



Regular Council Meeting
Tuesday, July 2, 2024 - 6:30 PM
AGENDA

1. Call to Order
 2. Roll Call
 3. Invocation - Father Stephen Smith, Church of the Ascension
 4. Pledge of Allegiance
 5. Approval of Agenda
 6. Action on Minutes
 - a. June 18, 2024
 - b. June 25, 2024 special
 7. Citizen comments on matters not on the agenda
 8. Council Committee reports
 - a. **Planning & Zoning:** Met 6/25/24; Next 7/9/24 @ 6:30 pm Council Chambers
 - b. **Design Review Board:** Met 6/25/24; Next 7/9/24 @ 5:30 pm Council Chambers
 - c. **Finance:** 7/2/24; Next 7/15 /24 @ 5:00 pm Admin conference room
 - d. **Safety & Service:** 7/2/24; Next 8/6/24 @ 5:45 pm Admin conference room
 9. Director Reports
 - a. Service Departments: Water, Sewer, Street, Director
 10. Council decision on Zoning Map Amendment - TABLED June 18, 2024
 11. Tabled Legislation
 - a. **RESOLUTION 2024-14** A RESOLUTION TO ADOPT THE PROPOSED COMPREHENSIVE PLAN AS PRESENTED. Tabled April 4, 2024
 12. Public Hearings of Legislation
 - a. **ORDINANCE 16-2024** AN ORDINANCE TO AMEND SECTIONS 1187.08 AND 1187.09 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES.
 - b. **ORDINANCE 17-2024** AN ORDINANCE TO PROHIBIT CANNABIS DISPENSARIES; AND TO DECLARE AN EMERGENCY.
 - c. **RESOLUTION 2024-27** A RESOLUTION OF COMMITMENT TO JOHNSTOWN RESIDENTS FOR TAX REVENUE SPENDING
 - d. **RESOLUTION 2024-28** A RESOLUTION IMPOSING A TWELVE-MONTH MORATORIUM ON THE COMMERCIAL CULTIVATION AND PROCESSING OF ADULT-USE CANNABIS IN THE CITY OF JOHNSTOWN
 13. Introduction of Legislation - None
 14. Other Business
 15. Executive Session to consider the employment of a public employee
 16. Adjourn
-

Next Council Meeting MONDAY, July 15, 2024



Regular Council
Tuesday, June 18, 2024 - 6:30 PM
MINUTES

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for June 18, 2024 at 6:43 PM.

2. Roll Call

Present - Mayor Donald Barnard, Jeff Barr, Ryan Green, Tiffany Hollis, Wesley Kobel, Dave Selan, Bob Orsini
Absent - None

Staff present - Sean Staneart - City Manager, Dave Delande - Finance Director, Rick Fitch - Wastwater OIC, Rusty Smart - Chief of Police, Thadeus Boggs - City Law Director, Teresa Monroe - Clerk of Council

Public present - Greg Stype, Jamie McNally, Ashley Kunes, Janet Dietzel, Linda Coss, Andria Coppel, Laura Strollo, Rob Grove, Todd Huston, Christine Parks, Terri Feters, John Neibarger, Chad Niel

3. Invocation - Pastor Nick Shaner, Johnstown Shepherd Church

4. Pledge of Allegiance

5. Approval of Agenda

ACTION: Dave Selan moved to approve as written; Tiffany Hollis seconded and the vote was as follows:

AYES: Dave Selan, Bob Orsini, Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel

NOES: None

ABSTAIN: None

Passed 7 - 0

6. Action on Minutes

a. May 30, 2024 Special

ACTION: Bob Orsini moved to approve as written; Dave Selan seconded and the vote was as follows:

AYES: Bob Orsini, Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan

NOES: None

ABSTAIN: None

Passed 7 - 0

b. June 4, 2024

ACTION: Dave Selan moved to approve the June 4th council meeting minutes; Wesley Kobel seconded and the vote was as follows:

AYES: Dave Selan, Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel

NOES: None

ABSTAIN: Bob Orsini (due to absence)

Passed 6 - 0

7. Citizen comments on matters not on the agenda

1. Janet Dietzel

- Was born and raised in Johnstown but has a complaint. She does not like all the buildings on Main Street painted black and she wonders why they are, can they paint them any color they want to? She does like the pastel colors.
- Was born and raised on Kasson Street and said it needs to be resurfaced.

Mayor Barnard said the city does not have a set color that buildings can or cannot be painted. Sean Stanearth said not yet, he said that council is awaiting a proposal from MKSK which will draft some design guidelines.

2. Andrea Coppel

- Said that her role with the Johnstown Chamber of Commerce started with filing the Secretary of State documents two years ago. She has volunteered countless hours away from her kids, worked with key stakeholders and successfully created an amazing entity with a solid framework with a future outlook that any city would be proud to boast about. The Chambers mission is to bolster the sense of community and create a network for local businesses and residents. The Chamber provides opportunities to successfully connect with neighbors, grow business and contribute to the Johnstown, Ohio economy.
- On December 20, 2022, she emailed council members and staff that she had done quite a bit of homework, and selected three different cities that have successfully implemented a DORA district in partnership with their local chambers of commerce. The DORA district is one of the chambers ongoing projects; they tried to give the city a plan but was temporarily delayed as the prior council was either unable or unwilling to appropriate any funds to the consulting or code writing. The chambers was also unable to allocate any funds at that time, but today the board has approved the chamber to allocate funds to bring this project to fruition. They have received bids from three different consultants who can help create a solid plan. They anticipate presenting their plan and working through the preliminary drafting in conjunction with the Economic Development Committee. They are ready to commence and would appreciate any recommendations or procedural advice from council.

3. Chad Niel

- There is no road name sign at the stop sign at Edwards and Buena Vista Drive

8. Council Committee reports

- a. **Planning & Zoning:** 6/11/24 canceled; Next 6/25/24 @ 6:30 pm Council Chambers
- b. **Design Review Board:** Met 6/11/24; Next 6/25/24 @ 5:30 pm Council Chambers
No applications. General discussion on the Design Guidelines as well as the demo permit process, there is draft legislation on the agenda tonight.
- c. **Finance:** 6/18/24; Next 7/2/24 @ 5:00 pm Admin conference room
Discussed several things, there will be a couple recommendations on the agenda later tonight. One of the items he wants to bring to council is a three part plan; the first is for council to create a spending plan. This new tax would generate \$2.1 million, of that, 66% or \$1.4 million would go to roads and sidewalks within the city, they would have a list of roads. 14% or \$300,000 would go to safety & service, this would look at possibly bringing on three new police officers on. 14% or \$300,000 would go to city operations for city planners, Economic Development, street department. 6% would go to parks, trails and beautification of the city. The second part of the plan is if this tax passes, providing a yearly report to our citizens stating how the money was spent. Mayor Barnard said this is a 2.25 income tax with a 75% credit, so those that work outside of Johnstown would get a 75% credit for the taxes that they already pay to another municipality. But what this does is unfairly punish our citizens who live and work inside the city of Johnstown, So, the third part would be to look at an economic assistance program for those residents that are affected the most. Sean Staneart said that council is effectively trying to save the residents of Johnstown money, the credit is something new that has not been in place recently. Most residents will be able to participate and walk away with more money in their pocket. Bob Orsini added that the tax increase will have no impact or a reduced tax burden for people that work outside of the city in a municipality that collects higher tax and the city of Johnstown will be able to collect a higher tax from new workers coming to town. We are one of very few one percent cities and would say we are the only one percent city in the economic environment that we currently sit so this will level us with everyone else. The council through finance will identify what the city will spend the money on, it is not going into a black hole to be used for whatever, and to prove that over time, we will have an annual accounting of what came in and what it was spent on. Is it going to be perfect? No, will it be best use? Yes. Also, because this does impact people that work and live in Johnstown, especially those that have a higher impact as a percentage, we will look to find a way to offset that burden. Mr. Orsini said there is a lot of effort going into finding a way to raise tax revenue without it coming out of the pocket of the citizens. Mayor Barnard added that this is only on earned income.
- d. **School District Liaison:** Working to schedule

9. Director Reports

- a. **Police Chief**
Chief Smart included his report in the council packet for review and answered council

member questions.

Mayor Barnard noted that Chief Smart was selected by the FBI to attend a conference in Miami, Florida. He was one out of three from the State of Ohio.

b. City Manager

Sean Staneart included his report in the council packet for review and answered council member questions. Mr. Barr asked when they could expect to get the design guidelines. Mr. Staneart said there has been a heavy emphasis on getting the Comprehensive Plan across the finish line, once that has been accepted, MKSK will be sending a proposal to council, if accepted, then they can fully engage in those guidelines.

10. Council decision on Zoning Map Amendment

City Counsel Thad Boggs addressed council saying that under the zoning map amendment process, the public hearing was held at the last meeting. It is now a matter for council to determine whether they wish to move forward adopting the Planning and Zoning Commissions recommendation, modifying or departing from it. He knows there have been some discussions that maybe the City Manager or applicant can speak about.

Sean Staneart said that over the last two months of this process, he has had the ability to observe the interaction of the citizens, as well as council and the applicant trying to creatively figure out a solution that highlights all of the items that are important to each party. What he saw was an emphasis on the quality of the houses that would be built there as well as consistency from the residents that currently have built houses there and not wanting to lose that new development having a different product integrated into their neighborhood. He said there is a possibility to have those parcels folded into the Raccoon Creek Estates and to have the same deed restrictions and HOA covenants.

Mr. Neibarger addressed council and said he reaffirms everything they just heard. Everything that Sean said is consistent with his thought process and what he is willing to do. Mayor Barnard asked him if he was willing to get deed restrictions to enter into the HOA of Raccoon Estates, Mr. Neibarger said yes, that he and Sean and Trevor have been emailing and council has been included in that. Mr. Neibarger added that he is fine with this being tabled while it is being resolved.

