



Regular Council Meeting
Tuesday, September 15, 2020 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Mr. Lee
4. Pledge of Allegiance
5. Action on Minutes
 - a. September 1, 2020
6. Correspondence
 - a. Police Department
7. Citizen comments on matters not on the agenda
8. Presentation - Fischer Homes
9. Council Committee reports
 - a. **Planning & Zoning:** Met 9/8/20; Next 9/22/20 @ 6:30 pm Hybrid
 - b. **Safety & Service:** Met 9/1/20 and 9/9/20 Special; Next 10/6/20 @ 5:00 pm Special meeting combo with Council and Finance; Hybrid
 - c. **Finance:** 9/15/20; Next 10/6/20 @ 5:00 pm. Special meeting combo with Council and Safety & Service; Hybrid
 - d. **Economic Development:** Met 9/3/20 minutes attached; Next 10/1/20 @ 10:00 am Virtual
 - e. **Park & Rec:** Met 9/10/20; Next 10/8/20 @ 10:00 am; 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; Next 9/29/20 @ 5:00 pm. Hybrid
10. Director Reports
 - a. Police Chief
 - b. Finance Director
 - c. Village Planner

11. Tabled Legislation - N/A

12. Public Hearings of Legislation

- a. **ORDINANCE 26-2020** AN ORDINANCE AMENDING THE FEE SCHEDULE FOR PARKING TICKETS WITHIN THE VILLAGE OF JOHNSTOWN, OHIO. *Introduction September 1, 2020; Public Hearing/Vote*
- b. **RESOLUTION 2020-31** A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED. *Introduction/Public Hearing/Vote*
- c. **RESOLUTION 2020 -32** RESOLUTION THAT THE VILLAGE OF JOHNSTOWN WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR AN EMPLOYEE OF THE VILLAGE OF JOHNSTOWN PURSUANT TO IRC SECTION 414(h)(2). *Introduction/Public Hearing/Vote*

13. Introduction of Legislation

- a. **ORDINANCE 27-2020** AN ORDINANCE AMENDING FOOD TRUCK STANDARDS IN CHAPTER 730 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES. *Introduction*
- b. **ORDINANCE 28-2020** AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$50,000 OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COST OF ACQUIRING A POLICE CRUISER AND RELATED EQUIPMENT, AND DECLARING AN EMERGENCY. *Introduction*

14. Other Business

- a. Set date and time for Beggar's Night in Johnstown

15. Adjourn

Next Regular Council Meeting October 6, 2020 @ 6:30 pm



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

Bikers - Connecting our community to Christ



WWW.FULLARMORBIKERS.COM

Dear Ibrahim, (Chief Haroon)

Full Armor would like to say thank you to you and your staff for the assistance as we rode through town on our Biker Sunday. Your cooperation with surrounding counties provided us a smooth ride from Gahanna to Utica without incident. We look forward to working with you again next year.

Thank you again & God bless you all!

WWW.FULLARMORBIKERS.COM

Full Armor Bikers

Full Armor is a ministry of Shepherd Church of the Nazarene, 425 S.
Hamilton Rd, Gahanna OH 43230

Philippians 4:6-7 (NIV)

⁶ Do not be anxious about anything, but in every situation, by prayer and petition, with thanksgiving, present your requests to God. ⁷ And the peace of God, which transcends all understanding, will guard your hearts and your minds in Christ Jesus.

*Thank you for the
service and protection
each of you provide
for your community.
You are highly valued
and respected! May
God bless you!
Sherri Barrett*



Economic Development Committee
Thursday, September 3, 2020 - 10:00 AM
MINUTES

1. Call to Order

Committee Chair Cheryl Robertson called the Economic Development Committee meeting for September 3, 2020 to order at 10:01 am

Members Present - Cheryl Robertson, Carol Van Deest, Mayor Chip Dutcher
Absent - None

Staff present - Jim Lenner, Bailey Klimchak, Marvin Block, Teresa Monroe.

Public present - None

2. Action on Minutes

ACTION: Carol Van Deest moved to Approve; Chip Dutcher seconded and the vote was as follows:

AYES: 3

NOES: None

ABSTAIN: None

3 - 0

3. Incubator Space Update

Bailey Klimchak said last time committee met it was decided there was more information needed on incubator versus Co-work spaces so she spoke with several other municipalities in the area. Ms. Klimchak said she learned differences; Co-work space is where an independent worker would pay rent only for their space; Incubator space is different in that it is for small businesses, not just one person, and that space would provide support to that business in the form of connections with other local businesses and how to grow or how to finance the business. Bailey recommends going forward with the feasibility study **if** the village is going to do an Incubator space; questions on interest of property owners need to be answered before going forward as there should be a specific location chosen for the feasibility study. Ms. Klimchak also noted that if there is private ownership the village cannot apply for EDA funds; Mr. Lenner said if not going for federal money then the feasibility study is not needed. Ms. Klimchak asked for input, thoughts and committee recommendation; committee discussion on potential properties and owners they would reach out to for discussion. Bailey to coordinate the meeting and let committee know.

4. Project Updates

1. Project Circuit - Mr. Lenner said a meeting with the State on Friday will determine eligibility for a lot of things but will dive deeper into the jobs they would create.
2. Project Mastodon - State Department Of Transportation slow pace, no update.
3. Project Gibraltar - Negotiations paused due to COVID; no conversations in the last three months.
4. Bleckmann - Update on possible relocation; lease is up in November of 2021, Mr. Lenner to send out job and tax numbers. Discussion on this building as well as other buildings in the Business Park.

