



Regular Council
Tuesday, September 1, 2020 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for September 1, 2020 at 6:40 PM.

2. Roll Call

Present - Mayor Chip Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest

Absent - None

Staff present - Jim Lenner - Village Manager, Jack Liggett - Assistant Village Manager, Abe Haroon - Chief of Police, Dana Steffan - Finance Director, Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Mike Gutridge - Service Director, Teresa Monroe - Clerk of Council

Public present - Sean Staneart, Ryan Green, Heather Green, Jason Bryan

3. Invocation - Ms. Hendren

4. Pledge of Allegiance

5. Action on Minutes

a. August 18, 2020

ACTION: Benjamin Lee moved to Approve; Cheryl Robertson seconded and the vote was as follows:

AYES: Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Ben Lee, Sharon Hendren, Carol Van Deest

NOES: None

ABSTAIN: None

Passed 7 - 0

6. Citizen comments on matters not on the agenda

None

7. Council Committee reports

a. **Planning & Zoning:** 8/25/20 canceled; Next 9/8/20 @ 6:30 pm Council Chambers/Hybrid

b. **Safety & Service:** 9/1/20; Next 10/6/20 @ 5:00 pm Venue TBD

Talked through the North Main Street corridor and reviewed Chief of Police recommendation on location of speed limit signs from Coshocton to Croton Road and Coshocton to the new Fire Department parcel; Committee approval 3-0 to move forward with recommendations and better define the speed zones in those specific areas. Discussed target enforcement of speed in the area based on resident feedback. Committee also voted 3-0 to move forward with Chiefs recommendation for the Leafy Dell School zone, Parkdale Drive specifically; increasing painted crosswalks and adding school zone signage, this vote will introduce legislation at the next council meeting to designate Parkdale as a one way circle going counter-clock-wise to help facilitate drop off and pick up for school traffic; Mr. Lee said Chief has spoken to several school staff who are supportive. Large vehicle ordinance draft and sidewalk replacement program discussion will be taken up next month. Next meeting will be hybrid.

- c. **Finance:** Met 8/18/20 updated last time, minutes attached; Next 9/15/20 @ 5:00 pm Venue TBD

Minutes were sent out with packet. Next meeting will be hybrid.

- d. **Economic Development:** Met 8/6/20 minutes attached; Next 9/3/20 @ 10:00 am Venue TBD

Minutes were sent out with the packet. Next meeting will be hybrid.

- e. **Park & Rec:** Met 8/13/20 updated last time, minutes attached; Next 9/10/20 @ 10:00 am Venue TBD

Minutes sent out with packet; next meeting will be virtual.

- f. **Miles Estate:** Next TBD
- g. **Joint Recreation:** Next TBD
- h. **School District Liaison:** Next TBD
- i. **Storm Water Management:** Next TBD
- j. **Rules:** Next TBD
- k. **Personnel Board of Review:** Next TBD
- l. **Tree Commission:** Met 8/11/20 updated last time, minutes attached; Next TBD

8. Director Reports

- a. Service Department

Jack Liggett reviewed the reports for Water, Sewer and Street for August.

- i. Water

Noted good news on re-certification of lab at the plant, all operators that took the test passed so they can continue analyzing water at the plant versus sending it out.

- ii. Sewer

Mr. Liggett added that Council will see a substantial increase in the budget for chemicals to

press bio-solids; the contract with New Day and the building of all the new houses are causing them to have to press much more solids. Council will also see a request for an additional solids holding building.

iii. Street

Update that US62 is now open. Mike Gutridge continues to work with the AEP representative on lighting outages in the village. Mr. Liggett said he and Ms. Klimchak have been working a lot at the trailhead, the shelter house is going up quickly and Clear Cut is going to take the swath of trees out of the middle. Also working to get pricing on extending the parking lot and putting a gravel base lot in behind the asphalt.