Mayor Barnard explained that the thought process is that if they make him build to SR-1 standards, which would only allow two houses in that area, the houses may not be to the same quality as the rest of the development. If they allow the three houses as requested, but he joined the HOA, the homes would be built at a higher standard. Ms. Hollis asked Mr. Neibarger if he was under any time constraint. Mr. Neibarger said if he was good to go by next spring he would be happy.

Mayor Barnard opened the floor to public comments:

1. Christine Parks

- Lives on Buena Vista. Said their homeowner association has not been fully developed and given to the homeowners yet and all of their deed restrictions go through Mr. Neibarger. She thinks that is a conflict of interest and asked who would ensure those are being followed. Mr. Neibarger said the deed restrictions are pretty well outlined, he is happy to abide by them and submit plans to whomever wants to

review them.

2. Chad Neil

- Live in Raccoon Creek Estates. The issue is the density of the homes on the available land, it should remain SR-1 to match our zoning, which would be two houses to stay consistent.

3. Todd Huston

- If two houses are built at SR-1 zoning standards, he could have vinyl siding if he wanted and do what he wanted for elevations as compared to three houses built at the Raccoon Creek Estates deed restrictions, which would be stucco or hardie board and a minimum size of 2500 square feet for a two story and 2,000 square feet for a single story, and if the elevations met the standards it would not negatively affect the remaining residents in Raccoon Creek, because really this will feel like a Raccoon Creek house, the frontage is Raccoon Creek, it will feel like our neighborhood. If it doesn't negatively affect our property values and doesn't affect the look and the feel of the neighborhood, he does not have a problem with three lots and three houses. How that is guaranteed to be done would be really important, whether or not all of his plans go through Design Review and he didn't get approval until it clears that, he would be fine with that. As long as he meets the deed restrictions of Raccoon Creek and builds a house similar to theirs.

Mr. Neibarger stated that he did not understand the legal vehicles to get there, but he is happy to go there.

ACTION: Jeff Barr moved to table at the applicants request; Dave Selan seconded and the vote was as follows:
AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini
NOES: None
ABSTAIN: None

Passed 7 - 0

11. Tabled Legislation

- a. **RESOLUTION 2024-14** A RESOLUTION TO ADOPT THE PROPOSED COMPREHENSIVE PLAN AS PRESENTED. Tabled April 4, 2024

ACTION: Bob Orsini moved to remove from the table; Donald Barnard seconded and the vote was as follows:
AYES: Bob Orsini, Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan
NOES: None

ABSTAIN: None

Passed 7 - 0

Mayor Barnard said this has been out four months now and has been out for multiple reviews, he asked if anyone had any more change to make before they move forward with it. Ryan Green said he had a couple. He said he didn't know if they had hashed out sections of the future land use enough, not sure if anyone wants to or if they can be cleaned up as it goes through Planning and Zoning and Design Review, he wants the documents to match. He referenced page 23, existing land use, asks what was the trigger to change that over, he knows land comes in annexation wise as rural, the colors don't match and they all know what the PD district is going to be but it is still listed as Ag. Sean Staneart said this map is current land use and even though we may know what it is going to be, it may not happen. Mr. Green referenced page 29, walkability, he is glad it made it in there but he asks why the area with the walking path is listed as low walkability. Mayor Barnard referenced the key in the plan, Mr. Barr referenced the "Ranking Explained" in the plan; after discussion, Mr. Green said that made sense. Mr. Green noted that Figure 8 on page 28 needed to be changed to 6. Additionally referenced the future land use map and some inconsistencies under lot size, width and coverage percentages.

Mr. Staneart said that this Comprehensive Plan is a "thirty thousand foot view", this is not code, they are development "considerations", the comp plan is not zoning.

Tiffany Hollis said that this document states the name "Intel" one hundred and ten times. While she appreciates the growth of Intel, it is technically in New Albany, not Johnstown so she would like to see us refer this as maybe an "economic growth zone", or just remove the name from what is happening, because it may not always be Intel. It is Johnstown's Comprehensive Plan, not New Albany's. She thinks one hundred and ten times to mention Intel is too much. Discussion on council member thoughts and how to edit grammatically. Mayor Barnard said that comments will be given to MKSK, any further edits should be entered into the edit link, come back in one month for passage.

ACTION: Bob Orsini moved to table; Dave Selan seconded and all were in favor.
AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Donald Barnard, Wesley Kobel, Dave Selan, Bob Orsini
NOES: None
ABSTAIN: None

Passed 7 - 0

- b. **ORDINANCE 13-2024** AN ORDINANCE TO DECLARE THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, EXEMPT 100% OF THAT IMPROVEMENT FROM REAL PROPERTY TAXATION, REQUIRE THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, PROVIDE FOR THE DISTRIBUTION OF THE APPLICABLE PORTION OF THOSE SERVICE PAYMENTS TO THE JOHNSTOWN-MONROE LOCAL SCHOOL DISTRICT AND THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING

COUNTY, ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS, SPECIFY PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THOSE PARCELS; AND TO DECLARE AN EMERGENCY. Tabled June 4, 2024

ACTION: Bob Orsini moved to take from the table; Tiffany Hollis seconded and all were in favor.

AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Donald Barnard, Wesley Kobel, Dave Selan, Bob Orsini

NOES: None

ABSTAIN: None

Passed 7 - 0

Greg Stype presented saying that council tabled this last time to allow time for the full fourteen day notice to the Joint Vocational School District (CTEC). This version of the ordinance contains all of the recommendations made by council after review. He requests that this is passed this evening so the foundation is laid for TIFF financing in connection with the 385 acre area.

ACTION: Donald Barnard moved to pass as written; Tiffany Hollis seconded and the vote was as follows:

AYES: Mayor Barnard, Wes Kobel, Dave Selan, Bob Orsini, Jeff Barr, Ryan Green, Tiffany Hollis

NOES: None

ABSTAIN: None

Passed 7 - 0

12. Public Hearings of Legislation

- a. **RESOLUTION 2024-24** A RESOLUTION ACCEPTING AN ANNEXATION OF 4.0 +/- ACRES, MORE OR LESS, FROM MONROE TOWNSHIP, LICKING COUNTY TO THE CITY OF JOHNSTOWN

Jamie McNally with Johnstown Land Company said this is almost identical to last session's annexation, what is described as the "missing teeth" along Clover Valley. The goal is to have this added into Sub Area 1, and will round out the site. This will be a part of an Economic Development project, this acreage that will become part of Sub Area 1 will be common ownership, part of the same program and with the same end user as well. Sub Area 1 will be zoned for Industrial and Data Center.

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

ACTION: Jeff Barr moved to pass as written; Tiffany Hollis seconded and the vote was as follows:

AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wes Kobel, Dave Selan, Bob Orsini

NOES: None
ABSTAIN: None

Passed 7 - 0

- b. **RESOLUTION 2024-25** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH NEW DAY FARMS, LLC FOR THE SALE OF WATER AND THE TREATMENT OF WASTEWATER

This Resolution and contract were recommended by Finance Committee 3-0. Mayor Barnard said that the city had agreements with New Day Farms for both sewer and water. The water had about ten years left on the contract, the rate they were paying for water was very low. The newly negotiated water contract opens it back up in two years versus ten years, it would bring in \$836,000 yearly instead of \$528,000. It also increases the rate for sewer. Mr. Barr asked if there was any kind of downside. Mayor Barnard said that he thinks our revenue will go down in the future as they look at new ways to spread the sewer, but while that may bring in less revenue from them, it would increase our capacity to allow us to have more capability. Mr. Staneart added that there was also a three percent rate increase in the second year. Mr. Orsini asked if the initial cost to get the line to New Day had been covered in part or in whole. Mr. Staneart said they will continue to pay that while the contract is in place, if the contract is terminated, he believes that would evaporate. The payments for the first eight years were \$64,000 annually, after that it went to \$45,000. We are five years in. Mr. Staneart reviewed some other aspects and said it looks like we would continue to collect that payment.

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

ACTION: Donald Barnard moved to pass resolution 2024-25 as written; Bob Orsini seconded and the vote was as follows:
AYES: Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini, Jeff Barr, Ryan Green, Tiffany Hollis
NOES: None
ABSTAIN: None

Passed 7 - 0

- c. **RESOLUTION 2024-26** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EMH&T FOR A JAG WATER AND SEWER MASTER PLAN PROPOSAL

Sean Staneart said that as discussed in the past, there are three segments happening right now related to water and sewer. The NPDES permit for the Southwest Licking water and sewer plant over in St. Albans Township on July 16th. The 208 boundary conversation (sewer), and the fifteen county water regional water study. The fifteen county study for Licking County target deadline is October, we are at the front of the line, they want to get ours done quickly, they will continue to have that conversation with the EPA. Mr. Staneart said we are running into deadlines and trying to deliver some of the requested documentation to support our initiative. With that said, we have been given a proposal from EMH&T to do a master plan. This master plan is important because Southwest Licking has

a master plan and if we are going to be a serious contender in the conversation on how we plan to supply the area, then we need to have a physical document to present rather than just lip service and verbiage. We need to have engineers and planners verify the conceptual things discussed. This is needed for the fifteen county study in order for our efforts to be taken seriously and also for the 208 conversation probably at the end of the year.