5. Other Business/Member comments

1. Discussion on other potential projects since not going forward with the 310 water line; the project would have to be funds designated for water. Talked about increasing the new water tower size from half million gallon to one million gallon as well as potential water line routes.
2. Ms. Van Deest asked if there was any update on what the old fire house will be used for; unknown at this time, but new occupant would need to pay for water tap.
3. Ms. Van Deest asked if there were any plans to upgrade Post Office Alley, that it looks bad and should be addressed. Bailey will check to see if there are any grants available to assist; Mr. Lenner mentioned GROW Licking County and their revolving loan fund, low or zero interest. Mr. Block said some private property owners are working to clean up their lots; committee discussion on dumpsters and dilapidated structures in the alley.
4. Inquiry on when the new nursing home plans to open; Ms. Klimchak will check in with them.
5. Mayor Dutcher asked about accounting on the US62 project, was there any money left; Mr. Lenner noted change orders submitted by the engineer. Mr. Dutcher said he was asking if there was money left to plant trees to beautify the entry to town; Mr. Lenner said he would know more in about sixty days, change orders will need to be evaluated. Ms. Robertson asked about the twelve thousand dollars budgeted for Tree City; Ms. Klimchak said trees will be planted in front of Subway and are still planning to get trees for the postponed Arbor Day, but that will not use the entire amount, some of the money could be used for tree planting along US62. Discussion on the Memorial Tree Fund that will be set up, where those trees would be planted and how memorial plaques could work, discussion to continue in Tree Commission committee.
6. Mayor Dutcher asked about the Parkdale Drive traffic pattern discussion by the public; Mr. Lenner said he prepared a narrative to put out to the public.
7. Mayor Dutcher thanked Planner Bailey Klimchak for her work on the recently passed Comprehensive Plan. Committee discussion on letters of interest for a Design Review Committee, not advertising yet.

6. Adjourn

ACTION: Carol Van Deest moved to Adjourn; Chip Dutcher seconded and the vote was as follows:

AYES: 3

NOES: None

ABSTAIN: None

3 - 0

The meeting adjourned at 11:10 a.m.

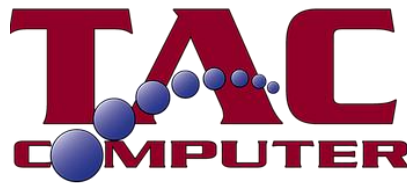
Report, Chief of Police

August/September 2020

Projects:

CAD (Computer Aided Dispatching)

Working with TAC to start the new police CAD system. The hardware has been ordered, and databases are being built. The county mapping system has been provided to TAC, the employee roster has been submitted, and currently the offense tables are being created.



Training:

All officers received two hours' worth of training on the topic of White Racially Motivated Violent Extremism (WRMVE). Agents from the Columbus FBI office performed the training. The training came at no cost. Officers will do annual range qualifications on September 22, 2020. Officers are also receiving two hours of training in arrest, search and seizure (4th amendment issues).



POLICEONE.COM
ACADEMY

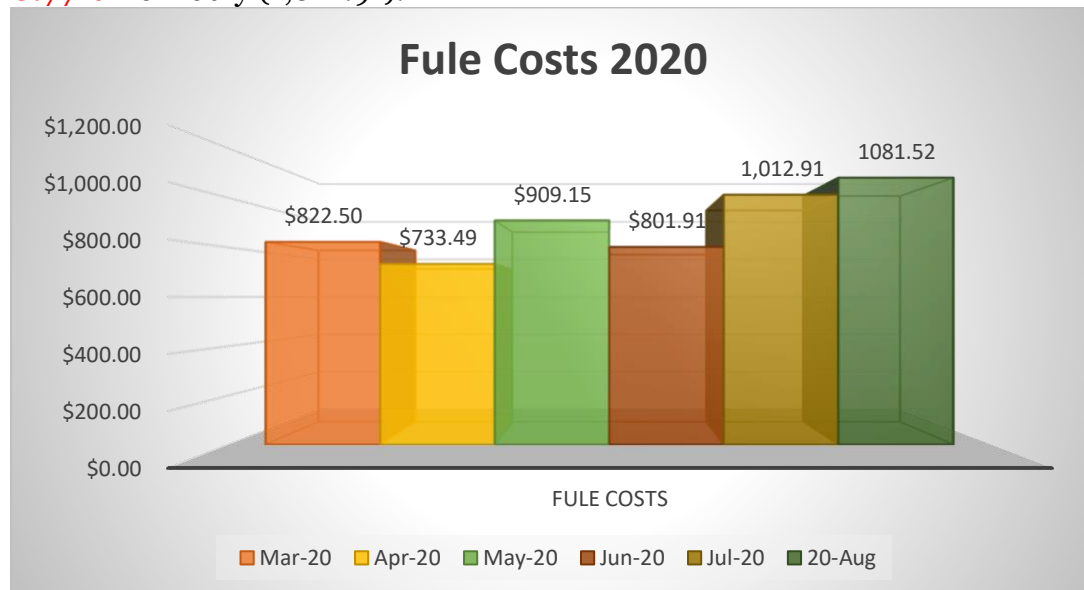
Fleet:

New “chief car” VIN has been received by the dealership and is currently in production. It will likely be deviled within the next 4 to 6 weeks. The new MARCS radio arrived and is currently programmed. I am requesting feedback from the Village’s Council on if the new vehicle should state “CHIEF” in place of the “2” (see CAD images). I value your input.



Gas costs are \$1,081.52 for August 2020

It was noted that costs are **up 31.49%** from March (\$822.50). **Up 47.44%** from April (\$733.49). **Up 18.96%** from May (\$909.15). **Up 34.86%** from June (\$801.91). **Up 6.77%** from July (1,012.91).



Speed Studies:

Raccoon Creek Estates: Some minor issues with speed. Most occurred within the 6:00am timeframe. More than 40,000 vehicles traveled through this area in the last 15-days. Most of the volume was due to the construction in, and around the area.

Equipment:

Patrol rifles have come in. Officers have been issued a patrol rifle and will qualify on their issued firearms on the 22nd. Once qualified, they will be placed in the patrol cars.



Fire hydrant installations have been completed. All police cars are now equipped with fire hydrants.



