers
- e. **Park & Rec:** Next 7/10/23 @ 1:00 pm Admin conference room

8. Director Reports

- a. Service Departments: Water, Sewer, Street, Service Director
Rick Fitch reviewed his Director's report for wastewater and answered questions of council. Jack Liggett reviewed reports for water and street as well as his update on projects.

Item 12 of the water report, correction that the meeting was June not July.
Council member Merriman left at 6:44 pm and returned at 6:51 pm.

Mayor Barnard asked Mr. Liggett if the city had any responsibility to power wash dirt from houses after the Jersey Street project. Mr. Liggett said no, that is not something they have ever done.

Mayor Barnard asked Mr. Liggett if he could provide an update on the conversation with the cement company on the Bell Store. Mr. Liggett said he has met with a second contractor and has forwarded the estimate to the 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
ACTION: Mayor Barnard moved to take from the table; 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: None

Passed 6 - 0

Mayor Barnard asked if there was a motion to move forward with Ordinance 17-2022; no motion was made, Ordinance 17-2022 died.

10. Public Hearings of Legislation

- a. **ORDINANCE 11-2023** AN ORDINANCE AMENDING ORDINANCE 22-2022, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS. First Reading June 20, 2023

Appropriation of funds; 1.4 million dollar Ohio Water Development Authority (OWA) loan for water plant expansion and funds from Horizon to pay for an automatic gate at their pop site.

Charlie Campbell asked when the 1.4 million gets paid back. Finance Director Dave Delande said that we request those funds upon invoice, we have received two invoices from Jacobs Engineering, who has started the water plant expansion design. Mr. Delande said once we get the funds we will be required to make debt service payments, he anticipates that next year. Jack Liggett added that the 1.4 million was for design and before we actually start paying on that, we should have to get a construction loan to upgrade the plant and then the loans would be rolled together. The original plan was to be able to delay the pay back for probably two years.

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

ACTION: Bob Orsini moved to approve as written; Donald Barnard seconded and 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

- b. **ORDINANCE 12-2023** AN ORDINANCE AMENDING SECTIONS 191.012 (B), 191.04, 191.051 and 191.07 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN TO INCREASE THE INCOME TAX RATE TO TWO AND ONE QUARTER PERCENT (2.25%) PER YEAR AND TO ENACT A CREDIT FOR TAXES PAID TO OTHER MUNICIPALITIES IN THE AMOUNT OF SEVENTY-FIVE PERCENT (75%) PER YEAR UP TO THE AMOUNT OF TAX ASSESSED BY THE CITY; TO PLACE THIS AMENDMENT BEFORE THE ELECTORS IN NOVEMBER OF 2023. First Reading June 20, 2023

Mayor Barnard said the City of Johnstown has had the same tax rate of one percent for over forty years. Finance committee has been researching the subject for eight or nine months. Currently the income tax rate in Johnstown is one percent, with no credit. Council is looking at increasing it to 2.25 with a 75% tax credit. Mayor Barnard said that the General Fund carry overs have been decimated over the years, the carry overs are very low, and they need to be increased. They need to make investments in infrastructure necessary for growing the community, to provide for park and greenspace investments, to make investments to enhance areas of Johnstown, especially in the historical area and to create more opportunities for artistic and cultural events for families to enjoy. Mayor Barnard said this would bring in almost two million dollars per year after three years and that this is definitely needed for the city. Currently the city brings in to the General Fund a

total of 2.7 million dollars that operates the Police, Street and Administration departments, that is not a lot, and that is why they are asking for the increase to go to the voters.

Council member Bob Orsini said they did not come to these numbers by pulling figures out of the air, they engaged RITA, they looked at the impact on citizens and finances, and that it really boils down to keeping up services. They continue to add roads, materials for everything continues to grow and the taxation has to grow a little bit with it. This increase will also help capture revenue from businesses that come in. Mr. Orsini said there was a lot of discussion and debate and through conversation and compromise, they came to these figures, so to maintain and grow services, this ordinance is a must, or they will need to start looking at what they are not going to do moving forward, in addition to what is not getting done today that needs done. Mayor Barnard said for an example, they took on no new debt with street projects this year, when they looked at the budget for 2023, they looked at the current debt, what it takes to service that debt, Jersey Street was already budgeted in a prior year, there have been no new street projects because they did not want to increase their debt any further. Mr. Orsini added that they are at the point now of needing to maintain and resurface the street investments made years ago, if they are not kept up, the costs go up exponentially every year that they deteriorate.

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

ACTION: Jon Merriman moved to approve as written; Nicole Shook 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

Mayor Barnard said that this will now go to the election ballot in November, the city will be getting material out to educate voters on what this will look like and how it will impact them.