Mayor Barnard said the contract to create this plan is around \$124,000 and was discussed in Finance Committee, we are looking at splitting this cost some way with Granville, we do not know if Alexandria will be able to contribute, we hope they will but are not counting on it. Finance committee recommendation for the city portion is sixty percent. Bob Orsini said that this is the next step in the initiative and intent to control economic development in and around our city, if having a major controlling factor in the economic development means something, this is where we say how much it means, do we want to continue this effort, because without this step, this goes away. He is motivated to protect Johnstown through this controlling of resources, his question is do we have this in any of the budgets. Mr. Staneart said yes, he said he wants to link this to the other initiative going on, we are looking at building a water and sewer plant. In conjunction with that, we are looking at maintaining our water and sewer plants, we have aging infrastructure. With that said, we are looking at expansion and in order to make good sense of what we are trying to work through, you need this guiding document. The Enterprise Fund is not used except for infrastructure improvements, his suggestion is to look at that fund as this is an analysis for infrastructure improvements. Also as identified in the budget, there are legal fees set aside for this initiative. Those legal fees have been coming out of operating, there may be a need, if council desires, for some of those fees to start coming out of capital improvement or capacity fee initiative. He feels confident that there is enough revenue out of that fund to take care of all of this. Mayor Barnard said that Finance Committee has recommended that Sean enter into this contract and pay up to sixty percent. If Granville or Alexandria do not want to pay differences, Sean needs to come back to council. Ms. Hollis asked if we were jumping the gun on this, what does the impact of the hearing on July 16th look like, will this have any bearing on how we move forward on this. Sean said that is the NPDES permit for the plant at St. Albans Township, that is a proposal being put forward by Southwest Licking and we have concerns with that permit, we will bring up those concerns with the application, we do not need this proposal to do that, this proposal really speaks to the fifteen county plan as well as the 208 discussion. Mayor Barnard said that this is needed for planning purposes, the 208 boundary discussion and the regional water study. Some further discussion on timeline and how long it takes to complete this, Mr. Staneart said we have a lot of this data, it needs to be compiled, he hopes to have a final product within the next three months. Mr. Orsini asked Mr. Staneart what number or percentage he would like to have in order to start the conversation with Granville. Mr. Staneart said he thinks sixty percent is a good starting point. Mr. Orsini reviewed some further background discussed in Finance committee. Mr. Green said since we started on this last fall, what deliverables do we have from that date that we can show for this, we have Granville involved, we have Alexandria semi-involved, do we have any townships buying into this? Mr. Orsini said that we have school district participation. Mr. Staneart said that we have not gotten any signed commitments from any townships, not sure we need them as part of the MOU, although we would love to have them. Ms. Hollis asked if the County Commissioners had expressed any support at all either way. Mr. Staneart said they went to the County Commissioners probably three months ago just to make sure we weren't wasting our time and presented

the proposal, at a county commissioner meeting, he asked if they would shut this down or was it something they were open to. The Commissioners said they wanted to continue to learn about what exactly we were doing. This is the next step, if we are going to have a presentation for them, you have to have a Master Plan. Ms. Hollis asked if there was any support from the state level; Mr. Staneart said Claggett is currently our representative, Kevin Miller will be our representative, we have had conversations with Representative Miller, they were open to the idea, they are obviously trying to be objective and look at all sides, they have also communicated with Tim Schaffer. Some questions and discussion on potential state grants or funding, Sean Staneart said that we do not believe we would need state funding, that typically capital improvement projects should be self-sustaining, it is not necessary for our initiative to take place. Bob Orsini asked if the other providers plan (Southwest Licking) would be a motivator to grow exponentially and rapidly to recover costs; anyone that would support that model would support rapid growth and expansion east of town, to the standards that exist, as far as zoning and codes that exist in those areas, townships do not have the most developed codes and they certainly don't match the expectations of Johnstown as they stand today. Mr. Staneart said that hit the nail on the head. Mr. Green said we don't exactly know what is coming at us. Mr. Orsini asked what Mr. Green's reservations were that he was not grasping. Mr. Green said we have been at this for a couple months, he thought it would've grown by now, more people building on. The other players in the region are not exactly gaining traction or it would be in the newspapers if anybody was doing anything major. It seems like somebody wants a regional plan with all the players together. He wonders if we are moving quickly on this, when there could be more conversations and planning to happen that don't require all this money, he said he is not sure what our current tally is in a year when we are asking for more money, but it doesn't seem like anybody is gaining a lot of traction in this region to outpace us or anybody else. He is not sure what it will gain us if we continue to spend money on this, do we have these negotiations that we could have had for free anyway? Mayor Barnard said he thinks the evidence that something is happening is the fact that Southwest Licking is having to move much slower than they originally wanted, they are not moving as fast as they want to, they realize that there are decisions being made now that may affect them, that the EPA is re-looking at this. This report will help show the evidence that we should be the ones taking care of this area. Some further questions asked; Mr. Staneart said he would recommend that if they want to speak strategically about the water and sewer, it may be better to hold in committee or executive session. He said that Granville and Alexandria are having the same discussions with their councils, if they want to have a work session to continue discussion on this, he is willing to do that, he just wants to make sure it gets done in the right setting and legalese. Mr. Green asked what our running tally was on this, Mr. Staneart said he would need to defer to the Finance Director, but if they wanted to pull back on this that was fine, he has stated in the past and will say it again, if you don't carry this weight, then don't worry about hiring a planner. There was continued discussion on cost, where the money is coming from, plant capacity and expansion, JAG initiative and partnerships, discussions with Monroe Township and Newark. Mr. Orsini said he doesn't want to cut conversations short, but he is comfortable making a motion on taking a vote on this. Mr. Green said he thinks there are more regional conversations that can be had that won't obligate us to more money. Mr. Staneart said he is open to that, if they believe there is a regional conversation out there that hasn't already happened, he welcomes it, because this has been taking his time for the last year and he has gotten direction from council to do this for the school district and the protection of the city and it is burying him extensively. If they believe there is another initiative, bring that

person to the podium next week and he would love to listen.

Mr. Orsini called for a vote.

ACTION: Bob Orsini moved to pass Resolution 2024-26 to authorize the City Manager to contract with EMH&T for the JAG water-sewer master plan, not to exceed \$74,400 which is sixty percent of the contract as presented for final approval to be done by this body; Donald Barnard seconded and the vote was as follows:
AYES: Bob Orsini, Jeff Barr, Mayor Barnard, Wes Kobel, Dave Selan,
NOES: Ryan Green, Tiffany Hollis
ABSTAIN: None

Passed 5 - 2

13. Introduction of Legislation

a. **ORDINANCE 16-2024** AN ORDINANCE TO AMEND SECTIONS 1187.08 AND 1187.09 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

This amends Sections in Chapter 1187 to give better guidance for the building demolition process. This gives demo applications back to the Design Review Board. Public Hearing and vote on July 15th.

14. Other Business

1. Not enough council members are available for the festival parade to do an entire trailer
2. Mayor Barnard asked if anyone was interested in doing a "Walking Audit" or "Rounding", walk sections of town to understand it all
3. Discussion on Finance and SS committees, it is hard to hold on the same night in an hour and a half before council, discussed starting at 4:00 pm.
4. Jeff Barr asked about a policy for gifting money to organizations; staff will need to draft. Mr. Barr said he would be ok going ahead and appropriating the money to pay for a concrete apron at JYAA's Belt Park. No action by council at this time.
5. Mr. Barnard provided an update to full council on Cea Media and the proposal for services; finance recommendation was to go with option 2 as follows:
 - \$2500 monthly retainer • Length of Agreement: 6-mo (7/1/24 through 12/31/24)
 - Work to likely commence in June 2024
 - Termination Option: 30-day notice, no cause (mutually enacted)
 - Recuperation amount. If agreement is terminated by City prior to October 1, 2024, City will pay a recuperation amount of \$3,750 to Cea Media allowing the firm to recoup front loaded hours and expected costs we will incur by servicing the City, managing and supporting these functions year to date.

ACTION: Donald Barnard moved to go forward with frank cea and option 2, \$2500/month for six months, 30 day cancelation; Dave Selan seconded and the vote was as follows:
AYES: Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini, Jeff Barr, Ryan Green
NOES: Tiffany Hollis
ABSTAIN: None

Passed 6 - 1

6. Wes Kobel thanked all involved with the Downtown Johnstown event as well as the Farmers Market, he enjoyed both of them.
7. Tiffany Hollis said the Alumni banquet had record attendance, the numbers have dwindled so it was exciting to see.
8. Sean Staneart said last finance meeting the three options for the water plant were highlighted, the CMAR is already past its expiration, they have said they will extend but it does not have a long shelf life so he does not want to wait until next council meeting. Special Council meeting scheduled for Tuesday, June 25th at 2:00 pm.

15. Executive Session to consider confidential business information of an applicant for Economic Development Assistance

ACTION: Donald Barnard moved to enter executive session to consider confidential business information of an applicant for economic development assistance, with members of council, City Manager and Finance Director, with no action to follow; Jeff Barr seconded and the vote was as follows:

AYES: Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini, Jeff Barr, Ryan Green, Tiffany Hollis

NOES: None

ABSTAIN: None

Passed 7 - 0

Council entered Executive Session at 10:00 pm and returned to Regular Session at 10:25 pm.

16. Executive Session to consider the employment of a public employee
This Session was moved to the next council meeting agenda.

17. Adjourn

No further business; there was a motion and second to adjourn, motion passed 7-0. The meeting ended at 10:25 pm

Next Council Meeting July 2, 2024



Special City Council
Tuesday, June 25, 2024 - 2:00 PM
MINUTES

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Special Council Meeting for June 25, 2024 at 2:20 PM.

2. Roll Call

Present - Ryan Green, Tiffany Hollis, Donald Barnard, Wesley Kobel, Dave Selan, Bob Orsini, Jeff Barr (absent at roll call, arrived at 2:36 pm)
Absent - None

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

Public present - None

3. Pledge of Allegiance

4. Citizen comments on matters not on the agenda

No comments

5. Guaranteed Maximum Price (GMP) for the water plant

Options for water plant expansion previously discussed in Finance Committee were reviewed and discussed by full council.

- The first option is a Guaranteed Maximum Price offered by Bowen to expand the plant adding capacity of .5 million gallons per day (mgd), cost came in at \$22.8 million.
- Second option is to build a secondary 2 mgd plant, without doing any remodeling to our current facility, estimate came in at \$34.6 million. This does have a 20% contingency already built in.
- Third option is the .5 mgd plant remodel and building the 2 mgd plant, taking capacity to 3 mgd. Last April, the GMP estimate came in around \$36 million.