Ms. Hendren asked when Edwards Road would be redone; Mr. Lenner said 2029 unless three million dollars is found prior to. Mr. Liggett said Mr. Lenner has LCATS funds available but will not be released until 2029; engineering to begin in 2025, the road needs repair from the foundation up, the base is bad. Ms. Van Deest said since the village is part of Monroe Township, it wouldn't hurt to talk to them; Mr. Lee said he agreed; Mr. Liggett said a collaborative effort with the township might be a good thing for that section of road.

Mr. Block asked if the iWorQ program was helping with man hours and tracking; Mr. Liggett said it is a tremendous help and is very effective for the department making it more efficient. Mr. Lee asked about the asset management piece; Mr. Liggett said it is a different module and is going very well, initial breakdown of types of equipment and replacement cost are about eighty five to ninety percent complete.

b. Village Manager

Mr. Lenner highlighted items within his report; added note on Project Circuit that legislation and agreements have been drafted by the Law Director and have been sent to the school district, still some work to do. Added that administration will put together a list of things that could be assisted by the second deposit of CARES Act funds for the next Finance Committee meeting. Mr. Lenner noted that over the last ten years staff has brought in twenty million dollars in either zero percent or grant dollars or contract dollars for various infrastructure projects.

Public Comment: Per citizen request, Mayor Dutcher re-opened the floor to public comments on items not on the agenda.

1. Sean Staneart; asked if the village had an knowledge or info about residents working from home only having to pay the Johnstown income tax instead of the municipality they are employed by. Mr. Lenner said with COVID the State has authorized anyone staying home to still pay income tax where their home base is, there is a current law suit and topic is somewhat of a moving target right now. Finance Director Dana Steffan said she has not heard any updates but will reach out and see.

9. Tabled Legislation

There was discussion by Council on preferences for taking legislation off the table.

ACTION: Cheryl Robertson moved to take both pieces of legislation off the table; Carol Van Deest seconded and the vote was as follows:
AYES: Cheryl Robertson, Doug Lehner, Benjamin Lee, Carol Van Deest, Chip Dutcher
NOES: Marvin Block, Sharon Hendren
ABSTAIN: None

Passed 5 - 2

a. **RESOLUTION 2020-22** A RESOLUTION TO ADOPT THE PROPOSED COMPREHENSIVE PLAN AS PRESENTED. *Tabled August 4, 2020*

Cheryl Robertson said as Council they have had over a month to go through this plan, she has made suggestions and changes and Bailey was very cooperative and if they are not going to put any more time into this they should go ahead and approve it. Ben Lee said many of his comments were addressed through Planning and Zoning; other questions have been sufficiently answered by Bailey and he agrees with Cheryl. Carol Van Deest said she has gotten all of her comments answered through Bailey also and she thinks they need to look at the time staff has put in to this and move on; she is in agreement to move on this. Doug Lehner asked if they are able to update the interim design guidelines; Bailey said they have not been adopted yet and she could make any changes wanted, she just asked the comment periods be kept separate. Mayor Dutcher said Bailey has taken all of his comments and was very forthcoming in making changes and he is fine with the plan as it now exists.

ACTION: Cheryl Robertson moved to Approve the Comprehensive Plan; Carol Van Deest seconded and the vote was as follows:
AYES: Doug Lehner, Benjamin Lee, Carol Van Deest, Mayor Dutcher, Cheryl Robertson
NOES: Marvin Block, Sharon Hendren
ABSTAIN: None

Passed 5 - 2

b. **RESOLUTION 2020-25** A RESOLUTION TO ADOPT THE PROPOSED INTERIM DESIGN GUIDELINES AS PRESENTED. *Tabled August 18, 2020*

Vision Statement: The Village of Johnstown is dedicated to providing a secure community environment that fosters cultural, recreational, educational and economic opportunities while preserving our unique historical character

Public Hearing

1. Ryan Green - Chairman, Planning & Zoning Commission. Said this was put forward by zoning as a stop-gap measure, there are other plans in place; ultimately they would like to have a Design Review Board.

