



Special Council
Tuesday, December 19, 2023 - 6:30 PM
MINUTES

1. Call to Order

Council President Jon Merriman called to Order the City of Johnstown Regular Council Meeting for December 19, 2023 at 6:36 PM.

2. Roll Call

Present - Council President Jon Merriman, Sharon Hendren, Ryan Green, Nicole Shook, Bob Orsini, Charlie Campbell
Absent - Mayor Donald Barnard

Staff present - Sean Staneart - Acting City Manager, Dave Delande - Finance Director, Jack Liggett - Service Director, Rusty Smart - Chief of Police, Teresa Monroe - Clerk of Council

Public present - Lewie Main, Cyndi Duke, Tiffany Hollis, Wesley Koble, Nick Hubbell

Ms. Hendren offered the invocation.

Pledge of Allegiance

3. Citizen comments on matters not on the agenda

No comments

4. Tabled Legislation - None

5. Public Hearings of Legislation

- a. **ORDINANCE 24-2023** AN ORDINANCE TO APPROVE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2024. Introduction on December 12, 2023

Budget Ordinance for 2024. Finance Director Dave Delande reviewed the position of the General Fund, will need to use some of the carryover for the almost \$90,000 deficit. They will be reviewing this first and second quarter to see where they are at with revenues coming in. Some line items reviewed by council members, questions answered by staff. Sean Staneart reviewed some edits made by committee, additional positions originally in the budget were taken out to bring more in balance, the additional Police Officer and office support staff, the planner was left in as committee though imperative. Mr. Staneart said he does not love the skeleton crew that all departments are operating with but all will continue to do the best possible job with the resources they have. Water and Sewer operating are still at a deficiency, operating costs, plant chemical costs have increased, hopeful for additional revenues in both categories to reassess half way through the year. Mr. Staneart added that they have left vehicles in the budget, they have looked at costs of annual

replacements, the only provision he recommends is that council pass the budget conditional upon any vehicle purchases, departments first obtain approval by the manager prior to vehicle purchase. No further debate.

Public Hearing

1. Lewie Main

- Asked if budget numbers were the same as at last reading. The answer was no, numbers have been adjusted since introduction.
- Asked about other line items, staff reviewed and answered questions.

ACTION: Bob Orsini moved to pass ordinance 24-2023 as written with the condition that any expenditure for a motor vehicle be approved by the city manager prior to purchase; Jon Merriman seconded and the vote was as follows:

AYES: Charlie Campbell, Nicole Shook, Bob Orsini, Jon Merriman, Ryan Green, Sharon Hendren

NOES: None

ABSTAIN: None

Passed 6 – 0

- b. **ORDINANCE 25-2023** 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 PERCENT (2.00%) 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 MARCH OF 2024.

Sean Staneart said Finance Committee discussed this during budget review, realizing the city is operating in a skeleton situation and the need did not go away. They wanted to give the voters an opportunity to reevaluate our tax structure, amounts were adjusted to a two percent tax with a seventy-five percent credit to be put on the ballot in March. They will try to communicate the message the best they can to the residents and address concerns heard in the last election, to be more specific about items the money would be utilized on.

Bob Orsini said Finance Committee went through the budget line by line looking for any opportunity to capture savings, appropriations were discussed in detail, being specific about need and available funds. He said, projecting out, the current income to expense ratio is not strong enough to keep us in a strong position as a city. We can operate for several more years with carryover, but as the income to debt ratio changes we get downgraded by Moody's, that we are four to five years away from having major problems, that means no major improvements, just hanging on and operating, this is what the numbers say. He added that to do nothing would be an error on the committee's part, so they wanted to bring this back, and hearing the voter voice, adjusting the amounts. This will allow the city to get better footing and hopefully bridge the gap between need and business coming in to backfill some of the operating costs.

Ryan Green said the voters spoke and told us what they thought and we are going right back into this at the worst time, a campaign over the winter, taxes are being paid, he does not disagree that we need the money, but said we are able to continue service as status quo, and can stay afloat even for a few years. He thinks rushing into this cheapens the message, that the voters spoke, and it is an inopportune time of year, he wishes we did not have to wait until November but that is the case we are in.

Charlie Campell said he helped campaign for the tax, voters though the 2.25% was too high, he thinks they have adjusted well for that. He asked if a fifty percent credit was considered, he thinks seventy five is too much.

Sharon Hendren said she agrees March is too soon, she agrees with Charlie to reduce it. She said we definitely need it but March would be difficult.

Bob Orsini said he respects all of the opinions but he operates from what is right is right. Timing and all the other things that make something pass or not, the community will understand that this tax is necessary to live in the town that we all hope it will grow to be, or they won't. If residents are motivated to see things change, to see streets get paved, to see more than a handful of guys driving a plow truck, they have to have people in place, we cannot have zero backup for employees, especially in critical positions. These are the things that the community has to understand, he doesn't know if they will understand this better in November versus March but from an objective standpoint it is a necessity.