Sean Staneart said he thinks option two has a lot of potential, what it really comes down to is can we financially swing it, and what is council's risk factor.

Mayor Barnard asked when the city first started looking at expanding the water plant. Jack Liggett said the reason for the yearly five percent water rate increase is that previous councils knew we were starting to bump up against our capacity of 1 mgd and would need to expand. Prior to Intel, the plan was to do a 1 mgd expansion and to add the second water tower, which we have, after the Intel news, they focused on a 2 mgd expansion. Mayor Barnard said he asked that because he wanted people to know the need for expansion was not purely because of Intel.

Discussion on how to pay for it; anticipated revenues from New Day, Bulk sales, future PD

district and consideration on the future sewer plant expansion at a cost of \$50-60 million for a 1.2 to 2.4 mgd upgrade. After discussion, council members expressed the most interest in option two and would like to see some refined numbers. Discussion on what Jacobs Engineering has already provided when expansion was previously approved.

6. Other Business

1. Jack Liggett said he has provided the generator quote for the admin building. Cost to fix is \$7,000; cost to replace is \$25-30,000. Council members asked to see some competitive quotes.

2. Jack Liggett said that Bowen, who was the top graded group for CMAR on the wastewater expansion and design criteria, wants to know if the contract is going to be approved, or is the city not doing it. Mr. Liggett said that a CMAR is only of great benefit if we are going to build, it costs \$100,000 for them to come on as the CMAR. Sean Stanearth said that because we have time on the sewer at this current moment, he would say that unless we are building the sewer plant in 2025 or 2026, it is not necessary.

7. Adjourn

ACTION: Donald Barnard moved to adjourn; Tiffany Hollis seconded and all were in favor.

AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Donald Barnard, Wesley Kobel, Dave Selan, Bob Orsini

NOES: None

ABSTAIN: None

Passed 7 - 0

The meeting adjourned at 3:50 pm



June 2024

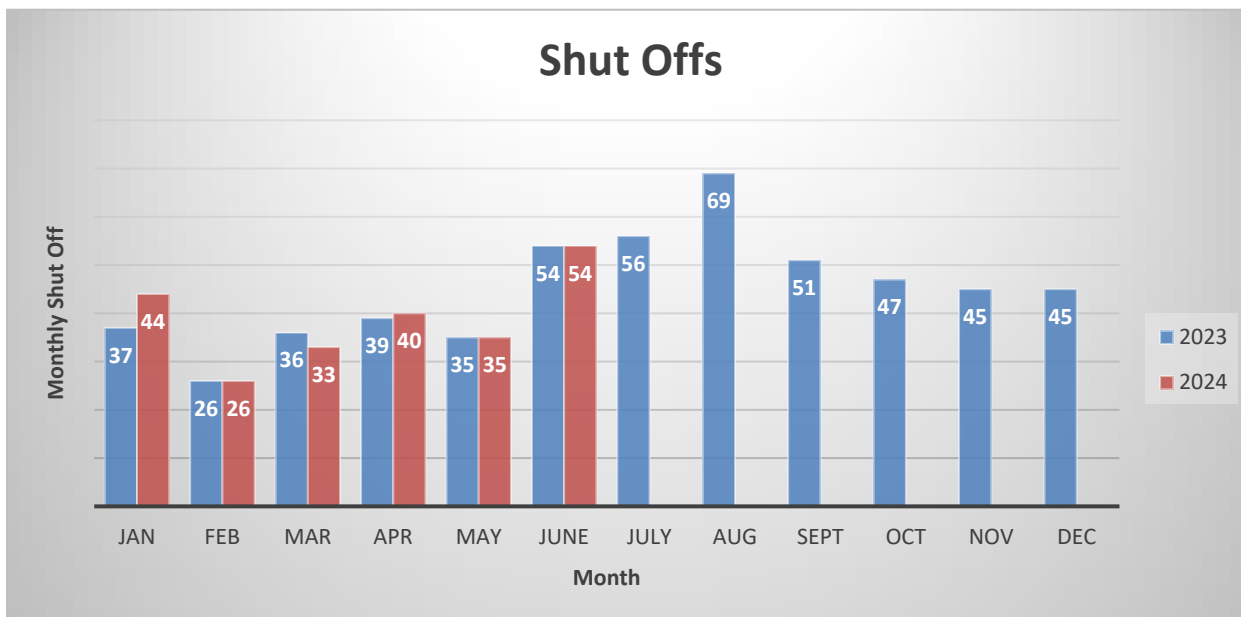
Water Council Report



Water Plant June 2024

- 1) As of June 27th, the flow is 18.464 MG.
- 2) There were 54 shut offs.
- 3) Worked on work-orders.
- 4) The Water Department had 11 hours of training.
- 5) Tim Perry hauled lime sludge.
- 6) On 6-12-2024, Ferguson trained Water Department personnel how to operate the Hydro Buddy for valve turning and fire hydrant operations.
- 7) Tim Perry worked 20 hours for the Street Department.
- 8) We continued working on Lead Inventory for E.P.A.
- 9) Changed lime feeders, took #2 feeder out and put #1 lime feeder in service. We cleaned #2 feeder and the feed line.
- 10) Water Department personnel participated in an EPA webinar on Lead Inventory.
- 11) On 6-13-2024, Moody's of Dayton came out and removed #1 H.S. pump for repair.
- 12) On Thursday 6-27-2024, attended a meeting with Bre Barto from Ohio Rural water to discuss Source Water Protect Plan.

Thank you,
Terry Nichols
Chief Water Operator
City of Johnstown



Daily Plant Tap Test Results

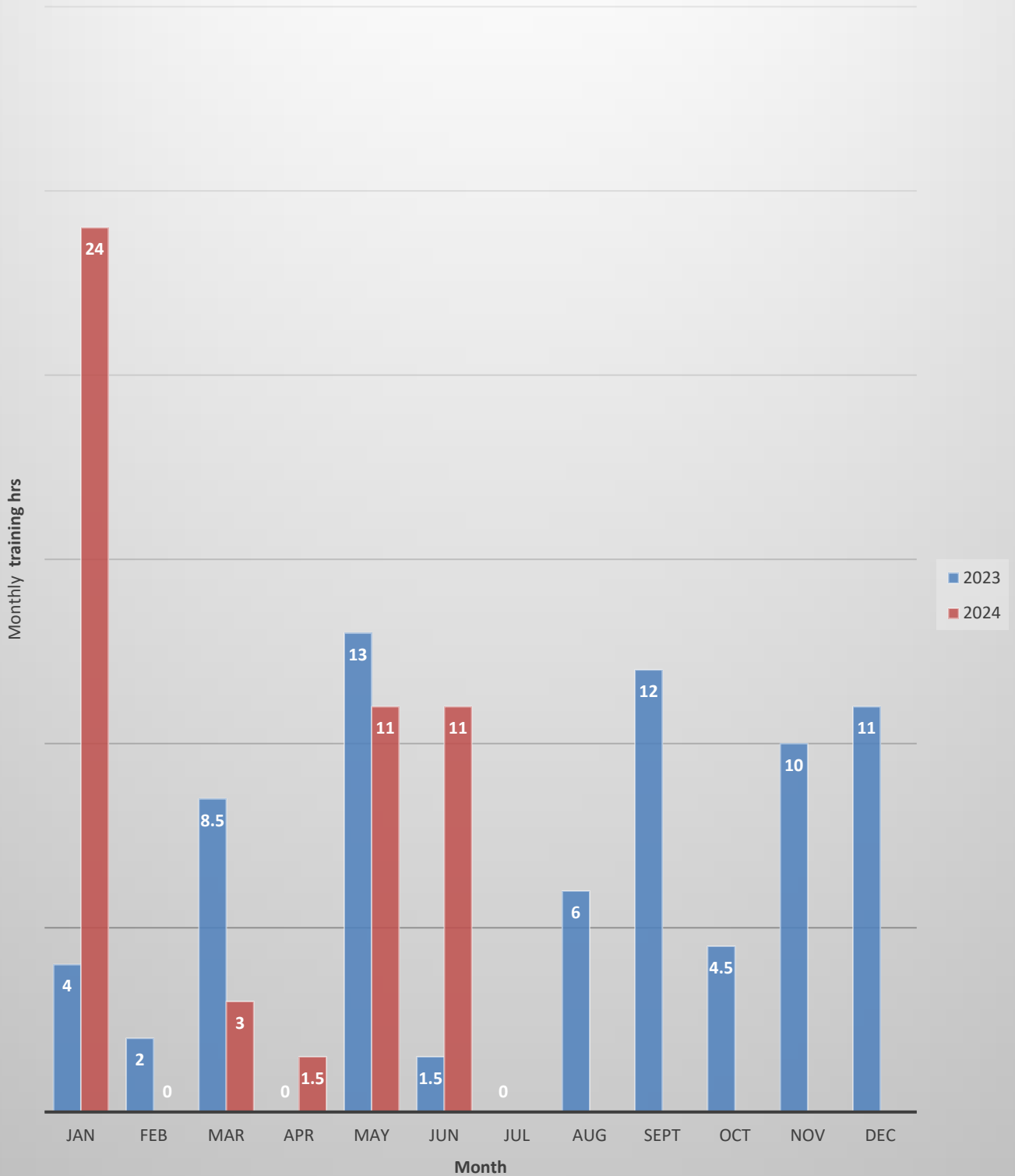
Date	PH	Phenol Alkalinity	Total Alkalinity	Total Hardness	Plant Tap Cl2		
					Free	Total	Combined
Jun-01	8.04	0	59	150	0.92	0.96	0.04
Jun-02	7.56	0	54	148	0.90	0.95	0.05
Jun-03	8.12	0	53	147	0.88	0.94	0.06
Jun-04	8.14	0	54	147	1.13	1.17	0.04
Jun-05	8.09	0	69	165	1.06	1.13	0.07
Jun-06	7.97	0	54	148	1.06	1.12	0.06
Jun-07	8.03	0	53	148	0.96	1.06	0.10
Jun-08	7.93	0	51	154	0.99	1.04	0.05
Jun-09	7.66	0	54	146	0.81	0.88	0.07
Jun-10	8.18	0	53	147	0.91	0.95	0.04
Jun-11	8.07	0	50	143	0.89	0.93	0.04
Jun-12	7.98	0	52	144	0.93	0.99	0.06
Jun-13	7.99	0	54	146	0.93	0.98	0.05
Jun-14	8.04	0	53	144	0.95	0.98	0.03
Jun-15	7.82	0	50	148	0.87	0.98	0.11
Jun-16	8.08	0	50	142	1.03	1.09	0.06
Jun-17	7.92	0	53	145	0.92	1.03	0.11
Jun-18	7.97	0	55	147	0.89	0.93	0.04
Jun-19	8.01	0	53	147	1.14	1.15	0.01
Jun-20	7.93	0	55	147	0.94	1.00	0.06
Jun-21	7.91	0	55	148	0.96	1.02	0.06
Jun-22	8.03	0	48	145	1.15	1.23	0.08
Jun-23	8.03	0	50	141	0.93	1.00	0.07
Jun-24	8.01	0	51	145	0.91	0.95	0.04
Jun-25	7.92	0	57	152	0.93	1.01	0.08
Jun-26	7.90	0	56	150	0.94	1.00	0.06
Jun-27	8.03	0	57	149	0.95	0.99	0.04
Jun-28	7.98	0	54	148	0.93	0.99	0.06
Jun-29							0.00
Jun-30							0.00
Average	7.98	0	54	148	0.96	1.02	0.06