June crime statistics:

205 calls for service.	Mean average for 2020 is 166.75 calls (based on 1,334)
86 two-officer calls.	Mean average for 2020 is 79 calls (3.29 calls per a day) (based on 632)
127 traffic stops.	Mean average for 2020 is 54 stops (based on 432)
12 Accidents.	Mean average for 2020 is 10.5 accidents (based on 84)
51 Training hours.	Mean average for 2020 is 19.56 hours (based on 156.5)
10 Assist other agencies	Mean average for 2020 is 8.63 incidents (based on 69)
11 Alarm drops	Mean average for 2020 is 11.13 incidents (based on 89)
10 Arrest	Mean an average for 2020 is 8.13 arrests (based on 65)
0 Domestic	Mean average for 2020 is 3.88 arrests (based on 31)
	Mean average for 2019 was 4.83 arrests (based on 58)
4 Drug events	Mean average for 2020 is 4.38 incidents (based on 35)
15 Total crime events	Mean average for 2020 is 14.13 events (based on 113)

Social Media:

Facebook (August 12th – September 8th)

People reached:	17,836	Down 46% from August
Post engagements:	14,785	Down 25% from August
Page likes:	68	Down 12% from August
Page Followers:	68	Down 27% from August



Dispatch:

One dispatcher is in operational training. The training normally takes 12-weeks. Once completed, the dispatcher will obtain operational status.

Other:

Officer Pacha has been released from the field training officer (FTO) program. Officer Ballistrea will return from maternity leave on Tuesday, September 15, 2020. Once Officer Ballistrea returns he will have a one-week refresher and will be considered for release from the FTO program.

Six (6) speeding citations were written (one semitruck) on North Main Street, and one loud muffler was written on North Main Street. (Safety and Service Committee concern).

Dispatcher Alexandra Staufer started on Tuesday, September 1, 2020. Dispatcher Staufer completes the dispatching staff of five. Currently there are no openings at the Johnstown Police Department.

Officer Remy is likely to take a position with the Licking County Sherriff's Office (LCSO) as a deputy. A background has been completed by the LCSO. Some feedback as to his departure is expected within the upcoming weeks.

I am working with Dynamic Networks and Mr. Jim Lenner to revamp the network system. The new system will address connection issues and improve overall reliability.

-End of Report-

Johnstown Police Dept Stats

	2019												2020											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Dispatched Runs	168	163	160	200	188	174	158	171	178	167	144	169	157	121	169	101	176	159	246	205				
2 Officer Calls	106	84	102	91	98	99	55	85	81	81	89	73	75	55	82	83	83	73	95	86				
Calls for Service	2066	1820	2082	2126	1993	1848	1657	1875	1860	1789	1307	1822	1521	1492	1480	1321	1615	1496	1690	1688				
Traffic Stops	136	92	163	129	151	120	87	143	181	105	87	104	50	50	23	12	60	25	85	127				
Vehicle Accidents	11	9	16	23	22	11	11	15	12	12	5	9	21	11	5	1	5	21	8	12				
Training Hours	3	38	40	0	48	16	3	58	32	8	33	0	33.5	8	0	0	10	0	26	51				
Assist Other Depts	5	5	7	7	8	18	8	8	5	14	11	5	9	8	5	10	9	10	8	10				
Burglary Alarms	14	12	12	12	21	21	11	20	12	11	12	10	14	8	12	12	11	10	11	11				
Arrests	18	9	11	8	10	13	12	12	4	4	2	9	6	11	9	8	10	5	6	10				
Domestics	3	11	6	2	3	10	9	0	0	2	5	7	4	5	7	4	3	6	2	0				
911 Hang up calls	18	8	10	8	12	8	14	15	16	17	18	6	7	7	17	8	14	18	20	12				
Drugs	9	9	14	9	7	5	5	5	2	10	2	5	2	2	6	3	5	4	4	4				
Suspicious Vehicles	14	18	10	22	32	17	11	37	17	25	9	10	12	14	18	21	9	15	12	25				
Supspicious Persons	16	17	14	28	36	20	28	37	20	21	13	11	14	15	33	24	17	18	20	30				
Warrants Served	5	1	3	2	0	1	2	1	2	1	0	0	4	1	1	4	2	1	0	1				
Total Crimes	35	26	37	28	55	32	31	12	17	12	12	14	14	19	18	12	11	13	11	15				



**Finance Director's Report to Council
September 15th, 2020**

1. **Tax Revenue.** Total Income Tax revenue collected through August 2020 was \$1,456,886. This represents 66% of 2020 Budgeted Income Tax revenue of \$2,205,000, and a 4.4% decrease from 2019 collections for the same period.

The largest source of the Village's income tax revenue, withholding taxes derived from individuals working in Johnstown, increased 2.6% while individual returns decreased 11.2%, and business net profits decreased by 10.5% as compared to the same period in 2019. The larger gaps in collections are beginning to close as compared to earlier in the year.

The graph below illustrates the Village's YTD income tax revenue through August 31 each year from 2016 through 2020:

	2016	2017	2018	2019	2020
Withholding	\$ 599,172	\$ 638,889	\$ 681,549	\$ 747,487	\$ 767,277
Individual	\$ 458,447	\$ 487,004	\$ 582,329	\$ 651,482	\$ 578,245
Net Profit	\$ 87,199	\$ 151,902	\$ 119,499	\$ 124,457	\$ 111,365
Total	\$ 1,144,818	\$ 1,277,794	\$ 1,383,377	\$ 1,523,427	\$ 1,456,886

Withholding taxes continue to increase every year since 2015; this can be attributed to an increase in the number of jobs and increased pay rates in Johnstown. While several companies have reported withholding decreases from the prior year (e.g., Landmark Global \$12k, Defense Finance \$5k, Bleckmann \$5k, Steel Ceilings \$4K, Tech Int'l \$4K), there were many that reported increases (e.g., Crow Works \$9K, Apeks \$7k, Ghostwriter \$5k, ODOT \$4k). Overall, the increases outweighed the decreases when compared with 2019.