Nicole Shook asked Service Director Jack Liggett if we have less people for snow plowing this year. Mr. Liggett said yes, they started with a staff of seven in the Street Department and are down to three. During a heavy snow event they will only be able to plow major arteries, then side streets the following day, it will just take more time.

Sean Staneart said the fifty percent credit has been attempted before and it didn't pass. That the seventy-five saves more of the residents money, a majority of voters would see a decrease in their taxes or no change at all. It was previously mentioned that there is a new council incoming and they should weigh in on how funds would be spent; he said many of the new council members showed up for the Finance Committee meetings and they were some of the driving force behind putting this back on in March, this was a collaborative effort with the incoming council.

Discussion on the credit taken away by council some years ago, and that the credit offered this time is written into the Ordinance so that council will not be able to take it away without voter approval. Discussion on when the tax revenue would begin to come in, July of 2024.

Public Hearing:

1. Lewie Main

- Scenarios of the tax discussed.

ACTION: Jon Merriman moved to suspend the council rules to hear the ordinance and waive the second reading; Bob Orsini seconded and the vote was as

follows:
AYES: Nicole Shook, Bob Orsini, Jon Merriman, Ryan Green, Sharon Hendren, Charlie Campbell
NOES: None
ABSTAIN: None

Passed 6 - 0

Prior to the vote, context provided on the need to waive the second reading; the deadline to get this on the March ballot is tomorrow.

ACTION: Bob Orsini moved to approve ordinance 25-2023 conditional upon the vote of the electorate; Jon Merriman seconded and the vote was as follows:
AYES: Jon Merriman, Nicole Shook, Bob Orsini
NOES: Sharon Hendren, Ryan Green, Charlie Campbell
ABSTAIN: None

Failed 3 - 3

- c. **ORDINANCE 26-2023** AN ORDINANCE AMENDING ORDINANCE 22-2022, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

Finance Director Dave Delande said this is some year-end cleanup, the transfer in is the income tax percentage, the twenty eight percent, transferring into the capital fund. Also on one of our OWDA loans, we are asking for a re-appropriation of \$10,000, that is debt service we were short of.

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

ACTION: Jon Merriman moved to suspend the rules to waive the second reading; Bob Orsini seconded and the vote was as follows:
AYES: Jon Merriman, Ryan Green, Sharon Hendren, Charlie Campbell, Nicole Shook, Bob Orsini
NOES: None
ABSTAIN: None

Passed 6 - 0

ACTION: Jon Merriman moved to approve ordinance 26-2023; Bob Orsini seconded and the vote was as follows:
AYES: Ryan Green, Sharon Hendren, Charlie Campbell, Jon Merriman, Nicole Shook, Bob Orsini
NOES: None
ABSTAIN: None

Passed 6 - 0

- d. **RESOLUTION 2023-43** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS FOR THE CITY OF JOHNSTOWN, LICKING COUNTY, OHIO
The Ohio Public Defenders office and the Licking County Commissioners require the city to pass this every year.

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

Passed 6 - 0

- e. **RESOLUTION 2023-44** A RESOLUTION AMENDING THE COUNCIL RULES OF ORDER

ACTION: Bob Orsini moved to table; Jon Merriman seconded and the vote was as follows:
AYES: Charlie Campbell, Nicole Shook, Bob Orsini, Jon Merriman, Ryan Green, Sharon Hendren
NOES: None
ABSTAIN: None

Passed 6 - 0

- f. **RESOLUTION 2023-45** A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF JOHNSTOWN, AT THE PRIMARY ELECTION TO BE HELD ON MARCH 19, 2024, 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 PERCENT (2.00%) 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%)
Jon Merriman introduced the Resolution and moved to approve, there was no second; motion and Resolution died.

6. Introduction of Legislation - None

7. Other Business

1. Lewie Main said that the municipal tax shows as 2.25% in the city's published codified ordinances. Clerk of Council, Teresa Monroe, stated that the ballot initiative failed and the publisher of the city ordinances had no way of knowing that and that she has already reached out to them, they will be reversing the ordinance. The city tax remains 1%.
2. Sean Staneart said that Sharon Hendren was recognized at the last meeting for her twenty-four years on city council. Tonight he wanted to recognized three other council members who will be leaving their seats at the end of the year. Certificates of Appreciation were given to Nicole Shook, Charlie Campbell and Jon Merriman.

8. Adjourn

ACTION: Jon Merriman moved to adjourn; Bob Orsini seconded and all were in favor.

AYES: Sharon Hendren, Ryan Green, Jon Merriman, Nicole Shook, Bob Orsini, Charlie Campbell

NOES: None

ABSTAIN: None

Passed 6 - 0

The meeting ended at 7:42 pm

Next Council Meeting January 2, 2024