Total Alkalinity: 35-55 mg/L

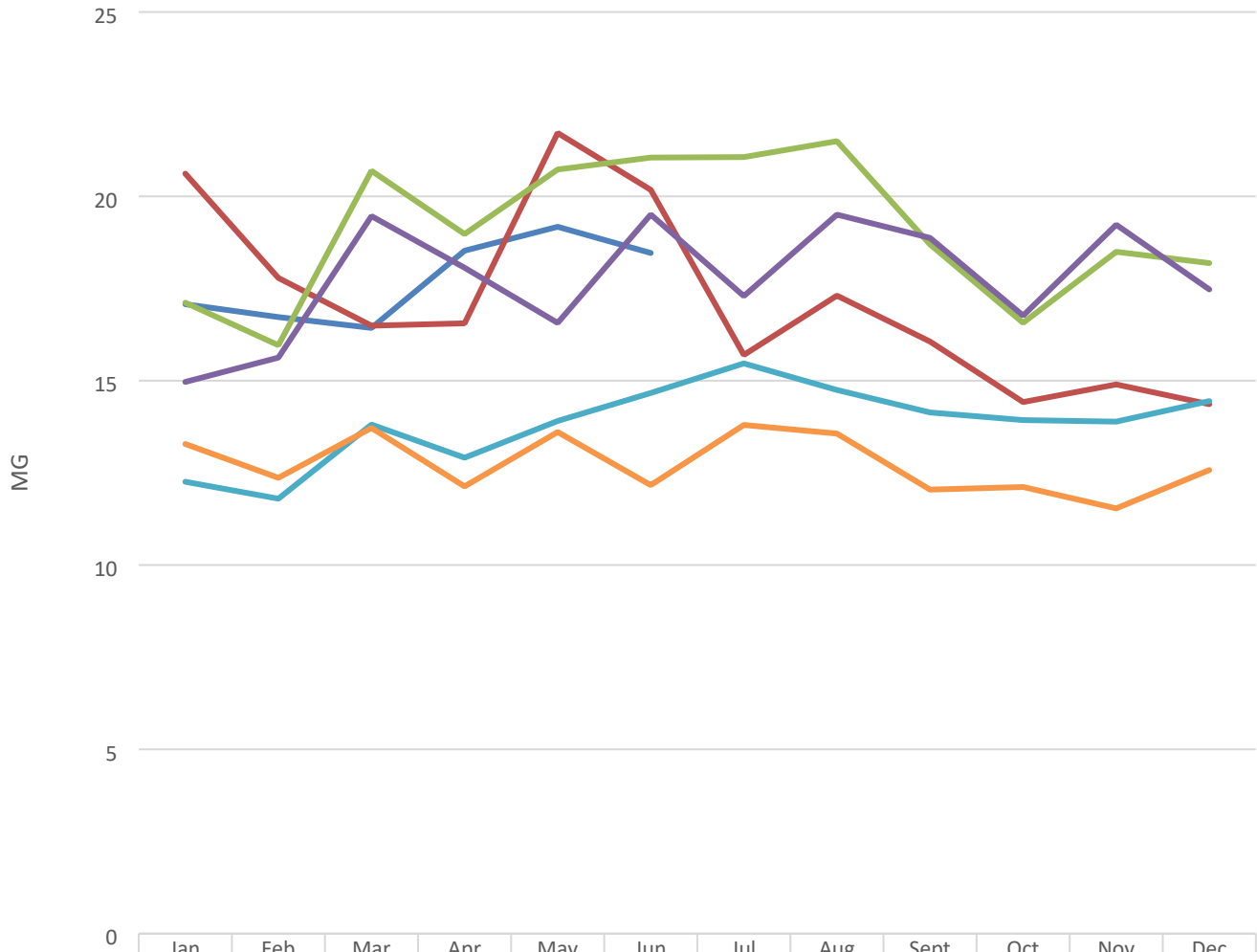
Phenol Alkalinity: 0-2 mg/L Hardness: 135 – 150 mg/L (Higher hardness is due to running # 2 L.S. well pulling water from deeper part of the aquifer)

Free Chlorine: 0.85-1.10 mg/L

Training Hours



Monthly Influent MG



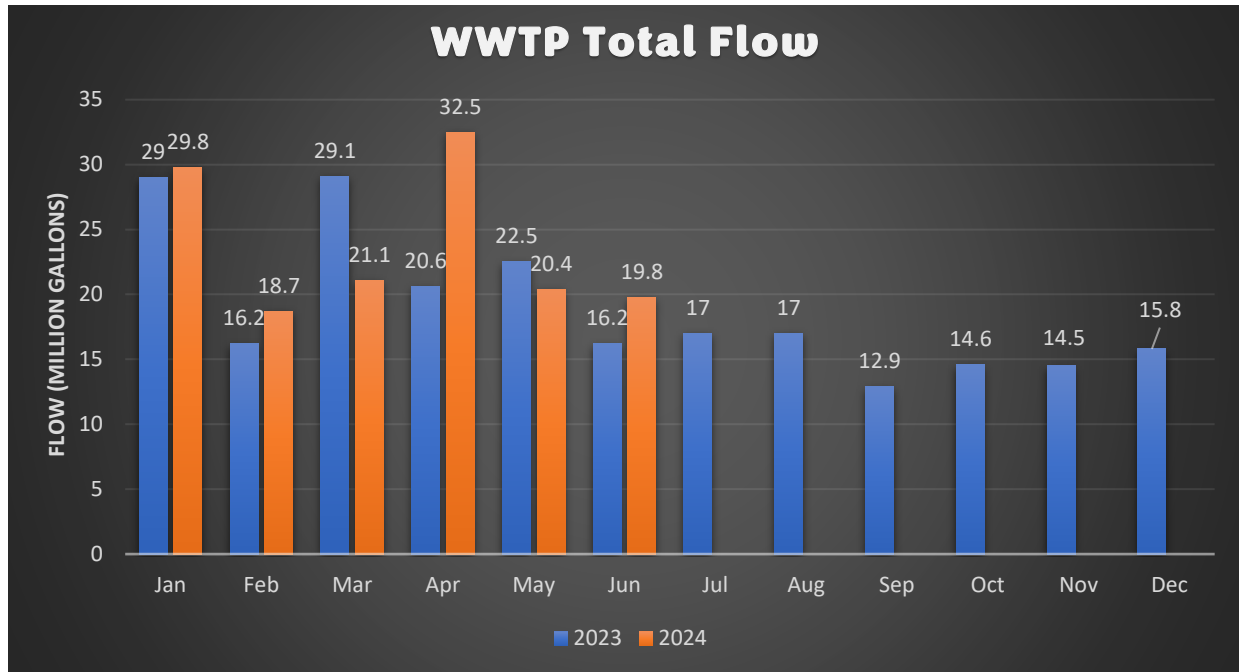
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
2024	17.074	16.725	16.431	18.526	19.174	18.464						
2023	20.616	17.786	16.492	16.556	21.719	20.176	15.698	17.307	16.061	14.42	14.898	14.362
2022	17.116	15.962	20.692	18.977	20.728	21.052	21.065	21.496	18.696	16.569	18.495	18.189
2021	14.966	15.626	19.463	18.063	16.567	19.506	17.295	19.504	18.873	16.765	19.23	17.475
2020	12.258	11.799	13.81	12.911	13.907	14.666	15.468	14.748	14.138	13.931	13.889	14.446
2019	13.283	12.365	13.718	12.132	13.607	12.167	13.799	13.565	12.045	12.116	11.536	12.576