- c. **RESOLUTION 2023-17** A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF JOHNSTOWN, AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, AN ORDINANCE TO AMEND SECTIONS 191.012(B), 191.04, 191.051 and 191.07. TO INCREASE THE CITY INCOME TAX RATE FROM THE CURRENT RATE OF ONE PERCENT (1.00%) TO A RATE OF TWO AND ONE QUARTER PERCENT (2.25%) FOR THE PURPOSES OF PUBLIC SAFETY, ECONOMIC DEVELOPMENT, OPERATIONS EFFICIENCIES AND CAPITAL IMPROVEMENTS AND RELATED COSTS; AND TO INCREASE THE CREDIT FOR TAXES PAID TO ANOTHER MUNICIPALITY TO SEVENTY-FIVE PERCENT (75%) FROM ZERO PERCENT (0.00%)

Mayor Barnard said one of the most important parts to this is having the credit in the language, the city had a credit for a long time, council had the right to remove that credit because it did not go to the voters. They are leaving this to the voters so that council can never take the credit away unless the voters say they can. This resolution will go to the

Licking County Board of Elections to advise them about what we want.

Public Hearing

1. Lewie Main

- In 2022, income tax brought in 2.6 million dollars. This is going to bring in over 5.2 million. Council talks about things they want to do, this city just passed a very large fire income tax, the school just passed two levies, he thinks there is a slim chance this will pass.

Bob Orsini clarified that the school levy was a renewal. Mayor Barnard added that this tax increase will only affect those with earned income and if this does not pass they will have to cut services to the city because the money is not there, costs are going up and the income tax has been the same for fifty years. Mr. Main said they have a difference of opinion, that the things they are talking about are "niceties" not necessities. Council member Shook said maintaining roads is a necessity.

ACTION: Jon Merriman moved to approve as written; Charlie Campbell 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 2023-18** RESOLUTION AS REQUIRED BY O.R.C. 709.023(C) SETTING FORTH MUNICIPAL SERVICES THAT WILL BE PROVIDED TO 285.93 +/- ACRES OF LAND IN MONROE TOWNSHIP (LICKING COUNTY), OHIO IF ANNEXED TO THE CITY OF JOHNSTOWN, OHIO

Mayor Barnard said there was a request for annexation into the City of Johnstown, and that the city needs to capitalize on opportunities and not let this land go to another city to receive the revenue.

Public Hearing

1. Alan Benton

- Owns sixty-seven acres inside the city limits and said he has been told in the past that there is no water and sewage for his property. His neighbor, the Johnson property, has also been told there is no water and sewer available for his sixty acres.
- Asks what criteria the city uses to determine what properties get water and sewer.

Mayor Barnard said that if the property is inside the city he has a right to get water and sewer. Jack Liggett said two years ago water and sewer mains were run right to the edge of the Johnson property because the city was told they did not want water and sewer on into the property, but that it is available when the property owners are.

No further comments.

ACTION: Donald Barnard moved to go forward with resolution 2023-18 as written; Bob Orsini 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 2023-19** RESOLUTION TO APPROVE THE FINAL DEVELOPMENT PLAN FOR CONCORD CROSSING EAST PHASE 4

Council member Ryan Green said this is a project that has been discussed for a long time, it is a part of a larger project. The engineer for the project, Mike Reeves, was present to answer any questions. Mayor Barnard said this was the phase furthest west (in Concord Crossing East). Mr. Green asked about the phases. Mr. Reeves said the plan is four phases, this is phase four, because of some of the environmental permits, they had to go through this first, then they will come back and do phase three later. This is furthest west, on the bike trail headed over to Douglas Street.

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

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

Passed 6 - 0

f. **RESOLUTION 2023-20** RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF JOHNSTOWN AND SCHLABACH BUILDERS, LTD. FOR CONCORD CROSSING EAST

The attached agreement was reviewed by council members. Jon Merriman highlighted number seven in the agreement asking if the city's option to purchase could be made longer than fifty years. Mike Reeves said he does not think Schlabach Builders would be upset if that were extended, and he would not oppose it. Mr. Merriman said he would like to give the city the best option. After council discussion, Mayor Barnard asked Mr. Reeves

if Schlabach would have a problem if it were changed to ninety-nine years. Mr. Reeves said they would not have a problem with that. Mayor Barnard said the agreement was amended from fifty years to ninety-nine years.

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

ACTION: Jon Merriman moved to approve with the fifty to ninety-nine; Ryan Green 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

11. Introduction of Legislation - None

12. Other Business

1. Mayor Barnard read Charter Section 3.08 on council compensation and said it was his responsibility to inform council that it is their right to ask for a raise in odd numbered years. He said his thoughts were that he is not going to ask for a raise when they are asking for a tax increase. It was clarified also that if council voted for a raise, it would not affect any current member, only those who were elected to a new term. No council members were in favor of increasing council compensation.

13. Adjourn

ACTION: Mayor Barnard moved to adjourn; Bob Orsini seconded and all were in favor.

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

NOES: None

ABSTAIN: None

Passed 6 - 0

The meeting adjourned at 7:25 pm

Next Council Meeting July 18, 2023