Individual income tax collections are higher when compared with 2016 & 2017, but down compared to 2018 & 2019. Increases are related to both population and economic growth. The current year decrease is likely related to the COVID-19 pandemic and the 2-month delay of 2019 tax filing deadline.

The 2020 Net Profit revenue is down primarily due to several companies reporting losses, including an \$18K refund for Thirty-One Gifts, a \$21k decrease at Porter Pizza Box, and a \$13K decrease reported by Atrium Apparel Corp. These and other losses were partially offset by increases reported by: Apeks \$20k, Key Cuts \$6k, Continental Office Furniture \$3k, and numerous others.

Currently Johnstown is experiencing a 4.4% decrease overall when comparing total income tax collections in 2020 compared to 2019. RITA has recently reported that they have seen collections across the State at a 17% decrease from the prior year, therefore Johnstown's revenues are doing comparatively well.

2. Revenues and Expenditures. See attached spreadsheets for 2020 year-to-date revenue collections and expenditures.

Notes on Revenue:

General Fund, Real Estate Tax – 100% of the real estate tax has been distributed by the County.

General Fund, Miscellaneous – \$20K was received in August for trailhead shelter house donations.

Street Construction & Repair and State Highway & Improvement Funds are both slightly lower than budget. This is expected given the COVID-19 pandemic and related economic decline, as well as the temporary closure of the Bureau of Motor Vehicles. In the past two months, the Gas tax and motor vehicle registration revenues have significantly increased as compared to disbursements earlier in the year, which is a sign that these are ramping back up to pre-pandemic collections.

Permissive Motor License Fund – A check for the requested amount was received from the County Engineer's office in August.

Sewer Operating Fund \$742,500, or 96.5% of the revenue budget has been collected through August. Of this, \$240,195 was related to bulk sewer hauling for New Day Farms and Trillium Farms. Without these collections, we have received 65% of revenue budget.

Water/Sewer Improvements Fund has collected 100%+ of their respective budgets due primarily to Bond proceeds and forty-nine (49) new homes permitted YTD through August. Of the Bond proceeds, \$5.77M was for Water Projects and \$1.5M for Sewer Projects.

Water Debt Service Fund is higher than budget due to \$22K in extra bond retirement proceeds that were generated from the sale of Bonds.

Mayor's Court collections are low compared to budget, but have picked up considerably in August with the recommencement of court.

Notes on Expense:

General Fund, Public Health is 100% spent as this is paid via the real estate tax distribution, which is now 100% completed.

General Fund, Recreation Dept is only 36% spent. \$8k was budgeted for a ped counter which hasn't been purchased yet, \$5k was budgeted for river clean up and Raccoon Creek planning, \$0 has been spent of those items. \$6K was budgeted for miscellaneous expenses and none was spent.

General Fund, Zoning is 52% spent. \$50k was budgeted for Design regs of which only \$22,500 was spent to-date. \$10K budgeted for Tree City, \$0 spent.

Debt Service Fund. The bulk of these payments are scheduled to occur in December.

Capital Projects. Only 10% spent due to the increase in revenue for the Bond issuance. This increased the budgeted revenue by \$1,360,000, and these funds will be spent throughout the year or re-appropriated in 2021.

Water & Sewer Replacement & Improvement Funds are barely spent due to the appropriations related to the new enterprise center on Duncan Plains Road. \$360k is appropriated for Water lines, \$930k is appropriated for sewer lines. Additionally, \$5,75M in water projects and \$1.5M in sewer projects were bonded and appropriated, to be spent in 2020 or re-appropriated in 2021.

3. Police Cruiser Financing. Ordinance 28-2020 is on Council's agenda tonight to approve the financing of \$50,000 over 3-years to pay for the purchase of a new police cruiser. The tax-exempt interest rate is 3.05% and bond counsel fee is \$500. Semi-annual payments will be around \$8,800.
4. OPERS pickup Resolution. Resolution 2020-32 will statutorily approve the fringe benefit pickup for the Assistant Village Manager. The resolution that was passed on August 18th is not sufficient for OPERS; Res 2020-32 is in compliance with the laws of the State of Ohio and amenable for this benefit.
5. 2021 Budget. Budget season is in full swing and department directors are actively working on requests for 2021 funds. Budget worksheets are due to me by 9/15, and a first draft will be sent to Finance Committee by 9/22.
6. Employer withholding and COVID-19. The Coronavirus-related relief legislation passed earlier this year by the Ohio General Assembly provided that work being done by an employee remotely or at home, because of the State of Emergency, is deemed to be performed at the employee's principal place of work. As a result of this provision, employers continue to withhold tax for their employees' principal place of work municipality, even while employees are working from home or different location. On July 2, 2020 a lawsuit was filed in the Franklin County Common Pleas Court challenging the constitutionality of this provision. The suit was filed against the City of Columbus by the Buckeye Institute, a Columbus employer, and three of its employees. In general, the suit alleges that it is unconstitutional to require the employees, working at home outside of Columbus, to continue to pay Columbus income tax, and that it is improper to require the employer to withhold these taxes. RITA is closely watching the progress of this litigation for any potential impact on employer withholding and will provide updates as needed. Our law director is also paying attention to this lawsuit. I will be sure to share any significant developments.
9-15-2020 UPDATE: A motion to dismiss was filed asking that the Columbus city Auditor be dismissed from the lawsuit, however no response or ruling has occurred as of yet.