Months

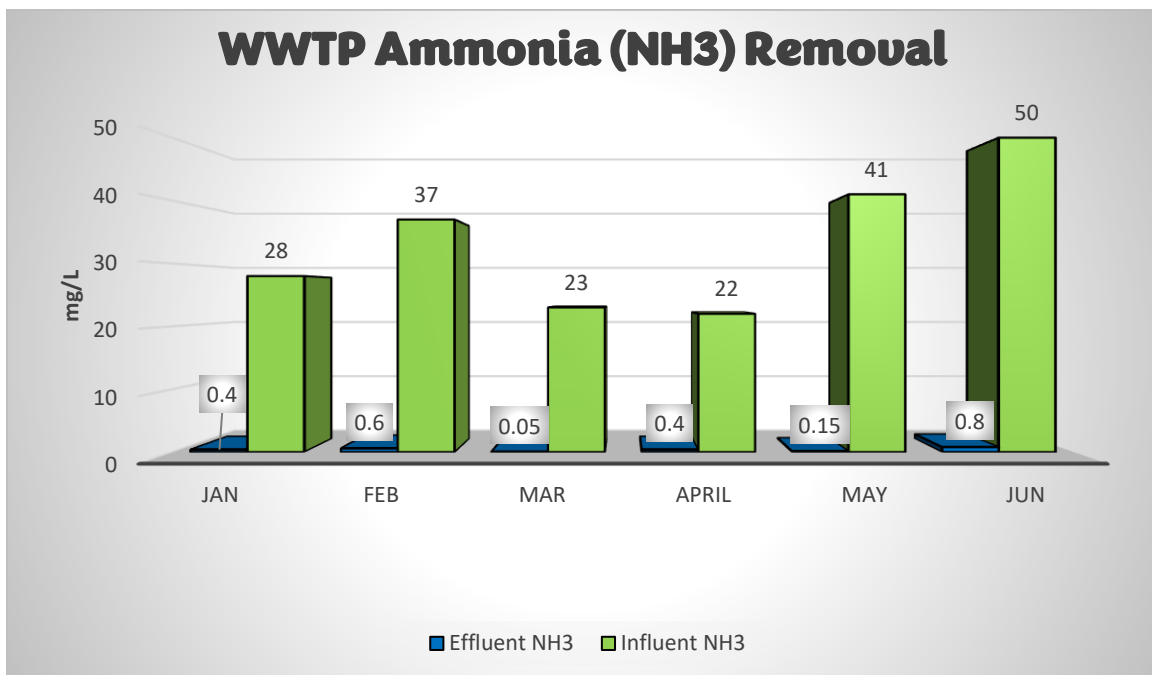


June 2024

Sewer Council Report



Plant Efficiency Charts

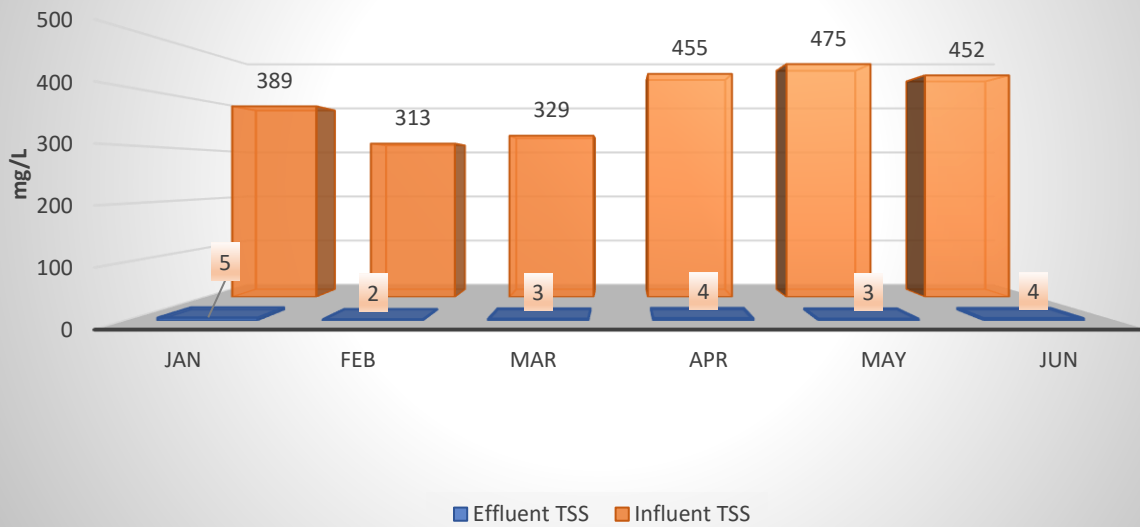


Average % of NH3 removed for the month = **98%**

Discharge Limitations

Weekly- 3.9 mg/L
Monthly- 2.6 mg/L

WWTP Total Suspended Solids Removal

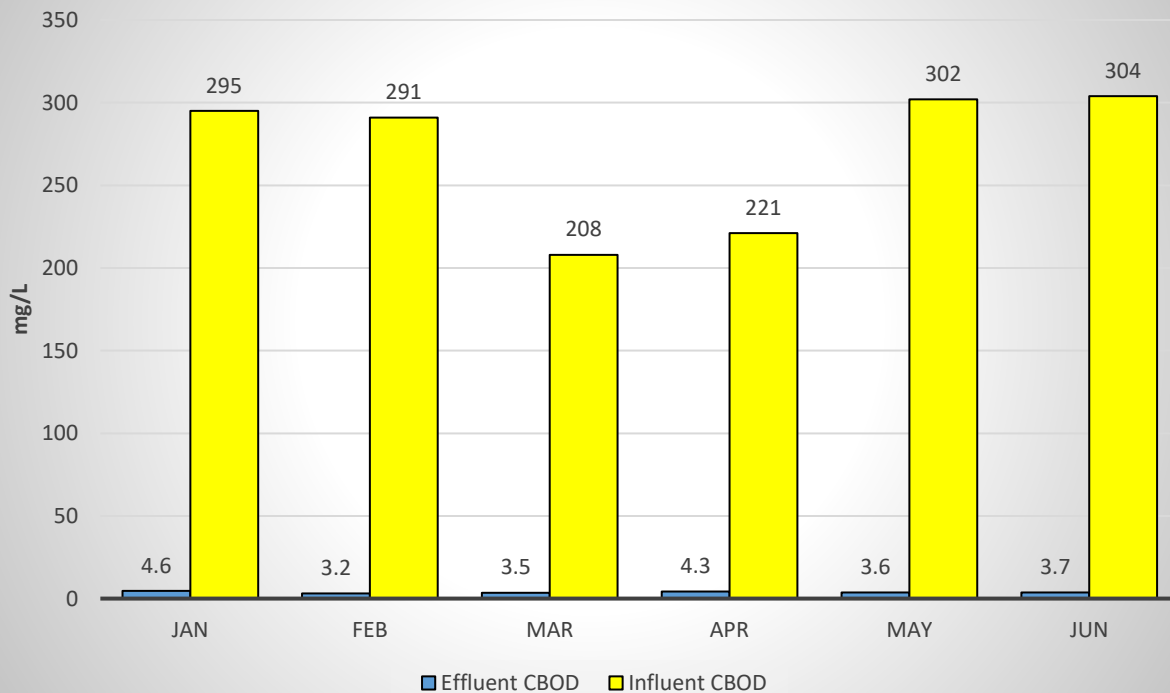


Average % of TSS removed for the month = **99%**

Discharge Limitations

Weekly- 18 mg/L
Monthly- 12 mg/L

WWTP CBOD Removal



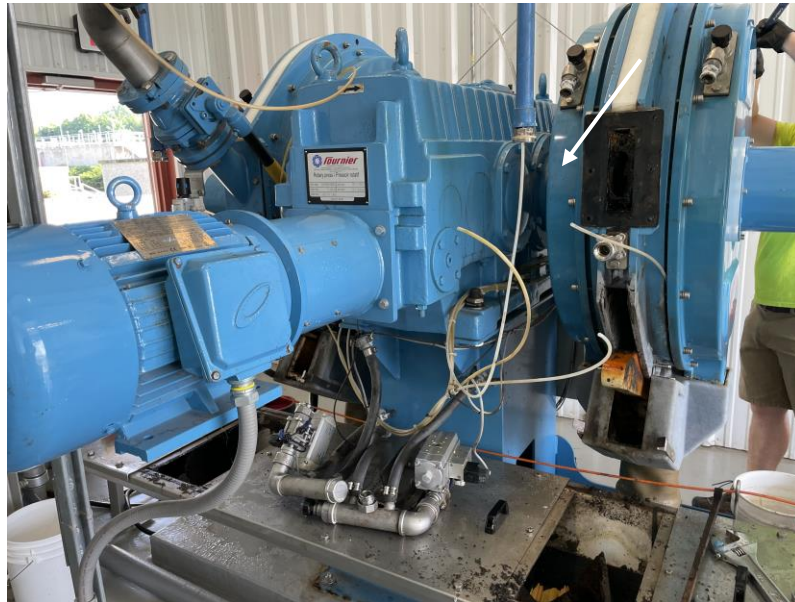
Average % of BOD removed for the month = **99%**