Ms. Klimchak noted the intent of these interim guidelines is to only be in effect until Planning & Zoning and Council reviews and approves a new design guideline document; there has been no official decision on whether or not a Design Guidelines Board will be formed, that will be a Planning & Zoning and Council recommendation after they look at the design guidelines which are on schedule for November or beginning of December.

Ms. Robertson said this is interim; something needs to be in writing to hold home builders accountable and help the village to enforce.

Mr. Lehner said he finds contradictions when looking at the Comprehensive Plan saying we want to maintain the rural feel of Johnstown but then below it says to bring in affordable housing, which translates to condos and apartments, that is not rural living. He said he was hesitant because he finds other contradictions in the Plan. He thinks the Design Review Board is for the best; he does applaud all the work but thinks everyone should be held to the same standard.

There was some discussion on the Pulte development. Mr. Block and Ms. Hendren also agreed the Design Review Board is needed; there was in depth discussion on the structure, function and creation of a Board.

ACTION:	Benjamin Lee moved to Approve as written; Cheryl Robertson seconded and the vote was as follows:
AYES:	Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest, Mayor Dutcher, Cheryl Robertson, Doug Lehner
NOES:	None
ABSTAIN:	None

Passed 7 - 0

Mr. Lenner asked if there was a desire by Council to draft legislation to create the board as a separate subsidiary or designate enforcement to the Planning Commission.

ACTION:	Marvin Block moved to create a separate body to enforce the design guidelines; Sharon Hendren seconded and the vote was as follows:
AYES:	Benjamin Lee, Sharon Hendren, Carol Van Deest, Chip

Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block
NOES: None
ABSTAIN: None

Passed 7 - 0

Legislation in two weeks, then could advertise. Mr. Lenner said this will be a body of five members, must be a resident of the village.

10. Public Hearings of Legislation

- a. **ORDINANCE 25-2020** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE VILLAGE OF JOHNSTOWN. *Introduction August 18, 2020 ~ Public Hearing/Vote*

Edits were made as directed at time of introduction.

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

Mr. Lee said he appreciates the changes, he thinks this continues to make us competitive as wages have been a discussion for a few years.

ACTION: Marvin Block moved to Approve Ordinance 25-2020; Doug Lehner seconded and the vote was as follows:
AYES: Sharon Hendren, Carol Van Deest, Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee
NOES: None
ABSTAIN: None

Passed 7 - 0

- b. **RESOLUTION 2020-27** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. *Introduction/Public Hearing/Vote*

This is an annual resolution that is needed for the County Auditor.

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

ACTION: Benjamin Lee moved to Approve; Marvin Block seconded and the vote was as follows:
AYES: Carol Van Deest, Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren
NOES: None
ABSTAIN: None

Passed 7 - 0

- c. **RESOLUTION 2020-28** A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH ELITE EXCAVATING COMPANY OF OHIO, INC. FOR THE CROTON ROAD WATER LINE EXTENSION PROJECT. ***Introduction/Public Hearing/Vote***

This project was publicly bid; have determined based on engineer recommendation to award to Elite Excavating for the amount of \$1,066,533.00. Mr. Lenner said this is higher by \$270,000.00 than what was bonded for this project and noted continuing concerns with the engineering estimates being too low; good news is that with the decision not to do the 310 line the cost will be covered and there is a contract to provide water so this money will be paid back with the contracted money. Mr. Lehner asked if there had been any interest in Croton Road residents wanting to tap in; Mr. Lenner said after Council awards this, a letter will be mailed out with information. Mayor Dutcher asked if the contracted company has agreed to the job completed date; Mr. Lenner said yes, substantial completion of when we turn the water on to New Day is agreed to be early February.

Public Comment: No comments either for or against.

There was some other discussion by Council and Staff on the Village Engineer and the need for stronger initial estimates for budgeting. Mr. Lehner suggested that any emails, conversations etc. with the Village Engineer regarding their poor performances be documented.