Respectfully Submitted,



Dana Steffan, CPA

Finance & Human Resources Director

	A	B	C	D	E	J
1	Village of Johnstown Financial Report					
2						
3	Revenues					
4						
5	as of	8/31/2020				
6				2020	Actual	
7	A/C	Sub-Fund		Expected Revenues	Revenues	
8	1000	Real Estate Tax		\$ 265,000	\$ 263,070	99.27%
9	1000	Income Tax		\$ 2,205,000	\$ 1,456,886	66.07%
10	1000	Shared Taxes		\$ 90,300	\$ 60,978	67.53%
11	1000	Charges for Services		\$ 150	\$ 155	103.33%
12	1000	Permits, Fines, & Licenses		\$ 218,700	\$ 153,499	70.19%
13	1000	Interest		\$ 9,000	\$ 27,420	304.66%
14	1000	Miscellaneous		\$ 66,348	\$ 109,067	164.39%
15	1000	Other Financing Sources		\$ -	\$ -	
16	1000	Total General Fund		\$ 2,854,498	\$ 2,071,075	72.55%
17						
18	2011	Total Street Construction & Repair		\$ 373,500	\$ 222,318	59.52%
19						
20	2021	State Highway & Improvement		\$ 23,890	\$ 13,647	57.12%
21						
22	2101	Permissive Motor License Fund		\$ 45,000	\$ 45,000	100.00%
23						
24	2901	Mayor's Court - Computer		\$ 1,000	\$ 410	41.00%
25						
26	2906	Restricted Police Grants		\$ 2,000	\$ -	0.00%
27						
28	2907	Right-of-Way Fund		\$ 30,000	\$ -	0.00%
29						
30	2909	State Pass Through Grants		\$ 49,621	\$ 49,621	100.00%
31						
32	5101	Water Operating		\$ 765,375	\$ 505,532	66.05%
33						
34	5201	Sewer Operating		\$ 769,375	\$ 742,500	96.51%
35						
36	5701	Water Replacements & Improvements		\$ 5,933,000	\$ 6,006,507	101.24%
37						
38	5702	Sewer Replacements & Improvements		\$ 1,720,000	\$ 1,826,661	106.20%
39						
40	5721	Water Debt Service		\$ 227,833	\$ 161,889	71.06%
41						
42	5722	Sewer Debt Service		\$ 381,151	\$ 237,126	62.21%
43						
44	5781	Enterprise Deposit		\$ 40,500	\$ 37,047	91.47%
45						
46	9101	Unclaimed Monies		\$ -	\$ -	
47						
48	9904	Mayor's Court		\$ 80,000	\$ 39,770	49.71%
49						
50		TOTAL ALL FUNDS		\$ 13,296,742	\$ 11,959,103	89.94%
51		# Amended Appropriations				
52					89.94%	
53				<i>percentage received to date</i>		

	A	B	C	D	E	J
1	Village of Johnstown Financial Report					
2						
3	Expenditures					
4						
5	<i>as of 8/31/2020</i>					
6				2020	Actual	
7	A/C	Sub-Fund		Appropriations	Expenditures	
8	110	Police		\$ 1,082,477	\$ 638,811	59.01%
9	130	Street Lighting		\$ 65,000	\$ 42,990	66.14%
10	210	Public Health		\$ 18,500	\$ 18,500	100.00%
11	310	Recreation Department		\$ 50,620	\$ 18,129	35.81%
12	410	Zoning		\$ 175,759	\$ 91,521	52.07%
13	490	Economic Development		\$ 27,000	\$ 16,190	59.96%
14	710	Administration		\$ 421,104	\$ 234,379	55.66%
15	715	Legislative Activities		\$ 91,636	\$ 73,077	79.75%
16	720	Mayors Court		\$ 83,828	\$ 52,539	62.67%
17	725	Finance Department		\$ 81,301	\$ 55,892	68.75%
18	730	Lands & Buildings		\$ 93,700	\$ 77,112	82.30%
19	740	County Auditor (Property Tax Collection)		\$ 7,000	\$ 4,779	68.27%
20	745	State Auditor		\$ 6,000	\$ 6,000	100.00%
21	755/760	Income Tax Administration		\$ 72,000	\$ 45,595	63.33%
22		Other Uses of Funds & Transfers		\$ 761,000	\$ 440,708	57.91%
23	1000	Total General Fund		\$ 3,036,925	\$ 1,816,222	59.80%
24						
25		Street Maintenance & Repair				
26		Street Cleaning, Snow Removal				
27		Traffic Signs & Signals				
28		Sidewalks (Capital outlay)				
29	2011	Total Street Construction & Repair		\$ 456,803	\$ 272,043	59.55%
30						
31		State Highway Maintenance				
32		Street Cleaning, Snow & Removal				
33		Traffic Signs & Signals				
34	2021	State Highway & Improvement		\$ 13,700	\$ 6,218	45.39%
35						
36	2101	Permissive Motor License		\$ 45,000	\$ 44,659	99.24%
37						
42	2901	Mayor's Court Computer		\$ 1,200	\$ 1,049	87.42%
43						
46	2903	Budget Stabilization Fund		\$ 20,000	\$ 18,084	90.42%
47						
50	2905	Leafy Dell Traffic Improvement Fund		\$ 10,000	\$ -	0.00%
51						
52	2906	Restricted Police Grant Fund		\$ 1,000	\$ 1,000	100.00%
53						
54	2907	Right of Way Fund		\$ 38,000	\$ 34,396	90.52%
55						

	A	B	C	D	E	J
1	Village of Johnstown Financial Report					
2						
3	Expenditures					
4						
5	as of	8/31/2020				
6				2020	Actual	
7	A/C	Sub-Fund		Appropriations	Expenditures	
56	2909	Cares Act Fund		\$ 49,621	\$ 10,768	21.70%
57						
58	3101	Debt Service Fund		\$ 448,000	\$ 71,570	15.98%
59						
60	4901	Capital Projects		\$ 1,475,000	\$ 168,500	11.42%
61						
62	4902	Capital Projects - US62		\$ 182,883	\$ 28,743	15.72%
63						
64	5101	Water Operating		\$ 800,013	\$ 472,466	59.06%
65						
66	5201	Sewer Operating		\$ 797,529	\$ 456,155	57.20%
67						
68	5701	Water Replacements & Improvements		\$ 6,460,000	\$ 271,626	4.20%
69						
70	5702	Sewer Replacements & Improvements		\$ 2,690,000	\$ 96,231	3.58%
71						
72	5721	Water Debt Service		\$ 479,000	\$ 25,819	5.39%
73						
74	5722	Sewer Debt Service		\$ 395,100	\$ 177,021	44.80%
75						
76	5781	Enterprise Deposit		\$ 36,000	\$ 19,046	52.91%
77						
78	9101	Unclaimed Monies		\$ -	\$ -	
79						
80	9904	Mayor's Court		\$ 85,000	\$ 32,944	38.76%
81						
82		TOTAL ALL FUNDS		\$ 17,520,775	\$ 4,024,560	22.97%

Planning and Zoning Report

September 15, 2020



TRAILHEAD SHELTER HOUSE - The shelter house is now complete. Staff will be sending an update to both the Roundup Foundation and the Mary E. Babcock Foundation.