Discharge Limitations

Weekly- 15 mg/L
Monthly- 10 mg/L

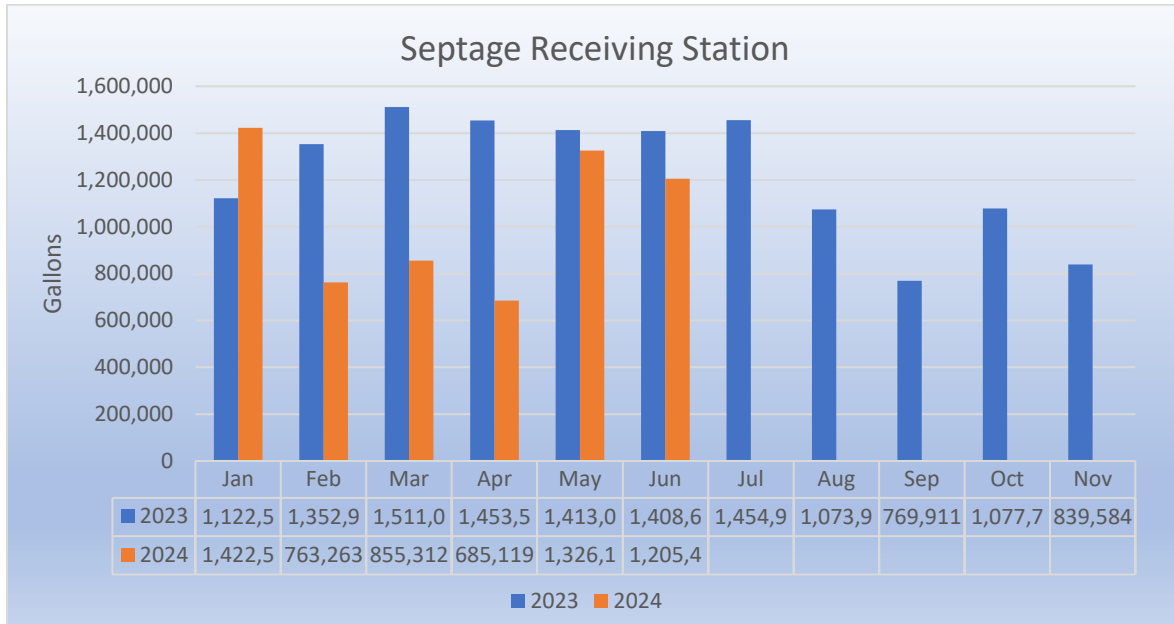
Work Highlights

- Sewer Inspections
 - o 1 existing sanitary service line inspection
- Amount of sludge pressed (dewatered) – 811,826 gallons
- Routine plant operations and preventative maintenance
- Scraper blade replacement on biosolids rotary fan press (due every 5,000 hours)

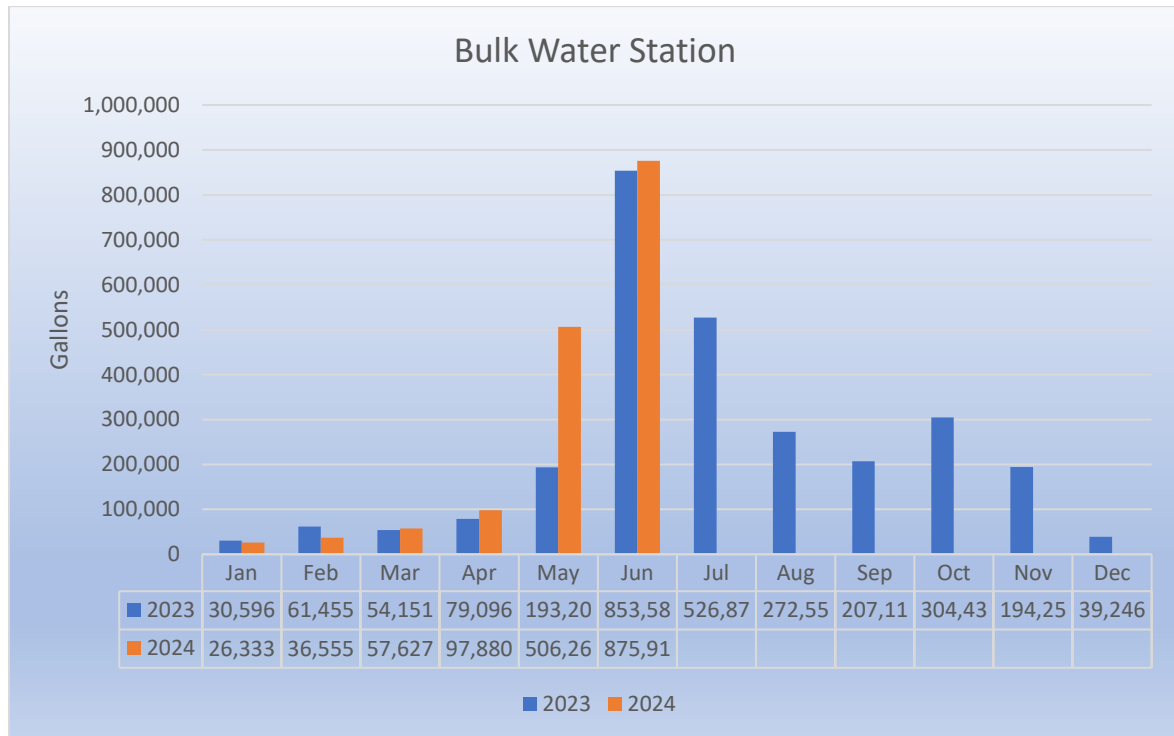


BULK SEWER & WATER

The following chart shows the total amount of waste in gallons brought into Johnstown for the current year and past year by the egg farm and bulk septage haulers.



The chart below shows the total amount of bulk water in gallons purchased each month for the current year and past year. NOTE: This graph contains only gallons of bulk water purchased from the fill station onsite and does not include hydrant meter usage.





Street Department Report

June 2024

CITY OF JOHNSTOWN, OHIO

City of Johnstown
Administrative Offices



599 S. Main Street
Johnstown, Ohio 43031
Telephone: 740-967-3177

Misc.

- Equipment maintenance, cleaning, and repairs
- Sign repair/replacement (as needed)
- repaired replaced multipule signs this month

Street Maintenance

- street sweeping
- 5 ton of hot patch used on williams , pratt , track , recreation dr, commerce, douglas patched water line spot on pratt, lakeview dr , buena vista, leafy dell entrance, locker, N Kasson
- Removed tire from front yard of 153 w coshocton street
- Placed and removed barricades 3 times
- Placed and removed no parking signs 3 times
- Installed a street sign at post office alley
- Cut and removed tree branches around stop signs

Water Maintenance

- fixed valve lid on greenscape
- water shut off and turn on
- hauled lime

Stormwater Maintenance

- Inlet cleaning

Park Maintenance

- Trash pickup (weekly)
- Trail head toilet checked and cleaned (weekly)
- Mowed all parks, water tower, ped bridge, hillside, lift stations
- Spray weed killer around perimeter of the parks and cemetery
- Cut and removed 2 large tree limbs from the dog park
- Treated and filled, out house at the bike path
- Mowed and leveled lift station on west view
- Cut and removed a large tree branch
- Put 100 ft of drain pipe in at the dog park from retention pond

Sewer Maintenance

2024

HOURS WORKED	0	Road Maint.	Park Maint.	Sewer Maint.	Locates	Water Maint.	Sign repair	Equipment repairs	Storm sewer
	January	300	20	20	0	120	8	20	20
	February	320	20	0	0	80	16	40	60
	March	260	80	0	0	60	24	60	60
	April	300	120	0	0	40	16	40	40
	May	340	180	0	0	30	80	40	60
	June	330	200	0	0	20	70	80	60
	July								
	August								
	September								
	Ocboter								
	November								
	December								

TYPE OF WORK

■ January ■ February ■ March ■ April ■ May ■ June
■ July ■ August ■ September ■ Ocboter ■ November ■ December

Service Directors Report

7/1/2024

1) Water Plant Update – No new information

2) Wastewater Plant Update – Meeting with Jacobs on types of headwaters equipment and placement

3) Pulte Housing Project – Pulte will be replacing lift station pumps with brand new higher horsepower pumps

5) Coughlin Apartment – No new information

6) Water Theft – Due to water theft at outlying areas I am investigating locking hydrant caps. If we install these, I will have to coordinate with the fire department.

7) Grant for leak detection equipment – Correlators have been ordered and should be received in July.

8) Source Water Assessment – Terry and I are working with the Rural Water Association to develop a source water protection plan. We had our first meeting 6/27/24.

9) High Service pump – One of our three high service pumps burnt up. This pump delivers 600gpm to the water towers. This pump is 30 years old, so I had it sent to a Moody's a pump repair shop for a complete inspection and to receive a quote for the needed repairs.



AN ORDINANCE TO AMEND SECTIONS 1187.03, 1187.08 AND 1187.09 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

WHEREAS, Section 1187.03 of the City of Johnstown's Codified Ordinances defines Environmental change, major; and

WHEREAS, Section 1187.08 of the City of Johnstown's Codified Ordinances lists criteria for evaluation of applications for Certification of Design Appropriateness in the City of Johnstown; and

WHEREAS, Section 1187.09 of the City of Johnstown's Codified Ordinances regulates demolition of structures in the City of Johnstown; and

NOW THEREFORE BE IT ORDAINED BY THE CITY OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO, AS FOLLOWS:

Section 1. That Sections 1187.03, 1187.08 and 1187.09 are amended as shown in the exhibit attached; deletions are ~~struck~~; additions are *italicized*

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Johnstown, Licking County, Ohio.

Date of Introduction: June 18, 2024

Public Hearing/Vote: July 2, 2024

Effective Date:

BY: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

1187.03

(f) "Environmental change, major" means new construction, alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure that are not considered to be minor modifications, demolition of a structure which is permanently fixed and or attached to the ground, building addition, the addition of signage or changes to nonconforming signs and the construction of accessory buildings, structures including, fences, walls, retaining walls, decks, porches, swimming pools and spas, and similar changes as determined by the Village City Manager, subject to the provisions of this chapter.

1187.08 CRITERIA FOR EVALUATION OF APPLICATION FOR CERTIFICATION OF DESIGN APPROPRIATENESS.

In considering the appropriateness of any proposed environmental change, including landscaping or exterior signage, the Board or Village City staff member shall consider the following, as a part of its review:

(a) The compliance of the application with the Design Guidelines and Requirements. The proposed environmental change is to comply with the Design Guidelines and Requirements of the Village City, incorporated by reference.

(b) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(c) The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.

(d) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(e) Each property shall be recognized as a physical record of its historic time, place and use. Alterations that have no historical basis and which seek to create an appearance inconsistent or inappropriate to the original integrity of the property shall be discouraged.

(f) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(g) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

(h) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures if appropriate shall be undertaken using the gentlest means possible.

(i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(j) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(k) Significant archeological resources affected by a project shall be protected and preserved, if such resources must be disturbed, mitigation measures shall be undertaken.

(l) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved. (Ord. 05-2011. Passed 5-17-11.)