ACTION: Marvin Block moved to Approve; Sharon Hendren seconded and the vote was as follows:
AYES: Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Ben Lee, Sharon Hendren, Carol Van Deest,
NOES: None
ABSTAIN: None

Passed 7 - 0

- d. **RESOLUTION 2020-29** A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH SHELLY COMPANY FOR THE WESTVIEW DRIVE PROJECT. *Introduction/Public Hearing/Vote*

Mr. Lenner said the village borrowed \$645,000 for this project, the base bid came in approximately \$365,000, three alternate bids were given for various additions which he reviewed. Staff recommendation to Council is to do alternates two and three which for \$24,280.67 in additional bond funds would make this project whole with curbs, gutters and sidewalks. Mr. Liggett added that the gas company lowered their lines and in the process took out a number of pads of sidewalk which they will replace, but then there will be mix of old and new sidewalk so with the alternate there would be new sidewalk from US62 to Lakeview on both sides of the road. Ms. Robertson asked if the tree lawn area would be eliminated, Mr. Liggett said no the tree law will stay, the trees being cut down are yard trees that have gotten too big and were hanging over the road causing deterioration.

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

Mr. Lee asked how we are able to replace the four foot width on the sidewalk and not go ADA compliant; Mr. Lenner said per ODOT policy if it is a new sidewalk it would have to be five foot, if it is replacing an old four, it can stay four.

Mr. Block said his feeling is that Council should follow Mr. Lenner and Mr. Liggett recommendation on this project.

ACTION:	Marvin Block moved to Approve; Cheryl Robertson seconded and the vote was as follows:
AYES:	Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest, Chip Dutcher
NOES:	None
ABSTAIN:	None

Passed 7 - 0

- e. **RESOLUTION 2020-30** A RESOLUTION ACCEPTING THE NEW DAY / CROTON ROAD WASTEWATER LINE AS PUBLIC INFRASTRUCTURE TO BE OWNED AND MAINTAINED BY THE VILLAGE OF JOHNSTOWN, OHIO. *Introduction/Public Hearing/Vote*

Mr. Lenner said this is the village accepting ownership and maintenance responsibility, the village has a contract with New Day Farms which shifts the financial burden of

maintenance to them, this is our infrastructure and we will maintenance but back bill New Day; this is in the contract already signed with them.

Public Hearing: No comments either for or against.

ACTION: Doug Lehner moved to Approve; Marvin Block seconded and the vote was as follows:
AYES: Doug Lehner, Marvin Block, Ben Lee, Sharon Hendren, Carol Van Deest, Mayor Dutcher, Cheryl Robertson
NOES: None
ABSTAIN: None

Passed 7 - 0

11. Introduction of Legislation

- a. **ORDINANCE 26-2020** AN ORDINANCE AMENDING THE FEE SCHEDULE FOR PARKING TICKETS WITHIN THE VILLAGE OF JOHNSTOWN, OHIO. ***Introduction***

This legislation increases parking ticket fines from \$30 to \$50. Public Hearing will take place on September 15, 2020.

12. Other Business

1. Sharon Hendren - Wants to set date for Beggar's Night. Mr. Lenner said he has a call on Friday with local cities and the Health Department to discuss guidelines for safety; MORPC recommendation is Thursday, October 29, 2020. Council will consider and set a date for the village at next meeting.

2. Ben Lee - Inquired on Cruiser # 3 condition, is vehicle still usable until the new cruiser is delivered. Chief Haroon said this is the vehicle he drives back and forth so it does not get a lot of hard use; Ford was closed for several months; the dealership has not been able to provide an update, he is fine using current cruiser until the new one comes in.

13. Adjourn

ACTION: Sharon Hendren moved to Adjourn; Doug Lehner seconded and all were in favor.
AYES: 7
NOES: None
ABSTAIN: None

7 - 0

The meeting ended at 8:24 p.m.

Next Council Meeting September 15, 2020 at 6:30 pm