JOHNSTOWN POINTE - Staff received communication this week confirming that the nursing home is on schedule for a Spring 2021 opening. If this changes, council will be notified.

TREE CITY USA - Applications open in December for Tree City 2021. Staff will begin the application process soon. The Arbor Day requirement is being waived this year due to COVID, however, staff and the Tree Commission would still like to recognize the day this fall.

INCUBATOR ROUND TABLE - The Economic Development Committee is continuing to look into incubator spaces and the possibility of opening one in Johnstown. A round table discussion has been scheduled with local business owners who have expressed interest in this idea.

TAP APPLICATION - TAP Letters of Interest open on October 1. Staff will be working on submitting an application for a trail through Raccoon Creek Park. If awarded, funds are for a 2024 construction.

FOOD TRUCKS - The Village has received multiple applications for food truck permits. Keep an eye out for those businesses in the Village for some interesting food. A local business, Dashing Diner, will be at Thorpe Automotive on September 27 with their food truck.

VILLAGE OF JOHNSTOWN



ORDINANCE 26-2020

AN ORDINANCE AMENDING THE FEE SCHEDULE FOR PARKING TICKETS WITHIN THE VILLAGE OF JOHNSTOWN, OHIO

WHEREAS, the Village of Johnstown currently charges \$30 for certain noncriminal parking infractions as permitted by Ohio R.C. 4521; and

WHEREAS, the Village provides notice of the possibility of such an infraction at regulated spaces, and provides information to residents as to how to contest or pay such infractions; and

WHEREAS, the Village desires to increase the standard financial penalty for such violation from \$30 to \$50, which is within the range permitted by the Ohio Revised Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Johnstown:

Section 1. The fee for noncriminal parking infractions is hereby raised from \$30 to \$50 as permitted by Ohio R.C. 4511.10 and R.C. 4521.

Section 2. The remaining provisions of the noncriminal parking violation program shall remain the same.

Section 3. This Ordinance shall be effective at the earliest time permitted by law.

Section 4. 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 were 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 VILLAGE OF JOHNSTOWN.

Date of Introduction: September 1, 2020

Public Hearing/Vote: September 15, 2020

Effective Date:

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

VILLAGE OF JOHNSTOWN



RESOLUTION 2020-31

**A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO PREPARE AND
SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS
COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL
TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE
CONTRACTS AS REQUIRED**

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Village of Johnstown is planning to make capital improvements to East Jersey Street, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs, and

NOW THEREFORE, BE IT RESOLVED by THE VILLAGE OF JOHNSTOWN

Section 1: The Village Manager/Planner is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Village Manager/Planner or Assistant Village Manager is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3: It is found and determined that all formal actions of this Village Council, concerning and relating to the recommendation of adoption of this Resolution, were approved in an open meeting of this Village 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 VILLAGE OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: September 15, 2020

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2020-32

**RESOLUTION THAT THE VILLAGE OF JOHNSTOWN WILL PICK UP THE
STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES
RETIREMENT SYSTEM FOR AN EMPLOYEE OF THE VILLAGE OF JOHNSTOWN
PURSUANT TO IRC SECTION 414(h)(2).**

WHEREAS, pursuant to federal and Ohio laws, the Village of Johnstown may offset future salary increases and "pick up" (assume and pay) the contributions statutorily required by such elected officials and covered employees to the Ohio Public Employees Retirement System (OPERS) and such individuals will not be required to pay federal and state income taxes on such contributions; and

NOW THEREFORE, BE IT RESOLVED by THE VILLAGE OF JOHNSTOWN

Section 1: Effective September 27, 2020 the full amount of the statutorily required employee contributions to OPERS shall be picked up and paid as a fringe benefit by the Village of Johnstown for each person within any of the classes established in Section 2 herein. The pick up shall be an offset against future salary increases. This "pick up" by the Village of Johnstown shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within any of the classes established in Section 2 herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked up" by the Village of Johnstown or of being excluded from the "pick up". The Village of Johnstown shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

Section 2: The "pick up" by the Village of Johnstown provided by this resolution shall apply to the Village Manager and Assistant Village Manager of the Village of Johnstown who are contributing members of OPERS.

Section 3: Under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay the employees' statutorily required contribution to OPERS.

Section 4: The Mayor and/or the clerk are hereby authorized and directed to implement the provisions of this ordinance to institute the "pick up" of the statutorily required contributions to OPERS for those persons reflected in Section 2 herein so as to enable them to have their employee contributions paid by their employer.

Date of Introduction/Public Hearing/Vote: September 15, 2020

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



**AN ORDINANCE AMENDING FOOD TRUCK STANDARDS IN CHAPTER 730 OF
THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES**

WHEREAS, Chapter 730 of the Village of Johnstown Codified Ordinances (the “Codified Ordinances”) governs Food Truck Standards in the Village of Johnstown; and

WHEREAS, the Village of Johnstown finds it necessary to correct wording in section 730.02 (b); and

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

Section 1. That Section 730.02 (b) be amended as shown; deletions are ~~struck~~; additions are *italicized*

730.02 PERMIT REQUIRED FOR OPERATION

(b) Food trucks, to be located on ~~private-public~~ property, that only operate as part of a Village permitted special event or public event shall not require a food truck permit. Such units must still comply with any health licensing requirements of the State of Ohio and register with the Village that they are doing business inside the municipal limits.