(m) Demolition of a structure shall follow the criteria for evaluation and submittal requirements outlined in section 1187.09 as well as all items in 1187.08 as it relates to consideration of the demolition of a structure.

1187.09 ~~Demolition of Structures~~ **Demolition Criteria**

Decisions approving or denying Certificates of Appropriateness for the demolition of structures will be guided by the following criteria, among other considerations.

- The historic, architectural, or cultural significance of the structure.*
- How the structure contributes to the identity of the district.*
- The feasibility of reproducing the structure due to characteristics unique to the building, including design, materials, architectural details, etc.*
- Whether the structure represents a specific example of period construction or is the one of the last remaining buildings from this period.*
- Plans for the reuse of the property and how these plans affect the character and identity of the surrounding district.*
- Whether the structure presents a clear danger to the health and safety of the public. This may include the possibility of unexpected collapse, existence and dissemination of pollutants, unauthorized use, etc.*
- Whether there is clear evidence that alternatives to demolition have been explored.*
- Whether there is benefit to the public to protect or demolish the structure based on the current or projected use of the property.*
- Whether the structure has been altered to the extent that no historic or architectural relevance is*
- Is there a reuse plan? A new structure would need to have conformity with the surrounding architecture.*
- Is it legitimately in poor enough structural condition as to warrant demolition and not “demolition by neglect”*
- Does the demolition negatively affect adjacent property owners?*
- The lot must be returned to turf and landscape, and anything posing a danger must be filled/remediated like basements/foundations/septic tanks/cisterns etc. The Design Review Board can also decide if they want to ensure that foundation slabs, driveways, walkways, fences, etc. are removed.*

Purposeful Neglect.

The Design Review Board will not approve applications where the willful neglect of a property is evident. In cases of intentional neglect, or damage, where the property has been allowed to deteriorate with the purpose of causing demolition, the owner may be held responsible for the cost to stabilize, repair, or replace the structure.

~~In cases where an applicant applies for a Certificate of Appropriateness to demolish a structure, the Planning and Zoning Commission or Village Manager shall grant the demolition and issue a Certificate of Appropriateness when at least one of the following conditions prevails.~~

- ~~—(a)—The structure contains no features of architectural and historic significance to the character of the individual precinct within which it is located.~~
- ~~—(b)—There exists no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.~~
- ~~—(c)—Deterioration has progressed to the point where it is not economically feasible to restore the structure.~~



ORDINANCE 17-2024

AN ORDINANCE TO PROHIBIT CANNABIS DISPENSARIES; AND TO DECLARE AN EMERGENCY.

WHEREAS, State Issue 2, approved by a majority of voters in the November 7, 2023 Ohio general election, legalized the commercial sale, recreational use, and home cultivation of cannabis for persons 21 years old and older (“Adult-Use Cannabis”); and

WHEREAS, pursuant to home rule authority found in Article XVIII of the Constitution of the State of Ohio, the City Charter, and the Ohio Revised Code, municipalities have the inherent power to enact planning, zoning and business regulation laws that further the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting, prohibiting and regulating certain business uses; and

WHEREAS, Ohio Revised Code Section 3780.25, enacted by State Issue 2, affirms that municipalities may prohibit or limit the number of Adult-Use Cannabis operators within their corporation limits;

WHEREAS, Chapter 3796 of the Ohio Revised Code permits the cultivation, processing, and establishment of medical marijuana (“Medical Marijuana”) dispensaries; and

WHEREAS, Ohio Revised Code Section 3796.29 of the Ohio Revised Code authorizes a municipality to adopt an ordinance limiting the number of, or entirely prohibiting, cultivators, processors, or retail dispensaries of Medical Marijuana within their corporation limits; and

WHEREAS, the City has determined, in accordance with Ohio Revised Code Sections 3780.25 and 3796.29, that the complete prohibition of retail dispensing of Adult-Use Cannabis and Medical Marijuana furthers the health, safety, welfare, comfort, and peace of the citizens of the municipality.

NOW, THEREFORE, BE IT ORDAINED by the Council for the city of Johnstown, County of Licking, State of Ohio, that:

Section 1: Prohibition. Council of the City of Johnstown, Ohio, in accordance with Ohio Revised Code Sections 3780.25 and 3796.29, hereby prohibits retail dispensing of Adult-Use Cannabis and Medical Marijuana to promote the health, safety, welfare, comfort, and peace of the citizens of the municipality.

Section 2: Existing Businesses. No existing business in the City of Johnstown may expand in any way that would establish the retail dispensing of either Adult-Use Cannabis or Medical Marijuana.

Section 3. Effective Date. For the immediate preservation of the public peace, health, and safety for the City, namely, because of the uncertain and evolving statutory and regulatory landscape concerning Adult-Use Cannabis and the continued operation of Medical Marijuana businesses, this Ordinance shall take effect at the earliest date allowed by law.

Date of Introduction/Public Hearing/Vote: July 2, 2024

Effective Date:

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law



**A RESOLUTION OF COMMITMENT TO JOHNSTOWN RESIDENTS FOR TAX REVENUE
SPENDING**

WHEREAS, on May 21, 2024, City Council passed Resolution 2024-20 providing for the submission to the electors of the City of Johnstown, at the General Election, an Ordinance to increase the city income tax rate from the current rate of one percent (1.00%) to a rate of two and one quarter percent (2.25%) for the purposes of public safety, economic development, operations efficiencies and capital improvements; and to increase the credit for taxes paid to another municipality to seventy-five percent (75%) from zero percent (0.00%); and

WHEREAS, this tax increase would generate approximately \$2.1 million in additional revenue yearly for the City of Johnstown; and

WHEREAS, Johnstown Council desires to lay out priorities and a spending plan for the increased revenue; and

WHEREAS, with a desire for full transparency and accountability, Johnstown Council will provide an annual report to its citizens on how the money was spent; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO; A MAJORITY OF THE MEMBERS CONCURRING THAT:

Section 1: Johnstown City Council commits to the spending plan for new tax revenue for at least five years as follows:

- \$1,400,000 or (66% of new monies) for improvements to roads and sidewalks within the city
- \$300,000 or (14% of new monies) for safety & service
- \$300,000 or (14% of new monies) to city operations for City Planners, Economic Development and Street Department
- \$126,000 or (6% of new monies) for parks, trails and beautification of the city

Section 2: To commit to full transparency and accountability, Johnstown City Council commits to provide an annual report to its residents on how the tax revenue is spent. This will be provided to every household within the City of Johnstown.

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

Introduction/Public Hearing/Vote: July 2, 2024

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



RESOLUTION 2024-28

**A RESOLUTION IMPOSING A TWELVE-MONTH MORATORIUM ON THE
COMMERCIAL CULTIVATION AND PROCESSING OF ADULT-USE CANNABIS IN THE
CITY OF JOHNSTOWN**

WHEREAS, State Issue 2, approved by a majority of voters in the November 7, 2023 Ohio general election, legalized the commercial sale, recreational use, and home cultivation of cannabis for persons 21 years old and older (“Adult-Use Cannabis”); and

WHEREAS, State Issue 2 created the Ohio Division of Cannabis Control and required this Division to promulgate rules establishing standards and procedures for the commercial sale, recreational use, and home cultivation of Adult-Use Cannabis within nine months of its passage;

WHEREAS, since State Issue 2’s passage, State lawmakers have proposed two alternative bills to revise the administrative and tax structures adopted via State Issue 2, but have not adopted any amendments to-date; and

WHEREAS, the Ohio Division of Cannabis Control has not yet promulgated standards and procedures for the commercial sale, recreational use, and home cultivation of Adult-Use Cannabis; and

WHEREAS, pursuant to home rule authority found in Article XVIII of the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the inherent power to enact planning, zoning, and business regulation laws that further the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, Section 3780.25, enacted by State Issue 2, affirms that municipalities may prohibit or limit the number of Adult-Use Cannabis operators within their corporation limits; and

WHEREAS, City Council seeks time to study whether to limit or entirely prohibit the commercial cultivation of Adult-Use Cannabis in accordance with Ohio Revised Code Section 3780.25, or, to amend its business and/or zoning code and/or implement regulations regarding the location and operation of Adult-Use Cannabis-related businesses within the City of Johnstown, Ohio (the “City”), including cultivators, and processors; and

WHEREAS, a twelve-month moratorium on the permitting of Adult-Use Cannabis businesses and uses in the City will allow City Council and staff time to study these issues and the final regulations in order to ensure the public peace, health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council for the city of Johnstown, County of Licking, State of Ohio, that:

Section 1: Prohibition. Council of the City of Johnstown, Ohio, in accordance with Ohio Revised Code Section 3780.25, hereby imposes a moratorium on the commercial cultivation and processing of Adult-Use Cannabis to promote the health, safety, welfare, comfort, and peace of the citizens of the municipality. Commercial cultivation and processing of Adult-Use Cannabis is specifically prohibited anywhere within the City of Johnstown for a period of twelve (12) months from the date of this Resolution’s adoption. Activities subject to this moratorium include, but are not limited to, the acceptance of any applications for, or the granting of, building permits, zoning approvals, certificates of business occupancy, or certificates of occupancy that would enable the cultivation and processing of Adult-Use Cannabis in the City of Johnstown. This moratorium does not apply to home cultivation of Adult-Use Cannabis.

Section 2: Existing Businesses. No existing business in the City of Johnstown may expand in any way that would establish the commercial cultivation or processing of Adult-Use Cannabis for the duration of the moratorium period established in this Resolution.

Section 3: Extension. The twelve-month (12) moratorium may be extended by legislative action of City Council if it determines that additional time is necessary based on the objectives of this Resolution.

Section 4: Effective Date. For the immediate preservation of the public peace, health, and safety for the City, namely, because of the uncertain and evolving statutory and regulatory landscape concerning Adult-Use Cannabis, this Resolution shall take effect at the earliest date allowed by law.

Date of Introduction/Public Hearing/Vote: July 2, 2024

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law