Section 2. It is found and determined that all formal actions of this Village Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open meeting of this Village Council and that meetings 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 VILLAGE OF JOHNSTOWN.

Date of Introduction: September 1, 2020

Public Hearing/Vote:

Effective Date:

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan S. Ashrawi, Law Director

Staff Memo on Food Truck Ordinance Edits

September 15, 2020



The Food Truck ordinance currently states:

"Food trucks, to be located on **private property**, that only operate as part of a **special event or public event** shall not require a food truck permit."

Staff recommends this wording be changed to"

"Food trucks, to be located on **public property**, that only operate as part of a **Village permitted** special event or public event shall not require a food truck permit."

Staff is making this recommendation because the Village only gives special event permits to events being held on public property. Events being held on private property do not need to register as a special event and food trucks at those events should still require a permit. The Village Planner mistakenly thought the Village gave special event permits to all events in the Village, not just those being held on public property. It is of staff opinion that the only food trucks who should not need a permit are those who have already been brought to the Village attention through a special event permit, which also has a fee associated with it.

Thank you,

Bailey Klimchak
Village Planner

VILLAGE OF JOHNSTOWN



ORDINANCE 28-2020

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$50,000 OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COST OF ACQUIRING A POLICE CRUISER AND RELATED EQUIPMENT, AND DECLARING AN EMERGENCY.

WHEREAS, this village council has heretofore by proper legislation declared the necessity of acquiring a police cruiser and related equipment (the "Project"); and

WHEREAS, the Director of Finance, as fiscal officer of this municipality, has heretofore estimated that the life of the improvements constituting the Project is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is five (5) years; and

WHEREAS, this village council expects the debt service charges on the bonds (the "Debt Charges") authorized hereby will be paid from the general revenues of this municipality (the "Revenues"); and

WHEREAS, The Park National Bank, Newark, Ohio (the "Bank") has offered to purchase such bonds upon the terms set forth in such offer and herein;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Johnstown (hereinafter called the "Municipality"), County of Licking, Ohio:

SECTION 1. That it is necessary to issue and sell bonds of the Municipality in the principal sum of \$50,000 (the "Bonds") for the purpose of paying part of the cost of the Project, including costs related to the issuance of the Bonds, under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code (the "Act"). It is hereby determined that notes shall not be issued in anticipation of the Bonds.

SECTION 2. That the Bonds shall be issued in such principal amount for the purpose aforesaid. The Bonds shall (i) be dated, (ii) be numbered from R-1 upwards in order of issuance, (iii) be of such denominations, (iv) mature in installments on dates and in amounts calculated to be such that, when added to the interest payable on the Bonds, will amortize the principal amount of the Bonds over the term of the Bonds in substantially equal payments of principal and interest, provided that the final maturity of the Bonds shall be not later than the last day of the third calendar year following the initial delivery of the Bonds, and (v) bear interest as hereinafter-described payable on such dates (each a "Bond Payment Date"), all as determined by the Director of Finance without further action of this village council which shall be set forth in the Bonds and shall be conclusive.

The unpaid principal amount of the Bonds from time to time shall bear interest at the rate of three and five hundredths percent (3.05%) per annum, which interest shall be calculated on the

basis of the actual number of days and a 365/366 day year, or such other basis as shall be set forth in the Bonds, and shall be payable on each date principal is payable.

The Bonds shall be subject to redemption at the option of the Municipality at any time, in whole or in part in inverse order of maturity.

The Bonds shall be designated "Police Vehicle Acquisition Bonds, Series 2020" or as otherwise determined by the Director of Finance.

It is hereby determined by this village council that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the Municipality.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this ordinance. The Bonds shall be in fully registered form without coupons, shall bear the signatures of the Mayor or Village Manager and the Director of Finance, provided that either or both of such signatures and such seal may be facsimiles. The Bonds shall bear the manual authenticating signature of the Director of Finance serving as, or of an authorized representative of a bank or trust company determined by the Director of Finance to serve as, the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. The final payment of the Debt Charges shall be payable at the designated office of the Paying Agent and the Registrar and all other Debt Charges shall be paid on each Bond Payment Date to the person whose name appears on the record date (being the 15th day preceding each Bond Payment Date) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the designated office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Municipality and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any Bond Payment Date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The Municipality and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the Municipality nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Debt Charges, the full faith, credit, and revenue of the Municipality are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the Debt Charges promptly when and as the same fall due, there shall be and is hereby levied on all the taxable property in the Municipality, within the ten-mill limitation of Article XII, Section 2 of the Constitution of Ohio, in addition to all other taxes, a direct tax

annually during the period the Bonds are to run in an amount sufficient to provide funds to pay the Debt Charges as and when the same fall due, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio; provided, that in each year to the extent that Revenues or moneys from other sources are available for the payment of the Debt Charges and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such Revenues or other moneys so available and appropriated. Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The Revenues to be applied to the payment of the Debt Charges and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the Debt Charges when and as the same shall fall due.

SECTION 5. That the Bonds are hereby awarded and sold to the Bank at not less than 100% of the principal amount thereof plus accrued interest to the date of delivery, all as set forth in the Bank's offer to purchase the Bonds which is hereby accepted.

The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. That this council hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements.

The Director of Finance or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to (a) make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the Municipality with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance or any other officer on behalf of the Municipality; and (b) give an appropriate certificate on behalf of the Municipality on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and

148, and the representations, warranties and covenants of the Municipality regarding compliance by the Municipality with Sections 141 through 150 of the Code, and the regulations thereunder.

The Bonds are hereby designated as “qualified tax-exempt obligations” to the extent permitted by Section 265(b)(3) of the Code and not already deemed so designated. This council finds and determines that the reasonable anticipated amount of qualified tax-exempt obligations (other than private activity bonds) which will be issued by the Municipality during the calendar year in which the Bonds are issued does not and this council hereby covenants that, during such year, the amount of tax-exempt obligations issued by the Municipality and designated as “qualified tax-exempt obligations” for such purpose will not exceed \$10,000,000. The Director of Finance and other appropriate officers, and any of them, are authorized to take such actions and give such certifications on behalf of the Municipality with respect to the reasonably anticipated amount of tax-exempt obligations to be issued by the Municipality during this calendar year and with respect to such other matters as appropriate under Section 265(b)(3).

SECTION 7. That the Director of Finance is hereby authorized to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 8. That the law firm of Dinsmore & Shohl LLP be and is hereby retained to provide bond counsel services to the Municipality in connection with the issuance of such Bonds, including preparation of the necessary authorization and related closing documents for the issuance, sale and delivery of the Bonds and, if appropriate, rendering its approving legal opinion in connection therewith to the Bank, and said firm shall be compensated by the Municipality for such services in accordance with a written agreement substantially the form presently on file with this village council. The Mayor, the Village Manager, the Director of Finance and other appropriate officials of the Municipality, are each hereby separately authorized, without further action of this village council, to execute and deliver such agreement on behalf of the Municipality in substantially the form presently on file with this village council and to take any and all actions and to execute such other instruments that may be necessary or appropriate in order to effect the retention of such firm and the intent of this ordinance.

SECTION 9. That if any provision of this ordinance or such Bonds, or any covenant, obligation or agreement contained herein or therein is determined by a court to be invalid or unenforceable, that determination shall not affect any other provision, covenant, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein or therein. That invalidity or unenforceability shall not affect any valid and enforceable application thereof, and each such provision, covenant, obligation or agreement shall be deemed to be effective, operative, made, entered into or taken in the manner and to the full extent permitted by law.

SECTION 10. That the Director of Finance is hereby directed to forward a certified copy of this ordinance to the county auditor of each county in which any part of the Municipality is located.

SECTION 11. That it is found and determined that all formal actions of this village

council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this village council, and that all deliberations of this village council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 12. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare for the reason that the immediate issuance of the Bonds is required to provide funds to support contracts for the Project and so that the Municipality and its citizens may receive the public safety benefits of the acquisition of the Project at the earliest possible time; therefore, this ordinance shall take effect immediately upon its passage.

Date of Introduction: September 15, 2020

Date of Public Hearing/Vote: October 6, 2020

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe
Clerk of Council

Yazan S. Ashrawi
Law Director

Prepared by:
Dennis G. Schwallie, Esq.
Dinsmore & Shohl LLP
191 West Nationwide Boulevard, Suite 300
Columbus, Ohio 43215

CERTIFICATE OF CLERK OF COUNCIL

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No. 28-2020 passed by the Village Council on October 6, 2020, and that a copy of the foregoing ordinance was certified this day to the county auditor of Licking County, Ohio.

Clerk of Council

Dated: October ___, 2020

RECEIPT OF COUNTY AUDITOR

The undersigned hereby acknowledges receipt of a certified copy of the foregoing ordinance.

County Auditor
Licking County, Ohio

Dated: October ___, 2020

CERTIFICATE AS TO MAXIMUM MATURITY OF BONDS

The undersigned, Director of Finance of the Village of Johnstown, Ohio, being the fiscal officer of such village within the meaning of Section 133.01 of the Ohio Revised Code (the “Act”), hereby certifies to the council of such village in connection with the proposed issuance and sale of \$50,000 of bonds (the “Bonds”) for the purpose of paying part of the cost of acquiring a police cruiser and related equipment (the “Project”), that:

1. The estimated life or period of usefulness of the Project, being the improvements to be made or acquired from the proceeds of the Bonds, is at least five (5) years; and

2. The maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Act is five (5) years; provided that if notes in anticipation of the Bonds have been outstanding for a period in excess of five years from the date of the original note issue, the period thereof in excess of five years shall be deducted from such maximum maturity of the Bonds.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of September, 2020.

Director of Finance

CERTIFICATE OF MEMBERSHIP

The undersigned, Director of Finance of the Village of Johnstown, Ohio, hereby certifies that the following were the officers of the Village and the members of Council during the period proceedings were taken authorizing the issuance of \$50,000 Police Vehicle Acquisition Bonds, Series 2020:

Manager	James Lenner
Mayor	Charles Dutcher
President of Council	Cheryl Robertson
Member of Council	Carol Van Deest
Member of Council	Benjamin Lee
Member of Council	Marvin Block
Member of Council	Doug Lehner
Member of Council	Sharon Hendren
Director of Finance	Dana Steffan
Director of Law	Frost Brown Todd (Yazan S. Ashrawi, Esq.)
Clerk of Council	Teresa Monroe

Clerk of Council

TRANSCRIPT CERTIFICATE

The undersigned, Director of Finance, hereby certifies that the attached is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified bonds, and that all such proceedings were held in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

Clerk of Council

DGS/16841210

EXTRACT FROM MINUTES OF MEETING

The Council of the Village of Johnstown, Ohio, met in _____ session at _____ .m. on October 6, 2020 at _____, Johnstown, Ohio with the following members present:

Absent: _____

Other Business

There was presented to Council by the Director of Finance a Certificate as to Maximum Maturity of Bonds.

There was presented and read to Council Ordinance No. 28-2020, entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$50,000 OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COST OF ACQUIRING A POLICE CRUISER AND RELATED EQUIPMENT, AND DECLARING AN EMERGENCY.

_____ moved that Ordinance No. 28-2020 be passed as an emergency. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows (at least five members concurring):

AYES: _____

NAYS: _____

Ordinance No. 28-2020 was declared passed _____, 2020.

CERTIFICATE

The undersigned, Clerk of Council of the Village of Johnstown, Ohio, hereby certifies that the foregoing is a true and correct copy of the minutes of a meeting of the Council of said Village, held on October 6, 2020.

Clerk of Council